



CRITERIA

BRITISH HORSERACING AUTHORITY CRITERIA FOR THE GRANTING, RENEWING, WITHDRAWING OR SUSPENDING OF A RACECOURSE LICENCE

The application of the following Criteria, approved by the British Horseracing Authority (“**BHA**”), will determine whether or not a Racecourse Licence is granted or renewed (in each case, with or without conditions, which may be attached to a licence at the outset or during its term), withdrawn or suspended under Rules (B)4, 13 and 20 of the Rules of Racing (“**Rules**”).

All documents referred to in the Criteria are available on the BHA’s website at <https://www.britishhorseracing.com/regulation/licensing/forms-info/>. Any queries in relation to Racecourse Licences should be directed to Nicole Thompson on 02071520158 or via email racecourselicensing@britishhorseracing.com.

Defined terms used in the Criteria have the same meaning as in the Rules, unless otherwise stated. In the event of any conflict between the Criteria and the Rules, the Rules shall take precedence.

A Licensing Objectives

The BHA exercises its licensing function in accordance with the following Licensing Objectives, which have been developed in collaboration with the BHA’s Members:

- Maintain high standards of welfare and safety for both our equine and human participants;
- Ensure the sport is fair, clean and free from corruption;
- Ensure there is a clear and transparent framework for access to participation in the sport; and
- Promote participant and public confidence in the sport by ensuring proper standards of conduct and competence.

The Licensing Objectives apply to each category of licence, permit and registration issued by the BHA.

B Granting and Renewal of a Racecourse Licence

In order to consider an application for grant or renewal of a Racecourse Licence, the BHA requires:

- (i) submission of a fully completed Racecourse Licence Application Form, signed by the nominated representative of the Racecourse Managing Executive. The Racecourse Licence Application Form includes a requirement for the applicant to comply with the BHA’s Applications for a Racecourse Licence Suitability Policy;



- (ii) a report from an Inspector of Courses that the Managing Executive has complied with the British Horseracing Authority General Instructions (“**BHAGIs**”) specified in the statement of compliance accompanying the Racecourse Licence Application Form;
- (iii) submission of the Statement of Account in the form required by the BHA;
- (iv) in the event the BHA holds reasonable concerns that a Racecourse may be unable to operate and run a Racecourse in accordance with the Rules and BHAGIs, or that the grant or renewal of a Racecourse Licence would be inconsistent with the Licensing Objectives, such concerns to be resolved to the BHA’s satisfaction. The BHA will raise any such concerns with the applicant and work with the applicant to seek to resolve them. Any concerns that relate to the suitability of individuals will be assessed in accordance with the BHA’s Applications for a Racecourse Licence Suitability Policy;
- (v) where the applicant for a Racecourse Licence is a New Entrant (as defined in the BHA’s New Entrants Policy), compliance with the requirements of that policy.

Racecourse Licences are granted for a period of one year, unless the BHA considers a shorter period to be appropriate.

Procedure

All Racecourse Licence applications are processed by the BHA’s Racecourse Operations Department (with assistance from the Licensing Team, on matters relating to the Applications for a Racecourse Licence Suitability Policy) prior to consideration and approval (if appropriate) by the BHA Board.

Where the report from an Inspector of Courses identifies that a Racecourse is failing to comply with the BHAGIs, a Racecourse Licence may still be granted/renewed on condition(s) that the area(s) of non-compliance will be remedied during the period of the Licence, by a date determined by the BHA. This date will take account of the degree of non-compliance and the Fixture List of the Racecourse in question. On-going dispensations from the BHAGIs may also be agreed by the Inspector of Courses, where appropriate.

In exceptional circumstances, a Racecourse Licence may also be granted/renewed for a limited period during which time any improvements must be made. Where any Licence is to be granted or renewed subject to such condition(s), the decision to issue the Licence on that basis will be taken by the BHA Board. The Racecourse Managing Executive will be informed beforehand of the proposed condition(s) and invited to comment in writing before the decision is made.

C Refusal, Withdrawal and Suspension of a Racecourse Licence

The BHA is empowered to refuse, withdraw or suspend a Racecourse Licence in accordance with Rule (B)20 of the Rules. Examples, which are not exhaustive, of when this action may be taken include:



- (i) if there are reasonable grounds to believe that the Racecourse Managing Executive has not or will not be able to meet its financial commitments to racing arising from staging a race meeting;
- (ii) if there are reasonable grounds to believe that the Racecourse Managing Executive would not be able to conduct a meeting in accordance with the Rules and BHAGIs;
- (iii) if the grant, renewal or maintenance of a Racecourse Licence would be inconsistent with the Licensing Objectives.

Procedure

All decisions concerning the refusal, withdrawal or suspension of a Racecourse Licence will be taken in the first instance by the BHA Board, and only after allowing written submissions and/or oral submissions with legal representation, except in cases of emergency rendering a hearing impracticable.

D Appeals of Licensing decisions

In accordance with Rule (B)19, an applicant for a Racecourse Licence may appeal a decision of the BHA Board to refuse, withdraw or suspend a Racecourse Licence, or to attach conditions to a Racecourse Licence, to the independent Licensing Committee. Decisions of the independent Licensing Committee are final and binding.

E Disciplinary matters

Separately, the BHA may take disciplinary action against a Racecourse Managing Executive in respect of breaches of the Rules or BHAGIs. A flow chart setting out which matters relating to Racecourse Licences are dealt with by way of disciplinary action, and which are dealt with by way of licensing decisions in accordance with the process set out above, is attached at Annex 1.

Any queries in relation to disciplinary matters should be directed to Lauren Minchin on 020 7152 0126 or via disciplinary@britishhorseracing.com.

DETERMINATION OF LICENCE DECISIONS FLOW CHART

Licensing process

- Grant of a licence (including conditions or restrictions & interim conditions or restrictions)
- Refusal of a licence
- Withdrawal/Suspension of a licence (during its term)
- Failure to comply with conditions or restrictions imposed on licence (e.g. non-BHAGI related matters)

BHA Executive

Considers all relevant material as a whole relating to the applicant



BHA Board

Reviews proposal of Executive and acts as primary decision maker at first instance



Independent Licensing Committee

Case heard in accordance with Judicial Panel Code of Conduct
Appellant Body – full rehearing of the BHA Board decision
Final & binding decision and full written reasons published

Disciplinary process

- Rule breaches (includes BHAGI breaches)
- Failure to comply with conditions or restrictions imposed on licence (e.g. limited to BHAGI dispensations)

BHA Disciplinary Team

Considers specific incident & all evidence relating to matter & decide whether to pursue a formal charge, consulting with the Disciplinary Officer where appropriate



Independent Disciplinary Panel

Case heard in accordance with Judicial Panel Code of Conduct



Independent Appeal Board

Case heard in accordance with Judicial Panel Code of Conduct
Appellant Body – to review decision of DP (not full re-hearing)
Final & binding decision and full written reasons publish

Disciplinary Decision
Final & binding decision
with published reasons