

Terms & Conditions

The submission and registration of owners' colours as part of the BHA's liberalisation initiative is subject to the terms and conditions below. By submitting an entry, the applicant is agreeing to be bound by these terms and conditions.

1. HOW TO ENTER

- 1.1. All submissions must be made on the prescribed submission form (downloadable from the BHA's website [here](#), or here: <http://www.britishhorseracing.com/resource-centre/ownership/designyourownsilkstrial>)
- 1.2. Submissions should be sent:
 - 1.2.1. By first class post to Owners' Colours, 75 High Holborn, London WC1V 6LS; or
 - 1.2.2. By e-mail to Colours@britishhorseracing.com.
- 1.3. Only submissions received by 6pm on 28 February 2017 will be considered.
- 1.4. The BHA will not accept responsibility for submissions that are lost, mislaid, damaged or delayed in transit, regardless of cause, including, for example, as a result of any postal failure, equipment failure, technical malfunction, systems, satellite, network, server, computer hardware or software failure of any kind.

2. SUBMISSIONS

- 2.1. All submissions will be subject to a two stage judging process as set out below:
 - 2.1.1. All submissions will be checked by Weatherbys and BHA to ensure that they are distinguishable, describable. The final decision as to whether or not a submission meets this criteria will be made by the BHA.
 - 2.1.2. Any submissions that pass the first stage, as set out in 2.1.1, will then be judged by the BHA. The BHA will select two submissions and those successful applicants will be offered the right to register their entry as colours, for the purposes of racing under the 'Rules of Racing'.
- 2.2. By submitting an entry the applicant confirms that, if selected, they will pay the registration fee of £5,000 + VAT (the 'Fee').
- 2.3. Submissions can be withdrawn at any time by the applicant up to the point at which the right to register the colours is offered and accepted. If an applicant wishes to withdraw from the process after this point, any administrative charges incurred by the BHA will be recovered from the applicant.
- 2.4. If an applicant is offered the right to register the colours and declines the opportunity, the BHA reserves the right to offer the opportunity to another applicant.
- 2.5. By submitting an entry the applicant agrees that they are submitting an original entry and have not copied any other design and/or infringed any third party intellectual property rights.
- 2.6. If the BHA is provided with evidence demonstrating that third party intellectual property rights have been infringed, we reserve the right to withdraw the submission and/or cancel the registration. Any administrative charges incurred by the BHA as a result will be recovered from the applicant.
- 2.7. By submitting an entry and any accompanying material, the applicant agrees to:
 - 2.7.1. allow the BHA to make the submission available on its website and any other media, whether now known or invented in the future, and in connection with any publicity of the initiative.
 - 2.7.2. grant the BHA a non-exclusive, worldwide, irrevocable licence, for the full period of any intellectual property rights in the submission and any accompanying materials, to use, display, publish, transmit, copy, edit, alter, store, re-format and sub-licence the submission and any accompanying materials for such purposes.
- 2.8. The BHA will not accept any submission which includes a design and/or logo and/or branding that is intended to or will promote the interests of any person or company that may be prejudicial to the interests or reputation of racing in Great Britain or racing worldwide, to be determined at the BHA's sole discretion.
- 2.9. The decision of the BHA in relation to the selection of the successful applications is final.

3. REGISTRATION OF COLOURS

- 3.1. If an applicant is successful, they will receive from Weatherbys a colours registration from (CO1). This must be completed and returned to Weatherbys, at its business address: Racing Administration, Weatherbys, Sanders Rd, Wellingborough NN8 4BX).
- 3.2. An application for the registration of racing colours that is approved remains subject at all times to Rules (E)82-85 of the Rules of Racing, which can be found [here](#). Applicants are advised to refer to the Rules of Racing for their full terms and effects.

- 3.3. If the applicant of a successful submission chooses to gift their right to register the colours to a third party prior to initial registration, the BHA may request written confirmation from the applicant that the right to register was gifted.
 - 3.3.1. In the instance that the right to register the colours is gifted to a third party, the BHA will not permit any changes to the successful submission.
- 3.4. The right to register the successful application as colours is not for resale. If the BHA has reason to believe that this restriction has been breached, it reserves the right not to register the colours or cancel the registration where already approved. Any administrative charges incurred by the BHA as a result will be recovered from the applicant.

4. PAYMENT OF THE FEE

- 4.1. The process of registration of the colours will not be commenced until the successful applicant has paid in full the Fee.
- 4.2. In the instance that the successful applicant is a registered owner, their racing account will be invoiced for the amount owing.
- 4.3. If the successful applicant is not a registered owner, an invoice will be sent to the address listed on the original submission form.
 - 4.3.1. The Fee will be payable within 30 days of issue of the invoice. A failure to pay the Fee within the time frame may result in the BHA offering the right to register to another applicant.
- 4.4. The registration period included in the Fee is 12 months from the date that the registration of the colours is completed ('Initial Registration Period').
 - 4.4.1. A re-registration fee will be charged after the Initial Registration Period has ended if the applicant wishes to have the colours registered for the purposes of racing under the Rules of Racing.
 - 4.4.2. If the applicant fails to re-register the colours within 3 months of the Initial Registration Period ending, the ability to have that set of colours re-registered in the future may be lost.

5. PUBLICATION OF REGISTRANT NAME

- 5.1. The name of the successful applicant will be published on the Racing Administration website once the registration process is completed, and will be published in subsequent annual calendars whilst the colours remain registered.

6. SIMILAR SILK COLOUR AND DESIGN

- 6.1. Should the same or similar colour combination already be in existence in a race, a change of cap colour may be requested by the BHA and/or the judge should both sets of silks feature in the same race.

7. DATA PROTECTION

- 7.1. By submitting and entry, the applicant agrees that any personal information provided with the submission may be held and used by the BHA and/or its agents and suppliers to administer the submission and continue to administer it for the period of the registration.
- 7.2. The BHA's Data Protection Policy can be found [here](#).