



**THE HONG KONG JOCKEY CLUB**  
**ABSENT MEMBERSHIP BYE-LAWS**

**1. AUTHORITY FOR INTRODUCTION AND CITATION**

- 1.1 These Bye-laws are made by the Stewards of the Jockey Club pursuant to the provisions of Article 45 of the Articles of Association of the Club and, accordingly, are Rules of the Club. They are to be read in conjunction with the Memorandum and Articles of Association of the Club.
- 1.2 These Bye-laws shall be referred to as the Absent Membership Bye-laws. They may be added to and amended from time to time by the Stewards of the Jockey Club and notification of change will be published on the notice boards in all the Clubhouse buildings and Jockey Club Headquarters, One Sports Road, Happy Valley.

**2. APPLICATION OF THESE BYE-LAWS**

These Bye-laws regulate the eligibility of Members and procedures in respect of applications for Absent Membership. They also provide for reactivation and restoration of membership, and termination of Absent Membership status.

**3. APPLICATION OF GENERAL BYE-LAWS**

The General Bye-laws shall have application to these Bye-laws as if the same were set out herein and repeated seriatim.

**4. INTERPRETATION**

- 4.1 In these Bye-laws the following expressions shall have the following meanings and, if appropriate, to the exclusion of a corresponding definition in the Articles of Association or the General Bye-laws:

<b>Expression</b>	<b>Meaning</b>
<b>Member</b>	A person who has been elected and become a Member of the Club and includes Stewards, Voting Members, Honorary Voting

Members (O), Honorary Voting Members (N) and Life Members but shall neither include Honorary Members nor Visiting Members nor Corporate Members nor Associate Members nor Absent Members.

**Absent Member** A former Member of the Club who has applied to be and with the approval of the Stewards has been registered as an Absent Member in accordance with the provisions of Article 26 and these Bye-Laws.

- 4.2 The singular shall include the plural and vice versa and the masculine shall include the feminine and/or neuter and vice versa.

## **5. APPLICATION FOR ABSENT MEMBERSHIP**

- 5.1 Only Members who are to leave Hong Kong permanently are eligible to apply to be registered as Absent Members. A Member “leaves Hong Kong permanently” if he leaves Hong Kong to take up permanent residence in another place such as emigration to another country. For the removal of doubt, leaving Hong Kong for a specific period of time, regardless of its length, for work relocation, vacation, overseas study or any other purpose with the intention to return to Hong Kong after expiry of such period does not qualify as “leaving Hong Kong permanently”.
- 5.2 An application shall be made by filling out and submitting to the Membership Services Department of the Club an Absent Membership Application Form, which may be obtained from the same department.
- 5.3 The Club may require a Member who makes an application for Absent Membership to submit documentary proof to support his declaration of leaving Hong Kong permanently, which shall include but is not limited to proof of residence in another place or country.

## **6. REGISTRATION AS ABSENT MEMBER**

- 6.1 The approval of the Stewards to an application for Absent Membership shall be conditional upon the Member satisfying the requirement of “leaving Hong Kong

permanently”. Upon approval of the application, the Absent Membership will only take effect upon the Member satisfying the following further conditions:- (a) paying the prevailing Absent Member’s registration fee (which the Stewards may in their absolute discretion revise from time to time), (b) settling the outstanding balance in his membership account, (c) returning his racing items and (d) providing to the Club his overseas address.

6.2 Upon fulfilling all conditions imposed by the Stewards, the Member shall cease to become a Member and shall become an Absent Member, and his name shall be registered in the list of Absent Members.

6.3 The Club may from time to time send a request to the overseas address provided by an Absent Member requesting him to confirm or update such overseas address. If an Absent Member fails to sign and return an acknowledgment to such request within three (3) months from the date of posting, such Absent Member shall cease to be an Absent Member (nor will he be considered as a Member for avoidance of doubt), unless and until he applies to be re-registered as an Absent Member in writing to the Club and by paying the prevailing Absent Member’s registration fee.

## **7. TEMPORARY REACTIVATION OF MEMBERSHIP**

7.1 An Absent Member who temporarily visits Hong Kong may, once in every twelve (12) months period, reactivate his membership for not more than fourteen (14) days subject to notice in writing to the Club and the payment in advance of the monthly subscription applicable to the category of membership formerly held by such Absent Member. The twelve (12) months period commences from the day on which an Absent Member returns to Hong Kong.

7.2 An Absent Member who wishes to reactivate his membership temporarily for a period longer than fourteen (14) days on such visit to Hong Kong, or for a second or subsequent occasion within the same twelve (12) months period, may apply in writing to the Club for the Stewards’ approval. The approval of such application shall be in the absolute discretion of the Stewards. Upon approval of such application, the Absent Member is required to pay a reactivation fee which the Stewards may in their absolute discretion determine, together with the monthly subscription applicable to the category of membership formerly held by such Absent Member within fourteen (14) days of

presentation of an account by the Club. If the Absent Member fails to settle such payment, the application shall be deemed to have been declined and the Absent Member's status shall be dealt with in accordance with paragraph 7.4 below.

- 7.3 Any notification or application for reactivation shall be submitted to the Membership Services Department of the Club. No application for temporary reactivation of membership for a period longer than ninety (90) days, or where the aggregate number of days of temporary reactivations is more than ninety (90) days within a period of twelve (12) months, will be accepted.
- 7.4 If any application for temporary reactivation of membership as set out in paragraph 7.2 is declined by the Stewards, the Club will repay the Absent Member the registration fee for Absent Membership paid by him without interest, and upon which the Absent Member shall cease to be an Absent Member or a Member.

## **8. PERMANENT REACTIVATION OF MEMBERSHIP**

- 8.1 An Absent Member who returns to reside in Hong Kong and wishes to be restored as a Member may apply for reactivation to the category of membership he held prior to his registration as an Absent Member within a reasonable time after his return.
- 8.2 The approval of such application, including the determination as to whether or not an application has been made within a reasonable time after the Absent Member's return to Hong Kong, shall be within the absolute discretion of the Stewards.
- 8.3 Upon approval of such application, the reactivation of membership shall only be effective upon the Absent Member paying a reactivation fee which the Stewards may in their absolute discretion determine, together with the monthly subscription applicable to the category of membership to which he is reactivated, within fourteen (14) days of presentation of an account by the Club. If the Absent Member fails to settle such payment, the Absent Member will not be reactivated as a Member and shall be deemed to have resigned as an Absent Member.
- 8.4 If an application for reactivation of membership as set out in this paragraph 8 is declined by the Stewards, the Club will repay the Absent Member the registration fee for Absent Membership paid by him without interest, and upon which the Absent Member shall cease to be an Absent Member or a Member.

## **9. RESIGNATION OF ABSENT MEMBERSHIP**

An Absent Member may resign as an Absent Member by giving notice in writing to the Membership Services Department at any time. Upon processing of the application, the name of the Absent Member shall be removed from the list of Absent Members and he shall cease to be an Absent Member or a Member.

## **10. ENQUIRIES FROM THE STEWARDS**

- 10.1 A Member applying for Absent Membership or an Absent Member applying for reactivation of membership may be required to provide such information to the Club or answer or attend enquiries by the Stewards in respect of his application.
- 10.2 If it is reported to the Stewards that any Absent Member, or any guest for whom the Absent Member is responsible, has committed a breach of any of the Rules of the Club or has been guilty of conduct detrimental to the interests or reputation of the Club, the Stewards may require the Absent Member concerned to make written representations in respect of the matter of complaint to set forth any circumstances in mitigation of the breach or conduct complained of, and/or attend a Stewards enquiry, within a period of time or at such time as specified by the Stewards.
- 10.3 An enquiry conducted by the Stewards concerning an Absent Member shall follow such rules and procedures which the Stewards may determine in their absolute discretion. An enquiry may proceed in the absence of the Absent Member if he chooses not to attend notwithstanding notice of the enquiry has been given to him.
- 10.4 Any written notice in respect of an enquiry sent by post in a pre-paid envelope addressed to the Absent Member at the overseas address of the Absent Member or any other address subsequently notified by the Absent Member to the Club, shall constitute valid service of such notice on the Absent Member.
- 10.5 Upon receiving written representations of the Absent Member, or at the conclusion of an enquiry, if it is the opinion of the Stewards that an Absent Member or any guest for whom the Absent Member is responsible has committed a breach of any of the Rules of the Club or has been guilty of conduct detrimental to the interests or reputation of the Club, such Absent Member may be deleted from the list of Absent Member and shall

cease to be an Absent Member or a Member, and the registration fee for Absent Membership will not be returned to such Absent Member.

- 10.6 The Stewards' power to conduct an enquiry is without prejudice to their right to delete, without enquiry, the registration of an Absent Member in any of the circumstances provided in Article 33(b) and/or Article 34(a) of the Articles of Association.

By Order of the  
Stewards of the Jockey Club  
Executive Director, Membership Services

27 June 2014