



M Harris Esq
Racehorse Owners Association
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10th August 2009

Dear Mr Harris

Rule 247 – Laying to Lose

The Authority is undertaking a consultation exercise to establish whether an amendment to Rule 247 to restrict the laying activity of other close members of an Owner's family is feasible and would be welcomed by your members, the wider industry and the betting public.

I enclose a consultation paper for the attention of your Council which will also appear on our website.

We would be grateful for any comments the ROA has on this matter generally and, in particular the draft Rule. Please address any comments to me, either in hard copy or via our dedicated email address: consultation@britishhorseracing.com, if possible by Friday 28th August.

Thank you for your assistance.

Yours sincerely

Oliver Codrington
Legal Affairs Manager and Company Secretary

Tel: 020 7 152 0131
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Consultation Paper

Rule 247 – Laying to Lose

1. Rule 247 prohibits laying to lose of a horse owned by an Owner (as defined). The original reason for the introduction of Rule 247 was in response to the integrity risk to the sport posed by a small number of individuals seeking to make financial gains from knowing and misusing the knowledge that a horse in their ownership was not going to win.
2. During the past year (and to a lesser extent in previous years) there has been increasing incidence or reports of horses being layed to lose by close relatives of racehorse Owners.
3. In some cases, we suspect that Owners have been operating through relatives in order to seek to circumvent the Rules or, alternatively, close relatives of Owners have been taking advantage of access to specific inside information when placing lay bets.
4. It is the view of the Authority that it cannot be right for close relatives of owners to be distinguishable from the Owner. A recent case has called into question whether the Rule as currently drafted achieves this objective and the Authority therefore wishes to ensure that there is no doubt.
5. The Authority is therefore considering an amendment to Rule 247 to restrict the laying activity of other close members of an Owner's family. Specifically, the Authority is considering an amendment to Rule 247 so that, for the purposes of the relevant provisions, the following will be deemed to be an Owner of a horse:
 - *the spouse or other family of any Owner;*
 - *a co-habitant by reason of personal relationship with the Owner.*
6. The attached Appendix outlines the proposed new Rule on this basis.
7. We would be grateful for any comments (for the attention of Oliver Codrington at 75 High Holborn, London WC1V 6LS or to consultation@britishhorseracing.com) on this matter generally, and in particular the draft Rule.
8. We would request responses to this consultation by Friday 28th August.

PROPOSED NEW Rule 247 (addition shown in red italics):

It shall be a breach of the Rules of Racing for:

- a Trainer to lay any horse, under his care or control
- a Stable Employee, who is or has been registered under Rule 54(ii), to lay any horse, under the care or control of the Trainer for whom he is or was employed, whilst so employed and for a period of 21 days after ceasing to be so
- an Owner to lay any horse he owns
- an Authorised Rider's Agent to lay any horse that is ridden by a Rider for whom he acts as an Authorised Rider's Agent.
- a Service Provider to lay any horse owned, trained or ridden by the person for whom he has provided a service and for a period of 21 days after ceasing to do so.
- to lose a race with a Betting Organisation or to instruct any person on his behalf to do so or to receive the whole or any part of the proceeds of such an act.

Provided that this Rule shall not apply to the laying of any horse owned by a Betting Organisation in the ordinary course of business of that Betting Organisation.

The term "Owner" when used in this Rule shall be deemed to include any person provided for in the definition of "Owner", together with, in the case of a Recognised Company or Recognised Stud Company the Directors or Registered Agents of such Companies, in the case of a Racing Partnership the non-nominated partners of the Racing Partnership required to be notified under Rule 47C, in the case of a leased horse the lessor of the horse, or any person who, at or around the material time, played an active part in the management in any form of multiple-ownership.

It shall also be deemed to include the spouse or other family of any Owner or a co-habitant by reason of personal relationship with the Owner.

Note:- The phrase "lay any horse under any circumstances" when used in these Rules includes any single instance of doing so whether or not such a single instance was, or was intended to be one of a series of betting arrangements.