

---

## THE JAMAICA RACING COMMISSION ACT

---

### THE JAMAICA RACING COMMISSION RACING RULES, 1977

In exercise of the powers conferred upon the Jamaica Racing Commission by Section 22 of The Jamaica Racing Commission Act and of all other powers thereunto enabling, the following Rules are hereby prescribed: -

#### PART 1

##### SHORT TITLE AND COMMENCEMENT

1. These Rules may be cited as The Jamaica Racing Commission Racing Rules, 1977 and shall come into effect so as to be applicable to all race meetings subsequent to the 31st day of December, 1977 and to the nominations for such race meetings, but shall not be applicable to any race meeting prior to the 1st day of January, 1978 or to the nominations for such last mentioned race meeting.

#### PART II

##### INTERPRETATION

2. In these Rules the following words and expressions shall have the meanings hereby assigned to them respectively, unless there is something in the subject or context inconsistent with such construction or unless it is therein otherwise expressly provided:-

**"Act"** means the Jamaica Racing Commission Act or any statute replacing or amending the same.

**"Advertisement"** - **"Published"** - For the purposes of these Rules one publication in a daily newspaper, or in any other publication as the Commission or these Rules may from time to time designate, or on the Notice Board at the Registry Office shall be deemed sufficient.

**"Amateur Rider"** is a person who holds a licence from the Commission to ride in races without receiving remuneration and who shall pay an annual licence of \$5. No such licence shall be granted to any trainer or jockey.

**"Apprentice"** shall mean and include every person under the age of 18 years who shall with the approval of the Commission have bound himself with the consent of a parent or guardian to serve a licensed trainer or any other person authorized by the

Commission for a period of not less than three years for the purpose of becoming a jockey. Both the apprentice and the trainer or other authorized person shall be subject to such terms, conditions and stipulations as may from time to time be prescribed by the Commission.

**"Apprentice Allowance"** means each of the allowances permitted by Rule 76.

**"Arrears"** are any sums unpaid in respect of fines compensation, fees, commission, entrance money, stakes, subscriptions, forfeits or any sums due from any person by virtue of these Rules.

**"Artificial Insemination"** means the process of depositing semen into the reproductive tract of a mare in order to get a mare in foal without the physical mounting by a stallion.

**"Authorized Agent"** means an agent appointed by a document signed by the owner and lodged at the Registry Office, or if for use at a single meeting only, lodged with the Clerk of the Course of that meeting who shall forward the document after the meeting to the Registry Office.

**"Authorized Agent"** includes sub-agent.

**"Barbados-bred horse"** means a horse foaled in Barbados.

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

**"Breeder"** means the owner of the dam at the date of foaling.

**"Catch Weights"** means one for which the riders need not weigh before or after the race.

**"Claiming Race"** is a race in which every horse entered may be claimed in accordance with the Rules governing Claiming races.

**"Cloning"** means any method by which the genetic material of an unfertilized egg or an embryo is:

- (i) removed;
- (ii) replaced by genetic material taken from another organism;
- (iii) added to with genetic material taken from another organism; or
- (iv) otherwise modified by any means in order to produce a live foal.

**"Commission"** means the Jamaica Racing Commission established under the Act.

**"Commission's Veterinarian"** means a person registered under the Veterinary Act as a Veterinary Surgeon who is appointed by the Commission as the Commission's Veterinarian.

**"Condition Race"** is any race, which is not a handicap.

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

**"Delegatee"** shall mean the body or bodies to whom any of the functions exercisable by the Commission shall in pursuance of the Act be from time to time delegated by the Commission.

**"Dollar or Dollars"** shall mean Jamaican Dollar or Dollars.

**"Embryo Transfer"** means the method whereby a developing embryo or unfertilized egg is removed from its natural dam and implanted into the uterus of a host dam for a portion of the gestating period in order to produce a live foal.

**"Entry"** means a horse which by the time set for closing of entries for a race has been made eligible to start in the race according to the conditions of the race and which by that time has been entered to start in the race.

**"Equipment"** means all accouterments other than ordinary saddle, girth, pad, saddle cloth and bridle carried by a horse and includes whip, blinkers, goggles, hood, one cup blinkers, one cup eyeshield, visor, tongue strap (tongue-tie), muzzle, noseband (shadow roll), figure-eight, and type of bit'.

**"Forfeit List"** is a record of arrears published under the authority of the Commission or of a Recognized Turf Authority.

**"Free Handicap"** is one in which no liability for stakes or forfeit is incurred until acceptance.

**"Furosemide"** means "Lasix", "Salix" or any other bleeder medication which may be approved by the Commission as a race day medication, from time to time.

**"Futurity Race"** is a race described as a Futurity in which horses are required to be entered not less than thirty days before the date of the race provided that a race in which entries are made as a result of the acceptance of an invitation from the Promoter or the Commission shall not be a Futurity Race and the expression "race advertised as a Futurity" means a Futurity Race advertised as such".

**"Goggles"** means a garment fitted over a horse's head with holes for the eyes and ears, both eyeholes being fitted with transparent covers but with no cowl.

**"Gymkhana"** is a meeting approved by the Commission as such.

**"Half-bred"** horse is a horse that is not eligible for registration in the Jamaica Stud Book.

**"Handicap"** is a race in which the weights to be carried by the horses are allotted by the Handicapper or

Handicapping committee for the purpose of equalizing their chances of winning.

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

**"Horse"** includes stallion, mare, gelding, colt and filly.

**"Jockey"** is a person who holds a licence from the Commission to ride for hire and shall also include a licensed apprentice.

**"Lasix"** see **"Furosemide"**.

**"Maiden"** is a horse which at the time of starting has never won a race on the flat in any country.

**"Match"** is a race between horses, the property of two different owners, on terms agreed by them.

**"Meeting"** is any race meeting held under the authority of the Commission or other Recognized Turf Authority of the country in which it is held or (where no such Authority exists) under the Rules of Racing of any Recognized Turf Authority, and at which gate money is charged for admission and/or a pari-mutuel or totalisator is run.

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

**"Native-bred horse"** means a horse foaled in Jamaica.

**"Nominator"** is the owner of the horse at the time of entry.

**"Nursery Handicap"** is a handicap confined to two year old horses.

**"One Cup Blinkers"** means a garment similar to Blinkers except that only one eye-hole is fitted with a cowl, the other being uncovered.

**"One Cup Eyeshield"** means a garment similar to Blinkers except that in place of a cowl one eye is completely covered by a shield.

**"Outrider"** means a mounted employee of the Promoter who is authorized to accompany horses to the Starting Gate.

**"Outside Party"** means a trainer other than the trainer to whom an apprentice is indentured.

**"Owner"** means an owner, part-owner, licensee or lessee, but not lessor, approved by and registered with the Commission. For the purpose of the award of any cup, owner shall mean one and the same individual, company, partnership, licensee or lessee.

**"Owner of Sire"** means the owner of the sire at time of covering and if covered by more than one sire, then the owner of the last sire covering the mare.

**"Paddock"** means the place set apart by the Promoter for keeping the horses taking part in the day's racing.

**"Parade Ring"** is the place set apart for parading horses subsequent to their being saddled for the purpose of taking part in a race.

**"Passport"** is the approved diagrammatic document of identity of a horse issued on the authority of the Commission or that of any Recognized Turf Authority.

**"Person"** includes any corporation, either aggregate or sole, and any club, society, association or other body, of one or more persons.

**"Photograph"** is the photograph taken by the camera installed under the authority of the Commission when each horse passes the Winning Post.

**"Plate"** is a race for which a prize or prizes of definite value are guaranteed by the Promoter, the entrance fee, forfeit, subscription or other contribution of owners going to the Promoter (Subject to the provisions of Rule 221).

**"Post Time"** means the time set for the start of a race and shall be the time shown on the official clock.

**"Private Sweepstakes"** is one which has not been advertised previous to closing.

**"Produce Race"** is one to be run for by the produce of the horses named or described at the time of entry.

**"Prohibited Substance"** means any substance originating externally whether or not it is endogenous to a horse which falls in any of the categories contained in The First Schedule to these Rules.

This shall include:

- (a) drugs, medication or their metabolites for which no acceptable threshold has been established;
- (b) therapeutic medications, other substances or their metabolites in excess of the established threshold pursuant to the Seventh Schedule to these Rules;
- (c) substances present in the horse in excess of levels at which such substance could occur naturally; and,
- (d) substances foreign to a horse that cause interference with the testing procedure or test result.

**"Promoter"** means the person promoting a meeting who shall have obtained a licence therefore from the Commission.

**"Race"** means Plate, Cup, Sweepstakes or Match.

**"Race Course"** means any grounds in the island including any buildings or structures thereon used or intended to be used for the purpose of a race course for racing with horses and other incidental activities where betting transactions are conducted. All race courses must be licensed in accordance with the provisions of the Act.

**"Racing Calendar", "Racing Year", "Stud Book"** are the works published under those names respectively by authority of the Commission.

**"Racing Chemist"** is the person appointed by the Commission to be responsible for the analysis of samples taken from horses or otherwise in accordance with Rule 14 and includes other qualified persons carrying out such analysis under his general direction, control and/or supervision.

**"Recognized Turf Authority"** means any Turf Authority whose jurisdiction is from time to time recognized by the Commission as the Authority responsible for controlling horse racing in the country concerned.

**"Registered"** and **"Registration"** means registered and registration at the Registry Office.

**"Registry Office"** is the office for the time being appointed as the Registry Office by the Commission.

**"Saddling Ring"** is the place set apart for saddling horses taking part in the day's racing.

**"Started"** - Every horse which has come under the Starter's orders shall be considered as having started.

**"Starter's List"** means the list of horses maintained by the Starter in pursuance of Rule 45.

**"Stewards"** mean Stewards of a meeting, or their duly appointed deputies.

**"Substance"** shall include the metabolites of any substance.

**"Sweepstakes"** is a race in which the entrance fee, forfeit, subscription or other contribution of the owner of three or more horses go to the winner or placed horses, and any such race is still a Sweepstakes when money or other prize is added.

**"Time of Entry"** means the time fixed for closing.

**"Threshold"** is the permissible level of any substance and/or its metabolite in a biological fluid, eg. Blood/Plasma or Urine.

**"Track Veterinarian"** means a person registered under the Veterinary Act as a Veterinary Surgeon who is appointed by the Promoter with the approval of the Commission as the Track Veterinarian.

**"Trainer"** is a person who either -

(a) holds a licence from the Commission to train horses;

or

(b) when running horses under these Rules which are trained outside Jamaica, is the duly qualified trainer in the country where the horse is trained.

**"Training Agreement"** means a written agreement between owner and trainer which sets out the fees to be charged by the trainer for training each of the owner's horses, the charges for horses owned in partnership being joint and several.

**"Trinidad-bred horse"** means a horse foaled in the Republic of Trinidad and Tobago.

**"Untried"** means a horse which at the time of starting has not previously started in any race on the flat in any country, or has not passed the winning post with its jockey in the saddle in a race consisting of two or more horses at a meeting.

**"Veterinary's List"** means the list of horses maintained by the Commission's Veterinarian pursuant to Rule 55.

**"Visor"** means a garment similar to Blinkers in which the cowls have holes cut in them permitting limited vision to the side or the rear.

In these Rules, unless there is something in the subject or context inconsistent with such construction, or unless it is therein otherwise expressly provided -

- (a) words importing the masculine gender include females and
- (b) words in the singular include the plural, and words in the plural include the singular.

In these Rules and in the measurement of the distance of every horse-race run under these Rules 100 metres shall mean 110 yards and every multiple or fraction of 100 metres shall mean the same multiple or fraction, as the case may be, of 110 yards.

### **PART III RACING SEASON**

3. The racing season in Jamaica shall begin on the 1st day of January and continue until the 31st of December in each year.

### **PART IV OPERATIONS STEWARD**

4. The Operations Steward is the representative of the Commission on the grounds of a racecourse and in the performance of his duties

- (a) shall have unrestricted access to all buildings, stables, rooms and all other places used for any purpose under these Rules;

- (b) may issue orders in the name of the Commission;
- (c) shall attend all race meetings licensed by the Commission;
- (d) shall make such reports to the Commission as they may direct;
- (e) shall have the right to confer with any Racing Official, licensee or employee in the performance of their duties;
- (f) shall be ex-officio an official of every meeting.

#### **STEWARDS OF MEETING**

5. There must be at least three Stewards for every meeting selected by the Commission from a panel appointed by the Commission.

Each Steward, if he is unable to act, may prior to half-an-hour before post time of any race appoint a deputy who shall be one of the panel. If he shall fail to do so or if for any reason there shall be less than three Stewards, the Clerk of the Course shall appoint a deputy who should, if possible be one of the panel. The Chairman of the panel or his deputy shall be on duty at least one hour before post time of the first race.

6. The promoter with the approval of the Commission shall be at liberty to select from a panel of persons appointed by the Commission two or more persons to act as Patrol Judges of the meeting.

In any case where a Patrol Judge is selected as aforesaid to act at any race meeting:

- (a) Patrol Judges shall patrol all areas of the racecourse and shall make an oral report to the Stewards of any observed infractions of the Rules and of any observed wrong or unusual behaviour of any horse or jockey;
- (b) the Stewards shall receive such report before the Official signal is displayed;

- (c) such report shall be incorporated in the return mentioned in Rule 29(e) of these Rules;
- (d) the Promoter of the meeting shall provide telephone or other approved communication between each station of the Patrol Judges and the Stewards' room;
- (e) the Stewards shall direct the placing of the Patrol Judges at points of vantage about the racecourse.
- (f) a Patrol Judge shall be an official of the meeting.

## PART V

### POWERS OF THE STEWARDS OF MEETINGS

7. The Stewards shall have full power:

- (a) To make (and if necessary, to vary) all such arrangements for the conduct of the meeting as they think fit and to dispense with the Starting Gate or Starting Stalls as is provided in Rule 44.
- (b) Under exceptional circumstances, to cancel a parade or to abandon a day's racing or to abandon any race or races not being a Futurity race or to postpone any race not being a Futurity race to any day within eight days of the original fixture or to postpone any race being a Futurity race to any day approved or to be approved by the Commission provided always that all the races originally advertised for any day which have been postponed to a day within eight days of the original fixture shall be included in the new day's programme on the official card and provided that where a race is postponed to a day not exceeding four days after the originally scheduled date for the race the original declaration of starters and draw for post positions for the postponed race shall stand and where a race is postponed to a day more than four days after the originally scheduled date for the postponed race there shall be a new declaration of starters and a new draw for starting post positions. Should the Stewards exercise any of the aforesaid powers or vary in any way the programme as originally advertised, they shall without delay, report to the Commission their reason for so doing.

(c) To regulate, control, take cognizance of and adjudicate upon, the conduct of the Promoter, of all officials and of all owners, nominators, trainers, jockeys, jockey's agents, grooms, persons attendant on horses and of all persons frequenting the stands or other places used for the purpose of the meeting.

(d) (i) To act when dealing with a person who in their opinion has committed a breach of the Racing Rules

(A) by imposing, at their discretion, upon such person a fine not exceeding Twenty Thousand Dollars (\$20,000.00) and in the case of a jockey, by suspending him from riding on racedays for any period up to twenty-five successive race days beginning at such time as they shall determine but no later than the commencement of the third race day after the day of their decision. They shall also have the power, in the case of a jockey, to deprive him of his whip when riding in a number of races not exceeding his next ten successive rides commencing from such time as they shall determine but no later than the commencement of the third race day after the day of their decision or, where they shall, in addition, suspend the jockey from riding, the date on which his suspension terminated.

(B) When in the opinion of the Stewards there is a reasonable suspicion that any person has committed any breach of the Racing Rules which in their opinion ought to be considered by the Commission, or where in their opinion any person has committed any breach of the Racing Rules and in their opinion some fine or punishment in excess of or different from that prescribed in sub-paragraph (A) of this paragraph they have power at their discretion to report the matter to the Commission and, in such an event, they shall inform the person that he will be reported to the Commission to be tried for the breach and where the person is a jockey he shall (as a consequence of being reported) be suspended from performing his duties (if any) on any subsequent race days for which such jockey shall not have been declared to ride (i.e. race days after the day on which the breach has been committed) pending a decision of the Commission or, save where the delay is connected with the jockey, 21 days whichever is the earlier and in every such case in which the Stewards shall so act, they shall proceed with all possible dispatch to report the said person to the Commission accordingly.

- (ii) To suspend a person from performing his duties at a race or race meeting after considering medical opinion on the person's health.
- (iii) To bring to the notice of the Commission any matter which the Stewards consider requires investigation.
- (e) To determine all questions arising in reference to racing at the meeting whether during the course of or subsequent to the meeting except as otherwise provided in these Rules and subject to appeal under Part XXV and should no decision have been arrived at by the Stewards within 7 days of an objection being lodged, they shall then report the case to the Commission which may, at its discretion, decide the matter and, if they consider there has been any negligence, may order any additional expense arising therefrom to be defrayed by the negligent party.
- (f) To Call for proof that-
  - (i) Any person or any horse is not disqualified in any respect.
  - (ii) Any horse is not nominated by nor the property wholly or in part of any disqualified person; and in default of such proof being given to their satisfaction they may declare such person or horse disqualified.
- (g) To suspend or disqualify for such period as they shall think fit or to report to the Commission for such action as the Commission may think fit any horse that in their opinion acted in a manner dangerous to such horse's jockey or to any other horse or to such other horse's jockey.
- (h) In case of emergency during a race day, to appoint a substitute to fill any office during that race day only.
- (i) To take such action, in advance, as they may regard as necessary to prevent an infringement of the Rules.
- (j) To approve substitution for jockeys.

The Stewards shall also have control over and free access to all stands, rooms, enclosures and other places used for the purpose of the meeting.

8. The Stewards shall exclude from all places under their

control : -

- (i) Every person who is warned off any course or place under control of the Commission or other recognized Turf Authority.
- (ii) Every person whose name appears on the unpaid Forfeit List until the default is cleared.
- (iii) Every person who has been reported as a defaulter under Part XXV1 until they have officially notified that his default is cleared.
- (iv) Every person who has been declared by the Commission or by any recognized Turf Authority to have been guilty of any corrupt or fraudulent practice on or off the Turf.
- (v) All such persons or descriptions of persons as they may from time to time be required to exclude by the Commission.
- (vi) Any person who in their discretion they shall deem expedient to exclude.

9. Any Steward has power at any time to order an examination and testing by such person as he thinks fit of any horse entered for a race, or which has run in a race and after such examination or test pursuant to Rule 55 or Rule 55A hereof the majority of the Stewards taking part in the enquiry may in their discretion (which shall not be subject to appeal) debar such horse from starting in any race and shall report same to the Commission. Without prejudice to the generality of the foregoing it is hereby provided that the examination or test of a horse shall include the power to obtain a sample of the horse's urine by catheterisation and the power to obtain a sample of the horse's blood.

10. The owner of any horse engaged in a race may apply to one of the Stewards or to the Clerk of the Course within five minutes after all the placed horses have weighed in (unless under special circumstances the Stewards are satisfied that an application could not have been made within that time) to have his horse or horses engaged in such race examined and the Veterinary Surgeon of the Meeting shall on the instructions of such Steward make the examination and take such tests as he deems necessary for transmission to the Racing Chemist. Such owner at the time he makes his application shall deposit with the Stewards the appropriate fee in respect of each horse he desires to have examined.

If the tests shall prove positive the said deposit in respect of the horse examined shall be refunded but if such test shall be negative then the deposit shall be retained. The application for an examination pursuant to this Rule shall be in writing and must be signed by the owner or his authorized agent or trainer.

11. The Stewards, as such, shall not entertain any dispute relating to bets.

12. (1) The Stewards shall notify the public when an objection has been lodged or an enquiry is being held and of the result of such objection or enquiry in such manner as Commission shall from time to time direct. Any motion picture taken of a race by the camera installed under the authority of the Commission may be used to aid the Stewards in determining any question within their jurisdiction.

(2) In the event that any objection is lodged or any enquiry is being held by the Stewards it shall not be necessary for the Stewards to permit any party or parties involved in the objection or enquiry to be present.

(3) If any protest, objection or complaint is lodged with the Stewards the same shall be dealt with as expeditiously as possible and the decision of the Stewards shall forthwith thereafter be communicated to the person lodging such protest, objection or complaint.

(4) At every enquiry or on a hearing in regard to any objection the Clerk of the Course shall be present and he shall make an accurate record in writing of the evidence, if any, adduced and of the decision of the Stewards. Such record shall be initialed or signed by not less than two of the Stewards present at such enquiry or hearing.

## **PART VI**

### **POWERS OF THE JAMAICA RACING COMMISSION**

13. Authorized persons of the Commission shall have free access to all stands, rooms, enclosures and other places used for the purpose of all meetings held under their licence, whether or not racing is being conducted at the time.

14. The Commission shall appoint a person to be known as the Racing Chemist who shall be responsible for the analysis of all samples taken from horses or otherwise. The Commission may from time to time direct the Stewards in regard to the procedure to be

adopted for the collection and transmission of such samples. The Racing Chemist shall analyze all samples with expedition and report on each to the Commission in such form as from time to time may be directed by the Commission. The Commission shall if the report indicates that there may have been any infringement of the Rules, as early as possible hold or cause to be held an enquiry to determine whether or not any of such Rules have been infringed.

14A.(1) Subject to there being a sufficient quantity of the sample being taken all samples collected from a horse or the dead body of a horse shall be split into two parts one portion (hereinafter called "the primary portion") shall be delivered to a Racing Chemist for testing and analysis. The remaining portion (hereinafter called "the split portion") shall remain in the custody of the Commission and shall be preserved in the same condition as near as possible.

(2) In the event that the racing chemist to whom the primary portion of the sample was delivered pursuant to sub-paragraph (1) hereof reports a finding negative for the presence of a prohibited substance and/or Furosemide overage in the sample the split portion of the sample which remains in the custody of the Commission shall be disposed of by the Commission.

(3) In the event that the racing chemist reports a finding of tests suspicious for a prohibited substance and/or Furosemide overage, the remainder of the primary sample (if any) and the split portion of the sample shall be submitted for further testing and analysis either by the same racing chemist to whom the primary portion of the sample was delivered or by another racing chemist selected by the Commission. In the event that such racing chemist reports a finding negative for prohibited substance and/or Furosemide overage all remaining portions of the sample shall be disposed of by the Commission. Any test pursuant to the provisions of this sub-paragraph of the split portion of the sample shall be carried out by the said racing chemist in the presence of another chemist designated by the Commission. In the event that as a result of the tests carried out pursuant to this sub-paragraph a finding positive for a prohibited substance and/or Furosemide overage is reported to the Commission the same shall be considered prima facie evidence for the purposes of Rule 207.

(4) In the event that the racing chemist to whom the primary portion of the sample was delivered pursuant to sub-paragraph (1) hereof reports a finding positive for a prohibited substance and/or Furosemide overage then if the trainer or owner of the horse from whom or of the dead horse from whose body the sample had been taken requests pursuant to sub-paragraph (7) of this Rule that the split portion be tested or the Commission pursuant to sub-paragraph (7) of this Rule directs that the split portion be tested, the split

portion of the sample which remains in the custody of the Commission, shall be tested by the racing chemist who reported the positive finding in the presence of another chemist designated by the Commission. In the event that no such request as aforesaid is received by the Commission from the trainer or owner as aforesaid and no such direction as aforesaid is made by the Commission the report of the finding of the racing chemist in regard to the primary portion of the sample shall be considered prima facie evidence for the purposes of Rule 207.

(5) If the test of the split portion made either at the request of the trainer or owner as aforesaid or by the direction of the Commission as aforesaid substantially confirms the findings of the racing chemist in regard to the primary portion, it shall be considered prima facie evidence for the purpose of Rule 207.

(6) If the test of the split portion made either at the request of the trainer or owner as aforesaid or by the direction of the Commission as aforesaid shall not substantially confirm the findings of the racing chemist in regard to the primary portion the Commission shall, subject to paragraph (9) of this Rule, not consider there to be prima facie evidence for the purposes of Rule 207.

(7) In order that the split portion of a sample be tested otherwise than in accordance with the sub-paragraph (3) of this Rule, either the owner or trainer of the horse or the dead horse from whom the sample was taken shall request in writing to the Commission that the split portion be tested, such request being received by the Commission within two days after notification to the trainer of the initial positive test or failing the receipt by the Commission within the said period of such a request as aforesaid the Commission, in its absolute discretion on the third day after notification to the trainer of the initial positive test directs that the split portion be tested.

(8) In the event that the findings of the test of the split portion carried out pursuant to a request by the trainer or the owner substantially confirm the findings made as a result of the test of the primary portion the owner or trainer requesting the testing of the split portion shall be responsible for the payment of all expenses involved in the testing of the split portion. In the event that the findings of the test of the split portion carried out pursuant to a request by the trainer or owner do not substantially confirm the findings made as a result of the test of the primary portion or in any case where the test of the split portion is carried out otherwise than in pursuance of a request by the trainer or owner the Commission will be responsible for the payment of all expenses involved in the testing of the split portion.

- (9) In the event of either
- (a) an act of God or the Queen's enemies or riot or civil commotion;
  - or (b) a power failure;
  - or (c) an accident;
  - or (d) a strike;
  - or (e) an insufficient quantity of the sample being taken from the horse or the dead horse to enable two portions of the sample to be adequately tested;
  - or (f) the racing chemist reporting some impurity in the split portion or some matter which affected the preserved condition of the split portion or some impurity in a reference substance used in the testing of the split portion that affected the analysis of the split portion;
  - or (g) some other action which prevents a true test being made in regards to the split portion;

the Commission shall be at liberty to accept the result of the test of the primary portion as prima facie evidence of whatever it may show.

(10) Any act or omission by any trainer, groom or any other person having charge, custody or care of a horse which results in the failure to collect a sample or a sufficient quantity of a sample from a horse or the said body of a horse shall be a breach of these Rules and every person so offending will be liable to such penalty as is mentioned in Rule 247 of these Rules.

15. The Commission shall have power at its discretion

- (i) To grant or to refuse to grant, to renew or to refuse to renew, to suspend, to revoke and to withdraw licences to owners, trainers, jockeys, jockey's agents, grooms and such other persons as the Commission considers shall be licensed.
- (ii) To fix the dates on which all meetings shall be held and 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 it may think advisable in the programme of, or the conditions of any race at any meeting.
- (iii) To accept or to refuse to accept or to cancel any registration under these Rules, notwithstanding any

implication to the contrary whether contained in any of these Rules or elsewhere.

- (iv) To accept or to refuse to accept entries, and to refuse to allow a horse duly entered to run in any race, in which event the Commission may, at its discretion, direct that the entrance money be remitted to the owners.
- (v) To allow or to refuse to allow any person to act or to continue to act as an authorized agent.
- (vi) To inquire into and deal with any matter whatever which in its opinion related to or in any way affects racing whether such matter arises in Jamaica or elsewhere and to pass such decision thereon as it may consider expedient under these Rules.
- (vii) To entertain and determine appeals from the Stewards, officials and any delegatee of the Commission.
- (viii) To entertain and decide objections lodged under any of these Rules.
- (ix) To suspend or disqualify for such period as it shall think fit any horse which in its opinion has acted in a manner dangerous to such horse's jockey or to any other horse or to such other horse's jockey.
- (x) To authorize the publication in any manner in which matters may be published of their decisions and any decision and report of the Stewards or of any official or of any delegatee of the Commission and to authorize the publication of any of the aforesaid in any Daily, Weekly or other Newspaper or publication printed, published or circulated in Jamaica and to and through any news agency operating in or out of Jamaica and to any media or television station operating in Jamaica.
- (xi) To publish from time to time in any manner to any of the organs mentioned in sub-paragraph (x) of this Rule such instructions as it may think fit.
- (xii) To exercise any other powers conferred upon it by the Act or by these Rules and to take such action as it considers necessary for the purpose of carrying out or putting into effect the Act or these Rules.

- (xiii) To award and inflict such penalty by way of fine not exceeding \$250,000 and/or suspension, expulsion, warning off and/or otherwise as it deems expedient and to declare any person a disqualified person.

16. (i) The Commission shall have power to exclude or cause or order to be excluded for any period or for an indefinite period from any racecourse or from any premises owned, licensed or controlled by it any person whose conduct it, in its absolute discretion, considers to be such as to make the presence of such person on such race course or on such premises undesirable in the interest of racing whether or not such person is the holder of a licence from the Commission and even though such person has not consented to be bound by the Racing Rules.

(ii) The Commission has power if good cause is shown or when any person has committed any breach of the Racing Rules to withdraw or suspend his licence or permit.

17. In the exercise of any of its powers under the Act or under these Rules the Commission may at its discretion consider any film, photograph, transcript, notes of evidence, statement, report or other material forwarded to it and may at its discretion cancel any order or increase or reduce any penalty imposed.

18. The Commission shall exercise no jurisdiction in regard to any dispute or claim with regard to bets but shall be at liberty to take cognizance, in the exercise of any power conferred upon it, of any dispute or claim with respect to bets and will give effect to any official report made to it by the Betting, Gaming and Lotteries Commission and to any decision with regard to bets made by a Court of competent jurisdiction.

19. The Commission may consider and determine any complaint by any person against another in relation to any matter connected with horse racing including disputes between promoters, owners, trainers, jockeys, jockey's agents, grooms and other persons or may decline to entertain consideration of any such complaint or dispute. The decision of the Commission in any such complaint or dispute shall be final and where such decision involves an order to make payment of any money the failure to make such payment shall be regarded as a default for all the purposes of these Rules. A person who wants to prefer a complaint under this Rule shall give notice of his complaint in writing to the Commission together with a statement setting out the grounds of his complaint and a deposit of Two Thousand Dollars (\$2,000.00) in respect of each complaint. The Commission shall in the exercise of its discretion, be at liberty either to order that the said deposit shall be forfeited or that

the said deposit shall be refunded to the person preferring the complaint or that the person against whom the complaint was lodged shall repay the amount of the deposit to the person preferring the complaint.

In the event that the Commission decides to consider and determine a complaint, where such complaint involves the payment of money, the procedure for dealing with such matter shall be as follows:

- (i) The Complaint must be made within 24 months from the date the account was rendered.
- (ii) Upon receipt of the complaint the Commission shall notify the person against whom the complaint was made, requiring him to make payment or to provide a written explanation within fourteen (14) days of the receipt of the notification.
- (iii) If the person against whom the complaint has been made fails to make payment as aforesaid or if the Commission considers that his explanation is not satisfactory, the amount due will after twenty-eight (28) days shall have lapsed from the date of the dispatch of the notification, be deemed to be arrears due under these Rules and such person will be placed on the forfeit list.
- (iv) Pursuant to Rule 171 all arrears must be paid directly to the Commission and from such payments the Commission shall deduct and retain an amount not exceeding ten percent (10%) of any amount collected in excess of Fifty Thousand Dollars (\$50,000.00) as collection fee.

Should the complainant collect such arrears or settle the matter by means of any private/special arrangement, the amount accruing to the Commission shall become due and payable by the complainant.

20. All or any of the powers, duties and functions of the Commission contained in these Rules other than the power to hear and determine an appeal may be delegated to any person subject to such right of appeal to the Commission within such time and in such manner as may be prescribed in these Rules or in any other instrument made by the Commission. In the event that any such power, duty or function as aforesaid is so delegated to a corporation or to any club, society, association or other body of more than one person such power, duty or function may be exercised by the delegatee in a manner consistent with the Rules or Constitution of such delegatee.

**VII**  
**OFFICIALS**  
**GENERAL**

21. (1) The Commission shall appoint as an official for every meeting, in addition to the Stewards as provided by Rule 5 hereof, one or more Commission Veterinarians.

(2)(i) The promoter shall by January 31 in each year, notify the Jamaica Racing Commission of any person it intends to appoint or is considering appointing, to any of the following positions

(ii) Clerk of the Course, Stakeholder, Clerk of the Scales, Starter, Judge, Timekeeper, Clerk of the Paddock, Clerk of the Saddling Ring, Clerk of the Parade Ring, Track Veterinarian and Honorary Surgeon and such Assistant or Assistants to any one or more of those officials as the Commission may from time to time deem desirable. Completed application forms for the granting of a permit for each such position shall be submitted, along with the requisite fee of Two Thousand Dollars (\$2,000.00). No two offices, except those of Clerk of the Course and Stakeholder shall be held by one person unless by special permission from the Commission. In case of emergency, the Stewards may, during a meeting, appoint a substituted to fill any of the abovenamed offices for that meeting only.

(iii) Any change in the appointment to any of such positions during the permit period requires notification to and approval by the commission.

(3) Any Racing Rule or Regulation which imposes a duty on any of the foregoing officials shall be complied with if the duty is performed by a duly appointed Assistant to such official and any Racing Rule or Regulation which confers a power on any of the foregoing officials shall be read and construed as conferring the said power on both the said official and the duly appointed Assistant to the said official and may be exercised by either of them so that such duly appointed Assistant shall subject to any general or special directions of such official have in the performance of his duties all and singular the like authorities, powers and duties of that official and everything by these Rules or any amendment hereof appointed or authorized or required to be done or signed by such official may be done or signed by such Assistant and shall be as valid and effectual as if done or signed by that official.

22. No person who is an Operations Steward or a member of any panel from which the Handicapping Committee or the Starter or the Judge or the Clerk of the Paddock or the Official Veterinary Surgeon or the Racing Chemist for any meeting may be selected shall train, enter or run a horse in any race. No person who is appointed as a Steward or Clerk of the Course or Clerk of the Scales or Clerk of the Saddling Ring or Clerk of the Parade Ring shall bet, train, enter or run a horse in any race for which he acts in any of the foregoing capacities. No person who is an Operations Steward or a member of the Handicapping Committee shall bet in any race and no person who is appointed as a Starter or a Judge or the Clerk of the Paddock or a Veterinary Surgeon shall bet in any race at any meeting in respect of which he is appointed to act as aforesaid.

23. Every complaint against an official shall be made to the Stewards in writing, signed by the complainant.

24. No Steward shall sit or take part in any discussion or adjudicate upon any enquiry or other matter brought before the Stewards:-

- (a) If he is in any way interested in the subject matter of the enquiry before the Stewards;
- (b) If he is the owner, lessor or lessee of a horse concerned in any enquiry or other matter before the Stewards.

Should any Steward be prevented from taking part in any enquiry or proceeding in terms of the foregoing the remaining Stewards shall have the right to co-opt other persons in the place of those disqualified to adjudicate with them, but such persons should, if possible, be one of the Panel of Stewards.

#### **THE PROMOTER**

25. The Promoter is the sole person responsible to the Stewards for the general arrangements of the meeting and the proper construction and maintenance of the racecourse and shall see that the racecourse is properly measured and marked.

26. (1) The Promoter shall arrange for the publication under the sanction of the Commission of a daily official card of the races in respect of each of the days of racing promoted by the Promoter

provided however that when race days promoted by the same promoter take place on two or more consecutive days (Public Holidays on which there is no race meeting promoted by the Promoter and Sunday being excluded for the purpose of such computation) the Promoter shall be at liberty to arrange for the publication of one edition of the daily official card covering all such days. The said card shall specify the race track at which and the date or dates on which the day or days of racing is being conducted and shall signify that it is the official race programme thereof and shall contain a statement that it is produced under licence from the Promoter with the sanction of the Commission. The daily official card shall contain all of the information as is set out in sub-paragraph (2) of this Rule.

(2) The information referred to in sub-paragraph (1) of this Rule is as follows in respect of the days racing to which the daily official card relates, that is to say

- (i) a list of the names of members of the Commission, a list of the directors of the Promoter, and a list of the Stewards and racing officials;
- (ii) the name and the approximate time set for the start of each of the horse races and the category of horses eligible to take part therein;
- (iii) the purse money allotted, including its source and distribution, the nomination fee, the distance and, in the case of a Condition Race, the conditions in respect of each such horse race;
- (iv) the type of bets which are offered in respect of each such horse race and the track record for the distance at which each race is scheduled to be run;
- (v) the starters declared to run whose declarations have been accepted for each race, the age, colour and sex of each such horse, the sire, dam and the sire of the dam of each such horse, the weight allotted to each such horse, the weight declared to be carried by each starter where it differs from the weight allotted to it, the rider declared for each such horse, the starting post position of each such horse and the saddle cloth number to be worn by each such horse together with a footnote at the end of each such horse race containing a list of all horses entered but eliminated from or scratched from or not declared as a starter for such race together with the weight allotted to each such horse;
- (vi) the name or nom-de-plume of the owner, and the name of

the trainer, breeder and groom of each horse declared to run whose declaration has been accepted for each race and the racing colours registered in respect of each horse's owner;

(vii) the equipment declared in respect of each horse declared to run whose declaration has been accepted for each race, the ten most recent performances of each such horse or, in the case where a horse has not started in ten previous races, all of the said horses previous performances. The information which shall be published in respect of the performances in the previous races shall comprise, for each such race, the date of the race, the category of horse eligible for the race, the distance of the race, the post position number at which the horse started the race, the type of equipment (if any) worn by the horse, the weight carried by the horse, the name of the person who rode the horse, the odds recorded by the totalisator in respect of the horse at the time of the start of the race, the position of the horse 800 metres from the Winning Post and the margin behind the leader, the position of the horse 400 metres from the Winning Post and the margin behind the leader, the position of the horse 200 metres from the Winning Post and the margin behind the leader, the position of the horse at the finish of the race, and the margin behind the leader, a note on the horse's performance during the race, two split times and the time of the leader at the finish of the race, the track conditions under which the race was run, the name of the first three horses in the race past the finishing post, and the weight carried by each of them in the race, the margins at the finish of the race between the first and second horses and between the second and third horses respectively to pass the finishing post and the number of horses that started in the race. Notwithstanding the foregoing, when race days take place on two or more consecutive days (Public Holidays on which there is no race meeting and Sundays being excluded for the purpose of such computation) it shall not be obligatory to publish the performance of the horse in respect of a race which took place on the first of such consecutive days;

(viii) in a claiming race, the entered claiming price for each horse declared to run whose declaration is accepted for such race;

(ix) the amount of purse money earned by each runner during the previous calendar year and the current calendar year and, where available, the exercise work in respect of each runner during the seven days preceding the race;

(x) the results of the last preceding day of racing including the order in which each horse finished in each race, the weight carried by each horse, the name of the rider of each horse, the margin between each horse and the horse next succeeding it, the time of the winner of each race and the dividends declared at the race track in respect of successful bets provided however that in the case where such last preceding day of racing is less than three days from the race day in respect of which the daily official card is published (Public Holidays on which there is no race meeting and Sundays being excluded for the purpose of such computation) the results of such last preceding day of racing may be published in the issue of the next daily official card after the day on which but for this proviso the said results would have been published;

(xi) in respect of any race day on which a racing pool is conducted, the racing pools declarations for the said race day together with the finishing position in each of its last three races of each horse declared as a starter in a race included in the said racing pool.

(xii) in respect of horses racing on Furosemide, the following denotation is appropriate:

L1 First time Furosemide start  
L2 Second time Furosemide start  
L Third or more Furosemide starts

27. (a) The Promoter shall see that a saddling enclosure where the horses running in a race shall, subject as is hereinafter specified, be saddled and a parade ring are provided at the race course.

(b) Horses running in a race must be saddled in the enclosure (Saddling Ring) specified by the Stewards, so however, the Stewards may grant permission for a horse to be saddled elsewhere.

(c) A saddled horse should be walked in the Parade Ring until mounted by its jockey. Whenever a horse's tongue needs to be tied this must be done in the presence of a Commission's Veterinarian who shall examine the tongue strap as well as the manner of strapping.

(d) Admission of an individual to the Saddling Ring and Parade Ring is restricted to an individual who has the badge issued to him by the Commission exhibited in a prominent position on his person and he is a member, official or authorized person of the

Commission, a Steward or official for the day's racing, a member of the Constabulary or Security Force, a Promoter or Director of the Promoting Company or their authorized staff, owner (limited to two per horse), trainer, a jockey or groom engaged in a particular race, so, however, if a jockey is dressed in colours he shall not be required to exhibit his badge.

28. The Promoter shall see that a clean number cloth and head stall number, and an arm band for the jockey and the groom, each of a pattern approved by the Commission are provided for every horse for which a rider presents himself to be weighed out.

#### **CLERK OF THE COURSE**

29. The Clerk of the Course shall, within three days of each raceday, make the following returns to the Registry Office: -

- a) The Names of all horses which started in each race, the names of the owners, trainers and riders, the colours worn, the weights carried and over-weight (if any) declared to be evidenced by an official card of the meeting signed by the Clerk of the Scales.
- b) The position of all the horses placed by the judge and the distance between the first and second and the second and third as well as the official time in which the race was run to be evidenced by an official card of the meeting signed by the Judge.
- c) All cases in which the Starting Gate is dispensed with and the reason therefor.
- d) The report of the Starter as provided by Rules 50, 51 and 52.
- e) The objections and complaints, if any, preferred and the decisions of the Stewards thereon or on any other matter, together with any notes taken on the hearing of such objections and complaints or of the

evidence, if any adduced, and also the reasons for the decisions of the Stewards thereon which said notes and reasons shall be signed by not less than three Stewards adjudicating on such objections and complaints.

- f) In Claiming Races the names of the horses claimed, the amount for which claimed and the name of the successful claimant.
- g) A list of all fines and penalties imposed.
- h) Any deputy Steward or Official appointed.
- i) Such other returns as the Commission may from time to time require.

Provided, however, that where a raceday or days is or are scheduled within the above time limit the Clerk of the Course of that raceday shall advise the Clerk of the Course for the subsequent race day or days of all penalties imposed on any person or horse by the Stewards and/or Starter of that Meeting.

30.....Deleted

31. The Clerk of the Course shall forthwith notify the Stewards of any objection or complaint received by him with respect to the qualification of any horse to run in a race.

32. The Clerk of the Course shall obtain from the Registry Office and have in his possession for the information of the Stewards, a list of persons warned-off any course or place under the control of the Commission, and of suspended persons and a copy of the Black Book Record and also a copy of the latest Forfeit List and of the conditions governing the meeting and he shall not allow any horse, which, or the owner or nominator of which is on the Forfeit List, to start for any race nor shall he allow any suspended person to carry out his licensed functions. He shall not allow any disqualified person to enter the Race Course or any Stand or Enclosure thereof at any time.

He shall also have in his possession a copy of these Rules and all Regulations governing at the time.

32A The Clerk of the Course shall cause to be exhibited on the numbers board or shall cause an announcement to be made of:

- (i) all changes of rider from the name of the rider which appears on the official race card;
- (ii) overweight and any variation of weight to be carried

- by any horse from the weight appearing on the official race card;
- (iii) the number of any horse which is withdrawn from a race;
- (iv) any alteration of owner, trainer or colours and any change in the equipment to be carried by a horse from the equipment appearing on the official race card.

### **HANDICAPPER**

33. The Promoter with the prior approval of the commission may appoint a panel of three handicappers any two of whom shall constitute a quorum and shall serve as the Handicapping Committee to allot the weight to be carried by each horse in a handicap. The weights shall be allotted in conformity with the Racing Rules and the conditions of each race and subject thereto shall reflect the Handicapping Committee's assessment of each horse's ability based on merit and performance.

34. (1) Save and except as may be ordered by the Commission pursuant to an appeal under sub-paragraph (3) of this Rule and save and except as otherwise provided in sub-paragraph (4) of this Rule, no alteration shall be made after publication of the weights for any handicap except that, by express permission of the Commission, a weight may be allotted to a horse duly entered whose name or weight has been omitted from the handicap or a weight may be adjusted for a horse if the weight allotted, having regard to the Rules of Racing and the conditions of the race is not correct.

(2) The Handicapping Committee shall also append the weight to be carried by each horse in every Condition race in accordance with the conditions of such race.

(3) Any person aggrieved by the weight appended by the Handicapping Committee to any horse in a Handicap race or in a Condition race shall be entitled to appeal to the Commission by notice of appeal in writing to the Commission within one day of publication of the weights together with a statement setting out the grounds of his appeal and a deposit of One Thousand Five Hundred Dollars (\$1,500.00) which shall be forfeited unless the Commission shall decide there were good and reasonable grounds for such appeal. The procedure on notice of appeal being given shall be as specified in any rules for the time being made by the Commission for the regulation of appeals save and except that the Commission shall be at liberty to give to the parties involved in the appeal one day's notice of the name of the date, time and place of the hearing and one day's notice of the name of any person whom the Commission may call as a witness at the hearing.

(4) In any handicap where the top weight allotted is more than 57 kg and any of the horse who, on the basis of a top weight of 57 kg would, but for the provision of Rule 175 of the Racing Rules, have been allotted a weight of less than the minimum weight provided for such race in these Rules or by the condition (if any) governing the said race (as the case may be) is not declared as a starter the Handicapping Committee shall have the right to alter the allotment of weight to be carried by those horses who have been declared as starters provided that in such a case the allotment of weight in respect of the highest weighted horse declared to start in the race shall not be less than 57 kg and the allotment of weight for the lowest weighted horse declared to start in the race shall not be less than the minimum weight provided for such race in these Rules or by the conditions (if any) governing the said race (as the case may be). In any handicap where the lowest weight allotted is such that one or more of the horses entered for the race would , but for the provision of Rule 175 of the Racing Rules, have been allotted a weight of less than the minimum weight provided for such race in these Rules or by the conditions (if any) governing the said race (as the case may be) and one or more of such horses is declared to start in the race the Handicapping Committee shall have the right to alter the allotment of the weights to be carried by those horses have been declared as starters provided that in such a case the allotment of weight in respect of the highest weighted horse declared to start in the race shall not be more than the maximum weight provided for such race in these Rules or by the conditions (if any) governing the said race (as the case may be) and the allotment of weight for the lowest weighted horse declared to start in the race shall not be less than the minimum weight provided for such race in these Rules or by the conditions (if any) governing the said race (as the case may be). The new weights to be allotted pursuant to each of the foregoing rights shall be allotted in accordance with the Handicapping Committee's assessment of each of the declared horse's ability based on merit and performance as determined at the date of the publication of the original weights for such handicap and shall be published not later than three hours after the time fixed for the closing of declarations for such race. In the event that any horse's allotted weight is altered in manner aforesaid the person who signed the declaration for such horse shall be at liberty by notice in writing signed by him to change the jockey declared to ride such horse and to substitute another jockey provided that the said notice shall be accompanied by a retainer form signed by the substitute jockey, or, in the case of a substitute apprentice, his apprentice master, and shall be delivered to the promoter not later than twenty hours after the publication of the new weights.

35. Every member of the Handicapping Committee must attend every meeting personally unless excused by the Commission.

36. No handicap race for a race day shall be approved by the Commission unless it contains a condition giving the Handicapping Committee such period of notice by which to publish the weights to be carried in such race as the Commission shall consider reasonable. Such notice shall not be less than twenty-four hours computed from the time of the closing of entries for that race.

#### **THE STAKEHOLDER**

37. The Stakeholder if he so requires shall not allow a horse to be declared a starter for any race until the entrance fee and any additional sums due under the conditions of that race and the forfeit and arrears for every horse belonging to the same owner, or standing in his name, have been paid.

38. The Stakeholder shall, before the expiration of ten days after the meeting, render an account and pay over all stakes and added money to the persons entitled, subject to the provisions of Rule 227.

#### **CLERK OF THE SCALES**

39. (1) The Clerk of the Scales shall weigh the riders in accordance with these Rules and shall exhibit the number (as allotted on the official card prepared by the Clerk of the Course) of each horse for which a rider has been declared together with the names of the riders and the draw for places, and the numbers shall not be taken down until the horses are started. He shall also furnish the Starter with a list of runners. When the numbers have been exhibited no alteration or addition except as allowed for these Rules can be made without leave of the Stewards whose reasons for such permission shall be reported to the Commission. When any horse is withdrawn with the permission of the Stewards the Clerk of the Scales shall at once cause the number to be withdrawn and a notice to be exhibited on the number board that such horse has been withdrawn.

(2) The Clerk of the Scales may decline to weigh out any jockey or apprentice who is not properly attired when presenting himself to be weighed out for a race. He may, in lieu or in addition thereto, impose a fine not exceeding One Thousand Dollars (\$1,000.00) on any such jockey or apprentice.

(3) Any jockey or apprentice in respect of whom the Clerk of the Scales has exercised any of the powers conferred on him by sub-Rule (2) hereof shall be entitled forthwith to appeal to the Stewards who shall be at liberty to confirm or set aside or vary the decision of the Clerk of the Scales. The decision of the Stewards on any such appeal shall be final and there shall be no appeal from any such decision notwithstanding anything contained in Rule 233.

40. If extra weight, or any variation from the weight appearing on the cards be declared at scale for any horse, the Clerk of the Scales shall cause such weight to be exhibited with the number, and also if a horse be wearing hood or blinkers, the Clerk of the Scales shall also cause to be announced any winning penalties incurred or any alterations of owners, trainers, jockeys or colours.

41. The Clerk of the Scales shall in all cases except under the provision in Rule 215 weigh in the riders of the horses placed by the Judge, and report to the Stewards any jockey not presenting himself to be weighed in.

Notwithstanding the race may be cleared after the horse first past the post has properly weighed in.

42. The Clerk of the Scales shall ascertain whether any horse carried more than 1 kg. over his declared weight and shall immediately report any such case to the Stewards.

43. The Clerk of the Scales shall at the close of each day's racing deliver to the Clerk of the Course a return signed by him of the weights carried in every race and the names of the jockeys, specifying over-weight and apprentice allowance carried (if any).

#### **STARTER AND STARTING**

44. (i) The Starter shall obtain a list of runners for each race from the Clerk of the Scales.

(ii) Each horse shall be ridden by his jockey in front of the stand on leaving the Parade Ring and shall be paraded in such manner as the Stewards may prescribe and thence to the starting post where it shall be reported to the Starter and shall not be accompanied otherwise than by an outrider, or, in the case of an unruly horse when permission may be granted by two of the Stewards for the trainer or groom to lead the horse to the post. Where permission is granted as aforesaid for an unruly horse to be led to the post, the said Stewards may also give permission for

such horse to be excused from parading with the other horses engaged in the race.

(iii) Every horse shall be at the starting post ready to start at post time for such race.

(iv) A trainer or groom who leads a horse to the starting post in accordance with sub-paragraph (ii) of this Rule shall immediately on arrival at the starting post hand over the horse to the control of the Starter and shall forthwith withdraw from the starting area. For the purposes of these Rules 'the starting area' shall be the starting post and such area adjacent thereto as the Starter may from time to time designate.

(v) The horses must be started by the Starter.

(vi) All races shall be started from a Starting Gate or from Starting Stalls in each case approved by the Commission except that by permission of the Commission or in the case of emergency by the Stewards or the Starter, any race may be started with a flag or, with all the horses in starting stalls with its doors open, with a flag.

(vii) The Starter shall call over the names of the runners and assign the horses to the places drawn by lot, all horses taking their place at the start in the order drawn for them. The rider who has drawn No. 1 must always be placed on the extreme inside of the course and the other riders must take their places in consecutive numbers from him.

(viii) The Starter shall give all orders necessary for securing a fair start. The horses shall be started, as far as possible, in a line, but they may be started at such reasonable distance behind the Starting Post as the Starter thinks necessary.

(ix) In a start from a Starting Gate or with a flag, the Starter has full power to remove an unruly horse and, should he do so, he must place it at such distance to one side of or behind the other runners that it cannot gain any advantage itself or cause danger to, or prejudice the chances of the other horses and riders engaged in the race. In any start from a Starting Gate or with a flag permission may be given by the Starter for a horse to be held or the Starter may order a horse to be held. Should an unruly horse cause undue delay it may be left.

(x) In a start from Starting Stalls the Starter has full power to remove an unruly horse but subject to the provisions of Rule 49 no horse shall be permitted to start from outside the Stalls but permission may be given by the Starter for a horse to be held in the Starting Stalls or the starter may order a horse to be

held in the Starting Stalls. A horse which refuses to enter the Starting Stalls, or a horse which enters and through its unruly behaviour damages itself or its stall or appears likely to prejudice a fair start or which causes undue delay may be withdrawn by the Starter. Where the Starter or a Veterinary Surgeon who is an official in such capacity at the meeting is of the opinion that a horse who is at the Starting post for a race or who has been placed in the Starting Stall for a race may have sustained an injury the Starter or such Veterinary Surgeon as aforesaid shall call for an examination of the horse by a Veterinary Surgeon who is an official in such capacity at the meeting. In any such case the Veterinary Surgeon who conducts the examination shall be at liberty to remove the horse from the Starting Stall. In the event that the Veterinary Surgeon who conducts the examination is of the opinion that such horse should not, as a result of his examination, start in such race the Starter shall withdraw the horse from the race, shall notify the Clerk of the Course that the number must be withdrawn and shall inform him whether or not the horse has come under Starter's Orders. In the event that the Stewards after consultation with the Veterinary Surgeon who is conducting the examination, are of the opinion that any undue delay is or may be caused, the Stewards shall give permission for the horse to be withdrawn from the race.

(xi) A horse shall be regarded as having come under Starter's Orders and as being a starter for a race if it has not been withdrawn from the race.

(a) at the time when the doors of the Starting gates are opened by the Starter to start the race in a race started from starting stalls with its doors closed;

(b) at the time when Starter raises the tapes to start the race in a race started by means of a Starting Gates;

(c) at the time when the Starter drops the flag to start the race in a race started with a flag."

(xii) Should the Starter consider that through any cause a horse is unable to start he shall at once notify the Clerk of the Course that the number must be withdrawn and shall inform him whether or not the horse has come under Starter's Orders.

(xiii) The Starter may fine a jockey for misconduct or for disobedience of his orders at the Starting Post or for attempting any unfair advantage, but a fine by the Starter shall not exceed Two Thousand Dollars (\$2,000.00) for each such offence provided that

the aggregate fines for such offences shall not exceed Four Thousand Dollars (\$4,000.00) in respect of any one race. Should a jockey be so fined the Starter shall report the fact at once to the Stewards.

He shall also report to the Stewards any jockey whom he considers to have been guilty of misconduct or such disobedience as aforesaid or of attempting any unfair advantage.

(xiv) In case the start of a race is delayed while the horses are at the Starting Post, the Starter may permit any of the riders to dismount and their horses to be attended.

(xv) The Starter's decision as to the validity of a start shall, save in the case of a void start, be final.

(xvi) No horse shall retire from the race, except in the case of an accident or under the provisions of Rules 44 and 48.

45. (i) If the Starter is unable, after reasonable efforts, to place or maintain a horse at the Starting Gate or in the Starting Stalls for a satisfactory start, or if any horse is fractious or unruly, or if the Starter is of the opinion that the behaviour of a horse at the starting post is such that the safety of other horses or any rider engaged in the race (including the rider of the horse in question) is imperiled or the removal from the place allotted by the draw or having the horse held will not be effective, the Starter shall be at liberty to exclude the horse from taking part in the race.

(ii) The Starter shall maintain a Starter's List and any horse excluded pursuant to sub-paragraph (i) of this Rule and any horse left by the Starter under Rule 44(ix) or withdrawn by the Starter under Rule 44(x) shall be placed by the Starter on the Starter's list and shall be schooled to the Starting Stalls, if and when required, under the personal supervision of the Starter.

(iii) Only the Starter shall have the authority to designate the horses which shall be placed on the Starter's list.

(iv) The Starter shall file a copy of the Starter's list with the Commission.

(v) The Starter shall report in writing to the Commission as soon as a horse on the starter's list has been schooled sufficiently to be permitted to start and such horse shall thereupon be removed from the Starter's list provided that in a case where the Stewards shall have ordered any horse which has been placed on the Starter's list to be disqualified for any period pursuant to Rule 198 no such horse shall be removed from the

Starter's list prior to the expiration of the period of disqualification imposed by the Stewards and provided further that in the event that any horse was placed on the Starter's list as a result of damage to itself it shall be a condition of acceptance of an entry or declaration for such horse for the first time for a race scheduled to be run after his removal from the Starter's list that the entry or, if such a horse is in a race advertised as a Futurity, the declaration shall be accompanied by a Certificate from a Veterinary Surgeon approved by the Commission that such horse is fit for the purpose of racing.

(vi) A horse will not be eligible to start or to be declared as a starter for any race so long as he is on the Starter's list.

(vii) No horse will be eligible to start for the first time in a race in Jamaica or to be declared as a starter for such race as aforesaid until the starter shall have reported in writing to the Commission that horse as aforesaid has been schooled sufficiently to be permitted to start in a race.

(viii) A report from the Starter in writing to the Commission pursuant to subsection (v) and (vii) of this Rule, that any horse is schooled sufficiently to be permitted to start in any race shall be valid for three months from the date of the Starter's Certificate.

46. The Starter may in his discretion require or permit an unruly horse to be held by an authorized Starting Gate Attendant or Attendants appointed to assist the Starter.

47. Should the Starter consider that through any faulty action of the Starting Gate or Starting Stall a fair start has not been effected, he shall declare it a "false start" and order the riders by means of a re-call flag, to return to the starting post. The Starter's decision on this point shall be final.

48. In the event that any horse runs a distance of the course from a false start, at a pace which, in the opinion of the Stewards, could affect the said horse's performance in the immediate restart of such race, the owner of such horse may be permitted, with the consent of the Stewards, to withdraw such horse from the race. Such horse shall, if withdrawn as aforesaid, be considered as not having come under Starter's Orders.

49. When approved Starting Stalls are used, the following rules shall apply:-

- (a) The Promoters shall arrange that not less than 16 stalls are available and the Starting Stalls shall be used for starting every race except as otherwise provided in these Rules.
- (b) All races shall be started from the approved Starting Stalls subject to the provisions of Rule 44.
- (c) In the event of there being more runners than the Starting Stalls will accommodate the Commission or, in the case of emergency, the Stewards may order that the race be started by some alternative method but if neither the Commission nor the Stewards give any such order as aforesaid then the Starter shall place outside the Starting Stalls as many runners as there are in excess of the number of Starting Stalls, and these shall be the horses drawing the highest numbers in the draw for starting positions.
- (d) In any case in which a horse is withdrawn by the Starter from a race, the owner of the horse shall be liable for the appropriate nomination fee.
- (e) In the event that the Stewards are of the opinion that as a result of the non-removal of the Stall Gates or any part thereof from the racecourse during the running of a race the chances of any horse was impeded they shall have the power to order the race to be run again on the same day if practicable or on a day not more than seven days from the date of the race to be determined by the Stewards.

50. The Starter has power to inflict a fine not exceeding Two Thousand Dollars (\$2,000.00) for each offence on any trainer, groom or other person who misconduct himself in the starting area or who neglects or refuses to withdraw from the starting area when directed by the Starter so to do or pursuant to Rule 44 of the Racing Rules provided that the aggregate fines for such offences shall not exceed Four Thousand Dollars (\$4,000.00) in respect of any one race, and should a trainer, groom or other person be so fined the Starter shall report the fact to the Stewards immediately after the race.

He shall also have power to send back to the Paddock any jockey who persistently refuses to obey his order, and /or who is in his opinion intoxicated or otherwise incapacitated.

He shall also report to the Stewards his reasons for so doing, and any refusal to obey his commands whatever.

51. The Starter shall report to the Clerk of the Course for transmission to the Registry Office the time at which each race was started and by whom or by what cause any delay was occasioned, which horses were held, which horses dwelt badly or were left in the gates, which horses were placed on the Starter's List and the reason therefor, any change in post positions due to 'late non-starters' and all cases in which the Starting Gate is dispensed with, and the reason therefor.

52. All fines inflicted by the Starter on trainers, jockeys, grooms or other persons shall be reported immediately after the race to the Clerk of the Course.

#### **JUDGE**

53. The Judge shall occupy the Judge's box at the time the horses pass the winning post. He shall announce his decision immediately or after considering the photograph and shall determine the winner according to that part of the horse's head, excluding the ears, which first reaches the perpendicular plane of the near edge of the winning post provided that the complete body of the horse passes the winning post with his rider in the saddle, and shall determine the remaining placings in a similar manner. Such decision shall be final, unless an objection to the winner, or any placed horses is made and sustained; provided that this Rule shall not prevent a Judge from correcting any mistake, after receiving permission to do so from the Stewards. But no correction shall be permitted after the official signal is displayed.

54. The Judge shall, at the close of each day's racing, sign and send a report of the result of each race to the Clerk of the Course for transmission to the Registry Office.

#### **COMMISSION'S VETERINARIAN, TRACK VETERINARIAN AND OTHER VETERINARIAN**

55. (1) No person other than a veterinarian licensed by the Jamaica Veterinary Board and registered with the Jamaica Racing

Commission shall perform any of the services of a veterinarian for the purpose of attending any horse of racing age registered under these Rules, being trained for and actively engaged in racing

(2) (i) An application for registration as a track/racing veterinarian shall be made every two years.

(ii) Each registration as a veterinarian shall, unless earlier revoked by the Commission, expire on the 31<sup>st</sup> day of January not later than two years after the date of first issue.

(iii) Such application must be accompanied by a copy of the applicant's current veterinary license, to operate in Jamaica, granted by the Jamaica Veterinary Board and the application fee of Three Thousand Dollars (\$3,000.00).

(iv) Should the application be refused ninety percent of the application fee shall be refunded and the remaining ten percent shall be retained by the Commission.

(3) An applicant, who is disqualified, warned off or is currently under a ruling issued by any racing Jurisdiction against him/her will not be registered by the Commission.

(4) Veterinarians registered by the Commission when attending to a racehorse of any age, being trained for and actively engaged in racing at any location where racehorses registered under these Rules are stabled, shall operate under the authority of the Rules of Racing. Violation of any of these rules will result in the Commission taking such action as it deems fit.

(5) Every Veterinarian who treats a racehorse which has been entered to run in a race shall report to the commission, in writing the name of any such horse, any medication, drug or substance administered or prescribed, the name of the trainer of the horse, the date, time and place of treatment and any other information requested by the Commission.

(6) Such report shall be filed with the Commission by the time specified in the request but in any event not later than seven (7) days from the date of the said request.

(7) Any such report is confidential and its content shall not be disclosed except in the course of an investigation conducted by the Commission.

(8) All registered Veterinarians shall promptly notify

the Commission in writing of any communicable disease and any unusual incidence of illness in any horse under his care.

(9) A registered veterinarian shall immediately report in writing to the Commission any incident of violence, cruelty, abandonment, malpractice on any horse, stating the name of the horse, the location on the horse's anatomy where the procedure was done, the time and place of the observation.

55A (1) The Commission shall be at liberty from time to time to appoint one or more persons as a Commission's Veterinarian to perform from time to time such duties as are mentioned in these Rules. The Commission's Veterinarian shall be an official of each meeting held under the authority of the Commission.

(2) During the period of his engagement with the Commission, a Commission's Veterinarian shall not, without the approval of the Commission, diagnose, treat or prescribe for any horse registered under these Rules, for compensation or otherwise except in case of emergency or in any case where by virtue of these Rules he is required to diagnose, treat or prescribe for any such horse in which case he may do so without compensation of any kind.

(3) A Commission's Veterinarian shall during any meeting held under the authority of the Commission be at liberty to inspect and examine any horse who is declared a starter for such a meeting. If in his opinion, any such horse is not fit, sound or otherwise ready for racing, or appears to him to be in a condition other than normal he shall recommend to the Stewards that it be declared a non-starter for the race for which it was declared a starter and the Stewards shall take such action as they deem fit.

(4) A Commission's Veterinarian shall be at liberty to inspect any horse at the Starting point of each race. If in his opinion any horse is not fit, sound or ready for racing, he shall recommend to the Stewards that it be declared a non-starter for the race and the Stewards shall take such action as they deem fit.

(5) A Commission's Veterinarian shall be present while the horses are being paraded in the Parade Ring prior to each race and he shall forthwith report to the Stewards any horse which appears to him to be in a condition other than normal or which in his opinion is not fit, sound or otherwise ready for racing. In the event of any Steward ordering an examination of a horse by a Commission's Veterinarian a Commission's Veterinarian shall forthwith proceed to make the examination and shall, without delay, report to the Stewards the result of the same.

(6) A Commission's Veterinarian shall in any case where the Track Veterinarian is not available inspect any horse which has

been involved in an accident or suffered injury after arriving in the Paddock or after leaving the Paddock for the start, during the race or while pulling up as quickly as possible after the accident or the incident causing the injury and provide appropriate emergency treatment until the Track Veterinarian shall become available.

(7) The Commission's Veterinarian shall keep the Veterinarian's List upon which shall be entered the name of any horse which a Commission's Veterinarian or any official Veterinarian at the meeting considers unfit, unsound or not ready for racing or that has returned from a race unsound. When the Stewards order or grant permission for a horse to be declared as a non-starter for a race for reasons having to do with the physical condition of the horse or where a horse is withdrawn from a race for which he had been declared a runner for reasons having to do with the physical condition of the horse any such horse as aforesaid shall be placed on the Veterinarian's List. During the time a horse's name is on the Veterinarian's List, he shall not race in Jamaica. Only a Commission's Veterinarian shall remove a horse's name from the Veterinarian's List and he shall do so only when, in his opinion, the horse is fit, sound and ready for racing and in such a case he shall issue a Fitness Certificate in respect of the horse.

(8) An owner or trainer whose horse has been placed on the Veterinarian's List in pursuant to either sub-paragraph (15) or sub-paragraph (16) of this Rule shall not be at liberty to apply to a Commission's Veterinarian for the issue of a Fitness Certificate in respect of such horse.

(9) An owner or trainer whose horse has been placed on the Veterinarian's List either on or subsequent to the date of such horse's entry in a Condition Race other than a Futurity Race or on or subsequent to the date on which it is declared a runner for a race which is either a Futurity Race or a handicap race shall not be at liberty to apply until after the running of such Condition Race or Futurity Race or handicap race (as the case may be) for the issue of a Fitness Certificate in respect of such horse.

(10) Save and Except as is provided in sub-paragraph (8) and sub-paragraph (9) of this Rule an owner or trainer whose horse has been placed on the Veterinarian's List may apply at any time to a Commission's Veterinarian for his examination of such horse and for the issue of a Fitness Certificate in respect of such horse and such examination shall be conducted within twenty-four hours of the request for it provided that the horse is stabled at a place convenient to the Commission's Veterinarian.

(11) A Commission's Veterinarian may be instructed to make a full written report of the Commission's Veterinarian's activities and any recommendations he deems advisable as required from time to time by the Commission.

(12) A Commission's Veterinarian shall be responsible for verifying the colour, markings, and identification of all native-bred horses registered pursuant to these Rules and for verifying the information contained in the Certificate signed by the Veterinary Surgeon in Jamaica mentioned in Rule 107 of these Rules.

(13) A Commission's Veterinarian shall be responsible for the application of a lip tattoo or microchip number to each horse required by these Rules to be applied in Jamaica with a lip tattoo or microchip number and the entry on the register of the appropriate lip tattoo or microchip number for each horse.

(14) A Commission's Veterinarian shall be responsible for the collection of blood or hair follicles from each horse which is required for the purpose of blood-typing or DNA typing such horse and for the purpose of an analysis, by use of blood-typing or DNA typing, of the parentage and identification of such horse.

(15) A Commission's Veterinarian shall supervise the collection and transmission of all samples taken from horses for the purpose of analysis by the Racing Chemist. In the event that a Commission's Veterinarian shall fail within a reasonable time as determined by him, to collect a sample of urine from a horse on two consecutive occasions he shall place such horse's name on the Veterinarian's List. Notwithstanding anything to the contrary contained in any other sub-paragraph of this Rule such horse shall remain on the Veterinarian's List until such time as the Commission's Veterinarian shall, on a race day on which such horse is declared as a runner, have, prior to the race in which the said horse is declared a runner, collected in the Testing Barn at the racetrack a sample of urine from the said horse and provided further that the horse shall remain in the Testing Barn between the time when the sample of urine is collected and the time when it goes to the Saddling Barn to be saddled for the race for which he has been declared as a runner.

(16) In the event that a Commission's Veterinarian sees or receives a report from the Track Veterinarian that a horse has bled from the respiratory tract either during a race or within one hour after having run in a race the said Commission's Veterinarian shall place such horse on the Veterinarian's List and such horse shall be ineligible to race for a period of fourteen days. In the event that such horse as aforesaid bleeds from his respiratory tract either during a race or within one hour after having run in a race on a second consecutive occasion such horse shall be placed by a

Commission's Veterinarian on the Veterinarian's List and be ineligible to race for a period of twenty eight days from such second raceday. In the event that a Commission's Veterinarian sees or receives a report from the Track Veterinarian that such horse as aforesaid has bled from his respiratory tract either during a race or within one hour after having run in a race on a third or subsequent consecutive occasion the said Commission's Veterinarian shall place such horse on the Veterinarian's List and such horse shall be ineligible to race for a period of sixty days from the day of such third or subsequent race.

(17) A Commission's Veterinarian shall be at liberty at his discretion to inspect and examine any horse registered with the Commission after advising the trainer or any person appearing to the Commission's Veterinarian to have charge, custody or care of such horse of his intention so to do.

55B (1) The Promoter shall appoint from time to time one or more persons as a Track Veterinarian to perform from time to time such duties as are mentioned in these Rules. The Track Veterinarian shall be an official of the meeting for which he is appointed so to act.

(2) The Track Veterinarian shall be present while the horses are being paraded in front of the stand prior to each race and he shall at once report to the Stewards any horse which appears to him to be in a condition other than normal or which in his opinion is not fit, sound or otherwise ready for racing. In the event of any Steward ordering an examination of a horse by a Track Veterinarian, a Track Veterinarian shall forthwith proceed to make the examination and shall, without delay, report to the Stewards the result of same.

(3) A Track Veterinarian shall inspect all horses at the starting point of each race. If any such horse appears to him to be in a condition other than normal or in his opinion is not fit, sound or otherwise ready for racing or in his opinion has suffered an injury he shall recommend to the Stewards that it be declared a non-starter for the race and the Stewards shall take such action as they think fit.

(4) When before a race starts a horse is a runaway or a horse falls or a horse appears to receive any injury such horse shall be examined by a Track Veterinarian who if in his opinion such horse be declared a non-starter for the race, shall so recommend to the Stewards and the Stewards shall take such actions as they think fit.

(5) A Track Veterinarian shall inspect any horse which has been involved in an accident or suffered injury during the race or

while pulling up after the race as quickly as possible after the accident or the incident causing the injury and provide appropriate treatment.

(6) If in the opinion of a Track Veterinarian an injured horse should be destroyed, he shall destroy such horse quickly, humanely and out of sight of the public unless any delay will prolong the suffering of the horse.

(7) Whenever a race horse shall die at the race course other than at the stables of the trainer in whose charge, custody or care the horse is, on a race day during the period commencing one hour before the advertised post time of the first race and ending half an hour after the Official signal has been given for the last race on such race day a Track Veterinarian shall forthwith make a post mortem examination of the dead body of the horse with a view to determine the cause of death of the horse and to throw all the light upon the circumstances connected with the death that such examination can supply. Upon completion of the said post mortem examination the Track Veterinarian shall provide a Commission's Veterinarian with samples of tissues, organs and body fluids for toxological and histological tests to be carried out.

55C (i) No owner or trainer or authorized agent shall employ a veterinarian who is not registered under the Veterinary Act as a Veterinary Surgeon.

(ii) Any owner or trainer or authorized agent who shall employ a veterinarian who is not registered as aforesaid shall commit an offence under these Rules. An operator of a racecourse shall use all reasonable efforts to prevent veterinarians who are not registered as aforesaid from practising on his premises veterinary surgery as defined in the Veterinary Act.

#### **TIMEKEEPER**

56. The Official time of each race shall be determined by the Official Time-keeper. The time recorded when that part of the horse's head, excluding the ears, which first reaches the perpendicular plane of the near edge of the winning post shall be the official time of the race. In the event that such horse whose time is recorded as aforesaid is disqualified in such race, there shall be no official time for the race.

#### **PART VIII**

## **RACE MEETING**

57. All meetings must be sanctioned by the Commission.

58. (1) When the horses of more than one trainer are stabled at a racecourse and are not in separate compounds the operator of the racecourse shall erect and at all times maintain and keep in good repair an adequate fence around the section of the racecourse where such horses are stabled (herein referred to as "the stable area" so that unauthorized persons may not enter the stable area and shall provide for 24 hours per day gatemen and such patrol system as may be approved by the Commission. Only persons licensed by the Commission or authorized in writing by the Commission or by the operator of the racecourse shall be permitted to enter the stable area. If the operator of any racecourse shall fail to comply with any of the foregoing he shall be liable, after investigation by the Commission to a fine not exceeding One Hundred Thousand Dollars (\$100,000.00) or, in the case of a continuing offence a fine not exceeding One Thousand Dollars (\$1,000.00) for every day that the offence continues and shall, at the discretion of the Commission, be liable to a recommendation by the Commission to the Minister as defined in the Interpretation Act for the refusal of or the suspension of or revocation of a licence to operate the racecourse.

(2) No person shall enter the stable area at any racecourse or, if in the stable area, remain in such stable area unless he has a badge or other authorization issued to him in accordance with sub-paragraph (1) of this Rule exhibited in a prominent position on his person and any person who shall be in the stable area shall produce to the gateman and any member of the security patrol his badge or other authorization as aforesaid upon request provided however that a member of the Constabulary Force shall not be required to exhibit such badge or other authorization if he is dressed in uniform. Any person, other than a member of the Constabulary Force dressed in uniform, who shall attempt to enter the stable area at any racecourse or who shall be found in the stable area at any racecourse without such badge or other authorization exhibited as aforesaid or who shall fail, upon request to produce to a gateman or a member of the security patrol his badge or other authorization shall be liable to be forthwith ejected from such stable area and shall, in addition, be liable, after an investigation by the Commission to a fine not exceeding Ten Thousand Dollars (\$10,000.00) and in addition at the discretion of the Commission to be warned off all courses and other places where these Rules are in force and, if he is the holder of a licence under these Rules to have his licence revoked.

59. All applications for holding meetings for the following year shall be made in writing during the current year before November 30

and shall be forwarded to the Registry Office for consideration by the Commission, but this Rule shall not apply to Gymkhanas. The Commission however shall have power at any time to consider and grant application for holding meetings should it be of the opinion that such applications are in the interests of racing. In granting licences to hold meetings the Commission may impose such conditions as it may, in its discretion, deem fit.

60. A promoter shall pay to the Commission for each day's racing such fee as shall be fixed by the Commission from time to time.

The above payment shall be made within seven days if required after the granting of licence and before the day of the meeting and shall be forfeited if the meeting does not take place provided that the Commission may in its discretion refund the fee or any part thereof for any meeting which does not take place.

The Commission may in its discretion waive any or all of the above-mentioned fee or part thereof.

61. The programme for every meeting containing the conditions of every race, the general conditions, the date of holding the same, shall be submitted at or prior to such time as shall be fixed by the Commission from time to time for the approval of the Commission, who will supply the list of Stewards and Officials of the Meeting, before being advertised and no alterations shall be made in the approved conditions without the consent of the Commission. Provided that nothing herein contained shall preclude the promoter from altering the order in and times at which the races may be run.

62. The preceding Rule shall not preclude the addition of more money or a cup to a race before the time of closing, or of a new race to the programme of a meeting subsequent to the last advertisement issued previous to the meeting being held provided that the consent of the Commission shall have been previously obtained thereto.

63. The advertisement must state the dates for closing the entries, the names of the persons to receive entries and the place or places for the receipt of entries for every race, and the date when the weights for the Handicaps will be published, the date and place of Scratch time and, where relevant the final naming of rider, when the forfeits will be done, and, before the time fixed for closing (Futurity Races excepted), the names of the Stewards and Official and the dates on which the meetings is to be held.

64. At every meeting there shall be a Clerk of the Paddock and a Clerk of the Parade Ring in charge of each of the said respective enclosures. Where Paddock and Parade Ring are in one enclosure

these said officials shall be in charge of the portions of the enclosure used for the respective purposes.

65. (1) At every meeting advertised: -

(i) There shall be no race of less distance than 800 metres except by special permission of the Commission.

(ii) There shall be at least one race for two year olds in each day's programme, after the 1st of October in each calendar year.

This Rule shall not apply to Gymkhanas.

(2) A Promoter shall, in the framing of the conditions of any Condition race, be guided by the scale of weight-for-age contained in the Second schedule to these Rules but shall be at liberty to employ another scale of weight with the consent of the Commission.

66. The programme of each day shall be subject to such general conditions as may be approved by the Commission. One general condition must state that the meeting is subject to the Racing Rules.

67. Matches and Private Sweepstakes may be authorized by the Commission, independent of the above regulations. No money or other prize may be added to Private Sweepstakes or Matches, unless by special permission from the Commission.

68. Yearlings shall not run for any race, and two year olds shall not run before 1st March. No horse shall run in any race prior to the second anniversary of the date on which he was foaled.

69. (a) Two year olds shall not run at a distance of more than 1000 metres before the 1st of June.

(b) A two year old other than one which is either a native-bred horse or a Barbados-bred horse or a Trinidad-bred horse shall not run against older horses before the 1st day of September.

(c) A two year old which is either a native-bred horse or a Barbados-bred horse or a Trinidad-bred horse shall not run against older horses before the 1st day of December.

70. Except in the case of Gymkhana Races no horse shall run in more than one race on any day.

71. No Promoter shall offer or give any reduction on or waive the Entrance Fee of any race or races except such as are clearly disclosed in the advertised programme of the meeting.

72. If any Promoter shall act in contravention of these Rules, the same shall constitute a breach of the Licence to hold the meeting and the Commission may either cancel any fixture granted such promoter or may inflict such penalty on such promoter, as they deem necessary.

### **PART IX HANDICAPS**

73. The top weight to be allotted in a handicap shall not be less than 57 kg. The top weight in a handicap shall not exceed 60.5 kg save and except that winning penalties conditions of meetings may be added thereto

74. The weights to be allotted a horse shall be described in kilograms.

75. The trainer shall be responsible for the correctness of the weight carried by the horse.

### **APPRENTICES**

76. (1) An Apprentice is permitted during his apprenticeship and a jockey who not being an apprentice is a graduate from the Jockeys' Training School recognized as such by the Commission is permitted during a period expiring three years from the date when he first holds a licence from the Commission to ride for hire to claim the following allowances whether or not the number of races won by him were won by him before or after these Rules came into effect:-

- 4 kg. until he has won 10 races; thereafter
- 3 kg. until he has won 30 races; thereafter
- 2 kg. until he has completed a period of one year from the date on which he won his thirtieth race or until the expiration of the period for which he has bound himself to serve as an apprentice for the purpose of becoming jockey whichever of such periods shall first expire.

(2) Races confined to apprentices or to jockeys who are graduates from the Jockeys' Training School as aforesaid and to both apprentices and jockeys as aforesaid are not to be included in the totals set out in sub-paragraph (1) of this Rule.

(3) All allowances set out in sub-paragraph (1) of this Rule shall be calculated on the number of races won at 10:00 a.m. on the day of the race for which the allowance is claimed.

(4) The allowances set out in subparagraph (1) of this Rule can be claimed in the races set out hereunder except in races confined to any of the categories set out in sub-paragraph (2) of this Rule:-

(a) all handicaps

(b) all condition races in which the entry of horses for the race closes less than thirty days before the date of the race.

77.....Deleted.

78. (1) An apprentice's licence shall be applied for each year and shall expire on the 31st day of January in each year. Such licence must be applied for jointly by the master and the apprentice. On attaining the age of twenty-one years no person may ride as an apprentice.

(2) In the event of either the Apprenticeship agreement being cancelled by consent, or being terminated by either party for any reason the apprentice's licence shall forthwith be automatically revoke save that in the event of the death of the master or withdrawal of the authorization of the master by the Commission the apprentice's licence shall remain in force for thirty days from the date of the death or withdrawal aforesaid (as the case may be) and thereafter, unless the apprentice shall have bound himself to serve another master for the unexpired portion of his apprenticeship, shall be automatically revoked. During the thirty day period or until the apprentice shall have sooner bound himself as aforesaid to served another master the apprentice shall be answerable to the Commission in the same manner as he would otherwise have been answerable to the master.

#### **CLAIMING RACES**

79. In a claiming race, any horse is subject to claim for its entered price by a trainer on behalf of a person who is registered as an owner or is the holder of a certificate of eligibility to claim. Any horse entered for a claiming race may, on entering the Saddling Ring for the race be claimed.

80. The procedure for obtaining a certificate of eligibility to claim shall be as follows:

(a) the applicant shall, prior to causing a claim to be made on his behalf, submit an application for a certificate of eligibility to claim to be accompanied by all the information required to be submitted on an original application for registration as an owner together with the name of the licenced trainer who will assume care and responsibility for the horse claimed and who is authorized to make a claim on behalf of the applicant. The application shall be accompanied by a payment to the Commission of Four Thousand Dollars (\$4,000.00) which shall include the requisite fee for registration as an owner of which fifty percent of the requisite fee for registration as an owner will be refunded if the application is denied or if the Applicant does not acquire a horse through claim before expiry of the certificate.

(b) If the Commission shall find that the financial responsibility, experience, character and general fitness of the applicant are such that the participation of such person will be consistent with the public interest, convenience or necessity and with the best interests of racing generally in conformity with the purposes of the law, it shall thereupon issue to the applicant a certificate of eligibility to claim. If the Commission shall find that the applicant fails to meet any of the conditions it shall not issue to the applicant a certificate of eligibility to claim and it shall notify the applicant of the denial.

(c) The Commission may refuse to issue to the applicant a certificate of eligibility to claim or may suspend or revoke an applicant's certificate of eligibility to claim if it shall find that the applicant has been convicted of a crime other than a breach of the Road Traffic Act in any jurisdiction or is financially irresponsible or has been guilty of or attempted any fraud or misrepresentation in connection with racing, breeding or otherwise or has violated or attempted to violate any law with respect to racing in any jurisdiction or any rule, regulation or order of the Commission or shall have violated any of the Racing Rules or if any application made under this Rule contains any matter which is false in any material particular to the

knowledge of any person signing it or has been guilty of or engaged in similar, related or like practices.

(d) A certificate of eligibility to claim will be valid for thirty days from the date of issue or until the person in whose name the certificate is issued claims, purchases or otherwise acquires a horse prior to the expiry date of the certificate. Upon the holder of a certificate of eligibility to claim making a successful claim the holder becomes a registered owner.

81. The name of the person for whom the claim is being made shall appear on the claim slip.

82. No horse may be claimed by or on behalf of its owner or part owner or any of their spouses or by or on behalf of the authorized agent of its owner or part-owner or any of their spouses or by or on behalf of the trainer or assistant trainer of such horse, and no person such as is mentioned in this Rule shall claim or cause such horse to be claimed directly or indirectly for his own account or on behalf of a principal.

83. No trainer shall claim a horse on behalf of an owner from a stable in which the said owner has a horse. Failing which a trainer shall be subjected to a penalty under these Rules.

84. Any trainer who makes a successful claim of a horse shall, upon title to the said horse becoming vested in the successful claimant, become the trainer of the horse. Failing which a trainer shall be subjected to a penalty under these rules.

85. No claimed horse shall unless it is re-claimed remain in the same stable or under the care or management of the owner from whom he was claimed or trainer under whose care and management he was at the time when the claim was entered for a period of thirty clear days from the date of the claim.

86. Not more than one claim may be made from any one race by or on behalf of the same person whether such person is in an individual capacity or as a member of one or more groups of persons.

87. A claimed horse shall not be entered in a claiming race for thirty days after being claimed in a race in which the determining eligibility price is less than twenty (20) percent more than the price for which the horse was claimed. The day claimed shall not count but the following calendar day shall be the first day, and the horse shall be entitled to enter whenever necessary so that it may start on the thirty first calendar day following the claim for

any claiming price. A claimed horse shall not be eligible to start in any race held within four days of the claim.

88. No horse claimed in a claiming race shall be sold or transferred, wholly or in part, to anyone within thirty days after the date it was claimed, except in another claiming race.

89. The claiming price of each horse in a claiming race shall be the entered claiming price, plus tax, if any. The successful claimant shall, have deposited, in addition, and shall pay the registration fee stipulated in Rule 253 (iii) which shall be payable to the Commission in respect of the registration of the successful claimant as the owner of the horse. The entered claiming price shall be printed on the day's official card of the races. Prior to the scheduled post time of the first race of the day of racing the Promoter shall issue and deliver to the Stewards a certificate setting out the correct claiming price of each horse declared as a starter in a claiming race.

90. Each claim shall be made in writing on a form and in an envelope supplied by the Promoter and approved by the Commission. Both form and envelope must be filled out completely and must be letter perfect failing which the claim will be void. The horse's name must be identical to the way it is printed in the day's official card, otherwise the claim will be void.

91. Claims must be signed, sealed and the envelope time-stamped and deposited in a locked box provided for that purpose at a designated place at least fifteen minutes before the scheduled post time of the race from which the claim is being made. No money or its equivalent shall be put in the claim box. For a claim to be valid, the claimant must have at the time of filing the claim in a deposit account maintained by him for the purpose of claims with the Promoter of not less than the amount of the claim plus any tax payable by the claimant to the Jamaican Government on a sale or transfer of a race horse plus the amount of the fee mentioned in Rule 89. The details of each deposit account shall be given by the Promoter to the Stewards before the scheduled post time of the first race on each day on which a claiming race is scheduled.

92A. The Stewards, or their designated representative shall open the claim envelopes for each claiming race ten minutes before post time of the race for which the claim is being made or as soon as the horses leave the Parade Ring en route to the starting post whichever shall last occur. The Stewards shall thereafter check with the details of the claimant's deposit account to ascertain whether the proper credit balance is in existence with the Promoter. The owner, trainer and jockey of any horse claimed shall not be informed that a claim has been made until after the race has been run.

92B If more than one valid claim is filed for the same horse, title to the horse shall be determined by lot under the supervision of the Stewards or their designated representative.

92C Any horse that has been claimed shall, after the race has been run, be delivered to the trainer by whom the successful claim was made. Such trainer must present written authorization from the Stewards. Horses which are sent to the area where post race samples for analysis are taken shall be delivered at that point; others are to be delivered in the Paddock. No person shall refuse to deliver to the person legally entitled thereto a horse claimed out of a claiming race. Any horse claimed out of a claiming race shall be disqualified from further racing until delivery is made. Any person refusing to deliver a claimed horse to the person legally entitled thereto shall be suspended and the case referred to the Commission.

92D Claims are irrevocable and are at the risk of the claimant. Title to a claimed horse shall be vested in the successful claimant from the time when the horse enters the Saddling Ring for the race and the said claimant shall then become the owner of the horse whether it be alive or dead, sound or unsound, or injured before or during the race or after it. A claimed horse shall run in the interest of and for the account of the owner from whom claimed.

92E No person shall offer or enter into an agreement to claim or not to claim or attempt to prevent another person from claiming any horse in a claiming race. No person shall attempt by any improper means to prevent any one from running a horse in any claiming race. No owner or authorized agent or trainer or assistant trainer shall make an agreement with another owner or authorized agent or trainer or assistant trainer for the protection of each other's horses in a claiming race. Any person acting in breach of this rule may be fined or suspended by the Stewards or may be warned off all courses and other places where these Rules are in force for such period as the Commission shall determine.

92F A claim shall in all cases represent a bona fide offer by the claimant to buy and on the owner to sell the horse in question at the claiming price. The Stewards or the Commission shall be at liberty to fully enquire into any and all circumstances surrounding a claim and may at any time in their discretion require any person to make a declaration on oath in writing in regard to any claim and the circumstances in which any claim is made. The Stewards shall be the judges of the validity of a claim.

92G Any person who shall enter or allow to be entered in a claiming race, a horse of which he is the lessee or one against which any third party interest is held, either by way of mortgage,

bill of sale, or lien of any kind shall be warned off all courses and places where these Rules are in force unless when or before entering the horse the written consent of the lessor or holder of the third party interest shall be filed with the Promoter of the meeting at which the horse is entered.

92H The engagements of a claimed horse pass automatically to the successful claimant at the time when he becomes the owner of the horse.

92I Notwithstanding any information appearing on the day's official card of the races or in any racing publication, the claimant of a horse shall be solely responsible for determining all pertinent information with regard to the horse claimed.

92J In the event that a claiming race is abandoned or postponed or declared void for any reason, any claim lodged for any horse in the said claiming race shall be null and void.

92K .....Deleted.

92L In all claiming races not more than two horses under the charge, custody or care of the same trainer can be entered in one race. In claiming races, not more than two horses owned by the same person whether as sole owner, part owner, licensee or lessee are eligible to be entered in one race.

92M Any horse which has run in a claiming race in contravention of Rule 92G shall on an objection made within 14 days be disqualified and the claim shall be annulled.

92N The successful claimant of a horse may require that a blood sample be taken by the Commission's veterinarian from the said horse, and, the sample so taken shall be forwarded within twenty-four hours to a chemist selected by the Commission to be tested for equine infectious anemia. Pending the receipt of a negative test for equine infectious anemia, the monies paid for such claimed horse shall be held by the Promoter. In the event that the analysis of the sample shall prove positive for equine infectious anemia the ownership of the claimed horse shall revert to the owner from whom the horse was claimed and the claiming monies shall be returned to the person who claimed the horse. The cost of the test shall be borne by the successful claimant who may request the test by so indicating on the claim slip.

92O A protest by the owner of a claimed horse against the claim of the said horse shall be filed with the Stewards within 48 hours of the day of the race on which the horse was claimed, a Sunday and public holiday being excluded.

92P Any claim which is not made in conformity with these Rules shall be void.

**PART X**  
**RACE HORSES' AGE AND REGISTRATION**

93. The age of a horse shall be reckoned as beginning on the 1st of January in the year in which the animal is foaled.

94.(1) All native-bred horses shall be registered by the breeder in writing at the Registry Office within one hundred and twenty days of foaling or by the 30th day of September in the year of foaling, whichever shall last occur. The names of the sire and dam, the sex and colour, the date of birth of the foal and the place where born shall be furnished. The colour and markings of the foal shall be certified by a qualified Veterinary Surgeon who is neither the breeder nor the owner of the horse.

(2) The breeder shall, in addition to the foregoing, furnish, as a condition to the registration of the horse, a stallion certificate signed by the owner of the stallion who is being registered as the sire of the horse stating that the mare who is being registered as the dam of the horse was covered by the said stallion and specifying the last date of service of the said mare by the said stallion. The owner of the said stallion has the right to withhold the issue of the said stallion certificate until his fees and charges for the service of the said mare by the said stallion and for the care and keep of the said mare and the said foal and of any foal from the said dam who was with the said mare during the period when she was at the owner of the stallion's premises for the purpose of the said service shall have been paid.

(3) If the dam was covered by more than one stallion the names of all the stallions who covered the dam must be stated.

(4) Failure to register within the time specified as aforesaid shall only be remedied on application in writing to the Commission. The application shall be made not later than the 31st day of December in the year in which the foal attains the age of two years pursuant to Rule 93 and shall be accompanied by the particulars mentioned in sub-paragraphs (1), (2) and (3) of Rule 94 and shall state the reason for the failure to register. No consideration shall be given to any application made subsequent to the date aforesaid. In the event that the Commission consents to the application the foal shall be registered. In any case the Commission shall be at liberty to impose a fine not exceeding

Twelve Thousand Dollars (\$12,000.00) and being not less than Two Thousand Dollars (\$2,000.00).

The imposed fine shall be paid to the Commission in addition to the prescribed foal registration fee, pursuant to Rule 253 (ix) of these Rules, and shall be determined as set out in the attached schedule.

#### **SCHEDULE OF LATE REGISTRATION FEE**

##### **PERIOD OF LATENESS**

##### **FINE IMPOSED**

|                                       |           |             |
|---------------------------------------|-----------|-------------|
| Less than or equal to                 | 3 months  | \$ 2,000.00 |
| Greater than 3 Less than or equal to  | 6 months  | \$ 3,000.00 |
| Greater than 6 Less than or equal to  | 9 months  | \$ 4,000.00 |
| Greater than 9 Less than or equal to  | 12 months | \$ 5,500.00 |
| Greater than 12 Less than or equal to | 15 months | \$ 7,000.00 |
| Greater than 15 Less than or equal to | 18 months | \$ 8,000.00 |
| Greater than 18 Less than or equal to | 21 months | \$ 9,000.00 |
| Greater than 21 Less than or equal to | 24 months | \$10,000.00 |
| Greater than 24 Less than or equal to | 27 months | \$12,000.00 |

In the event that the foal does not qualify and the Commission determines that the foal cannot be registered, the late fine paid shall be refunded in full.

(5)(i) Any foal that is the product of either Artificial Insemination, Embryo Transfer or transplant, cloning or any other form of genetic manipulation is not eligible for registration. In order to be eligible for registration, a foal must be the result of a stallion's natural service with a mare by means of physical mounting of the mare by the stallion and a natural gestation must take place in, and delivery must be from, the body of the same mare in which the foal was conceived. As an aid to the natural service, a portion of the ejaculate produced by the stallion during such cover may immediately be placed in the uterus of the mare who was physically mounted by the stallion at the time when the ejaculate was produced.

(ii) A dead horse/foal is not eligible for registration saves and except where such horse was previously registered in another racing jurisdiction prior to being exported to Jamaica and such horse's death occurred subsequent to such exportation.

(6) In order to perfect registration of a native-bred foal it shall be the duty of the breeder of the foal in addition to the particulars mentioned in sub-paragraphs (1), (2) and (3) of this Rule to make an appointment with a person registered under the Veterinary Act as a Veterinarian who is appointed by the Commission for such registered Veterinarian to procure a DNA sample and/or blood sample from the foal for the purpose of having the sample DNA typed and/or blood typed and, in the event that the foal's sire and the dam have not been DNA typed and/or blood typed, a DNA sample and/or blood sample from the sire and the dam for the purpose of having the sample DNA typed and/or blood typed. A foal shall not be eligible for registration unless its sire and dam have been DNA typed and/or blood typed and entered in the Register.

(7) If the foal qualifies via the process of parentage verification as an offspring of the reported sire and dam, the Commission will register the foal. If the foal does not qualify as an offspring of its reported sire and dam or of either of them the Commission will, at the request and expense of the breeder, obtain new DNA samples and/or blood samples from the foal and the possible sire(s) and dam(s) and will send these DNA samples and/or blood samples to a laboratory selected by the Commission for retesting and based on the results of the new DNA and/or blood test and any other relevant evidence available, the Commission will make a final determination regarding the registration of the foal.

(8) In addition to all native-bred foals that must be DNA typed and/or blood typed and parentage verified, the following horses must be DNA typed and/or blood typed in Jamaica: -

- (i) All stallions in the stud used for the purpose of siring horses for purposes of horseracing;
- (ii) All mares in the stud used for the purposes of breeding horses for purposes of horseracing;
- (iii) Save as is set out in Rule 94A all horses imported for the purposed of horseracing or for use as stallions or mares in the stud for the purposes of siring and breeding horses for purposes of horseracing.
- (iv) All horses for which application is made for a Jamaica Stud Book Certificate.

94A (1) Rule 94 (8) shall not apply to a horse which was foaled out of Jamaica and which has been invited to Jamaica with the approval of the Commission to run in a special race or series of races and in respect of its participation in such special race or series of races.

(2) Rule 94 (8) shall not apply for a period of thirty days or such further period not exceeding sixty days as the Commission may in writing approve from the date of entry in Jamaica of a Barbados - bred horse and a Trinidad bred horse who pursuant to the specific conditions for entry in a race in Jamaica enters Jamaica for the purpose of running such race.

95. All horses shall be registered before being entered for any race or before any foal of which they are either the sire or the dam is registered.

95A (1) Subject as hereinafter provided, no horse shall be entered for any race other than a futurity race or declared to start or shall run in any race without a legible lip tattoo number applied, or identification derived from microchip inserted by an authorized person of the Commission.

(2) Sub-paragraph (1) of this Rule shall not apply to a horse to whom has been applied a lip tattoo number or identification derived from microchip inserted by a body recognized and approved for the purpose of application of a lip tattoo number, or identification derived from microchip inserted by a recognized Turf Authority or to a horse which was foaled out of Jamaica and which has been invited to Jamaica by the Commission to run in a special race or series of races and in respect of its participation in such special race or series of races.

(3) The tattoo number to be applied, or identification derived from microchip inserted pursuant to sub-paragraph (1) of this Rule shall be attached to the particulars of registration of such horse. The lip tattoo number applied, or identification derived from microchip inserted under the approval of a Recognized Turf Authority to any horse registered in Jamaica shall be attached to the particulars of registration of such horse.

(4) (a) The lip tattoo number of each horse to be applied pursuant to sub-paragraph (1) of this Rule shall comprise five digits which shall be allotted to such horse by the Commission after registration of the horse. The first two digits of each lip tattoo number shall be the last two digits of the year in which the horse is foaled and the fifth digit of such number shall be in the case of a filly an even number and in the case of a colt or gelding an odd number.

(b) The microchip number of each horse shall, in the case of native bred horses have the Jamaica's code included in the microchip number. This shall not however preclude horses imported

into Jamaica from having a microchip number bearing a different country code.

(5) Every native-bred horse and every horse foaled in Jamaica which is registered under Rule 94 of these Rules shall be applied with a lip tattoo number or identification derived from microchip. The owner of each horse shall pay to the Commission a fee of One Thousand Five Hundred Dollars (\$1,500.00) at the time when he applies to the Commission for a lip tattoo number to be applied, or identification derived from microchip inserted in to the horse. The owner of any horse other than a native-bred horse or a horse foaled in Jamaica or a horse referred to in sub-paragraph (2) of this Rule shall, on registration of horse, apply to the Commission for a lip tattoo number to be applied, or identification derived from microchip inserted in to the horse and shall pay to the Commission a fee of One Thousand Five Hundred Dollars (\$1,500.00) for the application of the lip tattoo number, or identification derived from microchip.

96. (1) All stallions used for breeding shall be registered as such before they commence to serve and if not DNA typed earlier, the stallion owner shall have such stallion DNA typed at his expense as a part of the registration process. Any change of ownership or location shall be so notified to the Registry Office within 30 days. The owner of any such stallion shall at the 30th of September of each year send to the Registry Office a list of all mares covered by any such stallion in such year and the last date of service of each mare.

(2) All fillies and mares used for breeding shall be registered as such before they commence breeding and if not DNA typed earlier the filly/mare owner shall have such filly/mare DNA typed at his expense as a part of the registration process. Any change of ownership shall be so notified to the Registry Office within thirty (30) days of such change. The owner of any such filly or mare shall at the 30th of September of each year send to the Registry Office a produce report for such filly or mare according to the form prescribed by the Commission from time to time. In addition the mare owner must submit the name(s) of the covering stallion(s) and the last date(s) of service of such filly or mare.

(3) Failure to do any of the above within any of the times specified as aforesaid shall only be remedied on application to the Commission stating the reason for the omission and with the consent of the Commission after being satisfied with the reason for the failure and in any such case the Commission shall be at liberty to impose a fine not exceeding Ten Thousand Dollars (\$10,000.00).

97.(1) The death of

- (i) any horse in the care of a licensed trainer;
- (ii) any stallion which is required to be registered under Rule 96;
- (iii) any mare at stud who was either registered under these Rules or who has any progeny registered under these Rules;
- (iv) any entire male horse who was either registered under these Rules or who has any progeny registered under these Rules;
- (v) any foal which is registered under these Rules or who is the produce of any female horse who is or was registered under these Rules;
- (vi) any horse which is registered under these Rules;

shall within thirty days of the date of death be registered in writing at the Registry Office by the person having the care and custody of such horse at the date of such horse's death. Failure so to register the death of any such horse within the said period by the person aforesaid shall render such person liable to a fine not exceeding Ten Thousand Dollars (\$10,000.00) to be imposed by the Commission.

(2) Forthwith on the death of any horse in the care of a licensed trainer, whether at a race course or elsewhere, the trainer of the horse shall cause a veterinary surgeon registered as such pursuant to The Veterinary Act to make a post mortem examination of the dead body of the horse with a view to determine the cause of death of the horse, to throw all the light upon the circumstances connected with the death that such examination can supply and to provide the Commission with samples of tissues, organs and body fluids for toxological and histological tests to enable it to be determined whether or not the dead body on examination shows the presence in or on any part thereof of any quantity:-

- (a) of a Prohibited Substance; or
  - (b) of any substance (other than a substance which can be traced to a normal nutrient) being a substance which by its nature could affect the speed, stamina, courage, conduct or racing performance of a horse;
- or

- (c) of a normal nutrient in such abnormal quantities or administered or applied in such an abnormal manner that it could affect the speed, stamina, courage, conduct or racing performance of a horse.

(3) It shall be the responsibility of the licensed trainer of such horse to ensure that, within thirty-six hours from the time of the death of such horse, the said Veterinary Surgeon delivers to the Commission in writing and signed by the Veterinary Surgeon a report addressed to the Commission, of the appearances of the body and organs on such post mortem examination, any information orally given to him by any person in regard to the medical history of the horse and of the conclusions which he draws therefrom touching the death. The post mortem examination shall extend to the dissection of the body and examination of the organs, as far as the Veterinary Surgeon may think requisite for the purpose of ascertaining whether or not the dead body shows the presence of any Prohibited Substance or such other substance or nutrient as is mentioned in paragraph (2) of this Rule and the licensed trainer shall ensure that within the period hereinbefore in this sub-paragraph mentioned the said Veterinary Surgeon shall deliver to the Commission such parts of the dead body, organs and body fluids, accurately labelled by the Veterinary Surgeon, as he shall have dissected and collected as aforesaid.

(4) Any licensed trainer who without reasonable cause, shall fail either to cause a Veterinary Surgeon as aforesaid to make the post mortem examination mentioned in paragraph (2) of this Rule or to ensure that the Veterinary Surgeon delivers within the time specified in paragraph (3) of this Rule the things specified in paragraph (3) of this Rule shall be guilty of an offence under these Rules and liable to such punishment as is mentioned in Rule 247.

98. The Commission shall refuse to accept or recognize any registration, entry, nomination or other transaction or dealing with any horse if made by or in the name of a person who has not attained full age unless such person is of the age of sixteen years or upwards and unless at least one other person who has attained full age has a greater interest in the horse than that of the person who has not attained full age and all persons who have attained full age who have an interest in the horse have between them an interest greater than fifty percent. In any case where pursuant hereto the Commission has accepted or recognized any such registration, entry, nomination or other transaction or dealing with any horse made by or in the name of a person who has not attained full age each part owner shall in addition to the

liability under Rule 137 be jointly and severally liable in respect of any such horse as aforesaid for the payments of all amounts which may then or thereafter be due to any person who is the holder of a licence issued under these Rules. For the purpose of this Rule a person shall be of full age when he shall cease as a result of any law for the time being in force whether statutory or otherwise to be regarded as an infant for the purpose of the law relating to contracts.

99. Unless claimed as reported by the Clerk of the Course under Rule 29(f), or sold at auction as provided for in Rule 100, no horse shall be transferred except by instrument in writing under the signature of the owner or his authorized agent in this behalf and shall be counter-signed by the Transferee or his authorized agent in this behalf, and shall set out in full all conditions attaching to the Transfer and in particular if future nominations are transferred or not. The report by The Clerk of the Course under Rule 29(f) shall be accepted as a transfer of a claimed horse.

100. A transfer from a disqualified person shall not be recognized without the approval of the Commission who may require the horse to be advertised and sold by Public Auction in which case the Auctioneer's certificate of sale may be accepted as a transfer.

101. No horse shall run un-named.

102. (i) A name may only be registered for a horse by application to the Commission on such form as may from time to time be prescribed by the Commission signed by or on behalf of the owner of the horse unless otherwise ordered by the Commission.

(ii) The following names are not available:-

- (a) The name of any live horse registered for the time being under these Rules.
- (b) A name consisting of more than eighteen letters or of more than four words and, in respect thereof, a space and a punctuation mark shall each be deemed as a letter.
- (c) A name consisting entirely or partly of numerals.
- (d) The name of any stallion or broodmare who has sired or foaled, as the case may be, a horse registered under these Rules.

- (e) Any name which is for the time being on the international list of protected names issued by virtue of the international agreement on breeding and racing.
- (f) Any name which in the opinion of the Commission is similar in spelling or pronunciation to the name of any live horse registered for the time being under these Rules.
- (g) The name of any famous or notorious person whether living or dead unless specially approved by the Commission.
- (h) Any trade name used for the purpose of advertising any product or service or any name which in the opinion of the Commission has any commercial association unless any such name is specially approved by the Commission.
- (i) Any name which is vulgar or obscene or which in the opinion of the Commission bears or is capable of bearing a vulgar or obscene meaning.
- (j) The name of any horse which is a winner of the Jamaica Derby or the Jamaica Guineas or the Jamaica 2,000 Guineas or the Jamaica 1,000 Guineas or the Jamaica Oaks or the Lonsdale Challenge Cup or the Jamaica St. Leger.
- (iii) Notwithstanding the foregoing contained in sub-section (ii) of this Rule the approval of a name is in the absolute discretion of the Commission which may refuse or cancel a name.
- (iv) When a name is registered for a horse foaled outside Jamaica a letter code will be added to denote the country of origin.
- (v) A name may not be changed for any horse -
  - (a) except one that is an untried upon payment of the fee stipulated in Rule 253 (v); or
  - (b) who has passed the winning post with its jockey in the saddle in a race consisting of two or more horses at a meeting except with the special permission of the Commission and upon payment of the fee stipulated in Rule 253 (vi).

(vi) A change of name shall be applied for in the same way as a registration of name.

(vii) If the same name be simultaneously claimed for two or more horses the order of priority shall be determined by lot at the Registry Office.

(viii) Every power contained in this Rule shall be subject to the power conferred upon the Commission by Rule 15(iii) to accept or to refuse to accept or to cancel any registration under these Rules, notwithstanding any implication to the contrary which may be contained in any such provision.

(ix) Any application for the registration of any name must precisely identify the horse in respect of which the application is made in accordance with the particulars of registration of such horse.

(x) In considering any application for the registration of any name the Commission may require such evidence or information as it thinks fit and on the failure of any applicant to furnish such evidence or information within such time as may be directed by the Commission the application shall stand dismissed.

### **DISQUALIFICATION OF HORSES**

103. A horse is not qualified to be entered or start for any race

- (i) If he has run at any unrecognized meeting.
- (ii) If, and so long as, he 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 (except as under Rule 205.)
- (iii) If, and so long as, he is in the stable of, or under the care and management of, a disqualified person (see Rules in Parts XVII and XXVI).
- (iv) If, and so long as, its owner is on the Forfeit List. This does not prevent the entry in a produce race of the produce of stallions or mares whose owners are on the Forfeit List.
- (v) If and so long as he is on the Starter's List.

- (vi) In any case in which he is by these Rules or by the conditions of the race declared to be disqualified.
- (vii) If he has been declared disqualified by the Commission.
- (viii) If he is the property of an owner whose name has not been duly registered under these Rules.

104. The Commission may disqualify for such time or from such races as they may determine any horse which has been the subject of a corrupt or fraudulent practice or which in their opinion persistently refuses to leave the starting box or gate or to take part in a race or behaves in a manner dangerous to other horses.

105. In the event that a horse establishes a track or other record in a race and is disqualified in such race, such record shall be null and void.

106. The Commission shall have the power to remove any disqualification that it may have attached to or may have been inflicted upon horses under Rule 103 or any other Rule subject to such conditions (if any) as it may deem fit to impose.

#### **HORSES NOT FOALED IN JAMAICA**

107. (1) A horse not foaled in Jamaica shall not be qualified to start for any race until there have been deposited by the importer at the Registry Office one or more Certificates or documents containing the following information to be furnished by the recognized Turf Authority in the country of exportation and such fee as the Commission shall from time to time prescribe:-

- (i) the name of the horse and its pedigree to the fifth generation;
- (ii) the date of foaling, colour and sex of the horse and any markings by which the horse may be identified;
- (iii) that the horse is not in any way disqualified from being registered;
- (iv) details of the horse's performance (if any);
- (v) the name of the breeder of the horse;
- (vi) the name of the importer of the horse to Jamaica;

- (vii) the place where the horse is foaled;
- (viii) the issue of any Stud Book in which the horse is or will be registered;
- (ix) a copy of such horse's DNA type and/or blood type.

In addition to the foregoing, the importer shall also deposit at the Registry Office a Certificate signed by a Veterinary Surgeon in Jamaica approved for this purpose by the Commission verifying the information set out in any such Certificate in regard to the age, colour and sex of the horse and the markings by which the horse may be identified.

(2) In the event that there is no recognized Turf Authority in the country of exportation the Commission may approve of the above Certificates being signed by the Secretary or other Officer of some Racing Club of the country of exportation, or by some Magistrate, Mayor or public officer of that country.

(3) Any horse not foaled in Jamaica racing in Jamaica shall have its name in the Official Racecard followed by the relevant letter code denoting his country of origin. The appropriate abbreviations are as set out below or such additional ones as set from time to time by the Commission:-

|            |                           |            |                    |
|------------|---------------------------|------------|--------------------|
| <b>ALG</b> | <b>Algeria</b>            | <b>KOR</b> | <b>Korea</b>       |
| <b>ARG</b> | <b>Argentina</b>          | <b>LEB</b> | <b>Lebanon</b>     |
| <b>AUS</b> | <b>Australia</b>          | <b>LTU</b> | <b>Lithuania</b>   |
| <b>AUT</b> | <b>Austria</b>            | <b>LIB</b> | <b>Lybia</b>       |
| <b>BEL</b> | <b>Belgium</b>            | <b>LUX</b> | <b>Luxemburg</b>   |
| <b>BHR</b> | <b>Bahrain</b>            | <b>MAL</b> | <b>Malaysia</b>    |
| <b>BAR</b> | <b>Barbados</b>           | <b>MTA</b> | <b>Malta</b>       |
| <b>BOL</b> | <b>Bolivia</b>            | <b>MEX</b> | <b>Mexico</b>      |
| <b>BIH</b> | <b>Bosnia-Herzegovina</b> | <b>MOR</b> | <b>Morocco</b>     |
| <b>BRZ</b> | <b>Brazil</b>             | <b>NOR</b> | <b>Norway</b>      |
| <b>BUL</b> | <b>Bulgaria</b>           | <b>NZ</b>  | <b>New Zealand</b> |
| <b>CAN</b> | <b>Canada</b>             | <b>PAK</b> | <b>Pakistan</b>    |
| <b>CEY</b> | <b>Ceylon</b>             | <b>PAN</b> | <b>Panama</b>      |
| <b>CHI</b> | <b>Chile</b>              | <b>PER</b> | <b>Peru</b>        |
| <b>CHN</b> | <b>China</b>              | <b>PHI</b> | <b>Philippines</b> |
| <b>COL</b> | <b>Colombia</b>           | <b>POL</b> | <b>Poland</b>      |
| <b>CRI</b> | <b>Costa Rica</b>         | <b>POR</b> | <b>Portugal</b>    |
| <b>HRV</b> | <b>Croatia</b>            | <b>PRY</b> | <b>Paraguay</b>    |
| <b>CUB</b> | <b>Cuba</b>               | <b>QA</b>  | <b>Qatar</b>       |
| <b>CYP</b> | <b>Cyprus</b>             | <b>SHR</b> | <b>Rhodesia</b>    |

|     |                    |     |                          |
|-----|--------------------|-----|--------------------------|
| CZE | Czech Republic     | RUM | Rumania                  |
| DEN | Denmark            | RUS | Russia                   |
| DOM | Dominican Republic | SAF | South Africa             |
| ECU | Ecuador            | SDA | Saudi Arabia             |
| EGY | Egypt              | SEN | Senegal                  |
| SLV | El Salvador        | SVK | Slovakia                 |
| FR  | France             | SPA | Spain                    |
| GB  | Great Britain      | SUD | Sudan                    |
| GER | Germany            | SVN | Slovenia                 |
| GR  | Greece             | SWE | Sweden                   |
| GTM | Guatemala          | SWI | Switzerland              |
| HK  | Hong Kong          | SY  | Syria                    |
|     |                    | THA | Thailand                 |
| HUN | Hungary            | HOL | The Netherlands          |
| IND | India              | TRI | Trinidad & Tobago        |
| NDO | Indonesia          | TUN | Tunisia                  |
| IRA | Iran               | TUR | Turkey                   |
| IRE | Ireland            | UAE | United Arab Emirates     |
| ISR | Israel             | URU | Uruguay                  |
| ITY | Italy              | USA | United States of America |
| JPN | Japan              | VEN | Venezuela                |
| KEN | Kenya              | YUG | Yugoslavia               |

108. Any horse whether he is a native-bred horse or otherwise which was in Jamaica and which has subsequently been out of Jamaica shall not be eligible to race in Jamaica on its return until there has been registered a certificate of performance in respect of the period when it was out of Jamaica and a certificate that the horse is not in any way disqualified in each case signed by the recognized Turf Authority of each country in which he has raced or, in the event that there is no recognized Turf Authority in any such country, signed by some person or officer approved by the Commission.

109.(1) No foreign-bred horse which is a gelding at the time of importation into the island shall be eligible to run in any race in Jamaica. Any foreign-bred horse who shall be gelded after importation without the prior consent of the Commission shall not be eligible to run in any race in Jamaica. In the event that any foreign-bred horse who, with the consent of the Commission as aforesaid, was gelded in Jamaica and subsequent to being gelded shall leave Jamaica but is subsequently reimported to Jamaica he shall be eligible to race in Jamaica notwithstanding the provision contained in the first sentence of this Rule. This Rule shall not apply to a Barbados-bred horse or a Trinidad-bred horse.

(2) The castration of any native-bred, Barbados-Bred or Trinidad-Bred horse (while not requiring the consent of the Commission) must be reported to the Commission not later than 30 days after the procedure has been completed.

This report must be made by completing the Commission's prescribed form for the reporting of castration and must be signed by the attending Veterinarian.

(3) Any person who has a duty to make the report aforesaid, and fails to make the report shall be liable to a fine not exceeding Ten Thousand Dollars (\$10,000.00).

**PART XI**  
**ENTRIES, SUBSCRIPTIONS, DECLARATIONS,**  
**FORFEITS AND ACCEPTANCES FOR RACES**

110. Every entry, Declaration of Forfeit or of Acceptance shall be made not later than such hour of such day as may be named for making the same and shall be made to the Promoter or to such other person and at such other place as the Commission may approve.

111. Entries for all races shall on the day following the closing be displayed on the notice board in the Promoters' Racing Office and published in such manner as the Commission shall direct.

112. (1) A horse is not qualified to run in any race unless he is duly entered for same.

(2) A horse who runs in a race and who is not the horse which he was represented to be at the time of entry shall be disqualified for such race.

(3) For racing, all horses shall be shod with racing plate save and except that in the case of an emergency the Stewards may grant permission for a horse to race unshod. The trainer is responsible that his horse is shod in accordance with the requirements of this Rule and any trainer who shall saddle or cause or permit or suffer any horse in his charge, custody or care to be saddled for a race without being shod in accordance with the requirements of this Rule shall be reported to the Stewards who shall order that such horse be withdrawn from the race and deal with the matter pursuant to Rule 198 of these Rules.

113. (1) No horse shall be qualified to start in any race unless such horse has been and continues to be duly entered therein. The entry for any horse, or the transfer of same, may be refused or

cancelled by the Commission without notice or reason given therefor.

(2) All entries, declarations and scratches shall be lodged with the Promoter. Every such entry, declaration and scratch shall be lodged at such place and prior to such time as the advertised conditions for the race shall specify or the Commission shall otherwise direct and shall be subject to cancellation up to the time fixed for such closing but may not be withdrawn, altered or added thereafter except as provided in Rule 34 or in Rule 198 or in paragraph (3) of this Rule.

(3) In every race which is Condition Race other than a Futurity Race the entry shall state the name of the jockey and shall be accompanied by a retainer form which shall be signed by the trainer of the horse being entered and the jockey or apprentice master and shall state the body weight at which the jockey contracts to ride (within 1 kg). In any such race as aforesaid a jockey may be named as the rider of more than one horse provided that the said jockey declares on his retainer which horse is the preferred ride for the said jockey. In the event the said race is not divided in such a way that both horses are placed in separate races the trainer shall, at or prior to the scratch time for such race, name an eligible rider for the horse which is not the preferred ride.

The entry form shall state the items of equipment which shall be carried by the horse.

(4) A horse is not qualified to run in any race which is either a Futurity race or a handicap race unless he has been declared a runner at or prior to the scratch time for such race stipulated in the conditions but subject to the rights of the Commission or the Stewards as set out in Rule 193. Every such declaration shall state the name of the jockey who is engaged to ride such horse and shall be accompanied by a retainer form which shall be signed by the jockey or apprentice master and shall state the body weight at which the jockey contracts to ride (within 1 kg). The declaration shall state the item of equipment which shall be carried by the horse.

(5) Withdrawal of the horse after closing of the nominations therefor by the owner or trainer or the authorized agent therefor shall be permitted only under the following conditions:

(a) A horse may be scratched from a Futurity race by the failure of the owner, trainer or authorized agent therefor to confirm the entry at any forfeit date and to pay installment of the nomination fee due on such date or by the failure of the owner, trainer or

authorized agent therefor to declare the horse a runner as set out in sub-paragraph (4) of this Rule.

(b) A horse may be scratched from a handicap race by the failure of the owner, trainer or authorized agent therefor to declare the horse a runner as set out in sub-paragraph(4) of this Rule.

(c) No horse may be scratched from a Condition race other than a Futurity Race save and except under Rule 198 of the Racing Rules.

(6) All entries under sub-paragraph (3) of this Rule and all declarations of a runner under sub-paragraph (4) of this Rule shall state:-

- (i) the name of the horse;
- (ii) the date of the meeting;
- (iii) the number of the race;
- (iv) the name of the jockey;
- (v) all items of equipment to be carried by the horse other than those which from time to time the Commission may specifically in writing exempt;
- (vi) the name of the groom of the horse;
- (vii) the expiration date of the vaccination certificate;
- (viii) any other information that the Commission shall from time to time require and be signed by the trainer, owner or authorized agent.

(7) The list of entries for any race will not be available to the public until after the time fixed for the closing of entries. The list of runners under sub-paragraph (4) of this Rule will not be available to the public until after the time fixed for the closing of declarations.

(8) Subsequent to the time fixed for the closing of entries in a Condition race other than a futurity race and subsequent to the time fixed for the closing declarations in a Futurity race or a Handicap Race the draw allotting positions at the start shall be made by the Promoter in the presence of an Operations Steward.

(9)(a) For the purpose of the Racing Rules, blinkers, one-cup blinkers, a visor, a one-cup eye shield, a hood, goggles, a figure eight, cheek pieces, a tongue-tie and a hood fitted with blinkers

and any combination of blinkers, one-cup blinkers, visor, one-cup eyeshield, hood or goggles shall each be deemed to be different items of equipment.

(b) If a horse is to race in any of the items of equipment as stated in paragraph (a) of this Rule, a declaration to do so must be made to the promoter by the time fixed under the Rules for declaration.

(c)(i) when a horse has been declared to run in blinkers, one cup blinkers, visor, one cup eye shield, hood, goggles, figure eight, cheek pieces, a hood fitted with blinkers or any combination of the above, the item of equipment shall be worn during the post parade and on the way to the start and if the horse does not wear such equipment it shall not run.

(ii) save as otherwise provided in paragraph (iii) of this Rule where a horse fails to finish the race with any item of equipment in which it was declared, it shall be disqualified from the race.

(iii) where a horse has been declared to run in a tongue-tie it shall be fitted prior to entering the parade ring and shall be worn on the way to the start and during the race. If the tongue-tie comes loose before the start of the race and cannot be re-fitted the horse may still run. However, in such a case the trainer has the right to insist that the horse does not run. If the tongue-tie becomes loose during the race this shall not disqualify the horse.

(d) When no declaration of blinkers, one cup blinkers, visor, one cup eye shield, hood, figure eight, cheek pieces, tongue-tie, hood fitted with blinkers or any of the combination of the above, has been made such equipment shall not be worn by any horse from the parade ring, on the way to the start or during a race.

(e) If for any reason a horse runs in violation of subsection (b), (c)(i), (c)(ii) and/or (d) the trainer shall be fined up to a maximum of Ten Thousand Dollars (\$10,000.00) and the horse shall be disqualified from the race.

114. The entries to a race shall be closed at the advertised time, and no entry shall be admitted on any ground after that time.

115. An entry may before the time of closing, be altered or withdrawn.

116. Entries shall be made in writing signed by the trainer or the owner or the authorized agent subject to the rules relating to sales with engagements or to Claiming Races.

117. (1) No horse shall be entered in any race other than a race the entries for which close when such horse is a yearling or other than a produce race the entries for which close either before such horse is foaled or when such horse is a foal and no horse shall be declared to start in any race unless in each such case the owner of such horse or each part-owner if there is more than one has been registered by the Commission as an owner and no person shall operate as an owner without there being in force a registration of such person as an owner with the Commission.

(2) The name of an owner may only be registered by application to the Commission. The application for registration as an owner and for any renewal thereof shall be in writing in such form as the Commission may from time to time determine and contain such information as the Commission may require and it shall be signed in the case of an original application, by the applicant for registration and in the case of a renewal, by the applicant or his authorized agent, in each case the presence of a witness.

The application shall be accompanied by the amount of the registration fee therefor. If the application shall be refused fifty percent of the said amount shall be refunded and the remaining fifty percent shall be retained by the Commission.

(3) Each registration of ownership shall unless earlier revoked by the Commission, expire on the 31st day of January in each year ending with an even number subsequent to the date on which it is granted.

(4) Each applicant shall pay to the Commission whether in the case of an original application or a renewal, a registration fee of Three Thousand Dollars (\$3,000.00).

(5) If the Commission shall find that the financial responsibility, experience, character and general fitness of the applicant are such that the participation of such person will be consistent with the public interest, convenience or necessity and with the best interests of racing generally in conformity with the purposes of the law, it shall thereupon register the applicant as an owner. If the Commission shall find that the applicant fails to meet any of the said conditions, it shall not register the applicant as an owner and it shall notify the applicant of the denial.

(6) The Commission may refuse to register an applicant as an owner or renew an owner's registration or may suspend or revoke

an owner's registration if it shall find that the applicant or the owner has been convicted of a crime other than a breach of the Road Traffic Act in any jurisdiction or is financially irresponsible or has been guilty of or attempted any fraud or misrepresentation connection with racing, breeding or otherwise or has violated or attempted to violate any law with respect to racing in any jurisdiction or any rule, regulation or order of the Commission, or shall have violated any of the Racing Rules or if any application made under this Rule contains any matter which is false in any material particular to the knowledge of any person signing it or has been guilty of or engaged in similar, related or like practices.

(7) For the purpose of this Rule the expression "an original application" shall include a application for registration as an owner where the application is made twelve months or more after the expiration of the last previous owner's registration of the applicant and the expression "renewal" shall mean an application for registration as an owner where the application is made less than twelve months after the expiration of the last previous owner's registration of the applicant".

(8) An owner shall be responsible to take all necessary steps to prevent an animal owned by him being subjected to any form of cruelty, mistreatment, neglect, abuse, abandonment, injury or being deprived of the necessary care or sustenance, shelter or veterinary care. Failure to fulfill any of the above is a breach of these Rules by such owner and/or such persons having charge, custody and care of the said animal.

118. (1) The entry shall be in the name or assumed name of not more than two persons registered as the horse's owner and shall state the name, or assumed name, of the nominator and registered name or description of the horse and no horse shall be permitted to run in any race until his name shall have been registered. Except in the case where a horse is entered for a race the entries for which close when such horse is a yearling the name of the trainer of the horse shall be recorded on the entry form which shall be signed by such trainer.

(2) Where a horse is entered for a race and after the date of entry but before the running of the race, the horse shall be transferred into the care and stables of a trainer other than that of the trainer in whose care the horse was at the date of entry, the name of the trainer into whose care and stables he shall be transferred shall be registered at the Registry Office. If the transfer is not so registered at least 72 hours prior to the date on which the race is scheduled to be run the horse shall not be qualified to start in the said race.

119. If a horse has not raced for three months or more after his last start he shall not be declared to start until he has obtained a certificate from the Operations Steward.

120. In cases hereinafter mentioned any accidental error or violation of Rules affecting entries, may be corrected on payment of a fine of not less than Two Thousand Dollars (\$2,000.00) provided always that the Commission is satisfied that there has been no fraud and in the case of an omission under Rule 116 that the horse's identity is clearly proved;

- (i) Incorrect or imperfect description according to the Rules of entry.
- (ii) Omission to register partnerships, etc., according to Rule 137.
- (iii) Omission to register sales of horses and acceptance by purchaser.

If any such error or omission be not accepted, or the horse struck out within seven days after the error has been officially brought to the knowledge of the nominator, or his agent, or if any horse runs without the prescribed correction having been made, the Commission may inflict fines upon, or otherwise deal with, any persons responsible for such errors.

121. When subsequent to the time fixed for closing, a registered name has been published for any horse entered, the entry may be amended by inserting the name in addition to the description given in the original entry.

122. A nominator to a Futurity Race may transfer the entry under his name to any other person prior to the declaration of runners for such race.

123. All entries or rights of entry under them, shall not become void on the death of the nominator and entries (except such as are made under another person's nominations) shall not become void on the death of the person in whose name they are made, but shall descend to the personal representatives of the deceased person who shall have power to deal therewith.

124. If either party to a match dies, the match is off.

125. In making an entry for a produce race, the produce shall be entered by specifying the dam and sire, or sires.

126. ....Deleted.

127. ....Deleted.

128. (1) The number of starters in any race other than one of:

- (a) 1000 metres;
- (b) 1100 metres;
- (c) 1800 metres; and,
- (d) 1820 metres,

on the round course on a racecourse or track of 1800 metres shall be limited to sixteen

(2)(a) The number of starters in any race of 1000 metres or 1100 metres on the round course on a racecourse or track of 1800 metres shall be limited to fourteen.

(b) The number of starters in any race of 1800 metres or 1820 metres on the round course on a racecourse or track of 1800 metres shall be limited to twelve.

(3) In any Condition Race which is not divided other than a Futurity Race and in any Condition Race created by the division of a race other than a Futurity Race where the number of entries is in excess of the number of horses permitted to start in each race the number of entries shall be reduced to the number of starters permitted for such race and, in making such reduction, the horses to be excluded shall, subject to sub-paragraph (6) of this Rule, be determined by lot.

(4) In any Handicap Race which is not divided and in any Handicap Race created by a division of a race where the number of horses declared to start is in excess of the number of horses permitted to start in such race, the number of horse declared to start shall be reduced to the number of starters permitted for such race and, in making such reduction, the horses to be excluded shall, subject to sub-paragraph (6) of this Rule, be determined by lot.

(5) In any Condition Race other than a Futurity Race and in any Condition Race created by a division of a race other than a Futurity Race where the number of entries is in excess of the number of horses permitted to start in such race, after the reduction has been made in accordance with sub-paragraph (3) of this Rule a list of names not to exceed nine may be drawn from the list of horses who have been eliminated from the race and listed as eligible to start if originally accepted horses are withdrawn. The horses so drawn shall be listed and their order of eligibility and post positions shall be determined by the sequence in which they are

drawn. The trainer or owner or authorized agent of any horse so eligible, if he does not intend to start shall notify the Promoter not later than the Scratch Time for such race.

(6) Any horse which has been excluded from the race by lot in pursuance of either sub-paragraph (3) or sub-paragraph(4) of this Rule and any horse on the also eligible list who does not start in the race for which he is on the also eligible list shall be placed on an Assured Starter List and shall be exempt from exclusion under sub-paragraph (3) and sub-paragraph (4) of this Rule in respect of the next race for which such horse is entered PROVIDED THAT where the next race for which such horse is entered is a Futurity Race he shall not be removed from the Assured Starters List unless he is declared and not eliminated as a starter for such Futurity Race.

Notwithstanding the foregoing such horse shall be removed from the Assured Starter's List after six months from the date of having been placed on the Assured List.

(7) In any Futurity Race whether or not created by a division of a Futurity Race where the number of horses declared to start is in excess of the number of horses permitted to start in such race, the number of horses declared to start shall be reduced to the number of starters permitted for such race and, in making such reduction, the horses to be excluded shall be those whose career earnings at the date of declaration of starters are the lowest.

(8) The nominator of any horse which has been excluded from any race in pursuance of either sub-paragraph (3) or sub-paragraph (4) or sub-paragraph (7) of this Rule and any horse on the also eligible list who does not start for any race for which he is on the also eligible list shall not be liable for any entrance fee in respect of such race and, in the event that he has paid such Entrance fee, the amount thereof shall be refunded.

## **PART XII**

### **SALE WITH ENGAGEMENTS**

129. When a horse is sold with his engagements, or any part of them, the seller cannot strike the horse out of any such

engagements. In the absence of any agreement to the contrary, the purchaser shall be liable for all future instalments of the nomination fee for such engagements.

130. Sales with engagements by private treaty must be registered to entitle either the seller or the purchaser to avail himself of the conditions of the preceding Rule; but where the horse is sold by Public Auction, or claimed out of a Claiming Race, the advertised conditions of either race or sale constitute sufficient evidence that the horse is sold with his engagements. If certain engagements only be specified, only the specified engagements are sold with the horse.

### **PART XIII ASSUMED NAMES**

131. An assumed name cannot be used unless registered and the fee paid.

132. An individual cannot have more than one assumed name at the same time, nor can he use his real name so long as he has a registered assumed one. A partnership can have only one assumed name at the same time, and so long as it has a registered assumed name, it cannot run any horse except under the name. If the horses of a partnership are to be run in the name of a member of the partnership such name need not be registered as an assumed name.

133. An assumed name may be changed at any time by registering a new assumed name, providing the original name is cancelled.

134. A person cannot register as his assumed name one which has been already registered by any other person, or the real name of any person.

135. Any person who has registered an assumed name may at any time abandon it by giving a written notice at the Registry Office, after which all entries which have been made in the assumed name, shall subject to Rule 133 be altered to the real name of the owner.

136. No licensed trainer of race horses shall register an assumed name. A corporate name shall be considered as an assumed name for the purposes of this Rule. Where a licensed trainer is a registered owner or part owner of a horse or has any interest in a body corporate which is the registered owner of any horse, that fact shall be disclosed in writing to the Registry Office and the trainer named shall be held as a part owner in the official programme.

137. All partnerships and the name and address of every person having any interest in a horse, the relative proportion of such interest and the terms of any sale with contingencies, lease or arrangement, must be signed by all the parties, or their authorized agents, and lodged at the Registry Office. Each part owner shall be jointly and severally liable for all entrance money or forfeit. No part owner shall assign his share or any part thereof in a horse without the consent of his partners.

Any termination or severance of a partnership must be notified within fourteen days to the Registry Office, or a second fee will be incurred.

If a horse is entered for any race without such registration having been lodged, the omission may be corrected under Rule 120 at any time before the horse's number is exhibited for that race, provided that the Stewards are satisfied that the omission was accidental.

If a horse starts for any race without such registration having been lodged, such horse shall be disqualified by the Commission unless it be proved to their satisfaction that the omission was accidental, in which case the person responsible shall be fined not less than One Thousand Dollars (\$1,000.00).

#### **PART XIV**

##### **JOCKEYS, TRAINERS AND STABLE EMPLOYEES**

138. (1) Unless special permission be given by the Commission, no person shall ride in any race until he shall have obtained and paid for a licence from the Commission. Licences must be applied for annually at the Registry Office in the form and manner prescribed by the Commission with such information as from time to time may be required provided however that the Commission shall be at liberty to grant a Jockey's day licence to any person possessing a valid licence and a permit to ride issued by a recognized Turf Authority and not being a disqualified person upon payment of the prescribed fee. Every jockey shall undergo a medical examination whenever directed by the Commission or by the Stewards to determine his fitness to ride and the report of such medical examination duly signed by the examining physician (selected from a panel approved by the Commission), shall be filed promptly at the Registry Office. Every jockey, apprentice jockey and other rider, whether in a race or when exercising or ponying a horse, shall wear a safety helmet and safety vest of a type

approved by the Commission and no change shall be made in any such helmet or vest without the approval of the Commission or in the case of a jockey on a race day, by the Stewards. Each Jockey's or Apprentice Jockey's licence other than a Jockey's day licence unless earlier revoked or suspended by the Commission expires on the 31st day of January in each year.

(2) A jockey who is engaged to ride in any race on a raceday must be present at the Jockey's Room not less than one hour before the starting time of the first race in which he is declared to ride. He must report his engagements for that day and overweight (if any) to the Clerk of the Scales and the Jockey must remain in the Jockey's Room until after the Official signal has been displayed in respect of the race which completes his engagements in the day's racing, except for such occasions when he has to ride in a race or permission to leave the Jockey's Room is given by the Stewards.

(3) Any jockey or apprentice who, due to illness or injury, is unable to ride on a race day will not be permitted to ride on a subsequent race day until he shall have presented to the Registry Office a certificate from a registered medical practitioner that he is fit to ride.

(4) Each jockey and apprentice shall use his own whip which shall be subject to the approval of the Stewards. No whip shall measure more than seventy five centimetres in length. Each jockey and apprentice who intends to ride with a whip in any race shall, if so required, hand his whip to the Clerk of the Parade Ring for inspection by the Clerk of the Parade Ring immediately before he mounts his horse. When a whip for use in a race has been inspected and approved by the Clerk of the Parade Ring or by the Stewards, no jockey or apprentice shall carry or use any other whip in such race without the special permission of the Stewards.

(5) Any jockey or apprentice whom the Stewards consider has been guilty of excessive use of the whip in a race shall be liable to be punished by the Stewards by the suspension of his permit for such period not exceeding twenty five successive race days, by such fine not exceeding Ten Thousand Dollars (\$10, 000.00) or to deprive him of his whip when riding in a number of races not exceeding his next ten successive riding or by all or any combination of the foregoing. The hitting of horses other than down the shoulders or on the hind quarters shall, except in very exceptional circumstances, be considered to constitute excessive use of the whip. The hitting of horses with unreasonable force or/frequency shall also be considered to constitute excessive use of the whip. The use of the whip on a horse prior to or during a parade or after finishing the race except where it is necessary to control a

visibly fractious or unruly horse shall also be considered excessive use of the whip.

139. During the term of his licence a jockey or an apprentice shall not be the owner or part owner of or have any financial interest in any horse being entered to run under these Rules.

140. No jockey shall be permitted to act as an authorized agent.

141. A list of jockeys shall be kept posted at the Registry Office.

142. The following fees are payable in respect of each licence to ride:-

(i) Jockey's annual licence - One Thousand Dollars \$1,000.00).

(ii) Apprentice's annual licence - Seven Hundred and Fifty Dollars (\$750.00).

(iii) Jockey's day licence One Thousand \$1,000.00)

In the event that the application is refused, fifty percent of the above amount shall be refunded and the remaining fifty percent shall be retained by the Commission.

143. No jockey shall bet on any race except through the owner of and on the horse which he rides, and any jockey who shall be proved to the satisfaction of the Commission to have any interest in any race horse or to have been engaged in any betting transaction except as permitted by this Rule or to have received a present from any person other than the owner of the horse which he is riding shall be guilty of an offence under these Rules.

144. Any person knowingly acting in the capacity of owner or trainer of any horse in which a jockey possesses any interest or making any bet with or on behalf of any jockey, except as provided in the preceding rule or otherwise aiding or abetting in any breach of these Rules shall be guilty of an offence under these Rules.

145. A jockey or an apprentice whose permit or licence has been suspended by the Stewards, or by the Commission or by any recognized Turf Authority shall not ride in any race during the period of his suspension.

146. No jockey shall be disqualified from riding in a race for which he has been weighed out unless the cause of his disqualification shall have arisen after being weighed out.

147. In the absence of special agreement, a jockey's retainer terminates at the end of the racing season. One-half of the agreed retaining fee must be paid in advance, and the remainder at the termination of the retainer.

148. Every jockey at the termination of his apprenticeship is free to form engagements for himself, irrespective of any which have been made for him during such apprenticeship.

149. Employers retaining the same jockey have precedence according to the priority of the registration of their retainers.

150. The terms of all agreements shall be registered at the Registry Office prior to their becoming effective, but in the case of agreements made on a racecourse during a meeting they shall be registered with the Clerk of the Course for transmission to the Registry Office. A fee of Two Thousand Dollars (\$2,000.00) shall be paid for the registration of any such agreement.

151. In the absence of special agreement:

- (i) The riding fee to be paid to a jockey shall be One Thousand Dollars (\$1,000.00) per ride, in addition to which the jockey shall be entitled to ten percent of the purse money earned by the horse he rides in any race, save and except where such horse finishes or is placed first in a race, then the jockey shall not be entitled to a riding fee but shall only be entitled to ten percent of the purse money earned by the horse he rides.
- (ii) The exercise fee to be paid to a Jockey and an Exercise Rider shall be One Hundred Dollars (\$100.00) per horse exercised.
- (iii) A Trainer shall be entitled to fifteen percent of the purse money earned by any horse trained and entered by him in any race.
- (iv) A Groom shall be entitled to five percent of the purse money earned by any horse groomed by him.

152. All jockeys' riding fees shall be lodged with the Promoter at the time when the jockey is named as the rider of the horse for transmission to the Stakeholder.

153. In the absence of any specific arrangements duly registered, a trainer and/or jockey and/or groom shall not be paid any percentage on the value of a cup.

154. (1) Every trainer of a horse running under these Rules other than a horse which is trained outside Jamaica must obtain an annual licence from the Commission and pay a fee as provided in Rule 157.

(2) Every such licence shall be granted in the absolute discretion of the Commission and shall expire on the 31st day of January in each year.

(3) Any person operating as a trainer without there being in force in relation to him such a licence as aforesaid shall be fined, or shall be declared a disqualified person at the discretion of the Commission.

(4) Every Assistant Trainer must obtain an annual licence from the Commission and pay a fee as provided in Rule 157 and every stable employee must obtain an annual licence from the Commission and pay a fee as provided in Rule 158. Every such licence shall be granted in the absolute discretion of the Commission and shall expire on the 31st day of January in each year. Any person operating as an Assistant Trainer or as a stable employee without there being in force in relation to him such a licence as aforesaid in relation to his occupation shall be fined, or shall be declared a disqualified person the discretion of the Commission.

155. The premises at which a trainer licensed under these Rules stables the horses in his charge shall be approved for that purpose by the Commission and be subject to inspection by the Commission at any time. If on inspection the Commission be dissatisfied with the condition of the premises for any reason whatsoever then the approval of the premises may be withdrawn by the Commission or they may inflict a fine on the trainer. In the event of the Commission not approving, or withdrawing the approval, of such premises the trainer's licence shall be suspended until he stables all horses in his charge in approved stables.

156.(i) In the case of an application for a trainer's licence the whole licence fee shall be deposited along with the application with the Registry Office to be retained if the application shall be granted and a refund of 50% of such licence fee if the application shall be refused.

(ii) Before any person who applies for a trainer's licence for the first time is granted such licence, he must first pass a test to be set by the Commission, except for a person who was previously licensed as a trainer.

(iii) A Trainer shall be responsible for:

- (a) the condition of his horse entered in a race;
- (b) any positive finding for a prohibited drug, medication or substance, as reported by the Commission's Racing Chemist. This finding shall be prima facie evidence of a violation of this Rule. In the absence of evidence to the contrary, the trainer shall be responsible subject to the Racing Rules;
- (c) the maintenance of his assigned stable in a clean and sanitary condition at all times;
- (d) the proper security of his horse and stable.

(iv) A trainer shall be responsible to protect a horse under his charge from the administration of any drug or medication or other prohibited substance that may cause a violation of the Racing Rules.

(v) A trainer whose horse has been claimed remains responsible for any violation of any Rule regarding that horse's participation in the race from which the horse was claimed.

(vi) A trainer shall ensure:

- (a) the proper identity of a horse upon receipt of such horse;
- (b) the proper custody, care, health, condition and safety of horses in his charge;
- (c) that at all times, for horses under the jurisdiction of the Commission a valid vaccination certificate is deposited with the Commission;
- (d) that each horse in his charge, custody or care, is vaccinated in accordance with the Commission's regulations and that this fact is reported to the Commission;
- (e) that only the services of Veterinarians licensed by the Jamaica Veterinary Board are used to attend horses;
- (f) the immediate reporting of any alteration to the reproductive status of a horse to the Commission's Registry Office;
- (g) the prompt notification to the Commission's Veterinarian of any disease or any unusual illness in any horse in his charge or in any other horse of which he may become aware;

- (h) the prompt reporting of any serious injury and/or death of any horse under his charge to the Commission;
- (i) the maintenance of the medication record of each horse under his charge which shall be made available for inspection by the Commission's Veterinarians;
- (j) the immediate reporting to the Stewards or the Commission's Veterinarians, of either knowledge or suspicion of any administration of a prohibited drug or substance to a horse in his charge;
- (k) the fitness of his horse so as to perform creditably at the distance entered;
- (l) that each horse he has entered to race is present in the Paddock at the appointed time;
- (m) that bandages, equipment and racing plates are properly fitted;
- (n) his personal attendance in the Saddling Ring in order to saddle or supervise the saddling of horses entered by him, unless expressly excused by the Stewards;
- (o) that he or his licensed employee is present at the collection of any urine and/or blood sample from his horse;
- (p) the prompt disclosure to the Commission's Veterinarians or Stewards of any information, knowledge or belief pertaining to unsoundness or lameness of any horse entered by him in a race;
- (q) the prompt disclosure to the Stewards of any information or knowledge of a breach of the Racing Rules; and,
- (r) proper employment procedures and accurate recording of employees' payment and statutory deductions, which shall be made available for inspection by the Commission's staff or any other authorized persons.

157. The following fees are payable in respect of each licence to operate as a trainer or an assistant trainer:-

- (i) Trainer's annual licence - One Thousand Dollars (\$1,000.00).
- (ii) Assistant trainer's annual licence Five Hundred Dollars (\$500.00).

In the event that the application is refused, fifty percent of the above amount shall be refunded and the remaining fifty percent shall be retained by the Commission.

158. Every stable employee shall pay an annual licence fee of Four Hundred Dollars (\$400.00).

In the event that the application is refused, fifty percent of the above amount shall be refunded and the remaining fifty percent shall be retained by the Commission.

159. No trainer shall employ an unlicensed stable employee nor a stable employee who has previously been employed to another trainer without first attending at the Registry Office and obtaining the sanction of the Registry Office to such employment which sanction shall only be granted in cases where the provision of the next succeeding rule have been fully complied with.

160. Every employer of a stable employee shall within five days of the termination of the employment of such employee (irrespective of the circumstances connected therewith) report the fact of such termination to the Registry Office and in the event of such employee being dismissed on the ground of alleged impropriety or unsatisfactory service, particulars of such charges shall be made in writing by the employer and entered in a Register kept for that purpose.

161. (1) The trainer, groom and any other person having charge, custody or care of a horse are obliged properly to protect the horse and guard it against the administration or attempted administration, whether internally or externally:

- (a) of any Prohibited Substance, or
- (b) of any substance which by its nature or by the abnormal quantity or abnormal manner of its administration could affect the speed, stamina, courage or racing performance of a horse.

(2) If the Commission shall find that any such person as is referred to in sub-paragraph (1) of this Rule has administered or attempted to administer or allowed or caused or suffered to be administered or connives at the administration of any such substance as is referred to in sub-paragraph (1) of this Rule or has failed to show proper protection and guarding of the horse, it shall impose such penalty and take such other action as it may deem proper.

161A (i) Every owner of a horse in training with a licensed trainer must, before the horse is entered or run in any race, enter into a Training Agreement in the form set out in the Third Schedule to these Rules or in such other form as may be approved by the Commission with his

trainer and this agreement must be registered with the Commission. Where such horse is owned in partnership this Agreement must be signed by each part-owner of the horse.

(ii) Subsequent alterations to the fees to be charged or to any of the terms of a registered Training Agreement must be notified in writing to the owner and to the Commission by the trainer which will be registered unless the owner notifies in writing the Trainer and the Commission within twenty-one days of receipt of such notice that he does not accept the alteration. In the event of an owner not accepting the alteration the original agreement shall be deemed to be at an end and the horse mentioned in the Training Agreement shall not be entered or run in any race until a new Training Agreement is registered in respect of such horse.

(iii) A registration fee of One Thousand Dollars (\$1,000.00) is payable by the trainer in respect of each registration of a Training Agreement and in respect of each notification of alteration of fee or of any of the terms of a registered Training Agreement.

(iv) Failure to register a training Agreement constitutes a breach of these Rules by both owner and trainer.

(v) Any trainer who has not received settlement of an account for training fees due from an owner for whom he trains or has trained any horse under a Training Agreement within one month of the date of dispatch of the account or within forty eight hours of the removal of the said horse from the said trainer's stable may report the matter to the Commission. Such report shall be in writing, signed by the trainer, giving details of the name and address of the owner, the nature and the amount of the debt and the date upon which the account was rendered. The Trainer shall also pay to the Commission a fee of Two Thousand Dollars (\$2,000.00) at the time of lodging his report with the Commission.

(vi) Provided that not more than twenty-four months have elapsed since the date upon which the account was rendered, or the removal of the said horse from the said trainer's stable, the Commission shall upon receipt of a complaint, notify the owner against whom the report has been made that payment should be made or a written explanation sent to the Commission within fourteen days of the dispatch of the notification.

(vii) Should the owner fail to make the payment or should the Commission consider that his explanation is not

satisfactory the amount due will after twenty-eight days shall have lapsed from the date of the dispatch of the notification, be deemed to be arrears due under these Rules and the name of the owner will be placed on the Forfeit List.

(viii) Pursuant to Rule 171, all arrears must be paid directly to the Commission and from such payments the Commission shall deduct and retain an amount not exceeding ten percent (10%) of any amount collected in excess of Fifty Thousand Dollars (\$50,000.00) as a collection fee.

Should the complainant collect such arrears or settle the matter by means of any private/special arrangement, the amount accruing to the Commission shall become due and payable by the complainant.

(ix) It is a breach of these Rules for a trainer to submit an unjustified or frivolous report.

(x) The registration of a Training Agreement shall constitute the trainer with whom the Training Agreement is entered an Authorized Agent of the owner with whom the Training Agreement is entered for the purpose of entering in any race the horse named in such Training Agreement and declaring such horse a starter for such race and withdrawing such horse from such race.

161B.(1) A trainer shall bear primary responsibility as to proper bandages and equipment for each horse of which he has charge, custody or care and which is declared a runner in a race.

(2) All bandages shall be applied in such a manner as not to cause the horse any discomfort, and shall be dry when applied.

(3) Not more than one bandage shall be applied to each leg of the horse.

(4) A bandage shall be of the Vet-Wrap type or elastic and no other type of bandage shall be applied.

(5) No material shall be placed under a bandage save and except with the prior approval of the Stewards.

(6) A Veterinary Surgeon appointed by the Commission shall be at liberty to conduct tests or an inspection on any horse who is bandaged for a race for which he is declared a starter and may direct the trainer or such other person who has the charge, custody or care of the horse to remove the bandage and may report his findings to the Stewards. Any trainer or person having the charge, custody or care of any horse who fails to remove any bandage

pursuant to any direction as aforesaid or who shall apply a bandage in breach of any sub-paragraph of this Rule or shall fail to comply with an sub-paragraph of this Rule shall be reported to the Stewards who shall order that such horse be withdrawn from the race and deal with the matter pursuant to Rule 198 of these Rules.

#### **PART XIV A JOCKEY'S AGENT**

161C (1) Each jockey, other than

(a) an apprentice, during his apprenticeship; and,

(b) a jockey who not being an apprentice is a graduate from the Jockeys' Training School recognized as such by the Commission during the period expiring three years from the date when he first holds a licence from the Commission to ride for hire shall be at liberty to have one agent and no more.

(2) In the case where a jockey has an agent, all engagements to ride, other than those for an employer to whom the jockey has a retainer, shall be made by the jockey's agent. A jockey not represented by an agent shall be at liberty to make his own engagements.

(3) No jockey's agent shall act at the same time for more than two jockeys.

(4) No jockey's agent shall make or assist in making any engagement for any rider other than a jockey whom he represents.

(5) A jockey's agent shall not be allowed in the Jockeys' Room or the Jockeys' Enclosure or the Saddling Ring or the Paddock or the Parade Ring or the area appointed for the taking of samples from horses in accordance with Rule 14A or the weighing room or the place appointed for the unsaddling of horses during a meeting without the permission of the Stewards.

(6) A jockey's agent shall not communicate in any way with any jockey from the time the jockey leaves the jockeys' room from before a race until the jockey has returned to the jockeys' room after the race.

(7) No person shall perform any of the services of a jockey's agent or act or hold himself out as acting as a jockey's agent until he has obtained and paid for a licence from the Commission. Licences must be applied for annually to the

Commission in the form and manner prescribed by the Commission with such information as from time to time may be required by the Commission. No applicant for a jockey's agent's licence shall be eligible for licensing unless he has attained the age of twenty-one years and his past experience in thoroughbred horse racing is acceptable to the Commission which shall be at liberty, in any case, to require the applicant to successfully complete an examination held by the Commission. Every licence to act as a jockey's agent shall be granted in the absolute discretion of the Commission.

(8) Before a jockey's agent's application for a licence is approved by the Commission such applicant shall file with the Commission the names of the jockeys who have committed themselves in writing to appoint the applicant as their jockey's agent. On the grant of a licence to act as a jockey's agent the jockey's agent shall file with the Commission the names of the jockeys who have appointed him as their jockey's agent and shall file with the Commission a signed copy of each of the agreements which he has with a jockey appointing him as his jockey's agent. Such agreement shall be in the form set out in the Fourth Schedule to these Rules or in such other form as may be approved by the Commission. A jockey's agent shall forthwith upon being appointed as jockey's agent for any jockey file with the Commission a signed copy of the agreement of appointment which he has with such jockey. The agreement shall be in the form set out in the Fourth Schedule to these Rules or in such other form as may be approved by the Commission. A registration fee mentioned in Rule 253 (vii) of these Rules is payable by the jockey's agent in respect of each registration of such an agreement or of any alteration of the terms of such an agreement.

(9) In the event that a jockey's agent shall cease to be an agent for any jockey, such jockey and such jockey's agent shall each notify the Commission accordingly.

(10) Either party to a jockey's agent's agreement shall be at liberty to terminate the agreement by giving to the other not less than fourteen days notice in writing to terminate the agreement and such notice shall contain the reason for the termination. A copy of the notice shall be delivered to the Commission within one day by the party giving the notice. In the event that the agreement is not earlier terminated by a valid notice as herein provided or in any other manner, each jockey's agreement shall expire on the 31st day of January next succeeding the date on which the agreement is made.

(11) In the event that any jockey's agent shall cease to be the agent for his last jockey he shall within seven days deliver

his licence to the Commission and his licence shall be withdrawn unless he shall sooner become the agent for another jockey.

(12) Each person licensed as a jockey's agent shall pay an annual fee of One Thousand Dollars (\$1,000.00) which shall be payable with his application for his licence. A licence as a jockey's agent shall expire on the 31st day of January in each year.

(13) Any person operating as a jockey's agent without there being in force in relation to him a jockey's agent's licence or without an agreement being registered shall be fined, or shall be declared a disqualified person at the discretion of the Commission.

(14) A person licenced as a jockey's agent so long as he is the holder of such a licence shall not

- (i) act as a Steward or official of any meeting;
- (ii) act as an authorized agent under these Rules;
- (iii) subscribe for, train, enter, rider or run a horse in any race or ride in trials;
- (iv) be employed at any racecourse or training stable;
- (v) bet on any race run in Jamaica.

(15) In the event that a jockey shall fail to pay the jockey's agent any amount payable under an agreement between the jockey and his agent the amount shall be deemed to be arrears due under there Rules and the name of the Jockey will be placed on the Forfeit List.

(16) Any jockey's agent who shall do any act which brings or tends to bring the racing industry into disrepute shall be liable to be warned off all courses and other places where these Rules are in force.

## **PART XV RACING COLOURS**

162. (1) Racing colours shall be registered for the life of the person registering the same.

Colours so registered shall not be taken by any other person.

(2) If any owner runs a horse when his colours are not registered he shall be fined One Thousand Five Hundred Dollars (\$1,500.00) by the Stewards of the Meeting unless the circumstances under which this occurred are acceptable to them.

(3) When an owner has more than one runner in the same race distinguishing caps shall be worn and shall be declared at the scales.

163. All disputes as to the right to particular colours shall be settled by the Commission.

164. No jockey shall be weighed out for any race in colours other than those registered in the name or assumed name of the owner of the horse he is riding, or in colours which are in a bad state of condition unless special permission is given by the Stewards.

Such permission shall be granted by the Stewards when either they are satisfied that the default was caused by circumstances beyond the control of the parties responsible or upon payment of a fine of One Thousand Five Hundred Dollars (\$1,500.00) and the Stewards shall order whether such fine be paid by the owner, trainer or other person under their control depending upon the circumstances of the case.

165. The Clerk of the Scales shall when weighing out check the colours worn by the jockey and if incorrect according to the Race Card report the matter to the Stewards who shall immediately notify the Clerk of the Course and authorize a public announcement.

#### **PART XVI**

#### **ENTRANCE MONEY, FORFEITS AND STAKES**

166. (1) In races for which there is a declaration of forfeit-

(i) the nominator as well as every owner of the horse at the time of nomination is liable for the initial entrance fee which is payable at the time of entry, and for any additional sums laid down in the conditions of the race. The amounts due at a forfeit stage, are payable at the time fixed for the forfeit and sums due at the time of declaration to run are payable when the race takes place;

(ii) in cases where a transfer of engagements has been lodged under Rule 130 the transferee is liable for

any additional sums payable after the lodgement of the transfer. All additional sums as aforesaid are payable at the time laid down in sub-Rule (1) of this Rule.

(2) In races for which there is no declaration of forfeit-

(i) the nominator as well as every owner of the horse at the time of the nomination is liable for the initial entrance fee and any other amounts due under the conditions of the race. These sums are payable at the time of entry.

(ii) In cases where a transfer of engagements has been lodged under Rule 130 the Transferee is liable in cases provided for in Rule 129 for both the initial entrance fee and any other amounts due under the conditions of the race and these sums are payable at the time of registration of the transfer.

(3) Entrance money, forfeits and arrears must, if so required, be paid in cash and must be paid at the times specified.

167. Entrance money for each individual horse for any race shall not exceed two and one half per centum of the value of the prize money offered by the Promoter from his own funds for the race. This rule shall not apply to Sweepstakes. Any money provided in pursuance of any scheme established in pursuance of an Act of Parliament shall not be taken into account in calculating the maximum entrance money aforesaid.

168. Entrance money shall go to the Promoter unless otherwise specified in the conditions of the race.

169. Entrance fees, subscriptions and forfeits shall be in dollars.

170. A person making a wrong nomination is liable to the entrance money or forfeit but where a horse has been accidentally entered for a race for which he is not qualified, he shall be withdrawn and the person who signed the nomination form shall be liable to a fine.

## **PART XVII**

### **THE FORFEIT LIST**

171. A Forfeit List shall be kept at the Registry Office and may be published from time to time as the Commission may designate. It

shall include all arrears which have been notified by the Stakeholder of any meeting or as otherwise provided under these Rules and shall state the real name or names - and also the assumed name or names (if any) of the persons from whom and the horses in respect of which the same are due.

Arrears must be paid direct to the Registry Office and until so paid shall not be removed from the List.

172. Where a person is prevented by these Rules from entering or starting a horse for any race without paying arrears for which he would not otherwise be liable he may by paying the same, enter or start the horse and place the arrears on the Forfeit List as due to himself. The disabilities under this Rule extend to all arrears officially notified by a recognized Turf Authority of any country.

173. So long as a name of a person is on the Forfeit List he is a disqualified person.

174. A corrected alphabetical index of the horses and persons in the last Forfeit List shall be kept at the Registry Office.

#### **PART XVIII WEIGHTS, PENALTIES AND ALLOWANCES**

175. No horse shall carry less than 48 kg in any race, unless an apprentice allowance be claimed.

176. In calculating the amount a horse has won in any one or more races, account shall be taken of all Cups won out-right, or moneys. whether derived from stakes, bonus or any other source, gained by him for his owner or for any other person but shall not include any bonus given for the breeder as such of any horse or for the owner of the sire or any prize given specifically in the conditions of the race to any trainer, rider or groom.

177. Winnings during the year shall include all prizes to the time appointed for the start and apply to all races, (except private sweepstakes or matches) in any country, and include walking over and in the case of a dead heat after the prizes have been divided in accordance with Part XXII.

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

179. Extra weight shall not be incurred in respect of matches or private sweepstakes.

180. Penalties are not cumulative unless so declared by the conditions of the race.

181. When any race is in dispute, both the winner and any horse claiming the race shall be liable to all the penalties attaching to the winner of that race till the matter be determined.

182. No horse shall receive allowance of weight or be relieved from extra weight, for having been beaten in one or more races provided that this rule shall not prohibit maiden allowances or allowances to horses that have not won within a specified time, or races of a specified value or races of a specified distance.

183. No allowance of weight shall be made to any horse for being the produce of a stallion covering at or under a particular fee.

184. An allowance of weight may be made to any horse who is a native bred horse.

185. No allowance of weight shall be made to any horse

- (a) for being the produce of a stallion or mare whose produce never won a race; or
- (b) for being the first produce of a mare; or
- (c) for being half-bred.

186. Allowances are cumulative unless otherwise specified.

## **PART XIX**

### **Paddock**

187.(1) A horse which is to run in a race must be in the Paddock not less than two hours before the Starting time of that race unless the horse is stabled at the racecourse at which the race is scheduled to be run in which case it must be in the paddock not less than one hour before the starting time of that race. If the horse is not in the Paddock as aforesaid it shall not be allowed to start, unless the Stewards entirely without prejudice to their power to find the person responsible, give their express approval for the horse to start and the Stewards may, whether or not they grant such approval, fine the person responsible not more than Five Thousand Dollars (\$5000.00).

(2) Every horse entering the Paddock to race shall be inspected as to its shoeing.

188. Any horse leaving the Paddock, except when proceeding to the Starting post will not be allowed to race on that day, unless with the express approval of the Stewards.

189. No individual shall enter the Paddock on a raceday unless he has the badge issued to him exhibited in a prominent position on his person and he is a member, Official or Authorized Person of the Commission, a Steward or Official for the day's racing a member of the Constabulary or Security Force, a trainer or a groom of a horse engaged in the day's racing, a farrier or his apprentice, a Promoter or Director of the Promoting Company or their authorized staff.

190. After the official signal has been displayed after a race every horse which was declared as a starter for such race shall be at liberty forthwith to leave the Paddock unless the Commission or Stewards by a general or specific direction order that it shall remain.

**PART XX**  
**DECLARATIONS, WEIGHING OUT, EXHIBITING**  
**NUMBERS, ETC.**

**THE WEIGHING ROOM**

191. No person shall, without special leave from the Stewards, be admitted to the weighing room, except an official of the meeting, the trainer, assistant trainer and jockey of a horse engaged in the race and any person refusing to leave shall be reported to the Stewards.

192. Every jockey must be weighed for a specific horse by the Clerk of the Scales at the appointed place not less than a quarter of an hour before the time fixed for the race and the number of the horse and the name of his jockey shall then be exhibited as soon as possible. No jockey who has been weighed out as aforesaid shall communicate in any way with any person until after the running of the race in which he is engaged, except with:-

(i) Officials of the meeting

- (ii) The owner, trainer or groom of the horse about to be ridden by him
- (iii) Authorized persons of the Commission
- (iv) Other jockeys taking part in the same race.

If a jockey is found on weighing out to be in excess of one kg more than the body weight at which he has contracted as is mentioned in Rule 113 of these Rules to ride the horse in respect of which he is being weighed out with the result that either he has to declare overweight or additional overweight or he is unable to claim the amount of the apprentice allowance which he has contracted to claim for that race the matter shall be reported to the Stewards by the Clerk of the Scales. The Stewards may impose on the jockey such fine as they may think fit not exceeding Five Hundred Dollars (\$500.00) for the first 1.5 kg of excess weight and an additional Two Hundred Dollars (\$200.00) for every 0.5 kg excess weight thereafter. The Stewards may, in addition, at their discretion impose a period of suspension. In addition, if the body weight of the jockey at which he is weighed out is in excess of 1.5 kg more than the body weight at which he has contracted to ride the horse with any of the results hereinbefore mentioned the trainer of the horse shall be at liberty to substitute another jockey whose body weight is less than that of the jockey originally weighed out. The provisions of Rule 197(2) shall apply to such substitute jockey.

If the Stewards are of the opinion that the reason for the original jockey having to weigh out at a weight in excess of the contracted weight is due to the trainer of the horse, the Stewards may impose on the trainer such fine as they may think fit not exceeding Five Hundred Dollars (\$500.00) for the first 1.0 kg of excess weight and an additional Two Hundred Dollars (\$200.00) for every 0.5 kg excess weight thereafter.

193. (i) No jockey shall be weighed out (except as provided hereunder) for any race unless the horse and the jockey have been declared or named (as the case may be) as provided in Rule 34 or in Rule 113.
- (ii) The Commission may whenever it thinks fit extend the time for the declaration or naming of the jockey to ride a horse who has been declared or entered (as the case may be) a runner.
  - (iii) Should a rider who has been declared or named (as the case may be) not present himself to be weighed out, another rider may, with the permission of the Stewards, be substituted.

194. In the event of any race being postponed by the Stewards, Rule 192 shall be interpreted as if there had been substituted for the words "time fixed for the race" in the sub-Rule, the words "new time fixed for the postponed race." Where the race is postponed, jockeys shall be weighed out in accordance with the new time scheduled for the race, and in the event of any jockey having been weighed out for the race on the day originally scheduled such prior weighing out shall be deemed as not having taken place.

195. No jockey or amateur rider when equipped for riding in a race shall wear spurs other than those approved by the Commission nor shall spurs be worn in any race confined to two year olds.

196. No device or contrivance for the purpose of assisting, accelerating, or encouraging a horse shall be carried in any race except spurs and whips approved of by the Commission.

197. (1) If a jockey after he has weighed for a specified horse and before he has come under the Starter's Orders, is prevented by accident or illness from riding in the race, another jockey may be substituted provided there is no unreasonable delay. In the event that the Stewards are of the opinion that to permit another jockey to be substituted would be likely to cause unreasonable delay the horse shall be withdrawn from the race.

(2) In any case under Rule 193 (iii) or Rule 197 (1) where a substitute jockey may be permitted the following provisions shall apply:-

- (i) The substitute rider shall be subject to the approval of the Stewards.
- (ii) The substitute rider shall in the opinion of the Stewards so far as shall be practicable be of comparable competence and ability with the rider originally declared or weighed out as the case may be and that in consequence of the substitution the horse will carry a weight comparable with the weight which could reasonably be expected that the horse would have carried had the rider originally declared or weighed out ridden.
- (iii) If the substitute rider is entitled to claim an apprentice allowance and the originally declared or weighed out rider is not entitled to claim an apprentice allowance, the substitute rider shall not be entitled to claim an apprentice allowance.

- (iv) If the substitute rider and the rider being replaced are both entitled to claim apprentice allowances but who are entitled to different allowances the substitute rider shall be entitled to claim the lesser of the two apprentice allowances.
- (v) If the substitute rider is not entitled to claim an apprentice allowance he shall not be entitled to claim any apprentice allowance.
- (vi) If the rider being replaced is deprived of the use of a whip the substitute rider shall not be allowed to ride with a whip and if the substitute rider is deprived of the use of the whip he shall not be allowed to ride with a whip.

198 (1) No alteration or addition to a declaration under Rule 113 or to the jockey any of the items of equipment, type of shoes or other information contained in any such declaration or which ought pursuant to these Rules to have been contained in any such declaration may, save as is permitted under Rule 34, be made and no horse may, save as permitted under Rule 44 or Rule 48, be withdrawn from any race for which he has been declared a runner, without the permission of the Stewards whose reason for such permission shall be reported to the Commission.

(2) In the event that

- (a) the Stewards shall give permission for a horse to be withdrawn from any race for which he has been declared a runner; or
- (b) a horse is withdrawn without either the consent of the Stewards under Rule 48 or the permission of the Stewards under paragraph (1) of this Rule from a race for which he has been declared a runner by any person other than the Starter; or
- (c) any alteration or addition is made or attempted to be made without the permission of the Stewards to the jockey, any of the items of equipment, type of shoes or other information contained in or which pursuant to Rule 113 ought to be contained in the declaration of a horse as a runner for any race for which he has been declared a runner; or

- (d) the Stewards shall order that a horse be withdrawn from any race for which he has been declared a runner pursuant to Rule 113 (4); or
- (e) the Starter shall place any horse on the Starter's List; or
- (f) any alteration or addition is made or attempted to be made without the permission of the Stewards to the type of shoe permitted by Rule 112 (3).

The Stewards shall except in the case of a horse withdrawn with the consent of the Stewards pursuant to Rule 48 be empowered to order that any such horse shall be disqualified in respect of any race scheduled to be run prior to the expiration of a period not exceeding three months after the expiration of the race day in respect of which such event took place. The Stewards shall also be empowered to impose a fine not exceeding \$10,000.00 either in lieu of or in addition to such period of disqualification as aforesaid of the horse on the person responsible for the act or omission which gave rise to the occurrence of such event. Whether or not the Stewards shall give any such permission as is mentioned in any part of this Rule they shall be at liberty to impose such condition as they may in their discretion think fit and in such event, if the condition is not complied with the Commission may fine or otherwise deal with the person on whom the condition was imposed. In the event that a horse in any race in which he, without the permission of the Stewards, runs with a jockey who is different to the jockey named in the declaration of the horse as a runner for the said race or runs with any alteration or addition to any of the items of equipment, type of shoes or other information contained in or which pursuant to Rule 113 ought to be contained in the declaration of a horse as a runner for the said race such horse shall be disqualified for the said race.

(3) It shall be the duty of a trainer of any horse

- (a) who has been declared to start in a race which is either a Futurity Race or a handicap race; or
- (b) who has been entered in a Condition race other than a Futurity Race

that in the event that at any time between the time at which the declarations for the Futurity race or handicap race close or the time at which the entries for such a Condition race as aforesaid close (as the case may be) and the scheduled post time of such race he has reason to believe that such horse may not be able to start in such race as a result of illness or injury to contact forthwith

a Veterinary Surgeon appointed by the Commission for such purpose and inform him of his belief. The trainer shall also request such Veterinary Surgeon to attend the horse for the purpose of examining the horse and considering any veterinary treatment carried out in relation to such horse. In the event that an application is made to the Stewards for any such horses to be withdrawn from such a race as aforesaid for which he has been declared a runner or entered (as the case may be) without the trainer having made such request as aforesaid of such a Veterinary Surgeon the Stewards shall be at liberty to impose on the trainer of such horse a fine not exceeding \$10,000.

199. When weighing out or weighing in the rider must put into the scale and include in his weight everything that the horse is to carry or has carried as the case may be except the safety helmet, safety vest, whip, bridle, tongue strap, muzzle, noseband, bit, figure-eight, blinkers, one-cup blinkers, visor, one-cup eyeshield, hood, goggles, headstall number, rider's numbered armband, plates and anything worn on the horse's legs. Every horse shall carry a headstall number and every rider shall wear a numbered armband the number in each case to be the same as the official number allotted to the horse in the race. When a horse has been entered pursuant to Rule 113 (3) or declared pursuant to rule 113(4) to run in tongue strap, muzzle, noseband, bit, figure-eight, blinkers or one-cup blinkers or a visor or a one-cup eyeshield or a hood or goggles or in a hood fitted with blinkers or a visor or in any combination of blinkers, one-cup blinkers, visor, one-cup eyeshield, hood or goggles the same must be worn by the horse on the way to the start unless the Stewards give permission for any of the said items of equipment to be fitted at a subsequent time specified by them in which event they must be fitted at the time specified by the Stewards and if it is not possible for the horse to wear any of the said items of equipment for which he has been entered pursuant to rule 113(3) or declared pursuant to Rule 113 (4) to run he shall not run.

## **PART XXI**

### **RUNNING AND DISQUALIFICATIONS**

200. (1) Every horse in a race shall be run on its merits whether the owner and/or trainer runs another horse in the race or not.

(2) The rider 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 of obtaining the best possible placing in the race.

(3) It shall be the duty of a trainer to ensure that every horse in his care who is a starter in any race has been properly trained to race and that adequate instructions are given to the rider of any horse in his care. No owner, authorized agent or trainer shall give any instruction to the rider of any horse which if obeyed could or would prevent the horse from winning a race or of obtaining the best possible placing. Nor shall any of the foregoing, the horse's rider or any other person prevent or try to prevent in any way any horse from winning a race or of obtaining the best possible placing.

(4) (i) Where it appears to the stewards that two or more performances of any horse are inconsistent or where there is in the opinion of the stewards a substantial improvement or deterioration in the performance of any horse in any race as compared with the horse's performance in his previous race or races the onus shall be on the trainer to satisfy the stewards as to the reasons for such inconsistent performances or for any such improvement or deterioration as aforesaid in the horse's performances. Where the stewards are not satisfied with the reasons they shall report the matter to the Commission. In any investigation conducted by the Commission where it appears to the Commission that two or more performances of any horse are inconsistent or where there is in the opinion of the Commission a substantial improvement or deterioration in the performance of any horse in any race as compared with the horse's performance in his previous race or races the onus shall be on the trainer to satisfy the Commission as to the reasons for such inconsistent performances or for any such improvement or deterioration as aforesaid in the horse's performances.

(ii) Nothing herein contained in sub-paragraph (i) of this paragraph shall prevent the Commission from requiring the trainer of a horse to satisfy the Commission as to the reasons for the change in performance of a horse in his care in the absence of a report from the stewards.

(5) Any person who in the opinion of the Commission has breached or was a party to breaching any portion of this Rule and any trainer who fails to satisfy the Commission as to the reasons for the change in performance of a horse in his care shall be guilty of an offence under these Rules and liable to such punishment as is mentioned in Rule 247 and the horse concerned may be disqualified.

201. (1) A horse shall be disqualified if he or his rider causes interference or intimidation in any part of the race or if his rider be found guilty of improper, dangerous, reckless or careless riding unless the Stewards are satisfied that the interference or intimidation or conduct of the rider had no effect on the result of the race or was caused by the fault of some other horse or rider.

(2) The extent of the disqualification (if any) under this Rule shall be in accordance with the provisions of Rule 244.

202. If the Stewards find a jockey guilty of dangerous reckless, careless or improper riding they may impose on him such punishment as they may deem expedient in accordance with these Rules.

203. If a horse runs the wrong side of a post or rail his rider shall turn back and ride the course correctly from such point. He shall not otherwise continue in the race or his horse shall be disqualified.

204. If a race has been run by all the horses at wrong weights, or over a wrong course, or distance, or before the appointed time, or if the Judge is not in the box at the time the horses pass the winning post, the Stewards shall order the race to be run again the same day if practicable, but, if not, it shall be void.

205. where a bonus payable under the conditions of a race to a breeder or an original nominator falls to be paid to a disqualified person, such bonus shall remain in escrow for the benefit of such breeder or nominator for a period of not exceeding sixty days, whereafter if he or she remains a disqualified person such bonus shall be forfeited and shall be paid over to the next qualified breeder or nominator of a horse which becomes eligible for such bonus in that race.

206. If a horse which is not qualified according to Rule 103 be entered or run for any race, such horse shall be disqualified by the Stewards, and the person or persons responsible shall be reported to the Commission and shall be subject to such fine as the Commission deems fit to impose.

207. (1) A horse which has been entered or declared to run in a race which on examination shows the presence in its tissues, body fluids or excreta of:

(a) a Prohibited Substance; or

- (b) any substance which by its nature or by the abnormal quantity or abnormal manner of its administration could affect the speed, stamina, courage or racing performance of a horse

shall be disqualified by the Commission for the race in question and may, at the discretion of the Commission, be disqualified for such time and for such races as it shall determine.

(2) In any investigation held pursuant to section 25 of the Act the production of a certificate signed by the Racing Chemist shall be conclusive proof of all the facts therein stated.

(3) A finding by the Racing Chemist that a Prohibited Substance or a substance as is mentioned in sub-paragraph (b) of Rule 207(1) was present in the sample taken from a horse or the dead body of a horse shall unless the contrary be proved by the owner, trainer, groom, agent or any person having the charge, custody or care of the horse, be proof that the horse was administered such substance, that in the case of a sample taken at any time in the period commencing three days immediately prior to the day of a race in which the horse has participated and ending on the expiration of three days immediately after the day of a race in which the horse has participated, the horse carried the said substance in or on its body while participating in the race and that, in the case of a sample taken at any time in the period commencing three days immediately prior to the day of a race in which the horse was entered, but in which the horse did not start, and ending on the expiration of three days immediately after the day of a race in which the horse was entered, but in which the horse did not start, the intention of the person having the charge, custody or care of the horse was that the horse should carry the said substance in or on its body while participating in the race. Any such finding as aforesaid shall, unless the contrary be proved by any of the persons aforesaid, also be proof that the said substance was one which by its nature could affect the speed, stamina, courage, conduct or racing performance of such horse and that the trainer, groom and any other person having the charge, custody or care of such horse had failed properly to protect such horse and guard it against the administration or attempted administration of such substance as aforesaid.

(4) A horse shall not be allowed to race after the expiration of ninety (90) days following the receipt by the Commission of a report from the Racing Chemist that a sample taken from such a horse has shown the presence of any quantity of a prohibited substance or of any substance as is mentioned in sub-paragraph (b) of Rule 207 (1) unless before the expiration of such period, there has been a completion of the investigation into the matter or a determination of any appeal lodged in respect of any penalty which

had been imposed at such investigation on the horse or on the owner or a part-owner of the horse whether in his capacity as owner, part-owner or otherwise or on the spouse of the owner or part-owner of the horse. Notwithstanding the foregoing, such a horse may be allowed to race after the expiration of the 90-days period, if, in the judgement of the Commission, any delay in the completion of the investigation into the finding of the Racing Chemist is not caused by the owner, trainer, groom or any person having the charge and custody or care of the horse or by the legal representative or representatives of any of these persons, or in the event of any appeal lodged as aforesaid, the delay in the determination of the appeal is not caused by the owner, or part-owner of the horse whether in his capacity as owner, or part-owner or otherwise or the spouse of the owner, or part-owner of the horse, or by the legal representative or representatives of any of these person.

This sub-paragraph shall not apply if prior to the expiration of the said period of ninety days the horse was claimed in a claiming race.

(5) The owner and/or trainer and/or groom and/or any other person having charge, custody or care of any horse may be disqualified after the expiration of ninety (90) days following the receipt by the Commission of a report from the Racing Chemist that a sample taken from such a horse has shown the presence of any quantity of a prohibited substance or of any substance as is mentioned in sub-paragraph (b) of Rule 207 (1) unless before the expiration of such period, there has been completion of the investigation into the matter or a determination of any appeal lodged in respect of any penalty which had been imposed at such investigation on any such person as aforesaid. Notwithstanding the foregoing, any such disqualification may be removed after the expiration of the ninety day period if, in the judgement of the Commission, any delay in the completion of the investigation into the finding of the Racing Chemist is not caused by any such person or by his legal representative or in the event of any appeal lodged as aforesaid, the delay in the determination of the appeal is not caused by any such persons or by the legal representative or representatives of any of such persons.

#### **WALKING OVER**

208. In walking over for a race, in no case shall it be necessary for a horse to 'walk over' the entire course but if at the time fixed only one horse shall have been declared in accordance with Rule 113 that horse shall be ridden past the Judge's box, and shall then be deemed the winner. Where in any race only one horse shall

have been declared to run the Commission shall be at liberty to alter the post time of any race scheduled to take place subsequent to the race for which only one horse is declared to run.

## **PART XXII DEAD HEAT**

209. When horses run a dead heat, the dead heat shall not be run off.

210. Each horse that divides a prize for first place shall be deemed a winner.

211. When two horses run a dead heat for first place, all prizes to which the first and second horses would have been entitled shall be divided equally between them, and this principle shall be observed in dividing the prizes whatever the number of dead-heaters and whatever the place for which the deadheat is run.

212. When a dead heat is run for second place, and an objection is made to the winner of the race and sustained, the horses which ran the dead heat shall be deemed to have run a dead heat for first place and this principle shall be observed in dividing the prizes whatever the number of dead-heaters and whatever the place for which the dead-heaters run.

213. If the dividing owners 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 by the owner who takes such cup or indivisible prize, to the other owner or owners.

214. On a dead heat for a match, the match is off.

## **PART XXIII WEIGHING IN AND DISQUALIFICATIONS**

215. Every jockey must, immediately after pulling up, ride his horse to the place appointed for unsaddling, dismount, and present himself to be weighed by the Clerk of the Scales provided that if a jockey be prevented from riding to the place appointed for unsaddling by reason of accident or illness by which he or his horse is disabled, he may walk or be carried to the scales, and his

horse shall not be disqualified on that account provided the correct weight was declared to the Clerk of the Scales on weighing in. If a jockey be too ill to weigh in, his horse shall not be disqualified provided that the jockey weighed out at not less than his proper weight.

216. Except by special permission of the official in charge, every jockey must, upon pulling up, unsaddle his own horse, and no attendant shall touch the horse except by his bridle. Upon the returning of a jockey to the place appointed for unsaddling after a race has been run, no one may touch the equipment of the jockey until he has been weighed in, except upon the approval of the official in charge.

217. (1) If a jockey, except as provided in Rule 215 does not present himself to be weighed in, or, except as provided in Rule 215 if he dismounts before reaching the scales, or dismounts without permission, or if before weighing in he touches or is touched by (except accidentally) any person or thing other than his own equipment, his horse may be disqualified and he may be fined or suspended.

(2) If a jockey be more than 0.5 kilogram less than the weight at which he weighed out or if a jockey be guilty of any fraudulent practice with respect to weight or weighing his horse shall be disqualified and the matter shall be reported to the Stewards who may fine or suspend the person responsible or report the matter to the Commission.

218. If a jockey weighs in at more than one kilogram over the weight at which he weighed out, the matter shall be reported to the Stewards who shall fine the person responsible unless they are satisfied that such excess weight has been caused by rain or mud or they shall report the matter to the Commission.

219. When the jockey who has passed the post first has been weighed in to the satisfaction of the Clerk of the Scales as prescribed by these Rules an appropriate signal approved by the Commission (called for the purpose of these Rules the "Official Signal") shall be displayed in a prominent position provided this shall not be done until:-

(a) Three minutes after the first horse has passed the Winning Post.

(b) Any objection which may have been lodged within

three minutes after the first horse has passed the Winning Post on grounds mentioned in Rule 237 has been decided.

- (c) After the decision of the Stewards has been made in any enquiry initiated by them which may affect the placing of the horses.

After the Official Signal has been displayed in accordance with the foregoing the result of the race shall be official and no alteration shall be made to the official placings except as a result of an appeal to the Commission or as a result of an objection on grounds other than those mentioned in Rule 237.

#### **PART XXIV PRIZES**

220. The value of prizes not in money must be advertised.

221. In all races, should there be any surplus from entrance or subscriptions over the advertised value of the prize money it shall be paid to the owners of the first four placed horses in equal shares unless the conditions of the race otherwise provide.

222. When a Cup is advertised to be run for it shall be given in the event of a walk-over.

223. Where a Cup is given in addition to a purse or stake, no transfer of a horse nominated for such race made within thirty days of the date of the race shall entitle the transferee to any right to such a Cup unless such Cup is one to be raced for only once and be won outright or is a perpetual Challenge Cup. The transferor shall be deemed entitled to the Cup in any case where the transferee is not pursuant to this Rule entitled to such Cup.

224. When a walk-over is the result of arrangement by the owner of horses engaged neither a Cup nor any portion of the advertised money shall be given, and the owners will be liable to be dealt with under Rule 247.

225. Any money or prize which, by the conditions of the race is to go to the horse placed second, or in any lower place in the race, shall if the winner has walked over or no horse has been so placed not be given at all.

226. The Promoters shall pay prize money to the first four horses placed in any race and may pay additional prize money to any other horses taking part in a specific race in accordance with the conditions for that race to be first approved by the Commission.

227. No prize money shall be paid to an owner until the Stakeholder has received permission from the Commission to make such payment.

228. No deductions shall be made from the amount advertised to be paid in respect of any prize.

229. (1) In the event that-

(a) a race the entries for which have been closed is not run, or

(b) a race the entries for which have been closed is abandoned or declared void, all stakes, forfeits and entrance money shall be refunded.

(2) In the event that the advertised course over which a race the entries for which have been closed is subsequent thereto altered any nominator of a horse left in the race at the date of alteration of the course who withdraws his horse from the race prior to the time at which the race over the course as altered is scheduled to be run shall be entitled to a refund of all stakes, forfeits and entrance money paid by him in respect of such horse's entry in the race.

230. A race may be declared void if no qualified horse completes the course in accordance with these Rules.

231. No breeder's bonus shall be paid to the breeder of any horse which is not foaled in Jamaica. If a horse which is not foaled in Jamaica is the winner of the race the breeder's bonus advertised to be paid to the breeder of the winner shall be paid to the breeder of the first horse which is foaled in Jamaica to finish behind the horse which is not foaled in Jamaica provided that such horse which is foaled in Jamaica shall be placed in one of the first four places in the race.

If a horse which is not foaled in Jamaica shall place in the race the breeder's bonus advertised to be paid to the breeder of the horse in such place shall be paid to the breeder of the first horse which is foaled in Jamaica to finish behind the horse which is not foaled in Jamaica (other than one whose breeder has by virtue of this Rule been paid a higher breeder's bonus as a result of that horse's placing in the race) provided that such horse which is foaled in Jamaica shall be placed in one of the first four places in the race. No breeder shall be paid two or more breeder's bonuses in respect of the same horse in the same race notwithstanding anything in this Rule contained. If no horse which is foaled in Jamaica is placed in any of the first four places in the race no breeder's bonus shall be paid.

This Rule shall not apply to horses bred in Barbados or Trinidad participating in specific races approved by the Commission from time to time.

232. In the event of a horse being disqualified under any of these Rules, prize money and Cups shall be awarded in accordance with the placings as decided by the Stewards or the Commission.

A horse which has been disqualified shall, unless his placing has been altered by the Stewards under Rule 244 not be entitled to any prize money and if any Cup or money shall have been paid to the owner or his representative before the disqualification it shall be refunded by the recipient.

#### **PART XXV**

#### **DISPUTES, OBJECTIONS, APPEAL**

233. (a) Subject to any provision to the contrary in these Rules any person aggrieved by a decision given by the Stewards or any delegatee shall be entitled to appeal to the Commission: Provided that where the grounds of appeal consist solely of allegations that the Stewards have reached a wrong decision on facts which they have witnessed then leave to the Commission shall first be obtained.

(b) Save where any other period of appeal is specified in any Rule, the appellant shall give notice of appeal in writing to the delegatee within forty-eight hours together with a statement setting out the grounds of his appeal and a deposit of the amount in respect of such appeal specified for the time being in the Jamaica Racing Commission (Appeals) Rules 1972 and all documents thereto which shall be forfeited unless the

Commission shall decide there were good and reasonable grounds for the appeal.

(c) The procedure on notice of appeal being given shall be as specific in any rules for the time being made by the Commission for the regulation of appeals.

234. If an objection to a horse engaged in a race be made not later than one hour before post time of the first race on the day of the race the Stewards may require his qualification to be proved before the race, and in default of such proof being given to their satisfaction they may declare him disqualified.

235. An objection to the distance of a race or to the course officially designated must be made before a race.

236. An objection to any decision of the Clerk of the Scales must be made at once.

237. An objection to a horse on any of the grounds mentioned in Rule 201 or Rule 203 or Rule 204, or on the ground of any other matter occurring in the race or between weighing out and weighing in, or on the ground that the rider did not present himself to weigh in, or that he could not draw the weight at which he weighed out, must be made within three minutes after the first horse has passed the Winning Post, unless, under special circumstances, the Stewards are satisfied that it could not have been made within that time. Any objection on any of the grounds mentioned in this Rule shall be heard and determined by the Stewards.

238. An objection on the ground:-

(a) That the horse which ran was not the horse which he was represented to be at the time of entry or that he or his jockey was not qualified under the conditions of the race, or

(b) That he has run in contravention of the rule of partnership, or

(c) That he has run in contravention of the rule relating to unrecognized race meetings,

may be received within nine days of the conclusion of the meeting. Any objection on any of the grounds mentioned in this Rule shall be heard and determined by the Commission.

239. In any other case not mentioned or provided for in the preceding Rules an objection must be made within forty-eight hours of the race being run exclusive of Sunday, save in the case of any

fraud or willful mis-statement, when there shall be no limit to the time for objecting, provided the Commission is satisfied there has been no unnecessary delay on the part of the objector. Any objection on any of the grounds mentioned in this Rule shall be heard and determined by the Commission.

240. Every objection shall be in writing and must be signed by the owner of some horse engaged in the race, or by his authorized agent, trainer, jockey or groom and must in the case of an objection other than one under Rule 238 or Rule 239 be made to one of the Stewards, or to the Clerk of the Scales for immediate transmission to the Stewards and must in the case of an objection under Rule 238 or 239 be made to the Commission. The objector, save and except where he is a jockey objecting pursuant to Rule 237 shall, at the time he makes the objection, deposit the sum of Five Hundred Dollars (\$500.00). If the case be decided against the objector his deposit shall be forfeited unless the person who heard the case shall certify that there were good and reasonable grounds for the objection.

241. An objection under Rule 237 cannot be withdrawn without leave of the Stewards. An objection under Rule 238 or Rule 239 cannot be withdrawn without leave of the Commission.

242. An objection may also be made without deposit by a Steward or official of a meeting in his official capacity. Any such objection other than one on any of the grounds mentioned in Rule 238 or Rule 239 need not be in writing.

243. No horse shall be disqualified on account of any error or violation of Rule in entry which might have been corrected on payment of a fine, but the Stewards may inflict fines upon, or otherwise deal with, any persons responsible for such errors.

244. The Stewards are vested with the power to determine the extent of disqualification in cases of an offence arising under Rule 201. They may alter the placing in the race of the offending horse or they may not place it at all and the other horses shall take positions accordingly. In the event that the act giving rise to the disqualification causes a horse or a rider to fall or otherwise causes the horse to fail to finish the race with its rider in the saddle, the disqualified horse shall not be placed at all.

245. All costs and expenses in relation to determining an objection on conducting an enquiry and any reasonable compensation for outlay incurred, shall be paid by such person or persons and in such proportion as the person hearing the objection shall direct.

246. Pending the determination of an objection or of an appeal arising out of an objection any prize which may be dependent on the

determination of the objection or appeal, as the case may be, shall be withheld until the objection or appeal, as the case may be, is determined, and any forfeit payable by the owner of any other horse shall be paid to and held by the Stakeholder for the person who may be entitled to it.

**PART XXVI**  
**OFFENCES, PROHIBITED PRACTICES AND**  
**DISQUALIFICATION OF PERSONS**

247. Any person who:

- (i) administers or attempts to administer or allows or causes or suffers to be administered or connives at the administration of any:
  - (a) Prohibited Substance, or
  - (b) substance which by its nature or by the abnormal quantity or abnormal manner of its administration could affect the speed, stamina, courage or racing performance of a horse; or
- (ii) corruptly gives or offers or promises directly or indirectly any bribe in any form, share in a bet or other benefit to any person having official duties in relation to a race or a race horse or to any trainer, jockey, groom or agent or person having charge of or access to a race horse; or
- (iii) having official duties in relation to a race or being a trainer, jockey, groom, agent or person having charge of or access to a race horse corruptly accepts or offers to accept any bribe in any form, share in a bet or other benefit; or
- (iv) willfully enters or causes to be entered or to start for any race a horse which he knows or believes to be either disqualified or ineligible for the race; or

- (v) is guilty of or conspires with any person for the commission of a corrupt, fraudulent or improper practice in relation to racing in Jamaica or in any other country; or
- (vi) willfully runs a horse in a race which is not the horse which it is represented to be at the time of entry; or
- (vii) administers or attempts to administer or allows or causes or suffers to be administered or connives at the administration of a blood transfusion to be administered for the purpose of affecting the speed, stamina, conduct, courage or racing performance of a horse; or
- (viii) uses or has in his possession in or about any race course any appliance or device, electrical, mechanical or otherwise, other than the ordinary equipment, of such a nature as could affect the speed, stamina, conduct, courage or racing condition or performance of a horse in a race; or
- (ix) is convicted of any criminal offence in relation to racing in Jamaica or in any other country; or
- (x) assaults, incites or threatens any other person or persuades any person other than through peaceful means to prevent a horse from being entered or to withdraw a horse from running after entry in any meeting; or
- (xi) commits a breach of peace, act of terror or in any other way interferes with or aids, abets, counsels, procures or conspires with or incites or persuades any other person to interfere with the conduct or management of a meeting; or
- (xii) at a race course or any other place under the control of the Commission assaults, molests, obstructs, hinders, threatens, resists or incites, aids, abets, counsels or procures any other person to assault, resist, obstruct, hinder, threaten or resist any member of the Commission or any delegatee or officer of a delegatee, authorized person or servant of the Commission in the exercise of any of the powers conferred or duties imposed upon them by the Act or these Rules or any person having official duties in relation to a race or any trainer, jockey,

groom, agent or other person having charge of or access to any race horse; or

- (xiii) being a corporation, but not being an owner, refuses to be represented or permit evidence on its behalf to be given at any enquiry or appeal where requested to do so by the stewards, the Commission, its delegatee or agents; or
- (xiv) deliberately misleads or endeavours to mislead the stewards, the Commission or its delegates at any enquiry or appeal

shall be liable to be warned off all courses and other places where these Rules are in force and/or to be fined a sum not exceeding Two Hundred and Fifty Thousand Dollars (\$250,000) by the Commission.

247A Any person who:

- (i) being an owner, trainer, agent, jockey or groom, or a person having official duties in relation to horse racing, or a person attendant on or connected with a race horse or any other person who fails to attend or to give evidence at any investigation or appeal when requested to do so by the Stewards or the Commission or the delegatee or an agent of the Commission; or
- (ii) is guilty of committing or of aiding, abetting, counselling or procuring or of conspiracy with or of inciting or of persuading any other person to commit a breach of the peace at a meeting; or
- (iii) within or outside the boundaries of a racecourse is guilty of conduct prejudicial to the interest, welfare or image of horse racing; or
- (iv) at a racecourse or any place under the control of the Commission uses any abusive or calumnious language towards any member of the Commission or any of its delegates or officer of the delegatee, authorized person or servant of the Commission in the exercise of any the powers conferred or duty imposed upon them by the Act or these Rules

shall be liable to be warned off all courses and other places where these Rules are in force and/or to be fined a sum not exceeding Fifty Thousand Dollars (\$50,000) by the Commission.

247B Any person who being the trainer, groom or other person having the charge, custody or care of a horse has failed properly to protect the horse or guard it against the administration or attempted administration, whether internally or externally, of any:

- (a) Prohibited Substance; or
- (b) substance which by its nature or by the abnormal quantity or abnormal manner of its administration could affect the speed, stamina, courage or racing performance of a horse

shall be liable to a penalty in accordance with the Fifth Schedule to these Rules.

248. In any case where by these Rules the Commission is empowered to suspend or withdraw or revoke a licence granted or a registration effected pursuant to these Rules, the Commission may, in addition, warn the holder of the licence or the person registered off all courses and other places where these Rules are in force.

249. If any person be reported to the Commission as being a defaulter in bets by the Betting, Gaming and Lotteries Commission he shall be warned off as in Rule 247 for so long as his default continues.

250. When a person is warned off all courses or other places under the control of the Commission and so long as his exclusion continues, he is a disqualified person.

251. Any person who acts in any official capacity enters, trains or rides a horse entered for running at any unrecognized meeting in Jamaica, is liable to be made a disqualified person by the Commission for such time as it shall think fit.

252. A disqualified person so long as his disqualification lasts shall not -

- (i) Act as a Steward or official of any meeting.
- (ii) Act as authorized agent or jockey's agent under these Rules.
- (iii) Subscribe for, train, enter, ride or run a horse in any race or ride in trials.
- (iv) Enter any racecourse, stand or enclosure or training stable.

- (v) Be employed at any racecourse or training stable.
- (vi) Receive any breeders' bonus.
- (vii) Register any new horse or transfer any registered horse if he is a disqualified person by virtue of being on the forfeit list.

## PART XXVII FEES AND FINES

253. The following registration fees are payable:-

- (i) For the annual registration of authority to act generally on behalf of an owner, \$1,500.00.
- (ii) For every registration or change of an assumed name, \$2,000.00.
- (iii) For every registration of a transfer or a successful claim, \$2,000.00.
- (iv) For every registration of colours for life, \$3,000.00.
- (v) For every registration of a change of name of an untried, \$500.00.
- (vi) For every registration of a change of name of a horse pursuant to Rule 102 (v) (b), \$4,000.00.
- (vii) For every registration of an agreement with a jockey, \$1,500.00.
- (viii) For every registration of an agreement in regard to a horse with contingency, \$1,500.00.
- (ix) For every registration of a horse, \$3,500.00.  
This fee shall include the cost of having the horse DNA typed and/or blood typed. In the event that the horse shall die before the DNA and/or blood sample for the purpose of having the horse DNA typed and/or blood typed is collected from the horse one-half of this fee shall be refunded by the Commission.

- (x) For every Jamaica Stud Book Certificate issued, \$500.00.
- (xi) For every registration of a declaration of trust, \$2,000.00.
- (xii) For every Record of Performance issued, \$500.00.  
Such record of performance consisting of five (5) pages. An additional charge of \$500.00 is payable for every additional five (5) pages or part thereof.
- (xiii) For every administration of Furosemide, as a race day medication, by the Commission's appointed Veterinarian, \$1,500.00.

254. Except where otherwise provided, all fees and fines shall be paid to the credit of the Commission.

255. Any person guilty of a breach of any of these Rules for which a specific penalty or for which the amount of the fine is not provided shall be liable to such punishment or penalty as the Commission, in its discretion shall see fit provided that in the case of a fine the same shall not exceed Two hundred and fifty Thousand Dollars (\$250,000.00).

255A (1) The Commission which, in the exercise of its original jurisdiction imposes a penalty of suspension or warning off of not more than three years for a breach of any of these Rules may order that the penalty shall not take effect unless, during a period specified in the order (hereinafter referred to as the "operational period"), the person being punished commits in Jamaica another breach of one of these Rules punishable with suspension or warning off (hereinafter referred to as a "subsequent breach") and thereafter the Commission or its delegatee or the Stewards order that the original penalty shall take effect: Provided that the power to order a suspended sentence shall be exercisable only by the Commission in the exercise of its original jurisdiction and shall not be exercisable either by a delegatee or by the Stewards or by the Commission in the exercise of its appellate jurisdiction.

(2) The Commission shall not deal with a person by means of a suspended sentence unless the case appears to the Commission to be one in respect of which a penalty of suspension or warning off would have been appropriate in the absence of any power to suspend such a sentence by an order under sub-paragraph (1).

(3) Any application for the conduct by the Commission in the exercise of its original jurisdiction of any investigation in

respect of which any delegatee has jurisdiction shall be made to the Commission by the person whose act or omission is or may be the subject of the investigation prior to the commencement of the hearing of the investigation. The Commission shall in its sole discretion determine whether the investigation will be conducted by the Commission or by a delegatee and the decision of the Commission in regard thereto shall be final and conclusive.

(4) Where a person is found to have committed a subsequent breach committed during the operational period of a suspended sentence, the Commission in the exercise of its original jurisdiction or its appellate jurisdiction or the delegatee or the Stewards by which he is found to have committed the subsequent breach shall order that the suspended sentence shall take effect with the original term unaltered to commence on the expiration of the term imposed for the subsequent breach.

(5) In this Rule, the expression suspended sentence means a penalty which is ordered, pursuant to sub-paragraph (1) of this Rule, not to take effect unless the person committing the breach of a Rule commits a subsequent breach.

## **PART XXVIII MOTION PICTURES**

256. (1) Every motion picture taken by camera installed under the approval of the Commission at a racecourse for the purpose of producing motion pictures of every race from the start to the finish thereof shall be made available for projection under the supervision of the Commission as follows:-

- (i) to the Stewards at any time reasonably requested by them to aid them in determining any matter within their jurisdiction;
- (ii) to the Commission at all times up to a maximum of two years after the date of the race;
- (iii) to jockeys, apprentices, trainers and owners of horses engaged in a race within forty-eight hours of the day of the race at such time and place to be determined by the Commission.

(2) Save as aforesaid, no such motion picture as aforesaid shall be made available for projection without the special permission of the Commission.

**PART XXIX**  
**FUROSEMIDE ADMINISTRATION**

257 (1) The administration of Furosemide is permissible only to horses which have been placed on the Bleeders' List by the Commission's Veterinarian.

(2) Only the following horses are eligible to be placed on the Bleeders' List:

- (i) horses which have bled visibly, from the respiratory tract, during a race or exercise-work or within one hour after such race or exercise-work;
- (ii) horses which have bled during a race or exercise-work, as determined by endoscopic examination, such examination to be conducted by the Commission's Veterinarian or a licensed Veterinarian appointed by the Commission; or,
- (iii) horses which have been certified, by the regulatory authority of a foreign jurisdiction to be Bleeders and have been placed on such jurisdiction's Bleeders' List.

(3) The Bleeders' List shall be maintained by the Commission's Veterinarian and a copy of such list shall be provided to the Stewards on each entry day.

(4) A horse placed on the Bleeders' List by the Commission's Veterinarian shall not be permitted to race for a period as set out in Rule 55A subsection 16 of the Racing Rules 1977.

(5) (i) Upon the completion of the prescribed period of disqualification imposed on a Bleeder, its trainer may apply to have Furosemide administered to such horse.

(ii) Such application must be made at the time of entry of the said horse, by paying the required fee Pursuant to Rule 253 (xiii) for such horse to be administered, and declared to run, on Furosemide.

(iii) The Stewards shall submit to the Commission's

Veterinarian a list of horses declared to run on Furosemide, as soon as the list of horses entered for the race day is finalised.

(6) Horses approved for administration of Furosemide will be eligible to race on Furosemide for a period of six (6) months from the date of first administration (L1).

(7) (i) Six (6) months following the first Furosemide administration a horse may be removed from the Bleeders' List providing that it has not bled in any race in which it ran on Furosemide.

(ii) Where a horse is found to have bled while running on Furosemide the mandatory six (6) month period during which the horse must run on Furosemide shall be extended to six (6) months from its last occurrence of bleeding.

(iii) Each occurrence of bleeding while running on Furosemide shall attract the prescribed penalty pursuant to Rule 55 subsection 16 of the Racing Rules 1977.

(8) A horse which has been removed from the Bleeders' List after six (6) months of Furosemide Administration and without any incident of bleeding shall only be reinstated for the administration of Furosemide, where the requirements of subsection (2) of these Rules are met subsequent to being removed from the Bleeders' List.

(9) Furosemide, for the purpose of these Rules, shall be administered only by the Commission's Veterinarians in the following manner:

(i) by intravenous (IV) injection of 250 milligrams.

(ii) not less than 4 hours or more than 4½ hours prior to the scheduled post time of the race in which the horse is to compete and in the presence of its trainer or his representative.

(iii) in the Holding Barn, or such other place approved by the Commission for the purpose of Furosemide administration.

Following the administration of Furosemide the horse will be returned to its stable.

(10) (i) Each horse declared for Furosemide administration

will be required to provide a pre-race blood sample immediately prior to each administration of Furosemide.

(ii) In the event that a post-race sample is required from a horse which has raced on Furosemide, both a blood and a urine sample shall be taken.

(iii) These samples shall be dealt with in the manner prescribed under Rule 14A of the Racing Rules 1977.

(11) (i) In the event that the Racing Chemist reports that an analysis of a sample taken from a horse which had been administered Furosemide reveals that the level of Furosemide found exceeds the allowable limits, as specified in Rule 12 of this Part, such finding will be deemed a positive finding for Furosemide overage.

(ii) A finding of Furosemide overage shall be dealt with in accordance with the relevant Rules pertaining to positive findings for a prohibited substance.

(12) The following shall constitute a positive finding for Furosemide overage:

A. Where both post-race urine and post-race blood/plasma samples are obtained and available for analysis, a finding by the Racing Chemist of:

(i) a specific gravity, in the post-race urine sample, of less than 1,010;

(ii) Furosemide level, in the post-race blood/plasma sample, exceeding the allowable limit of 50 nanograms per millilitre; and,

(iii) Furosemide level in the post-race urine sample exceeding the allowable limit of 100 nanograms per millilitre.

B. Where, due to:

(1) The unavailability of sufficient quantities of blood/plasma obtained from a post-race blood sample; or

(2) The extreme uncontrollability fractiousness or erratic behaviour of a horse, a post-race blood/plasma sample is not obtained despite the best endeavours to do so.

only a post-race urine sample is available for analysis, a finding by the Racing Chemist of:

- (i) a specific gravity, in the said urine sample, of less than 1,010; and,
- (ii) Furosemide level, in the said urine sample, exceeding the allowable limit of 100 nanograms per milliliter.

C. Where, following the best endeavours taken to obtain a post-race urine sample, only a post-race blood/plasma sample is available for analysis, a finding by the Racing Chemist of:

Furosemide level, in the said blood/plasma sample, exceeding the allowable limit of 50 nanograms per milliliter.

(13) A horse declared to run on Furosemide shall be present in the Holding Barn at least four and one half hours prior to the scheduled post time of the race in which such horse is to compete.

(14) Any horse which is declared to run on Furosemide and is not present in the Holding Barn in sufficient time to permit the administration of Furosemide not less than four hours nor more than four and a half hours before the scheduled post time of the race for which it is entered shall, in accordance with these rules, not be permitted to start in the race in question.

Such horse shall be deemed to be in breach of Rule 198 of the Racing Rules 1977 and the connection(s) responsible for the offence shall be punishable in accordance with Rule 198 subsection (2).

## **VACCINATION PROTOCOL**

258 (1) (i) Every horse used for the purpose of racing and breeding in Jamaica shall be vaccinated periodically against Equine Influenza, Equine Rhinopneumonitis, Tetanus, and such other disease/illness as the Commission may from time to time direct.

- (ii) A Vaccination Certificate detailing the horse's physical markings, name (if any), breeding, and other information may be obtained from the Jamaica Racing Commission for the purpose of recording each administration of a vaccine.
- (2) (i) The programme of vaccination shall be as follows:
  - (a) For Native Breds, first vaccination shall be at four (4) months of age followed by a booster twenty-one (21) days later thereafter every 120 days in the case of Equine Influenza and Equine Rhinopneumonitis and every twelve (12) months in the case of tetanus.
  - (b) For imported horses, first vaccination shall be at release from quarantine. Thereafter every 120 days in the case of Equine Influenza and Equine Rhinopneumonitis and every twelve (12) months in the case of tetanus.
- (ii) Each vaccination or booster must be administered by a Veterinarian licensed by the Jamaica Veterinary Board.
- (3) Each vaccination/booster shall be given within seven (7) days of expiration of the previous vaccination/booster.
- (4) In the event that the booster is not given within the required time frame as at subsection 3 above, then two (2) boosters must be given within twenty-one (21) days in order to regain the horse's updated vaccination status.
- (5) Each vaccination/booster received by a horse must be recorded on the said horse's Vaccination Certificate, and signed by the Veterinarian administering the vaccine.
- (6) Any yearling or older horse entering the racecourse for the first time, or any horse being off the racecourse for a period exceeding 120 days, shall be required to be fully vaccinated, the last administration being no more than fourteen (14) days prior to the entry/re-entry date.
- (7) Horses not on a routine vaccination programme must be vaccinated twice, twenty-one (21) days apart, the latter being administered no more than fourteen (14) days and not less than seven (7) days from entry to the racecourse.

(8) No horse shall be allowed access to the racecourse unless it has been vaccinated in accordance with these Rules, proof of which shall only be on the presentation of a Vaccination Certificate, signed by the attending Veterinarian.

(9) While on the racecourse, a horse's vaccination regime must be maintained up to date. Failure by a trainer to maintain the vaccination status of his charge is a breach of these Rules.

(10) No entry for a race will be accepted for a horse whose vaccination is not up to date at the time of entry.

(11) It shall be the responsibility of a Veterinarian who has vaccinated a horse to ensure that such horse's Vaccination Certificate is updated and signed by him within two (2) working days of the administration of such vaccine.

(12) It is the responsibility of a trainer to:

- (i) ensure that the Vaccination Certificates for his horses are each properly signed by a Licensed Veterinarian, after such Veterinarian has vaccinated the said horse;
- (ii) prove to the satisfaction of the Stewards that the horse under his care is properly vaccinated.

(13) For the purpose of this Rule:

- (i) vaccination shall be construed as the inoculation against Equine Influenza, Equine Rhinopneumonitis, Tetanus and any other disease specified by the Commission;
- (ii) updated vaccination status shall mean a vaccination/booster, the effective period of which has not lapsed or expired.

#### **MEDICATION RESTRICTIONS**

259 (1) (i) While on any racecourse and other places where these Rules are in force, no person other than a Veterinarian licensed by the Jamaica Veterinary Board, (herein called "Veterinarian") shall have in his custody, control or possession any drug, medication, chemical or other substances which can be administered

to a horse except authorised substances or drugs which have been prescribed by a Veterinarian, and unless such drug is properly labeled.

(ii) For the purpose of these Rules "authorized substances" shall mean:

- (a) water, feed including hay, grain and feed supplements that do not contain any prohibited substances;
- (b) topical medications, including antiseptics, ointments, (salves), leg rubs, leg paints, poultices, hoof dressings, liniments, and antiphlogistics which do not contain anaesthetics or any prohibited substances;
- (c) oral vitamins, electrolyte solutions, amino-acid solutions;
- (d) prescribed non-steroidal anti-inflammatory drugs (NSAIDS), in quantities not exceeding twenty(20) doses, at any one time, for general use in the stable;

For the purpose of this Rule a dose shall mean the amount prescribed by the Veterinarian for a single administration.

(iii) For the purpose of these Rules "properly labeled" shall mean a label which is securely attached to a container and clearly inscribed to show the following:

- (i) the name of the medication and date dispensed;
- (ii) the name of the Veterinarian prescribing or dispensing the medication;
- (iii) the name of the horse for which the medication is prescribed;
- (iv) the dosage, route of administration and expiration date of the prescription; and,
- (v) the name of the trainer to whom the medication was dispensed.

(2) No person other than a Veterinarian shall administer any drug or medication to a horse other than a prescribed medication or an authorized substance.

(3) Should a Veterinarian consider it necessary to administer any drug except authorized substances to a horse, he shall immediately record this fact on a medical record in the possession of the trainer and in his private record, stating the drug administered. The Commission reserves the right to request information from these records as it thinks fit.

(4) No drug shall be administered internally or by hypodermic or any other method, no body-wash or liniment containing a prohibited substance, no nebulization or intubation, no freezing agent or irritant shall be applied to a horse on a race day for the purpose of affecting the racing performance of the horse in a race.

(5) No person except a licensed Veterinarian shall have in his possession, on a racecourse and other places where these Rules are in force hypodermic needles, syringes, or any prohibited substance, except as required, subject to these Rules, to fulfill conditions of administering a prescribed medication.

(6) De-nerving and milk-shaking of a horse is strictly prohibited.

(7) No person, other than a Veterinarian, shall have in his custody, control or possession on the racecourse or its compound, or anywhere registered racehorses are kept (not being a breeding farm engaged in such activity), subject to Rule 259 (1)(ii), the following:

- (i) drugs dispensed without a prescription
- (ii) any hypodermic needle, injectable vial, syringe capable of accepting a hypodermic needle
- (iii) any device capable of injection, infusion or other parenteral form of administration of a drug

(8) (i) Any Commission's Veterinarian or Steward is authorized to take samples of, any drugs, medications, medicinal compounds (natural or synthetic) or other materials which are found in the stable area, elsewhere on the racetracks or in the possession of any person participating in or connected with horseracing which are suspected of containing improper drugs.

ii) Such drugs shall be delivered to the laboratory for analysis. Such analysis shall be subject to Rule 14 of these Rules.

## **PART XXX**

### **REPEAL**

260. The Racing Rules deemed to be prescribed by the Commission by section 32 of the Act and all amendments thereto are hereby revoked.

### **THE FIRST SCHEDULE**

- (a) Any substance acting or capable of acting or intended to act on the central nervous system or the autonomic nervous system of the cardiovascular system to the respiratory system of a horse;
- (b) Any substance which affects or may affect or is capable of affecting or is intended to affect the gastro-intestinal or urogenital function of a horse;
- (c) Any antibiotic or any synthetic anti-bacterial or any anti-viral substance;
- (d) Any antihistamine;
- (e) Any anti-malarial substance;
- (f) Any anti-pyretic substance or any analgesic substance or any anti-inflammatory substance;
- (g) Any diuretic or anti-diuretic substance;
- (h) Any local anesthetic;
- (i) Any muscle relaxant;
- (j) Any respiratory stimulant;
- (k) Any sex or other hormone or any anabolic steroid or any corticosteroid;
- (l) Any endocrine secretion or any synthetic counterpart of any endocrine secretion;

- (m) Any substance affecting or causing or which may affect or cause blood coagulation.
- (n) Any cytotoxic substance;
- (o) Any synthetic substance;
- (p) Any endogenic type of stimulating substance found in the blood in a quantity significantly in excess of the normal plasma concentration range expected of a horse;
- (q) Any endogenic type of stimulating substance found in the urine in a quantity significantly in excess of the normal excretory concentration range expected of a horse;
- (r) Any compound chemically or pharmacologically related to any of the foregoing.

## THE SECOND SCHEDULE

### 1000 METRES (APPROXIMATELY 5 FURLONGS (STRAIGHT))

|       | JAN. | FEB. | MAR. | APRIL | MAY | JUNE | JULY | AUG. | SEPT. | OCT. | NOV. | DEC. |
|-------|------|------|------|-------|-----|------|------|------|-------|------|------|------|
| 3-Y-O | 49.5 | 50.5 | 52   | 52    | 52  | 52.5 | 53.5 | 54.5 | 55.5  | 55.5 | 56   | 57   |
| 4-Y-O | 56.6 | 57   | 59   | 59    | 57  | 56.5 | 56.5 | 56.5 | 56    | 56   | 56.5 | 57   |

### 1000 METRES (APPROXIMATELY 5 FURLONGS ROUND)

|                       | JAN. | FEB. | MAR. | APRIL | MAY | JUNE | JULY | AUG. | SEPT. | OCT. | NOV. | DEC. |
|-----------------------|------|------|------|-------|-----|------|------|------|-------|------|------|------|
| 3-Y-O                 | 51.5 | 52   | 52.5 | 52.5  | 53  | 54   | 54.5 | 55.5 | 56.5  | 57   | 57.5 | 58   |
| 4-Y-O<br>& UP<br>57.5 | 57.5 | 58   | 59.5 | 59.5  |     | 57   | 57   | 57   | 57    | 57   | 57   | 57   |

### 1100 METRES (APPROXIMATELY 5 1/2 FURLONGS)

|  | JAN. | FEB. | MAR. | APRIL | MAY | JUNE | JULY | AUG. | SEPT. | OCT. | NOV. | DEC. |
|--|------|------|------|-------|-----|------|------|------|-------|------|------|------|
|--|------|------|------|-------|-----|------|------|------|-------|------|------|------|

---

|               |      |      |      |      |      |      |      |      |      |      |      |      |
|---------------|------|------|------|------|------|------|------|------|------|------|------|------|
| 3-Y-O         | 51.5 | 52   | 52.5 | 52.5 | 53   | 54   | 54.5 | 55.5 | 56.5 | 57   | 57.5 | 58   |
| 4-Y-O<br>& UP | 59   | 59.5 | 59.5 | 59.5 | 59.5 | 59.5 | 59.5 | 59.5 | 59.5 | 59.5 | 59.5 | 59.5 |

1200 METRES (APPROXIMATELY 6 FURLONGS)

---

|               | JAN. | FEB. | MAR. | APRIL | MAY  | JUNE | JULY | AUG. | SEPT. | OCT. | NOV. | DEC. |
|---------------|------|------|------|-------|------|------|------|------|-------|------|------|------|
| 2-Y-O         | -    | -    | -    | -     | -    | -    | -    | -    | -     | -    | -    | - 51 |
| 3-Y-O         | 52   | 52.5 | 53   | 53    | 53.5 | 54.5 | 55.5 | 56   | 57    | 58   | 59   | 59.5 |
| 4-Y-O<br>& UP | 59.5 | 60   | 60.5 | 60.5  | 60.5 | 60.5 | 60.5 | 60.5 | 60.5  | 60.5 | 60.5 | 60.5 |

1300 METRES (APPROXIMATELY 6 1/2 FURLONGS)

---

|               | JAN. | FEB. | MAR. | APRIL | MAY  | JUNE | JULY | AUG. | SEPT. | OCT. | NOV. | DEC. |
|---------------|------|------|------|-------|------|------|------|------|-------|------|------|------|
| 3-Y-O         | 50.5 | 51   | 51.5 | 51.5  | 52   | 53   | 54   | 54.5 | 55.5  | 56.5 | 57   | 57.5 |
| 4-Y-O<br>& UP | 58   | 59.5 | 59.5 | 59.5  | 59.5 | 59.5 | 59.5 | 59.5 | 59.5  | 59.5 | 59.5 | 59.5 |

1400 METRES (APPROXIMATELY 7 FURLONGS)

---

|       | JAN. | FEB. | MAR. | APRIL | MAY | JUNE | JULY | AUG. | SEPT. | OCT. | NOV. | DEC. |
|-------|------|------|------|-------|-----|------|------|------|-------|------|------|------|
| 3-Y-O | 49.5 | 50.5 | 51   | 51    | 52  | 52.5 | 53.5 | 54   | 54.5  | 54.5 | 55.5 | 55.5 |
| 4-Y-O |      |      |      |       |     |      |      |      |       |      |      |      |

|      |      |      |    |    |      |      |      |      |      |      |      |      |      |
|------|------|------|----|----|------|------|------|------|------|------|------|------|------|
| & UP | 56.0 | 56.6 | 57 | 57 | 57.5 | 57.5 | 57.5 | 57.5 | 57.5 | 57.5 | 57.5 | 57.5 | 57.5 |
|------|------|------|----|----|------|------|------|------|------|------|------|------|------|

1500 METRES (APPROXIMATELY 7 1/2 FURLONGS)

|               | JAN. | FEB. | MAR. | APRIL | MAY  | JUNE | JULY | AUG. | SEPT. | OCT. | NOV. | DEC. |
|---------------|------|------|------|-------|------|------|------|------|-------|------|------|------|
| 3-Y-O         | 49.5 | 50.5 | 51   | 51    | 52   | 52.5 | 53.5 | 54   | 54.5  | 54.5 | 55.5 | 55.5 |
| 4-Y-O<br>& UP | 56.0 | 56.5 | 57   | 57    | 57.5 | 57.5 | 57.5 | 57.5 | 57.5  | 57.5 | 57.5 | 57.5 |

1600 METRES (APPROXIMATELY 1 MILE)

|               | JAN. | FEB. | MAR. | APRIL | MAY  | JUNE | JULY | AUG. | SEPT. | OCT. | NOV. | DEC. |
|---------------|------|------|------|-------|------|------|------|------|-------|------|------|------|
| 3-Y-O         | 48   | 48   | 48   | 49.0  | 49.5 | 50.5 | 51.5 | 52.5 | 53.5  | 54   | 54.5 | 54.5 |
| 4-Y-O<br>& Up | 55.5 | 56   | 57   | 57    | 57   | 57   | 57   | 57   | 57    | 57   | 57   | 57.5 |

1800 METRES (APPROXIMATELY 9 FURLONGS)

|               | JAN. | FEB. | MAR. | APRIL | MAY  | JUNE | JULY | AUG. | SEPT. | OCT. | NOV. | DEC. |
|---------------|------|------|------|-------|------|------|------|------|-------|------|------|------|
| 3-Y-O         | 48   | 48   | 48   | 49    | 49.5 | 49.5 | 51   | 51   | 52    | 53   | 54   | 54.5 |
| 4-Y-O<br>& Up | 55.5 | 55.5 | 57   | 57    | 57   | 57   | 57   | 57   | 57    | 57.5 | 57.5 | 57.5 |

2000 METRES (APPROXIMATELY 1 1/4 MILES)

|               | JAN. | FEB. | MAR. | APRIL | MAY  | JUNE | JULY | AUG. | SEPT. | OCT. | NOV. | DEC. |
|---------------|------|------|------|-------|------|------|------|------|-------|------|------|------|
| 3-Y-O         | 48   | 48   | 48   | 48.5  | 48.5 | 49.5 | 50.5 | 51.5 | 52    | 53   | 54   | 54.5 |
| 4-Y-O<br>& Up | 55.5 | 56   | 57   | 57    | 57   | 57   | 57   | 57   | 57    | 57   | 57   | 57.5 |

2400 METRES (APPROXIMATELY 1 1/2 MILES)

|               | JAN. | FEB. | MAR. | APRIL | MAY  | JUNE | JULY | AUG. | SEPT. | OCT. | NOV. | DEC. |
|---------------|------|------|------|-------|------|------|------|------|-------|------|------|------|
| 3-Y-O         | 48   | 48   | 48   | 48    | 48.5 | 49.5 | 50.5 | 51   | 52    | 53   | 54   | 54.5 |
| 4-Y-O<br>& Up | 55.5 | 56   | 57   | 57    | 57   | 57   | 57   | 57   | 57    | 57   | 57   | 58   |

2800 METRES (APPROXIMATELY 1 3/4 MILES)

|               | JAN. | FEB. | MAR. | APRIL | MAY | JUNE | JULY | AUG. | SEPT. | OCT. | NOV. | DEC. |
|---------------|------|------|------|-------|-----|------|------|------|-------|------|------|------|
| 3-Y-O         | 48   | 48   | 48   | 48    | 48  | 48.5 | 49   | 49.5 | 50.5  | 51.5 | 52.5 | 53.5 |
| 4-Y-O<br>& Up | 56   | 56.5 | 57   | 57    | 57  | 57   | 57   | 57.5 | 57.5  | 57.5 | 58   | 59   |

### THIRD SCHEDULE

#### TRAINING AGREEMENT

For the purposes including those of The Jamaica Racing Commission Racing Rules, 1977 it is hereby agreed between

Owner ..... Horse in Training .....  
(Block capitals)

Of .....  
(Address)

And Trainer .....  
(Block Capitals)

Of .....  
(Address)

that the Owner will pay the Trainer the sum \*\$\_\_\_\_\_ per week per horse as basic training fee in respect of each horse in training with the Trainer listed above. It is further agreed that the Trainer shall be entitled to receive fifteen per cent of the money earned by each of the said horses in each race. The Owner also agrees that the basic fee mentioned in this agreement or any of the terms of this agreement may be varied by the Trainer from time to time but any such change must be notified in writing by the Trainer to the Owner by registered mail and to the Jamaica

Racing Commission and will be registered twenty one days after receipt of such notification and such variation shall take effect from the date so specified in the notification unless within the said period of twenty-one days the Owner has notified the Trainer and the Jamaica Racing Commission that the Owner does not accept the change in which event the Owner shall remove the horse from

the care and custody of the Trainer forthwith and shall pay all fees owed to the Trainer. For the purposed of this agreement the date of receipt shall be regarded as being three days after the date of posting unless non-delivery is established.

Signed ..... Signed .....  
(Trainer) (Owner)

date ..... date .....

When a horse is owned in partnership each partner must sign this agreement. In the case where a horse is owned by a Company, the agreement must be executed under the Company's Seal.

\*It is recommended that the Owner takes note of the additional information shown on this form before the agreement is signed. In addition to the basic training fee and the stated percentage, extra charges may be incurred and the items classified as "extras" are indicated on this form.

## **CHARGES IN ADDITION TO THE BASIC TRAINING FEE**

In addition to the basic training fee covered by the Agreement on this form extra charges may be made for those items indicated below. The Owner should ascertain (where appropriate) the basis on which the charges are made.

### **TRAVELLING EXPENSES**

Horse transport .....

Trainer's Expenses .....

Stable Staff Expenses .....

Foreign Travel .....

### **BLACKSMITH**

Shoeing for Exercise .....

Plating for Racing .....

### **VETERINARY:**

Surgeons' Charges .....

Veterinary requisites .....

### **GRATUITIES:**

Presents to Stable Staff .....

### **RETAINERS:**

Jockeys .....

Work Riders .....

### **COMMISSION**

Sales .....

Purchases .....

**OTHER:**

Details of others .....

.....

**FOURTH SCHEDULE**

**JOCKEY' S AGENT AGREEMENT**

THIS AGREEMENT is made BETWEEN

of in the parish of

(hereinafter called the Jockey) and

of

In the parish of

(hereinafter called "The Agent").

1. The jockey hereby agrees:

(a) That the Agent is appointed exclusively to act on the Jockey's behalf in the booking and committing the Jockey to ride in races at Caymanas Park or any other racecourse.

(b) To perform all professional duties to which he is committed by the Agent.

(c) To pay to the Agent fifteen per centum (15%) of the Jockey's earnings and perquisites which may accrue to the Jockey from the

performance of any professional duty to which he is committed by the Agent.

- (d) That he will authorize the Promoter to pay the Agent's share of the Jockey's purse money earnings direct to the Agent.

2. The Agent hereby agrees:

- (a) to use his best endeavours to secure the most advantageous rides possible for the Jockey taking into account the Jockey's riding weight, physical condition at the material time and other relevant factors.
- (b) not to reduce the Jockey's opportunities to ride in order to increase opportunities to any other client of the Agent.
- (c) not to claim upon the Jockey any part of earnings or perquisites accruing to the Jockey from commitments not made by the Agent.
- (d) to act in accordance with the provisions of the Jamaica Racing Commission Racing Rules, 1977.

3. It is mutually agreed that during the course of this Agreement the jockey is not at liberty to seek professional commitments on his own behalf save and except a jockey's retainer and engagements to ride for any employer to whom the jockey has a retainer.

SIGNED the \_\_\_\_\_ day of \_\_\_\_\_ 19

by \_\_\_\_\_ in the presence of  
**Jockey**

\_\_\_\_\_ ; and, by  
**Witness**  
 \_\_\_\_\_ in the presence of  
**Jockey's Agent**  
 \_\_\_\_\_  
**Witness**

#### **FIFTH SCHEDULE**

1. Upon a finding of a breach of Rule 247B of these Rules the Commission shall consider the classification level of the substance as listed hereunder and in the Sixth Schedule and shall impose penalties and disciplinary measures not exceeding the following:

#### **PENALTIES**

| <b><u>DRUG</u></b> | <b><u>MAXIMUM FINE</u></b> | <b><u>PERIOD OF WARNING OFF</u></b>   |
|--------------------|----------------------------|---------------------------------------|
|                    | (\$,000)                   |                                       |
| CLASS 1            | 250,000                    | 0-7 YEARS                             |
| CLASS 2            | 250,000                    | 0-5 YEARS                             |
| CLASS 3            | 150,000                    | 0-3 YEARS                             |
| CLASS 4            | 150,000                    | 0-3 YEARS (3 <sup>rd</sup> offence) * |
|                    | 100,000                    | NIL (2 <sup>nd</sup> offence) *       |
|                    | 75,000                     | NIL (1 <sup>st</sup> offence) *       |
| CLASS 5            | 75,000                     | NIL                                   |

\*An offence shall remain on the record of the offender for a period of two (2) years

2. Notwithstanding the maximum fines set out in paragraph 1 of this Schedule, a person who has not in a period of two years or more immediately preceding the date of the race on which the sample taken from the horse was tested positive and within which the person found to be in breach of Rule 247B held a valid licence from the Commission been found to be in breach of any Rule involving a Prohibited Substance shall not be liable to a fine exceeding Seventy Five Thousand Dollars (\$75,000), providing that such person found to be in breach of Rule 247B is liable for no more than one positive finding on the race day in question.

3. Subsection 2 of this Rule shall not apply to breaches of Rule 247B where the classification level of the substance is either Class 1 or Class 2 pursuant to the Sixth Schedule.

#### **SIXTH SCHEDULE**

For the purpose of the Fifth Schedule to these Rules, the following types of substance shall be placed in each category:

1. **Class 1** All substance which have no generally accepted medical use in the racing horse and their pharmacological potential for altering the performance of a racing horse is very high. Accordingly, this class comprises all opiates, opium derivatives, synthetic opioids, psychoactive substances, amphetamines, United States Drug Enforcement Agency scheduled I and II drugs and substances which are potent stimulants of the central nervous system.

2. **Class 2** substances have a high potential for affecting the outcome of a race. Most are not generally accepted as therapeutic agents in the racing horse. Many are products intended to alter consciousness or the psychic state of humans and have no approved or indicated use in the horse. Some have legitimate use in equine medicine but should not be found in a racing horse. Accordingly, the following groups of substances are placed in this class:

- (a) Opiate partial agonists; or agonist-antagonists;

- (b) Non-opiate psychotropic substance;
- (c) Miscellaneous substances which might have a stimulant effect on the central nervous system;
- (d) Substances with prominent central nervous system depressant action;
- (e) Antidepressant and antipsychotic substances with or without prominent central nervous system stimulatory or depressant effects;
- (f) Muscle blocking substances being those substances that have a direct neuromuscular blocking action;
- (g) Local anaesthetics which have a reasonable potential for use as nerve blocking agents except procaine;
- (h) Snake venoms and other biologic substances that may be used as nerve blocking agents.

3. **Class 3** substances may or may not have an accepted therapeutic use in the horse. Many are substances that affect the cardiovascular, pulmonary and autonomic nervous systems. They all have the potential of affecting the performance of a racing horse. Accordingly, the class shall comprise the following groups of substances:

- (a) Substance affecting the autonomic nervous system which do not have prominent central nervous system effects but which have prominent cardiovascular or respiratory system effects. This class shall include bronchodilators;
- (b) A local anaesthetic which has nerve blocking potential but also has a high potential for producing urine residue levels from a method of use not related to the anaesthetic effect of the substance. Procaine is also included in this class;
- (c) Miscellaneous substances with mild sedative action, as, for example, sleep inducing antihistamines;
- (d) Primary vasodilating/hypotensive agents;
- (e) Potent diuretics affecting renal functions and body fluid composition.

4. **Class 4** comprises primarily therapeutic medications routinely used in race horses. These may influence performances but generally have a more limited ability to do so. This class shall comprise the following groups of substances:

- (a) Non-opiate substances which have a mild central analgesic effect;
- (b) Substances affecting the autonomic nervous system which do not have prominent central nervous system or cardiovascular or respiratory system effects. Without prejudice to the generality of the foregoing, this class shall include:
  - (i) substances used solely as topical vasoconstrictors or decongestants;
  - (ii) substances used as gastro intestinal antispasmodics;
  - (iii) substances used to void the urinary bladder;
  - (iv) substances with a major effect on central nervous system vasculature or smooth muscle of visceral organs.
- (c) Antihistamines which do not have a significant central nervous system depressant effect. This does not include the H2 blocking agents which are included in class 5;
- (d) Mineralocorticoid substances;
- (e) Skeletal muscle relaxants;
- (f) Anti-inflammatory substances which may reduce pain as a consequence of their anti-inflammatory action. Without prejudice to the generality of the foregoing, this class shall include:
  - (i) Non-steroidal anti-inflammatory substances including aspirin-like substances;
  - (ii) Corticosteroids and glucocorticoids;
  - (iii) Miscellaneous anti-inflammatory agents.
- (g) Anabolic and/or androgenic steroids and other substances;

- (h) Less potent diuretics;
- (i) Cardiac glycosides and antiarrhythmic agents. Without prejudice to the generality of the foregoing, these items shall include:
  - (i) Cardiac glycosides;
  - (ii) Antiarrhythmic agents exclusive of lidocaine, bretylium and propranolol;
  - (iii) Miscellaneous cardiogenic substances.
- (j) Topical anaesthetics—agents not available in injectable formulations;
- (k) Antidiarrheal substances;
- (l) Miscellaneous substances including:
  - (i) Expectorants with little or no other pharmacologic action
  - (ii) Stomachics
  - (iii) Mucolytic agents.

5. **Class 5** substances are therapeutic medications for which concentration limits have been established by the Commission as well as certain miscellaneous agents. Without prejudice to the generality of the foregoing, this class shall include all agents which have very localized action only, such as anti-ulcer substances, the anti-coagulant substances and certain anti allergic substances.

6. In cases of doubtful classification, reference should be made to the classification level of violation as listed at the time of the race in respect of which the sample was taken from the horses by the Uniform Classification Guidelines for Foreign Substances as published from time to time by the Association of Racing Commissioners International Inc.

#### **SEVENTH SCHEDULE**

The following shall be the established thresholds currently in effect:

| <b>SUBSTANCE (S)</b>               | <b>THRESHOLD LEVELS<br/>BLOOD/PLASMA</b> | <b>URINE</b> |
|------------------------------------|------------------------------------------|--------------|
| Dimethylsulfoxide (DMSO)           | 1.0ug/ml                                 | 15.0ug/ml    |
| Dipyrone                           | 1000ng/ml                                | 500ng/ml     |
| Flunixin                           | 500ng/ml                                 | 40ng/ml      |
| Ketoprofen                         | 100ng/ml                                 | 100ng/ml     |
| Phenylbutazone/<br>Oxyphenbutazone | 5000ng/ml                                | 165.0ug/ml   |
| Salicylate (Salicylic Acid)        | 6500ng/ml                                | 750.0ug/ml   |
| *ug/ml-mircrogam per milliliter    |                                          |              |
| ng/ml-nanogram per milliliter      |                                          |              |

2. A report of the Racing Chemist which indicates the presence of a substance or its metabolite with a concentration exceeding the established threshold, as set out in subsection 1 of this Rule, shall be deemed a positive finding for a prohibited substance and regulatory action will be initiated by the Commission pursuant to Rule 14A and 207.

**RACING  
COMMISSION**

RACING RULES 1977  
(Revised to June 25, 2009 )