

CLAIMING RACING - CHAPTER 9

ARCI-009-005 Purpose:

To describe the procedures and requirements for the claiming of horses and the conduct of claiming races.

Adopted in Version 1.4 ARCI 8/27/02 NAPRA 10/2/02

ARCI-009-010 General Provisions

- (1) A person entering a horse in a claiming race warrants that the title to said horse is free and clear of any existing claim or lien, either as security interest mortgage, bill of sale, or lien of any kind; unless before entering such horse, the written consent of the holder of the claim or lien has been filed with the stewards and the racing secretary and its entry approved by the stewards. A transfer of ownership arising from a recognized claiming race will terminate any existing prior lease for that horse.
- (2) Title to a claimed horse shall be vested in the successful claimant at the time the horse leaves the paddock. The successful claimant shall then become the owner of the horse whether it be alive or dead, sound or unsound or injured at any time after leaving the paddock, during the race or after. However, the successful claimant may request on the claim blank at the time he/she makes the claim that the horse be tested for the presence of equine infectious anemia via a Coggins test., or other test as approved by the official veterinarian Should this test prove positive, it shall be cause for voiding the claim. The expense of the test and the maintenance of the horse during the period requested for the test, shall be the responsibility of the successful claimant, unless the test proves positive, wherein the owner(s) of the horse at the time of entry shall be responsible.
- (3) An in-foal filly or mare shall be eligible to be entered into a claiming race only if the following conditions are fulfilled:
 - (a) Full disclosure of such fact is on file with the racing secretary and such information is posted in his/her office;
 - (b) The stallion service certificate has been deposited with the racing secretary's office;
 - (c) All payments due for the service in question and for any live progeny resulting from that service are paid in full; and
 - (d) The release of the stallion service certificate to the successful claimant at the time of claim is guaranteed.
- (4) The stewards may set aside and order rescision of a claim for any horse from a claiming race run in this jurisdiction upon a showing that any party to the claim committed a prohibited action, as specified in ARCI-009-025 of this chapter, or that the owner of the horse at the time of entry in the claiming race failed to comply with any requirement of these rules. Should the stewards order a rescision of a claim, they may make a further order for the costs of maintenance and care of the horse as they may deem appropriate.

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ARCI-009-015 Claiming Of Horses

- (1) Any horse starting in a claiming race is subject to be claimed for its entered price by any:
 - (a) licensed owner;
 - (b) holder of a valid claim certificate; or
 - (c) licensed authorized agent acting on behalf of an eligible claimant.
- (2) Every horse claimed shall race for the account of the original owner, but title to the horse shall be transferred to the claimant at the time the horse leaves the paddock. The successful claimant shall become the owner of the horse, regardless of whether it is alive or dead, sound or unsound, or injured prior to, during or after the race.

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ARCI-009-020 Claim Certificate

- (1) An applicant for a claim certificate shall submit to the Commission:
 - (a) an application for an owner's license and the required fee; and
 - (b) the name of a licensed trainer, or person eligible to be a licensed trainer, who will assume the care and responsibility for any horse claimed;
- (2) The stewards shall issue a claim certificate upon satisfactory evidence that the applicant is eligible for an owner's license.
- (3) The claim certificate shall expire 30 days after the date of issuance, or upon the claim of a horse, or upon issuance or denial of an owner's license, whichever comes first.
- (4) A claim certificate may be renewed by the stewards during the same year.

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ARCI-009-025 Prohibitions

- (1) A person shall not claim a horse in which the person has a financial or beneficial interest as an owner or trainer.
- (2) A person shall not cause another person to claim a horse for the purpose of obtaining or retaining an undisclosed financial or beneficial interest in the horse.
- (3) A person shall not enter into an agreement for the purpose of preventing another person from obtaining a horse in a claiming race.
- (4) A person shall not claim a horse, or enter into any agreement to have a horse claimed, on behalf of an ineligible or undisclosed person.
- (5) A person shall not claim more than one horse in a race. No authorized agent shall submit more than one claim for the same horse in a race, even if the authorized agent represents several owners.

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ARCI-009-030 PROCEDURE FOR CLAIMING

- (1) To make a valid claim for a horse, an eligible person shall:
 - (a) have on deposit with the horsemen's bookkeeper an amount equal to the amount of the claim, plus all transfer fees and applicable taxes;
 - (b) complete a written claim on a form furnished by the association and approved by the Commission;
 - (c) identify the horse to be claimed by the spelling of its name on the certificate of registration or as spelled on the official program;
 - (d) place the completed claim form inside a sealed envelope furnished by the association and approved by the Commission;
 - (e) have the time of day that the claim is entered recorded on the envelope; and
 - (f) have the envelope deposited in the claim box no later than 10 minutes prior to post time of the race for which the claim is entered.
- (2) After a claim has been deposited in the claim box, it is irrevocable by the claimant and shall not be withdrawn from the claim box until the time designated by the stewards.
- (3) Officials and employees of the association shall not provide any information as to the filing of claims until after the race has been run, except as is necessary for processing of the claim.
- (4) If more than one claim is filed on a horse, the successful claim shall be determined by lot conducted by the Stewards or their representatives.
- (5) Notwithstanding any designation of sex or age appearing in the racing program or in any racing publication, the claimant of a horse shall be solely responsible for the determination of the sex or age of any horse claimed.

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ARCI-009-035 Transfer Of Claimed Horses

- (1) Upon successful claim, the stewards shall issue, upon forms approved by the Commission, an authorization of transfer of the horse from the original owner to the claimant. Copies of the transfer authorization shall be forwarded to and maintained by the stewards and the racing secretary. Upon notification by the stewards, the horsemen's bookkeeper shall immediately debit the claimant's account for the claiming price, applicable taxes and transfer fees.
- (2) A person shall not refuse to deliver a properly claimed horse to the successful claimant.
- (3) Transfer of possession of a claimed horse shall take place immediately after the race has been run unless otherwise directed by the stewards. If the horse is required to be taken to the test barn for post-race testing, the original trainer or his/her representative shall maintain physical custody of the claimed horse and shall

observe the testing procedure and sign the test sample tag. The successful claimant or his/her representative shall also accompany the horse to the test barn.

- (4) When a horse is claimed out of a claiming race, the horse's engagements are transferred, with the horse, to the claimant.
- (5) Ownership interest in any horse claimed from a race shall not be resold or transferred back to the original owner for 30 days after such horse was claimed, except by claim from a subsequent race.
- (6) A claimed horse shall not remain in the same stable or under the control or management of its former owner.
- (7) If the claimed horse has been approved by the stewards to run without the registration certificate on file in the racing office, then the registration certificate must be provided to the stewards for transfer to the new owner before claiming funds will be approved for transfer by the stewards.

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Version 4.4 to 4.5 ARCI 4/23/09 Amended Language added Claimed horse running without filed papers