

Racing Integrity Board

Thoroughbred Racing

Penalty Guide

February 2025



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THOROUGHBRED RACING PENALTY GUIDE 2025

INTRODUCTION

The First Edition of this RIB Penalty Guide was published in February 2023. Since then the New Zealand Thoroughbred Racing (NZTR) Rules of Racing¹ have been updated (most recently on 12 February 2025). This Penalty Guide has therefore been revised to ensure that penalties are in conformity with the updated NZTR Rules and Directives.

Notable Rule changes – See Appendix A

OBJECTIVES

The overall objectives of this Penalty Guide are:

1. To provide Adjudicative Committees with a starting point for imposing penalties.
2. To ensure that penalties imposed are consistent and align with contemporary precedent case results. Albeit, Adjudicative Committees have a discretion which is to be exercised within clear parameters after weighing up the circumstances of a breach, aggravating and mitigating factors, and personal circumstances of a Respondent.
3. To ensure transparency so stakeholders are aware of the penalty starting points and potential consequences of breaching any of the Rules covered by this Penalty Guide.
4. To ensure penalties imposed uphold the integrity of racing and protect the racing industry, participants, and the public.
5. To ensure that penalties reflect the focus on animal welfare and health and safety standards.
6. To ensure that penalties reflect and conform with NZTR policy intent.

¹ See Appendix A for list of Rule or Rule Number changes – effective Feb 2025

DECISION MAKING FACTORS

This guide should not be seen as either a replacement for, or as an alternative interpretation of the Rules. It does, however, provide a decision-making framework for determination of an appropriate penalty starting point.

The guidelines as to penalties are just that. They are not intended to override the discretion that is vested by the Rules in raceday Adjudicative Committees. However, in the interests of consistency and fairness Adjudicative Committees are expected to operate within the guidelines unless the Committee has good reason to believe that the case before it has some special characteristic that justifies the imposition of a penalty greater or lesser than that suggested by the guidelines. In such circumstances the Adjudicative Committee must carefully explain any departure from the guideline.

Although starting points are listed for breaches of the Rules that are likely to arise on raceday, an Adjudicative Committee retains the ability to consider matters specific to the breach before it. For example, where the breach is in a stakes race, emphasis must be given to this fact.

It is common for an Adjudicative Committee to determine the interests of denunciation, deterrence, and the integrity of racing in these particular circumstances (the status of the race) may warrant a substantial penalty. But these factors must not deflect the Committee from its primary task of assessing the gravity of the breach and the culpability of the respondent. Aggravating and mitigating factors relating to the nature of the breach and personal aggravating and mitigating factors must be considered.

Rule 920(2) provides that:

On finding a breach proved, the Adjudicative Committee may impose any penalty provided by these Rules. In imposing a penalty provided in these Rules the Adjudicative Committee may have regard to such matters as it considers appropriate including:

- a) the status of the Race;
- b) the stake payable in respect of the Race;
- c) any consequential effects upon any person or horse as a result of the breach of the Rule; and/or
- d) the need to maintain integrity and public confidence in racing.

The starting point is just that, and movement both above and below this point may (and will usually) occur. In other words, the Adjudicative Committee may impose a final penalty beyond this point where the breach is outside the norm or where the respondent has a lengthy record of breaches of the particular Rule, or below that point where the breach is at the lower end of the scale, or the Rider has an unblemished record.

If the impact of the breach of a Rule has been the disqualification or relegation of a horse from a dividend-bearing position, this is a significant aggravating factor and must be reflected in the penalty.

Careless Riding and breaches of the Whip Rule(s) are by far the most common offences dealt with by an Adjudicative Committee on a raceday.

The penalty framework for Careless Riding and Whip Rule breaches are set out in the **NZTR REVISED PENALTY GUIDELINES FOR WHIP RULE AND CARELESS RIDING RULE BREACHES** (Issued under Rule 106 of the Rules of Racing) as at 10 February 2023 ([refer via link](#)).

CARELESS RIDING

An Adjudicative Committee should firstly consider the level of carelessness in setting a penalty i.e., low (5 days suspension), mid (7 days suspension), or high range (10 + days suspension). Once the range is determined, aggravating and mitigating factors are considered. Where one or more of these factors are present, then the starting point may be adjusted upwards or downwards accordingly.

Aggravating features of a careless riding breach could include:

- Relegation resulted
- Horse(s) fell/Jockey(s) injured
- High level of culpability

Mitigating features of the breach could include:

- Horse(s) contributed to the incident
- Another Jockey contributed to the incident
- Minor movement and more an error of judgment

A Rider's personal aggravating and mitigating factors are also to be considered and the necessary adjustments made e.g., poor record/good record, with regard being had to the number of rides, and any admission of the breach.

NZTR Penalty Guidelines

In addition to the starting points for Careless Riding penalties, NZTR Penalty Guidelines provide:

- Fines to be added as a percentage of the Jockey's share of stake earned by their mount where the offence occurs in any Black- type race, Prestige Jumping race or major race.
- Concessions may be considered with respect to fines imposed on Apprentice Jockeys.
- When considering the penalty for careless riding, a Rider's record over the preceding 12 months will be taken into account

WHIP RULE BREACHES

There is limited scope or discretion for an Adjudicative Committee to depart from the Penalty Guide when imposing a penalty for a breach of the Whip Rules. Any departure would need to be carefully evaluated on the basis of exceptional circumstances.

NZTR Penalty Guidelines

For ready reference the Rules relating to whip use are attached - see [Appendix B](#). Of note see the added provisions relating to:

- Circumstances where 6 or 7 strikes are deemed not be a contravention of the Rule;
- Whip Rules relating to Jumps / Highweight Riders; and Whip use by Amateur Riders

General Whip Penalty Provisions

In addition to the starting points for whip breach penalties, the NZTR Penalty Guidelines provide the following General Whip Penalty Provisions:

- No warnings will be issued for breaches of the Whip Rules in any Black-Type race.
- With regards to breaches of Whip Rules 638(3)(g)(i) and 638(3)(g)(ii) in any Black-Type race, the starting point for a fine will be an amount equal to 50% of the Jockey's share of the stake earned by their mount or the starting point on the whip penalty table, whichever is greater, and may be in addition to any suspension imposed².
- When considering an appropriate penalty, a Rider's whip record over the preceding 6 months will be taken into account.

The whip should not be used inappropriately on a horse at any time. In particular, excessive, unnecessary, or improper use of the whip outside of a race may be regarded as misconduct under Rule 800 of the Rules.

FINES, SUSPENSIONS AND DISQUALIFICATIONS

Only penalties permitted by the Rules may be imposed. Members of Adjudicative Committees must be familiar with the penalty provisions in the Rules.

Generally, anyone committing a breach of the Rules can be:

- fined.
- suspended and fined;
- suspended from holding or obtaining a licence, permit, certificate, or registration;
- disqualified (can include horse).

Depending on the nature of breach, there are limits on each of those penalties and it is the duty of every member of an Adjudicative Committee to be familiar with the General Penalty Provisions prescribed by the Rules.

Every member of an Adjudicative Committee considering imposing a penalty of suspension or of disqualification must be familiar with the effect of each such penalty.

Suspensions and Deferments

For ready reference see Appendix C – which relates to amendments to the Rules relating to Suspensions and deferment criteria [Amended 3 October 2023].

² This was clarified in a communication with NZTR by RIB (G Davey) Oct 2023. Breaches in the other misc whip categories are to be dealt with on a fact dependent basis unless a penalty is specified within this guide. Uplifts can be imposed pursuant to R920 provisions.

PENALTY GUIDE – THOROUGHBRED – STARTING POINTS WHEN AN INFORMATION IS FILED

<i>Rule</i>	<i>Description</i>	<i>Penalty Starting Point</i>
404(2)	Wrong horse to races/trials/jump-outs	\$800
534(2)(b)	Late scratching (after 7.30am deadline) - no horse denied start - horse denied start	\$200 fine \$350 fine
614(2)	a) Neglect or careless in saddling when there are consequences for the betting public and owners; or horse and Rider issues are apparent. b) Failing to attach lead bag	a) \$750 fine b) \$300 fine
621(b)	Failure to present medical certificate	\$200
636(1)(b)	Failure to take all reasonable and permissible measures to win or obtain best possible placing	6 weeks suspension
636(1)(d)	Fails to ride out to end of race. The starting point relates to the potential placing deemed to have been lost as a result of the breach.	Starting points: 1 st - 5-weeks suspension 2 nd - 4-weeks 3 rd - 3-weeks 4 th - 2-weeks 5 th - \$300 fine Any other stakes or dividend bearing place - \$200 fine
638(1)(a)	Foul riding	Fact dependent
638(1)(b)	Reckless riding	6-week suspension
638(1)(b)	Reckless riding causing fall	8-week suspension
638(1)(c)	Improper riding	6-week suspension
638(1)(d)	Careless riding causing fall	4-week suspension
638(1)(d)	Careless riding (a) Low-range (b) Mid-range (c) High-range	NZTR Directive (as of 30 May 2022) SP's (a) 5-day suspension (b) 7-day suspension (c) 10-day suspension

638(1)(e)	Incompetent riding	4-week suspension
638(3)(g)(i)	Use of Whip more than 5 times prior to 100 m	See table below
638(3)(g)(ii)	Using the whip in consecutive strides	See table below
638(2)	Celebratory gesture	\$300
638(3)(e)	Excessive, unnecessary, or improper manner The whip should not be used inappropriately on a horse at any time. In particular, excessive, unnecessary, or improper use of the whip outside of a race may be regarded as <u>misconduct under Rule 800 of the Rules.</u>	See below
638(3)(f)	Miscellaneous – Whip Breaches	See table page 10
638(4)	Unreasonably slowing, reducing, or checking the speed	6-8 days suspension
648(3)(4)(5)	Rider cannot draw proper weight on being weighed in (Clerk of Scale shall allow 0.5kg tolerance).	Disqualification
649(1)(b)	Non accidental touching another person prior to weigh in - disqualified	\$500 fine
649(4)(a)	Trainer – wrongful act re weighing in or out	Fact dependent
650(1)(b)	Trainers' duty to report any condition or occurrence	\$750
800 Misconduct	Misconduct 800 A Licensed Person, Owner, lessee, Racing Manager, Official or other person bound by these Rules must not misconduct themselves in any matter relating to the conduct of Races or racing. [Amended 1 February 2024]	Fact dependent *See Note (3) below

Penalties for Whip Rule breaches

Excessive Use: Rule 638(3)(g)(i), using the whip more than 5 times prior to the 100m mark (refer NZTR Whip use Directive) and note circumstances where 6 or 7 strikes is deemed not to be a contravention of (i) of this sub-Rule.

<i>Offence</i>	<i>1 additional strike</i>	<i>2 additional strikes</i>	<i>3 additional strikes</i>	<i>4 or more additional strikes</i>
1 st	Warning	\$250	\$500	Suspension 5 National Days
2 nd	\$250	\$500	Suspension 5 National Days	Suspension 5+ National Days
3 rd	\$500	Suspension 5 National Days	Suspension 5+ National Days	Suspension 5+ National Days
4 th	\$500 + Suspension 2 National Days	Suspension 5+ National Days	Suspension 5+ National Days	Suspension 5+ National Days
5 th and following	Suspension 5+ National Days	Suspension 5+ National Days	Suspension 5+ National Days	Suspension 5+ National Days

Consecutive Use: Rule 638(3)(g)(ii), using the whip in consecutive strides (refer NZTR Whip use Directive)

<i>Offence</i>	<i>2 Consecutive Strides</i>	<i>3 Consecutive Strides</i>	<i>4 or more Consecutive Strides</i>
1 st	Warning	\$300	Suspension 5 National Days
2 nd	\$150	\$500	Suspension 5+ National Days
3 rd	\$300	Suspension 5 National Days	Suspension 5+ National Days
4 th	\$500	Suspension 5+ National Days	Suspension 5+ National Days
5 th plus	Suspension 5 National Days	Suspension 5+ National Days	Suspension 5+ National Days

***Note (2) – Whip penalties**

- No warnings will be issued for breaches of the Whip Rules in any Black-Type race.
- In all **[638(3)(g)(i) and 638(3)(g)(ii)]** breaches of the Whip Rules in any Black-Type race, the starting point for a fine will be an amount equal to 50% of the Jockey's share of the stake earned by their mount or the starting point on the whip penalty table, whichever is greater, and may be in addition to any suspension imposed as above.
- When considering an appropriate penalty, a Rider's whip record over the preceding 6 months will be taken into account.

Penalties for miscellaneous Whip Rule breaches

Whip breaches contained within Rule 638(3)(f) which provides that:

Without limiting the generality of subrule 638(3)(e), in a Flat Race or Jumping Race, a trial (including jump-outs and/or tests for certification purposes) a Rider must not use his or her whip in a manner contained within (i) to (viii).

The February 2023 NZTR Revised Penalty Guidelines for Whip Rule breaches provide that:

The whip should not be used inappropriately on a horse at any time. In particular, excessive, unnecessary, or improper use of the whip outside of a race may be regarded as misconduct under Rule 800 of the Rules.

Rule	Description	1st breach	Comments
638(3)(f)(i)	Forward of the Rider's horse's shoulder or in the vicinity of its head	Fact dependent	Depends on circumstances of the breach
638(3)(f)(ii)	Using an action that raises the Rider's arm above shoulder height	\$250 fine SP	
638(3)(f)(iii)	When the Rider's horse is out of contention of finishing in the first five placings	\$300 fine SP	
638(3)(f)(iv)	When the Rider's horse is showing no response;	Fact dependent	Depends on circumstances of the breach
638(3)(f)(v)	After passing the winning post;	Fact dependent	Depends on circumstances of the breach as well as any aggravating factors
638(3)(f)(vi)	In a manner that causes a welt and/or injury to the Rider's horse	Fact dependent	
638(3)(f)(vii)	When the Rider's horse is clearly winning	\$300 SP	
638(3)(f)(viii)	When the Rider's horse has no reasonable prospect of improving or losing its position	\$300 SP	
638(3)(f)(ix)	In a manner where the seam of the flap is the point of contact with the horse, unless the Rider satisfies the Stewards that that was neither deliberate nor reckless	Fact dependent	Depends on circumstances of the breach

638(3)(f)(x)	On the flank of the Rider's horse	Fact dependent	Depends on circumstances of the breach
638(3)(f)(xi)	Forward of the Rider's saddle whilst the whip is held in the forehand position	\$300 fine SP	

Jumps Riders (Penalties for Careless Riding and Whip breaches)

Note:

The penalties in this Guideline apply to Riders who hold only a Class D Rider's Licence (Jumps Licence). Riders who hold a Class A Rider's Licence (Jockey's Licence) or a Class B Rider's Licence (Apprentice Licence) in addition to a Class D Rider's Licence, will receive penalties in accordance with the Guidelines applicable to Flat Races as if the breach had occurred in a Flat Race.

A suspension imposed on a Rider who holds a Class A Licence or a Class B Licence as well as a Class D Licence will apply to all race meetings and not just Race Days as defined in these penalty guidelines.

Careless Riding

Low-range - starting point Suspension 1 Race Day
 Mid-range - starting point Suspension 2 Race Days
 High-range - starting point Suspension 3 Race Days

Further provisions:

- A "Race Day" means any day on which either Jumps Racing or Highweight Racing is scheduled to take place.
- Penalties may be increased where a Jockey repeatedly breaches the Careless Riding Rules.
- In cases of careless riding in Prestige Jumping races, a fine will be imposed in addition to any suspension. The starting point for any such fine will be an amount equal to 50% of the Jockey's share of the stake earned by their mount.
- Concessions may be considered with respect to fines imposed on Apprentice Jockeys.
- When considering the penalty for careless riding, a Rider's record over the preceding 12 months will be taken into account.

Whip breaches - Excessive strikes

- For breaches of Rule 638(3)(h)(i), using the whip more than 10 times prior to the 100m mark; or
- For breaches of Rule 638(3)(g)(i), using the whip more than 5 times prior to the 100m mark in a **Highweight Race**

Offence	1 additional strike	2 additional strikes	3 additional strikes	4 or more additional strikes
1st	Warning	\$250	\$500	Suspension 1 race day
2nd	\$250	\$500	Suspension 1 race day	Suspension 2 race days
3rd	\$500	Suspension 1 race day	Suspension 2 race days	Suspension 3 race days
4th	Suspension 4 races	Suspension 2 race days	Suspension 3 race days	Suspension 3+ race days
5 th and following	Suspension 3+ race days	Suspension 3+ race days	Suspension 3+ race days	Suspension 3+ race days

Whip breaches - Consecutive strides

For breaches of Rule 638(3)(h)(ii), using the whip in consecutive strides; or

For breaches of Rule 638(3)(g)(ii), using the whip in consecutive strides in Highweight races.

Offence	2 Consecutive Strides	3 Consecutive Strides	4 or more Consecutive Strides
1st	Warning	\$300	Suspension 1 race day
2nd	\$150	\$500	Suspension 2 race days
3 rd	\$300	Suspension 2 race days	Suspension 3 race days
4th	\$500	Suspension 3+ race days	Suspension 3+ race days
5 th plus	Suspension 2 race days	Suspension 3+ race days	Suspension 3+ race days

For penalty setting purposes under Rules 638(3)(g) and 638(3)(h) only those breaches of the same sub-Rule are to be taken into account. Use of the whip prior to the 100 metres and use in consecutive strides are to be treated as separate not cumulative categories of breach when determining the frequency of offending.

General Whip Penalty Provisions

- A “Race Day” means any day on which either Jumps Racing or Highweight Racing is scheduled to take place.
- No warnings will be issued for breaches of the Whip Rules in any Prestige Jumping race.
- In all breaches of the Whip Rules (638(3)(g) and 638(3)(h))³ in any Prestige Jumping race, a fine will be imposed in addition to any suspension provided for in the tables above. The starting point for any such fine will be an amount equal to 50% of the Jockey’s share of the stake earned by their mount or the starting point on the whip penalty table, whichever is greater, and may be in addition to any suspension imposed as above.
- When considering an appropriate penalty, a Rider’s whip record over the preceding 6 months will be taken into account.

³ This was clarified in a communication with NZTR by RIB (G Davey) Oct 2023. Breaches in the other misc whip categories are to be dealt with on a fact dependent basis unless a penalty is specified within this guide. Uplifts can be imposed pursuant to R920 provisions.

PROHIBITED SUBSTANCES – THOROUGHBRED – STARTING POINTS

Administration Offences

First offence	- eighteen-month disqualification
Second offence	- three-year disqualification
Third offence	- five-year disqualification

Presentation Offences

First offence	- \$8,000
Second offence	- two-year disqualification and fine of up to \$10,000

APPENDIX A – Changes to NZTR Rules (effective February 2025)

RULE AMENDMENTS (as of February 2025) - *Subject Rules Changed or Added*

Subject	Rules Changed or Added
1. Bisphosphonate	Rule 804(11)(b) Amended
	Rules 804(12)(c), (d) and (e) Amended
2. Unauthorised Persons in Jockeys' Rooms	Rule 607(1) added
3. Trainee Trackwork Riders	Rule 322 amended
	Rule 377 amended
4. Whip Use	Rule 638(f) amended
5. Regulation of Trials	Rule 926(1) amended
	Third Appendix amended

APPENDIX B – NZTR Use of Whip Rules

Rule 638(3)(e) provides that:

In a Flat Race or Jumping Race, a Trial (including jump-outs and/or tests for certification purposes), a Rider must not use his or her whip in an excessive, unnecessary, or improper manner.

Rule 638(3)(f) provides that:

(f) Without limiting the generality of subrule 638(3)(e), in a Flat Race or Jumping Race, a Trial (including jump-outs and/or tests for certification purposes) a Rider must not use his or her whip:

- (i) forward of the Rider's horse's shoulder or in the vicinity of its head; or
- (ii) using an action that raises the Rider's arm above shoulder height; or
- (iii) when the Rider's horse is out of contention of finishing in the first five placings; [Amended 31/01/2025] or
- (iv) when the Rider's horse is showing no response; or
- (v) after passing the winning post; or
- (vi) in a manner that causes a welt and/or injury to the Rider's horse; [Amended 31/01/2025] or
- (vii) when the Rider's horse is clearly winning; or
- (viii) when the Rider's horse has no reasonable prospect of improving or losing its position; or
- (ix) in a manner where the seam of the flap is the point of contact with the horse, unless the Rider satisfies the Stewards that that was neither deliberate nor reckless, or
- (x) on the flank of the Rider's horse; or [Added 31/01/2025]
- (xi) forward of the Rider's saddle whilst the whip is held in the forehand position [Added 31/01/2025]

Rule 638(3)(g) provides that:

(g) Subject to the other requirements this Rule 638(3), in a Flat Race or Trial (including jump-outs and/or tests for certification purposes), a Rider must not:

- (i) except as provided for in (iii) (A) and (iii) (B) of this sub-Rule, strike a horse with a whip more than 5 times prior to the 100-metre mark (other than in a slapping motion down the shoulder with the whip hand remaining on the reins); (Amended 26 June 2023)
- (ii) strike a horse with a whip in consecutive strides at any stage of the race.
- (iii) it shall not be a contravention of (i) of this sub-Rule if:
 - (A) a Rider strikes a horse six times prior to the 100-metre mark, provided that the Rider does not strike the horse more than four times after the 100-metre mark, (Amended 26 June 2023)
 - (B) a Rider strikes a horse seven times prior to the 100-metre mark, provided that the Rider does not strike the horse more than 3 times after the 100-metre mark. (Amended 26 June 2023)

(j) A trainer, owner or their authorised agent must not give instructions or offer inducements to a Rider regarding the use of the whip which, if carried out, might result in a breach of this Rule 638 [Rule 802(1) applies].

Amateur Riders

In races for Amateur Riders only, the whip may not be used in the drawn position. It may only be used in a slapping motion down the shoulder with the whip hand remaining on the reins.

Jumps Riders

638(3)(h)(i) Jumps races breach using whip more than 10 times prior to the 100 metres.

638(3)(h)(ii) Jumps races breach using whip in consecutive strides at any stage of the race.

APPENDIX C – SUSPENSIONS

Suspensions

1106(1) A person who has been suspended from holding or obtaining a Licence shall not, irrespective of whether such suspension has been duly notified in accordance with any of the preceding Rules in this Part XI, during the period of the suspension: [Amended 3 October 2023]

(a) undertake any work, perform any function, or enter any area on a Racecourse on a Race day, for which the Licence is required, without the prior written consent of NZTR; and/or [Amended 3 October 2023]

(b) be employed or work or assist in any capacity in connection with the care, control, training, or riding of a horse. However, where the person so suspended was the holder at the time of his suspension of both a Trainer's Licence and a Rider's Licence and the suspension relates to the Rider's Licence only, then such person may train any horse and, with the prior consent of the Stipendiary Stewards for a particular Race Meeting (which may be revoked at any time) and for the purposes only of carrying out his work as a Trainer, may enter the weighing room on the relevant Racecourse on any day of such Race Meeting. [Amended 3 October 2023]

(2) Each suspension of a Rider from riding in Races, which is imposed under these Rules by an Adjudicative Committee during any day of a Race Meeting shall take effect as follows:

(a) if, at the time the suspension is imposed, the Rider has no engagements to ride a horse in a Race during the next ten-day period after that Race day, from the completion of that Rider's engagements on that Race day; or

(b) if, at the time the suspension is imposed, the Rider is engaged to ride a horse or horses in a Race(s) during the next ten-day period after that Race day, then from the earlier of:

(i) the completion of such engagements within that ten-day period; or

(ii) the completion of that ten-day period provided that, if any race for which the Rider has an engagement within the ten-day period is postponed for any reason, the Rider may fulfil that engagement on the day to which the engagement is postponed and may take engagements for any other races on that day. The dates of the suspension imposed by the Adjudicative Committee will not be affected, irrespective of whether the Rider fulfils a postponed engagement, or not. [Amended 3 October 2023]

(3) Each suspension of a Rider from riding in Races, which is imposed under these Rules by an Adjudicative Committee otherwise than during any day of a Race Meeting shall take effect as follows:

(a) if, at the time the suspension is imposed, the Rider has no engagements to ride a horse in a Race during the next ten-day period after that day, from the day the suspension is imposed; or

(b) if, at the time the suspension is imposed, the Rider is engaged to ride a horse or horses in a Race(s) during the next ten-day period after that day, then from the earlier of:

(i) the completion of such engagements within that ten-day period; or

(ii) the completion of that ten-day period.

provided that, if any race for which the Rider has an engagement within the ten-day period is postponed for any reason, the Rider may fulfil that engagement on the day to which the engagement is postponed and may take engagements for any other races on that day. The dates of the suspension imposed by the Adjudicative Committee will not be affected, irrespective of whether the Rider fulfils a postponed engagement, or not. [Amended 3 October 2023]

(4) Each suspension of a person, from holding or obtaining a Licence shall, unless the Committee imposing the suspension otherwise directs, take effect immediately. [Amended 3 October 2023]