

**The Hong Kong Jockey Club**

**RULES OF RACING**

**and**

**INSTRUCTIONS**

**made by**

**The Stewards of The Hong Kong Jockey Club**

**Pursuant to Article 47**

**of the**

**Articles of Association of The Hong Kong Jockey Club**

**Revised for the 2023/2024 racing season**



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# The Hong Kong Jockey Club

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**TRANSLATION**

English version prevails over Chinese

Translation .....	Rule 6
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# THE HONG KONG JOCKEY CLUB

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## RULES OF RACING

**Revised for the 2023/2024 racing season**

### PREAMBLE

**Rule 1.** These Rules and Instructions may be cited as the Rules of Racing and Instructions of The Hong Kong Jockey Club.

These Rules and Instructions have been made by the Stewards of the Jockey Club in accordance with clause 3(xix) of the Memorandum of Association and Article 47 of the Articles of Association of the Club.

These Rules and Instructions shall become effective on and from the first day of the 2023/2024 Season.

The Stewards of the Jockey Club shall have the full power to make, repeal and amend these Rules and Instructions as they may deem necessary in accordance with Article 47 of the Articles of Association of the Club.

The objects of these Rules and Instructions are to regulate race meetings and racing matters held under the control and direction of the Stewards of the Jockey Club; to stringently enforce such Rules and Instructions; and to provide domestic laws and procedures for the fair, equitable and proper control and supervision of the sport of horse racing.

Any matter or matters arising during the currency of the previous Rules of Racing and Instructions, which are superseded by these Rules, shall be subject to the Rules of Racing and Instructions as they existed on the date on which any such matter or matters arose, and all decisions made under the superseded Rules and Instructions shall, unless otherwise determined by the Stewards of the Jockey Club, have validity under these Rules and Instructions.

## **Application of these Rules and Instructions**

- Rule 2.** Any person who takes part in any matter coming within these Rules and Instructions, as amended from time to time, thereby agrees to be bound by them. In particular, no person shall be licensed or registered in any way under these Rules unless he accepts in writing that he will be bound by these Rules while being so licensed or registered.
- Rule 3.** Any person subject to these Rules and Instructions who is aggrieved by any decision made under these Rules and Instructions by the administration of The Hong Kong Jockey Club, its Stewards, delegates, Officials, employees or representatives shall exhaust all avenues of redress available to him within the racing industry before taking any form of legal or other action that is available to him outside the racing industry.
- Rule 4.** These Rules and Instructions shall apply to all race meetings and races held under the control and direction of the Stewards of the Jockey Club, and to all racing control and supervision matters that may arise at other times.
- Rule 5.** Any act done or decision made by the Stewards of the Jockey Club or by the Stewards in the exercise or intended exercise of any power or authority conferred on them by or under any of these Rules or Instructions shall, except where otherwise provided for in the Rules, be final and conclusive.
- Rule 6.** In the event of any inconsistencies between the Chinese translation of these Rules and Instructions and this English version, this English language version shall prevail.

## **Definitions**

- Rule 7. (1)** The definitions for words and phrases provided by this Rule shall apply equally to the Rules of Racing and the Instructions and, unless the context shall otherwise specifically require, in such definitions: —
- (i) The masculine shall be deemed to include the feminine and the neuter, and vice versa.
  - (ii) The singular shall be deemed to include the plural, and vice versa.
  - (iii) Headings and/or subheadings and marginal notes are for guidance only, and shall not form part of the Rules of Racing and Instructions for the purpose of their interpretation.
  - (iv) Where ages of horses are specified the same shall be ascertained by reference to European reckoning.

- (2) In these Rules of Racing and Instructions the following words and phrases shall have or include the meanings hereby assigned to them, regardless of case: —

"**Acceptance**" has the same meaning as "**Declaration**" as defined in this Rule.

"**Advantage**" means anything which is reasonably considered by the Club to be of value or benefit to the offeree including but not limited to money, gifts, loans, services, contracts, employment, the exercise or forbearance from the exercise of certain rights, favours or discharge of liability in whole or in part.

"**Apprentice**" means a person who is indentured to the Club as an apprentice jockey and who holds a licence to ride for hire.

"**Arrears**" means any sums due from any person by virtue of these Rules.

"**Assistant Trainer**" means a person employed by the Club whom the Stewards of the Jockey Club license to assist a trainer.

"**Authorised Agent**" means an agent appointed by a document signed by an owner and lodged at the Registry Office; and includes sub-agent if authority to appoint a sub-agent is provided by the document. A person who holds a jockey's licence or an apprentice jockey's licence may not be an Authorised Agent.

"**Authorised Representative**" is a person who must be a Member appointed by an owner for any purpose provided for in these Rules. The appointment of an Authorised Representative shall be by such document as prescribed by the Stewards of the Jockey Club and subject to the approval of the Stewards of the Jockey Club; and such document shall be signed by the owner and his Authorised Representative and shall be lodged with the Registry Office.

"**Barrier Trials**" means official trials held both as an aid to training and as a means of testing a horse's tractability in the starting stalls and/or its soundness and suitability to race or to continue to race.

"**Bleeding**" means exercise-induced pulmonary haemorrhage (EIPH) and is evidenced by the appearance of blood at one or both nostrils of a horse, originating from the lungs; and "bled" shall be construed accordingly.

"**Blinkers**" means a garment fitted over a horse's head with holes for the eyes and ears, one or both eyeholes being fitted with cowls to obstruct all vision to the rear but permitting full forward vision.

"**Club**" or "**Jockey Club**" means The Hong Kong Jockey Club.

"**Condition Races**" include terms races, set weight races and handicaps with limited conditions, but exclude griffin races not covered by special prospectuses.

"**Conghua Racecourse**" means 香港赛马会从化马场 (Hong Kong Jockey Club Conghua Racecourse), the race horse training centre with buildings, enclosures and racetracks and other racing facilities located at the Conghua District in Guangzhou, People's Republic of China and operated by a wholly-owned subsidiary of the Club.

"**Correct Weight**" means the declared weight, including any overweight, at which a jockey is weighed-out by the Clerk of the Scales.

"**Cup**" means any prize not given in money.

"**Day**" means twenty-four hours finishing at midnight.

"**Declaration**" means written confirmation of the intention to start a horse in a race for which it is entered.

"**Entry**" means written nomination of a horse for a race, and "entered" has a similar meaning.

"**False Start**" means when the Starter considers a fair start has not been effected and orders the jockeys to return to the starting post.

"**Forfeit List**" means a record of arrears published under the authority of the Club.

"**Freelance Jockey**" means a jockey who is a graduate of The Hong Kong Jockey Club's Apprentice School and who has completed his apprenticeship.

"**Freelance Jockey's Licence**" means a licence granted to a Freelance Jockey.

**"Gene Editing"** means any process or treatment in respect of a horse which involves the insertion, deletion and/or replacement of DNA at a specific site in the genome of the horse.

**"Genetic Therapy"** means any therapy, method or process which involves the use or administration of oligomers or polymers of nucleic acid, nucleic acid analogues, genetically modified cells and gene editing agents which are capable, at any time, of directly or indirectly causing an action or effect on, and/or manipulating, gene expression in any mammalian body, including but not limited to gene editing agents with the capacity to alter genome sequences and/or the transcriptional, post-transcriptional or epigenetic regulation of gene expression.

**"Genome Editing"** means any process or treatment in respect of a horse which involves the insertion, deletion and/or replacement of DNA in the genome of the horse.

**"Griffin"** means a horse imported unraced by the authority of the Stewards of the Jockey Club.

**"Handicap"** means a race in which the weights to be carried by the horses are adjusted by the handicapper for the intended purpose of equalising their chances of winning.

**"Helmet"** means a helmet of a design approved by the Stewards to be worn by riders in races and during training to protect them from head trauma or injury.

**"Hong Kong"** or **"HKSAR"** means The Hong Kong Special Administrative Region.

**"Hood"** means a garment similar to blinkers incorporating ear covers but without eye cowls.

**"Horse"** means a registered thoroughbred including horse, colt, rig, gelding, mare and filly.

**"Inquiry"** means any inquiry conducted by the Stewards of the Jockey Club or the Stewards or a body of persons to which the Stewards of the Jockey Club have delegated any of their powers that involve the conducting of inquiries.

**"Inside Information"** means any information about:

- (i) any condition, abnormality, injury, or sickness or other matter affecting a horse's ability to train or race; or
- (ii) the likely performance of a horse in a race,

which is not publicly available.

Information is publicly available if it:

- (i) consists of a matter that is readily observable or known by the public; or
- (ii) has been disclosed or made known or made available in a manner that would bring it to the attention of the public.

**"Instructions"** means the Instructions of The Hong Kong Jockey Club made by the Stewards of the Jockey Club pursuant to Article 47 of the Articles of Association of the Club, and having the same force and effect as the Rules of Racing.

**"Jockey"** means a person who holds a licence to ride for hire and includes, save where otherwise expressly excluded, an apprentice.

**"Jockey Club Race(s)"** means any race held under the control and direction of the Stewards of the Jockey Club, whether in Hong Kong, Conghua Racecourse or elsewhere.

**"Licence"** means and includes any approval, consent, permission, permit to train or ride, given by the Stewards of the Jockey Club pursuant to these Rules.

**"Maiden"** means a horse which has never won a race at any recognised meeting in any country. In order for a horse to qualify as a maiden these conditions must be fulfilled at the time of starting.

**"Member"** means a Member of the Club as defined in the Club's Articles of Association.

**"Month"** means a calendar month.

**"Nominator"** means the person(s) in whose name a horse is entered for a race.

**"Non-Local Jockey"** means a jockey other than a Freelance Jockey.

**"Non-Local Jockey's Licence"** means a licence to ride granted to a non-local jockey.

**"Official"** means a person appointed from time to time by the Stewards of the Jockey Club to carry out any function under these Rules.

**"Official Racing Laboratory"** means a laboratory accredited in accordance with the requirements specified in paragraph 19 of Article 6A of the International Agreement administered by the International Federation of Horseracing Authorities.

**"Owner"** means each person, whether an individual or a member of a partnership or a manager of a syndicate, or an approved body corporate, registered in accordance with these Rules and includes an individual or a member of a partnership or a manager of a syndicate or any member of a company who or which is a registered owner in accordance with the Rules of a Recognised Racing Authority. The term **"Owner"** shall also include his Authorised Representative.

**"Pacifier"** means a garment similar to blinkers except that in place of cowls being fitted over one or both eyeholes, both eyeholes are covered with mesh.

**"Penalty"** includes the suspension from riding or of any permit or licence, disqualification and/or the imposition of a fine and **"punish"** has a similar meaning.

**"Person"** means an individual human being, and includes a body corporate.

**"Photograph"** means the official photograph of the horses in a race as they pass the Winning Post.

**"Plate"** means a race for which a prize or prizes of definite value are guaranteed by the Race Fund, to which is paid the entrance fee, forfeit, subscription or other contribution of owners.

**"Prohibited Substance"** means a substance originating externally which is prohibited in a racing horse and, whether or not it is a substance endogenous to the horse, falls within any of the categories specified by these Rules.

**"Prohibited Substance (Jockey)"** means a substance originating externally which is prohibited in a jockey when on a racecourse at the time specified by these Rules.

**"Protests/objections"** means an objection in relation to any incident occurring from the start to the finish of a race, or in relation to an allegation that a horse did not carry its correct weight, or an objection lodged in terms of the Rules.

**"Race"** includes each division of a divided race.

**"Race Fund"** means racing income derived from entries, fines, sale of publications and any other miscellaneous income not designated for either the Benevolent Fund or the Accident Fund.

**"Racecourse"** means, respectively, such buildings, enclosures and racetracks at which any Jockey Club Race take place, including the Racecourses located in Sha Tin and Happy Valley in Hong Kong and at Conghua Racecourse.

**"Racing Calendar"** means the official publication authorised under that name by the Club.

**"Racing Stewards"** means a body of Stewards constituted by these Rules, with powers and jurisdiction to effect and enforce these Rules on behalf of the Stewards of the Jockey Club as provided for by these Rules.

**"Recognised Meeting"** means a meeting held under the sanction of a Recognised Racing Authority.

**"Recognised Racing Authority"** means any Racing Authority whose jurisdiction is from time to time recognised by the Club and which gives effect to penalties and disabilities imposed by the Club.

**"Referred Sample"** means a reserved sample or portion of a reserved sample that is referred to an Official Racing Laboratory for confirmatory testing of the same sample. It is commonly known as B-sample.

**"Registry Office"** means the Registry Office of The Hong Kong Jockey Club located in Hong Kong.

**"Reserved Sample"** means a portion of a sample taken from a horse or person and retained for the purpose of further testing.

**"Rider"** means jockey, or apprentice jockey, or any other person who rides a horse on a racecourse in a race or during training, except where the context otherwise implies.

**"Rules of Racing"** means the Rules of Racing and Instructions of The Hong Kong Jockey Club made by the Stewards of the Jockey Club pursuant to Article 47 of the Articles of Association of the Club.

**"Safety Vest"** means a safety vest of a design approved by the Stewards to be worn by riders in races and during training to protect them from injury to the upper body.

**"Sample"** means a specimen in any quantity taken from the saliva, urine, sweat, breath, blood, hair, tissue, hide, body fluids or any excretion taken from any part or in contact with any part of a horse or person.

**"Season"** for the purposes of these Rules commences on the day following the last race day of the immediately preceding racing season and ends on the last race day of the racing season of the following year in accordance with the approved racing fixtures for the respective racing seasons.

**"Stalls Test"** means an official test held as a means of testing a horse's tractability in the starting stalls.

**"Stand down"** means an instruction to a licensed person by the Stewards of the Jockey Club or, as the case may be, by the Stewards, to temporarily desist from participation in any or all of the activities of the Club for a specified or indeterminate period, subject to such conditions the Stewards of the Jockey Club or, as the case may be, the Stewards may in their absolute discretion determine.

**"Starter's control"** means that the Starter is in sole control at the starting post.

**"Stewards"** means either the Racing Stewards or the Stipendiary Stewards.

**"Stewards of the Jockey Club"** means the Stewards of the Jockey Club for the time being elected and appointed in accordance with the Club's Articles of Association.

**"Stipendiary Stewards"** means Stewards employed and appointed by the Stewards of the Jockey Club with powers and jurisdiction to effect and enforce the Rules on behalf of the Stewards of the Jockey Club.

**"Suspension from Riding in Races"** means the withdrawal for a specified period of a jockey's privilege to ride in races, as provided for by these Rules.

**"Suspension of a licence"** means the removal for a specified period of the right of a licensed person to carry on with the activities permitted under the licence issued to him under these Rules and all rights and privileges attached thereto.

**"Syndicate"** means a syndicate as provided for by these Rules, and registered pursuant to these Rules.

**"The Rules"** or **"these Rules"** means the combination of the Rules of Racing of The Hong Kong Jockey Club and the Instructions of The Hong Kong Jockey Club.

**"Time of entry"** means the time fixed for the closing of entries for a race.

**"Trainer"** means a person who holds a licence to train horses granted by the Stewards of the Jockey Club.

**"Trainer Syndicate"** means a syndicate, under the administration of a Trainer, that may be formed, approved and registered by the Stewards of the Jockey Club in accordance with the Ownership Bye-laws for the sole purpose of horse racing.

**"Treatment"** means the administration of any substance by the oral or naso-gastric route, by injection, by topical application, by inhalation or by any other means, and includes without limitation prohibited substances and anything therapeutic, whether or not administered with the approval and/or the recommendation and/or under the supervision of the Veterinary Surgeon, or the administration or application of any physical procedure or therapy to a horse intended to have an effect.

**"Veterinary Officer"** means a qualified Veterinary Surgeon engaged by the Club or its subsidiary to provide regulatory veterinary duties at the relevant Racecourse(s) and included in the list of Officials published in the Racing Calendar.

**"Veterinary Surgeon"** means a qualified Veterinary Surgeon engaged by the Club or its subsidiary to provide clinical veterinary services at the relevant Racecourse(s) and included in the list of Officials published in the Racing Calendar.

**"Visor"** means a garment similar to blinkers in which both cowls have holes cut in them to permit limited side or rear vision.

**"Void Race"** means a race that is declared void in accordance with the provisions of these Rules; or is abandoned either before or after the horses have been declared to start; or is never run; or a fair result of which, in the opinion of the Stewards, is impossible to achieve.

**"Warned-Off"** means the status of a person who has been warned-off racecourses controlled by the Club.

**"Weight-for-Age"** means any race for which weights are allotted on a scale that is based on age, sex and the date on which a race is to be conducted.

**"Winner"** means either the horse or horses placed first for a race and confirmed in that placing, or the horse or horses confirmed as the first placegetter as a result of a sustained protest/objection.

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## **Powers of the Stewards of The Jockey Club**

**Rule 8.** In furtherance of the powers vested in the Stewards of the Jockey Club by the Memorandum and Articles of Association of the Club, for the purposes of these Rules the Stewards of the Jockey Club shall have the control and supervision of racing in Hong Kong and Conghua Racecourse, and shall have power at their absolute discretion: —

- (1) To fix the dates on which all meetings shall be held and in the case of emergency or expediency to order the abandonment of any race or race meeting or to make any alteration in the date of any such meeting and to supervise and make such alterations as they may think advisable in the programming of or the conditions of any race meeting or race.
- (2) Without giving any reason, to license or refuse to license, jockeys, trainers, assistant trainers, and to determine the procedure for the lodging and consideration of applications for licences.
- (3) To register or to refuse to register or to cancel any registration of persons or horses provided for by these Rules.
- (4) To accept or refuse entries for horses to run in any race or in races for a specified period, and to refuse to allow a horse already duly entered to run in any race, in which event the Stewards of the Jockey Club may direct the entrance money be refunded to the owner.
- (5) To allow or to refuse to allow any person to act or to continue to act as an Authorised Agent or Authorised Representative.
- (6) To make inquiry into and deal with any matters relating to racing whether such matters arise in Hong Kong, Conghua Racecourse or elsewhere, and to refer any such matter to the Stewards or others for investigation and report and to inquire at any time into the running of any horse upon any course or courses, whether or not a report concerning the same has been made or decision arrived at by the Stewards.
- (7) At any time to exercise any power conferred on Stewards by these Rules.
- (8) To entertain and determine appeals from decisions of the Stewards or the decisions of any person or body of persons to whom the Stewards may have delegated any of their powers.
- (9) To entertain and determine protests/objections.

- (10) To determine and regulate the form, procedure and conduct for any inquiries, appeals or protests/objections provided for by these Rules; provided that no hearing before or determination made by the Stewards of the Jockey Club may be rendered invalid or otherwise impugned for a defect in form or procedure.
- (11) To publish or authorise the publication of, in any newspaper, notice or otherwise, any penalty imposed or any decision or any action taken by them or by the Stewards respecting any matter or person.
- (12) To make and publish from time to time Instructions and which Instructions shall have the same force and effect as if one of these Rules.
- (13) To exercise any other powers conferred upon them by these Rules and to take such action as they deem necessary for the purpose of effecting and enforcing these Rules.
- (14) To make new Rules or modify the Rules of Racing or Instructions or any part thereof, or to suspend any Rule or Instruction or any part thereof for such period or periods as they deem fit without giving previous notice; provided they shall publish as soon as possible any action taken by them in accordance with this paragraph.
- (15) To penalise any person contravening the Rules or failing or refusing to comply with any proper direction of any Official, employee or other person acting under the authority of the Club or whose conduct or negligence has led or could have led to a breach of these Rules.
- (16) To penalise any licensed person or Official whose conduct or negligence or neglect in the performance of his duties has led, or could have led, to a breach of these Rules.
- (17) To withdraw or suspend the licence of any person who has committed any breaches of these Rules or if, in the opinion of the Stewards of the Jockey Club, the maintenance of the licence of such person may be prejudicial to the interests, integrity, proper conduct and/or reputation of horse racing and/or the Club.
- (18) To stand down any person holding a licence issued by the Club for such period and on such terms and conditions as the Stewards of the Jockey Club may think fit if, in their opinion, the continued participation of such person in horse racing or other activities of the Club may be prejudicial to the interests, integrity, proper conduct and/or good reputation of the Club and/or horse racing.
- (19) To warn-off any person who, in their opinion, is undesirable to persons associated with racing.

- (20) To confirm, adopt or enforce any penalty imposed by the Stewards or the administration of any overseas racing, trotting, harness racing or greyhound racing authorities as provided for elsewhere by these Rules.
  - (21) To make reciprocal arrangements with any overseas racing, trotting, harness racing or greyhound racing authorities for the recognition or enforcement of each other's penalties or exclusions.
  - (22) To annul or mitigate any penalty imposed by any person or body authorised by these Rules, subject to such conditions as the Stewards of the Jockey Club may impose.
  - (23) To prescribe the forms to be used under these Rules.
  - (24) To delegate to any person or body of persons all or any of their powers under these Rules.
  - (25) To make or publish from time to time policies, procedures, codes, or guidelines relating to matters under these Rules or Instructions or otherwise for the regulation of racing or upholding the integrity of racing.
  - (26) To waive, or exempt any person or horse from, any Rule or Instruction relating to any ownership requirement on conditions they think fit for the purposes of upholding or promoting the interests, integrity, conduct and/or reputation of horse racing.
- Rule 9.** If any matter arises which is not or which is alleged not to be provided for by these Rules it shall be determined by the Stewards of the Jockey Club.
- Rule 10.** The Stewards of the Jockey Club have control over and free access to all stands, rooms, enclosures and other places used for the purposes of racing and training under these Rules.

### **Jurisdiction of the Stewards**

- Rule 11.** (1) To assist in effecting and enforcing these Rules of Racing and Instructions, and in the control and supervision of racing, there are established two entities of Stewards, to be known as the Racing Stewards and the Stipendiary Stewards.
- (2) The Racing Stewards have exclusive jurisdiction, and may exercise the relevant powers conferred on Stewards by these Rules, in relation to race meetings and any prospective or retrospective matters that may arise or are continued in connection with any of such race meetings.

- (3) The Stipendiary Stewards have jurisdiction, and may exercise the relevant powers conferred on Stewards by these Rules, in relation to all matters arising between race meetings, but may investigate and report to the Racing Stewards on any race-meeting related matter referred to them by the Racing Stewards.
- (4) Except when the Stewards of the Jockey Club otherwise direct, the Racing Stewards shall be made up of: —
  - (i) A Steward of the Jockey Club, who shall be the Chairman, and may nominate his deputy from time to time.
  - (ii) A Voting Member or an Honorary Voting Member of the Club nominated by the Stewards of the Jockey Club or by the Chairman.
  - (iii) Such Stipendiary Stewards of the Club who are available, provided that one Stipendiary Steward may be exempted for other duties.
- (5) A quorum of the Racing Stewards shall be 3, each having one vote on any matter being determined, and the Chairman in addition to his deliberating vote may, in the event of equality of voting, exercise a casting vote.
- (6) The Stipendiary Stewards shall be made up of the Stipendiary Stewards and a Chief Stipendiary Steward or any person authorised to act in his place.
- (7) A quorum at any inquiry conducted by the Stipendiary Stewards shall be 3, each having one vote on any matter being determined, and the Chief Stipendiary Steward, or any person authorised to act in his place, in addition to his deliberating vote may, in the event of equality of voting, exercise a casting vote.
- (8) Any Steward of the Jockey Club may be invited by the Chief Stipendiary Steward to sit with the Stipendiary Stewards in any inquiry conducted by the Stipendiary Stewards, and may be counted as quorum, chair that inquiry and exercise any power of the Stipendiary Stewards at that inquiry (including but not limited to exercising a casting vote in the event of equality of voting).

## **Powers of the Stewards**

**Rule 12.** In addition to any other power elsewhere conferred on them by these Rules, the Stewards shall have the following powers in relation to race meetings and other racing matters in accordance with the allocation of jurisdictions provided for earlier in these Rules: —

- (1) To effect and enforce these Rules, Instructions, and so much of the Bye-laws and policies, procedure, codes or guidelines made by the Club as relate to the duties and responsibilities of Stewards elsewhere provided by these Rules.
- (2) To control and supervise race meetings.
- (3) To exclude from all places under their control every warned-off and disqualified person and all such persons or descriptions of persons excluded by the Stewards of the Jockey Club.
- (4) To control and have free access to all stands, rooms, enclosures and other places used for the purposes of any race meeting.
- (5) To make and, if necessary, vary all such arrangements for the conduct of any race meeting as they deem fit.
- (6) At any time to take possession for such period as they deem necessary of any horse whether or not such horse has been entered for or declared for or has started in a race for any purpose provided for by these Rules.
- (7) To report to the Stewards of the Jockey Club any case in which they have a reasonable suspicion that any person has committed a significant breach of the Rules.
- (8) In exceptional circumstances, or if the weather or ground be in an unfit state for running races, to postpone or abandon or transfer from grass to all-weather track all or any part of a day's racing or to postpone or abandon any races for that day whether before or after commencement of the meeting.
- (9) In the event that the track is obstructed in any way subsequent to the start of a race, resulting in perceived danger to runners, to abandon the race and declare the race void.
- (10) To determine all questions arising in reference to racing at the meeting, except as otherwise provided in these Rules.
- (11) At any time to order an examination of any horse by such person or persons as they think fit.

- (12) To take or cause to be taken any sample from a horse and/or to make or cause to be made any test in their opinion desirable to determine whether any horse has been administered or exposed to any prohibited substance, or has any prohibited substance present in the system of the horse.
- (13) To withdraw at their discretion any declared runner if a pre-race test taken from such horse is reported by the Chief Racing Chemist or other chemist authorised by him or another qualified person authorised by a Steward as positive or potentially positive for the presence of any prohibited substance.
- (14) To enter into, inspect and search the stable assigned to any trainer at any time and to take possession in the presence of the trainer or his representative of any article or substance or any feed or a sample of the feed, and to submit such article or substance or feed sample to the Chief Racing Chemist or any other appropriate testing laboratory for testing for the presence of any prohibited substance or substances or for any other purpose.
- (15) To stand down any jockey without assigning any reason and if they think fit to substitute another jockey.
- (16) To prohibit any horse from starting in a race.
- (17) To order the removal of any shoes, racing plates, equipment or gear which has not been approved by the Stewards for use on that horse or which in their opinion is unsuitable, unsafe or ineffective or unable to be applied and to penalise any person responsible for the use of the same.
- (18) To order the withdrawal of a horse from any race at any time if in their opinion it is unsuitable to run or unable to start without unreasonable delay, or for any other reason.
- (19) To declare any horse which has had an unfair start to be a non-runner provided that no horse which is declared first, second, third or fourth place in a race shall be so declared a non-runner.
- (20) To declare a non-runner or disqualify for the race any horse which in their opinion gained an unfair advantage at the start.
- (21) In exceptional circumstances to extend the time allowed for weighing-out, declaring weighed-in, for starting or for any other circumstance required by the Rules or conditions of a race.
- (22) To stand in the place or stead of the Judge or his authorised substitute in the circumstances provided for by these Rules.

- (23) To penalise the owner, trainer, jockey and/or any other person found to be responsible for not allowing a horse to run on its merits in any race at the meeting or at any other meeting at which any one or more of them officiated as Racing Stewards notwithstanding that no inquiry was held into the running of the horse in this/these other race(s).
- (24) To disqualify for such time and for such races as they shall determine any horse which has been the subject of fraudulent practice within the meaning of these Rules.
- (25) To order that future entries or declarations be not accepted for any horse the performances of which in their opinion have been unduly inconsistent.
- (26) To penalise any person who, in their opinion, has been responsible for or has been a party to the unduly inconsistent running of any horse.
- (27) To exclude at their discretion any person from all or any places under their control.
- (28) To inquire into, regulate, control, take cognisance of and adjudicate upon, the conduct of all officials, owners, nominators, trainers, jockeys, riders, stable assistants, persons attendant upon horses or otherwise working in or visiting the stables, and of all persons frequenting the stands or other places used for the purpose of the meeting.
- (29) To determine and regulate the form, procedure, and conduct for any inquiry under these Rules provided no inquiry or determination made by the Stewards may be rendered invalid or otherwise impugned for a defect in form or procedure.
- (30) By notices exhibited on indicator boards or elsewhere and by any form of public address system at the racecourse to state and announce that a protest/objection has been lodged, the subject and nature thereof, and also their decision in respect of such protest/objection, or of any other matter coming within their jurisdiction.
- (31) To penalise any person who in the opinion of the Stewards has committed any breach of any of these Rules.
- (32) To penalise any licensed person whose conduct or negligence in the performance of his duties has led or could have led to a breach of these Rules.
- (33) To penalise any person who refuses or fails to comply with any proper direction of any Official, employee or other person acting under the authority of the Club.

- (34) To penalise any person who obstructs them in the exercise of their powers and duties.
- (35) To report to the Stewards of the Jockey Club on their stewardship in respect of each race meeting; on any Deputy Steward or Official appointed; on all complaints and protests/objections made to them and their decisions thereon; on any incident between the time any jockey weighed-out and weighed-in, and the result of any inquiry into the incident; on all penalties imposed; and any other significant incidents at such meeting.
- (36) To order any jockey declared or available to ride in a race or who has ridden in a race or who is to ride a horse in training or who has ridden a horse in training to undergo an examination and/or to supply samples of breath, blood, hair, sufficient urine or other body fluids for subsequent analysis, including but not limited to, the testing for the presence of any prohibited substances.
- (37) To require any horse to pass one or a series of barrier trials and/or stalls tests and/or any other test before it is declared to run again.
- (38) To investigate, inquire into and determine any matter that falls within the general scope of their duties and responsibilities, is within their powers under these Rules, or has been referred to them by the Stewards of the Jockey Club, and to appoint investigators to assist in or conduct any investigation.
- (39) To declare void any race or to order any race to be started again.
- (40) To require production of, take possession of, impound or to direct that access is provided to examine information by any means on any appliance, apparatus, instrument, article, system, application or account (including but not limited to mobile telephone, computer, electronic device, book, document or records, e-wallets, social media applications or applications used for cloud-based or remote storage) (“Devices”) capable of receiving, transmitting, storing, accessing or otherwise containing any information that may be used in contravention of these Rules or relevant to a meeting, investigation or inquiry, and to copy, download or image any such information from or through the Devices in any manner.
- (41) To determine whether a jockey who has been properly engaged to ride a horse in a race but not permitted to fulfil such riding engagement should be paid the riding fee or a portion thereof.

- (42) To withdraw at their discretion any declared runner which has received any treatment on the day on which it has been declared to race (i.e. race day).
- (43) To investigate, inquire into, and determine any matter or incident arising from a barrier trial or during track work.
- (44) To immediately stand down a Jockey from riding in a race, at a race meeting and/or riding track work if, in the opinion of the Stewards, the continued participation of the rider in races, race meetings or track work may be prejudicial to the integrity, proper conduct and/or safety of horse racing and/or racing operations.
- (45) To immediately stand down a Trainer or Assistant Trainer from participating in a race meeting, track work or training, if, in the opinion of the Stewards, the continued participation of such person in racing or training activities may be prejudicial to the integrity, proper conduct and/or safety of horse racing and/or racing operations.
- (46) To constitute a riding skills panel for the purposes of mentoring or providing remedial or technique training to a Jockey, and direct a Jockey to attend such panel at such frequency as the Stewards think fit.

**Rule 13.** The Stewards shall not entertain any disputes relating to private transactions.

### **Application for Licence**

**Rule 14.** By applying for a licence each applicant is deemed to have agreed to be bound by the Rules of Racing, Instructions, and Bye-laws that: —

- (1) a licence, unless and until withdrawn pursuant to these Rules, shall continue valid for the racing season or part racing season with respect to which it is issued, but upon expiry or prior withdrawal the rights and/or privileges conferred shall cease and determine absolutely;
- (2) a licence may be withdrawn or suspended by the Stewards of the Jockey Club if they shall determine that the licence holder's conduct, whether or not conduct associated with racing, renders him unsuitable to continue to hold the licence issued to him;
- (3) the Stewards of the Jockey Club may impose such conditions as they consider appropriate either when issuing a licence or at any time during the period of its validity; and
- (4) the fees to be paid in respect of a licence shall be such as the Stewards of the Jockey Club shall from time to time decide.

- Rule 15.** (1) An applicant for a freelance jockey's licence for the first time shall be entitled to make representations in support of his application and the Stewards of the Jockey Club may determine that an inquiry should be held before the application is rejected.
- (2) Any application for a freelance jockey's licence by an existing holder will not be rejected without an inquiry.
- Rule 16.** (1) Any application for a non-local jockey's licence whether by a first-time applicant or by a non-local jockey who holds or has ever held a licence to ride issued by the Stewards of the Jockey Club under these Rules may be rejected without an inquiry and no reasons for the rejection need be given.
- (2) A determination of the Stewards of the Jockey Club not to grant a non-local jockey's licence shall be final and there shall be no right of appeal against any such determination.

### **Licensing Committee**

- Rule 17.** To assist the Stewards of the Jockey Club in the licensing of persons there is established a Licensing Committee, the Chairman of which shall be a Steward of the Jockey Club. The composition of the Licensing Committee shall be in accordance with the provisions of the Articles of Association of the Jockey Club and shall comprise of not less than three persons. The members of the Licensing Committee shall be Stewards but other Members of the Jockey Club may be specifically appointed by the Stewards of the Jockey Club to hear and decide upon a particular matter.
- Rule 18.** (1) The Licensing Committee shall determine all matters relating to the licensing of persons under these Rules, including the issue, renewal, variation, suspension, cancellation and withdrawal of licences.
- (2) Without limiting any other Rules or the power of the Stewards of the Jockey Club, the Licensing Committee may: —
- (i) immediately stand down or suspend the licence of a person charged with a criminal offence in Hong Kong or elsewhere which is associated with horse racing, betting or bookmaking until the conclusion of those criminal proceedings;

- (ii) stand down or suspend the licence of a person charged with other criminal offences in Hong Kong or elsewhere until the conclusion of those criminal proceedings if the Licensing Committee is of the opinion that continued participation of such person in racing or activities of the Club or the maintenance of the licence of such person might be prejudicial to the interests, integrity, proper conduct and/or good reputation of the Club and/or horse racing;
- (iii) stand down or suspend the licence of a person pending the determination of any inquiry or proceedings conducted under these Rules if the Licensing Committee is of the opinion that continued participation of such person in racing or activities of the Club or the maintenance of the licence of such person might be prejudicial to the interests, integrity, proper conduct and/or good reputation of the Club and/or horse racing; or
- (iv) otherwise stand down or suspend the licence of a person under Rule 8 (17) or (18).

**Rule 19.** The Licensing Committee may determine and regulate the form of and the procedure for any inquiries it may hold. The Licensing Committee may invite Officials to attend the hearing of any inquiry it may hold to make such representations as Officials consider to be relevant for the Licensing Committee to consider in its deliberations at the inquiry.

**Rule 20.** Any person attending or required to attend before the Licensing Committee shall not be entitled to be represented by any other person, provided that

- (1) An apprentice may be represented by his allocated trainer or another trainer acting for his allocated trainer.
- (2) A person attending or required to attend before the Licensing Committee in any hearing under these Rules may be legally represented by leave of the Licensing Committee.

### **Licensing Appeals**

**Rule 21.** (1) Except in the circumstances set out in Rule 16 (2), any licensed person aggrieved by a decision of the Licensing Committee under these Rules may appeal against such decision to the Stewards of the Jockey Club in accordance with Rules 21 and 22.

- (2) The Stewards of the Jockey Club may grant pending the determination of any appeal a suspension of the decision appealed against.

- (3) 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.
  - (4) Within 4 days of his receipt of the transcript of evidence of the original inquiry, 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.
  - (5) The notice of appeal and the grounds of appeal must be signed by the appellant.
  - (6) In calculating time for the purposes of appeals, Saturdays, Sundays and public holidays shall not be included.
  - (7) In the event of the Stewards of the Jockey Club deciding that the appeal is frivolous or vexatious they may fine the appellant or make any other such order as they deem appropriate, and in addition may order the forfeiture of his deposited appeal fee.
- Rule 22.**
- (1) The appeal shall be heard by a panel appointed by the Stewards of the Jockey Club. If less than three Stewards of the Jockey Club are available or if the Stewards of the Jockey Club shall see fit, the Stewards of the Jockey Club may appoint one or more Member(s) of the Club to the appeal panel for a particular appeal. No member of the Licensing Committee against whose decision is appealed may sit on the appeal panel.
  - (2) The Stewards of the Jockey Club may determine and regulate the procedure and conduct of the appeal either generally or in respect of the particular appeal.
  - (3) On the hearing of the appeal, the Stewards of the Jockey Club may:—
    - (i) Uphold the decision appealed from in whole or in part or vary the same in such manner as they think fit; and/or
    - (ii) Refer any matter back to the original tribunal for further hearing or consideration or for rehearing; and/or

- (iii) Reverse such decision; and/or
  - (iv) Order that all costs and expenses in relation to and/or occasioned by the appeal and/or any reasonable compensation for outlay incurred shall be paid by such person or persons and in such proportions as they may think fit.
- (4) The appellant and Officials shall each be entitled to legal representation at any appeal.

#### **Penalties for Offences**

- Rule 23.** (1) Any person or body authorised by these Rules to penalise any person or to disqualify a horse for a race or generally may, subject to any applicable law, do so by disqualification or suspension for any period or for any indefinite period and may in lieu thereof or in addition thereto impose a fine not exceeding HK\$600,000 or may impose only a fine not exceeding HK\$600,000. Provided that the power to warn-off is reserved to the Stewards of the Jockey Club.
- (2) A penalty of suspension imposed by the Stewards may commence with immediate effect or may be deferred for a defined period. A penalty of disqualification takes immediate effect.
- (3) No person shall be entitled to make any claim by reason of the imposition, annulment, removal, mitigation or remission of any penalty imposed under these Rules.
- (4) No Official or Member of the Club shall be liable to any person for any loss or damage sustained by that person arising out of the exercise of any right, privilege, power, duty or discretion conferred or imposed under these Rules.
- (5) Notwithstanding anything in these Rules contained, when an appeal has been duly instituted against a suspension or disqualification imposed under these Rules the Stewards of the Jockey Club may subject to such conditions as they may impose, suspend the operation in whole or in part of the Rules imposing disabilities upon suspended or disqualified persons and horses until the determination of such appeal.

## Officials

- Rule 24.** (1) The following Officials shall be appointed by the Stewards of the Jockey Club: Racing Stewards, Stipendiary Stewards, Head of Raceday Operations, Tracks and Racing Facilities (for races in Hong Kong), Deputy Executive Manager, Tracks and Racing Projects (CRC) (for races at Conghua Racecourse), Handicapper, Clerk of the Scales, Judge, Honorary Judge, Starter, Deputy Starter, Veterinary Officer and Veterinary Surgeon.
- (2) All other Officials shall be appointed for every meeting by the Stewards of the Jockey Club. No two offices for the same fixture shall be held by one person, unless by special permission of the Stewards of the Jockey Club.
- Rule 25.** When necessary, the Stewards may during a race meeting appoint a substitute to fill any of the abovenamed offices for that meeting only.
- Rule 26.** Every complaint against an Official shall be made to the Stewards in writing and be signed by the complainant.

### **Head of Raceday Operations, Tracks and Racing Facilities / Deputy Executive Manager, Tracks and Racing Projects (CRC)**

- Rule 27.** The Head of Raceday Operations, Tracks and Racing Facilities (or his authorised substitute), and the Deputy Executive Manager, Tracks and Racing Projects (CRC) (or his authorised substitute) are the sole persons responsible to the Stewards for the general arrangements of the meeting and the proper maintenance, measurement and marking of the course in Hong Kong and Conghua Racecourse respectively; and shall: —
- (1) ensure that all horses running at the meeting are saddled in the saddling area and brought into the parade ring a reasonable time before the signal to mount is given, provided that the Stewards shall determine whether or not the racecourse stabling forms part of the saddling area;
- (2) ensure that a clean number cloth of a pattern approved by the Stewards of the Jockey Club is provided for every horse for which a jockey presents himself to be weighed-out;
- (3) in the event of any horse not being brought into the parade ring by the required time, report the matter to the Stewards.

- Rule 28.** (1) The only persons permitted in the parade ring before a race are Officials of the meeting and the owners, trainers, jockeys and attendants of the horses that are to run in such race. Provided that the Stewards may permit any other person to be in the parade ring. Any person who refuses or fails to leave the parade ring when requested or directed to do so commits an offence.
- (2) Except with the permission of the Stewards no horse shall be brought into the saddling area unless it has been declared to run at the meeting, and no horse shall be brought into the parade ring except if it is to run in the next race.

#### **Clerk of the Scales**

**Rule 29.** The Clerk of the Scales shall: —

- (1) Weigh the jockeys in accordance with the conditions of the race and these Rules.
- (2) Ensure that extra weight or any variation from the weight appearing on the programme be declared at scale, and also any alteration of colours. In the event of a dead-heat each horse running the dead-heat is deemed to be a winner.
- (3) Notify any change in the weight to be carried by a horse which is different from its allocated weight.
- (4) Weigh-in the jockeys of all horses placed by the Judge and the jockeys of any other horse or horses as required by the Stewards; and report to the Stewards any jockey not presenting himself to be weighed-in, not drawing the correct weight or carrying overweight which has not been declared at the time of weighing-out.
- (5) At the close of each day's racing send a return of the weights carried in every race and the names of the jockeys specifying over-weight (if any).
- (6) The Clerk of the Scales shall not without the permission of the Stewards weigh-out any jockey who presents himself above two pounds over his allocated weight.
- (7) When weighing-out or weighing-in, no account shall be taken of fractions of less than a pound.

## **Handicapper**

**Rule 30.** The Handicapper in making a handicap shall allot the weights to be carried in accordance with the definition of a handicap. The weights for all handicaps shall be published and no alteration shall be made to a weight after the day of publication, except that by express permission of the Stewards, a weight may be affixed for a horse duly entered, but whose name or weight has been omitted from the handicap; or a correction may be made when, through an error, an incorrect weight has been published. Such alterations or additions may only be made up to the time of declarations.

## **The Judge**

**Rule 31.** The Judge or his authorised substitute shall: —

- (1) At the finish of any race, place every horse participating in the race.
- (2) Announce his decision in respect of the first four horses and such further number of horses as directed by the Stewards immediately after the horses pass the winning post or after consulting the video monitor or photograph and shall base his decision exclusively on the position of the horses' noses at the time they pass the winning post. Such decision shall be final unless a protest/objection to the winner or any placed horses is made and sustained. Provided that this Rule shall not prevent a Judge before the weighed-in signal is given from correcting any mistake, such correction being subject to confirmation by the Stewards. In the event that the Stewards are satisfied on the evidence of the video monitor or photograph that the Judge has made an incorrect decision in the determination of the placings, the Stewards may correct such decision and alter the placings accordingly. Further provided that the Stewards may in exceptional circumstances declare void any race a fair result of which is, in their opinion, impossible to achieve.
- (3) At the close of each day's racing, sign a report of the result of each race.
- (4) In the event of the Judge or his authorised substitute being unavailable or, in the opinion of the Stewards, is or was unable, because of illness or otherwise, properly to place the horses as they pass or passed the winning post, the Stewards shall stand in the place or stead of the Judge or his authorised substitute and assume and exercise the responsibilities, powers and duties conferred on him by this Rule.

## **Starter and Starting**

- Rule 32.** (1) The Starter shall, prior to the race meeting commencing, obtain a list of runners for each race.
- (2) Every horse shall be at the starting post ready to start at the appointed time. Provided the permission of the Stewards has first been obtained, horses may be led to the starting post by Officials appointed by the Club.
- (3) On arrival at the starting post all jockeys must immediately place themselves under the control of the Starter. Any jockey who fails to comply with a proper direction of the Starter or his authorised substitute or who otherwise misconducts himself while under the control of the Starter commits an offence.
- (4) The horses must be started by the Starter or his authorised substitute and all races shall be started from starting stalls.
- (5) The Starter or his authorised substitute shall call over the names of the runners, order the horses to the places drawn by lot and shall ensure that all horses are placed into the allocated stall in accordance with the official draw. The jockey who has drawn No. 1 shall be placed on the right and other jockeys shall take their places in the order previously determined by lot, in consecutive numbers from the right. Provided that the Starter or his authorised substitute has power to vary this procedure in the interests of timely, safe and efficient loading.
- (6) The Starter shall give all orders necessary for securing a fair start.
- (7) Permission may be given by the Starter for a horse to be assisted in the starting stalls or the Starter may himself order a horse to be assisted in any stall.
- (8) Should the Starter form the opinion that for any reason a horse is unable to start he shall at once refer the matter to the Stewards and act in accordance with their instructions.
- (9) The Starter shall report to the Stewards any jockey who misconducts himself while under his control.

- (10) (i) Should the Starter consider that through any faulty action of the starting stalls, or for any other reason, a fair start has not been effected he shall declare it a false start and order the jockeys, by any available means, to return to the starting post. The Starter's decision on these points shall be final. When the Starter has declared a false start, the Stewards may order the race to be abandoned and thereby declared void.
- (ii) Should the Starter declare a false start and is unable to so notify the jockeys, the Stewards shall order the race to be abandoned and thereby declared void.
- (11) A start in front of the starting post or on a wrong course is void and the horses may be started again as soon as practicable but in the event of any horse running the course from a false start or from a void start, the trainer or owner may with the consent of the Stewards withdraw his horse from the race. A start before the appointed time may be declared void by the Stewards.

### Horses

- Rule 33.** (1) All licensed, registered and approved persons shall comply with the requirements of animal welfare by taking such measures as should result in all horses under the control of the Club being cared for and treated in a humane and proper manner.
- (2) Any licensed, registered or approved person may be penalised if in the opinion of the Stewards such person has committed an act which compromises or impacts or has the potential to compromise or impact on the welfare of a horse.

**Rule 34.** The age of a horse shall be reckoned as follows: —

- (1) For a horse foaled in the Northern Hemisphere from 1st January in the year which it is foaled;
- (2) For a horse foaled in South America from 1st July in the year which it is foaled;
- (3) For a horse foaled in the Southern Hemisphere (other than South America) between the first day of July and the thirty-first day of December: —
- (i) from the first day of August in the year in which it was foaled if its dam was first covered on or after the first day of September in the previous year, as that covering is recorded by the Stud Book.

- (ii) from the first day of August in the year previous to the year in which it was foaled if its dam was first covered before the first day of September in the year previous to the year in which it was foaled, as that covering is recorded in the Stud Book.
- (4) For a horse foaled in the Southern Hemisphere (other than South America) between the first day of January and the thirtieth day of June, from the first day of August in the year previous to the year in which it was foaled.

### **Registration of Names**

- Rule 35.**
- (1) A name may be registered for a horse only by application to the Club on the prescribed form signed by or on behalf of the owner of the horse unless otherwise ordered by the Stewards of the Jockey Club.
  - (2) If the name is available within the criteria laid down by the Stewards of the Jockey Club the name will, after registration, be the horse's name under these Rules.
  - (3) When a name is registered by the Club for a horse foaled outside Hong Kong a letter code will, if necessary, be added to denote the country of origin.
  - (4) A name may not be changed for any horse whose name has been registered by another Recognised Racing Authority without notifying that Recognised Racing Authority.
  - (5) When a horse has been registered by the Club no change of name will be permitted except with the permission of the Stewards of the Jockey Club.
  - (6) If a same or similar name, whether in English or Chinese, be simultaneously claimed for two horses the order of priority shall be determined by lot at the Registry Office.
  - (7) Every provision contained in this Rule shall be subject to the power conferred upon the Stewards of the Jockey Club by these Rules to register or to refuse to register or to cancel any registration of a horse, notwithstanding any contrary implication which may be contained in any such provision.
- Rule 36.**
- (1) No horse may be entered for or take part in any official test if such horse is unbranded.
  - (2) No horse may be entered for or take part in any barrier trial or race unless such horse is branded and has a registered name.

**Rule 37.** Before a name can be registered by the Club for a horse which has been permanently imported there must have been deposited with the Registry Office:—

- (1) A certificate of pedigree stating the name, pedigree, age, sex and colour of the horse and any mark by which it may be identified, signed by the official Stud Book authority of the country in which the horse was foaled. Should there not be an official Stud Book, the Stewards of the Jockey Club will accept the horse's passport or a certificate signed by the competent authority of the Recognised Racing Authority.
- (2) Should the name of the sire and/or dam of the horse not be registered or be unknown, a statement of that fact shall be made together with such further identification information by way of distinguishing marks and the way in which the horse was obtained.
- (3) A certificate that the horse is under no embargo in the country from which it came.

**Rule 38.** Any horse stabled and/or trained outside Hong Kong or outside Conghua Racecourse may be registered by the Club providing the name, colour, sex, age and pedigree of the horse are given, but any horse named under this Rule may not run for any race until there have been deposited at the Registry Office:—

- (1) A certificate of pedigree stating the name, pedigree, age, sex and colour of the horse and any marks by which it may be identified signed by the official Stud Book authority of the country in which the horse was foaled. Should there not be an official Stud Book, the Stewards of the Jockey Club will accept the horse's passport or a certificate signed by the competent authority of the Recognised Racing Authority.

### **Registration as Owners**

**Rule 39.** (1) Only the following persons may be registered as owners:—

- (i) Eligible Members of the Club as specified in the Ownership Bye-laws and their spouse or children in accordance with Rule 39 (4) and Rule 39 (5).
- (ii) Approved partnerships and syndicates formed by eligible persons as specified in the Ownership Bye-laws.
- (iii) A body corporate approved by the Stewards of the Jockey Club.

- (iv) Persons, members of partnerships or syndicates or body corporate registered as owners of any Recognised Racing Authority and invited to register as visiting owners by the Stewards of the Jockey Club.
- (2) The Stewards of the Jockey Club shall maintain a register of the names of owners.
- (3) Every horse shall race in the actual name of the owner as registered with the Club. The name of each sole owner or part-owner of a horse will be published as part of the racing information.
- (4) A sole owner may race a horse jointly with his or her spouse, who may or may not be a Member. However, in such case, the spouse shall not be entitled to any share of the horse and will not be treated as an owner or one of the partners.
- (5) A sole owner may race a horse jointly with his child or children who is or are Racing Club Members. However, in such case, the child or children shall not be entitled to any share of the horse and will not be treated as an owner or one of the partners.
- (6) The fee for registration for each horse payable by a sole owner, partnership or syndicate will be at such rate as determined by the Stewards of the Jockey Club from time to time.

### **Ownership and Contingencies**

- Rule 40.** (1) Ownership of a horse must be absolute in the sense it is not subject to any arrangement whereby a third party may have some continuing or future interest in the horse. Such arrangements or interests shall include, but are not limited to, credit or deferred payment arrangements, any interest in the prize money, leases, leaseback, options to repurchase or return of the horse back to the original owner or any third party when it retires from racing.
- (2) Notwithstanding Rule 40 (1), a horse may be purchased by the owner subject to contingencies. A contingency may include payment of additional money by the owner dependent upon future performance, or any breeding arrangement for a horse subsequent to its retirement from racing provided that such payment or arrangement shall not in any way affect absolute ownership of the horse as set out in Rule 40 (1) whilst registered with the Club and a declaration is made pursuant to Rule 40 (3).

- (3) Acquiring a horse by way of gift (which for the purpose of this Rule 40 means transfer of a horse without any purchase consideration, for nominal consideration or for discharge of any debt or obligation owed by the donor to the owner) is not allowed except when such horse is acquired directly from: —
- (i) an immediate family member(s) (including a parent, spouse, child, sibling, grandparent or grandchild of the owner, or a parent or sibling of the spouse of the owner); or
  - (ii) a vendor or agent as a replacement horse within a reasonable period of time from the retirement of the horse previously sold to the owner by the same vendor or agent.
- (4) An owner must on application for registration of the horse declare in a specified form, amongst other things, the following: —
- (i) Where a horse is acquired by way of gift, the owner must provide such information or document as required to satisfy the Club that the ownership of the horse is absolute pursuant to Rule 40(1).
  - (ii) Where a horse is purchased with contingencies, the existence and nature of such contingencies.
  - (iii) The identity of any agent involved in the purchase of the horse. For the purpose this Rule 40, agent means any consignor, bloodstock agent, racing or stud manager or any other person or entity who advises and/or represents a principal in the sale or purchase of bloodstock, whether or not such agent is paid by way of retainer, commission or other forms of remuneration or as part of on-going or future financial arrangements. The owner shall use his best endeavours to procure the agent to complete a declaration of interest form and return the completed form with the application for registration of the horse.
- (5) An owner may transfer up to 50% of his or her interest in a horse to his or her spouse or children, who must be an eligible Member as specified in the Ownership Bye-laws, subject to payment of the applicable registration fee in accordance with the Rules. In the case of a partnership, the transfer is subject to Rule 41 (2) and the number of partners shall not exceed four (4) as a result of the transfer.
- (6) The leasing of horses registered with the Club is prohibited.

- (7) An owner shall provide such information or documents as requested by the Club from time to time in relation to the purchase or the acquisition or otherwise the ownership of his or her horse.
- (8) The Stewards of the Jockey Club may refuse registration of any horse which is subject to contingencies or acquired by the owner by way of gift without providing any reason.

### **Partnerships**

- Rule 41.** (1) Where a horse is owned by a partnership (which shall comprise not more than four persons who must be an eligible Member as specified in the Ownership Bye-laws), the name and address of every person having an interest in such horse and the relative proportions of such interest must be declared in specified form and signed by all the partners or their Authorised Agent.
- (2) All members of a partnership shall be jointly and severally liable for any entrance money, stake, forfeit or any other liability in respect of the horse. No partner shall assign his share or any part thereof in a horse without the consent of all other partners.

### **Racing Colours**

- Rule 42.** (1) Every owner, part-owner, partnership or syndicate in whose name a horse is to run is required to register colours by application to the Registry Office and colours so registered shall not be taken by any other person. Once registered, colours cannot be changed without specific authority from the Stewards of the Jockey Club. All disputes as to the right to particular colours shall be settled by the Stewards of the Jockey Club.
- (2) When an owner, part-owner, partnership or syndicate has more than one runner in a race, the runners shall carry different coloured caps to distinguish them. The allocation of the cap colours in these circumstances shall be selected by the Registry Office at the time of declaration.

## Syndicates

**Rule 43.** Syndicates may be formed, approved and registered by the Stewards of the Jockey Club for the sole purpose of horse racing and the conditions of syndicate membership and its operation will be as follows: —

- (1) A syndicate must consist of not less than five members and not more than 50 members. In the event of this number subsequently falling below five persons, for reasons beyond the syndicate's control, the syndicate shall apply to the Stewards of the Jockey Club for approval to continue to race until such time as they can raise the number of members to five.
- (2) All members of a Syndicate must be eligible persons as specified in the Ownership Bye-laws.
- (3) A syndicate with five to eight members will be required to nominate two or three managers and a syndicate with nine to 50 members will be required to nominate three managers. All syndicate managers must be an eligible Member as specified in the Ownership Bye-laws and a founder member or have been a member of the syndicate for at least three years. They will be treated as joint owners and will be subject to all the liabilities, duties and privileges of ownership.
- (4) Membership of a syndicate, other than as a manager, shall not constitute ownership for the purposes of the provision which governs the right of those that already own five horses, either as a sole owner, a partner or a syndicate manager, to take part in a ballot. In all other aspects the Rules governing ownership continue to apply.
- (5) Any eligible person as specified in the Ownership Bye-laws shall be permitted to join up to four approved syndicates, either as a syndicate manager or an ordinary member.
- (6) Although it will be permitted for such syndicates to own more than one horse, separate syndicates for different horses within one club or approved body will not be permitted.
- (7) The names of the members of a syndicate and those of the nominated managers together with a copy of the agreement between them signed by each member shall be lodged at the Registry Office.
- (8) Any subsequent alteration to an agreement must have the approval of the Stewards of the Jockey Club before any such alteration may be duly registered.

- (9) A horse in which a syndicate is interested shall not be eligible to be entered for or to run in any race whilst any member of the syndicate is a disqualified person and in the event of any such member becoming a disqualified person the registration of any syndicate agreement in respect of the horse shall automatically lapse.
- (10) Applications for renewal of registration of a syndicate shall be made annually in the month of August subject to payment of a prescribed fee which shall be determined by the Stewards of the Jockey Club.
- (11) Every registration of a syndicate with names of all the current managers and members shall be published on a regular basis in such manner as the Club may decide from time to time.
- (12) Every member of a syndicate shall in all respects and for all purposes be bound by the Rules of Racing and Instructions and Bye-laws of the Jockey Club irrespective of the nature or extent of the interest or rights of such member in the syndicate and irrespective of the provisions of any constitution governing the syndicate or any agreement between the members of the syndicate.
- (13) Any member of a syndicate committing a breach of any of the Rules of Racing and Instructions and Bye-laws of the Jockey Club relating to syndicates or failing to comply with any of the requirements there of may be penalised by the Stewards of the Jockey Club who may also disqualify any horse owned by the syndicate.
- (14) Every provision contained in these Rules governing syndicates shall also apply to Trainer Syndicates.

#### **Authorised Representatives**

- Rule 44.**
- (1) An owner may seek the approval of the Stewards of the Jockey Club to the appointment of an Authorised Representative to represent the owner when the owner is to be absent from Hong Kong and during any such absences the Authorised Representative may exercise all rights with respect to the owner's horse in all dealings with the owner's Authorised Agent.
  - (2) If an owner is unable to manage his horse, his Authorised Representative may, with the permission in writing of the Stewards of the Jockey Club, manage the owner's horse in his place or stead.
  - (3) The Stewards of the Jockey Club shall maintain a register of the name of each Authorised Representative.

## Veterinary

- Rule 46.** (1) The Veterinary Officer and the Veterinary Surgeon have the authority to carry out any veterinary procedures which in their professional opinion, are necessary either in the interests of the individual horse, or of overall equine health, or of racing in general.
- (2) The Veterinary Officer and the Veterinary Surgeon have the authority to collect or cause to be collected, and to use, samples from horses, and to obtain or cause to be obtained, and to use, radiographs, images and veterinary records of horses for any purpose they consider necessary, including for testing, diagnostic, treatment, education, research or publication purposes. Samples include blood, tissue, body parts, hair and whole cadavers. Provided however that in exercising this power the Veterinary Officer and Veterinary Surgeon shall in all cases be subject to supervision by persons authorised by the Board of Stewards, and furthermore shall wherever appropriate obtain approval from a body established to grant ethics approval for the taking and/or use of samples from horses. Provided further that the ownership of any sample, radiograph, image or veterinary record collected under the authority of this rule vests in the Club and the Club owns all right, title or interest (including but not limited to copyright) in any research, paper or published material which relates in any way to the use of any sample, radiograph, image or veterinary record which has been collected under the authority of this rule.
- Rule 47.** (1) The Veterinary Officer and the Veterinary Surgeon have responsibility for the integrity, health, and welfare of horses under the control of the Stewards of the Jockey Club, and shall bring to the attention of the Stewards of the Jockey Club or the Stewards any matters that could affect or could have affected the performance of a horse in a race.
- (2) The Veterinary Officer may at any time enter any stable and inspect any horse as the Veterinary Officer or the Stewards may require.
- Rule 48.** In the event of any horse being so injured that in the opinion of the Stewards or the Veterinary Officer or the Veterinary Surgeon, the euthanasia of such horse is advisable in order to save unnecessary suffering, they may order such horse to be euthanized by such person as they consider suitable.

## Trainers

**Rule 49.** Every trainer and assistant trainer of a horse running under these Rules must be the holder of a licence issued by the Stewards of the Jockey Club pursuant to these Rules. Each trainer is required to have an assistant trainer allocated to his stable at all times.

**Rule 50.** Each trainer shall: —

- (1) conduct his business properly and with due regard to the interest of his owners and is responsible for the good management and training of horses in his charge;
- (2) be responsible for all matters pertaining to the running of his stable including stable routine, the wellbeing and proper feeding and care of the horses in his care, security inside the stable and the work of the stable staff allocated to him;
- (3) conduct his business and fulfil his responsibilities in compliance with all proper directions of his owners and of the Club;
- (4) fulfil his obligations to his retained jockey, if any, in accordance with the document lodged and registered as provided for by these Rules;
- (5) fulfil his responsibilities in compliance with the Club's Bye-laws, the Trainers' Code of Conduct and the Trainers' Handbook;
- (6) as soon as practicable report to the Veterinary Officer or the Veterinary Surgeon any condition, abnormality, injury, or sickness to any horse under his care; and
- (7) as soon as practicable report to the Veterinary Officer any veterinary condition having the potential to affect, or which might have affected, a horse's performance in any race.

**Rule 51.** Any trainer who fails to fulfil any one or more of his responsibilities commits an offence under these Rules.

**Rule 52.** Licences or permits are issued to trainers and assistant trainers on the condition that they shall not own, lease or in any other way have any interest in the ownership of any racehorse.

**Rule 53.** No trainer shall: —

- (1) present for racing a horse that is unsuitable in any respect to race;
- (2) fail to report to the Stewards any matter that may affect or may have affected his horse's performance in any race;
- (3) present for a race, barrier trial/stalls test or to participate in track work a horse that has been carelessly or neglectfully saddled;

- (4) fail to bring into the parade ring by the required time any horse in his charge that is to race.

### Jockeys

**Rule 54.** (1) No person shall ride in any race run under these Rules until he has obtained the appropriate licence granted by the Stewards of the Jockey Club pursuant to these Rules.

- (2) Each jockey shall conduct his business and fulfil his responsibilities in compliance with the Jockeys' Code of Conduct and with all proper directions of his owners and trainers and of the Club.

**Rule 55.** (1) Unless the Stewards of the Jockey Club otherwise determine, no licence shall be granted to any person as a jockey unless he shall have been indentured to the Club or held a licence as a jockey under the Rules of Racing of any Recognised Racing Authority.

- (2) A jockey who rides in any race other than a Jockey Club Race may not be permitted to ride or resume riding under these Rules unless he produces to the Stewards from the racing authority within whose jurisdiction he last rode a certificate stating that when he left that jurisdiction he was under no disability.

**Rule 56.** (1) Unless otherwise provided in the conditions of a race a freelance jockey shall be entitled from the date of being so licensed, to claim in any flat race an allowance on the following scale, viz: —

If he has not ridden 20 winners:	10 lbs
If he has ridden 20 winners but has not ridden 45 winners:	7 lbs
If he has ridden 45 winners but has not ridden 70 winners:	5 lbs
If he has ridden 70 winners but has not ridden 95 winners:	3 lbs
If he has ridden 95 winners but has not ridden 250 winners:	2 lbs

For the purposes of calculating the eligibility of a freelance jockey to a weight allowance in a Jockey Club Race, a winning ride as a jockey or as an apprentice jockey in any race which is not held under the control and direction of the Club will only be taken into account if such race has Group or Listed status.

Provided that winners ridden by a freelance jockey in any race conducted under these Rules, whether before or after he was apprenticed, shall for the purpose of ascertaining his allowance be included in the count. In the event of a dead-heat each horse running the dead-heat is deemed to be a winner.

- (2) Every freelance jockey shall be entitled to claim the same allowance throughout a day of racing as he was entitled to claim at the beginning of that day.
- (3) Every freelance jockey shall report to the Registry Office and the Stewards if and when such freelance jockey has ridden 20, 45, 70, 95 or 250 winners as the case may be. In the event of a dead-heat each horse running the dead-heat is deemed to be a winner.
- (4) The Stewards may fine, suspend or disqualify not only any freelance jockey claiming an allowance to which he is not entitled but also any person in any way concurring in or conniving at a freelance jockey making such claim. They may also disqualify for the race any horse which has been ridden in a race by a freelance jockey whose weight in the race has been adjusted by an allowance to which he was not entitled.

### **Apprentices**

- Rule 57.**
- (1) All apprentice indenture agreements shall contain such provisions as shall be prescribed and approved by the Stewards of the Jockey Club and shall be for a period of one year. Extensions from year to year may be granted following a review by the Stewards. Apprentice indenture agreements shall be lodged with the Club.
  - (2) An apprentice shall be allocated to a trainer by the Stewards on such terms as the Stewards may from time to time decide.
  - (3) An apprentice may be granted by the Stewards of the Jockey Club permission to ride in races with the consent of the trainer to whom he is allocated.
  - (4) All apprentice indenture agreements will not normally be extended beyond a period of six years, provided that the apprentice may continue to ride until the conclusion of the season in which his indenture expires. However, in exceptional circumstances the Licensing Committee may further extend any indenture agreement.
  - (5) All engagements for an apprentice to ride in races shall be made by the trainer to whom he is allocated and no apprentice shall without the permission of either that trainer or the Stewards ride in any race for any person other than that trainer.
  - (6) The Stewards of the Jockey Club may permit an apprentice not indentured to the Club to ride in any Jockey Club Race if they are satisfied that at the relevant time such apprentice is entitled to ride in races in the country in which he is indentured.

- (7) An apprentice shall not misconduct himself in any way whether in Hong Kong, Conghua Racecourse or elsewhere.
- (8) The Stewards may at any time suspend or terminate the indenture agreement of an apprentice.
- (9) No apprentice who is eligible to claim a 10 lb or 7 lb weight allowance shall be permitted to ride in any Group race nor in any race in the 4-Y-O Classic Series. Further, no apprentice who is eligible to claim a 5 lb weight allowance shall be permitted to ride in any Group race which is conducted under terms conditions nor in any race in the 4-Y-O Classic Series.
- (10) Subject to any policy that may be issued by the Club to employees and/or licensed persons from time to time, all gratuities to apprentices shall be paid to the Club to be held in accordance with the terms and conditions of the apprentice indenture agreement.
- (11) Subject to any policy that may be issued by the Club to employees and/or licensed persons from time to time, in the event of any apprentice receiving a gratuity or any trainer receiving a gratuity on behalf of an apprentice the same shall be paid within seven days to the Club and shall be held in accordance with the conditions of the apprentice indenture agreement.

### **Apprentice Allowances**

**Rule 58. (1)** Unless otherwise provided in the conditions of a race any apprentice who shall have been granted permission to ride in races shall be entitled from the date of receiving such permission, while his apprenticeship continues, to claim in any flat race an allowance on the following scale, viz: —

If he has not ridden 20 winners:	10 lbs
If he has ridden 20 winners but has not ridden 45 winners:	7 lbs
If he has ridden 45 winners but has not ridden 70 winners:	5 lbs
If he has ridden 70 winners but has not ridden 95 winners:	3 lbs
If he has ridden 95 winners:	2 lbs

For the purposes of calculating the eligibility of an apprentice to a weight allowance in a Jockey Club Race, a winning ride as an apprentice in any race other than a Jockey Club Race will only be taken into account if such race has Group or Listed status. Provided always that this Rule does not apply to a visiting apprentice.

- (2) Every apprentice shall be entitled to claim the same allowance throughout a day of racing as he was entitled to claim at the beginning of that day.

- (3) Every apprentice and the trainer to whom he is allocated shall report to the Registry Office and the Stewards if and when such apprentice has ridden 20, 45, 70 or 95 winners as the case may be.
- (4) The Stewards may fine, suspend or disqualify not only any apprentice claiming an allowance to which he is not entitled but also any person in any way concurring in or conniving at an apprentice making such claim. They may also disqualify for the race any horse which has been ridden in a race by an apprentice whose weight in the race has been adjusted by an allowance to which he was not entitled.
- (5) Winners ridden by an apprentice in any race conducted under these Rules, whether before or after he has been apprenticed, shall for the purpose of ascertaining his allowance be included in the count. In the event of a dead-heat each horse running the dead-heat is deemed to be a winner.

### **Offences by Jockeys**

**Rule 59.** No jockey shall: —

- (1) Notwithstanding Rule 155 (17), give, disclose or otherwise make available any inside information regarding any horse he:
  - (i) Has ridden or was to ride in training; or
  - (ii) Is to ride, was to ride or has ridden in a race,To any person other than the owner or trainer of such horse, or Club officials or Stewards or any other persons authorised by the Club.
- (2) Notwithstanding Rule 151 (4), solicit, accept or agree to accept any advantage in connection with any race in which he rides or is to ride except from the nominator of the horse he rides or is to ride in such race or otherwise with the written permission of the Club.
- (3) Bet or facilitate the making of a bet or have any interest in a bet on any race or any contingency relating to a race meeting.
- (4) Own, take a lease of or have any interest in any racehorse.
- (5) Refuse or fail to submit himself to an examination and/or to supply or allow to be taken such samples of his breath, blood, hair, urine or other body fluids as may be ordered by the Stewards under these Rules.
- (6) Interfere with, or attempt to interfere with, obstruct or attempt to obstruct the taking of samples as provided for elsewhere in these Rules.

- (7) While under the control of the Starter at the starting post: —
  - (i) Refuse or fail to comply in any respect with any order of the Starter.
  - (ii) Fail to respond to any order or indication of an order by the Starter in relation to his declaration of a false start.
- (8) Fail or neglect to advise the Stewards of any injury, sickness, abnormality or condition that may affect or may have affected him in the performance of his riding duties.
- (9) Weigh-out or attempt to weigh-out for a race when not wearing an approved safety vest.
- (10) Without first obtaining the permission of the Stewards accept or agree to any pecuniary consideration in connection with the sale or purchase of a horse.

- Rule 60.**
- (1) Every jockey when present on a racecourse at which he has an engagement to ride in a race, or who is to ride a horse in training or who has ridden a horse in training shall be free of prohibited substances (jockey) as provided for in the Instructions to these Rules. Any jockey who supplies a sample that is positive to a prohibited substance (jockey) may be stood down from riding and may be penalised.
  - (2) Any jockey who is stood down from riding under sub-rule (1) of this Rule shall supply a negative sample of his breath, blood, hair, sufficient urine or other body fluids as directed before he may be permitted to resume riding.
  - (3) In the event of the Chief Racing Chemist or such other person authorised by him reporting that a preliminary analysis of a sample taken from a jockey in pursuance of this Rule indicates an irregularity, the Stewards may stand down that jockey from riding until an inquiry into the irregularity has been determined.

- Rule 61.**
- (1) Every Jockey who has an engagement to ride in a race shall be present at the Jockeys' Room one hour before the first race for the purpose of submitting himself to undergo an examination and/or to supply samples of breath, blood, hair, sufficient urine or other body fluids as may be ordered by the Stewards under these Rules. Provided that any jockey who refuses to supply a sample of his breath, blood, hair, sufficient urine or other body fluids or supplies a positive breath sample shall not be allowed to ride; and any jockey who is unable to provide a sufficient sample of his urine or other body fluids must obtain permission from the Stewards before leaving the racecourse.

- (2) In the event a jockey is unable to provide a sufficient urine or other body fluid samples on the day that the sample has been directed to be supplied, the Stewards may further direct that jockey to supply a sufficient urine or other body fluid samples within two subsequent days of the day on which the sample was initially directed to be supplied. It shall be the responsibility of the jockey to ensure any sample supplied by him in accordance with this Rule is free of all prohibited substances (jockey).
- Rule 62.** (1) Subject to sub-rule (2), a jockey or an apprentice whose licence has been suspended in accordance with these Rules or by any other Recognised Racing Authority shall not ride in any race, official trial, or trackwork during the period of his suspension.
- (2) A jockey or an apprentice whose licence has been suspended in part shall not ride in any race during the period of his suspension but may ride in barrier trials and track work.
- (3) If a jockey or an apprentice becomes a disqualified person his licence is thereby revoked.
- Rule 63.** A list containing the names of all licensed jockeys and apprentices shall be kept at the Registry Office and shall be published at such times and in such manner as the Stewards of the Jockey Club may direct.
- Rule 64.** A jockey or an apprentice and the trainer to whom he is allocated commits a breach or is a party to committing a breach of these Rules who: —
- (1) wilfully or without reasonable cause breaks a riding engagement; or
- (2) permits himself or his apprentice to be engaged to ride two or more horses declared or deemed to have been declared for the same race; or
- (3) wilfully or without reasonable cause permits himself or his apprentice to be engaged to ride a horse when he knows or ought to know that he will not be able to ride the horse at the weight which it is handicapped to carry, or such other weight at which he agrees to ride the horse.

## **Jockeys' Fees and Retainers**

- Rule 65.** (1) The riding fee for a jockey at meetings registered by the Club shall be determined from time to time by the Stewards of the Jockey Club and shall be payable when the jockey has weighed-out for and is fit to ride in a race. In addition he shall be entitled to 10% of the value of the prize if his mount is the winner of a race, and 5% of the value of the prize if his mount is placed second, third, fourth, fifth or sixth in every race.
- (2) For the purposes of this Rule the value of the prize shall not include either any trophy won under the conditions of the race or any money or trophy won for any person other than the nominator.
- Rule 66.** Riding fees for apprentices shall be half the amount payable as above to jockeys.
- Rule 67.** A retainer or any agreement or special arrangement for a jockey must be in writing, in accordance with the Instructions and lodged for registration with the Stipendiary Stewards.
- Rule 68.** If a jockey is prevented from riding by disqualification or suspension of a licence any person who has retained him may cancel the retainer.
- Rule 69.** The Stewards of the Jockey Club shall maintain a register in which all approved retainers are to be entered.

## **Calculation of Prize Money**

- Rule 70.** (1) In calculating the amount a horse has won in any one or more races account shall be taken of all moneys whether derived from stakes, bonus or any other source gained by it for its owner or for any other person, excluding any prize given specifically in the conditions of the race to the trainer, jockey or stable.
- (2) The value of a race to the winner after deduction of the entrance fee but before deduction of the percentages payable as prescribed by these Rules, and in the case of a dead-heat after the prizes have been divided as prescribed by these Rules, shall be used for the purpose of calculating penalties, allowances and qualifications.

## **Penalties**

- Rule 71.** When any race is in dispute both the horse that was first past the post and any horse claiming the race shall be liable to all the penalties attaching to the winner of that race till the matter be decided.

**Rule 72.** Penalties for winning a fixed sum shall be understood to mean for winning it in one race unless specified to the contrary.

**Rule 73.** Penalties are not cumulative unless so declared by the conditions of the race.

### **Entries, Acceptances, Subscriptions Sale with Engagements**

#### **Entries and Acceptances**

**Rule 74. (1)** Every entry, acceptance and declaration shall be fixed to close at a place and time appointed by the Stewards of the Jockey Club and is subject to withdrawal or alteration up to the time of closing.

(2) The list of entries shall be closed at the advertised time and no entry shall be admitted on any ground after that time, always excepting that any race or section of a race may be reopened for a further period.

(3) Every entry is accepted in accordance with the conditions of entry as amended from time to time and the race conditions published in the race prospectus for each race. No withdrawal is permitted once entries are accepted except for the reasons stipulated in the conditions of the entry published in the race prospectus.

(4) If a horse be entered for a race or started in a race for which it is ineligible, either under the conditions of such race or for any other reason, such horse shall either be removed from the list of entries or be disqualified for such race and the Stewards may disqualify, or otherwise penalise the owner, trainer and nominator of such horse.

#### **Form of Entry or Nomination**

**Rule 75. (1)** Entries and alterations or withdrawals of such entries before the time of closing shall be made in writing and signed by the owner of the horse or his Authorised Agent.

(2) For the purposes of this Rule a facsimile or e-mail transmission shall be deemed to be in writing.

**Rule 76.** Each entry shall state the registered name and brand number of the horse that is entered.

**Rule 77.** Entries and subscriptions shall not become void on the death of the person in whose name they are made or taken and all rights, privileges and liabilities that could have attached to the deceased person had he been alive shall attach to his personal representative.

- Rule 78.** (1) Any accidental error or violation of Rules affecting entries may be corrected on payment of a fine, the amount of which may be determined by the Stewards of the Jockey Club or the Stewards.
- (2) If any horse runs without the prescribed correction having been made the Stewards of the Jockey Club or the Stewards may impose penalties upon any persons responsible for such errors.

### **Striking Out of Engagement**

- Rule 79.** (1) A striking out of engagements shall be made in writing by the owner or his Authorised Agent, subject to the Rules relating to sales with engagements; and for the purpose of this Rule a facsimile or e-mail transmission shall be deemed to be in writing.
- (2) The document striking a horse out of engagements shall state the name of the horse and give details of the engagement.
- (3) The notification of the death of a horse to the Registry Office shall withdraw the horse from all engagements.

### **Sale with Engagements**

**Rule 80.** When a horse is sold with its engagements or any part of them the seller cannot strike the horse out of any of such engagements.

- Rule 81.** (1) In case of changes of ownership the engagements can only be transferred by the written acknowledgement of both parties or their Authorised Agents that the horse was transferred with engagements together with details of the engagements transferred, which must be lodged before the horse starts for such engagements. If only certain engagements are specified those only are sold with the horse.
- (2) If a horse starts for any race without such transfer having been lodged it shall on a protest/objection be disqualified unless it be proved to the satisfaction of the Stewards of the Jockey Club that the omission was accidental, in which case the persons responsible may be fined by the Stewards of the Jockey Club.

### **Declaration of Runners**

- Rule 82.** (1) All declarations must be submitted to the Registry Office by facsimile or e-mail by the date and time stipulated in the race prospectus. Such declarations shall be subject to withdrawal or alteration up to the time fixed for declaration.

- (2) All declarations shall state the name of the race, the name of the horse and of the jockey and shall be submitted by the owner or his Authorised Agent. Provided that if a trainer has an entry(s) declared to start in a race in addition to an entry(s) drawn on the reserve list and also declared to start, such trainer shall be permitted to declare an alternative jockey for the first-mentioned entry(s) and may omit the name of the jockey in a declaration to start in respect of any entry(s) placed on the reserve list. Also provided that a trainer who has an entry(s) on the reserve list declared to start which gains inclusion in the list of starters may claim the services of the stable's officially registered retained jockey. Declared jockeys affected by any such claim under such circumstances may be altered. A trainer exercising one or the other of the above rights must within 30 minutes after the time appointed for declaration of runners make his final declaration(s) of jockey(s).
- (3) If a jockey intends to carry overweight the amount thereof must be declared at the time of declaration. The responsibility for such declaration rests with both the trainer and the jockey. No jockey shall carry more than 2 lb overweight without the permission of the Stewards which will be granted only in exceptional circumstances.
- (4) Any person responsible for making declarations may be penalised for errors contained in the declarations.
- (5) Notwithstanding that a horse which was ineligible to run or was prohibited from running in a race has in fact run in such race, or has been permitted to run in such race, and irrespective of whether or not the horse has won or has been placed in such race or any stake has been paid or awarded, neither the Stewards nor any other Official involved shall thereby incur or be under any liability of any kind whatsoever to any person.
- (6) It shall not be necessary to declare or exhibit fractions of less than one pound.
- (7) Without in any way detracting from the provisions of these Rules, no person shall without a proper or acceptable reason withdraw, induce or encourage the withdrawal of, or be induced to withdraw any horse from any race after entry closing time.

**Rule 83.** As soon as practicable after the time fixed for declaration the draw allotting positions at the start shall be made by the Stewards or their representatives.

### **Liability for Entrance Moneys**

- Rule 84.** (1) The nominator as well as every owner of the horse at the time of nomination is liable for the entrance money, but if the entry is transferred to any other person, he is liable only in case of default by the transferee.
- (2) If so required entrance money and stakes must be paid in cash to the proper authorities to receive them and entrance money must if so required be paid at the time of entry.
- (3) If a race be never run or be void, stakes, forfeits and entrance money shall be returned.

### **Forfeit List**

- Rule 85.** (1) The Forfeit List shall be kept at the Registry Office and shall be published on the Club notice board and in the Racing Calendar as and when the same is published. The Forfeit List shall include all arrears and shall state the name or names of each registered owner or other person from whom arrears are due. Arrears which have been so published shall not be removed from the Forfeit List until paid.
- (2) The Stewards of the Jockey Club may authorise inspection of the Forfeit List by any person at any time and any such authority may have general application or be for a specific occasion.
- (3) When arrears have been paid the Stewards of the Jockey Club will order a notice to be published, releasing a person from the Forfeit List.
- Rule 86.** For so long as the name of a registered owner or any other person is on the Forfeit List or for so long as the name of a registered owner or any other person is on a list similar to the Forfeit List published by a Recognised Racing Authority such registered owner or other person is a disqualified person. The registration in accordance with these Rules of any registered owner or any licence given by the Stewards of the Jockey Club to any person whose name is on the Forfeit List or on a list similar to the Forfeit List published by a Recognised Racing Authority shall be cancelled.

### **Weighing Room**

- Rule 87.** (1) No person shall be admitted to the Weighing Room without special leave from the Stewards except an Official of the meeting, the owner, trainer, and jockey or other person having the care of a horse engaged in the race, and any person refusing to leave the Weighing Room shall be reported to the Stewards.
- (2) No persons other than Officials of meetings, jockeys and apprentices with riding engagements shall be permitted access to the Jockeys' Room, provided that any apprentice authorised by the Stewards may be present.

### **Weighing-Out**

- Rule 88.** (1) No jockey shall be weighed-out for any race unless he and his mount have been declared for such race.
- (2) The trainer is responsible for his horse carrying the correct weight in accordance with the conditions of the race. The trainer shall declare to the Clerk of the Scales before the jockey weighs-out the weight his horse will carry if it differs from the weight appearing on the official programme. Failure to make this declaration will render the trainer liable to be fined by the Stewards. Apprentices' and freelance jockeys' allowances will not be taken into consideration when declaring a weight under this sub-rule.
- (3) Any declared jockey who does not present himself to be weighed-out may with the permission of the Stewards be substituted by another jockey, provided always that the substitute jockey can be weighed within the time specified in this Rule. Unless the Stewards are satisfied that the absence of the jockey was due to unavoidable circumstances they may penalise such jockey.
- (4) Every jockey must be weighed for a specified horse by the Clerk of the Scales at the appointed place before the time fixed for the race. In exceptional cases the Stewards may extend the time allowed for declaring runners under this Rule weighing, declaring weight and for exhibiting the numbers.
- (5) If a jockey weighs-out over the weight declared such jockey and any other person held responsible may be penalised, and another jockey may be substituted at the allotted weight or near to the allotted weight.

**Rule 89.** The following articles shall be put on to the scales with the jockey when he is both weighing-out and weighing-in: —

- (1) Everything carried or worn by the jockey and by the horse in a race except the number cloth, helmet, cloth cap, whip, goggles, bridle (including noseband), rings, muzzle, hood, blinkers, visor, pacifier, martingale and anything worn on the horse's legs or hoofs.
- (2) No person, without the permission of the Stewards, shall add to, remove from, or change any equipment with which the jockey has been weighed. The Stewards may require the jockey to re-weigh if any alteration is made.
- (3) If a jockey intends to carry overweight in accordance with these Rules he must declare the amount thereof at the time of weighing-out or if in doubt as to his proper weight he may declare the weight he intends to carry.
- (4) To compensate for the mandatory wearing by jockeys of safety vests the scale shall have factored into it an allowance of two pounds, and the jockey shall weigh-out at the declared weight.

**Rule 90.** If a jockey after he has been weighed for a specified horse and before he has come under Starter's orders is prevented from riding in the race for any reason another jockey may be substituted provided there is no unreasonable delay.

**Rule 91.** After a jockey has left the Jockeys' Room to ride in a race, and until he dismounts if not required to weigh-in, or until he weighs-in if so required: —

- (1) No person other than the trainer or nominator, or their Authorised Agent, or an Official in the course of his duties shall except by leave of the Stewards or Starter, speak to or communicate in any way with such jockey. Provided that during a race another jockey may communicate with such jockey on safety issues.
- (2) Prior to any race no person other than an Official in the course of his duties or the relevant trainer shall except by leave of the Stewards or Starter touch the jockey or his horse or any of its equipment.
- (3) No jockey shall, except by leave of the Stewards or Starter, speak to or communicate in any way with any person other than the trainer or nominator of his mount, or their Authorised Agent, or an Official in respect of his duties, or another jockey during the race on a safety issue.

## **Non Runners**

- Rule 92.** (1) Every horse that has been declared to run shall run in the race for which it was declared. If it fails to do so the Stewards may, unless they are satisfied that the horse was unsuitable to run or that circumstances acceptable to them prevented the horse from running, penalise the owner or his representative.
- (2) If the horse is withdrawn on veterinary advice a certificate from the Veterinary Officer or the Veterinary Surgeon must be submitted to the Stewards.
- (3) If a horse which has been entered to run in any race is subsequently withdrawn from such race due to a condition, treatment, administration of a prohibited substance or other matter which was known to the trainer at the time the horse was entered to run, the trainer may be penalised.

## **Equipment**

- Rule 93.** (1) A saddle includes the girth, surcingle, leathers or webs, and stirrup irons of a design approved by the Stewards.
- (2) Every jockey is responsible for the serviceable condition of the saddle which he uses, provided that in the case of an apprentice the responsibility rests with him and the trainer to whom he is allocated.
- (3) All lead or other weight included by a jockey when weighing-out for a race riding engagement must be properly secured in a jockey's lead bag or saddle pouch.
- Rule 94.** (1) Every jockey when mounted on a horse on any racecourse for the purpose of riding in a race or during training shall wear a correctly fitted helmet of a design approved by the Stewards. Every jockey shall when mounted on a horse have the chin strap of his helmet firmly fastened unless prior permission has been granted by the Stewards.
- (2) Every jockey when mounted on a horse on any racecourse for the purpose of riding in a race or during training shall wear a safety vest of a design approved by the Stewards.

- (3) A jockey is responsible for the serviceable condition of his helmet and safety vest but in the case of an apprentice the responsibility rests with the apprentice and the trainer to whom he is allocated. A helmet is not considered as serviceable if it has sustained a severe impact or when the jockey wearing it has suffered from a concussion as a result of a fall. In such circumstances the helmet must be immediately replaced.
- (4) No jockey may wear or have in his possession a helmet or safety vest which is not of a design approved by the Stewards or which has been modified in any way. The Stewards may confiscate any helmet or safety vest which is not of an approved design or which has been modified in any way.
- (5) No jockey shall use stirrup irons the design of which has not been approved by the Stewards.
- (6) No substitute for a whip shall be carried in any race.

**Rule 95.** Every horse running in a race shall carry a number cloth which must be worn so that the number is clearly visible.

**Rule 96.** Any trainer or any other person found guilty of carelessness or neglect in the saddling of and/or presenting of a horse for a race, barrier trial, stalls test or trackwork may be penalised.

### **Going to Post**

**Rule 97.** Subject to the powers conferred on the Stewards by these Rules, the Stewards may order any horse to be ridden in front of the stand before going to the post and the Stewards shall decide the distance to be traversed. If a horse is not ridden in front of the stand the Stewards may hold an inquiry into whether the jockey has made all reasonable endeavours to comply with this Rule.

**Rule 98.** Every horse that is brought to a racecourse to compete in a race shall be attended at all times while it is on such racecourse.

### **The Race**

- Rule 99.**
- (1) Every horse that runs in a race shall be run on its merits.
  - (2) The jockey of every horse shall take all reasonable and permissible measures throughout the race to ensure that his horse is given a full opportunity to win or to obtain the best possible placing in the field.

- (3) A trainer shall be responsible for ensuring horses trained by him are ridden and perform in a consistent manner wherever possible.
- (4) A trainer may be penalised if in the opinion of the Stewards any instruction or direction given to or arrangement made with a jockey of a horse trained by him is unreasonably different from or inconsistent with those given to or made with a jockey of the horse at its previous start or starts.
- (5) The jockey of every horse must ride in such a manner to benefit only its own best interests and not to the advantage of other horses or riders.
- (6) Any person who in the opinion of the Stewards breaches or is a party to breaching any portion of this Rule may be penalised and the horse may be disqualified or have its entry or declaration refused.

**Rule 100.** (1) Any jockey of a horse commits an offence if in the opinion of the Stewards his riding was (i) foul, or (ii) dangerous, or (iii) improper, or (iv) reckless, or (v) incompetent, or (vi) careless.

- (2) Every jockey shall ride his mount out approaching the end of the race and all the way to the end of the race, in each case to the satisfaction of the Stewards.

**Rule 101.** (1) A horse may on a protest/objection be disqualified if its jockey jeopardised the chance of any other horse in a race.

- (2) When a placed horse or its jockey is found to have caused interference, that horse may, on a protest/objection be disqualified, or placed last, or placed behind the horse or horses with which it interfered if the Stewards consider that the horse interfered with would have finished ahead of the first-mentioned horse had such interference not occurred. For the purposes of this Rule “placed horse” means a horse placed in a place that qualifies it for prize money.
- (3) In the event that any part of the jockey of a horse makes contact with the ground during the running of a race but still has contact with the horse at the end of the race the horse shall be deemed not to have carried the weight. In these circumstances the horse shall on a sustained protest/objection be disqualified for the race.

**Rule 102.** The trainer or other person in charge of a horse shall report to the Stewards as soon as practicable any condition or other matter which may significantly affect the running of their horse in a race.

**Rule 103.** The trainer, and/or jockey of a horse shall report to the Stewards as soon as practicable anything which might have affected the running of their horse in any race.

**Rule 104.** In the event of anything that might have any bearing on the past or the future running of a horse coming to the notice of the trainer of a horse that has competed in any race, such trainer shall report the matter to the Stewards as soon as practicable.

**Rule 105.** The trainer, and/or jockey of a horse that has competed in a race shall immediately after such race report to the Stewards any loss or breakage of gear or any other unusual happening relating to their horse during the running of the race.

### **Void Races**

**Rule 106. (1)** Unless elsewhere provided in these Rules, if a race has been run by all the horses at wrong weights; or over a wrong course; or if the race has been started in front of the starting stalls or post; or if the Starter has declared a false start and is unable to so notify the jockeys, the Stewards shall order the race to be abandoned and thereby declared void.

(2) If the race be run before the appointed time or if no qualified horse covers the course in accordance with these Rules the race may be declared void.

### **Walking Over**

**Rule 107.** It shall not be necessary for a horse to “walk over” the entire course if only one declared runner is available to start in a race, but that horse shall be ridden past the Judge’s box and shall then be deemed the winner.

### **Dead Heats**

**Rule 108.** When horses run a dead-heat for first or any lower place the sum of the prizes available for those horses had they not dead-heated but had finished in successive places shall be divided equally between the owners of such horses, and the dead-heat shall not be run off.

**Rule 109.** Each horse that divides a prize for first shall be deemed a winner.

**Rule 110.** When a dead-heat is run for second place or minor placings and a protest/objection is made and sustained to the winner or other placed horses of the race, the horses which ran the dead-heat shall be deemed to have run a dead-heat for first, second, third, fourth place or any other placing as applicable.

**Rule 111.** If the dividing owners of dead-heating horses cannot agree as to which of them is to have a cup or other prize which cannot be divided, the question shall be determined by lot by the Stewards, who shall decide what sum of money shall be paid to the other owner by the owner who takes such cup or other indivisible prize.

### **Weighing-In**

**Rule 112. (1)** Immediately after pulling up the jockeys of the horses placed first, second, third and fourth in each race must ride their horses to the place appointed for the unsaddling of placed horses, and the horses shall remain there until ordered by the Steward in charge or his representative to be taken away. The other jockeys must ride their horses to the unplaced unsaddling area.

(2) Upon dismounting after a race every jockey must present himself at once to be weighed-in by the Clerk of the Scales. Any jockey who fails to complete the course must report the reason to the Stewards. If a jockey be prevented from riding back to weigh-in by reason of accident or illness which results in him or his horse being disabled, he may walk or be assisted to the scales.

(3) In cases where the Judge has not announced his decision before the jockeys return to weigh-in, the jockeys may dismount either inside or within a reasonable distance of the place appointed for unsaddling the winner. In such cases the Clerk of the Scales shall commence to weigh-in all jockeys until such time as the Judge's decision is announced. Provided that in these circumstances any jockey who believes that there is a possibility that he or the owner, nominator or his Authorised Agent, or trainer of his horse may wish to lodge a protest/objection may inform the Clerk of the Scales accordingly and await the announcement of the Judge's decision.

(4) If a jockey does not present himself to be weighed-in or dismounts before reaching the place appointed for that purpose or improperly touches or makes contact with any person or thing other than his own equipment before weighing-in, his horse may on a sustained protest/objection be disqualified for the race and the jockey may be penalised.

- (5) If a jockey is unable to weigh-in due to accident or illness or for any other reason deemed appropriate by the Stewards his horse shall not be disqualified for the race provided that the jockey weighed-out at not less than his proper weight and the Stewards are satisfied there are no circumstances which suggest that less than the proper weight was carried throughout the race.

**Rule 113. (1)** When being weighed-in a jockey shall include in his weight everything that the horse has carried in the race except as provided elsewhere in these Rules.

- (2) If a jockey weighs-in at more than his correct weight he shall be reported to the Stewards and, although his horse shall not be disqualified for the race in respect of weight carried, the jockey may be penalised.
- (3) If a jockey cannot draw the correct weight the Clerk of the Scales shall allow him one pound. If he cannot then draw the weight his horse shall on a sustained protest/objection be disqualified for the race and the jockey or any other person responsible may be penalised.
- (4) If a horse carries less than the weight it should carry in accordance with the conditions of the race and these Rules it shall on a sustained protest/objection be disqualified for the race, and any person found to be responsible may be penalised.

**Rule 114. (1)** When the jockeys have weighed-in at the correct weight to the satisfaction of the Clerk of the Scales or, in extraordinary circumstances provided for by these Rules, are deemed to have weighed-in at the correct weight, the Stewards shall authorise Weighed-In to be displayed; provided that they shall not so authorise until any protest/objection lodged in accordance with these Rules has been decided.

- (2) No protest/objection on any grounds other than those that are categorised as protests/objections shall be entertained prior to Weighed-In being displayed.
- (3) After Weighed-In has been displayed no alteration shall be made to the numbers of the winner or placed horses unless provided elsewhere in these Rules.

## 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.

- (3) The notice of appeal and the grounds of appeal must be signed by the appellant.
- (4) The Stewards of the Jockey Club may forward the notice of appeal and grounds of appeal to the Stewards concerned, who may submit comments thereon in writing to the Stewards of the Jockey Club. If they do so, a copy of their comments will be supplied to the appellant.
- (5) The Stewards of the Jockey Club may invite the Stewards to attend the hearing of the appeal to explain the reasons for their decisions and comment on any fresh evidence adduced by leave; or to invite Officials to attend the appeal to make such representations as the Officials consider to be relevant to the appeal, provided that the Stewards of the Jockey Club hearing the appeal shall deliberate alone when reaching their decision on the appeal.
- (6) In calculating time for the purposes of appeals, Saturdays, Sundays and Hong Kong public holidays shall not be included.
- (7) In the event of the Stewards of the Jockey Club deciding that the appeal is frivolous or vexatious they may fine the appellant or make any other such order as they deem appropriate, and in addition may order the forfeiture of his deposited appeal fee.

- Rule 134.** (1) The appeal shall be heard by a panel appointed by the Stewards of the Jockey Club. If less than three Stewards of the Jockey Club are available or if the Stewards of the Jockey Club shall see fit, the Stewards of the Jockey Club may appoint one or more Member(s) of the Club to the appeal panel for that particular appeal. No Steward of the Jockey Club who is a member of the Racing Stewards against whose decision the appeal is made shall sit on the appeal panel.
- (2) The Stewards of the Jockey Club may determine and regulate the procedure and conduct of the appeal either generally or in respect of the particular appeal. Unless otherwise directed by the Stewards of the Jockey Club, the hearing of all appeals shall take place in Hong Kong.
  - (3) On the hearing of the appeal, the Stewards of the Jockey Club may: —
    - (i) Uphold the decision appealed from in whole or in part or vary the same in such manner as they think fit; and/or

- (ii) Increase or diminish any term of disqualification or suspension or any fine imposed subject in each case to any maximum or minimum penalty prescribed by the Rule under which such penalty was imposed; and/or
- (iii) Refer any matter back to the original tribunal for further hearing or consideration or for rehearing; and/or
- (iv) Reverse such decision; and/or
- (v) Order that all costs and expenses in relation to and/or occasioned by the appeal and/or any reasonable compensation for outlay incurred shall be paid by such person or persons and in such proportions as they may think fit.
- (vi) In the event of an appeal against a suspension being dismissed or varied, and after taking into account any portion of the suspension already served by the appellant, order the implementation of any suspension imposed or varied to commence on a date decided by the Stewards of the Jockey Club.

**Rule 135.** A person attending or required to attend before the Stewards or the Stewards of the Jockey Club (upon an appeal or otherwise) shall not be entitled to be represented by any other person, whether a member of the legal profession or otherwise provided that: —

- (1) An apprentice jockey may be represented by the trainer to whom he is allocated; or another trainer acting for such trainer; or the assistant trainer of the trainer to whom he is allocated; or the Chief Riding Instructor.
- (2) A person attending or required to attend before the Stewards of the Jockey Club in any hearing under these Rules, including any hearing upon an appeal, may be legally represented by leave of the Stewards of the Jockey Club, provided that an apprentice jockey may, in addition, be represented by the trainer to whom he is allocated or the Chief Riding Instructor.

## Prohibited Substances

- Rule 136. (1)** For the purposes of these Rules the following are prohibited substances: —
- (i) Substances capable at any time of causing an action or effect, or both an action and effect, within one or more of the following mammalian body systems:
    - the nervous system
    - the cardiovascular system
    - the respiratory system
    - the digestive system
    - the urinary system
    - the reproductive system
    - the musculoskeletal system
    - the blood system
    - the immune system except for licensed vaccines against infectious agents
    - the endocrine system
  - (ii) Endocrine secretions and their synthetic counterparts
  - (iii) Masking agents
  - (iv) Oxygen carriers
  - (v) Agents that are capable, at any time, of directly or indirectly causing an action or effect, or an action and effect on gene expression in any mammalian body. This includes but is not limited to gene editing agents with the capacity to alter genome sequences and/or the transcriptional, post-transcriptional or epigenetic regulation of gene expression.

- (2) Prohibited substances below the following thresholds are not actionable: —

Threshold name	Threshold
Arsenic	<ul style="list-style-type: none"> <li>• 0.3 microgram total arsenic per millilitre in urine</li> <li>• 0.015 microgram total arsenic per millilitre in plasma</li> </ul>
Boldenone	<ul style="list-style-type: none"> <li>• 0.015 microgram free and conjugated boldenone per millilitre in urine from male horses (other than geldings)</li> </ul>
Carbon dioxide	<ul style="list-style-type: none"> <li>• 36 millimoles available carbon dioxide per litre in plasma</li> </ul>
Cobalt	<ul style="list-style-type: none"> <li>• 0.1 microgram total cobalt per millilitre in urine</li> <li>• 0.025 microgram total (free and protein bound) cobalt per millilitre in plasma</li> </ul>
Estradiol in male horses (other than geldings)	<ul style="list-style-type: none"> <li>• 0.045 microgram free and glucuroconjugated 5<math>\alpha</math>-estrane-3<math>\beta</math>, 17<math>\alpha</math>-diol per millilitre in urine<sup>1</sup></li> </ul> <p><sup>1</sup>When, at the screening stage, the free and glucuroconjugated 5<math>\alpha</math>-estrane-3<math>\beta</math>, 17<math>\alpha</math>-diol exceeds the free and glucuroconjugated 5(10)estrane-3<math>\beta</math>, 17<math>\alpha</math>-diol in the urine</p>
Hydrocortisone	<ul style="list-style-type: none"> <li>• 1 microgram hydrocortisone per millilitre in urine</li> </ul>
Methoxytyramine	<ul style="list-style-type: none"> <li>• 4 micrograms free and conjugated 3-methoxytyramine per millilitre in urine</li> </ul>
Prednisolone	<ul style="list-style-type: none"> <li>• 0.01 microgram free prednisolone per millilitre in urine</li> </ul>
Salicylic acid	<ul style="list-style-type: none"> <li>• 750 micrograms salicylic acid per millilitre in urine, or</li> <li>• 6.5 micrograms salicylic acid per millilitre in plasma</li> </ul>

Testosterone	<ul style="list-style-type: none"> <li>• 0.02 microgram free and conjugated testosterone per millilitre in urine from geldings when, at the screening stage, the free and conjugated testosterone exceeds five times the free and conjugated epi-testosterone, or</li> <li>• 100 picograms free testosterone per millilitre in plasma from geldings, fillies and mares (unless in foal), or</li> <li>• 0.055 microgram free and conjugated testosterone per millilitre in urine from fillies and mares (unless in foal)</li> </ul>
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- Note:
- a. The conjugated substance is the substance that can be liberated from conjugates.
  - b. The numerical values of the thresholds do not carry any implied precision (e.g., 0.3 is the same as 0.300).
  - c. Each threshold, including those for the same substance in urine and plasma, can be applied independently.
  - d. Whether a threshold has been exceeded or not in a sample is established solely from the concentration determined and the uncertainty of measurement associated with such determination.
  - e. No determination and consideration of the specific gravity of a horse urine sample is required when comparing its concentration with a urinary threshold.
- (3) The finding of a prohibited substance means the finding of the substance itself or a metabolite of the substance or an isomer of the substance or a pro-drug of the substance or an isomer of a metabolite.
  - (4) The finding of any scientific indicator of administration, such as the presence of a vehicle or suspending agent for a prohibited substance, or other exposure to a prohibited substance is also equivalent to the finding of the substance.

- (5) (i) For the purposes of this rule the following substances are specified as prohibited substances: —
- (a) Anabolic androgenic steroids,
  - (b) Other anabolic agents, including but not limited to selective androgen receptor modulators (SARMs),
  - (c) Beta-2 agonists, unless the substance is prescribed by a veterinarian as a bronchodilator at the appropriate dose,
  - (d) Erythropoiesis-stimulating agents, including but not limited to erythropoietin (EPO), epoetin alfa, epoetin beta, darbepoetin alfa, and methoxy polyethylene glycol-epoetin beta, peginesatide, hypoxia inducible factor (HIF)-1 stabilisers and HIF activators,
  - (e) Growth hormones and growth hormone releasing factors, insulin-like growth factor-1 (IGF-1), and other growth factors,
  - (f) Synthetic proteins and peptides and synthetic analogues of endogenous proteins and peptides not registered for medical or veterinary use,
  - (g) Aromatase inhibitors,
  - (h) Selective estrogen receptor modulators (SERMS) and other anti-estrogenic substances,
  - (i) Agents modifying myostatin function, including but not limited to myostatin inhibitors,
  - (j) Insulins,
  - (k) Peroxisome proliferator activated receptor  $\delta$  (PPAR $\delta$ ) agonists, including but not limited to GW1516,
  - (l) AMPK activators, including but not limited to AICAR (5-aminoimidazole-4-carboxamide-1- $\beta$ -D-ribofuranoside)
  - (m) Any substance which has not been approved and supplied by the Club's Department of Veterinary Clinical Services or for horses not stabled and/or trained in Hong Kong or at Conghua Racecourse, any substance which either has no current approval by any government regulatory authority for veterinary use on horses or is not generally recognised by veterinary regulatory authorities as valid veterinary therapeutic treatment.
  - (n) Metabolites, artefacts and isomers of any of the substances specified in paragraphs (a) – (m).

- (ii) A horse which has been administered a substance specified in sub-rule (i) shall be ineligible to be entered in a race until at least six months after the date of that administration and may then only be entered in a race after the Chief Racing Chemist has issued a certificate stating that a sample is free of any of the prohibited substances specified in sub-rule (i).
- (iii) When a sample taken at any time from a horse has detected in it the presence of any prohibited substance specified in sub-rule (i) and in the case of endogenous or naturally-occurring substances at a concentration either above the threshold set out in Rule 136 (2) or demonstrated to be abnormal: —
  - (a) If the horse is stabled and/or trained in Hong Kong or at Conghua Racecourse then subject to paragraph (b) of this sub-rule it shall be ineligible to be entered in a race until at least six months after the date the relevant sample was taken and may then only be entered in a race after the Chief Racing Chemist has issued a certificate stating that a sample is free of any of the prohibited substances specified in sub-rule (i).
  - (b) If the horse is stabled and/or trained in Hong Kong or at Conghua Racecourse and the Stewards are satisfied that the administration took place in another country in compliance with an exceptional therapeutic use authorisation granted by the Racing Authority of that country the horse shall be ineligible to be entered in a race until at least six months after the date of that authorised administration and may then only be entered in a race after the Chief Racing Chemist has issued a certificate stating that a sample is free of any of the prohibited substances specified in sub-rule (i).
  - (c) If the horse is stabled and/or trained outside Hong Kong or outside Conghua Racecourse it shall be withdrawn from any race in which it has been entered.
- (iv) The nominator of a horse that is stabled and/or trained outside Hong Kong or outside Conghua Racecourse shall notify the Stewards in writing of the administration of any of the substances specified in sub-rule (i) within six months of the race it has been nominated to run in. Failure to do so by the nominator may be penalised.

- (v) Where, in the opinion of the Stewards, a horse has been administered any of the substances specified in sub-rule (i) within six months prior to a race the horse may be disqualified from that race.
- (6) (i) With effect on and from 1 August 2019, any bisphosphonate is not to be administered to a horse:
  - (a) aged under three years and six months (as determined by its recorded date of birth) at any time; and
  - (b) to a horse aged three years and six months or over (as determined by its recorded date of birth) within 30 days of the day on which it has been declared to race (i.e. race day).
- (ii) Where any bisphosphonate product is administered to a horse aged three years and six months or over (as determined by its recorded date of birth):
  - (a) that product must be approved by the Club for use in horses under its control, and be administered in accordance with the label instructions;
  - (b) there must be a diagnosis determined by a Veterinary Surgeon that supports the use of a bisphosphonate as an appropriate treatment, and such treatment must be administered with the approval of the Veterinary Surgeon.
- (iii) Notwithstanding sub-rules (i) and (ii), for the purposes of nuclear imaging only, methyldiphosphonate may be administered when used in combination with the radionuclide technetium 99m under the supervision of a Veterinary Surgeon, to any horse of any age and at any time.

- Rule 137. (1)** Samples taken from horses for analysis for prohibited substances shall be tested by the Chief Racing Chemist or such other chemist authorised by him or by another official racing laboratory.
- (2) Samples taken from any horse for analysis for prohibited substances may be stored, frozen or otherwise dealt with and shall be disposed of only as the Stewards may direct.
  - (3) In the event of a sample taken from any horse for analysis which has been stored, frozen or otherwise dealt with being reported as positive to a prohibited substance, any test report which has been previously issued stating no prohibited substance was found in the sample shall automatically be void.

- (4) In the event of a sample taken from any horse for analysis which has been stored, frozen or otherwise dealt with being reported as positive to a prohibited substance such horse shall, in the case of a post-race sample, be disqualified for such race, and in addition may be disqualified; or in the case of other samples, may be disqualified.
- (5) In the event of a sample taken from any horse for analysis which has been stored, frozen or otherwise dealt with being reported as positive to a prohibited substance, the trainer of such horse bears the onus of proving that he did not administer or cause to be administered the prohibited substance detected, and that he had taken all proper precautions to prevent the administration of the prohibited substance.

**Rule 138. (1)** Any horse shall be free of any prohibited substance on the day on which it has been declared to race (i.e. race day), until such time as the Stewards release such horse after it has raced.

- (2) In the event that a prohibited substance is detected in a sample taken from any horse during the period specified in sub-rule (1) of this Rule such horse shall be either, in the case of a pre-race sample, prohibited from starting in such race and any subsequent races; or in the case of a post-race sample, disqualified for such race, and in addition may be disqualified.
- (3) A test report to the Stewards by the Chief Racing Chemist or such other chemist authorised by him or by another official racing laboratory notifying that upon analysis a prohibited substance had been detected in a submitted sample with a coded identification shall be prima facie evidence that a prohibited substance has been detected in that sample for the purposes of these Rules.
- (4) Upon receipt from the Chief Racing Chemist or such other chemist authorised by him or by another official racing laboratory of a test report of a positive finding as provided for in sub-rule (3) of this Rule the Stewards shall as soon as practicable commence an inquiry into the circumstances and determine the matter within the powers granted to them by these Rules.
- (5) In the event that a sample is dispatched to another official racing laboratory for analysis the Stewards may at the same time order for the reserved portion of the same sample to be dispatched to the same or another official racing laboratory for confirmatory testing. In this event, it will not be required for a further sample to also be dispatched as provided for elsewhere by these Rules.

**Rule 139.** Any person commits an offence against these Rules if he is found to have administered or caused to be administered a prohibited substance to a horse.

- Rule 140.** (1) A trainer shall be responsible for ensuring that any horse trained by him is free of any prohibited substance on the day on which it has been declared to race (i.e. race day), until such time as such horse is released by the Stewards after it has raced.
- (2) In the event that a prohibited substance is detected in a sample taken from a horse during the period of time provided for in sub-rule (1) of this Rule, the trainer of such horse may be penalised unless he proves that he did not administer or cause to be administered the prohibited substance detected, and that he had taken all proper precautions to prevent the administration of or exposure to the prohibited substance.
- (3) In the event that a prohibited substance is detected in a sample taken from any horse during the period of time provided for in sub-rule (1) of this Rule which has been stored, frozen or otherwise dealt with, the trainer of such horse at the time of the sample being taken bears the same onus as provided for in sub-rule (2) of this Rule.
- Rule 141.** (1) Notwithstanding any treatment to any horse on a previous occasion, any treatment howsoever to a horse is prohibited unless it is by or with the written permission of the Veterinary Surgeon. Provided that injections of any description may not be administered to any horse and a stomach tube may not be passed into any horse, except by the Veterinary Surgeon, a Veterinary Officer or by another qualified person under the direct approval and instruction of a Veterinary Surgeon.
- (2) In the event of any horse that has been declared to run being found to have received any treatment as provided for in sub-rule (1) of this Rule, the trainer shall be presumed responsible and to have committed a breach of these Rules.
- (3) When a prohibited substance is detected in a sample taken for analysis from any horse in training and this does not result from a treatment authorised by a Veterinary Surgeon, the trainer of such horse may be penalised unless he proves that he did not administer or cause to be administered the prohibited substance detected, and that he had taken all proper precautions to prevent the administration of or exposure to the prohibited substance.
- Rule 142.** No person shall administer a prohibited substance to any horse that has been declared to race, except by or with the written permission of the Veterinary Surgeon.

- Rule 143.** (1) Any horse required to pass an official veterinary examination and/or barrier trial and/or stalls test and/or any other test for any reason must do so free of any prohibited substance unless a particular substance has been specifically exempted by the Stewards or the Veterinary Officer.
- (2) In the event that a prohibited substance is detected in a sample taken for analysis from any horse which is presented for any examination, test or trial as provided for in sub-rule (1) of this Rule, then, unless that substance has been specifically exempted by the Stewards or the Veterinary Officer, the trainer may be penalised unless he proves that he did not administer, or have knowledge of the administration, or cause to be administered the prohibited substance detected and that he had taken all proper precautions to prevent the administration of or exposure to the prohibited substance.

### **Disqualification of Horses**

**Rule 144.** Any horse which has been the subject of a fraudulent practice may at the discretion of the Stewards of the Jockey Club be disqualified for such time and for such races as they shall determine.

**Rule 145.** A horse is not qualified to be entered or start for any race: —

- (1) If it has run at any unrecognised meeting.
- (2) If and so long as it is in the ownership or part ownership of a disqualified person or so long as any disqualified person has any interest in such horse's winnings in such race.
- (3) If it does not possess at the time of entry or starting the qualifications imposed by the conditions of entry, race conditions, or by these Rules.
- (4) If it has been declared disqualified.
- (5) If it has been barred from racing by the Stewards.
- (6) If it has had its entry refused by the Stewards of the Jockey Club.

**Rule 146.** A horse is not qualified to start for any race: —

- (1) Unless it is duly entered for the same.
- (2) Unless it has been declared to run in such race.
- (3) Unless it is trained by a licensed trainer.
- (4) If it has a tracheotomy (tubed).

- (5) If it has been declared by the Veterinary Officer to be unsuitable or unsafe.
- (6) If it has an implant other than one which is pharmacologically inactive.
- (7) If it is more than 128 days pregnant.
- (8) If it is one-eyed or blind of an eye.
- (9) If it has been subjected to the withdrawal and re-infusion of any homologous, heterologous or autologous blood products into its circulatory system with the exception of those procedures performed for life-saving purposes or in the use of veterinary regenerative therapies for the treatment of musculoskeletal injury or disease when performed under the supervision of a Veterinary Surgeon.
- (10) If it has been the subject of a neurectomy operation.
- (11) If it has been the subject of a laparoscopic castration operation unless a satisfactory veterinary certificate is provided which confirms that the horse is a gelding and that both testicles have been physically removed.
- (12) If it has been subject to the application of a substance intended to cause vesiculation (blistering) of the skin and/or underlying tissues.
- (13) If it has been subjected to chemical castration or immunocastration.

**Rule 147.** No horse shall be entitled to resume racing within 14 days of its return from the spelling stables or the rehabilitation stables.

**Rule 148.** If a horse, which is not qualified according to the provisions of these Rules, be entered or run for any race it shall on a protest/objection be disqualified for the race and the nominator and/or trainer and/or any other person responsible may be penalised by the Stewards.

**Rule 149.** If it is found that a horse that is presented for pre-race weighing or to run in a race, barrier trial, stalls test or grass gallop is not the horse that has been specified for such pre-race weighing, race, trial, test or gallop, the trainer and/or any other person responsible commits a breach of these Rules.

### **Corrupt Practices and Disqualification of Persons**

**Rule 150.** Any person found guilty of a corrupt, fraudulent or improper act or practice whether or not his conduct constitutes a breach of any other of these Rules may be declared a disqualified person or be otherwise penalised by the Stewards of the Jockey Club or the Stewards in accordance with their powers.

**Rule 151.** Without prejudice to the generality of the foregoing Rule, a person shall be guilty of a corrupt, fraudulent or improper act or practice if he: —

- (1) Except with authorisation by the Veterinary Surgeon, administers or attempts to administer or allows or causes to be administered, or is found to have administered, or connives at the administration to a horse of any quantity of any prohibited substance; or
- (2) Uses or has in his possession any electric or electronic apparatus or improper contrivance or means capable of affecting the behaviour and/or performance of a horse in a race, barrier trial, stalls test or in track work; or
- (3) Without written permission of the Club, offers or gives any advantage to any jockey, trainer, person employed or engaged to provide services in a racing stable or in connection with a horse, Club Official or employee, owner or other participant in racing, or to an agent of any of the aforesaid persons, as an inducement or reward for or otherwise on account of that other person:
  - (i) Performing or abstaining from performing, or having performed or abstained from performing, any act in his capacity as a participant in racing;
  - (ii) Expediting, delaying, hindering or preventing, or having expedited, delayed or hindered or prevented the performance of an act, whether by that person or by any other person in his capacity as a participant in racing; or
  - (iii) Assisting, favouring, hindering or delaying or having assisted, favoured, hindered or delayed, any person in any matter in connection with the Club's racing operation or business.
- (4) Being a jockey, trainer, person engaged to provide services in a racing stable or in connection with a horse, owner or other participant in racing, without written permission of the Club, solicits or accepts or agrees to accept any advantage, whether directly or through an agent, as an inducement to or reward for or otherwise on account of his:
  - (i) Performing or abstaining from performing, or having performed or abstained from performing, any act in his capacity as a participant in racing;
  - (ii) Expediting, delaying, hindering or preventing, or having expedited, delayed or hindered or prevented the performance of an act, whether by that person or by any other person in his capacity as a participant in racing;

- (iii) Assisting, favouring, hindering or delaying or having assisted, favoured, hindered or delayed, any person in the transaction of any matter in connection with the Club's racing operation or business.
- (5) Wilfully enters or causes to be entered for any race or causes to start in any race, a horse which he knows or believes to be disqualified; or
- (6) Being an owner, nominator, licensed person or employee of The Hong Kong Jockey Club by advertisement, circular, letter or other means offers to give information concerning his own or other horses in return for any monetary or other consideration or who connives at such practice; or
- (7) Gives at any inquiry or appeal any evidence which in the opinion of the Stewards or the Stewards of the Jockey Club is false or misleading in any particular; or
- (8) Provides the Stewards, the Stewards of the Jockey Club, any Official or otherwise the Club with any false or misleading statement or declaration in respect of any matter in connection with the administration or control of racing; or
- (9) Is guilty of or conspires with any other person for the commission of or connives at any other person being guilty of any corrupt or fraudulent practice in relation to racing in any other country or is convicted of any criminal offence in relation to racing in any jurisdiction; or
- (10) Other than the registered owner or his Authorised Agent, both of whose names appear on the race card as owner or trainer, gives or attempts to give instructions regarding the running or riding of a horse in a race or the arrangements for training and racing it; or
- (11) As a licensed trainer accepts instructions as to any arrangements concerning the maintenance, training, entering and/or declaring in or for races, running and/or riding in races of a horse from anyone other than the registered owner whose name appears in the register maintained by the Stewards of the Jockey Club pursuant to these Rules; or
- (12) As a licensed jockey or apprentice accepts instructions concerning the maintenance, training, entering and/or declaring in or for races, running and/or riding in races of a horse from anyone other than the trainer or registered owner whose name appears in the register maintained by the Stewards of the Jockey Club pursuant to these Rules; or

- (13) As a licensed person or registered owner fails to report to the Stewards of the Jockey Club, or as they shall direct, any event or circumstances which comes to his knowledge and which would constitute a contravention of any of these Rules; or
- (14) Bets with or for a jockey or an apprentice or gives or offers a jockey any pecuniary or other gift or consideration contrary to these Rules; or
- (15) Places a bet on a horse to lose a race or to be beaten by any other horse or horses in the race.

**Rule 152.** When a person is warned-off and so long as he remains warned-off he is a disqualified person.

**Rule 153. (1)** Any person on whom a suspension or a disqualification has been imposed by any recognised horse racing, trotting, harness racing or greyhound authority is a suspended or disqualified person under these Rules so long as the suspension or disqualification continues unless the Stewards of the Jockey Club declare otherwise. Any person affected by the application of this Rule may apply to the Stewards of the Jockey Club for declaration of non-imposition by the Club provided that he has exhausted all avenues of appeal to the authority imposing the original award and provided that the application is made within 48 hours of final dismissal of appeal under the Rules of the imposing authority or, if no appeal is provided for, within 72 hours of the original award. Any application received after this time will be considered only if the applicant can show that it could not have been made within the time limit laid down in this Rule and that it was made at the earliest opportunity. Applications for non-imposition by the Club are to be made in writing to the Registry Office and must state the reasons why the penalty should not apply.

- (2) Any person who acts in any official capacity, enters, owns, trains or rides a horse entered or running at any unrecognised meeting may be penalised under these Rules including being disqualified for such time as the Stewards of the Jockey Club or the Stewards shall think fit.

**Rule 154.** A disqualified person so long as his disqualification lasts shall not: —

- (1) Act as a Steward or Official at any recognised meeting.
- (2) Act as Authorised Agent or Authorised Representative under these Rules.

- (3) Enter, run, train or ride a horse in any race at any recognised meeting, barrier trial, stalls test or in track work. If any entry made by a person disqualified or warned-off be mistakenly or inadvertently accepted, such acceptance shall be void, and the horse shall not be qualified to be entered or to start or participate in a barrier trial, stalls test or to undertake any track work.
- (4) Enter any racecourse, stand or enclosure, or any place where horses are stabled or are being trained.
- (5) Except with permission of the Stewards of the Jockey Club be employed in any capacity in any racing stable.
- (6) Associate with any owner, person licensed or employed by the Club in connection with horseracing.

### **Miscellaneous Offences**

**Rule 155.** No person shall: —

- (1) Aid or abet the commission of any breach of these Rules.
- (2) Act or behave or conduct himself in any violent or improper manner on any land or premises owned, used, licensed or controlled by the Stewards or by the Stewards of the Jockey Club.
- (3) Act in a manner prejudicial to the integrity, proper conduct or good reputation of horse racing under the control and direction of the Club whether or not such conduct is associated with horse racing or constitutes a breach of any of these Rules.
- (4) Without the permission of the Stewards of the Jockey Club associate in connection with horse racing under the control and direction of the Club, with any person known to be warned-off or disqualified or known to have done any act likely to cause serious damage to the interests of horse racing under the control and direction of the Club, whether or not constituting a breach of these Rules.
- (5) Be guilty of any misconduct, improper conduct or inappropriate behaviour.
- (6) (i) Convey, relay, send, transmit or in any other form communicate betting odds from any racecourse on the days upon which any race meeting is being held, except with the permission of the Stewards.

- (ii) During any race meeting, use in any way at any of the following places and their precincts any portable telephone, radio transmitter, radio receiver or any other appliance, apparatus, instrument or equipment capable of receiving or transmitting information: —
    - a) Parade Ring
    - b) Weighing Room
    - c) Inquiry Room
    - d) Saddling Stalls
    - e) The Sampling Stalls
    - f) Any other area as designated by the Stewards of the Jockey Club
  - (iii) Within the Jockeys' Room or its precincts, without the permission of the Stewards, use or have in his possession any portable telephone, radio transmitter, radio receiver or any other appliance, apparatus, instrument or equipment capable of receiving or transmitting information.
- (7) Administer or cause to be administered any therapeutic treatment to a horse except for a genuine veterinary reason and only then with the permission of the Veterinary Surgeon.
  - (8) Obstruct the Stewards or any other Officials in the exercise of their powers or duties.
  - (9) Assist, either directly or indirectly, any other person or individual to commit an offence or be a party to or incite the commission of an offence.
  - (10) Without a proper or acceptable reason, withdraw, induce or encourage the withdrawal of a horse from a race.
  - (11) Without a proper or acceptable reason, be induced to withdraw a horse from a race.
  - (12) Be in any manner involved, directly or indirectly, in the running of a horse in a race for which it has not been entered or declared.
  - (13) Enter or cause to be entered in a race a horse that is not owned by the person or persons in whose name it is so entered.
  - (14) Accept payment of any training fee and/or charges, in whole or in part, in respect of any horse entered for, or run in a race from any person other than the person in whose name the horse has been entered to run, or the spouse of such person, or his agent.

- (15)** Being aware that any horse is not qualified or eligible to run in a race, omit to notify the Stewards or any other Official.
- (16)** Interfere with, threaten or intimidate an owner, trainer or jockey of any horse or employee in a racing stable or any other person performing services in relation to the administration and operation of racing.
- (17)** (i) Give, disclose or otherwise make available any inside information in relation to a horse except to:
  - (a) The trainer or owner of the horse; or
  - (b) A person engaged to perform services in a racing stable by the Club or by the owner or trainer of such horse, and who requires that information to perform their duties and services in relation to the care or racing of the horse; or
  - (c) Club officials or Stewards or any other persons authorised by the Club.(ii) (a) Offer or give any advantage to any person for inside information; or otherwise
  - (b) Improperly obtain inside information.(iii) Solicit or accept any advantage from any person for inside information.
- (18)** Use or be a party to the use of any electric, electronic, mechanical or galvanic apparatus or equipment, directly or indirectly, in relation to any horse.
- (19)** Fail to register any matter which is required to be registered in terms of these Rules.
- (20)** Interfere with, tamper with or intimidate anybody (including any witness) involved in or concerned with any inquiry, investigation, protests/objections or appeal held or to be held under these Rules.
- (21)** Mislead the Stewards of the Jockey Club or the Stewards or any other Official or otherwise the Club on any matter.
- (22)** Allow or connive at a warned-off or disqualified person to be present on any premises or places from which such persons are excluded by these Rules.
- (23)** Associate with any warned-off or disqualified person.

- (24) Be guilty of any behaviour or conduct which, in the opinion of the Stewards of the Jockey Club or the Stewards, might have the effect of discrediting horse racing, or which brings, or could bring into disrepute the good name of the Club or any activity under the control and management of the Club.
- (25) Be a party to or incite any other person or individual to perform any act, or by omission create a circumstance which does or might lead to the abandonment, postponement or interruption of any race or a race meeting.
- (26) Commit any fraudulent or negligent act with regard to weights or weighing.
- (27) Refuse or fail to attend or remain at any inquiry, appeal, investigation or protest/objection hearing when required to do so in terms of these Rules.
- (28) Without lawful excuse, fail to give evidence at any inquiry, appeal, investigation or protest/objection hearing when required to do so in terms of these Rules.
- (29) Administer or cause to be administered any treatment to a horse on the day on which it has been declared to race (i.e. race day) until such time as the Stewards release such horse after it has raced.

### **Instructions**

**Rule 156.** No person shall refuse or fail to comply with the directions and requirements contained in the Instructions of the Stewards of the Jockey Club. Any such refusal or failure shall be an offence under these Rules, and shall be dealt with according to the penalty provisions of the Rules.

### **Distribution of Prizes**

**Rule 157.** In all races the entrance money, forfeits, etc. shall go to the Race Fund unless otherwise specified in the conditions of the race.

**Rule 158.** If the winner has walked-over or no horse has been placed second or in any lower place the prize money provided by the conditions for the horse placed second or in any lower place shall not be distributed. In these circumstances the winner will be entitled to prize money as advertised for first place only.

**Rule 159.** When a Cup (other than a Challenge Cup) is advertised to be run for it shall be given in the event of a walk-over.

**Rule 160.** Deductions shall be made from the amount won by the winner and horses placed down to sixth of every race as follows: —

- (1) For distribution to the trainer of the horse – 9.2%.
- (2) For distribution to the jockey who rode the horse – 10% for the winner, 5% for a placed horse (2<sup>nd</sup> to 6<sup>th</sup>).
- (3) For distribution to the owner of the horse – 70% of the prize money for the winner and 75% for a placed horse (2<sup>nd</sup> to 6<sup>th</sup>).
- (4) For distribution to the Hong Kong assistant trainer and the Hong Kong stable staff, and for use by the Club for any purpose in the interests of horse owners as the Club shall determine from time to time – 10.8%. Such deduction shall be distributed, retained and/or utilised at such rate and in such manner as the Club shall determine from time to time.
- (5) The aforesaid deductions are applicable to any prize money or incentive money won by a Hong Kong registered horse when racing overseas.

**Rule 161.** The Club shall render, subject to a laboratory test report clearance issued by the Chief Racing Chemist or such other chemist authorised by him or by another official racing laboratory, an account within three weeks after each meeting and pay over all prize and added money, after deduction of any overdue payments in the account, to the persons entitled, with the exception of an apprentice jockey, unless there is a protest/objection pending. All prize and added money to which an apprentice jockey is entitled shall be retained by the Club for a period determined from time to time by the Stewards of the Jockey Club.

### **Fees**

**Rule 162.** All fees, fines and deposits forfeited shall be paid to the Club unless otherwise stated in these Rules.

### **Authority-to-Act Fees**

**Rule 163. (1)** Fees for the registration of authority to act generally on behalf of an owner shall be payable at a rate to be determined by the Stewards of the Jockey Club.

- (2) Fees for a re-registration of authority to act generally on behalf of an owner following a stable change unless such change is caused by retirement, disqualification, illness or death of a trainer shall be payable at a rate to be determined by the Stewards of the Jockey Club.
- (3) Fees shall not be charged for a re-registration of authority to act on behalf of an owner subsequent to a stable change caused by retirement, disqualification, illness or death of a trainer.

## **Benevolent Fund and Jockeys' Accident Compensation and Insurance Schemes**

### **The Benevolent Fund**

**Rule 164.** The Club maintains a fund under the name of the Benevolent Fund for the relief of trainers, jockeys, apprentices, work-riders and their dependants. The Stewards of the Jockey Club may make grants out of the fund to any person who at any time has held a permit to ride or to such other persons who may be approved by the Stewards of the Jockey Club or to their dependants whether or not any such person or dependant has a claim on the Jockeys' Accident Compensation Scheme.

**Rule 165.** The fund shall be under the charge of the Stewards of the Jockey Club and shall be administered by them in their discretion.

**Rule 166.** The balance of the fund will be maintained at a level to be decided by the Stewards of the Jockey Club from time to time. All licence fees and fines received by the Registry Office and any other sums that the Stewards of the Jockey Club may direct will be credited to the fund until the laid down balance is reached. Thereafter licence fees and fines will be applied to the general administration of racing as the Stewards of the Jockey Club may direct.

### **The Jockeys' Accident Compensation Scheme**

**Rule 167.** The Club maintains and administers a scheme known as the Jockeys' Accident Compensation Scheme ("the Scheme") to provide jockeys and apprentices a daily allowance for injury and a lump sum benefit in the event of death, permanent total or permanent partial disablement resulting from an accident occurring whilst the injured jockey or apprentice is carrying out his duties riding in races or riding work on any racecourse under the control of the Stewards of the Jockey Club. In exceptional circumstances the Stewards may also make ex-gratia payments to such injured jockeys or apprentices out of the Scheme. The Scheme will continue to be in force until such time as the Stewards of the Jockey Club may determine.

**Rule 168.** The Stewards of the Jockey Club may determine and make such rules on the administration of and payment under the Scheme from time to time. Subject to the prevailing rules at the time of the injury or disablement: —

- (1) In the event of a jockey or apprentice jockey holding a current licence is unable to ride work or ride in races on account of injuries sustained in race riding or riding work for a period of no less than 7 days, such jockey or apprentice jockey may be entitled to a payment of a daily allowance as fixed from time to time by the Stewards of the Jockey Club up to a total period of 106 weeks during which he is indisposed.
- (2) A jockey or apprentice may be entitled to a lump sum as fixed from time to time by the Stewards of the Jockey Club if he dies or suffers any permanent total disablement or permanent partial disablement resulting from an accident occurring whilst he is carrying out his duties riding in races or riding work on any racecourse under the control of the Stewards of the Jockey Club.
- (3) Payment in all cases will be subject to medical certification issued by a doctor appointed by the Club and provision of other information or documentation as required by the Club.

#### **The Jockeys' and Apprentices' Accidents Insurance Scheme**

- Rule 169.** (1) The Stewards of the Jockey Club will in each racing season pay the premium for a policy of insurance in respect of each licensed jockey and apprentice to provide a benefit of HK\$2,000,000 payable in the event of death or permanent total disablement and up to a maximum of HK\$2,000,000 in the event of permanent partial disablement resulting from an accident occurring whilst the insured jockey or apprentice is carrying out his duties when riding in races or riding work on any racecourse under the control of the Stewards of the Jockey Club.
- (2) The insurance policy will be between the jockey or apprentice and the insurance company and each jockey or apprentice or his representative is responsible for effecting any claim to be made pursuant to the insurance policy.

- (3) Jockeys or apprentices will be obliged to complete such proposal forms, if any, as the nominated insurance company shall require and, from time to time, provide any supplemental or additional information required by the insurance company. A jockey or apprentice completing any proposal form or providing any additional information shall be solely and exclusively responsible for the accuracy thereof and shall have no claim against the Stewards of the Jockey Club in respect of any rejection of any claim for compensation arising out of any material non-disclosure or provision of incorrect information whereby such policy of insurance shall be void, voidable or vitiated.
- (4) Jockeys and apprentices will be obliged to submit to such medical examinations, if any, as the insurance company may from time to time require. The Stewards of the Jockey Club shall be discharged from the obligation to comply with this Rule so far as it relates to a jockey or apprentice who fails to pass any such medical examination.
- (5) Jockeys and apprentices shall be exclusively responsible for observing and performing the terms and conditions of their policies of insurance and the Stewards of the Jockey Club shall be under no liability to any jockey or apprentice if as a result of any failure to observe any term and condition of his insurance policy his rights thereunder are adversely affected.
- (6) Jockeys and apprentices may make private arrangements with the insurance company or any other insurance company of their choice to extend the cover afforded by the policy of insurance or take out any additional policy but the responsibility to pay any additional premium(s) and to comply with any other specific requirements of the insurance company will be exclusively that of the jockey or apprentice.

**Rule 170.** The Stewards of the Jockey Club may from time to time increase the maximum insured benefits given to every licensed jockey or apprentice. The Stewards of the Jockey Club may from time to time reduce the maximum insurance benefits afforded by the insurance policy provided that the Stewards of the Jockey Club will not reduce the benefits during the course of a period of insurance and will advise each jockey and apprentice at least four months prior to the expiration of a period of insurance of their intention to reduce the benefits payable pursuant to the policy for the next following period of insurance.

## Prohibited Practices

**Rule 171.** Any person found guilty of committing or procuring or causing any person to commit any of the following prohibited practices may be penalised and where a horse has been subjected to any of the specified prohibited practices, the Stewards of the Jockey Club or the Stewards may in accordance with their respective powers, suspend, make ineligible to race or otherwise make any order in relation to the subject horse: —

- (1) The application of thermocautery to the skin over the musculoskeletal structures to cause a counter-irritant effect.
- (2) The application of a substance to cause vesiculation of the skin and underlying tissues.
- (3) The use on, or administration or application to, any horse of any therapy, method or process which involves Gene Editing or Genome Editing.
- (4) The withdrawal and re-infusing of any autologous blood or blood products, or administration of any homologous blood or blood products into the circulatory system of any horse at any time, except for those procedures performed for life-saving purposes or in the use of veterinary regenerative therapies for the treatment of musculoskeletal injury or disease when performed under the supervision of a Veterinary Surgeon.
- (5) The drenching or infusing of a horse at any time on the day of the race meeting at which the horse is due to run in a race.

## Genetic Therapy, Gene Editing and Genome Editing

- Rule 172.** (1) The use or administration of a Genetic Therapy on or to a horse is prohibited at all times. Provided that the use or administration of autologous conditioned serum or “platelet-rich plasma” treatments which do not involve the transfer of whole cells / DNA shall be permitted.
- (2) A Genetic Therapy may be used or administered to a specific horse with the express prior approval of the Club if that Genetic Therapy is used to treat an injury or disorder formally diagnosed by a veterinarian, and:
- (i) is not capable of modifying a horse’s heritable genome;
  - (ii) does not pose a threat to the welfare of horse;

- (iii) does not pose a threat to the integrity of racing, either by having the potential to enhance or harm the performance of a horse in a race.
- (3) The use on, or administration or application to, any horse of any therapy, method or process which involves Gene Editing or Genome Editing is prohibited at all times.

## APPENDIX 1

### Revised Hong Kong Jockey Club Scale of Weight-For-Age (for Terms Races)

Distance	Age	Southern Hemisphere Bred Horses										
		Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
Under	4yo+	126	126	126	126	126	126	126	126	126	126	126
1400 M	3yo	114	115	116	117	119	120	121	122	123	124	125
1400 M to	4yo+	126	126	126	126	126	126	126	126	126	126	126
1800 M	3yo	110	111	112	113	115	117	119	121	123	124	125
1900 M to	4yo+	126	126	126	126	126	126	126	126	126	126	126
2200 M	3yo	109	110	111	112	114	116	117	119	121	123	124
Over	4yo+	126	126	126	126	126	126	126	126	126	126	126
2200 M	3yo	108	109	110	111	113	114	115	117	119	121	123

Distance	Age	Northern Hemisphere Bred Horses										
		Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
Under	4yo+	126	126	126	126	126	126	126	126	126	126	126
1400 M	3yo	124	125	126	126	115	116	117	118	119	120	121
1400 M to	4yo+	126	126	126	126	126	126	126	126	126	126	126
1800 M	3yo	123	124	125	125	109	111	113	115	117	118	120
1900 M to	4yo+	126	126	126	126	126	126	126	126	126	126	126
2200 M	3yo	121	122	123	123	108	110	112	113	115	117	119
Over	4yo+	126	126	126	126	126	126	126	126	126	126	126
2200 M	3yo	119	120	121	121	107	109	111	113	115	116	117

#### Further Allowances in Terms Races

1. Southern Hemisphere 2 year olds will receive 5 lb from Northern Hemisphere 3 year olds between January and July.
2. Fillies and Mares : **4 lb** where applicable.

**Instructions  
made by the  
Stewards of the Jockey Club**

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# The Hong Kong Jockey Club

## INSTRUCTIONS MADE BY THE STEWARDS OF THE JOCKEY CLUB

### Introduction

These Instructions of The Hong Kong Jockey Club are made by the Stewards of the Jockey Club in accordance with clause 3(xix) of the Memorandum of Association and Article 47 of the Articles of Association of the Club.

They are complementary to and have the same force and effect as the Rules of Racing, and are subject to the definition of words and phrases provided by those Rules of Racing.

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#### **Inst. 1. Compulsory and Voluntary Retirement of Horses**

- (1) Compulsory retirement criteria are determined by the Stewards of the Jockey Club. The current criteria are as follows: —
  - (i) All horses which have reached the age of 11 years.
  - (ii) All horses rated 25 or below at the end of each racing season.
  - (iii) All horses whose veterinary histories indicate that, in the opinion of the Veterinary Officer, they are no longer sound and/or safe racing propositions. This includes horses with one eye or blind of an eye, horses that have been reported to have bled from one or both nostrils on two occasions and horses that have been reported on three occasions to have had an irregular heart rhythm.
  - (iv) All horses foaled in the Southern Hemisphere which will be an 8-year old at the season end and any horse foaled in the Northern Hemisphere which will be a 9-year old at the season end will be required to have a full veterinary examination to determine its suitability to remain in training for the coming season.

- (v) All horses which has not raced 12 months or more will be required to pass an official barrier trial and official veterinary examination before it is entered for a race. Unless otherwise permitted by the Stipendiary Stewards in exceptional circumstances, the official barrier trial and official veterinary examination must be conducted jointly as part of the same process.
  - (vi) Any horse which is unruly and which, in the Stewards' opinion, is unsafe to continue to race.
- (2) Horses may be voluntarily retired by their owners regardless of the horse's age or rating.

**Inst. 2. Apprentices**

- (1) Trainers are responsible for the riding arrangements of their allocated apprentices. In no circumstances should an apprentice be permitted to accept any ride without the previous approval of his allocated trainer or the Stewards.
- (2) Apprentices who have been granted a licence to ride cannot ride in a race at Happy Valley Racecourse until they have been granted permission by the Stewards to do so. Such permission will not be granted until the apprentice has ridden satisfactorily in races at Sha Tin Racecourse and in barrier trials at Happy Valley.

**Inst. 3. Authorised Agents**

Jockeys shall not be allowed to act as Authorised Agents nor shall they be able to sign any entries or declarations for any horse.

**Inst. 4. Balloting-out of Horses**

- (1) Entries for any race will be limited to a safe number to be decided on by the Stewards from time to time. Horses in excess of the prescribed number, which will be published on the Prospectus for each race, will be balloted out, based on the conditions of entry or race conditions, to a reserve list for that race or each section of that race.

- (2) Reserve lists will be drawn up in numerical order in which the excess horses are balloted-out. Horses on the reserve list may be transferred to another race programmed on the same day in accordance with the conditions of entry. If any of the accepted entries do not declare to start then any such vacancies will be filled from the reserve list(s) in numerical order. If for any reason a declared starter is withdrawn between closing of declaration and 11:30 a.m. on the day preceding the race then his place may be filled by one or, in the case of two withdrawals, two standby declared starters who will be nominated at declaration. The standby declared starter will assume the racecard and barrier draw numbers of the withdrawn horse. In the event of both standby declared starters obtaining a place, allocation will be in order of the time of withdrawal of the originals.

#### **Inst. 5. Tack and Gear**

- (1) All riders and trainers shall comply with the Rules and the Instructions that prohibit the use of faulty gear.
- (2) Any bit other than a single-jointed racing snaffle or any tack/gear additional to a racing saddle and bridle, including, but not limited to, blinkers, hood, pacifier, visor (collectively of an approved design), and tongue strap, shall not be worn by a horse in any race, barrier trial, stalls test or in track work without the approval of the Stewards. Any such tack/gear approved and used on a horse in a race shall continue to be used on that horse without variation until permission to remove or vary the same has been sought and obtained from the Stewards. In particular the following should be noted: —
  - (i) Any items of approved tack/gear shall be worn by the horse in the saddling area, the parade ring, on the way to the start and during the race. Provided that a horse is permitted to wear a hood in the parade ring and on the way to the start but not during the race. In these circumstances the hood must be applied prior to entering the parade ring and must not be removed until the horse arrives at the start.
  - (ii) **Blinkers and Visors**

Blinkers and visors should not be worn by a horse in a race unless the horse has passed such test or trial as may be prescribed by the Stewards. Only blinkers, visors, pacifiers or hoods of a design approved by the Stewards shall be used. Blinkers and visors must be removed as soon as practicable after the race.

(iii) **Bandages and Protective Boots**

Only bandages and protective boots of a design that complies with the requirements of the Stewards and the Veterinary Officer may be used both in races and in training.

(iv) **Shadow Rolls and Sheepskin Browbands**

Only shadow rolls and sheepskin browbands of a design approved by the Stewards and the Veterinary Officer shall be permitted to be used on horses both in races and in training. Shadow rolls and sheepskin browbands shall not be worn in races by horses wearing pacifiers. Drop nosebands shall not be worn in races or barrier trials.

(v) **Martingales**

Fixed/standing martingales or any tack/gear (other than the reins) attaching directly onto the rings of the bit or noseband shall not be used in races.

(vi) **Boring Leathers and Brush Prickers**

Only Boring Leathers and Brush Prickers of a design approved by the Stewards and the Veterinary Officer shall be permitted to be used on horses both in races and in training.

(vii) **Racing Plates and Shoeing**

(a) Only aluminium racing plates as provided by the Club and which, including nails, must not exceed 1½ lb in weight collectively are to be used in races.

(b) No horse shall be permitted to race unshod.

(c) The use of steel training shoes will not be permitted in races.

(d) Trainers are advised that the approval of the Head Farrier or his representative must first be obtained for the plating of horses for races in any way other than with a plain shoe, including the use of wedges, glue-on shoes, bar shoes or any other horseshoe of non-standard design, leathers or any substance between the plate and the hoof in any form of plating. Glue-on aluminium racing plates will not be permitted to be applied, or re-applied, less than two (2) hours prior to the time a horse is due to start in a race.

(e) Calks, toe grabs, cutting plates or other devices which may represent a danger not only to the horse wearing them but also to other horses shall not be permitted in training or racing.

(viii) **Tying Down of Horses' Tongues**

Tying down of horses' tongues in training and in races may only be achieved by the use of a tongue strap approved by the Veterinary Officer. The tongue may only be tied to the horses' lower jaw and must not be tied to any part of the bit or bridle. Trainers are responsible for showing the horse with its tongue tied down to the Veterinary Officer prior to its leaving the parade ring provided that the Stewards shall have the power to allow the horse to race without its tongue tied down if for whatever reason a tongue strap cannot be fitted to the horse. Tongue ties must be removed as soon as practicable after a race.

(ix) **Nasal Dilators**

Nasal dilators shall not be worn by horses at any time.

(x) **Ear Plugs**

Only ear plugs of a design approved by the Stewards and the Veterinary Officer shall be permitted to be used on horses in races. When a horse is declared to race with ear plugs, such ear plugs must not be removed during the course of the race and must remain in place until after the horse has been unsaddled following the race. Ear plugs shall not be used by horses wearing a hood.

(xi) **Cornell Collar**

Only Cornell Collars of a design approved by the Stewards and the Veterinary Officer shall be permitted to be used on horses both in training and in races. In the event that the Cornell Collar is not available or is not serviceable and no replacement is available on a raceday, the horse shall be withdrawn from the race in which it has been declared.

**Inst. 6. Pecuniary Interest – Officials**

- (1) No person shall act as a Steward, Handicapper, Judge, Starter, Clerk of the Scales or other Official for any race if he has a pecuniary interest in the result.

**Inst. 7. Sale of Horse**

- (1) Sale of horses, with the exception of those for sale at the Hong Kong International Sale, shall be by sealed tender and the procedures to be adopted shall be determined by the Stewards and will be published in the Ownership Bye-laws.

- (2) All horses approved for sale by tender must undergo a thorough veterinary examination, which includes a testing gallop, to assess their suitability for sale.

**Inst. 8. Bleeding/Irregular Heart Rhythm**

- (1)
  - (i) Any horse which bleeds, either from one or both nostrils, must be reported by the Trainer, or his authorised staff, to the Stewards and to the Veterinary Officer or the Veterinary Surgeon, as soon as possible on the same day that the horse bleeds.
  - (ii) The Veterinary Officer or the Veterinary Surgeon will examine any horse which is reported to have bled from the nostril(s) on the day that it bleeds and may confirm a horse as having bled without conducting an endoscopic examination.
- (2)
  - (i) On the first occasion a horse is reported to have bled, it will be barred from racing for a period of three months. During the first month of the ban the horse will not be permitted to use the swimming pools or to work on the small all weather tracks, the large all weather tracks or the grass tracks both in Hong Kong and at Conghua Racecourse, as well as the uphill gallop at Conghua Racecourse. During the second and third months of the ban, the horse will be allowed to use all training facilities.
  - (ii) On the second occasion a horse is reported to have bled, it will be permanently barred from any further racing.
- (3)
  - (i) On the first occasion a horse is reported to have had an irregular heart rhythm, the horse will not be permitted to be entered to race for a period as stipulated by the Veterinary Officer.
  - (ii) On the second occasion a horse is reported to have had an irregular heart rhythm, the horse will be barred from racing for a period of six months. During the first four months of the ban, the horse will not be permitted to use the swimming pools or to work on the small all weather tracks, the large all weather tracks or the grass tracks both in Hong Kong and at Conghua Racecourse, as well as the uphill gallop at Conghua Racecourse.
  - (iii) On the third occasion a horse is reported to have had an irregular heart rhythm, the horse will be permanently barred from any further racing.

- (4) Any horse which is reported to have bled and/or to have had an irregular heart rhythm may not start in any race until the full ban has expired and, as required by the conditions of entry, may not be entered or declared to race again until it has passed such test or trial as directed by the Stewards and to the satisfaction of the Veterinary Officer.
- (5) Notwithstanding the foregoing provisions, the Stewards of the Jockey Club on receiving a report from the Veterinary Officer endorsed by the Stewards reserve the right to refuse entries permanently or for any recommended length of time for any horse they may consider to be a serious risk to racing.

**Inst. 9. Handicapping — Complaints**

Any owner or trainer who is dissatisfied with the weight allotted to his horse may state his complaint in writing to the Executive Director, Racing for consideration and adjudication. Such complaint must be signed by the owner or trainer.

**Inst. 10. Advertising/Endorsement**

- (1) Without first obtaining the permission of the Stewards of the Jockey Club trainers and jockeys agree that whilst licensed by the Club they will not enter into a relationship with a provider of funds, resources or services which offers in return an advantage. They must undertake that they will not enter into any arrangement whereby a third party may acquire any right to advertise, promote, sell or display any goods, merchandise or services using their name, image, appearance, physical likeness or endorsement. They also undertake that they will not endorse any product, or enter into any agreement to endorse any product. They further undertake that if required by the Club they will provide full details of any existing relationship they have with a provider of funds or any existing relationship they have with a third party to endorse products.
- (2) Unless otherwise approved by the Stewards of the Jockey Club no licensed, registered or approved person shall wear any item of clothing displaying any advertising material during the conduct of a meeting or in barrier trials; or display any advertising; and no horse shall be equipped with gear displaying any advertising material.

**Inst. 11. Dismounting Enclosure**

Owners leading their horses in after a race shall not be permitted to lead a horse within the dismounting enclosure.

**Inst. 12. Feeding of Horses**

No horse may ingest any foodstuffs after a race until such horse has been released by the Stewards.

**Inst. 13. Handicaps and Terms Races**

- (1) In all handicaps the maximum top weight shall be 135 lbs and the minimum weight shall not be less than 115 lbs.
- (2) The weight for all terms races shall be as set out in the race conditions.

**Inst. 14. Jockeys' Room**

- (1) On race days jockeys and apprentices will not be permitted to leave the Jockeys' Room until they have completed all their riding engagements. Permission to leave the Jockeys' Room and its precincts must then be obtained from a Steward. All jockeys riding in the last race are required to remain in the Jockeys' Room until given permission to leave by a Steward.
- (2) Any jockey or apprentice not having riding engagements at a race meeting is at liberty to accept an invitation to a Steward's box or a private Club box for the day's racing.
- (3) Jockeys and apprentices having riding engagements may not frequent the Weighing Room except in the course of their race riding duties, weighing-out, weighing-in, etc. and for essential conferences with their owners or trainers for which purpose a trainer may summon his jockey.

**Inst. 15. Jockeys and Trainers**

- (1) In the event of any jockey being prevented from fulfilling a riding engagement through illness the Stewards must be notified as soon as possible, and a medical certificate submitted stating the nature of the illness.
- (2) All jockeys are required to unsaddle their mounts after a race and no trainer or stable employee is permitted to assist them.
- (3) The Stewards or other appointed officials at the unsaddling area and the place set apart for dismounting of placed horses may in exceptional circumstances give consent for a jockey to be assisted.
- (4) The Stewards may fine any jockey who, or any trainer whose horse, is late into the parade ring.

- (5) Any trainer intending to start a horse in any Jockey Club Race must ensure such horse is presented for pre-race weighing at the specified time and scales nominated by the Club.

**Inst. 16. Riding in non-Jockey Club Races**

A jockey who has applied and has been granted a clearance to ride in a non-Jockey Club Race will not automatically be permitted to resume riding on his return.

**Inst. 17. Replacement of Declared Jockeys**

- (1) In the event of a jockey who cannot claim a weight allowance who has been declared as the rider of a horse being unable to fulfil his riding engagement, and there being no other such jockey available who is acceptable to the owner/trainer of the horse, the Stewards may permit as his replacement a jockey who can claim a 2 lb, 3 lb or 5 lb weight allowance or an apprentice who can claim a 2 lb, 3 lb or 5 lb weight allowance.
- (2) In the event of a declared apprentice who can claim a 2 lb, 3 lb or 5 lb weight allowance being unable to fulfil his riding engagement, and there being no other apprentice available who is acceptable to the owner/trainer, the Stewards may permit a jockey as his replacement, irrespective of whether such jockey can claim a weight allowance.
- (3) In the event of a declared jockey who can claim a weight allowance being unable to fulfil his riding engagement, and there being no other jockey who can claim a weight allowance available who is acceptable to the owner/trainer, the Stewards may permit a jockey who cannot claim a weight allowance or an apprentice who can claim a 2 lb, 3 lb or 5 lb weight allowance as his replacement.
- (4) In the event of a declared apprentice who can claim a 7 lb or 10 lb weight allowance being unable to fulfil his riding engagement, and there being no other apprentice who can claim a 7 lb or 10 lb weight allowance available who is acceptable to the owner/trainer, the Stewards may permit as his replacement an apprentice who can claim a 2 lb, 3 lb or 5 lb weight allowance or a jockey who can claim a 2 lb, 3 lb, 5 lb or 7 lb weight allowance.
- (5) Notwithstanding any of the aforementioned provisions, when there is no other rider available to fulfil a riding engagement, the Stewards may permit a jockey or apprentice jockey as a replacement irrespective of whether the rider can claim a weight allowance.

**Inst. 18. Pulling Up After the Finish**

Jockeys in races must ease up their horses gradually after the finish and not pull up sharply.

**Inst. 19. Riders — Accidents**

- (1) All riders shall report immediately to the Medical Officer on the course in all cases where they fall or meet with an accident whilst riding under these Rules.
- (2) Riders who are involved in a race or track work accident which results in concussion and/or loss of consciousness will not be permitted to ride until obtaining a clearance certificate provided by a suitably qualified Club-appointed medical specialist.

**Inst. 20. Racecourses and Track Work Regulations**

- (1) The opening and use of all training tracks and facilities of the Club rests entirely with the Head of Raceday Operations, Tracks and Racing Facilities for facilities in Hong Kong and the Deputy Executive Manager, Tracks and Racing Projects (CRC) for facilities at Conghua Racecourse, or such persons as authorised by them. Persons permitted to use training tracks and facilities of the Club shall comply with all directions and requirements of the Head of Raceday Operations, Tracks and Racing Facilities for facilities in Hong Kong and the Deputy Executive Manager, Tracks and Racing Projects (CRC) for facilities at Conghua Racecourse, or such persons as authorised by them. Any person failing or refusing to do so may be penalised.
- (2) The only persons permitted to use the training tracks shall be: —
  - (i) Persons holding a licence to ride in races under these Rules.
  - (ii) Apprentices not holding a licence to ride in races.
  - (iii) Work Riders who have received permission to use the training tracks.
  - (iv) Trainers and their assistants.
  - (v) Those granted permission to do so by the Stewards.
- (3) Track Work Regulations as issued from time to time by the Stewards are to be observed at all times. Disciplinary action may be taken against any person found to be in breach of the Track Work Regulations.

**Inst. 21. Smoking**

Smoking is not allowed by licensed persons and stable staff inside the parade ring and any other area of the racecourse where smoking is prohibited.

**Inst. 22. Spurs and Whips**

- (1) No spurs may be worn in races, barrier trials or in track work.
- (2) All whips used in races and in training must be of a design which complies with the requirements of the Stewards.
- (3) The Stewards may punish a jockey if in their opinion he has used his whip in an excessive, improper, unnecessary or inappropriate manner.
- (4) The Stewards may punish any jockey who fails to retain his whip during the race.

**Inst. 23. Start**

- (1) All starting gate attendants are under the control of and will take orders from the Starter only and no person acting as a starting gate attendant will give special attention to any horse or jockey unless instructed to do so by the Starter.
- (2) Each jockey in a race must ascertain the place allotted to him by the draw before leaving the Weighing Room and shall ensure that his mount is placed into the allocated stall.
- (3) Except with the permission of the Stewards, no owner or trainer of any horse in a race, or any employee of either of them, shall be on the course in the vicinity of the starting stalls after the horses leave the parade ring for the race.

**Inst. 24. Led to Starting Barrier**

Horses are not to be led to the start unless prior permission has been obtained from the Stewards or such other person authorised by them.

**Inst. 25. Trainers and Jockeys — Leave of Absence**

All trainers and jockeys shall obtain prior approval from the Stewards for any leave of absence.

**Inst. 26. Unrecognised Meeting**

- (1) Shows, sports meeting, gymkhanas and such like gatherings where the programme includes a race or races for horses are unrecognised meetings and entail perpetual disqualification under the Rules on all horses taking part and disqualification for twelve months from the date of the meeting on all owners, trainers, riders and Officials.
- (2) At meetings where the races are confined to ponies, as distinct from horses, the ponies are perpetually disqualified but persons do not incur disqualification.

**Inst. 27. Weighing-in of Unplaced Jockeys**

After any race jockeys of all unplaced horses are required to weigh-in in the same way as the first four placed horses.

**Inst. 28. Weighing-out**

- (1) Jockeys are required to come to the scale in good time. For those riding in the first race this should be not less than half an hour before the first race. Those riding in the previous race are asked especially to be as expeditious as possible to prevent delay in the running of the subsequent race.
- (2) On coming to scale for weighing-out every jockey must declare to the Clerk of the Scales his saddle cloth number and all gear that is included in his weight.
- (3) All jockeys after weighing-out for a race shall hand their saddles to the trainers concerned or their representatives, who shall not leave the saddles unattended.
- (4) Saddles must not be taken back into the Jockeys' Room after the jockeys have weighed-out.
- (5) Trainers or their representatives must be present when apprentices or jockeys are weighing-out for a race.
- (6) Each jockey is responsible for ensuring that he presents himself to weigh-out in the correct racing colours, with the correct number cloth and with all the required equipment.

**Inst. 29. Riding Instructions**

Each trainer is required to instruct the jockey of any horse for which he is responsible to ride that horse in such a manner as to ensure that the best possible placing is obtained. Each owner who wishes to give additional tactical instructions to his jockey should do so through the trainer. Should an inquiry be held involving the running and/or riding of a horse the trainer and the owner will be asked to repeat their respective riding instructions.

### **Inst. 30. Partnerships**

Each partnership document lodged in compliance with of these Rules shall contain the following provisions. Any partnership document which does not contain such provisions shall be deemed to incorporate such provisions. Any partnership document which contains provisions which conflict with the following provisions shall be read and construed as if the following provisions were contained in lieu of such conflicting conditions: —

- (1) A declaration as to the partners' percentage interests in the horse(s) and in default the same shall be deemed to be in equal shares.
- (2) The partners agree at all times to be bound by the Rules of Racing and Instructions of the Club, and the Bye-laws of the Club as are in force from time to time during the period of the partnership.
- (3) The partners agree that a managing partner and an alternate to act in his absence shall be notified to the Stewards of the Jockey Club at the time the partnership document is lodged and that until a notification of change is lodged with the Stewards of the Jockey Club he shall normally account to the Club and to the other partners for all dealings with the horse(s) and all routine correspondence and accounts shall be submitted to him. The partners understand they shall be required jointly and severally to account to the Stewards of the Jockey Club for any aspect of the ownership or management of the horse(s) at any time.
- (4) The partners agree that the partnership may be increased only with the consent of all partners.
- (5) In the event that it is necessary to reduce the partnership for any reason (other than the death of a partner) the partners agree to implement one of the following alternatives: —
  - (i) The continuing partners may absorb the share of the departing partner at a mutually acceptable consideration; or
  - (ii) A new partner may with the approval of all continuing partners be co-opted in place of the departing partner at an agreed consideration payable to the departing partner, provided that the new partner meets the requirements laid down in the Ownership Bye-laws for change of ownership; or

- (iii) In the event that alternatives (i) or (ii) above are unacceptable to any or all of the partners or the partners are unable to agree on the action to be taken or the consideration proposed, the partnership shall be dissolved by disposal of the horse(s) by sale by tender in accordance with the Horse Ballot Bye-laws and the net proceeds of any such sale shall be distributed among the partners according to their declared or deemed percentage interests.
- (6) In the event of the death of a partner, the horse(s) owned by the partnership shall be eligible to run in races pending a transfer of the deceased partner's share to a new partner provided that the executor or the administrator of the deceased partner's estate agrees to abide by the conditions laid down in Bye-law 13.2 of the Ownership Bye-laws.
- (7) The partners undertake to have resolved the question of the disposal of the share of a departing member of the partnership within one calendar month of the departure of the partner.
- (8) The partners agree that any dispute which they are unable to resolve within the partnership or with the executors of the estate of a deceased partner shall be referred to the Stewards of the Jockey Club whose decision shall be final.
- (9) Upon a partner retiring from the partnership, if the continuing partners are unable to agree a price to be paid for the interest of the retiring partner in the partnership horse(s) within the period specified in paragraph (7) then the partners or any one of them shall forthwith report the same to the Stewards of the Jockey Club who as soon as practical shall cause the horse(s) owned by the partnership to be sold pursuant to the Horse Ballot Bye-laws and the net proceeds of the sale shall be distributed amongst the partners according to their declared or deemed percentage interest in the horse(s). The continuing partners shall be permitted, should they so wish, to submit a tender for the partnership horse(s) to be sold under this rule.

### **Inst. 31. Small Fields**

- (1) In cases where individual sections of the same race are reduced at the time of closing of declarations to six runners or less, the Stewards of the Jockey Club reserve the right to amalgamate such sections or to distribute the runners by ballot to other sections of that race on the same day, if circumstances so warrant and if sufficient vacancies occur in other sections.

- (2) In the case of one section of a race programmed for a different date to the other section(s) being reduced at the time of declarations to four runners or less, the Stewards of the Jockey Club reserve the right to abandon that section and require the declared starters for it to re-declare for sections programmed for the later date.
- (3) Such declared starters will be allotted to vacancies in subsequent sections or to reserve lists for them by ballot and if unable to obtain a vacancy to run will be granted the normal rights of seeding following being balloted out.
- (4) Horses declared to start from reserve lists may be framed into an additional race if the need arises and sufficient numbers are available due to the application of these provisions.
- (5) These provisions may be applied to Cup races and divided races.

### **Inst. 32. Stables Strength**

- (1) The maximum number of horses which may be trained by any one trainer based either exclusively at Sha Tin in Hong Kong or at both Sha Tin in Hong Kong and Conghua Racecourse shall be determined by the Stewards of the Jockey Club in their discretion from time to time. The date on which a horse is included in a trainer's stable strength list following import shall be determined by the Stewards of the Jockey Club from time to time.
- (2) Notwithstanding the maximum number as determined aforesaid, all trainers are allowed to exclude from the stable strength list up to 2 horses provided that such horses are stabled at the spelling stables or rehabilitation stables. Horses officially retired from racing but are still in the stable pending relocation, horses which are stabled at an overseas farm for spelling and/or rehabilitation purposes and horses in post-arrival quarantine which have not raced may be excluded.

### **Inst. 33. Transfers**

- (1) The transfer of a horse will not be allowed without the written permission of, and following an examination by, the Veterinary Surgeon. A sample of a horse's urine will be collected immediately prior to its transfer.
- (2) Unless it is under any other restriction, a horse is entitled to resume racing after the expiration of 14 days of the date of the official notification of its transfer.

- (3) No horse may be transferred without the prior written approval of the Stewards at which time any existing entry to race, other than an early closing entry, will be cancelled and the horse will not be permitted to run until new Authority to Act forms are completed.
- (4) A horse that is subject to a request for stables transfer will be barred from using any training facility until written approval to the change is issued.
- (5) A fee to be determined by the Stewards of the Jockey Club shall be payable upon stables transfer.

**Inst. 34. Supervision and Control of Training**

No horse will be permitted to start in a race unless within 7 days prior to its engagement it has worked publicly on the training tracks in Hong Kong or at Conghua Racecourse. Trainers are required to certify to this effect on the declaration form.

**Inst. 35. Veterinary Services**

- (1) The Club will provide year-round 24 hour veterinary service by the Veterinary Surgeons.
- (2) Should any owner or trainer wish at any time to call on the services of any other person he shall apply for approval in writing to the Stewards of the Jockey Club. Owners using the services of any other person approved in this way shall be responsible for all fees, medication etc, and the Club shall not be held responsible in any way.

**Inst. 36. Barrier Trials and Stalls Tests**

- (1) Correct racing colours shall be worn in barrier trials and stalls tests.
- (2) **Fractious Horses at the Barrier**

The Stewards may order that any horse that has been withdrawn from a race or a barrier trial for being intractable at the start be disallowed to start again until such horse passes to the joint satisfaction of the Stewards and the Starter any tests/trials they consider appropriate.

- (3) **Unruly Horses**

The Stewards may suspend any horse which they consider has been sufficiently unruly or wayward to warrant such suspension. Any horse so suspended shall not be permitted to start in any race until such time as it has performed in a barrier trial to the satisfaction of the Stewards.

**(4) New Imports**

- (i) A griffin is required to pass a stalls test and then a barrier trial before it can be entered to run. Any griffin with a certificate issued by a Recognised Racing Authority which states that the horse has passed a stalls test will be required to pass only one official barrier trial before being entered for a race.
  - (ii) A privately purchased horse is required to pass one barrier trial before it can be declared to run.
  - (iii) A horse shall not be branded in The Hong Kong SAR without reference to its original or certified copy of its Stud Book certificate, or any other similar document from the relevant racing authority in the horse's country of origin, which among other details officially certifies the horse's breeding and description.
- (5) Alterations to "entries" for barrier trials and stalls tests must be made to the Stewards or the Starter prior to the trial (e.g. changes of equipment, changes of jockeys or withdrawals).

**Inst. 37. Veterinary Medication**

Prescribed veterinary medication should normally be administered for the full course as instructed by the Veterinary Surgeon. Should a trainer wish to prematurely discontinue such a course, he must obtain the approval of the Veterinary Surgeon giving the last administration date requested. Upon approval from the Veterinary Surgeon to discontinue such a course, the trainer shall as soon as practical return all excess relevant veterinary medication to the equine hospital.

**Inst. 38. Samples for Analysis**

The Stewards may order at any time that any samples be taken for analysis from any horse in training, and such samples may be stored, frozen or otherwise dealt with and shall be disposed of only as the Stewards may direct.

**Inst. 40. Import and Racing of Entire**

- (1) Entire will be permitted to race without restriction subject to their remaining tractable. Should they become intractable they shall be barred from further racing.
- (2) The Veterinary Officer shall recommend to the Stewards that a horse has become intractable to the point that it should be barred from further racing.

- (3) In the event of the Veterinary Officer's recommendation that a horse should be barred from racing being accepted, the owner will be so notified by the Registry Office.

#### **Inst. 41. Retainers**

##### **(1) Requirements**

- (i) A trainer may not apply to retain a jockey unless at the time of application he has not less than thirty (30) horses in his stable and not less than eighty-five percent (85%) of owners attached to his stable agree to support the proposed retainer. 'Support' means contributing to the cost of the retainer and affording the retained jockey first call on the owner's horse(s) in races and 'supporting owner' means an owner who agrees to support the retainer. 'Non-supporting owner' means an owner who does not agree to support the retainer.
- (ii) Subsequent to the approval and implementation of a retainer: —
- (a) Each owner must provide the Club with notification in writing as to whether he consents to be deemed as a supporting owner or a non-supporting owner.
- (b) An owner who has agreed to support the retainer is not permitted to alter such status to that of a non-supporting owner during the approved term of the retainer. An owner who has not agreed to support the retainer is permitted to alter such status during the approved term of the retainer.
- (c) An owner who transfers his horse or horses to that trainer will upon such transfer become a supporting owner.

##### **(2) The Retainer — Terms**

The terms and conditions to regulate a retainer shall be determined by the Stewards. A copy of the document containing the approved terms and conditions can be obtained from the Club. A retainer using a form other than one obtained from the Club will not be accepted.

##### **(3) Minimum Amount and Minimum Contribution**

- (i) The minimum amount to be paid under a retainer shall be the sum of the contributions to be made by the supporting owners.

- (ii) No supporting owner shall make a monthly contribution to the cost of the retainer of less than \$1,000 for each horse he owns in the stable, and his monthly contribution shall be debited to his membership account for the duration of the retainer. The Club will pay the amounts so debited into an account in the name of the trainer (“the Retainer Account”) to be available for the trainer to meet the cost of the retainer.

**(4) Full Fee to be Disclosed**

The retainer must state the total sum of money and identify all of the benefits, to be paid or provided to the jockey in consideration of his agreement to undertake the duties and obligations imposed on him by the retainer.

**(5) Procedure for Registration**

Notwithstanding approval by the Stewards, a retainer shall not be valid or binding until the trainer and jockey have signed the retainer in the presence of the Chief Stipendiary Steward, which shall constitute registration of the retainer, in fulfillment of the relevant provisions of the Rules.

**(6) Procedures After Registration**

From registration the Club shall be deemed authorised and/or directed: —

- (i) By the trainer and each supporting owner: to open the Retainer Account and pay into that account the monthly contributions of each supporting owner.
- (ii) By each supporting owner: to debit his agreed monthly contribution to his account with the Club and pay the same into the Retainer Account.
- (iii) By the trainer: to pay from the Retainer Account to the account of the retained jockey the periodic payments to which the retained jockey is entitled pursuant to the retainer.
- (iv) By each supporting owner and the retained jockey: to permit the trainer to be reimbursed any prepayments made by him under the retainer.

**(7) Application of Contributions**

Subject to the prior approval of the Stewards, the credits made to the Retainer Account, may be used by the trainer to meet the payments for the retainer. All payments made shall be accounted for by the trainer to the Club, including the provision of such receipts as the Stewards may reasonably require.

**(8) Balance in the Retainer Account**

Upon termination of the retainer, howsoever, the excess of the supporting owners' contributions over expenditure, (if any) then in the Retainer Account shall be divided amongst the supporting owners pro-rata to the number of horses owned by each of them and in the trainer's stable at the time of termination of the retainer. All amounts payable shall be paid by credit to the supporting owners' respective accounts with the Club.

**(9) Breakdown or Breach of the Retainer**

- (i) If, during the validity of a retainer, the trainer declares as the jockey of the horse of the supporting owners a jockey other than the retained jockey on more than twenty five (25) per cent of the occasions when rides are available, such shall constitute prima facie evidence that the retainer has broken down. For the purpose of this Instruction rides by apprentice and freelance jockeys who are eligible to claim a weight allowance will not be taken into consideration and when there are two or more runners from the stable in the same race only one ride will be deemed to be available. Absence, indisposition and suspension of the retained jockey may also be taken into account.
- (ii) Upon the breakdown of a retainer the Stewards may order the retainer terminated, whereupon the licence issued to the retained jockey shall be revoked and the retaining trainer and the supporting owners will be discharged from their respective obligations.
- (iii) If the Stewards are satisfied that either a retaining trainer or retained jockey has breached any of the provisions of this Instruction and/or any term or condition in their retainer, the Stewards may direct that their retainer is terminated.

**(10) Retained Jockeys — Outside Rides**

A retained jockey may not normally be declared to ride outside his retaining stable if his retaining stable has a runner ridden by another stable's retained jockey. A retained jockey may not normally be declared to ride for a non-supporting owner if his retaining stable has a runner owned by a supporting owner. The Stewards may, however, give such permission in exceptional circumstances.

**Inst. 42. Overseas Race Meetings**

Except with the prior permission of the Stewards no owner, Authorised Agent or trainer shall enter any horse registered under these Rules to run in races other than those run under these Rules.

### **Inst. 43. Referred Samples**

When the Chief Racing Chemist or other chemist authorised by him or another official racing laboratory reports that an official sample is positive to a prohibited substance the following procedure will be adopted if the reserved portion of the same sample is available in sufficient volume for further testing: —

- (1) The Stewards will notify the trainer.
- (2) The Club may select from a list approved by the Stewards of the Jockey Club another official racing laboratory or the Club's Racing Laboratory for the purpose of conducting a confirmatory test of the same sample. In the event of the trainer and the owner of the horse from which the official sample has been taken and which is positive to a prohibited substance not disputing the finding of the prohibited substance as reported by the Chief Racing Chemist or such other chemist authorised by him, the referred sample procedure may be dispensed with.
- (3) Subject to acceptance by the selected official racing laboratory, the Club will dispatch the referred sample, together with one sample negative to the reported prohibited substance, to the selected official racing laboratory under a secure chain of custody. The trainer or his representative must confirm that the samples are correctly identified before dispatch. Provided that in the case of a sample in which the prohibited substance detected is Carbon Dioxide at or above the threshold provided for elsewhere by these Rules, the Club may order for the requirement for the trainer or his representative to confirm the identification of the samples to be dispensed with to prevent delay. Neither of the referred samples shall be identified to the selected official racing laboratory. In the event of the Club's Racing Laboratory being selected to conduct a confirmatory test of the referred samples, the assigned sample codes may be reassigned in the presence of the trainer or his representative.
- (4) The analysis will be performed by the staff of the selected official racing laboratory and will be confined to testing for the presence of the substance reported by the Chief Racing Chemist or other chemist authorised by him or by another official racing laboratory and, in the case of a substance with a threshold, to testing that the level of the substance reported is present in the referred sample at or above the threshold.
- (5) The analysis of the referred sample should be completed no later than 28 days after the date of receipt by the selected official racing laboratory unless there are exceptional circumstances which are notified to and accepted by the Stewards within that 28-day period.

- (6) The referred sample shall remain the property of the Club. Any residue remaining after the analysis of the referred sample has been conducted should be retained by the selected official racing laboratory until instructed otherwise by the Club.
- (7)
  - (i) The trainer may require that a sample negative to the reported prohibited substance be referred at the same time to the selected official racing laboratory, provided that neither of the referred samples shall be identified to the selected official racing laboratory.
  - (ii) In the event of a trainer availing himself of the opportunity to have an additional sample tested, the cost of such testing shall be borne by the trainer.
- (8) Where the analysis of the referred sample does not confirm the finding reported by the Chief Racing Chemist or other chemist authorised by him or by another official racing laboratory, no disciplinary action will be taken, unless there are reasonable grounds to believe that the integrity of the referred sample may have been deliberately violated or if other evidence unrelated to racing chemistry is available, in which case the Stewards may proceed exclusively on the basis of the report from the Chief Racing Chemist or other chemist authorised by him or another official racing laboratory.
- (9) The Club reserves the right not to split samples for further analysis for urine specimens less than 100 ml in total and blood specimens less than 50 ml in total.
- (10) The aforementioned referred sample procedures may, in exceptional circumstances, be dispensed with in circumstances where the source of the administration or exposure of a prohibited substance to any horse is not in dispute. Provided that the agreement of the Club, trainer and owner(s) must be obtained in writing before the procedures can be dispensed with.

#### **Inst. 44. Prohibited Substances (Jockey)**

For the purposes of these Rules the following are prohibited substances (jockey): —

Alcohol — at or above a threshold of 22 micrograms of ethanol per 100 millilitres of breath, or 50 milligrams of ethanol per 100 millilitres of blood

Amphetamines and amphetamine-like substances including the "Ecstasy" group and excluding Pseudoephedrine and Phenylpropanolamine

Barbiturates and barbiturate-like substances

Benzodiazepines and Benzodiazepine-like substances

Benzylpiperazine (BZP), 3-Trifluoromethylphenylpiperazine (TFMPP) and other similar piperazine-based substances

Cannabinoids — at or above a threshold of 15 nanograms of delta-9-tetrahydro-11-nor-cannabinol-9-carboxylic acid per millilitre in urine

Cocaine

Diphenidine and diphenidine-like substances

Ephedrine — at or above a threshold of 10 micrograms of ephedrine per millilitre in urine unless for a prescribed and approved use.

4-Iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (25I-NBOMe), 4-bromo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (25B-NBOMe), and other psychedelic substituted phenethylamines

Ketamine and Tiletamine

Lasix (Furosemide) and other diuretics

Lysergic Acid Diethylamide (LSD)

Methylephedrine — at or above a threshold of 10 micrograms of methylephedrine per millilitre in urine unless for a prescribed and approved use.

Opioids excluding the normal use of Codeine, Dextromethorphan, Dihydrocodeine, Ethylmorphine, Pholcodine, Propoxyphene and Tramadol

Phencyclidine

Synthetic cannabinoids

Masking Agents

Tryptamine derivatives

**Inst. 45. Referred Samples (Jockey)**

- (1) The procedure prescribed in the foregoing Instructions for the keeping of reserved samples and their reference in appropriate circumstances to another racing laboratory or the Club's Racing Laboratory shall apply mutatis mutandis to samples taken from jockeys. Provided that the Club reserves the right not to split for further analysis urine samples taken from jockeys that are of less than 40 ml in total volume.
- (2) In the event of a jockey not disputing the finding of the prohibited substance as reported by the Chief Racing Chemist or such other chemist authorised by him, the referred sample procedure may be dispensed with.

**Inst. 46. Electronic Tracking System**

- (1) Every horse when competing in a race shall carry the number of operational electronic tracking device(s) as prescribed by the Club.
  - (2) Each jockey riding in a race shall bear the responsibility of ensuring that the assigned number cloth is fitted with the number of operational electronic tracking device(s) as prescribed by the Club at the time of weighing-out.
  - (3) Each trainer of a horse declared to race shall bear the responsibility of ensuring that the assigned number cloth is fitted with the number of operational electronic tracking device(s) as prescribed by the Club when presenting a horse for a race.
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(2023)