

# RACING NSW STEWARDS – REASONS FOR DECISION



*REASONS FOR DECISION IN DETERMINATION OF CHARGES ISSUED AGAINST TRAINER MR BENJAMIN SMITH AND STABLEHANDS MS EMMA BICKLEY AND MR DANIEL SMITH.*

**Friday 10 May 2019**

**Stewards: M F Van Gestel (Chairman)  
P C Dingwall**

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## **Background**

1. It is not the standard practice of the Stewards to provide detailed written reasons nor is there any requirement to do so. These written reasons outline the findings of the Stewards and are not intended to exhaustively detail all of the reasons for the findings of the Stewards.
  2. On Tuesday 11 September 2018, Racing NSW Stewards commenced an investigation into the reason for samples obtained from Iron Duke at Newcastle on 25 August 2018 and Elaborate on 26 August 2018 returning elevated levels of cobalt.
  3. The trainer of Iron Duke and Elaborate Mr Benjamin Smith advised Stewards during the investigation and at a subsequent inquiry, that he had not used any unregistered cobalt containing products and his only explanation for the elevated cobalt readings was that, shortly before the samples were taken from Iron Duke and Elaborate, he had commenced to increase the use of a number of cobalt containing supplements to his horses, which was detailed in exhibit 85 before the Stewards inquiry and is summarised as follows
    - Iron Duke (25 August 2018)

Tuesday 21/8/2019 7am – 30ml VAM, 30ml Hemoplex.  
Wednesday 22/8/2018 4pm - 30ml VAM, 30ml Hemoplex.  
Thursday 23/8/2018 4pm - 30ml VAM, 30ml Hemoplex.
    - Elaborate (26 August 2018)

Wednesday 22/8/2019 7am – 30ml VAM, 30ml Hemoplex.  
Thursday 23/8/2018 4pm - 30ml VAM, 30ml Hemoplex.  
Friday 24/8/2018 4pm - 30ml VAM, 30ml Hemoplex.
- The increase in administration of cobalt containing supplements was done so without taking veterinary advice.
4. During the investigation the Stewards confiscated a number of substances that were unregistered and/or unlabelled and/or not prescribed in accordance with the applicable Commonwealth and state legislation namely the *Agricultural and Veterinary Chemicals Code Act 1994* (Cth) (Agvet Code), *Poisons and Therapeutic Goods Act 1966* (NSW) and the *Poisons and Therapeutic Goods Regulation 2008* (NSW).

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5. During the investigation and at a Stewards inquiry on 11 September 2018, Mr Smith refused to provide the name of the person who supplied the following 8 products seized by Stewards from his vehicle and residence.
  1. 1 x Brown bottle located in his vehicle found upon analysis to contain formaldehyde secured in evidence bag A340290931;
  2. 1 x HA2 10ml bottle located in his vehicle containing hyaluronic acid secured in evidence bag A340290931;
  3. 5 x brown vials located in his fridge at his residential premises found upon analysis to contain levamisole secured in evidence bag A260294125;
  4. 1 x 60ml white oral syringe located in his vehicle found upon analysis to contain lignocaine, bupivacaine, prilocaine, tetracaine, trihexphenidyl, caffeine and phenylbutazone secured in evidence bag A260294120;
  5. 1 x HA2 10ml bottle located at his residential premises containing hyaluronic acid secured in evidence bag A260294122;
  6. 1 x white oral tube located at his residential premises found to contain upon analysis menthol and eucalyptol secured in evidence bag A260294118;
  7. 1 x 60ml white oral tube located at his residential premises found upon analysis to contain lignocaine, bupivacaine, prilocaine, tetracaine, trihexphenidyl and caffeine secured in evidence bag A260294117
  8. 4 x bottles of Platinum Bute IV, located at his residential premises found upon analysis to contain phenylbutazone secured in evidence bag A340290933

At the Stewards inquiries conducted on 13 February 2019 and 12 March 2019, Mr Smith admitted the products were supplied to him by Mr Neil Costello, a licensed harness trainer.

6. Mr Smith also provided evidence to the Stewards during the investigation and the Stewards inquiry on 11 September 2018, that the substances found in his vehicle did not belong to him, a fact that was later proven to be false.
7. On 11 September 2018, Racing NSW Stewards charged Mr Smith with offences under AR232(i) of providing false evidence and under AR232(h) for refusing to provide evidence. Under the provisions of AR23(a) Mr Smith's trainers licence was suspended pending determination of the charges.
8. During the course of the investigation Mr Smith's mobile telephone and computer were taken possession of by Stewards in accordance with AR22(1)(d) and forensically imaged. Subsequent to the 11 September 2018, Racing NSW Stewards imaged the mobile telephones of several licensees including Ms Emma Bickley, a senior stablehand employed by Mr Smith.
9. On 18 September 2018, once Stewards had established a connection between Mr Neil Costello and Mr Smith, Stewards directed Mr Neil Costello to provide his mobile telephone for forensic imaging. The data on Mr Costello's mobile phone was of little assistance to the investigation as Mr Costello had advised Stewards he had lost his mobile telephone on or around 11 September 2018, the day the investigation was opened. He denied intentionally discarding his phone and was unable to assist the Stewards in locating his old phone.
10. On 21 September 2018 Mr Costello attended an interview before the Stewards. After failing to provide information requested by the Stewards Mr Costello was warned off from racecourses. Despite regular requests from Racing NSW, Mr Costello failed to provide the name of the person(s) who supplied him with a number of unregistered substances.

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## **Determination of Charges**

Racing NSW Stewards today made the following determinations in respect to charges issued against trainer Mr Benjamin Smith on 28 March 2019 and stablehands Ms Emma Bickley and Mr Daniel Smith on 17 April 2019.

### **Mr Benjamin Smith**

#### **1. Charge 1 – AR232(i) False Evidence**

##### **Breach 1**

*During an investigation being conducted by the Stewards at the Newcastle Racecourse, on 11 September 2018 at approximately 9am, in relation to the discovery of a brown bottle in his vehicle located at the Newcastle Racecourse he gave the evidence in the knowledge that such evidence was false.*

**Plea: Guilty (on basis of one breach)**

**Finding: Guilty**

**Reasons:** During the investigation on 11 September 2018 and the Stewards inquiries on 13 February and 12 March 2019, Mr Smith admitted the evidence particularised in the charge was false and has pleaded guilty to the breach. The Stewards find that Mr Smith did provide evidence to the Stewards on 11 September 2018, in the knowledge such evidence was false.

##### **Breach 2**

*During a Stewards inquiry being conducted by Racing NSW Stewards at the Newcastle Racecourse, on 11 September 2018 in relation to the discovery of a number of unregistered substances in his vehicle located at the Newcastle Racecourse and his residential property he gave evidence in the knowledge that such evidence was false.*

**Plea: Guilty (on basis of one breach)**

**Finding: Guilty**

**Reasons:** During the investigation on 11 September 2018 and the Stewards inquiries on 13 February and 12 March 2019, Mr Smith admitted the evidence particularised in the charge was false and has pleaded guilty to the breach. The Stewards find that Mr Smith did provide evidence to the Stewards on 11 September 2018, in the knowledge such evidence was false.

#### **2. Charge 2 - AR232(h) Refusing to Give Evidence**

*Refused to give evidence at both a Stewards investigation and a Stewards inquiry conducted at Newcastle racecourse on 11 September 2018, in that he refused to provide the name of the person who had supplied unregistered products, when he knew that Mr Neil Costello was the supplier.*

**Plea: Guilty**

**Finding: Guilty**

**Reasons:** At the Stewards inquiries conducted on 23 February and 12 March 2019, Mr Smith admitted he did have knowledge on 11 September 2018, that Mr Neil

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Costello had supplied the unregistered products and has pleaded guilty to refusing to provide his name.

### 3. Charge 3 – AR245(1)(a) Administering cobalt to Iron Duke

*Administered the prohibited substance cobalt to the racehorse Iron Duke prior to the gelding racing in Race 2 – Civil Sydney Maiden Plate conducted at Newcastle 25 August 2018 which resulted in cobalt being detected above the level of 100ug/l excepted in paragraph 11 of Division 3 of the Prohibited List B in a post-race urine sample taken from the gelding following winning Race 2 – Civil Sydney Maiden Plate conducted at Newcastle 25 August 2018.*

**Plea: Not Guilty**

**Finding: Guilty**

**Reasons:** As detailed in paragraph 3 of these reasons, Mr Smith admitted to increasing the dosage of supplements to his horses, with Iron Duke being one of the first upon which he used such regime. The evidence of Racing NSW Chief Veterinary Officer Dr Toby Koenig was that dosage of cobalt administered by Mr Smith could be best described as “supraphysiological and excessive”. Given Mr Smith’s evidence and in the absence of any other evidence regarding the administration of cobalt, the Stewards find that Mr Smith did administer cobalt to Iron Duke prior to racing at Newcastle on 25 August 2018 which resulted in cobalt being detected above the level of 100ug/l excepted in paragraph 11 of Division 3 of the Prohibited List B.

### 4. Charge 4 – AR240(2) Presenting Iron Duke with cobalt

*As the trainer of the racehorse Iron Duke brought to Newcastle racecourse on 25 August 2018 for the purpose of participating in Race 2 – Civil Sydney Maiden Plate on that day and the prohibited substance cobalt was detected above the level of 100ug/l excepted in paragraph 11 of Division 3 of the Prohibited List B in the in a post-race urine sample taken from the gelding following winning Race 2 – Civil Sydney Maiden Plate on that day.*

**Plea: Guilty**

**Finding: Guilty**

**Reasons:** Trainers have responsibility under AR240(2) to present a horse to race without a prohibited substance in its system. Mr Smith pleaded guilty to the charge and Stewards determine that Mr Smith was the trainer of Iron Duke when presented to race at Newcastle on 25 August 2018 with a level of cobalt above the level of 100ug/l excepted in paragraph 11 of Division 3 of the Prohibited List B of the Australian Rules of Racing being detected in a post-race urine sample.

### 5. Charge 5 – AR245(1)(a) Administering cobalt to Elaborate

*Administered the prohibited substance cobalt to the racehorse Elaborate prior to the gelding racing in Race 1 – Fresh-R Class 1 Handicap conducted at Wyong 26 August 2018 which resulted in cobalt being detected above the level of 100ug/l excepted in paragraph 11 of Division 3 of the Prohibited List B in a urine sample taken from the gelding following winning Race 1 – Fresh-R Class 1 Handicap conducted at Wyong 26 August 2018.*

**Plea: Not Guilty**

**Finding: Guilty**

**Reasons:** As detailed in paragraph 3 of these reasons, Mr Smith admitted to increasing the dosage of supplements to his horses, including Elaborate being one of

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the first upon which he used such regime. The evidence of Racing NSW Chief Veterinary Officer Dr Toby Koenig was that dosage of cobalt administered by Mr Smith could be best described as “supraphysiological and excessive”. Given Mr Smith’s evidence and in the absence of any other evidence regarding the administration of cobalt, the Stewards find that Mr Smith did administer cobalt to Elaborate prior to racing at Wyong on 26 August 2018 which resulted in cobalt being detected above the level of 100ug/l excepted in paragraph 11 of Division 3 of the Prohibited List B of the Australian Rules of Racing.

### **6. Charge 6 – AR240(2) Presenting Elaborate with cobalt**

*As the trainer of the racehorse Elaborate brought to Wyong racecourse on 26 August 2018 for the purpose of participating in Race 1 – Fresh-R Class 1 Handicap on that day and the prohibited substance cobalt was detected above the level of 100ug/l excepted in paragraph 11 of Division 3 of the Prohibited List B in a post-race urine sample taken from the gelding following winning Race 1 – Fresh-R Class 1 Handicap on that day.*

**Plea: Guilty**

**Finding: Guilty**

**Reasons:** Trainers have a responsibility under AR240(2) to present a horse to race without a prohibited substance in its system. Mr Smith pleaded guilty to the charge and Stewards determine that Mr Smith was the trainer of Elaborate when presented to race at Wyong on 26 August 2019 with a level of cobalt above the level of 100ug/l excepted in paragraph 11 of Division 3 of the Prohibited List B of the Australian Rules of Racing being detected in a post-race urine sample.

### **7. Charge 7 – AR249(1) Causing medication to be administered on race day**

*Did cause medication namely, electrolyte paste to be administered on race day to the following horses by the following person prior to such horses running in the following races.*

#### **Breach 1**

1. *Dream Charge - Race 7 Thread Effects Class 1 Handicap - Tamworth 5 January 2018 – administered by Ms Emma Bickley*

**Plea: Not Guilty**

**Finding: Guilty**

**Reasons:** Ms Emma Bickley and Mr Daniel Smith both gave evidence at interviews before the Stewards that Mr Benjamin Smith requested that electrolyte paste be administered to runners on race day before running in a race. In respect to Dream Charge on 5 January 2018 both Ms Bickley and Mr Daniel Smith have provided evidence that the horse was administered an electrolyte paste on race morning prior to racing. As a result, Stewards find Mr Smith did cause the administration of such medication in breach of AR249(1).

#### **Breach 2**

2. *Anecdote – Race 7 Guardian Safety Solutions Provincial Posthaste Benchmark 80 Handicap - Newcastle 9 March 2018 – administered by Ms Emma Bickley*

**Plea: Guilty**

**Finding: Guilty**

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**Reasons:** Ms Emma Bickley and Mr Daniel Smith both gave evidence at interviews before the Stewards that Mr Benjamin Smith requested that electrolyte paste be administered to runners on race day before running in a race. In respect to Anecdote on 9 March 2018, Mr Smith has pleaded guilty to the charge and Stewards are satisfied having regard to evidence of communication on that day between Mr Smith and Ms Bickley that Mr Smith did cause the administration of such medication in breach of AR249(1).

### **Breach 3**

3. *Elaborate – Race 1 Taree League and Sports Club 2yo Maiden Handicap - Taree 20 July 2018 – administered by Ms Emma Bickley*

**Plea: Not Guilty**

**Finding: Guilty**

**Reasons:** Ms Emma Bickley and Mr Daniel Smith both gave evidence at interviews before the Stewards that Mr Benjamin Smith requested that electrolyte paste be administered to runners on race day before running in a race. In respect to Elaborate on 20 July 2018, the communication evidence between Ms Bickley and another stablehand on race day supports that Ms Bickley did administer an electrolyte paste to Elaborate prior to racing. As a result, Stewards find Mr Smith did cause the administration of such medication in breach of AR249(1).

### **8. Charge 8 – AR227 Attempting to commit breaches of causing medication to be administered on race day**

*Did attempt to commit a breach of AR249(1)(b) by instructing the following persons to administer medication on race day, namely electrolyte paste to the following horses prior to such horses running in the following races.*

#### **Breach 1**

1. *Ms Emma Bickley - Elaborate - Race 1 Fresh-R Class 1 Handicap - Wyong 26 August 2018.*

**Plea: Guilty**

**Finding: Guilty**

**Reasons:** Ms Emma Bickley gave evidence before the Stewards when interviewed that prior to Elaborate racing at Wyong on 26 August 2018, Mr Smith requested that she administer an electrolyte paste to Elaborate. Whilst Ms Bickley said such administration did not take place, Stewards are satisfied, having regard to Mr Smith's guilty plea that such administration was requested by Mr Smith.

#### **Breach 2**

2. *Mr Daniel Smith - In Her Time - Race 7 Sydney Stakes - Randwick 14 October 2017*

**Plea: Not Guilty**

**Finding: Guilty**

**Reasons:** At 10:07am on 14 October 2017 Mr Benjamin Smith sent a SMS message to Mr Daniel Smith "U give the paste". Mr Daniel Smith responds in the affirmative with a "thumbs up" symbol. In Her Time was Mr Smith's only

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runner for this day and having regard to the evidence of Ms Bickley and Mr Daniel Smith in respect to the request for race day medication to be administered, Stewards are satisfied such message was requesting Mr Daniel Smith to administer an electrolyte paste to In Her Time prior to racing in the Sydney Stakes. Mr Daniel Smith has denied the administration took place.

### **Breach 3**

3. *Mr Daniel Smith - Kyoko Race 1 Maiden Handicap, Golly Miss Solly Race 2 Maiden Handicap, Libertine Miss Race 4 Benchmark 55 Handicap, Tabrobane Race 5 benchmark 55 Handicap - Tuncurry 29 October 2017.*

**Plea: Not Guilty**

**Finding: Guilty**

**Reasons:** At 7:31am on 29 October 2017 Mr Benjamin Smith sent a SMS message to Mr Daniel Smith "The runners can all have that race paste". Mr Daniel Smith responds, "Yep got 6 left". Mr Smith had Kyoko Miss, Golly Miss Solly, Libertine Miss and Tabrobane race that day at Tuncurry. The Stewards are satisfied such message to Mr Daniel Smith was to request him to administer an electrolyte paste to the 4 horses prior to racing at Tuncurry that day. Mr Daniel Smith denies such administrations took place.

### **9. Charge 9 – AR252 Possession of unregistered medication or substances**

*Had in his possession on 11 September 2018 eight medications and/or substances and/or preparations that had not been registered and/or labelled and/or prescribed and/or dispensed and/or obtained in accordance with the applicable Commonwealth and state legislation namely the Agricultural and Veterinary Chemicals Code Act 1994 (Cth) (Agvet Code), Poisons and Therapeutic Goods Act 1966 (NSW) and the Poisons and Therapeutic Goods Regulation 2008 (NSW).*

**Plea: Guilty**

**Finding: Guilty**

**Reasons:** Mr Smith has pleaded guilty to the charge and Stewards are satisfied such substances were in Mr Smith's possession and were not registered and/or labelled and/or prescribed and/or dispensed and/or obtained in accordance with the applicable Commonwealth and State legislation.

### **10. Charge 10 – Improper Conduct administering substance containing formaldehyde**

*Without taking veterinary advice and with the intention to assist horses with respiratory conditions, administered prior to 11 September 2018 to the racehorses Anecdote, Kristensen and Marksfield, the substance contained in the brown bottle located in his vehicle by Stewards on 11 September 2018, that was found to contain the carcinogenic substance formaldehyde, such substance capable of being detrimental to the welfare of the said horses.*

**Plea: Not Guilty**

**Finding: Guilty**

**Reasons:** The evidence of Racing NSW Chief Veterinary Officer Dr T Koenig was that formaldehyde is a carcinogenic substance that can have detrimental welfare consequences. Mr Smith made no proper inquiry (veterinary or other professional) in respect to the contents of the substance and administered the substance to three racehorses. The Stewards find such administrations were improper having regard to Dr Koenig's evidence.

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**Ms Emma Bickley**

### **1. Charge 1 – AR232 False Evidence**

The particulars of the charge being that she did provide evidence at an interview conducted by Racing NSW Stewards on 18 September 2018 in the knowledge such evidence was false.

**Plea: No Plea**

**Finding: Guilty**

**Reasons:** The Stewards find that Ms Bickley, having regard to admissions made by her to the Stewards in her second interview of 22 October 2018, did provide false evidence as particularised.

### **2. Charge 2 – 232(h) Refusing or failing to attend a Stewards inquiry.**

Refused and/or fail to attend Stewards inquiries conducted at the Offices of Racing NSW on 14 February 2019 and 12 March 2019 relative to trainer Mr Benjamin Smith when directed by Racing NSW Stewards to do so.

**Plea: No plea**

**Finding: Guilty**

**Reasons:** By way of correspondence to Ms Bickley of 22 January 2019, 15 February 2019, and 7 March 2019 Stewards are satisfied that Ms Bickley was provided with proper notice in respect to the conduct of the Stewards inquires that form the basis of the charge. Ms Bickley, as the evidence establishes, failed to attend and accordingly is found guilty of the charge.

### **3. Charge 3 – AR249(1)(b) Administration of medication of race day**

Administered medication namely, electrolyte paste to the following horses on race day prior to such horses running in the following races.

#### **Breach 1**

1. Dream Charge - Race 7 Thread Effects Class 1 Handicap - Tamworth 5 January 2018.

**Plea: No Plea**

**Finding: Guilty**

**Reasons:** Ms Bickley and Mr Daniel Smith both gave evidence at interviews before the Stewards that Mr Benjamin Smith requested that electrolyte paste be administered to runners on race day before running in a race. In respect to Dream Charge on 5 January 2019 both Ms Bickley and Mr Daniel Smith have provided evidence that the horse was administered an electrolyte paste on race morning prior to racing, by Ms Bickley.

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### **Breach 2**

2. Anecdote – Race 7 Guardian Safety Solutions Provincial Posthaste Benchmark 80 Handicap - Newcastle 9 March 2018.

**Plea: No Plea**

**Finding: Guilty**

**Reasons:** In respect to Anecdote on 9 March 2018, Mr Benjamin Smith has pleaded guilty a charge of causing medication to be administered to Anecdote and Stewards are satisfied, having regard to evidence of communication on that day between Mr Smith and Ms Bickley, that Ms Bickley did administer such medication.

### **Breach 3**

3. Elaborate – Race 1 Taree League and Sports Club 2yo Maiden Handicap - Taree 20 July 2018.

**Plea: No Plea**

**Finding: Guilty**

**Reasons:** In respect to Elaborate on 20 July 2018, the communication evidence between Ms Bickley and another stablehand on race day supports that Ms Bickley did administer an electrolyte paste to Elaborate prior to racing.

### **Mr Daniel Smith**

Stablehand Mr Smith failed to attend today's hearing. The following charges have been issued against him.

#### **1. Charge 1 – AR232(h) Refusing or Failing to attend a Stewards inquiry.**

Refused and/or fail to attend Stewards inquiries conducted at the Offices of Racing NSW on 14 February 2019 and 12 March 2019 relative to trainer Mr Benjamin Smith when directed by Racing NSW Stewards to do so.

**Plea: No Plea**

**Finding: Guilty**

**Reasons:** By way of correspondence to Mr Smith of 22 January 2019, 15 February 2019, and 7 March 2019 Stewards are satisfied that Mr Smith was provided with proper notice in respect to the conduct of the Stewards inquires, that form the basis of the charge. Mr Smith, as the evidence establishes, failed to attend and accordingly is found guilty of the charge.

#### **2. Charge 2 – Aid, abet and conspire to administer medication on race day**

Did aid, abet and conspire with Ms Emma Bickley to commit a breach of AR249(1)(a) in that when the horse Dream Charge arrived at the Tamworth racecourse on 5 January 2018 to race in Race 7 Thread Effects Class 1 Handicap, he agreed to wipe the mouth of Dream Charge to prevent the detection of electrolyte paste in the horse's mouth in the knowledge that Ms Bickley had administered electrolyte paste on race day in contravention of AR249(1)(a).

**Plea: No Plea**

**Finding: Guilty**

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**Reasons:** Ms Bickley and Mr Daniel Smith both gave evidence at interviews before the Stewards that Ms Bickley administered an electrolyte paste on race morning to Dream Charge prior to racing and Mr Daniel Smith agreed to wipe the horses mouth upon arrival on course to ensure officials would not observe the paste.

### **Submissions on Penalty**

Having now determined all charges issued against Mr Smith, Ms Bickley and Mr Daniel Smith, Racing NSW Stewards have set the following days to consider penalty.

1. Mr Benjamin Smith - 11 June 2019
2. Ms Emma Bickley and Mr Daniel Smith – 28 May 2019.

### **Relevant Rules**

#### **AR 227 Breaches of the Rules**

***Without limiting any other powers, a PRA or the Stewards may penalise any person who:***

- (b) attempts to commit, aids, abets, counsels, procures, connives at, conspires with another person to commit, or is a party to another person who commits, a breach of the Rules.***

#### **AR 228 Conduct detrimental to the interests of racing**

***A person must not engage in:***

- (b) misconduct, improper conduct or unseemly behaviour;***

#### **AR 232 Failure to observe processes and directions of PRAs or Stewards**

***A person must not:***

- (h) refuse or fail to attend or give evidence at an interview, investigation, inquiry, hearing or appeal when directed or requested to do so by a PRA, the Stewards or a person authorised by a PRA or the Stewards.***
- (i) give any evidence at an interview, investigation, inquiry, hearing and/or appeal which is false or misleading.***

#### **AR 240 Prohibited substance in sample taken from horse at race meeting**

- (1) Subject to subrule (3), if a horse is brought to a racecourse for the purpose of participating in a race and a prohibited substance on Prohibited List A and/or Prohibited List B is detected in a sample taken from the horse prior to or following its running in any race, the trainer and any other person who was in charge of the horse at any relevant time breaches these Australian Rules.***
- (4) Subject to subrule (3), if a horse is brought to a racecourse for the purpose of participating in a race and a prohibited substance on Prohibited List A and/or Prohibited List B is detected in a sample taken from the horse prior to or following its running in any race, the trainer and any other person who was in charge of the horse at any relevant time breaches these Australian Rules.***

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### ***AR 245 Administration of prohibited substance in sample taken from horse before/after running in race***

- (5) A person must not:**
- (a) administer; or**
  - (b) cause to be administered,**
- a prohibited substance on Prohibited List A and/or Prohibited List B to a horse which is detected in a sample taken from the horse prior to or following the running of a race.***

### ***AR 249 Administration of medication on race day***

- (1) Notwithstanding the provisions set out in Schedule 1, Part 2, Division 2, a person must not, without the permission of the Stewards:**
- (a) administer; or**
  - (b) cause to be administered,**
- any medication to a horse at any time on race day prior to the commencement of a race in which the horse is engaged to race.***

### ***AR 252 Possession of medication/substance/preparation in breach of legislation***

- (1) A person must not have in his or her possession or on his or her premises any medication, substance or preparation which has not been registered, labelled, prescribed, dispensed or obtained in accordance with applicable Commonwealth and State legislation.**

**M F Van Gestel  
Chairman of Stewards  
General Manager - Integrity**