

**DISCIPLINARY ENQUIRY : CONTRAVENTION OF ARTICLE 912(3) OF
THE VETERINARY REGULATIONS OF THE SOUTH AFRICAN
NATIONAL EQUESTRIAN FEDERATION**

NOTIFICATION: DECISION OF JUDICIAL COMMITTEE

Horse: Ibanez
Passport No: 97504176
Person Responsible: Mrs R Michaletos (legal guardian of the minor competitor, Anthea Michaletos)
Owner: Mr A van Wyk
Event: SA Junior Championships
Prohibited Substance: Acepromazine
Specimen No: 0288
Bottle Seal Nos: "A" - NHA184403 (analysed)
"B" - NHA184416 (not analysed)

1. Composition of Judicial Committee

Adv Panayiotis Stais SC (chair)
Mr T Payne
Ms C von Ludwig

2. Date of Meeting

25 November 2008.

3. Articles of the General Regulations/Veterinary Regulations contravened

General Regulations: Article 00.1.36 read with 00.1.37.2, 02.4.1, 02.4.2.

Veterinary Regulations: Articles 906, 912, 926.

4. The Judicial Committee conducted a hearing.

5. The Judicial Committee took into consideration all the documents submitted to it at the hearing (including a report by Dr Schalk de Kock, Laboratory Director, National Horse Racing Authority of South Africa); as well as the *viva voce* evidence of the witnesses (including the owner, the person responsible, Mr D Pienaar - the Chief Steward at the Event, and Dr T Casey).

6. The Judicial Committee's decision (relating to the finding and penalties) was issued on 25 November 2008. This notification contains the finding and sanctions imposed. The reasons for the decision will be furnished shortly.

7. **Finding**

Both the competitor, Anthea Michaletos (represented by her legal guardian, Mrs R Michaletos), and the owner, Mr A van Wyk, are guilty of the offence of the use of the prohibited substance, as charged.

8. **Penalties**

- 8.1. The horse, Ibanez, and the competitor and owner are disqualified from all competitions at the Event.

- 8.2. All prize moneys, trophies, medals and prizes won by the horse-and-rider combination at any competition at the Event are to be forfeited and returned. In respect of prize money:

| | | |
|---------------------------|-----------------|------|
| SA Dressage Championship | 4 th | R600 |
| SA Freestyle Championship | 1 st | R700 |
| CI 10 EI Med Test JEM3 | 2 nd | R180 |
| CI 13 SA Champs | 4 th | R600 |
| CI 12 Med JM Test 2 | 1 st | R200 |

- 8.3. Should the horse-and-rider combination have been involved in a team combination, the team shall not necessarily be disqualified. However, the horse-and-rider combination shall be disqualified. Team scores shall be adjusted by deleting the disqualified team member (i.e. the competitor) from the classification. Should this reduce the team members to a number below that required for classification, then the team shall be eliminated in accordance with the relevant rules.

- 8.4. The competitor (represented by her legal guardian) and the owner shall be liable jointly and severally (the one paying the other to be absolved) to refund to SANEF 125% of the costs incurred by SANEF in respect of sampling, analysing and any other matters related to the analysis concerned of the prohibited substance, in the sum of R2 117.53; together with the costs of the hearing, including airfares (to be determined by SANEF).

- 8.5. The competitor and owner are each fined R5 000 each.

- 8.6. Both the competitor and owner are suspended for a period of three months with effect from 26 November 2008, during which period neither person shall take part in Recognised Events as a competitor or official or in the organisation of or participation in any Event under the jurisdiction of the FEI or SANEF or its Regional or Associated Bodies.
- 8.7. It is recommended that this decision shall be published.

PANAYIOTIS STAIS SC
CHAIRMAN: JUDICIAL COMMITTEE