Annex E

Equine Anti-Doping and Controlled Medication

The FEI Equine Anti-Doping and Controlled Medication Regulations can be found on the FEI Clean Sport website at www.feicleansport.org.

The FEI Regulations apply to all Participants and Events over which the FEI has jurisdiction.

The BEF Equine Anti-Doping and Controlled Medication Rules which follow apply to all athletes who compete at affiliated level under the auspices of a Sporting Discipline and their Support Personnel from the date that those Rules are incorporated into the Rule Book of the relevant Sporting Discipline.
Annex E – 1

EQUINE PROHIBITED SUBSTANCES LIST

The current Equine Prohibited Substances List which applies both at international and national level can be found on the FEI Clean Sport website at www.feicleansport.org.
Annex E – 2

BEF EQUINE ANTI-DOPING AND CONTROLLED MEDICATION RULES

Sixth edition 2017, effective 1 January 2017

INTRODUCTION

The BEF Equine Anti-Doping and Controlled Medication Rules ("BEFAR") were introduced as from 1 January 2011 and are adopted and implemented in conformity with the obligations of the BEF set out in the FEI Equine Anti-Doping and Controlled Medication Regulations (the “FEI Regulations”) and in respect of doping of animals in sport implemented in accordance with the requirements of the World Anti-Doping Code.

They are designed to deal with two separate issues:

- The doping of horses.

  Doping, i.e. the use of artificial enhancements to gain an advantage over others in competition, is cheating and is fundamentally contrary to the spirit of any sport. The presence of doping in sport not only undermines the fairness and credibility of each competitive event but in the long term can have a serious effect on the credibility and viability of the sport in question. Doping of animals involved in sport is contrary to the principles of the World Anti-Doping Code (“WADC”) and accordingly is brought within its ambit by Article 16 WADC.

- Inappropriate medication during competition.

  It is clearly essential for the welfare of the horse that it is given appropriate veterinary treatment if and when required and that this should include appropriate medication. Medication however may mask an underlying health problem and may adversely affect the long term health of the horse. Horses should not compete when taking medication where such medication may have a detrimental effect on the horse’s welfare.

In line with the FEI Regulations and the move to make a clear distinction between doping and medication control BEFAR are divided into two separate chapters:

CHAPTER 1 Equine Anti-Doping

CHAPTER 2 Equine Controlled Medication

The following terminology is used:

“Banned Substance”: a substance (including its Metabolites and Markers) that is classified in the Equine Prohibited Substances List as a banned substance. Banned Substances have been deemed by the FEI List Group to have: a) no legitimate use in the competition Horse and/or b) have a high potential for abuse. Banned Substances are prohibited at all times.
“Controlled Medication Substance”: a substance, or its Metabolites or Markers, that is classified in the Equine Prohibited Substances List as a controlled medication substance. Controlled Medication Substances are considered therapeutic and/or are commonly used in equine medicine, and are considered to have: a) the potential to affect performance, and/or b) a potential welfare risk to the Horse. Controlled Medication Substances are prohibited in-competition.

“Prohibited Substance”: a substance classified in the Equine Prohibited Substances List as a Banned Substance or a Controlled Medication Substance. Prohibited Substances are not permitted in the competition Horse either a) during competition (Controlled Medication Substances) or b) at any time (Banned Substances).

BEFAR are sport rules governing the conditions under which sport is performed. All athletes who compete at affiliated level under the auspices of a Sporting Discipline, the owner of the Horse on which they compete and their Support Personnel, including but not limited to veterinarians and grooms, accept these rules as a condition of participation and involvement in their Sporting Discipline activities and shall therefore be bound by them.

However, it is a fundamental principle of BEFAR that the inclusion of the owner of the Horse, Support Personnel, veterinarians and grooms in these rules is in no way intended to lessen or shift the responsibility of the Person Responsible.

The Person Responsible remains ultimately responsible, and thereby ultimately liable for a BEFAR violation. Where appropriate, and only when the specific factual circumstances so warrant, Persons, which may include the owner of the Horse, support personnel, veterinarians and grooms will be held additionally responsible.

BEFAR are not intended to be subject to or limited by the requirements and legal standards applicable to criminal proceedings or employment matters. The policies and minimum standards set out in BEFAR represent the consensus of a broad spectrum of stakeholders with an interest in fair sport and Horse welfare and should be respected by all courts and adjudicating bodies.

SCOPE

BEFAR are effective as of 1 January 2011 and apply to members of Sporting Disciplines. They must be read in conjunction with the rules of the relevant Sporting Discipline, the BEF Veterinary Manual, the procedural rules of the Hearing Body and any other applicable rules or regulations.

BEFAR shall apply to the BEF, its Sporting Disciplines, organisers and each Participant in the activities of a Sporting Discipline by virtue of their membership, affiliation or participation in the Sporting Discipline or its activities or Events.

To be eligible for participation in a Sporting Discipline or its activities or Events, an athlete must be registered with a Sporting Discipline and/or be a registered member of a National Federation with permission to compete.
Each Sporting Discipline shall guarantee that all affiliated Athletes and other persons under its jurisdiction accept BEFAR and any other applicable rules or regulations and consent to the sharing of their data with the BEF and Anti-Doping Organisations and the processing of that data for the purposes of the administration, application and enforcement of BEFAR and the notification of violations to the other Sporting Disciplines.

Each Sporting Discipline agrees to ensure that all Testing at Events complies with BEFAR.

BEFAR shall apply to all Doping Control and Medication Control at Sporting Discipline Events and to all Doping Control and Medication Control over which the BEF or the Sporting Discipline have jurisdiction or have been delegated jurisdiction. However, there may be modified versions of these rules for Events where Minors are competing on borrowed Horses, if the circumstances so warrant and the BEF Testing Committee has approved such rules.

BEFAR, particularly as they apply to Banned Substances (Chapter 1), have intentionally been modelled after the WADC for human athletes. Conversely Chapter 2 has been developed with special consideration for the need to ensure horse welfare and the highest levels of professionalism.

Given the clear distinction between Doping and Controlled Medication established by the two separate chapters of BEFAR, a National Equine Therapeutic Use Exemption shall only be available in connection with a Controlled Medication Substance processed under Chapter 2 of BEFAR and not in connection with a Banned Substance processed under Chapter 1 of BEFAR.

**Note:** The masculine gender used in relation to any physical person (for example names such as Person Responsible/Owner/Testing Vet) shall, unless there is a specific provision to the contrary, be understood as including the feminine gender.
Chapter 1 Equine Anti-Doping Rules

ARTICLE 1 DEFINITION OF DOPING/DOPING VIOLATION

A *Doping Violation* is defined as the occurrence of one or more of the *BEFAR violations* set out in Article 2.1 to 2.9 of Chapter 1 of *BEFAR and Doping* shall be construed accordingly.

ARTICLE 2 DOPING VIOLATIONS

The purpose of Article 2 is to specify the circumstances and conduct which constitute *Doping Violations*. Hearings in *Doping* cases under Chapter 1 will proceed based on the assertion that one or more of these specific rules have been violated.

*Persons Responsible* shall be responsible for knowing what constitutes a *Doping Violation* and the substances which have been included on the *Equine Prohibited Substances List* and identified as *Banned Substances*.

Where *Banned Substances* are involved, the following constitute *Doping Violations*:

2.1 The Presence of a *Banned Substance* or its *Metabolites* or *Markers* in a *Horse’s Sample*

2.1.1 It is each *Person Responsible’s* personal duty to ensure that no *Banned Substance* is present in the *Horse’s body*. *Persons Responsible* are responsible for any *Banned Substance* found to be present in their *Horse’s Samples*. It is not necessary that intent, *Fault*, negligence or knowing *Use* be demonstrated in order to establish a *Doping Violation* under Article 2.1.

2.1.2 Sufficient proof of a *Doping Violation* under Article 2.1 is established by any of the following:

(i) presence of a *Banned Substance* and/or its *Metabolites* or *Markers* in the *Horse’s A Sample* where the *Person Responsible* waives analysis of the *B Sample* and the *B Sample* is not analysed; or
(ii) where the *Horse’s B Sample* is analysed and the analysis of the *Horse’s B Sample* confirms the presence of the *Banned Substance* and/or its *Metabolites* or *Markers* found in the *Horse’s A Sample*.

An *Adverse Analytical Finding* may be established by a positive blood or urine *Sample*.

2.1.3 Excepting those *Banned Substances* for which a quantitative threshold is specifically identified in the *Equine Prohibited Substances List*, the presence of any quantity of a *Banned Substance* and/or its *Metabolites* or *Markers* in a *Horse’s Sample* shall constitute a *Doping Violation*.

2.1.4 As an exception to the general rule of Article 2.1, the *Equine Prohibited Substances List* or the *Standard for Laboratories* may establish special criteria for the evaluation of *Banned Substances* that can also be produced endogenously.
2.2 Use or Attempted Use of a Banned Substance

2.2.1 It is each Person Responsible’s personal duty to ensure that no Banned Substance enters into the Horse’s body. Accordingly it is not necessary that intent, Fault, negligence or knowing Use on the part of the Person Responsible be demonstrated in order to establish a Doping Violation for Use of a Banned Substance. However, in accordance with the definition of Attempt, it is necessary to show intent in order to establish a Doping Violation for Attempted Use of a Banned Substance.

2.2.2 The success or failure of the Use or Attempted Use of a Banned Substance is not material. It is sufficient that the Banned Substance was Used or Attempted to be Used for a Doping Violation to be committed.

2.3 Evading, Refusing or Failing to Submit to Sample Collection

2.3.1 Evading Sample collection, or, without compelling justification, refusing or failing to submit to Sample collection after Notification, or to comply with all Sampling procedure requirements including signing the sampling form, or otherwise evading Sample collection.

2.3.2 It is each Person Responsible’s personal duty to ensure that if the Horse with/on which they competed or will compete is selected for Sampling and notification of Sampling in accordance with the BEF Veterinary Manual has taken place, such Horse is submitted to Sample collection and that all Sampling procedure requirements are met.

2.3.3 Accordingly, although it is permissible for the Person Responsible to delegate the submission and supervision of the Horse to a third party, the Person Responsible remains responsible for the Horse throughout the Sample collection process and for:

(i) any evasion of Sample collection; and/or
(ii) any refusal, or failure, without compelling justification, to submit the Horse to Sample collection; and/or
(iii) any failure to comply with any or all of the Sampling procedure requirements including signing the Sampling form.

2.3.4 It is not necessary to demonstrate intent, Fault, negligence or knowledge in relation to any delegation relating to the Sampling process or to the acts of a relevant third party in order to establish a Doping Violation under this Article 2.3.

2.4 Tampering, or Attempted Tampering, with any part of Doping Control

2.5 Administration or Attempted Administration of a Banned Substance

2.6 Possession of a Banned Substance(s)

This prohibits a Person Responsible from Possessing Banned Substances, unless he demonstrates compelling justification for the Possession. (This section should be read in conjunction with the definition of Possession set out in Appendix 1).
2.7 Trafficking or Attempted Trafficking in any Banned Substance

2.8 Complicity

Assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving a Doping Violation or any Attempted Doping Violation.

2.9 Prohibited Association

Association by a Person Responsible subject to the authority of the BEF or the Sporting Discipline in a professional or sport-related capacity with any Support Person who:

2.9.1 If subject to the authority of the FEI, BEF or Sporting Discipline, is serving a period of Ineligibility; or

2.9.2 If not subject to the authority of the BEF or Sporting Discipline, and where Ineligibility has not been addressed in a results management process pursuant to the WADC, has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of anti-doping rules if WADC-compliant rules had been applicable to such Person. The disqualifying status of such Person shall be in force for the longer of six (6) years from the criminal, disciplinary or professional sanction imposed or the duration of the criminal, disciplinary or professional sanction imposed; or

2.9.3 Is serving as a front or intermediary for an individual described in Article 2.9.1 or 2.9.2.

In order for this provision to apply, it is necessary that the Person Responsible has previously been advised in writing by the BEF of the Support Person’s disqualifying status and the potential consequence of prohibited association and that the Person Responsible can reasonably avoid the association. The BEF shall also use reasonable efforts to advise the Support Person who is the subject of the notice to the Person Responsible, that the Support Person may, within fifteen (15) days come forward to the BEF to explain that the criteria described in Articles 2.9.1 and 2.9.2 do not apply to him or her. (Notwithstanding Article 16, this Article applies even when the Person’s disqualifying conduct occurred prior to the effective date provided in Article 16).

The burden shall be on the Person Responsible to establish that any association with the Support Person described in Article 2.9.1 and 2.9.2 is not in a professional or sport-related capacity.

ARTICLE 3 PROOF OF DOPING VIOLATION

3.1 Burdens and Standards of Proof

The BEF shall have the burden of establishing that a Doping Violation has occurred. The standard of proof shall be whether the BEF has established a Doping Violation to the comfortable satisfaction of the Hearing Body bearing in mind the seriousness
of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where BEFAR place the burden of proof upon the Person Responsible to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability, except where a different standard of proof is specifically identified.

3.2 Methods of Establishing Facts and Presumptions

Facts related to Doping Violations may be established by any reliable means, including admissions. The following rules of proof shall be applicable in Doping Violation cases brought under BEFAR:

3.2.1 The Testing Laboratory is presumed to have conducted Sample analysis and custodial procedures in accordance with the Standard for Laboratories. The Person Responsible who is alleged to have committed the Doping Violation may rebut this presumption by establishing by a balance of probability that a departure from the Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding.

If the preceding presumption is rebutted by showing that a departure from the Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding then the BEF shall have the burden to establish that such departure did not cause the Adverse Analytical Finding.

3.2.2 Departures from another BEF standard, or other BEFAR Rule, BEF Manual or policy which did not by a balance of probability cause an Adverse Analytical Finding or other Doping Violation shall not invalidate such results. If the Person Responsible establishes, by a balance of probability, that a departure from another BEF standard or BEFAR Rule, BEF Manual or policy could reasonably have caused the Doping Violation based on the Adverse Analytical Finding or other Doping Violation, then the BEF must prove that the departure did not cause the Adverse Analytical Finding or the factual basis for the Doping Violation.

3.2.3 The facts established by a Decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the Person Responsible to whom the Decision pertained with regard to the factual findings unless it can be established that the Decision violated principles of natural justice.

3.2.4 The Hearing Body presiding over a case alleging a Doping Violation may draw an inference adverse to the Person Responsible who is asserted to have committed a Doping Violation based on the refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the Hearing Body) in order to answer questions from the Hearing Body or the BEF.
ARTICLE 4 THE EQUINE PROHIBITED SUBSTANCES LIST

4.1 Incorporation of the Equine Prohibited Substances List

BEFAR incorporate the Equine Prohibited Substances List which is published by the FEI from time to time. The BEF will publish a link to the current Equine Prohibited Substances List in such a manner that it is available to the Sporting Disciplines and their members and constituents, including, but not limited to, publication of the link on the BEF website.

4.2 Review and Publication of Banned Substances Identified on the Equine Prohibited Substances List

The Equine Prohibited Substances List, as may be revised from time to time, shall come into effect at whichever is the earlier of a date published by the BEF or the publication of a link to the revised Equine Prohibited Substances List on the BEF website, but in any event no sooner than 90 days following publication of the revised Equine Prohibited Substances List on the FEI website.

All Persons Responsible shall be bound by the Equine Prohibited Substances List, and any revisions thereto, from the date they go into effect, without further formality. It is the responsibility of all Persons Responsible to familiarise themselves with the most up-to-date version of the Equine Prohibited Substances List and all revisions thereto.

4.3 Substances on the Equine Prohibited Substances List

The FEI’s categorisation of a substance on the Equine Prohibited Substances List as a Banned Substance (in particular as opposed to a Controlled Medication Substance) including any establishment of a threshold for a Banned Substance and/or the quantitative amount of such threshold, shall be final and binding on all parties and shall not be subject to challenge by a Person Responsible, or any other person, on any basis.

4.4 Specified Substances

For the purposes of the application of Article 10 Specified Substances shall be taken as meaning only those Prohibited Substances identified as such on the Equine Prohibited Substances List.

ARTICLE 5 TESTING

5.1 Authority to Test

All Horses registered with a Sporting Discipline or otherwise present or competing at an Event and/or Competition shall be subject to Testing by the BEF or its assignees or agents. The BEF shall be exclusively responsible for Testing at national Events and/or Competitions and no other body may conduct Testing at national Events and/or Competitions without the BEF’s express written permission. The BEF is
obligated to promptly report any positive findings to the FEI that have been notified as Doping Violations unless doing so would contravene national law.

5.2 Responsibility for BEF Testing

The Testing Committee shall be responsible for overseeing all Testing conducted by the BEF. Testing shall be conducted by the Testing Veterinarians or by any other qualified and authorised persons at a given Event and/or Competition as authorised by BEFAR or in writing by the BEF Chief Executive or his designee.

5.3 Testing Standards

Testing conducted by or on behalf of the BEF shall be in substantial conformity with the Testing procedures in the BEF Veterinary Manual in effect at the time of Testing.

5.4 Selection of Horses to be tested

5.4.1 The Testing Committee shall determine the number of Tests to be performed and the procedure for selecting the Horses for Testing.

5.4.2 In addition to the selection procedures set forth in Article 5.4.1 above, Horses may also be selected for Target Testing.

5.4.3 Nothing in these BEFAR shall be construed to limit where the BEF is authorised to conduct Testing on Horses in competition.

ARTICLE 6 ANALYSIS OF SAMPLES

Samples collected under BEFAR and arising from BEF Testing are the property of the BEF. They shall be analysed in accordance with the following principles:

6.1 Use of Approved Laboratory

The BEF shall send Samples for analysis only to the Testing Laboratory (which is subject to the Standard for Laboratories). However the Person Responsible may elect to have the B Sample analysed at a different laboratory than the one which performed the A Sample analysis. If such an election is made the BEF shall select the B Sample laboratory from the FEI List of Approved Laboratories and shall inform the Person Responsible accordingly.

6.2 Purpose of Collection and Analysis of Samples

Samples shall be analysed to detect Banned Substances identified on the Equine Prohibited Substances List. The BEF may also seek to detect other substances for research and monitoring purposes, as publicly announced by the BEF from time to time pursuant to a defined monitoring programme. Samples may be collected and stored for future analysis.
6.3 Research on Samples

No Sample may be used for any purpose other than as described in Article 6.2 Chapter 1 and Chapter 2 BEFAR, without the Person Responsible’s written consent. Those Samples used for purposes other than as set forth in Article 6.2 (for example research) following written consent from the Person Responsible shall have all means of identification removed from the Sample so that it cannot be traced back to a particular Horse or Person Responsible.

All Samples shall be destroyed pursuant to the guidelines set out in the Standard for Laboratories and in no event later than the lapse of the Statute of Limitations in Article 14 below.

6.4 Standards for Sample Analysis and Reporting

The Testing Laboratory shall analyse Samples and report results in conformity with the Standard for Laboratories.

ARTICLE 7 RESULTS MANAGEMENT

7.1 Results Management for Tests arising out of BEF Testing or other Doping Violations

Results management for Tests arising out of BEF Testing or other Doping Violations shall proceed as follows:

7.1.1 The results of all Sample analyses must be sent exclusively to the BEF in a report signed by an authorised representative of the laboratory. All communications must be conducted in such a way that the results of the Sample analyses are confidential.

7.1.2 Upon receipt of an Adverse Analytical Finding, the BEF, in consultation with the Technical Committee, shall conduct a review to determine whether there is any apparent departure from the Testing procedures of the BEF Veterinary Manual or the Standard for Laboratories that caused the Adverse Analytical Finding.

7.1.3 If (i) the review under Article 7.1.2 reveals an apparent departure from the Testing procedures of the BEF Veterinary Manual or from the Standard for Laboratories that caused the Adverse Analytical Finding, the entire test shall be considered negative, and/or (ii) upon the review, the BEF Decides not to bring forward the Adverse Analytical Finding as a Doping Violation, the BEF shall promptly Notify the Person Responsible and the Person Responsible’s Sporting Discipline.

7.1.4 If the review of an Adverse Analytical Finding under Article 7.1.2 does not reveal an apparent departure from the Testing procedures of the BEF Veterinary Manual or from the Standard for Laboratories that caused the Adverse Analytical Finding, the BEF shall promptly Notify the Person Responsible and the Person Responsible’s Sporting Discipline of:
(a) the Adverse Analytical Finding;

(b) the BEFAR Rule allegedly violated;

(c) the Person Responsible's right within sixteen (16) days to request the analysis of the B Sample or, failing such request, that the B Sample analysis may be deemed waived;

(d) the opportunity for the Person Responsible to elect to have the B Sample analysed at a different laboratory than the one which performed the A Sample analysis, such laboratory to be chosen by the BEF, and the opportunity to send a representative (witness) to be present for the B Sample analysis within the time period specified in the Standard for Laboratories, unless allowing such representative or witness to be present at the B Sample analysis presents a threat to the integrity of the analysis process. Where both the Person Responsible and any additional Person Responsible have elected to have the B Sample analysed but one of them has elected to have the B Sample analysed at a different laboratory than the one which performed the A Sample analysis and the other one has elected to have the B Sample analysed at the same laboratory as the one which performed the A Sample analysis, it shall be for the BEF to decide the question taking into account all relevant circumstances;

(e) the right of the Person Responsible to request copies of the A and B Sample (if applicable) Laboratory Documentation Package which includes information as specified in the Standard for Laboratories;

(f) the right of the Person Responsible and/or the BEF to request to the Hearing Body that Article 9 (Automatic Disqualification) be promptly applied where the B Sample Analysis confirms the A Sample Analysis or where the right to request the B Sample Analysis is waived;

(g) the Person Responsible's right to request a hearing or, failing such request within the deadline specified in the notification, that a hearing may be deemed waived;

(h) the opportunity to provide a written explanation about the overall circumstances of the case or to dispute (within a specific deadline indicated in the Notification) the assertion that a Doping Violation has occurred;

(j) the opportunity to promptly admit the Doping Violation and consequently request the early commencement of the period of Ineligibility in accordance with Article 10.10.3;

(n) the opportunity to cooperate and provide Substantial Assistance in discovering or establishing a Doping Violation.

7.1.5 Pursuant to Article 7.1.4(d) above, within seven (7) days of receipt of the Confirmatory Analysis Request Form (B Sample) the BEF will propose possible dates for such analysis. The Person Responsible may accept the A Sample analytical results by waiving the right to a B Sample analysis. The BEF may
nonetheless elect, at its discretion, to proceed with the B Sample analysis. In such case the B Sample analysis shall only be used to confirm the A Sample Adverse Analytical Finding. The Person Responsible is deemed to have waived his right to a B Sample analysis if he does not submit the Confirmatory Analysis Report Form within the time-limit stipulated in the Notification.

7.1.6 In addition to the Person Responsible and his representative (witness), a representative of the Person Responsible’s Sporting Discipline as well as a representative of the BEF shall also be allowed to be present for the B Sample Analysis.

7.1.7 If the B Sample proves negative, then the entire test shall be considered negative. The BEF shall be informed of the results confidentially and shall Notify the Person Responsible and his Sporting Discipline.

7.1.8 If the B Sample analysis confirms the A Sample analysis, the BEF shall be informed of the results confidentially and shall Notify the Person Responsible and the Person Responsible shall be required to pay the costs of the B Sample analysis.

7.1.9 The BEF may conduct any necessary follow-up investigation as may be required. Upon completion of such follow-up investigation, if any, the BEF shall promptly notify the Person Responsible’s Sporting Discipline of the results of the follow-up investigation.

7.1.10 For the avoidance of doubt, an Adverse Analytical Finding confirmed by the B Sample analysis may result from blood or urine Samples, or any combination thereof (for example, a confirmatory B Sample analysis is valid if performed on a blood sample, even if the A Sample Adverse Analytical Finding arose from a urine Test and vice versa). In addition, and also for the avoidance of doubt, where the A Sample is positive for a Threshold Banned Substance, as it is quantitatively above the threshold level set for the Banned Substance, the B Sample shall be deemed to confirm the A Sample so long as the level of the B Sample is also quantitatively above the threshold, even if the B Sample varies quantitatively from the A Sample level.

7.1.11 Where appropriate, additional Persons Responsible shall receive Notification of the Doping Violation and all relevant corresponding documents.

7.2 Review of Atypical Findings

7.2.1 In some circumstances laboratories are directed to report the presence of Banned Substances, which may also be produced endogenously, as Atypical Findings subject to further investigation. Upon receipt of an A Sample Atypical Finding, the BEF shall conduct a review to determine whether there is any apparent departure from the Testing procedures, the Standard for Laboratories or another BEF standard, BEF Manual or policy that caused the Atypical Finding. If that review does not reveal any departure that caused the Atypical Finding the BEF shall conduct the required investigation. After that investigation is completed the Person Responsible and his Sporting Discipline, shall be Notified whether or not the Atypical
Finding will be brought forward as an Adverse Analytical Finding. The Person Responsible’s Sporting Discipline shall be Notified as provided in Article 7.1.

7.2.2 The BEF will not provide Notice of an Atypical Finding until it has completed its investigation and it has decided whether it will bring the Atypical Finding forward as an Adverse Analytical Finding. However if the BEF determines that the B Sample should be analysed prior to the conclusion of the investigation under Article 7.2 the BEF may conduct the B Sample Analysis after supplying the Person Responsible with such Notice including a description of the Atypical Finding and the information described in Article 7.1.4 (b)-(e).

7.3 Review of Other Doping Violations

For apparent Doping Violations that do not involve Adverse Analytical Findings, the BEF may conduct any necessary follow-up investigation and at such time as it is satisfied that a Doping Violation has occurred, it shall then promptly Notify the Person Responsible and the Person Responsible’s Sporting Discipline of the BEFAR rule which appears to have been violated and the basis of the violation.

7.4 Retirement from Sport

If a Person Responsible retires while a results management process is underway, the BEF retains jurisdiction to complete its results management process. If a Person Responsible retires before any results management process has begun, the BEF similarly has jurisdiction to conduct results management.

7.6 Resolution Without a Hearing

7.6.1 Waiver of Hearing

A Person Responsible may waive a hearing expressly.

A Person Responsible will be deemed to have waived a hearing if he fails to request a hearing within the deadline set out in the Notification of the alleged violation required to request a hearing.

In that event the Hearing Body shall, unless it rules that a hearing is required, consider the case on a written basis in accordance with the Hearing Body Rules.

7.6.2 Admission

At any time during the results management process the Person Responsible against whom a BEFAR violation is asserted may admit that violation.

7.6.3 Deemed admission and waiver

If the Person Responsible against whom a Doping Violation is asserted fails to dispute that assertion within sixteen (16) days of Notification (or within any other deadline as may be imposed in a specific case) that such a Doping Violation is alleged, then he shall be deemed to have admitted the Doping Violation, to have waived a hearing, and
to have accepted the consequences that are mandated by BEFAR or (where some discretion as to consequences exists under BEFAR) that have been offered by the BEF provided that Hearing Body approval has been provided.

7.6.4 In cases where Article 7.6.2 or 7.6.3 applies, a hearing before a Hearing Body shall not be required. Instead the Hearing Body shall promptly issue a written decision confirming the commission of the Doping Violation and the consequences imposed as a result, and setting out the full reasons for any period of Ineligibility imposed, including (if applicable) a justification for why the maximum potential period of Ineligibility was not imposed. The BEF shall send copies of that Decision to other Anti-Doping Organisations with a right to appeal under Article 12.2.2, and shall Publicly Disclose that decision in accordance with Article 13.3.

ARTICLE 8 RIGHT TO A FAIR HEARING

8.1 Hearings before the Hearing Body

8.1.1 The Hearing Body shall Decide all cases involving violations of BEFAR.

8.1.2 When the BEF sends a Notice to a Person Responsible and/or additional Person Responsible asserting a violation of BEFAR, and the Person Responsible and/or the additional Person Responsible does not expressly or impliedly admit the violation under 7.6.2 or 7.6.3 then the case shall be assigned to the Hearing Body for adjudication. The Hearing Body shall conduct a hearing unless the Person Responsible has either expressly waived, or has been deemed under 7.6.1 to have waived, such hearing or it has determined that the case should proceed by hearing. In the event that a hearing is not conducted the Hearing Body shall Decide the case on the basis of written submissions in accordance with the Hearing Body Rules.

8.1.3 The BEF Chief Executive shall at his sole discretion appoint a Hearing Body from among the BEF Anti-Doping Panel to decide each case. The Hearing Body shall consist of three (3) members, one of whom will be a legally qualified person and shall act as Chair of the Hearing Body. The appointed members shall be independent of the Person Responsible alleged to have violated BEFAR, the Horse involved and the Person Responsible's Sporting Discipline.

8.1.4 Hearings pursuant to this Article shall be completed expeditiously following the completion of the results management or investigation process described in Article 7 above and the submission of all relevant evidence and pleadings by the parties. The Person Responsible alleged to have violated BEFAR shall cooperate promptly in the submission of such evidence and pleadings and in attendance at a hearing if requested by the Hearing Body.

8.1.5 A Person Responsible alleged to have violated BEFAR may attend the hearing under all circumstances.

8.1.6 The Sporting Discipline of the Person Responsible alleged to have violated BEFAR and/or a representative of UK Anti-Doping may attend the hearing as an observer.
8.1.7 A Person Responsible may acknowledge the Doping Violation and accept consequences consistent with Articles 9 and 10 as proposed by the BEF.

8.1.8 Decisions of the Hearing Body may be appealed to the National Anti-Doping Panel as provided in Article 12 below.

8.2 Principles for a Fair Hearing

All Decisions and hearings under BEFAR shall respect the following principles:

(a) A fair and impartial Hearing Body;

(b) The right to be represented by counsel (separately or together) at the Person(s) Responsible's(s') own expense;

(c) The right to be fairly and timely informed of the asserted Doping Violation;

(d) The right to respond to the asserted Doping Violation and resulting consequences;

(e) The right of each party to present evidence;

(f) The right of each party to call and question witnesses (subject to the Hearing Body's discretion to accept testimony by telephone or written submission);

(g) A timely hearing, subject to prompt and complete submissions by the parties; and

(h) A timely, written, reasoned Decision specifically including an explanation for any period of Ineligibility.

8.3 Decisions

8.3.1 At the end of the hearing or adjudication on the basis of written submissions, or on a timely basis thereafter, the Hearing Body shall issue a written Decision that includes the full reasons for the Decision and for any period of Ineligibility imposed, including (if applicable) a justification for why the greatest potential consequences were not imposed. The Hearing Body may decide to communicate the operative part of the Decision to the parties, prior to the reasons. The Decision shall be enforceable from such notification of the operative part by courier, facsimile and/or electronic mail.

8.3.2 If no appeal is brought against the decision, then (a) if the Decision is that a Doping Violation was committed, the decision shall be Publicly Disclosed as provided in Article 13.3; but (b) if the decision is that no Doping Violation was committed, then the decision shall only be Publicly Disclosed with the consent of the Person Responsible and/or additional Person Responsible. The BEF shall use reasonable efforts to obtain such consent, and if consent is obtained, shall Publicly Disclose the Decision in its entirety or in such redacted form as the Person Responsible and/or additional Person Responsible may approve.
The principles contained in Article 13.3.5 shall be applied in cases involving a *Minor*.

**ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS**

9.1 A violation of BEFAR in connection with a test in a given *Competition* automatically leads to *Disqualification* of all results of the competitor (whether that is the *Person Responsible* and/or the *Minor* in respect of whom the *Person Responsible* has accepted primary responsibility) who competed the *Horse* and the *Horse* combination obtained in that *Competition* with all resulting consequences, including forfeiture of any related medals, points, prizes and prize money.

Even if a *Sanction* is reduced or eliminated under Article 10 below, such reduction or elimination shall in no circumstances reverse the automatic *Disqualification* of individual results mandated by this Article 9. Where applicable, consequences to teams are detailed in Article 11 below.

9.2 For the avoidance of doubt where the competitor is a *Minor* at the time of the *Competition* the consequences to the *Minor* shall be limited to *Disqualification* from the *Competition* and forfeiture of all medals, points, prizes and prize money won at the *Competition*.

**ARTICLE 10 SANCTIONS**

10.1 Disqualification of *Results* in the *Event* during which a *Doping Violation* Occurs

10.1.1 A *Doping Violation* occurring during or in connection with an *Event* may lead to *Disqualification* of all of the *Person Responsible*’s individual results obtained in that *Event*, with any and all *Horses* with which the *Person Responsible* competed, with all consequences, including forfeiture of all medals, points, prizes and prize moneys, except as provided in Article 10.1.1. Where applicable, consequences to teams will take place as provided in Article 11.

Generally, and subject to Article 10.1.3 and 10.1.4 below, all results from *Competitions* in which the *Person Responsible* or the *Horse* participated prior to *Sample* collection shall be *Disqualified* unless it can be demonstrated that such results were not likely to have been affected by the *Doping Violation*.

10.1.2 Notwithstanding the above for all *Events* exceptional circumstances may be considered.

10.1.3 If the *Person Responsible* establishes that he or she bears *No Fault or Negligence* for the *Doping Violation*, the *Person Responsible*’s individual results in the other *Competitions* shall not be *Disqualified* unless the *Person Responsible*’s results in *Competitions* other than the *Competition* in which the *Doping Violation* occurred were likely to have been affected by the *Person Responsible*’s *Doping Violation*.

10.1.4 In addition, the *Person Responsible*’s *Horse* may also be disqualified from the entire *Event* with all consequences, including forfeiture of all medals, points, prizes
and prize money even if earned while being ridden by someone other than the Person Responsible (including a Minor in respect of whom the Person Responsible has accepted primary responsibility), if the Horse’s results in Competitions other than the Competition in which the Doping Violation occurred were likely to have been affected by the Doping Violation.

10.2 Ineligibility and Fine for Presence, Use or Attempted Use or Possession of Banned Substances

The period of Ineligibility imposed for a violation of Article 2.1, 2.2 or 2.6 shall be two (2) years subject to potential reduction or suspension pursuant to Articles 10.4, 10.5 or 10.6;

A Fine of up to £4,000 shall also be imposed and appropriate legal costs.

10.3 Ineligibility for Other Doping Violations

The Sanction for Doping Violations other than as provided in Articles 9, 10.1 and 10.2 shall be:

10.3.1 For violations of Articles 2.3, 2.4 or 2.5, the period of Ineligibility shall be two (2) years. A Fine of up to £4,000 shall also be imposed along with appropriate legal costs unless Articles 10.4, 10.5 or 10.6 are applicable.

10.3.2 For violations of Article 2.7 the period of Ineligibility shall be a minimum of four (4) years up to lifetime Ineligibility depending on the seriousness of the violation. An Article 2.5 or Article 2.7 violation involving a Minor shall be considered a particularly serious violation and, if committed by the Person Responsible who has accepted primary responsibility for the Horse competed by the Minor, shall result in lifetime Ineligibility for the Person Responsible. For violations of Article 2.7, a fine of £5,000 shall also be imposed, along with appropriate legal costs. In addition, significant violations of Articles 2.5 or 2.7 which may also violate non-sporting laws and regulations shall be reported to the competent administrative, professional or judicial authorities.

10.3.3 For violations of Article 2.8, the period of Ineligibility imposed shall be up to two (2) years depending on the seriousness of the violation. A Fine of up to £4000 shall also be imposed along with appropriate legal costs.

10.3.4 For violations of Article 2.9, the period of Ineligibility shall be two (2) years, subject to reduction down to a minimum of one (1) year, depending on the Person Responsible’s and/or additional Person Responsible’s degree of Fault and other circumstances of the case.

10.4 Elimination of the Period of Ineligibility where there is No Fault or Negligence

If the Person Responsible establishes in an individual case that he bears No Fault or Negligence for the Doping Violation, the otherwise applicable period of Ineligibility and other Sanctions (apart from Article 9) shall be eliminated in regard to such
Person. When a Banned Substance and/or its Metabolites or Markers is detected in a Horse’s Sample in violation of Article 2.1 (presence of a Banned Substance), the Person Responsible must also establish how the Banned Substance entered the Horse’s system in order to have the period of Ineligibility and other Sanctions eliminated. In the event this Article is applied and the period of Ineligibility otherwise applicable is eliminated, the Doping Violation shall not be considered a violation for the limited purpose of determining the period of Ineligibility for multiple violations under Article 10.8 below.

Except in the case where the violation relates to a Banned Substance which is a Specified Substance Article 10.4 shall only apply in exceptional circumstances.

No Fault or Negligence does not apply in the following circumstances:

(a) Where the presence of the Banned Substance in a Sample came from a mislabelled or contaminated supplement. Persons Responsible are responsible for what their Horses ingest and have been warned about the possibility of supplement contamination.

(b) The Administration of a Banned Substance by the Person Responsible’s veterinary personnel or member of the Support Personnel without disclosure to the Person Responsible. Persons Responsible are responsible for their choice of veterinary personnel and Support Personnel and for advising veterinary personnel and Support Personnel that Horses cannot be given any Banned Substance at any time.

10.5 Reduction of the Period of Ineligibility based on No Significant Fault or Negligence

10.5.1 Reduction of Sanctions for Specified Substances and Contaminated Products

10.5.1.1 Specified Substances

Where the Doping Violation involves a Banned Substance that is a Specified Substance and the Person Responsible can establish No Significant Fault or Negligence, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and, at a maximum, two years of Ineligibility, depending on the Person Responsible’s degree of Fault. Where the Person Responsible intends to establish that he bears No Fault or Negligence, Article 10.4 shall apply.

10.5.1.2 Contaminated Products

In cases where the Person Responsible can establish No Significant Fault or Negligence and that the detected Banned Substance came from a Contaminated Product, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two (2) years Ineligibility, depending on such Person’s degree of Fault.
10.5.2 Application of No Significant Fault or Negligence beyond the Application of Article 10.5.1

If a Person Responsible establishes in an individual case that he bears No Significant Fault or Negligence, then the otherwise applicable period of Ineligibility and other Sanctions (apart from Article 9) may be reduced in regard to such Person, but the reduced period of Ineligibility may not be less than one half of the period of Ineligibility otherwise applicable. If the otherwise applicable period of Ineligibility is a lifetime, the reduced period under this Article may be no less than eight (8) years. When a Banned Substance and/or its Metabolites or Markers is detected in a Horse's Sample in violation of Article 2.1 (presence of a Banned Substance or its Metabolites or Markers), the Person alleged to have committed the Doping Violation must also establish how the Banned Substance or its Metabolites or Markers entered the Horse's system in order to have the period of Ineligibility reduced.

10.6 Elimination, Reduction or Suspension of Period of Ineligibility or Other Consequences for Reasons Other than Fault

10.6.1 Substantial Assistance in Discovering or Establishing Doping Violations

The Hearing Body may, prior to a final appellate Decision under Article 12 below or the expiration of the time to appeal, suspend a part or all of the period of Ineligibility imposed in an individual case where the Person Responsible has provided Substantial Assistance to the BEF, Sporting Discipline, criminal authority or professional disciplinary body which results in (i) the BEF discovering or bringing forward a Doping Violation by another Person or (ii) which results in a criminal or disciplinary body discovering or bringing forward a criminal offence or the breach of professional rules by another Person and the information provided by such Person providing Substantial Assistance is made available to the BEF. Such Substantial Assistance must be independently corroborated in order to reduce the period of Ineligibility and under no circumstance should it amount only to blaming another Person or entity for the alleged Doping Violation. The extent to which the otherwise applicable period of Ineligibility may be suspended shall be based on the seriousness of the Doping Violation committed and the significance of the Substantial Assistance provided in an effort to promote drug-free equestrian sport. In any event, no more than three-quarters of the otherwise applicable period of Ineligibility may be suspended. If the otherwise applicable period of Ineligibility is a lifetime, the non-suspended period under this section must be no less than eight (8) years. If the Person Responsible fails to continue to cooperate and to provide the complete and credible Substantial Assistance upon which a suspension of the period of Ineligibility was based, the Hearing Body shall reinstate the original period of Ineligibility. If the Hearing Body decides to reinstate a suspended period of Ineligibility or decides not to reinstate a suspended period of Ineligibility that Decision may be appealed by any Person entitled to appeal pursuant to Article 12.

10.6.2 Admission of a Doping Violation in the Absence of Other Evidence

Where a Person Responsible voluntarily admits the commission of a Doping Violation before having received Notice of a Sample collection which could establish a Doping Violation (or in the case of a Doping Violation other than Article 2.1, before
receiving first Notice of the alleged violation pursuant to Article 7) and that admission is the only reliable evidence of the violation at the time of admission, then the period of Ineligibility may be reduced, but not below one half of the period of Ineligibility otherwise applicable.

10.6.3 Prompt Admission of an Anti-Doping Rule Violation after being Confronted with a Violation Sanctionable under Article 10.2.1 or Article 10.3.1

A Person Responsible potentially subject to a two (2) year period of Ineligibility under Article 10.2.1 or 10.3.1 (for Evading or Refusing Sample Collection or Tampering with Sample Collection), by promptly admitting the asserted Doping Violation after being confronted by the BEF, and also upon the approval and at the discretion of the BEF, may receive a reduction in the period of Ineligibility down to a minimum of one half of the otherwise applicable period of Ineligibility, depending on the seriousness of the violation and the Person Responsible’s degree of Fault.

10.6.4 Where a Person Responsible Establishes Entitlement to a Reduction in Sanction Under More Than One Provision of this Article

If the Person Responsible establishes entitlement to a reduction or suspension of the period of Ineligibility under two (2) or more of Articles 10.4, 10.5 or 10.6, then the period of Ineligibility may be reduced or suspended but not below one-quarter of the otherwise applicable period of Ineligibility.

10.7 Aggravating Circumstances Which May Increase the Period of Ineligibility

If the BEF establishes in an individual case involving a Doping Violation other than violations under Article 2.7 that aggravating circumstances are present which justify the imposition of a period of Ineligibility greater than the standard Sanction, then the period of Ineligibility otherwise applicable shall be increased up to a maximum of four (4) years unless the Person Responsible can prove to the comfortable satisfaction of the Hearing Body that he did not knowingly commit the Doping Violation. The occurrence of multiple substances or methods may be considered as a factor in determining aggravating circumstances under this Article 10.7. The Person Responsible can avoid the application of this Article by admitting the Doping Violation as asserted promptly after being confronted by the BEF with the Doping Violation.

10.8 Multiple Violations

10.8.1 For a Person Responsible and additional Person Responsible’s second Doping Violation the period of Ineligibility shall be the greater of:

(a) Six (6) months;

(b) One half of the period of Ineligibility imposed for the first Doping Violation without taking into account any reduction under Article 10.6; or
(c) Twice the period of Ineligibility otherwise applicable to the second Doping Violation treated as if it were a first violation, without taking into account any reduction under Article 10.6.

The period of Ineligibility established above may then be further reduced by the application of Article 10.6.

10.8.2 A third Doping Violation will always result in a lifetime period of Ineligibility, except if the third violation fulfils the condition for elimination or reduction of the period of Ineligibility under Article 10.4 or 10.5, or involves a violation under Article 2.4. In these particular cases, the period of Ineligibility shall be from eight (8) years to lifetime Ineligibility.

10.8.3 A Doping Violation for which a Person Responsible has established No Fault or Negligence shall not be considered a prior violation for the purposes of this Article.

10.8.4 Additional Rules for Certain Potential Multiple Violations

10.8.4.1 For purposes of imposing Sanctions under Article 10.8, a Doping Violation will only be considered a second Doping Violation if the BEF can establish that the Person Responsible or other Person committed the second Doping Violation after the Person Responsible or other Person received Notice pursuant to Article 7 or after BEF made reasonable efforts to give Notice of the first Doping Violation.

If the BEF cannot establish this, the violations shall be considered together as one single first violation, and the Sanction imposed shall be based on the violation that carries the more severe Sanction.

10.8.4.2 If, after the imposition of a Sanction for a first Doping Violation, the BEF discovers facts involving a Doping Violation by the Person Responsible which occurred prior to Notification regarding the first violation, then the Hearing Body shall impose an additional Sanction based on the Sanction that could have been imposed if the two violations had been adjudicated at the same time. Results in all Competitions dating back to the earlier Doping Violation will be Disqualified as provided in Article 10.9.

10.8.5 Multiple Doping Violations During a Ten Year Period

For purposes of Article 10.8, each Doping Violation must take place within the same ten (10) year period in order to be considered multiple violations.

10.8.6 Violations involving both a Controlled Medication Substance and a Banned Substance

Where a Person Responsible based on the same factual circumstances is found to have committed a violation involving both a Controlled Medication Substance and a Banned Substance under BEFAR the Person Responsible shall be considered to have committed one (1) BEFAR Violation and the Sanction imposed shall be based on the Banned Substance that carries the most severe Sanction.
10.9 Disqualification of Results in Competitions Subsequent to Sample Collection or Commission of a Doping Violation

10.9.1 In addition to the automatic Disqualification of the results in the Competition which produced the positive Sample under Article 9 (Automatic Disqualification of Individual Results), all other competitive results obtained from the date a positive Sample was collected, or other Doping Violation occurred shall, unless fairness requires otherwise, be Disqualified with all of the resulting consequences including forfeiture of any medals, points, prizes and prize money.

10.9.2 As a condition of regaining eligibility after being found to have committed a Doping Violation, the Person Responsible must first repay all prize money forfeited under this Article and/or Article 9 and any other fines and/or costs attributed to the violation which have been ordered by the Hearing Body or otherwise accepted by the Person Responsible.

10.10 Commencement of Ineligibility Period

10.10.1 Except as provided below, the period of Ineligibility imposed on any Person or Horse shall start on the date of the Decision providing for Ineligibility, or if the hearing is waived or there is no hearing, on the date Ineligibility is accepted or otherwise imposed or any other date specified by the Hearing Body in its Decision.

10.10.2 Delays Not Attributable to the Person Responsible

Where there have been substantial delays in the hearing process or other aspects of Doping Control not attributable to the Person Responsible alleged to have committed the Doping Violation, the Hearing Body may start the period of Ineligibility at an earlier date commencing as early as the date of the Sample collection or the date on which another Doping Violation last occurred. All competitive results achieved during the period of Ineligibility including retroactive Ineligibility shall be Disqualified.

10.10.3 Timely Admission

Where the Person Responsible promptly (which, in all circumstances, means before the Person Responsible competes again) admits the Doping Violation after being confronted with the Doping Violation by the BEF, the period of Ineligibility may start as early as the date of Sample collection or the date on which another Doping Violation last occurred. In each case, however, where this Article is applied, the Person who committed the Doping Violation shall serve at least one half of the period of Ineligibility going forward from the date Ineligibility is imposed or accepted. This shall not apply where the period of Ineligibility has already been reduced under Article 10.6.3.

10.11 Status During Ineligibility

10.11.1 Prohibition Against Participation During Ineligibility

No Horse, and/or Person Responsible who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity at an Event or in a Competition
or activity that is authorised or organised by the BEF, a Sporting Discipline or the FEI or any National Federation or be present at an Event (other than as a spectator) or participate in any capacity at an Event or in a Competition authorised or organised by any international or national-level Event organisation, or any elite or national-level sporting activity funded by a government agency. In addition, for any Doping Violation, some or all sport-related financial support or other sport-related benefits received by such Person Responsible may be withheld by the BEF or Sporting Discipline as the case may be. In addition any Person Responsible or Horse subject to Ineligibility under Article 10 may also be banned from any venues where a Sporting Discipline’s competitions take place, whether or not the Person Responsible is a member of or registered with the Sporting Discipline.

10.11.2 Return to Training

As an exception to Article 10.11.1, a Person Responsible may return to train with a team or to use the facilities of a club or other member organisation of the Sporting Discipline’s organisation during the shorter of: (1) the last two (2) months of the Person Responsible’s period of Ineligibility, or (2) the last one-quarter of the period of Ineligibility imposed.

10.11.3 Violation of the Prohibition of Participation During Ineligibility

Where a Person Responsible who has been declared Ineligible or whose Horse has been declared Ineligible violates the prohibition against participation or attendance during Ineligibility described in Article 10.11.1 above, the results of any such participation shall be Disqualified and a new period of Ineligibility equal in length to the original period of Ineligibility shall be added to the end of the original period of Ineligibility. The new period of Ineligibility may be adjusted based on the Person Responsible’s degree of Fault or other circumstances of the case. In addition, further Sanctions may be imposed if appropriate. The determination of whether any Person has violated the prohibition against participation or attendance, and whether an adjustment is appropriate, shall be made by the Hearing Body. This Decision may be appealed under Article 12.

10.11.4 Return of Prizes/Prize Money

Where the Sanction imposed on a Person includes the forfeiture of any related medals and/or prizes such medals and/or prizes and/or prize money must be returned to the relevant Sporting Discipline within fourteen (14) days of the imposition of the Sanction.

ARTICLE 11 CONSEQUENCES TO TEAMS

11.1 If a member of a team, is found to have committed a violation of BEFAR during an Event where a team ranking is based on the addition of individual results, the results of the Person Responsible may be Disqualified in all Competitions and will be subtracted from the team result, to be replaced with the results of the next applicable team member. If, by removing the Person Responsible’s results from the team results, the number of Persons counting for the team is less than the required number, the team shall be eliminated from the ranking.
11.2 Notwithstanding the above, for all Events, exceptional circumstances may be considered.

**ARTICLE 12 APPEALS**

**12.1 Decisions Subject to Appeal**

*Decisions* made under BEFAR may be appealed as set out below in Article 12.2 and 12.3. Such *Decisions* shall remain in effect while under appeal unless the appellate body orders otherwise.

**12.2 Appeals from Decisions Regarding Doping Violations and Consequences**

12.2.1 The following *Decisions* may be appealed exclusively as provided in this Article 12.2:

(a) a *Decision* that a *Doping Violation* was committed;

(b) a *Decision* imposing consequences for a *Doping Violation*;

(c) a *Decision* that no *Doping Violation* was committed;

(d) a *Decision* that a *Doping Violation* proceeding cannot go forward for procedural reasons (including, for example, exceeding the Statute of Limitations);

(e) a *Decision* under Article 10.11.3 (Violation of the Prohibition of Participation during Ineligibility);

(f) a *Decision* that the BEF lacks jurisdiction to rule on any alleged *Doping Violation* or its consequences; and

(g) a *Decision* not to bring forward an *Adverse Analytical Finding* or an *Atypical Finding* as a *Doping Violation*, or a *Decision* not to go forward with a *Doping Violation*.

12.2.2 In cases under Article 12.2.1, the following parties shall have the right to appeal:

(a) the *Person Responsible* who is the subject of the *Decision* being appealed, or the *Horse* owner, where its *Horse* is subject to *Ineligibility*;

(b) the other party to the case in which the *Decision* was rendered;

(c) the BEF;

(d) the *Sporting Discipline* of the *Person* who is the subject of the *Decision* being appealed; and

(e) UK Anti-Doping.
12.2.3 Cross appeals and other subsequent appeals by any respondent named in cases brought to an NADP appeal tribunal are specifically permitted. Any party with a right to appeal under this Article 12 must file a cross appeal or subsequent appeal at the latest with the party’s answer.

12.2.4 An appeal pursuant to Article 12.2.1 shall be made to an NADP appeal tribunal following the procedures set out in the NADP Rules.

12.2.5 Decisions of an NADP appeal tribunal may be challenged by appeal to the Court of Arbitration for Sport, following the procedures set out in the Court of Arbitration for Sport’s Code of Sports-related Arbitration and Article 12.3 of these rules. Such decisions shall be the full and final disposition of the appeal and will be binding on all the persons identified in Article 12.2.2.

12.3 Time for Filing Appeals

The time to file an appeal to the NADP shall be twenty one (21) days from the date of Receipt of the Hearing Body Decision by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings having led to the Decision subject to appeal:

(a) Within ten (10) days from Notice of the Decision, such party/ies shall have the right to request from the Hearing Body a copy of the file on which it relied; a failure to make such a request shall however not preclude such party from appealing to the NADP within the time period set forth above; and

(b) If such a request is made within the ten (10) day period, then the party making such request shall have twenty one (21) days from receipt of the file to appeal to the NADP.

ARTICLE 13 APPLICATION, REPORTING AND RECOGNITION

13.1 Application of BEFAR

BEFAR shall either be incorporated directly into each Sporting Discipline’s rules or be incorporated by reference. In the latter case, Sporting Disciplines shall include in their regulations the procedural provisions necessary to effectively implement BEFAR.

13.2 Statistical Reporting

The BEF may periodically publish anonymous Testing data received from Testing under the BEF’s jurisdiction.

13.3 Public Disclosure

13.3.1 Neither the BEF nor the Sporting Disciplines shall publicly identify Horses or Persons Responsible whose Horses’ Samples have resulted in Adverse Analytical Findings, or Persons Responsible who were alleged to have otherwise violated...
BEFAR until the completion of the administrative review and Notification described in Articles 7.1.2 and 7.1.4. Once a Doping Violation has been established, it shall be publicly reported in an expeditious manner via the BEFAR Case Status Table and also on the Sporting Discipline website and in other publications as the Sporting Discipline shall consider appropriate. If the Person Responsible makes information concerning a Doping Violation public prior to release of this information on the BEFAR Case Status Table, the BEF may comment on such public information or otherwise publicly report the matter.

13.3.2 In any case where it is determined, after a hearing or appeal, that the Person Responsible did not commit a Doping Violation, the Decision may be Publicly Disclosed only with the consent of the Person who is the subject of the Decision or in response to public comments attributed to the Person Responsible or their representative. The BEF shall use reasonable efforts to obtain such consent, and if consent is obtained, shall Publicly Disclose the Decision in its entirety or in such redacted form as such Person and the BEF may jointly approve.

13.3.3 Publication shall be accomplished at a minimum by placing the required information on the website or publishing it through other means.

13.3.4 Neither the BEF, any Sporting Discipline, any Approved Laboratory or any official or employee of any of the above shall publicly comment on the specific facts of a pending case (as opposed to a general description of process and science) except in response to public comments attributed to the Person Responsible or their representatives.

13.3.5 The mandatory Public Reporting required in Article 13.3.1 shall not be required where the Person Responsible who has been found to have committed a Doping Violation is a Minor. Any optional Public Reporting in a case involving a Minor shall be proportionate to the facts and circumstances of the case.

13.4 Recognition of Decisions by BEF and Sporting Disciplines

Any Decision of the Hearing Body regarding a violation of these BEFAR shall be recognised and enforced by all Sporting Disciplines and Sporting Disciplines shall take all necessary action to implement any and all ramifications relating to such Decisions.

ARTICLE 14 STATUTE OF LIMITATIONS

No action may be commenced under BEFAR against a Person Responsible for a Doping Violation unless he or she has been notified of the Doping Violation as provided in Article 7, or Notification has been reasonably attempted twelve (12) months from the date the Doping Violation is asserted to have occurred.

ARTICLE 15 AMENDMENT AND INTERPRETATION OF BEFAR

15.1 BEFAR may be amended from time to time by the BEF in accordance with the BEF Rules.
15.2 Except as provided in Article 15.5, BEFAR shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.

15.3 The headings used for the various parts and Articles of BEFAR are for convenience only and shall not be deemed part of the substance of BEFAR or to affect in any way the language of the provisions to which they refer.

15.4 The Introduction, Appendix 1 Definitions and the Equine Prohibited Substances List shall all be considered integral parts of BEFAR.

15.5 BEFAR have been adopted pursuant to the BEF Rules and shall be interpreted, where applicable, in a manner that is consistent with applicable provisions of the BEF Rules as well as other BEF rules and regulations including but not limited to the BEF Veterinary Manual, the National Equine Anti-Doping and Controlled Medication Hearing Body Rules, the Standard for Laboratories and the rules of the Sporting Disciplines. In the event of conflict with the BEF Rules, the BEF Rules shall apply. In the event of conflict with the BEF Veterinary Manual, Standard for Laboratories, and/or the rules of the Sporting Disciplines, BEFAR shall apply.

15.6 The time limits fixed under BEFAR shall begin from the day after Notification by the BEF is received. Official holidays and non-working days are included in the calculation of time limits. The time limits fixed under BEFAR are respected if the communications by the parties are sent before midnight on the last day on which such time limits expire. If the last day of the time limit is an official holiday or a non-business day in the UK, the time limit shall expire at the end of the first subsequent business day.

Article 16 TRANSITIONAL PROVISIONS

16.1 Application to Decisions Rendered Prior to BEFAR 2011

BEFAR shall have no application to equine anti-doping or controlled medication cases where a final Decision finding a violation has been rendered and the period of Ineligibility has expired.

They shall not apply retroactively to matters pending before 1 January 2011 (the “Effective Date”); provided, however, that:

16.1.1 BEFAR violations taking place prior to the Effective Date count as "first violations" or "second violations" for purposes of determining sanctions under Article 10 for violations taking place after the Effective Date.

16.1.2 The retrospective periods in which prior violations can be considered for purposes of multiple violations under Article 10.8.5 and the statute of limitations set forth in Article 14 are procedural rules and should be applied retroactively; provided, however, that Article 14 shall only be applied retroactively if the statute of limitations period has not already expired by the Effective Date. Otherwise, with respect to any BEFAR violation case which is pending as of the Effective Date and any anti-doping rule violation case brought after the Effective Date based on an anti-doping rule violation which occurred prior to the Effective Date, the case shall be governed by
the substantive anti-doping rules in effect at the time the alleged anti-doping rule violation occurred unless the *Hearing Body* or *NADP Panel* deciding the case determines the principle of “lex mitior” appropriately applies under the circumstances of the case.

16.1.3 For purposes of assessing the period of *Ineligibility* for a second violation under Article 10.8.1, where the sanction for the first violation was determined based on rules in force prior to the Effective Date, the period of *Ineligibility* which would have been assessed for that first violation had these *BEFAR Rules* been applicable, shall be applied.
Chapter 2 Equine Controlled Medication Rules

The BEF Medication Code and Rationale for the Controlled Medication Rules

1. These Controlled Medication Rules have been adopted in recognition of the following fundamental imperatives of equestrian sport:

- A central and distinctive feature of equestrian sport is that it involves a partnership between two types of athlete, one human and one equine. One of these partners, the Horse, is unable to speak for itself. It is the BEF’s and the Sporting Disciplines’ responsibility to speak on behalf of and for the Horse, and to ensure that, at every stage of the governance, regulation, administration and practice of the sport the welfare of the Horse is paramount.

- This includes regulating the administration of Controlled Medication Substances to Horses involved in the sport to ensure Horse welfare and the highest levels of professionalism.

- In particular, all treatments must be given in the best health and welfare interests of the Horse and not for any other reasons.

- Every treatment must be fully justifiable based on the medical condition of the Horse receiving the treatment.

- Horses that cannot compete as a result of injury or disease must be given appropriate veterinary treatment and rest (or recovery period). Persons Responsible must obtain advice from their treating veterinarian or team veterinarian and only administer treatments prescribed based on the objective clinical opinion of the veterinarian.

- It is advisable that a complete and accurate record of the administration of all Controlled Medication Substances and other treatments is maintained for each Horse competing in Competitions or Events run under the auspices of a Sporting Discipline in the form of a Medication Logbook.

2. These Controlled Medication Rules are to be interpreted and applied (including where an issue arises that is not expressly provided for in these Controlled Medication Rules) by reference to the need to follow the BEF Medication Code and to protect and advance the fundamental imperatives described above. This purposive interpretation and application will take precedence over any strict legal or technical interpretations that may otherwise be proposed.

ARTICLE 1 DEFINITION OF A CONTROLLED MEDICATION VIOLATION

A Controlled Medication Violation is defined as the occurrence of one or more of the BEFAR violations set out in Article 2.1 to 2.5 of Chapter 2 of BEFAR.
ARTICLE 2 CONTROLLED MEDICATION VIOLATIONS

The purpose of Article 2 is to specify the circumstances and conduct which constitute Controlled Medication Violations. Controlled Medication cases under Chapter 2 will proceed based on the assertion that one or more of these specific rules have been violated.

Persons Responsible shall be responsible for knowing what constitutes a Controlled Medication Violation and the substances which have been included on the Equine Prohibited Substances List and identified as Controlled Medication Substances.

Where Controlled Medication Substances are involved, the following shall constitute Controlled Medication Violations:

2.1 The Presence of a Controlled Medication Substance or its Metabolites or Markers in a Horse’s Sample

2.1.1 It is each Person Responsible’s personal duty to ensure that no Controlled Medication Substance is present in the Horse’s body during an Event and/or a Competition. Persons Responsible are responsible for any Controlled Medication Substance found to be present in their Horse’s Samples. It is not necessary that intent, Fault, negligence or knowing Use be demonstrated in order to establish a Controlled Medication Violation under Article 2.1.

2.1.2 Sufficient proof of a Controlled Medication Violation under Article 2.1 is established by any of the following:

(i) presence of a Controlled Medication Substance and/or its Metabolites or Markers in the Horse’s A Sample where the Person Responsible waives analysis of the B Sample and the B Sample is not analysed; or
(ii) where the Horse’s B Sample is analysed and the analysis of the Horse’s B Sample confirms the presence of the Controlled Medication Substance and/or its Metabolites or Markers found in the Horse’s A Sample during an Event and/or a Competition.

An Adverse Analytical Finding may be established by a positive blood or urine Sample.

2.1.3 Excepting those Controlled Medication Substances for which a quantitative threshold is specifically identified in the Equine Prohibited Substances List, or where a National Equine Therapeutic Use Exemption has been granted, the presence of any quantity of a Controlled Medication Substance and/or its Metabolites or Markers in a Horse’s Sample during an Event and/or a Competition shall constitute a Controlled Medication Violation.

2.1.4 As an exception to the general rule of Article 2.1, the Equine Prohibited Substances List or the Standard for Laboratories may establish special criteria for the evaluation of Controlled Medication Substances that can also be produced endogenously.
2.2 Use or Attempted Use of a Controlled Medication Substance

2.2.1 It is each Person Responsible’s personal duty to ensure that no Controlled Medication Substance enters into the Horse’s body during an Event and/or a Competition. Accordingly it is not necessary that intent, Fault, negligence or knowing Use on the part of the Person Responsible be demonstrated in order to establish a Controlled Medication Violation for Use of a Controlled Medication Substance. However in accordance with the definition of Attempt, it is necessary to show intent in order to establish a Controlled Medication Violation for Attempted Use of a Controlled Medication Substance.

2.2.2 The success or failure of the Use or Attempted Use of a Controlled Medication Substance is not material. It is sufficient that the Controlled Medication Substance was Used or Attempted to be Used during an Event and/or a Competition for a Controlled Medication Violation to be committed.

2.3 Tampering, or Attempted Tampering, with any part of Medication Control, that is not otherwise a violation of the Controlled Medication Rules

2.4 Complicity

Assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving a Controlled Medication Violation or any Attempted Controlled Medication Violation.

2.5 Administration or Attempted Administration of a Controlled Medication Substance

ARTICLE 3 PROOF OF CONTROLLED MEDICATION VIOLATION

3.1 Burdens and Standards of Proof

The BEF shall have the burden of establishing that a Controlled Medication Violation has occurred. The standard of proof shall be whether the BEF has established a Controlled Medication Violation on the balance of probabilities. Where BEFAR place the burden of proof upon the Person Responsible to rebut a presumption or establish specified facts or circumstances, the standard of proof shall also be by a balance of probability, except where a different standard of proof is specifically identified.

3.2 Methods of Establishing Facts and Presumptions

Facts related to Controlled Medication Violations may be established by any reliable means, including admissions. The following rules of proof shall be applicable in Controlled Medication Violation cases brought under BEFAR:

3.2.1 The Testing Laboratory is presumed to have conducted Sample analysis and custodial procedures in accordance with the Standard for Laboratories. The Person Responsible who is alleged to have committed the Controlled Medication Violation may rebut this presumption by establishing by a balance of probability that a
departure from the Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding.

If the preceding presumption is rebutted by showing that a departure from the Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding, then the BEF shall have the burden to establish that such departure did not cause the Adverse Analytical Finding.

3.2.2 Departures from another BEF standard or other BEFAR Rule, BEF Manual or policy which did not by a balance of probability cause an Adverse Analytical Finding or other Controlled Medication Violation shall not invalidate such results. If the Person Responsible establishes by a balance of probability, that a departure from another BEF standard or BEFAR Rule, BEF Manual or policy could reasonably have caused the Controlled Medication Violation based on the Adverse Analytical Finding or other Controlled Medication Violation, then the BEF must prove that the departure did not cause the Adverse Analytical Finding or the factual basis for the Controlled Medication Violation.

3.2.3 The facts established by a Decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the Person Responsible to whom the Decision pertained with regards to the factual findings unless it can be established that the Decision violated principles of natural justice.

3.2.4 The Hearing Body presiding over a case alleging a Controlled Medication Violation may draw an inference adverse to the Person Responsible who is asserted to have committed a Controlled Medication Violation based on the refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the Hearing Body) in order to answer questions from the Hearing Body or the BEF.

ARTICLE 4 THE EQUINE PROHIBITED SUBSTANCES LIST

4.1 Incorporation of the Equine Prohibited Substances List

BEFAR incorporate the Equine Prohibited Substances List which is published by the FEI from time to time. The BEF will publish a link to the current Equine Prohibited Substances List in such a manner that it is available to the Sporting Disciplines and their members and constituents, including, but not limited to, publication of the link on the BEF website.

4.2 Review and Publication of Controlled Medication Substances identified on the Equine Prohibited Substances List

The Equine Prohibited Substances List, as may be revised from time to time, shall come into effect at whichever is the earlier of a date published by the BEF or the publication of a link to the revised Equine Prohibited Substances List on the BEF website, but in any event no sooner than 90 days following publication of the link to the revised Equine Prohibited Substances List on the FEI website. All Persons Responsible shall be bound by the Equine Prohibited Substances List, and any
revisions thereto, from the date they go into effect, without further formality. It is the responsibility of all Persons Responsible to familiarise themselves with the most up-to-date version of the Equine Prohibited Substances List and all revisions thereto.

4.3 Substances on the Equine Prohibited Substances List

The FEI's categorisation of a substance on the Equine Prohibited Substances List as a Controlled Medication Substance including any establishment of a threshold for a Controlled Medication Substance and/or the quantitative amount of such threshold shall be final and binding on all parties and shall not be subject to challenge by a Person Responsible, or any other Person, on any basis.

4.4 National Equine Therapeutic Use Exemption (NETUE)

4.4.1 Where a Horse is tested by the BEF under BEFAR and that horse has experienced a recent veterinary emergency requiring the Use of a Controlled Medication Substance, the Person Responsible may, provided always that he submitted a Medication Form signed by his treating veterinarian and naming the Controlled Medication Substance and the clinical reason for its use to the Testing Veterinarian at the time of Testing, submit a retrospective application for a National Equine Therapeutic Use Exemption (NETUE) to the Technical Committee no later than ten (10) working days after the date on which the Horse’s Sample was taken.

4.4.2 The BEF may at its sole discretion extend the time limit for submission of the retrospective application set out in Article 4.4.1 provided always that the Person Responsible has shown good cause for such extension and any such NETUE application shall be resolved before any Adverse Analytical Finding or Atypical Finding relating to that Horse’s Sample is processed under Article 7.

4.4.3 The Technical Committee shall determine the NETUE application in strict accordance with the criteria set out in the Standard for NETUEs. The BEF will notify the Person Responsible in writing of the Technical Committee’s grant or denial of the Person Responsible’s application for the NETUE. It may also be granted subject to such conditions or restrictions as the Technical Committee sees fit.

4.4.4 The submission of false or misleadingly incomplete information in support of an NETUE application may result in a charge of Tampering or Attempted Tampering under Article 2.3.

4.5 Specified Substances

For the purposes of the application of Article 10 Specified Substances shall be taken as meaning only those Prohibited Substances identified as such on the Equine Prohibited Substances List.

17th Revision, 1 January 2018
ARTICLE 5 TESTING

5.1 Authority to Test

All Horses registered with a Sporting Discipline or otherwise present or competing at an Event and/or a Competition shall be subject to Testing by the BEF or its assignees or agents. The BEF shall be exclusively responsible for Testing at national Events and Competitions and no other body may conduct Testing at national Events and/or Competitions without the BEF’s express written permission.

5.2 Responsibility for BEF Testing

The Testing Committee shall be responsible for overseeing all Testing conducted by the BEF. Testing shall be conducted by the Testing Veterinarians or by any other qualified and authorised persons at a given Event or Competition as authorised by the Testing Committee or in writing by the BEF Chief Executive or his designee.

5.3 Testing Standards

Testing conducted by or on behalf of the BEF shall be in substantial conformity with the Testing procedures in the BEF Veterinary Manual in effect at the time of Testing.

5.4 Selection of Horses to be Tested

5.4.1 The Testing Committee shall determine the number of Tests to be performed and the procedures for selecting the Horses for Testing.

5.4.2 In addition to the selection procedures set forth in Article 5.4.1 above, Horses may also be selected for Target Testing.

5.4.3 Nothing in these BEFAR shall be construed to limit where the BEF is authorised to conduct Testing on Horses in competition.

ARTICLE 6 ANALYSIS OF SAMPLES

Samples collected under BEFAR and arising from BEF Testing are the property of the BEF. They shall be analysed in accordance with the following principles:

6.1 Use of Approved Laboratory

The BEF shall send Samples for analysis only to the Testing Laboratory (which is subject to the Standard for Laboratories). However the Person Responsible may elect to have the B Sample analysed at a different laboratory than the one which performed the A Sample analysis. If such an election is made the BEF shall select the B Sample laboratory from the FEI List of Approved Laboratories and the BEF shall inform the Person Responsible accordingly.
6.2 Purpose of Collection and Analysis of Samples

Samples shall be analysed to detect Controlled Medication Substances identified on the Equine Prohibited Substances List. The BEF may also seek to detect other substances for research and monitoring purposes, as publicly announced by the BEF from time to time, pursuant to a defined monitoring programme. Samples may be collected and stored for future analysis.

6.3 Research on Samples

No Sample may be used for any purpose other than as described in Article 6.2 Chapter 1 and Chapter 2 BEFAR without the Person Responsible’s written consent. Those Samples used for purposes other than as set forth in Article 6.2 (for example research) following written consent from the Person Responsible shall have all means of identification removed from the Sample so that it cannot be traced back to a particular Horse or Person Responsible.

All Samples shall be destroyed pursuant to the guidelines set out in the Standard for Laboratories and in no event later than the lapse of the Statute of Limitations in Article 14 below.

6.4 Standards for Sample Analysis and Reporting

The Testing Laboratory shall analyse Samples and report results in conformity with the Standard for Laboratories.

ARTICLE 7 RESULTS MANAGEMENT

7.1 Results Management for Tests arising out of BEF Testing or other Controlled Medication Violations

7.1 Results management for Tests arising out of BEF Testing or other Controlled Medication Violations shall proceed as follows:

7.1.1 The results of all Sample analyses must be sent exclusively to the BEF in a report signed by an authorised representative of the laboratory. All communications must be conducted in such a way that the results of the Sample analyses are confidential.

7.1.2 Upon receipt of an Adverse Analytical Finding, the BEF in consultation with the Technical Committee shall conduct a review to determine whether:

(a) the Adverse Analytical Finding is consistent with an applicable NETUE that has been granted; or

(b) there is any apparent departure from the Testing procedures of the BEF Veterinary Manual or the Standard for Laboratories that caused the Adverse Analytical Finding.
7.1.3 If (i) the initial review under Article 7.1.2 reveals an applicable NETUE or apparent departure from the Testing procedures in the BEF Veterinary Manual or from the Standard for Laboratories that caused the Adverse Analytical Finding, the entire test shall be considered negative, and/or (ii) upon the review, the BEF Decides not to bring forward the Adverse Analytical Finding, the BEF shall promptly Notify the Person Responsible and the Person Responsible’s Sporting Discipline.

7.1.4 If the review of an Adverse Analytical Finding under Article 7.1 does not reveal an apparent departure from the Testing procedures of the BEF Veterinary Manual or the Standard for Laboratories that caused the Adverse Analytical Finding, the BEF shall promptly Notify the Person Responsible and the Person Responsible’s Sporting Discipline of:

(a) the Adverse Analytical Finding;

(b) the BEFAR Rule allegedly violated;

(c) the Person Responsible’s right within sixteen (16) days to request the analysis of the B Sample or, failing such request, that the B Sample analysis may be deemed waived;

(d) the opportunity for the Person Responsible to elect to have the B Sample analysed at a different laboratory than the one which performed the A Sample analysis, such laboratory to be chosen by the BEF, and the opportunity to send a representative (witness) to be present for the B Sample analysis within the time period specified in the Standard for Laboratories unless allowing such representative or witness to be present at the B Sample analysis is a threat to the integrity of the analysis process. Where both the Person Responsible and any additional Person Responsible have elected to have the B Sample analysed but one of them has elected to have the B Sample analysed at a different laboratory than the one which performed the A Sample analysis and the other one has elected to have the B Sample analysed at the same laboratory as the one which performed the A Sample analysis, it shall be for the BEF to decide the question taking into account all relevant circumstances;

(e) the right of the Person Responsible to request copies of the A and B Sample (if applicable) Laboratory Documentation Package which includes information as specified in the Standard for Laboratories;

(f) the right of the Person Responsible and/or the BEF to request to the Hearing Body that Article 9 (Automatic Disqualification) be promptly applied where the B Sample Analysis confirms the A Sample Analysis or where the right to request the B Sample Analysis is waived;

(g) the Person Responsible’s right to request a hearing or, failing such request within the deadline specified in the notification, that a hearing may be deemed waived;

(h) where applicable, the availability of the Administrative Procedure described in Article 8.3,
(i) the opportunity to provide a written explanation about the overall circumstances of the case or to dispute (within a specific deadline indicated in the Notification) the assertion that a Controlled Medication Violation has occurred;

(j) the opportunity to promptly admit the Controlled Medication Violation and consequently request the early commencement of the period of Ineligibility in accordance with Article 10.10.3; and

(k) the opportunity to cooperate and provide Substantial Assistance in discovering or establishing a Controlled Medication Violation.

7.1.5 Pursuant to Article 7.1.4(d), within seven (7) days of receipt of the duly executed Confirmatory Analysis Request Form (B Sample) the BEF will propose possible dates for such analysis. The Person Responsible may accept the A Sample analytical results by waiving the right to a B Sample analysis. The BEF may nonetheless elect, at its discretion, to proceed with the B Sample analysis. In such case the B Sample analysis shall only be used to confirm the A Sample Adverse Analytical Finding. The Person Responsible is deemed to have waived his right to a B Sample analysis if he does not submit the Confirmatory Analysis Request Form within the time limit stipulated in the Notification.

7.1.6 In addition to the Person Responsible and his representative (witness) a representative of the Person Responsible's Sporting Discipline as well as a representative of the BEF shall also be allowed to be present for the B Sample Analysis.

7.1.7 If the B Sample proves negative, then the entire test shall be considered negative. The BEF shall be informed of the results confidentially and shall Notify the Person Responsible and his Sporting Discipline.

7.1.8 If the B Sample analysis confirms the A Sample analysis the BEF shall be informed of the results confidentially and shall Notify the Person Responsible and the Person Responsible shall be required to pay the costs of the B Sample analysis.

7.1.9 The BEF may conduct any necessary follow-up investigation as may be required. Upon completion of such follow-up investigation, if any, the BEF shall promptly Notify the Person Responsible's Sporting Discipline of the results of the follow up investigation.

7.1.10 For the avoidance of doubt, an Adverse Analytical Finding confirmed by the B Sample analysis may result from blood or urine Samples, or any combination thereof (for example, a confirmatory B Sample Analysis is valid if performed on a blood sample, even if the A Sample Adverse Analytical Finding arose from a urine Test, and vice versa). In addition, and also for the avoidance of doubt, where the A Sample is positive for a Threshold Controlled Medication Substance as it is quantitatively above the threshold level set for the Controlled Medication Substance, the B Sample shall be deemed to confirm the A Sample so long as the level of the B Sample is also quantitatively above the threshold, even if the B Sample varies quantitatively from the A Sample level.
7.1.11 Where appropriate, additional Persons Responsible shall receive Notification of the Controlled Medication Violation and all relevant corresponding documents.

7.2 Review of Atypical Findings

7.2.1 In some circumstances laboratories are directed to report the presence of Controlled Medication Substances, which may also be produced endogenously, as Atypical Findings subject to further investigation. Upon receipt of an A Sample Atypical Finding, the BEF shall conduct a review to determine whether there is any apparent departure from the Testing procedures, the Standard for Laboratories or another BEF standard, BEF Manual or policy that caused the Atypical Finding. If that review does not reveal any departure that caused the Atypical Finding the BEF shall conduct the required investigation. After that investigation is completed, the Person Responsible and his Sporting Discipline, shall be Notified whether or not the Atypical Finding will be brought forward as an Adverse Analytical Finding. The Person Responsible’s Sporting Discipline shall be Notified as provided in Article 7.1.

7.2.2 The BEF will not provide Notice of an Atypical Finding until it has completed its investigation and it has decided whether it will bring the Atypical Finding forward as an Adverse Analytical Finding. However if the BEF determines that the B Sample should be analysed prior to the conclusion of the investigation under Article 7.2 the BEF may conduct the B Sample Analysis after supplying the Person Responsible with such Notice including a description of the Atypical Finding and the information described in Article 7.1.4 (b)-(e).

7.3 Review of Other Controlled Medication Violations

For apparent Controlled Medication Violations that do not involve Adverse Analytical Findings, the BEF may conduct any necessary follow-up investigation and at such time as it is satisfied that a Controlled Medication Violation has occurred, it shall then promptly Notify the Person Responsible and the Person Responsible’s Sporting Discipline of the BEFAR which appears to have been violated and the basis of the violation.

7.4 Retirement from Sport

If a Person Responsible retires while a results management process is underway, the BEF retains jurisdiction to complete its results management process. If a Person Responsible retires before any results management process has begun, the BEF similarly has jurisdiction to conduct results management.

7.6 Resolution without a Hearing

7.6.1 Waiver of Hearing

A Person Responsible may waive a hearing expressly.

A Person Responsible will be deemed to have waived a hearing if he fails to request a hearing within the deadline set out in the notification of the alleged violation required to request a hearing.

17th Revision, 1 January 2018
In that event the Hearing Body shall, unless it rules that a hearing is required, consider the case on a written basis in accordance with the Hearing Body Rules.

7.6.2 Admission

At any time during the results management process the Person Responsible against whom a BEFAR violation is asserted may admit that violation.

7.6.3 Deemed Admission and Waiver

If the Person Responsible against whom a Controlled Medication Violation is asserted fails to dispute that assertion within sixteen (16) days of Notification (or within any other deadline as may be imposed in a specific case) that such a violation is alleged, then he shall be deemed to have admitted the Controlled Medication Violation, to have waived a hearing, and to have accepted the consequences that are mandated by BEFAR or (where some discretion as to consequences exists under BEFAR) that have been offered by the BEF provided that Hearing Body approval has been provided.

7.6.4 In cases where Article 7.6.2 or 7.6.3 applies, a hearing before a Hearing Body shall not be required. Instead, the Hearing Body shall promptly issue a written Decision confirming the commission of the Controlled Medication Violation and the consequences imposed as a result, and setting out the full reasons for any period of Ineligibility imposed, including (if applicable) a justification for why the maximum potential period of Ineligibility was not imposed. The BEF shall send copies of that Decision to other Anti-Doping Organisations with a right to appeal under Article 12.2.2, and shall Publicly Disclose that decision in accordance with Article 13.3.

ARTICLE 8 RIGHT TO A FAIR HEARING

8.1 Hearings before the Hearing Body

8.1.1 The Hearing Body shall Decide all cases involving a violation of BEFAR.

8.1.2 When the BEF sends a Notice to a Person Responsible and/or additional Person Responsible asserting a violation of BEFAR, and the Person Responsible and/or the additional Person Responsible does not expressly or impliedly admit the violation under 7.6.2 or 7.6.3 then the case shall be assigned to the Hearing Body for adjudication. The Hearing Body shall conduct a hearing unless the Person Responsible has either expressly waived or has been deemed under 7.6.1 to have waived such hearing or it has determined that the case should proceed by hearing. In the event that a hearing is not conducted the Hearing Body shall Decide the case on the basis of written submissions in accordance with the Hearing Body Rules.

8.1.3 The BEF Chief Executive shall at his sole discretion appoint a Hearing Body from among the BEF Anti-Doping Panel to decide each case. The Hearing Body shall consist of three (3) members, one of whom will be a legally qualified person and shall act as Chair of the Hearing Body. The appointed members shall be independent of the Person Responsible alleged to have violated BEFAR, the Horse involved and the Person Responsible's Sporting Discipline.
8.1.4 Hearings pursuant to this Article shall be completed expeditiously following the completion of the results management or investigation process described in Article 7 above and the submission of all relevant evidence and pleadings by the parties. The Person Responsible alleged to have violated BEFAR shall cooperate promptly in the submission of such evidence and pleadings and in attendance at a hearing if requested by the Hearing Body.

8.1.5 The Person Responsible alleged to have violated BEFAR may attend the hearing under all circumstances.

8.1.6 The Sporting Discipline of the Person Responsible alleged to have violated BEFAR and/or a representative of UK Anti-Doping may attend the hearing as an observer.

8.1.7 A Person Responsible may acknowledge the Controlled Medication Violation and accept consequences consistent with Articles 8.3 (if the Administrative Procedure is elected) or Articles 9 and 10 as proposed by the BEF.

8.1.8 Decisions of the Hearing Body may be appealed to the NADP as provided in Article 12.

8.2 Principles for a Fair Hearing

All decisions and hearings under BEFAR shall respect the following principles:

(a) Fair and impartial Hearing Body;

(b) The right to be represented by counsel (separately or together) at the Person(s) Responsible's(s') own expense;

(c) The right to be fairly and timely informed of the asserted Controlled Medication Violation;

(d) The right to respond to the asserted Controlled Medication Violation and resulting consequences;

(e) The right of each party to present evidence;

(f) The right of each party to call and question witnesses (subject to the Hearing Body's discretion to accept testimony by telephone or written submission);

(g) A timely hearing, subject to prompt and complete submissions by the parties; and

(h) A timely, written, reasoned Decision specifically including an explanation for any period of Ineligibility.
8.3 Administrative Procedure

8.3.1 For Adverse Analytical Findings involving Controlled Medication Substances, the Person Responsible may elect to have their case proceed under the Administrative Procedure provided that:

(a) No more than one (1) Controlled Medication Substance (including its Metabolites or Markers) is detected in the Sample; and

(b) The Person Responsible and the Horse are first-time offenders (namely no record of any Doping Violation or Controlled Medication Violation or violations of any predecessor rule) without any pending or concluded cases within the last four (4) years preceding the Sample which caused the Adverse Analytical Finding.

8.3.2 If the Person Responsible requests a hearing before the Hearing Body, Article 10 below shall apply at the discretion of the Hearing Body.

8.3.3 Where the Administrative Procedure is applied by the BEF, the following consequences shall be imposed and no other consequences, including those set out in Article 10 below or elsewhere in Chapter 2 BEFAR shall be applicable to any Person who has elected this Administrative Procedure:

(a) Disqualification of the competitor (whether that is the Person Responsible and/or the Minor in respect of whom the Person Responsible has accepted primary responsibility) who competed the Horse and Horse combination from the whole Event and forfeiture of all prizes and prize money won at the Event;

(b) A Fine of £500; and

(c) Costs of the analysis of the A Sample. However, if a B Sample analysis is requested and the Administrative Procedure accepted after the B Sample analysis, the costs shall be increased to cover the costs of the B Sample analysis.

8.3.4 In order to apply this Administrative Procedure, the Person Responsible must execute an acceptance form within sixteen (16) days following the date of the Notice in which the BEF offers the Administrative Procedure to the Person alleged to have committed the Controlled Medication Violation. The BEF may reasonably extend such deadline provided the file has not yet been circulated to the Hearing Body or its members.

8.3.5 If the Person Responsible does not elect the Administrative Procedure within the fixed time limit, the Administrative Procedure shall be considered declined and the case submitted to the Hearing Body for final decision. The Hearing Body may impose Sanctions and costs which may be more or less severe than the ones provided for in the Administrative Procedure.

8.4 Decisions

8.4.1 At the end of the hearing, or adjudication on the basis of written submissions, or on a timely basis thereafter, the Hearing Body shall issue a written Decision that
includes the full reasons for the Decision and for any period of Ineligibility imposed, including (if applicable) a justification for why the greatest potential consequences were not imposed. The Hearing Body may decide to communicate the operative part of the Decision to the parties, prior to the reasons. The Decision shall be enforceable from such notification of the operative part by courier, facsimile and/or electronic mail.

8.4.2 If no appeal is brought against the Decision, then (a) if the Decision is that a Controlled Medication Violation was committed, the Decision shall be Publicly Disclosed as provided in Article 13.3; but (b) if the Decision is that no Controlled Medication Violation was committed, then the Decision shall only be Publicly Disclosed with the consent of the Person Responsible. The BEF shall use reasonable efforts to obtain such consent, and if consent is obtained, shall Publicly Disclose the Decision in its entirety or in such redacted form as the Person Responsible may approve.

The principles contained in Article 13.3.5 shall be applied in cases involving a Minor.

ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

9.1 For cases other than those prosecuted under the Administrative Procedure, a violation of BEFAR in connection with a test in a given Competition automatically leads to the Disqualification of all results of the competitor (whether that is the Person Responsible and/or the Minor in respect of whom the Person Responsible has accepted primary responsibility) who competed the Horse and the Horse combination obtained in that Competition with all resulting consequences, including forfeiture of any related medals, points, prizes and prize money. Even if a Sanction is reduced or eliminated under Article 10 below, such reduction or elimination shall under no circumstances eliminate the automatic Disqualification of individual results mandated by this Article 9. Where applicable, consequences to teams are detailed in Article 11 below.

9.2 For the avoidance of doubt where the competitor is a Minor at the time of the Competition, the consequences to the Minor shall be limited to Disqualification from the Competition and forfeiture of all medals, points, prizes and prize money won at the Competition.

ARTICLE 10 SANCTIONS

The following rules relating to the Disqualification of results will apply to cases other than those prosecuted under the Administrative Procedure.

10.1 Disqualification of Results in the Event during which a Controlled Medication Violation occurs

10.1.1 A Controlled Medication Violation occurring during or in connection with an Event may lead to Disqualification of all of the Person Responsible’s individual results obtained in that Event, with any and all Horses with which the Person Responsible competed, with all consequences, including forfeiture of all medals, points, prizes, and prize money except as provided in Article 10.1.4.
10.1.2 Notwithstanding the above for all Events exceptional circumstances may be considered. Generally, and subject to Articles 10.1.3 and 10.1.4 below, all results from Competitions in which the Person Responsible or Horse participated prior to Sample collection shall be Disqualified unless it can be demonstrated that such results were not likely to have been affected by the Controlled Medication Violation.

10.1.3 If the Person Responsible establishes that he or she bears No Fault or Negligence for the Controlled Medication Violation, the Person Responsible’s individual results in the other Competitions shall not be Disqualified unless the Person Responsible’s results in Competitions other than the Competition in which the Controlled Medication Violation occurred were likely to have been affected by the Person Responsible’s Controlled Medication Violation.

10.1.4 In addition, the Person Responsible’s Horse may also be Disqualified from the entire Event with all consequences, including forfeiture of all medals, points, prizes and prize money even if earned while being ridden by someone other than the Person Responsible (including a Minor in respect of whom the Person Responsible has accepted primary responsibility), if the Horse’s results in Competitions other than the Competition in which the BEFAR violation occurred were likely to have been affected by the Controlled Medication Violation.

10.2 Ineligibility and Fine for Presence, Use or Attempted Use or Administration or Attempted Administration of Controlled Medication Substances

The period of Ineligibility for a violation of Articles 2.1, 2.2 or 2.5 shall be six (6) months, subject to potential reduction or suspension pursuant to Articles 10.4, 10.5 or 10.6.

A Fine of up to £4,000 shall also be imposed and appropriate legal costs.

10.3 Ineligibility for Other Controlled Medication Violations

The Sanctions for Controlled Medication Violations other than as provided in Articles 9, 10.1 and 10.2 shall be:

10.3.1 For violations of Article 2.3 or Article 2.4, the period of Ineligibility shall be two (2) years unless the conditions for eliminating, reducing or increasing the Sanction provided in Articles 10.4 or 10.5, are met. A Fine of up to £4,000 and appropriate legal costs shall also be imposed.

10.4 Elimination of the Period of Ineligibility where there is No Fault or Negligence

If the Person Responsible establishes in an individual case that he bears No Fault or Negligence for the Controlled Medication Violation, the otherwise applicable period of Ineligibility and other Sanctions (apart from Article 9) shall be eliminated in regard to such Person. When a Controlled Medication Substance and/or its Metabolites or Markers is detected in a Horse’s Sample in violation of Article 2.1 (presence of a Controlled Medication Substance) the Person Responsible must also establish how
the Controlled Medication Substance entered the Horse’s system in order to have the period of Ineligibility and other Sanctions eliminated. In the event this Article is applied and the period of Ineligibility otherwise applicable is eliminated, the Controlled Medication Violation shall not be considered a violation for the limited purpose of determining the period of Ineligibility for multiple violations under Article 10.8 below.

Except in the case where the violation relates to a Controlled Medication Substance which is a Specified Substance Article 10.4 shall only apply in exceptional circumstances.

No Fault or Negligence does not apply in the following circumstances:

(a) Where the presence of a Controlled Medication Substance in a Sample came from a mislabelled or contaminated supplement. Persons Responsible are responsible for what their Horses ingest and have been warned about the possibility of supplement contamination.

(b) The Administration of a Controlled Medication Substance by the Person Responsible’s veterinary personnel or member of the Support Personnel without disclosure to the Person Responsible. Persons Responsible are responsible for their choice of veterinary personnel and Support Personnel and for advising veterinary personnel and Support Personnel that the presence of a Controlled Medication Substance in a Horse’s system is forbidden during an Event or Competition.

10.5 Reduction of the Period of Ineligibility based on No Significant Fault or Negligence

10.5.1 Reduction of Sanctions for Specified Substances and Contaminated Products

10.5.1.1 Specified Substances

Where the Controlled Medication Violation involves a Controlled Medication Substance that is a Specified Substance and the Person Responsible can establish No Significant Fault or Negligence, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, six months of Ineligibility, depending on the Person Responsible’s degree of Fault. Where the Person Responsible intends to establish that he bears No Fault or Negligence, Article 10.4 shall apply.

10.5.1.2 Contaminated Products

In cases where the Person Responsible can establish No Significant Fault or Negligence and that the detected Controlled Medication Substance came from a Contaminated Product, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, six (6) months Ineligibility, depending on such Person’s degree of Fault.
10.5.2 Application of No Significant Fault or Negligence beyond the Application of Article 10.5.1

If a Person Responsible establishes in an individual case that he bears No Significant Fault or Negligence, then the otherwise applicable period of Ineligibility and other Sanctions (apart from Article 9) may be reduced in regard to such Person. When a Controlled Medication Substance and/or its Metabolites or Markers is detected in a Horse’s Sample in violation of Article 2.1 (presence of a Controlled Medication Substance or its Metabolites or Markers) the Person alleged to have committed the Controlled Medication Violation must also establish how the Controlled Medication Substance or its Metabolites or Markers entered the Horse’s system in order to have the period of Ineligibility and other Sanctions reduced.

10.6 Elimination, Reduction or Suspension of Period of Ineligibility or other Consequences for Reasons Other than Fault

10.6.1 Substantial Assistance in Discovering or Establishing Controlled Medication Violations

The Hearing Body may, prior to a final appellate Decision under Article 12 below or the expiration of the time to appeal, suspend a part or all of the period of Ineligibility imposed in an individual case where the Person Responsible has provided Substantial Assistance to the BEF, Sporting Discipline, criminal authority or professional disciplinary body which results in (i) the BEF discovering or bringing forward a Controlled Medication Violation by another Person or (ii) which results in a criminal or disciplinary body discovering or bringing forward a criminal offence or the breach of professional rules by another Person and the information provided by such Person providing Substantial Assistance is made available to the BEF. Such Substantial Assistance must be independently corroborated in order to reduce the period of Ineligibility and under no circumstance should it amount only to blaming another Person or entity for the alleged Controlled Medication Violation. The extent to which the otherwise applicable period of Ineligibility may be suspended shall be based on the seriousness of the Controlled Medication Violation committed and the significance of the Substantial Assistance provided in an effort to promote medication-free equestrian sport. If the Person Responsible fails to continue to cooperate and to provide the complete and credible Substantial Assistance upon which a suspension of the period of Ineligibility was based, the Hearing Body shall reinstate the original period of Ineligibility. If the Hearing Body decides to reinstate a suspended period of Ineligibility that Decision may be appealed by any Person entitled to appeal under Article 12.

10.6.2 Admission of a Controlled Medication Violation in the Absence of Other Evidence

Where a Person Responsible voluntarily admits the commission of a Controlled Medication Violation before having received Notice of a Sample collection which could establish a Controlled Medication Violation (or in the case of a Controlled Medication Violation other than Article 2.1, before receiving first Notice of the alleged violation pursuant to Article 7) and that admission is the only reliable evidence of the
violation at the time of admission, then the period of Ineligibility may be reduced subject to the discretion of the Hearing Body.

10.6.3 Prompt Admission of a Controlled Medication Violation after being Confronted with a Violation Sanctionable under Article 10.3.1

A Person Responsible potentially subject to a one (1) year sanction under 10.3.1 (for Tampering with Sample Collection), by promptly admitting the alleged Controlled Medication Violation after being confronted by the BEF, and also upon the approval and at the discretion of the Hearing Body, may receive a reduction in the period of Ineligibility down to a minimum of one half of the otherwise applicable period of Ineligibility, depending on the seriousness of the violation and the Person Responsible's degree of Fault.

10.6.4 Where a Person Responsible Establishes Entitlement to a Reduction in Sanction Under More than One Provision of this Article

If a Person Responsible establishes entitlement to a reduction or suspension of the period of Ineligibility under two (2) or more of Articles 10.4, 10.5 or 10.6, then the period of Ineligibility may be reduced or suspended further subject to the discretion of the Hearing Body.

10.7 Aggravating Circumstances Which May Increase the Period of Ineligibility

If the BEF establishes in an individual case involving a Controlled Medication Violation other than violations under Article 2.4 that aggravating circumstances are present which justify the imposition of a period of Ineligibility greater than the standard Sanction, then the period of Ineligibility otherwise applicable shall be increased up to a maximum of two (2) years unless the Person Responsible can prove to the comfortable satisfaction of the Hearing Body that he or she did not knowingly commit the Controlled Medication Violation. The occurrence of multiple Controlled Medication Substances may be considered as a factor in determining aggravating circumstances under this Article 10.7. The Person Responsible can avoid the application of this Article by admitting the Controlled Medication Violation as asserted promptly after being confronted with the Controlled Medication Violation by the BEF.

10.8 Multiple Violations

10.8.1 For a Person Responsible’s and additional Person Responsible’s second Controlled Medication Violation, within a period of four (4) years, the period of Ineligibility shall be the greater of:

(a) three months;

(b) one half of the period of Ineligibility imposed for the first Controlled Medication Violation without taking into account any reduction under Article 10.6; or

(c) twice the period of Ineligibility otherwise applicable to the second Controlled Medication Violation treated as if it were a first violation, without taking into account
any reduction under Article 10.6.

The period of Ineligibility established above may then be further reduced by the application of Article 10.6.

10.8.2 For a third Controlled Medication Violation, within a period of four (4) years, the Hearing Body shall have the discretion to increase the Sanction to up to four (4) years’ Ineligibility. For a fourth or more Controlled Medication Violation, within a period of four (4) years, the Hearing Body shall have the discretion to impose a lifetime period of Ineligibility and shall in no circumstances render a Sanction of less than four (4) years’ Ineligibility.

The conditions set out in Articles 10.8.1 and 10.8.2 shall apply in cases where one or more of the rule violations previously committed were Doping Violations. However this Article shall also be applicable if the Doping Violation preceding the current Controlled Medication Violation occurred in the previous eight (8) years.

10.8.3 A Controlled Medication Violation for which a Person Responsible has established No Fault or Negligence shall not be considered a prior violation for the purposes of this Article.

10.8.4 Additional Rules for Certain Potential Multiple Violations

10.8.4.1 For purposes of imposing sanctions under Article 10.8, a Controlled Medication Violation will only be considered a second Controlled Medication Violation if the BEF can establish that the Person Responsible committed the second violation after the Person Responsible received Notice pursuant to Article 7 or after the BEF made reasonable efforts to give Notice of the first Controlled Medication Violation. If the BEF cannot establish this, the violations shall be considered as one single first violation, and the Sanction imposed shall be based on the violation that carries the more severe Sanction.

10.8.4.2 If, after the imposition of a Sanction for a first Controlled Medication Violation, the BEF discovers facts involving a Controlled Medication Violation by the Person Responsible which occurred prior to Notification regarding the first violation, then the Hearing Body shall impose an additional Sanction based on the Sanction that could have been imposed if the two violations had been adjudicated at the same time. Results in all Competitions dating back to the earlier Controlled Medication Violation will be Disqualified as provided in Article 10.9.

10.8.5 Violations involving both a Controlled Medication Substance and a Banned Substance

Where a Person Responsible based on the same factual circumstances is found to have committed a BEFAR Violation involving both a Controlled Medication Substance and a Banned Substance, the Person Responsible shall be considered to have committed one (1) BEFAR violation, and the Sanction imposed shall be based on the Banned Substance that carries the most severe Sanction.
10.9 Disqualification of Results in Competitions Subsequent to Sample Collection or Commission of a Controlled Medication Violation

10.9.1 In addition to the automatic Disqualification of the results in the Event or Competition which produced the positive Sample under Article 9 (Automatic Disqualification of Individual Results), all other competitive results obtained from the date a positive Sample was collected, or other Controlled Medication Violation occurred shall, unless fairness requires otherwise, be Disqualified with all of the resulting consequences including forfeiture of any medals, points, prizes and prize money.

10.9.2 As a condition of regaining eligibility after being found to have committed a Controlled Medication Violation, the Person Responsible must first repay all prize money forfeited under this Article, and any other fines and/or costs attributed to the violation which have been ordered by the Hearing Body or otherwise accepted by the Person Responsible.

10.10 Commencement of Ineligibility Period

10.10.1 Except as provided below, the period of Ineligibility imposed on any Person or Horse shall start on the date of the Decision providing for Ineligibility or if the hearing is waived or there is no hearing, on the date Ineligibility is accepted or otherwise imposed or any other date specified by the Hearing Body in its Decision.

10.10.2 Delays Not Attributable to the Person Responsible

Where there have been substantial delays in the hearing process or other aspects of Medication Control not attributable to the Person Responsible alleged to have committed the Controlled Medication Violation, the Hearing Body may start the period of Ineligibility at an earlier date commencing as early as the date of the Sample collection or the date on which another Controlled Medication Violation last occurred. All competitive results achieved during the period of Ineligibility including retroactive Ineligibility shall be Disqualified.

10.10.3 Timely Admission

Where the Person Responsible promptly (which, in all circumstances, means before the Person Responsible competes again) admits the Controlled Medication Violation after being confronted with the Controlled Medication Violation by the BEF, the period of Ineligibility may start as early as the date of Sample collection or the date on which another Controlled Medication Violation last occurred. In each case, however, where this Article is applied, the Person who committed the Controlled Medication Violation shall serve at least one half of the period of Ineligibility going forward from the date Ineligibility is imposed or accepted.

This Article shall not apply where the period of Ineligibility has already been reduced under Article 10.6.3.
10.11 Status During Ineligibility

10.11.1 Prohibition Against Participation During Ineligibility

No Horse or Person Responsible who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity at an Event or in a Competition or activity that is authorised or organised by the BEF, a Sporting Discipline, the FEI or any National Federation or be present at an Event (other than as a spectator) that is authorised or organised by any international or national-level Event organisation or any elite or national-level sporting activity funded by a governmental agency. In addition, for any Controlled Medication Violation, some of or all sport-related financial support or other sport-related benefits received by such Person Responsible may be withheld by the BEF or Sporting Discipline as the case may be. In addition a Person Responsible or Horse subject to Ineligibility under Article 10 may also be banned from any venues where a Sporting Discipline’s competitions take place whether or not the Person Responsible is a member of or registered with the Sporting Discipline.

10.11.2 Violation of the Prohibition of Participation During Ineligibility

Where a Person Responsible who has been declared Ineligible or whose Horse has been declared Ineligible violates the prohibition against participation or attendance during Ineligibility described in Article 10.11.1 above, the results of any such participation shall be Disqualified and a new period of Ineligibility equal in length to the original period of Ineligibility shall be added to the end of the original period of Ineligibility. The new period of Ineligibility may be adjusted based on the Person Responsible’s degree of Fault or other circumstances of the case. In addition, further Sanctions may be imposed if appropriate. The determination of whether any Person has violated the prohibition against participation or attendance, and whether an adjustment is appropriate shall be made by the Hearing Body. This Decision may be appealed under Article 12.

10.11.3 Return of Prizes/Prize Money

Where the Sanction imposed on a Person includes the forfeiture of any related medals and/or prizes and/or prize money such medals/and or prizes and/or prize money must be returned to the relevant Sporting Discipline within fourteen (14) days of the imposition of the Sanction.

ARTICLE 11 CONSEQUENCES TO TEAMS

11.1 If a member of a team is found to have committed a violation of these BEFAR during an Event where a team ranking is based on the addition of individual results, the results of the Person Responsible may be Disqualified in all Competitions and will be subtracted from the team result to be replaced with the results of the next applicable team member. If, by removing the Person Responsible’s results from the team results, the number of Persons counting for the team is less than the required number, the team shall be eliminated from the ranking.
11.2 Notwithstanding the above, for all Events, exceptional circumstances may be considered.

ARTICLE 12 APPEALS

12.1 Decisions Subject to Appeal

Decisions made under BEFAR may be appealed as set out below in Article 12.2 and 12.3. Such Decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

12.2 Appeals from Decisions Regarding Controlled Medication Violations and Consequences

12.2.1 The following Decisions may be appealed exclusively as provided in this Article 12.2:

(a) a Decision that a Controlled Medication Violation was committed;

(b) a Decision imposing consequences for a Controlled Medication Violation;

(c) a Decision that no Controlled Medication Violation was committed;

(d) a Decision that a Controlled Medication Violation proceeding cannot go forward for procedural reasons (including, for example, exceeding the Statute of Limitations);

(e) a Decision under Article 10.11.2 (Violation of the Prohibition of Participation during Ineligibility);

(f) a Decision that the BEF lacks jurisdiction to rule on any alleged Controlled Medication Violation or its consequences;

(g) a Decision not to bring forward an Adverse Analytical Finding or an Atypical Finding as a Controlled Medication Violation or a Decision not to go forward with a Controlled Medication Violation.

12.2.2 In cases under Article 12.2.1, the following parties shall have the right to appeal:

(a) the Person Responsible who is the subject of the Decision being appealed, or the Horse owner, where its Horse is subject to Ineligibility;

(b) the other party to the case in which the Decision was rendered;

(c) the BEF;

(d) the Sporting Discipline of the Person who is the subject of the Decision being appealed.
12.2.3 Cross appeals and other subsequent appeals by any respondent named in cases brought to an NADP appeal tribunal are specifically permitted. Any party with a right to appeal under this Article 12 must file a cross appeal or subsequent appeal at the latest with the party’s answer.

12.2.4 An appeal pursuant to Article 12.2.1 shall be made to an NADP appeal tribunal following the procedures set out in the NADP Rules.

12.2.5 Decisions of an NADP appeal tribunal may be challenged by appeal to the Court of Arbitration for Sport, following the procedures set out in the Court of Arbitration for Sport’s Code of Sports-related Arbitration and Article 12.3 of these rules. Such decisions shall be the full and final disposition of the appeal and will be binding on all the persons identified in Article 12.2.2

12.3 Time for Filing Appeals

The time to file an appeal to the NADP shall be twenty one (21) days from the date of Receipt of the Hearing Body Decision by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings having led to the Decision subject to appeal:

(a) Within ten (10) days from Notice of the Decision, such party/ies shall have the right to request from the Hearing Body having issued the Decision a copy of the file on which it relied; a failure to make such request shall however not preclude such party from appealing to the NADP within the time period set forth above; and

(b) If such a request is made within the ten (10) day period, then the party making such request shall have twenty one (21) days from receipt of the file to file an appeal to the NADP.

ARTICLE 13 APPLICATION, REPORTING AND RECOGNITION

13.1 Application of BEFAR

BEFAR shall either be incorporated directly into each Sporting Discipline’s rules or be incorporated by reference. In the latter case, Sporting Disciplines shall include in their regulations the procedural provisions necessary to effectively implement BEFAR.

13.2 Statistical Reporting

The BEF may periodically publish anonymous Testing data received from Testing under the BEF’s jurisdiction.

13.3 Public Disclosure

13.3.1 Neither the BEF nor the Sporting Disciplines shall publicly identify Horses or Persons Responsible whose Horses’ Samples have resulted in Adverse Analytical Findings, or Persons Responsible who were alleged to have otherwise violated these
BEFAR, until the earlier of completion of the administrative review and Notification described in Articles 7.1.2 and 7.1.4. above. Once a Controlled Medication Violation has been established, it shall be publicly reported in an expeditious manner via the BEFAR Case Status Table and also on the Sporting Discipline website and in other publications as the Sporting Discipline shall consider appropriate. With regards to the Administrative Procedure set out in Article 8.3 above, publication shall occur on the acceptance of the Administrative Procedure. If the Person Responsible makes information concerning a Controlled Medication Violation or alleged Controlled Medication Violation public prior to release of this information on the BEFAR Case Status Table, the BEF may comment on such public information or otherwise publicly report the matter.

13.3.2 In any case where it is determined, after a hearing or appeal, that the Person Responsible did not commit a Controlled Medication Violation, the Decision may be Publicly Disclosed only with the consent of the Person who is the subject of the Decision or in response to public comments attributed to the Person Responsible or their representatives. The BEF shall use reasonable efforts to obtain such consent, and if consent is obtained, shall Publicly Disclose the Decision in its entirety or in such redacted form as such Person and the BEF may jointly approve.

13.3.3 Publication shall be accomplished at a minimum by placing the required information on the BEF’s website or publishing it through other means.

13.3.4 Neither the BEF, any Sporting Discipline, any Approved Laboratory or any official or employee of any of the above, shall publicly comment on the specific facts of a pending case (as opposed to a general description of process and science) except in response to public comments attributed to the Person Responsible or his representatives.

13.3.5 The mandatory Public Reporting required in article 13.3.1 shall not be required where the Person Responsible who has been found to have committed a Controlled Medication Violation is a Minor. Any optional Public Reporting in a case involving a Minor shall be proportionate to the facts and circumstances of the case.

13.4 Recognition of Decisions by the BEF and Sporting Disciplines

Any Decision of the Hearing Body regarding a violation of these BEFAR shall be recognised and enforced by all Sporting Disciplines and Sporting Disciplines shall take all necessary action to implement any and all ramifications relating to such Decisions.

ARTICLE 14 STATUTE OF LIMITATIONS

No action may be commenced under BEFAR against a Person Responsible for a Controlled Medication Violation unless he or she has been Notified of the Controlled Medication Violation as provided in Article 7, or Notification has been reasonably attempted within twelve (12) months from the date the Controlled Medication Violation is asserted to have occurred.
ARTICLE 15 AMENDMENT AND INTERPRETATION OF BEFAR

15.1 BEFAR may be amended from time to time by the BEF in accordance with the BEF Rules.

15.2 Except as provided in Article 15.5, BEFAR shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.

15.3 The headings used for the various parts and Articles of BEFAR are for convenience only and shall not be deemed part of the substance of BEFAR or to affect in any way the language of the provisions to which they refer.

15.4 The Introduction, Appendix 1 Definitions, and the Equine Prohibited Substances List shall all be considered integral parts of BEFAR.

15.5 BEFAR have been adopted pursuant to the BEF Rules and shall be interpreted, where applicable, in a manner that is consistent with applicable provisions of the BEF Rules as well as other BEF rules and regulations including but not limited to the BEF Veterinary Manual, the National Equine Anti-Doping and Controlled Medication Hearing Body Rules, the Standard for Laboratories and the rules of the Sporting Disciplines. In the event of conflict with the BEF Rules, the BEF Rules shall apply. In the event of conflict with the BEF Veterinary Manual, the Standard for Laboratories and/or the rules of the Sporting Disciplines, BEFAR shall apply.

15.6 The time limits fixed under BEFAR shall begin from the day after that on which Notification by the BEF is received. Official holidays and non-working days are included in the calculation of time limits. The time limits fixed under BEFAR are respected if the communications by the parties are sent before midnight on the last day on which such time limits expire. If the last day of the time limit is an official holiday or a non-business day in the UK, the time limit shall expire at the end of the first subsequent business day.

ARTICLE 16 TRANSITIONAL PROVISIONS

16.1 Application to Decisions Rendered Prior to BEFAR 2011

BEFAR shall have no application to equine anti-doping or controlled medication violation cases where a final Decision finding a violation has been rendered and the period of Ineligibility has expired.

They shall not apply retroactively to matters pending before 1 January 2011 (the “Effective Date”); provided, however, that:

16.1.1 Controlled Medication Violations taking place prior to the Effective Date count as “first violations” or “second violations” for purposes of determining sanctions under Article 10 for violations taking place after the Effective Date.

16.1.2 The retrospective periods in which prior violations can be considered for purposes of multiple violations under Article 10.8.4 and the statute of limitations set forth in Article 14 are procedural rules and should be applied retroactively; provided,
however, that Article 14 shall only be applied retroactively if the statute of limitations period has not already expired by the Effective Date. Otherwise, with respect to any Controlled Medication Violation case which is pending as of the Effective Date and any Controlled Medication Violation case brought after the Effective Date based on a Controlled Medication Violation which occurred prior to the Effective Date, the case shall be governed by the substantive rules in effect at the time the alleged Controlled Medication Violation occurred unless the Hearing Body or NADP deciding the case determines the principle of “lex mitior” appropriately applies under the circumstances of the case.

16.1.3 For purposes of assessing the period of Ineligibility for a second violation under Article 10.8.1, where the sanction for the first violation was determined based on rules in force prior to the Effective Date, the period of Ineligibility which would have been assessed for that first violation had these BEFAR been applicable, shall be applied.
APPENDIX 1 – DEFINITIONS AND INTERPRETATION

Except where the context otherwise requires references in BEFAR to a numbered Article are to the relevant numbered Article in the Chapter of BEFAR in which the reference appears.

A Sample At the time of testing, the sample of bodily fluids is split into two: an A Sample, which is tested first, and the B Sample, which may be tested if the A Sample requires confirmatory analysis or confirmatory analysis is requested.

Active Substance Any chemical or compound that affects the function of the body of a human or animal. These substances can be artificial or natural, i.e. those created by the body in response to stimulation or injury. Active substances are often not the same as a product’s trade name and it is therefore necessary to check for the list of active substance within a product before use.

Administration Providing, supplying, supervising, facilitating, or otherwise participating in the Use or Attempted Use by another Person of a Prohibited Substance. However, this definition shall not include the actions of bona fide veterinary personnel involving a Controlled Medication Substance used for genuine and legal therapeutic purposes or other acceptable justification.

Administrative Procedure The procedural mechanism available to a Person Responsible alleged to have committed a Controlled Medication Violation as set out in Article 8.3 of Chapter 2 BEFAR.

Adverse Analytical Finding A report from an Approved Laboratory or other approved Testing entity that, consistent with the Standard for Laboratories, identifies in a Sample the presence of one or more Prohibited Substances or its Metabolites or Markers (including elevated quantities of Endogenous Substances).

Anti-Doping Organisation The FEI and UK Anti-Doping.

Approved Laboratory A laboratory approved by the FEI to analyse Samples.

Athlete Any Person that takes part in an Event or Competition run by or under the auspices of a Sporting Discipline. Such Person may be, including but not limited to, a rider, a driver, a lunger, or a vaulter.

Attempt/Attempting Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of a BEFAR violation. Provided, however, there shall be no BEFAR violation based solely on an Attempt to commit a violation if the Person renounces the attempt prior to it being discovered by a third party not involved in the Attempt.

Atypical Finding A report from an Approved Laboratory which requires further investigation as provided by the Standard for Laboratories, or related technical documents prior to the determination of an Adverse Analytical Finding.
**Banned Substance** A substance (including its Metabolites or Markers) that is classified in the Equine Prohibited Substances List as a Banned Substance. **Banned Substances** have been deemed by the FEI List Group to have: (a) no legitimate use in the competition Horse and/or (b) have a high potential for abuse. **Banned Substances** are prohibited at all times.

**B Sample** At the time of testing, the sample of bodily fluids is split into two portions: An **A Sample**, which is tested first, and the B Sample, which may be tested if the A Sample requires confirmatory analysis or confirmatory analysis is requested.

**BEF** The British Equestrian Federation.

**BEFAR** The BEF Equine Anti-Doping and Controlled Medication Rules.

**BEFAR Case Status Table** The table provided on the BEF website which sets out the status of Doping and Controlled Medication violations.

**BEF Anti-Doping Panel** A panel of representatives nominated by the Sporting Disciplines or the BEF Chief Executive to hear Doping Violation and Controlled Medication Violation cases.

**BEF Manual** Any manual approved and distributed by the BEF such as but not limited to the **BEF Testing Manual**.

**BEF Veterinary Manual** The veterinary manual of the BEF as approved by the Technical Committee from time to time.

**Competition** An individual class in which competitors are placed in an order of merit and for which prizes may be awarded run under the auspices of a Sporting Discipline.

**Confirmatory Analysis** An analysis of a B Sample to confirm an A Sample Adverse Analytical Finding. Persons Responsible as well as the BEF can request a confirmatory analysis if an Adverse Analytical Finding results from the A Sample during testing.

**Confirmatory Analysis Request Form** The written form sent to the Person Responsible by the BEF that must be completed and returned if the Person wants a confirmatory analysis of the B Sample to be undertaken following an Adverse Analytical Finding resulting from the A Sample.

**Contaminated Product** A product that contains a Prohibited Substance that is not disclosed on the product label or in information available in a reasonable internet search.

**Controlled Medication Substance** A substance, or its Metabolites or Markers that is classified in the Equine Prohibited Substances List as a Controlled Medication Substance. Controlled Medication Substances are considered therapeutic and/or commonly used in equine medicine substances, and considered to have:
(a) the potential to affect performance, and/or

(b) a potential welfare risk to the Horse.

Controlled Medication Substances are prohibited in Competition and must not be present in a Horse’s body during an Event and/or a Competition.

Controlled Medication Violation The occurrence of one or more of the BEFAR violations set out in Articles 2.1 to 2.5 of Chapter 2 of BEFAR (see Chapter 2 Article 1).

Decision/Decide An authoritative determination reached or pronounced after consideration of facts and/or law.

Disqualification/Disqualify/Disqualified A consequence of a Doping or Controlled Medication Violation whereby the Person Responsible’s results in a particular Competition or Event are invalidated, with all resulting consequences including forfeiture of any medals, points, prizes and prize money.

Doping See Chapter 1 Article 1.

Doping Control All steps and processes from test distribution planning, through to ultimate disposition under Chapter 1 BEFAR of any appeal including all steps and processes in between such as Sample collection and handling, laboratory analysis, results management, hearings and appeals.

Doping Violation The occurrence of one or more of the BEFAR violations set out in Article 2.1 to 2.9 of Chapter 1 of BEFAR: see Chapter 1 Article 1.

Endogenous Substances Substances that originate from within an organism, tissues or cell. An example of an endogenous substance is testosterone in the gelded Horse.

Equine Prohibited Substances List The list identifying the Prohibited Substances as published by the FEI from time to time.

Event An Event refers to a complete meeting, event, show, championship or games run in whole or in part under the auspices of a Sporting Discipline.

Fault Any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing a Person Responsible’s degree of Fault include, for example, the Person Responsible’s experience, whether the Person Responsible is a Minor, special considerations such as impairment, the degree of risk that should have been perceived by the Person Responsible and the level of care and investigation exercised by the Person Responsible in relation to what should have been the perceived level of risk. In assessing the Person Responsible’s degree of Fault, the circumstances considered must be specific and relevant to explain the Person Responsible’s departure from the expected standard of behaviour. Thus, for example, the fact that the Person Responsible would lose the opportunity to earn large sums of money during a period of Ineligibility, or the fact
that the Person Responsible only has a short time left in his or her career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of Ineligibility under Article 10.4.1 or 10.4.2 of Chapter 1 or Chapter 2 BEFAR.

FEI The Fédération Equestre Internationale acting through its applicable representative as determined in its Statutes, General Regulations, other regulations or rules, or by its Secretary General from time to time.

FEI Regulations The FEI Equine Anti-Doping and Controlled Medication Regulations.

Fine A consequence of a Doping or Controlled Medication Violation whereby the Person Responsible receives a financial penalty.

Hearing Body A body comprising three members of the BEF Anti-Doping Panel appointed by the BEF Chief Executive in accordance with Article 8.1.3 of either Chapter 1 or Chapter 2 BEFAR to hear a case.

Hearing Body Rules The rules of the Hearing Body published on the BEF website as amended from time to time.

Horse A horse, pony or other member of the genus Equus competing in a Sporting Discipline Competition. A Horse shall be born from a mare.

Ineligibility A consequence of a BEFAR whereby the Person Responsible, Horse or other Person is barred for a specified period of time from participating in any Competition or Event or other activity or funding.

Laboratory Documentation Package The material produced by an Approved Laboratory to support an analytical result such as, for example, an Adverse Analytical Finding.

Marker A compound, group of compounds or biological parameters that indicates the Use of a Prohibited Substance.

Medication Control All steps and processes from test distribution planning, through to ultimate disposition under Chapter 2 BEFAR of any appeal including all steps and processes in between such as test distribution planning, Sample collection and handling, laboratory analysis, results management, NETUEs, hearings and appeals.

Member Body A Member Body of the BEF.

Metabolite Any substance produced by a biotransformation process.

Minor A natural Person who has not reached the age of 18 years.

National Anti-Doping Panel/NADP The panel of arbitrators administered by Sport Resolutions or its successors to whom matters may be referred for appeal under BEFAR.
National Equine Therapeutic Use Exemption (NETUE) An authorisation to compete granted by the Technical Committee when a Controlled Medication Substance has been administered or used for legitimate therapeutic purposes in a Horse.

NADP Rules The rules issued by the NADP, as amended from time to time, setting out the procedures to be followed by NADP arbitral tribunals and NADP appeal tribunals in matters referred to them under BEFAR.

National Federation The one national governing body from any country approved and recognised as such by the FEI.

No Fault or Negligence The Person Responsible establishing that he did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he had administered to the Horse, or the Horse’s system otherwise contained, a Prohibited Substance or he had Used a Prohibited Substance on the Horse or otherwise violated BEFAR. Except in the case of a Minor, for any violation of Article 2.1, the Person Responsible must also establish how the Prohibited Substance entered the Horse’s system.

No Significant Fault or Negligence The Person Responsible establishing that his fault or negligence, when viewed in the totality of the circumstances and taking into account the criteria for No Fault or Negligence, was not significant in relationship to the BEFAR violation. Except in the case of a Minor, for any violation of Article 2.1 of the Anti-Doping Rules and Article 2.1 of the Controlled Medication Rules, the Person Responsible must also establish how the Prohibited Substance entered the Horse’s system.

Notice/Notify/Notification Notice to a Person Responsible who was a member of a Sporting Discipline or National Federation at the time the alleged BEFAR violation was committed may be accomplished by delivery of the Notice to the Sporting Discipline or National Federation as the case may be but, where possible, will also be sent to the Person Responsible directly. Notice of anything relevant to BEFAR will be deemed to have occurred upon Receipt by the relevant Person.

Participant Any Person Responsible, Minor or Horse.

Person A natural Person or an organisation or other entity.

Person Responsible The competitor who rides, drives or vaults the Horse during an Event except in the case that such competitor is a Minor in which case the Person Responsible shall be the person who takes primary responsibility for the Minor and/or the Horse and is named as such on application for membership/renewal of membership of a Sporting Discipline. The owner of the Horse and support personnel, including but not limited to grooms and veterinarians, may be regarded as additional Persons Responsible if they are present at the Competition and/or Event and have made a relevant decision about the Horse. In vaulting the lunger shall always be an additional Person Responsible.

Possession The actual, physical Possession, or the constructive Possession (which shall be found only if the Person has exclusive control or intends to exercise
exclusive control over the Banned Substance or the premises in which a Banned Substance exists); provided, however, that if the Person Responsible does not have exclusive control over the Banned Substance or the premises in which a Banned Substance exists, constructive Possession shall only be found if the Person Responsible knew about the presence of the Banned Substance and intended to exercise control over it. Provided, however, there shall be no Doping Violation based solely on Possession if, prior to receiving Notification of any kind that the Person Responsible has committed a Doping Violation, the Person Responsible has taken concrete action demonstrating that the Person never intended to have Possession and has renounced Possession by explicitly declaring it to the BEF or the FEI. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a Banned Substance constitutes Possession by the Person who makes the purchase.

Prohibited Substance Any substance classified in the Equine Prohibited Substances List as a Banned Substance or a Controlled Medication Substance.

Publicly Disclose/Publicly Report To disseminate or distribute information to the public or to Persons beyond those Persons entitled to earlier Notification in accordance with Article 13 Chapters 1 and 2 BEFAR.

Receipt When a Person receives something of relevance to BEFAR. For the avoidance of doubt, in the event there is no specific confirmation of receipt, receipt shall be assumed to have occurred after ten (10) business days from dispatch.

Sample Any biological or other material collected for the purposes of Doping Control or Medication Control.

Sanction A sanction provided in Article 10 of Chapter 1 and Article 10 of Chapter 2 BEFAR and Sanctions shall be construed accordingly.

Specified Substances Those Prohibited Substances identified as Specified Substances in the Equine Prohibited Substances List.

Sporting Discipline A Member Body of the BEF which is recognised by the BEF as the entity governing an FEI sport at national level.

Sport Resolutions Sport Resolutions (UK).

Standard for Laboratories The standards setting out the criteria to apply in respect of analyses, custodial procedures and reports thereon as determined by the Testing Committee from time to time. Compliance with this standard (as opposed to another alternative standard, practice or procedure) in force at the time of Sample analysis shall be sufficient to conclude that the procedures addressed by this standard were performed properly.

Standard for NETUEs The standards set by the Technical Committee from time to time setting out the criteria for the determination of NETUE applications.
**Substantial Assistance** For the purposes of Article 10.6.1 Chapter 1 BEFAR and Article 10.6.1 Chapter 2 BEFAR, a Person providing Substantial Assistance must (1) fully disclose in a signed written statement all information he or she possesses in relation to BEFAR violations and (2) fully cooperate with the investigation and adjudication of any case related to that information, including, for example, presenting testimony at a hearing if requested to do so by the BEF or the Hearing Body. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

**Support Personnel** Any coach, trainer, athlete, Horse owner, groom, steward, chef d'équipe, team staff, official, veterinarian, medical or paramedical personnel assisting in any fashion a Person Responsible participating in or preparing for equine sports Competition. Veterinarians are included in the definition of Support Personnel with the understanding that they are professionals subject to professional standards and licenses. An allegation that a veterinarian violated a BEFAR rule will only be made where the factual circumstances surrounding the case indicate a likelihood that the veterinarian was involved in the violation.

**Tampering** Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly; obstructing, misleading or engaging in any fraudulent conduct to alter results or prevent normal proceedings from occurring.

**Target Testing** Selection of Horses for Testing where specific Horses or groups of Horses are selected on a non-random basis for Testing at a specified time.

**Technical Committee** A committee comprised of experts to include at a minimum a veterinary expert, pharmacological expert and the BEF General Counsel appointed from time to time to provide technical advice in relation to BEFAR.

**Testing** The parts of the Doping Control or Medication Control process involving test distribution planning, Sample collection, Sample handling, and Sample transport to the laboratory.

**Testing Committee** A committee comprised of representatives of each Sporting Discipline and the BEF appointed from time to time to determine Testing to be carried out under BEFAR.

**Testing Laboratory** The laboratory designated from time to time to carry out all analysis of Samples obtained under BEFAR.

**Testing Veterinarians** Qualified veterinarians appointed from time to time to carry out equine testing under BEFAR and a single such veterinarian shall be referred to as a Testing Vet.

**Threshold Banned or Controlled Medication Substance Prohibited Substances** for which there is an established quantitative threshold or ratio which must be exceeded in order to be declared an Adverse Analytical Finding as described in the Equine Prohibited Substances List.

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*Trafficking* Selling, giving, transporting, sending, delivering or distributing or *Possessing* for any such purpose a *Banned Substance* (either physically or by electronic or other means).

*Use* The application, ingestion, injection or consumption by any means whatsoever of any *Prohibited Substance*.

*WADA* The World Anti-Doping Agency.