

**Policy:** 636.5  
**Effective:** December 2019  
**Revised:** November 2019  
**Subject:** Disqualifications - Transfer of Horses  
**Reference:** *HRNSW Board Meeting – 25 June 2013*  
*HRNSW Board Meeting – 28 July 2015*  
*HRNSW Board Meeting- 21 March 2018*  
*HRNSW Board Meeting- 2 May 2019*  
*HRNSW Board Meeting- 21 November 2019*

### TRANSFER OF HORSES- DISQUALIFIED OR SUSPENDED TRAINER

#### 1. BACKGROUND

- 1.1 Following a series of positive swabs which led to multiple trainers being disqualified the Harness Racing NSW Board ratified a new policy pertaining to the transfer of horses from a disqualified trainer.
- 1.2 There were many precedents over many years where horses were remaining on the same property after a trainer had been disqualified as they were transferred to a relative, sibling or stable foreman. The Board have deemed this practice unacceptable.
- 1.3 The Board have also deemed it to be unacceptable for horses to be transferred from a disqualified trainer to an immediate family member.
- 1.4 In accordance with Australian Harness Racing Rule 120, any horse that is in the care of a disqualified trainer must be transferred with the approval of HRNSW.

A policy has been implemented to spell out the approval system for the transfer of horses.

#### 2. POLICY

- 2.1 For instances where a trainer has had their licence suspended or cancelled or in circumstances where a trainer is disqualified (disqualified trainer), HRNSW shall require that the following conditions be adhered to with respect to the transfer of horses:
  - a) Any horse(s) in the care of a disqualified trainer shall not be transferred to a member of the disqualified trainer's immediate family at any time during which the disqualified trainer's licence is subject to a period of suspension, cancellation or disqualification, without the approval of HRNSW Stewards.
  - b) Any horse(s) in the care of a disqualified trainer shall be transferred to a trainer who does not train from the same property.
  - c) The trainer receiving the horse(s) from a disqualified trainer shall, if required by HRNSW, provide evidence that there is no involvement from the previous trainer.

## **POLICY STATEMENT**

- d) Any horse(s) transferred from a disqualified trainer shall be ineligible to race if during the term of the penalty it returns to the property from which it was originally trained, unless approval is granted by HRNSW.
- e) If the horse(s) are in the ownership of the property owner, an exception to the above may apply to horse(s) owned by that person only, however any person currently disqualified shall not reside on that property.
- f) If a disqualified trainer obtains a stay of proceedings from the Racing Appeals Tribunal, NSW Local Rule 120A, that in itself does not permit any horse trained by the disqualified trainer to be transferred without approval in accordance with this policy.
- g) All transfers applications, shall be made via written correspondence, including a Stable Return to HRNSW, and are not deemed approved until advised by HRNSW.
- h) No transfer done via HarnessWeb or electronically shall be approved by HRNSW.
- i) Any horse(s) transferred not in accordance with this policy, may be stood down and any application may be revoked.
- j) HRNSW reserves the right to reject any application for transfer as deemed appropriate or may alter or vary any of the above conditions at any time. In doing so, HRNSW may impose conditions upon any person or registered property.
- k) Such Policy shall also apply in circumstances where a Trainer is subject to a Steward's Inquiry for which a possible penalty is that of disqualification or suspension of their licence.

### **DEFINITION**

#### **Immediate Family Member**

For the purposes of this Policy, a member of the immediate family is defined as the following persons who are related to the disqualified or suspended trainer:

- Spouse;
- Defacto;
- Child;
- Parent;
- Sibling;
- Grandparent;
- Grandchild;
- Uncle;
- Aunt;
- Niece;
- Nephew;
- Cousin;
- Child, parent, sibling, grandparent, grandchild, uncle, aunt, niece, nephew or cousin of the disqualified trainer's spouse or defacto partner.