

Policy: 644.6

Effective: 1 September, 2016

Revised: June 2016

Subject: Licensing Policy

Reference: *Harness Racing Act 2009*
Australian Harness Racing Rules
HRNSW Board Meeting – 21 February 2012
HRNSW Board Meeting – 23 October 2012
HRNSW Board Meeting – June 2016
HRNSW Board Meeting- 14 February 2019
HRNSW Board Meeting- 26 March 2020

LICENSING POLICY

1. BACKGROUND

- 1.1 HRNSW is responsible for the regulation of the Harness Racing Industry in NSW.
- 1.2 HRNSW may licence or regulate any activity connected with the Harness Racing Industry in accordance with Australian Harness Racing Rule 90(1).
- 1.3 HRNSW may grant a licence for such period and up such terms and conditions as it thinks fit, and may refuse a licence without assigning any reason whatsoever.
- 1.4 HRNSW may without limiting the powers under the Harness Racing Act 2009 and the Australian Harness Racing Rules, in its discretion;
 - (a) Vary or amend the licensing criteria at any time,
 - (b) Require additional information to accompany a licence application,
 - (c) Impose terms and conditions on the granting of a licence, and/or
 - (d) Take into account any other matter it considers relevant in determining a licence application.

2. POLICY

2.1 Licensing Committee

1. HRNSW may appoint a Licensing Committee at any time to undertake any or all of the powers of the Controlling Body, to collate and investigate information relevant to any application as required by the Board or where requested to make recommendations in regards to any application.

2. HRNSW will appoint persons to the Licensing Committee as required.
3. The Licensing Committee will meet as determined and will provide a report of its activity to the Board monthly.
4. The Licensing Committee charter is appendix A to this policy.

2.2 Applicants note that before making an application for a Driver or Trainer's licence, an applicant must have held a Stablehand licence for a minimum period of six (6) months or be able to provide evidence of previous equine experience, complete the Basic Horsemanship Examination and Online Training Requirements.

2.3 All persons making application to be licensed by HRNSW must be domiciled in NSW and provide evidence.

2.4 All first time applicants for a Drivers or Trainer's licence are required to enrol and complete the approved HRNSW Training Program before progressing past a C Grade licence.

2.5 If a previous Trainers licence has lapsed for a period of 4 years or longer an application by that person will be treated as a new application.

2.6 Any Applicant who has held a Licence in another jurisdiction, including overseas, will be required to furnish a written clearance from the jurisdiction in which he/she was last licensed together with their disciplinary record and submit an application for a licence in NSW together with any required insurance levy.

2.7 C Grade Driver Licence

The holder of a C Grade Driver licence is licensed to drive at trials, shows and to carry out track work on a registered track. In addition, they may drive at any meeting to prepare a horse to race at that meeting, other than drive a horse in its immediate pre-race preliminary at a race meeting.

To be eligible to obtain a C Grade Driver licence, the applicant must comply with the following:

1. Must have attained the age of fifteen (15) years of age;
2. Held a Stablehand licence for a minimum of six (6) months or provide evidence of previous experience for consideration;
3. Lodged a completed application form together with:
 - (a) Certified Extract of Birth Certificate OR Driver Licence, and
 - (b) Enrolled with HRNSW to commence the approved HRNSW Training Program;
4. Submitted a National Police Certificate (if eighteen (18) years or older);

5. Lodged a medical examination on the form prescribed by HRNSW and completed by a medical practitioner;
6. Provided a digital photograph; and
7. Payment of the application fee.

2.8 B Grade Driver Licence

The holder of a B Grade Driver licence may drive at trials and shows and is licensed to drive at country or provincial race meetings including country or provincial class meetings at a metropolitan racecourse, however, is not licensed to drive at Metropolitan Class race meetings. Furthermore, the holder of a B Grade licence may not drive in Group 1, Group 2 or Group 3 events.

To be eligible to obtain a B Grade Driver licence, the applicant must comply with the following;

1. Must have attained the age of sixteen (16) years of age;
2. Have successfully completed a minimum of satisfactory trial drives (see below);
3. Successfully completed the approved HRNSW Training Program;
4. Lodged certified extract of Birth Certificate OR Drivers Licence;
5. Lodged a medical examination on the form prescribed by HRNSW and completed by a medical practitioner;
6. Submitted a National Police Certificate (if eighteen (18) years or older);
7. Provided a digital photograph; and
8. Payment of the application fee.
9. Been interviewed and assessed to the satisfaction of the Stewards.

In order for B Grade Driver Licence holders to be eligible to drive in "C" class races at Metropolitan meetings the following criteria must be met:

1. Completed 100 drives;
2. Driven 10 winners;
3. Held a B Grade Driver Licence for not less than twelve (12) consecutive months;

4. Not incurred two (2) or more suspensions for driving related matters in races in past 100 drives;
5. Not incurred six (6) or more infringements for driving related matters in races in past 100 drives;
6. Not have failed any breathalyser or drug test under the Rules within the previous 18 months.

Once a participant has qualified to drive in “C” class races at Metropolitan meetings they must formally apply to HRNSW to formalise the process.

To be eligible to drive in races a B Grade Driver must complete at least twenty (20) satisfactory drives at Official Trials, at which a HRNSW approved Trial Supervisor or a HRNSW Steward is present.

In qualifying as a B Grade Driver the person will record his “trial drives” on the form prescribed and have a HRNSW approved Trial Supervisor or a HRNSW Steward sign the record. The Driver may only record one satisfactory drive at each attendance.

2.9 Trotters Policy

1. B Grade Driver Licence holders are eligible to drive in both “M” and “C” class races for trotters at Metropolitan meetings under the following conditions:
 - (a) Completed 100 drives;
 - (b) Driven 10 winners;
 - (c) Held a “B” Grade Licence for a minimum of twelve (12) consecutive months;
 - (d) Not incurred two (2) or more suspensions for driving related matters in the past 100 drives; and
 - (e) Not incurred six (6) or more infringements for driving related matters in the past 100 drives.
2. Notwithstanding, “B” Grade Driver Licence holders will not be allowed to contest Group 1 races for trotter or any other race deemed to be a “classic”.
3. HRNSW may review and/or rescind the right of a “B” Grade Driver Licence holder to contest “M” class races for trotters at any time.

2.10 A Grade Driver Licence

The holder of an “A” Grade Driver licence is licenced to drive at any race meeting.

To be eligible to obtain an “A” Grade Driver Licence, the applicant must comply with the following:

1. Must have attained the age of seventeen (17) years;
2. Lodged a completed application form together with a certified extract of Birth Certificate OR Drivers Licence;
3. Lodged a medical examination on the form prescribed by HRNSW and completed by a Medical Practitioner;
4. Submitted a National Police Certificate (if eighteen (18) years or older);
5. Provided a digital photograph; and
6. Payment of the application fee.

In order to be eligible for an “A” Grade Driver Licence the following criteria must be met:

- (a) Completed 200 drives;
- (b) Driven 15 winners;
- (c) Held a “B” Grade Driver Licence for not less than eighteen (18) consecutive months;
- (d) Not incurred three (3) or more suspensions for driving related matters in past 200 drives; and
- (e) Not incurred twelve (12) or more infringements for driving related matters in past 200 drives.

Once a participant has qualified for an “A” Grade Driver License they must formally apply to HRNSW to formalise the upgrade.

2.11 Concession Drivers

Refer [here](#) for information.

2.12 “C” Grade Trainer Licence

The holder of a C Grade Trainers Licence is licensed to prepare, educate and exercise a horse but, cannot trial it nor nominate it to race.

The holder of a C Grade Trainers Licence is not permitted to drive in any trials, including education or green trials

A “C” Grade Trainer licence may be issued at the discretion of HRNSW to a person who has:

1. Attained the age of 18 years;
2. Held a Stablehand licence for a minimum of 6 months or provides evidence of previous experience for consideration;
3. Lodged a completed application form together with and completes the online training and practical assessments required by HRNSW

- (a) Two (2) references from Licensed A Grade Trainers;
 - (b) Certified Extract of Birth OR Driver Licence; and
 - (c) Completed the approved HRNSW Training Program;
4. Submitted a National Police Certificate;
 5. A lease or owns stables suitable for the training of Standardbred horses;
 6. Furnish a financial history, including bank statements demonstrating a minimum of \$4,000 cash or access to suitable finance. Such history must cover a suitable period of time and include a Statement of Assets and Liabilities document.
 7. Provided a digital photograph; and
 8. Payment of the application fee.
 9. Been interviewed and assessed to the satisfaction of the Stewards;

2.13 "B" Grade Trainer Licence

The holder of a "B" Grade Trainer licence may train any registered horse which the person owns or partly owns or which is owned by the person's spouse, other domestic partner, parent, sibling or child.

The holder may also train up to a maximum of three (3) horses for outside clients (ie not family related) at any one time by seeking written approval from HRNSW.

The holder of a B Grade Trainers Licence is not permitted to drive in any trials, including education or green trials

A "B" Grade Trainer licence may be issued at the discretion of HRNSW to a person who has:

1. Attained the age of eighteen (18) years;
2. Held a Stablehand licence for a minimum of twelve (12) months or provides evidence of previous experience for consideration;
3. Lodged a completed application form together with,
 - (a) Two (2) references from Licensed A Grade Trainers;
 - (b) Certified Extract of Birth OR Driver Licence; and
 - (c) Completed the approved HRNSW Training Program;
4. Submitted a National Police Certificate;

5. A lease or owns stables suitable for the training of Standardbred horses;
6. Furnish a financial history, including bank statements demonstrating a minimum of \$4,000 cash or access to suitable finance. Such history must cover a suitable period of time and include a Statement of Assets and Liabilities document.
7. Provided a digital photograph; and
8. Payment of the application fee.
9. Been interviewed and assessed to the satisfaction of the Stewards;

2.14 “A” Grade Trainer Licence

The holder of an A Grade Trainer licence may train any registered horse.

The holder of an A Grade Trainer Licence is not permitted to drive in any trials, including education or green trials.

An A Grade Trainer licence may be issued at the discretion of HRNSW to a person who has:

1. Attained the age of eighteen (18) years;
2. Lodged a completed application form;
3. Two (2) references from Licensed Trainers;
4. Submitted a National Police Certificate;
5. Held a “B” Grade Trainer licence for twelve (12) months, or

Has been employed as a Stable Foreman by an “A” Grade Trainer for a minimum of twelve (12) months and produces a reference from such trainer;
6. A lease or owns stables suitable for the training of Standardbred horses;
7. Furnish a financial history, including bank statements demonstrating a minimum of \$4,000 cash or access to suitable finance. Such history must cover a suitable period of time and include a Statement of Assets and Liabilities document;
8. Provided a digital photograph; and
9. Payment of the application fee.
10. Been interviewed and assessed to the satisfaction of the Stewards;

2.15 Training Partnerships

HRNSW will consider applications from Trainers to train in partnership.

Only Trainers who have attained an A Grade Trainers Licence, or exhibit competencies which would qualify for that Licence, are eligible to make application to train in partnership.

2.16.1 Stablehand (Non driving)

The holder of a Stablehand licence is licensed to perform stable duties, under the supervision or instruction of a licensed Trainer as follows:

- (a) Assist with the training, management, care and control of horses; and
- (b) Assist with pre-race preparation of, and post-race procedures affecting a horse, including at a race meeting or official trials.

A Stablehand (Non driving) licence may be issued to a person who has:

1. Attained the age of fourteen (14) years;
2. Lodged a completed application form together with:
 - (a) Certified Extract of Birth Certificate or Drivers Licence; and
 - (b) Letter or declaration of support from a Licensed Trainer;
3. Submitted a National Police Certificate application (if eighteen (18) years or older);
4. Provided a digital photograph; and
5. Payment of the application fee.

2.16.2 Stablehand (Driving)

The holder of a Stablehand licence is licensed to perform stable duties, under the supervision or instruction of a licensed Trainer as follows:

- (a) Carry out track work.
- (b) Assist with the training, management, care and control of horses
- (c) Assist with pre race preparation of, and post race procedures affecting a horse

A Stablehand licence may be issued to a person who has complied with the criteria prescribed in 2.16.1 (above).

In addition, an applicant will be required to lodge a medical examination on the form prescribed by HRNSW and completed by a Medical Practitioner.

2.17 Mini Trots

Refer to www.nswminitrots.com.au for terms and conditions.

2.18 Maxi Trots

Refer [here](#) for information.

2.19 Visiting Trainer Permit

- (a) Trainers visiting NSW from interstate with a horse or horses intending to stable overnight in NSW before or after a race must submit an application to HRNSW for approval. Any Trainers intending on staying for a period greater than 2 months must apply for an extension.
- (b) Trainers and Drivers visiting NSW from overseas will be required to submit an application in NSW and pay any required insurance levy. In addition, they will be required to furnish a written clearance from the jurisdiction in which he/she is licensed together with their disciplinary record.

2.20 Disqualified person reapplying for a Licence

- (a) If a licensed person is disqualified the licence automatically ceases.
- (b) Persons wishing to apply for a new licence after disqualification therefore must apply as an unlicensed participant and are required to meet the usual licensing criteria including payment of the required licence fee.
- (c) In addition, a disqualified person who is seeking to be relicensed may be required, as part of their application, to appear before HRNSW, the Licensing Committee or one or more delegates. HRNSW or the Licensing Committee may require the Applicant to show cause as to why they should be granted a new licence in light of any previous matters pertaining to harness racing.

2.21.1 Reinstating Previous Driver Licence

- (a) Any person wishing to reinstate/renew their driver's licence who has not driven consistently in the last two (2) seasons at a race meeting, will be required to satisfactorily complete a number of satisfactory trial drives as determined by HRNSW.
- (b) Upon the completion of the required drives the licence category reinstatement/renewal will be at the discretion of HRNSW.

(c) Any person who has had an application for a licence refused by HRNSW must not make a further application until the expiration of twelve (12) months from the date of such refusal. The Board of HRNSW may, however, in its discretion reduce this period.

In circumstances where the decision to refuse a licence has been subject to Appeal, the period of twelve (12) months will not commence until the appeal decision is handed down.

In order for an application submitted following the expiration of twelve (12) months, the Applicant is required to demonstrate changes in their circumstances that would warrant consideration of the subsequent application.

Unless the applicant can satisfy the HRNSW Licensing Committee and/or Board of HRNSW that a change in their circumstances would warrant consideration of that subsequent application, the HRNSW Licensing Committee and/or Board of HRNSW may refuse to consider that application.

2.21.2 Renewal of an A Grade Drivers Licence

The renewal of any A Grade Drivers Licence will be conditional upon the applicant having a minimum of 30 race drives during the previous season and maintaining a satisfactory disciplinary record.

Where an exceptional circumstance has limited an Applicant's driving during the previous season, he may be required to provide details of such occurrence for the consideration of the Licensing Committee.

2.22 Surrender of Licence

A person may surrender a Licence at any time.

After the expiration of a period of five (5) clear days from the date a Licence is surrendered, and regardless of whether the holder contacts HRNSW, the Licensing Committee may cancel the said Licence.

Any attempt to surrender a Licence will not terminate or effect any audit or Inquiry into any aspect involving the Licence, including retrospectively.

2.23 Fit and Proper Person

Suitability of Licensees

All Licensees and Applicants for licences must meet and continue to meet suitability requirements. These requirements address whether or not a licensee is a "fit and proper person" to be licensed.

Criteria for a fit and proper person will be applied.

"Fitness"

A person must be fit and able to perform the duties of the relevant licence

1. Where a person is not physically fit to perform the duties of a particular license category in person, but is able to supervise and direct an exception may be considered provided there is no risk to other persons, animals or to the good conduct of racing and training. Such persons would require the facilities, equipment, experience, knowledge, and other personal qualities necessary for successfully functioning in this manner.
2. Fit also requires the person to have the stated skills and knowledge required for a licence. HRNSW may require appropriate evidence of skills and knowledge through testing, training and assessment or other means.
3. Fit includes the person's mental fitness to make correct decisions in relation to behaviour by demonstrating a continuing moral commitment to good behaviour and good character.

“Propriety”

Propriety relates to the general level of integrity of the person. It is primarily concerned with general behaviour and conduct but not limited to:

1. History
2. Reputation
3. Integrity
4. Honesty
5. Character

Propriety will be assessed on the basis of general behaviour and conduct but not limited to, in particular:

1. Disciplinary history
2. Evidence of dishonesty
3. Behaviour towards officials and staff of HRNSW and other NSW harness industry participants
4. Any conduct or statement likely to impact the person's reputation and more broadly on the reputation of other licensees, officials of HRNSW and the NSW harness racing industry
5. Demonstrated ability to consistently operate within the rules and policies of HRNSW, the *Harness Racing Act 2009* and any other laws and regulations applicable to the conduct of the industry and its participants including gaming laws
6. Evidence of improper behaviour, misconduct, breach to adhere to the HRNSW Code of Conduct, including police records, court records and letters of complaint regarding the person.

7. A history of indebtedness including being bankrupt or a previous declared bankrupt.
8. A failure to adequately demonstrate sufficient and acceptable financial means to fulfil the requirements of the licence
9. Where a licensee or applicant for a licence has been convicted of or pleaded guilty to a criminal offence in any state or territory of Australia or in any other country.

All offences will be considered, particularly those considered to have a direct impact on an applicant's suitability such as but not limited to offences relating to:

1. dishonesty, fraud or forgery
2. cruelty to animals
3. aggravated assault
4. sexual assault
5. possession, use or supply of illegal substances
6. serious crimes

In general crimes committed in the last 10 years will be considered relevant.

2.24 Medical Standards

- (a) Where an application requires an examination by a Medical Practitioner, a Report shall be furnished on the form prescribed by HRNSW.
- (b) HRNSW or the Stewards may at any time require any person making application for or holding a licence under these Rules, to be assessed medically, psychologically or physically in relation to any matter or thing impacting upon their capacity to comply with the requirements of such licence, including by a medical practitioner prescribed or approved by HRNSW.
- (d) Where the physical, psychological and/or medical examination raises, any unsatisfactory issues about the capacity of the person to comply with the requirements of such licence, HRNSW, the Licensing Committee or the Stewards may attach such condition to the licence as appropriate.
- (d) The Stewards may suspend the licence of any person if, in any assessment or report arising therefrom raises unsatisfactory issues in relation to the person's capacity to drive or perform any other duties relating to the licence.
- (e) Any licensed person who fails or refuses to submit to any physical,

psychological and/or medical assessment procedure when required to do so by HRNSW or the Stewards may have the licence revoked or suspended and may be penalised.

- (f) An applicant for any licence, including the renewal of a licence, may elect not to undertake an examination prescribed by HRNSW, but a licence will not be granted by HRNSW unless a Report is furnished as prescribed.
- (g) HRNSW may appoint a Medical Practitioner to undertake a physical, psychological and/or medical examination, to report and to provide advice on any issue relative to an Applicant or Licensed Person.