



THE HONG KONG JOCKEY CLUB

MEMBER'S (SUSPENSION OF PRIVILEGES) 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 Member's (Suspension of Privileges) Bye-laws".

2. APPLICATION

These Bye-laws regulate the duties of Members and the powers of the Club with respect to any Member of the Club who is suspended from some or all of the Privileges of Membership pursuant to Bye-law 21.2 of the General Bye-laws, by order of a Disciplinary Committee, or by application of a Member pursuant to these Bye-laws.

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

In these Bye-laws, each of the following expressions shall have the meaning ascribed to it below and to the exclusion of a corresponding definition in the Articles of Association or the General Bye-laws:

Expression	Meaning
Member	A Member of the Club as defined in the Articles of Association.
the Premises of the Club	the Premises of the Club as defined in the Articles of Association, but shall exclude those parts thereof to which a member of the public may be granted access by the Club from time to time.
Privileges of Membership	the right of a Member to access the Premises of the Club, together with the right for that Member, his spouse, children and guests to use any of the membership facilities provided therein and whether for a fee or otherwise.

Involuntary Suspension / “involuntarily suspended”	the suspension of the Privileges of Membership pursuant to Bye-law 21.2 of the General Bye-laws or by order of a Disciplinary Committee.
Voluntary Suspension / “voluntarily suspended”	the suspension of the Privileges of Membership approved by the Stewards upon the application of the Member concerned under these Bye-laws.
Owner	Each person, whether an individual or a member of a Partnership or a Manager of a Syndicate, or an approved body corporate, registered in accordance with Rule 39. The term “Owner” shall also include his Authorised Representative.
Rule or Rules	The combination of the Rules of Racing of The Hong Kong Jockey Club and the Instructions made by the Stewards of the Jockey Club.

5. APPLICATION FOR VOLUNTARY SUSPENSION

- 5.1 Any Member other than a Voting Member is eligible to apply for Voluntary Suspension subject to the provisions of these Bye-laws.
- 5.2 An eligible applicant for Voluntary Suspension must demonstrate that he is unable to enjoy the Privileges of Membership for a continuous period of not less than one (1) year by reason of temporary absence from Hong Kong such as work relocation, studies or other personal reasons. It is not a requirement that the applicant must stay away from Hong Kong during the whole of the period, as long as he can show that during the majority of that period he will be out of Hong Kong for one or more of the aforesaid reasons.
- 5.3 The Club may require an eligible applicant who applies for Voluntary Suspension to submit documentary proof to support his ground of application, which shall include but is not limited to written confirmation of work relocation issued by his employer or admission proof issued by an overseas academic institute.
- 5.4 A Member whose application for Voluntary Suspension is granted may, during the period of Voluntary Suspension, apply to the Club to lift the Voluntary Suspension if he can demonstrate there is a change in circumstances which enables him to enjoy the Privileges of Membership again or shortens his period of temporary absence from Hong Kong.
- 5.5 If Voluntary Suspension is lifted upon the application of the Member concerned, any registration fee already paid by the Member for Voluntary Suspension will not be refunded.

5.6 An application under these Bye-Laws, either for Voluntary Suspension or lifting of Voluntary Suspension, shall be made by filling out and submitting to the Membership Services Department of the Club an application form, which may be obtained from the same department.

5.7 The Stewards of the Club shall have absolute discretion in deciding whether or not to grant an application for Voluntary Suspension, the conditions of the approval of the application, the term of the Voluntary Suspension, whether or not to lift a Voluntary Suspension already granted, the conditions of such lifting and when to determine any such application.

6. REGISTRATION OF VOLUNTARY SUSPENSION

6.1 Upon approval of an application for Voluntary Suspension, without prejudice to any other conditions which may be imposed by the Stewards in approving the application, Voluntary Suspension will only take effect upon the Member satisfying the following further conditions:- (a) paying the prevailing non-refundable registration fee for Voluntary Suspension (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 car parking label(s) and (d) providing to the Club his overseas address.

6.2 Upon fulfilling all conditions imposed by the Stewards including but not limited to the aforesaid, the Member shall be registered in the list of voluntarily suspended members.

6.3 Unless otherwise specified or extended by the Stewards, Voluntary Suspension shall automatically cease to take effect upon the expiry of the period of Voluntary Suspension specified by the Stewards in granting the application. At such point the Member's name shall be removed from the list of voluntarily suspended members.

7. COMMENCEMENT DATE OF SUSPENSION

7.1 An Involuntary Suspension shall, unless otherwise specified by the Disciplinary Committee or the Stewards, take immediate effect, and shall act to preclude the Member concerned from enjoying the Privileges of Membership throughout the period of his suspension including access to or use of any facilities designated for Members either as the guest or spouse of another Member.

7.2 A Voluntary Suspension shall, unless otherwise specified by the Stewards, take effect on the 1st day of the month immediately following the month in which the Member has fulfilled all required conditions, and shall preclude the Member concerned from enjoying the Privileges of Membership throughout the period of his suspension but shall not preclude the Member from accessing or using any of the membership facilities as the guest of another Member.

8. EFFECT ON SPOUSE AND CHILDREN

- 8.1 An Involuntary Suspension or Voluntary Suspension shall act to preclude the spouse of the Member, unless such spouse is a Member in his or her own right, and the child or children of that suspended Member, unless the other parent of such child or children is a Member in his or her own right, or unless such child is a Member in his or her own right, from enjoying the Privileges of Membership throughout the period of the Member's suspension.
- 8.2 Notwithstanding the above, an Involuntary Suspension or Voluntary Suspension shall not preclude the spouse or child or children of the suspended Member from accessing or using the membership facilities as the guest of another Member.

9. RACECOURSE ENCLOSURE

- 9.1 Throughout the period of suspension, on each race day Members who are involuntarily suspended shall not have access to Members' Enclosures at the Happy Valley Racecourse and Sha Tin Racecourse.
- 9.2 Throughout the period of suspension, on each race day Members who are voluntarily suspended may have access to Members' Enclosures at the Happy Valley Racecourse and Sha Tin Racecourse as guests of another Member.

10. OWNER

- 10.1 If the Member who is voluntarily suspended is an Owner, he shall during the period of suspension be ineligible to be an Owner under the meaning of the Ownership Bye-laws or otherwise provided for under the Rules.
- 10.2 The eligibility as an Owner of a Member who is involuntarily suspended during the period of suspension shall be determined by the Stewards (or the Stipendiary Stewards as delegated by the Stewards) on a case by case basis pursuant to the Ownership Bye-laws and the Rules.

11. OBLIGATION TO PAY SUBSCRIPTIONS

- 11.1 In the case of Involuntary Suspension, the Member concerned shall continue to pay the subscription appropriate to his category of membership, including the subscriptions, if any, in respect of the Member's spouse and/or child or children, unless, in the absolute discretion of the Stewards and without obligation to ascribe a reason therefor, the contrary is ordered by the Stewards.
- 11.2 In the case of Voluntary Suspension, the Member concerned is not obliged to pay subscriptions during the period of the suspension unless otherwise ordered by the Stewards. Subscriptions will automatically become payable and charged to the Member's account for the month immediately after expiry of the voluntary suspension.

12. ENFORCEMENT OF PENALTY PENDING APPEAL

In the case of Involuntary Suspension, a Member aggrieved by the suspension of some or all of the Privileges of Membership who wishes the effective date to be postponed pending the exercise by him of any right to appeal to the Stewards must make application in writing to the Secretary stating reasons why enforcement of the suspension should be postponed pending appeal and the Secretary shall refer the matter to the Stewards who, in their absolute discretion and without obligation to ascribe a reason, may decline that application. If the Stewards grant the application they may impose in their absolute discretion such conditions as they shall consider appropriate or expedient.

13. INFRINGEMENT OF THESE BYE-LAWS

- 13.1 If a Member, some or all of whose Privileges of Membership have been involuntarily suspended, accepts an invitation and has been or is deemed to have been entertained by another Member as a guest upon the Premises of the Club, such shall be reported to the Stewards and disciplinary proceedings will be instituted against him under the Discipline and Disciplinary Proceedings Bye-laws and the Articles of Association.
- 13.2 A Member, some or all of whose Privileges of Membership have been involuntarily suspended, shall be deemed to have been entertained by another Member upon the Premises of the Club if the spouse or any child of that other Member entertains him upon the Premises of the Club.
- 13.3 If it is reported to a Steward, Executive or Official of the Club that a Member whose Privileges of Membership are suspended under these Bye-laws is enjoying the suspended privileges upon the Premises of the Club in violation of these Bye-laws, a Steward, Executive or Official may direct that such Member be requested to leave the Premises of the Club immediately. Such shall be reported to the Stewards and disciplinary proceedings will be instituted against him under the Discipline and Disciplinary Proceedings Bye-laws and the Articles of Association.

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

1 February 2015