

RULES OF RACING
-
ROYAL SABAH TURF CLUB
-
1 FEBRUARY 2023



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Rules of Racing

TITLE AND APPLICATION

1. These Rules shall be called the Rules of Racing and shall apply to all Pony/Thoroughbred horse races conducted by or under the control of the Club.

INTERPRETATION

2. In these Rules, unless the context otherwise requires:-

“Agent” means a Stable agent of the Owner of a Pony/Thoroughbred horse appointed by a document signed by the Owner and lodged with the Secretary of the Club.

“Amateur” means an unprofessional Rider that wish to ride in Amateurs races.

“Amateur Races” means an exhibition race without Pari-Mutuel wagering.

“Bleeders Test” means a test in which a Thoroughbred horse gallops over a distance of at least a 1000 metres in the presence of a Stipendiary Steward, followed by a clinical examination of the Thoroughbred horse by a Veterinary Surgeon that will include trotting up, auscultation of the heart and lungs and an endoscopic examination of the upper and lower respiratory tracts.

“Course” includes any racecourse and training ground over which the Club has the control and management for the time being.

“Disqualification” means:-

(a) As regards a person that he/she shall not be qualified to subscribe or enter or run or train or ride any Pony/Thoroughbred horse either in his/her own name or in the name of any other person for any race under the Rules.

(b) As regards a Pony/Thoroughbred horse, the horse shall not be eligible to be entered or run in any race under these Rules. Any Pony/Thoroughbred horse which shall be proved to the satisfaction of a Management Committee or Stewards to be under the ownership, care, training, management, or control of any disqualified person shall itself be disqualified.

“Gear” means approved racing equipment worn by a horse during racing and training. Gear includes: Bandages, Boots and other leg wraps.

“Handicap” means a race in which the weights to be carried by the Ponies/Thoroughbred horses adjusted by the Official Handicapper for the purpose of equalizing their chances of winning.

“Investigation” means a thorough process of collecting evidence and testimony for the purpose fact finding to resolve issues that may pose integrity risk.

“Jockey” means a professional Jockey or Apprentice Jockey that is proven to be in proper physical fitness and is licensed by the RSTC.

“Management Committee” means the Management Committee of the Club appointed under the Club’s Constitution.

“Objection” means complaint present to the Stewards after the running of a race.

“Owner” includes part owner, agent and lessee, not in any case being under the age of 21.

“Pari-Mutuel” means a wagering totalisator system for accepting and calculating bets.

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- “Protest” means a written complaint presented to the Stewards prior to the running of a race.
- “Pony” includes a horse, stallion, mare, gelding, colt, and filly, in each case measuring not more than 14 hands or more than 14 hands if permitted by the Management Committee in respect of any particular race under Rule 4.
- “Race” includes match or sweepstake.
- “Racing Year” commences on 1st January and terminates on 31st December of the same year.
- “Retainer” means a fee or salary paid by an employer to a Jockey to retain that Jockey’s services when required and such retention shall terminated at the end of the racing year.
- “Secretary” means the Secretary of the Club appointed by the Management Committee.
- “Stewards” means the Stewards appointed by the Management Committee for a race meeting and include deputies appointed under Rule 5.
- “Suspended” means as regards a person that he/she shall be deprived of such rights and privileges under these Rules, and for such term, as the Stewards or Management Committee may determine.
- “Sweepstake” means a race in which stakes are to be made by the owners of Ponies/Thoroughbred horses entered to go to the winner.
- “Thoroughbred horse” means a horse, stallion, mare, gelding, colt, and filly.
- Words importing the masculine gender include the feminine and words importing the singular number include the plural and vice versa.

RACE MEETINGS

3. All race meetings shall be fixed by the Management Committee and shall be held in accordance with these Rules.
4. All such meetings shall be open to all Ponies/Thoroughbred horses.

STEWARDS OR MEETINGS

5. (1) The Management Committee shall appoint not less than five persons, of whom not more than two shall be Management Committee Members to act as Stewards for any race meeting. A quorum shall consist of not less than three Stewards or deputies and decisions shall be by majority.
- (2) If there are less than three Stewards present at a race meeting, those present shall appoint deputies for that meeting.
- (3) If no Steward is present at a race meeting, the Secretary shall appoint three persons to act as deputies during the absence of the Stewards for that meeting.

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(4) The Chairman of the Club shall be the Chief Steward who shall have a casting vote in addition to his deliberative vote on all matters coming before the Stewards. In the absence of the Chairman, the Stewards shall appoint one of them as Chief Steward.

(5) No Steward shall be disqualified from sitting and deciding on the hearing of any objection by reason of the fact that he is interested in bets on any Pony/Thoroughbred horse in the race, or that he has purchased or drawn any Pony/Thoroughbred horse in the race in any lottery, but no Steward shall be qualified to sit or take any part in the decision of any objection if, in case the objection is upheld any Pony/Thoroughbred horse objected to is owned or leased wholly or partly by him, and in such case the other Stewards shall appoint a deputy who is not similarly disqualified, to act in place of the Steward. If no Stewards are qualified to act, the Secretary shall appoint three persons who are not similarly disqualified to act as deputies to determine the objection.

POWERS AND DUTIES OF STEWARDS AND MANAGEMENT COMMITTEE

6. The Stewards have general authority and supervision over all licensees and other persons in the care of horses. The Stewards are strictly responsible for the conduct of the race meeting.

7. The Stewards shall have full power to require the production of all Entry Forms and other documents and they shall have access to all Stands, Enclosures and other places used for the purpose of the meeting.

8. (1) The Stewards may exclude or remove from the Club's premises.

(a) Any disqualified or suspended person.

(b) Any person warned off the course.

(c) Any person who has been declared by the Club or by the established Racing Authority of any Country to be a defaulter, or to be disqualified, or to have been guilty of any corruption or fraudulent practice or other malpractice in connection with Thoroughbred horse or Pony racing.

(d) Any person who is or is likely to be disorderly.

(2) The Stewards shall not permit an Owner or Trainer to be present at any inquiry except for the purpose of giving evidence as a witness or when his conduct is wholly or partly the subject matter of such inquiry.

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(3) The Stewards or Management Committee may take appropriate action against any person who gives at any inquiry or appeal any evidence which in their opinion is false or misleading in any particular.

9. The Stewards or Management Committee shall have power to regulate and control the conduct of all Officials, Trainers, Jockeys, Riders and other persons in any way connected with any Pony/Thoroughbred horse, and wherever under these Rules they are empowered to disqualify any person (and the power to suspend has not been included) the Stewards may, if they think fit, suspend such person instead of disqualifying.

10. (1) The Stewards shall have power to determine all questions arising in reference to Racing at any Race Meeting.

(2) They shall have power to impose a fine not exceeding RM2,000.00 or suspend or disqualify any person, or disqualify any Pony/Thoroughbred horse for any term.

(3) They shall report all penalties imposed by them to the Management Committee. They shall further report to the Management Committee if they consider any further penalty necessary.

(4) If no decision is arrived at within seven days of a matter being referred to the Stewards, the Secretary shall report the case to the Management Committee who may thereupon decide the matter.

(5) It shall not be compulsory for the Stewards of any meeting to give reasons or explanations for any decision arrived at unless requested to do so by the Management Committee.

11. The Management Committee or Stewards shall have power at any time to order an examination by such person as they think fit of any Pony/Thoroughbred horse which has been entered for or has run in any race or brought to the Club's premises and shall have power to take such saliva, urine or other specimen from any Pony/Thoroughbred horse or to subject the Pony/Thoroughbred horse to such test as the Management Committee or Stewards may consider necessary.

12. The Management Committee shall have power to call on any person entering a Pony/Thoroughbred horse or in whose name a Pony/Thoroughbred horse is entered, to produce proof:-

(a) That the Pony/Thoroughbred horse is not the property either wholly or in part of any person who is disqualified or otherwise not qualified, or

(b) Of the extent of his/her and other person's interest or ownership in the Pony/Thoroughbred horse.

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In default of such proof being given to their satisfaction, they may disqualify such Pony/Thoroughbred horse and the person so making the entry or in whose name the Pony/Thoroughbred horse was entered.

13. In exceptional cases, or where the delay of a previous Race has rendered punctuality impossible, the Stewards may extend the time allowed for weighing, declaring weight, for exhibiting the numbers, and for starting.

14. If the Course is unsafe in consequence of wet weather, or if any urgent necessity arises, the Stewards may from time to time put off any Race, from hour to hour, and subject as herein provided, from day to day, or from week to week or order the cancellation or abandonment of any Race, Race Day or Race Meeting with an immediate report to the Management Committee and if no date is fixed, the Management Committee shall appoint a new date upon which the Race shall be run.

15. Except where by these Rules it is otherwise provided, the powers of the Stewards continue for two months after the Meeting, or such further time as the Management Committee may allow, for all purposes relating to any matter connected with or arising out of that Race Meeting.

16. The Stewards may, at any time, remove any Judge, Starter, Clerk of the Scales or other Official, and appoint a deputy or assistant.

17. The Stewards shall not entertain any disputes relating to bets.

18. If any case occurs which is not, or which is alleged not to be, provided for by these Rules, it shall be determined by the Stewards or by the Management Committee.

19. The decision of the Stewards shall be final in all cases where the penalty imposed is a fine not exceeding RM 1,000.00. In all other cases, the decision of the Stewards shall be subject to appeal to the Management Committee, and notice of appeal accompanied by a fee of RM50.00 will be given to the Secretary within twenty-four hours, Sundays and Public Holidays excepted, of the findings of the Stewards being notified to the person or persons concerned. The Appellant shall within seven days after the decision has been given, Sundays and Public Holidays excepted, submit in writing the grounds of appeal to the Management Committee.

20. There shall be no appeal on questions of fact except by leave of the Stewards.

21. The decision of the Management Committee on any matter, whether on appeal or otherwise, shall be final and shall be subject to no appeal.

22. The Management Committee shall have the power, in the event of one of the scheduled Races of the Programme falling through, of substituting for it another Race, and of adding to it the money saved or any portion of it. It shall have the power of adding to the Programme

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and altering the order in which the Races are to run or the time fixed for starting the first Race, provided notice is given not later than 5.30 p.m. on the day before the Race.

23. The Management Committee shall have the power to enforce all penalties, fines or forfeits provided for in these Rules.

24. If any member of the Management Committee has any interest in any matter under discussion, he shall declare the fact to the Meeting and if so requested by the Chairman shall not take part in the discussion or vote or shall leave the Meeting during the discussion of the matter.

INVESTIGATION

25. The Royal Sabah Turf Club reserves the right to conduct an investigation into matters that pose an integrity risk.

- (1) All licensees under the jurisdiction of the Royal Sabah Turf Club are required to cooperate in any investigation that is being conducted by the RSTC Stewards. Any licensee that refuses to cooperate with an investigation or fails to fully disclose information pertaining to an investigation will be subject to disciplinary action. During the course of an investigation the Stewards at their discretion may request evidence to assist the investigation. Evidence includes but, is not limited to, financial records, phone records, and Veterinary records pertaining to the investigation.
- (2) Mobile phones or other electronic devices that may contain any data pertaining to the investigation may be collected during the course of an investigation. Refusal to turn over mobile phones, open access to the device for investigations or other electronic evidence requested by the RSTC Stewards will be deemed as failure to cooperate.
- (3) All Evidences collected during the course of an investigation will be strictly confidential. No one involved in an investigation may divulge any information or evidence collected during an investigation.

OTHER OFFICIALS

26. The Management Committee shall appoint a Handicapper, a Starter, Judges, Official Measurer, Veterinary Surgeon and such other Officials as it may consider necessary for every Race Meeting and may at any time remove the same. Any temporary vacancy shall be filled by the Stewards.

OFFICIAL HANDICAPPER

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27. The Official Handicapper, in making a handicap, shall allot the weights to be carried in accordance with the definition of a handicap in Rule 2.

28. Any person who is dissatisfied with the weight allotted to his Pony/Thoroughbred horse may state his complaint in writing to the Management Committee. Such complaints must be made not less than 24 hours before the race and the Management Committee will call upon the Handicapper to give such explanation as it may deem necessary.

STARTER

29. (1) The Starter shall obtain from the Secretary a list of runners and the draw for places.

(2) The Starter shall give all orders necessary for securing a fair start from the Starting Stalls.

(3) If the Starter considers that, from any cause, a Pony/Thoroughbred horse is unable to start, he shall at once notify the Secretary so that the number may be withdrawn.

(4) The Starter has full power to remove an unruly Pony/Thoroughbred horse from the Starting Stalls. In the event an unruly Pony/Thoroughbred horse causes undue delay the Starter may recommend that the Stewards order the horse withdrawn.

30. (1) If the Starter considers that through any faulty action of the Starting Gate a fair start has not been effected, he shall declare it "No Start", and order the Jockeys, by means of a re-call flag, to return to the post. The Starter's decision on these points shall be final.

(2) In the event of any Pony/Thoroughbred horse running the course from a false start, or from a void start, the owner may, with the consent of the Stewards, withdraw his Pony/Thoroughbred horse from the race.

31. The Starter has power to impose a fine not exceeding RM100.00 on any Jockey who misconducts himself at the post, and if a Jockey is fined for this case, the Starter shall report the fact at once to the Stewards.

32. The Starter shall report to the Stewards all cases in which he has dispensed with the Starting Gate, or made any notification under Rule 29 (3), his reasons for doing so, the time at which each Race was started, and by whom or by what cause any delay was occasioned.

33. (1) Any Pony/Thoroughbred horse whose entry in the opinion of the Starter should be refused by reason of its vicious or fractious behaviour or other misbehaviour at the Starting Post, shall be reported by him, in writing, to the Stewards with his recommendation for the refusal of its entry at subsequent race meetings. In the event of the Stewards confirming the

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recommendation of the Starter, the Owner shall be informed of the decision, and such Pony/Thoroughbred horse shall be deleted from the Classification List.

- (2) Ponies/Thoroughbred horses that refuse to enter the Stalls shall be treated as follows:-
 - (a) No Pony/Thoroughbred horse will be permitted to start outside the Starting Stalls or other Stalls without the approval from the Stewards.
 - (b) A Pony/Thoroughbred horse that refuses to enter the stalls will not be permitted to race again for a period of one (1) month and will be required to undergo a Starting Stall test.
 - (c) No Pony/Thoroughbred horse will be permitted to enter from the front of the gates of the starting stalls without the approval from the Stewards *(updated on 22nd December 2021)*
- (3) All races shall be started from starting stalls. *(Added on 22nd December 2021)*
 - (a) Should all the starting stalls become defective, the horses may be loaded into the starting stalls with all the front gates open and the Starter shall effect the start by means of a flag provided that in the event of an emergency, and only with the permission of the Racing Stewards, a race may be started with a flag.
 - (b) No horse shall be permitted to start from a stall other than that allotted by the draw unless the Starter has exercised his powers under Rule 33(3c).
 - (c) Should the Starter exercise his power under Rule 30(2) or a horse is withdrawn under Rule 29(3) or for any reason it become necessary for the draw to be amended the Starter shall where possible amend the draw and move the horses inwards so as to retain their relative drawn positions
- (4) Should one or more gates of the starting stalls be faulty or damaged and incapable of repair: *(Added on 22nd December 2021)*
 - (a) where there are sufficient available stalls the horses allocated to the faulty or damaged stall and any other horses shall where necessary be moved to the next available stall so as to retain their relative drawn positions.



- (b) where there are insufficient available starting stalls a horse(s) allocated to a faulty/damaged stall shall be withdrawn.

TESTING FOR THE PRESENCE OF PROHIBITED SUBSTANCES IN HORSES PRESENTED TO RACE

34. The Trainer is responsible for the condition a horse that is presented on course to race. If the findings of an official laboratory determine an analysis of urine or blood test samples or other tests, prove positive showing the presence of any prohibited drug substance, the trainer of the horse may be fined, his/her license suspended. In addition, the owner of the horse and/or stable hand in charge of the horse, or any other person shown to have had the care or attendance of the horse, may face disciplinary action. The owner of a horse is the joint-absolute insurer of and is equally responsible for the condition of the horse entered in a race.

35. Horses that are withdrawn prior to racing or euthanized after racing will be subject to the same testing protocols. Should the Stewards find good reason, the Stewards at their discretion may order any horse to be tested that has been presented on course to race.

36. (1) Horses participating in a Race may, before the Race and, at the directions of the Stewards, be required to undergo a veterinary examination. Horses shall also provide samples for the purposes of testing for the presence of Prohibited Substances.

(2) Horses shall provide samples in the following manner:

(a) After the race, the winning horse, placed horses and any horse, which is required by the Stewards to do so, shall be presented to the post-race sample collection personnel for the collection of the post-race sample(s).

(3) A horse shall be deemed to have failed a pre-race or post-race screening test if any analysis of the horse's sample shows:

(a) The presence, in a sample of its tissues, body fluids, blood or excreta, any substance which is a Prohibited Substance;

(b) The presence of an excessive amount of fluid, or any other substance whether it be a Prohibited Substance or not, which in the opinion of the Stipendiary Stewards, acting on the advice of Veterinary Surgeon, is markedly abnormal and not explained by normal physiological processes; and/or

(c) The presence of any foreign substance that while not confirmed as being a Prohibited Substance, is not an endogenous substance.

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PROVIDED THAT no horse shall be deemed to have failed a post-race screening test if the sole reason for such failure is, as the directed result of any treatment, given (after a race) to the horse that is in distress and/or which requires urgent veterinary assistance, by the Veterinary Surgeon on the authorisation of Stipendiary Stewards.

“Foreign substance” shall mean any substance that is not a normal physiological component of the blood, urine or other bodily substance of a horse.

(4) Horses which fail the pre-race screening test and/or veterinary examination shall not be allowed to start.

(5) Horses which fail the post-race veterinary examination may be issued a test card by the Stipendiary Stewards.

(6) The Trainer, of any horse which has been accepted to run in a Race, or taken part in any Race and:

- (a) Has failed the post-race screening test, shall have committed a breach under these Rules; or
- (b) Has failed the post-race veterinary examination, shall be subject to an inquiry under these Rules if the Stipendiary Stewards, acting on the advice of the Veterinary Surgeon, as so directs.

(7) The Stewards shall conduct an Inquiry into the breach and shall, based on the evidence adduced at such inquiry, reprimand, fine, suspend or disqualify the Trainer.

(8) The Stewards may also disqualify the horse for such period of time as they shall deem fit.

(9) Any person who in the opinion of the Stewards has been a party to the offence may be fined, suspended or disqualified or warned off the Course.

(10) Where appropriate the Chairman and General Manager or Secretary of the Club holding the Race Meeting may make a report to the Police regarding the offence.

(11) Subject to the proviso of Rule 36(3), should an analysis of a specimen taken from a horse that ran in a race disclose the presence of a Prohibited Substance or foreign substance as defined under Rule 36 (3)(c) the horse shall automatically forfeit at 100% of the running stake money, depending upon the Prohibited Substance or foreign substance given, and will be barred from racing for at least 3 months.

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(12) A horse that fails a pre-race and/or post-race screening test conducted by the Forensic Veterinary Laboratory and/or veterinary examination shall be barred from starting any race until clearance is given by the Stipendiary Stewards.

TESTING OF JOCKEYS AND OTHER PERSONS FOR PROHIBITED SUBSTANCES

37. (1) In the Rule, the following expressions shall bear the meanings ascribed to each expression below:

- (a) “Rider” shall include any Rider who presents himself to fulfil a riding engagement in a race or a trial or riding track work.
- (b) “Other Person” shall mean any licensed person or holders of RSTC Passes.
- (c) “Prohibited Substances” shall, in respect of Riders, include substances which fall into the Classes of Prohibited Substances for Riders, or which are included in the List of Prohibited Substances listed from time to time in the Regulations. “Prohibited Substances” shall, in respect of Other Persons, include alcohol, intoxicating substance, any dangerous, prohibited or controlled drug as defined in any written law relating to the misuse or control of drugs, and any other substances which may in the opinion of the Stewards bring the name of horse racing into disrepute.
- (d) “Testing Procedures” shall include the Procedures for Testing Riders for Prohibited Substances, as stipulated by the Club and set out from time to time in the Regulation.
- (e) “Alcohol” at or below a concentration of 0.02% on a breath analyser.
- (f) “Cannabinoids” at or below a concentration of 15 micrograms per litre of urine and 10 micrograms per litre in oral fluid.
- (g) “Dextromethorphan or dextrophanol” at or below a concentration of 500 micrograms per litre in urine and 1 microgram per litre in oral fluid.
- (h) “Ephedrine or pseudoephedrine” at or below a concentration of 200 micrograms per litre in urine and 50 micrograms per litre in oral fluid.
- (i) “Diuretics” at or below a concentration of 500 micrograms per litre in urine.

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- (j) “Codeine” at or below a concentration of 300 micrograms per litre in urine and 30 micrograms per litre in oral fluid.

(2) Any Jockey or Other Persons shall at any time, if required by the Stewards, submit himself to a medical examination. Such medical examination may include the taking of a breathalyser test and the supply of such samples of urine, blood or other bodily fluid as the Club Medical Practitioner may require. Such a Rider or Other Person shall comply with the Testing Procedures shall not invalidate the results of an analysis of any sample unless it casts reasonable doubt on the reliability of the findings or the identity of the provider of the sample.

(3) Any Jockey

- (a) who fails the breathalyser test; or
- (b) whose sample(s), upon analysis, is found to contain any of the Prohibited Substances; or
- (c) who refuses or fails to take a breathalyser test or to deliver a sample, whether of urine or otherwise, when requested by the Stipendiary Stewards; or
- (d) who refuses or fails to comply with any step or measure required by the Testing Procedure or as may be directed by the Stipendiary Stewards or the Club Medical Practitioner
- (e) Shall be stood down from riding Races on that day and shall be suspended from riding for races or riding track work, Barrier Trials, and tests thereafter pending an inquiry being conducted. He shall have committed an offence under these Rules and shall be liable, after due inquiry, to be fined, suspended and/or disqualified.

(4) Any Other Person

- (a) who fails the breathalyser test, or
- (b) whose sample(s), upon analysis, is found to contain any of the Prohibited Substances; or
- (c) who refused or fails to take a breathalyser test, or to deliver a sample, whether of urine or otherwise, when requested by the Stipendiary Stewards; or
- (d) who refuses or fails to comply with any step or measure required by the Testing Procedure or as may be directed by the Stipendiary Stewards or

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the Club Medical Practitioner may be suspended from further performing any of his duties pending inquiry. He shall have committed an offence under these Rules and shall be liable, after due inquiry, to be fined, suspended and/or disqualified.

(5)

- (a) Any Jockey or Other Person under a course of medical treatment prescribed or administered by a Medical Practitioner requiring the injection, consumption, inhalation, insertion or application of a pharmacological agent in normal or recommended quantities entirely for recognised medical purposes other than the treatment of drug addiction or dependency shall, prior to accepting a ride in any Race, Trial or riding track work, make full disclosure to the Stipendiary Stewards of such prescription or administering. The same duty of disclosure shall apply where such pharmacological agent is obtained from any pharmacy and used as “self-prescribed” medication.
- (b) Should a Jockey be given any prescription from a Medical Practitioner after he has been declared to ride in a Race, he shall notify the Stipendiary Stewards of this fact prior to riding in any Race.
- (c) If such a Jockey or Other Person fails to make such full disclosure, the fact that any pharmacological agent is prescribed or administered by a Medical Practitioner shall not absolve such Rider from liability under this Rule if he is found to have committed such an offence.
- (d) The Stewards may request that the Medical Practitioner issue a written clearance confirming the facts disclosed, the medical purposes for which any pharmacological agent was prescribed or administered, and the dosage prescribed or advised.
- (e) Any person who has connived in or abetted the contravention of this Rule shall have committed an offence and may be fined, suspended /or disqualified.

REGISTRATION OF PONIES/THOROUGHBRED HORSES

38. Any Pony/Thoroughbred horse, before being eligible to run under these Rules, shall be registered with the Secretary and classified by the Official Handicapper. Its name shall

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then be placed on the Classification List and must be at least (24) months old, which shall be published from time to time by the Secretary.

39. No Pony/Thoroughbred horse who is disqualified, for the fraudulent conduct of its owner is barred from running in a Race in any place or Country, by the established Racing Authority of such a place or Country shall be registered so long as such disqualification continues.

40. No Pony/Thoroughbred horse that are blind in one (1) eye or suffer from any blindness shall be registered. If any registered Pony/Thoroughbred horse subsequently becomes blind the Secretary shall cancel such registration.

41. The Management Committee may impose conditions for eligibility of Ponies/Thoroughbred horses for Importation and Registration and may vary such conditions from time to time. Imported Thoroughbred horses must have Registration Papers/Passports or Microchip Implant on arrival at the Royal Sabah Turf Club.

42. When a Pony/Thoroughbred horse has been registered, the Secretary shall issue a Certificate to this effect. The following procedure will be adopted by applicants for registration.

- (a) Application for a Certificate of Registration which must be made at least 10 days before the closing of entries for any Trials at which it is proposed to enter the Pony/Thoroughbred horse, must be made on the Club's approved Form and shall contain such particulars as may be required by the Management Committee.
- (b) A registration fee of an amount determined by the Committee and the Club shall be paid at the time the application is lodged which will be refunded if the registration of the Company as a Recognised Company or a person is refused.
- (c) If any incorrect information be furnished with the application for registration of a Pony/Thoroughbred horse, the Pony/Thoroughbred horse may be disqualified and the applicant may be punished by fine, suspension or disqualification.
- (d) Any Pony/Thoroughbred horse who has run exclusively at Race Meetings held outside the jurisdiction of the Club, and under the same name as a Pony/Thoroughbred horse already registered, may be registered and run under the name under which such Pony/Thoroughbred horse had to run, provided that there shall be added to the name so registered the name or initials of the place in which such Pony/Thoroughbred horse last run before entering the jurisdiction of the Club, and such names or initials shall henceforth form part of the registered name of such Pony/Thoroughbred horse.
- (e) No application for the change of name of a registered horse shall be permitted within one (1) year from the date of the original registration, except in the event



of a horse changing ownership after the registration of such a horse or on the order of the Racing Stewards when the name is offensive or has the same pronunciation with other registered horse's name. *(Added on 23rd February 2022)*

- (f) When a Pony/Thoroughbred horse changing Ownership at any time after the date of registration of such Pony/Thoroughbred horse the new Owner shall, immediately apply to the Secretary to register such change of Ownership, and such application shall be accompanied by confirmation thereof from the previous Owner or Owners together with a registration fee of RM10.00 A change in the constitution of a Partnership shall not be deemed to be a change of Ownership within the meaning of this Rule.
- (g) No application for the transfer of ownership shall be permitted within one (1) year from the date of the original registration without the prior approval of the Committee, except in the event of a registration fee of RM500.00 is paid or the death or bankruptcy or annulment of ownership/the Club's membership of the sole owners, the managers or elected representatives of the partnerships or syndicates. *(Added on 23rd February 2022)*

HORSE IDENTIFICATION *(Revised on 23rd December 2021)*

43. All horses when presented to race must be properly and positively identified. Means of identification are either; Microchip Implant or Freeze Branding. In the event that horses are not able to be branded within a period of 2 months after registration due to minimum quota of horses required for branding, photograph will be taken on the front, off-side and near side of the horses for identification. Any horse that cannot be positively identified shall be withdrawn and an investigation into the horse's true identity shall be conducted.

CLASSIFICATION OF PONIES/THOROUGHBRED HORSES

44. Ponies/Thoroughbred horses shall be classified by the Official Handicapper into Classes, the number of Classes to be decided by the Management Committee from time to time.

45. The Official Handicapper shall have power at any time including during a Race Meeting to move a Pony/Thoroughbred horse from Class to Class or from Division to Division at his discretion, and any Pony/Thoroughbred horse moved from Class to Class shall be deemed to be entered for all races remaining to be run in the Class to which such Pony/Thoroughbred horse has been transferred, other than Races for which Handicaps have already been published and shall not be qualified to run in the Class from which it was transferred.

46. At the conclusion of a Race Meeting the Official Handicapper shall notify in writing to the Secretary any alteration in the classification of Ponies/Thoroughbred horses.



MEASUREMENT OF PONIES

47. Owners or their agents having Ponies to be measured shall give notice signed by the owner or his agent to the Secretary of the Club and shall state the name or proposed name of the Pony with its colour, sex and all distinguishing marks, and all such other particulars as the Secretary may require.

48. (1) All Ponies shall be measured by the Official Measurer or Veterinary Surgeon in the presence of one member of the Management Committee who shall confirm the measurement, and when a Pony has been measured and its height determined by the Official Measurer and confirmed by the member of the Committee, the determination shall be conclusive of the height of the Pony so long as the measurement is in force.

(2) The measurement of any Pony of 6 years of age or more shall remain in force for the life of such Pony/Thoroughbred horse.

49. Ponies must be brought for measurement to the place appointed by the Secretary at such time as shall be specified. Owners or Trainers of Ponies not brought for measurement on the date and at the time specified shall, unless good and sufficient reasons are given, be fined a sum not exceeding RM50.00

50. The Official Measurer shall refuse to measure any Pony which is in an unfit state for measurement.

51. The age of a Pony shall, if a Veterinary Surgeon is in attendance, be determined each time it is presented for measurement according to the state of its mouth at that time and without regard to the age determined at a previous measurement.

52. In the measurement of a pony the following Rules shall be strictly observed.

- (a) The Pony shall stand stripped on a perfectly level platform.
- (b) The head shall be held in a normal position. The fore legs from the point of the shoulder, and the hind legs from the back downwards, shall be as perpendicular to the platform and as parallel to each other as the conformation of the Pony allows.
- (c) The Pony shall not be held or touched by any person not approved by the Official Measurer.

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- (d) The withers may be shaved, but the mane must not be pulled down, or the skin of the neck or withers in any way interfered with.
- (e) The measurement shall be made at the highest point of the withers with a standard rod of a pattern approved by the Management Committee and no allowance shall be made for shoes.
- (f) The Official Measurer shall allow each Pony such time for measurement as he may consider reasonable, but no Pony shall be allowed more than 15 minutes.

53. The Club shall keep a register of the Ponies whose age and height have been determined. The register shall contain the name of the owner, the name of the Pony with its colour, sex and all distinguishing marks, and the particulars of age and height determined. The Official Measurer or Veterinary Surgeon and the member of the Management Committee shall sign each entry. The owner of any Pony shall be entitled to a copy of the register of the height of his Pony certified by the Secretary.

54. No person dissatisfied with a measurement can demand as of right a fresh measurement, but an application to re-measure a Pony may be made to the member of the Management Committee at the measurement who may order a re-measurement provided that the application is made at once.

55. The Management Committee may at any time order that any Pony shall be re-measured.

56. The Official Measurer shall report to the Management Committee and also the Secretary of the Club the name and description of every Pony the measurement of which has been refused under Rule 43, with the name of the owner and person presenting it. If the unfit state of a Pony was, in the opinion of the Official Measurer, due to any treatment which it had undergone for the purpose of securing a favourable measurement, the Official Measurer shall report the same to the Management Committee and the Management Committee may direct that such Pony shall not be measured for any period not exceeding twelve months, and that no other Pony belonging to or in the charge of the same owner or any person in any way responsible for the treatment shall be measured for the same period, and the owner and such person shall be liable to be fined by the Management Committee a sum not exceeding RM50.00

57. Any person who knowingly makes a false statement in respect of the particulars required to be furnished in the application referred to in Rule 40 may be disqualified by the Management Committee, for such time as it may think fit or be warned off or be fined at the discretion of the Management Committee.

TRAINERS AND OWNERS

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58.

- 1) Applicants for registration as Owners must be above 21 years of age. They should be in good financial standing and not be bankrupt.
 - a. They do not have any criminal record in Malaysia or in any other country or territory, which is considered by the RSTC to be relevant to his status to be registered as an Owner at the application; and
 - b. The information sated in the application is true and correct.
- 2) A person who has a record of disqualification under these Rules may not be registered for a period of five (5) years from the date of completion of the disqualification;
- 3) Any person who does not authorise or give consent to the RSTC to check on his relevant records or to seek other information relevant to the application, shall not be registered. The registration of ownership shall lapse as soon as a registered Owner fails to have any horses in training under these Rules.
- 4) Owners shall when required inform the Clerk of the Course the names of their Trainers, and such Trainers shall not train on the course without the permission of the Secretary of the Clerk of the Course.
- 5) Owners may appoint a Stable Agent to represent the Owner's interest in all matters pertaining to the responsibility of caring for their horses. No Stable Agent shall have access to prize money or any other funds that are distributed by the RSTC.
- 6) All Trainers and Jockeys shall be subject to the orders of the Secretary and the Clerk of the Course.
- 7) No professionals other than Trainers and Jockeys may work or ride on any Course unless authorised by the Secretary or the Clerk of the Course.

59. The Trainers shall be entitled to 5% of the prize money. All monies payable to Jockeys and Trainers under this Rule shall, if the Management Committee so decides, be deducted from the prize monies by the Secretary, who shall pay over the money so deducted to the persons entitled.

60. In the absence of a special agreement in writing between the Jockey and his employer, the Secretary shall have the power to call upon any Owner to deposit the amount of RM70.00 for each and any Pony/Thoroughbred horse he has entered which fee shall be paid to the Secretary not later than closing time for entries.

61. The Secretary shall collect all fees due to Jockeys, and pay them not later than three clear days after the last day of racing.

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62. If any person fails to pay such fees on the application of the Secretary, he may have his name posted on the Club's notice board as a defaulter and may also be disqualified or suspended by the Management Committee.

63. The Management Committee shall have power to release any Employer or Jockey from his Agreement if it considers there are good and sufficient reasons for doing so.

64. Any person who shall knowingly employ an unlicensed Jockey, or a Jockey who is suspended or disqualified under these Rules, may be fined or disqualified by the Stewards or Management Committee, provided that the Committee may permit any Jockey whose licence has been refused, or who has been suspended, to be engaged in any Training Stable in any capacity.

65. Any person betting with or for any Jockey may be fined, or disqualified, or warned off the course by the Stewards or the Management Committee, and shall also be liable to such other penalties as may be determined by the Management Committee.

66. No person shall be eligible to train or to ride as an Amateur:

- (a) Unless he is a Member of the Club;
- (b) if he receives any fee or reward in money, or is in any way paid for his services for training for any Race or for riding in any Race, other than such travelling and detention expenses provided for in the scale approved by the Management Committee
- (c) Or if, in the opinion of the Management Committee or of the Stewards, he is not a fit and proper person to ride as an Amateur.

67. An Amateur rider wishing to ride in any race in which Professionals are also riding, shall in all cases first obtain permission of the Management Committee.

STABLE AGENT

68. A Stable Agent properly licensed by the RSTC and appointed by a horse Owner may:
- (1) Be fully responsible for the care and training of all horses appointed by the Owner.
 - (2) Can enter, scratch and engage jockeys.
 - (3) A Stable Agent may only represent one (1) Owner or Partnership.

JOCKEYS AND APPRENTICES JOCKEYS

69. (1) No Jockey shall ride in any Race unless he/she is licensed by the Royal Sabah Turf Club.

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- (1) No jockey shall bet or facilitate in the making of a bet or have any interest in a bet on any race.
- (2) Refuse or fail to submit their self to an examination to determine fitness to participate in racing.
- (3) Jockey Licences shall be liable to be suspended or cancelled by the Stewards or the Management Committee for any offence against these Rules, or any misconduct which in their opinion renders the Jockey unfit to hold a licence. Such suspension or cancellation shall be immediately reported to the Secretary, who shall immediately inform the Jockey in writing of such suspension or cancellation
- (4) 59. No Jockey shall become the Owner of, or interested in, any racing Pony/Thoroughbred horse and, upon any breach or disregard of this provision, the Licence of such Jockeys shall become void.

RUNNING AND HANDLING

70. Every Jockey when accepting a mount is obligate to ride that mount to the best of their ability to give their mount an opportunity to gain the best possible placing. In the event that Jockey does not feel confident riding any individual horse, the Jockey must report such to the Stewards immediately and request a Jockey change.

71. A Jockey may be suspended, fined, or disqualified:-

- (a) If he/she is guilty of any act of misconduct, whether on a race course or elsewhere.
- (b) If he/she disobeys the orders of the Stewards.
- (c) If he/she does not forthwith pay any fine or penalty imposed.

72. A Jockey may be suspended, fined or disqualified if he/she shall have any interest directly or indirectly in any wager on any Race.

73. Every Jockey in a Race must wear thoroughly clean dress, and Owners' Colours must be in good condition, otherwise the Stewards may fine the Rider, Trainer or Owner.

74. No Jockey whose Licence is withdrawn or refused or becomes void under Rule 57, may ride Trials or be allowed in any Weighing-room, Stand, Enclosure, Race Course, or Training Ground except with the permission of the Management Committee.

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75. Any Jockey who has been disqualified or suspended, must submit a written Application to the Management Committee for the renewal of a Licence to ride.

76. If a Jockey is disqualified or suspended, any person who has retained him may cancel the Retainer.

77. If, in running for any race, the Jockey or Rider of any Pony/Thoroughbred horse shall cross, jostle, strike, interfere with, or hinder any other Pony/Thoroughbred horse, or the Jockey or Rider thereof, he and the Pony/Thoroughbred horse he/she is riding, and every other Pony/Thoroughbred horse belonging wholly or partly to the same Owner or in the same Stable or Management running in the same Race, may be disqualified even if such cross, jostle, striking, interference, or hindering shall happen by the swerving or boring of the first-mentioned Pony/Thoroughbred horse, or by the foul or careless riding of his Jockey or Rider. In addition, the Stewards may inflict such punishment as they think proper on the Jockey or Rider, Trainer or Owner of the Pony/Thoroughbred horse by way of fine, suspension, or disqualification.

APPRENTICE JOCKEY

(1) Where it is appropriate to do so, an Apprentice shall claim a weight allowance in all races, except where the conditions of the Race specify otherwise.

(2) Every Apprentice shall claim his full allowance unless otherwise permitted by the Stipendiary Stewards. In the case of an apprentice, both Master and Apprentice may be held liable for an infringement of this Rule.

(3) An Apprentice is permitted a weight allowance on the following scale:

(a) 4 kilograms	-	0 - 5 wins
(b) 3 kilograms	-	6 - 10 wins
(c) 2 kilograms	-	11 - 15 wins
(d) 1 kilogram	-	16 – 20 wins

(4) An Apprentice (and his Master) shall file a written report to the Secretary if and when the Apprentice has ridden five (5), ten (10), fifteen (15) and twenty (20) winners as the case may be. In the event of default in such reporting by a Jockey, the Jockey may be fined, suspended or disqualified. In the case of the default in such reporting by an Apprentice, both the Master and Apprentice or either of them may be fined, suspended or disqualified.

(5) The Stewards may fine, suspend or disqualify:

(a) Any Apprentice claiming an allowance to which he is not entitled;

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- (b) Any person in any way concurring in or conniving with an Apprentice making such a claim.

(6) In the event of default under Rule 77 (4) above, the Stewards may also disqualify any horse, which has been ridden in a race by an Apprentice whose weight in the race has been adjusted by an allowance to which he was not entitled, for that race or for a term as may be determined by the Stewards.

(7) An Apprentice Jockey shall be entitled to claim the permitted allowance specified in Rule 77 (3) until two (2) clear days after the day on which he crosses over to the next level of allowance.

WEIGHING OUT

78. Every Jockey or Rider must be weighed for a specified Pony/Thoroughbred horse by the Clerk of the Scales at the appointed place not less than ten minutes before the time fixed for the race, and the numbers shall then be exhibited as soon as possible.

79. When the numbers have been exhibited no alteration or addition shall be made without leave of the Stewards.

80. (1) Every Jockey or Rider who is to ride in the Race shall declare to the Clerk of the Scales the weight his Pony/Thoroughbred horse will carry in the race.

(2) If a Jockey or Rider intends to carry overweight, he must declare the amount thereof at the time of weighing out. But no Jockey except by permission of the Stewards shall be allowed to carry more than 0.5kg overweight.

(3) If he/she is in doubt as to his/her proper weight, he/she may declare the weight he/she intends to carry, and thereupon the Clerk of the Scales shall notify the same with the number of the Pony/Thoroughbred horse.

81. No whip or substitute for a whip, bridle, plates, hood or blinkers or anything worn on a Pony's/Thoroughbred horse's legs shall be allowed in the scales either in weighing-out or weighing-in.

82. A Jockey or Rider shall mount the Pony/Thoroughbred horse to be ridden by him/her in any race within such enclosure or place as the Stewards may appoint and shall not, without the leave of the Stewards, leave the Jockeys' Room or such enclosure before receiving instructions to mount and proceed to the starting post.

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WEIGHING IN

83 Every Jockey or Rider must, immediately after pulling up, ride his Pony/Thoroughbred horse to the place of weighing, and there dismount when ordered by the Secretary or a member of the Management Committee or a Clerk of the Scales, and be weighed by the last named: Provided that if a Jockey or Rider is prevented from riding to the place of weighing by reason of accident or illness, by which her or his pony is disabled, he may be permitted to walk or to be carried to the scales.

84. If a Jockey or Rider does not weigh in or if he dismount before being ordered or touches (except accidentally), any person or thing other than his own equipment before weighing in, his Pony/Thoroughbred horse may be disqualified for the race and the Jockey or Rider, Trainer or Owner may be fined, suspended or disqualified.

85. If a Pony/Thoroughbred horse in a race carries more than 0.5kg over or under its proper or declared weight, the Stewards may disqualify such Pony/Thoroughbred horse unless they are satisfied that such excess of weight has been caused by the weather or accident and without fraud.

86. If a Pony/Thoroughbred horse is led away before the Jockey or Rider has finally weighed in, no article shall be taken off such Pony/Thoroughbred horse for the purpose of being weighed with the Jockey or Rider

STABLE HANDS (SYCES) AND APPRENTICE JOCKEYS

87. (1) A register of Stable Hands (Syces) shall be kept by the Club, and Trainers must register their Stable Hands with the Secretary not later than the 31st day of January in each year. Engagement of any new Stable Hand during the year must be notified to the Secretary immediately.

(2) A Stable Hand may be suspended, fined or struck-off from the Register by the Stewards or Management Committee for any act of misconduct which the Stewards or Management Committee consider to be serious enough to warrant such penalty.

(3) No Owner or Trainer shall engage any Stable Hand without previously referring to his last Employer, and in default may be disqualified or fined.

(4) Any Owner or Trainer continuing to employ any Stable Hand after notice has been served on him that such hand has not fulfilled his engagement with his previous Employer, may be disqualified or fined.

(5) Any Stable Hand leaving his Master before the terms of his engagement are completed may be disqualified or fined.

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88. Any Stable Hand prevented from obtaining employment by the preceding Rule shall have the right of appeal to the Management Committee.

89i. Any Apprentice leaving his employment without the consent of his Master, and any Trainer or Owner engaging or keeping such Apprentice in his service, may be disqualified or fined.

(a) “Apprentice Jockey” means a person who has satisfied the Local Committee that he or she is between the age of eighteen (18) years (or fifteen (15) years if he or she is sponsored) and twenty six (26) years, duly bound for a term of four (4) years and has been licensed by the Local Committee as an Apprentice Jockey, and is serving as apprentice:

(a) With a Home Based Trainer/Owner; and

(b) Has within three (3) months of the date of commencement of apprenticeship and/or the transfer of the apprentice to another trainer of the apprentice (or such further time as the Local Committee may allow) lodged a duplicate or certified copy of the Articles of Apprenticeship in accordance with the approved standard form of agreement

(b)i “Home Based Trainer” means a person who holds a Trainer licence issued by the committee and to whom the Local Committee has allocated stables at the Associated Club.

(b)ii “Home Based Owner” means a person who holds an Owner licence issued by the Committee and to whom the Local Committee has allocated stables at the Associated Club and owns at least 1 horse.

(c) Apprentice Jockey below the age of eighteen must be sponsored by home based trainers or home based owners and be under the responsibilities of the employing Home based horse trainers or Home based horse owners with qualified horse trainers and NOT under the employment of the Club.

(d) Apprentice Jockey below the age of eighteen must complete Form 4 education or equivalent and must be able to read and understand the RSTC’s rules of Racing.

(e) Sponsored Apprentice Jockey must provide the Club an indenture agreement between the apprentice and the employing home based horse trainers/owners which also states that Employing trainers/owners are liable for any damage, loss, or expense to the Club which is caused by their apprentices’ negligence or defiance. The employing trainers/owners must also provide the Club with an indemnity letter to clearly indemnify Club against any liability, damage, loss, or expense during the course of the apprentices’ training and racing.

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(f) The sponsoring owners/trainers of the apprentice jockeys who are under the age of eighteen must provide a copy of consent form by the apprentice's parents/legal guardians for horse riding and racing to the Club

89ii. Sponsored apprentice jockey below the age of eighteen (18) years:

(a) Can only ride horses of the employing Home based horse trainers/owners until the age of 18. Riding other horses for racing will require written permission from the employing trainers/owners or after indenture agreement between the 2 parties has expired;

(b) Can only ride and race in Class 5(or equivalent) and below (Class 6 and Initiation or equivalent) and are not allowed to ride on thoroughbred horses until the age of 17 or they achieved 80 rides in Class 5(or equivalent) and below (Class 6 and Initiation). Must ride at least 8 starts in initiation class before riding in Class 6 and above.

(c) Shall be given, by his employing Trainer/Owner, at least two (2) rides per quarter of each year or part thereof provided the Apprentice Jockey has not been suspended.

(d) Prize money and riding allowances for the apprentices will be paid directly to the employing Home based horse owners or their official representatives.

(e) Transfer of apprentices to another Home based horse trainers/owners must be approved by the Local Committee and all required documents must be submitted to the Club after approval.

(f) Apprenticeship can be suspended or revoked any time by the Local Committee if the apprentice is found to be physically unfit or due to legal or disciplinary reasons.

GEAR

90. All racing gear must be approved by the Stewards prior to being used for racing. Should the Stewards find that unregistered gear is being used, they may impose a penalty for the Trainer or Owner.

(1) Gear Changes

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Trainers or owners wishing to apply new gear or a gear change must first request and receive approval from the Stewards. The Stewards may order the concerned horse to undergo a Barrier Trial for gear changes.

(2) Removal of unapproved or unsafe gear

The Stewards may order the removal of any gear that in their opinion is unsuitable, unapproved or unsafe. Any person found to be responsible for the use of unapproved or unsafe gear may be penalized.

ENTRIES, ENTRY FEES AND LEASES

91. All Entries when forwarded to the Secretary, shall be accompanied by the Entrance Fees from time to time laid down by the Management Committee, otherwise they may be refused.

92. All Entries shall (except as hereinafter provided for) be made on the Entry Forms approved by the Club, and be signed by the TRAINER and handed or sent to the Secretary.

93. All entries must be accompanied by an entry fee, which is set forth by the RSTC. An entry that is not fully paid prior to the close entries will be deemed ineligible under the conditions of the race and will not be drawn into the race.

94. Entries for each Race shall be closed at a time appointed by the Management Committee, and no Entry shall be accepted in any case on any terms after that time.

95. No Pony/Thoroughbred horse shall be entered or run for any Race under a penalty of disqualification for the meeting unless he belongs exclusively to a Member or Members of the Club or is leased to a Member or Members under terms and conditions authorized by the Rules next :

Provided that where a Pony/Thoroughbred horse belongs to a Partnership which has been declared pursuant to Rule 91, the death of a member of the Partnership, as a result of which a share in such Pony/Thoroughbred horse forms part of the estate of the deceased Member, shall not prevent the surviving Members of the Partnership from entering the Pony/Thoroughbred horse for races through its Trainer.

Provided further that when the sole Owner of a Pony/Thoroughbred horse dies the personal representative of the deceased Member shall be entitled to enter the Pony/Thoroughbred horse for races in the name of such personal representative subject to the condition that he is himself a Member of the Club concerned.

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96. Any Member or Members may take a lease of a Pony/Thoroughbred horse provided the following terms and conditions are complied with:-

- (a) The Agreement shall be in writing, and shall set forth the full consideration and the term for which the Pony/Thoroughbred horse is leased.
- (b) The Agreement shall, not later than the termination of the first meeting for which the Pony/Thoroughbred horse is entered after the making of the Agreement, be forwarded to the Secretary.
- (c) If the Agreement at the time of entering a Pony/Thoroughbred horse has not been forwarded to the Secretary three weeks before such entry, a Copy thereof shall be given to the Secretary with the Entry of the Pony/Thoroughbred horse.
- (d) If the Owner or Lesser is not a Member of the Club no agreement for a Lease shall be valid if the amount to be paid to the Owner or Lesser of the Pony/Thoroughbred horse is directly or indirectly contingent on the stakes to be run for in a particular Race or Races and the Entry of any Pony/Thoroughbred horse entered under such an agreement shall be refused.

97. Entries may be made by telephone, Fax or E-mail but they must be confirmed in writing on the Club's forms, posted not later than the day upon which the Entries close. Such Entries though they may be included in the list of Entries published are not to be considered as accepted until written confirmation has been received by the Secretary.

98. In all Entries for a Race, a Pony/Thoroughbred horse must be identified by description as clearly as possible. In every case, the name, class and colour must be stated. In entering any Pony/Thoroughbred horse for a race in which previous winners are penalized, it must be stated whether a Pony/Thoroughbred horse is a previous winner or not. Every Entry must be accompanied by a declaration to the effect that the Pony/Thoroughbred horse entered is the bona fide property of a Member or Members of the Club exclusively and that no one, other than a Member, has an interest in the stakes run for, and in such declaration the name or names of the Owner or Owners and of the Trainer shall be specified.

99. Every Entry shall be made and accepted on the distinct understanding that such Entry shall be deemed a Contract on the part of all concerned to be in all respects bound by and subject to the Rules of the Club for the time being, and to accept in case of dispute the decision of the Stewards or Management Committee as the case may be as final and binding.

100. In the event of any error or omission or irregularity being found in any Entry, the Management Committee may, if it considers such error, omission or irregularity accidental or inadvertent, allow the same to be corrected.

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101. All Ponies/Thoroughbred horses entered must, if required, be shown to the Management Committee for identification at such time and place as it may appoint, before the first day of the Races.

102. When the name of a Pony/Thoroughbred horse is the same as that of any Pony/Thoroughbred horse which has previously been entered in any race held under these Rules, such name shall be distinguished by a numeral II, III. Etc., and the name and the numeral will therefore be the name of such Pony/Thoroughbred horse. The Management Committee reserve the right to refuse to register any such name.

103. Whenever the name under which a Pony/Thoroughbred horse has run at any recognised meeting in any Country is changed, the old names as well as the new name must be given in every entry until the Pony/Thoroughbred horse has run under the new name for a period of six months.

104. When any Pony/Thoroughbred horse has once been Registered or has run in any Country in any name, it cannot be entered or nominated under a new name without due notice having been given to the Secretary. No fee shall be payable for change of name provided notice of such change is given with the original application for registration. The Management Committee reserves the right to refuse to register any name which in its opinion may lead to confusion or which it considers undesirable. Notice of any subsequent change of name can only be given with the permission of the Committee and must be accompanied by a fee of RM10.00 and such permission shall not be given within a period of twelve months from the date of any prior change.

105. All Entries must be made in conformity with the terms of each Race, as set out in the Programme, and, in entering for any Race, where there shall be any particular conditions required as a qualification to start, it shall unless otherwise provided by the terms of the Race be sufficient if the Pony/Thoroughbred horse was qualified at the expiration of the time appointed for the closing of the Entries.

106. Unless at least eight Ponies/Thoroughbred horses, the bona fide property of different owners, are entered for a race, the Management Committee may declare such race void, and in such case the entrance fee shall be returned.

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

108. All Nominations or Entries shall be subject to the approval of the Management Committee, who may decline to accept, and at any time after having accepted, reject any such Nominations or Entries without giving any reason for so doing. If any Nomination or Entry shall be rejected the fees paid in respect thereof shall be refunded.

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WITHDRAWAL OF ENTRY

109. Any Entry may before the time of closing be rectified or withdrawn, but no Entry shall be altered, in any way, after closing, except in cases provided for in Rule 79.

ASSUMED NAMES

110. (1) Every Person shall race in his own name or assumed name.

(2) Every Person or Partnership desirous of Racing under an assumed name or of changing to an assumed name must make an application to the Secretary for the Registration thereof and such Registration shall be subject to the approval of the Management Committee. No Person or Partnership may register as his or their assumed name the real name or assumed name of another Person or Partnership.

(3) On registration of an assumed name a fee of RM10.00 shall be paid.

(4) For changing an assumed name, unless ordered by the Management Committee, a fee of RM10.00 shall be paid.

(5) Registration of an assumed name shall cease to be in force, if the person registering the same has not run a Pony/Thoroughbred horse under such assumed name for a period of two years.

PARTNERSHIP

111. All Partnerships must be declared to the Secretary, in writing, at the time of Entry, and such individual Members of a Partnership must be a Member of the Club. The individuals of every Partnership shall be jointly and severally liable for all demands of the Club against them.

112. In case of a Partnership running a Pony/Thoroughbred horse, the Person entering the same shall be considered the managing Partner and it shall be sufficient if all notices and racing accounts be sent to him.

113. If a Partnership is subsequently dissolved, it must be at once notified to the Secretary, in writing. In like manner, if a Partnership is formed after the date on which entries close, it must be immediately declared to the Secretary, in writing, and its Racing name registered. Any Partnership neglecting to declare their Partnership in writing, as provided above or to

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register their Racing names, shall have their Ponies/Thoroughbred horses disqualified for any and every Race at that Meeting.

RACING COLOURS

114. All Racing Colours must be so designed and described as to be easily distinguishable from all points of view.

115. (1) Racing Colours must be registered with the Secretary and a fee of RM10.00 paid for each set of Colours registered. The Registration shall remain in force for a period of one year to be reckoned from the 1st January next following the date of Registration and must be re-registered yearly thereafter.

(2) Colours not registered must be declared at the time of Entry.

(3) Any person running a Pony/Thoroughbred horse in Colours other than those registered in his/her name or any Colours which he/she has been directed to change may be fined a sum not exceeding RM50.00

ENTRANCE MONEY, STAKES AND FORFEITS

116. A Person entering a Pony/Thoroughbred horse for a Race thereby becomes liable for the entrance money and stake or forfeit.

117. A Pony/Thoroughbred horse shall not be eligible to start in a Race unless there has been duly paid, before weighing out any fee payable in respect of that race.

WEIGHTS, PENALTIES AND ALLOWANCES

118. (1) The top weight allotted in any handicap Race shall not be less than 55 kg.

(2) This rule shall not apply to Races confined to Amateur Riders.

119. Handicaps once published shall be final and may only be amended by the Management Committee.

120. All Handicaps shall be made on the assumption that the Ponies/Thoroughbred horses will be ridden by licensed Jockeys.

121. When any Race is in dispute, both the Pony/Thoroughbred horse that came in first and any Pony/Thoroughbred horse claiming the Race shall be liable to all the penalties attaching to the winner till the matter is decided.

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SCRATCHING

122. No person other than the Stewards may declare a horse withdrawn after Wednesday, 10:00am. Should the Stewards deny such withdraw, the starting of such horse is obligatory. Any person responsible for the failure of any horse to start in a race when the starting of such horse is obligatory may face dispensary action. A Veterinarian may recommend to the Stewards that a horse is unfit to race the Stewards shall honour a recommendation of an official Veterinarian.

123. (1) If after Final declaration, there are less than 6 acceptors(Including Cup and Feature Races, the Management Committee has the right to abandon the race and all the entry fees will be refunded.

(2) Any Pony/Thoroughbred horse may at any time be scratched in respect of a Race if the Veterinary Surgeon or in his absence the Stewards consider that he/she is unfit to run.

(3) The owner of a Pony/Thoroughbred horse which fails to turn up for a Race in which it is entered, shall be liable to a fine not exceeding RM100.00

WEIGHING ROOM

124. Save as herein provided, no Persons (other than the Officials of the Club) shall, without special leave from the Stewards, be admitted to the Weighing Room, except the Owner, Trainer, Jockey or other person having the care of a Pony/Thoroughbred horse engaged in the race.

SADDLING AND WEIGHING, BELLS, ETC.

125. No Pony/Thoroughbred horse shall be saddled for any Race at any Meeting except in the Saddling Stalls provided for that purpose, unless the permission of the Stewards has been obtained.

126. Three bells shall be rung before each race; the 1st for weighing out; the 2nd after the expiration of 5 minutes, for saddling; and the 3rd after interval of not less than 5 minutes, for bringing the Ponies/Thoroughbred horses out. After the Race is over, the 1st bell for every succeeding race shall be rung immediately after the jockeys have weighed in for the preceding Race.

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STARTING

127. (1) All unraced Thoroughbred horses must Barrier Trial TWICE before they are allowed to race under Royal Sabah Turf Club's Rules. Horses that have previously raced in West Malaysia or another Country will need to Barrier Trial once to the satisfaction of the Stewards. The above mentioned horses' Registration Papers/Passports will need to be produced at the Barrier Trials for Registration identification purposes.

(2) Horses that have NOT raced for 6 months or longer must Barrier Trial, before being allowed to race again.

128. Every Owner or Trainer shall have his/her Pony/Thoroughbred horse at the post, ready to start, at the time appointed by the Stewards and every Jockey or Rider shall be there, ready, to start.

129. Any Owner, Trainer, Jockey, or Rider making defaults herein may be fined by the Stewards a sum not exceeding RM100.00

130. No person, other than the Jockey or Rider, shall, without the permission of the Stewards, lead or accompany a Pony/Thoroughbred horse to the Starting Stalls.

131. Every Jockey or Rider shall, unless excused by the Stewards, ride his Pony/Thoroughbred horse past the Judges' box once at least before going to the post to start. If the Stewards are satisfied that after a reasonable endeavour a Jockey is unable to comply with this rule, they may exempt him/her from doing so.

132. Every Jockey or Rider, on arriving at the Starting Stalls, shall come under the Starter's orders as soon as he has been called upon by the Starter to take his place.

133. The Ponies/Thoroughbred horses must be started by the Starter.

134. No Jockey or Rider, when once under the Starter's Orders, shall be allowed to re-weigh or adjust his/her weight unless some accident has occurred, and then only by the permission of the Starter.

135. The Starter may give all such orders and take all such measures as are necessary for securing a fair start.

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136. The Starter shall report to the Stewards any Jockey or Rider disobeying his orders, or attempting to take, or taking, an unfair advantage.

DEAD HEATS

137. When Ponies/Thoroughbred horses run a dead-heat, the dead-heat shall not be run off.

138. Each Pony/Thoroughbred horse that divides a prize for first place shall be deemed a winner.

139. In the case of a dead-heat for first place account shall be taken only of the amount which the Pony/Thoroughbred horse has gained for his owner after the prizes have been divided in accordance with Rule 137 infra.

140. When two Ponies/Thoroughbred horses run a dead-heat for first place all prizes to which the first and second Ponies/Thoroughbred 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 dead-heat is run.

141. When a dead-heat is run for second place and an objection is made to the winner of the race and sustained, the Ponies/Thoroughbred horses which ran the dead-heat shall be deemed to have run a dead-heat for first place.

142. 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 Prize to the other Owner or Owners.

HORSES WHICH BLEED

143. (1) Bleeding is defined as the appearance of blood of pulmonary origin at either of both nostrils, irrespective of the quantity, after exercise or Racing.

(2) If a Thoroughbred horse bleeds during a race or during track work, the Trainer shall immediately report the fact to a Veterinary Surgeon and/or a Stipendiary Stewards who shall inform the Secretary of the Royal Sabah Turf Club.

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(3) A Thoroughbred horse that has been declared to be a Bleeder hereunder shall not, without the written permission of the Stipendiary Stewards:

- (a) Be cantered or galloped on the main training tracks of any racecourse for a period of two (2) months after such declaration.
- (b) Be entered for a “bleeders’ test” for a period of three (3) months after such declaration.
- (c) Start in any race for a period of three (3) months after such declaration, and then only after passing the bleeders test.

(4) A Thoroughbred horse that races three times without bleeding after serving the initial three-month ban shall be considered to have reverted to non-bleeder status.

(5) A Thoroughbred horse that suffers a second bleeding attack during training or Racing and has not just prior to such bleeding attack race three times without bleeding shall not, without the written permission of the Stipendiary Stewards:

- (a) Be cantered or galloped on the main training tracks of any racecourse for a period of five (5) months after such second bleeding attack.
- (b) Be entered for a “bleeders’ test” for a period of six (6) months after such declaration.
- (c) Start in any race for a period of six (6) months, and then only after passing the “bleeders’ test.”

(6) A Thoroughbred horse/Pony that races three times without bleeding after having served the six (6) month ban shall revert to non-bleeders status.

(7) A Thoroughbred horse/Pony that suffers a third bleeding attack during training or Racing and had not just prior to such bleeding attack race three times without bleeding shall not, without written permission of the Stipendiary Stewards:

- (a) Be cantered or galloped on the main training tracks of any racecourse for a period of ten (10) months after such second bleeding attack.
- (b) Be entered for a “bleeders’ test” for a period of twelve (12) months after such declaration.
- (c) Start in any race for a period of twelve (12) months, and then only after passing the “bleeders’ test.”

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(8) A Thoroughbred horse/pony that races three times without bleeding after having served twelve (12) months ban shall revert to non-bleeder's status.

(9) A Thoroughbred horse/pony that suffers a fourth bleeding attack during training or Racing without having reverted to 'non-bleeder' status as defined in Rule 143 (3), 143 (5) or 143 (7) shall be permanently banned from Racing.

(10) Notwithstanding the foregoing provisions, the Stewards on receiving a written report from the Veterinary Surgeon, endorsed by the Stipendiary Stewards, shall have the right to refuse entries permanently or for any recommended length of time for any Thoroughbred horse that they may consider to be a serious risk to Racing at any stage.

PROTEST AND OBJECTIONS

144. If a Pony/Thoroughbred horse is not eligible to start, or a Jockey to ride in a race, the fact that such Pony/Thoroughbred horse has run, or Rider ridden, in the race, shall not prejudice or affect the right of any person to lodge a Protest.

145. Any protest made in an objection of a Pony/Thoroughbred horse engaged in a race is made not later than 12 noon on the day of the Race the Stewards may require its qualification to be proved before the Race and, in default of such proof being given to their satisfaction, they may declare he/she disqualified for the Race.

146. Every Protest objection shall be in writing and must be signed by the TRAINER of Pony/Thoroughbred horse engaged in the race, or by his Authorized Agent, Jockey or Rider, and must be made to the Secretary and must be accompanied by a deposit of RM10.00

147. If a Protest objection is dismissed the deposit may be forfeited.

148. No Protest objection on the ground of wrong description or of error or omission in an Entry, except as mentioned in the preceding Rules, shall be received after a race.

149. An objection to a Pony/Thoroughbred horse on the ground of crossing, jostling, striking, interfering with or hindering any other Pony/Thoroughbred horse or Jockey or Rider, or any improper act on the part of its Jockey or Rider, or of its not having run the proper course, or of the race having been run over a wrong course, or of any other matter occurring in the race, must be made (as provided for in Rule 142) within ten minutes after the Winner has weighed in, but notice of intention to object must be made to one of the Stewards or the Secretary or the Clerk of Scales before the Jockey or Rider of the Pony/Thoroughbred horse whose Owner, authorized agent of the Owner, Trainer, Jockey or Rider, prefers the objection, is weighed in, and such notice may be given either verbally or in writing.

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150. In any other case, an objection shall be made in writing as aforesaid, before the conclusion of the Meeting.

151. An objection may also be made by a Steward in his official capacity without any deposit.

152. If an objection to a Pony/Thoroughbred horse that has won or been placed in a Race be declared valid, the Pony/Thoroughbred horse may either be disqualified for the race, or if the objection upheld is in respect of an interference in the race with the chance of any Pony/Thoroughbred horse placed by the Judges, the Stewards may, if they think fit, place the Pony/Thoroughbred immediately after any Pony/Thoroughbred horse whose chance has in the opinion of the Stewards been interfered with.

153. An objection cannot be withdrawn without leave of the Stewards.

154. All expenses in relation to determining an objection or conducting an Inquiry shall be paid by such person or persons and in such proportions as the Stewards shall direct, and in default of such payment such person or persons shall be and remain disqualified until such payment is made.

155. Pending the determination of an objection, any money or prize which the Pony/Thoroughbred horse objected to might have won or may win in the race shall be withheld until the objection is determined.

156. If the money or prize has been paid over prior to the due lodgement of an objection, and such objection is sustained, the person ultimately declared to be entitled to such money or prize shall have no claim or remedy therefore against the Stewards or the stakeholder or the Club but shall be entitled to recover the same from the person to whom such money or prize has been paid; and if such last-mentioned person shall, within one month after the decision of such objection, fail to pay such money or prize to the person declared to be entitled thereto, he shall be disqualified.

157. Until an objection is determined, each Pony/Thoroughbred horse in respect of which the money or prize is claimed shall be deemed a winner thereof.

PRIZES AND VALUE OF RACES

158. All moneys and prizes advertised by the Club shall be handed over to the persons entitled by the Secretary within one month after the races unless an objection is pending.

CORRUPT PRACTICES

159. Any person who corruptly or fraudulently:-

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- (a) gives or offers to give, directly or indirectly, any money, present or wager in any form to any person having official duties in relation to any Race or Race Pony/Thoroughbred horse, or to any Trainer, Jockey, Rider, agent or to any other person having charge of or access to any Race Pony/Thoroughbred horse;
- (b) having official duty in relation to any Race or Race Pony/Thoroughbred horse, or being a Trainer, Jockey, Rider, agent or other person having charge of or access to any Race Pony/Thoroughbred horse, accepts or offers to accept, directly or indirectly any money, present or wager in any form;
- (c) enters or causes to be entered, or starts or causes to be started, for any Race any Pony/Thoroughbred horse which he knows or has reason to believe to be disqualified;
- (d) obtains any information pertaining to any Trial from any person engaged in such Trial, or in the service of the Owner or Trainer of any Pony/Thoroughbred horse tried, or pertaining to any Pony/Thoroughbred horse in training from any person in such service;
- (e) administers, or causes to be administered, or attempts to administer to any Race Pony/Thoroughbred horse, either orally or by hypodermic injection or other method any drug, stimulant or other substance capable of affecting the speed, stamina, courage or conduct of the Pony/Thoroughbred horse;
- (f) on the premises of the Club, has in his possession or custody any hypodermic syringe, drug stimulant or other substance capable of affecting the speed, stamina, course or conduct of a Pony/Thoroughbred horse; or
- (g) Abets, conspires and connives with any person in the commission of any of the above corrupt practices or any fraudulent or malpractices whatsoever in relation to racing.

May be disqualified or suspended for such period as the Management Committee or Stewards may determine or may suffer such other punishment as the Management Committee or Stewards may determine.

160. Any Pony/Thoroughbred horse which has been brought to the Club's premises and is found by the Management Committee or the Stewards to have had administered to it any drug, stimulant or other substance capable of affecting its speed, stamina, courage or conduct may be disqualified for such period as the Management Committee or Stewards may determine.

161. When an Inquiry, the finding in which may affect the placing of a Pony/Thoroughbred horse, has been instituted by the Management Committee or the Stewards or any action is

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taken or about to be taken by the Management Committee or Stewards which in their opinion may lead to such inquiry, any money or prize due to in respect of such Pony/Thoroughbred horse may be withheld pending the result of any such inquiry. In any case where money or a prize has been paid or awarded to a person who is found subsequently by the Stewards or Management Committee not to be entitled thereto by reason of the disqualification of his Pony/Thoroughbred horse or otherwise such money or prize shall be recoverable from the recipient by the Management Committee on behalf of the person who becomes entitled thereto by reason of such finding.

162. When a Pony/Thoroughbred horse which has been brought to the Club's premises and is found by the Management Committee or the Stewards to have had administered to it any substance capable of affecting its speed, stamina, courage or conduct, the Trainer and any other person who in the opinion of the Management Committee or the Stewards was in charge of such Pony/Thoroughbred horse at any relevant time may be disqualified, whether there is any proof of personal complicity or not, for such period as the Management Committee or Stewards may determine.

163. Trainers and persons in charge of a Pony/Thoroughbred horse shall be deemed to have full knowledge of the contents of any substance administered by them to the Pony/Thoroughbred horse.

164. If any Owner or Trainer without the leave of the Management Committee employ, or keep in his employment, any person who is disqualified, during the term of such disqualification, such Owner or Trainer may be fined or warned off the course.

165. Any Pony/Thoroughbred horse which at the time of the disqualification of a Trainer is being trained by him for fee or reward shall be liable to be disqualified if not immediately removed.

166. If a person is disqualified anywhere for any fraudulent practice in relation to a particular Pony/Thoroughbred horse belonging to him, such Pony/Thoroughbred horse shall be disqualified for all races, and such person shall forfeit or return all money or prizes which such Pony/Thoroughbred horse has won in any race after disqualification.

167. If it be proved to the satisfaction of the Management Committee or Stewards that any person is a defaulter in stakes, fines, fees, forfeits, penalties or lotteries held by the Club such person may be disqualified.

168. If any person be guilty of any fraudulent practice with respect to weight or weighing, he shall be disqualified.

169. The certificate of the Management Committee of any recognized Race Meeting or Club that any Owner, Jockey, Rider or other person is a defaulter, or that any person or any Pony/Thoroughbred horse has been disqualified may be received as conclusive evidence of such disqualification.

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FINES

170. When no other penalty is provided by these Rules any person offending against or not complying with their provisions may be fined a sum not exceeding RM3, 000.00

No Appeal against certain decisions

171. Notwithstanding any provision contained in these Rules, no appeal shall lie against:
- (a) any decision declared to be final under these Rules; or
 - (b) any decision of the Racing Stewards in connection with the result of an Objection after the running of a race; or
 - (c) any decision of the Committee or Local Committee in connection with the conduct of a race meeting or race; or
 - (d) any decision of the Committee, Local Committee or Stewards to disqualify any horse found to be in contravention of these Rules; or
 - (e) any decision of the Racing Stewards to disqualify a horse under the provisions of these Rules ; or
 - (f) any Admission of Guilt , in respect of any infringement of any Rule and/or Regulation which is punishable by a maximum fine not exceeding RM1,000; or
 - (g) any decision in terms of the Regulations governing the ‘demerit points system’.

Appeal to the Committee against the decision of the Racing Stewards

172. Unless otherwise provided by these Rules, there shall be a right of appeal to the Committee against a decision of the Racing Stewards hearing a case at first instance, and if there is any appeal, the Racing Stewards may, in their absolute discretion, stay any penalty and/or any other sanction imposed until after the hearing of the appeal.

Quorum for the Committee hearing an Appeal

173. The quorum for the Committee hearing an appeal against the Racing Stewards decision shall be not less than four (4) and the panel shall appoint one of its members to be the Chairman of the panel. The decision at an appeal shall be that of the majority and all

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members of the panel shall have one vote each, except that in the event of a tie the Chairman shall have a casting vote.

Giving Notice of Appeal to the Committee

174.

- (a) A party who wishes to appeal shall lodge a Notice of Appeal to the Committee together with a deposit of RM 2,000 or other sum which may from time to time be notified by the Club, with the General Manager/Secretary of the Club holding the race meeting within forty-eight hours of the findings of the Racing Stewards being notified to the person or persons concerned.
- (b) The appellant shall lodge in writing his Grounds of Appeal within fourteen days, Sundays and public holidays excepted, from the date on which he is notified that the Notes of Evidence of the case are available.
- (c) The Notes of Evidence shall be provided upon payment of a fee, the amount of which shall be notified by the Association. The fee shall be paid to the Club providing the Notes of Evidence and is not refundable.
- (d) In the event of the appeal being withdrawn or disallowed, the Committee may order all, or part, of the deposit to be forfeited.

Appeal to the Racing Stewards against the decision of the Stipendiary Stewards

175. A decision of the Stipendiary Stewards panel shall be subject to appeal to the Racing Stewards.

Panel of Racing Stewards hearing an Appeal

176

- (1) The quorum for the panel of Racing Stewards hearing an appeal, shall be not less than three (3) members of whom, at least one (1) must be a Professional Steward. The Chairman of the panel of Racing Stewards shall be selected by the Local Committee. The decision shall be that of the majority and all members shall have one vote each, except that in the event of a tie the Chairman of the panel shall have a casting vote. A decision reached by majority shall be the decision of the Racing Stewards and shall be announced as such and no reference shall be made then or subsequently to any minority or dissenting view.
- (2) In the event that any one or more of the Racing Stewards or Professional Steward are unable to attend the hearing of an appeal or disqualify themselves for any



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reason whatsoever, or in the event a Professional Steward has yet to be appointed, the vacancy shall be filled by an appointment made by the Local Committee.

- (3) Any member of the Panel who is absent from any part of the appeal hearing shall not take any further part in the appeal. The absence of any member of the Panel, at any stage of the appeal, for any reason whatsoever, shall not invalidate the proceedings nor the decisions of the panel, provided always that the remaining members of the panel otherwise constitute a quorum pursuant to Rule. In the event the remaining members of the panel do not constitute a quorum the remaining members shall grant to the person or persons appearing before the panel the choice of either continuing with the appeal with the remaining members of the panel or having the appeal heard de novo by a reconstituted panel.

Giving Notice of Appeal to the Racing Stewards

177

- (1) Any person who wishes to appeal against the decision of the Stipendiary Stewards:
- (a) Shall, within twenty four (24) hours of the findings of the Stipendiary Stewards being communicated to such person, lodge with the Chief Executive/General Manager or Secretary of the Club, a Notice of Appeal accompanied by a deposit of RM1,000.
 - (b) Shall lodge in writing his Grounds of Appeal within fourteen (14) days, excluding Sundays and public holidays, from the date on which he is notified that the Notes of Evidence and/or Proceedings of the case are available.

Provided that where the decision appealed against relates to careless riding under Rule 77, Notes of Evidence and/or Proceedings of the case shall not be provided and any such person appealing against the said decision shall lodge in writing his Grounds of Appeal at the time of lodging his Notice of Appeal.

- (2) Subject to Rule 177(1), if required by such person, the Notes of Evidence and/or Proceedings shall be applied for at the time of filing the Notice of Appeal and shall be provided upon payment of a fee, which shall be notified by the Association. The fee shall be paid to the club providing the Notes of Evidence and/or Proceedings and is not refundable.)
- (3) The Grounds of Appeal shall consist of sequentially numbered paragraphs with cross-references to the Notes of Evidence of the case, where available, and shall state succinctly:
- the circumstances out of which the appeal arises;
 - the issues arising in the appeal; and

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- The contentions or arguments that are proposed to be put forward by the party filing it and the reasons for those contentions or arguments.
- (4) The Racing Stewards hearing the appeal may, if they deem fit, require the person who has lodged his Grounds of Appeal to:
- submit written clarification on any matter on which the Racing Stewards require clarification at any time; and/or
 - Provide oral clarification on any matter on which the Racing Stewards require clarification at the hearing of the appeal.
- (5) Should a Notice of Appeal or Grounds of Appeal not be lodged within the prescribed time periods, the right of appeal or the appeal, as the case may be, shall lapse provided that the Racing Stewards may, upon written application to them, in their absolute discretion and on such terms and conditions as they may determine, allow the late lodgement of a Notice of Appeal or Grounds of Appeal.
- (6) Any person who has filed a Notice of Appeal or who gives an undertaking to file a Notice of Appeal within the timeframe stipulated under these Rules against a decision of the Stipendiary Stewards may apply for a postponement/stay of operation of any penalty imposed, pending the hearing of the appeal.
- (7) The Panel of Stipendiary Stewards shall have the power, at their absolute discretion, to grant or to refuse to grant such a stay.
- (8) Unless such a stay is granted, an appeal shall not, of its own, operate as a stay of operation of any penalty imposed.

Conduct of Appeal Hearings

178

- (1) The Committee or the Racing Stewards, as the case may be, hearing an appeal (hereinafter referred to as the “appellate body”) may conduct the hearing, and/or may adjourn the hearing of appeals on such terms and conditions as it deems fit.
- (2) The appellate body may, if it deems fit, adjourn the hearing to consider the evidence and the arguments of the parties, and give its decision at a later date.

Parties entitled to legal representation

179. A party to an appeal shall be entitled to legal representation at his own cost.

Appeals to be by way of a rehearing

180. Save with leave of the appellate body: -

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- (a) All appeals shall be heard by way of a rehearing.
- (b) The parties to an appeal shall be bound by and confined to the notes of the proceedings, where available, recorded before the panel of Stipendiary Stewards who dealt with the matter which is the subject of the appeal.
- (c) The parties to an appeal shall not be entitled to introduce new evidence.
- (d) The appellant shall not raise a ground of appeal not set out in the Notice of Appeal.

Powers of the Appellate Body

181

- (1) The appellate body hearing an appeal shall have the following powers:
 - (a) to allow the appeal;
 - (b) to dismiss the appeal;
 - (c) to make any ruling, or substitute any finding or decision as it deems fit, including enhancing the penalty imposed by the Stipendiary Stewards;
 - (d) to make such order as, in its opinion the circumstances of the case may require including any order to remit the matter for the receiving of further evidence or an order for the hearing of the inquiry de novo;
 - (e) to hear further evidence or receive any documents on such terms and conditions as it in its discretion may decide;
 - (f) to substitute a lesser charge or charges for the existing charge, provided that the appellant is read the new charge and be allowed to plead to the new charge, and adjudicate on such new charge;
 - (g) in the event of the appeal being dismissed, the Racing Stewards may make such orders it deems appropriate with regard to the appeal including,
 - i) to order the appellant to pay all or a portion of the actual costs and expenses incurred by the Association in connection with the appeal, in addition to any other penalty and/or
 - ii) to order all, or part, of the deposit to be forfeited.
 - (h) To allow an appeal to be withdrawn on receiving a written request from the appellant.

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- (i) in the event of the appeal being allowed or withdrawn, the Racing Stewards may make such orders it deems appropriate with regard to the appeal including,
 - i) to order the appellant to pay all or a portion of the actual costs and expenses incurred by the Association in connection with the appeal and/or
 - ii) to order all, or part, of the deposit to be refunded.

Appellant not appearing at the Hearing

182. Any party to an appeal shall be entitled to be present at the hearing of the appeal. If however the appellant fails to appear at the hearing of the appeal, the Committee or the Racing Stewards, as the case may be, may proceed with or dismiss or adjourn the matter and make such orders it deems appropriate with regard to the appeal.