

Protests / Objections

Rule 115. Protests/objections shall be made to the Stewards of the Jockey Club or the Stewards by either the nominator of a horse entered or declared for a race, or his Authorised Representative. Protests/objections shall be made to the Racing Stewards by the nominator or his Authorised Representative, or trainer or jockey of a horse that has competed in the race in respect of which the protest/objection is made.

- Rule 116. (1)** If a protest/objection to a horse engaged in a race be made not later than half-past ten in the morning of the day of the race the Stewards may require its qualification to be proved before the race and in default of such proof being given to their satisfaction they may declare the horse disqualified.
- (2) A protest/objection to the distance of a course officially designated must be made before a race.
- (3) A protest/objection to any decision of the Clerk of the Scales must be made at once.

- Rule 117. (1)** A protest/objection to the placing of a horse on the grounds of a cross, jostle or any act on the part of its jockey or of its not having run the proper course or of the race having been run on a wrong course or of any other matter occurring in the race or before weighing-in must be made before the jockey of the horse whose nominator or his Authorised Agent, trainer or jockey making the protest/objection is weighed-in.
- (2) A protest/objection on the ground that the jockey did not present himself to weigh-in or that he could not draw the correct weight except as provided by these Rules shall be lodged before the Stewards authorise the display of Weighed-In.
- (3) No protest/objection on any other ground than those provided for by this Rule shall be heard before the Stewards authorise the display of Weighed-In.
- (4) Any person qualified to make a protest/objection under these Rules shall be responsible for making an objection where reasonable grounds exist, irrespective of whether a Stewards inquiry has been displayed. Any person who in the opinion of the Stewards fails in his obligations under this Rule may be penalised.

- (5) Any person qualified to make a protest/objection under these Rules shall utilize all available measures to establish whether reasonable grounds exist to warrant the making of a protest/objection under these Rules. Any person who in the opinion of the Stewards fails in his obligations under this Rule may be penalised.

Rule 118. A protest/objection on any other ground than those provided for by the foregoing Rule shall be received within fourteen days of the conclusion of a meeting. Provided that in cases of alleged fraud or wilful mis-statement there shall be no limit to the time for objecting if the Stewards are satisfied there has been no unnecessary delay on the part of the objector.

- Rule 119.** (1) Protests/objections must be made to a Racing Steward or the Clerk of the Scales.
- (2) Protests/objections made after the running of a race must be made to the Stewards of the Jockey Club.
- (3) Other protests/objections must be made to a Steward, the Head of Raceday Operations, Tracks and Racing Facilities (for races held in Hong Kong) or the Deputy Executive Manager, Tracks and Racing Projects (CRC) (for races held at Conghua Racecourse).

Rule 121. The making of a frivolous protest/objection shall be an offence under these Rules. In the event of the Stewards deeming that a protest/objection is frivolous they may fine the objector.

Rule 122. A protest/objection may also be made by a Steward or Official of a meeting in his official capacity.

Rule 123. A Stewards inquiry called for within the time prescribed for the making of protests/objections on any matter in respect of which a protest/objection could be made shall have the force and consequences of a protest/objection and all relevant Rules shall operate as if a protest/objection had been lodged.

Rule 124. A protest/objection shall not be withdrawn without leave of the Stewards of the Jockey Club or the Stewards.

Rule 125. No person shall improperly deter or attempt to deter a person qualified to object from making a protest/objection under these Rules.

Rule 126. No person shall improperly encourage or improperly attempt to encourage a person qualified to object to make a protest/objection under these Rules.

- Rule 127.** (1) Every protest/objection shall be decided by the Stewards.
- (2) Every other protest/objection shall be decided by the Stewards of the Jockey Club or by such other body or panel delegated by them.

Rule 128. No horse shall be disqualified on account of any error or violation of these Rules in its entry which might have been corrected on payment of a fine but the Stewards of the Jockey Club may impose penalties upon any persons responsible for such errors.

Rule 129. Pending the determination of a protest/objection, any prize which the horse objected to may have won or may win in the race shall be withheld until the protest/objection is determined and any forfeit payable by the owner of any other horse shall be paid to and held by the Club for the person who may be entitled to it.

Appeals

Rule 130. Any person who has been penalised by the Stewards and is aggrieved by the relevant decision of the Stewards shall be entitled to appeal to the Stewards of the Jockey Club, except in the circumstances set out in Rule 131.

Rule 131. There shall be no right of appeal against a decision in the following circumstances: —

- (1) A protest/objection except for the imposition of any sanction for the bringing of such protest/objection.
- (2) A direction that a horse shall pass a specified trial or test or examination.
- (3) The eligibility of a horse to run in any race.
- (4) The declaration of a horse as a non-runner.

Rule 132. The Stewards of the Jockey Club may grant pending the determination of any appeal a suspension or variation of the decision appealed against.

- Rule 133.**
- (1) The appellant shall lodge a notice of appeal at the Registry Office within 3 days of the decision appealed against, together with such appeal fee as is determined by the Stewards of the Jockey Club.
 - (2) Within 4 days of the lodging of the notice of appeal, or within 4 days of his receipt of the transcript of evidence of the original inquiry whichever is the later, the appellant shall lodge his grounds of appeal at the Registry Office. If the appellant wishes to seek the leave of the Stewards of the Jockey Club to submit fresh evidence the grounds of appeal shall so state and include the reason(s) for such evidence not being submitted earlier. The submission shall contain the names of any new witnesses and a synopsis of the evidence they are to give or where no new witnesses are to be called a synopsis of any fresh evidence and a statement as to how such fresh evidence is to be introduced.