

- (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.