

## **AMENDMENTS TO RULES OF RACING OF THE MAURITIUS TURF CLUB – MARCH 2018**

Rules 1, 2, 3, 7 (4), 11, 15A, 16, 22, 27, 28, 29, 35, 41, 44, 45, 47, 49, 50, 52B, 53, 53A, 55, 55A, 57, 58, 59, 60, 66A, 72, 76, 76A, 80A, 80B, 81(1), 82, 84, 85, 89, 92, 100, 101, 104, 105, 111, 137, 137A, 141, 144, 145A, 156A, 160, 160A, 161, 166, 169, 176, 177, 190, 191, 191A, 194, 198, 199, 200, 206, 208A, 209, 209A, 209B, 210, 211, 212, 213 (5), 216 and 217 (1):

### **Amendments & New Rules underlined**

#### **Rule 1**

1. (1) These rules may be cited as The Mauritius Turf Club Rules of Racing 2018.

#### **New paragraphs (2) & (3)**

(2) These Rules shall come into operation on 31 March 2018 and any other Rules of Racing repugnant to or inconsistent with these Rules shall be annulled as from that day, but such annulment shall not affect:

(a) the previous operation of any rule so annulled or anything duly done or suffered there under, or

(b) any right, privilege, obligation, or liability acquired, accrued, or incurred under any Rule so annulled,

(c) any penalty or disqualification incurred in respect of any offence committed against any rule so annulled, or

(d) any investigation, proceeding, or remedy in respect of any such right, privilege, obligation, liability, or penalty so annuled.

(3) Any such investigation, proceeding, or remedy may be instituted, continued, or enforced, and any such penalty or disqualification may be imposed as if these Rules had not been passed.

## **INTERPRETATION**

#### **Rule 2**

2. In these Rules, ~~unless the context otherwise requires -~~

#### **New Interpretations underlined**

“Approved Racing Laboratory” means an analytical laboratory that is accredited by an international Testing Authority and approved by the Mauritius Turf Club;

connections” includes the persons who are the owners of a horse or who otherwise have a legal or pecuniary interest in it, a trainer, a manager of a syndicate, and authorised agents of such persons;

“cruelty” includes any act or omission as a consequence of which a horse is mistreated;

“disqualification” includes the adoption or confirmation in accordance with these Rules of any disqualification. “Disqualify” has a corresponding meaning;

“helmet” means a protective riding helmet the standard of which is approved by the Mauritius Turf Club;

“General Manager” shall include Deputy General Manager;

“illicit Substance” means a substance declared by these Rules to be an Illicit Substance;

“licence” includes any approval or permit granted by the Administrators of the Club;

“medication” means any treatment with drugs or any other substances;

“meeting” means a meeting at which Thoroughbred racing horses race or participate in events or were scheduled to do so and includes official trials and training at tracks approved by the Club;

“microchip” means an electronic identifier transponder encoded with a unique unalterable number approved by the Club for implantation in horses;

**“officials”** means person or persons appointed and/or licensed by the Administrators to act at racemeetings;

“official trial” means a trial that is approved by the Club;

“Overseas Racing Authority” means a body, whether statutory or otherwise, that has the control or general supervision of racing within a country, territory other than Mauritius;

“penalty” includes the suspension or partial suspension of any licence, disqualification and the imposition of a fine and “penalise” has a corresponding meaning;

“prohibited substance” means a substance declared by these Rules to be a Prohibited Substance, or which falls within any group of substances declared by these Rules to be a prohibited substance unless it is specifically excepted;

“reprimand” includes caution and means an official censure or rebuke;

~~“Rules” means the Rules of Racing of the Club and such regulations and/or by-laws made by the Administrators of the Club, pursuant to the provisions of the Rules;~~

“sample” means a specimen of saliva, urine, perspiration, breath, blood, tissue, hide, hair or any other excretion product or body fluid taken from a horse or person;

“suspension” means the temporary withdrawal in whole or in part of any licence, permit, permission, right or privilege granted under these Rules;

“warned off” means a decision or penalty prohibiting a person from entering any racecourse or place under the control of the Club and a person “warned off” shall be subject to the same prohibitions as a disqualified person;

3. Nothing in these Rules shall prevent a person from being at the same time an Owner and/or a Trainer.

## Rule 7 (4)

(4) Without prejudice to the Rules, every Jockey, Trainer and Groom shall comply with such regulations, directives, orders, licensing conditions and decisions as may be made from time to time by the Racing Stewards. However, if there is a conflict between these Rules and the said regulations, orders and/or decisions the provisions of the Rules shall prevail.

## Rule 11

11. The Administrators shall, subject to Rule 22(2), have power to:

- (a) (i) regulate, control, take cognizance of, and adjudicate upon the conduct of all Officials, Owners, Trainers, Jockeys, Bookmakers, Amateur Riders, Apprentices, Trackriders Stable Employees, persons employed by the Club and any person frequenting the stands or other places used for the purpose of horse racing or the training of racehorses;
- (ii) ~~have power to~~ enquire into and deal with any matter relating to racing/training of racehorses and to refer any such matter to the Racing Stewards for investigation and report and, without prejudice to the generality of the foregoing, to enquire at any time into the running of any horse and the riding of any jockey and/or apprentice. No person attending or required to attend an inquiry or any ensuing hearing or other proceeding before the Racing Stewards or the Administrators shall have the right to be represented by another person, including a member of any legal profession in whatever jurisdiction. This rule shall not preclude any jockey authorised to ride in Mauritius from being accompanied, where appropriate, by an interpreter at such inquiry, hearing or other proceeding or an Apprentice from being accompanied by his Trainer at such enquiry;
- (iii) ~~have power to~~ adjudicate upon any dispute arising out of any contract or agreement between persons duly licensed by them or registered with the Club or to refer such dispute to an arbitrator as may be stipulated in the said contract or agreement; and
- (iv) ~~have power to~~ enquire into the conduct of any person referred to under Rules 4 (ii) and 5 above and to refer any such matter to the Racing Stewards for investigation and report if they ~~deem~~ think fit and necessary. No person attending or required to attend an inquiry or any ensuing hearing or other proceeding before the Racing Stewards or the Administrators pursuant to this subparagraph shall have the right to be represented by another person, including a member of any legal profession in whatever jurisdiction. This Rule shall not preclude that person from being accompanied, where appropriate, by an interpreter at such inquiry, hearing or other proceeding, if that person satisfies the Administrators or Racing Stewards, as the case may be, that the presence of such an interpreter is necessary.

(c) ~~have power, in their absolute discretion,~~ to grant, vary, renew, suspend or revoke licences and permits in respect of Trainers, Jockeys, Apprentices, Amateur Riders, Stable Employees and Officials;

(d) ~~have power to~~ inflict upon any person subject to their control, and sanctionable under this paragraph, any or all of the following penalties: reprimand, caution, warning, suspension from acting or riding, warning off, disqualification, a fine not exceeding ~~Rs.250,000~~ Rs.1m and to apply a demerit point system, using the published scale;

(f) ~~have the power,~~ at any time, to make such regulations as may be necessary for the proper administration, organisation and conduct of horse racing.

#### New paragraph

(h) confirm, adopt or enforce, any suspension, disqualification, ban or other similar penalty imposed by an Overseas Racing Authority upon any person

### **LICENSING COMMITTEE**

#### **15A**

(1) There is established a Licensing Committee to assist the Administrators ~~of the Mauritius Turf Club~~ in the licensing of persons.

(2) The Licensing Committee shall make recommendations to the Administrators on matters relating to the granting, renewal, variation, suspension, revocation and withdrawal of licences and permits in respect of Trainers, Jockeys, Apprentices, Amateur Riders, Stable Employees and Officials.

(3) The Licensing Committee shall be constituted of not less than three persons and not more than five persons. The Chairman of the Committee shall be an Administrator of the Club duly nominated by the Board of Administrators. In case the Chairman is unable to act, the Board of Administrators shall nominate another Administrator to hold office as Chairman of the Committee.

(4) The other members of the Committee shall be nominated by the Board of Administrators upon the recommendation of the General Manager ~~of the Mauritius Turf Club~~. The Board of Administrators shall appoint a Secretary to the Licensing Committee who shall be a member of the Committee.

(5) Three members of the Committee, including the Chairman, shall constitute a quorum.

(6) The Licensing Committee may determine and regulate the form of and the procedure for any inquiry ~~and or~~ or hearing it may hold.

(7) Any person requested to appear before the Committee shall not be entitled to be accompanied or represented by another person, including a member of any legal profession in whatever jurisdiction. However, this shall not preclude any jockey

authorised to ride in Mauritius from being accompanied, where appropriate, by an interpreter or an Apprentice from being accompanied by his Trainer.

(8) Any person, except a foreign jockey, feeling aggrieved by the decision of the Administrators for the refusal of a further license may appeal the Administrators' decision to the General Manager of the Club.

(9) The appellant and the Administrators shall be entitled to legal representation at any appeal.

(10) The conditions and procedures for such appeals shall be governed by rules 214 to 227 of ~~these~~ the Rules.

## **16. RACE MEETING OFFICIALS: APPOINTMENT**

## **22. RACING STEWARDS: APPOINTMENT**

(2) In relation to all the duties to be performed by Racing Stewards in connection with any particular race or race meeting, the powers conferred on the Administrators under the Rules shall, save for Rule 11 (e), be vested in the Racing Stewards.

### **New Rule 27**

27. To assist in the control of racing, Racing Stewards shall be appointed according to the Rule 22 with the following powers:-

(a) to regulate and control, inquire into and adjudicate upon the conduct of all officials, owners, trainers, riders, bookmakers, clerks, persons attending horses or connected with a horse, persons attending a racecourse and anyone else appointed, employed or engaged in racing and to impose such penalties or sanctions as they deem appropriate under Rule 11 (d);

(b) to make, alter, or vary all or any of the arrangements for the conduct of any race under their control;

(c) to enter upon and control all stands, enclosures, and other places used for the purposes of a meeting, and to search, expel or exclude any person from the same;

(d) to determine all questions arising or objections made in reference to racing at the meeting;

(e) to order the examination of any horse for the purpose of ascertaining its age or identity, or for any other purpose connected with the Rules;

(f) to take or cause to be taken any sample at any time from any horse and to make or cause to be made any test to determine whether any prohibited or illicit substance is present in the system of the horse;

Rule 28 (a) becomes Rule 27 (g)

(g) at any time before a race, withdraw a horse already entered if any sample taken from that horse is reported officially by the Analyst as being abnormal;

(h) to take any sample or cause such sample to be taken from any rider either prior to or after riding in any race, official trial, jump-out or trackwork, and/or to appoint officials or other persons to take such sample. Further, to make or cause to be made any test to determine whether any prohibited substance is present in such sample.

(i) on any course or at any private training centre (whether a race meeting is being conducted thereon or not) to search any licensed person or any gear or equipment used by or about to be used by him and to take possession of any article or thing found as a result of such search which the Racing Steward or Stewards making such search believe could afford evidence of a breach of or an offence under these Rules;

(j) to prohibit any horse from starting in any race;

(k) in exceptional cases to extend the time allowed for weighing-out, declaring weight, for starting or for any other thing required by the Rules, or conditions of a race;

(l) if the conditions are in their opinion unsafe for racing, or in case of urgent necessity, or with the permission of the Administrators of the Club for any other reason-

(i) to postpone or cancel any race before or after the commencement of the meeting on that day, or to such other day as the Administrators of the Club may decide and/or

(ii) to alter the distance of any race;

(m) to refuse or reject the nomination of any horse at any time for any period and/or until such horse has participated to their satisfaction in an official trial or a jump-out or passed any required veterinary examination;

(n) to order the withdrawal of a horse from any race at any time before the start if in their opinion it is unfit to run or unable to start without unreasonable delay;

(o) where a person has been charged with a breach of these Rules or a person has been charged with the commission of a criminal offence, the Racing Stewards, if of the opinion that the continued participation of that person in racing might pose an unacceptable risk to, prejudice or undermine the image, interests or integrity of racing, may:

(i) suspend any licence, registration, right, or privilege granted under these Rules to that person;

(ii) prevent any horse owned or part-owned by that person from participating in any race or official trial;

(iii) order that any registration of the transfer of ownership and/or training of a horse related to that person not be effected;

(iv) make any other direction or order related to the person which is in the interests of racing, pending the hearing and determination of the charge under these Rules or the relevant criminal charge.

Rule 27 becomes Rule 27 (p) and is amended

~~(p)~~ The Racing Stewards may open an enquiry into any race and, for that purpose, hear any person and examine the official film and/or the video recording of the race, and generally do anything which they consider necessary for the purpose of their investigation.

Rule 28 (b) becomes Rule 27 (q) and is amended

~~(q)~~ On the recommendation of a Veterinary Surgeon, ~~to~~ withdraw any horse from any race on the ground that it is unfit to take part in that race by reason of disease, infirmity, unsoundness, untrained condition, savage or unreliable temper, abnormal behaviour, or any other cause which, in their opinion, may render such horse a source of danger or interference to other horses or to the jockeys taking part in that race or to other persons present at the racecourse;

Rule 28 (c) becomes Rule 27 (r) and is amended

~~(r)~~ The Racing Stewards may ~~to~~ give general authorisation to a Veterinary Surgeon, or such other person appointed for that purpose, to take or cause to be taken, at his discretion, at the race course or elsewhere, swabs or other specimens from any horse at any time before or after the race as they may consider necessary;

Rule 28 (d) becomes Rule 27 (s) and is amended

~~(s)~~ ~~At any time, to~~ order an examination by a Veterinary Surgeon of any horse;

Rule 28 (e) becomes Rule 27 (t) and is amended

~~(t)~~ ~~to~~ order the supervision and/or detention of horses taking part in a race, in the boxes where they are stabled or at such other places, for such period before or after the race as they may consider necessary;

Rule 28 (g) becomes Rule 27 (u) and is amended

~~(u)~~ ~~to~~ order the removal of any horse shoes, equipment or gear which, in their opinion, is unsafe, ineffective, not beneficial or counterproductive to that horse's performance.

Rule 28 (h) becomes Rule 27 (v) and is amended

~~(v)~~ ~~to~~ order that a jockey or an apprentice jockey be stood down prior to the start of a race without assigning any reason and, if they think fit, replace him with another jockey or apprentice jockey.

Rule 28 (i) becomes Rule 27 (w) and is amended

~~(w)~~ ~~to~~ sanction any person who in the opinion of the Racing Stewards has committed any breach of the Rules.

Rule 28 (k) becomes Rule 27 (x) and is amended

~~(x)~~ ~~to~~ determine whether a jockey who has been properly engaged to ride a horse in a race but is not able to fulfill such riding engagement, should be paid the riding fee or a portion thereof.

Rule 28 (l) becomes Rule 27 (y) (i) and is amended

~~(y)~~ ~~(i)~~ ~~to~~ sanction any rider who has accepted more than one ride in a race.

Rule 28 (m) becomes Rule 27 (y) (ii) and is amended

(y) (ii) to sanction any rider that has accepted a ride for which he is found to be overweight.

## **Rule 28**

SPENT

## **Rule 29**

29 (1) The Racing Stewards ~~and~~/or any person duly authorised by them to do so, shall have power at any time to enter the premises occupied by, or under the control of, a licensed person and used in any manner related to any licence (hereinafter referred to as "the premises") for the purpose of:

(2) The Racing Stewards entering on the premises under the provisions of Rule 29 (1) (a) shall have the right to take thereto such persons, articles and things as they consider necessary to exercise the powers given to them by that Rule and to carry out their duties as Racing Stewards;

## **Rule 35**

35. No person under ~~eighteen~~ 18 years of age may be registered as an owner or entered as an Honorary Owner.

## **Rule 41**

41. Colours shall be designed and described so as to be easily distinguishable. The design of any new racing colours shall comply with the authorised designs set out in Article 9 of the Racing and Breeding Agreement of the IFHA (~~annexed~~ set out in schedule 2) except that a sash will be authorised in Mauritius.

## **Rule 44**

44. The Stable Colours may, with the permission of the Racing Stewards, and on payment of a fee of Rs. ~~500~~ 1000 for each race, be used by members of the respective stable who have no colours registered under their name.

## **Rule 45**

45. (1) A Trainer is appointed and licensed annually by the Administrators and shall, to all intents and purposes, at all times, be responsible and accountable to the Administrators for:

(a) the management, administration, supervision, security and control of his stable and of the Stable employees of his stable; and ~~for~~

(b) the training, nomination, supervision and control of the horses under his care.

(2) For the proper discharge and for the assistance of his duties and obligations, a Trainer shall secure the services of an Assistant trainer and shall thereby delegate to the latter his responsibilities in the supervision, control, security, training and care of his racehorses in nominating horses to participate in races and the security of the stable yard; The appointment of an Assistant Trainer does not relieve the Trainer in any way from his responsibilities for the care, control and supervision of his horses and conduct of his stable.

New Rule 45 (3)

(3) Whilst the Mauritius Turf Club provides surveillance including closed circuit vision in stables to maintain and reinforce the security of stables, it does not in any way discharge Trainers from their responsibilities regarding the security, supervision and control of their stable.

**Rule 47 (1), 47 (1) (i) & 47 (2) (a) & (c) & 3 (b) & (d)**

47. (1) A Trainer shall be responsible, at all times, for :

New Rule 47 (2)

(2) A trainer shall at all times keep and maintain a Treatment Log Book as approved by the Club:-

(a) listing all therapeutic substances in his or her possession;

(b) recording all details of treatment administered to any horse in his or her care and including as a minimum requirement:

(i) the name of the horse

(ii) the date and time of administration of the treatment

(iii) the name of the treatment (brand name of active constituent)

(iv) the route of administration

(v) the amount given

(vi) the name and signature of the person or persons administering and/or authorising treatment.

Rule 47 (2) becomes 47 (3) and is amended

**47. (3)** A Trainer shall further be responsible for:

(a) (i) at all times, conducting his business properly, with due regard to the interest of his owners and for the good management and training of horses in his charge;

(ii) at all times, all matters, pertaining to the running of his stable, including stable routine, treatment, feeding, security of all his horses and the work of his stable staff;

(c) the proper shoeing of horses taking part in a race with shoes of a type approved by the ~~Administrators~~ **Racing Stewards** except where, because of the condition of the hooves of the horse, the ~~Administrators~~ **Racing Stewards** allow such horse to run without shoes, or use a surgical shoe as approved by the Course Farrier or the Veterinary Surgeon;

Rule 47 (3) becomes 47 (4) and paragraphs (b) & (d) are amended

**47. (4)** A Trainer shall further ensure:

(b) that such gear ~~are~~ is of a type approved by the ~~Administrators~~ Racing Stewards;

(d) that only a lead bag of a type approved by the ~~Administrators~~ Racing Stewards shall be used in races and that no lead bags are used at track work.

Rule 47 (4) becomes 47 (5)

(5) All newly imported horses must be identified within twenty-one days of their arrival in Mauritius by the Trainer from information obtained from the Club. Any Trainer who fails to comply with this Rule shall commit an offence and shall be liable to any of the penalties provided for in Rule 11 (d).

### **Rule 49 (2)**

(2) Any person referred to in Rules 4 (b) and 5 who is aware or has reason to believe that there has been a contravention of Rule 47 (1) (h) or 47 (3) (e) and fails to report the fact to the Administrators, Racing Stewards or to the Secretary, as soon as possible, shall commit an offence punishable by Rule 11 (d).

### **New Rule 50 (3)**

(3) It shall be a condition precedent to the granting under this Rule of any licence or permit or permission to ride that the applicant undertakes to submit, prior to, during or after fulfilling his riding engagement in any race, official trial, jump-out or riding trackwork to any tests that are intended to detect in his body the presence of any alcohol or drug or its metabolites or artifacts.

### **New Rule 52 B**

52B. A licensed jockey or apprentice shall not own or have any financial interest in any racehorse, and if he does such jockey or apprentice shall be disqualified and any person having any interest with him and the trainer of such horse may be penalised.

### **Rule 53 (e)**

(e) is unable, when so required by the handicap, to ride at the ~~minimum~~ declared weight as provided in Rule 111 (2) and/or in the conditions that may be attached to his licence;

Rule 53 (j) is deleted

~~(j) makes any celebratory gesture in an excessive manner on the horse he is riding before or after the horse passes the winning post;~~

Rule 53 (k) becomes 53 (j)

(j) is in possession of a portable phone or any other equipment capable of receiving or transmitting information during the course of a race meeting in any restricted area as designated by the Administrators, without the latter's permission;

Rule 53 (l) becomes 53 (k) and is amended

(k) is otherwise in breach of any of these Rules;

**Rule 53 A (1) (b) (c) & (e)**

**53.A. (1)** Any Jockey or Rider who, in the opinion of the Racing Stewards or the Administrators-

New paragraph

(b) delivers a sample as directed by the Racing Stewards or any person duly delegated by them and which upon analysis is found to contain a prohibited substance;

Rule 53 A (1) (b) becomes 53 A (1) (c) and is amended

(c) refuses or fails to deliver a sample as directed by the Racing Stewards or any person duly delegated by them, or tampers with, adulterates, alters, substitutes or in any way hinders the collection of such sample or attempts to do any of those things;

Rule 53 A (1) (c) becomes 53 A (1) (d)

(d) fails to comply with any directive, decision, direction, ruling or order of the Racing Stewards;

New Rule 53 A (2)

(2) In the event of an analysis of a sample taken from a rider pursuant to Rule 27(h) indicating the presence of a prohibited substance or if a rider refuses or fails to deliver a sample when directed to do so, or tampers with or in any way hinders the collection of such sample, the Stewards may forthwith, pending the determination of any inquiry or other proceeding or the result of any other analysis, stand down such person from riding.

**Rules 53 A (2) to (4) to be renumbered (3) to (5)**

(3) (a) Any Jockey or Rider who has incurred a penalty under any subparagraph of Rule 53 A (1) shall not be allowed to participate in any race or track work unless a sample of his urine or otherwise, to be taken as directed by the Administrators, shows, upon analysis, that it is clear of any prohibited substance.

(b) Upon written application by the Rider at the time of the taking of any specimen, the Club shall split the specimen into two samples which shall be marked 'A sample' and 'B sample' respectively. If upon examination of the 'A sample' a prohibited substance is detected therein, the Rider may request that the 'B sample' be analysed for such substance by such other laboratory as may be designated by the Club. In the latter case, the 'B sample' shall be despatched to such designated laboratory through the Chief Security Officer appointed by the Club or his representative and the Rider shall be liable for all the costs of the analysis including those incurred to despatch the 'B sample' to such designated laboratory.

(4) The provisions of Rule 207 shall apply 'mutatis mutandis' to any analysis under Rule 53 A.

(5) For the purpose of this rule, a prohibited substance means:

- (a) Alcohol – at or above a threshold of 22 micrograms of ethanol per 100 millilitres of breath, or 50 milligrams of ethanol per 100 millilitres of blood;
- (b) Amphetamines excluding Ephedrine, methylephedrine, Pseudoephedrine and Phenylpropanolamine;
- (c) Barbiturates;
- (d) Benzodiazepines or Benzodiazepine like substances;
- (e) Cannabinoids – or any synthetic Cannabinoids;
- (f) Cocaine;
- (g) Ketamine and Tiletamine;
- (h) Lasix (Frusemide) and other diuretics;
- (i) Lysergic Acid Diethylamide (LSD);
- (j) Opioids excluding the use of Codeine, Dextrometorphan, Dihydrocodeine, Ethylmorphine, Pholcodine and Propoxyphene for therapeutic purposes;
- (k) Phencyclidine.

#### **Rule 55 (1) (b), (2) (e), 4, (5) & (6)**

##### **Every jockey shall:**

(b) wear a ~~skull cap~~ **helmet** of a type approved by the Racing Stewards during a race and while riding exercise;

##### New paragraph (2) (e)

(2) (e) When riding a horse which is wearing ear muffs, as approved by the Racing Stewards, in a race, official trial or trackwork, remove such ear muffs.

##### New paragraph 55 (4)

(4) No rider shall present himself to ride in any race, official trial, jump-out or trackwork unless he is physically fit to fulfill the requirements of such activity. In the event that such rider presents himself to ride in any race, official trial, jump-out or trackwork and is found to be physically unfit, by the Club's doctor, to fulfill the requirements of such activity shall commit an offence and be liable to any of the penalties provided for under Rule 11 (d).

#### **Rule 55 (3) (a) to (c) to become Rules 55 (5) to (7)**

(5) Where a Jockey nominated to ride in a race claims to be unfit to ride, he shall immediately make a report to that effect to the Clerk of the Course or, in the absence of the latter, to any other Official, who shall request the said Jockey to be medically examined by a doctor duly appointed by the Club.

(6) Where a Jockey nominated to ride in a race is declared unfit to ride by a doctor duly appointed by the Club, the said jockey shall not be entitled to ride again either at track work or in races until and unless he is so authorized by the Racing Stewards after

successfully passing a second medical examination carried out by a doctor duly appointed by the Club for that purpose.

(7) Any Jockey who misleads or attempts to mislead the doctors carrying the medical examination(s) referred to at paragraphs (a) and/or (b) above, shall commit an offence and shall be liable to any of the penalties provided for in Rule 11 (d).

#### **Rule 55 (4) to become Rule 55 (8)**

(8) A Jockey nominated to ride during a race meeting and who enters the jockeys' room, shall not leave the room, except -

- (a) for the purposes of riding in a race for which he has been nominated;
- (b) with the permission of the Clerk of the Course.

#### **New Rules 55 (9) & (10)**

(9) Jockeys are not allowed to use cellular phones or any other electronic devices capable of transmitting and/or receiving information in the Weighing Room, Jockeys' Room or Parade Ring at all times. These must be handed over to the Clerk of the Scales for custody before proceeding to the Jockeys' Room on race days. The Clerk of the Scales shall remit to the Jockeys their respective devices at the end of the race day.

(10) Every rider must wear thoroughly clean and appropriate dress.

#### **Rule 55 A (1) & (4)**

### **55.A. JOCKEYS' TRACK WORK**

(1) ~~All Jockeys~~ Every jockey authorised to ride in Mauritius shall, except with the permission of the Racing Stewards, present ~~themselves~~ himself to ride work at all times the track is open for training.

#### **New Rule 55 A (4)**

(4) Every rider will be required to ride at track work for a minimum of 4 days a week or as otherwise directed by the Racing Stewards.

#### **Rule 57 (a) & (c)**

### **APPRENTICES**

57. The Administrators may grant an Apprentice's licence for the purpose of riding in races to an applicant:

- (a) who has attained the age of ~~fifteen~~ 15 years;

(c) who has obtained the Administrators' approval of the contract of employment signed between himself and a Trainer; and

### **Rule 58 (6)**

(6) ~~The above is Paragraphs (1) to (5) shall be~~ without prejudice to the Administrators' power to revoke for cause, and at any time, such a licence.

### **Rule 59 (ii) & (iv)**

(ii) Subject to the provisions of Rule 60 (d) ~~below~~, after the expiry of five calendar years as from his first ride in a race, an Apprentice may apply to the Administrators for a professional Jockey's licence provided that he has ridden at least fifty races, or obtained a minimum of five wins in races not reserved to Apprentices.

(iv) Notwithstanding the provisions of ~~Rule 59 paragraph~~ (i) above, whenever the holder of an Apprentice Jockey's Licence has attained twenty-five years of age but does not fall within the ambit of ~~Rule 59 paragraph~~ (ii) above, he may, in the Administrators' absolute discretion, be granted an extension or renewal of his Apprentice's licence upon either the same conditions or upon such new conditions as the Administrators may deem fit.

### **Rule 60 (4)**

(4) Notwithstanding anything to the contrary, the holder of a Jockey's licence issued or granted pursuant to Rule 59 (ii) ~~above~~ may be allowed to claim a 1.5 kg allowance provided that he has not yet ridden thirty winners in races and is not older than 30 years.

### **New Rule 66 A.**

66A. A horse shall not be eligible for registration unless it is branded and microchipped or otherwise identified by a method approved by the Administrators

### **Rule 72**

#### **CONDITIONS FOR RACEMEETINGS**

72. The names, values, distances and conditions of the races (which shall not include the names of the Officials to be appointed under Rule 16) to be run at each meeting shall be published not less than ~~ten~~ seven days before the date of the meeting provided that the Administrators may, in their absolute discretion, alter the conditions of any race provided such alteration is, in their opinion, in the best interest of racing in general.

### **Rule 76 becomes 76 (a)**

(a) A horse shall not be entered or started for any race if any operation of neurectomy has been performed on one or more of its legs.

## **New Rules 76 (b) (c) & (d) & 76A.**

(b) A horse that is totally blind in one eye is ineligible for any race, official trial or trackwork

(c) In the event of a horse being suspected of being blind or having impaired vision the owner and/or the trainer shall notify the Racing Stewards immediately.

(d) Any person party to a breach of paragraph (a), (b) or (c) of this Rule, shall commit an offence and shall be liable to any of the penalties provided for in Rule 11(d).

76A. (i) Depending upon the prevailing climatic conditions on the day, the Racing Stewards may authorise or direct a trainer to remove or apply pacifiers to his horse.

(ii) Any horse which is to race for the first time in blinkers must undergo a test at the starting stalls prior to racing.

## **New Rules 80A. & 80B.**

80A. No person other than an MTC approved veterinary surgeon shall administer any medication, medicine or substances to a horse other than what is considered to form part of a normal diet of a horse, except in life threatening situations. Such person and any other person party to a breach of this Rule, shall commit an offence and shall be liable to any of the penalties provided for in Rule 11(d).

80B. Where a horse has been nominated and/or entered for a race on a Saturday or Sunday, no person shall administer, cause to be administered, attempt to administer or be a party to an intra-articular administration of a corticosteroid preparation to the horse, whether the preparation is administered alone or in combination with other preparations, at any time after the preceding Tuesday or as otherwise directed by the Racing Stewards. Such person and any other person party to a breach of this Rule, shall commit an offence and shall be liable to any of the penalties provided for in Rule 11(d).

## **Rule 81**

81. (1) Any trainer who has a doubt as to the fitness of one of his horses entered in a race must report ~~same~~ it to the Club's Veterinary Surgeon and must ensure that the said horse is certified fit to race by the Club's Veterinary Surgeon before 8.30 a.m. on the day of the publication of the "Programme Officiel".

## **Rule 82**

82. For every race meeting there shall be published, where possible, under the signature of the Secretary of the Club, at least one day before the meeting, a programme which shall be known as the "Programme Officiel". The 'Programme Officiel' may be reproduced in other formats, if the Administrators so decide ~~so~~.

### **Rule 84 (c)**

(c) the minimum top weight in any handicap race shall be 60 kg. Therefore, if at the final declarations the top weight is below 60 kg, then all weights shall be raised accordingly;

### **Rule 85**

85. The Handicapper shall be responsible for the classification of horses and he may alter such classification:

- (a) after the last run of any horse; or
- (b) before the horse is entered for another race to correct any mistake.

### **Rule 89**

#### **WEIGHT-FOR-AGE**

89. Subject to Rules 90 and 91, a horse taking part in any weight-for-age race shall carry the weight corresponding to its age, to the distance and month of the race and to the hemisphere table where it was foaled See Annex 1 in accordance with the Table set out in Schedule 3.

### **Rule 92**

92. The Trainer, Jockey or other person in charge of a horse, due to run in a race, shall be on the racecourse at least sixty minutes before the official starting time of the race concerned or as otherwise directed by the Racing Stewards and shall not leave the racecourse after the result of the race until and unless authorised so to do by the Racing Stewards.

### **Rule 100**

100. No person other than a Trainers, an Assistant Trainers, a Jockeys ~~and~~ or an Officials shall, without special leave from the Administrators or the Racing Stewards, enter the Weighing Room ~~and~~ or the Trainers' Room.

### **Rule 101**

101. No person shall, without special leave from the Clerk of the Course or the Racing Stewards, enter the Jockeys' Room.

### **Rule 104**

104. The Clerk of the Scales shall: -

ensure, that after the weighing out, the weights are posted on the board provided for that purpose; and

## **Rule 105 (1) (b) & (d)**

105 (1)

(b) 105 (1) (b) Notwithstanding the generality of Rule 105 (1) (a) above, the following shall be excluded from and shall not fall within the definition of Race Equipment: the body protector, the helmet, goggles, other face protection, gloves, the whip, the number/saddle cloth, the horse's headgear, rings, muzzle, breast girths, breast plates, martingale, neck strap and everything worn on the horse's legs or hoofs.

(d) None of the race equipment shall be changed, added to, removed and/or replaced after weighing out without the express permission of the Clerk of the Scales who may order the jockey to reweigh.

## **New Rule 105 (3)**

(3) It shall be an offence sanctionable under Rule 11 (d) for any rider –

\_\_\_\_\_ (a) in any way to manipulate or attempt to manipulate the wearing of a safety vest to gain an unfair weight advantage in a race;

\_\_\_\_\_ (b) to weigh-out or attempt to weigh-out for a race or ride in any race when wearing an Approved safety vest that has been modified in any way; or

\_\_\_\_\_ (c) to weigh-out or attempt to weigh-out or ride in any race unless he is wearing a safety vest approved by the Racing Stewards.

## **Rule 111 (2) (b) & (c)**

(2) Where a jockey cannot ride at the declared weight, the Clerk of the Scales shall refer the matter to the Racing Stewards who may, in consultation with the trainer of the horse:

(b) allow the jockey to be substituted by another jockey who can ride at the carded weight; ~~or~~

(c) in the absence of an appropriate replacement, allow the horse to be withdrawn from the race; or

## **Rule 131 (2) (b)**

131. The Starter may, in a start with a flag:-

(b) order that a horse be held at a stand behind the other runners; and

## **New Rule 137 A.**

137A. In the event that a false start has been signaled by the Starter and/or an official appointed for the purpose each rider must immediately restrain his mount and return to the starting point without delay.

## **Rule 141**

141. The Starter may inflict a maximum fine of Rs. ~~5,000~~ 10,000 on any rider who wilfully delays the start or is guilty of any misconduct at the starting post, provided that any fine in excess of Rs. ~~2,000~~ 5,000 shall be confirmed in writing by the Racing Stewards.

## Rule 144

144. (1) Subject to Rules 129 to 131 & 140, only horses which are in the stalls when the Starter releases the gates shall be deemed to have started the race provided that, if in the opinion of the Racing Stewards any horse was riderless at the time a start was effected, or was encumbered by equipment applied with the permission of or at the direction of the Starter, or if a horse was either denied a fair start or unduly given an advantageous start, they may declare such a horse to be a non-starter.

## New Rule 145A.

145A. Official Placings in a race shall be decided only by the Judge or his authorised substitute, occupying the Judge's box at the time when the horses passed the winning post.

## New Rule 156A.

156A. In the event that any part of the jockey of a horse makes contact with the ground during the running of a race but still has contact with the horse at the end of a race the horse shall be deemed not to have carried the weight and shall be disqualified.

## Rule 160 (b)

(b) Where a jockey contravenes this provision, the jockey shall commit an offence and shall be liable to a suspension or disqualification not exceeding 5 years and to a fine of not less than ~~25,000~~ 50,000 rupees and not exceeding ~~250,000~~ 500,000 rupees.

## Rule 160 A (i) & (k)

(i) ride his horse to the finish and/or approaching the finish of a race whenever possible;

Former Rule 53 (j) becomes 160 A (k) and is amended

(k) not make any celebratory gesture in an excessive manner on the horse he is riding before or after the horse passes the winning post.

## ~~PENALTIES FOR BREACHES UNDER~~ OF RULE 160 A

## Rule 161

161. Where a jockey contravenes any of the provisions set out in of rule 160 A, the ~~hereunder~~ conjunctive or alternative penalties set out hereunder shall be applicable;

<b><u>Rule</u></b>	<b><u>Suspension</u></b>	<b><u>Fine (Rupees)</u></b>
160 A (a)	4 <del>racemeetings</del> – 52 <del>racemeetings</del>	25,000 – 250,000

160 A (b)	1 <u>racemeeting</u> - 4 <u>racemeetings</u>	5,000 - 50,000
160 A (c)	2 <u>racemeetings</u> - 12 <u>racemeetings</u>	25,000 - 250,000
160 A (d)	1 <u>racemeeting</u> - 4 <u>racemeetings</u>	5,000 - 25,000
160 A (e)	1 <u>racemeeting</u> - 8 <u>racemeetings</u>	5,000 - 50,000
160 A (f)	Mandatory 1 <u>racemeeting</u> - 1 <u>racemeetings</u>	25, 000 - 75,000
160 A (g)	1 <u>racemeeting</u> - 12 <u>racemeetings</u>	25, 000 - 250,000
160 A (h)	1 <u>racemeeting</u> - 4 <u>racemeetings</u>	5, 000 - 50,000
160 A (i)	1 <u>racemeeting</u> - 4 <u>racemeetings</u>	15, 000 - 50,000
160 A (j)	2 <u>racemeetings</u> - 12 <u>racemeetings</u>	25, 000 - 250,000
<u>160 A (k)</u>	<u>1 racemeeting -2 racemeetings</u>	<u>5,000- 50,000</u>

### **Rule 166 (2) (c) (i), (d) & (e)**

(c) Whenever the Racing Stewards, after consultation with the Club's Veterinary Surgeon/s, are satisfied that a horse has suffered an attack of bleeding during or immediately after a race, such horse shall not:

- (i) be allowed to race for a period of at least ~~20~~ 30 days; and

(d) Notwithstanding ~~the provisions of Rule 166 (2) sub-paragraph~~ (c), whenever the Racing Stewards, after consultation with the Club's Veterinary Surgeon/s, are satisfied that a horse has suffered an attack of bleeding at any other time, such horse shall not be allowed to start in a race until and unless that horse has passed a gallop test to the satisfaction of the Racing Stewards.

(e) Prior to the gallop test referred to at ~~Rules 166 sub-paragraphs~~ (2) (c) and ~~166 (2)~~ (d) above being passed, the Trainer of the horse shall liaise with the Racing Stewards and the Veterinary Surgeon so that the latter may authorise the training or exercise to be given to the horse prior to the said gallop test being effected.

## **Rule 169 (2)**

(2) The Racing Stewards may, upon a request made to them by a person referred to in ~~Rule 169 paragraph~~ (1), allow that person to view the video film of the race to decide whether to lodge an objection.

## **Rule 176**

176. The Racing Stewards may impose a fine not exceeding ~~Rs 10,000~~ 20,000 on an objector for any objection which is found to be unwarranted or frivolous.

## **Rule 177**

177. Whenever a horse:

(a) crosses another horse so as to interfere with such horse or any other horse; or

(b) by itself or its rider, jostles, or in any other way interferes with another horse or rider;

such interference may entail the disqualification of the horse, unless it appears to the Racing Stewards that:

(i) such interference was caused by some other horse or rider, or

(ii) the horse interfered with was at least partly at fault.

## **Rule 190**

190. Whenever the Racing Stewards:

(a) institute an enquiry the findings of which may affect the placing of a horse; or

(b) take or are about to take any action which, in their opinion, may lead to such an enquiry,

any money or prize due in respect of such horse may be withheld pending the result of the enquiry.

## **Rule 191 & 191A.**

### **~~ANALYST'S SPECIMEN COLLECTOR~~**

### **Rules 191 & 192 (SPENT)**

### **TESTING**

## New Rule 191A

(1) The Racing Stewards may order that tests and examinations are carried out to determine whether a prohibited or illicit substance was or is in or on a horse.

(2) A test or examination may be made at any time and place.

(3) A test or examination may be conducted on a horse alive or dead.

(4) For the purposes of testing or examining, the Racing Stewards may take possession of a horse for such period and subject to such conditions as they think fit.

(5) The connections of a horse shall comply with any directions relating to testing and examining given by the Racing Stewards.

(6) For the purposes of testing and examining a horse the Racing Stewards may use the services of a Veterinary Surgeon or any appropriately qualified person which may include an analyst specimen collector approved by the Club.

(7) Blood, urine, saliva, or other matter or samples or specimens may be taken from a horse for purposes of testing and examining and may be stored, frozen or otherwise dealt with, and shall be disposed of only as the Racing Stewards may direct.

(8) Where the Racing Stewards suspect that a prohibited or illicit substance was or is in or on a horse or that blood, urine, saliva, or other matter or sample or specimen taken from a horse may contain a prohibited or illicit substance, they may withdraw the horse from a race, bar it from racing for a period, or give such direction about the horse as they consider appropriate.

(9) It is an offence for a person to fail to comply with a direction given under paragraphs (5), (7) or (8) or to interfere with or prevent or endeavour to interfere with or prevent the carrying out of a test or examination.

## **Rule 194 (1) (a), 2, 3 & 4**

### **194.**

(1) The following are prohibited substances-

(a) Substances capable at any time of causing either directly or indirectly an action or effect, or both an action and effect, within one or more of the following: ~~mammalian body systems.~~

~~(b) Endocrine secretions and their synthetic counterparts;~~

~~(c) Masking agents.~~

~~(d) Agents that directly or indirectly affect or manipulate gene expression.~~

### New Rule 194 (2)

(b) Substances falling within, but not limited to, the following -

acidifying agents;

adrenergic blocking agents;  
adrenergic stimulants;  
agents affecting calcium and bone metabolism;  
alcohols;  
alkalinising agents;  
anabolic agents;  
anaesthetic agents;  
analgesics;  
antiangina agents;  
antianxiety agents;  
antiarrhythmic agents;  
anticholinergic agents;  
anticoagulants;  
anticonvulsants ;  
antidepressants;  
antiemetics;  
antifibrinolytic agents;  
antihistamines;  
antihypertensive agents;  
anti-inflammatory agents;  
antinauseants;  
antineoplastic agents;  
antipsychotic agents;  
antipyretics;  
antirheumatoid agents;  
antispasmodic agents;  
antithrombotic agents;  
titussive agents;  
blood coagulants;  
bronchodilators;  
bronchospasm relaxants;  
buffering agents;  
central nervous system stimulants;  
cholinergic agents;  
corticosteroids;  
depressants;  
diuretics;  
  
erectile dysfunction agents;  
fibrinolytic agents;  
haematopoietic agents;  
haemostatic agents;  
hormones (including trophic hormones) and their synthetic counterparts;  
hypnotics;  
hypoglycaemic agents;  
hypolipidaemic agents;  
immunomodifiers;  
masking agents;  
muscle relaxants;  
narcotic analgesics;  
neuromuscular agents;  
plasma;  
volume expanders;

respiratory stimulants;  
sedatives;  
stimulants;  
sympathomimetic amines;  
tranquillisers;  
vasodilators;  
vasopressor agents;  
vitamins administered by injection;  
oxygen carriers;  
Agents that directly or indirectly affect or manipulate gene expression.

Rule 194 (2)

(3) A finding of a prohibited or illicit substance means a finding of the substance itself or a metabolite of the substance or an isomer of the substance or an isomer of a metabolite. The finding of any scientific indicator of administration or other exposure to a prohibited or illicit substance is also equivalent to the finding of the substance.

Rule 194 (3)

(4) Threshold substances

Prohibited substances below the following thresholds are not actionable:

(a) Alkalinising agents, when evidenced by total carbon dioxide (TCO<sub>2</sub>) at a concentration of 36.0 millimoles per litre in plasma.

(b) Arsenic at a mass concentration of 0.30 milligrams per litre in urine.

(c) Dimethyl sulphoxide at a mass concentration of 15 milligrams per litre in urine or 1.0 milligrams per litre in plasma;

(d) In male horses other than geldings, 5 $\alpha$ -estrane-3 $\beta$ , 17 $\alpha$ -diol in urine (including both the free substance and that liberated from its conjugates) at a mass concentration equal to or less than that of 5(10) estrane-3 $\beta$ , 17 $\alpha$ -diol in urine (including both the free substance and that liberated from its conjugates).

(e) Salicylic acid at a mass concentration of 750 milligrams per litre in urine or 6.5 milligrams per litre in plasma.

(f) Hydrocortisone at a mass concentration of 1.00 milligrams per litre in urine.

(g) Testosterone-

(i) in geldings, free testosterone and testosterone liberated from its conjugates at a mass concentration of 20 micrograms per litre in urine;

(ii) in fillies and mares, free testosterone and testosterone liberated from its conjugates at a mass concentration of 55 micrograms per litre in urine;

(iii) in fillies and mares that have been notified as pregnant, free testosterone and testosterone liberated from its conjugates at any concentration in urine;

(iv) in geldings, free testosterone at a mass concentration of 100 picograms per millilitre in plasma;

(h) 3-Methoxytyramine (including both free 3-methoxytyramine and 3-methoxytyramine liberated from its conjugates) at a mass concentration of 4.0 milligrams per litre in urine;

(i) Boldenone in male horses other than geldings, (including both free boldenone and boldenone liberated from its conjugates) at a mass concentration of 15 micrograms per litre in urine;

(j) Theobromine at a mass concentration of 2.00 milligrams per litre in urine;

(k) Cobalt at a mass concentration of 100 micrograms per litre in urine or 25 micrograms per litre in plasma.

### **Rule 198**

198. The Racing Stewards may, at any time, and ~~at any place~~ wherever the a horse may be, order that samples or specimens of saliva, urine, perspiration, blood, tissue, hair or other specimen be taken from any horse registered with the Club for testing by an Analyst ~~appointed or~~ approved by the Club or any laboratory designated by the Club.

### **Rule 199**

199. The Trainer, or his representative duly authorised by the Club, may be present to witness the taking of any samples or specimens and witness the sealing of the samples or specimens provided this does not cause undue delay in the taking or despatch of such specimens.

### **Rule 200 (1), (2) (a) & (e), (4) (5), (6)**

200. (1) Any samples or specimens collected under a secure chain of custody shall, at the time of the taking of the specimen, be split into an "A sample" and a "B sample".

(2) (a) If upon examination of the "A sample" by an analyst ~~appointed or~~ approved by the Club, a prohibited or illicit substance is detected therein, the Racing Stewards or ~~Secretary~~ General Manager shall, upon being notified of the findings, notify the Trainer of the horse of the findings.

(b) Upon being informed of the findings in terms of paragraph (2) (a), the Trainer or, in his absence, his representative duly authorised by the Club, may not later than 48 hours from the time he is so informed, make a written request to the General Manager of the Club for the "B sample" to be despatched to the Hong Kong Jockey Club Laboratory or LCH 'Laboratoire des Courses Hippiques Paris' for analysis.

(c) Where a request is made to the General Manager ~~of the Club~~ under sub-paragraph (2) (b), the Chief Security Officer shall despatch the B sample to –

Sub-paragraphs (a) & (b) renumbered to (i) and (ii)

(i) In the case where the Trainer or his representative has specified a laboratory in his request under paragraph (2) (b), the laboratory specified by the Trainer or his representative; or

(ii) In case no laboratory has been specified, to anyone of the laboratories designated by the Club,

for analysis of the substance detected in the A sample together with advice as to the nature of the prohibited or illicit substance detected.

(4) Subject to paragraphs 2 (a) and (b), the General Manager of the Club may in the absence of a request under paragraph (2) (b) on its own motion cause the B sample to be analysed at such laboratory as the Club may designate.

#### New Rules (5) & (6)

(5) Where an approved Racing Laboratory is unable for any reason, to analyse a sample to detect and/or certify as to the presence of a prohibited or illicit substance in that sample, that approved Racing Laboratory or the Racing Stewards may refer the sample, or any portion of the sample, to another approved Racing Laboratory for analysis.

(6) If the approved Racing Laboratory to which a sample or portion of a sample was referred in accordance with paragraph (5) detects a prohibited or illicit substance in that sample or portion of that sample, that approved Racing Laboratory shall -  
(a) notify its finding to the General Manager, who shall thereupon notify the trainer of the horse of such finding; and  
(b) the provisions of paragraphs (2) (b) and (c), (3) and (4) will apply.

#### **Rule 206**

206. Where a prohibited substance is detected by an analyst ~~appointed or~~ approved by the Club in a sample taken from a horse immediately after it has run in a race;-

- (a) the results of the analysis of the sample shall be conclusive evidence that the horse was under the influence of such substance at the time the horse ran in the race following which the sample was taken; and
- (b) the Racing Stewards shall, upon taking cognizance of the results of the analysis, conduct such inquiry as they consider appropriate and may disqualify the horse.

#### **Rule 208. A**

208. A (1) For the purpose of this Rule an illicit substance means :

(a) erythropoiesis-stimulating agents, including but not limited to erythropoietin (EPO), epoetin alfa, epoetin beta, darbepoetin alfa, and methoxy polyethylene glycol-epoetin beta (Mircera);

(b) non-erythropoietic EPO-receptor agonists;

(c) hypoxia-inducible factor (HIF) stabilisers, including but not limited to cobalt and FG-4592;

(d) HIF activators, including but not limited to argon and xenon;

- (e) allosteric effectors of haemoglobin, including but not limited to ITTP (myo-inositol trispyrophosphate);
- (f) oxygen carriers including but not limited to perfluorochemicals, eflaproxiral and modified haemoglobin products;
- (g) haematopoietic growth factors, including but not limited to filgrastim;
- (h) insulins;
- (i) growth hormones and their releasing factors;
- (j) insulin-like growth factor-1;
- (k) synthetic proteins and peptides and synthetic analogues of endogenous proteins and peptides not registered for medical or veterinary use in Mauritius;
- (l) corticotrophins, including adrenocorticotrophic hormone (ACTH) and tetracosactrin (tetracosactide), and corticotrophin releasing factors;
- (m) anabolic androgenic steroids (other than an anabolic androgenic steroid which is present below the relevant concentrations set out in Rule 194 (4));
- (n) selective androgen receptor modulators (SARMS);
- (o) selective estrogen receptor modulators (SERMS);
- (p) selective opioid receptor modulators (SORMS);
- (q) peroxisome proliferator activated receptor  $\delta$  (PPAR $\delta$ ) agonists, including but not limited to GW 1516;
- (r) AMPK activators, including but not limited to AICAR (5-amino-1- $\beta$ -D-ribofuranosylimidazole-4-carboxamide);
- (s) other agents that directly or indirectly affect or manipulate gene expression;
- (t) agents modifying myostatin function, including but not limited to myostatin inhibitors;
- (u) thymosin beta;
- (v) venoms of any species or derivatives thereof;
- (w) zoledronic acid and any other bisphosphonate drugs not registered for veterinary use in Mauritius;
- (x) substances listed in Schedule 8 and Schedule 9 of the Standard for the Uniform Scheduling of Medicines and Poisons contained in the Mauritius Poisons Standard;
- (y) metabolites, artifacts and isomers of any of the substances specified in paragraphs (a) to (x).

New Rule 208. A (2)

(2) The Mauritius Turf Club may determine at any time any addition to this list of substances in paragraph (1).

New Rule 208. A (3)

(3) Any person who attempts to obtain possession of a substance specified in paragraph (1) or a metabolite, artifact or isomer of such substance, is guilty of an offence.

Rule 208. A (3) becomes 208. A (4) and is amended

(4) (i) A horse shall not be administered with an illicit substance.

(ii) When an illicit substance is detected by an analyst ~~appointed or approved by~~ the Club in a sample taken from a horse at any given time;

(a) the result of the analysis of the sample shall be conclusive evidence that the horse was under the influence of such substance at the time the sample was taken,

(b) and shall result in that horse being automatically suspended from racing for a period of 6 months from the date the illicit substance is detected.

Rule 208. A (4) becomes 208. A 5.

(5) Notwithstanding paragraph (4) (ii) when a sample taken at any time from a horse under the responsibility of a licensed trainer, after analysis is found to contain any illicit substance, the trainer and any other person in charge of such horse at the relevant time shall guilty of an offence and be liable to any of the penalties provided in Rule 11 (d), unless that person can prove to the satisfaction of the Racing Stewards that he had, at all times, taken all reasonable and permissible measures to prevent the administration of such illicit substance to the horse.

New Rule 208. A (6)

(6) When a person is found guilty of a breach of Rule 208 A (5) a penalty of disqualification for a period of not less than 12 months must be imposed unless there is a finding that a special circumstance exists whereupon the penalty may be reduced.

Rule 208. A (5) becomes 208. A (7) and is amended

(7) Notwithstanding ~~the above paragraphs (1) to (6)~~, Rules 195 to 208 shall apply to an illicit substance subject to appropriate modification.

New Rule 208. A (8)

(8)The following Laboratories are approved by the Administrators to conduct analysis of equine and human samples:

(a) QuantiLAB Ltd;

(b) Hong Kong Jockey Club Racing Laboratory;

(c) LCH "Laboratoire des courses Hippiques, France,

provided that the Administrators may approve any Laboratory to conduct analysis of equine and human samples to determine the presence of prohibited and illicit substances.

## Rule 209

### OFFENCES

209. Any person who:

(a) [Spent]

(b) [Spent]

(c) ~~Wrongfully~~ wrongfully or improperly induces the withdrawal of, or wrongfully or improperly is induced to withdraw, a horse from a race; ~~or~~

(d) wilfully enters, or starts or procures to be entered, or started for any race, a horse which is ineligible for that race; ~~or~~

(e) wilfully enters a horse for a race unless entitled under these Rules to do so; ~~or~~

(f) being the Trainer of a horse knows that any horse is not qualified or eligible to run in a race and fails to notify that fact to the Racing Stewards or to the Secretary of the Club before the race; ~~or~~

(g) tampers with any racehorse; ~~or~~

(h) wrongfully interferes with, or threatens, or intimidates any person in that person's capacity as an Owner, Trainer or Employee in any racing stable; ~~or~~

(i) improperly obtains information about a trial, or about any horse in training from any Owner, Trainer or any person employed in a racing or training stable, or in the services of the Owner, or Trainer, of such horse; ~~or~~

(j) uses or causes or allows to be used, or connives at the use of, or attempts to use or has in his possession any electric, electronic, mechanical or galvanic apparatus or equipment, or any improper contrivance which is capable of affecting the performance of a horse in a race or at track work by delivering an electric shock or otherwise;

(k) fails to register any matter required by the Rules to be registered; ~~or~~

(l) tampers with, or intimidates, or attempts to tamper with, or intimidate, any witness or other person concerned in any inquiry, investigation, objection, or appeal held under the Rules; ~~or~~

(m) misleads or attempts to mislead, the Racing Stewards or the Appeal Board at any inquiry, investigation, objection or appeal; ~~or~~

(n) misleads or attempts to mislead, any person or Official connected with the administration of the control of racing; ~~or~~

(o) [Spent]

(p) auto transfuses blood from a horse by drawing a quantity of blood from such horse and then transfuses it back to the same horse either immediately or at a later date; ~~or~~

(q) drenches a horse at any time after midnight of the day preceding the race-meeting at which the horse is due to be run; ~~or~~

(r) runs or attempts to run a horse in a race if a total, in excess of ~~50~~ 100 cc of blood, has been withdrawn from such horse during the period of 21 days preceding the race,

(s) at any time administers or allows or causes to be administered to a horse, any prohibited or illicit substance:

(1) (i) for the purpose of affecting the performance or behaviour of a horse in a race or of preventing its starting in a race; or

~~(2)~~(ii) which is detected in any ~~pre- or post-race~~ samples taken from ~~the such~~ horse prior to or following the running of any race; the name of which has been published in the "Programme Officiel;

#### New sub-paragraph

(iii) except with the authorization of the Racing Stewards, administers or allows or causes to be administered any medication to a horse on race day prior to such horse running in a race;

(t) is in charge of a horse whose form is unduly inconsistent,

#### New paragraphs

(u) in the opinion of the Administrators or the Racing Stewards, has been guilty of any dishonest, corrupt, fraudulent, improper or dishonourable action or practice in connection with racing;

(v) in the opinion of the Administrators or the Racing Stewards, engages in conduct that corrupts the outcome of a race or is intended to corrupt the outcome of a race by conduct which is contrary to the standards of integrity that a reasonable person would expect of persons in a position to affect the outcome of a race;

(w) corruptly gives or offers any money, share in a bet, or other benefit to any person having official duties in relation to racing, or to any owner, nominator, trainer, rider, or person having charge of or access to a racehorse;

(x) refuses or fails to attend or give evidence at any investigation, inquiry or appeal when directed or requested by the Racing Stewards or the Administrators to do so;

(y) gives at any interview, investigation, inquiry, hearing and/or appeal any evidence which is false or misleading in any particular manner;

(z) who makes any false or misleading statement or declaration in respect of any matter in connection with the administration or control of racing;

(aa) has committed any breach of the Rules, or whose conduct or negligence has led or could have led to a breach of the Rules;

(bb) attempts to commit, or conspires with any other person to commit, or any person who connives at or is a party to another committing any breach of the Rules;

(cc) obstructs or in any way interferes with, or who attempts to obstruct or interfere with, the conduct of any race meeting, race, official trial or trackwork;

(dd) fails or refuses to comply with any order, direction or requirement of the Racing Stewards or any official;

(ee) engages in the publishing or posting on any social media platform or channel any material, content or comment that is obscene, offensive, defamatory, racist, threatening, harassing, discriminating or abusive to any other person or entity involved in the racing industry;

(ff) is responsible for the use on any horse of any shoes, racing plates, equipment or gear which has not been approved, or which in their opinion is unsuitable or unsafe; or

(gg) commits or commissions an act of cruelty to a horse, or is in possession or control of any article or thing which, in their opinion, has been made or modified to make it capable of inflicting cruelty to a horse;

shall be guilty of an offence under these Rules and shall be liable to any of the penalties provided in Rule 11(d).

**209.A.** Any person who:

- a) is guilty of the commission of any corrupt or fraudulent act or practice in relation to racing in Mauritius or any other country; or
- b) conspires with any other person for the commission of any such acts or practices, ~~or~~
- c) ~~connives at any other person being guilty of such acts or practices, whether or not his conduct constitutes a breach of any other of these Rules,~~ shall be taken to have contravened a requirement imposed on him by these Rules and be liable to any of the penalties provided for under rule 11(d).

### **Rule 209. B (a)**

**209. B** Without prejudice to the generality of Rule 209A ~~above~~, a person shall be guilty of a corrupt or fraudulent act or practice ~~if~~ where he:-

- (a) uses or has in his possession any type of device, apparatus or improper contrivance or any other means capable of affecting the performance of a horse in a race, barrier trials or at track work, ~~be it at the Champ de Mars racecourse or any other training centres under the control of the Mauritius Turf Club~~ by delivering an electric shock or otherwise;
- (b) gives or offers or promises, directly or indirectly, any bribe in any form or corruptly offers any money, present or share in a bet or other benefit, be it in monetary terms or otherwise, to any person having official duties in relation to a race or racehorse or to any trainer, jockey, apprentice jockey, stable employee, stable veterinarian, agent or any other person having charge of or access to any racehorse; ~~or~~

- (c) corruptly gives, or offers, or promises, directly or indirectly, any inducement of whatever nature, to any person having official duties in relation to a race or race horse, or to any person concerned in the training, running or riding or care of any race horse, or to any person who has access to any such race horse; ~~or~~
- (d) being a person having official duties in relation to a race or being a trainer, jockey, apprentice jockey, stable employee, stable veterinarian, agent or other person having charge of or access to any race horse, corruptly accepts, offers, or agrees to accept any inducement of whatever nature; ~~or~~
- (e) being a person having official duties in relation to a race or being a trainer, jockey, apprentice jockey, stable employee, stable veterinarian, agent or any other person having charge of or access to any racehorse accepts or offers to accept any bribe in any form, or corruptly accepts or offers to accept any money, present or share in a bet or other benefit; ~~or~~
- (f) wilfully enters or causes to be entered for any race or causes to start in any race, a horse which he knows or believes to be disqualified, unfit or ineligible to race; ~~or~~
- (g) being an owner, licensed person, agent or employee of The Mauritius Turf Club by advertisement, circular, mobile phone and other electronic messaging services, electronic mail, letter or any other means offers to give information concerning his horse or other horses in return for any monetary or other consideration or who connives at such practices; ~~or~~
- (h) gives at any inquiry or appeal any evidence which is false, deceitful or misleading; ~~or~~
- (i) provides the Administrators, the Racing Stewards or any other officials of The Mauritius Turf Club with any false or misleading statement or declaration in respect of any matter in connection with the administration or control of racing; ~~or~~
- (j) is guilty of or conspires with any other person for the commission of or connives at any other person being guilty of any corrupt or fraudulent act or practice in relation to racing in Mauritius and any other country or is convicted of any criminal offence connected with racing in Mauritius or any other country; ~~or~~
- (k) as a licensed trainer accepts instructions as to any arrangements concerning the maintenance, training, entering and/or declaring in or for races, running and/or riding in races of a horse from anyone other than the registered owner(s) whose name appears in the records of The Mauritius Turf Club pursuant to these Rules; ~~or~~
- (l) as a licensed jockey or apprentice jockey accepts instructions concerning the maintenance, training, running and/or riding in races of a horse from anyone other than the trainer or registered owner(s) whose name appears in the records of the Mauritius Turf Club pursuant to these Rules; ~~or~~

- (m) as a licensed person or registered Owner fails to report to the Administrators or Racing Stewards of the Mauritius Turf Club, or as they shall direct, any event or circumstances which comes to his knowledge and which would constitute a contravention of any of these Rules; ~~or~~
- (n) bets with or for a jockey or an apprentice jockey or gives or offers a jockey or apprentice jockey any pecuniary or other gift or consideration contrary to these Rules; ~~or~~
- (o) makes or causes to be made any other acts or practices which, in the view of the Administrators or the Racing Stewards of the Mauritius Turf Club, would amount to corrupt or fraudulent practices;

shall commit an offence and be liable to any of the penalties provided for under Rule 11 (d).

## Rule 210

### WARNING OFF, DISQUALIFICATIONS, SUSPENSIONS

210. (1) A person who has been warned-off or disqualified ~~person~~ shall not:

#### New paragraphs (g) & (h)

(g) be employed by, or otherwise engaged to provide any service in any capacity to, any thoroughbred racing stable; or

(h) receive any direct or indirect financial or other benefit derived from thoroughbred racing and/or breeding in Mauritius.

(2) Any person who contravenes paragraph (1) shall commit an offence and shall be liable to the penalties provided for under rule 11 (d).

## Rule 211

211. (1) A person warned off or disqualified shall automatically lose his rights in connection with any permit, authorisation or licence granted to him under these Rules, and the registration, in his name, of any colours, lease or partnership shall automatically be cancelled. His name shall be published in the Racing Calendar.

(2) Any person having any dealings directly or indirectly, in regard to racing or training, with a warned-off or disqualified person may himself be warned off or disqualified by the Administrators for such period as they deem fit consider appropriate.

## **New paragraphs (3) & (4)**

(3) A person warned off or disqualified who breaches an order made pursuant to Rule 210 is guilty of an offence and may be penalised.

(4) Unless otherwise determined by the Administrators or Racing Stewards that imposed or adopted the penalty, the period of disqualification of any person who contravenes any of the provisions of rule Rule 210, shall automatically recommence as from the most recent date of such contravention, and the person may also be subject to further penalty.

212. Any disability, suspension or loss of rights imposed under Rules 210 and 211 shall specify the nature and extent of ~~such suspension~~ the penalty.

## **Rule 213 (5)**

(5) (a) Unless approved by the Administrators, no person shall wear in the paddock and, in the case of a rider, in a race, any item of clothing or equipment displaying any advertising.

(b) It shall be the duty of the rider to see to it that the number on the saddle cloth supplied to him is clearly visible.

(c) Any person who:-

(i) is found guilty of carelessness or neglect in the saddling and/or presenting of a horse for a race; or

(ii) fails to comply with paragraph (a) or (b),

shall commit an offence under these Rules and shall be liable to any of the penalties provided in Rule 11 (d).

## **Rule 216**

216. No appeal shall lie against a decision of the Racing Stewards,-

(a) suspending any person from acting or riding for the remainder of the day pursuant to Rules 11 (d) and/or 53 B (iii); or

(b) on any objection (Rules 168-183), on the result of any race (Rule 183), on any fine imposed for an unwarranted or frivolous objection (Rule 176), or any fine imposed by the Starter at the post (Rule 141).

## **Rule 217 (1)**

217. (1) Subject to Rules 214 to 216, any person aggrieved by a decision of the Administrators or of the Racing Stewards who wants to appeal against such decision, shall :

- (a) within 24 hours, exclusive of a Saturday, Sunday and Public holiday, of the decision being communicated to him, request in writing to the Secretary a copy of the record of proceedings (inquiry transcript) and pay the appropriate fee. The audio recording of the inquiry may, upon good cause being shown, be listened to at the premises of the MTC subject to the payment of the appropriate fee;
- (b) within 48 hours, exclusive of a Saturday, Sunday and Public Holiday, of the record of the proceedings or other document pertaining to the decision being communicated to him, lodge with the Secretary a written notice setting out the grounds on which he challenges the decision appealed from. Should he decide to withdraw his appeal he may do so within the same time limit; and
- (c) Once the notice of appeal together with the ground/s of appeal has/have been lodged with the Secretary, and the required fee for lodging the said appeal has been paid, the Secretary shall refer the appeal to the Appeal Board who shall fix a date for the hearing of the said appeal.

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