



28 April 2021

## Circular 2106

### **NOTICE OF SPECIAL GENERAL MEETING Thursday 27 May 2021 at 11.00 am**

Under clause 8 (5) of the Constitution of Harness Racing New Zealand Inc (HRNZ), the Board has directed the Chief Executive to convene a Special General Meeting. The purpose of this meeting is for clubs and kindred bodies to vote on amendments to the New Zealand Rules of Harness Racing (the Rules) in relation to the following two matters:

- ) **Horses' Birthdate**
- ) **The Stud Book and Breeding**

**A Special General Meeting will be held on Thursday 27 May 2021 at 11.00 am.** The Board is conscious of costs to Clubs/Kindred Bodies to attend this Special General Meeting. Therefore appointed club representatives (or substitute representatives) can attend the meeting either:

- ) In person at HRNZ's office at 17 Birmingham Drive, Middleton, Christchurch; or
- ) By Zoom video conference using a link to be provided by HRNZ

The resolutions to be considered at the Special General Meeting are to amend the Rules as set out in the remits below.

### **HORSES' BIRTHDATE**

#### **Remit**

That rule 401 be amended to state:

- 401 (1) The age of every horse foaled on or after 1 January and before 1 August in a calendar year shall be reckoned as beginning on 1 January in the next calendar year in which it is foaled.
- (2) The age of every horse foaled on or after 1 August in a calendar year and before 1 January in the next shall be reckoned as beginning on 1 January in the next but one calendar year in which it is foaled.

This amendment if passed by a special resolution shall come into force on 31 July 2021 and shall apply to all horses registered with HRNZ.

## Explanation

HRNZ believes that changing the horses' birthdate to align with other harness racing jurisdictions is a positive move for the sport. It is a decision that will be well received by our participants based on the continual feedback we are receiving.

Harness Racing Australia changed the birthdate of their standardbred horses to be January 1 in the next but one calendar year in which it was foaled, two years ago. This was done because it would:

- ) Ensure more horses raced as 2YO's due to the scientific evidence that they have a longer racing career if they do so
- ) Improve animal welfare by changing the major races to later in the calendar year therefore horses are older and stronger. Horses also better educated by then
- ) Improve wagering on key races as they would have fuller fields

The impacts of the Australian change to January 1<sup>st</sup> were:

- ) A longer breeding season as mares are still being bred early January
- ) For the first time in 12 years an increase in the number of horses being bred
- ) Fuller fields in the major races
- ) A significant increase of wagering on the Vic Bred and Breeders Crown races
- ) An increase in fillies racing
- ) An increase in 2YO racing

The main issue Australia had was the budget impact of the one-off season of 18 months when the change happened. There has been universal support for the change in Australia across all states now that they have seen the benefits.

The impact of the Australian change on New Zealand horses has been:

- ) Horses that would turn a year older on August 1<sup>st</sup> e.g. 2YO to a 3YO could still go to Australia and race as a 2YO over there until the end of December
- ) Owners were sending their horses over to Australia for these age group races and then they were unlikely to return to New Zealand racing therefore depleting our numbers
- ) A higher market for our age group horses for the Australian market.

The benefits of New Zealand moving to January 1<sup>st</sup> birthdate are:

- ) We would align with the Australian horse birthdate and other harness jurisdictions around the world
- ) Our breeding season could extend, promoting value for local stallions since most shuttle stallions would have left
- ) There could be an increase in breeding numbers
- ) Stronger 2YO racing from an animal welfare point of view
- ) Fuller age group racing towards the end of the calendar year
- ) Improved wagering on age group events
- ) Help keep our horse population in New Zealand

The impacts of New Zealand moving to January 1 birthdate are:

- ) An initial one-off extension to the current season to make it 6 months longer
- ) All horses that would have become a year older on 1<sup>st</sup> August 2021 will now become a year older on 1<sup>st</sup> January 2022
- ) No impact on budget as racing season and funding stay the same
- ) A complete revamp of our programme of Group racing including but not limited to the Sires Stakes races and Harness Jewels.

In reviewing the change of birthdate for the horse, the rules have been designed to ensure horses born in the same breeding season turn a year older on the same day. So, for example, if you had an early January foal it would age on the same day as a December foal.

**Example:**

| Date horse born | Date horse becomes 1YO | Racing season            |
|-----------------|------------------------|--------------------------|
| January 2020    | January 2021           | Previous breeding season |
| November 2020   | January 2022           | Same breeding season     |
| January 2021    | January 2022           | Same breeding season     |
| November 2021   | January 2023           | Next breeding season     |

## THE STUD BOOK AND BREEDING

### Remit

These amendments if passed by a special resolution shall come into force on 1 August 2021.

Amend rule 105 by deleting the definition for STUDMASTER and replacing with a definition for STUD MANAGER that states:

STUD MANAGER means the person having in their care a stallion or mare registered, or required to be registered, under the Rules or the Breeding Regulations for the purpose of breeding standardbred horses.

Amend the rules by deleting rules 1601 to 1617 and replacing them with the following rules 1601 to 1625 whereby Part XVI states:

### PART XVI - THE NEW ZEALAND HARNESS RACING STUD BOOK AND BREEDING INTERPRETATION

1601 In these rules and any regulations made under these rules, unless the context otherwise requires:

**artificial breeding** means all non-natural service activities and associated techniques undertaken with the objective of creating a foetus to be taken from its embryonic state to a live foal and includes:

- a. artificial insemination;
- b. embryo transfer;
- c. the harvesting of eggs from a mare for storage and use at a later date;
- d. in vitro fertilization;
- e. any process by which an egg is fertilised outside the body of the mare and:
  - (i) the fertilised egg is then implanted in the same or another mare's uterus; or
  - (ii) the fertilised egg or eggs are stored;
- f. the harvesting and storage of an embryo or embryos;
- g. the collection and storage of semen for use at a later date; and
- h. the placement of an embryo in a mare, whenever harvested.

**artificial insemination** means insemination of a mare with fresh, chilled, or frozen semen with the objective that the mare carries the foetus to full term.

**breeding technician** means a person holding a Breeding Technician Certificate issued under the Breeding Regulations.

**Chief Executive** means Chief Executive of HRNZ or other person authorised to act on the Chief Executive's behalf.

**embryo transfer** means insemination of a mare with fresh semen, chilled semen, or frozen semen with the objective that the resulting embryo is collected and then placed in a surrogate mare which carries, or it is intended to carry, the foetus to full term.

**mare** includes a filly.

**season** means the period from 1 August in a year to 31 July in the following year.

**stud book** means the genealogical record of a horse recorded by HRNZ at the time of registration.

**veterinarian** means a veterinary surgeon registered with the Veterinary Council of New Zealand holding a current certificate to practice.

#### STUD BOOK

- 1602 (1) The Board has the responsibility for the control, compilation, and publication of the New Zealand Harness Racing Stud Book (the Stud Book).
- (2) The Stud Book may be compiled and maintained in such form as the Board directs.
- 1603 (1) A horse qualifies as a standardbred if:
- (a) The horse is a registered standardbred with HRNZ, the United States Trotting Association, Standardbred Canada, the Australian Stud Book, the Stud Books of Norway, Finland, Sweden, France, Italy, Belgium, Denmark, Holland, Germany, Argentina, Malta, Switzerland, Ireland or the United Kingdom or the Stud Books of other countries if the Board is satisfied their records and/or qualifications meet the standards of the Stud Book.
  - (b) It is the progeny of a stallion and a mare that qualifies as a standardbred under sub-rule (1)(a) and is eligible under these rules (including any regulations made under these rules) to be registered as a standardbred or to the Stud Book.
  - (c) It is the progeny of a stallion and a mare both of which are included or were eligible under the rules existing at the time of foaling or are eligible under these rules to be admitted to the Stud Book.

- 1604 (1) A horse is eligible to be admitted to in the Stud Book only if it:
- (a) is registered under these rules;
  - (b) qualifies as a standardbred under rule 1603; or
  - (c) is approved for admission by the Board.
- 1605 An extended pedigree of each standardbred stallion or mare imported into New Zealand shall be entered in the Stud Book after the registration of the stallion or mare under the Rules. The owner of the stallion or mare must, at the time of registration, pay to HRNZ the entry fee set from time to time by the Board.

#### STALLIONS

- 1606 The Chief Executive shall maintain a Sires Registration List in which shall be recorded the name of any standardbred stallion whose registration is approved for stud duties.

#### REGISTRATION OF STALLIONS FOR STUD DUTIES

- 1607 (1) A stud manager must apply to the Chief Executive to register a stallion prior to the commencement of stud duties in a stallion's first season at stud and no later than 1 October in each following season.
- (2) The Breeding Regulations made by the Board may make provision for application to register a stallion for stud duties, conditions on granting any application, for cancellation of registration, and any other matter considered appropriate for such applications.

#### PERSONS WHO MAY UNDERTAKE ARTIFICIAL BREEDING

- 1608 (1) A veterinarian may practice all forms of artificial breeding.
- (2) A breeding technician may practice artificial insemination if granted a Breeding Technician Certificate under the Breeding Regulations.

#### TRANSPORTATION OF SEMEN FROM A STALLION RESIDENT IN NEW ZEALAND

- 1609 (1) An owner or stud manager may apply to the Chief Executive for a Semen Transport Service Certificate to use fresh, chilled, or frozen semen transported from the premise at which it is collected for use in artificial breeding.
- (2) The Breeding Regulations made by the Board may make provision for a Semen Transport Service Certificate application, conditions on granting any application, for cancellation of an approval, and any other matter considered appropriate for such applications.

## TRANSPORTATION OF SEMEN FROM A STALLION NOT RESIDENT IN NEW ZEALAND

- 1610 (1) An owner or stud manager may apply to the Chief Executive for a Semen Transport Service Certificate to use fresh, chilled, or frozen semen transported from the premise at which it is collected for use in artificial breeding.
- (2) The Breeding Regulations made by the Board may make provision for a Semen Transport Service Certificate application, conditions on granting any application, for cancellation an approval, and any other matter considered appropriate for such applications.

## ELIGIBILITY FOR REGISTRATION AND ADMISSION TO THE STUD BOOK

- 1611 (1) Only one horse bred from a mare in a season may be registered under the Rules and admitted to the Stud Book regardless of the age of the horse at the time of registration.
- (2) Sub-rule (1) does not apply where as a result of natural or non-artificial breeding a mare produces twins in which case both foals may be registered.
- (3) Where more than one horse is born by any method from a mare in a season sub-rules (4) to (7) shall apply.
- (4) When a mare gives birth to its foal in a season, that foal shall be the only foal registered for that season.
- (5) When a mare does not give birth to its own foal in a season, one foal of the same dam born in that season may be registered.
- (6) When a mare does not give birth to its own foal in a season, and two or more foals of the same dam born in that season none of the foals may be registered.
- (7) Where any horse is registered in contravention of these rules the Chief Executive shall cancel the registration of the horse.
- (8) A foal which has been conceived by artificial breeding by means other than embryo transfer, shall be the recognised progeny of the mare and donor stallion and shall be eligible for inclusion in the Stud Book provided that the requirements of these rules and Breeding Regulations relating to artificial breeding are strictly complied with.
- (9) The receipt by the Chief Executive of a completed and signed Foaling Return shall, in the case of a living foal eligible for registration and admission to the Stud Book shall, subject to any rule or regulation to the contrary, be sufficient authority for the registration and admission to the Stud Book of the foal.

#### EMBRYO OR OOCYTE TRANSFER

- 1612 (1) If an oocyte or embryo of a mare (the genetic dam) is transferred to a surrogate mare (the first surrogate mare), an embryo or oocyte of the same genetic dam may not be transferred to another surrogate mare at any time the first surrogate mare is carrying the oocyte, embryo, or foetus of the genetic dam.
- (2) A horse foaled by a mare that is not its genetic dam but transferred to her by embryo or oocyte transfer shall be eligible for registration under these rules and admitted to the Stud Book if the Breeding Regulations and the Rules are complied with.
- (3) A foal begotten by embryo or oocyte transfer shall have recorded on its registration and in all official records the notation "E.T." after its name to indicate that it has been bred using embryo transfer techniques.
- (4) A foal begotten by in vitro fertilisation shall have recorded on its registration and all official records the notation "IVF" after its name to indicate that it has been bred by injecting semen into an oocyte external to the mare.

#### CLONES

- 1613 A horse produced by a cloning process, including any progeny of a clone or a gene editing or manipulation process, is not eligible to be registered under the Rules or to be admitted to the Stud Book.

#### SEXING OF SEMEN AND EMBRYOS

- 1614 A horse produced which involves a process that pre-determines, or attempts to pre-determine, the sex of the resulting foal before the foetus is at nine weeks gestation, including the sexing of semen or embryos, is not eligible to be registered under the Rules or to be admitted to the Stud Book.

#### IMPORTED EMBRYOS

- 1615 A horse produced involving an embryo imported into New Zealand is not eligible to be registered under the Rules or to be admitted to the Stud Book.

#### FROZEN EMBRYO, FROZEN OOCYTES, AND OOCYTES FROM A DECEASED MARE

- 1616 (1) A horse produced using:  
(a) a frozen embryo;  
(b) frozen oocytes; or  
(c) oocytes  
from a deceased mare after its death shall not be eligible to be registered under the Rules or to be admitted to the Stud Book.
- (2) Sub-rule (1) does not apply to any frozen embryo registered with HRNZ at 1 August 2021 providing the foal is born by 28 February 2024.

#### NON-APPROVED ARTIFICIAL BREEDING

1617 A horse that results from artificial breeding without approval under the Breeding Regulations is eligible to be registered under the Rules and to be admitted into the Stud Book at the discretion of the Chief Executive unless rules 1611, 1612, 1613, 1614, 1615, or 1616 apply.

#### OUTSTANDING SERVICE CERTIFICATES

1618 If any person fails to comply with the requirements relating to Service Certificates under the Breeding Regulations the Chief Executive may refuse to register the progeny of the mare under the Rules until those requirements are complied with.

#### OUTSTANDING SERVICE FEE AND CHARGES

- 1619 (1) An owner of a stallion, who has complied with the requirements relation to certificates of service under the Breeding Regulations in respect of any mare, may notify the Chief Executive in writing if the owner of the mare has not paid the service fee and other charges due in respect of the mare.
- (2) The Chief Executive may refuse to register the progeny of the mare under the Rules until the amount of such service fee and other charges is paid to HRNZ on behalf of the owner of the stallion.
- (3) The Board shall charge a fee of 10% with a minimum fee of \$100 in settlement of any fee or charges that has been notified to the Chief Executive pursuant to this Rule whether settlement has been direct or through HRNZ.
- (4) If an owner of a mare is in default in respect of the payment of the service fee or other charges, the amount unpaid may be declared arrears within the meaning of these rules.

#### OWNER OF FOAL

- 1620 (1) A horse produced as a result of an artificial breeding shall be the property of the owner of the donor mare at the date of foaling unless sub-rule (2) applies.
- (2) The ownership determination in sub-rule (1) may be contracted out if there is an arrangement in writing and signed by the relevant parties, recorded in a form prescribed by the Chief Executive, and lodged with HRNZ.

#### DISQUALIFIED PERSON OFFERING A STALLION

1621 A person who is a disqualified person within the meaning of the Rules of Harness Racing, Racing or Greyhound Racing shall not offer any stallion for stud purposes.



## BOOKS, RECORDS, AND INSPECTION

- 1622 (1) The Chief Executive shall have the right to inspect all books and records kept by the owner and stud manager of a stallion or mare in relation to the stallion or mare. On receiving a written request from the Chief Executive such owner and stud manager must forward such books and records to the Chief Executive.
- (2) The Chief Executive may require the owner, stud manager, or person having charge, care or control of any horse to produce for inspection any such horse and may inspect such horse.
- (3) The owner, stud manager, or person having charge, care, or control, of any horse shall produce the horse for inspection when required.

## REFUSAL OR CANCELLATION OF REGISTRATION AND ADMISION TO THE STUD BOOK

- 1623 Where any person fails to comply with the provisions of this part of the rules or the Breeding Regulations the Chief Executive may, in addition to any penalty imposed by the Judicial Committee, refuse registration of the foal and its admission to the Stud Book, or cancel such registration or admission.

## REVIEW OF DECISION OF THE CHIEF EXECUTIVE

- 1624 (1) A decision by the Chief Executive, or person authorised to act on the Chief Executive's behalf, under this part of the Rules or the Breeding Regulations is declared to be final and not subject to appeal.
- (2) A person dissatisfied with a decision of the Chief Executive, or person authorised to act on the Chief Executive's behalf, may apply to the Board to review the decision.

## BREEDING REGULATIONS

- 1625 (1) The Breeding Regulations made by the Board in addition to the matters already provided for, may make provision for:
- (a) Setting of fees by the Board for an application under these rules or the Breeding Regulations.
  - (b) To genetically identify by DNA typing whether in the blood type or other means the DNA typing of stallion, mares, and foals.
  - (c) Certificates of Service and Foaling Returns.
  - (d) When frozen semen may be used after a stallion has died.
  - (e) Requirements which must be complied with in respect to artificial breeding, including the procedures by which such process are to be undertaken.
  - (f) Such other matters as the Board thinks fit with respect to horses' eligibility for registration under these Rules.

## **Explanation**

It is proposed that the Breeding Rules and Regulations be updated to reflect the current artificial breeding technology, and to clarify HRNZ's position relating to, the use of frozen embryos and frozen oocytes and the number of horses born from a mare in a season. The proposed Breeding Rules permit only one foetus from a mare to be brought from its embryonic state to birth in a season, although there is an exemption for the registration of twins.

The Breeding Rules (1601 to 1625 inclusive) provide the framework for Standardbred breeding, while the Breeding Regulations provide the operational detail.

The proposed Breeding Rules and Regulations do not regulate stallion book limits, or the use of frozen semen after the death or retirement of a stallion. These two matters remain under review. Grandfathering provisions for frozen embryos registered with HRNZ as at 1 August 2021 are included.

The Breeding Rules and Regulations have been circulated to owners and breeders for their consultation, and feedback incorporated.

A copy of the Breeding Regulations is attached for completeness.

A handwritten signature in black ink, appearing to read 'G. Woodham', is positioned above the printed name and title.

**Gary Woodham**  
**Chief Executive**