

MINIATURE PONY

SAFETY CODE OF PRACTICE

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1. Meanings of Particular Words Used in this Code

The following words have the meanings given alongside them:

- Act – *Recreational Services (Limitation of Liability) Act 2002 (S.A.)*
- Activity - riding, handling or driving a Pony
- Code – this code including any amendment to this code
- Driver – a person in control of a pony drawn vehicle
- Handler – a person who leads a Pony but does not intend to mount the Pony
- Miniature Pony – any breed of horse which does not exceed 8.2 hands (87 centimeters or 34 imperial inches) in height measured to the groove between the 4th and 5th thoracic vertebrae.
- Personal injury – the same meaning as it has under section 3 of the Act
- Participant – a person who participates in an Activity
- Pony – a Miniature Pony
- Provider – any person who provides recreational services comprising provision of an Activity in the State of South Australia
- Rider – a person who is sitting on a Pony lead by an adult who is in control of it
- Riding – sitting in a saddle fitted to a Pony lead by an adult who is in control of it
- Ring – an exhibition area where a pony competition will take place
- Venue – a place where an Activity will occur, including a Ring and a Warm up area, that is staged and officially managed by a Provider
- Warm up area – a non-competition area designated as such for the use of Participants

2. Governing law and jurisdiction

- (a) The laws of South Australia apply to the interpretation and application of this Code.

- (b) The Participant and the Provider unconditionally submit to the non-exclusive jurisdiction of the courts and tribunals of South Australia in respect of any claim or dispute between them relating to the provision of an Activity.

3. Description of Recreational Activity and Recreational Services

- (a) This Code relates to the driving, handling and riding of a Miniature Pony engaged in an Activity in a Ring or Warm-up Area.
- (b) Recreational Services comprising provision of an Activity are governed by this Code.

4. Riding in the Ring or Warm up Area

The Provider must conduct a gear check for each Rider about to enter a Ring or a Warm up area to establish that:

- (a) the Rider is wearing a correctly fitted riding helmet model AS/NZS 3838, EN 1384 or ASTM F1163, less than 5 years old from date of manufacture and that it is correctly fastened;
- (b) the Rider is wearing footwear which enables uninhibited removal of the foot from the stirrup iron and also hinders the foot from sliding forward and through the iron;
- (c) the Rider is not wearing any loose jewellery nor any sharp objects protruding from the hair;
- (d) all equipment used with the Pony is suitably matched to the Activity, in good condition and properly fitted;
- (e) boots and bandages are correctly applied and securely fastened;
- (f) an adult is leading the Pony and is wearing footwear that will provide protection to the top of the foot if the Pony were to stand on it; and
- (g) the lead rope is connected correctly to the Pony and in good condition.

The Rider must not be allowed to enter a Ring or Warm up area unless all the matters referred to in (a) – (g) above inclusive are established.

5. Handling a Pony in the Ring or Warm up area

The Provider must conduct a gear check for each Handler about to enter the Ring or Warm up area to establish that:

- (a) the Handler is wearing footwear that will provide protection to the top of the foot if a Pony were to stand on it;
- (b) all colts and stallions regardless of age are being handled by a person 18 years of age or older;
- (c) colts 2 years of age or more are bitted;
- (d) the Pony has a bit in its mouth appropriate to control the Pony;
- (e) all buckles are closed and their straps are inserted into their keepers; and
- (f) the lead rope is connected correctly to the Pony and in good condition.

The Handler must not be allowed to enter a Ring or Warm up area unless the matters referred to in (a) – (f) above inclusive are established.

6. Driving a Pony in the Ring or Warm up Area

The Provider must conduct a gear check for each Driver about to enter the Ring or Warm up area to establish that:

- (a) the Rider is wearing a correctly fitted riding helmet model AS/NZS 3838, EN 1384 or ASTM F1163, less than 5 years old from date of manufacture and that it is correctly fastened; and
- (b) all equipment used with the Pony is suitably matched to the Activity, in good condition and properly fitted.

The Driver must not be allowed to enter a Ring or Warm up area unless the matters referred to in (a) and (b) above are established.

7. Injuries to Participants

The Provider must ensure that, throughout an Activity:

- (a) a person with an understanding of basic first aid is in attendance and on duty;

- (b) there is a 'moderate' risk level first aid kit available; and
- (c) an effective and certain means of communicating with emergency services is available.

8. General

The Provider must:

- (a) ensure the Participant receives a written risk warning relating to the risks associated with the Activity, prior to the commencement of the Activity;
- (b) ensure the Venue has perimeter fencing and it is in good condition and that vehicle access to any adjoining public road is safe;
- (c) ensure the Ring and Warm up area are fenced in such a manner as to discourage a horse from attempting to jump out of or otherwise escape from them and are sign posted to warn spectators and pedestrians not to enter them;
- (d) appoint and authorise a willing, competent, adult person to manage the Venue and exercise ultimate control over every Activity, who is;
 - (i) familiar with Ponies and their behaviour gained over a period of not less than 2 years;
 - (ii) aware of and understands the meaning and effect of the provisions of this Code; and
 - (iii) capable of implementing and enforcing the requirements of this Code and undertakes to the Provider to do so;
- (e) take steps, as soon as practicable, to isolate and restrain or otherwise deal with any horse which shows dangerous or aberrant behaviour that poses a real risk of personal injury to any Participant or spectator;
- (f) take steps to bring to the Participants' attention that the wearing of sun screen is required on all exposed areas of skin in Summer months and at all other times when there is a risk of sun burn;

- (g) ensure there are separate areas marked and designated at every Venue for:
 - (i) Participants' vehicles, floats and horse trucks to be parked;
 - (ii) spectators' vehicles to be parked;
 - (iii) gear checks; and
 - (iv) spectators to watch the Activity;
- (h) arrange for a member of the Society to check the Venue prior to the earliest Activity taking place to ensure that it is free of observable hazards;
- (i) inform all Participants, spectators and pedestrians at a Venue, by means of signage, written material or public announcement that no dogs are permitted to run loose at the Venue and that any owner or person apparently in control of a dog that is loose will be asked to leash the dog or remove the dog from the Venue; and
- (j) if a dog is loose at a Venue, halt all Activities until the dog is leashed or otherwise restrained.

Applicant's Details

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