

11. Penalties

11.1 The Disciplinary Panel shall have power to impose penalties and consequences for equine anti-doping rule violations committed under these Equine Anti-Doping Rules as set out as follows.

11.2 Automatic Disqualification of the Horse from the Race

11.2.1 An equine anti-doping rule violation in connection with a Raceday Test automatically leads to disqualification of the Horse from the race in question pursuant to Rule (A)74 with all resulting consequences for the Responsible Person, member of the Support Personnel and/or the Horse including the forfeiture of all titles, physical prizes and trophies and prize or other money.

11.3 Disqualifications/Withdrawals and Fines for Responsible Persons or other Person

11.3.1 Presence or Use of a Prohibited Substance or Prohibited Method (except in connection with a Stalls Test).

The Authority will impose a penalty on the Responsible Person unless the condition for imposing no penalty on the Responsible Person in Rule 11.4 is met.

11.3.2 Presence or Use of a Prohibited Substance (Stalls Test)

The Authority will impose a financial penalty on the Responsible Person unless the condition for imposing no penalty on the Responsible Person in Rule 11.4 is met.

11.4 If the Responsible Person establishes in an applicable case under Rule 11.3.1 or 11.3.2 that

11.4.1 The Prohibited Substance or Prohibited Method was not administered intentionally by the Responsible Person or by any other Person (whether or not connected to the Responsible Person in any way); and

11.4.2 The Responsible Person had taken all reasonable precautions to avoid violating Rule 2.1 or 2.2

then no penalty shall be imposed on the Responsible Person.

11.5 When deciding the appropriate penalty in a case, the Disciplinary Panel shall have reference to the Authority's Guide to Procedures and Penalties as may be amended from time to time. If the Disciplinary Panel decides to disqualify a Responsible Person or other Person, disqualification shall have the consequences for a Disqualified Person as set out in Rule (A)71.

11.6 Consequences for Horses

11.6.1 Disqualification of the Horses in relation to races already run, subsequent to Sample collection or the commission of another equine anti-doping rule violation

In addition to the automatic disqualification of the Horse from the race in accordance with Rule 11.2.1, all other results obtained by the Horse in races from the date a positive Sample was collected (whether on Raceday or Out-of-Competition) or other equine anti-doping rule violation occurred through to the commencement of any provisional suspension or suspension period shall, subject to Rule 11.6.4.2, be disqualified with all resulting consequences for the Responsible Person, member of the Support Personnel and/or the Horse including the forfeiture of all titles, physical prizes and trophies and prize or other money. Notwithstanding any of the above, a Horse may be disqualified from one or more races already run in such circumstances as the Authority considers it appropriate.

11.6.2 Suspensions/Mandatory Stand Down Periods

11.6.2.1 Subject to Rule 11.6.4, in the case of a violation of Rule 2.1 (Presence of a Prohibited Substance) where the Adverse Analytical Finding is for a Prohibited Substance that is prohibited at all times; or Rule 2.2 (Use of a Prohibited Substance or Prohibited Method) where the Use is of a Prohibited Substance or Prohibited Method that is prohibited at all times; or Rule 2.7 where the Administration of a Prohibited Substance or a Prohibited Method is of a Prohibited Substance or Prohibited Method

that is prohibited at all times; Rule 2.3 (Evading, Refusal or Failure); or Rule 2.8 (Missed Tests), the Horse shall be subject to:

- 14 months suspension from racing; and
- 12 months mandatory stand down,

which shall run concurrently.

11.6.2.2 Notwithstanding Rule 11.6.2.1, a Horse may be suspended from running in such circumstances as the Authority considers it appropriate.

11.6.3 For the purposes of Rule 11.6.2.1,

(a) "suspension from racing" shall mean that the Horse will be suspended from running in races run under the Rules and under the British Horseracing Authority Regulations for Point-to-Point Steeple Chases and under the British Horseracing Authority Regulations for Arabian Horse Racing;

(b) "mandatory stand down" shall mean that the Horse will be excluded from being registered as in training and from being stabled in any yard that is licensed by the Authority. The Horse shall however remain subject to Testing throughout the mandatory stand down period.

11.6.4 The combined period covered by (i) disqualification of all the Horse's results under Rule 11 and (ii) the Horse's provisional suspension and/or suspension from racing shall not exceed 14 months in total.

11.6.4.1 Where by application of this Rule 11.6.4 the suspension to be served by the Horse is reduced to a period of less than 14 months, there shall be an equivalent reduction in the mandatory stand down period;

11.6.4.2 Where the Adverse Analytical Finding for a substance prohibited at all times arises from a Sample that has been stored by the Authority and analysed (or re-analysed) 14 months or more after the date of its collection, or where another equine anti-doping rule violation is discovered 14 months or more after the date of its commission, the disqualification of results obtained by the Horse in races after the Sample was collected or after the other equine anti-doping rule violation was committed shall be limited in time to 14 months following the date of the Sample collection or the commission of the other equine anti-doping rule violation and the Horse shall serve no period of provisional suspension, suspension or mandatory stand down.

11.7 Commencement Date of Period of Disqualification/Withdrawal and Suspension/Mandatory Stand Down

11.7.1 Except as provided in Rules 11.7.1.1 and 11.7.1.2, the period of disqualification/withdrawal or suspension and mandatory stand down imposed on any Person or Horse (as applicable) shall commence on the date of the final hearing decision providing for a disqualification/withdrawal or suspension and mandatory stand down or, if there is no hearing, on the date the disqualification/withdrawal or suspension/mandatory stand down is accepted or otherwise imposed.

11.7.1.1 Credit for Provisional Suspension served

If a provisional suspension is imposed by the Authority, and is respected by the Responsible Person and/or member of the Support Personnel or Horse, then a credit shall be received for such period of provisional suspension against any period of disqualification/withdrawal or suspension/mandatory stand down which may ultimately be imposed as determined by the Disciplinary Panel.

11.7.1.2 No credit against any period of disqualification/withdrawal or suspension/mandatory stand down shall be given for any time period before the

effective date of the provisional suspension regardless of whether the Horse did not compete.

11.8.1 Where this Rule 11 provides for the forfeiture of all titles, physical prizes and trophies and prize or other money, that forfeiture shall apply to any recipient of those prizes or payments, whether or not they are the Responsible Person.

11.8.2 Where this Rule 11 provides for the forfeiture of prize money, that forfeiture shall not apply to money paid to the stable of the horse.