

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, the Stewards or the administration of the Club 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**" or "**Apprentice Jockey**" 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.

"**Bled**" or "**Bleeding**" means the appearance of blood at one or both nostrils of a horse as a result of exercise-induced pulmonary haemorrhage (EIPH).

"**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 in the genome of the horse, including 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, or 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.

"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 66 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. A person who holds such a licence is referred to as a "licensed person".

"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 includes without limitation members of the International Federation of Horseracing Authorities unless otherwise determined 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 66 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.
