

# GENERAL AND VETERINARY REGULATIONS AND POLICIES

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## **PREAMBLE**

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# CHAPTER ONE: INTRODUCTION AND DEFINITIONS

## Article 100 - Regulations

1. The General Regulations (GRs) are established so that individual competitors and teams of competitors may compete against each other under fair and equal conditions. If there is any doubt about the meaning of any of the Regulations they should be interpreted in a way that ensures fair conditions for all competitors.
2. The GRs, together with the Veterinary Regulations (VRs), govern the conduct of all equestrian Events organised by affiliated organisations or by or on behalf of Equestrian Sports NZ (ESNZ). Both the GRs and the VRs are published by ESNZ pursuant to the powers in the Constitution.
3. The Regulations have been drawn up in the broadest possible spirit so as to allow Organising Committees (OCs) the fullest freedom in the management of their Events and in the preparation of their programmes.
4. Discipline Rules are published, under the authority of ESNZ, for each of the Disciplines authorised by ESNZ.
5. VRs are published under the authority of ESNZ to protect the health and wellbeing of Horses and to enable them to participate in equestrian competitions under fair and equal conditions.
6. Special Regulations (SRs) are established to govern the conduct of National Championships, Horse of The Year Show, Series or Competition and Selection of riders and/or Horses to represent New Zealand in International Events and for the selection of Nationals Squads. The SRs are published under the authority of ESNZ.
7. The GRs, VRs, Discipline Rules and SRs apply to equestrian Events and or competitions organised by persons or bodies affiliated to ESNZ or otherwise under the jurisdiction of ESNZ.
8. The Discipline Rules or SRs must be read in conjunction with the GRs and VRs. In cases of conflict of interpretation between the provisions of the VRs, Discipline Rules or SRs, the principles of the GRs shall take precedence.
9. Officials recognised by ESNZ are responsible for the implementation by OCs of all the Constitutional Rules and Regulations.
10. All clubs, societies and member organisations affiliated to ESNZ, and all OCs must abide by the Regulations and Rules when organising any Events or competitions.
11. In cases of doubt about the interpretation of the Constitutional Rules and Regulations or their application to particular circumstances, OCs should

obtain a ruling from ESNZ. The Judicial Committee of ESNZ is the final authority on the interpretation of the Constitutional Rules and Regulations.

12. It is the responsibility of OCs to take such measures as may be necessary to cover their financial and legal liabilities while at all times observing the Constitutional Rules and Regulations.
13. Betting at any Event may only take place as approved by ESNZ and subject to all legal requirements being met.

## **Article 101 – Definitions**

1. **Appeal Committee** means a judicial body that operates during Events. Its powers and jurisdiction are set out in Chapter Nine of these Regulations. The Appeal Committee may comprise of one or three persons appointed in advance of the Event.
2. **Area Discipline Committees** means a committee established by ESNZ and to which certain powers and functions of ESNZ are delegated by the Board.
3. **Board** means the Board of Directors of ESNZ
4. **Category** refers to a group of Competitors for whom the “Event” or “Competition” is organized
5. **Competition** means each individual class in which competitors are placed in an order of merit and for which prizes may be awarded.
6. **Complaint:** means a complaint in writing by an ESNZ Member (as defined in the ESNZ Constitution) that another ESNZ Member or any person for whom a Member is responsible for has:
  - a). breached, failed, refused or neglected to comply with a provision of the ESNZ Constitution, the ESNZ General Regulations, the ESNZ Code of Conduct, the ESNZ Member Protection Policy, any applicable discipline by-laws or regulations, and/or any other rule, regulation, bylaw, policy, resolution or determination of the ESNZ Board or any discipline board.
  - b).acted in contravention of ESNZ objectives as set out in the Constitution;
  - c).acted in a manner unbecoming of a Member or prejudicial to the interests of ESNZ; and/or
  - d).brought ESNZ or the sport of equestrian into disrepute.A complaint shall not include any conduct which may be protested under Rule 11 of Article 139 of these Regulations.
7. **Complaints Review Officer** means a person or persons appointed by [ESNZ/.the ESNZ Board]. His/her power and jurisdiction is set out in Article 140 of Chapter Nine of these Regulations.
8. **Constitution** means the Constitution of ESNZ.

9. **Constitutional Rules** means the rules set out in the ESNZ Constitution and referred to in that document as Articles.
10. **CRO Caution** means an informal caution issued by ESNZ under instruction from the Complaints Review Officer.
11. **Discipline** refers to the type of Event or Competition for which separate Discipline Rules are established.
12. **Discipline Board** means a committee or delegated authority of ESNZ designated the responsibility of managing their Discipline in accordance with the Constitutional Rules, Regulations and Discipline By-Laws.
13. **Discipline By-Law** means Rules the by-law promulgated by the Discipline for the management and administration of their Discipline and approved by the Board.
14. **Discipline Rules** means peculiar to each Discipline with such rules being prescribed by the relevant Discipline Board.
15. **ESNZ** refers to Equestrian Sports New Zealand Incorporated.
16. **Event Schedule** in respect of any Event, means the schedule set for that Event by the Organising Committee
17. **Field of Play** refers to the marked area where competition takes place
18. **Horse** refers also to a pony unless the context requires otherwise.
19. **Named ESNZ Events or Competitions** refers to those particular Events or competitions as established in Article 105.1.
20. **Official** refers to a person appointed by ESNZ or the Organising Committee to perform a specifically defined officiating duty at an Event.
21. **Organising Committee (OC)** refers to any organisation, group, society or body which is recognised by ESNZ and held to be responsible for the management of any event.
22. **Person Responsible** has the meaning set out in Article 131
23. **Phase** refers to separate parts of a competition at the same Event which are taken together to arrive at the final classification.
24. **Regulations** means the General Regulations, Veterinarian Regulations, Special Regulations, Discipline By-laws and Discipline Rules as the context requires

25. **Round** refers to one or more consecutive circuits of the same, or similar, course as part of a single competition.
26. **Sanctioned Event** refers to the complete meeting, “Show”, “Championship”, “Games”, “Rides” or “Gymkhanas” under the control of ESNZ. An Event commences one hour before the beginning of the first Horse Inspection and terminates half an hour after the announcement of the final results in the relevant Discipline, unless the Sport Rules for the respective Discipline provide otherwise.
27. **Series** refers to a number of competitions held successively at different Events leading to a final classification or to qualify Horses and/or competitors for a final Event or Competition.

28. Abbreviations:

CSI	International Contest of Jumping
CSIW	International Jumping World Cup
CIC	International Eventing One Day Competition
CCI	International Eventing Three Day Competition
CDIW	International Dressage World Cup
CDI	International Dressage Competition
CICW	International Eventing World Cup
CEI	International Contest of Endurance
CPEDI	International Contest of Para Equestrian Dressage
CN	National Event
CIM	Minor International Event
CI	International Event
DFS	Drugfree Sport New Zealand
FEI	Fédération Equestre Internationale
GA	General Assembly
GR	General Regulations
GJ	Ground Jury
HOY	Horse of the Year
ICH	Island Championships
IE	International Events
IOC	International Olympic Committee
NCH	National Championships
NF	National Federation
NZOC	New Zealand Olympic Committee
SNZ	Sport New Zealand
SR	Special Regulations
TUE	Therapeutic Use Exemption
VR	Veterinary Regulations
WADA	World Anti-doping Agency
3DE	Three Day Event



## **Article 102 - Description of Events**

The following descriptions of equestrian Events are established:

1. CONCOURS HIPPIQUE (CH) - any Event which includes Competitions for more than one Discipline.
2. CONCOURS DE SAUT D'OBSTACLES (CS) - Events where the Competitions are exclusively for the Discipline of jumping.
3. CONCOURS DE DRESSAGE (CD) - Events where the Competitions are exclusively for the Discipline of Dressage.
4. CONCOURS COMPLET D'EQUITATION (CC) - Events where the Competitions are exclusively for the Discipline of Eventing. CNC/CIC are Events where the Competitions are exclusively for One Day Events.
5. CONCOURS D'ATTELAGE (CA) - Events where the Competitions are exclusively for the Discipline of Driving.
6. CONCOURS DE RAID D'ENDURANCE (CE) - Events where the Competitions are exclusively for the Discipline of Endurance Riding.
7. CONCOURS DE VOLTIGE (CV) - Events where the Competitions are exclusively for the Discipline of Vaulting.
8. CONCOURS DE REINING (CR) - Events where the Competitions are exclusively for the Discipline of Reining.
9. CONCOURS PARA-EQUESTRIAN (CPE): Any Event where the Competitions are exclusively for Equestrian Athletes with disabilities.

Note: The addition of "N" to the above description indicates a National Event, and "I" indicates an International Event.

## **Article 103 - Titles of NF Events**

Each of the Events described in Article 102 may be classified as follows:

1. National Championships (NCH) Island Championship (ICH), Horse of the Year Show (HOY) and the NCH for Young Horses (in each Discipline)
2. International Events (IE)

## **Article 104 - Categories of Events**

1. All Events and Competitions may be limited to specific categories of competitors or Horses, e.g. Young Riders, Quarter Horses.

## CHAPTER TWO: EVENTS AND COMPETITIONS

The Discipline Rules further define event classification for each Discipline.

### Article 105 - Sanctioned Events

1. A sanctioned event is an event organised according to the ESNZ GRs and run under the ESNZ Discipline Rule/s, taking note of Article 108.2.
2. For purposes of Article membership, an “Unsanctioned Event” is an event and/or a competition declared “unsanctioned” by ESNZ.
3. An athlete and/or horse, even if registered with ESNZ, is not eligible to participate in an National Event or International Event (and so may not be invited by an OC to such event or entered by an NF in such event) if that athlete and/or horse has participated, in the six (6) months prior to the first day of national event or international event in question, in an unsanctioned event.
4. For purposes of Article 105.3, an “Unsanctioned Event” is an event and/or a competition that is neither published in the official calendar nor authorised by ESNZ.
5. An athlete, chef d’equipe, or owner may challenge the application of Article 105.3, or seek a waiver thereof in exceptional circumstances, by application to the ESNZ General Manager. A denial of this application may be appealed to the Judicial Committee.
6. An official is not eligible to participate in a national event or international event (and so may not be invited or nominated to participate in such event) if they have participated, in the six (6) months prior to the first day of the national event or international event in question, in an unsanctioned event.
7. An official may challenge the application of this Article 105.6, or seek a waiver thereof in exceptional circumstances, by application to the ESNZ General Manager. A denial of that application may be appealed to the Judicial Committee.

## **Article 106 - Allocation of National Championships and Horse of the Year Show**

1. The right to host a NCH for each Discipline will be allocated by the Discipline Boards on such terms as it may determine from time to time.
2. The Board shall allocate the right to host the HOY on such terms as the Board may determine in consultation with the Discipline Boards and may specify the date that the Board approves for the HOY.
3. Island and National Championships and HOY take precedence over all events in the Island where the Championships and HOY are located in accordance with Article 110 (The Official Calendar).
4. The dates and venues for all NCH, ICH and the HOY must be approved by the Board and by the relevant Discipline Board

## **Article 107 - International Events (IE)**

1. Any application to hold an International Event (IE) must be approved by the relevant Discipline Board.
2. IE's are only those Events which have been sanctioned by the FEI, and are run under FEI Rules.

## **Article 108: Organisation of, and Schedules for, Events**

1. All events must have an event schedule which clearly states that the competition will be run under the Constitutional Rules and Regulations of ESNZ, or the FEI rules and regulations if applicable, and that all applicable regulations and rules will be strictly enforced. All schedules must be approved by the Discipline Board.
2. If any non ESNZ competition is held at an ESNZ event then the rules for that competition will only apply in the field of play for that competition.
3. The OC in consultation with the President of the Ground Jury and/or Technical Delegate reserve the right;
  - 3.1. To cancel any class or event.
  - 3.2. To divide any class.
  - 3.3. To alter advertised times.
  - 3.4. To transfer competitors between sections of a competition.
4. Disciplines must send to ESNZ within one week following the conclusion of the event:

- 4.1. The results and the number of starters from any competitions that require full ESNZ membership and equine registration.
- 4.2. The prize money paid out for each place for competitions relating to 4.1 above.
5. OCs of ESNZ events must provide medical and veterinarian services and facilities in accordance with Annex G.

## **Article 109: Events with Borrowed Horses**

1. International Competitions may be organised with horses provided by the host National Federation.
2. In addition to the Constitutional Rules and Regulations, the Discipline Rules deal with events with borrowed horses and will apply accordingly.
3. The Person Responsible under Article 131.2 is also, in the case of a borrowed horse, the owner or the person who is normally in charge of the horse as well as the competitor to whom the horse has been allotted. ESNZ recommends to its members, when riding borrowed horses in overseas competitions, that they be fully aware of their responsibilities, in particular around Clean Sport and its regulations.

## **Article 110: The Official Calendar**

1. The Official Calendar for each Discipline shall be established by the Discipline Board and submitted to ESNZ as soon as possible prior to the end of June each year. ESNZ will confirm the annual calendar in time for the Disciplines to approve their calendars at their AGMs. Following the Discipline Board's approval the calendar will be published
2. A provisional long term calendar, for major events for the succeeding year, should also be submitted to ESNZ prior to the end of June each year.

## **Article 111: Ceremonies**

1. Opening, Prize-giving and Closing Ceremonies at HOY, NCH and major events may follow local custom but they must include the following procedure:
  - 1.1. The representative of ESNZ, or if no representative is present, the President of the GJ must be invited to participate in the Opening, Prize-giving and Closing Ceremonies of all National Championships and HOY Shows.

- 1.2. Any donor or sponsor of a trophy as set out in Annex B, or ESNZ Representative, or the President of the GJ must present ESNZ Medals and Trophies, before any other prizes are presented by the OC or sponsors of the OC.
- 1.3. All competitors may be invited to be present at all these ceremonies. They should preferably remain mounted where appropriate. If a podium is used for prize winners, prize winners may be asked to dismount.
- 1.4. Opportunities should be taken at these ceremonies and during the course of the event to mention that the event is under the patronage of ESNZ.
- 1.5. The prize-giving ceremony for championships should take place immediately after the end of the Competition where appropriate.

## **Article 112: Commercial Rights**

1. As stated in the Constitution, the intellectual property of ESNZ means all rights or goodwill in copyright, business names, names, trademarks (or signs), logos, designs, patents or service marks relating to ESNZ or any Event or Competition or ESNZ activity or programme conducted, promoted or administered by ESNZ.
2. All intellectual property including any ideas, concepts, plans, inventions, systems, products or processes developed or created in whole or in part by ESNZ shall be the sole property of ESNZ and may not be used by anyone on its behalf without the prior written permission of the Board.
3. ESNZ has the exclusive right to exploit and use the intellectual property in relation to Events and Competitions and other activities under the jurisdiction of ESNZ.
4. With regard to championships and other ESNZ named Events, an agreement shall be reached between ESNZ and the OC which defines their respective rights and duties in relation to the exploitation of ESNZ's intellectual property and all other commercial matters relating to the Event or Competition including the possible sharing of revenues there from. Such an agreement must be finalized before the Board confirms the final allocation of the Event, Series or Competition.
5. The exploitation of ESNZ's intellectual property and all other commercial rights and obligations must be negotiated in such a way as to ensure the feasibility of the Event, Series or Competition concerned and taking into account consideration of the technical and sporting conditions and the promotion of equestrian sport in general.

# CHAPTER THREE: PARTICIPATION OF COMPETITORS

## Article 113: Invitation Events

1. Invitations extended to overseas competitors must be extended through ESNZ.

## Article 114: Entries

1. The grade / class and number of horses that may be entered for an event must be in accordance with the Event Schedule and Constitutional Rules and Regulations.
2. OCs may, at their absolute discretion, decline to receive any entry, or return any fee without being required to give any reason or being liable for any compensation.
3. Any OC affiliated under the jurisdiction of ESNZ must not levy entry fees or pay affiliation fees to any person or organisation as a part of a series, or as a qualifying competition to a final competition at another event, without the prior permission of ESNZ.
4. The person making the entry is responsible for ensuring that the horse is eligible for the competition/s in which they are making the entry.
5. The entry of any person or horse into a recognised competition shall constitute an agreement and affirmation by the person entering the event together with the owner, lessee, Chef d'Equipe, rider and/or driver that:
  - 5.1. They will be bound by and subject to the Constitution Rules and Regulations, and the FEI rules and regulations if applicable, and the Event Schedule and conditions of the OC;
  - 5.2. Every Horse, rider and/or driver is eligible as entered;
  - 5.3. The person placing the entry, together with the owner, lessee, Chef d'Equipe, rider and/or driver, will accept as final the decision of the Appeal Committee for all matters within the jurisdiction of the Appeal Committee and will, subject to the limited rights of appeal set out in Rule 28 of the Sports Tribunal of New Zealand Rules, accept as final the decision of the Sports Tribunal of New Zealand for all matters within the jurisdiction of the Sports Tribunal of New Zealand.
  - 5.4. The person placing the entry, together with the owner, lessee, Chef d'Equipe, rider and/or driver and any of their agents or representatives, will hold the FEI, ESNZ, the OC and their officials, directors,

employees and agents harmless for any injury or loss suffered during or in connection with the event, whether or not such injury or loss resulted directly or indirectly from negligent act or omission of the officials, director, employees or agents of ESNZ, FEI or OC.

6. After the event, if the rider and/or horse are found to be ineligible for the competition they have just competed in, they may be issued with an Official Warning notice. This includes lapses in ESNZ Membership and Registration.

## **Article 115: Hors Concours Entries**

1. Competitors may enter horses 'hors concours' with the permission of the Organising Committee providing they are eligible under the discipline rules.
2. They will abide by the rules for that class, and will be judged in the normal manner, but they will not be counted in the final classification.
3. They will pay the regular full entry fee but will not be entitled to any prize or prize money.
4. They may not compete HC at Island & National Championships or at Horse of the Year Show.

## **Article 116: Nationality Status of Competitors**

1. Individual foreign competitors (as defined in Article 116.2.2) may compete in events and competitions in NZ subject to:
  - 1.1. For national events and competitions in NZ they must have the appropriate level of ESNZ membership.
  - 1.2. For international (FEI) events and competitions in NZ they must have permission from their own National Federation and from ESNZ.
  - 1.3. For national events and competitions in NZ, a Discipline's rules may require proof of eligibility of rider and/or horse for safety reasons; this proof should not require membership of the competitor's national federation.
2. Foreign riders will not be eligible to compete in team competitions other than international team competitions unless the following conditions have been met:

- 2.1. Competitors must be members as in Article 123 and to have been a resident in NZ for six months and resident in the Island, province or area concerned for at least three months.
- 2.2. The National Federation of a country from which a competitor holds a passport is their own National Federation.
- 2.3. A competitor who is the national/citizen of more than one nation must decide from the age of 18 years which is their own National Federation and must thereafter, subject to Article 116, compete under the jurisdiction of that National Federation.
- 2.4. All changes of a competitor's National Federation must be reported by the new National Federation to the Secretary General of the FEI.
- 2.5. Competitors living abroad - A competitor is considered to be living abroad if they spend more than six months of a year in one foreign country (the host country).
- 2.6. A competitor living abroad can take part regularly in CNs and CIMs and CIs for juniors, young riders and pony riders of their host country if the competitor is given permission from the National Federation of their host country or, in very exceptional circumstances, given special approval by the FEI. The competitor, while keeping their own National Federation membership, comes under the jurisdiction of the host National Federation for the above-mentioned events and they must take part according to the relevant regulations.

## **Article 117: Chef D'Equipe**

1. The Discipline Board is responsible for appointing a chef d'equipe for each team at national team competitions, and Inter Island Team Competitions. Chefs d'equipe for Olympic Games, World Equestrian Games, Paralympic Games and World Endurance Championships will be appointed by the ESNZ Board (in conjunction with the discipline Board) or its delegated authority.
2. On the appointment of a chef d'equipe, a full position description, outlining their roles and responsibilities, will be provided.
3. Chefs d'equipe are not allowed to perform any other official functions at an event.
4. For chefs d'equipe appointed to International FEI team competitions, refer to the FEI files for "Chef d'Equipe".



## **Article 118: Declaration of Starters**

1. In the case of any individual competition the Person Responsible, or their agent, must declare the entries by the time laid down by the OC in accordance with the Constitutional Rules and Regulations.
2. Chefs d'équipe must declare the entries for NCH, Area and Inter Island Team Competitions and the names of individual competitors, by the time laid down by the OC in accordance with the Constitutional Rules and Regulations.
3. In case of accident or illness to a member of the team and/or horse nominated for that competition, an individual competitor and or horse which has been entered for the event may be substituted not less than one hour before the start. The competitor and/or horse which has had to withdraw may not then start as an individual entry.

## **CHAPTER FOUR: PRIZES AND EXPENSES**

### **Article 119: Allocation of Prizes**

1. The number of prizes offered for each competition will be decided by each Discipline.

### **Article 120: Distribution of Prizes**

1. The full number of prizes shown in the event schedule, at NCH and HOY must, and at all other events should, if at all possible, be distributed unless fewer competitors have taken part in the competition than the number of prizes allocated. Under these circumstances the provisions of the event schedule in the competition must apply. Any prizes remaining undistributed revert to the OC, unless the event schedule has been changed and made public.
2. If prize money is to be distributed after the event, a statement to this effect must be made in the event schedule, otherwise prize money must be distributed to the person responsible or chefs d'équipe not later than immediately after the last competition of the event, provided they have met all their financial and other obligations to the OC.
3. Prizes for a competition may not be distributed while any Protests or appeals relating to that competition are under consideration.
  - 3.1. All prize money is to be withheld from a horse or rider that has been tested for forbidden substances until the test is proved negative.

## **Article 121: ESNZ Trophies**

1. Trophies owned by ESNZ can only be accepted for presentation after approval by ESNZ. All trophies owned by ESNZ will be displayed at the relevant event, presented to the winners and returned to ESNZ for engraving at the expense of ESNZ and safe keeping until the following year's event. (Annex B).
2. Permanent trophies will be presented to the winners of individual national competitions as decided by ESNZ and published in the SR's detailing the procedure for running NCH and HOY. Permanent trophies will be supplied and engraved with the name of the competition at the expense of ESNZ (Annex B).

## **Article 122: Competing Overseas Contractual Arrangements**

1. When the preparation for and/or competing of a rider and/or horse representing New Zealand in an international competition is wholly or partially funded by ESNZ, or by funding arranged and/or distributed by ESNZ, the rider is required to sign a contract based on the terms and conditions as may be determined by ESNZ.
2. The application of prize money won by a competitor or horse while representing New Zealand overseas or in New Zealand will be decided by ESNZ, and the chef d'équipe (if one is appointed) in consultation with the owner prior to the departure of the team or individual for the competition or event.
3. If a horse participating in an IE or competition representing NZ is sold while overseas, delivery to the purchaser must not be made until completion of the last competition of the relevant tour.

## **CHAPTER FIVE: ELIGIBILITY AND SPONSORSHIP**

### **Article 123: Membership, Good Standing and Eligibility**

1. Subject to Article 105, all competitors competing in Sanctioned events must be a member of ESNZ and are therefore bound by the general rules and regulations of Equestrian Sports New Zealand Inc. Competitors must be one of the following:
  - 1.1. Full Member
  - 1.2. Full Member – Child (as per ESNZ membership form)

1.3. Full Member – Non-Competing Official/Volunteer

1.4. Introductory Member

2. A member must remain in good standing with ESNZ, A member in “good standing” is a status assigned to a Member when the Member:

2.1. Is a current Member of ESNZ;

2.2. Has no outstanding debts to ESNZ or any of its constituent parts including area groups;

2.3. Affirms their commitment to ESNZ’s vision, objectives and aims as reflected in the Constitution and General Regulations to which all Members are bound;

2.4. Works collaboratively to strengthen ESNZ;

2.5. Does not engage in any activities that put ESNZ in financial or structural jeopardy;

2.6. Does not engage in any activities that will bring discredit or disrepute to ESNZ;

2.7. Acts as an ambassador for ESNZ in a manner that ESNZ would welcome the member’s participation in overseas competitions representing New Zealand and ESNZ

3. A Member must abide by all provisions of the ESNZ Constitution, these General Regulations, the Code of Conduct, the Member Protection Policy, and applicable discipline by-laws or regulations, and/or any other rule, regulation, bylaw, policy, resolution, or determination of the ESNZ Board or any discipline Board.

A Member must not act in a manner unbecoming of a Member or prejudicial to the interests of ESNZ, or bring ESNZ or the sport of equestrian into disrepute.

## **Article 124: Sponsorship Agreements**

1. Competitors may enter a personal sponsorship agreement providing it complies with Annex E and Article 125.

2. Sponsorship is defined as the use or promotion of a product, service, trademark or recognised trading name or entity, in association with a rider or owner participating in an ESNZ event whether in the arena or on the grounds of the event.

3. All sponsorships must be known<sup>19</sup> to, and approved by, ESNZ. Where the

sponsorship is greater than \$8000 (in cash or kind) ESNZ will provide an agreement template for sponsorship that will ensure compliance with these regulations.

4. Sponsorship agreements may provide a competitor with financial assistance for preparation, and participation in international events. However, such agreements must not contravene the Constitutional Rules and Regulations and must conform to the NZOC sponsorship and selection requirements and the Olympic Charter and its by-laws. (Annex D).

## **Article 125: Advertising, Publicity and National Team Logos on Competitors, Equipment and Horses**

1. At all events (for regional and Olympic Games under the patronage of the OIC see Special Regulations for Equestrian Events at Olympic Games) competitors may carry the identification (name and/or logo) of the manufacturer of clothing and equipment as well as of sponsors as outlined below:
  - 1.1. While present in the competition area and during prize-giving ceremonies, names or logos identifying a non-sponsoring manufacturer of the clothing or equipment may appear only once per item of clothing or equipment and solely on a surface area not exceeding 3 cm<sup>2</sup> (maximum 1 cm high by 3 cm wide) for clothing and equipment.
  - 1.2. Identification of sponsors.
    - 1.2.1. Identification of sponsors only as an alternative to that of the manufacturer of clothing may appear only once on the upper cloth provided that such identification is not marked conspicuously for advertising purposes and it does not exceed 3 cm<sup>2</sup>.
    - 1.2.2. While present in the competition area and during the prize-giving ceremonies the name and/or logo of the athlete's sponsor(s), their team sponsor(s) and/or their NF's sponsor(s) may appear on a surface area not exceeding

- A. two hundred square centimetres (200 cm<sup>2</sup>) on each side of saddle cloth;
- B. eighty square centimetres (80 cm<sup>2</sup>) on each of the two sides of jackets or top garment at the height of breast pockets for jumping events, dressage events and for jumping and dressage tests of eventing;
- C. eighty square centimetres (80 cm<sup>2</sup>) (maximum 20cm high by 4cm wide) only once lengthwise on the left leg of the riding breeches during the jumping events and the cross-country and jumping tests of eventing. In any case, the surface area on the riding breeches should be dedicated to the visibility of the following only: the athlete's name, identification of the athlete's nationality, the name and/or logo of the athlete's sponsor(s), their team sponsor(s) and/or their NF's sponsor(s);
- D. sixteen square centimetres (16 cm<sup>2</sup>) on both sides of the shirt collar and of the hunting stock or centrally in the middle part of the collar on the ladies' blouses;
- E. Either two hundred square centimetres (200 cm<sup>2</sup>) on one arm of jackets or top garment or one hundred square centimetres (100 cm<sup>2</sup>) on each arm of jackets or top garment for the cross-country tests of eventing and endurance events;

1.2.3. The OC may display the name and/or logo of a competition and/or event sponsor(s) on members of the arena party and on the numbers worn by competitors and on stable rugs while present in the competition area and during the prize-giving ceremonies at ESNZ events. The size of name and/or logo on the competitor's number shall not exceed 100 cm<sup>2</sup>.

- 2. No advertisement or publicity other than logos defined in Article 125.1 may be displayed on any competitor, official or, horse while present in any competition arena or during the competition.
- 3. The logos of personal sponsors, or the logo of an event sponsor may be displayed on stable rugs which may be put on horses while present in the competition area. At the presentation of prizes, however, only the logo of an event sponsor may be displayed.
- 4. Advertising may appear on obstacles and on the sides of the arena, providing any ESNZ agreement allows for it.
- 5. NZ representative badge as determined by ESNZ can only be carried on the saddle cloth when officially representing New Zealand. (Annex F).

6. Only competitors who have officially represented ESNZ can wear an NZ Flag Badge on their riding jacket. (Annex F).
7. Riders who are presented the New Zealand representative badge may wear the fern on their riding jackets.
8. For the purpose of this Article, the competition area shall include all areas where the athlete is being judged or his/her horse is undergoing a horse/veterinary inspection. It shall not include collecting rings, the “start and finish box” in eventing, the holds at the veterinary gates in an endurance event.

## **Article 126: Olympic and Regional Games under the Patronage of the IOC**

1. Only competitors who satisfy the conditions laid down in the Regulations and the Olympic Charter and its By-laws may be entered for the Olympic and Regional Games under the patronage of the IOC (Annex D).

## **CHAPTER SIX: HORSES**

### **Article 127: Age Definition and Classification of Horses and Ponies**

1. The minimum age for any horse entered in any event will be determined by the Discipline Board.
2. To compete as a pony in competitions under the Constitutional Rules and Regulations the pony must measure 148cm or under. The owners must be in the possession of an annual or life measurement certificate issued by the Royal Agricultural Society for that pony. A copy of this must be lodged with ESNZ on the pony's file to complete the process.
3. Classification of the height of a pony is up to and not exceeding 148cm. Once a pony is registered with ESNZ it may, if its height changes, be re-registered as a horse, with a current height certificate provided to prove it is now a horse (ie exceeding 148cm). However, once re-registered as a horse it cannot be registered again as a pony.
4. Classification of a horse is height over 148cm. Once a horse is registered with ESNZ it may, if its height changes, be re-registered as a pony, provided it has a current RAS Height Certificate or Life Certificate. However, once re-registered as a pony it cannot be registered again as a horse
5. Once a horse/pony has been measured and issued with a Life Height Certificate, it cannot be registered as a different height to what the Life Certificate shows.

## **Article 128: Horse Identification and Registration**

1. For all new horses/ponies registered with ESNZ, ID pages which can now be completed by the rider, owner or person responsible providing they are over 18 years of age.
2. Identification papers must include the full name, address and signature of the owner/s, the description of the Horse and diagram must be accurately completed by the Person Responsible. If ever the name of the Horse is changed or any pertinent changes are made, the Person Responsible must return the identification papers to ESNZ. Sports/disciplines will, in agreement with ESNZ, determine any additional equine identification requirements that may be required for certain competitions. All new FEI horse registrations require the horse to be microchipped.
3. The Person Responsible for a Horse at an Event is responsible for the accuracy of their identification papers and keeping accurate results records for each Discipline. It must be available for inspection when required by an official of ESNZ or the OC.
4. A horse may only have one Identification Paper. If ESNZ is satisfied that an identification paper has been lost, it may issue a new one clearly marked 'duplicate' and bearing the same number as the original Identification Paper.
5. The President of the GJ may arrange for random inspections of the horse's identification papers, particularly those horses that win prize money, so the horses concerned can be positively identified. Every case of misleading or inaccurate information on an identification paper, or if the horse cannot be positively identified, must be reported to ESNZ, giving the number of the identification paper and the name of the horse and person responsible.
6. When a horse dies the identification papers may be retained by the owner, but must be first sent to ESNZ for cancellation.
7. Details of registration for the grading and/or classification of horse in each discipline are provided for in the Discipline Rules.
8. ESNZ shall maintain and be responsible for a register of horses for all disciplines in New Zealand.
9. Prizemoney, vouchers and rewards of any kind shall be withheld until the person responsible produces horse identification papers.
10. ESNZ reserves the right, without giving any reason, to refuse to register any horse or to refuse to renew the registration of any horse.

## Article 129: Names of Horses

1. When applying for registration of a horse or pony at least three names ranked in preference must be given. These names must be distinct and cannot be variations of the same name spelt differently. Example: Cool Cat, Kool Kat, Cool Kat.
2. Horse cannot be registered as trademarked names. This is an FEI rule. Example: Cadbury, NZ made, Nike.
3. There are certain horse names which may never be re-used even if the horse is retired or deceased. These names have been given exclusive rights if the horse has made significant achievements usually relating to Olympic Games or World Equestrian Games. Example: Charisma, Reddy Teddy. ESNZ maintains a list of significant names on file.
4. Phonetic “Lingo” can be used in names. When registering a horse with a phonetic name the owner must outline the actual word they would like protected. Example: Deviate would be the protected word when registering the phonetic name of DV8.
5. Names other than English will be checked for the meaning.
6. Horses that have been registered with another recognised breed society must be ESNZ registered using the same name. Where the name exists already, a trailing number may be added. This rule also applies to horses being imported into New Zealand. Breed Society certificate/papers must accompany the registration form.
7. Horses must retain any Prefix/Suffix unless permission is given by prefix/suffix owner for it to be removed (refer points 12-14).
8. All new horses, change name and hold name applications will be vetted by two-three ESNZ staff members.
9. ESNZ reserves the right to refuse to register any horse under any particular name.
10. The use of notable people’s names can be used with the written permission of the person concerned or their families.
11. Equine names that have been unregistered for five years or more, or 10 years or more if results on record, will be released for use. The primary owner on file will be contacted and given the option to re-register the equine within two weeks.
12. Stable Prefix/Suffix  
This is a prefix given to members who have named their property or stable and wish their horse/s to be associated with the stable/property name. Stables can register a prefix/suffix for a one-off fee to be set from time to time



by the Board. The prefix/suffix will be retained for the duration of the life of horse/s with that prefix/suffix. ESNZ will not accept a change of name of a horse with a breeder/stud prefix/suffix, unless application is received from the registered breeder/stud and in accordance with point 129.6 above.

**13. Breeder/Stud Prefix/Suffix**

A prefix or suffix shall be given to a horse/s bred by breeders and studs. Breeders/studs can register a prefix/suffix with ESNZ for a one-off fee, to be set from time to time by the Board. The prefix/suffix will be retained for the duration of the life of the horse/s with that prefix/suffix. ESNZ will not accept a change of name of a horse with a breeder/stud prefix/suffix, unless application is received from the registered breeder/stud and in accordance with point 129.6 above.

**14. Commercial Prefix/Suffix**

A commercial prefix/suffix will only be given when ESNZ approves a cash sponsorship of a rider/s by a registered commercial company or product, of \$8000 as per Annex E, and compliance with Articles 124 and 125. The prefix/suffix will be retained for the duration of the sponsorship agreement

## **Article 130: Owners and Lessees**

1. Registrations are accepted on the understanding that the person or body making the registration is the bonafide owner, part owner or lessee of the Horse. ESNZ will accept no responsibility in cases of disputed ownership which must be settled by the parties concerned. A 'Change of Ownership' form must be completed and returned to the ESNZ office and the required fee must be paid to activate any changes of ownership.
2. ESNZ will keep a register of the owners of horses including multiple ownership. Changes of owners and records of leasing agreements must be entered in the identification papers and authenticated by ESNZ.
3. Some foreign federations require the disclosure of the total prize money won in each Discipline, it is the responsibility of the owners to record and provide this information.
  - 3.1. Failure to comply with the above requirements can prevent the horse competing overseas.
4. Leasing of horses is permitted.
  - 4.1. The form and duration of the lease agreement is a matter for the parties concerned, it does not require the approval of ESNZ.
  - 4.2. The member to whom the horse is leased is regarded in all respects by ESNZ as the official lessee.

- 4.3. The lease must be lodged with ESNZ and the required fee must be paid to activate any change of leases.

## **Article 131: Persons Responsible**

1. The person responsible for a horse has legal responsibility for that horse, including responsibility under the Constitutional Rules and Regulations.
2. It is the obligation of the “person responsible” and of every other person subject to the Constitution Rules and Regulations to know the relevant Constitution Rules and Regulations and lack of such knowledge does not relieve these persons from liabilities under the Constitution Rules and Regulations.
3. The person responsible shall normally be the competitor who rides or drives the horse during an event or in Vaulting the lungers. The owner may be regarded as an additional person responsible if they are present at the event or and / or exercises some control over the horse at the event depending upon the circumstances.
4. If the competitor is under 18 years of age, the person responsible for their horse is either a parent or guardian of the competitor, the Chef d'Equipe, the team coach, the team veterinarian or some other responsible adult. If the competitor fails to nominate the person responsible, any one or more of the owner, a parent of the competitor, the Chef d'Equipe, the team coach and the team veterinarian may be viewed as the person responsible.
5. The person responsible is responsible for selecting and entering qualified horses. This includes the fitness and capability of the horses to participate in the competitions for which they are entered (Article 114 Entries).
6. The person responsible, together with the Chef d'Equipe, if present, is responsible for the condition, fitness and management and for declaring or scratching of each and every horse under their control.
7. The person responsible is responsible for any act performed in the stables to any horse under their control, by themselves or by any other person with access to the horse, and is responsible while riding, driving or exercising any horse under their control. The person responsible is not relieved from such responsibility as a result of the lack of or insufficiency of stable security.
8. If, for any reason, the person responsible is unable or is prevented from caring for the horses under their control they must immediately notify the secretary of the OC.

# **CHAPTER SEVEN: PROTECTION OF COMPETITORS AND HORSES**

## **Article 132: Abuse of Horses**

1. No person may abuse a horse during an event or at any other time. “Abuse” means an action or omission which causes or is likely to cause pain or unnecessary discomfort to a horse, including without limitation any of the following (to be read in conjunction with the relevant discipline rules):
  - 1.1. To whip or beat a horse excessively;
  - 1.2. To subject a horse to any kind of electric shock device;
  - 1.3. To use spurs excessively or persistently;
  - 1.4. To jab the horse in the mouth with the bit or any other device;
  - 1.5. To compete using an exhausted, lame or injured horse;
  - 1.6. To “rap” a horse;
  - 1.7. To abnormally sensitise or desensitise any part of a horse;
  - 1.8. To leave a horse without adequate food, drink or exercise;
  - 1.9. To use any device or equipment which cause excessive pain to the horse upon knocking down an obstacle.
  - 1.10. Trimming a horse’s whiskers or inner ear hair (to be enforced from 2020)
2. Any person witnessing any form of a buse must report it in the form of a Complaint, either to the Ground Jury if at an Event, or to the ESNZ CRO if outside of an Event.

## **Article 133: Stallions at Events**

1. Stallions must be identified with ESNZ approved “Stallion Tags” at all times when at an event. These tags must be RED with a WHITE S. There must be a minimum of two tags, with one displayed on each side of the bridle or saddle pad (when ridden) or halter.
2. Stallions when led must be controlled by a bit attached to a lead, or chain over the nose attached to a lead. An attendant must have suitable experience in handling stallions.
3. Stallions must not be tied to trucks or floats unless they are also within an approved solid framed portable yard that is attached to the outside of the truck or float. It is recommended that stallions be confined in stables or suitable yards.
4. Stallions may be confined on a truck or float during the day at an event. If the ramp is down they must be<sup>27</sup> tied up within the vehicle and behind a

closed partition when confined in this manner.

5. When staying overnight at an event or show, stallions must be housed in appropriate stables or yards that have been allocated by the show organisers. Stallion owners must advise the show organiser when entering and booking horse accommodation that they are bringing a stallion.
6. A notice must be placed on the outside of the stable or yard clearly notifying others that the horse within is a stallion. It must also display the name and contact details (including cell phone number) for the rider or “person responsible” for the stallion during the event.
7. A discipline may require the rider or handler of a stallion to wear an ESNZ approved stallion armband; The colour of the armband will be red with a white stripe
8. A true Rig should be classified as a stallion when applying ESNZ rules

## **CHAPTER EIGHT: NATIONAL OFFICIALS**

### **Article 134: Steward General**

1. ESNZ must appoint a Steward General in order to maintain communication with the FEI on stewarding matters.
2. The Steward General must:
  - 2.1. attend an FEI seminar for Stewards General;
  - 2.2. direct and control the stewarding of all international events organised in NZ.

### **Article 135: Foreign Judges Judging in New Zealand**

1. Before a Foreign National Judge can officiate in NZ, under the Constitutional Rules and Regulations, their credentials will be checked by the Discipline concerned before their appointment is approved.
2. Should a Foreign National Judge become domiciled in NZ it will be at the discretion of the relevant Discipline should that person be permitted to be President of the GJ under that discipline’s rules.

## **Article 136: Disclaimer of Liability**

1. The organisers of any event and ESNZ and the agents, employees or representatives of these bodies will not be liable for any accident, loss, damage, injury or illness to horses, owners, riders, drivers, spectators, land or any other personal property whatsoever and howsoever that loss, damage, injury or illness may be caused.
2. All officials at an event are acting on behalf of ESNZ and will not be personally liable for decisions they are required to make in accordance with the Constitutional Rules and Regulations
3. For the purpose of Article 136, ESNZ national officials must be a minimum age of 18 and must be a financial member of ESNZ, as well as meeting any discipline requirements.

## **CHAPTER NINE: LEGAL SYSTEM**

### **Article 137: Preamble**

1. The legal and disciplinary regulations are made pursuant to the power to make such regulations contained in the ESNZ Constitution.
2. The power to establish judicial and disciplinary bodies is contained in the ESNZ Constitution. These regulations provide for the following:
  - 2.1. The powers functions and Jurisdiction of:
    - 2.1.1. Officials;
    - 2.1.2. The Ground Jury;
    - 2.1.3. The Complaints Review Officer;
    - 2.1.4. The Judicial Committee;
    - 2.1.5. The Appeal Committee; and
    - 2.1.6. The Sports Tribunal of New Zealand.
  - 2.2. A procedure for lodging protests and complaints.
  - 2.3. Penalties.
  - 2.4. A process for appeal where appeal rights are available.

# Equestrian Sports New Zealand - Ground Jury Flow Charts

## What type of issue is it?

### Protests

Can only be made, on the day, to the Ground Jury and before 60 minutes after completion of the relevant competition (with some exceptions regarding course set-up). \$50.00



Ground Jury to conduct an informal hearing that adheres to the principles of natural justice.



De novo (heard afresh) right of appeal to the Appeal Committee (where possible). \$100



A party can apply for review by Judicial Committee within 5 working days & \$500.  
  
Review only on process, natural justice, or substantial new evidence that was not available at the time.

## Complaints

(e.g. misconduct, abuse of officials, abuse of other competitors, conduct generally unbecoming of the sport – generally everything that can't be protested)

Did the conduct occur during an ESNZ event?

YES

Complaints can only be made during the event to the Ground Jury and before 60 minutes after the end of the event. \$50

Unless frivolous, vexatious, or completely without merit, the Ground Jury will conduct an informal hearing that adheres with the principles of natural justice.

Can be appealed to Appeal Committee within 60 minutes of decision & \$100

Appeal done afresh, informal, and adheres to principles of natural justice.

A party can apply for review by Judicial Committee within 5 working days & \$500.

Review only on process, natural justice, or substantial new evidence that was not available at the time.

NO

Can complain, within 10 working days, to ESNZ. ESNZ will refer to Complaints Review Officer. \$50

Unless frivolous, vexatious, or completely without merit, Independent CRO decides if complaint merits a CRO Caution or should go to Judicial Committee

Judicial Committee to hold a hearing (flexible – could be by video/audio), JC formed of 3 members of the Board-appointed independent Judicial Panel. Hearing to adhere to principles of natural justice. If complaint not upheld, complainant liable for costs up to \$500; if complaint is upheld the person the complaint is against is liable for costs up to \$500 (at the discretion of Judicial Committee)

Can appeal to Sports Tribunal on limited grounds

## Article 138: Conflict of Interest

1. In equestrian sports the participants and officials are often known to each other. Conflicts of interest must be identified and dealt with appropriately. It is important that any decision maker is as independent as possible, and conflicts of interests are minimised.

2. A decision maker (whether a member of the GJ, member of the Appeal Committee, Complaints Review Officer or member of the JC) must not participate in any decision making process if their duties in relation to that decision will involve a conflict of interest. The following Articles (Article 138.3-9) provide examples of conflict of interest which are not exhaustive and do not limit the generality of the nature of the Article.
3. The following persons must declare a conflict of interest and not participate in any related decision of a GJ or an Appeal Committee at an Event:
  - 3.1. The owners or riders of horses which are taking part in the Competition in relation to which the decision is being made;
  - 3.2. Chefs d'equipe, team officials, regular trainers and employers/employees of competitors taking part in the Competition in relation to which the decision is being made;
  - 3.3. Grandparents, parents, siblings, grandchildren or children of owners, competitors, Chefs d'Equipe or team officials taking part in the Competition in relation to which the decision is being made;
  - 3.4. Persons having a financial or personal interest in a horse or competitor taking part in the Competition in relation to which the decision is being made.
4. Except as provided by the Discipline Rules, a Technical Delegate, Course Designer or Veterinary Official at an Event may not be a member of a GJ or Appeal Committee.
5. Members of the GJ may not serve on the Appeal Committee and vice versa at an Event.
6. A member of the GJ or Appeal Committee in relation to a matter at an Event may not take part as a member of the Judicial Committee or serve as an arbitrator of the Sports Tribunal of New Zealand at a hearing relating to a decision taken by them on that matter or at that Event.
7. A team veterinarian or individual private veterinarian may not act as a veterinary delegate or a member of the veterinary commission or compete at the same Event.
8. The Veterinary Delegate or any member of the Veterinary Commission may not act as a Team Veterinarian or compete at the same Event.
9. No person or body may hear an appeal from a decision or order made by that person or body.
10. In exceptional circumstances and in order to promote the best interests of the sport, the Board may permit deviations from the provisions of Article



138. If the Board does take such action under this Rule 10, the Board will publicise full written reasons for doing so.

11. All officials should declare any actual or potential conflict of interest. The decision as to whether an official has a conflict of interest shall be made by the President of the GJ, the Chairperson of the Appeal Committee or Chairperson of the JC, as applicable.

## **Article 139: Ground Jury and Appeal Committee – Judicial Duties and Process**

1. The judicial role of the GJ is to promptly and fairly deal with matters and issues that are directly connected with a Competition or Competitions at an Event that may affect the outcome or result of the Competition or Competitions at an Event and therefore require timely consideration and resolution,.
2. The judicial role of the Appeal Committee is to hear appeals from a judicial decision of the GJ.
3. The jurisdiction of the GJ and Appeal Committee begins one hour before the start of the first Competition, or at the commencement of the event, as specified in the schedule and extends until 60 minutes after the conclusion of the last Competition at an Event, unless the GJ is required to hear a protest under Rule 15 of this Article 139 in which case the GJ will have jurisdiction to hear that protest and the Appeal Committee will have jurisdiction to hear an appeal from the GJ's decision regarding that protest.

### **Matters Other than Matters under Protest or Complaints**

4. The GJ may have any matter brought to its attention by any person or may observe a matter concerning the operation of the Event, other than a matter which is under protest or which is a Complaint. In relation to these matters the GJ may, during the period of its jurisdiction, take any or all of the following actions:
  - 4.1. Investigate at the GJ's sole discretion;
  - 4.2. Hold a meeting of the parties. If the GJ determines that a hearing is necessary, the hearing will be conducted as per Rules 9.1-9.11 of this Article.
  - 4.3. Decide the matter and/or take such steps as the GJ considers are appropriate to remedy or dispose of the matter; and or
  - 4.4. Impose such penalties as set out in Rule 24 of this Article.

The result of any such investigation/action must be issued in written form to all affected parties.

Subject to Rule 37, any decision made by the GJ under Rule 4.3 and/or 4.4 of this Article may be appealed by an affected party to the Appeal Committee (see Rules 32-37).

## **Complaints**

5. The GJ shall have power to receive and determine a Complaint against any competitor, ESNZ Member or any Official where the conduct that is the subject of the Complaint occurred during the Event and is not a matter that could be protested under Rule 11 of this Article.
6. A Complaint must be received by the GJ in writing, and prior to 60 minutes after the end of the Event.
7. The GJ may investigate the Complaint at the GJ's sole discretion.
8. Should any member of the GJ have a conflict of interest, the President of the GJ may appoint a suitable replacement. If the President has a conflict, the remaining members of the GJ shall appoint a suitable replacement.
9. If the GJ determines that the Complaint is frivolous, vexatious, trivial, or without merit, the GJ must dismiss the Complaint. If the GJ does not make such determination the GJ must hold a hearing:
  - 9.1. All affected parties must be invited to the hearing and given the opportunity to be heard.
  - 9.2. No party at the hearing may be represented by parent, counsel, or agent unless the party is under the age of 18 in which case a parent or guardian is permitted, or the GJ allows representation (for example a competitor with a speech impediment or a competitor who does not speak English).
  - 9.3. Hearings may be conducted as informally as the GJ determines, but must give each party a fair opportunity to be heard.
  - 9.4. The GJ must receive and consider any information put to it by an affected party and is not bound by the rules of evidence.
  - 9.5. Affected parties are entitled to call witnesses to give evidence.
  - 9.6. The GJ, in its discretion can compel a Member to give evidence.
  - 9.7. The hearing may be recorded and evidence may be committed to writing, at the discretion of the GJ.
  - 9.8. The standard of proof on all questions to be determined by the GJ shall be on the balance of probabilities. [For example, if it was more likely than not that competitor breached a rule then the standard of proof has been met].
  - 9.9. The decision of the GJ must (even if announced verbally) be recorded in writing and issued to all affected parties, the relevant Discipline Committee, and ESNZ as soon as practicable.
  - 9.10. A decision of the GJ may include penalties as set out in Rule 24 of this Article.

- 9.11. A decision of the GJ may be unanimous or by majority vote. No member of the GJ may abstain from any decision.
10. Subject to Rule 37, any decision made by the GJ under Rules 9.9 and 9.10 of this Article may be appealed by an affected party to the Appeal Committee (see Rules 32-37).

## **Protests**

11. The GJ shall have the power to receive and determine any of the following protests received during its period of jurisdiction:
- 11.1. Protests relating to a breach of Discipline Rules or By Laws and/or ESNZ Regulations by a competitor while riding and competing in an Event (for the avoidance of doubt this is conduct that could not be the basis of a Complaint).
  - 11.2. Protests relating to the eligibility of a competitor for a Competition or Event.
  - 11.3. Protests relating to the eligibility of a horse for a Competition or Event.
  - 11.4. Protests relating to the eligibility of any combination of horse and rider for a Competition or Event.
  - 11.5. Protests to an obstacle, or to the plan or length of a course for a jumping Competition.
  - 11.6. Protests relating to the cross country course or obstacles at an Event.
  - 11.7. Protests relating to the classification of a Competition.
  - 11.8. Protests relating to Article 3 of the VRs.
- 12 There is no Protest against:
- a Decisions of the Ground Jury arising from the field of play, which are final and binding, such as, but not limited to:
    - (i) where the Decision is based on a factual observation of performance during a Competition or the awarding of marks for performance;
    - (ii) whether an obstacle was knocked down; whether a Horse was disobedient; whether a Horse refused at an obstacle or knocked it down while jumping;
    - (iii) whether an Athlete or Horse has fallen;
    - (iv) whether a Horse circled in a combination or refused or ran out;
    - (v) the time taken for the round;
    - (vi) whether an obstacle was jumped within the time; and/or
    - (vii) whether, the particular track followed by an Athlete caused him/her to incur a penalty under the applicable Sport Rules.
  - b The Elimination or Disqualification of a Horse for veterinary reasons, including nonacceptance of a Horse at a Horse Inspection unless otherwise specified;
  - c The Elimination or Disqualification of an Athlete for medical

reasons/fitness to compete.

13. For a Protest to be valid it must:

- 13.1. be made by a competitor who has competed in the specific Competition from which the protest ensues, or that competitor's representative when the competitor making the protest is incapacitated or is under the age of 18;
- 13.2. be submitted to the GJ in writing and accompanied by a fee of \$50.00. The fee can be paid in cash or as a cheque;
- 13.3 reference the relevant Rule alleged to have been infringed from the ESNZ Regulations and/or the Discipline Rules or By-Laws; and
- 13.4 subject to Rules 14 or 15 of this Article, be submitted to the GJ no later than 60 minutes after the completion of the Competition from which the protest ensues. For the purposes of this Rule, the GJ is the sole judge of time.

- 14. Protests concerning an obstacle or the plan or length of the course for a jumping Competition must be lodged no later than 15 minutes before the start of the Competition.
- 15. Protests concerning the cross-country obstacles or course in Eventing, or the Course in Endurance must be lodged no later than 6pm on the day before the relevant Competition.
- 16. At all Events, all Officials must be available until the deadline for the lodging of a protest, as determined by the President of the GJ, has passed. If a protest is lodged before this deadline, all Officials must, if required, remain available to assist in relation to the hearing of the protest and any appeal to the Appeal Committee.
- 17. On receipt of a protest the GJ will immediately inform the organizer of the Event. If the protest could potentially affect the result of a class, the official result will immediately be deemed under protest and no prize money, trophies, and other awards from the affected class shall be awarded until the protest is finally determined including exhaustion of the appeal process.
- 18. Protests are determined by the GJ. Should any member of the GJ have a conflict of interest, the President of the GJ may appoint a suitable replacement. If the President has a conflict, the remaining members of the GJ shall appoint a suitable replacement. The President, or if the President is replaced then a member of the GJ as determined by the GJ, will be the chair of the GJ.

19. The GJ will hold a hearing as soon as possible.
  - 19.1. The hearing will be conducted as per Rules 9.1 to 9.11 of this Article.
20. If the protest is upheld, the protest fee will be refunded. Otherwise the protest fee is to be forwarded to ESNZ.
21. If, after dealing with the protest, the GJ is of the opinion that the matter, issue or events that gave rise to the protest are sufficiently serious or potentially have wider implications or ramifications for the sport of equestrian, it may order that the protest be referred to the Judicial Committee for further consideration notwithstanding the fact that the GJ has dealt with the protest. No fee will be payable by any affected party for this referral.
22. Subject to Rule 37, a decision made by the GJ under Rule 19 of this Article may be appealed by an affected party to the Appeal Committee (see Rule 32-37)
23. If no Appeal Committee is available at an Event decisions of the GJ may be reviewed by the Judicial Committee under Article 141.

## **Penalties**

24. A determination of the Ground Jury under this Article may include such order or orders as the GJ considers appropriate in the circumstances. Where the GJ determines a penalty is appropriate the GJ may impose one or more of the following penalties:
  - 24.1 A verbal warning, written caution, or Official Warning;
  - 24.2 A fine;
  - 24.3 Deduction of points;
  - 24.4 Re-orderings of placings in the Competition;
  - 24.5 Disqualification from the entire Event or Competition or Competitions within the Event;
  - 24.6 Suspension from participation at that FEI or ESNZ Event.
  - 24.6 If the protest is regarding Article 3 of the VRs, the GJ may exclude a competitor from any further participation in a Competition or Event as set out in Article 3 of the Veterinary Regulations and/or disqualify a horse as set out in Article 3 of the VRs; and/or
  - 24.7 Any other penalty the GJ considers appropriate in the circumstances.
25. In deciding on the appropriate penalties to be imposed, the following factors shall be taken into consideration, together with any other relevant factors:
  - 25.1 Whether the action or omission<sup>37</sup> resulted in an unfair advantage to the

offender or a competitor;

- 25.2 Whether the action or omission resulted in a material disadvantage to any other person or body involved;
  - 25.3 Whether the action or omission involved the maltreatment of horses;
  - 25.4 Whether the action or omission affected the dignity or integrity of any person involved in the sport;
  - 25.5 Whether the action or omission involved fraud, violence or abuse or any criminal acts; and/or
  - 25.6 Whether the action or omission was deemed to be deliberate.
26. In cases of a less serious nature and without significant consequences, an oral warning, a written caution, or Official Warning will be appropriate.
27. A fine is appropriate particularly in cases where the offender has acted negligently.
28. Disqualification is appropriate when it is specified in the relevant Rules, Constitution, By-Laws or Discipline Rules or if the circumstances require immediate action:
- 28.1 Disqualification from a Competition means that the competitor and horse or horses concerned - even should they change ownership are removed from the list of starters and the classification, and includes the forfeiture of prize money won in that particular Competition.
  - 28.2 Disqualification from an Event means that the competitor and horse or horses concerned - even should they change ownership - may take no further part in that Event and it may include the forfeiture of any prize money won in previous Competitions at that Event where this is provided for in the Constitution Rules and Regulations.
29. A suspension (which may be on specified terms and subject to conditions) is appropriate in cases of intentional or very negligent violations or contravention. In certain cases suspension may be automatic under the relevant Rules, Constitution, By-Laws, or Discipline Rules.
- 29.1 Suspension must be for a stated period and during that period the person or body suspended may take no part in Competitions or Events as a competitor or official or in the organisation of, or participation in, any event under the jurisdiction of the FEI or any Event under the jurisdiction of ESNZ in accordance with any ESNZ or FEI rules.
  - 29.2 In deciding when any suspension will commence, the appropriate body shall, in order to achieve a just penalty, have regard to the gravity of the offence.
30. Notwithstanding anything to the contrary indicated in Rules 24-29 of this Article above, the penalties listed below shall be imposed in the following cases:
- 30.1 The finding on analysis of a Prohibited Substance as defined in Article 3 of the VRs is presumed to be a deliberate attempt of the person

responsible to affect the performance of the horse and will entail at a minimum the disqualification of the competitor and the horse from the Event, the forfeiture of any prize money and suspension for 3 months or longer and may entail the possibility of a fine. But if the person responsible can prove (on the balance of probabilities) that it was not a deliberate attempt to affect the performance of the horse the suspension and fine will be discretionary.

30.2 In cases of Article 152 & Article 3 of the VRs a fine and / or suspension may also be imposed.

31. Before imposing a penalty, the decision-maker must give all affected parties the opportunity to make submissions on penalties. The decision maker may as it thinks fit give this opportunity either before or after making its decision on the substance of the proceeding.

### **Appeals to the Appeal Committee**

32. Subject to Rule 37, a decision by the GJ under Rules 4.3, 4.4, 9.9, 9.10, and/or 19 of this Article may be appealed to the Appeal Committee.

33. For an appeal under Rule 32 to be valid it must:

33.1. be made by a party affected by the relevant decision, or that party's representative when the competitor making the protest is incapacitated or is under the age of 18;

33.2. be submitted to the Appeal Committee in writing and accompanied by a fee of \$100.00. The fee can be paid in cash or as a cheque;

33.3 refer to the grounds of the appeal; and

33.4 be submitted to the Appeal Committee no later than 60 minutes after the relevant decision of the GJ was notified to the affected parties.

34. Any appeal is to be conducted on a de novo basis (i.e. it is heard afresh). The Appeal Committee will hold an appeal hearing as soon as possible. The Appeal Committee may hold the hearing by teleconference or videoconference and it does not need to be physically present at the Event.

34.1. All affected parties must be invited to the appeal hearing and given the opportunity to be heard.

34.2. No party at the appeal hearing may be represented by a parent, counsel or agent unless the party is under the age of 18, in which case a parent or guardian is permitted or the Appeal Committee allows representation (for example a rider with a speech impediment or a rider who does not speak English).

34.3 Appeal hearings may be conducted as informally as the Appeal Committee determines, but must give each party a fair opportunity to be heard.

34.4 The Appeal Committee must receive and consider any information put to

it by an affected party and is not bound by the rules of evidence.

34.5 Affected parties are entitled to call witnesses to give evidence.

34.6 The Appeal Committee, in its discretion, can compel any Member to give evidence.

34.7 The appeal hearing may be recorded and evidence may be committed to writing, at the discretion of the Appeal Committee.

34.8 The decision of the Appeal Committee must (even if announced verbally) be recorded in writing and issued to all affected parties, the relevant Discipline Committee, and ESNZ.

34.9 A decision of the Appeal Committee may be unanimous or by majority vote. No member of the Appeal Committee may abstain from any decision.

34.10 The standard of proof on all questions to be determined by the Appeal Committee shall be on the balance of probabilities. [For example, if it was more likely than not that competitor breached a rule then the standard of proof has been met].

34.11 After hearing an appeal the Appeal Committee may:

34.11(a) Dismiss the appeal;

34.11(b) Allow the appeal in whole or in part;

34.11(c) Vary, add to, or remove any orders imposed by the GJ; and/or

34.11(d) Vary add to, or remove any penalties imposed by the GJ.

35. If the appeal is upheld, the appeal fee will be refunded. Otherwise the appeal fee is to be forwarded to ESNZ.

36. Subject to Rule 37 of this Article, a decision of the Appeal Committee under Rule 34 may only be reviewed by the Judicial Committee.

37. There is no appeal against decisions of the GJ or right of review of a decision of the Appeal Committee in the following situations:

37.1 Where the question for decision is a factual observation of performance during a Competition or the award of marks for performance; Examples (which are not exhaustive): whether an obstacle was knocked down, whether a horse was disobedient, whether a horse refused at an obstacle or knocked it down while jumping, whether a rider or horse has fallen, whether a horse circled in a combination or refused or ran out, what was the time taken for the round, or whether an obstacle was jumped within the time; whether, according to the Discipline Rules, the particular track followed by a competitor has caused the competitor to incur a penalty.

37.2 The elimination of a horse for veterinary reasons, including non-acceptance of a horse at a horse inspection.



## **Time of Implementation of Decisions**

38. Decisions against which there cannot be an appeal shall be effective from the date and / or time as applicable of the notification to the persons or bodies concerned.
39. Decisions to which the parties concerned have formally renounced their right of appeal, shall become effective on the date when the renunciation reaches ESNZ.
40. Judicial decisions taken by GJs, Appeal Committees and JCs shall be effective immediately.
41. Any fine imposed under the Constitutional Rules and Regulations will automatically entail suspension of the competitor concerned from competing in Competitions and Events under the jurisdiction of ESNZ and/or FEI until such fine is paid. Should an appeal against the imposition of a fine be upheld, the fine will be refunded.

## **Article 140: Complaints Review Officer**

1. Complaints occurring outside of the jurisdiction of the GJ will be referred to the ESNZ Complaints Review Officer (CRO) if, no later than 10 working days after the alleged incident, the Complaint:
  - a. is submitted in writing to ESNZ on the official Complaint form and signed by the complainant (or by a parent or legal guardian in the case of a complainant under the age of 18) and accompanied by a fee of \$50.00. The fee can be paid by cash or by cheque and will be refunded if the Complaint is upheld either in full or in part; and
  - b. sets out the grounds of the Complaint.
2. To avoid doubt, if a Complaint involves conduct that occurred within the period of the GJ's jurisdiction at an Event, then it may only be dealt with under Article 139. or Rule 2(g) of Article 141.
3. With the leave of the CEO of ESNZ, a Complaint under Rule 1 of this Article may be referred to the CRO if the Complaint is received outside of the 10 working day period. Leave under this Rule shall be given only in exceptional circumstances.
4. When a Complaint is validly received by ESNZ, ESNZ shall immediately refer the Complaint to the CRO.

5. If the CRO determines the Complaint is frivolous, vexatious, trivial or otherwise without merit he/she must dismiss the Complaint. If the CRO does not make such determination the CRO must either:
  - a. if the Complaint relates to conduct of a less serious nature and without significant consequences and the person who is the subject of the Complaint has not within the period of 6 months preceding receipt of the Complaint received a CRO Caution, notify ESNZ that a CRO Caution should be issued by ESNZ to the subject of the Complaint; or
  - b. in all other cases notify ESNZ that the Complaint should proceed to a hearing before a JC.
6. The CRO may seek a brief response from the subject of the Complaint prior to his/her decision.
7. No reasons need be given by the CRO for his/her decision.
8. There is no right of appeal against any decision made by a CRO.

## **Article 141: Judicial Committee**

### **Composition of JC**

1. ESNZ shall appoint three members from the Board-appointed Judicial Panel as needed to form a JC, one of whom shall be a Barrister and Solicitor of the High Court and who will act as Chairman of the JC. No member of the Judicial Panel may be employed by ESNZ or a member of ESNZ's Board.

### **Jurisdiction**

2. The JC has jurisdiction to hear:
  - a. a request for a review from any person or body affected by a judicial decision of a GJ under Rules 4, 9 or 19 of Article 139 (see Rules 4 and 5 of this Article 141) where no Appeal Committee was available to hear an appeal;
  - b. a request for a review from any person or body affected by a judicial decision of an Appeal Committee under Rule 34 of Article 139 subject to the exceptions in Rule 37 of Article 139;
  - c. a protest referred to the JC by the GJ under Rule 21 of Article 139;
  - d. a selection dispute as per the National Selection SR;
  - e. a complaint referred to the JC by the CRO under Article 140;

- f. a matter referred to it by ESNZ under Article 143;
- g. a recreational drug or alcohol matter referred to it by ESNZ under the ESNZ Recreational Drug and Alcohol Policy; or
- h. any other matter as determined by the CEO of ESNZ in his/her sole discretion. To avoid doubt, this includes, but is not limited to, conduct, which has not been the subject of a Complaint, that occurred within the period of the GJ's jurisdiction at an Event

### **Review of GJ or Appeal Committee Judicial Decision**

3. Rules 4-5 of this Article are to be read in accordance with the remainder of this Article.
4. A request for review by any person or body affected by a judicial decision of a GJ (where no Appeal Committee was available at the Event to hear an appeal) or an Appeal Committee under Rules 9.9, 9.10, 19 or 34 of Article 139 will proceed to a hearing in front of the JC if, no later than 10 working days after the date that the decision of the GJ or Appeal Committee was issued, the notice of request for review:
  - a. is in writing and signed by a party affected by the decision of the GJ or Appeal Committee and submitted to ESNZ;
    - i. it can be submitted and signed by a legal guardian in the case of a party under the age of 18.
  - b. sets out the grounds of review (as per Rule 5 of this Article); and
  - c. is accompanied by a filing fee of \$500 paid by cash or cheque or a bank transaction confirmation that \$500 has been paid by direct credit to the ESNZ bank account.
5. The role of the JC when reviewing a decision is to:
  - a. review the process used by the GJ or Appeal Committee (the decision-maker) to reach the decision to which the review relates;
  - b. determine whether there were procedural errors or flaws in the decision maker's process;
  - c. determine whether the decision-maker's decision breached principles of natural justice;
  - d. determine whether, in law, it was not open to the decision-maker to reach the decision reached or the decision was not one that the decision-maker, acting reasonably could make; and
  - e. determine whether there is substantial new evidence, which was not available at the time of the decision-maker's hearing (for the

avoidance of doubt, if the evidence was available but was simply not presented at the initial hearing, this is not “new evidence”).

6. If the JC makes a decision under Rules 5(b), 5(c), 5(d) or 5(e) of this Article against the decision-maker, the JC will consider the matter on its merits and:
  - a. affected parties will be entitled to make submissions regarding these merits; and
  - b. the JC may impose penalties as per Rules 24-31 of Article 139.

### **Initial Process**

7. Once ESNZ receives valid proceedings that fall within the JC’s jurisdiction ESNZ will:
  - a. appoint three members of the Judicial Panel to the JC;
  - b. if ESNZ considers it appropriate to do so, deem the relevant results of a Competition to be under review and no prize money, trophies, and other awards from the affected specific Competition shall be awarded until the review is finally determined including exhaustion of the appeal process;
  - c. forward the details of the matter (including the Notice of Review or Complaint and any supporting material if applicable) to the JC and all affected parties as soon as practicable;
  - d. inform all affected parties that they may make submissions to the JC whether in writing or otherwise and may attend the hearing;
  - e. in the case of a review under Rules 3-6 of this Article, inform the parties that they should also be prepared to make submissions on the merits of the matter;
  - f. schedule a time, date, and venue (if applicable) for the hearing. All parties must receive at least 5 working days’ notice of the time, date, and venue (if applicable), unless ESNZ, in its discretion, determines that exceptional circumstances exist that mean the hearing should be held earlier;
  - g. immediately circulate any submissions or evidence received from an affected party to all other parties including the JC.

## **Procedure at Hearings**

8. Except as otherwise provided in the ESNZ Constitution or this Chapter 9 a JC may determine its own practices and procedures. However in each case, the JC shall ensure that any affected party has a reasonable opportunity to be heard and present their case, and shall ensure that all proceedings are determined in accordance with the principles of natural justice.
9. The JC must elect a Chairperson.
10. Hearings may be conducted via any form of audio or video conference at the discretion of the JC. A party or witness may be connected to the hearing via any form of audio or video conference.
11. The non-attendance of a party at a hearing in respect of which that party has received notice shall not prevent the matter being dealt with in their absence.
12. The Chairperson shall explain the procedure. Usually, the party bringing the proceedings will speak first, followed by a party in respect of whom the proceedings are brought against, and then any other affected party.
13. Any hearing may be adjourned as and when the JC thinks fit.
14. Each party may be represented or assisted in any proceedings. If the proceedings involve a person under the age of 18, they may have a parent or legal guardian present, in addition to a representative of their choice, with both the parent/legal guardian and the representative having speaking rights.

## **Evidence**

15. The JC has the power to receive, permit or allow any evidence and may inquire into the subject matter of any proceeding as it thinks fit, and is not bound by the rules of evidence, and may at its discretion:
  - a. receive as evidence any statement, document, information or matter that may in its opinion assist it to deal effectively with the proceedings;
  - b. permit any person to appear as a witness;
  - c. permit any person to give their evidence in writing;
  - d. inspect and examine any papers, documents, or records; and/or
  - e. require any Member to produce for examination any papers, documents, records, or things in that person's possession or under that person's control to allow copies of, or extracts from, it to be made.

## **Decisions**

16. A decision of the JC may be unanimous or by majority vote. No member of the JC may abstain from any decision.
17. The standard of proof on all questions to be determined by the Judicial Committee shall be on the balance of probabilities. [For example, if it was more likely than not that Member A verbally abused Member B then the standard of proof has been met].
18. All decisions of the JC shall be issued in writing, with reasons, to the parties and ESNZ, as soon as possible after the conclusion of the Judiciary Committee's deliberations.
19. Any decision of the JC shall be enforceable in the courts of New Zealand by any party to the proceeding or any beneficiary of any order made. [One example is recovery of a fine].
20. A JC shall be entitled to:
  - a. Dismiss the proceedings at any stage; or
  - b. Make an order to impose a penalty pursuant to Rule 29 of this Article.
21. In addition to its decisions the JC may also make non-binding recommendations to the Board, ESNZ, or any party to the proceedings.
22. ESNZ may, in its discretion, publish notice of the JC's decision including particulars of names and penalties.
23. A party to a hearing before the JC may appeal the decision of the JC to the Sports Tribunal of New Zealand in accordance with Article 142.

## **General Matters**

24. All information received by the JC, and its deliberations, shall be kept confidential except as required by law or as determined pursuant to Rule 22 of this Article.
25. Any member of the JC who considers they may have a potential conflict of interest in determining a proceeding shall declare that potential conflict of interest to ESNZ and if ESNZ considers it appropriate to do so, ESNZ may replace that member with another member from the Judicial Panel.
26. No member of the JC will be liable for any act done or omitted to be done by any member of the JC in good faith in accordance with the functions, duties, and/or powers of the JC.
27. Every party involved in a proceeding shall bear their own costs, including any costs of attendance at a hearing. However, the JC may, at its

discretion, refund all or part of the fee referred to in Rule 4(c) of this Article.

28. To assist efficiency a JC must hold the hearing within 4 weeks of the proceedings being referred to it, however this time frame may be extended in circumstances as determined by the JC.

## **Penalties**

29. Before imposing a penalty, the JC must give all affected parties the opportunity to make submissions on penalties. The JC may as it thinks fit give this opportunity either before or after making its decision on the substance of the proceeding.
30. The JC may make such order or orders as it considers appropriate in the circumstances and where it determines a penalty is appropriate it may impose one or more of the following penalties:
- a. an Official Warning;
  - b. a fine;
  - c. deduction of points;
  - d. re-orderings of placings in the Competition;
  - e. disqualification from the entire Event or Competition;
  - f. suspension from participation in any FEI or ESNZ Event;
  - g. termination of ESNZ membership; and/or
  - h. any other sanction that the JC considers appropriate in the circumstances.
31. In deciding on the appropriate penalties to be imposed, the following factors shall be taken into consideration, together with any other relevant factors:
- a. Whether the action or omission involved the maltreatment of horses;
  - b. Whether the action or omission is or was likely to bring the sport of equestrian into disrepute publicly;
  - c. Whether the action or omission involved fraud, violence or abuse or any criminal acts; and/or
  - d. Whether the action or omission was deemed to be deliberate.
32. In cases of a less serious nature and without significant consequences, an Official Warning will be appropriate.
33. A fine is appropriate particularly in cases where the offender has acted negligently.
34. Disqualification is appropriate when it is specified in the relevant Rules, Constitution, By-Laws or Discipline Rules or if the circumstances require immediate action:

- a. Disqualification from a Competition means that the competitor and horse or horses concerned - even should they change ownership are removed from the list of starters and the classification, and includes the forfeiture of prize money won in that particular Competition.
  - b. Disqualification from an Event means that the competitor and horse or horses concerned - even should they change ownership - may take no further part in that Event and it may include the forfeiture of any prize money won in previous Competitions at that Event where this is provided for in the Constitution Rules and Regulations.
35. A suspension (which may be on specified terms and subject to conditions) is appropriate in cases of intentional or very negligent violations or contravention. In certain cases suspension may be automatic under the relevant Rules, Constitution, By-Laws, or Discipline Rules.
- a. Suspension must be for a stated period and during that period the person or body suspended may take no part in Competitions or Events as a competitor or official or in the organisation of, or participation in, any Event under the jurisdiction of the FEI or any Event under the jurisdiction of ESNZ in accordance with any ESNZ or FEI rules.
  - b. In deciding when any suspension will commence, the appropriate body shall, in order to achieve a just penalty, have regard to the gravity of the offence.
36. Notwithstanding anything to the contrary indicated in Rules 29 to 34 of this Article, the penalties listed below shall be imposed in the following cases:
- a. The finding on analysis of a Prohibited Substance as defined in Article 3 of the VRs is presumed to be a deliberate attempt of the person responsible to affect the performance of the horse and will entail at a minimum the disqualification of the competitor and the horse from the Event, the forfeiture of any prize money and suspension for 3 months or longer and may entail the possibility of a fine. But if the person responsible can prove (on the balance of probabilities) that it was not a deliberate attempt to affect the performance of the horse the suspension and fine will be discretionary.
  - b. In cases of Article 152 & Article 3 of the VRs a fine and / or suspension may also be imposed.

## **Article 142: Sports Tribunal of New Zealand**

- 1. A party to a decision made by the <sup>48</sup>Judicial Committee (other than a decision



regarding a selection appeal) may only appeal to the Sports Tribunal of New Zealand on one or more of the following grounds:

- 1.1. That natural justice was denied;
- 1.2. That the Judicial Committee acted outside of its powers and / or jurisdiction;
- 1.3. That substantially new evidence has become available after the decision, which is being appealed, was made; and/or
- 1.4. in respect of a penalty imposed the penalty was either excessive or inappropriate.

For a selection appeal a party may only appeal on the grounds set out in Article 17 of the Selection SR.

2. Appeals to the Sports Tribunal of New Zealand must be filed within 10 working days from the date the appellant was notified in writing of the decision of the Judicial Committee and in all other respects shall be in accordance with the rules of the Sports Tribunal.
3. Subject to the limited rights of appeal set out in the Sports Tribunal of New Zealand rules, the decision of the Sports Tribunal shall be final and there shall be no further right of appeal.
4. Subject to the procedures set out in the Constitutional Rules and Regulations to deal with disciplinary matters and disputes, ESNZ recognises the Sports Tribunal of New Zealand as an appropriate forum to resolve certain sports related matters as set out in the rules of that Tribunal. Without prejudice to the rights and procedures set out in the Constitutional Rules and Regulations parties to a dispute may agree to refer a dispute to the Sports Tribunal of New Zealand.
5. Notwithstanding any other Constitutional Rules or Regulations, any allegation that a competitor has committed an anti-doping rule violation shall be dealt with in accordance with ESNZ Anti-Doping Policy referred to in Article 152.

## **Article 143: Official Warning Procedure**

1. ESNZ Official Warnings are possible sanctions that may be used by the GJ, the AC, and/or the JC in the course of proceedings set out in this Chapter 9.
2. Once an Official Warning has been given by one of these bodies, and the appeal/review process has been exhausted, ESNZ will list the Official Warning on the ESNZ database against the relevant Member's profile and visible to all members. It will also be placed on a list that is posted on the ESNZ website. It will remain on the profile and on the list for 12 months.

3. If a Member receives a second Official Warning within 12 months of the first Official Warning, ESNZ must fine the Member \$200 and must suspend the Member from competing in any ESNZ or FEI Event for two months. ESNZ will notify the Member of the sanction and the details will also be listed on the ESNZ website and recorded against the Member's profile for a period of 12 months. These sanctions are mandatory.
4. Any third or subsequent Official Warning within 12 months of the second Official Warning will be referred to the JC for determination of sanction only.

A copy of the Official Warning Procedure can be found here:

<https://www.nzequestrian.org.nz/wp-content/uploads/Official-Warning-Procedure-2019.pdf>

## **Article 144: Judicial Process – VRs and Anti-Doping**

1. To avoid doubt, all matters determined by the GJ under Article 3 of the VRs must be referred to the Judicial Committee by the GJ for further consideration.
2. All allegations that an Anti-Doping rule violation has occurred may be dealt with in accordance with ESNZ's Anti-Doping Policy referred to in Article 152 or in accordance with Article 141.

# **CHAPTER TEN: RISK MANAGEMENT, HEALTH & SAFETY**

## **Article 149: Guidelines for Organising Committees**

The purpose of this Article is to provide information for Organising Committees for which they can develop their event schedules from, and to advise what their rights are in regards to running events under ESNZ rules and accepting competitor entries. It should be read in conjunction with the ESNZ disciplinary regulations, ESNZ Drug and Alcohol policy, ESNZ Code of Conduct and ESNZ Behaviour policy.

1. Organising Committees have the right to refuse entries to ESNZ Events as long as you don't breach any anti-discrimination laws.
2. Likewise, Organising Committees do not have to accept any entry until the correct fee has been paid, and you may refuse an entry for payment not being presented on time.

3. Organising Committees may have any person removed from the event they are running, for breaching any ESNZ regulations or policies, event rules or NZ law.
4. Organising Committees will observe a zero-tolerance approach to under-age drinking, excessive drinking, illicit drugs and substances, bullying, and unsavoury behaviour. These issues will be dealt with according to ESNZ disciplinary regulations, the ESNZ Drug and Alcohol policy, ESNZ Code of Conduct and ESNZ behaviour policy.
5. It is recommended that Organising Committees address the above in their event schedules. Organising Committees may also add extra clauses or policies to their schedules – ie Liquor ban in place for the event.
6. ESNZ has an Event Waiver template on the website for OCs to use (under Safety), it is recommended that OCs use this.
7. Parents are responsible for under 18 year olds, at all times – ie they must be supervised by a parent, guardian or other nominated adult.

## **Article 150: Health & Safety at Events**

1. ESNZ is committed to providing a safe and healthy approach to all events run under their rules.
2. ESNZ encourages OCs to take all practical steps to ensure all activities at events are carried out safely and without causing harm to any party involved. OCs should be fully aware of all situations that could lead to injury and all hazards that cannot be eliminated will be isolated or minimised.
3. All members of the OC, riders, officials and spectators should be encouraged to participate and consult on health and safety matters.
4. All incidents and accidents at events are to be accurately reported on and kept on record, copies must be provided to the ESNZ National Office within two weeks following the event. All serious injuries must be properly investigated with findings documented in writing by event officials.
5. Emergency planning and response must be in place during the event and notification of this plan must be clearly displayed where possible throughout the venue.
6. It is the responsibility of every individual at an equestrian event to ensure the health and safety of themselves and others.
7. The Ground Jury may, at any time, exclude from further participation in a Competition or an entire Event any Athlete who is unfit to continue

by reason of a serious or potentially serious injury, impairment, or health condition. Medical clearance, to compete again, must be given by a registered GP or registered medical specialist.

8. If a concussion or serious injury is suspected, by a member of the Ground Jury at the event, the rider should be immediately removed from participating and be issued with a Blue Card concussion note. A Blue Card means that a rider is stood down from all riding activities until clearance from a registered GP or registered medical specialist can be obtained. A copy of their Blue Card will also go straight to ESNZ, which will then go on that rider's profile, visible to Organising Committees and officials.

- 1.1. All riders who have been withdrawn from competition due to a suspected concussion are required to provide ESNZ with a medical clearance note from a registered GP or registered medical specialist before they are able to compete again. Once this has been received the Blue Card will be withdrawn.

- 1.2. If a rider who has been issued with a Blue Card competes without first providing medical clearance, this may result in disciplinary action taken through the ESNZ disciplinary process set out in the ESNZ General Regulations.

## **Article 151: Protective Headgear**

1. ESNZ recommends approved safety helmets should be worn at all times when dealing with horses.
2. Riders will not be permitted to train or compete unless they wear approved, tagged, protective headgear bearing the ESNZ/NZPCA helmet tag.

Note: if riders are found with unapproved and/or non-tagged helmet, it will not result automatically in elimination but 151.5, in its entirety will be applied, and the rider can continue to ride providing they are wearing an approved, tagged, helmet.

3. All riders must wear protective headgear that conforms with one of the current approved safety standards and is tagged accordingly. These standards may be subject to change but the latest list can be found on the ESNZ website at <https://www.nzequestrian.org.nz/safety/helmet-tagging/> ESNZ will ensure that any changes to the standards are communicated to members and area committees
  4. While riding at any showgrounds/competition venue, or ESNZ venue, the use of properly fastened approved, tagged protective headgear will be mandatory. This includes award ceremonies where riders are mounted.

## 5. FAILURE TO WEAR APPROVED TAGGED PROTECTIVE HEADGEAR

- a. Any rider who fails to wear approved, tagged, protective headgear at any event, training day or at any ESNZ venue at any time, will be issued with a warning by a member of the Ground Jury or an ESNZ listed official at an event where there is no Ground Jury. The issuing officer/Ground Jury will issue an official warning card and a copy will be sent to ESNZ.
  - b. If that rider fails to comply for a second time, they will receive an instant \$50 fine, payable to ESNZ. An official warning card will be filled out by a member of the Ground Jury/ESNZ official and sent to ESNZ. The rider cannot compete again until the fine is paid to ESNZ.
  - c. A third or any subsequent offence for riding at a competition/venue without correctly, approved, tagged protective headgear will result in a further fine of \$250 and may include a stand down period which will be determined by an ESNZ judicial committee or ground jury.
6. Warnings and fines must be lodged with ESNZ and ESNZ will keep a list, on the database, of riders with helmet warnings and fines.
7. The use of cameras by riders while riding at a showground/competition venue (however such a camera is affixed, whether to the rider, protective headgear, head covering, or carriage) is prohibited, unless otherwise specifically agreed to by the ESNZ Technical Delegate officiating at the Event (in consultation with the President of the GJ, where appropriate). Such a decision will be completely at the discretion of the Technical Delegate/GJ President, and not subject to challenge. In the event that approval is given by the Technical Delegate/GJ President, an athlete's decision to wear a camera while competing will always be voluntary and at the athlete's own risk.

## **Article 152: Anti-Doping Policy**

1. The Sports Anti-Doping Rules made by Drug Free Sport New Zealand (DFS) under the provision of the Sports Anti-Doping Act 2006, as presented and amended from time to time by DFS, act as the Anti-Doping Rules for Equestrian Sports NZ. A full copy of these rules is available from <https://www.nzequestrian.org.nz/esnz/programmes/about-clean-sport/> or [www.drugfreesport.org.nz](http://www.drugfreesport.org.nz)

## **Article 153: Minimum Standards for Medical Personnel and Services at NF Events**

1. Prior to the event, Organising Committees:
  - 1.1. Must notify the Regional Ambulance Control Room for that Area of the date and location of the event and explain the potential accidents that can occur at such an event.

- 1.2. Should provide a centrally sited medical station with contact details of the nearest A&E or after hours GP.
- 1.3. Should ensure that there is good access to all parts of the course.
- 1.4. Should provide a good system of communication to and from all parts of the course and to emergency services.
- 1.5. Must have an agreement in place with the venue/property owner as to who is responsible in case of emergency before the competition begins and after it finishes.

2. During the event:

- 2.1. A doctor or an ambulance staffed by an Ambulance Officer must be available within 30 minutes of being called.
- 2.2. A holder of a first aid certificate, or a registered nurse or doctor, must be on the grounds at all times, during competition hours, with appropriate first aid kit/gear.

All events must also comply with discipline safety and medical rules as set out in the discipline rules.

## **Article 154: Traffic Management**

1. All ESNZ events that have a direct or indirect impact on traffic must have a traffic management plan, approved by the relevant authority, in place for their event.

## **Article 155: Police Vetting**

1. ESNZ is obliged and committed to providing safe coaching practices and in particular to ensure young equestrian athletes are being coached in environments where there is a “professional duty of care”.
2. As of August 2014 all registered ESNZ Coaches are required to be police vetted at time of re-registration.
3. All ESNZ team officials working with squads and/or riders under 18 years will be required to undergo Police Vetting before commencing duties.

## **ANNEX A: MINIMUM STANDARDS FOR ESNZ APPROVED PORTABLE YARDS**

The use of ESNZ approved portable yards at events is by permission of the Organising Committee. If portable yards are not allowed to be used this should be advertised in the event schedule.

<https://www.nzequestrian.org.nz/wp-content/uploads/esnz-portable-yards.pdf>

# ANNEX B: NF OFFICIAL TROPHIES

## Official National Events

- a) New Zealand Horse of the Year Show
- b) Dressage
  - National Dressage Championships
  - North Island Dressage Championships
  - South Island Dressage Championships
  - Pony and Young Rider Championships
- c) Endurance
  - National Endurance Championships
  - North Island Endurance Championships
  - South Island Endurance Championships
- d) Eventing
  - National Three-Day Event Championships
  - National One-Day Event Championships
  - Young and Junior Rider One-Day Championships
  - Young and Junior Rider Three-Day Championships
- e) Jumping and Show Hunter
  - National Jumping and Show Hunter Championships
  - National Young Horse Jumping Championships
  - North Island Jumping and Show Hunter Championships
  - South Island Jumping and Show Hunter Championships
- f) Para-Equestrian
  - National Para-Equestrian Championships
  - North Island Para-Equestrian Championships
  - South Island Para-Equestrian Championships

## New Zealand Horse of the Year Show National Titles & Associated Trophies

(\* Tankards/Medals Presented)

- |  |                                 |
|--|---------------------------------|
| a) Overall                                   |                                 |
| NZ Rider of the Year                         | Lowry Medallion*                |
| b) Dressage                                  |                                 |
| For Freestyle Dressage                       | Rigoletto Trophy*               |
| Grand Prix Class                             | Judith Simpson Memorial Trophy* |
| Grand Prix Horse of the Year                 | Tiny White Trophy*              |
| Intermediate I Dressage Horse of the Year    | Advanced Plate*                 |
| Grand Prix Special National Class            |                                 |
| CDI 2* Intermediate B                        |                                 |
| Young Rider Musical Freestyle National Class |                                 |
| Intermediate Freestyle                       |                                 |
| Intermediate Horse of the Year               |                                 |
| Level 5 Horse of the Year                    |                                 |

- Level 4 Horse of the Year
  - Level 3 Horse of the Year
  - Level 1 Horse of the Year
  - Level 3 Pony of the Year
  - Level 2 Pony of the Year
  - Level 1 Pony of the Year
  - c) Eventing
    - CIC3\* Horse of the Year
    - CIC 2\* Horse of the Year
  - d) Jumping
    - Horse of the Year
    - Lady Rider of the Year
    - Top Horse Height on First Day of HoY
    - NZ Speed Horse Championship
    - Rider with the most points at HoY
    - Pony of the Year
    - Young Rider
    - Area Pony Teams Event
    - Silver Fern Stakes
  - e) Para-Equestrian
    - Grade Ia Champion
    - Grade Ib Champion
    - Grade II Champion
    - Grade III Champion
    - Grade IV Champion
  - f) Show Hunter
    - Show Hunter of the Year
    - Amateur Show Hunter of the Year
    - Junior Show Hunter of the Year
  - g) Other Trophies (\* Miniature Trophy Presented)
 

The following trophies are also awarded at the Horse of the Year Show, but are not official national titles.

    - Jumping Premier Stakes
    - Jumping Junior Rider of the Year
    - Jumping Development Medal Horse Equitation
    - Level 2 Dressage Horse of the Year
    - Dressage Young Rider of the Year
- Olympic Cup\*
  - Merrylegs Cup\*
  - Norwood Gold Cup\*
  - House of Blackmore Cup\*
  - Nationwide Cup\*
  - Somerset Fair Cup\*
  - Big Red Cup\*
  - Saba Sam Shield\*
  - Ian Nimon Memorial Trophy\*  
  - A St H Vallance Challenge Trophy\*
  - Denise Crispe Memorial Trophy\*
  - Double O Eight Trophy\*  
  - Tom Gadsby Memorial Trophy
  - Supermoth Trophy
  - Deputy Salver
  - Auf Wiedersehen Memorial Trophy\*
  - Pam Weal Memorial Trophy



## Dressage Championship Titles & Associated Trophies (\* Goblets Presented)

- |    |                                       |                                |
|----|---------------------------------------|--------------------------------|
| a) | National Dressage Championships       | Burkner Medal                  |
|    | Grand Prix Dressage Championship      | Tironui Trophy *               |
|    | Grand Prix Freestyle Championship     | Trotter Trophy *               |
|    | Intermediate II Dressage Championship | Surrey Trophy *                |
|    | Intermediate I Dressage Championship  | Hobson Trophy *                |
|    | Prix St Georges Dressage Championship | Kentucky Trophy *              |
|    | Open Medium Dressage Championship     | Doornbos Shield *              |
|    | Medium Dressage Championship          | Tuna Lodge Trophy *            |
|    | Elementary Dressage Championship      | Kallala Trophy *               |
|    | Novice Dressage Championship          | Aztec Trophy *                 |
|    | Preliminary Dressage Championship     | Helen Holden Memorial Trophy * |
|    | Area Teams Dressage                   | Rakaunui Stud Trophy           |
|    | Best Performed Mare                   | Astek Stud Trophy *            |
|    | NZ Young Dressage Horse Champion      |                                |
|    | Breeder Best Placed NZ Bred Horse in  |                                |
|    | Young Dressage Championship           | Glenvar Trophy                 |
| b) | Pony and Young Rider Championships    |                                |
|    | NZ Dressage Pony Rider Champion       | Hyland Trophy *                |
|    | NZ Dressage Young Rider Champion      | Waldebago Trophy *             |
| c) | Under 25 Dressage Championships       |                                |
|    | Grand Prix Dressage Championship      | KH Arvan Trophy                |

## Endurance Championship Titles

- |    |  |                                      |
|----|--|--------------------------------------|
| a) | National Endurance Championships   |                                      |
|    | The following trophies are awarded at the National Endurance Championships but are not official national titles. |                                      |
|    | 160km Winner   | Dunrobin Challenge Cup               |
|    | 160km Winner   | Westpac Shield                       |
|    | 160km Fittest Horse  | Canterbury Endurance Club Trophy     |
|    | 160km Fittest Horse  | Rural Bank Trophy                    |
|    | 160km Second Place   | Echolands Arabians Trophy            |
|    | 160km First Part Bred Arabian  | Nomad Trophy                         |
|    | 160km Lowest Heart Rate  | Cooper Belt Trophy                   |
|    | 160km Highest Place Rider 90kg or heavier  | Makahiwī Trophy                      |
|    | Highest Placed Horse Qualifying in its first   |                                      |
|    | 160km Ride   | Waiuku Endurance Rookie Trophy       |
|    | 160km Best Presented   | Waimeha Razul Trophy                 |
|    | Fastest lag times CEI 160km - senior only  | Peter McLellan Memorial Trophy       |
|    | CEI 2* 120km Winner  | Intermediate Trophy                  |
|    | CEI 2* 120km Fittest Horse   | Intermediate Trophy                  |
|    | CEI 2* 120km Second Place  | Bragg Trophy                         |
|    | CEI 100km Winner   | BJ Merino Trophy                     |
|    | 40 - 70km Senior Winner  | Tahira Saracen Cup                   |
|    | CEI 160km Junior Winner  | John Stevenson Trophy                |
|    | CEI 160km JY Best Conditioned  | Rolleston Veterinary Services Trophy |

CEI 2* JY Winner	Glendaar Endurance Trophy
CEI 2* JY Best Conditioned	Tahira Stud Trophy
CEI 1* JY 100km Winner	Ciba Geigy Trophy
CEI 1* JY BC	Blue Pegasos Trophy
CEN Junior 120km Winner	National NZECTR Junior Champion
CEN Junior 100km Winner	National CEN 100km Junior Trophy
CEN Junior 60km	Makahiwi Guinevere Trophy
Inter-Island Team Winner	Team Tray
CTR Open Winner	CTR Maxium Cop Trophy
CTR Open Winner	NZ Horse Shoe Company
CTR Junior Winner	CERC National Trail Ride
	Junior Youth Trophy
CTR Best Timed Rider	CTR Best Timed Rider Trophy
CTR Best Presented Horse & Rider	Jack Frost Trophy

b) North Island Endurance Championships

The following trophies are awarded at the North Island Endurance Championships but are not official national titles.

CEI 3* 160km Winner	Impala Trophy
CEI 3* 160km Best Conditioned	Impetuous Trophy 160km
Highest Place Rider 90kg or heavier	Brian Sharpe Trophy
First Purebred Arabian 120km - 160km	Cottle Trophy
CEI 3* 160km	Best Total Recovery Trophy
CEI 2* 120km	NRM Intermediate Trophy
CEI 2* 120km Best Conditioned	Sisam Trophy
CEI 2* 120km	Best Total Recovery Trophy
CEI 1* 100km Winner	Ruahine Endurance Club Trophy
CEI 1* 100km Best Conditioned	Tahira Stud Shield
CEN Senior 40 - 70km	Brian Sleight Trophy
CEI 3* 160 J/Y Winner	Glenmore Trophy
CEI 2* JY 120km Winner	Wai Totara Arabians Trophy
CEI 2* JY 120 Best Conditioned	Gerzane Arabians Trophy
CEI 1* JY 100km	Mark Tylee Trophy
CEI 1* JY 100km BC	Sayfwood Arabians
CEN Junior 40 - 79km	Echolands Trophy
Best Presented - any qualified rider over ride	Craig Royston Trophy
CTR Open Winner	Ishta Lodge Trophy
CTR Intermediate Winner	Ishta Lodge Trophy
CTR Junior Winner	Rona Fraser Trophy
CTR Best Presented Horse & Rider	
Equipment	Wrightsons Trophy
CTR Closest to Optimum Time - all classes	Helen Bain Trophy

c) South Island Endurance Championships

The following trophies are awarded at the South Island Endurance Championships, but are not official national titles.

3* 160km Winner	Almeko Challenge Cup
1* 100km Winner	Leo Nisbet Memorial Trophy
1* 100km Best Conditioned	Bonanza Trophy

3\* 160km JY Winner  
 3\* 160km JY Best Conditioned  
 2\* 120km JY Winner  
 1\* JY 100km Winner  
 CEN 120km Junior Winner  
 Best Performed Local Rider  
 CTR Open Winner  
 CTR Intermediate Winner  
 CTR Junior Winner

Lake Heron Trophy  
 Burwood Cup  
 El Drago Trophy  
 SI CEN 100km Junior Trophy  
 John Morton Memorial Trophy  
 SI Trail Riding Championship Trophy  
 Marlborough Endurance & CTR Trophy

## Eventing Championship Titles & Associated Trophies

- |   |                              |
|---|------------------------------|
| a) National Three-Day Event Championships         |                              |
| 3* Champion                                       | Willis Trophy *              |
| 2* Champion                                       | Picadilly Trophy *           |
| 1* Champion                                       | Mamaku Trophy *              |
| 105 Champion                                      | Thomson Trophy *             |
| Best Presented Horse                              | Caseley Trophy *             |
| Inter-Island Teams                                | Atlantic Silver Spurs Trophy |
| b) National One-Day Event Championships           |                              |
| 3* Champion                                       | Forest Gate Trophy *         |
| 2* Champion                                       | Waiteko Trophy *             |
| 1* Champion                                       | Ferndale Salver *            |
| 105 Champion                                      | Tait Trophy *                |
| c) Young and Junior Rider One-Day Championships   |                              |
| NZ Young Rider Champion                           | Charisma Trophy *            |
| NZ Junior Rider Champion                          | Hoffman Trophy *             |
| d) Young and Junior Rider Three-Day Championships |                              |
| NZ Young Rider Champion                           | Swarbrick Trophy *           |
| NZ Junior Rider Champion                          | Lenamore Trophy *            |

## Jumping and Show Hunter Championship Titles & Associated Trophies

- (\* Tankards Presented)
- |   |                               |
|---|-------------------------------|
| a) National Jumping and Show Hunter Championships |                               |
| National Jumping Premier Champion                 | Rutherford Cup *              |
| New Zealand Grand Prix Champion                   | Mary Dalley Memorial Trophy * |
| National Jumping Pony Champion                    | *                             |
| b) National Young Horse Jumping Championships     |                               |
| 4 Year Old Jumping Champion                       | *                             |
| 5 Year Old Jumping Champion                       | *                             |
| 6 Year Old Jumping Champion                       | *                             |
| 7 Year Old Jumping Champion                       | *                             |

## Para-Equestrian Championship Titles

- a) Para-Equestrian National Championships
  - Grade I Champion
  - Grade II Champion
  - Grade III Champion
  - Grade IV Champion

## National Awards & Honours

- a) ESNZ Volunteer Lifetime Award – Pilmer Plate  
Presented by the ESNZ Patron, the Pilmer Plate is awarded to a volunteer or technical officials who, throughout their career, has exemplified the highest ideals of good sportsmanship through commitment, dedication and the pursuit of excellence in the service of ESNZ
- b) ESNZ Honorary Life Membership – Honorary Life Member  
Honorary Life Memberships are awarded in recognition and appreciation of outstanding service by a person for the benefit of ESNZ and/or equestrian sport in New Zealand. Any honorary life membership must be nominated and awarded in line with Article 7.1 of the ESNZ constitution.

## ANNEX C: CRITERIA TO COMPETE ABROAD

- Rider must be a current financial member of ESNZ
- If competing in National-level classes abroad:
  - 1. compliance with that events eligibility requirements;
  - 2. riders may be required to be a member of that Countries' National Federation; and
  - 3. When required, a riders' licence from ESNZ verifying that the rider is:
    - a. A financial Member of ESNZ; and
    - b. Not in dispute or disrepute with ESNZ
- If competing in FEI Classes, compliance with FEI Eligibility requirements which may include (without limitation):
  - 1 Current Horse and Rider FEI registrations;
  - 2 Current FEI Horse Passport;
  - 3 Entry via ESNZ for FEI competitions

## **ANNEX D: IOC RULE 40 AND BY-LAW**

### **Rule 40: Eligibility Code**

To be eligible for participation in the Olympic Games, a competitor, coach, trainer or other team official must comply with the Olympic Charter, including the conditions of eligibility established by the IOC, as well as with the rules of the IF concerned as approved by the IOC, and the competitor, coach, trainer or other team official must be entered by their NOC.

The above-noted persons must:

1. respect the spirit of fair play and non-violence, and behave accordingly; and
2. respect and comply in all aspects with the World Anti-Doping Code.

### **By-Law to Rule 40**

1. Each IF establishes its sport's own eligibility criteria in accordance with the Olympic Charter. Such criteria must be submitted to the IOC Executive Board for approval.
2. The application of the eligibility criteria lies with the IFs, their affiliated national federations and the NOCs in the fields of their respective responsibilities.
3. Except as permitted by the IOC Executive Board, no competitor, coach, trainer or official who participates in the Olympic Games may allow their person, name, picture or sports performances to be used for advertising purposes during the Olympic Games.
4. The entry or participation of a competitor in the Olympic Games shall not be conditional on any financial consideration

## **ANNEX E: SPONSORSHIP, HORSES NAMES AND LOGOS**

Competitors with a cash or kind sponsorship may wear a sponsors logo on the saddle cloths of the horses involved in the sponsorship, providing the sponsorship complies with Articles 124 and 125. This sponsorship does not need to be registered with ESNZ. A competitor who has a sponsorship arrangement entitling that competitor to receive sponsorship to the value of \$8000 or greater in either money or, subject to the provisions of this paragraph, products and/or services, may use the commercial name or brand of that sponsor as prefixes and/or suffixes in conjunction with the registered name of the horse/s that are covered by the sponsorship. This right may be exercised in respect of the receipt of sponsorship in the form of products and/or services provided that:

1. A formal agreement is entered into obligating the sponsor to provide at least \$8000 retail value of in kind product or services to the rider;
2. That a copy of this signed agreement is lodged with ESNZ;

## **ANNEX F: PRESENTATION OF REPRESENTATIVE BADGE**

1. NZ Flag Jacket Badges will be awarded by ESNZ to members of teams and individuals who compete in the following.
  - 1.1. Olympic Games & Paralympics
  - 1.2. World Championships
  - 1.3. Official selected ESNZ Teams.
  - 1.4. FEI World Cup Finals.
2. NZ Representative Jacket Badges will be awarded by ESNZ to members of Teams and individuals who compete in the following:
  - 2.1. New Zealand Young Riders Teams.
  - 2.2. Official Oceania Team Competitions
  - 2.3. Other teams and individuals approved by ESNZ on the recommendation of Discipline Boards.
3. All Silver Fern badges will be embroidered with the year they were issued.
4. Official Oceania Competition, these team competitions will be recognised as official when held under the following conditions:
  - 4.1. That both the Equestrian Australia and ESNZ recognise the competitions as an official test.
  - 4.2. Venues to be agreed by both the Equestrian Australia and ESNZ.
  - 4.3. The team competition will be held as near as practicably possible to the FEI Rules for Official Team Events in each Discipline. Standard of competition and dispensation of those rules will be mutually agreed by both the Equestrian Australia and ESNZ.
  - 4.4. The expenses for the tours will be under the Oceania Tour Agreement.
5. Riders who are presented the New Zealand Silver Fern Badge may wear the Fern on their riding jackets for the calendar year after their representation. Then the badge must be removed. Those who win the right to represent New Zealand at recognised FEI events overseas may continue to wear the Fern for four calendar years following the event.

## **ANNEX G: VETERINARY STANDARDS**

PLEASE NOTE ADDITIONAL CONDITIONS IN DISCIPLINE RULES.

### **Minimum Standards for Veterinary Personnel and Services at NF Events.**

1. Organising Committee: The official veterinarian should, if possible, be present throughout the competition, although this is not mandatory provided

satisfactory arrangements have been made for the Official Veterinarian to be available "on call".

2. Veterinary arrangements and provision for assistance for sick and injured horses. The following must be provided at all NF Events.
  - 2.1. Provision of an effective method of communication with the veterinarians on duty.
  - 2.2. A suitable vehicle to facilitate access to every part of the venue.
  - 2.3. Equipment and supplies to deal with all emergencies, including euthanasia.
  - 2.4. Screens for erecting around injured horses (to shield from the public).
  - 2.5. A low-loading transporter, for removing dead, or seriously injured horses from the course or the arena, and sufficient personnel familiar with the procedures of such removal. Please note additional conditions in Eventing and Endurance Rules.

## **EQUESTRIAN SPORTS NEW ZEALAND VETERINARY REGULATIONS**

### **Preamble**

This edition of the Veterinary Regulations is effective from 1st June 2007. All other editions and official documents issued previously and covering the same subject, are no longer valid. The Veterinary Regulations must be read in conjunction with the Constitutional Rules and Regulations of ESNZ. The Veterinary Regulations cannot cover every eventuality. In any unforeseen or exceptional circumstances, it is the duty of the GJ or the Appeal Committee where applicable, to make a decision in a sporting spirit approaching as nearly as possible the intention of the Constitutional Rules and Regulations. Where the Veterinary Regulations of ESNZ are used by the Organising Committee (OC) for competitions other than recognised disciplines of ESNZ, eg: Confirmation and Paces or Breed Classes etc, it is the Organising Committee's legal and financial responsibility to arrange any hearings of a judicial nature and ESNZ disclaims all liability in these cases.

### **Article 1: Principles**

1. ESNZ is responsible for the general conduct of equestrian events under its Constitutional Rules and Regulations and the Rules of the FEI. This responsibility includes the supervision and maintenance of the health and well-being of the horses taking part.
2. The Veterinary Regulations shall apply automatically to all events which are subject to the Constitutional Rules and Regulations, and must be observed.
3. The Veterinary Regulations, however complete and carefully drafted they may be, cannot cover all possible eventualities in the preparation for, and during the course of equestrian events.

## Article 2: Horse fitness to compete

1. Persons responsible and veterinarians responsible for the health of horses and veterinary medical arrangements at events should concern themselves at all times with the condition, wellbeing and fitness for competition of all horses taking part.
2. A Veterinarian or if not available, the President of the GJ, must give written approval before any veterinary treatment or medication is administered to a horse during the entire course of an event. If however during this period it is urgently necessary to treat a horse with any substance the veterinarian must be informed at once and the circumstances reported to the President of the GJ. Any treatment so administered must be indicated to the Veterinary Delegate if appointed or if not the President of the GJ in writing. The GJ must decide on the recommendation of the Veterinary Delegate when appointed or if possible a veterinarian whether the horse may take further part in that event.
3. Mares may not compete after their fourth month of pregnancy or for nine months after foaling.
4. Horses may not compete with a tracheotomy
5. The President of the GJ or appointee has the right to inspect any horse during the period of their jurisdiction, and has the right and the duty to exclude a horse from the competition and or event, which in their opinion, through lameness or lack of condition is not fit to compete. There is no appeal against this decision.
6. If a horse is so severely injured that, on humanitarian grounds, it ought to be destroyed, the following procedure should apply:
  - 6.1. If the owner or their authorised representative is immediately available, their agreement will first be obtained by a Veterinarian.
  - 6.2. If the owner or their representative is not immediately available, the President of the GJ or the Technical Delegate, acting on the advice of a veterinarian, may order the destruction of the horse.
  - 6.3. If the veterinarian is unavailable, then the President of the GJ or the Technical Delegate, at their sole discretion, may order the destruction of the horse.

## Article 3: Prohibited Substances

The purpose of all competitions is to match the talents of horses and competitors against each other under fair and equal conditions. These Regulations are intended to ensure that the normal performance of a horse during a competition is not affected, either deliberately or unintentionally, by the influence of drugs and medications or any form of veterinary treatment.

1. A prohibited substance includes all substances listed on the FEI Equine Prohibited Substance List. The list contains both Banned Substances and Controlled Medications.
2. The use of Banned Substances prior to or during an Event is prohibited.
3. The use of Controlled Medication Substances may only be authorised during an Event in exceptional circumstances and where the welfare of the horse is of concern. They may only be used with the authorisation of the President of the Ground Jury and/or the veterinarian. This authorisation is to be given in writing. The use of the



FEI Veterinary Form A is recommended. The President of the Ground Jury, on the recommendation of the Veterinarian, must decide if a horse treated with a Controlled Medication can continue in the competition. They must take into consideration:

The fitness of the horse to continue

The fairness of the competition

The welfare of the horse

4. Horses may compete with the presence of certain substances in their body fluids provided the concentration of the substance is less than the maximum permissible concentration laid down in Annex H of these Regulations. This list may be updated from time to time.
5. It is a contravention of the Constitutional Rules and Regulations if the analysis of a sample taken from a horse shows the presence in its tissues, body fluids or excreta of a Prohibited Substance or a Substance the origin of which cannot be traced to normal and ordinary feeding.
6. The use of inhalation oxygen is forbidden throughout the period of the Event except as first aid after the Cross Country Phase or Test of Eventing or Driving Event with the approval of a veterinarian or, if unavailable, the President of the GJ. In such cases the administration of oxygen shall be made by the use of an intubation tube only, inserted into a single nostril. The use of any form of mask is forbidden.
7. The intra-articular administration of any medication allowed during an event is not allowed.
8. Medications or Substances not listed on the Equine Prohibited Substance List (eg electrolyte solutions, vitamins, antibiotics) may be administered during an event but only after the written authorisation of the President of the Ground Jury or the appointed veterinarian. They are to be administered under the supervision of a veterinarian. The use of the FEI Veterinary Form B is recommended.
9. Permission for the use of rehydration fluids at an event is at the discretion of the President of the Ground Jury and the veterinarian after consideration of the level of competition and the climatic conditions. Intravenous and intranasal fluids must not be given within 12 hours of the start of the Cross-country phase of Eventing, the speed and endurance phase of a Driving Event or the start of an Endurance Ride.

## **Article 4: Desensitised and Hypersensitised Limbs**

1. No Horse should be allowed to compete at any time following the operation of neurectomy on a distal limb nor when any limb has been temporarily or permanently desensitised by any means.
2. All horses selected for sampling may have their limbs examined for nerve sensation. The GJ may also select any other horses for such examination.
3. Any horse found to have a limb or part of a limb desensitised by any means will be considered to have competed in violation of these Regulations and will be penalised accordingly.
4. Any horse found to have a limb or part of a limb hyper-sensitised by any means must be reported to the GJ. Examination for hyper-sensitisation may involve the swabbing of a limb to collect samples or the collection of bandages for analysis for the presence of prohibited substances.

## **Article 5: Prohibited Substance Rule Violations**

ESNZ adopts the FEI Equine Anti-doping and Controlled Medication Regulations in its requirements for horses to submit to sampling for Prohibited Substances, it also adopts the principles for a fair hearing related to Rule Violations. These Regulations are available on the FEI website. [www.feicleansport.org](http://www.feicleansport.org)

## **Article 6: Sampling**

1. A refusal or wilful obstruction by any person to submit a horse for sampling must be reported immediately to the GJ and OC. If the GJ decides that there are no grounds for such a refusal or obstruction and the person responsible persists in the refusal or obstruction the horse must be disqualified from the previous competition and the rest of the Event. The matter must be reported by the President of the GJ to ESNZ and the Organising Committee for the attention of the CEO of ESNZ to refer to a Judicial Committee by way of a complaint.
2. The Veterinarian or Testing Official supervising the sampling, the Person Responsible, or their representative, should sign a form witnessing the sample and identifying the Horse. The refusal of the Person Responsible, or their representative, to sign the form shall be treated as a refusal to submit a Horse for sampling under paragraph 1 above.

## **Article 7: Analysis**

1. The result of the analysis must be reported immediately to the CEO of ESNZ who shall contact the Organising Committee, or in case of a positive analysis, will report the case to the Judicial Committee by way of a complaint.
2. If the sample is positive and confirmatory analysis is required, this must be requested by the Person Responsible within 10 working days of the date of the posting of a registered letter reporting the result of the analysis to the Person Responsible in writing.

## **Article 8: Cost of Analysis**

1. The cost of analysis of First Sample (Sample A) will be borne by ESNZ if the sample is directed by ESNZ.
2. The cost of analysis of second sample if positive, and the honorarium of the second analysis and all their expenses must be borne by the Person Responsible at the time the sample was taken.
3. If the second sample is found negative, only the cost of analysis of this sample will be borne by ESNZ.

## Article 9: Horse Deaths

Any death (including euthanasia), at any ESNZ competition, will be immediately investigated (same day) by an ad hoc committee of suitable people (senior officials) at the venue or quickly available. Likely made up of TD, senior GJ/Judge, senior representative of OC and a Veterinarian (if available).

The make-up of this group would ideally be in place from the start of competition so it can quickly be convened.

If the cause is unclear or the circumstances around the incident suggest more investigation is required then some degree of post mortem examination by a Veterinarian, including the collection of urine and/or blood for sampling would be recommended.

A written report outlining the circumstances and likely cause should be sent to ESNZ General Manager and Veterinary General as soon as practical and definitely within 3 days of the end of the Competition.

The cost of this would fall to ESNZ.

ESNZ should maintain a record of deaths

## ANNEX H: PROHIBITED SUBSTANCES

FEI Prohibited Substance List and Maximum Threshold levels.

The FEI Equine Prohibited Substance List is available on their website at [www.feicleansport.org](http://www.feicleansport.org). The List of substances for which maximum threshold levels or ratios have been established is updated from time to time and is available on the FEI website

## ANNEX I: MATCH FIXING

Anti-Match-Fixing and Sports Betting Policy of ESNZ can be found here:

<https://www.nzequestrian.org.nz/wp-content/uploads/esnz-anti-match-fixing-and-sports-betting-policy.pdf>