

74. Disqualification of horses in races already run

74.1 The powers conferred by Paragraph 74.2 are exercisable by the Authority on an objection made to it under Part (B)7 or where such circumstances are found by the Disciplinary Panel to have occurred.

74.2 The Authority will disqualify a horse in relation to a race that has already been run, if the Authority is satisfied that any of the following grounds is established.

GROUND 1

Where the horse has been the subject of fraudulent practice.

GROUND 2

Where the Authority considers that, at the time of the race, the Rider of the horse was not permitted to ride under these Rules.

Examples of circumstances in which this Ground will apply include

74.2.1 that the Rider did not hold a jockey's licence or an amateur rider's permit granted by the Authority or, in the case of an Overseas Rider, was not qualified to ride in the race under Part (D)4;

74.2.2 that the Rider was suspended from riding under these Rules;

74.2.3 that the Rider was prevented from riding by Rule (D)51 (declaration of unfitness to ride).

GROUND 3

Where the horse has been the subject of an examination under Part (B)1 and a sample from the horse tests positive for a Prohibited Substance.

On a disqualification on this ground following analysis of a stored sample

74.2.4 all prize money paid respectively to the owner, Trainer or Rider must be repaid by them to such Person as the Authority may direct (or failing any such direction to the Authority itself), and

74.2.5 any physical prize or trophy awarded to a winning owner of the disqualified horse must be surrendered by the owner to the Authority,

but there will be no alteration in the placing of any other horse in the race.

The Authority may direct that Paragraph 74.2.4 or 74.2.5 shall not apply to any owner, Trainer or Rider who satisfies the Authority that there are exceptional reasons why it should not apply.

GROUND 4

Where the Authority considers that any provision of Schedules (B)2 (requirements for a horse to enter) and (B)3 (qualifications for horse to run) has not been complied with in relation to the horse.

GROUND 5

Where the Authority considers that the horse carried less than the weight that it should have carried in accordance with the conditions of the race and these Rules.

GROUND 6

Where a different name is used for entering or running a horse in a race from that specified in relation to the owner under Part (E)3.

GROUND 7

Where

74.2.6 a Partnership, lease or other arrangement for running a horse (the arrangement) is entered into in respect of the horse after the horse has been entered in a race,

74.2.7 the arrangement qualifies for registration under Chapter 3 of Part (E)3, and

74.2.8 the horse starts for the race without the arrangement having been registered.

The Authority may decide not to disqualify a horse on this Ground if it is satisfied that the failure to notify The Racing Calendar Office of the arrangement was accidental and The Racing Calendar Office certifies that it accepts the registration.

GROUND 8

Where

74.2.9 a horse has changed ownership with a transfer of engagements, and

74.2.10 the horse starts for a race without notice of the transfer of engagements having been given to

The Racing Calendar Office under Part (F)5 (entries).

The Authority may decide not to disqualify a horse on this Ground if it is satisfied that the failure to notify The Racing Calendar Office of the transfer of engagements was accidental, but any Person responsible for the failure shall be liable instead to a financial penalty imposed by the Authority.

GROUND 9

Where a horse which is the subject of a lease is run in a Selling or Claiming Race without the lessee having obtained the lessor's prior written consent.

GROUND 10

Where the Authority considers that the provisions of Schedule (G)3 (sampling at racecourse) were not followed in relation to a horse.

GROUND 11

Where provided for in Manual (G), as a consequence for a Horse following an Equine Anti-Doping Rule Violation. On a disqualification on this ground:

74.2.11 all prize or other money paid respectively to the owner, Trainer, Rider or any other recipient in accordance with these Rules other than the stable of the horse must be repaid by them to such Person as the Authority may direct (or failing any such direction to the Authority itself), and

74.2.12 any physical prize or trophy which has been awarded to a winning owner, Trainer or Rider of the disqualified horse or to any other prize recipient must be surrendered by the relevant recipient to the Authority.

The Authority may direct that Paragraph 74.2.11 or 74.2.12 shall not apply to any owner, Trainer, Rider or other recipient who satisfies the Authority that there are exceptional reasons why it should not apply.

GROUND 12

Where the horse is the subject of an inaccurate, misleading or fraudulent declaration at the time of registration with the General Stud Book and/or Authority.