

Notice of adoption

An Act respecting racing
(R.S.Q., c. C-72.1)

Rules respecting Standardbred horse racing — Amendments

Notice is hereby given that the Régie des alcools, des courses et des jeux, at its sitting of 8 November 2000, made the Rules amending the Rules respecting Standardbred horse racing, the text of which appears below.

In accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Rules was published in Part 2 of the *Gazette officielle du Québec* of 14 June 2000, with a notice that it could be made by the Régie des alcools, des courses et des jeux upon the expiry of 45 days following that publication.

SERGE LAFONTAINE,
President

Rules amending the Rules respecting Standardbred horse racing¹

An Act respecting racing
(R.S.Q., c. C-72.1, s. 103, 1st para., par. 1, par. 2,
subpar. k, par. 3 and par. 21)

1. Section 1 of the Rules respecting Standardbred horse racing is amended:

(1) by the deletion of paragraphs 22 and 30;

(2) by the addition in paragraph 38 of the word “pedigree” after the word “performance,”;

(3) by the replacement of paragraph 40 by the following:

“(40) “declaration” means the receipt by the race secretary of a declaration form, duly completed, in order that a horse may participate in a specific race;”.

¹ The most recent amendments to the Rules respecting Standardbred horse racing, adopted by the Régie des loteries et courses at its session of September 19, 1990 (1990, *G.O.* 2, 3611), were introduced by the *Rules amending the Rules respecting Standardbred horse racing*, adopted by the Régie des alcools, des courses et des jeux at its session of May 27, 1999 (1999, *G.O.* 2, 2442). For previous amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated February 1, 2000.

2. Section 6 of these rules is amended by the addition at the end of the second paragraph of the words “In case of a tie vote, the president shall decide.”.

3. Section 12 of these rules is amended by the replacement of the words “or because it chokes or suffers from epistaxis” by the words “, because it chokes, falls or suffers from epistaxis”.

4. Section 13 of these rules is amended:

(1) by the deletion of the second paragraph;

(2) by the deletion in the fourth paragraph of all the words following the words “shall be deleted therefrom”.

5. Section 14 of these rules is amended:

(1) by the deletion in the first paragraph of paragraph 3;

(2) by the replacement in the second paragraph of the words “2 hours and 30 minute” by the words “2 hours”.

6. Section 20 of these rules is amended by the addition, at the end of the first paragraph, of the following paragraph:

“(6) follow the progress of the race from his starting gate and report his observations to the racing judges.”.

7. Section 32 of these rules is repealed.

8. Section 34 of these rules is amended by the replacement of paragraph 8 by the following:

“(8) the names of the owner, the stable, the breeder, the trainer and the driver of each of the horses participating in each race;”.

9. Section 35 of these rules is amended by the replacement of the number “3” by the number “2”.

10. Section 41 of these rules is amended by the replacement of the number “72” by the number “48”.

11. These rules are amended by the insertion, after section 41, of the following:

“**41.1** An association shall conclude, for the entire term of its racing licence, a contract with a laboratory to carry out analyses of the blood plasma of an annual average of two horses taking part in each race on the racing programs that it holds in order to determine the concentration of free carbon dioxide (TCO₂).

This contract must provide that the laboratory has the equipment needed to determine the concentration of free carbon dioxide (TCO₂) in the blood plasma. These tests must be carried out by a chemist who is a member of the Ordre des chimistes du Québec or under his supervision according to generally accepted practices. The contract must also provide that the owners and employees of the laboratory, their spouses or their dependants are not owners or operators of a race track or owners or trainers of a racehorse.

Furthermore, this contract must provide that the laboratory undertakes to:

(1) take blood samples from the jugular vein of each designated horse within 20 minute preceding the race or at least 90 minute after the end of the race;

(2) collect the blood samples in at least two separator tubes for each horse designated;

(3) centrifuge the blood samples within 20 minute from their withdrawal and preserve them in a refrigerator until they are shipped to the laboratory;

(4) send the centrifuged blood samples to the laboratory in an insulated container;

(5) communicate the results of the analysis to the Régie;

(6) take security measures to ensure the integrity of the chain of possession of the samples.

41.2 An association shall have autopsies carried out, at its own expense, by an independent third party on the carcass of any horse that dies after starting a race. The association must provide under confidential cover the owner of the horse and the Régie with results of the autopsy showing in particular the reason for the death of the horse.

41.3 An association may not sell, exchange or reimburse a minor for a receipt attesting to a bet on a race. The association must display the present rule in plain view near the window where bets are made and must publish it in its printed program.”.

12. Section 42 of these rules is amended by the replacement of the second paragraph by the following:

“The stable name shall be the same as that appearing on the Declaration of Registration issued by the inspecteur général des institutions financières in accordance with the provisions of the Act respecting the legal publicity of sole proprietorships, partnerships and legal per-

sons (R.S.Q., c. P-45). When the name is a registered number, the stable name shall be this number and the name of an administrator designated by the board of directors of the legal person.”.

13. Section 45 of the rules is amended by the addition, in the first paragraph after the words “that trainer”, of the words “and his replacement”.

14. These rules are amended by the addition, after section 47, of the following sections:

“47.1 For each horse he trains, the trainer shall establish a training program compatible with its abilities.

47.2 The trainer shall provide the horse owner who makes the request with all information concerning the training activities of his horse.

47.3 A trainer may not induce a person to claim a horse he trains.

47.4 When a trainer’s horse takes part in a race, a trainer who holds a driver’s licence may not drive in this race a horse other than the one that he trains.

47.5 The trainer shall equip with handholds the driving reins of a horse taking part in a race.”.

15. Section 52 of these rules is amended by the deletion of the second paragraph.

16. Section 53 of these rules is amended by the replacement in the first paragraph of the words “12 months” by the words “24 months”.

17. Section 59 of these rules is amended by the insertion, after the first paragraph, of the following:

“The first paragraph shall not apply to a member of the board of directors of a legal person or a society that holds a racing licence unless this member is involved in the preparation, holding or outcome of races.”.

18. Section 67 of these rules is amended:

(1) by the replacement, in the second paragraph, of the word “first” by the words “in one of the first three places”;

(2) by the replacement, in the third paragraph, of the word “first” by the words “in one of the first three places”.

19. These rules are amended by the addition, after section 69, of the following:

69.1 A driver may not claim for a horse he drives unless a period of 30 days has lapsed since he drove him.

However, a driver may claim a horse of which he was an owner within the last 30 days.

69.2 When a horse belonging to a driver takes part in a race, a driver may not drive a horse other than his own in this race.”.

20. Section 92 of these rules is repealed.

21. Section 94 of these rules is amended:

(1) by the replacement of the third paragraph by the following:

“Where the minimum number of declarations is not reached, the race may be cancelled. However, the declaration period may be extended or the conditions of participation modified by the race secretary, after notifying the participants, in order to attain the minimum number of declarations for this race to be held. He shall then grant preference to the horse already declared.”;

(2) by the deletion of the fourth paragraph.

22. Section 97 of these rules is amended by the deletion of the words “conducted by the race secretary”.

23. Section 105 of these rules is amended, in the first paragraph, by the insertion after the words “secretary”, of the words “or sends him a facsimile”.

24. Section 107 of these rules is repealed.

25. Section 109 of these rules is amended by the replacement in subparagraph 1 of the third paragraph, of the table by the following:

“

| Age of horse | Colts, geldings, stallions, spayed mares | Fillies and mares |
|------------------|---|----------------------------|
| 2 years of age | 75% of the claiming price | 100% of the claiming price |
| 3 years of age | 50% of the claiming price | 75% of the claiming price |
| 4 years of age | 25% of the claiming price | 50% of the claiming price |
| 5 years and over | 0% of the claiming price | 25% of the claiming price |

”.

26. Section 130 of these rules is amended by the replacement, in the second paragraph, of the number “45” by the number “60”.

27. Section 135 of these rules is repealed.

28. Section 136 of these rules is amended by the deletion of the second paragraph.

29. Section 141 of these rules is amended:

(1) by the replacement, in the first paragraph, of the number “90” by the number “30”;

(2) by the replacement, in the second paragraph, of the number “30” by the number “15”.

30. Section 159 of these rules is amended by the replacement of the third paragraph by the following:

“The dates and hours of receipt of a nomination or a sustainment of nomination made by mail, courier service or telecopier are the following:

(1) the date and hour of the post-mark for mail;

(2) the date and hour of receipt by the messenger, in the case of courier service;

(3) the date and hour of receipt by the person designated to receive it, in the case of telecopier.

The date and hour of receipt of a payment made by mail are those of the post-mark. The date and hour of receipt of a payment made by messenger are those of receipt by the messenger.”.

31. Section 165 of rules is amended by the deletion of the second paragraph.

32. Sections 168 to 172 of these rules are repealed.

33. Section 190 of these rules is amended:

(1) by the deletion of the first paragraph;

(2) by the replacement of the second paragraph with the following:

“A horse may be declared in a race using a declaration form provided by the association. This form shall be signed by the owner of the horse, by the owner’s agent or by the trainer of the horse and submitted to the race secretary.”;

(3) by the replacement, in the third paragraph, of the words “deposits a declaration form in the declaration box” by the word “completes a declaration form”.

34. Section 191 of these rules is amended by the replacement of the words “in the declaration box” by the words “with the race secretary”.

35. Section 193 of these rules is amended by replacing of the second paragraph with the following:

“A horse may be declared in a race only if its owner, the owner’s agent or its trainer holds the certificate referred to in section 53 and this person must file it with the race secretary at least one hour before the start of the race in which that horse takes part.”.

36. Section 194 of these rules is replaced by the following:

“194. Before the list of declared horses is posted by the race secretary, no one may disclose the names of the horses declared to anyone.”.

37. Section 200 of these rules is repealed.

38. Section 208 of these rules is amended by the replacement of the words, “before 10:00 on the day of this race”, by the words “before midnight on the day preceding this race”.

39. Section 211 of these rules is amended by the replacement of the last paragraph with the following:

“The drawing of post positions for a regular race is final.”.

40. Section 212 of these rules is amended by the deletion, in subparagraph 1 and 2 of the first paragraph, of the words “or 92”.

41. Section 213 of these rules is replaced by the following:

“213. Where the program respecting a special race has not already been printed, post positions must be redrawn if there is an omission respecting a horse declared in that race.

Where the program respecting a special race has already been printed, post positions may not be redrawn. However, a horse declared in a special race and omitted at the drawing of post positions may participate under the following conditions:

(1) where the maximum number of horses that may start is not attained, the horse shall start at the last post position;

(2) where the maximum number of horses that may start is attained, the horse shall start at the last post position notwithstanding section 91 and the conditions for participation;

(3) the horse may not be declared for purposes of pari-mutuel.”.

42. These rules are amended by the insertion, after section 213, of the following:

“213.1 Where the racing secretary does not conform to section 210 during the drawing of post positions of a special race, post positions must be redrawn if the program respecting that race has not already been printed.

Where the program respecting that race has already been printed, post positions may not be redrawn.”.

43. Section 216 of these rules is amended by the addition, after the words “lowest claiming price” of the words, “or lowest winnings”.

44. Section 217 of these rules is amended by the replacement of the first paragraph by the following:

“217. Where no horses start on the second line, the horse with the lowest winnings shall take the first position and the others shall take the following positions to the right of the first horse based on their respective winnings.”.

45. Section 218 of these rules is amended by the addition, at the end of subparagraph 2 of the second paragraph, after the words “at the same price” of the words “or whose winnings are the same”.

46. The rules are amended by the insertion, after section 221, of the following:

“221.1 Subject to sections 216 to 220, starting positions following the withdrawal of a horse that was to take part in the race shall be determined as follows:

(1) when a horse starting on the first line is withdrawn, its withdrawal shall have no impact on the position of horses starting in the second line;

(2) when a horse is withdrawn from either starting line, the horses that are outside the starting position of the withdrawn horse shall fill the gap by moving towards the inside of the racing strip.”.

47. Section 226 of these rules is amended:

(1) by the deletion of subparagraph (3) of the first paragraph;

(2) by the insertion, after the third paragraph, of the following:

“The president of the racing judges alone shall decide whether a race may be cancelled before or after it starts, if he is of the opinion that holding it or continuing it is likely to endanger human life or health or cause serious or irreparable damage to property. The racing judges shall then prepare a report on the incident.

When a race is cancelled after its start, the decision shall be immediately shown on the display board, announced to the public and communicated to drivers by means of a blinking light and an audible signal. Any driver able to do so shall slow down the gait of his horse and proceed to the paddock. A horse is deemed not to have started in such a race.”

48. Section 227 of these rules is repealed.

49. Section 228 of these rules is amended by the deletion of the words “During a race meeting of more than five days.”

50. Section 232 of these rules is amended in the first paragraph:

“(1) by the deletion, in subparagraph 1.1, of the word “falls”;

(2) by the replacement of subparagraph 10 by the following:

“(10) the results of the analysis of the blood sample taken under section 345.3 are positive;”;

(3) by the deletion of subparagraph 12.”

51. Section 233 of these rules is repealed.

52. Section 234 of these rules is amended by the deletion of paragraph 4.

53. Section 240 of these rules is repealed.

54. Section 243 of these rules is amended:

(1) by the replacement, in the first paragraph, of the words “apply for permission in writing to the racing judges at least 90” by the words “inform the equipment judge at least 45”;

(2) by the addition, after the first paragraph, of the following:

“The trainer shall inform the equipment judge at least 45 minute before the starting time of the race with pari mutuel in which this horse is taking part of any change to the shoeing of a horse made between two races.”;

(3) by the replacement of the second paragraph by the following:

“The association shall inform the public of this change as soon as possible by an announcement or notice before the beginning of the race with pari mutuel in which this horse is taking part.”.

55. Section 261 of these rules is amended by the addition at the end of the following paragraphs:

“(3) the horse is subject, under section 345.1 to the taking of a blood sample which when analysed might show a concentration of free carbon dioxide (TCO₂) equal to or greater than 37 millimoles per litre of blood plasma;

(4) the horse is subject, under section 345.3 to the taking of a blood sample which when analysed might show a concentration of bicarbonate (HCO₃) equal to or greater than 37 millimoles per litre of blood.”.

56. Section 267 of these rules is amended by the deletion of the words “or trainer”.

57. These rules are amended by the insertion, after section 267, of the following:

“**267.1** A trainer shall fulfil the following obligations:

(1) he shall ensure that his horse participates in the parade, unless exempted by the racing judges;

(2) he shall not delay the parade.”.

58. Section 279 of these rules is amended by the addition, after the second paragraph, of the following:

“He shall not use a whip to stimulate a horse either by raising the elbow of the arm holding the whip above shoulder height or by moving the hand holding the whip behind him. Furthermore, any movement of the whip may be executed only between the shafts of the sulky.”.

59. Section 283 of these rules is replaced by the following:

283. The driver shall, during a race, keep a hand in each handhold of the reins, except in the last eighth mile of a race.

The driver shall not snap his reins during a race.”.

60. Section 285 of these rules is amended by the replacement of the fourth paragraph by the following:

“Where, during a race, a wheel of a horse’s sulky leaves a racing strip that does not have a continuous hub rail, the racing judges may disqualify that horse, unless the horse left the racing strip following an interference or a collision of which the horse was a victim. When racing judges disqualify a horse for leaving the racing strip, they shall determine the position order of the horses.”.

61. Section 304 of these rules is amended by the addition, at the end, of the following paragraph:

“The person must provide a sample of at least 30 millilitres.”.

62. Section 310 of these rules is amended by the deletion, at the end of the second paragraph, of the words “, except in the case of a two-in-three race”.

63. These rules are amended by the repeal of sections 322 and 323.

64. Sections 345.1, 345.2 and 345.3 are replaced by the following:

345.1 During the 20 minute period preceding the time in which a horse is to start in a race or at least 90 minute after the end of the race in which a horse takes part, the person authorized by the board pursuant to subparagraph 4 of the first paragraph of section 90 of the Act shall take blood samples to determine the concentration of free carbon dioxide (TCO_2) or bicarbonate (HCO_3).

This person prepares a report establishing the chain of possession of the sample.

345.2 Subject to section 345.9, blood analysis results are positive if the bicarbonate (HCO_3) concentration or free carbon dioxide (TCO_2) is equal to or greater than 37 millimoles per litre of blood or blood plasma, as the case may be.

345.3 Where the result of the first blood sample is positive for the concentration of bicarbonate (HCO_3), the authorized person shall take a second sample.”.

65. Section 345.4 of these rules is amended by the deletion of paragraphs 2 and 3.

66. Section 345.5 of these rules is repealed.

67. Section 345.7 of these rules is replaced by the following:

345.7 The isolation of a horse shall take place under surveillance on the premises of an association for a period of at most 72 hours during which the concentration of bicarbonate (HCO_3) or free carbon dioxide (TCO_2) shall be measured.”.

68. Section 345.9 of these rules is replaced by the following:

345.9 Where the analyses done on a horse placed in isolation show that, due to a physiological trait specific to that horse, the bicarbonate (HCO_3) concentration or free carbon dioxide (TCO_2) observed is physiologically normal for this horse, the board shall determine new criteria for that horse for the application of section 345.2.”.

69. The rules are amended by the insertion, after section 345.10, of the following:

345.11 When under section 345.1 blood samples must be taken from a horse, racing judges shall disqualify this horse in the following circumstances:

(1) blood samples could not be taken from this horse after the race in which it took part;

(2) analysis results show a concentration of free carbon dioxide (TCO_2) equal to or greater than 37 millimoles per litre of blood plasma;

(3) the results of the analysis carried out in accordance with the provisions of section 345.3 indicate, after the race, a concentration of bicarbonate (HCO_3) equal to or greater than 37 millimoles per litre of blood;

(4) there has been an exchange or substitution with respect to the taking of the sample.

345.12 When a horse is withdrawn for the purposes of subsection 10 of section 232 or disqualified for the purposes of section 345.11, this horse may not take part in a race nor be declared before the end of a period of 30 days from of the date of its disqualification or withdrawal, unless the trainer or the owner of the horse determines at the time of its quarantine that the result of the analysis is physiologically normal for this animal. The Régie shall then determine the new parameters to be considered for this horse and terminate its ineligibility to be declared or to take part in a race.”.

70. Section 347 of these rules is amended by the deletion of the words “or the paddock judge” in the first paragraph.

71. Section 362 of these rules is amended in the first paragraph:

- (1) by the replacement of “32 to 39” by “33 to 39”;
- (2) by the addition after “of section 47,” of “of sections 47.1 to 47.5”;
- (3) by the deletion of the number “135”;
- (4) by the deletion of the number “200”;
- (5) by the addition, after “222 to 224,” of “of the fifth paragraph of section 226, of sections”;
- (6) by the replacement of “234 to 241” by “234 to 239, 241”.

72. The rules are amended by the insertion, after section 364, of the following:

“**364.1** Any violation of the provisions of paragraphs 3 and 4 of section 261 shall lead to the following administrative measures:

(1) for a first violation committed during the three years preceding this violation, the suspension of all or a part of the privileges related to the holder’s licence for a period of 75 days plus the prohibition of access to any race track or any area of any race track throughout the period of this suspension;

(2) for a second violation committed during the three years preceding this violation, the suspension of all or a part of the privileges connected to the holder’s licence for a period of 180 days plus the prohibition of access to any race track or any area of any race track throughout the period of this suspension;

(3) for a third violation committed during the three years preceding this violation, the revocation of the holder’s licence with prohibition from submitting a new application for a licence before the expiry of a one-year period;

(4) for a fourth violation committed during the three years preceding this violation, the revocation of the holder’s licence with prohibition from submitting a new application for a licence before the expiry of a two-year delay.”.

73. The present rules shall come into force on the fifteenth day following their publication in the *Gazette officielle du Québec*.

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