



PENALTY GUIDELINES

December 2021

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Purpose

The purpose of these guidelines is to provide advice to participants about the penalties that may be imposed where a disciplinary action offence is proven.

When the Commission imposes a penalty, it takes into account a number of important considerations including the need to:

- ensure a level playing field for all participants and the betting public;
- ensure that animal welfare is protected in the industry;
- maintain community trust and public confidence in the integrity of greyhound racing;
- deter the individual from committing similar offences;
- deter others in the industry from committing similar offences;
- demonstrate to the industry that the relevant conduct is not acceptable; and,
- ensure any punishment imposed is appropriate and proportionate, taking into account the specific circumstances of the individual and the offence committed.

The penalty ranges suggested in this document are only a guide and are not in any way mandatory. Any aggravating or mitigating circumstances that may exist in each individual case will also be considered. More information on the disciplinary action process can be found in the [Disciplinary Action Guide for Participants](#) on the GWIC website.

Prohibited Substance Penalties

The guidelines below distinguish three categories of prohibited substances.

Category 1: Permanently Banned Prohibited Substances

Category 1 substances are those substances referred to in Rule 79A of the Greyhound Racing Rules and include, but are not limited to:

- Anabolic and Androgenic Steroids including testosterone, nandrolone, methandrol, boldenone, stanozolol, HIF stabilisers.
- Illicit and controlled substances such as benzylpiperazine, morphine, buprenorphine, cocaine, amphetamines, methamphetamine, oxycodone, ketamine.
- **Category 1A:** EPO, gonadotropin, corticotropin, growth hormones, ITPP, SARMs.

Table 1: Category 1 Substances

MINIMUM STARTING POINT	
A reduction of 25% will be applied to the minimum starting point for an early guilty plea. Penalty will be increased by 50% where the substance is in Category 1A.	
First offence for any prohibited substance	2 year disqualification
One category 1 substance rule breach in previous 3 years	4 year disqualification
Second or subsequent category 1 substance rule breach in previous 5 years	6 year disqualification

Category 2: Prohibited substances – Stimulants, Depressants, Anti-depressants, Bronchodilators

Category 2 substances are those substances that have a pharmacological effect that is a stimulant, depressant, anti-depressant or bronchodilator, or similar effect, and include, but are not limited to:

- Caffeine and its metabolites theobromine, theophylline and paraxanthine; prolintane, heptaminol, atenolol, sotalol, timolol, alkaloids, xylazine, salbutamol, pentobarbitone and other barbiturates.
- Diazepam, minoxidil, Synephrine, venlafaxine, fluoxetine, pramiracetam, modafinil, ephedrine, meclonoxate, ethanol, arsenic, cobalt, clenbuterol.

Note: Allowable limits apply to some of these substances. Disciplinary action will be initiated only where testing reveals presence of a prohibited substance at a concentration greater than that permitted by the Greyhound Racing Rules.

Table 2: Category 2 Substances

MINIMUM STARTING POINT	
A reduction of 25% will be applied to the minimum starting point for an early guilty plea.	
First offence for any prohibited substance	4 month suspension
One category 2 substance rule breach in previous 3 years	8 month suspension
Second or subsequent category 2 substance rule breach in previous 5 years	18 month disqualification

Category 3: Prohibited substances – Painkillers, anaesthetics, other therapeutics

Category 3 substances are those substances that have a pharmacological effect that is a therapeutic, painkiller, anaesthetics, or similar effect, and include, but are not limited to:

- Tramadol, frusemide, dipyrene, metamizole.
- Non-Steroidal Anti-inflammatory Drugs (NSAIDs) including diclofenac, meloxicam, carprofen, ketoprofen, flunixin, piroxicam, tolfenamic acid, firocoxib, phenylbutazone.
- Local anaesthetics such as lignocaine, 3-hydroxylignocaine, bupivacaine, procaine.
- Corticosteroids such as dexamethasone, methylprednisolone, fludrocortisone, prednisolone.
- Anti-cramp or anti-spasmodic muscle relaxants and simple anti-cough medications such as hyoscine, cimetidine, ranitidine, frusemide, pholcodine, guaifenesin, dextromethorphan, quinine.

Note: Allowable limits apply to some of these substances. Disciplinary action will be initiated only where testing reveals presence of a prohibited substance at a concentration greater than that permitted by the Greyhound Racing Rules.

Table 3: Category 3 Substances

MINIMUM STARTING POINT	
A reduction of 25% will be applied to the minimum starting point for an early guilty plea.	
First offence for any prohibited substance	2 month suspension
One category 3 substance rule breach in previous 3 years	6 month suspension
Second or subsequent category 3 rule breach in previous 5 years	12 month suspension

Other Offences Relating to Prohibited Substances

Possession of a permanently banned prohibited substance (Rule 79A(7))

It is an offence under Rule 79A(7) to possess, at the premises used in relation to the training or racing of greyhounds, a permanently banned prohibited substance. Examples include those listed above under 'Category 1: Permanently Banned Prohibited Substances'.

Table 4: Possession of a permanently banned prohibited substance

MINIMUM STARTING POINT Unless special circumstances can be established	
A reduction of 25% will be applied to the minimum starting point for an early guilty plea. Penalty will be increased by 50% for possession of a Category 1A substance.	
First offence of this nature	12 month disqualification
One rule breach in previous 3 years	2 year disqualification
Second or subsequent rule breach in previous 5 years	3 year disqualification

Possession of prohibited substance (Rule 84)

It is an offence under Rule 84 to possess, at any place used in relation to the training or racing of greyhounds, a prohibited substance unless that substance has been registered or labelled, or prescribed, dispensed or obtained, in compliance with the relevant State or Commonwealth legislation.

Table 5: Possession of a prohibited substance

MINIMUM STARTING POINT Unless special circumstances can be established	
A reduction of 25% will be applied to the minimum starting point for an early guilty plea.	
First offence of this nature	\$200 fine
One rule breach in previous 3 years	\$500 fine
Second or subsequent rule breach in previous 5 years	2 month suspension

Raceday treatment (Rule 83A)

It is an offence under Rule 83A to administer, or cause to be administered, any treatment to a greyhound on the day of a meeting without Stewards' permission, until the greyhound is no longer presented for an Event.

Treatment includes:

- Controlled drugs administered by a veterinarian;
- Prescription animal remedies and prescription only medicines;
- Any injectable substances not already specified in Rule 83A;
- Pharmacist only and pharmacy only medicines;
- All veterinary and other substances containing other scheduled and unscheduled prohibited substances

Raceday treatment **does not** include the administration of a prohibited substance or permanently banned prohibited substance. These offences will attract a penalty in excess of those outlined at Tables One to Three above.

Table 6: Raceday treatment

MINIMUM STARTING POINT Unless special circumstances can be established	
A reduction of 25% will be applied to the minimum starting point for an early guilty plea.	
First offence of this nature	\$1,000 fine
One rule breach in previous 3 years	2 month suspension
Second or subsequent rule breach in previous 5 years	6 month suspension

Failing to provide a sample (Rule 86(h))

It is an offence under Rule 86(h) to prevent, attempt to prevent, interfere with or attempt to interfere with the carrying out of a test or examination, including the collection of a sample for the purposes of testing for prohibited substances, without the' permission of a steward or officer of the controlling body.

Table 7: Failing to provide a sample

MINIMUM STARTING POINT Unless special circumstances can be established	
A reduction of 25% will be applied to the minimum starting point for an early guilty plea.	
First offence of this nature	5 year disqualification
One rule breach in previous 3 years	7 year disqualification
Second or subsequent rule breach in previous 5 years	10 year disqualification

Offences Relating to Conduct and Welfare Matters

Treatment records to be kept (Rule 84A)

Under rule Rule 84A, all records regarding vaccinations, antiparasitics and medical treatments administered to a greyhound must be kept and retained for a minimum of two years and must be produced for inspection when requested. Keeping of health records is also a requirement under the NSW Greyhound Welfare Code of Practice.

Table 8: Failure to keep treatment records

MINIMUM STARTING POINT	
First offence of this nature	\$200 fine
One rule breach in previous 3 years	\$500 fine
Second or subsequent rule breach in previous 5 years	\$800 fine

Animal Welfare Offences

Any person who commits an animal welfare related offence will be issued with a minimum penalty in accordance with the following Penalties Table. These offences include, but are not limited to:

- A breach of Rule 106(1);
- A breach of Rule 106(2);
- A breach of Rule 86(ac);
- A breach of Rule 86(ae); and
- A breach of Rule 86(af).

Table 9: Animal welfare offences

MINIMUM STARTING POINT Unless special circumstances can be established	
A reduction of 25% will be applied to the minimum starting point for an early guilty plea.	
No reduction will be offered for a life disqualification.	
First offence of this nature	3 year disqualification
One rule breach in previous 3 years	5 year disqualification
Second or subsequent rule breach in previous 5 years	Life disqualification

Abuse of staff of the controlling body, industry officials

Any person who commits an offence involving abuse towards GWIC staff, industry officials or other participants will be issued with a minimum penalty in accordance with the following Penalties Table. These offences include, but are not limited to:

- A breach of Rule 86(f);
- A breach of Rule 86(g); and
- A breach of Rule 86(o).

Table 10: Abuse of staff

MINIMUM STARTING POINT Unless special circumstances can be established	
A reduction of 25% will be applied to the minimum starting point for an early guilty plea.	
First offence of this nature	9 month disqualification
One rule breach in previous 3 years	3 year disqualification
Second or subsequent rule breach in previous 5 years	5 year disqualification

Assault of staff of the controlling body, industry officials

Any person who commits an offence involving an assault on GWIC staff, industry officials or other participants will be issued with a minimum penalty in accordance with the following Penalties Table. These offences include, but are not limited to:

- A breach of Rule 86(g); and
- A breach of Rule 86(o).

Table 11: Assault of staff

MINIMUM STARTING POINT Unless special circumstances can be established	
A reduction of 25% will be applied to the minimum starting point for an early guilty plea.	
No reduction will be offered for a life disqualification.	
First offence of this nature	3 year disqualification
One rule breach in previous 3 years	5 year disqualification
Second or subsequent rule breach in previous 5 years	Life disqualification

Offences relating to luring and baiting

Any person who commits an offence relating to luring and baiting under Rule 86B will be issued with a minimum penalty in accordance with the provisions under Rule 86B, being **a *disqualification for a period of not less than 10 years***, unless a finding of special circumstances is made out.

Special Circumstances

The term “*special circumstances*” is a broad one, and an exhaustive statement of what constitutes special circumstances cannot be made. It describes circumstances that are out of the ordinary, unusual, or uncommon. Special circumstances may include one single special matter, a combination of special factors or a combination of ordinary factors which, when taken together, can be seen as special.

Special circumstances do not include subjective factors such as:

- A very lengthy contribution to the industry;
- Good character; or
- A good disciplinary history.

Fit and Proper Person Framework

Any person disqualified or warned off by the Commission is required to re-apply for a registration under Rule LR99C(2). The Commission will process any such re-application in accordance with the Commission’s Fit and Proper Person Framework, which can be found [here](#).