

THE JAMAICA RACING COMMISSION ACT

DELEGATION OF FUNCTIONS

*(under section 26(1))*

*(Omitted)*

RULES

*(under section 22)*

*(Omitted)*

REGULATIONS

*(under section 29)*

The Jamaica Racing Commission (Racecourse) Regulations, 1981	L.N. 163/81
The Jamaica Racing Commission Regulations, 2016	L.N. 139/2016
The Jamaica Racing Commission (Prescribed Forms) Regulations, 2005	L.N. 157/2005

RULES

*(under section 29)*

The Jamaica Racing Commission (Appeals) Rules, 1972	L.N. 410C/72 85/80 105A/93 99D/95 162/2000 62A/20004
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## 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 the Minister on the 8th day of June, 1981) L.N. 163/81

[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)  
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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;

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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, 2016

(Made by the Racing Commission with the approval of the Minister on the 23rd day of December, 2016)

L.N. 139/2016

*Preliminary*

1. These Regulations may be cited as the Jamaica Racing Commission Regulations, 2016.

Citation.

*Licences*

2.—(1) A person who wishes to obtain or transfer a licence to operate a racecourse shall apply to the Minister in the form set out as Form No. 1 in the First Schedule.

Application for licence to operate racecourse and transfer of licence. Form 1. First Schedule.

(2) An application under paragraph (1) shall include—

- (a) the name, business occupation and post office address of the applicant; and
- (b) where the applicant is a body corporate, the name, business occupation and post office address of every director, the secretary and every member of the committee of management of the body corporate.

(3) The applicant shall submit with the application the following—

- (a) the appropriate fee prescribed in the Second Schedule;
- (b) a banker's reference or such other suitable reference, as may be acceptable to the Minister—
  - (i) where the applicant is a person other than a body corporate, as to the financial stability of the applicant; or
  - (ii) where the applicant is a body corporate, as to the financial stability of—
    - (A) every director or member of the committee of management of the body corporate;

Second Schedule.

- (B) the secretary of the body corporate;
  - (C) every shareholder of the body corporate who is the owner of five *per centum* or more of the issued shares in the body corporate;
- (c) where the applicant is an individual, a character reference for the applicant or, where the applicant is a body corporate a character reference for—
- (i) every director or member of the committee of management;
  - (ii) the secretary;
  - (iii) every shareholder of the body corporate 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, by-laws, Articles of Incorporation, certificate of incorporation or of registration of the body corporate, and a statement of accounts and a report, both 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, showing—
- (i) the authorized capital, the issued capital and the paid up capital of the body corporate;
  - (ii) the list of the names, business occupations and post office addresses of every shareholder of the body corporate who is the owner of five *per centum* or more of the issued shares of the body corporate;
  - (iii) the number of shareholders who own less than five *per centum* of the issued shares of the body corporate;
- (e) where the applicant is a subsidiary (as is defined in the *Companies Act*) of another company (hereinafter called “the parent company”), a statement giving complete details of the interest of the parent company in the applicant and all matters and things relating to the parent company which would have been required by paragraph (3) of these Regulations if the parent company had been the applicant, except the appropriate fee prescribed in the Second Schedule;
- (f) the name and address of the auditor of the applicant;
- (g) the name and address of the attorneys-at-law of the applicant;

- (h) the names and addresses of every bank or other financial institution with which the applicant has done banking business over the period of two years prior to the date of the application;
- (i) the names and addresses of all lenders, mortgagees, debenture holders and any other person who have agreed to provide, or who it is proposed will provide, the loan financing to the applicant, with full particulars of the amount and terms of every loan;
- (j) details of the estimated cost of the racing plant to be constructed;
- (k) a plan of the proposed racecourse drawn to scale or, where the plant is in existence at the date of application—
  - (A) a detailed plan of the racecourse;
  - (B) details of the proposed programme for the refurbishment, renovation and upgrading of the existing facilities at the plant over the period for which the licence is applied for;
- (l) a general description of the plant, including its acreage;
- (m) details of the plan for the financing of the racecourse or proposed racecourse for a period of three years after the grant of the licence; and
- (n) subject to sub-paragraph (4), a Public Health Certificate in respect of the cleaning, disinfection and maintenance of the racecourse.

(4) The Commission may, in its absolute discretion, waive the requirement under sub-paragraph (3)(n) in respect of first time applicants.

3.—(1) It shall be a condition of the grant or transfer of a licence to operate a racecourse that the holder of the licence, during the period of the licence—

Terms and conditions for grant of or transfer of licence.

- (a) shall be bound by and comply with the provisions of the Act, these Regulations, the Racing Rules and any other regulations made under the Act;
- (b) shall permit the following persons to enter every part of the racecourse at all reasonable times, namely—
  - (i) every member of the Commission;
  - (ii) every person to whom any function of the Commission has been delegated under the Act;
  - (iii) every authorized person under the Act; and
  - (iv) every employee or agent of the Commission so authorized in writing by the Commission;



- (c) shall comply with the plan for the construction, refurbishment, 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 the plan;
- (d) shall submit to the Commission—
  - (i) a complete record of all transfers of shares;
  - (ii) a record of amounts paid to the holder of the licence for the issue of shares and other capital contributions and the dates of payment of the amounts;
  - (iii) a record of dividends declared or paid, and distributions declared or made, by the holder of the licence to every shareholder;
  - (iv) any changes in the names and addresses of the holders' auditors, attorneys-at-law and bankers;
  - (v) copies of all management, service, supply, purchase, lease, rental, franchise or agency contracts and all information relating to the terms of the contracts and contracting parties that shall be required by the Commission;
  - (vi) copies of the minutes of every general meeting held by the holder of the licence;
  - (vii) for prior approval by the Commission, copies of all transfer or series of contemporaneous transfers of five *per centum* or more of shares in the holder of the licence, and full details of any proposed transfer and any information relating to the proposed transfer which may be required by the Commission;
- (e) shall furnish to the Commission within ninety days after the close of its financial year, eight copies of the annual report of the licensee which sets out the audited statement of accounts, including a balance sheet and profit and loss statement;
- (f) shall not be a disqualified person under the Racing Rules or, where the holder of the licence is a body corporate, none of the following persons shall be a disqualified person under the Racing Rules, namely—
  - (i) any director or member of its committee of management;
  - (ii) its secretary; or
  - (iii) any shareholder who is the owner of five *per centum* or more of the issued shares in the body corporate;

- (g) shall not be a person whose financial responsibility, experience and general character are such that the participation of the person in horse racing will, in the opinion of the Commission, be inconsistent with the public interest or with the best interest of racing generally or not be in conformity with the Act;
- (h) where the holder is a body corporate, none of the following persons shall be a person whose financial responsibility, experience and general character are such that the participation of the person in horse racing will, in the opinion of the Commission, be inconsistent with the public interest or not be in the best interests of racing generally or not be in conformity with the Act, namely—
  - (i) any director or member of its committee of management;
  - (ii) its secretary; or
  - (iii) any shareholder who is the owner of five *per centum* or more of the issued shares in the body corporate;
- (i) shall submit to the Commission for approval, on or before the last day of February in every year during which the licence is in force, the schedule of races to be run and their respective purses, and the manner in which the holder of the licence proposes during the next financial year to fund these purses;
- (j) pursuant to paragraph (i), shall, subject to the approval of the Commission, 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 purses;
- (k) shall lodge in the purse money account all purse monies for every race day within five working days after the running of the last race for the race day;
- (l) shall 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 in relation to the purse money account;
- (m) shall permit the Commission, its delegates and authorized persons to inspect the racecourse and all the facilities at the racecourse, at all reasonable times, to determine the comfort and safety of—
  - (i) the public;
  - (ii) the horses stabled, exercising or entered to race at the racecourse; and
  - (iii) persons whose business requires their attendance at the racecourse;

- (n) upon an inspection of the racecourse under paragraph (m), shall comply with all lawful directions to remedy any defects and deficiencies identified by the Commission, its delegates or authorized persons, within the time period specified by the Commission;
- (o) shall provide a receiving barn until one hour after the last race on every race day, with adequate stable room, facilities and equipment, and meet all costs associated therewith for the taking of the specimens of blood and urine from horses for the purpose of analysis;
- (p) shall provide facilities for the administration of race day medication as are required by the Commission;
- (q) shall provide a suitable area with adequate facilities, until one hour after the last race on every race day, for the taking of specimens of blood and urine from licensed personnel for the purpose of analysis;
- (r) shall install and maintain adequate photo finish facilities at the finishing line at the racecourse to photograph automatically the finish of races, and furnish promptly to the stewards of the meeting and the Commission during the meeting, a print of any photo finish, if so requested;
- (s) at all times during races, shall 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 video recordings of consistently high quality of every race, from start to finish, and make available to the Commission all video recordings for use as it sees fit;
- (t) shall hold and maintain in force at all times a pool betting licence under the Betting, Gaming and Lotteries Act;
- (u) shall furnish and maintain at the racecourse, at least one human ambulance and at least one horse ambulance from the beginning of every race day, which are equipped and ready for immediate use, and placed in such a location so that no time is lost in answering calls or responding to emergencies;
- (v) shall provide and maintain at its racecourse, a first aid post equipped with the first aid appliances and materials as are necessary, and provide the services of competent registered medical practitioners and registered nurses at the first aid post during the period commencing one hour before the scheduled post time of the first race, on every day of racing at the racecourse, until one hour after the last race on the day of racing, and also

provide the services of one competent registered medical practitioner at a medical clinic located on the racecourse during all periods that its racecourse may be open for exercising horses;

- (w) shall provide written documentation of protocols for the care of horse handlers, including jockeys, grooms, veterinarians and exercise riders, when accidents occur on the racetrack;
- (x) shall provide documented protocols and procedures for the transportation of horse handlers, including jockeys, grooms, veterinarians and exercise riders, to the nearest trauma centre or hospital emergency room, and provide for and defray the costs of admission to the trauma centre or hospital emergency room;
- (y) shall provide the following—
  - (i) medical arrangements or facilities, including a well maintained equine clinic furnished with appliances, equipment and material that allow for the performance of surgery and post mortems in addition to a cold room, recovery room and surgery room;
  - (ii) a full time veterinarian registered under the Veterinary Act to provide veterinary services, including at exercise and on race day;
  - (iii) an emergency veterinary service between the hours of 6 p.m. and 6 a.m.;
- (z) shall make sanitary arrangements such as baths, showers and toilets, which shall be conveniently located in every stable, for the use of licensed personnel, as may be reasonably required by the Commission;
- (za) shall provide and maintain in a sanitary condition on every day on which the public is admitted for betting purposes, adequate toilets and facilities for offering food and drinking water for its patrons and persons having business at the racecourse, as may be reasonably required by the Commission;
- (zb) shall provide proper and well located receptacles for separately receiving stable manure and other refuse; and the receptacles shall be emptied and their contents removed from the premises daily;
- (zc) shall provide an incinerator or other system of disposal, approved by the Commission, for the disposal of carcasses and other medical waste;
- (zd) shall submit to the Commission an annual Public Health Certificate in respect of the racecourse;

- (ze) shall 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 have in attendance, whenever the starting stalls are in use, skilled and qualified persons to keep the starting stalls in good working order, and also provided for periodic inspections of the starting stalls, as may be reasonably required by the Commission;
- (zf) shall ensure that appropriate arrangements are in place at all times to keep unauthorized persons off the racing strip and out of the winner's enclosure and take reasonable steps to eject from the racecourse, any unauthorized person from entering on the racing strip, into the winner's enclosure, into sterile areas or in the stable area;
- (zg) shall carry out, on at least a monthly basis, tests of the depth of the racetrack surfaces at predetermined distances at different points at the racetrack and keep a record of the tests carried out;
- (zh) shall provide adequate security for licensed personnel, including manned security posts and mobile patrols of the racecourse and all facilities at the racecourse;
- (zi) by the 31st day of January of each year, provide documentation of the plan of the security programme for the racetrack, and a security assessment for the previous year that includes—
  - (i) a physical review of the perimeter of the entire compound on which the racecourse is located;
  - (ii) backstretch accessibility review;
  - (iii) licence authentication review, including a Forfeit List and a Warned-off List;
  - (iv) a review of security protocol during exercise period and on race days;
  - (v) review of general security practices; and
  - (vi) proposals from implementation in the ensuing year;
- (zj) shall provide proper accommodation at the racecourse for the stewards, judges, handicappers, time keepers and race commentators in locations that, subject to the approval of the Commission, allow an uninterrupted view of the entire racing strip;
- (zk) shall provide—

- (i) suitable accommodation at the racecourse for members of the Commission in locations that, subject to the approval of the Commission, allow an uninterrupted view of the entire racing strip; and
  - (ii) a monitor in the compartment enabling the members of the Commission to view and replay the video recording of every race;
- (zm) shall provide for the post time of the first race on every 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;
- (zn) shall obtain the approval of the Commission for the holding of race meetings on the racecourse, and pay the prescribed fees to the Commission for every day's racing;
- (zo) shall 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 under 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; and
- (zp) comply with any other conditions imposed by the Minister and attached to the licence.

(2) For the purposes of this regulation, "live television broadcasts" means television broadcasts of horse races conducted overseas 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.

4. A licence to operate a racecourse shall be in the form set out as Form No. 2 in the First Schedule.

Form of licence. First Schedule. Form No. 2  
Fees. Second Schedule.

5. The fees specified in the Second Schedule shall be paid in respect of an application for the grant or transfer of a licence or for any other matter.

6. 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

Grounds for suspension, revocation, or variation of terms of licence.

- (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 the holder of the licence 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, including the provisions of these Regulations.

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

### *Offences*

#### 7. A person who—

- (a) assaults, molests, obstructs, hinders, resists 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; or
- (b) uses any abusive or calumnious language against 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,

commits an offence and shall be liable on summary conviction before a Judge of the Parish Court to a fine not exceeding two hundred and fifty thousand dollars and, in default of payment of the fine, to imprisonment for a term not exceeding twelve months.

#### 8. A person who—

- (a) deliberately misleads the Commission at any enquiry;
- (b) is convicted of an offence under regulation 7; or
- (c) makes any false statement in any application for the grant 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.

Offence of assaulting, molesting, obstructing etc., a member of the Commission or any delegate, etc.

Warning-off racecourse.

FIRST SCHEDULE

(Regulation 2)

Form No. 1

THE JAMAICA RACING COMMISSION ACT  
 The Jamaica Racing Commission Regulations, 2016  
 (Regulation 2)

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

To the Minister:

1. I, A.B. (duly authorized in that behalf by (insert name of body corporate) hereby apply (for and on behalf of the 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) is at  
 .....
  - (c) That my principal place of residence is at .....
  - (d) That during the five years preceding the date of this application, I have been resident as follows—  
 (insert residential address and dates in every case)
  - (e) That the applicant body corporate is incorporated under the laws of Jamaica and has its registered office at .....
  - (f) That  I have not  the applicant body corporate has not during the twelve months immediately preceding the date of this application been refused the grant of a licence to operate a racecourse, save as follows (insert details of refusal)  
 .....
  - (g) That  I have not  the applicant 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 applicant body corporate has not  no director or member of the committee of management or corporate secretary or  any shareholder who is the owner of five *per centum* or more of the issued shares of the 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 applicant body corporate has not  no director or member of the committee of management or no corporate secretary has  no shareholder who is the owner of five *per centum* or more of the issued shares of the applicant body corporate is a person who has had a provisional or final order of bankruptcy made against  me  it  them or an order for compulsory winding up made against any body corporate of which  I  they have been a director or a member of the committee of management or corporate secretary or a shareholder who is the owner of five *per centum* or more of the issued shares of the body corporate.
2. I enclose the following—



SCHEDULE, *cont'd.*

- (a) a statement showing the business occupations and post office addresses of the applicant (including 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 every shareholder of the applicant who is the owner of five *per centum* or more of the issued shares of the applicant);
- (b) The fee of \$.....;
- (c) a banker's reference or such other suitable reference as may be acceptable to the Minister;
- (d) character references;
- (e) (*where the applicant is a body corporate*)—a copy of the rules, by-laws, Articles of Incorporation (as the case may be), 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 every 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. (*Note—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*);
- (f) (*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 the parent company in the applicant and all matters and things relating to the parent company which would have been required by regulation 2(3) of the Regulations;
- (g) a copy of the rules, by-laws, Articles of Incorporation of the body corporate and a copy of any other such document regarding the registration of the body corporate;
- (h) the names and addresses of the auditors of the applicant;
- (i) the names and addresses of the attorneys-at-law of the applicant;
- (j) 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;
- (k) 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 financing to the applicant, with full particulars of amount and terms of every loan. (*This requirement is applicable only where the applicant is a subsidiary of another company (as is defined in the Companies Act)*);
- (l) a plan of the racecourse or proposed racecourse drawn to scale;
- (m) a statement giving details of the estimated cost of the racing plant to be constructed including the facilities. Where the plant is in existence at the date of application, a detailed plan of the racecourse, and the details of the programme over the period for which the licence is applied for, of refurbishment, renovation and upgrading of the existing facilities at the plant and the general description of such plant, including its acreage;

SCHEDULE, *cont'd.*

- (n) a statement of the plan of financing of the racecourse or proposed racecourse for the period of three years following the grant of the licence;
  - (o) the duration of the licence.
3. I solemnly and sincerely declare that I shall facilitate the Jamaica Racing Commission and its authorized persons in the carrying out of any investigations under section 18 of the Act.

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

TAKEN AND ACKNOWLEDGED by )  
 Name of Declarant )  
 at Address of Declarant ) \_\_\_\_\_  
 Name of Declarant  
 in the Parish of )  
 this day of , 201 )  
 before me—

JUSTICE OF THE PEACE  
for the Parish of

FORM NO. 2

(Regulation 4)

THE JAMAICA RACING COMMISSION ACT

The Jamaica Racing Commission Regulations, 2016

(Regulation 4)

*Licence to Operate a Racecourse*

No.

This is to certify that

.....

of.....

in the parish.....

.....

is hereby authorized to operate the racecourse known as (name of racecourse) situate at

.....

in the parish of.....

This licence shall be in force from the                      day of                      , 20                      ,

and subject to the provisions of the Act, and Regulations (and the

terms and conditions attached), shall cease to be in force on the                      day

of                      , 20

Dated the                      day of                      , 20

SECOND SCHEDULE

(Regulation 5)

*Fees*

<b>Annual Fee for licence to operate a racecourse</b>	...	...	...	<b>0.75% of Previous Year's Gross Profit or \$1,600,000.00, whichever is greater.</b>
<b>Fee on application to operate a racecourse</b>	...	...	...	<b>30% of Licence Fee</b>
<b>Fee on grant of licence to operate a racecourse</b>	...	...	...	<b>70% of Licence Fee</b>
<b>Fee for transfer of licence to operate a racecourse</b>	...	...	...	<b>0.75% of Previous Year's Gross Profit or \$1,600,000.00, whichever is greater.</b>

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	<input type="checkbox"/>	New	<input type="checkbox"/>	Renewal	<input type="checkbox"/>
Assistant Trainer	<input type="checkbox"/>	New	<input type="checkbox"/>	Renewal	<input type="checkbox"/>
Jockey	<input type="checkbox"/>	New	<input type="checkbox"/>	Renewal	<input type="checkbox"/>
Apprentice Jockey	<input type="checkbox"/>	New	<input type="checkbox"/>	Renewal	<input type="checkbox"/>
Groom	<input type="checkbox"/>	New	<input type="checkbox"/>	Renewal	<input type="checkbox"/>
Stable Assistant	<input type="checkbox"/>	New	<input type="checkbox"/>	Renewal	<input type="checkbox"/>
Exercise Rider	<input type="checkbox"/>	New	<input type="checkbox"/>	Renewal	<input type="checkbox"/>
Jockey's Agent	<input type="checkbox"/>	New	<input type="checkbox"/>	Renewal	<input type="checkbox"/>

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...

PASSPORT  
SIZED  
PHOTOGRAPH

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

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	<input type="checkbox"/>	<input type="checkbox"/>	Groom	<input type="checkbox"/>	<input type="checkbox"/>
Assistant Trainer	<input type="checkbox"/>	<input type="checkbox"/>	Stable Asst.	<input type="checkbox"/>	<input type="checkbox"/>
Jockey	<input type="checkbox"/>	<input type="checkbox"/>	Exer. Rider	<input type="checkbox"/>	<input type="checkbox"/>
Apprentice Jockey	<input type="checkbox"/>	<input type="checkbox"/>	Jockey's Agent	<input type="checkbox"/>	<input type="checkbox"/>

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.