

THE JAMAICA RACING COMMISSION ACT

DELEGATION OF FUNCTIONS
(under section 26(1))

(Omitted)

RULES
(under section 22)

The Jamaica Racing Commission Rules, 1977

L.N. 336A/77
(Omitted)

REGULATIONS
(under section 29)

The Jamaica Racing Commission (Racecourse) Regulations, 1981

L.N. 163/81

The Jamaica Racing Commission Regulations, 1993

L.N. 87A/93

The Jamaica Racing Commission (Prescribed Forms) Regulations, 2005

L.N. 15F/2005

RULES
(under section 29)

The Jamaica Racing Commission (Appeals) Rules, 1972

L.N. 410C/72
85/80
105A/93
99D/95
160/2000
62A/2004

THE JAMAICA RACING COMMISSION ACT

REGULATIONS
(under section 29)

THE JAMAICA RACING COMMISSION (RACECOURSE) REGULATIONS, 1981

(Made by the Jamaica Racing Commission and approved by L.N. 163/81
the Minister on the 8th day of June, 1981)

[18th December, 1981.]

1. These Regulations may be cited as the Jamaica Racing Commission (Racecourse) Regulations, 1981.

2. In these Regulations—

“Act” shall mean the Jamaica Racing Commission Act and any Act altering, amending or replacing the same;

“authorized officer” means in relation to any of the powers of an authorized officer under the Regulations, a person appointed by the Commission under section 24 of the Act to exercise such power and any person employed or appointed by the licensee of the racecourse and any person employed by any firm or company retained by the licensee of the racecourse from time to time for the purposes of maintaining order and security at the racecourse;

“traffic sign” includes any speed limit sign, any mark on the surface of a roadway, any signal, whether an automatic electric signal or otherwise, warning sign post, direction post and sign or other device for the guidance or direction of persons using the roadways in a racecourse, which the Commission causes or permits to be placed on or near any such roadway.

3. Within a racecourse the following acts are prohibited—

- (i) obstructing or interfering with the proper use of the racecourse;
- (ii) obstructing any person acting in the execution of his duty in relation to the racecourse;
- (iii) remaining on the racecourse after having been required by a constable or an authorized officer to leave or being on or entering or attempting to enter the racecourse

THE JAMAICA RACING COMMISSION (RACECOURSE)
REGULATIONS, 1981

after his presence on the racecourse has been forbidden by the Commission or an authorized officer or on his directions;

- (iv) allowing any vehicle or animal to be on the racecourse after being required by a constable or an authorized officer to remove it or after its presence on the racecourse has been forbidden by the Commission or an authorized officer or on his directions;
- (v) without the requisite permission being on or entering or attempting to enter or remaining on any part of the racecourse access to which is restricted or prohibited under any of the Racing Rules;
- (vi) tampering or interfering with any racehorse or anything used in connection with any racehorse;
- (vii) smoking in or otherwise bringing or lighting any naked light into or in any place where any such act is prohibited by notice;
- (viii) any act causing or tending to cause an outbreak of fire;
- (ix) throwing, leaving or dropping anything capable of causing injury to any person, animal or property;
- (x) climbing any wall, fence, barrier, railing or post;
- (xi) wilfully giving a false fire or ambulance alarm;
- (xii) any breach of or failure to comply with the Racing Rules or any order or direction given thereunder or in pursuance thereof;
- (xiii) driving or placing a vehicle carelessly or dangerously or without due consideration for persons using the racecourse;
- (xiv) the use of a horn or any vehicle without a noise muffler in any stable area in the racecourse;
- (xv) failure by the driver of a vehicle to stop when required by a constable or an authorized officer to do so;
- (xvi) failure by the driver of a vehicle which is involved in an accident to give his name and address and the name

- and address of the owner of the vehicle to any person having reasonable grounds for requiring them;
- (xvii) failure by the driver of a vehicle to obey a traffic sign or to comply with any direction for the regulation of traffic given by a constable or an authorized officer;
 - (xviii) parking a vehicle elsewhere than in a place provided for that purpose and in the manner required by a constable or an authorized officer;
 - (xix) failure by the person in charge of a vehicle to remove it from any place provided for the purpose of parking when required by a constable or an authorized officer to do so;
 - (xx) loading a vehicle with passengers or goods or unloading passengers or goods from a vehicle elsewhere than in a place provided for that purpose;
 - (xxi) driving a motor vehicle on any roadway in a racecourse at a speed greater than fifteen miles per hour or such other speed as may be prescribed by a traffic sign;
 - (xxii) using any obscene or indecent language;
 - (xxiii) indecent or disorderly behaviour;
 - (xxiv) dropping or leaving litter except in a receptacle provided for the purpose;
 - (xxv) failure to comply with directions given by any authorized person or any Steward or official of any race meeting acting in the execution of his duties.

4. Within a racecourse the following acts are prohibited unless the permission of an authorized officer appointed for that purpose has first been obtained—

- (i) entering or leaving the racecourse or any building or enclosure thereon otherwise than through a gate or entrance for the time being provided for that purpose;
- (ii) entering any part of the racecourse to which members of the public are not for the time being admitted;
- (iii) removing, displacing, damaging, defacing or altering any building, structure, traffic sign, notice or other thing whether movable or immovable forming part of or provided for or in connection with the racecourse;

*THE JAMAICA RACING COMMISSION (RACECOURSE)
REGULATIONS, 1981*

- (iv) the keeping of or use of or causing or suffering or permitting to be kept or used animals other than horses registered with the Commission;
- (v) selling or distributing anything, offering anything for sale or hire, or making any offer of services (other than taxicab services);
- (vi) driving a vehicle elsewhere than in a place provided for the passage or accommodation of such a vehicle;
- (vii) lighting a fire elsewhere than in a place constructed for that purpose and approved by an authorized officer;
- (viii) the stabling of horses and conducting the exercising and training of horses otherwise than in accordance with conditions laid down from time to time by the licensee of the racecourse.

THE JAMAICA RACING COMMISSION ACT

REGULATIONS
(under section 29)

THE JAMAICA RACING COMMISSION REGULATIONS, 1993

*(Made by the Racing Commission with the approval of the
Minister on the 5th day of May, 1993)*

L.N. 87A/93

[1st July, 1993.]

1. These Regulations may be cited as The Jamaica Racing Commission Regulations, 1993.

LICENCES

2.—(1) An application for the grant, transfer or renewal of a licence to operate a racecourse shall be made to the Minister in the form set out as Form No. 1 in the First Schedule.

First
Schedule
Form No. 1.

(2) Such application as aforesaid shall be made by the applicant and shall contain a statement showing the names, business occupations and post office addresses of the applicant and where the applicant is a body corporate shall include the names, business occupations and post office addresses of those persons who are directors of or members of the committee of management and the secretary of the body corporate.

(3) There shall be forwarded with such application—

- (a) the appropriate fee specified in the Second Schedule;
- (b) a Banker's reference or such other suitable reference as may be acceptable to the Minister as to the financial stability of the applicant and where the applicant is a body corporate as to the financial stability of each of the persons who is a director or a member of the committee of management and secretary of the body corporate and of each person who is a shareholder of the body corporate and who is the owner of five *per centum* or more of the issued shares in the body corporate;

Second
Schedule

- (c) character references of each applicant or where the applicant is a body corporate of each person who is a director or a member of the committee of management and secretary of the body corporate and of each person who is a shareholder of the body corporate and who is the owner of five *per centum* or more of the issued shares in the body corporate;
- (d) where the applicant is a body corporate, a copy of the rules, bye-laws, Memorandum and Articles of Association (as the case may be) of the body corporate and a copy of the certificate of incorporation or of registration together with a statement showing the authorized capital, the issued capital, the paid-up capital and a list of the names, business occupations and post office addresses of each person who is a shareholder of the body corporate and who is the owner of five *per centum* or more of the issued shares of the body corporate and the number of shareholders who own less than five *per centum* of the issued shares. Such statement and list shall be certified by a person who is qualified for appointment as auditor of a company which is not a private company or of a private company which is obliged to file accounts;
- (e) where the applicant is a subsidiary of another company (as is defined in the Companies Act) a statement giving complete details of the interest of such other company in the applicant and all matters and things relating to such other company which would have been required by paragraph (2) of these Regulations if such other company had been the applicant save and except the fee;
- (f) the names and addresses of the auditors of the applicant;
- (g) the names and addresses of the Attorneys-at-Law of the applicant;
- (h) the names and addresses of all banks with whom the applicant has done banking business over the period of two years prior to the date of the application;
- (i) a statement showing the names and addresses of all lenders, mortgagees, debenture holders and others who have agreed to provide or who it is proposed will provide the loan finance with full particulars of the amount and terms of each such loan.

3. There shall also be forwarded with such application—

- (a) a statement giving details of the estimated cost of the racing plant to be constructed and the facilities or where the plant is in existence at the date of the application the details of the programme over the period for which the licence is applied for refurbishment, renovation and upgrading of the existing facilities at the plant and a general description of such plant, and of the site or location of such plant or proposed racing plant including its acreage;
- (b) a statement of the plan of financing of the enterprise or proposed enterprise;
- (c) a statement in regard to the period for which the licence to operate a racecourse or any renewal thereof is applied.

4. A licence granted by the Minister to operate a racecourse or the renewal thereof shall be for such period as the Minister shall, at the time when the application is granted, specify.

5. It shall be a condition of the grant of every licence to operate a racecourse or the renewal or transfer thereof that the holder during the period of the licence shall—

- (i) be bound by and comply with the provisions of the Jamaica Racing Commission Act, the Racing Rules and all Regulations made pursuant to the Act;
- (ii) permit each member of the Commission, every person to whom any functions of the Commission have been delegated under the Act, every person who is an authorized person under the Act and each person who is an employee or agent of the Commission so authorized in writing by the Commission to enter the racecourse and every part thereof at all reasonable times;
- (iii) comply with the plan for the construction or refurbishment or renovation or upgrading of the facilities at the racecourse as approved by the Commission and submit for the approval of the Commission any change in such plan;
- (iv) submit to the Commission—
 - (a) a complete record of all transfers of shares;
 - (b) a record of amounts paid to the holder of the licence for the issue of shares and other capital contributions and the dates thereof;

- (c) a record of all dividends declared or paid and distributions declared or made by the holder of the licence to each shareholder;
 - (d) the names and addresses of the holders' auditors, corporate Attorneys-at-Law and bankers;
 - (e) for approval, copies of all management, service, supply, purchase, lease, rental, franchise or agency contracts and all information relating to the terms of the contracts or contracting parties that shall be required from time to time by the Commission;
 - (f) copies of the minutes of each general meeting held by the holder of the licence;
 - (g) for prior approval, copies of all transfers or series of contemporaneous transfers of five per cent or more of shares in the holder of the licence together with full details of any such proposed transfer or transfers and any information relative thereto which may be required by the Commission;
- (v) furnish to the Commission within ninety days after the close of its fiscal year eight copies of the holder's annual audited accounts comprising a balance sheet and profit and loss account together with copies of the holder's annual report and annual financial statements;
- (vi) not be a person who acts as a bookmaker or is the holder of a bookmaker's permit or of a betting office licence or of a betting agency permit or where the holder is a body corporate not have any director or member of its committee of management or its secretary or any shareholder who is the owner of five *per centum* or more of the issued shares who is a person who acts a bookmaker or is the holder of a bookmaker's permit or of a betting office licence or of a betting agency permit or a person who is a director or member of the committee of management or secretary or shareholder of a body corporate who acts as a bookmaker or who is the holder of a bookmaker's permit or of a betting office licence or of a betting agency permit;

- (vii) not be disqualified person under the Racing Rules or where the holder is a body corporate not have any director or member of its committee of management or its secretary or any shareholder who is the owner of five *per centum* or more of the issued shares in the body corporate who is a disqualified person under those rules;
- (viii) not be a person whose financial responsibility, experience, character and general fitness are such that the participation of such person in horse racing will not in the opinion of the Commission be consistent with the public interest, convenience or necessity or with the best interests of racing generally in conformity with the purposes of the Act or where the holder is a body corporate the holder shall not have any director or member or its committee of management or its secretary or any shareholder who is the owner of five *per centum* or more of the issued shares in the body corporate who is a person whose financial responsibility, experience, character and general fitness are such that the participation of such person in horse racing will not in the opinion of the Commission be consistent with the public interest, convenience or necessity or with the best interests of racing generally in conformity with the purposes of the Act;
- (ix) be a company whose shares are on offer to the public for acquisition by the public in accordance with the divestment plan already approved by the Government of Jamaica;
- (x) submit to the Commission for approval on or before the last day of February in each year during which the licence is in force, the manner in which the holder of the licence proposes during the financial year, immediately thereafter to fund the holder of the licence's contribution to purses;
- (xi) maintain a special account (hereinafter called "the purse money account") in a bank designated by the holder of the licence (hereinafter called "the designated bank") for the sole purpose of the lodgement of all of the holders' contributions to purses in accordance with the Commission's approval pursuant to paragraph (x);

- (xii) lodge in the purse money account all the holder of the licence's contributions to purses for each race day within five (5) working days of the running of the last race for such day as aforesaid;
- (xiii) authorize the designated bank to make available to the Commission, on demand by the Commission, full particulars of the purse money account and all transactions carried on therein;
- (xiv) permit the Commission, its delegates and authorized persons to inspect the racecourse and all the facilities thereat at all reasonable times so as to view the condition thereof with special consideration for the comfort and safety of the public, of the horses stabled, exercising or entered to race thereat, and of all those whose business requires their attendance thereat and to comply with all lawful directions to remedy all defects and deficiencies made by the Commission, delegates or authorized persons with reasonable despatch;
- (xv) provide a receiving barn until one hour after the last race on each race day with adequate stable room and facilities for the taking of specimens of blood and/or urine from horses for the purpose of analysis;
- (xvi) provide an area in proper condition until one hour after the last race on each day with adequate facilities for the taking of specimens of blood and/or urine from human beings for the purpose of analysis;
- (xvii) install and maintain adequate photo-finish facilities at the finishing line at the racecourse to automatically photograph the finish of races, and to furnish promptly to the Stewards of the meeting and the Commission during the meeting a print of any photo-finish, if so requested;
- (xviii) at all times during races furnish and maintain or cause or permit to be furnished and maintained, at the direction of the Commission, at the racecourse the necessary cameras and equipment to produce motion pictures of every race from start to finish thereof. The films of all such motion pictures shall at all times be available to the Commission, including the use of the same to enable it to perform its regulatory functions;

- (xix) hold and maintain in force at all times a pool betting licence pursuant to the Betting, Gaming and Lotteries Act;
- (xx) furnish and maintain at least one human ambulance and at least one horse ambulance each day that its racecourse may be open for racing horses, equipped, ready for immediate duty and placed in such a location so that no time may be lost in answering calls;
- (xxi) provide, equip and maintain at its racecourse a first aid post equipped with such first aid appliances and material as shall be necessary and shall also provide the attendance of competent registered medical practitioners and registered nurses thereat during the period commencing one hour before the scheduled post time of the first race on each day of racing at the racecourse until one hour after the last race on such day of racing. The holder of the licence shall also provide the attendance of one competent registered medical practitioner at a medical clinic during all periods that its racecourse may be open for exercising horses;
- (xxii) make such sanitary arrangements as baths, showers and toilets for the use of licensed personnel as may be reasonably required by the Commission, the same to be conveniently located on the premises;
- (xxiii) provide and maintain in a sanitary condition on every day on which the public is admitted for betting purposes such adequate toilets and facilities for furnishing food and drinking water for its patrons and persons having business at the racecourse, as may be reasonably required by the Commission;
- (xxiv) provide proper and well located receptacles for separately receiving stable manure and other refuse and such receptacles shall be emptied and their contents removed from the premises daily;
- (xxv) provide an incinerator or other system of disposal approved by the Commission for the disposal of the bodies of dead horses;
- (xxvi) provide and maintain a set of sixteen adequate starting stalls on every race day promoted by it and one unit of adequate starting stalls on every day on which it permits the exercising of horses on its racing strip and the

holder shall have in attendance, whenever the said starting stalls are in use, skilled and qualified men to keep the said starting stalls in good working order, and shall also provide for such periodical inspections thereof as may be reasonably required by the Commission;

- (xxvii) ensure during a race meeting that a veterinary surgeon registered as such under the Veterinary Act is on duty at the racecourse;
- (xxviii) ensure that appropriate arrangements are in place at all times to keep unauthorized persons off the racing strip out of the winner's enclosure and take reasonable steps to eject from the licensed premises any unauthorized person entering on the racing strip or into the winner's enclosure;
- (xxix) provide proper accommodation at the racecourse for the stewards, judges, handicappers, timekeeper and race commentator in positions enabling an uninterrupted view of the entire racing strip, and the location of such accommodation shall be subject to the approval by the Commission;
- (xxx) provide suitable accommodation at the racecourse for members of the Commission in positions enabling an uninterrupted view of the entire racing strip together with a monitor in the compartment enabling the members of the Commission to view and replay the motion picture of each race;
- (xxxi) provide for the post time of the first race on each day of racing at a time not earlier than 11.00 a.m. and not later than 3.00 p.m. subject to the approval of the Betting, Gaming and Lotteries Commission;
- (xxxii) shall, without prejudice to the generality of paragraph (i), obtain the approval of the Commission for the holding of race meetings on the said racecourse and shall pay to the Commission for each day's racing such fee as shall be fixed by the Commission from time to time;
- (xxxiii) pay to the Commission as a contribution to the Benevolent Fund an amount equal to twenty *per centum* (20%) of all uncollected winnings on betting transactions through the totalizator; such amount to be paid on or before the 15th day of March of each year in respect of

the accrued balance as at the end of February in the said year. For the purposes of this paragraph "uncollected winnings" shall be the value of all winning bets remaining unclaimed for a period of two (2) calendar months from the date of the placing of such bets;

(xxxiv) not without the prior approval of the Commission conduct live television broadcasts which are transmitted to the racecourse which is the subject of a licence under these Regulations or premises approved pursuant to section 24 of the Betting, Gaming and Lotteries Act during the hours when the holder of a licence is conducting horse races on the racecourse which the holder has a licence to operate. For the purposes of this paragraph "live television broadcasts" means television broadcasts of horse races conducted overseas or on a racecourse other than the one in respect of which the holder has been granted a licence which are transmitted simultaneously with the running of those horse races;

(xxxv) comply with such other conditions as shall be imposed by the Minister and annexed to the licence.

6. An application for the renewal of a licence to operate a racecourse shall be submitted to the Minister not later than three months preceding the expiration of the licence which it is sought by the applicant to have renewed.

7. A licence to operate a racecourse or any renewal thereof shall be in the form set out as Form No. 2 of the First Schedule.

First
Schedule,
Form No. 2.

8. The fees set out in Second Schedule shall be paid in respect of the matters or things specified in that Schedule.

Second
Schedule.

OFFENCES

9. Any person who assaults, molests, obstructs, hinders or resists or uses any abusive or calumnious language or aids or incites any other person to assault, molest, obstruct, hinder or resist any member of the Commission or any delegate, authorized person or servant of the Commission in the exercise of any of the powers conferred upon them by the Act shall be guilty of an offence against the Act and shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding ten thousand dollars and in default of payment thereof to imprisonment for a term not exceeding twelve months.

10. Every person who deliberately misleads the Commission at any enquiry or is convicted of an offence under paragraph 9 or shall make any false statement in any application for the grant, transfer, or renewal of a licence to operate a racecourse shall be warned off all racecourses or any other place under the control of the Commission in accordance with the authority given under the Act.

11. Where—

- (a) information given to the Commission by or on behalf of the holder of a licence to operate a racecourse is discovered subsequent to the grant of the licence to be false and such information was, in the opinion of the Commission, material; or
- (b) there is a material change in the circumstances relating to the holder of a licence to operate a racecourse or to the information supplied by such a holder of a licence as aforesaid and relied upon by the Commission in the granting of the licence; or
- (c) there is a breach of any of the conditions of the licence to operate a racecourse,

the Minister may suspend or revoke the licence or the terms of the licence may be varied and the holder of the licence shall be liable to such other penalty as shall be deemed fit.

FIRST SCHEDULE

FORM No. 1

(Regulation 2)

THE JAMAICA RACING COMMISSION ACT

THE JAMAICA RACING COMMISSION REGULATIONS, 1993

(Regulation 2)

*Application for (Grant) (Transfer) (Renewal) of a Licence to
Operate a Racecourse*

To the Minister:

I, A.B., (duly authorized in that behalf by *(insert name of body corporate)*), hereby apply (for and on behalf of the said body corporate) for a licence to operate the *(name of racecourse)* and declare as follows—

- (a) That I was born on.....
- (b) That my office (principal office (usual place of residence) *according as the applicant has one or more offices or no office*) is at.....
- (c) That during the five years preceding the date of this application I have been resident as follows—
(insert address at which resident with dates in each case).
- (d) That (I am not) (no director or member of the committee of management of the said body corporate or its secretary or any shareholder who is the owner of five *per centum* or more of the issued shares of the said body corporate is) a person who acts as a bookmaker or is the holder of a bookmaker's permit or of a betting office licence or of a betting agency permit issued by the Betting, Gaming and Lotteries Commission or is a director or member of the committee of management or the secretary or a shareholder in any body corporate which acts as a bookmaker or is the holder of a bookmaker's permit or of a betting office licence or of a betting agency permit issued by the Betting, Gaming and Lotteries Commission.
- (e) (That the said body corporate is incorporated under the laws of Jamaica and has its registered office at.....).
- (f) That (I have) (the said body corporate has) not during the twelve months immediately preceding the date of this application been refused the grant or renewal of a licence to operate a racecourse save as follows) *(insert details of refusals)*.
- (g) That (I have) (the said body corporate has) not been the holder of a licence to operate a racecourse which has been suspended or revoked.
- (h) That (I have not) (the said body corporate has not) (no director or member of the committee of management of the said body corporate or its secretary or any shareholder who is the owner of five *per centum* or more of the issued shares of the said body corporate is a person who) has been convicted of any criminal offence other than a breach of the Road Traffic Act under any jurisdiction.
- (i) That (I have not) (the said body corporate has not) (no director or member of the committee of management or its secretary or any shareholder who is the owner of five *per centum* or more of the issued shares of the said body corporate is a person who) has had a provisional or final order of bankruptcy made against him or an order for compulsory winding up made against it or against any body corporate of which he has been a director or a member of the committee of management or secretary or a shareholder who is the owner of five *per centum* or more of the issued shares of the said body corporate.

FIRST SCHEDULE, *contd.*

2. I enclose the following—

- (a) a statement showing the business occupation and post office addresses of the applicant (or if those persons who are directors or members of the committee of management and the secretary of the applicant and the names, business occupations and post office addresses of each shareholder of the applicant who is the owner of five *per centum* or more of the issued shares in the applicant);
- (b) the fee of \$.....;
- (c) bankers' references;
- (d) character references;
- (e) a copy of the rules, by-laws, Memorandum and Articles of Association, certificate of incorporation or of registration, the authorized capital, the issued capital, the paid-up capital and a list of the names, business occupations and post office address of each person who is a shareholder of the applicant and who is the owner of five *per centum* or more of the issued shares of the applicant and the number of shareholders who own less than five *per centum* of the issued shares of the applicant;
- (f) the names and addresses of the auditors of the applicant;
- (g) the names and addresses of the attorneys-at-law of the applicant;
- (h) the names and addresses of the banks with whom the applicant has done banking business over the period of two years prior to the date of this application;
- (i) a statement showing the names and addresses of all lenders, mortgagees, debenture holders and others who have agreed to provide or who it is proposed will provide loan finance with full particulars of the amount and terms of each such loan;
- (j) a plan of the racecourse or proposed racecourse drawn to scale and the statement referred to in paragraph 3 (a) of the Jamaica Racing Commission Regulations, 1993.

3. I further declare that the applicant will afford facilities to the Jamaica Racing Commission and its authorized persons to carry out further investigations pursuant to section 18 of the Act.

Dated the day of 19

AND I MAKE THIS VOLUNTARY DECLARATION conscientiously believing the same to be true and by virtue of the Voluntary Declarations Act.

FORM No. 2

THE JAMAICA RACING COMMISSION ACT

THE JAMAICA RACING COMMISSION REGULATIONS, 1993

(Regulation 7)

Licence to operate a racecourse

No.

This is to certify that

.....

of

in the parish of

is hereby authorized to operate the racecourse known as

FIRST SCHEDULE, *contd.*

(name of racecourse) situated at

in the parish of

This licence shall be in force from the day of
 19..... and subject to the provisions of the afore-
 mentioned Act and Regulations (and the conditions annexed), shall cease to be in force
 on the day of 19

Dated the day of 19

Minister of Finance.

SECOND SCHEDULE

(Regulation 2)

FEES

Fee on application for licence to operate a racecourse	...	\$ 30,000.00
Fee on grant of licence to operate a racecourse		\$ 70,000.00
Annual fee for licence to operate a racecourse		\$100,000.00
Fee for transfer of licence to operate a racecourse		\$100,000.00.

THE JAMAICA RACING COMMISSION ACT

REGULATIONS
(under section 29)

**THE JAMAICA RACING COMMISSION (PRESCRIBED FORMS)
REGULATIONS, 2005**

*(Made by the Racing Commission with the approval of the
Minister on the 1st day of March, 2005)*

L.N. 15F/2005

[1st February, 2005.]

**1. These Regulations may be cited as the Jamaica Racing Commission
(Prescribed Forms) Regulations, 2005.**

**2. The Forms set out in the Schedule shall be used for the purpose under
the Act.** Schedule.

THE JAMAICA RACING COMMISSION (PRESCRIBED FORMS)
REGULATIONS, 2005

SCHEDULE

FORM 1

JAMAICA RACING COMMISSION

Jamaica Racing Commission (Prescribed Forms) Regulations, 2005

Rule 2 — Form 1

2005

Application
for
Occupational Licences

N.B. Applicant(s) for renewal(s) ONLY, need NOT answer questions 3, 4, 5, 10, and 11

Licence Type (s) required
{Tick appropriate box (es)}

Trainer	☐	New	☐	Renewal	☐
Assistant Trainer	☐	New	☐	Renewal	☐
Jockey	☐	New	☐	Renewal	☐
Apprentice Jockey	☐	New	☐	Renewal	☐
Groom	☐	New	☐	Renewal	☐
Stable Assistant	☐	New	☐	Renewal	☐
Exercise Rider	☐	New	☐	Renewal	☐
Jockey's Agent	☐	New	☐	Renewal	☐

1. Name of (last name).....(Mr./Miss/Mrs.)
Applicant (first and middle names).....

2. Date of Birth..... 3. TRN:

4. Nationality..... 5. NIS No.....

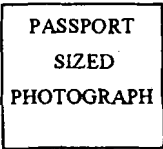
6. Home Address.....

7. Home Telephone No. Cell. No.....

8. Business Address.....

9. Business Telephone No.

10. Are you a Graduate of the Jamaica Racing Commission's
(a) Assistant Trainers' Course Yes... ☐ if so, when....No...☐



SCHEDULE, *contd.*

(b) Jockey's Training School Yes ☐ if so, when.....No ☐

(c) Groom's Training Course Yes ☐ if so, when.....No ☐

11. Have you ever had a licence issued to you.....
If yes, when was the first licence issued to you?..... and what licence
type (s).....
12. Have you ever been licensed in any other Racing jurisdiction?
If so, where and when.....
13. Has/Have your licence(s) ever been revoked, suspended or denied at any time by the
Jamaica Racing Commission or any other racing authority?.....
If yes, state when, the length of revocation or suspension, and reason(s).....
14. Have you ever been convicted of a criminal offence other than a breach of the Road
Traffic Act?.....
If yes, state when and other particulars.....
15. Name of contact person/next of kin.....
(in the event of emergency)
16. Contact person's address.....
.....Telephone No.

I declare that the answers given to the foregoing questions are true and accurate.

I further declare that should a permit be granted to me I agree to be bound in all respects by the
Jamaica Racing Commission Rules 1977 in force from time to time and by all decisions issued
by the Jamaica Racing Commission, its delegates or agents in the course of administering the
said Rules.

I hereby attach the prescribed fees, for the licence (s) requested, in the sum of (\$.....).

I consent and direct that the Jamaica Racing Commission enroll me in the Racing Industry
Insurance Scheme and pay to the "Trustees" on my behalf the sum of (\$.....)
being my premium for membership in the Racing Industry Insurance Scheme, during the
period of the licence(s) sought.

.....
Applicant's Signature

.....
Date

THE JAMAICA RACING COMMISSION (PRESCRIBED FORMS)
REGULATIONS, 2005

SCHEDULE, *contd.*

FOR OFFICIAL USE ONLY

1. Can applicant read and write?.....
2. To what level?.....

Certifying Officer's Signature.....

Date.....

Remarks.....

Operations Stew. J.....

Date:.....

3. Decision of the Licencing Committee:

	Approved	Not Approved		Approved	Not Approved
Trainer	☐	☐	Groom	☐	☐
Assistant Trainer	☐	☐	Stable Asst.	☐	☐
Jockey	☐	☐	Excr. Rider	☐	☐
Apprentice Jockey	☐	☐	Jockey's Agent	☐	☐

4. Remarks.....

Signature

Date

SCHEDULE, *contd.*

**TO BE COMPLETED BY APPLICANT FOR AN ASSISTANT
TRAINER'S GROOM'S AND/OR STABLE ASSISTANT'S LICENCE**

Name of (last name).....(Mr./Miss/Mrs.)

Applicant (first and middle names).....

Date of Birth.....

1. Name (s) of Racehorse (s) groomed by you last year.....

.....

2. Name of Trainer (s) to whom you were licensed last year

.....

3. Name of licensed trainer to whom you will be employed

.....

4. I, Trainer.....**DECLARE** that this applicant is known to me, to be of good character, and therefore would be willing to have him/her as my assistant trainer/groom/stable assistant under the Rules of Racing. I therefore recommend that an assistant trainer/groom/stable assistant licence be granted to him/her.

Signature of Trainer.....

Date.....

SCHEDULE, *contd.*

**TO BE COMPLETED BY APPLICANT FOR
AN EXERCISE RIDER'S LICENCE**

Name of (last name)..... (Mr/Miss/Mrs.)
Applicant (first and middle names).....

Date of Birth.....

Name of the licensed trainers recommending this application and who would
be willing to contract the applicant in the capacity of exercise rider.

- | | |
|---------|-----------|
| 1. | |
| Name | Signature |
| 2. | |
| Name | Signature |
| 3. | |
| Name | Signature |
| 4. | |
| Name | Signature |
| 5. | |
| Name | Signature |

THE JAMAICA RACING COMMISSION (PRESCRIBED FORMS)
REGULATIONS, 2005

SCHEDULE, *contd.*

Signature:.....

Date:

THE JAMAICA RACING COMMISSION ACT

RULES (under section 29)

THE JAMAICA RACING COMMISSION (APPEALS) RULES, 1972

(Made by the Racing Commission with the approval of the Minister on the
16th day of December, 1972)

L.N. 410C/72
Amdt:
L.N. 85/80
105A/93
99D/95
160/2000
62A/2004

1. These Rules may be cited as the Jamaica Racing Commission (Appeals) Rules, 1972.

2. In these Rules, unless the context otherwise requires—

“appellant” means a person whose appeal has been referred to the Commission;

“Chairman” means Chairman of the Commission;

“Commission” means the Jamaica Racing Commission established by section 3 of the Act;

“delegatee” means a person acting in the pursuance of any function delegated under section 26 of the Act.

Preliminary Procedure

3.—(1) Any person aggrieved by a decision given by a delegatee may appeal to the Commission.

(2) A person who wants to appeal shall give notice of appeal in writing to the delegatee (whose decision he is appealing against) within forty-eight hours or in the case of an appeal by a jockey against a suspension within twenty-four hours of the decision of the Stewards being announced, or, when the decision on suspension is announced on a Saturday, within forty-eight hours together with a statement setting out the grounds of his appeal and a deposit of the amount in respect of such appeal specified in the Schedule which shall be forfeited unless the Commission shall decide there were good and reasonable grounds for such appeal.

Schedule.

(3) The delegatee shall refer the appeal to the Commission by sending to the Commission a notice set out as Form No. 1 in the Schedule.

Form No. 1.

4. On referring an appeal to the Commission, the delegatee shall furnish the Commission with copies of the appellant's statement or declaration (if any), all other evidence which has been considered by the delegatee and is relevant to the appellant's case, the decision of the delegatee and any opinion (if any) of the delegatee on the case.

5. If the Commission requires any evidence or further evidence for the investigation of the appellant's case, it shall give to the appellant a notice in writing, in accordance with Form No. 2 as set out in the Schedule, specifying what evidence or further evidence it requires.

Form No. 2.

Hearing

6. The Commission shall fix a date, time and place of the hearing and shall give to the appellant and to the delegatee not less than seven days' notice thereof, together with copies of any report it may have received as a result of its investigations of the appellant's case.

7. Only parties directly concerned in an appeal may be admitted at the hearing thereof.

8.—(1) The Commission shall give the appellant and the delegatee an opportunity to address it, to give evidence, to call witnesses and to put questions to any witness called to give evidence.

(2) If the appellant fails to attend at the time and place fixed for the hearing, the Commission may (after considering any representations in writing submitted to it by the appellant) dispose of the appeal in his absence or adjourn the hearing to a later date.

9.—(1) The Commission may (if practicable) secure the attendance at the hearing of any person from whom it has received a report on the appellant's case and in that case shall give the appellant and the delegatee an opportunity of putting questions to such person.

(2) The Commission may call any other person as a witness and in that case shall—

(a) at the same time as it gives notice of the hearing under rule 6 (or as soon as may be practicable thereafter and in any event not less than five days before such person is to be called) notify the appellant and the delegatee of his name; and

- (b) give the appellant and the delegatee an opportunity of putting questions to him at the hearing.

Decision of the Commission

10.—(1) The decision of the Commission may be taken by a majority thereof and shall be recorded in writing, in accordance with Form No. 3 as set out in the Schedule and signed by the Chairman and shall be communicated in writing to the appellant and the delegatee within fourteen days.

Form No. 3.

(2) The Commission may make such order as to the whole or any part of the costs of an appeal as it shall consider to be just and any such order shall be included in its decision which shall specify the amount of such costs and the person by whom they are to be paid.

Representation

11.—(1) The appellant and the delegatee may, for the purposes of the appeal and any proceedings connected with it, be represented by an attorney-at-law or any other person.

(2) Where the appellant or delegatee is being represented at the hearing of an appeal, notice in writing of the name and address of the representative shall be given to the Commission not less than two days before the hearing of the appeal.

Abandonment of Appeal

12. The appellant may at any time after giving notice of appeal abandon his appeal by notice in writing to the Commission and in that case the Commission shall inform the delegatee of the abandonment of the appeal.

Service of Documents

13. Any notice required by these Rules shall be in writing and all notices and documents required or authorized by these Rules to be sent or given to any person may be sent by registered mail or delivered—

- (a) in the case of a document directed to the Commission or the delegatee, to their respective office addresses; or
- (b) in the case of a document directed to any other person, to his last known address,

and, if sent or given to the authorized representative of the appellant or the delegatee, shall be deemed to have been sent or given him or it (as the case may be).

Expenses

14. The appellant shall bear his own cost and expenses of his appeal.

Time

15.—(1) The Commission may, if it thinks fit, extend the time appointed by these Rules for doing any act and may do so notwithstanding that the time appointed has already expired.

(2) The Commission may in special circumstances reduce the time appointed by these Rules for doing any act, upon the application by the appellant with the agreement of the delegatee thereon.

Miscellaneous

16. The Commission may, if it thinks fit, postpone the day or time fixed for, or adjourn, the hearing of any appeal.

17. Subject to the provisions of these Rules, the Commission may, regulate its own procedure.

SCHEDULE

FORM No. 1

(Rule 3)

THE JAMAICA RACING COMMISSION ACT

THE JAMAICA RACING COMMISSION (APPEALS) RULES, 1972

Notice of Reference

.....hereby refer to the Jamaica Racing
(Delegatee)

Commission the appeal of (name and address of appellant).

Notice of appeal of which a copy is attached, was received by (delegatee) on
the day of , 19

Signed.....
On behalf of (Delegatee)

To the Jamaica Racing Commission

FORM No. 2

(Rule 5)

THE JAMAICA RACING COMMISSION ACT

THE JAMAICA RACING COMMISSION (APPEALS) RULES, 1972

Notice Requiring Evidence or Further Evidence

The Jamaica Racing Commission, to which your appeal has been referred, requires the following evidence (or further evidence) for the investigation of your appeal, which was referred to the Commission on the

day of , 19 :—

(Here state evidence required)

Dated the day of , 19

Signed.....
On behalf of the Commission

Amount of Deposit on the Lodging of an Appeal

- | | | | | | |
|------|--|-----|-----|-----|------------|
| (i) | An appeal from a decision of the First Instance Tribunal appointed by the Commission in the delegation of functions dated the 19th day of October, 1990 or any delegation of functions amending, varying, re-delegating with or without modification or replacing the said delegation of functions | ... | ... | ... | \$5,000.00 |
| (ii) | An appeal from a decision of the Operation Stewards appointed by the Commission in the delegation of functions dated the 14th day of May, 1984 or any delegation of functions amending, varying, re-delegating with or without modification or replacing the said delegation of functions | ... | ... | ... | \$2,000.00 |

(iii) An appeal from a decision of the Chairman, General Management and Director of Finance and Administration of the Commission in matters relating to the delegation of functions dated the 17th day of October, 1985 or any delegation of functions amending, varying, re-delegating with or without modification or replacing the said delegation of functions	\$ 1,000.00
(iv) An appeal from a decision given by the Stewards of a race meeting	\$2,000.00
(v) An appeal from a decision of the Security Tribunal appointed by the Commission in the delegation of functions amending, varying, re-delegating with or without modification or replacing the said delegation of functions	\$2,000.00

FORM No. 3 (Rule 10)

THE JAMAICA RACING COMMISSION ACT

THE JAMAICA RACING COMMISSION (APPEALS) RULES, 1972

Decision of the Commission

The Jamaica Racing Commission to which the appeal of (name of appellant) was referred by (name of delegatee) on (date), having heard the said appeal, has determined that—

- * (1) the appeal be dismissed and the decision of the (delegatee) confirmed.
- (2) the appeal be allowed and the decision of the (delegatee) set aside.
- (3) the appeal be allowed and directs that the proceedings in respect of which the decision (the subject of this appeal) was made, be reconducted by.....
- (4) the decision of the (delegatee) be set aside and substitute therefor the following—

.....
.....
.....
.....
.....

Dated the day of , 19 Chairman.

On behalf of the Commission

*Delete if not applicable.