

## **Guidelines for Betting Operators who have entered into a Commercial Arrangement with Jockeys and Trainers**

This note explains the requirements under the Rules of Racing on trainers and jockeys (ambassadors) who enter into a commercial arrangement with a betting operator. These non-exhaustive guidelines promote best practice and highlight the risks around the perceived misuse of inside information in an effort to protect the integrity of horsemen, betting operators and British Racing.

These guidelines should be viewed constructively by all parties and are not considered to be onerous. The document will be updated periodically to take account of any changes to the Rules or wider regulatory framework under which these arrangements operate.

### **1. Registration of a Commercial Arrangement**

In accordance with Rule (J)2 of the Rules of Racing, a jockey or trainer is required to notify the BHA as soon as is reasonably practicable when they enter into, or make any changes to, any ambassador arrangement with a betting operator.

Notification should be made through the following online forms:

- [Jockeys](#)
- [Trainers](#)

### **2. Perception**

All parties should be mindful of perception at all times. Whilst whatever content appears on media hosted by a betting operator or through their representatives may be considered to be perfectly appropriate and within the Rules of Racing, do consider how it might be perceived by the betting public and other stakeholders.

For further information on inside information and the restrictions on the use of such information, please refer to the following:

- BHA Rules of Racing – [Rule \(J\)16 Inside Information](#)
- BHA Integrity Education – [Corrupt Approaches and Inside Information](#)
- Gambling Commission – [Misuse of Inside Information](#)

Blogs – where your ambassador has a blog with a betting operator and it is ‘ghost-written’ by a third party engaged by the betting operator, the BHA strongly recommends that there is an appropriate document sign off procedure in place and at the very least the ambassador has proofread the blog before it is published.

Social Media – where a jockey or trainer use any social media accounts in their own name, these should be operated by the jockey or trainer or a representative appointed on their behalf. No employee or representative of a betting operator should be granted login access to, or have control over, such accounts.

Labelling marketing communications – the BHA draws your attention to the UK Code of Non-broadcast Advertising and Direct & Promotional Marketing (CAP Code) as any posts that you request the jockey or trainer make on their own social media under your ambassador arrangement may fall within its scope.

Under the CAP Code, any post on a jockey or trainer’s own social media accounts will qualify as an ad if the betting operator: (a) ‘paid’ the jockey or trainer in some way (can be freebies, doesn’t

have to be money), and (b) had some form of editorial 'control' over the content, including just final approval.

- **QUALIFIES AS AN AD:** *My exclusive thoughts on my rides on Day One of the Cheltenham Festival are now ready to read on my @ExampleBet Blog here: [LINK]*
- **NOT AN AD:** *Regrettably novice hurdler Mister Oats has sustained a nasty injury and will not be running at Newbury this weekend.*

Where a post qualifies as an ad:

1. The CAP Code states that ads must be 'obviously identifiable as such' and so you must use an identifier such as: Ad, Advert, Advertising, Advertisement Feature or #Ad.
2. CAP recommend staying away from: Sponsored, #Spon, In Association with...., Thanks to @Examplebet, just mentioning @ExampleBet.
3. This does not apply if the content is being posted by the betting operator themselves, or an employee of theirs.

Therefore, where you request your ambassador to promote your company and you retain a degree of editorial 'control' of their posts (e.g. it is part of your contract), then we would be grateful if you can remind your ambassador that they must put #ad in your social media posts. If they do not, it may create a damaging perception or there is a risk that a formal complaint is made to the ASA, who have the power to investigate and apply sanctions on the parties involved.

Further Information:

1. [CAP Influencers' Guide](#) (Strongly recommended)
2. [November 2018 Nicky Henderson ASA Ruling](#)
3. [CMA Press Release: Celebs investigated for not labelling posts](#)

### **3. Market Sensitive Information**

The appropriateness of the release of market sensitive information should be strongly considered by all ambassadors and betting operators before it is first made available to the public through media hosted by the betting operator (or its representatives). If in doubt, it is highly likely that the most suitable means of communicating the information to the public is either directly through the media outlets (e.g. PA, Racing Post etc.) or through the trainer's own communications channels (e.g. website or social media).

Particular attention should be given to 'high-profile' horses or races, e.g. those running in Graded races, feature handicaps, other early-closing races or any races where there is known to be an antepost betting market. Market sensitive information in this context could include, but is not limited to, jockey bookings, changes to publicly stated running plans, equine injuries and fatalities.

**Please note** where a trainer becomes aware that a horse he trains is entered but is not going to run in that race, the trainer must notify the Racing Calendar Office immediately and before any other announcement is made (see point 4).

Following such a notification to the Racing Calendar Office and once the information is in the public domain, if there is a desire, either from the ambassador or from the betting operator, to provide more information to the public around a piece of news, there is no reason (in terms of how this may be perceived) why this cannot be done through media hosted by the betting operator or its representatives, now this is no longer market sensitive.

#### **4. Scratching of Non-Runners**

When disseminating any information about the running plans of their horses, trainers must at all times be aware of their obligations under [paragraph 29 of the Race Entry Code](#) of the Rules of Racing.

Under this Code, trainers are required to immediately submit a scratching notice to the Racing Calendar Office when they become aware that a horse they train is not going to run in a race it has been entered for.

We draw to your attention to the following cases, which may constitute breaches of the Race Entry Code:

- a. If a trainer makes the non-runner news public through the trainer's own channels or through media hosted by/a representative of the betting operator before the scratching has been made; or
- b. If a trainer waits until the declaration to run stage and does not declare his horse, rather than scratching as soon as the horse was known to be a non-runner

#### **5. Promote both Racing and Responsible Gambling**

Please use your ambassador arrangement, including requesting the same of any third parties that you engage to produce content (e.g. ghost writers), to promote both the sport and Responsible Gambling. The sport is committed to increasing revenues in a socially responsible way and we all have a part to play.

#### **6. Queries**

If you have any queries regarding these guidelines or the acceptability of any arrangement, please contact George Coombs (02071520167/ [gcoombs@britishhorseracing.com](mailto:gcoombs@britishhorseracing.com)).