

# RACING OPERATORS' CONDITIONS

for all Race Meetings held in South Africa

*With effect : 2 December 2014*

*Amendments shall be advised by publication of amended, dated pages*

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<b>DEFINITIONS</b>	
Acceptor	A horse that has been duly entered and has been declared to run in a race being staged by a Racing Operator
Alumites	Racing Plates made largely of aluminium, as defined in the Rules
Chairman of the Stipendiary Board	The Chairman of the Stipendiary Board of the NHA in the province where the race meeting will take place, or his duly authorised representatives
Company	Phumelela Gaming and Leisure Limited, Kenilworth Racing (Proprietary) Limited or Gold Circle (Proprietary) Limited, trading as Gold Circle Horseracing and Betting, each of which are Racing Operators and including any turf clubs associated with or managed by each. Reference to the Company, shall be to the Company conducting the race meeting in question
Conditions	These Racing Operators' Conditions as contained in the Programme, or as amended from time to time
Declaration	The action by an authorised agent in terms of the Rules, declaring his intention regarding the running of a horse in a race being staged by a Racing Operator and the word "declare" shall have the same meaning as the context may require. "Acceptance" and "accept" as used in the Rules shall have the same meanings respectively
Entry	The entry of a horse by a Nominator to contest a race being staged by a Racing Operator. "Enter" shall have the same meaning as the context may require. "Nomination" and "nominate" as used in the Rules, shall have the same meanings respectively
Farrier	A farrier licensed by and appointed to represent the NHA to attend to the racing plates of horses
Gender	The attribution of a gender to a person shall be read as the attribution of the gender that is correct in the context
Groom	A person employed by a Trainer to take care of a horse
Handicapper	A person appointed by the NHA to perform the duties of a Handicapper, as set out in the Rules
Headgear	Blinkers, sheepskin cheek pieces, pacifiers and tongue ties/straps carried by a horse
Highveld	Is deemed to include the Turffontein, Vaal and Randjesfontein Racecourses
Merit Rating - <b>Gross</b>	The merit rating allocated to a horse by the Handicapper, before adjustment for weight-for-age allowance in terms of the Rules
Merit Rating - <b>Net</b>	The merit rating allocated to a horse by the Handicapper, after adjustment for weight-for-age allowance in terms of the Rules
NHA	The National Horseracing Authority of Southern Africa
Nominator	A person entitled to enter a horse for a race in terms of the Rules
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NRB	The National Racing Bureau, a division of Gold Circle (Proprietary) Limited. Reference to the National Racing Bureau shall include the NRB Manager and/or his duly authorised representatives
Official Racing Publication	Computaform Express - all South African venue's
Owner	An owner of a horse as defined in the Rules, including a part Owner
Place	First, second, third or fourth positions in a race. "Placed" and "unplaced" shall have the same meanings as the context may require
Programme	The publication circulated by NRB entitled "Programme of Meetings" setting out the programme of races to be held at race courses of a Racing Operator
Race Requirements	The requirements for a race as set out in the race description in the Programme
Racing Executive	The senior racing executive of the Company, and/or his duly authorized representatives
Racing Operator	A racing operator as defined in the Rules
Rider	A rider of a horse as defined in the Rules
Rules	The Rules of the NHA, as amended from time to time. Reference to a specific Rule shall be reference to that Rule of the NHA
Trainer	A trainer licensed by the NHA in terms of the Rules, or his authorized representatives
Veterinary Surgeon	A veterinary surgeon licensed by and appointed to represent the NHA to attend to the veterinary needs of horses
Weight	The weight to be carried by a horse in a race

**1. ENTRIES, FEES AND RELATED ISSUES, INDEBTEDNESS, VETERINARY COSTS, NOTIFICATION TO OWNER OF RULES AND CONDITIONS, DRAW PROCEDURE AND DISPUTES**

- 1.1 All entries, however made, are subject to the Rules, the Conditions and the Race Requirements. In the event that there is a conflict between the Rules, the Conditions and/or the Race Requirements, the Rules shall prevail.
- 1.2 Entries may be in writing, by e-mail, on-line or may be oral and must be made to NRB on the basis that the Nominator shall provide all the information as required on, and shall be bound by whatever acknowledgements are contained in the official entry form. Failure to comply with this Condition may result in the entries being rejected.
- 1.3 All entries shall be at the risk of the Nominator whose duty it is to ensure that the said entries come to the attention of NRB by the advertised time for the closing of entries. The Nominator shall have no claim against NRB in the event that, for whatsoever reason, the horse so entered is excluded from the published list of horses entered for a race.
- 1.4 In the event of a horse being omitted by NRB from the published list of horses entered for a race, it shall be at the sole discretion of the Racing Executive as to whether the horse is subsequently included.
- 1.5 A horse may be entered for more than one race on the Programme but, in terms of the Rules, may only run in one race on the same day.
- 1.6 Entry fees per horse per race, unless otherwise stated in the Race Requirements, shall be as follows:
- |       |                            |                                 |
|-------|----------------------------|---------------------------------|
| 1.6.1 | Turffontein and Vaal       | R78,00 (Fee R68,42 + VAT R9,58) |
| 1.6.2 | Greyville and Scottsville  | Nil                             |
| 1.6.3 | Durbanville and Kenilworth | R65,00 (Fee R57,02 + VAT R7,98) |
| 1.6.4 | Fairview                   | R55,00 (Fee R48,25 + VAT R6,75) |
| 1.6.5 | Flamingo Park              | R41,00 (Fee R35,96 + VAT R5,04) |
- 1.7 Declaration fees per horse per race, unless otherwise stated in the Race Requirements, shall be as follows:
- |       |                            |                                 |
|-------|----------------------------|---------------------------------|
| 1.7.1 | Turffontein and Vaal       | R78,00 (Fee R68,42 + VAT R9,58) |
| 1.7.2 | Greyville and Scottsville  | Nil                             |
| 1.7.3 | Durbanville and Kenilworth | R65,00 (Fee R57,02 + VAT R7,98) |
| 1.7.4 | Fairview                   | R55,00 (Fee R48,25 + VAT R6,75) |
| 1.7.5 | Flamingo Park              | R41,00 (Fee R35,96 + VAT R5,04) |
- 1.8 All entry and declaration fees are inclusive of VAT. In the event that there is a change in the VAT percentage, then there shall be an appropriate adjustment to the entry and declaration fees. Entry fees are non-refundable unless otherwise stated in the Race Requirements. Declaration fees shall be refunded in the case of elimination and may be refunded when a carded horse is withdrawn in terms of the rules.

- 1.9 Entry and declaration fees for races held in a specific calendar month shall be invoiced to the Nominator and a statement issued at the end of that month. The outstanding amount must be paid in full within the time specified on the statement, failing which the Company may refuse to accept further entries or declarations or may refuse to allow a carded horse to run.
- 1.10 Where an Owner or a Trainer is indebted to the Company and is in default of payment on due date, any entry or declaration of horses owned by such Owner or trained by such Trainer may not be accepted or a carded horse may not be allowed to run until these arrears have been settled.
- 1.11 Where a Trainer or his employees are in breach of the Company's Stabling Policy or the Regulations (as published from time to time) governing Training Centres and the use of the training tracks and race course at premises of the Company, the Company may refuse to accept entries or declarations from that Trainer or to allow a carded horse of that Trainer to run, until such time as the Trainer or his employees comply with the Policy or the Regulations.
- 1.12 The Company may take such steps as may be necessary, including but not limited to refusing an entry or declaration, if, in its sole opinion, such steps are necessary to protect the interests of the thoroughbred horseracing industry from harm or possible harm.
- 1.13 The Company may recover from a Trainer, any veterinary costs incurred in treating a horse for sickness or injury on a race course, during a race meeting or public gallops.
- 1.14 Where an Owner, Trainer or Rider is indebted to the Company and the Company becomes indebted to that Owner, Trainer or Rider, then the Company shall be entitled to apply set off and to deduct from its indebtedness to the Owner, Trainer or Rider the whole or part of its claim against the Owner, Trainer or Rider respectively (in each instance as the case may be).
- 1.15 The onus is on the Trainer to notify his Owner, who has granted him an authority to act in terms of the Rules, of all of the Conditions and Race Requirements.
- 1.16 Notwithstanding conditions 1.10, 1.12 and 1.14, the Company may refuse an entry or declaration in the event that, in the opinion of the Company, the owner, trainer or jockey associated with such entry or declaration has conducted or is conducting himself in a manner contrary to the best interests of the Company, and the said owner, trainer or jockey has failed to desist from such conduct notwithstanding reasonable notice from the Company to do so.
- 1.17 **Draw Procedure**  
Barrier draws will be allocated on the day of Entries unless otherwise stated in the race conditions.
- 1.17.1 Subject to conditions 1.17.2 to 1.17.5, inclusive, the Barrier Draw shall be conducted in terms of the Rules.

- 1.17.2 If, after the barrier draw has been effected;
- 1.17.2.1 a horse is omitted from the list of entries / declarations for any reason and is subsequently included;
  - 1.17.2.2 entries are re-opened for a race and a horse is subsequently included;
  - 1.17.2.3 a horse is subsequently included for any other reason;
- then a draw shall be randomly allocated in respect of the horse so included and all other horses drawn the same as and outside (higher than) the randomly allocated draw, shall be adjusted outwards (higher).
- 1.17.3 Similarly, in the event that a horse is removed from the list of entries / declarations for any reason after the barrier draw has been effected, those horses remaining in the list of entries / declarations and drawn outside (higher than) the horse removed from the list of entries / declarations, shall have their barrier draws adjusted inwards (lower).
- 1.17.4 Any horse removed from one race and included in another race shall **NOT** retain its original barrier draw but shall have a new draw allocated in terms of Conditions 1.17.2 and 1.17.3.
- 1.17.5 Under no circumstances, shall any race where barrier draws have been already allocated, be redrawn.
- 1.17.6 Rectification of any error in the draw procedure is at the sole discretion of the Company in consultation with the Chief Stipendiary Steward

## **2. RACE REQUIREMENTS, ALLOWANCES, SPECIAL CONDITIONS AND RAISING OF WEIGHTS**

### **2.1 Race Requirements**

#### **2.1.1 Feature Races (Graded, Listed and Non-Black Type)**

The conditions of entry for a feature race shall be as specified in the Race Requirements. Weights in Graded and Listed Feature races will be issued after Entries and prior to Supplementary Entries. The Handicapper will then allot weights to Supplemented horses in terms of where they fit into the originally allotted weights.

Unless otherwise specified, Condition 2.2.3 regarding Apprentice allowances and Condition 2.3.2.3 regarding the Raising of weights, shall apply in all feature races.

#### **2.1.2 Merit Rated Handicaps**

- 2.1.2.1 Subject to condition 2.1.2.2, are open to all horses, unless otherwise specified in the Race Requirements
- 2.1.2.2 Maidens which, at the time of entry, have run at least three races on the same surface, are eligible to be entered.
- 2.1.2.3 Weights to be allocated according to **net** merit ratings, as determined by the Handicapper. A horse's **net** merit rating determines its eligibility and its allocated weight.

2.1.2.4 The benchmark ratings (i.e. the rating at 60kg for 5-year-old and older horses) and maximum net merit rating shown in Condition 2.1.2.7 indicate the range of weights applicable in each benchmark division. Horses receive allowances, in accordance with the weight-for-age table as published in the Rules. The benchmark and maximum ratings indicated in Condition 2.1.2.7 are **net** merit ratings.

2.1.2.5 Horses rated above the maximum rating but which receive a weight-for-age allowance that brings them into the range of weights shall be eligible to run in the race, unless otherwise specified.

#### 2.1.2.6 **Changes to Benchmark Ratings**

Benchmark ratings are a guide and may be varied by the Handicapper, at the time of publication of weights or at the closing of declarations.

All races and race results shall be reflected with the actual **net** merit rating at 60kg e.g. in a merit rated 74 race, if the top weighted horse did not accept, then the race shall be reflected with the **net** merit rating of the new horse weighted at 60kg, which could be merit rated 73 or less.

#### 2.1.2.7 **Benchmark Ratings**

##### 2.1.2.7.1 **Highveld**

benchmark 73 & higher	60kg (no maximum rating)
benchmark 72 & lower	60kg (maximum rating to be four merit rating points above the originally advertised benchmark)

##### 2.1.2.7.2 **Greyville and Scottsville**

benchmark MR78/FM76 and higher	60kg (no maximum rating)
benchmark MR77/FM75 to MR73/FM71	60kg (maximum rating to be four merit rating points above the originally advertised benchmark)
benchmark MR72/FM70 and lower	60kg (maximum rating to be two merit rating points above the originally advertised benchmark)

**2.1.2.7.3 Durbanville and Kenilworth**

benchmark 78 and higher	60kg (no maximum rating)
benchmark 77 & lower	60kg (maximum rating to be four merit rating points above the originally advertised benchmark)

**2.1.2.7.4 Fairview**

benchmark 73 & higher	60kg (no maximum rating)
benchmark 72-65 lower	60kg (maximum rating to be four merit rating points above the originally advertised benchmark)
benchmark 64 & below	60kg (maximum rating to be equal to originally advertised benchmark)

**2.1.2.7.5 Flamingo Park**

benchmark 73 & higher	60kg (no maximum rating) (see clause 7.3.5.2)
benchmark 72 & lower	60kg (maximum rating to be four merit rating points above the originally advertised benchmark) (see clause 7.3.5.3)

**2.1.2.8 Divided Handicaps**

Entries will be taken for a single event on a long handicap basis and the Handicapper shall have the sole discretion to divide such events into the required number of races as determined by the Racing Operator. The Company reserves the right to determine the stakes for these races, in accordance with the class of field.

**2.1.2.9 Open Handicaps**

The Handicapper shall have sole discretion in setting the benchmark and allocating weights, unless otherwise stated in the Race Requirements. The Company reserves the right to determine the stakes for these races, in accordance with the class of field.

**2.1.2.10 Handicap Races of 2800m and further (including Graded, Listed and other Feature races).**

Weights may be compressed at the discretion of the Handicapper i.e. the Handicapper may depart from allocating 0,5 kg for each merit rating point.

### 2.1.3 Pinnacle Stakes

Pinnacle Stakes shall be run in terms of the race requirements as specified in the programmes of racemeetings.

### 2.1.4 Conditions Plates

(For Winners and Maidens)

Conditions Plates shall be run in terms of the race requirements as specified in the programmes of racemeetings.

A 0,5 kg allowance shall be given to runners in all Conditions Plates, at the time of publication of weights, for each unplaced start since a horse was placed (1st to 4th), except for starts in Graded and Listed races, up to a maximum allowance of 3 kg.

### 2.1.5 Superior Plates

(For Winners and Maidens)

Five-time winners and less	52,0 kg
Six-time winners	55,0 kg
Seven-time winners	58,0 kg
Eight-time winners	61,0 kg
Nine-time winners and more	63,0 kg

A 0,5 kg allowance shall be given to runners in all Superior Plates, at the time of publication of weights, for each unplaced start since a horse was placed (1st to 4th), except for starts in Graded and Listed races, up to a maximum allowance of 3 kg.

### 2.1.6 Advance Plates

(For Winners and Maidens)

Three-time winners and less	52,0 kg
Four-time winners	55,0 kg
Five-time winners	58,0 kg
Six-time winners	61,0 kg

Thereafter, a 2 kg penalty for each additional win.

A 0,5 kg allowance shall be given to runners in all Advance Plates, at the time of publication of weights, for each unplaced start since a horse was placed (1st to 4th), except for starts in Graded and Listed races, up to a maximum allowance of 3 kg.

### 2.1.7 Allowance Plates

(For Winners and Maidens)

Maidens & One-time winners	52,0 kg
Two-time winners	55,0 kg
Three-time winners	58,0 kg
Four-time winners	61,0 kg
Five-time winners	63,0 kg

Thereafter, a 2 kg penalty for each additional win.

A 0,5 kg allowance shall be given to runners in all Allowance Plates, at the time of publication of weights, for each unplaced start since a horse was placed (1st to 4th), except for starts in Graded and Listed races, up to a maximum allowance of 3 kg.

<b>2.1.8 Progress Plates</b>	Open	3yo
(For one, two and three-time winners and Maidens)		
Maidens	52,0 kg	50,0 kg **
One-time winners	55,0 kg	53,0 kg **
Two-time winners	58,0 kg	56,0 kg **
Three-time winners	61,0 kg	59,0 kg **

A 0,5 kg allowance shall be given to runners in all Progress Plates, at the time of publication of weights, for each unplaced start since a horse was placed (1st to 4th), except for starts in Graded and Listed races, up to a maximum allowance of 3 kg.

<b>2.1.9 Graduation Plates</b>	Open	3yo
(For one and two-time winners and Maidens)		
Maidens	54,0 kg	52,0 kg **
One-time winners	57,0 kg	55,0 kg **
Two-time winners	60,0 kg	58,0 kg **

A 0,5 kg allowance shall be given to runners in all Graduation Plates, at the time of publication of weights, for each unplaced start since a horse was placed (1st to 4th), except for starts in Graded and Listed races, up to a maximum allowance of 3 kg.

<b>2.1.10 Novice Plates</b>	Open	3yo
(For one-time winners and Maidens)		
Maidens	57,0 kg	55,0 kg **
One-time winners	60,0 kg	58,0 kg **

A 0,5 kg allowance shall be given to runners in all Novice Plates, at the time of publication of weights, for each unplaced start since a horse was placed (1st to 4th), except for starts in Graded and Listed races, up to a maximum allowance of 3 kg.

<b>2.1.11 Maiden Plates</b>	Open	3yo
(For maiden horses)		
Open Races or Races for Fillies and Mares	60,0 kg	58,0 kg **

<b>2.1.12 Juvenile Plates</b>		
(For two-year-old horses)		
Maidens	53,0 kg **	
One-time winners	56,0 kg **	
Thereafter, a 2 kg penalty for each addition win		

<b>2.1.13 Maiden Juvenile Plates</b>		
(For two-year old maiden horses)		
Open Races or Races for Fillies	58,0 kg **	

\*\* The weight reflected applies to current brochures, + 2kg will apply with the circulation of new programme brochures for each racing region respectively with effect from entries of 1 March 2015.

### 2.1.14 Work Riders Races

Unless otherwise specified in the race requirements, the following conditions apply to Work Riders Races:-

- 2.1.14.1 Races on the Highveld are open to work riders who have qualified through the Racing Trust's Thoroughbred Development Centre.
- 2.1.14.2 Races around a turn on the Highveld are only open to work riders who have passed the Advanced Course of the Racing Trust's Thoroughbred Development Centre.
- 2.1.14.3 In KZN, 2-year-olds and unraced maidens not allowed to participate in Work Riders Races

## 2.2 Allowances

### 2.2.1 Sex Allowances

In Graded, Listed and Non-Black Type feature races, Fillies and Mares shall receive a 2,5kg sex allowance in terms of the Rules (unless otherwise stated) and, in open plate races, an allowance in accordance with the following table:-

DISTANCE OF RACE	ALLOWANCE
800m to 1300m	2,5kg
1301m to 1700m	3,0kg
1701m and further	3,5kg

### 2.2.2 Age Allowance

Age allowances for **TWO-YEAR-OLDS** contesting Plate races during the period **1 APRIL to 31 JULY** and for **THREE-YEAR-OLDS** contesting Plate races from **1 AUGUST to 31 JANUARY** shall be in accordance with the following tables:-

ALLOWANCES FOR TWO-YEAR-OLDS	
Distance	April to July
1000m to 1300m	3kg
1301m to 1700m	4kg
1701m and further	5kg

ALLOWANCES FOR THREE-YEAR-OLDS			
Distance	Aug to Sep	Oct to Nov	Dec to Jan
1000m to 1300m	2kg	1kg	0kg
1301m to 1700m	3kg	2kg	1kg
1701m to 2200m	4kg	3kg	2kg
2201m and further	5kg	4kg	3kg

### **2.2.3 Apprentice Allowance**

An apprentice allowance may not be claimed nor a qualifying ride permitted in Graded, Listed and Non-Black Type feature races, unless otherwise stated in the Race Requirements.

## **2.3 Special Conditions - Weights and Handicapping**

2.3.1 When a horse has won a race after the publication of its weight for a race, the Handicapper shall, unless the Race Requirements state otherwise, adjust the horse's weight where appropriate, for that race. Such adjustment may render the horse ineligible in terms of the Race Requirements. It is **NOT** the responsibility of NRB or the Handicapper to advise Trainers of any adjustment to their horse's weight.

### **2.3.2 Raising of weights**

2.3.2.1 Should the top weight in Juvenile and Maiden Juvenile Plates be less than 60kg (58kg)\* at the closing of declarations, it shall be raised to a maximum of 60kg (58kg)\* and all other weights raised accordingly.

2.3.2.2 Save for 2.3.2.1, should the top weight in ANY race (Feature races included) be less than what is required by these Conditions, the Race Requirements or the Rules, it shall be raised to at least 60kg (58kg)\* (in the case of races restricted to 2-year-old & 3-year-olds only) and 60kg (58kg)\* in all other races, and all other weights raised accordingly.

\*\*\* 58kg applies to current brochures, 60kg will apply with the circulation of new programme brochures for each racing region respectively with effect from entries of 1 March 2015.

### 3. MAXIMUM FIELD SIZES

#### 3.1 Tracks and Limits (Subject to Condition 3.2)

Race Course	Track	Races Started From	Allowed to Start
Turffontein	standside	800m to 2000m	16
		2450m	14
		2850m and further	16
	inside	1000m	14
		1200m	12
		1450m to 2200m	14
2600m and further		16	
Randjiesfontein		All distances	10
Vaal	turf	All distances	14
	sand	800m to 1000m	16
		1200m	12
		1450m	14
		1600m and further	16
Greyville	polytrack	All distances	12
	turf	1900m to 2400m	16
		All other distances	14
Scottsville	standside	1800m and less	16
		2000m to 2600m	13
		3000m	16
	inside	1400m to 1750m	15
		1950m and further	13*
		*unless indicated otherwise	
Durbanville		1000m & 2000m	12
		1200m, 1300m, 1400m,	
		1900m & 2400m	14
		All other distances	16
Kenilworth	summer course	1200m	20
		2200m & 2400m	12
		All other distances	16
	winter course	1200m	20
		2200m	12
		All other distances	16
Fairview	polytrack	1400m & 1600m	14
		All other distances	16
	turf	1000m, 1100m & 1200m	18
		All other distances	16
Flamingo Park		All distances	14

- 3.2 The Company may in its sole discretion increase or reduce the number of runners in any race, notwithstanding the provisions of Condition 3.1.
- 3.3 Eliminations required for Condition 3.2 shall be on the basis set out in Condition 7.

**4. SPLITTING OF A RACE, CANCELLATION OF A RACE, REDUCTION IN STAKES, CHANGE OF RACE REQUIREMENTS, COMBINING OF RACES AND SCHEDULING OF A NEW RACE**

- 4.1 The Company may, in its sole discretion, split a race after the closing of entries or declarations, into two or more separate races. The **NRB** shall, in its sole discretion, determine how such split is effected.
- 4.2 The Company, may stage any of the races split in terms of Condition 4.1 at a separate race meeting, at the sole discretion of the **NRB**.
- 4.3 The Company may, in its sole discretion:-
  - 4.3.1 re-open or cancel, at the time of closing of entries, any race for which there are fewer than **TWELVE** horses entered. Further, to re-open entries for any race / race meeting following, a change of venue, an abandoned race / race meeting for carded Horses only.
  - 4.3.2 cancel a **non-Feature race (non- Graded, non-Listed or non-Black Type race)** if, after the closing of declarations the number of **acceptors** is less than **EIGHT**. However, the Company may in its sole discretion, cancel a **non-Feature race (non- Graded, non-Listed or non-Black Type race)** if there are 8 or more runners from 3 or less stables.
  - 4.3.3 reduce the stakes and places for which stakes are paid in **non-Graded or non-Listed races** if such a race is staged with less than 8 runners, as follows:-
    - 4.3.3.1 7 runners 4 places paid
    - 4.3.3.2 6 runners 3 places paid
    - 4.3.3.3 5 runners 3 places paid
    - 4.3.3.4 4 runners 2 places paid
    - 4.3.3.5 3 runners 1 place paid
  - 4.3.4 cancel a **non-Feature race (non- Graded, non-Listed or non-Black Type race)** if, after the closing of declarations but before the start of the race the number of runners is reduced to less than **FIVE**.
  - 4.3.5 cancel a **Feature race (Graded, Listed or Non-Black Type race)** if, after the closing of declarations, the number of **acceptors** is less than **SEVEN**.

- 4.3.6 reduce the stakes and places for which stakes are paid in **Graded or Listed races** if such a race is staged with less than 7 runners, as follows:-
- 4.3.6.1 6 runners 5 places paid
  - 4.3.6.2 5 runners 4 places paid
  - 4.3.6.3 4 runners 3 places paid
  - 4.3.6.4 3 runners 3 places paid
- 4.3.7 cancel a **Graded or Listed** race if, after the closing of declarations but before the start of the race the number of **runners** is reduced to less than **FOUR**.
- 4.4 The Company may **NOT** act under 4.3.3 or 4.3.6 after the start of the race prior to the race in question, save that where the latter is the first race, the Company may **NOT** act **later than thirty minutes before its scheduled starting time**.
- 4.5 The Race Requirements or stakes contained in the Programme may be subject to change, provided that any change to the Race Requirements is made prior to the closing of entries and any change to the stakes is made prior to the closing of declarations except as provided for in Condition 4.3.
- 4.6 In the event of two races over the same or similar distance and of the same or similar type being programmed on the same day or at consecutive race meetings and one or both races failing to attract sufficient entries or declarations in terms of Conditions 4.3.1 and 4.3.2, the Company may combine the two races into one but subject to the following:-
- 4.6.1 The appropriate sex allowance in terms of Condition 2.2.1 shall be granted if the combined race is a plate race. If it is a handicap, the horses shall be allocated weights based on their **net** merit ratings.
  - 4.6.2 If the races are combined after the closing of declarations, all horses shall retain their respective original barrier draws. In the event of two horses having the same original barrier draw, a ballot shall decide which has the lower draw in the combined race and all other horses drawn outside that horse shall have their draws adjusted outwards.
  - 4.6.3 Trainers shall be given the option to withdraw a horse, at the time of combining races, without penalty, should they not want their horse to participate in a combined race.
- 4.7 If, at the closing of entries, a race is cancelled in terms of Condition 4.3.1, the Company may schedule a new race for the day. In such circumstances, full details of this race shall be clearly indicated with the publication of weights. New entries shall be called for such a race.

4.8 The Company may cancel, move or postpone any race or race meeting for whatsoever reason. In addition, the Company may move a race or race meeting from one race course to another or from a turf track to an alternate surface, and vice versa. NHA rule 49.19 applies. In addition, the company reserves the right to vary any condition contained herein including, but not limited to, published deadlines, elimination procedures (Condition 7), time deadlines for reserve runners, etc., when a race / racemeeting is moved from one racecourse or surface to another. Further, if a race/racemeeting is affected by unforeseen circumstances, the Racing Operator in consultation with the Stipendiary board may at their discretion adopt contingency measures to complete a race or racemeeting, viz. further eliminations, scratchings, replacement riders, etc.

**5. DECLARATION OF INTENTION TO RUN, RIDERS NAMES, GROOMS NAMES, DECLARED OVERWEIGHT, HEADGEAR, RACING PLATES, METHODS OF DECLARATION, REINSTATEMENT AND DECLARATION FEES**

**5.1 Intention to Run and Provision of Riders' and Grooms' Names**

- 5.1.1 Unless otherwise specified in the Race Requirements, a Nominator intending to run a horse in a race is required to declare his intention to run and the name of the Rider to NRB for all races, **by the closing of declarations**. Once a Trainer has declared his intention to run a horse in a race, that horse cannot be scratched from the race by the time set down for closing of declarations and subsequent issuing of final fields, unless:
- 5.1.1.1 The horse is scratched by the NRB in terms of a valid proviso (as approved by the NRB) which accompanied the declaration of intention to run
- 5.1.1.2 The horse is scratched or eliminated by the NRB in terms of the race requirements, Racing Operators' Conditions or the Rules
- 5.1.2 If, **at the closing of declarations**, the Nominator has not given notice of his intention to run or has not withdrawn his horse from the race, **THEN THE HORSE SHALL BE AN ACCEPTOR** and the Nominator may be liable to a fine in terms of the Rules.
- 5.1.3 Notwithstanding Condition 5.1.1, failure to declare a Rider by **two hours after the closing of declarations** shall be an offence and the Trainer may be liable to a fine in terms of the Rules and the horse may be withdrawn at the discretion of the Chairman of the Stipendiary Board.
- 5.1.4 Any change of Rider **after the two-hour period**, referred to in Condition 5.1.3, shall only be allowed if authorized by the Chairman of the Stipendiary Board.
- 5.1.5 In the event that a Rider is declared on more than one horse in a race, the Chairman of the Stipendiary Board shall decide which horse that Rider shall ride or whether that Rider shall be stood down for that race.
- 5.1.6 Any Rider who has an agreement to ride in a race and thereafter, without a valid reason, fails to fulfill that engagement shall be guilty of an offence and may be liable to a fine in terms of the Rules.

- 5.1.7 In the event of a race being divided after the closing of declarations in terms of Condition 4.1 or the weights being raised in terms of these Conditions or the Rules, a Trainer shall have the right to replace the originally declared Rider and declare the name of the new rider **within 2 hours of the announcement of the division of the race or the weights being raised**. Failure to declare a rider by that time shall be an offence and the Trainer may be liable to a fine in terms of the Rules or the horse may be withdrawn at the discretion of the Chairman of the Stipendiary Board.
- 5.1.8 A Nominator intending to run a horse in a race in KwaZulu-Natal & Western Province is required to declare to NRB the name of the Groom of the horse entered to run in a race by the closing **of entries**. The name provided must be the first name and surname of the Groom of each horse. Failure to declare a Groom's name shall be an offence and the Nominator may be liable to a fine in terms of the Rules.
- 5.1.9 Riders must declare any overweight in excess of 0,5 kg **by 09:00 on the day of the race**. A Rider may not make such a declaration without the prior approval of the trainer concerned. The failure to do so shall be an offence and the Rider may be liable to a fine in terms of the Rules.

## **5.2 Headgear (Blinkers, Sheepskin Cheek Pieces, Pacifiers & Tongue-Ties/Straps)**

- 5.2.1 All horses shall be deemed to be racing as equipped in their last start **at the time of entries**, unless a change is advised to NRB **prior to the closing of declarations**.
- 5.2.2 In the event that a horse is having its first run, the Trainer must then declare his intention to run the horse in blinkers, sheepskin cheek pieces (otherwise known as French blinkers), pacifiers or any combination thereof or tongue-ties/straps to NRB **by the closing of declarations**, failing which the horse shall be carded in the Official Racing Publication, to race without the said equipment.
- 5.2.3 Any subsequent change to what has been declared in Condition 5.2.1 or 5.2.2 must be declared to the Chairman of the Stipendiary Board or the Racing Executive **by 09:00 on the day of the race**, failing which the horse shall, in the discretion of the Chairman of the Stipendiary Board, either race as equipped in terms of Conditions 5.2.1 or 5.2.2, or be withdrawn. Failure to so declare may constitute an offence and the Trainer may be liable to a fine in terms of the Rules.
- 5.2.4 In the case of adverse weather conditions, the Chairman of the Stipendiary Board can in his discretion, allow changes to Headgear **up until the start of a race**.

## **5.3 Racing Plates**

- 5.3.1 All horses shall be deemed to be racing as shod at their last start, unless a change is advised to NRB **by the closing of declarations**.
- 5.3.2 In the event that a horse is having its first run, then that horse shall be deemed to be racing in alumites on all four hooves, unless NRB is advised otherwise by the Trainer **by the closing of declarations**.

- 5.3.3 Any subsequent change to the above must be declared to the Chairman of the Stipendiary Board or the Racing Executive **by 09:00 on the day of the race**, failing which the horse shall, at the discretion of the Chairman of the Stipendiary Board, either be shod by the Farrier in terms of Conditions 5.3.1 or 5.3.2 or be withdrawn. Failure to so declare may constitute an offence and the Trainer may be liable to a fine in terms of the Rules.
- 5.3.4 Should a horse be shod in a manner that might give rise to danger or in a manner that does not meet the requirements of the Rules, then it shall be directed by the Chairman of the Stipendiary Board that the horse be re-shod, partially re-shod or unshod, in terms of the Rules, or be withdrawn.
- 5.3.5 Farrier costs shall be for the account of the Trainer.

#### **5.4 Methods of Declaration**

- 5.4.1 All declarations are made subject to the Rules, the Conditions and the Race Requirements.
- 5.4.2 Declarations in terms of Conditions 5.1, 5.2 and 5.3 may be in writing, by e-mail, on-line or may be oral and must be made to NRB.
- 5.4.3 All declarations shall be at the risk of the person making such declarations whose duty it is to ensure that the said declarations come to the attention of NRB, **by the closing of declarations.**
- 5.4.4 The person making such declarations shall provide all the information as required by the Company. Failure to comply with this condition may result in a declaration being rejected.
- 5.4.5 The person making such declarations shall have no claim against the Company in the event that, for whatsoever reason, the said declarations are either excluded from the Official Racing Publication or are incorrect.

#### **5.5 Reinstatement**

Should a person declare that a horse is not an acceptor, that horse may only be reinstated at the sole discretion of the Company, acting in terms of the Rules. The Company reserves the right to call for reinstatement in instances of a paucity of runners at the close of declarations.

#### **5.6 Declaration Fees**

The fee in respect of a declaration shall be paid as determined by the Company from time to time and in terms of Condition 1.

#### **5.7 Declaration of intent to use Lead Horse/Pony**

It is the responsibility of the Trainer to advise the Chairman of the Stipendiary Board and the NRB of his/her intention to use a Lead Horse/Pony at Final declaration.

### **6. ORDER AND DISTANCE OF RACES**

- 6.1 The Company may vary the order of races as published in the Programme, the Official Racing Publication or the published list of weights.
- 6.2 The Company may vary the published distance of a race.

## **7. ELIMINATIONS**

**Notwithstanding anything contained hereunder, any horse more than 1,5kg "under sufferance" in ANY race, will not be exempt from elimination under any circumstance.**

### **7.1 Elimination Practices applicable to Race Meetings run at Turffontein, the Vaal, Fairview and Flamingo Park**

#### **7.1.1 Merit Ratings for the purposes of Elimination**

Notwithstanding anything contained herein, the following shall apply for elimination purposes in Maiden Plates and to maidens in other Plate races:-

7.1.1.1 No horse shall be given a **gross** merit rating of less than 99 on the basis of its first and/or second run.

7.1.1.2 All horses having their first start shall be given a **gross** merit rating of 100.

#### **7.1.2 Elimination on Barrier Draw**

If one or more horses in the following situations have to be eliminated,

- with identical **net** merit ratings in handicap races

- with identical **gross** merit ratings in plate races (other than Maiden Juvenile Plates)

- in terms of Conditions 7.2.7 and 7.3.8 in Maiden Juvenile Plates, then eliminations will be decided on barrier draw as follows:-

7.1.2.1 In races down a straight, from the lowest barrier draw upwards.

7.1.2.2 In races around a turn, from the highest barrier draw downwards.

#### **7.1.3 Preference regarding Riders**

Trainers declaring two or more runners may state a preference regarding the Riders declared by them and should one or more of their runners be eliminated from a race, they may change Riders on their declared runner or runners.

#### **7.1.4 Eliminations when Races are Combined**

When two races are combined into one race and the combined total of declarations exceeds the maximum field size for the race, elimination shall follow the usual procedure for the type of race involved but commencing from the race that attracted the fewer number of declarations. In the event of both races having attracted the same number of declarations, then elimination shall be from the combined event in the usual manner. In the event of a Rider being declared for more than one horse in a combined race, unless the parties agree otherwise, the Rider shall be required to ride the horse for which he has an engagement in the race that attracted the most declarations. In the event of both races attracting the same number of declarations and unless the parties agree otherwise, then the decision as to which horse the Rider shall ride shall be decided by barrier draw in the combined race, as detailed in Condition 7.1.2.1 or 7.1.2.2.

**7.1.5 Eliminations when a Race is Divided**

when a race is divided in terms of Condition 4.1, the race shall first be divided and then, if eliminations are necessary in one or more of the races, eliminations shall take place in terms of Conditions 7.2, 7.3 or 7.4, as the case may be.

**7.1.6 Discretionary Power of the Company**

Unless otherwise stated in the Race Requirements, the Company grants the Handicapper the right to establish the field in any Feature Race or Juvenile Plate. Notwithstanding anything to the contrary contained in Condition 7, the Handicapper shall have an absolute discretion, after the closing of declarations, to

7.1.6.1 exempt any horse from the application to it of these Conditions governing eliminations.

7.1.6.2 eliminate any horse from a race.

**7.1.7 Error in Eliminations**

Any error in elimination found subsequent to the dissemination of the final fields shall stand.

No person shall have any claim against the Company, its Directors, Officers, Employees, Contractors and/or Agents in the event that, for whatsoever reason the horse so eliminated is excluded from the final fields of a race meeting.

**7.2 Race meetings at Turffontein and the Vaal**

Where the number of declarations for a race exceeds the number allowed to start in a race, the excess number shall be eliminated on the following basis and in the following sequence:-

**7.2.1 Failure to declare an intention to accept with a horse**

If there is a need to eliminate in a race and there is a horse in the race for which a Trainer has failed to declare his intention to accept, then that horse shall be the first to be eliminated. If however, there are more horses for which Trainers have failed to declare their intention to accept than require to be eliminated, then barrier draw, in terms of Conditions 7.1.2.1 or 7.1.2.2 shall be used to determine which horses/s shall be eliminated

**7.2.2 Dual entries**

If a Trainer has entered a horse in more than one race and he fails to declare his intention to accept with the horse, then, after applying Condition 7.2.1, where applicable, the horse shall be eliminated from the race that attracted the most number of declarations. In the event of both races having attracted the same number of declarations, the decision as to which race the horse shall run in shall be decided by barrier draw in the same way as detailed in Condition 7.1.2.1 or 7.1.2.2.

### **7.2.3 Feature Races**

At the Handicapper's discretion, unless otherwise stated in the Race Requirements of the race.

### **7.2.4 Handicap Races**

7.2.4.1 From the lowest **net** merit rating upwards.

7.2.4.2 However, **in MR 68 / FM 64 and less handicaps**, where horses have been allowed into the race above the benchmark rating, these horses shall be eliminated downwards to the net benchmark and then eliminations shall be from the lowest **net** merit rating upwards.

### **7.2.5 Plate Races other than Maiden, Maiden Juvenile and Juvenile Plates**

7.2.5.1 Maiden horses, where applicable, from the lowest **gross** merit rating upwards.

7.2.5.2 From the lowest **gross** merit rating upwards.

### **7.2.6 Maiden Plates and Maiden Juvenile Plates**

7.2.6.1 Maiden Juveniles will be the first category of horses to be eliminated in maiden races.

Thereafter, the elimination procedure is as follows:

7.2.6.2 Horses that have finished second, third, fourth or fifth (on Highveld, KZN or W Cape) in either of their last two starts, shall remain in the race provided that if there are more horses in this category than there are places remaining in the field then the provisions of Conditions 7.2.6.6.1, 7.2.6.6.2 and 7.2.6.6.4 respectively, shall apply

7.2.6.3 Horses which have not yet raced, shall remain in the race provided that if there are more horses in this category than places remaining in the field then the provisions of Condition 7.2.6.6.4 shall apply

7.2.6.4 Horses with two or less runs, shall remain in the race provided that if there are more horses in this category than places remaining in the field then the provisions of Condition 7.2.6.6.1, 7.2.6.6.2, and 7.2.6.6.4 respectively, shall apply

7.2.6.5 Horses that have had more than two starts, and not finished second to fifth (on Highveld, KZN or W Cape) in their last start, shall remain in the race provided that if there are more horses in this category than places remaining in the field then the provisions of Condition 7.2.6.6.3 & 7.2.6.6.4, shall apply

7.2.6.6.1 Worst finishing position in last start,

7.2.6.6.2 Worst finishing position in penultimate start,

7.2.6.6.3 Lowest Merit Rating

7.2.6.6.4 Barrier Draws as defined in Condition 7.1.2

7.2.6.6 Where a Trainer has more than one horse declared for a Maiden race and has one (or more) due to be eliminated but has another runner declared eligible to run, he shall be entitled to declare his preferred runner providing such declaration is made by the closing of declarations. A horse that has finished second, third, fourth or fifth in its last start and has been declared a runner may NOT be eliminated in preference to one that is due to be eliminated.

**7.2.8 Juvenile Plates**

At the Handicapper's discretion.

**7.3 Race Meetings at Fairview and Flamingo Park**

**7.3.1 Special Conditions**

7.3.1.1 For race meetings held at Fairview, local horses are defined as horses domiciled at training facilities owned or operated by the Company in Port Elizabeth and at private facilities in the Eastern Cape, both as determined by the Company in its sole discretion, and includes horses from satellite yards that have been domiciled at the fore-mentioned training facilities for a period of at least three weeks prior to running in a race for which they have been entered. Local Trainers are defined as the Trainers of horses trained in these areas, and includes trainers with satellite yards whose horses have been domiciled in these areas for at least three weeks prior to running in a race for which they have been entered. Horses from satellite yards not domiciled for at least three weeks prior to running in a race for which they have been entered, shall be eliminated before a local horse.

7.3.1.2 For race meetings held at Fairview, visiting horses are defined as horses domiciled outside of the Eastern Cape. Visiting Trainers are defined as the Trainers of horses trained in these areas.

7.3.1.3 For race meetings held at Flamingo Park, local horses are defined as horses domiciled at training facilities owned or operated by the Company at Flamingo Park and at private facilities in the Free State, Northern Cape and North West provinces, both as determined by the Company in its sole discretion, and includes horses from satellite yards that have been domiciled at the afore-mentioned training facilities for a period of at least three weeks prior to running in a race for which they have been entered. Local Trainers are defined as the Trainers of horses trained in these areas, and includes trainers with satellite yards whose horses have been domiciled in these areas for at least three weeks prior to running in a race for which they have been entered. Horses from satellite yards not domiciled for at least three weeks prior to running in a race for which they have been entered, shall be eliminated before a local horse.

7.3.1.4 For race meetings held at Flamingo Park, visiting horses are defined as horses domiciled in Gauteng and at the Vaal Racecourse Training Centre, KwaZulu-Natal, Western Cape and Eastern Cape. Visiting Trainers are defined as the Trainers of horses trained in these areas.

**7.3.2 Race Meetings at Fairview**

**7.3.2.1 Notwithstanding anything contained hereunder, any horse more than 1,5kg "under sufferance" in ANY race, will not be exempt from elimination under any circumstance.**

**7.3.2.2 Failure to declare an intention to accept with a horse**

If there is a need to eliminate in a race and there is a horse in the race for which a Trainer has failed to declare his intention to accept, then that horse shall be the first to be eliminated. If however, there are more horses for which Trainers have failed to declare their intention to accept than require to be eliminated, then barrier draw, in terms of Conditions 7.3.2.7 shall be used to determine which horses/s shall be eliminated

**7.3.2.3 Dual entries**

If a Trainer has entered a horse in more than one race and he fails to declare his intention to accept with the horse, then, after applying Condition 7.3.2.2, where applicable, the horse shall be eliminated from the race that attracted the most number of declarations. In the event of both races having attracted the same number of declarations, the decision as to which race the horse shall run in shall be decided by barrier draw in the same way as detailed in Condition 7.3.2.7

**7.3.2.4 Satellite Yards**

Horses from satellite yards not domiciled for at least three weeks prior to running in a race for which they have been entered, cannot be chosen as a preferred runner, but will be subject to Condition 7.3.2.5.5

**7.3.2.5 Guaranteed Runners**

7.3.2.5.1 In the case of Fairview race meetings, local trainers (condition 7.3.1.1) have the preference of ONE guaranteed runner in non feature races, except in the case of Maiden and Maiden Juvenile Plates, where they have a preference of TWO guaranteed runners.

7.3.2.5.2 However, in MR 80 / FM 76 and higher handicaps, and plate races other than Novice and Graduation Plates, the provision (condition 7.3.2.5.1) regarding guaranteed runners will NOT apply and eliminations shall be from the lowest net merit rating upwards.

7.3.2.5.3 If there are more guaranteed runners than the size of the field requires, (except in the case of Maiden and Maiden Juvenile Plates), eliminations will take place in terms of Condition 7.3.2.6

7.3.2.5.4 If there are more guaranteed runners than the size of the field requires in Maiden and Maiden Juvenile Plates, trainers shall be required to nominate a horse for elimination in terms of 7.3.2.10 and 7.3.2.11, providing that no trainer shall have more than one horse eliminated at a time until all Trainers in the same position have the same number of guaranteed runners.

7.3.2.5.5 After establishing guaranteed runners, the remaining declarations (including visiting horses) will constitute a pool, thereafter, elimination in terms of Condition 7.3.2.6 will apply:

**7.3.2.6 Order of Eliminations**

7.3.2.6.1 The conditions of 7.3.2.8, 7.3.2.9, 7.3.2.10 and 7.3.2.11, shall apply respectively,

7.3.2.6.2 If a local and a visiting horse is equal for the purposes of elimination, the visiting horse shall be eliminated first.

7.3.2.6.3 If horses trained by local trainers are equal for the purposes of elimination, then Condition 7.3.2.7 applies

7.3.2.6.4 If horses trained by visiting trainers are equal for the purposes of elimination, then Condition 7.3.2.7 applies

**7.3.2.7 Elimination by Barrier Draws**

7.3.2.7.1 In races down a straight, from the lowest barrier draw upwards.

7.3.2.7.2 In races around a turn, from the highest barrier draw downwards.

**7.3.2.8 Handicaps**

7.3.2.8.1 From the lowest **net** merit rating upwards.

7.3.2.8.2 **In MR 72 / FM 68 - MR 65 / FM 61 handicaps in Port Elizabeth**, where horses have been allowed into a race above the benchmark rating, these horses (except nominated guaranteed runners) shall be eliminated downwards to the net benchmark rating, and then elimination shall be from the lowest net merit rating upwards.

**7.3.2.9 Plate Races other than Maiden, Maiden Juvenile and Juvenile Plates**

7.3.2.9.1 Maiden horses, where applicable, from the lowest **gross** merit rating upwards.

7.3.2.9.2 In Allowance Plates, horses set to carry more than 63kg shall be eliminated first.

7.3.2.9.3 From the lowest **gross** merit rating upwards.

**7.3.2.10 Maiden Plates**

7.3.2.10.1 Two-year-olds (including guaranteed runners) in terms of Condition 7.3.2.11.

7.3.2.10.2 From the lowest **gross** merit rating upwards.

**7.3.2.11 Maiden Juvenile Plates**

7.3.2.11.1 Unplaced horses, by barrier draw.

7.3.2.11.2 Placed horses, by barrier draw.

7.3.2.11.3 Horses having their first start, by barrier draw.

**7.3.2.12 Juvenile Plates**

At the Handicapper's discretion.

**7.3.3 Race Meetings at Flamingo Park**

**7.3.3.1 Notwithstanding anything contained hereunder, any horse more than 1,5kg "under sufferance" in ANY race, will not be exempt from elimination under any circumstance.**

**7.3.3.2 Failure to declare an intention to accept with a horse**

If there is a need to eliminate in a race and there is a horse in the race for which a Trainer has failed to declare his intention to accept, then that horse shall be the first to be eliminated. If however, there are more horses for which Trainers have failed to declare their intention to accept than require to be eliminated, then barrier draw, in terms of Conditions 7.3.3.6 shall be used to determine which horses/s shall be eliminated

**7.3.3.3 Dual entries**

If a Trainer has entered a horse in more than one race and he fails to declare his intention to accept with the horse, then, after applying Condition 7.3.3.2 where applicable, the horse shall be eliminated from the race that attracted the most number of declarations. In the event of both races having attracted the same number of declarations, the decision as to which race the horse shall run in shall be decided by barrier draw in the same way as detailed in Condition 7.3.3.6

**7.3.3.4 Satellite Yards**

Horses from satellite yards not domiciled for at least three weeks prior to running in a race for which they have been entered, cannot be chosen as a preferred runner, but will be subject to Condition 7.3.3.5.3

**7.3.3.5 Guaranteed Runners**

7.3.3.5.1 In the case of Flamingo Park race meetings, local trainers (condition 7.3.1.3) have the preference of ONE guaranteed runner in all non feature races, including Maiden and Maiden Juvenile Plates.

7.3.3.5.2 If there are more guaranteed runners than the size of the field requires, eliminations will take place in terms of Condition 7.3.3.6.

7.3.3.5.3 After establishing guaranteed runners, the remaining declarations (including visiting horses) will constitute a pool, thereafter, elimination in terms of Condition 7.3.3.6 will apply:

**7.3.3.6 Order of Eliminations**

7.3.3.6.1 The conditions of 7.3.3.8, 7.3.3.9, 7.3.3.10 and 7.3.3.11, shall apply respectively,

7.3.3.6.2 If a local and a visiting horse is equal for the purposes of elimination, the visiting horse shall be eliminated first.

7.3.3.6.3 If horses trained by local trainers are equal for the purposes of elimination, then Condition 7.3.3.7 applies

7.3.3.6.4 If horses trained by visiting trainers are equal for the purposes of elimination, then Condition 7.3.3.7 applies

**7.3.3.7 Elimination by Barrier Draws**

7.3.3.7.1 In races down a straight, from the lowest barrier draw upwards.

7.3.3.7.2 In races around a turn, from the highest barrier draw downwards.

**7.3.3.8 Handicaps**

- 7.3.3.8.1 From the lowest **net** merit rating upwards.
- 7.3.3.8.2 In the case of **MR 78 / FM 74 and higher handicaps at Flamingo Park** where horses have been allowed into a merit rated handicap above the benchmark rating, elimination shall be from the lowest net merit rating upwards
- 7.3.3.8.3 However, in the case of **MR 77 / FM 73 and lower handicaps at Flamingo Park** where horses have been allowed into a merit rated handicap above the benchmark rating, these horses (except nominated guaranteed runners) shall be eliminated from the top downwards to four net merit rating points above the net benchmark rating, and then elimination shall be from the lowest net merit rating upwards.

**7.3.3.9 Plate Races other than Maiden, Maiden Juvenile and Juvenile Plates**

- 7.3.3.9.1 Maiden horses, where applicable, from the lowest **gross** merit rating upwards.
- 7.3.3.9.2 In Allowance Plates, horses set to carry more than 63kg shall be eliminated first.
- 7.3.3.9.3 From the lowest **gross** merit rating upwards.

**7.3.3.10 Maiden Plates**

- 7.3.3.10.1 Two-year-old horses (except guaranteed runners in **Flamingo Park**), in terms of Condition 7.3.3.11.
- 7.3.3.10.2 From the lowest **gross** merit rating upwards.

**7.3.3.11 Maiden Juvenile Plates**

- 7.3.3.11.1 Unplaced horses, by barrier draw.
- 7.3.3.11.2 Placed horses, by barrier draw.
- 7.3.3.11.3 Horses having their first start, by barrier draw.

**7.3.3.12 Juvenile Plates**

At the Handicapper's discretion.

**7.4 Race Meetings at Greyville, Scottsville, Durbanville and Kenilworth**

**7.4.1 Procedure for establishing the field for eliminating horses**

If, after the closing of declarations, the number of horses declared in a race exceeds the number permitted, the field selected and the horses to be eliminated shall be established in the following order:-

**7.4.1.1 Failure to declare an intention to accept with a horse**

If there is a need to eliminate in a race and there is a horse in the race for which a Trainer has failed to declare his intention to accept, then that horse shall be the first to be eliminated. If however, there are more horses for which Trainers have failed to declare their intention to accept than require to be eliminated, then the provisions of Condition 7.4.1.2.7.4 shall be used to determine which horse/s shall be eliminated.

**7.4.1.2 Maiden Plates and Maiden Juvenile Plates**

7.4.1.2.1 In Maiden Plates, two year-old horses shall be the first category of horse to be eliminated. The sequence of elimination shall be as laid down in Condition 7.4.1.2.5.

Thereafter, in both Maiden and Maiden Juvenile Plates:

7.4.1.2.2 Horses that have finished second, third, fourth or fifth in their last start, shall remain in the race provided that if there are more horses in this category than there are places remaining in the field then the provisions of Conditions 7.4.1.2.7.2, 7.4.1.2.7.3 and 7.4.1.2.7.4 respectively, shall apply;

7.4.1.2.3 Horses which have not yet raced, shall remain in the race provided that if there are more horses in this category than places remaining in the field then the provisions of Conditions 7.4.1.2.7.2, 7.4.1.2.7.3 and 7.4.1.2.7.4 respectively, shall apply;

7.4.1.2.4 Thereafter, horses domiciled in KwaZulu-Natal or the Western Cape which were eliminated from the last two races for which they were accepted, in their respective regions of domicile, shall remain in the race provided that the Nominator notifies NRB of the fact before the closing of declarations and provided further that if there are more horses in this category than places in the field then the provisions of Conditions 7.4.1.2.7.2, 7.4.1.2.7.3 and 7.4.1.2.7.4 respectively shall apply;

7.4.1.2.5 Elimination shall be by way of elimination index, determined as follows:-

7.4.1.2.5.1 All horses shall have an elimination index of zero (0).

7.4.1.2.5.2 The most recent five (5) runs of a horse shall qualify to either increase or decrease a horse's elimination index.

- 7.4.1.2.5.3 For horses that have raced less than six (6) times, the first two runs shall qualify to increase their elimination index in terms of Condition 7.4.1.2.5.4 but shall not qualify to decrease their elimination index in terms of Condition 7.4.1.2.5.4
- 7.4.1.2.5.4 A horse's elimination index shall increase by one (1) point for each run should it finish second, third, fourth or fifth and shall decrease by one (1) point should it finish worse than fifth.
- 7.4.1.2.5.5 Should a horse's elimination index be less than zero, it shall revert to zero should the horse finish second, third fourth or fifth.
- 7.4.1.2.6 Horses with the lowest elimination index determined under Conditions 7.4.1.2.5.1 to 7.4.1.2.5.5 shall be eliminated progressively;
- 7.4.1.2.7 In the event that more horses have the same lowest elimination index than are required to be eliminated then the following procedure shall be employed and in the following order:-
  - 7.4.1.2.7.1 Horses with the worst finishing position (as determined by NRB) when they last ran. In the event that more horses have the same worst finishing position (as determined by NRB) when they last ran, then the provisions of Conditions 7.4.1.2.7.2, 7.4.1.2.7.3 and 7.4.1.2.7.4 respectively shall apply.
  - 7.4.1.2.7.2 Horses in brackets exceeding two horses at the election of the Trainer, but failing election before the closing of declarations until all trainers have the same number of horses, thereafter the provisions of Condition 7.4.1.2.7.4 shall apply, except that a trainer shall have no more than one horse eliminated at a time by ballot or barrier draws in descending order.

7.4.1.2.7.3 Horses in brackets of two horses at the election of the Trainer, but failing election before the closing of declarations until all trainers have the same number of horses, thereafter the provisions of Condition 7.4.1.2.7.4 shall apply, except that a trainer shall have no more than one horse eliminated at a time by ballot or barrier draws in descending order.

7.4.1.2.7.4 In races down a straight by ballot and in races around a turn by barrier draw in descending order.

7.4.1.2.8 Where a Trainer has more than one horse declared for a Maiden race and has one (or more) due to be eliminated but has another runner declared eligible to run, he shall be entitled to declare his preferred runner providing such declaration is made by the closing of declarations. A horse that has finished second, third, fourth or fifth in its last start and has been declared a runner may **NOT** be eliminated in preference to one that is due to be eliminated.

**7.4.1.3 Juvenile, Novice, Graduation, Progress, Allowance, Advance, Superior and Conditions Plates**

7.4.1.3.1 In Novice Plates, winning horses domiciled in either KwaZulu-Natal or the Western Cape which were eliminated from the last two races since their last run shall remain in the race provided that the Nominator notifies NRB in writing of the fact before the closing of declarations and provided further that if there are more horses in this category than places in the field then the provisions of Condition 7.4.1.3.8 shall apply.

7.4.1.3.2 After taking into account the provisions of Condition 7.4.1.3.1, horses shall be eliminated in the following order:

7.4.1.3.3 Raced Maidens that have **NOT** finished second to fourth in their most recent race, provided that if there are more horses in this category than places in the field then the provisions of Condition 7.4.1.3.8 shall apply.

7.4.1.3.4 Raced Maidens other than those defined in Condition 7.4.1.3.3 provided that if there are more horses in this category than places in the field then the provisions of Condition 7.4.1.3.8 shall apply.

- 7.4.1.3.5 Unraced Maidens, provided that if there are more horses in this category than places in the field then the provisions of Condition 7.4.1.3.8 shall apply.
- 7.4.1.3.6 Horses with the lowest **gross** merit rating.
- 7.4.1.3.7 If more than the required number of horses to be eliminated have the same lowest **gross** merit rating or have not been rated as yet, then horses with the worst finishing position (as determined by NRB) when they last ran, shall be eliminated first. In the event that more horses have the same worst finishing position (as determined by NRB) when they last ran, then the Condition 7.4.1.3.8 shall apply.
- 7.4.1.3.8 In races down a straight by ballot and in races around a turn by barrier draw in descending order.

**7.4.1.4 Handicaps and all other races save for those under Conditions 7.4.1.2 and 7.4.1.3 and save for those with a stake value exceeding the current highest stake set out in the "minor race stakes distribution" pages of the Programme for the relevant region**

- 7.4.1.4.1 In handicaps restricted to maidens, horses with the lowest **net** merit rating shall be eliminated.
- 7.4.1.4.2 In all other handicaps in this category maidens shall be eliminated first in accordance with Condition 7.4.1.2.5
- 7.4.1.4.3 Thereafter, horses with the lowest **net** merit rating shall be eliminated.
- 7.4.1.4.4.1 However, **in MR 74 / FM 72 and lower handicaps** in KwaZulu-Natal, Trainers shall have the preference of nominating ONE guaranteed runner at declaration stage. If there are more guaranteed runners than the size of the field requires, elimination will be from the lowest Net Merit Rating upwards. Should two or more horses have the same Net Merit Rating, Condition 7.4.1.4.6. shall apply. After establishing guaranteed runners, the remaining declarations will constitute a pool, thereafter, elimination of horses in brackets of two or more until Trainers have the same number of horses in the pool, elimination will be from the lowest Net Merit Rating upwards. Should two or more horses have the same Net Merit Rating, Condition 7.4.1.4.6. shall apply. In an effort to accommodate as many runners as possible in these lower handicaps, the Company shall endeavour to split these races should there be sufficient declarations and opportunity to do so.

7.4.1.4.4.2 **In MR 77 / FM 75 to MR 75 / FM 73 and lower handicaps** in KwaZulu-Natal and **MR 74 / FM 74 and lower handicaps** in Western Cape, where horses have been allowed into the race above the benchmark rating, these horses shall be eliminated downwards to the net benchmark rating and then elimination shall be from the lowest net merit rating upwards. Should two or more horses have the same net merit rating, then the provisions of Condition 7.4.1.4.6 shall apply.

7.4.1.4.5 In the event of two or more horses having the same lowest **net** merit rating then the horses with the worst most recent placed form (as determined by NRB) shall be eliminated. Should two or more horses have equal most recent form (as determined by NRB), then the provisions of Condition 7.4.1.4.6 shall apply.

7.4.1.4.6 In races down a straight, by ballot and in races around a turn, by barrier draw in descending order.

#### **7.4.2 Discretionary Power of the Company**

The Company may establish the field in any race with a stake value exceeding the highest stake set out in the "minor race stakes distribution" pages of the Programme for the relevant region. Notwithstanding anything to the contrary contained in Condition 7.4, the Company shall have an absolute discretion, after the closing of declarations to:

7.4.2.1 exempt any horse from the application to it of these elimination conditions so that the horse is not eliminated from any race;

7.4.2.2 eliminate any horse from any race.

#### **7.4.3 Error in Eliminations**

Any error in elimination found subsequent to the dissemination of the final field shall stand.

No person shall have any claim against the Company, its Directors, Officers, Employees, Contractors and/or Agents in the event that, for whatsoever reason, the horse so eliminated is excluded from the final field of a race.

## **8. RESERVE RUNNERS**

- 8.1 NRB may name, from the list of horses accepting, Reserve Runners to replace any horse withdrawn after the closing of declarations but before **08:15 on the day of a race meeting scheduled to be run during the day or 10:00 on the day of a Night race meeting, or at a time as determined by the NRB**, unless otherwise stated in the Race Requirements. In the event that the Reserve Runner has not replaced a horse so withdrawn, the Reserve Runner shall be scratched at that time.
- 8.2 In the event that any Reserve Runners are from the same Trainer, that Trainer shall have the option to nominate which of his Reserve Runners he wishes to run.
- 8.3 Reserve Runners shall retain their adjusted barrier draw and their Official Racing Publication saddle cloth number.
- 8.4 The onus shall be on the Trainer to establish whether his Reserve Runner becomes a runner as a result of a scratching.
- 8.5 Should a race meeting or race be postponed after **09:00 on the day of the race**, Reserve Runners, which had been withdrawn in terms of Condition 8.1, may be reinstated in terms of the Rules.

## **9. OFFICIAL RACING PUBLICATION**

- 9.1 It is the responsibility of Trainers to ensure that all details pertaining to their horses as published in the Official Racing Publication are correct. The Trainer is obliged to point out any amendments to the Chairman of the Stipendiary Board or the Racing Executive **by 09:00 on the day of the race meeting**. Failure to comply with this Condition shall constitute an offence and the Trainer may be liable to a fine in terms of the Rules.
- 9.2 In the event that any horse is omitted from the Official Racing Publication in error, such horse may, at the sole discretion of the Company, be declared a non-runner.
- 9.3 The Company, its Directors, Officers, Employees, Contractors, Agents or any Club, its Stewards or Agents shall not be held responsible for any error or omission in the Official Racing Publication.
- 9.4 In terms of the Totalisator Rules of the Company no change in the ownership and/or Trainer of any horse after the printing of the Official Racing Publication shall be recognized in so far as the coupling of horses is concerned.

## **10. TRANSPORTATION OF HORSES, ARRIVAL OF RUNNERS AT THE RACE COURSE AND WEIGHING OF HORSES**

Transport will be provided free of charge for horses engaged at race meetings (with the exception of Flamingo Park) from the following pick-up points, provided that the horses are stabled at these pick-up points:-

### **10.1 Highveld race meetings**

- 10.1.1 Turffontein Racecourse
- 10.1.2 Vaal Racecourse
- 10.1.3 North Rand Training Centre

### **10.2 KwaZulu-Natal race meetings**

- 10.2.1 Summerveld Training Centre
- 10.2.2 Ashburton Training Centre

### **10.3 Western Cape race meetings**

- 10.3.1 Milnerton Training Centre
- 10.3.2 Philippi Training Centre

### **10.4 Eastern Cape race meetings**

- 10.4.1 Fairview Racecourse

### **10.5 The onus is on the Trainer to ensure that:-**

- 10.5.1 his horse arrives at the designated loading area by the departure time specified. Failure to do so may result in the horse being withdrawn.
- 10.5.2 his horse is loaded into the designated horsebox on the horse transport vehicle.
- 10.5.3 the Chairman of the Stipendiary Board is advised should any horse in his care not be present in the race course holding area within **15 minutes of the scheduled arrival time.**
- 10.5.4 he is aware of the times in 10.5.1 and 10.5.3.
- 10.5.5 each carded runner is weighed on the scale, if one is provided at the race course for that purpose. The Company reserves the right to publish that weight.

Failure to do any of the above shall constitute an offence and the Trainer may be liable to a fine in terms of the Rules.

## **11. PARADE RING AND PROCEEDING TO THE START**

- 11.1 It is the Trainer's responsibility to ensure that each Groom in his employ who is engaged in parading a horse in the parade ring is neatly dressed.
- 11.2 If so directed by the Company, a Trainer shall ensure that each Groom in his employ who is engaged in parading a horse in the parade ring wears a bib front and back or coat, bearing such advertising material as the Company may decide. Failure to comply with this Condition shall be an offence and the Trainer may be liable to a fine in terms of the Rules.
- 11.3 It is the responsibility of each Trainer to ensure that his horse enters the parade ring on time and that his Groom obeys any instruction from the parade ring attendant. Failure to comply with this Condition shall be an offence and may render the Trainer liable to a fine in terms of the Rules.
- 11.4 Horses entered in a race shall be paraded in their numerical sequence in the parade ring prior to each race with the Rider mounted for at least one circuit before exiting the parade ring.
- 11.5 Persons permitted to enter the Parade Ring in terms of the Rules shall only do so if attired in accordance with the Company's requirements.
- 11.6 Subject to being given permission to the contrary by the Chairman of the Stipendiary Board, Riders are to ensure that, unless unforeseen circumstances dictate otherwise, the numerical sequence of their mounts is maintained during the canter down and/or the parade to the designated marker prior to the canter down. Any case of such unforeseen circumstances is to be reported to the Chairman of the Stipendiary Board. Failure to comply with this Condition shall constitute an offence and the Rider may be liable to a fine in terms of the Rules.
- 11.7 In the event of the Company providing transparent rain jackets for the Riders, no Rider shall be permitted to parade or canter to the start wearing a rain jacket that covers the Owner's colours.

## **12. REMOVAL OF STARTING STALLS FROM THE TRACK AND HORSES AT THE START**

- 12.1 In all races for which the starting stalls are required to be removed from the course immediately after the start of a race, the Company may abandon the race in the event that such stalls are, for any reason whatsoever, not able to be removed. Such abandonment shall be conveyed to Riders by means of a siren or other appropriate means situated approximately 600 metres behind the point from which the start was effected. On hearing the siren or on being alerted by any other means, Riders must immediately pull up their mounts.
- 12.2 In the event that a horse is scratched at the start, the Company may delay the start time in order to allow punters to change bets on the scratched horse. In the event that the field has commenced loading, the Company may unload those horses already loaded in order to affect such delay.

## **13 SECTIONAL TIMING EQUIPMENT**

If provided by the Company, no Owner, Trainer, Rider or Groom shall remove, tamper or interfere in any way with sectional timing equipment. This includes equipment contained in the saddle cloth. Failure to comply with this Condition shall be an offence and the Trainer or Rider may be liable to a fine in terms of the Rules.

## **14. STAKES**

- 14.1 The distribution of stakes shall be as declared in the current Programme, or as amended from time to time.
- 14.2 The amount of stakes shall be set by the Company in terms of its policy as published in the Programme or as amended from time to time.
- 14.3 The manner of payment of stakes shall be in terms of the Company's policy from time to time. Any request for a change of payee must be accompanied by the written agreement of all affected parties.
- 14.4 The Company may, either before or after entries close, but before the closing of declarations, save for the provisions of Conditions 4.3.3 and 4.3.6, increase stakes or, for good cause, reduce stakes, and change the division of monies as between the runners qualifying to earn a stake.
- 14.5 In addition to the deductions made from stakes in terms of the Rules, the following further deductions shall be made from stakes **in KwaZulu-Natal and the Western Cape.**
- 14.5.1 1% shall be deducted from the amount payable to the Owner of each winning horse, for the benefit of the Owners and Trainers Association (incorporated under Section 21) in each respective region, depending on the region in which the race was run.
- 14.5.2 R 100,00 shall be deducted from the amount payable to the Trainer of each winning horse in KwaZulu-Natal, for the benefit of the KwaZulu-Natal Trainers Association (incorporated under Section 21).
- 14.5.3 R 20,00 shall be deducted from the amount payable to the Trainer of each winning horse in the Western Cape, for the benefit of the Western Cape Trainers Association (incorporated under Section 21).

## **15. TRANSPORT, RUNNERS AND TRAINERS PREMIUMS**

- 15.1 The Company shall determine from time to time, a list of Trainers whose private stabling and training facilities in a particular region have been approved by the Company, and whose facilities are not near a pick-up point in that region, as determined in Condition 10. These Trainers shall be entitled to the premiums payable in terms of Conditions 15.3 and 15.4.
- 15.2 The Company shall be entitled to apply Condition 1.14 in respect of the payment of all premiums paid in terms of Condition 15.

### **15.3 Transport and Runners Premiums - Highveld, Eastern Cape and Northern Cape race meetings**

- 15.3.1 A Trainer listed in Condition 15.1 will qualify to be paid a Transport Premium per runner, per race as determined from time to time in terms of Company policy, as a contribution towards the cost of transporting a horse trained by him to race meetings.
- 15.3.2 A Trainer listed in Condition 15.1 will qualify to be paid a Runners Premium per runner, per race as determined from time to time in terms of Company policy, as a contribution towards the cost of providing his own training facilities.
- 15.3.3 The Company will pay these premiums at the end of each calendar month. If instructed in writing by the Trainer concerned, the Company will pay the premiums to a nominated third party.

### **15.4 Transport & Runners Premiums - KwaZulu-Natal & Western Cape race meetings**

A Trainer listed in 15.1 will qualify to be paid a Premium determined in terms of Company policy, as a contribution towards the cost of transporting horses trained by him to race meetings and as a contribution towards providing his own training facilities.

### **15.5 Night and Sunday Premiums - All race meetings**

A Premium as determined by the Company in its sole discretion, shall be paid in respect of all horses participating at Night and Sunday race meetings.

## **16. CLUB COLOURS**

The use of Club Colours by a Trainer shall constitute an offence which may be liable to a fine at the discretion of the Chairman of the Stipendiary Board.

## **17. WAIVER OF LIABILITY**

- 17.1 The Company, its Directors, Officers, Employees, Contractors and/or Agents and/or any Club and/or its Stewards and/or its Agents shall not be liable for any claim whatsoever and however arising (including gross negligence), including, but without limitation to the foregoing in respect of:
- 17.1.1 any loss or damages, including death or injury, regardless of the cause thereof, suffered by a horse or person while in transit or loading or offloading in connection with any race meeting or public gallops held by the Company and/or on the premises of the Company;

- 17.1.2 any loss or damages, including death or injury, regardless of the cause thereof, suffered by a horse, a Trainer or his employees, any Groom, Rider or Owner, whilst attending, participating in, or travelling to or from any race meeting;
- 17.1.3 any loss or damage, including death or injury, arising out of a decision to re-shoe a horse in terms of Conditions 5.3.3 & 5.3.4 Such decision shall not give rise to a claim at the instance of the Owner or the Trainer of the horse in question and each shall be deemed to have waived any claim, which he might otherwise have.
- 17.2 Horses shall at all times be at their Owner's risk for insurance and other purposes.

#### **18. COPYRIGHT AND INTELLECTUAL PROPERTY**

The following rights vest in and are exclusively for the Company:-

- 18.1 All rights of sponsorships of and in connection with all races, race meetings and related activities held by or on behalf of the Company;
- 18.2 No Owner, Trainer, Rider, Groom or Horse may, at any race meeting or on any race course of the Company, carry any form of advertising material or sponsorship on any part of his clothing or equipment without the express written authority of the Company. The Company may impose terms and conditions to such authorisation;
- 18.3 The Company may require an Owner, Trainer, Rider or Groom who has an individual sponsor not to display or wear any of his sponsors' advertising material when the Company has a sponsored race meeting;
- 18.4 In the event that an Owner, Trainer, Rider or Groom fails to comply with Condition 18.2 or 18.3, then the Chairman of the Stipendary Board shall require the said advertising or sponsorship material to be removed or covered, failing which the horse concerned shall be withdrawn or the rider stood down, as the case may be.
- 18.5 All rights to photograph, film, videotape and record, by any means whatsoever, all horses, races, race meetings and related activities held by or on behalf of the Company and all rights to broadcast and telecast, reproduce and transmit worldwide, by any means whatsoever, both by sound and vision, including any Internet transmission, all such photographs, films, videotapes and recordings, however made;
- 18.6 All copyright in and to all photographs, films, videotapes, sound recordings, sound and television broadcasts or any other recordings or reproduction, in respect of all horses, races, race meetings and related activities held by or on behalf of the Company;
- 18.7 All rights (including copyright) in and to all racing programmes, race results, the historical performances of all horses, race and saddle cloth numbers, the names of Riders and weights to be carried and all related information.

**19 FIREARMS / DANGEROUS WEAPONS**

No firearms / dangerous weapons allowed on any race course, except in the case of officials in the pursuit of authorized duties.

**20 RIGHT OF SEARCH**

The Company shall have the right to search any person or any property upon that person whilst on any premises of the Company.

**21 INTERPRETATION**

- 21.1 The decision of the Company as to the interpretation, meaning and effect of these Racing Operators' Conditions shall be final and binding.
- 21.2 In determining whether a person has complied with a time limit prescribed by these Conditions, the Race Requirements or the Rules, such time limit shall be measured in accordance with the Company's time keeping mechanism/s and no other.