

Racing Integrity Board

Thoroughbred Racing

Minor Infringement Schedule

February 2023



Thoroughbred Racing Minor Infringement Schedule

INTRODUCTION

The update of the RIB Penalty Guide provides an opportunity to examine the viability of transferring some of the breaches previously dealt with by way of filing an Information, into the Minor Infringement System (MIS).

As a result, this updated MIS has been promulgated.

This update ensures that penalties imposed meet the requirements of the Racing Industry Act 2020 and penalties imposed are in conformity with the New Zealand Thoroughbred Racing (NZTR) Rules of Racing.

Desired Outcome

An important and desirable outcome of transferring minor infringements into the schedule is to assist in streamlining adjudication hearing processes before, during and often after racedays. Not only is it more effective, but it is also more efficient. Thus, freeing up time of Stewards, Riders, Trainers, and other Officials who might otherwise be required to attend hearings relating to minor infringements during the course of a raceday.

OBJECTIVES

In addition to improving outcomes, increasing the scope of breaches that can now be dealt with by way of the Minor Infringement System to enable and support industry wide integrity objectives namely, to ensure:

1. Penalties imposed for minor infringements are consistent and align with contemporary precedent case results.
2. Transparency so stakeholders are aware of the consequences of breaching any of the rules contained within the schedule.
3. Penalties imposed operate as a deterrent and uphold and maintain the high standards expected of those participating in thoroughbred racing.
4. Penalties imposed uphold the integrity of racing and protect the racing industry, participants, and the public.
5. Penalties reflect both the focus on animal welfare, and health and safety standards.
6. Penalties reflect NZTR policy intent.

MINOR INFRINGEMENT SYSTEM

The Minor Infringement System is enabled by NZTR Rule 926(1) which provides that:

(1) An Adjudicative Committee may impose a penalty on a Licensed Person who:

(a) admits in writing he/she has committed a breach of one or more of the Rules set out in the Fourth Appendix; and

(b) accepts in writing the penalty imposed, being a fine in the amount specified for the relevant Rule in the Fourth Appendix, without the requirement for an information to be filed or for proceedings to be heard and a decision to be made by the Adjudicative Committee, provided that such breach is only the first or second breach of that Rule committed by that Licensed Person in the period of 120 days immediately preceding and including the date the breach is committed. Such Licensed Person shall be deemed to have committed a breach of that Rule and such breach shall be treated upon the approving and signing of the notice by the Chair of the Adjudicative Committee at that Race Meeting, as if an Adjudicative Committee had considered an information and made a decision to that effect, except that there shall be no right to appeal the imposition of the fine to the Appeals Tribunal.

(2) Where a Stipendiary Steward or Investigator considers that a Licensed Person's first or second breach of one or more of the Rules set out in the Fourth Appendix is of such significance that a more substantial penalty than the amount of the fine specified for the relevant Rule in the Fourth Appendix is warranted for that breach, then despite sub- Rule (1) above, the Stipendiary Steward or Investigator may proceed by filing an information with the Adjudicative Committee in respect of that breach in the normal manner contemplated in Rule 903.

(3) Where the Licensed Person:

(a) admits in writing that he/she has committed a breach of the particular Rule but does not accept the penalty imposed;

(b) does not admit that he/she has committed a breach of the particular Rule; or

(c) who is alleged to have committed a breach has already committed two or more breaches of that Rule in the period of 120 days immediately preceding and including the date the breach is committed, then the Stipendiary Steward or Investigator shall proceed by filing an information with the Adjudicative Committee in respect of that breach in the normal manner contemplated in Rule 903.

(4) The penalty imposed by an Adjudicative Committee in accordance with sub-Rule (1) above shall be a fine of the amount(s) specified for the first or second offence of the applicable Rule(s) in the Fourth Appendix.

MINOR INFRINGEMENT SCHEDULE – THOROUGHBRED

(As per Fourth Appendix NZTR Rules of Racing)

MINOR INFRINGEMENT SCHEDULE			
Rule Number	NZTR Rule Description	Penalty - Fine	
		1st Offence	2nd Offence
308	Non-licensed persons	\$100	\$200
325(3)	Failure to notify person in charge of horse when not present at meeting	\$100	\$200
326(1)&(2)	Trainer failing to notify horse movement	\$50	\$100
330(1)	Apprentice engaged to ride without permission	\$50	\$100
330(3)(a)	Breaking riding engagement	\$200	\$300
330(3)(b)	Double riding engagement	\$200	\$300
330(3)(c)	Fails to make contracted weight	\$100	\$200
330(3)(d)	More than one rider agent	\$100	\$300
330(4)	Trainer/Owner etc breaking riding engagement	\$200	\$300
330(6)(a)&(b)	Rider's agent or Employer breaking apprentice's riding engagement or double-booked rider	\$200	\$300
346	Handheld device while mounted on horse	\$100	\$200
423(1)	Failure to notify change of ownership	\$250	\$300
433(2)	Wrong colours being worn	\$50	\$100
537(a)	Late rider declaration	\$50	\$100
605(1)	Late arrival on course	\$100	\$200
605(2)	Apprentice failing to notify representative	\$100	\$200
606	Leaving jockey's room without permission	\$100	\$200
607	Suspended rider entering jockey's room	\$100	\$200
610(2)	Failure to wear approved body protector and/or skull cap	\$500	\$750
610(4)	Having or wearing a modified body protector or skull cap	\$500	\$750
612(1),(2)&(3)	Non-compliant, unsuitable, or unsound gear	\$150	\$300
612(4)	Horse must have bit in mouth	\$100	\$200
612(5)	Approved footwear while leading a horse	\$100	\$200
613	Unsatisfactory racing plates/bandages	\$150	\$300
614(2)	Neglect in saddling – other: a) presenting horse with incorrect saddlecloth b) affixing gear incorrectly c) omitting towel	a. \$50 b. \$100 c. \$150	Information Information Information
616 (2) & (4)	Notifiable gear	\$50	\$100
615	Failure to report loss or breakage of gear	\$100	\$200
619(b)	Incorrect gear while weighing out	\$100	\$200
621	Failure to present medical certificate	\$200	\$300
625 (1)	Late into birdcage	\$50	\$100

626(1)	Horse to be ridden in front of stand on leaving birdcage	\$50	\$100
636(1)(g)	Rider using unapproved gear or colours	\$300	\$400
638(2)	Celebratory gesture	\$300	\$500
640(3)	Jumping a fence prior to start of Jumping race	\$200	\$300
647(1)	Failure to weigh in in non -stake bearing place	\$300	\$500
648(5)	Weigh in overweight	\$200	\$300
649(1)(b)	Touches a person/thing prior to weighing in	\$100	\$200
650(1)-(6)	Failure to report to the Stewards any of the specified circumstances	\$300	\$500
649(3)	Weigh in light in a non - stake bearing place	\$300.00	\$500
1405	Failure of accountable person to notify horse movement	\$100	\$200

APPENDIX A

MINOR INFRINGEMENT SCHEDULE – THOROUGHBRED (includes reasons for change)

MINOR INFRINGEMENT SCHEDULE				Proposed changes
Rule Number	NZTR Rule Description	Penalty - Fine		Reason for change
		1st Offence	2nd Offence	
308	Non-licensed persons	\$100	\$200	Previous penalty too low
325(3)	Failure to notify person in charge of horse when not present at meeting	\$100	\$200	Rule rarely used but minor offence
326(1)&(2)	Trainer failing to notify horse movement	\$50	\$100	Rule rarely used but minor offence
330(1)	Apprentice engaged to ride without permission	\$50	\$100	Rule rarely used but minor offence
330(3)(a)	Breaking riding engagement	\$200	\$300	Efficiency when facts not disputed
330(3)(b)	Double riding engagement	\$200	\$300	Efficiency when facts not disputed
330(3)(c)	Fails to make contracted weight	\$100	\$200	No change
330(3)(d)	More than one rider agent	\$100	\$300	Efficiency when facts not disputed
330(4)	Trainer/Owner etc breaking riding engagement	\$200	\$300	Efficiency when facts not disputed
330(6)(a)&(b)	Rider's agent or Employer breaking apprentice's riding engagement or double-booked rider	\$200	\$300	Efficiency when facts not disputed
346	Handheld device while mounted on horse	\$100	\$200	New rule
423(1)	Failure to notify change of ownership	\$250	\$300	Efficiency when facts not disputed
433(2)	Wrong colours being worn	\$50	\$100	Rule rarely used but minor offence
537(a)	Late rider declaration	\$50	\$100	No change
605(1)	Late arrival on course	\$100	\$200	Efficiency when facts not disputed
605(2)	Apprentice failing to notify representative	\$100	\$200	Efficiency when facts not disputed
606	Leaving jockey's room without permission	\$100	\$200	Efficiency when facts not disputed
607	Suspended rider entering jockey's room	\$100	\$200	Efficiency when facts not disputed
610(2)	Failure to wear approved body protector and/or skull cap	\$500	\$750	Efficiency when facts not disputed

610(4)	Having or wearing a modified body protector or skull cap	\$500	\$750	Efficiency when facts not disputed
612(1),(2)&(3)	Non-compliant, unsuitable, or unsound gear	\$150	\$300	No change
612(4)	Horse must have bit in mouth	\$100	\$200	Efficiency when facts not disputed
612(5)	Approved footwear while leading a horse	\$100	\$200	New rule
613	Unsatisfactory racing plates/bandages	\$150	\$300	No change
614(2)	Neglect in saddling – other: a) presenting horse with incorrect saddlecloth b) affixing gear incorrectly c) omitting towel	a. \$50 b. \$100 c. \$150		Efficiency when facts not disputed
616 (2) & (4)	Notifiable gear	\$50	\$100	No change
615	Failure to report loss or breakage of gear	\$100	\$200	Efficiency when facts not disputed
619(b)	Incorrect gear while weighing out	\$100	\$200	No change
621	Failure to present medical certificate	\$200	\$300	Efficiency when facts not disputed
625 (1)	Late into birdcage	\$50	\$100	No change
626(1)	Horse to be ridden in front of stand on leaving birdcage	\$50	\$100	Rule rarely used but minor offence
636(1)(g)	Rider using unapproved gear or colours	\$300	\$400	Efficiency when facts not disputed
638(2)	Celebratory gesture	\$300	\$500	Efficiency when facts not disputed
640(3)	Jumping a fence prior to start of Jumping race	\$200	\$300	Efficiency when facts not disputed
647(1)	Failure to weigh in in non -stake bearing place	\$300	\$500	Efficiency when facts not disputed
648(5)	Weigh in overweight	\$200	\$300	Note: This Rule may require the Adjudicative Committee to make a finding – as the Rule provides that <i>any other person who a Tribunal conducting an inquiry find at fault, commits a breach of these Rules.</i>
649(1)(b)	Touches a person/thing prior to weighing in	\$100	\$200	Efficiency when facts not disputed
650(1)-(6)	Failure to report to the Stewards any of the specified circumstances	\$300	\$500	Efficiency when facts not disputed
649(3)	Weigh in light in a non - stake bearing place	\$300.00	\$500	Efficiency when facts not disputed
1405	Failure of accountable person to notify horse movement	\$100	\$200	Efficiency when facts not disputed