



Racing Integrity Board

Harness Racing Penalty Guide


1 October 2024



Contents

Introduction	4
Objectives	4
Penalties	5
Breaches of whip and rein regulations	10
Driving definitions	11
Careless driving.....	11
Improper driving	11
Incompetent driving.....	11
Reckless driving.....	11
Dangerous driving.....	12
Prohibited substances	13
TCO ² - Rule 1004(2)	13
Administration Offences	13
Presentation Offences	13

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Version	Description of change	Approved by	Approval date

Introduction

The First Edition of this RIB Penalty Guide was published on 1 February 2023. Since then, the Harness Racing New Zealand (HRNZ) Rules of Racing have been updated (effective 1 October 2024). This Penalty Guide has therefore been revised to ensure that penalties are in conformity with the updated rules.

Objectives

The overall objectives of this Penalty Guide are:

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

Penalties

- A reset period of 6 months or 200 drives, whichever arises first, will apply to all breaches except the Whip and Rein Regulations and serious racing matters
- A reset period of 2 months or 100 drives, whichever arises first, will apply to all breaches of the Whip and Rein Regulations
- All periods of suspension are “genuine” days and not “national” days
- All starting point penalties assume the severity of breach is mid-range except where penalties for low and high-range breaches are stated
- Penalties can be deferred up to 10 days
- No warnings will be issued for Group and Listed races
- Where the term “Group 1” is used that also includes races with a stake of \$100,000 or more
- References to starting point penalties for “Group/Listed Race” are for Group 3 and Listed races. Starting point penalties for Group 1 and Group 2 races will be higher.

Penalties for Australian drivers

- International licence holders’ penalty record is based on the New Zealand reset periods i.e. Whips 2 months or 100 drives, other offences 6 months or 200 drives.
- All penalties are formed from the New Zealand Penalty guide.
- When issuing suspensions these are based on what state/area the licence holder is licenced in also factoring in deferment provisions if required.

Rule	Description	Starting Point – 1 st breach	Starting point – 2 nd breach
303(2)	Misconduct, fail to comply with request, Fact dependent	\$600 fine	\$1000 fine
502A(1)	Incorrect horse brought to racecourse	\$400 fine	\$500 fine
502A(2)	Incorrect horse presented to race	\$400 fine	\$500 fine
507(1)	Breaking driving engagement	\$200 fine	\$300 fine
512(1)	Sample contains prohibited substance	8-week suspension	12-week suspension
512(2)	Fails or refuses to supply the sample	6-month suspension	12-month suspension
513(4)(b)	Fails or refuses to complete the alcohol breath test	6-month suspension	12-month suspension

Rule	Description	Starting Point – 1 st breach	Starting point – 2 nd breach
513(4) (c)	Excess breath alcohol level	4-week suspension	8-week suspension
858(1)(b)	Failure to follow directive of starter	\$300 fine	\$400 fine or 3-day suspension
858(1)(c), (j)	Rush ahead of position – mobile or moving start	\$200 fine	\$300 fine
858(1)(f), (g), (l)	Disrupting the start	3-day suspension	5-day suspension
859(1)	Horse starting in advance of proper mark	3-day suspension	4-day suspension
859(2)	Starting from incorrect barrier position if not disqualified	\$400 fine	\$500 fine
	If disqualified	3-day suspension	4-day suspension
863	Attempting to start horse in indifferent health, unsound or unfit condition	\$1000 fine	2-month suspension
864(1)	Using unapproved gear	\$400	\$500
868(1)	Cause or permit horse to run other than on its merits	4-month suspension	6-month suspension
	In any Group/Listed race	6-month suspension	9-month suspension
868(2)	Driver failing to take all reasonable and permissible measures to win or gain best possible placing	7-day suspension	10-day suspension
	In any Group/Listed race	10-day suspension	15-day suspension
868(3)	Fail to drive out to finish when reasonable chance of horse running in first 6 placings	Determined according to placing lost 1 st 7-day suspension 2 nd 5-day suspension 3 rd 4-day suspension 4 th 3-day suspension 5 th 2-day suspension	Determined according to placing lost 1 st 9-day suspension 2 nd 7-day suspension 3 rd 6-day suspension 4 th 5-day suspension 5 th 4-day suspension
	In any Group/Listed race	1 st 10-day suspension 2 nd 8-day suspension 3 rd 6-day suspension 4 th 5-day suspension 5 th 4-day suspension	1 st 12-day suspension 2 nd 10-day suspension 3 rd 8-day suspension 4 th 7-day suspension 5 th 6-day suspension

Rule	Description	Starting Point – 1 st breach	Starting point – 2 nd breach
Use of whip in contravention of Whip & Rein Regulations			
869(2)	More than wrist flicking motion or free of the rein or loose reining or continuous:		
	- low level	\$300 fine or 2-day suspension	3-day suspension
	- mid-level	\$500 fine or 2-day suspension	4-day suspension
	- high level	3-day suspension	5-day suspension
	More than wrist flicking motion or free of the rein or loose reining or continuous		
	Group 1 and any race with a stake of \$100,000 or more	7-day suspension	10-day suspension
	Group 2	5-day suspension	7-day suspension
	Group 3/Listed	3-day suspension	5-day suspension
	In addition, a fine equal to:		
	- low level breach – 12.5% of the driver's stake		
	- mid-level breach – 25% of the driver's stake		
	- high level breach – 50% of the driver's stake		
	Any other breach of Sections 2, 3 and 4 of the Whip & Rein Regulations	\$200 fine	\$300 fine
	Any other breach of Sections 2,3 and 4 of the Whip & Rein Regulations		
	- Group 1 and any race with a stake of \$100,000 or more	\$400 fine	\$600 fine
- Group 2	\$300 fine	\$500 fine	
- Group 3/Listed	\$250 fine	\$350 fine	

Rule	Description	Starting Point – 1 st breach	Starting point – 2 nd breach
869(3)(a)	Incompetent driving	8-day suspension	10-day suspension
	In a Group/Listed race	10-day suspension	12-day suspension
869(3)(b)	Careless driving		
	- Low level	\$300 fine or 2-day suspension	3-day suspension
	- Mid-level	\$500 fine or 2-day suspension	5-day suspension
	- High level	3-day suspension	7-day suspension
	- Causing relegation/ disqualification	4-day suspension	5-day suspension
	- In a Group/Listed race	5-day suspension	6-day suspension
	- Causing a fall	4-week suspension	2-month suspension
	Any time driver hits wheel (the consequences of this action go to penalty)	\$300 fine	3-day suspension
	In a Group/Listed race	\$400 fine or a suspension	5-day suspension
869(3)(c)	Reckless driving	10-day suspension	15-day suspension
	In a Group/Listed race	15-day suspension	20-day suspension
869(3)(d)	Dangerous driving	15-day suspension	20-day suspension
	In a Group/Listed race	20-day suspension	25-day suspension
869(3)(e)	In a foul manner	20-day suspension	25-day suspension
	In a Group/Listed race	25-day suspension	30-day suspension
869(3)(f)	Improper driving	8-day suspension	10-day suspension
	In a Group/Listed race	10-day suspension	12-day suspension
869(3)(g)	Diminishing chances		
	- Miscounting rounds - Race dueling	8-day suspension	10-day suspension
	In a Group/Listed race	10-day suspension	15-day suspension

Rule	Description	Starting Point – 1 st breach	Starting point – 2 nd breach
869(4)	Causing interference. Driver or horse doing something during a race which interferes or is likely to interfere with his own horse and/or any other horse or its progress.		
	- Low level	\$300 fine or 2-day suspension	3-day suspension
	- Mid-level	\$500 fine or 2-day suspension	5-day suspension
	- High level	3-day suspension	7-day suspension
	In a Group/Listed race	5-day suspension	7-day suspension
869(4), (6)(b)(c)	Push out rule	\$200 fine	3-day suspension
	In a Group/Listed race	\$400 fine or a 2-day suspension	5-day suspension
869(5)	Half carting	\$200 fine	\$250 fine
	In a Group/Listed race	\$400 fine	\$500 fine
869(7A)(a), (b) and (c)	Shifting inwards and causing another horse or sulky to contact or protrude inside marker line	\$300 fine	\$500 fine
	In a Group/Listed race	\$400 fine	\$600 fine
869(7B)	Sulky protruding inside marker line – causing a disqualification or relegation	3-day suspension	5-day suspension
	In a Group/Listed race	5-day suspension	7-day suspension
1001(1)(v)	Offensive, insulting, abusive language or behaviour to RIB staff and/or Administration Officials and/or license holders	\$1500 fine. Fact dependent. Period of suspension or disqualification may be considered	\$2500 fine. Fact dependent. Period of suspension or disqualification may be considered
	Where the language, behavior or conduct complained of has racial, ethnicity, sexual orientation or intimidatory connotations, overtones or references	2-month suspension or \$3000 fine. Fact dependent. Period of disqualification may be considered	4-month suspension or \$5,000 fine. Fact dependent. Period of disqualification may be considered
	Any other breach of any sub-Rule within Rules 1001 (1) and 1001A(2)	Fact dependent. A fine, period of suspension or disqualification may be considered	Fact dependent. A fine, period of suspension or disqualification may be considered

Breaches of whip and rein regulations

Stewards will determine if a breach of the [Whip and Rein Regulations](#) are addressed by either:

- speaking to the driver (education)
- a warning, or
- a charge.

Consideration should be given to the:

- severity of the breach (low, mid, or high)
- driver’s penalty history over the previous 2 months / 100 drives.

Notes:

- there is no definition of **continuous use**. Stewards will determine this depending on the specific circumstances if the threshold for a charge is met
- the **old whipping style** includes free hand, loose reining and/or more than a wrist flicking motion
- a **trivial breach** includes inadvertently using the whip free of the rein before returning to a compliant style.

Drivers will be penalised in accordance with the Penalty Guide, an overview is provided in the table below.

Breach type	Low Level	Mid-level	High-level
Definition	<p>The driver:</p> <ul style="list-style-type: none"> • inadvertently uses the old whipping style before promptly returning to the compliant style • uses the whip free of the rein before returning to a compliant style. 	<p>The driver inadvertently uses the old whipping style for approximately 50m or more before returning to a compliant style.</p>	<p>The driver shows total disregard for the Regulations and does not return to a compliant style.</p>
First offence OR not offended within 2 months / 100 drives	Starting point: \$300 fine or two days suspension	Starting point: \$500 fine or suspension of 2 days	Starting point: three-day suspension
Repeat offence within 2 months / 100 drives	Starting point: three-day suspension	Starting point: 4-day suspension	Starting point: five-day suspension

Driving definitions

Careless driving

Whether a person acts carelessly is a matter of fact. The issue is whether the driver exercised a degree of care and attention that a reasonable and prudent driver would exercise in the circumstances to ensure a lack of care and attention by the driver does not compromise his or her own safety and that of all others in the race.

It does not normally involve an intent to be careless or a failure to exercise reasonable care, although there may be occasions when the action is deliberate. It is not heeding or caring about the harmful consequences that may or are likely to in ignorance of the rules of harness racing, or did not mean to be careless, or is inexperienced or lacks the necessary skill.

Improper driving

'Improper' has several connotations. Improper can mean unseemly, unwarranted or not in accordance with the normal rules of conduct expected by a licence holder or driver competing in a race. Improper driving is something improperly done that is connected with the act of driving.

Improper driving includes cases where something is done which ought not to have been done, or something is omitted to be done and which is judged to be wrong but not necessarily within the description of careless, dangerous or reckless.

Incompetent driving

'Incompetent' means not having the skills to do something successfully, lacking the qualities needed for effective action or not having the ability to do something as it should be done. Incompetent driving occurs when the driver fails to exercise appropriate judgment and the standard of driving falls below that expected of a competent driver.

The more experienced the driver is, the greater the culpability. It is unintentionally doing something because the driver lacks the skills, and maybe the knowledge, to drive in a way that is expected of them in any given situation. To do so intentionally can more accurately be described as reckless. Incompetent driving need not just be momentarily but can occur over any length of time in a race and can involve a number of misjudgements.

Reckless driving

'Reckless' means to act in a manner heedless of the danger or untoward consequences to others or oneself. Recklessness involves a foresight of dangerous consequences that could well happen combined with an intention to continue the course of conduct or actions even though those consequences are a clear risk.

It is intentionally doing or omitting to do something which the driver recognises as likely to cause serious injury but who does not care whether it does or not. It involves indifference to the consequences of one's deliberate actions knowing or closing one's mind to the obvious fact that there is some risk of injury or damage resulting from those actions. That is, the driver does not care about the possible outcome or effect their behaviour will have on others. Recklessness involves a behavioural attitude.

Dangerous driving

This involves a quality in the manner of driving which in all circumstances is potentially dangerous to others who are either participating in the race or are members of the public in the vicinity. It involves more than momentary inattention or carelessness whether realised by the driver or not and involves causing or creating an actual or possible hazard that jeopardises the safety and wellbeing of others.

Prohibited substances

All penalties are starting points

TCO² - Rule 1004(2)

First offence	One year disqualification and a fine of up to \$20,000
Second offence	Two-year disqualification and fine of up to \$20,000
Third offence	Five-year disqualification and a fine of up to \$20,000

Administration Offences

First offence	Eighteen months disqualification
Second offence	Three-year disqualification
Third offence	Five-year disqualification

Presentation Offences

First offence	\$8,000 fine
Second offence	Two-year disqualification and fine of up to \$20,000