

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

INDEX

Description	Inst Number
Advertising/Endorsement	10
Apprentices	2
Authorised Agents	3
Balloting-out of Horses	4
Barrier Trials and Stalls Tests	36
Bleeding/Irregular Heart Rhythm	8
Compulsory and Voluntary Retirement of Horses	1
Dismounting Enclosure	11
Electronic Tracking System	46
Feeding of Horses	12
Handicapping – Complaints	9
Handicaps and Terms Races	13
Import and Racing of Entirees	40
Jockeys and Trainers	15
Jockeys' Room	14
Led to Starting Barrier	24
Overseas Race Meetings	42
Partnerships	30
Pecuniary Interest – Officials	6
Prohibited Substances (Jockey)	44
Pulling Up After the Finish	18
Racecourses and Track Work Regulations	20
Referred Samples	43
Referred Samples (Jockey)	45
Replacement of Declared Jockeys	17
Retainers	41
Riders – Accidents	19
Riding Instructions	29
Riding in non-Jockey Club Races	16
Sale of Horse	7
Samples for Analysis	38

Description	Inst Number
Small Fields	31
Smoking	21
Spurs and Whips	22
Stables Strength	32
Start	23
Supervision and Control of Training	34
Tack and Gear	5
Trainers and Jockeys – Leave of Absence	25
Transfers	33
Unrecognised Meeting	26
Veterinary Medication	37
Veterinary Services	35
Weighing-in of Unplaced Jockeys	27
Weighing-out	28

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 Article 66 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.

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.
 - (vii) Any horse whose continued participation in racing may, in the Stewards' opinion, be prejudicial to the interests, integrity, proper conduct and/or good reputation of the Club and/or horse racing.
- (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 has the appearance of blood at either 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 the blood has been noted to appear.
- (ii) The Veterinary Officer or the Veterinary Surgeon will examine any horse which is reported to have the appearance of blood at the nostril(s) as soon as possible on the day that it is reported and should, whenever possible, attempt to confirm that the appearance of the blood is as a result of exercise-induced pulmonary haemorrhage (EIPH) by performing an endoscopic examination. However, a horse may still be confirmed as having Bled without conducting an endoscopic examination.
- (iii) If in the opinion of the Veterinary Officer or Veterinary Surgeon there is uncertainty that the appearance of blood at the nostril(s) is as a result of EIPH then such case should be referred to the Head of Veterinary Regulation, Welfare and Biosecurity Policy (or delegate) and the Chief Stipendiary Steward to determine if such horse should be reported as having Bled.
- (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 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 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. 39. Advance Marker Pole (Deleted)

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.

Methylphenidate

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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