



GUIDE TO PROCEDURES AND PENALTIES

2009

*An explanatory Guide to assist effective
enforcement of the Rules of Racing*

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EFFECTIVE FROM 28 MARCH 2009

1. INTRODUCTION

This booklet contains information on the main Rules and the various procedures and charts which will be referred to at all times when deciding on the appropriate course of action either on the racecourse or at a Disciplinary Panel enquiry.

The booklet should not be seen as either a replacement for, or an interpretation of, the Rules of Racing and Instructions. It does, however, seek to clarify and provide easy reference to a number of crucial areas which may arise during the course of a day's racing.

The guidelines as to penalties are not intended to override the discretion of the Stewards under the Rules. However, in the interest of consistency and fairness, Stewards are expected to operate within the guidelines unless they have good reason to consider that the case before them has some special characteristic(s) which justifies a greater or lesser penalty outside the guidelines; Stewards should be prepared to explain their reasons for so doing.

If you have any questions, or need any further advice, on the information contained in this booklet you should speak to the Disciplinary Department (0207 189 3823) or a Stipendiary Steward.

Tony Goodhew
Director of Raceday Operations and Regulation

2. RUNNING AND RIDING – RULES 155 to 158 and INSTRUCTION H18

In order to maintain confidence in the integrity of racing it is particularly important either that questions are asked by way of Instruction H15 or that an enquiry under Rule 155 is held when appearances suggest a horse may not have been run on its merits - see Instruction H18. **Stewards should not be deterred from holding an enquiry because they consider it unlikely that they will be able to prove a breach of Rule 155, 156, 157 or 158.** These enquiries are not time sensitive but the Stipendiary Steward should ensure the rider and trainer are warned that they will be required to attend.

WHEN TO HOLD AN ENQUIRY

The Rule does not allow exceptions for horses which do not obtain the best possible placing and therefore the Stewards should always initiate an enquiry on the day or ask questions rather than leaving it to the Stewards officiating at a following meeting when the horse runs. In helping to decide whether or not to hold an enquiry the Panel should view the video recording of the race. Having regard to Instruction H18 the Stipendiary Steward should then ask the following questions:

● **Was the horse asked for "... timely, real and substantial effort?"**

If the answer to this question is **NO** an enquiry should be held. If **YES**

● **Was it ridden to obtain the best possible placing?**

If **NO** again an enquiry should be held.

HAVING DECIDED TO HOLD AN ENQUIRY

A series of questions will be asked of the rider and trainer to establish the reasons for the way the horse was ridden.

Under Instruction D5 the trainer, if he is unable to attend the meeting, must authorise another person to represent him on the racecourse. This person must attend stewards' enquiries on the trainer's behalf. He must know the riding instructions that the trainer gave to the rider, must be authorised by the trainer and must be able to inform the Stewards whether the rider has complied with such instructions. Failure by the trainer to do so will result in a breach of Instruction D5. Furthermore, if the representative has not been made aware of the riding instructions given by the trainer, the Stewards will progress the enquiry as to whether the trainer is in breach of sub-Rule 155(ii) on the basis of the evidence of the rider as to what instructions were given to him.

HAS A BREACH OF THE RULES BEEN COMMITTED ?

Prior to determining whether or not the rider and/or trainer are in breach of Rules 155-158 the Stipendiary Steward will sum up and then ask the following questions of the Panel:

● **Was the horse asked for "... timely, real and substantial effort?"**

● **Was it ridden to obtain the best possible placing?**

4.

If the answer to either of these questions is NO, was the explanation given by either the rider or trainer an acceptable reason for the horse either not being asked for timely, real and substantial effort or not being ridden to obtain the best possible placing?

If the answer to either question remains NO, the rider is in breach of Rule 156, 157 or 158.

With regard to the trainer he will be in breach of Rule 155 (ii) if you are not satisfied that he gave adequate instructions; which is to say such instructions as are necessary to ensure that the horse runs on its merits. The trainer will also be deemed to be in breach if the rider is found in breach of Rule 157 unless he is able to satisfy the Stewards that the rider was given adequate instructions and that he failed to comply with them.

WHEN IN BREACH

If you find that a breach has been committed by the rider, it is necessary to categorise the offence which will assist you in arriving at the appropriate penalty. The Stipendiary Steward will therefore ask the following questions of the Panel (the 'Subdivision Charts' on pages 6 to 10 will assist):

1) **Was the rider in breach of Rule 156 (negligence)?**

IF NOT

2) **Was the rider in breach of Rule 157* (intent)?**

IF NOT

It must be a breach of Rule 158* (failure to take all reasonable and permissible measures) by the rider.

*The line between Rules 157 and 158 can be illustrated for many cases by the example of a rider who appears to be doing the opposite of what you would expect a rider in his circumstances to be doing (Rule 157) and cases where the rider is simply not doing enough (Rule 158).

Having decided which Rule the rider is in breach of and the category of offence, the Stipendiary Steward will advise on penalty for rider and, if appropriate, the trainer. Previous offences are to be taken into account.

OTHER OPTIONS

The following other options are open to you and must be referred to in your report of the enquiry:

- Noting - all explanations
- Referral for viewing horse's previous runs (Instruction H19)
 - horse wins a Handicap, Classified Stakes or Rating Related Maiden Race without having been previously placed in the first four
 - a marked improvement in performance
 - concerns are expressed about performance last time out
- Adjourned enquiry - vital witness is not present

RECOMMENDED PENALTIES FOR BREACHES OF RULES 155 to 158 - RUNNING & RIDING

FOR THE PURPOSE OF RULES 155-158 THE WORD 'PLACING' MEANS ANY PLACING FROM AND INCLUDING FIRST PLACE TO LAST PLACE

RULE 155 TRAINER'S RESPONSIBILITIES

SUBDIVISION OF POTENTIAL OFFENCE

Recommended Penalties for 1st Offence

(These are the more common examples of breaches but they are by no means exhaustive)	ENTRY POINT	RANGE
a) Trainer fails to give adequate instructions which contributes to the rider being in breach of Rule 158. Trainer in breach of Rule 155(ii)	£1,500	£1,000-£2,500
b) Trainer sends unfit or unschooled horse to the racecourse Rule 155(iv). Rider unlikely to be in breach of either Rule 157 or 158.	£3,000	£2,000-£5,000
c) Rider in breach of Rule 157. Trainer deemed in breach of Rule 155(ii)	See Rule 157	

Second offence:

Two findings of Rule 155 (subdivision a)) within 12 months - deal with on racecourse but penalty should generally be double that for a 1st Offence
Two findings of Rule 155 (sub: a)) between 12 - 24 months - deal with on racecourse but penalty should generally be higher than that for a 1st Offence.

Rule 155 (sub: b)) - as above

SUBDIVISION OF RULE

- i) Failing to ride out approaching the finish on a horse that would have been placed:
 - Place not obtained - first
 - Place not obtained - second/third
 - Place not obtained - fourth
 - Place not obtained - any other placing for which there is prizemoney

*Figures in brackets should be used for dead heats. With a second offence the fact that the first offence was or was not a dead heat should be ignored.

Recommended Penalties

1st Offence	2nd Offence
28 days (18)* If wilful, refer	refer
10 days (5)*	21 days (14)*
4 days (3)*	10 days (7)*
2 days (1)*	4 days (3)*

ENTRY POINT RANGE ENTRY POINT RANGE

- ii) Mistaking the race distance and either riding a finish a circuit too early or failing to ride a finish
12 days 10-14 days refer
- iii) Taking the wrong course
12 days 10-14 days refer
- iv) Asking for an effort or making some other permissible manoeuvre too late as a result of serious misjudgement or inattention.
10 days 7-14 days 21 days 14-28 days

RULE 157 INTENT TO CONCEAL

SUBDIVISION OF POTENTIAL OFFENCE

	STEWARDS		DISCIPLINARY PANEL	
	ENTRY POINT	RANGE	ENTRY POINT	RANGE
a) Deliberately not riding a horse to obtain the best possible placing				
i) for personal reward or knowing that it had been layed to lose	N/A	N/A	Rider/Trainer Disqualify - 30 months Horse suspended	21 months - 10 years
ii) not knowing that it had been layed to lose	N/A	N/A	Rider/Trainer Suspend/Withdraw licence - 4 months and/or restriction on entries and running horses from yard	3 - 6 months
b) Deliberately preventing a horse from winning	} refer			
c) Purposely not riding out a horse that would otherwise have won				Rider/Trainer Suspend/Withdraw licence - 9 months Horse suspended
d) Horse which has intentionally been restrained and not let down	} refer			
e) Horse which has intentionally not been asked for sufficient effort				
f) Horse which appears capable of reaching a challenging position but which has intentionally never been asked to do so *Horse suspended 40 days if both rider & trainer are found in breach				42 days (rider) £7,500 (trainer) * £5,000-£30,000

g)	Using the racecourse as a training ground ie Schooling and/or Conditioning. Horse usually first time out in a Flat, Steeplechase or Hurdle race or returning after a lengthy absence or having a confidence restoring run *Horse suspended 40 days if both rider & trainer are found in breach	14 days (rider) 10-18 days £3,000 (trainer)* £2,500-£4,000	See racecourse penalties	see racecourse penalties
h)	Referrals from racecourse for third offence	refer	refer	60 days (rider) 42-90 days £20,000 (trainer) £15,000-£30,000 and/or restriction and/or 14-42 days on entries and running horses from yard - 21 days Horse suspended

NOTE:

Second Offence:

Two findings of Rule 157 (sub: g) within 12 months - deal with on racecourse but penalty should generally be double that for a 1st Offence
 One finding of Rule 157 (sub: g) after one of Rule 158 (sub: b) within 12 months - deal with on racecourse but penalty should generally be double that for a 1st Offence
 One finding of Rule 157 (sub: g) after a finding of Rule 157 (sub: d, e or f) within 12 months - deal with on racecourse but penalty should be at least double that for a first offence
 One finding of Rule 157 (sub: g) after a finding of Rule 157 (sub: d, e or f) between 12-24 months - deal with on racecourse but penalty should generally be higher than that for a 1st Offence
 One finding of Rule 157 (sub: g) after one of Rule 158 (sub: b) - between 12-24 months - deal with on the racecourse but penalty should generally be higher than that for a 1st Offence

Third Offence

Any findings of either Rule 157 (sub: g) and/or 158 (sub: b) within 24 months - refer (see sub:h)

SUBDIVISION OF POTENTIAL OFFENCE

(These are the more common examples of breaches but they are by no means exhaustive)

- a) Rider suffers interference and then fails to ride out to the winning post on a horse that:
- (i) would have been placed first, second, third, fourth or any other placing for which there is prize money
 - (ii) could have been placed first, second, third, fourth or any other placing for which there is prize money
 - (iii) is unplaced
- b) Rider fails to take all reasonable and permissible measures throughout the race

Recommended Penalties for 1st Offence

ENTRY POINT RANGE

See Rule 156 (i)

See c) below.

See d) below.

10 days

7-21 days

Second Offence:

Two findings of Rule 158 (sub: b) within 12 months - deal with on racecourse but penalty should generally be double that for a 1st Offence
 One finding of Rule 158 (sub: b) after one of Rule 157 (sub: any) within 12 months - deal with on racecourse but penalty should generally be double that for a 1st Offence

Two findings of Rule 158 (sub: b) between 12 - 24 months - deal with on racecourse but penalty should generally be higher than that for a 1st Offence
 One finding of Rule 158 (sub: b) after one of Rule 157 (sub: any) between 12 - 24 months - deal with on racecourse but penalty should generally be higher than that for a 1st Offence

Third Offence:

Any three findings of either Rule 158 (sub: b) and/or Rule 157 (sub: any) within 24 months - refer

- c) Failing to ride out approaching the finish on a horse that could have been placed

First

Second/Third

Fourth

Any other placing for which there is prize money

1st Offence

10 days

7 days

3 days

1 day

2nd Offence

21 days

14 days

6 days

2 days

- d) Rider demonstrates an acceptable degree of effort during the race until prematurely easing his horse, which would never have finished in the first four or any other placing for which there is prize money but is allowed to coast home with no assistance from the rider

1st Offence - Caution

2nd - 1 day

3rd - 1 day

4th - 3 days

5th - refer

3. INTERFERENCE IN RACES - RULES 153 and 171(iii)

INTERFERENCE PROCEDURE TO BE FOLLOWED AFTER HEARING THE EVIDENCE

After the riders have left the room, the Chairman or Stipendiary Steward will ask the following questions of the Panel:

- **Was there interference?**

If the answer is **NO** the enquiry should be closed. If **YES**

- **Who caused it?**

If it cannot be established who caused it, the enquiry should be closed and the appropriate notice issued. If the cause is established:

- **THE STIPENDIARY STEWARD WILL SUM UP.**

It should then be established whether the interference was **serious** by asking the following question:

- **Was the nature of the incident such as to place in serious jeopardy the safety of any horse or rider?**

If **YES**, the Chairman or Stipendiary Steward should start at the top category and work down the left-hand side (the 'definitions') bearing in mind that a decision should be reached on the balance of probabilities and if the Panel is having difficulty reaching agreement he will move on to the next category. The Panel should only refer to the right-hand side (the 'examples') after agreement has been reached on the category of interference.

If **NO**, the Panel should consider the placings by proceeding to the section headed 'Determining the Result Following Interference' on pages 14 and 15 before returning to Careless Riding.

CATEGORY AND DEFINITION	EXAMPLES (These are the more common examples of interference but they are by no means exhaustive)
<p>1. FOR DANGEROUS RIDING THE RIDER MUST CAUSE SERIOUS INTERFERENCE. SERIOUS INTERFERENCE IS WHEN INTERFERENCE CAUSES A HORSE AND/OR RIDER TO FALL OR VERY NEARLY FALL OR THE HORSE IS SEVERELY HAMPERED EG. UP AGAINST THE RUNNING RAIL, OR IS PUSHED OR NEARLY PUSHED OFF THE COURSE.</p>	
<p>WAS IT DANGEROUS RIDING?</p> <p>A rider is guilty of Dangerous Riding if he causes serious interference by:</p> <p>a) purposely interfering with another horse or rider or</p> <p>b) riding in a way which is far below that of a competent and careful rider and where it would be obvious to such a competent and careful rider that riding in that way was likely to endanger the safety of a horse or rider.</p>	<p>RIDER CAUSES SERIOUS INTERFERENCE BY:</p> <p>a) Riding across to prevent a horse from going 'up the inner'.</p> <p>b) Attempting to force a horse off the track eg. at the wing of a fence.</p> <p>c) Deliberately barging his way between two horses.</p> <p>d) Persistently attempting to get past any horse when there is insufficient room.</p> <p>e) Failing for a sustained period of time to take corrective action.</p> <p>f) Intentionally striking another horse or rider.</p> <p>g) Manoeuvring/changing direction, suddenly or gradually (particularly on to the rail)</p>
<p><i>If the rider is guilty of Dangerous Riding the horse must be disqualified.</i></p>	
<p style="text-align: center;">Advice to Stewards</p> <p>There are two parts to Dangerous Riding. Firstly, there has to be serious interference but this is not enough on its own to warrant a breach of Dangerous Riding - serious interference can be caused by Careless riding or can even be Accidental. The second part relates to the culpability of the rider in terms of his riding - see 1a) and b) and the examples a) to g) in the righthand column.</p>	
<p>IF YOU ARE SATISFIED THAT THE INTERFERENCE IS NOT DANGEROUS YOU SHOULD PROCEED TO THE SECTION HEADED 'DETERMINING THE RESULT FOLLOWING INTERFERENCE' ON PAGES 14 AND 15 TO DETERMINE WHETHER THE PLACINGS NEED TO BE ALTERED. HAVING COME TO A DECISION ON PLACINGS, WHICH SHOULD BE IMMEDIATELY ANNOUNCED, YOU SHOULD REVERT BACK TO DECIDE ON THE CATEGORY OF INTERFERENCE.</p>	
<p>2. FOR CARELESS RIDING THE RIDER USUALLY CAUSES INTERFERENCE OF A LESS SERIOUS NATURE BY FAILING TO TAKE CORRECTIVE ACTION OR BY MISJUDGEMENT, INCLUDING A MANOEUVRE.</p>	
<p>WAS IT CARELESS RIDING?</p> <p>A rider is guilty of Careless Riding if he fails to take reasonable steps to avoid causing interference or causes interference by inattention or misjudgement, including when manoeuvring for position.</p>	<p>a) Horse drifts into another without rider straightening it up, either by switching his whip, or, if that is insufficient, by using his reins.</p> <p>b) Horse hangs into the whip but the rider does not take sufficient action to straighten it up.</p> <p>c) Horse hangs in on bend without rider taking any action.</p> <p>d) Rider manoeuvres/changes direction, causing another rider to be moved off his intended line or to take evasive action.</p> <p>e) Rider pushes through, thereby creating a gap or widening an existing gap which never looked like being big enough</p> <p>f) Rider moves across to the rails at the start causing interference.</p> <p>g) Rider unintentionally strikes another horse or rider but should have moderated his use of the whip because of the close proximity of another horse or rider.*</p> <p>* see page 22 - striking horses or riders with whip.</p>
<p style="text-align: center;">Advice to Stewards</p> <p>Demotion only occurs if the horse causing the interference has improved its placing as a result of that interference</p>	

3. FOR IMPROPER RIDING THE RIDER INTENTIONALLY INTERFERES WITH OR STRIKES ANOTHER HORSE OR RIDER WITHOUT CAUSING SERIOUS INTERFERENCE. THE INTERFERENCE IS NOT INTENDED TO IMPROVE THE INTERFERER'S PERFORMANCE BUT RATHER TO AFFECT THE PERFORMANCE OF THE SUFFERER.

WAS IT IMPROPER RIDING?

A rider is guilty of Improper Riding if he intentionally strikes other riders or horses and may also include other forms of misconduct in the course of riding such as riding that would be dangerous but for the fact that it did not cause serious interference.

- a) Rider intentionally interferes with another horse or rider but not with the intention of improving his own position.
 - b) Rider intentionally rides across to cause interference,
 - c) Rider intentionally strikes another horse or rider.*
 - d) Rider intentionally attempts to interfere with or strike another horse or rider with his whip.*
 - e) Rider rides dangerously but does not cause serious interference eg. rider moves a considerable distance across the course at the start.
- * see page 22 - striking horses or riders with whip.

Advice to Stewards

This category is to be used where you are satisfied that the interference was caused by some culpable misconduct by the rider which was neither Dangerous nor Careless Riding and may include intentional interference and striking other riders or horses when riding that would be dangerous but for the fact that it did not cause serious interference. Demotion only occurs if the horse causing the interference has improved its placings as a result of that interference.

4. FOR ACCIDENTAL THE RIDER WILL HAVE BEEN TAKING REASONABLE STEPS TO PREVENT THE INTERFERENCE FROM OCCURRING OR THE INTERFERENCE WILL HAVE BEEN DUE TO CIRCUMSTANCES BEYOND THE RIDER'S CONTROL.

WAS IT ACCIDENTAL?

- a) Horse hangs without warning.
- b) Horse continues to hang despite rider's best efforts to prevent it.
- c) Horse runs down an obstacle without warning

The interference can probably be regarded as accidental but the following must still be asked:-

- Was the rider taking reasonable steps to prevent the interference from occurring?**
- Was the interference due to circumstances beyond the rider's control?**

If the answer to both questions is **NO**, probably a riding offence has been committed and therefore go back to question 2. If the answer to either question is **YES**, the interference must be regarded as accidental.

Advice to Stewards

Demotion only occurs if the horse causing the interference has improved its placings as a result of that interference.

NOTE: It should be remembered that being taken off one's intended line (intimidation) constitutes interference. It follows that there does not have to be physical contact for interference to occur.

To conclude the enquiry the Chairman must complete the Aide Memoire and read it out to the riders.

DETERMINING THE RESULT FOLLOWING INTERFERENCE

One of the most difficult and contentious decisions a Panel has to make is to determine the result following interference. If the Panel considers that interference might have affected the result ie. the interferer might have improved his placing as a result of the interference, an enquiry must be called under Rule 171(iii) which has the effect of freezing the 'payout' until the Panel has come to its conclusion.

THE STEWARDS HAVE TO DECIDE WHETHER THE SUFFERER WOULD HAVE BEATEN THE INTERFERER BUT FOR THE INTERFERENCE.

There are a series of factors to take into account. The questions (below) and Guiding Principles (opposite) provide a framework within which the Stewards work in order to come to their decision. They do not provide the answer but try to ensure that the Panel addresses the correct questions when making a decision.

The Panel should ask themselves the following questions, being mindful of the relevant Guiding Principles:

1. Where did the incident take place in relation to the winning post?
2. How were the horses involved in the interference going at the time of the incident?
3. How serious was the interference ie. how much momentum did the sufferer lose and/or how much ground was lost?
4. If the sufferer had had an uninterrupted run to the line, might it have finished in front of the interferer?
If NO - order placings to remain unaltered
If YES ie there is some doubt - proceed to question 5.
5. How easily did the interferer beat the sufferer?

Having considered those factors relevant to the incident in question, if the Stewards are satisfied that on the balance of probabilities the interference did improve the placing of the interferer in relation to the sufferer(s), the placings must be altered. Otherwise, the placings must remain unaltered. **Generally speaking, the longer the panel discusses whether the placings should be altered, the less likely it is that they should be. If the Panel is unable to conclude one way or the other, the result should stand.**

After reaching a decision on placings, which should be announced immediately, turn back to Careless Riding in order to continue your deliberations on the category of Interference.

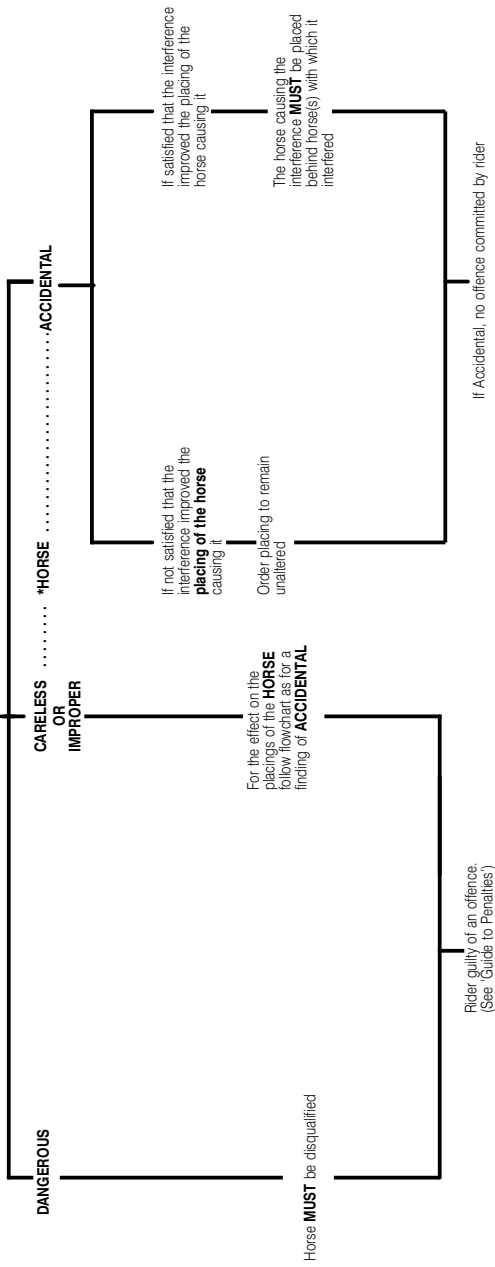
Remember: in amending the placings you are demoting the interferer not promoting the sufferer.

GUIDING PRINCIPLES

- a) Dangerous Riding - the placing(s) must be altered as the interferer must be disqualified.
- b) Careless, Improper or Accidental - if the Stewards are satisfied that the interference improved the placing of the horse causing it, the placings must be altered.
- c) The benefit of doubt should go to the horse which finished in front.
- d) Stewards should have in mind that interference is likely to have impeded the sufferer to some degree and therefore a reversal of placings is more likely to follow where there is only a nose between the horses.
- e) The further away from the winning post that the incident occurs, the less likely it is that the result should be changed.
- f) Stewards must make allowance for the momentum and ground lost by the sufferer by imagining that it had an uninterrupted run to the line.
- g) Stewards must **NOT** make an allowance for any effect on the horse causing the interference.
- h) Stewards must take into account the ease with which the interferer beat the sufferer.
- i) If a horse is carried off its intended line, the effect will vary depending on the distance from the winning post.

RULE 171(iii) - INTERFERENCE OPTIONS

INTERFERENCE



*Where in cases of Careless or Improper Riding or Accidental Interference more than one horse is interfered with either in turn as a result of the same occurrence or simultaneously, each is a separate incident by the horse causing the original interference for which separate placing assessments are to be made.

As soon as any decision on placings is reached it is to be announced prior to giving any thought to penalty.

GUIDE TO PENALTIES FOR RIDING OFFENCES

The final matter which needs to be considered is the question of appropriate penalty. The following penalty ranges are those recommended by the BHA. In the interest of consistency, and using the guidance notes on Pages 19, 20 and 21, the Stipendiary Stewards will give further advice on the appropriate penalty within the range given for each offence. The level of penalty should be entirely dependent on the actual offence and previous offences must not be taken into account.

Offence	Recommended Penalty
Dangerous Riding	10-28 days and riding fee forfeited or refer
Careless Riding	caution or 1-9 days
Improper Riding	caution or 1-21 days
Mis-use of the Whip (Classified as Improper Riding - an offence under Rule 153 (iii))	caution or 1-9 days or refer

EFFECTIVE DAYS FOR RIDING SUSPENSIONS

To establish the days when the suspension applies reference should be made to Instruction H16.

NOTES ON PENALTIES FOR RIDING OFFENCES

- 1) If in the opinion of the Stewards an offence warrants a suspension of:
Interference - more than 28 days Whip - more than 9 days
the matter should always be referred to the Disciplinary Panel.
- 2) The level of penalty for breaches should be dependent on the actual offence and previous offences should not be taken into account.
- 3) Suspensions for Interference offences are to be treated separately for totting up purposes, from those concerning Mis-use of the Whip.
- 4) Subject to paragraph 8, a rolling 12 month period will apply for totting up suspensions, the relevant dates being the dates on which a finding of a breach was first made.
- 5) A rider should be referred to the Disciplinary Panel on the second occasion during the previous 12 months that he is found guilty of Dangerous Riding.
- 6) If a rider is found to have committed a riding offence involving Interference or Mis-use of the Whip and it warrants a suspension and he has already been suspended from riding for a total of 24 days or more for Interference or Mis-use of the Whip respectively within the previous 12 months he should be referred to the Disciplinary Panel.*
- 7) After a rider has appeared before the Disciplinary Panel following a referral under Paragraphs 5 or 6 above and has been suspended, all offences prior to and including the offence for which the rider was referred are not to be taken into consideration.
- 8) Suspensions imposed by the Disciplinary Panel as a result of an appeal, referral or a case instigated by the BHA are to be included in the number of days suspended during the previous 12 months. However, if the rider has already been suspended for 24 days or more the Panel will take this into account when imposing a penalty after which that suspension and all previous suspensions will not be taken into consideration for totting up purposes.

* The Disciplinary Panel will usually impose a suspension of between 10 and 28 days with an entry point of 14 days for the accumulation of days suspended plus a period of suspension for the offence. Part of the suspension may be deferred for a period not exceeding 6 months but it will take effect in the event of the rider being further suspended during the said period. The said period will not commence until after the suspension from the 'totting up' enquiry has been served. The entry point for a deferred suspension is 3 months and it is recommended that the entry point should be decreased for the 'high season' (May to August inclusive) and increased for the 'low season'. The number of days that should be deferred are as follows:

10 - 15 days suspension	$\frac{1}{5}$ deferred	26+ days suspension	$\frac{1}{3}$ deferred
16 - 25 days suspension	$\frac{1}{4}$ deferred	(fractions of days will be rounded down)	

When a deferred suspension is activated it shall commence immediately after the conclusion of the suspension on days applicable to the rider. Deferred suspension days will not be subject to the Group 1/Grade 1 exception. (See paragraph 4 and 6 of Instruction H16)

The deferred part of the suspension will not count towards the total number of days suspended during the current rolling 12 month period.

INTERFERENCE - PENALTY GUIDELINES

To assist in maintaining a consistent approach to penalty the following guidelines are given for each of the three categories of Interference:

DANGEROUS RIDING

Penalties should always reflect both the cause of the interference ie. the standard of riding, and its effect. Penalties should rise as the seriousness of the interference increases.

Rider causes serious interference	10 - 21 days
Rider causes serious interference which results in a rider being unseated and/or a horse falling.	14 - 21 days
Rider intentionally strikes another horse and/or rider resulting in serious interference Rider intentionally interferes with another horse and/or rider resulting in serious interference Rider attempts to push another rider through or around the wing of an obstacle, through or outside the running rail, or off the course, resulting in serious interference	21-28 days or refer
Rider intentionally pushes another rider through or around the wing of an obstacle, through or outside the running rail, or off the course ie. serious interference.	28 days or refer

Notes:

- 1) In judging the effect, Stewards should take into consideration the overall effect on the sufferer which includes:
 - **the degree of danger** eg. squeezed up against the rails
 - **the loss of opportunity to challenge for prize money** eg. chance of challenging effectively destroyed
 - **the loss of prize money** eg. sufferer comes third but would have been second but for the interference

It is important that all these aspects of the effect on the sufferer(s) are taken into account when deciding on penalty - one or other of the above 'effects' should increase the penalty by one or even two days.
- 2) Penalty should rise when horse hangs or drifts for a long period when it ought to have been obvious that, uncorrected, serious interference would result.
- 3) Indirect ('knock on') interference should be taken into account when assessing the level of penalty unless you are certain that the indirect interference was not reasonably foreseeable.
- 4) Actual injuries sustained by a fallen horse or rider should not be taken into account, the fall is enough.
- 5) It is impossible to cover every eventuality and therefore the level of penalty may be varied to suit the circumstances.

PENALTY GUIDELINES (Continued)

CARELESS RIDING

Penalties should always reflect both the cause of the interference ie. the standard of riding, and its effect. Penalties should rise as the seriousness of the interference increases.

Minimal interference. Sufferer having to take a slight check or horse being shifted slightly off its line.	caution or 1 day
Increased interference, either due to a manoeuvre or failing to take corrective action. Rider unintentionally strikes another horse or rider when it ought to have been obvious to him that he would do so.	2 - 4 days
Rider makes a manoeuvre or allows horse to hang or drift which results in considerable interference. Rider causes considerable interference after horse hangs or drifts for a long period when it ought to have been obvious that, uncorrected, interference would result. Rider causes considerable interference by allowing horse to interfere with another horse(s) over a considerable length of time, especially when preventing sufferer from riding a finish.	5 - 9 days

Notes:

- 1) In judging the effect, Stewards should take into consideration the overall effect on the sufferer which includes:
 - **the degree of danger** eg. squeezed up against the rails
 - **the loss of opportunity to challenge for prize money** eg. chance of challenging effectively destroyed
 - **the loss of prize money** eg. sufferer comes third but would have been second but for the interference

It is important that all these aspects of the effect on the sufferer(s) are taken into account when deciding on penalty - one or other of the above 'effects' should increase the penalty by one or even two days.
- 2) When the interference is minimal but is caused by a manoeuvre, the appropriate penalty is more likely to be one day rather than a Caution.
- 3) Penalty should rise when horse hangs or drifts for a long period when it ought to have been obvious that, uncorrected, interference would result.
- 4) Indirect ('knock on') interference should be taken into account when assessing the level of penalty unless you are certain that the indirect interference was not reasonably foreseeable.
- 5) Actual injuries sustained by a fallen horse or rider should not be taken into account, the fall is enough.
- 6) It is impossible to cover every eventuality and therefore the level of penalty may be varied to suit the circumstances.

PENALTY GUIDELINES (Continued)

IMPROPER RIDING

Penalties should always reflect both the cause of the interference ie. the standard of riding, and its effect. Penalties should rise as the seriousness of the interference increases.

Rider intentionally interferes with/strikes another horse or rider causing minimal interference/impact. Rider intentionally attempts to interfere with/strike another horse or rider but fails to achieve it or pulls away at the last minute.	3 - 5 days
Rider intentionally interferes with/strikes another horse or rider causing increased interference/impact.	6 - 9 days
Rider intentionally interferes with/strikes another horse or rider causing considerable interference/impact.	10 - 21 days

Notes:

- 1) In judging the effect, Stewards should take into consideration the overall effect on the sufferer which includes:
 - **the degree of danger** eg. squeezed up against the rails
 - **the loss of opportunity to challenge for prize money** eg. chance of challenging effectively destroyed
 - **the loss of prize money** eg. sufferer comes third but would have been second but for the interference

It is important that all these aspects of the effect on the sufferer(s) are taken into account when deciding on penalty - one or other of the above 'effects' should increase the penalty by one or even two days.

- 2) Indirect ('knock on') interference should be taken into account when assessing the level of penalty unless you are certain that the indirect interference was not reasonably foreseeable.
- 3) Actual injuries sustained by a fallen horse or rider should not be taken into account, the fall is enough.
- 4) It is impossible to cover every eventuality and therefore the level of penalty may be varied to suit the circumstances.

4. IMPROPER RIDING

Another area which may give rise to a riding offence is that concerning Improper Riding. Whether the rider is mounted or dismounted this covers cases of Mis-use of the Whip (see Instruction H9, headed 'Use of the Whip') or striking other riders or horses (see below), but may also be used to describe other forms of misconduct which do not give rise to interference.

The BHA remains totally committed to preventing any abuse of horses through improper use of the whip and ask Stewards to consider holding an enquiry into any case where a rider has used his whip in such a way as to cause them **concern**.

Veterinary Officers will inspect horses after a race and if it is reported that a horse is wealed a Stewards' Enquiry must be held. However, the fact that a horse has not been wealed should not dissuade you from holding an enquiry and, where appropriate, finding that excessive force has been used.

The effectiveness of various measures used to control use of the whip is kept under regular review and surveillance by the BHA. Stewards are therefore expected to maximise the deterrent effect of the Rules in this regard by enforcing them in a strict manner.

If any rider commits a breach of Instruction H9 which warrants a suspension of more than 9 days he should be referred to the Disciplinary Panel for penalty.

STRIKING OR ATTEMPTING TO STRIKE OTHER HORSES OR RIDERS WITH A WHIP

1. Rider intentionally strikes another horse or rider with his whip causing serious interference - DANGEROUS RIDING
2. Rider intentionally strikes/attempts to strike another horse or rider with his whip causing interference - IMPROPER RIDING
3. Rider intentionally strikes/attempts to strike another horse or rider with his whip but does not cause interference - IMPROPER RIDING
4. Rider unintentionally strikes another horse or rider causing some interference but should have moderated his use of the whip because of the close proximity of another horse or rider - CARELESS RIDING
5. Rider accidentally strikes another horse or rider with his whip causing interference - ACCIDENTAL INTERFERENCE

NOTE: If a rider hits another horse only once in a finish and the Stewards consider that the rider is unlikely to have known that the horse was within striking range, more often than not it is likely to be categorised as Accidental Interference.

INSTRUCTION H9 - GUIDANCE ON USE OF THE WHIP

In assessing a rider's use of the whip the Stewards should always remember that the whip should be used for safety, correction and encouragement, and never to coerce. Whilst there is a requirement on all riders to carry a whip, there is no obligation or expectation on riders using their whip.

In respect of the figures that are quoted within the Penalty Guidelines it must be understood that the recommended number of hits which might amount to a breach are not a quota, an acceptable allowance, or what might be expected in every race. Any use of the whip must in style and substance be appropriate, proportionate, professional, and take account of the Rules, Instruction H9 and these Guidelines.

Riders should consider the following factors before and after picking up their whip so as to minimise any possibility of being found in breach of Instruction H9:

- a) Urging the horse to lengthen its stride and increase its pace by first using hands and heels before picking up the whip;
- b) Giving consideration to how much of the race is still left to run before starting to use the whip;
- c) Showing the horse the whip and giving it time to respond before hitting it;
- d) Using the whip in the backhand position for a reminder;
- e) Having used the whip, giving the horse a chance to respond before using it again;
- f) Keeping both hands on the reins when using the whip down the shoulder in the backhand position;
- g) Using the whip in rhythm with the horse's stride and close to its side;
- h) Swinging the whip to keep the horse running straight.

INSTRUCTION H9 - WHEN TO HOLD AN ENQUIRY

Having reviewed the race, and mindful of the 'recommended number of hits which could amount to a breach' contained within the Penalty Guidelines, the Stewards should hold an enquiry on every occasion that they are concerned about the way that a rider has used his whip and consider a rider's use of the whip may constitute a breach of Instruction H9:

INSTRUCTION H9 - USE OF THE WHIP (extracts from)

1. Hitting horses:
 - to the extent of causing a weal or an injury;
 - with the whip arm above shoulder height;
 - rapidly without regard to their stride ie. twice or more in one stride;
 - with excessive force;
 - without giving the horse time to respond.

2. Hitting horses which are:
 - showing no response;
 - out of contention;
 - clearly winning;
 - past the winning post.

3. Hitting horses in any place except:
 - on the quarters with the whip in either the backhand or forehand position;
 - down the shoulder with the whip in the backhand position;
 - unless exceptional circumstances prevail.

4. Hitting horses:
 - with excessive frequency.

When examining cases of **excessive frequency**, the Stewards will consider all the relevant factors such as:

- a. Whether the number of hits was reasonable and necessary over the distance they were given, taking into account the horse's experience;

- b. Whether the horse was continuing to respond and;

- c. The degree of force that was used; the more times a horse has been hit the stricter will be the view taken over the degree of force which is reasonable.

IMPROPER RIDING - PENALTY GUIDELINES

These are only Guidelines and do not provide an exhaustive list of offences, or circumstances, whereby a rider's use of the whip may be considered improper.

The greater the number of occasions a rider uses his whip over and above the 'recommended' the more likely it is that the incremental rise in the suspension imposed by Stewards will be increased from the usual single day.

INSTRUCTION H9 - USE OF THE WHIP (Paragraphs 1 to 3)	Recommended number of hits which could amount to a breach	Recommended minimum penalty
Report made by Veterinary Officer		
Minor weal	1	5
Moderate weal	1	7
Injury	1	refer
Arm above shoulder height	2	caution
Without regard to stride (rat - tat - tat)	3	caution
Excessive force (depending on severity)	1	caution
	2	1
	3	2
	4	4
	5	6
Without time to respond (allow 3 strides per stroke)	3	caution
Showing no response	3	caution
Out of contention	2	caution
Clearly winning (or other placing)	2	caution
Past the post	2	caution
Incorrect place	1-2	1
	3	2
	4	3
	5	5
Down shoulder in forehand	2	caution
Wild or inelegant whip waving	4	caution
Incompetent use	4	submit report to Disc. Dept.
Continued slapping down shoulder (hands on reins)	-	caution

EXCESSIVE FREQUENCY

This guide is for when there are concerns over the number of times the whip has been used. Was the number of hits reasonable and necessary over the distance they were given? It must be remembered that how the whip is used is as important as how often and therefore discretion can be used when considering any potential breach.

INSTRUCTION H9 - USE OF THE WHIP (Paragraph 4)	Recommended number of hits which could amount to a breach	Recommended minimum penalty
Excessive frequency		
Flat		
Last furlong	9	caution
Last 1 ½ furlongs	11	caution
Last 2 furlongs	13	caution
Whole race	16	caution
Jump		
After last obstacle	10	caution
After second last	13	caution
Whole race	16	caution

Although consideration should be given to how a horse has been hit, as well as how often, the level of penalty would normally rise by one day for each hit, up to three days above the recommended numbers, and thereafter by two days for each hit. e.g. 20 hits in whole race - 5 days suspension

When considering a possible breach in a jump race, Stewards should also bear in mind that obstacles are set at varying distances. The closest obstacle to the finish is at Newton Abbot (hurdle can be as close as 120 yards). The furthest fences from the finish are Cartmel (800 yards), Aintree (543 yards) and Kelso (510 yards).

RULE 153 - Examples of Improper Riding which are <u>not</u> breaches of H9. (This list is not exhaustive)	Recommended number of hits which could amount to a breach	Recommended minimum penalty
Striking own horse in annoyance with whip	1	4
Throwing whip at horse in annoyance	1	2
Punching/jabbing horse in annoyance	1	2
Kicking horse in annoyance	1	4
Intentionally striking or attempting to strike other horses or riders (see pages 21 and 22).	1	see Improper Riding guidelines - page 21

5. OFFENCES CONSIDERED BY STEWARDS

- 1) Stewards have the power at their discretion to impose any one or more of the following penalties:
 - i) Fine - not exceeding £15,000.
 - ii) Suspend a rider from riding for any period up to and including 42 days.
 - iii) Suspend a horse from running for a period of 40 days if a finding of a breach of Rule 155 and 157 is made.
 - iv) Refer any possible breach to the BHA.
- 2) A list of common offences and the penalties recommended by the BHA are set out below. Penalties are shown in 'Bands' indicating different levels of appropriate penalty.

	1st Offence	2nd Offence	3rd Offence	4th Offence
BAND A	£80	£160	£320	refer
BAND B	£140	£280	£560	refer
BAND C	£290	£580	£1,160	refer
BAND D	£650	£1,300	refer	
BAND E	£80 - £10,000 or refer			

Band E penalties are shown as either a single fixed sum or as an 'Entry Point' within a 'Range'. Stewards should start their penalty deliberations at the 'Entry Point' and, dependent on the circumstances, reduce the sanction to take account of mitigating factors or increase the sanction to take account of aggravating factors. For second offences in Band E the penalty or 'Entry Point' should normally be doubled.

- 3) When determining whether an offence is a second or further offence a rolling 12 month period will apply, the relevant date being the date on which a finding of a breach was first made. The exceptions being Rules 155, 157, 158 (subdivision b) and 220 (ii), where a rolling 24 months will apply.

When a second offence of the same description is committed within 12 months and no recommendation is made, the fine/suspension for the second offence should be at least double that of a first offence.
- 4) All previous offences within the previous 12 months, other than those involving Interference or Mis-use of the Whip, should be taken into account, notwithstanding that an offender may have been referred for a previous offence.
- 5) Amateur Riders and Apprentice/Conditional jockeys should be treated as full jockeys.

RECOMMENDED PENALTIES FOR OFFENCES CONSIDERED BY THE RACECOURSE STEWARDS

Rule or Instruction	Other Rules & Instructions related to	Offence	Band or Entry Point for the Offence	Range
28 (ii) (a)	150 (iv)	Late arrival of rider at start 1st-4th Offence (same penalty) 5th Offence	1 day refer	
28 (vii)	28 (viii), (xiv) Inst. G1 para 8	Unruly behaviour of horse 1st occasion before Stewards 2nd occasion	Warning (FSB) refer	
28 (xi)	Inst.G1 para 6, 16	Misconduct by rider at the start Allowed his horse's head to be in contact/over the starting tape Attempted to line up/lined up for start before being instructed to do so Did not walk in or jig jog/broke the starting tape Ignored the Starter/Assistant's instructions Deliberately faced his horse backwards Abusive comments directed at Starter/Assistant	1 day 1 day 1-2 days 4 days 2 days 2 days	1-5 days
28 (xii)		Failure to obey recall flag	10 days	
33 (i)(a) (1)(2)(3)(4)		Horse subject to ID check		
	182 (xiv) 36 (i) (c)	i) Passport not produced	C inc NR penalty Horse must not run	
	182 (ix)	ii) Cannot be identified from markings	refer Horse must not run	
	36 (i) (b)	iii) Vaccination section of passport not completed correctly	B As it can be identified allow horse to run.	
33 (i) (a) (4)	36 (i) (c) Inst. C3 para 1	Horse subject to vaccination/sampling unit check but passport not available	B Ask trainer to sign declaration (Code V1)	
36 (i) (a)	182 (vii), (viii)	Horse never vaccinated or vaccinated within previous seven days	C inc NR penalty Horse must not run	

Rule or Instruction	Other Rules & Instructions related to	Offence	Band or Entry Point for the Offence	Range
36 (i) (a)		Re-check reveals vaccination record still out of order	D	
36 (i) (a) (b)		Vaccinations section of passport not completed correctly - other than alteration or a recheck	B	
36 (i) (b)	36 (ii)	Alteration to vaccination record - other than in a recheck	A	
48 (v)		Not as description/not registered colours	A	
48 (vi)		Runs in colours other than those registered	A	
50 (iii)		Identity card offence - trainer	A	
54 (iv)		Identity card offence - employee	A	
64		Failure to bring Medical Record Book	A	Repeat 1st Offence A by Clerk of the Scales before referral to Stewards
98 (iv)		Failure to lodge passport	A	
128 (i)		Failure to declare a rider	B	
140 B	Inst. F5	Mobile telephones a) Oversight b) Deliberate	C	refer
141 (i)		Failure to declare correct information on declaration sheet	A	
141 (ii)		Incorrect weight or colours in racecard not declared a) Colours b) Incorrect weight	A B	
141 (iii)		Declared rider not present on instructions of trainer	C	
141 (v)	Inst. A3 and D1	Late arrival or failure of rider to weigh out Failure of rider to weigh out because declared to ride two horses in same race Refusal to ride before weighing out	B B C	

Rule or Instruction	Other Rules & Instructions related to	Offence	Band or Entry Point for the Offence	Range
141 (vii)		Rider fails to acquaint himself with course	4 days	3-7 days
143		Failure to ride after weighing out	£800	£650-£2,500 or refer
144 (i)		Horse does not run	B	
144 (i) (f)		Wilful disregard of interest of racegoers - taking account of nature of offence and importance of race	£500	£250-£1,500
144 (ii)	144 (v)	Double declarations		
		a) Circumstances not exempted by Rule 144 (iii)	D inc NR penalty	
		b) Runs in non-preferred meeting contrary to Clause 4 of Rule 144 (iii)	£1,200 inc NR penalty	
		Examples:		
		a) Horse is declared to run in one race at Ayr & one race at Bath but runs at Bath	D	
		b) Horse is declared to run in two races at Ayr and runs in the first	D	
		c) Horse is declared to run in two races at Ayr but runs in neither	D Plus second NR penalty	
		d) Horse is declared to run in one race at Ayr & one at Bath & runs in neither	D Second meeting should also impose NR penalty	
		e) Horse is declared to run in one race at Ayr & two at Bath but runs in none	D Plus two further NR penalties as appropriate to the meetings	
144 (ix)	144 (viii)(d) & (F)	Runs in non-preferred race or in both races contrary to Rule 144(ix)	£1,200 inc NR penalty	
145 (i)		Fit condition of saddle	B	
145 (ii)		Reins not correctly attached to bridle	A	
		Other equipment worn by horse	B	

Rule or Instruction	Other Rules & Instructions related to	Offence	Band or Entry Point for the Offence	Range
145 (iii)	Inst. D12	Saddling errors	£150	£130-£2,000
146 (i)	146 (iii) Inst. F1 and F3	Skull cap/body protector - to be worn when mounted	B	
146 (ii)	146 (iii) Inst. F3	Body protector - weighing out a) Accidental b) Deliberate failure to wear	B D	
146 (v)	146 (iii) Inst. F1 and F3	Skull cap/body protector - unserviceable/modified a) Accidental b) Deliberate	B D	
147 (ii)		Loss of blinkers, hood, visor, eyecover, eyeshield or sheepskin cheek pieces i) Accidental ii) Deliberate to affect performance	No penalty refer	
147(ii)(a)&(b)		a) In paddock - time to add declared garment or remove non-declared garment - if garment cannot be added b) At start - without declared garment/ with non-declared garment	No fine B Horse withdrawn B Horse withdrawn	
147 (ii) (c)		Substitution of incorrectly declared garment	B	
147 (ii) (d)	Inst. D14	Declared tongue strap not fitted in error or not shown to Veterinary Officer/ Surgeon	B	
147 (ii) (e)		Undeclared tongue strap worn on way to start or in a race	C Horse can run	
147 (ii) (f)		Tongue strap declared in error	B Horse can run	
147 (iii)		Modification of visors 1st Offence 2nd Offence	Draw trainer's attention B	

Rule or Instruction	Other Rules & Instructions related to	Offence	Band or Point for the Offence	Entry Range
148		Oversize calkins/nailheads a) Horse withdrawn or problem resolved b) Horse runs in oversize calkins/nailheads	B C	
149 (ii)		Failure to carry a whip	A	
149 (ii)	Inst. H8	Whip not complying with specifications	B	
149 (iii)		Number cloth not carried	A	
150 (i) (a)		Saddling - not in appointed place	B	
150 (i) (b)		Horse late in parade ring	B	
150 (iii)		Late arrival of rider in parade ring	B	
150 (v)		Failure to comply with parade ring protocol	A	
150 (vi)	Inst. F4	Failure to ride past the stands	B	
150 (vii)		Jumping a preliminary jump	B	
152 (iii)	152 (v) (b) 156 (iii) Inst. A3, H6 and H22	Rider fails to pull up having knowingly taken the wrong course	Disqualify horse 3 days (additional penalty for taking wrong course)	1-10 days
152 (v) (a) & (b)	Inst. H22	Rider ignores the direction markers	Disqualify horse 10 days	
153 (iii)	Inst. H13 and H23	Interference (inc Dangerous Riding & related offences)	See pages - 19, 20 & 21	
153 (iii)		Whip - Improper Riding a) Misuse of the Whip b) Hitting another rider deliberately with the whip	See pages - 25 & 26 See page 22	
153 (iii)	Inst. H18	a) Failure to dismount from a lame or injured horse b) Continuing on an exhausted horse	10 days 8 days	7-14 days or refer 5-12 days or refer
153 (iv) (a)		Rider makes a manoeuvre to allow another horse a clear run: (i) but causes no interference (ii) but fails to achieve his best possible placing	7 days 10 days	5-10 days 7-14 days

Rule or Instruction	Other Rules & Instructions related to	Offence	Band or Entry Point for the Offence	Range
153 (iv) (b)		Rider intentionally interferes with a horse to assist another horse in the race	14 days	10-21 days
		Rider causes interference as a result of moving off his racing line to assist another horse in the race	10 days	7-10 days
153 (vi)		Trainer instructs rider to breach Rule 153 (iv)	£5000	£2,000-£10,000
155-158	Inst. D5 H14, H18, H20 and H24	Horse not running on its merits ('PLACING' means any placing from and including first to last)	See pages 6 - 10	
156 (iii)	152 (iii)	Taking the wrong course	See page 7	
160 (i)		Failure to present himself to Clerk of Scales	A	
160 (iii)		Dismount before appropriate place	B	
160 (iv)		Failure to weigh in	Mandatory Disqualification	
		Winner	21 days	
		Second/Third	7 days	
		Fourth (or any other placing for which there is prize money)	3 days	
161 (ii)	Inst F2 and H10	Weighing in at 2lbs or more overweight	3 days	3-5 days
161 (iii)		Failure to draw the weight at which the rider weighed out by more than 1lb - no acceptable explanation	Mandatory disqualification	
		Rider or Trainer	3 days C	3-5 days
162 (iv)		Rider not remaining within the vicinity of the weighing room for 5 minutes after the announcement of "Weighed In"	C	
171 (i)		No good and reasonable grounds for objection - frivolous or vexatious	A C	

Rule or Instruction	Other Rules & Instructions related to	Offence	Band or Entry Point for the Offence	Range
220 (ii)		a) Violent or Improper conduct towards Stewards or Officials		
		i) Abusive behaviour (verbal only)	6 days (rider) £1,000 (trainer)	1-21 days £100-£5,000
		ii) Threatening behaviour (verbal, physical gestures)	21 days (rider) £4,000 (trainer)	14-42 days £2,500-£10,000
		iii) Violent conduct (physical contact)	refer	
		b) Violent or Improper conduct between riders/trainers	4 days (rider) £500 (trainer)	1-21 days £100-£5,000
220 (ii)		Misuse of badges		
		a) Rider/trainer who allows an unauthorised person to use his badge on a racecourse	C	
		b) Person who uses a rider's/trainer's badge on the racecourse to which he is not entitled. Also agrees to be bound by the Rules*	C	
* If he does not accept that he is bound by the Rules he must be referred because only the Disciplinary Panel are empowered to deal with such persons. Furthermore, the only penalty that can be imposed is exclusion from all racecourses under Rule 2 (v)				
220 (viii)		Misleading the Stewards	£750	£500-£2,000 or refer
220 (viii)		Giving deliberately misleading evidence at an enquiry*		
*Stewards should not hold enquiries concerning evidence given to them at an enquiry. If they suspect there has been an earlier attempt deliberately to mislead them, they should formally express their concerns at the conclusion of the enquiry or refer the matter				
221B (ii)		Failure to obey Stewards	2 days (rider) £150 (trainer)	1-7 days £100-£1,500
221B (ii)		Refusal to allow horse to be examined	£1,200	£1,000-£2,000
224		Removal of speed sensing device	C	
248		Rider or valet leaves racecourse and returns without permission - unless of the opinion he left for suspicious reason, in which case.	C refer	

Rule or Instruction	Other Rules & Instructions related to	Offence	Band or Point for the Offence	Entry Range
A3		Late arrival of apprentice or conditional	B	Impose on employer
C3		Refusal to allow horse into sampling unit		refer
C7		Use of physiotherapy machine without permission	A	
C7		Possession on racecourse premises of a potentially allowable substance where dispensation would normally be given if requested	C	
Note 1:	If electrolytes are found in an oral applicator or if a Catheter Mount syringe is found together with such substances as glycerine or electrolytes and the Stewards are satisfied that the syringe was for the use of administering said substance (Band C)			
C7		Possession of unallowable substance i.e. a substance for which dispensation would <i>not</i> be granted	£1,000	£750-£1,500
Note 2:	Fine level to reflect substance found and intention: Substance with no therapeutic application e.g. snake venom (refer) Medications e.g. Bute (£1,000) Adjuncts e.g. Vitamin B12 (£750)			
C7		Possession of any means of administering a substance where dispensation has not been granted	£750	£500-£1,000
Note 3:	Catheter Mount syringe/oral applicator without accompanying glycerine or electrolytes (£500) Luer lock syringe with or without substances (£750)			
C7	C9	Substance administered on day of race (after 12 midnight) without dispensation either on racecourse premises or prior to the race.		
		a) Pre race: Unallowable substance	Withdraw	
		Allowable substance	See Note 2 or refer Horse can run C	
		b) Post race: Unallowable substance	See Note 2	
		Allowable substance	C	
Note 4:	If it is found post race that any substance was given pre-race, the horse should normally be sampled and the matter referred so that consideration can be given to the horse's possible disqualification and a penalty for the trainer.			

Rule or Instruction	Other Rules & Instructions related to	Offence	Band or Entry Point for the Offence	Range
C7		Substance administered on racecourse premises the day before race without dispensation		
		Allowable substance	Horse can run	C
		Unallowable substance		
		a) If trainer runs horse	Refer	Sample horse
		b) If trainer withdraws horse	See Note 2	
<p>Fines for breaches of C7 and C9 should be imposed first and foremost for the substance which is found and then reflect whether it was a failure to request dispensation. Fines should not be increased just because the substance is also in a syringe or a syringe is present in order to administer the substance.</p>				
C7		Failure to reserve overnight stabling	A	
C7		Failure to use racecourse stable or failure to vacate	B	
C9	14(v) and 182 (iii)	Substance given on day of race and before it runs for which permission would not be granted	Horse must not run - refer	
D1	141 (v)	Rider fails to notify Clerk of Course when unable to ride	B	
D2	141 (iii) (d)	Rider substitution procedure	B	
D5	155	Running and riding enquiry		
		a) Trainer fails to authorise person to represent him	C	
		b) Trainer's representative unaware of rider's instructions	C	
D7		Ringworm and other contagious diseases		
		a) May be active and allowed to run	C	
		b) May be active and horse does not run	No penalty	
		c) Probably active and prevented from running	D	
D9	Order 128 (i)	Unavailable rider declared to ride	A	
D10	144	Non-runner - failure to notify Racing Calendar Office or Clerk of the Course	B	

Rule or Instruction	Other Rules & Instructions related to	Offence	Band or Entry Point for the Offence	Range
D11		Unfavourable draw	C Plus NR penalty	
D14	147 (ii)	Trainer fails to report that horse lost tongue strap during race	B	
D18		Nasal dilators	C	
D18		Bells on bridles	B	
D20		Failure to reserve overnight accommodation - staff	A	
F2 para 1		Leaving saddle unattended	A	
F2 para 4		Equipment or clothing (inc Body Protector) changes after weighing out		
		a) Accidental	B	
		b) Deliberate	C	
F2 para 5		Removal of lead	B	
F3		Modified body protector on racecourse	C	
F4		Taking incorrect route to start	B	
G1 para 8		Starting Stalls - Para 8 report by Starter		
		1st Occasion		Starting Stalls test required
		2nd Occasion within 12 months		Starting Stalls test required and warned will be prevented from taking further test for 6 months if reoffends
		3rd Occasion within 12 months		6 month restriction
		4th Occasion within 12 months		refer

Rule or Instruction	Other Rules & Instructions related to	Offence	Band or Entry Point for the Offence	Range
G1 para 9(iv)		a) Starting Stalls test failure following 1st report under para 8 within 12 months within 7 days of report between 8-14 days	£650 £290	
		b) Starting Stalls test failure following 2nd report under para 8 within 12 months within 14 days of report between 15-28 days	£1,300 £290	
G1 para 9 (v)		Failing two consecutive stalls tests	6 months restriction on taking further test	
		Third consecutive failure	refer	
G1 para 2		Trainer reported unschooled horse		
		1st Occasion	FSB	
		2nd Occasion	refer	
G1 para 3		Rider goes into wrong stall		
		1st offence	caution	
		2nd offence	£80	
		3rd offence	£140	
		4th offence	1 day	
		If deliberate, 1st offence	7 days	
		Rider starts from wrong stall		
		a) accidental	1 day	
		b) deliberate	7 days	
G1 para 3		Flip start- rider starts from wrong position		
		a) accidental	1 day	
		b) deliberate	7 days	
H3		Ear Plugs removed		
		a) By rider	1 day	
		b) On instruction of trainer/owner	C	
H5		Complete the course with other runners having pulled up	A	
H8		Whip more severe than provided for in the specifications*		

*Stewards must ban the use of the whip and submit report to the Secretary to the Disciplinary Panel and warn rider to produce the whip at Disciplinary Panel enquiry

Rule or Instruction	Other Rules & Instructions related to	Offence	Band or Entry Point for the Offence	Range
H9		Whip - instructions by owner/trainer when rider IN breach		
		a) Inadequate	B	
		b) Unacceptable	C	
		c) Failure to give any to apprentice/conditional when rider NOT IN breach	B	
		d) Failure to give any to apprentice/conditional		
		1st Offence	Draw trainer's attention	
		2nd Offence	B	
H10		Procedures prior to Weighing In		
		a) Para 1 (discarding)		
		- accidental	1 day	
		- deliberate	3 days	
		b) Para 2/3	1 day	
H11		Failure to report to the RMO	B	
H14	155-158	Failure of trainer to report reason for poor performance*	C	
		*Horse wins, rating having dropped	D	
H17		Failure to ride to their draw		
		a) 1st-4th Offence (same penalty)	1 day	
		b) 5th Offence	refer	
		On trainer's instructions	B	
H20	155-158	Failure of rider to report that horse has gurgled	B	
H24	155-158	Failure of rider to report reason for poor performance	B	
J12		Parades		
		Group/Grade 1	£1,000	£750-£1,500
		Group/Grade 2/3	£500	£300-£1,000
J13		Late arrival at Stewards' Room	B	
J16		Leading horses incorrectly	A	

6. OFFENCES CONSIDERED BY THE DISCIPLINARY PANEL

- 1) The Disciplinary Panel has the power at its discretion under Rule 2 of the Rules of Racing to impose any one or more of the following penalties:
 - (a) a fine not exceeding £50,000;
 - (b) declare a person disqualified;
 - (c) withdraw or suspend a licence or permit and to defer a suspension but not normally for more than 6 months
 - (d) make any person ineligible for any licence or permit or registration under the Rules of Racing for such period or periods as they may in their discretion think fit;
 - (e) issue a caution;
 - (f) in the case of a Rider, order attendance at a course in remedial training at the British Racing School or Northern Racing College;
 - (g) in the case of a Trainer, to refuse to accept or to allow as the case may be for such period or periods as they think fit:
 1. any entries for horses in the care of the Trainer except for races that will be run outside that period;
 2. any horse to run in the care of the Trainer even if duly entered;
 3. any horse that has left the care of the Trainer and run in a race to return to the care of the Trainer until such period has expired;
 4. any horse to be declared to run under Order 124(ii) in the care of the Trainer except for races that will be run outside that period.
- 2) When deciding the appropriate penalty the Panel should normally start their deliberations at the 'Entry Point' highlighted within the 'Range' and, dependent on the circumstances, reduce the sanction to take account of mitigating factors or increase the sanction to take account of aggravating factors. The 'Entry Point' is therefore the normal penalty for a case with no aggravating or mitigating factors. In all cases the Panel has the discretion to impose a sanction which is outside the 'Range'. In respect of offences not referred to in the table, appropriate sanctions may be imposed at the discretion of the Panel by applying suggestions of similar sorts of offences or by referral to the recommendations given to the Stewards.
- 3) Having by this process determined the penalty within the 'Range' which the Panel would impose for the offence the Panel should then consider whether the penalty should be reduced in recognition of the conduct of the person concerned since first being on notice that his conduct was under investigation. The Panel may reduce a penalty by as much as one half where the person has co-operated fully with the investigation and, where applicable, provided information enabling action to be taken against other wrong doers. In a case where the person concerned admits the charge in his Appendix S Form

the Panel may consider reducing the penalty up by to a third. The policy behind mitigating penalties in this way is to encourage persons who are guilty of an offence to make as early an admission as possible so as to release racing's limited resources for pursuing other matters; to facilitate action against others, and to save the time and expense of lengthy investigations and hearings. The reduction in penalty will therefore in all probability be smaller (and perhaps not applied at all) in straightforward cases where the evidence of breach is plain and compelling or video based, as will also be the case where admissions are not made until shortly before or at the hearing. Reduction of penalty will therefore also have no or limited application regarding standalone riding offences and cases of strict liability eg. prohibited substances.

- 4) The Panel will not normally consider a previous decision to be helpful or relevant when deciding the appropriate penalty to be applied in accordance with the principles set out in these guidelines.
- 5) The Panel should have regard to the current guideline at the date of its decision on penalty provided that it must not apply a penalty greater in its effect or different in kind from that which it would have the power to impose under the Rules of Racing in force at the time of the offence(s).
- 6) Where the Panel imposes a significant period of suspension or equivalent penalty it may be expected to make the person ineligible under Rule 2(i)(d) for alternative involvement as a participant in horseracing in all licensed or permitted capacities and such other capacities as it may consider appropriate to the case for the same period.

RECOMMENDED PENALTIES FOR OFFENCES CONSIDERED BY THE DISCIPLINARY PANEL

Rule	Offence	Entry Point	Range
6	Failure to return Appendix S	£250	£200 - £2,000
	Failure to attend an enquiry/appeal (Rule 242)	£500 or Suspend licence 5 days	£200 - £2,000 2 - 10 days
14 (vii)	Refusal to allow horse to be examined	£5,000 or Suspend/ Withdraw licence 3 months	£2,500 - £12,000 1 month - 1 year
27 (iv)	Failure by racecourse to lodge prize money with stakeholders	£2,000	£1,000 - £3,000
36 (i)	Vaccination offence (x4)	£1,000	£750 - £1,500
38 (iii)	RCN not received	£150	£150 - £500
47 (vii)	Failure to register the appropriate document	£200	£150 - £500
48 (v)	Failure to register colours	£110	-

Rule	Offence	Entry Point	Range
51 (i)	Trainer in breach of Rule 51 regarding horse(s) in his charge		
	a) Below acceptable standard	£2,000	£1,000 - £3,000
	b) Neglect over a period of time - very poor husbandry	Withdraw licence 9 months	6 months - 1 year
	c) Wilful cruelty	Disqualify 6 years	5 - 10 years
	Failure to comply with Appendix V (Code of Conduct for Trainers)	£2,000 or Suspend/ Withdraw/Disqualify 3months	£1,000 - £10,000 1month - 3 years
51 (ii)	Failure by trainer to report communicable disease	£1,500	£1,000 - £4,000
52 (i)	Failure to enter into training agreement	£100	-
52 (v)	Trainer submits unjustified or frivolous report	£300	£150 - £1,000
53 (i)	Positive Sample	Disqualify horse	
	Error/source not established/on Veterinary advice (waiver not applicable)	£1,000	£750 - £2,500
53	Stored Samples	Withdraw/Disqualify/ Exclude 2 years	1 - 10 year
53(iv)	Positive Sample - Stalls test	£1,000	£700-£2,000
54 (i)	Failure to contact previous employer	£150	£150 - £500
54 (ii)	Failure to register new employee	£300	£250 - £500
54 (ii) (b)	Failure to notify National Insurance number	£100	£75 - £150
54 (v)	Failure to notify termination of employment	£100	£75 - £150
54 (vi)	Failure to correct/return Stable Employees' Register Return	£200	£150 - £1,000
58	Failure to check identity of horse	£750	£450 - £1,500
59 (i)	Failure to correct/return Horses in Training Return	£200	£150 - £500
59 (ii)	Notification of overseas performances	£300	£200 - £500
59 (iv)	Failure to notify horse has been gelded	£100	-
60	Unlicensed rider rides in race	Disqualify horse £150 or Suspend licence 2 days	£100 - £1,000 1 - 5 days

Rule	Offence	Entry Point	Range
62 (ii)	Jockey is owner or part owner of a horse	Suspend/Withdraw licence 3 months	1 month - 3 years
66 (vi)(vii)(viii)	Positive Sample (rider)	See Section 7 - Testing Protocol Penalties	
80(ii)(a)	Breach of Rules, Instructions and/or BHAGI's/BHAOP's by Managing Executives	£3,500	£1,000 - £15,000
	Breach of BHAGI 11.1 para 13(c) - medical services incomplete	£5,000	£3,500 - £15,000
	Breach of BHAGI 11.2 para 3 - Annex B form signed when medical arrangements incomplete	£5,000	£3,500 - £15,000
97 (vii)	Multiple claims	£400	£250 - £2,000
97 (x)(a)	Claim not paid or secured within 2 days	£400	£250 - £2,000
97 (xii)	Claimant sells horse before paying for it	£400	£250 - £1,000
97 (xiii)	Not honour claim within 12 days	£400	£250 - £2,000
	Dishonour claim	Disqualify/Exclude 2yrs	1 - 5yrs
97 (xx)	Failure to comply with the Protocol for Claimants	£400 or Disqualify/ Exclude 3 months	£200 - £2,000 1 month - 3 years
102 A	Failure to lodge foreign racecourse performances	£350	£250 - £1,000
109 (vii)	Failure to claim correct riding allowance	£250	£150 - £1,000
116 (ii)	Failure to lodge a transfer of engagements	£200	£150 - £500
123(i)	Delay in declaring forfeit	£500	£250 - £2,000
123(iv)	Failure to notify death of a horse	£100	-
140 B	Mobile phones	£500 or Suspend/ Withdraw licence 1 month	£350 - £2,000 7 days - 1 year
141(ii)	Wrong weight carried	Disqualify horse £250	£150 - £500
143	Refusal to ride	£750	£500 - £1,500
144	Double declaration (x3)	£2,000	£1,500 - £3,000
149 (iv)	Running wrong horse in race	£800	£500 - £2,000
157	Deliberately not riding a horse to obtain the best possible placing for personal reward or where horse has been layed to lose	See Section 2 - Running and Riding	
	Stopping probable winner	See Section 2 - Running and Riding	

Rule	Offence	Entry Point	Range
184	Horse not in care of licensed trainer		
	- mistake	£500	£400 - £1,000
	- deliberate	£3,000	£2,500 - £5,000
195	Incorrect payment of stable percentage money (administrative)	£100	£75 - £500
	Failure to display Return and/or criteria for payment	£100	£75 - £500
	Retention of stable percentage money by trainer	£2,000 or Suspend/ Withdraw/Disqualify 3 months	£1,000 - £5,000 1 month - 3 years
200	Administers or attempts to administer a prohibited substance	£2,500 or Disqualify/ Exclude 1 year	£1,000 - £12,000 1 month - 5 years
	Stored samples	Disqualify/Exclude 2 years	1 - 10 years
201 (i)	Bribes	Disqualify/Exclude 1 year	3 months - 10 years
201 (iii)	Entering not qualified horse	£1,000 or Disqualify/ Exclude 3 months	£500 - £3,000 1 month - 3 years
201 (v)	Corrupt or fraudulent practice	Disqualify/Exclude 18 months	6 months - 10 years
201 (vi)	Criminal offence with regard to racing	Disqualify/Exclude 1 year	6 months - 10 years
	Running a 'ringer'	Disqualify/Exclude 20 years	15 - 25 years
204 (ii)	Participation at unrecognised race meeting	Disqualify 3 months	1 month - 1 year
205 (iv)	Attending meeting whilst a disqualified person	£2,000 or increase period of disqualification	£1,000 - £10,000
211	Non payment of fixture fee	£2,000	£1,000 - £3,000
220 (i)	Assist or cause another person to be in breach	For Penalty see Rule that was breached	
220 (ii)	(a) Violent or Improper conduct towards Stewards or Officials		
	i) Abusive behaviour (verbal only)	Suspend licence 6 days (rider) £1,000 (trainer)	1-21 days £100-£5,000
	ii) Threatening behaviour (verbal, physical gestures)	Suspend licence 21 days (rider) £4,000 (trainer)	14-42 days £2,500-£10,000

Rule	Offence	Entry Point	Range
	iii) Violent conduct (physical contact)	£5,000 or Suspend/ Disqualify/Exclude 3 months	£2,500-£12,000 1 month - 1 year
220 (ii)	(b) Violent or Improper conduct between riders/trainers	Suspend licence 4 days (rider) £500 (trainer)	1-21 days £100-£5,000
220(iii)	Prejudicial to the integrity, proper conduct or good reputation of horseracing	£2,000 or Suspend/ Withdraw/Disqualify 3 months	£1,000-£10,000 1 month - 3 years
220 (iii)	Bloodstock code of practice	£7,500 or Suspend/ Withdraw/Disqualify/ Exclude 6 months or refuse to accept entries	£5,000 - £15,000 3 months - 3 years
220 (iv)	Associating with a disqualified or excluded person under Rule 2 (v)	£1,000 or Suspend/ Withdraw licence 2 months or refuse to accept entries	£500-£2,500 1 month - 1 year
220 (vii) (a)(d)	Rider failing to attend seminar or training course	7 days	5 - 10 days
	Breach of declaration or undertaking by licensed person ie. Terms and Conditions of Employment	£750	£500 - £5,000
	Failure to comply with requirement	£750	£500 - £5,000
220 (vii) (b)(c)	Provide inaccurate information or omit any relevant information	£250	£100 - £2,000
220 (viii)	Forged signature	£750 or Suspend/ Withdraw/Disqualify 2 months	£500 - £2,000 1 month - 1 year
	Misleading or endeavouring to mislead the persons referred to in the Rule	£2,000 or Suspend/ Withdraw/Disqualify/ Exclude 3 months	£1,000 - £5,000 1 month - 3 years
	Misleading or endeavouring to mislead an Investigating Officer	£2,000 or Suspend/ Withdraw/Disqualify/ Exclude 3 months	£1,000 - £5,000 1 month - 1 year
	Rider or Trainer giving deliberately misleading evidence at an enquiry	7 days	5 - 10 days
220 (ix)	Causing a licensed person to breach Rules 243-247	Disqualify/Exclude 6 months	3 months - 10 years
221 B (i)	Breach of Instruction	For penalty see Instruction that was breached	

Rule	Offence	Entry Point	Range
224	Removal of speed sensing device (x4)	£5,000 Obtain undertaking from trainer not to run horses without SSD	£4,000 - £8,000
233 (vi)	Failure to notify Racing Calendar Office no longer registered for VAT	£100	
234	Breaching owners' trainers' or riders' sponsorship controls		
	1st Offence	Draw attention to Code and warn that liable to a fine on next occasion	
	2nd Offence	£150	-
234	Failing to remove sponsorship branding when instructed	£600	£500 - £1,000
238	Failure to co-operate with any authorised person	£2,000 or Suspend/Withdraw/Disqualify 3 months	£1,000 - £5,000 1 month - 3 years
239 (ii)	Positive sample following Testing in Training - substance found listed in para 4 to Instruction C1	£2,000 or Suspend/Withdraw/Disqualify 6 months	£1,000 - £10,000 1 month-3 years
240 (ii)	Positive sample following Testing in Training - as a result of a treatment which has not been properly recorded	£500	£400 - £2,000
241 (i)(a)	Records not produced		
	Rider/trainer/owner/valet/ authorised rider's agent	Disqualify 18 months	1 - 3 years
	Late production of records		
	Rider	Suspend/Withdraw/Disqualify 2 months	1 month - 1 year
	Trainer/owner/valet/ authorised rider's agent	£3,000 or Suspend/Withdraw/Disqualify 3months	£2,000 - £5,000 1 month-1 year
	Tampering with records		
	Rider/trainer/owner/valet/ authorised rider's agent	Suspend/Withdraw/Disqualify 9 months	6 - 18 months
241 (i)(b)	Hinders or obstructs	£2,000 or Suspend/Withdraw/Disqualify 3 months	£1,000 - £5,000 1 month - 3 years
241 (i)(c)	Fails to agree a time or place for an interview	£2,000 or Suspend/Withdraw/Disqualify 3 months	£1,000 - £5,000 1 month - 3 years
242	Failure to produce information or records for enquiry/appeal	£1,000	£500 - £5,000

Rule	Offence	Entry Point	Range
243	Information for reward etc		
	Rider*	Disqualify 18 months	9 months - 3 years
	Trainer/owner/authorised rider's agent	Suspend/Withdraw/ Disqualify 18 months	9 months - 5 years
	Stable employee	Disqualify 1 year	9 months - 5 years Disqualify
	Service provider/other person	Exclude/Disqualify 1 year	9 months - 5 years

* If the Panel is of the opinion that the rider has deliberately not ridden the horse to obtain the best possible placing, the entry point should be increased by one year.

244 (a)-(d)	Jockey - bets, lays or accepts the proceeds etc	Suspend/Withdraw/ Disqualify 6 months	3 months - 10 years
245	Amateur rider - bets, lays or accepts the proceeds etc	Suspend/Withdraw/ Disqualify 6 months	3 months - 10 years
246 (a)-(c)	Valets - bets, lays or accepts the proceeds	Suspend/Withdraw/ Disqualify 6 months	3 months- 10 years
247	Trainer - lays a horse under his care etc	Suspend/Withdraw/ Disqualify 6 months	3 months- 10 years
	Stable employee - lays a horse under the care of his employer etc	Disqualify 6 months	3 months - 10 years
	Owner - lays a horse he owns etc	Disqualify 6 months	3 months - 10 years
	Authorised rider's agent - lays any horse ridden by a rider for whom he acts etc	Disqualify/Exclude 6 months	3 months - 10 years
	Service provider - lays any horse owned, trained or ridden by the person for whom he has provided a service etc	Disqualify/Exclude 6 months	3 months - 10 years

Instruction	Offence	Entry Point	Range
A8	Failure to wear protective clothing or head gear	£250	£100 - £2,000
C3	Refusal to allow horse into sampling unit	Disqualify horse £4,000 or Suspend/ Withdraw licence 3 months	£2,500 - £12,000 1 month - 1 year

Instruction	Offence	Entry Point	Range
C7	Substance given on racecourse premises the day before the race	£1,000 Suspend horse for 20 days	£750 - £2,000
C8	Inadequate medication records	£300	£250 - £750
C9	Substance given on day of race and before horse runs	£1,000 Suspend horse for 20 days	£750 - £2,000
F5	Request for telephone records	£300 10 days	£250 - £5,000 5 days - 28 days
G1	Horse receiving 'para 8' report from starter (x4)	Indefinite restriction	
G1	Three consecutive stalls test failures by horse	Indefinite restriction	
-			
H17	Rider not keeping straight at start (x5)	7 days	5 - 10 days

7. TESTING OF RIDERS FOR BANNED SUBSTANCES

RECOMMENDED PENALTIES FOR BREACHES OF RULES 66 (A) - (VIII) & (X)

	Recommended Penalties	
	ENTRY POINT	RANGE
ALCOHOL		
1st Offence		
17-34 micrograms per 100 millilitres of breath or at or above 54 milligrams per 100 millilitres in urine (the 'Lower Level')	Caution (Rider stood down on the day)	
35 & upwards micrograms per 100 millilitres of breath or 108 & upwards milligrams per 100 millilitres of urine (the 'Upper Level')	40 days	28-60 days
2nd Offence (with 24 months)		
Lower Level- if 1st offence 'Lower'	10 days	7-21 days
- if 1st offence 'Upper'	14 days	7-21 days
Upper Level - if 1st offence 'Lower'	45 days	40-60 days
- if 1st offence 'Upper'	100 days	90-120 days
3rd Offence (within 36 months)		
Upper or Lower Level	90 days	60-180 days

Recommended Penalties	
DIURETICS	ENTRY POINT RANGE
1st Offence	£350-£500
2nd Offence (within 24 months)	£500-£1,000
3rd Offence (within 36 months)	10 days 7-14 days
OTHER BANNED SUBSTANCES & NOTIFIABLE MEDICATIONS	
1st Offence*	2 months 1-6 months
2nd Offence* (within 24 months)	9 months 6 months 2 years
3rd Offence* (within 36 months)	3 years 2-5 years

*The only exception being for cocaine when the rider will normally have his licence withdrawn at the top of the range

REFUSAL OR FAILURE TO PROVIDE A SAMPLE†

Urine	
1st Offence	9 months 6-12 months
2nd Offence (within 36 months)	3 years 2-5 years
Breath	
1st Offence	90 days 60-120 days
2nd Offence (within 36 months)	9 months 6-12 months

†In cases of breath and urine a refusal to provide a sample is likely to be considered to be serious and to attract a penalty at the higher end of the range.

NOTE:

Alcohol and Diuretic findings stand alone when looking at previous and subsequent offences except when in combination with a refusal to provide a sample. Offences under the headings 'Other Banned Substances and Notifiable Medications' and 'Refusal or failure to Provide a Sample' will be combined when taking into account previous offences. An offence shall drop out of the reckoning after 36 months of it being imposed, except in the case of an alcohol reading within the 'Lower Level' when it shall be 24 months.

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