



Western Australia

Racing Bets Levy Act 2009

Racing Bets Levy Regulations 2009

As at 01 Oct 2014

Version 00-f0-02

Extract from www.slp.wa.gov.au, see that website for further information

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Racing Bets Levy Regulations 2009

1. Citation

These regulations are the *Racing Bets Levy Regulations 2009*¹.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Terms used

In these regulations —

betting exchange bet means a bet of the type referred to in paragraph (b) of the definition of ***racing bet***;

greyhound race meeting has the meaning given in the *Racing and Wagering Western Australia Act 2003* section 3(1);

harness race meeting has the meaning given in the *Racing and Wagering Western Australia Act 2003* section 3(1);

non-exchange fixed odds bet means a fixed odds wager, as defined in the *Racing and Wagering Western Australia Act 2003* section 3(1), that is not a betting exchange bet;

pari-mutuel bet means a bet in a betting system in which all bets are placed in a pool from which the betting operator's commission is taken and the winning odds are calculated by

dividing the amount remaining in the pool by the amount of the winning bets;

premium race meeting means a race meeting that includes at least one race in respect of which the total amount of the stakes paid (excluding trophies) is at least as follows —

- (a) in the case of a thoroughbred race meeting — \$100 000;
- (b) in the case of a harness race meeting — \$50 000;
- (c) in the case of a greyhound race meeting — \$30 000;

premium thoroughbred racing season means the period beginning on 1 November in any year and ending on 1 January in the next year;

race meeting has the meaning given in the *Betting Control Act 1954* section 4(1);

racing year means the 12 months beginning on 1 August in any year and ending on 31 July in the next year;

standard race meeting means a race meeting that is not a premium race meeting;

thoroughbred race meeting has the meaning given in the *Racing and Wagering Western Australia Act 2003* section 3(1);

thoroughbred racing has the meaning given in the *Racing and Wagering Western Australia Act 2003* section 3(1).

[Regulation 3 inserted in Gazette 15 Feb 2013 p. 957-8;
amended in Gazette 9 Sep 2014 p. 3241.]

4. Levy amount: bets placed or accepted before 1 October 2014

- (1) The amount by way of levy to be paid under the *Betting Control Act 1954* section 14A(2) by a betting operator in respect of racing bets placed or accepted on or after 1 September 2008 and before 1 November 2012 is —
 - (a) 1.5% of turnover for each month beginning with September 2008; or
 - (b) either 20% of gross revenue for each month or 0.2% of turnover for each month beginning with

September 2008, whichever is the greater, or if the amounts are equal, that amount.

- (2) The amount by way of levy to be paid under the *Betting Control Act 1954* section 14A(2) by a betting operator in respect of racing bets placed or accepted on or after 1 November 2012 and before 1 April 2013 is as follows —
- (a) in the case of racing bets placed or accepted on thoroughbred racing occurring during the premium thoroughbred racing season, 2% of turnover for each month beginning with November 2012;
 - (b) in the case of all other racing bets, 1.5% of turnover for each month beginning with November 2012.
- (3) The amount by way of levy to be paid under the *Betting Control Act 1954* section 14A(2) by a betting operator in respect of racing bets placed or accepted on or after 1 April 2013 and before 1 August 2013 is as follows —
- (a) 1% of turnover for each month beginning with April 2013, unless paragraph (b) applies;
 - (b) if turnover reaches \$833 333, calculated from the 1 April 2013, 1.5% of turnover for each month, or part of a month, after turnover reaches \$833 333,

but no amount by way of levy is to be paid for any month during which turnover does not reach \$1 000.

- (4) The amount by way of levy to be paid under the *Betting Control Act 1954* section 14A(2) by a betting operator in respect of racing bets placed or accepted on or after 1 August 2013 but before 1 October 2014 is as follows —
- (a) 1% of turnover for each month beginning with August 2013, unless paragraph (b) applies;
 - (b) if turnover reaches \$2 500 000, calculated from the beginning of the racing year —
 - (i) in the case of racing bets placed or accepted on thoroughbred racing occurring during the

premium thoroughbred racing season, 2% of turnover for each month, or part of a month, after turnover reaches \$2 500 000;

- (ii) in the case of all other racing bets, 1.5% of turnover for each month, or part of a month, after turnover reaches \$2 500 000,

but no amount by way of levy is to be paid for any month during which turnover does not reach \$1 000.

[Regulation 4 amended in Gazette 12 Oct 2012 p. 4851-2; 15 Feb 2013 p. 958-9; 9 Sep 2014 p. 3241.]

5. Levy amount: bets placed or accepted on or after 1 October 2014

- (1) The amount by way of levy to be paid under the *Betting Control Act 1954* section 14A(2) by a betting operator in respect of racing bets placed or accepted on a race meeting occurring on or after 1 October 2014 is set out in this regulation.
- (2) The amount is 1% of turnover for each month beginning with October 2014 unless subregulation (3) or (4) applies.
- (3) If turnover (calculated from the beginning of the racing year) reaches \$3 000 000, the amount is as follows —
 - (a) in the case of pari-mutuel bets placed or accepted on premium race meetings — 2.5% of turnover for each month, or part of a month, after turnover reaches \$3 000 000;
 - (b) in the case of pari-mutuel bets placed or accepted on standard race meetings — 1.5% of turnover for each month, or part of a month, after turnover reaches \$3 000 000;
 - (c) in the case of betting exchange bets placed or accepted on premium race meetings — 2.5% of turnover for each month, or part of a month, after turnover reaches \$3 000 000;

- (d) in the case of betting exchange bets placed or accepted on standard race meetings — 1.5% of turnover for each month, or part of a month, after turnover reaches \$3 000 000;
 - (e) in the case of non-exchange fixed odds bets placed or accepted on premium race meetings — 3% of turnover for each month, or part of a month, after turnover reaches \$3 000 000;
 - (f) in the case of non-exchange fixed odds bets placed or accepted on standard race meetings — 2% of turnover for each month, or part of a month, after turnover reaches \$3 000 000.
- (4) No amount is payable for any month during which turnover does not reach \$1 000.

[Regulation 5 inserted in Gazette 9 Sep 2014 p. 3242.]

Notes

¹ This is a compilation of the *Racing Bets Levy Regulations 2009* and includes the amendments made by the other written laws referred to in the following table.

Compilation table

Citation	Gazettal	Commencement
<i>Racing Bets Levy Regulations 2009</i>	8 Jan 2010 p. 27-8	r. 1 and 2: 8 Jan 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 9 Jan 2010 (see r. 2(b))
<i>Racing Bets Levy Amendment Regulations 2012</i>	12 Oct 2012 p. 4851-2	r. 1 and 2: 12 Oct 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 13 Oct 2012 (see r. 2(b))
<i>Racing Bets Levy Amendment Regulations 2013</i>	15 Feb 2013 p. 957-9	r. 1 and 2: 15 Feb 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Apr 2013 (see r. 2(b))
<i>Racing Bets Levy Amendment Regulations 2014</i>	9 Sep 2014 p. 3240-2	r. 1 and 2: 9 Sep 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Oct 2014 (see r. 2(b))

Defined terms

[This is a list of terms defined and the provisions where they are defined.

The list is not part of the law.]

Defined term	Provision(s)
betting exchange bet	3
greyhound race meeting.....	3
harness race meeting.....	3
non-exchange fixed odds bet	3
pari-mutuel bet.....	3
premium race meeting	3
premium thoroughbred racing season	3
race meeting.....	3
racing year	3
standard race meeting	3
thoroughbred race meeting	3
thoroughbred racing.....	3