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TOTALISATOR AGENCY BOARD BETTING ACT 1960.

TOTALISATOR AGENCY BOARD BETTING REGULATIONS 1961.

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TOTALISATOR AGENCY BOARD BETTING ACT 1960.

**TOTALISATOR AGENCY BOARD BETTING
REGULATIONS 1961.**

Citation.

1. These regulations may be cited as the Totalisator Agency Board Betting Regulations 1961.

Interpretation.

2. In these regulations unless the context requires otherwise—

“Act” means the Totalisator Agency Board Betting Act 1960;

“cash” means bank notes or coins;

“Commissioner” means the person occupying the office of the Commissioner of State Taxation appointed under the Public Service Act 1978;

“deposit account” means an account established for the purpose of betting with or through the Board, and includes a credit account established with the Board pursuant to sections 33 and 34 of the Act;

“depositor’s account” has a similar meaning;

“depositor” means a person who opens a deposit account with the Board for the purpose of betting with or through the Board;

“investor” means a person who makes or offers to make or attempts to make a bet with or through the Board and includes a depositor;

regulations referred to in the regulations are these regulations;

“Secretary” means the person for the time being appointed to or acting in the office of Secretary to the Board;

“sub-agency” means a totalisator agency established in a part of any place and in respect of which at the time of establishment of the sub-agency—

(a) the principal business carried on in that place is, and is expected to continue to be, other than that of a totalisator agency; and

(b) the Board is not, and is not expected to become, a tenant or lessee of that part of the place operated as a totalisator agency;

expressions used in the regulations have the same respective meanings as in the Act;

sections referred to in the regulations are sections of the Act.

Application of Regulations.

3. These regulations apply only to such portion or portions of the State as the Governor may by proclamation pursuant to section four of the Act declare to be a totalisator agency region.

General Conditions Relating to Bets made at or through
Totalisator Agencies.

Persons Excluded from Totalisator Agencies.

4. (1) The following persons shall be excluded from entering or remaining in any totalisator agency:—

(a) All persons under disqualification imposed under the rules of racing or the rules of trotting or rules of greyhound racing or by the racing, trotting or greyhound authorities in any State of the Commonwealth of Australia;

Amended by
G.G. 3/10/63,
p. 2954-5;
G.G. 11/6/76,
p. 1861;
G.G. 30/1/81,
p. 449.

Amended by
G.G. 11/10/74,
p. 3840;
G.G. 11/6/76,
p. 1861.

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- (b) common prostitutes, persons who are deemed to be idle and disorderly persons or rogues and vagabonds within the meaning of the Police Act 1892;
- (c) a person in respect of whom an order has been made under section twenty-five of the Betting Control Act 1954-1960¹; and
- (d) all persons who are apparently under the influence of intoxicating liquor.

(2) Any such person found in a totalisator agency may be removed therefrom by any member, officer, or agent of the Board or the Secretary or by any member of the Police Force of the State.

5. Any person making a bet with or through the Board at a totalisator agency or attempting to make such a bet shall be deemed to accept and be bound by the relevant provisions of these regulations, a copy of which shall be available at all totalisator agencies for perusal on demand.

Amended by
G.G. 11/10/74,
p. 3840.

6. Subject to the regulations, a bet made with or through the Board at a totalisator agency is deemed to be accepted subject to the rules of racing, more particularly the provisions in respect of the entry, acceptance, withdrawal, or disqualification of horses or greyhounds, to the running of races, to the powers of the stewards, the rules governing the operation of the particular totalisator conducted on the race course on the race on which the bet is made or to the regulations governing the operation of a totalisator pool scheme by the Board, where the bet is placed by the Board in such a pool.

Amended by
G.G. 24/5/66,
p. 1318;
G.G. 11/8/78,
p. 2877.

7. A bet made with or through the Board at a totalisator agency, whether the bet is a bet known as a bet for a win or place or all up or is a bet referred to in subregulation (1) of regulation 31A of these regulations, shall be made in the sum of fifty cents (50c) or in multiples of fifty cents (50c) except that the Board may accept any bet made by a person in a totalisator agency who pays cash to the Board at the time the bet is made, for an amount of twenty-five cents (25c).

Amended by
G.G. 28/9/65,
p. 3400;
G.G. 24/5/66,
p. 1319;
G.G. 11/10/74,
p. 3840.

8. (1) The dividend for fifty cents (50c) shall be as declared on the totalisator conducted on the race course on the race or races on which the bet was made or as declared by the Board on any race or races on which the bet was made, where the bet is placed by the Board in a totalisator pool scheme conducted by it under the Act, except that fractions of ten cents shall not be paid by the Board unless the fraction is equal to or exceeds five cents in which case five cents shall be paid.

(2) The dividend for a bet of twenty five cents (25c) shall be half of the dividend declared on the relevant totalisator or by the Board where it conducts a totalisator pool scheme for a bet of fifty cents (50c).

9. The person in charge at any totalisator agency, unless otherwise directed by the Board, is entitled on behalf of the Board to refuse to accept at any time and without giving any reason therefor part or all of the amount of any bet offered to be made with or through the Board.

Amended by
G.G. 11/10/74,
p. 3840.

10. (1) The amounts of bets for a place received by the Board for transmission to a totalisator on a race course and so transmitted or not so transmitted by the Board, or received by the Board and placed in a totalisator pool conducted by the Board, shall be refunded by the Board if for any reason the place totalisator is not operated for the race on which the bets were made.

(2) The Board shall not accept any bet made by or on behalf of any person under the age of eighteen years.

Amended by
G.G. 11/10/74,
p. 3840.

11. Bets with or through the Board shall be accepted at a totalisator agency by the Board subject to the regulations, only for such race meetings or races as the Board shall direct in respect of any such totalisator agency.

Amended by
G.G. 12/7/72,
p. 2411;
G.G. 11/10/74,
p. 3840;
G.G. 3/7/81,
p. 2610;
G.G. 28/10/83,
p. 4367.

12. (1) Where a race meeting or a race at a race meeting is postponed from one day to another or abandoned, the Board shall refund all of the amounts of bets made in respect of races that were to be but were not held on that day at that race meeting other than those bets known as double bets and in respect to which the first leg of the double event has already been run.

¹ Now Betting Control Act 1954-1978.

(2) Where the first race of a double event has already been run and the race that would have comprised the second race of that double event is abandoned, the Board shall deduct a totalisator commission of twenty per centum of the gross takings of the totalisator pool for that double event and, subject to sub-regulation (5) of regulation 32 of these regulations, the Board shall pay, by way of dividend, or carry forward the resulting balance in accordance with regulation 32 of these regulations as if each ticket in which the horse or greyhound that won the first race of the double event was nominated to win that race was a winning ticket.

13. Bets will be accepted by the Board, whether as agent or otherwise, by cash payment at a totalisator agency or by telephone, postal instructions or by telegram against a deposit account previously established at the totalisator agency, or by postal instructions or telegram accompanied by a cash remittance, money order or telegraphed amount, but in the case of postal instructions including telegrams where no deposit account has previously been arranged, unless the instructions arrive at the totalisator agency to which it is addressed at least two hours before the scheduled starting time of the particular race on which the bet is to be made, the bet shall not be accepted by the Board.

Amended
G.G. 3/10/63,
p. 2955;
G.G. 11/10/74,
p. 3840.

Bets Made by Cash.

14. Bets made by the deposit of the amount of the bet in cash shall be accepted by the Board only during the hours advertised at each totalisator agency for the acceptance of such bets, but the person in charge of the totalisator agency may declare at any time that the agency is closed for receiving such bets.

15. The Board shall not be required to accept any bet unless the person making the bet with the Board clearly indicates the designation of the race meeting, the race, the horse or greyhound, code number or numbers, the amount of the bet, and whether the bet is to be for a win or place or all up or is to be a bet referred to in sub-regulation (1) of regulation 31A of these regulations and such other information as may be required by the person accepting the bet at the totalisator agency to identify the bet to be made.

Amended by
G.G. 11/10/74,
p. 3840.
G.G. 11/6/76,
p. 1861;
G.G. 11/8/78,
p. 2877.

16. Every totalisator ticket issued by the Board shall be printed, written, stamped, punched or marked to show—

Amended by
G.G. 16/11/61,
p. 3194;
G.G. 24/5/66,
p. 1319;
G.G. 11/10/74,
p. 3840.

- (a) the designation of the race meeting and the date of the race meeting where the race on which the bet to which the ticket relates is to be run;

[*Paragraph (b) deleted by G.G. 16/11/61, p. 3194.*]

- (c) the number of the race or races in respect of which the ticket is issued;

- (d) the code number that has been allocated by the Board to the horse or greyhound or horses or greyhounds on which the bet in respect of which the ticket is issued is made;

- (e) the amount of the bet expressed in units of fifty cents (50c).

17. (1) The Board shall exhibit at all totalisator agencies notices showing the names and numbers of the horses or greyhounds known to have accepted as starters for races for the race meetings for which the Board will be receiving bets, the date and code letter or designation of each such race meeting, the numbers of races and the code numbers allotted to the horses or greyhounds therein, including known brackets and the distinguishing mark of any double or other combination of races or form of bet as may be necessary for the proper identification of bets.

Amended by
G.G. 11/10/74,
p. 3840.

(2) Bets shall be received by the Board in respect of only those races and race meetings and the horses or greyhounds accepted as starters for the races for which such notices are exhibited.

(3) Notwithstanding the provisions of regulation 18, where a totalisator ticket has been issued by the Board and there is recorded thereon in respect of a race meeting either an incorrect date or incorrect designation of the race meeting or either of those particulars is omitted, the Board may, if it is satisfied that such record or omission is an error and it is manifest that the bet in respect of which the ticket was purported to have been issued, was included for a particular race meeting, treat the bet as intended for that meeting and the bet shall be deemed to have been made accordingly.

Amended by
G.G. 11/6/76,
p. 1861.

18. (1) Subject to the provisions of this regulation, the person to whom a totalisator ticket is issued by the Board shall be deemed to accept the ticket issued to him and to have agreed that the particulars shown thereon are correct, unless he applies forthwith after the issue of the ticket to the person who issued it to have any error or omission thereon rectified.

(2) If the bet in respect of which a totalisator ticket is issued is one which cannot be either recorded by the Board on a totalisator or accepted by the Board, or is one for which notices are not exhibited in accordance with the regulations at the totalisator agency at the time the ticket is issued, the person to whom the ticket belongs shall be entitled only to a refund of the amount shown on the ticket.

(3) Subject to the provisions of subregulation (3) of regulation 17, where a totalisator ticket is incomplete as to any of the particulars required to be shown thereon or the ticket or any of those particulars are in the opinion of the Board ambiguous, the person to whom the ticket belongs shall be entitled only to a refund of the amount shown on the ticket.

(4) When a totalisator ticket is presented for the payment of a dividend or refund or for the purpose of correcting any alleged error thereon, if the ticket has been in any way altered, mutilated or defaced the Board may reject the ticket and the person to whom the ticket belongs shall not be entitled to any dividend or refund in respect thereof.

Payment of Dividends and Refunds in Respect of Cash Bets.

Amended by
G.G. 8/6/61,
p. 1741;
G.G. 3/7/63,
p. 1920;
G.G. 30/12/63,
p. 4013-4;
G.G. 22/9/69,
p. 2916;
G.G. 11/10/74,
p. 3840.

19. (1) Refunds in respect of totalisator tickets issued by the Board may be paid by the Board at any time when the totalisator agency at which the ticket was issued is open for the receiving of bets, but the person in charge of the totalisator agency may declare at any time that refunds due in respect of any race meeting or race shall be payable at the same time as the dividends for such race meeting or race are payable.

(2) The Board shall display in every totalisator agency from time to time the earliest date and hour when dividends and refunds will be payable by the Board and thereafter dividends and refunds shall be payable at the totalisator agency from which the totalisator ticket was issued during the notified hours and days for a period of four weeks from the date of the running of the race in respect of which the ticket was issued.

(2a) A dividend or refund in respect of a bet in cash made with the Board shall be paid only upon the presentation and surrender, at the totalisator agency where it was issued, of the totalisator ticket issued by the Board for that bet but the Board may pay to a person any dividend or refund that is payable in respect of a totalisator ticket issued for a bet in cash without the presentation and surrender to the Board of the totalisator ticket if the person making the claim for the dividend or refund—

- (a) proves to the satisfaction of the Board that the totalisator ticket has been lost or destroyed; and
- (b) proves to the satisfaction of the Board that he is the person entitled to the dividend or refund.

[Paragraph (c) deleted by G.G. 22/9/69, p. 2916.]

(2b) The Board has power to—

- (a) require a person making a claim under subregulation (2a) of this regulation, to verify the claim in such manner as the Board requires including verification of the claim by statutory declaration;
- (b) pay the dividend or refund to which the claim relates at such time as the Board determines; and
- (c) deduct from the amount of any dividend or refund paid under this subregulation the amount of the out-of-pocket expenses actually incurred by the Board, including stamp duty if any, in connection with the establishment and payment of the claim for the dividend or refund.

(3) The payment of any dividend or refund by the Board shall be made in cash unless the Board, as it may do, decides to make the payment by cheque.

(4) Any dividend or refund not claimed or paid within the period of four weeks referred to in subregulation (2) of this regulation may be claimed by the person entitled thereto on production of the correct totalisator ticket at the totalisator agency where the ticket was issued and the completion by the claimant of such written form of application as the Board may require.

[Subregulation (5) repealed by G.G. 3/7/63, p. 1920.]

General Provisions Relating to Bets by Telephone.

20. (1) Bets by telephone shall, subject to the regulations, be accepted by the Board at such totalisator agencies as may be nominated by the Board for that purpose but only against a deposit account previously established at such agency.

Substituted by
G.G. 3/10/63,
p. 2955.

(2) A person making a bet with or through the Board by telephone shall use only the telephone numbers notified to him by the Board for that purpose.

(3) The person in charge of a totalisator agency may restrict acceptance of bets by telephone to those received from persons connected to particular telephone exchanges.

(4) Bets may be made by telephone at any time during the business hours of the totalisator agency where the bets are to be made up to the closing time as fixed by the Board from time to time for the acceptance of bets for the races concerned at the totalisator agency.

(5) Where a bet has been made with or through the Board by telephone no amendment shall be made to the bet.

Procedure for Establishing a Deposit Account.

Heading
inserted by
G.G. 3/10/63,
p. 2955.

21. (1) An application to establish a deposit account for the purpose of betting with or through the Board shall be in writing in the form in the Appendix to these regulations.

Substituted
by G.G.
3/10/63,
p. 2955.

(2) The application shall be accompanied by a deposit of at least two dollars (\$2).

Amended by
G.G. 24/5/66,
p. 1319.

(3) The Board shall give an acknowledgment for the amount deposited with the application.

(4) (a) The Board may require any depositor to submit a further application in writing under his hand amending any or all of the particulars required to be given when establishing a deposit account.

(b) A depositor may cancel his original application and substitute a further application on satisfying the Board that there is reasonable need of such action for his own protection.

(c) In either of the cases referred to in paragraphs (a) and (b) of this subregulation, any amounts standing to the credit of the depositor shall be transferred to his credit in the new deposit account.

(5) The person in charge of a totalisator agency may refuse to accept an application to establish a deposit account, or having accepted a deposit may refund it or any part of it without giving any reason for doing so.

Procedure for Keeping, Maintaining, Increasing or Renewing a Deposit Account.

Heading
substituted
by G.G.
3/10/63,
p. 2956.

22. (1) A separate record shall be kept by the Board of each deposit account and of the amount of the bets made against it.

Substituted by
G.G. 3/10/63,
p. 2956.

(2) A deposit account may be maintained, increased or renewed by the payment of further moneys or by the credit of winning dividends or other amounts thereto.

(3) Where cheques are received as a deposit, no bet against that deposit shall be accepted by the Board until the cheque is paid by the bank on which it is drawn.

Heading substituted by G.G. 3/10/63, p. 2956.

Recording of Bets made with and through the Board
Against a Deposit Account.

Substituted by G.G. 3/10/63, p. 2956.

23. (1) At a totalisator agency equipped with mechanical accounting machines or cash registers for the recording of bets, a bet made with or through the Board against a deposit account shall be recorded in such accounting machine or cash register prior to the closing time as fixed by the Board from time to time for the acceptance of bets for the race concerned at the totalisator agency.

(2) At the time a bet is recorded pursuant to subregulation (1) of this regulation, an original and duplicate totalisator ticket marked "deposit" shall be printed showing details of the bet to be charged against the deposit account of the depositor placing the bet.

(3) In and by the printing of the totalisator ticket referred to in subregulation (2) of this regulation the person in charge at the totalisator agency where the bet is received, warrants that the deposit account against which the bet is to be charged has a credit balance sufficient to pay the amount of the bet and that he holds the amount of the bet on behalf of the Board.

Heading amended by G.G. 3/10/63, p. 2956.

Procedure for Betting by Telephone Against Deposit Accounts.

Amended by G.G. 3/10/63, p. 2956; G.G. 11/10/74, p. 3840; G.G. 11/6/76, pp. 1861-2; G.G. 11/8/78, p. 2877.

24. (1) When making a bet against a deposit account the depositor shall state his account number and one or more of his codes as required by the person who receives the bet at a totalisator agency.

(2) The depositor shall supply to the person who receives the bet at a totalisator agency the following information:—

- (a) The designation of the race meeting in which the horse or greyhound in respect of which the bet is to be made, is to run;
- (b) the race at the race meeting in which that horse or greyhound is to run;
- (c) the name or code number of the horse or greyhound on which the bet is to be made;
- (d) the amount of the bet and whether the bet is of the kind known as a bet for a win or place or all up or is a bet referred to in subregulation (1) of regulation 31A of these regulations; and
- (e) such other information as may be required by the person receiving the bet at the totalisator agency as he may require to identify the bet to be made.

(3) The person so receiving the bet shall read back the instructions received from the depositor when making the bet unless the depositor states he does not require him to do so.

Heading amended by G.G. 3/10/63, p. 2956.

Crediting and Payment of Dividends on Bets made by
Telephone against a Deposit Account.

Substituted by G.G. 3/10/63, pp. 2956-7.

25. (1) All dividends due and payable to the depositor shall be deemed to be credited to the depositor's account with the Board immediately such dividends are known to the Board.

(2) The amount standing to the credit of the deposit account of the depositor at any time shall be disposed of by the Board in accordance with the instructions of the depositor.

(3) Where no such instructions have been received by the Board the amount may be retained by the Board pending receipt by it of instructions, or the whole or part of the amount may be remitted to the depositor at any time at the discretion of the person in charge of the totalisator agency where the deposit account is kept.

Error Occurring in the Giving or Recording of Bets
Made by Telephone.

26. (1) Subject to the provision of subregulation (2) of this regulation, where an error results in an incorrect bet being made with the Board, *prima facie* the bet shall be deemed to be that which is recorded by the Board so that the investor shall suffer the loss or receive the benefit as the case may be.

Amended by
G.G. 3/10/63,
p. 2957;
G.G. 11/6/76,
pp. 1861-2.

(2) Where, however, the error results in a loss to an investor who alleges that the error was due to the mistake or other default of any employee of the Board, or of any agent or of any employee of any agent, the Board shall enquire into the circumstances and if the Board is satisfied that such error was due either to the wilful default or to the negligence of the employee or agent the Board shall refund the amount of the bet, but shall not be liable to any dividend that would have been payable had the correct bet been made.

(3) Application for such refund shall be made by the investor as soon as practicable after notice of the error is received by the investor.

(4) Notwithstanding anything contained in this regulation the Board may pay part or all of the dividend which would have been due but for the error.

(5) If at the totalisator agency where the deposit account is kept there is a record in writing of a bet having been made against that deposit account, the Board shall accept it as such even if the bet has not been transmitted to the totalisator.

Special Conditions Applicable to Bets Made by Telephone.

27. (1) Neither the Board nor any employee or agent of the Board shall be responsible for any loss to a depositor arising from the unauthorized use of a depositor's account.

(2) The delivery or posting of cheques by the Board to the address given by the depositor to the Board for the purpose shall be at the sole risk of the depositor and neither the Board nor any employee or agent of the Board shall be responsible for any loss to a depositor arising from the delay or non-delivery of any cheque sent to such address.

(3) Where the Board has delivered to a depositor or sent to him by post a statement of the depositor's account with the Board, if the depositor claims that there is an alleged inaccurate entry in the statement, he shall within seven days after the statement has been received or is deemed to be received by him notify in writing the person in charge of the totalisator agency where the account is kept, of the claim.

(4) The Board may, unless instructed to the contrary by the depositor, send statements of his deposit account with the Board by unregistered post to the address given by the depositor in his application form when applying to open the account or such other address as may be subsequently notified to the Board by the depositor.

(5) Any statement of account sent to a depositor by unregistered post shall be deemed to be received by him at the time when, by the ordinary course of post, the statement would be delivered.

(6) Where a depositor allows his deposit account to run into a debit balance and such debit balance arises as the result of a bet made by the depositor at a time when there is an insufficient credit balance in his deposit account to properly accommodate such bet the Board may disallow either in whole or in part any credit either by way of dividends or refunds arising therefrom but allow the debit to the depositor's account on such a bet to remain.

General Provisions Relating to Bets made by Post
and by Telegram.

28. (1) Bets may be made with or through the Board by post as follows:—

- (a) By written instructions accompanied by a remittance for the amount of the bets; or
- (b) by written instructions against a minimum deposit of two dollars (\$2) previously established with the Board or dividends or refunds credited to such deposit.

Amended by
G.G. 3/10/63,
p. 2957;
G.G. 24/5/66,
p. 1319;
G.G. 11/10/74,
p. 3840;
G.G. 11/6/76,
p. 1861.

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(2) (a) Bets by post and the lodging of instructions in connection with bets by post against deposit accounts with the Board shall be accepted by the Board only at such totalisator agencies as the Board may from time to time nominate and the Board may at any time direct that bets by post from any particular area, district or locality shall be addressed to a particular totalisator agency.

(b) The Board may at any time close any particular agency for the receipt of bets by post.

(3) Where a deposit account has been established with the Board bets may also be made by telephone against the deposit account, if the procedure set out in the regulations relating to bets by telephone is followed.

(4) All remittances sent by post to the Board shall be by bank draft, postal note, money order or bank note, but the Board may accept a cheque by way of deposit for future bets with the Board on the condition that no bet shall be made by the depositor against the deposit until the cheque is paid by the bank on which it is drawn and if the cheque includes the exchange thereon.

(5) (a) Where a remittance for a bet other than a deposit for a deposit account with the Board is received by the Board for an amount net to the Board other than in multiples of fifty cents (50c) the person in charge of the totalisator agency where the bet remittance is received may either reject the bet altogether or accept it up to the multiple of fifty cents (50c) next below the net amount so received.

(b) The balance of the amount of the remittance due to the investor in accordance with the exercise of the discretion by the person in charge of the totalisator agency shall be refunded by the Board to the investor less exchange if any.

(6) No bet on a race shall be accepted by the Board before the official publication of acceptances for that race.

(7) The provisions of this regulation shall apply *mutatis mutandis* to bets made by telegram.

Method of Betting by Post.

Amended by
G.G. 11/10/74,
p. 3840;
G.G. 11/6/76,
p. 1861;
G.G. 11/8/78,
p. 2877.

29. (1) Instructions for a bet by post with or through the Board shall be in writing and shall be accompanied by a remittance sufficient, and no more, for the bet or bets required.

(2) Instructions relating to bets with or through the Board against deposit accounts shall also be in writing signed by the depositor.

(3) All instructions relating to such bets shall record clearly—

(a) the surname, initials and postal address of the investor in block letters;

(b) the designation of the race meeting, the race at that race meeting, and the name or code number of the horse or greyhound or horses or greyhounds in respect of which the bet is required and whether the required bet is for a bet for a win or place or all up or a bet referred to in subregulation (1) of regulation 31A of these regulations, and such other information as may be required to identify the bet to be made;

(c) the amount to be placed in respect of each bet required to be made and the total amount enclosed;

(d) the usual signature of the person making the bet with or through the Board.

(4) The Board shall not accept instructions for alternative bets to be made in the event of a horse or greyhound that is nominated by the investor being scratched and the investor shall, subject to the regulations, be bound by the particulars and instructions supplied by him.

(5) Where any such instructions received by the Board are incomplete or ambiguous the officer in charge of the totalisator agency to which the instructions are addressed may reject the bet or accept it according to what he believes to be the intention of the person giving the instructions and that person shall be bound by the action of the officer.

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(6) Subject to the provisions of subregulation (2) of regulation 30, bets against dividends or refunds payable or to become payable on previous bets with the Board shall not be accepted by the Board.

(7) Where the Board is not permitted under these regulations to accept the whole of any instructions relating to a bet to be made with the Board, the Board may accept such part of those instructions which it is so permitted to accept.

(8) The Board shall accept bets up to two hours before the scheduled starting times of the particular races in respect of which the bets are made, and instructions relating to bets on such races received by the Board after that time shall not be accepted unless the officer in charge of the totalisator agency concerned accepts the instructions.

(9) The Board shall not be bound to acknowledge receipt of or compliance with any instructions relating to a bet.

(10) The provisions of this regulation shall apply *mutatis mutandis* to bets made by telegram.

Crediting and Payment of Dividends and Refunds on Bets
made by Post.

30. (1) In the case of deposits to be operated against by written postal instructions, dividends and refunds payable to the depositor's account with the Board shall be credited by it to the account one hour after the scheduled starting time of the race in respect of which the dividend or refund has become due.

Amended by
G.G. 11/10/74,
p. 3840.

(2) The Board may accept bets against dividends or refunds so credited, or deemed to have been credited.

(3) In the absence of written instructions from the depositor, as to the balance to be retained to the credit of the depositor's account, settlement of the amount due to the depositor by the Board, including any balance of the original deposit, shall be retained by the Board pending receipt of written instructions, or may be remitted by the Board to the depositor.

(4) In respect of bets made with the Board by post dividends and refunds due in respect thereof shall be posted by the Board to the investor on the earliest convenient day next after the day of the race on which the bets were made.

(5) Where the Board is in doubt as to whom or to what address any refund or other remittance from the Board should be sent, the Board shall retain the amount payable until the person who claims to be entitled thereto applies in writing or, if so required by the Board, in person to the totalisator agency where the bet was made and submits proof to the satisfaction of the Board of his right to the amount so held by the Board.

(6) (a) Where a person who has made a bet with the Board claims that he has not received the full dividend or refund to which he alleges he is entitled in respect thereof or alleges that there is an inaccurate entry in his statement of deposit account with the Board, he shall, if he requires an adjustment to be made, apply in writing to the totalisator agency where the bet was made on the account kept within seven days of the day on which the race on which the bet was made was run or the date on which he received the statement.

(b) (i) Such application shall be accompanied by all relevant information supporting the claim.

(ii) The Board shall notify the claimant of its decision on his claim.

(iii) The decision of the Board shall be final.

(7) Where a remittance for a bet or deposit is sent to the Board and has not been accepted by it, a refund of the amount thereof may be effected by the Board by return to the investor of the remittance instrument which was so sent.

(8) The provisions of this regulation shall apply *mutatis mutandis* to bets made by telegram.

General Provisions Relating to Telephone, Postal and
Telegraphic Investments.

31. (1) Remittances in respect of dividends, refunds or of any balance of a deposit account may be paid at the option of the Board by cheque, bank draft, bank transfer, bank note, postal note, or money order posted to the address of the investor being the address given in the original instructions relating to the bet or deposit in respect of which the dividend, refund or balance is payable.

(2) Any exchange, poundage or postage payable on any such remittance may be charged to the person entitled to the remittance, and may be deducted by the Board from the amount of the remittance.

(3) In respect of remittances or correspondence passing to and from the Board and an investor, the investor shall accept all risks, losses, delays, errors or omissions that may occur in the ordinary course of post and the Board shall not be required to send any remittance or correspondence by registered post.

(4) The Board shall not be required to submit a statement of account when forwarding any remittance.

(5) Neither the Board nor any employee or agent of the Board shall be responsible for any loss arising from the unauthorized use of a depositor's account by any person other than the Board, its employees or agents.

Heading
inserted by
G.G. 28/9/65,
pp. 3400-1.

Double Event Bets and other Bets that may be
Made and Received by the Board.

Inserted by
G.G. 28/9/65,
pp. 3400-1.
Amended by
G.G. 11/10/74,
p. 3840;
G.G. 11/6/76,
pp. 1861-2;
G.G. 11/8/78,
pp. 2877-8;
G.G. 3/7/81,
p. 2610.

31A. (1) Subject to these regulations, the Board may make and receive bets known as double event bets, quinella bets, forecast (straight quinella) bets, tierce bets, trifecta bets, quartet bets and favourite numbers bets, in respect of races conducted on race courses within the State, and on such race courses outside the State as are specified in regulation 35 of these regulations.

(2) In a double event bet, the person making the bet shall nominate a combination of two horses or greyhounds, or the same horse or greyhound twice on the chance that those horses or greyhounds or that horse or greyhound will fill the first place in each of two races selected by the Board as the double event.

(3) In a quinella bet, the person making the bet shall nominate a combination of two horses or greyhounds in the same race on the chance that those horses or greyhounds will fill first and second places in that race, irrespective of the order in which they finish.

(4) In a forecast (straight quinella) bet, the person making the bet shall nominate one horse or greyhound to fill first place and another horse or greyhound to fill second place in that order in the same race.

(5) In a tierce bet, the person making the bet shall nominate a combination of three horses in the same race on the chance that those horses will fill first, second and third places in that race irrespective of the order in which they finish.

(6) In a trifecta bet, the person making the bet shall nominate one horse to fill first place, another horse to fill second place, and another horse to fill third place in that order in the same race.

(6a) In a quartet bet, the person making the bet shall nominate one horse to fill first place, another horse to fill second place, another horse to fill third place, and another horse to fill fourth place in that order in the same race.

(7) In a favourite numbers bet, the person making the bet shall nominate a series of numbers on the chance that, subject to the provisions of regulation 34D of these regulations, the races to which those numbers relate will be won by the horse or greyhound deemed in accordance with that regulation to be the off course favourite for those races.

Definition of "Novelty Bet" for Purpose of
Section 20 (5) of the Act.

Heading
inserted by
G.G. 11/8/78,
p. 2878.

31B. For the purposes of the definition of "novelty bet" in subsection (5) of section 20 of the Act, the bets referred to in subregulation (1) of regulation 31A of these regulations are bets of the prescribed kind.

Inserted by
G.G. 11/8/78,
p. 2878.

Special Provisions Relating to Bets Known as
Novelty Bets on Races Within the State.

Heading
substituted by
G.G. 16/12/63,
p. 3911.
Amended by
G.G. 11/8/78,
p. 2878.

32. (1) The Board may make and receive the bets referred to in subregulation (1) of regulation 31A of these regulations in respect of races conducted on race courses within the State.

Substituted by
G.G. 16/12/63,
pp. 3911-12.

(2) The Board may from time to time establish at all or any of its totalisator agencies, totalisator pools and place in separate totalisator pools the different kinds of bet referred to in subregulation (1) of regulation 31A of these regulations.

Amended by
G.G. 28/9/65,
p. 3401;
G.G. 24/5/66,
p. 1319;
G.G. 12/10/66,
p. 2702;

(3) The Board may establish separate totalisator pools for the different kinds of bet referred to in subregulation (1) of regulation 31A of these regulations in respect of a group of totalisator agencies, each totalisator agency region, or establish one totalisator pool in respect of all totalisator agencies for each such bet.

G.G. 10/2/70,
pp. 419-20;
G.G. 11/10/74,
p. 3841;
G.G. 11/6/76,
p. 1862;

(4) Subject to these regulations, a totalisator pool conducted by the Board shall be operated in accordance with such of the rules governing the operation of the totalisator on the race course on which the race or races on which the bets referred to in subregulation (1) of regulation 31A of these regulations are made, as relate to bets of such a kind.

G.G. 11/8/78,
p. 2878;
G.G. 3/7/81,
p. 2610-11;
G.G. 15/7/83,
p. 2547;
G.G. 28/10/83,
p. 4367.

(5) (a) The dividend for a bet of fifty cents (50c) shall be as declared by the totalisator pool except that fractions of ten cents shall not be paid unless the fraction is equal to or exceeds five cents in which case five cents shall be paid.

(b) The dividend for a bet of twenty-five cents (25c) shall be at the rate of half of the dividend declared by the totalisator pool for a bet of fifty cents.

(c) Notwithstanding the provisions of paragraph (a) of this subregulation, the dividend declared for a bet of fifty cents (50c) shall not in any case be of a lesser amount than fifty cents (50c).

(6) Before any dividend is calculated or declared on a totalisator pool for any kind of bet referred to in subregulation (1) of regulation 31A of these regulations, other than quartet bets or favourite numbers bets, the Board shall deduct a totalisator commission of twenty per centum of the gross takings of the totalisator pool concerned and, subject to subregulation (5) of this regulation—

(a) except in a case to which paragraph (b) of this subregulation applies, shall, by way of dividend, pay the amount of the resulting balance to the holder of the winning ticket or, if there is more than one winning ticket, shall divide that amount by the number of winning tickets and pay to the holder of each winning ticket his share of that amount as so divided;

(b) in a case where two or more horses or greyhounds share a sequence of places in a race by reason of a dead heat by those horses or greyhounds for those places and any of those horses or greyhounds has been nominated by the holder of a winning ticket to fill any of those places, shall divide the amount of the resulting balance into as many equal portions as there are possible combinations of nominations that would constitute winning tickets (in this regulation called "winning combinations"), and shall, by way of dividend, pay one portion to the holder of each winning ticket in which a different winning combination was selected or, if there is more than one winning ticket in which a particular winning combination was selected, shall divide the portion for that winning combination by the number of winning tickets in which that winning combination was selected and pay to the holder of each of those winning tickets his share of that portion as so divided.

(7) Where details of a bet otherwise properly received by the Board to be recorded in a totalisator pool have not been so recorded owing to a failure in the means of or error in transmission or to other circumstances beyond the control of the Board, if a dividend would have been payable in respect of that bet had it been so recorded, the Board shall pay in respect of the bet the same dividend as would have been payable had the bet been duly recorded in the totalisator pool.

(8) Where the Board conducts a totalisator pool for any kind of bet referred to in subregulation (1) of regulation 31A of these regulations, other than quartet bets or favourite numbers bets—

- (a) if no bet placed in the totalisator pool concerned is a winning bet, the Board shall carry forward the balance of the gross takings after deducting a totalisator commission of twenty per centum of the gross takings and add the amount of that balance to the amount invested in a subsequent totalisator pool conducted for the same kind of bet, whether conducted on the same day or another day, as the Board may determine;
- (b) if, in a case to which paragraph (b) of subregulation (6) of this regulation applies, there is a winning combination that was not selected by any person making a bet placed in the totalisator pool concerned, the Board shall carry forward the portion provided for by that paragraph for that winning combination and add the amount of that portion to the amount invested in a subsequent totalisator pool conducted for the same kind of bet, whether conducted on the same day or another day, as the Board may determine.

(9) In conducting any totalisator pool referred to in this regulation, the Board may—

- (a) place any two or more horses or greyhounds entered in a race in one bracket and assign, for the purposes of sub-regulation (1) of regulation 17 of these regulations, the same code number to all the horses or greyhounds placed in that bracket; and
- (b) constitute one or more brackets in one race in the manner described in subparagraph (a) of this paragraph.

(10) Where in accordance with this regulation two or more horses or greyhounds in a race are placed in a bracket to which one code number is assigned, the horses or greyhounds placed in the bracket shall, for the purposes of these regulations, be regarded as a single horse or greyhound and any person who, in making a bet, nominates the code number assigned to the bracket, shall be regarded as having made a single selection of the horses or greyhounds placed in the bracket or of such of those horses or greyhounds as start in that race.

(11) Notwithstanding the provisions of subregulation (10) of this regulation, but subject to subregulation (3) of regulation 33 of these regulations, if, after a bet has been made, one or more of the horses or greyhounds placed in a bracket carrying the code number nominated in the bet is or are withdrawn leaving one or more horses or greyhounds remaining in that bracket and the withdrawal or withdrawals takes place before the closing time fixed at the totalisator agency at which the bet was made for the acceptance of such bets, the person who made the bet is entitled, on the surrender of the totalisator ticket for the bet at that totalisator agency before the closing time fixed at that totalisator agency for the acceptance of such bets, to a refund of the amount of bet.

(12) Where, in a bet referred to in subregulation (1) of regulation 31A of these regulations, other than a double event bet or a favourite numbers bet—

- (a) any or all of the horses or greyhounds nominated by the person making the bet is or are scratched; or
- (b) the person making the bet twice nominates the one code number assigned to two or more horses or greyhounds placed in a bracket and one or more of the horses or greyhounds so bracketed fails to start so that less than two of those horses or greyhounds starts in the race;

the Board shall refund to that person the amount of the bet.

(13) In conducting any totalisator pool referred to in this regulation, in which brackets are applied in accordance with paragraphs (a) and (b) of subregulation (9) of this regulation, if a totalisator ticket is issued by mistake under the horse or greyhound code number in lieu of the code number assigned to the bracket of horses or greyhounds and the totalisator ticket has not been cancelled at the totalisator agency at which the bet was made prior to the closing time fixed for the acceptance of such bets at that totalisator agency, the Board shall convert the horse or greyhound code number to the appropriate bracket code number and the person making the bet shall be deemed to have selected that bracket code number.

Special Provisions Relating to Bets Known as Double Event Bets
on Races Within the State.

Heading
inserted by
G.G. 16/12/63,
p. 3912.

33. (1) The Board may take and receive bets known as double event bets in respect of any two races conducted on the same day or on different days on racecourses within the State.

Substituted
by
G.G. 28/9/65,
p. 3401.

(2) Where the two races that comprise the double event are conducted on the same day, if—

Amended by
G.G. 31/10/68,
p. 3249;
G.G. 10/2/70,
pp. 420-1;
G.G. 11/10/74,
p. 3841.

- (a) the horse or greyhound nominated for the first race of the double event by the person making the bet thereon fails to start in that race, the Board shall substitute for the horse or greyhound so nominated the horse or greyhound determined by the Board in accordance with subregulation (2a) of this regulation as the substitute horse or greyhound for the first race of that double event;
- (b) the horse or greyhound nominated for the second race of the double event by the person making the bet thereon fails to start in that race, the Board shall substitute for the horse or greyhound so nominated the horse or greyhound determined by the Board in accordance with subregulation (2a) of this regulation as the substitute horse or greyhound for the second race of that double event,

and the person making the bet shall be deemed to have nominated the horse or greyhound or horses or greyhounds so substituted unless he has obtained a refund of the amount of the bet by surrendering the totalisator ticket issued in connection therewith at the totalisator agency at which the ticket was issued prior to the closing time fixed for the acceptance of bets on that double event at that totalisator agency.

(2a) For the purposes of subregulation (2) of this regulation, the Board shall determine as the substitute horse or greyhound—

- (a) in the first race of a double event—the horse or greyhound which starts in that first race and on which there is invested by way of double event bets the greatest amount of all the amounts so invested on the horses or greyhounds which start in that race, or, if there are two or more such horses or greyhounds, the particular horse or greyhound of those lastmentioned horses or greyhounds which has the lowest numerical code number assigned to it in the official list displayed by the Board for that first race;
- (b) in the second race of a double event—the horse or greyhound which starts in that second race and on which there is invested, coupled with the winner of the first race of that double event, the greatest amount of all the amounts so invested and coupled on horses or greyhounds which start in that second race, or, if there are two or more such horses or greyhounds, the particular horse or greyhound of those lastmentioned horses or greyhounds which has the lowest numerical code number assigned to it in the official list displayed by the Board for that second race.

(3) Where the two horse or greyhound races that comprise the double event are conducted on different days and either or both of the horses or greyhounds nominated by the person making a bet on that double event fails or fail to start in the respective race for which it was nominated to fill first place by the person making the bet, the bet shall be treated as a losing bet and the amount of the bet shall form part of the gross takings of the pool.

Betting on Races Outside the State.

Amended by
G.G. 30/3/61,
p. 821;
G.G. 16/12/63,
p. 3913;
G.G. 28/9/65,
p. 3401;
G.G. 12/10/66,
p. 2702;
G.G. 11/10/74,
p. 3841;
G.G. 11/6/76,
p. 1862;
G.G. 11/8/78,
p. 2878.

34. (1) The Board may make and receive bets in respect of such races conducted on such race courses outside the State as are specified in regulation 35 of these regulations.

(2) The Board may from time to time establish at all or any of its totalisator agencies a totalisator pool and place such bets in the pool.

(3) The totalisator pool may be so established as to receive bets for a win and a place or for any kind of bet referred to in subregulation (1) of regulation 31A of these regulations, or for all or any of those kind of bets.

(4) The Board may establish separate totalisator pools in respect of a group of totalisator agencies, each totalisator agency region, or establish one totalisator pool in respect of all totalisator agencies.

(5) Subject to the regulations, a totalisator pool conducted by the Board shall, in relation to dividends, be operated in accordance with the rules governing the operation of the totalisator on the race course outside of the State on which the race is run.

(6) Where any or all of the horses or greyhounds nominated by a person making a bet referred to in subregulation (1) of regulation 31A of these regulations, other than a double event bet or a favourite numbers bet, is or are scratched, the Board shall refund to that person the amount of the bet.

[Subregulations (6), (7) and (8) repealed by G.G. 28/9/65, p. 3401.]

Inserted by
G.G. 5/4/62,
pp. 855-6.
Erratum
G.G. 18/4/62,
p. 948.
Amended by
G.G. 12/10/62,
p. 3444;
G.G. 28/9/65,
p. 3402;
G.G. 10/2/70,
pp. 421-2;
G.G. 11/10/74,
pp. 3841-2;
G.G. 3/7/81,
p. 2611.

34A. (1) The Board may take and receive bets known as double event bets in respect of any two races conducted on the same day or on different days by any racing club or racing clubs on such race courses outside the State as are specified in regulation 35 of these regulations.

(2) Where the two races that comprise the double event are conducted on the same day, if—

- (a) the horse or greyhound nominated for the first race of the double event by the person making the bet thereon fails to start in that race, the Board shall substitute for the horse or greyhound so nominated the horse or greyhound determined by the Board in accordance with subregulation (2a) of this regulation as the substitute horse or greyhound for the first race of that double event;
- (b) the horse or greyhound nominated for the second race of the double event by the person making the bet thereon fails to start in that race, the Board shall substitute for the horse or greyhound so nominated the horse or greyhound determined by the Board in accordance with subregulation (2a) of this regulation as the substitute horse or greyhound for the second race of that double event,

and the person making the bet shall be deemed to have nominated the horse or greyhound or horses or greyhounds so substituted unless he has obtained a refund of the amount of the bet by surrendering the totalisator ticket issued in connection therewith at the totalisator agency at which the ticket was issued prior to the closing time fixed for the acceptance of bets on that double event at that totalisator agency.

(2a) For the purposes of subregulation (2) of this regulation, the Board shall determine as the substitute horse or greyhound—

- (a) in the first race of a double event—the horse or greyhound which starts in that first race and on which there is invested by way of double event bets the greatest amount of all the amounts so invested on the horses or greyhounds which start in that race, or, if there are two or more such horses or greyhounds, the particular horse or greyhound of those lastmentioned horses or greyhounds which has the lowest numerical code number assigned to it in the official list displayed by the Board for that first race;
- (b) in the second race of a double event—the horse or greyhound which starts in that second race and on which there is invested, coupled with the winner of the first race of that double event, the greatest amount of all the amounts so invested and coupled on horses or greyhounds which start in that second race, or, if there are two or more such horses or greyhounds, the particular horse or greyhound of those lastmentioned horses or greyhounds which has the lowest numerical code number assigned to it in the official list displayed by the Board for that second race.

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(3) Where the two races that comprise the double event are conducted on different days and either or both of the horses or greyhounds nominated by a person making a bet on that double event fails or fail to start, the bet shall be treated as a losing bet and the amount of the bet shall form part of the gross takings of the pool.

[Subregulations (4), (5) and (6) repealed by G.G. 28/9/65, p. 3402.]

34B. All bets in respect of races conducted on race courses outside the State lodged with and received by or on behalf of the Board shall be so lodged and received subject to the condition that at any time prior to the running of any such race the Board may in its sole discretion decide that the bets in respect of that race are made with and received by or on behalf of the Board or are placed by the Board in a totalisator pool conducted by it on that race.

34C. In relation to double event, quinella, forecast (straight quinella), tierce and trifecta totalisator pools conducted by the Board, the following provisions apply:—

- (1) Before any dividend is calculated or declared but after allowing for refunds, where applicable, the Board shall deduct a totalisator commission of twenty per centum of the gross takings of the totalisator pool concerned, and subject to paragraph (1a) of this regulation—
 - (a) except in a case to which subparagraph (b) of this paragraph applies, shall, by way of dividend, pay the amount of the resulting balance to the holder of the winning ticket or, if there is more than one winning ticket, shall divide that amount by the number of winning tickets and pay to the holder of each winning ticket his share of that amount as so divided;
 - (b) in a case where two or more horses or greyhounds share a sequence of places in a race by reason of a dead heat by those horses or greyhounds for those places and any of those horses or greyhounds has been nominated by the holder of a winning ticket to fill any of those places, shall divide the amount of the resulting balance into as many equal portions as there are possible combinations of nominations that would constitute winning tickets (in this regulation called "winning combinations"), and shall, by way of dividend, pay one portion to the holder of each winning ticket in which a different winning combination was selected or, if there is more than one winning ticket in which a particular winning combination was selected, shall divide the portion for that winning combination by the number of winning tickets in which that winning combination was selected and pay to the holder of each of those winning tickets his share of that portion as so divided.
- (1a) On a unit bet of fifty cents (50c), the Board shall not pay a fraction of ten cents (10c) by way of dividend unless that fraction is equal to or exceeds five cents (5c), in which case five cents (5c) shall be paid.
- (2) The Board shall—
 - (a) if no bet placed in the totalisator pool concerned is a winning bet, carry forward the balance of the gross takings after deducting a totalisator commission or twenty per centum of the gross takings and add the amount of that balance to the amount invested in a subsequent totalisator pool conducted for the same kind of bet, whether conducted on the same day or another day, as the Board may determine;
 - (b) if, in a case to which subparagraph (b) of paragraph (1) of this regulation applies, there is a winning combination that was not selected by any person making a bet placed in the totalisator pool concerned, carry forward the portion provided for by that subparagraph for that winning combination and add the amount of that portion to the amount invested in a subsequent totalisator pool conducted for the same kind of bet, whether conducted on the same day or another day, as the Board may determine.
- (3) Where details of a bet otherwise properly received by the Board to be recorded in the totalisator pool have not been so recorded owing to a failure in the means of or error in transmission or to other circumstances beyond the control of the Board, if a dividend would have

Inserted by
G.G. 10/5/62,
pp. 1129-30.
Amended by
G.G. 11/10/74,
p. 3842.

Inserted by
G.G. 28/9/65,
p. 3403.
Amended by
G.G. 24/5/66,
p. 1319;
G.G. 12/10/66,
p. 2702;
G.G. 22/9/69,
pp. 2916-7;
G.G. 10/2/70,
p. 422;
G.G. 11/10/74,
p. 3842;
G.G. 11/6/76,
p. 1862;
G.G. 3/7/81,
pp. 2611-12;
G.G. 15/7/83,
p. 2548;
G.G. 28/10/83,
p. 4368.

been payable in respect of that bet had it been so recorded, the Board shall pay in respect of the bet the same dividend as would have been payable had the bet been duly recorded in the totalisator pool.

- (4) In conducting any totalisator pool referred to in this regulation, the Board may—
- (a) place any two or more horses or greyhounds entered in a race in one bracket and assign, for the purposes of subregulation (1) of regulation 17 of these regulations, the same code number to all the horses or greyhounds placed in that bracket; and
 - (b) constitute one or more brackets in one race in the manner described in subparagraph (a) of this paragraph.
- (5) Subject to paragraph (6) of this regulation, where two or more horses or greyhounds in a race are placed in a bracket to which one code number is assigned, the horses or greyhounds placed in the bracket shall, for the purposes of these regulations, be regarded as a single horse or greyhound and any person who, in making a bet, nominates the code number assigned to the bracket, shall be regarded as having made a single selection of the horses or greyhounds placed in the bracket or of such of those horses or greyhounds as start in that race.
- (5a) Notwithstanding the provisions of paragraph (5) of this regulation but subject to subregulation (3) of regulation 34A of these regulations, if after a bet has been made, one or more of the horses or greyhounds placed in a bracket carrying the code number nominated in the bet is or are withdrawn leaving one or more horses or greyhounds remaining in the bracket and the withdrawal or withdrawals takes place before the closing time fixed at the totalisator agency at which the bet was made for the acceptance of such bets, the person who made the bet is entitled, on the surrender of the totalisator ticket for the bet at that totalisator agency before the closing time fixed at that totalisator agency for the acceptance of such bets, to a refund of the amount of the bet.
- (6) Where a person makes a quinella bet by twice nominating the one code number assigned to two or more horses or greyhounds place, in a bracket and one or more of the horses or greyhounds so bracketed fails to start so that less than two of those horses or greyhounds starts in the race, the Board shall make the refund specified in subregulation (6) of regulation 34 of these regulations.
- (7) In conducting any totalisator pool referred to in this regulation, in which brackets are applied in accordance with subparagraphs (a) and (b) of paragraph (4) of this regulation, if a totalisator ticket is issued by mistake under the horse or greyhound code number in lieu of the code number assigned to the bracket of horses or greyhounds and the totalisator ticket has not been cancelled at the totalisator agency at which the bet was made prior to the closing time fixed for the acceptance of such bets at such agency, the Board shall convert the horse or greyhound code number to the appropriate bracket code number and the person making the bet shall be deemed to have selected that bracket code number.

Heading
inserted by
G.G. 11/8/78,
p. 2878.

Inserted by
G.G. 11/8/78,
pp. 2878-9.
Amended by
G.G. 28/10/83,
p. 4368.

Special provisions Relating to Bets known as Favourite Numbers Bets and Totalisator Pools Conducted in respect thereof.

34D. (1) The Board shall determine the events to which the available participating numbers on a favourite numbers bet ticket relate by random selection from events on which the Board intends to operate in respect of the favourite numbers totalisator pool concerned and which are to be run after the time advertised by the Board as being the closing time for the receipt of bets for that totalisator pool.

(2) When determining the events referred to in subregulation (1) of this regulation, the Board shall also determine which events are to be substituted therefor should all or any of the first-mentioned events be abandoned or postponed from one day to another.

(3) The Board shall by notices displayed in totalisator agencies, or by announcements made, at the time of determining the events referred to in subregulations (1) and (2) of this regulation specify the number of winning events which must be successfully nominated in order to comprise a winning bet.

(4) For the purposes of this regulation, a winning event is one which is won by the horse or greyhound which is deemed to be the off course favourite in accordance with this regulation.

(5) The horse or greyhound starting in a race on which there has been invested by way of win bets recorded by the Board a greater amount than that invested on any other horse or greyhound starting in that race is deemed for the purpose of favourite numbers bets to be the off course favourite for that race.

(6) If in a race there have been invested on two or more horses or greyhounds equal amounts, each of which is greater than any amount invested on any other horse or greyhound starting in the race, the off course favourite is deemed to be the horse or greyhound among the first-mentioned horses or greyhounds which has assigned to it the lowest numerical code number in the official list displayed by the Board for the race.

(7) If one of the horses or greyhounds participating in a dead heat is the off course favourite in the race concerned and that race is one to which a favourite numbers bet relates, that race is deemed for the purpose of this regulation to have been won by that off course favourite.

(8) Subject to the provisions of subregulation (9) of this regulation and before any dividend is calculated or declared in respect of a favourite numbers bet, the Board shall deduct a totalisator commission of twenty-five per centum of the gross takings of the totalisator pool concerned and shall pay the amount of the resulting balance to the holder of the winning ticket by way of dividend or, if there is more than one winning ticket, divide that amount by the number of winning tickets and pay to the holder of each winning ticket his share of that amount as so divided.

(9) On a unit favourite numbers bet of fifty cents (50c), the Board shall not pay a fraction of ten cents (10c) by way of dividend unless that fraction is equal to or exceeds five cents (5c), in which case five cents (5c) shall be paid.

(10) If no favourite numbers bet placed in the totalisator pool concerned is a winning bet in accordance with subregulation (3) of this regulation, the Board shall carry forward fifty per centum of the resulting balance of the gross takings referred to in subregulation (8) of this regulation and shall add the amount of that percentage to the amount invested in a subsequent totalisator pool conducted for the same kind of favourite numbers bet as that in respect of which no bet on the winning combination was made.

(11) The Board shall, after carrying forward fifty per centum of the resulting balance of the gross takings in accordance with subregulation (10) of this regulation, divide the remaining fifty per centum of the resulting balance of the gross takings by the number of tickets nominating the number of successful numbers which is one less than the appropriate number specified in terms of subregulation (3) of this regulation for the purpose of declaring and paying a dividend in terms of sub-regulation (6) of this regulation.

(12) If there are no tickets nominating the number of successful numbers referred to in subregulation (11) of this regulation, the Board shall progressively reduce by one the number required for the purpose of determining which bets are winning bets until the Board is able to calculate and declare a dividend.

Special Provisions Relating to Bets known as Quartet Bets and
Totalisator Pools Conducted in respect thereof.

Heading
inserted by
G.G. 3/7/81,
p. 2612.

34E. (1) Where two or more horses share a sequence of places in a race by reason of a dead heat by those horses for those places, and a person making a quartet bet nominated any of those horses to fill any of those places in the race, the horse shall, for the purposes of that bet, be taken to have filled the place as nominated.

Inserted by
G.G. 3/7/81,
p. 2612.

(2) Before any dividend is calculated or declared in respect of a quartet bet, the Board shall deduct a totalisator commission of twenty per centum of the gross takings of the totalisator pool concerned and, subject to subregulation (3) of this regulation—

- (a) except in a case to which subregulation (1) of this regulation applies, shall, by way of dividend, pay the amount of the resulting balance to the holder of the winning ticket or, if there is more than one winning

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ticket, shall divide that amount by the number of winning tickets and pay to the holder of each winning ticket his share of that amount as so divided;

- (b) in a case to which subregulation (1) of this regulation applies, shall divide the amount of the resulting balance into as many equal portions as there are possible combinations of nominations that would constitute winning tickets, (in this regulation called "winning combinations"), and shall, by way of dividend, pay one portion to the holder of each winning ticket in which a different winning combination was selected or, if there is more than one winning ticket in which a particular winning combination was selected, shall divide the portion for that winning combination by the number of winning tickets in which that winning combination was selected and pay to the holder of each of those winning tickets his share of that portion as so divided.

(3) On a unit quartet bet of fifty cents (50c), the Board shall not pay a fraction of ten cents (10c) by way of dividend unless that fraction is equal to or exceeds five cents (5c), in which case five cents (5c) shall be paid.

(4) The Board shall—

- (a) if less than four horses finish and are officially placed in a race, or in any other case in which no bet placed in the totalisator pool concerned is a winning bet, carry forward the balance of the gross takings after deducting a totalisator commission of twenty per centum of the gross takings and add the amount of that balance to the amount invested in a subsequent quartet totalisator pool, whether conducted on the same day or another day, as the Board may determine; and
- (b) if, in a case to which subregulation (1) of this regulation applies, there is a winning combination that was not selected by any person making a bet placed in the totalisator pool concerned, carry forward the portion provided for by paragraph (b) of subregulation (2) of this regulation for that winning combination and add the amount of that portion to the amount invested in a subsequent quartet totalisator pool, whether conducted on the same day or another day, as the Board may determine.

- Substituted by *G.G.* 5/4/62, p. 856.
Amended by *G.G.* 11/9/62, p. 2513;
G.G. 29/11/62, p. 3832;
G.G. 7/2/63, p. 596;
G.G. 19/2/64, p. 700;
G.G. 16/4/64, pp. 1951-2;
G.G. 8/1/65, p. 29;
G.G. 28/9/65, p. 3400;
G.G. 26/8/66, p. 2279;
G.G. 12/10/66, p. 2702;
G.G. 31/10/68, p. 3249;
G.G. 29/5/70, p. 1449;
G.G. 24/3/72, p. 699;
G.G. 26/1/73, p. 237;
G.G. 6/10/78, p. 3634;
G.G. 6/7/79, p. 1834;
G.G. 18/7/80, p. 2465;
G.G. 28/11/80, p. 4034;
G.G. 7/5/82, p. 1447;
G.G. 15/7/83, p. 2548.
35. (1) For the purposes of section 20 of the Act the following horse races and race courses are prescribed:—
- (a) In the State of Victoria:
All horse races held at race courses situated at Ballarat, Benalla, Bendigo, Caulfield, Colac, Cranbourne, Flemington, Geelong, Hamilton, Kilmore, Kyneton, Moe, Moonee Valley, Mornington, Packenham, Sale, Seymour, Springvale, Wangaratta, Warrnambool, Werribee, Woodend, Yarra Glen and the Melbourne Showground.
- (b) In the State of New South Wales:
All horse races held at race courses situated at Canterbury, Gosford, Harold Park, Hawkesbury, Kembla Grange, Newcastle, Randwick, Rosehill, Warwick Farm and Wyong.
- (c) In the State of Queensland:
All horse races held at the Albion Park, Eagle Farm and Doomben race courses situated at Brisbane, the Bundamba race course situated at Ipswich and the Southport race course situated at Southport.
- (d) In the State of South Australia,
All horse races held at the Cheltenham, Victoria Park, Morphettville and Globe Derby Park race courses situated at Adelaide, at the Oakbank race course situated at Oakbank, and at the Gawler race course situated at Gawler.
- (da) In the State of Tasmania:
All horse races held at racecourses situated at Launceston and Hobart and the horse races known as the divisions, Consolation Races and Final of the Interdominion Trotting Championship when held at the race course situated at Royal Hobart Showground.
- (db) In the Northern Territory:
All horse races held at the Fannie Bay racecourse, Darwin.

(e) In the Dominion of New Zealand:

The horse races known as the divisions, Consolation Races and Final of the Inter Dominion Trotting Championship when held at the racecourses situated at Dunedin, Christchurch, Auckland, Wellington or Addington.

(f) In the United Kingdom:

The horse race known as "The Derby" held at Epsom.

(g) In the United States of America:

All horse races held at the Meadowlands Paceway, New York.

(2) For the purposes of section 20 of the Act the following greyhound races and race courses are prescribed—

The National Greyhound Sprint Championship and the National Greyhound Distance Championship when held at—

Angle Park, in the State of South Australia;
Brisbane Cricket Ground, in the State of Queensland;
Wentworth Park or Harold Park, in the State of New South Wales;
Olympic Park or Sandown Park in the State of Victoria; or
Royal Showgrounds, Glenorchy or White City Showgrounds, in the State of Tasmania.

Totalisator Pools—Win and Place Betting on Races
outside the State.

Heading
substituted by
G.G. 28/9/65,
p. 3402.

36. (1) In relation to a totalisator pool conducted for a win on a race held on a racecourse outside the State the Board shall—

- (a) after allowing for refunds, place the amount of all bets received for a win on that race into a separate pool;
- (b) deduct therefrom by way of commission an amount equal to twenty per centum of the amount by which the amount of each pool exceeds the amount invested in such pool on the horse or greyhound placed first in such race;
- (c) calculate the win dividend for the horse or greyhound placed first by dividing the number of winning tickets on such horse or greyhound based on a unit investment of fifty cents (50c) into the amount remaining in the pool after commission has been deducted in accordance with paragraph (b) of this subregulation;
- (d) declare and pay to the holder of each winning ticket the dividend calculated in accordance with paragraph (c) of this subregulation, provided that fractions of five cents (5c) shall not be paid.

Substituted by
G.G. 28/9/65,
pp. 3403-5.
Amended by
G.G. 10/2/66,
p. 432;
G.G. 24/5/66,
p. 1320;
G.G. 12/10/66,
p. 2703;
G.G. 10/2/70,
pp. 422-5;
G.G. 10/6/71,
p. 1933;
G.G. 11/10/74,
p. 3842;
G.G. 11/6/76,
p. 1862;
G.G. 29/10/76,
p. 4119;
G.G. 18/6/82,
p. 1998.

(2) In relation to a totalisator pool conducted for a place on a race held on a racecourse outside the State in which the number of horses or greyhounds finally starting is not less than eight (8), subject to subregulations (3) and (4) of this regulation, the Board, after allowing for refunds, shall—

- (a) place the amount of all bets received for a place on that race into a separate pool and divide such pool into three equal parts on behalf of the horses or greyhounds placed first, second and third respectively;
- (b) from each of the three parts respectively deduct a commission of twenty-five per centum of the amounts by which the amounts of such parts exceed the amounts invested on the horses or greyhounds placed first, second and third respectively;
- (c) calculate dividends for first, second and third places by dividing the number of winning tickets based on a unit investment of fifty cents (50c) per ticket on the horses or greyhounds placed first, second and third into the amounts of the respective parts of such horses or greyhounds placed first, second and third as are then remaining after commission has been deducted in accordance with paragraph (b) of this subregulation; and
- (d) declare and pay to the holder of each winning ticket the dividend calculated in accordance with paragraph (c) of this subregulation, provided that fractions of five cents (5c) shall not be paid.

(3) Where the amount invested on only one of the horses or greyhounds placed first, second or third is more than one-third of the amount, after allowing for refunds, of all bets received for a place on that race, the Board shall—

- (a) before proceeding with the division of the pool under paragraph (a) of subregulation (2) of this regulation, declare and pay out of the pool a dividend of fifty cents (50c) per unit of investment to the holder of each winning ticket on that horse or greyhound;
- (b) divide the amount then remaining in the pool into two equal parts on behalf of the other two placed horses or greyhounds and deduct from each of those two parts a commission of twenty-five per centum of the amount by which the amount of that part exceeds the amounts invested on the placed horse or greyhound to which that part relates;
- (c) calculate the dividend for each of the two placed horses or greyhounds referred to in paragraph (b) of this subregulation by dividing the number of winning tickets on that horse or greyhound based on a unit of investment of fifty cents (50c) per ticket into the amount of the part set aside for that placed horse or greyhound under that paragraph after commission has been deducted therefrom under that paragraph; and
- (d) declare and pay to the holder of each winning ticket the dividend calculated in accordance with paragraph (c) of this subregulation, provided that fractions of five cents (5c) shall not be paid.

(4) Where the amount invested on each of two of the horses or greyhounds placed first, second or third is more than one-third of the amount, after allowing for refunds, of all bets received for a place on that race, the Board shall—

- (a) before proceeding with the division of the pool under paragraph (a) of subregulation (2) of this regulation, declare and pay out of the pool a dividend of fifty cents (50c) per unit of investment to the holder of each winning ticket on either of those horses or greyhounds;
- (b) set aside the part then remaining in the pool on behalf of the other horse or greyhound placed first, second or third and deduct therefrom a commission of twenty-five per centum of the amount by which the amount of that part exceeds the amount invested on that horse or greyhound;
- (c) calculate the dividend for the placed horse or greyhound referred to in paragraph (b) of this subregulation by dividing the number of winning tickets on that horse or greyhound based on a unit of investment of fifty cents (50c) per ticket into the amount of the part set aside for that horse or greyhound under that paragraph after commission has been deducted therefrom under that paragraph; and
- (d) declare and pay to the holder of each winning ticket the dividend calculated in accordance with paragraph (c) of this subregulation, provided that fractions of five cents (5c) shall not be paid.

(5) In relation to a totalisator pool conducted for a place on a race held on a racecourse outside the State if the number of horses or greyhounds finally starting is less than 8 but more than 4 the pool shall be divided into two separate and equal parts on behalf of the horses or greyhounds placed first and second only, and the other provisions of subregulations (2), (3) and (4) of this regulation shall apply *mutatis mutandis*.

(5a) Where the number of horses or greyhounds finally starting in a race held on a racecourse outside the State is less than 5 the place totalisator shall not operate.

(6) In relation to a win or place bet made and win and place totalisator pools conducted pursuant to this regulation, the following provisions apply:—

- (a) The Board may place any two or more horses or greyhounds entered in a race in one bracket and assign, for the purposes of subregulation (1) of regulation 17 of these regulations, the same code number to all the horses or greyhounds placed in that bracket and constitute one or more brackets in one race in this manner.

- (b) Where details of a bet otherwise properly received by the Board to be recorded in the totalisator pool have not been so recorded owing to a failure in the means of or error in transmission or to other circumstances beyond the control of the Board, if a dividend would have been payable in respect of that bet had it been so recorded, the Board shall pay in respect of the bet, the same dividend as would have been payable had the bet been duly recorded in the totalisator pool.
- (c) Where a bracket is applied to two or more horses or greyhounds by the totalisator on the racecourse outside the State on which the race is or races are to be run, the Board shall remove such brackets and such brackets shall not operate.
- (d) To ensure that a dividend can be declared and paid, the Board itself shall invest one fifty cents (50c) bet for both a win and a place on every horse or greyhound that finally starts in each particular race.
- (e) Where in accordance with paragraph (a) of this sub-regulation, two or more horses or greyhounds in a race are placed in a bracket to which one code number is assigned, the horses or greyhounds placed in the bracket shall, for the purposes of these regulations, be regarded as a single horse or greyhound and any person who in making a bet, nominates the code number assigned to the bracket, shall be regarded as having made a single selection of the horses or greyhounds placed in the bracket or of such of those horses or greyhounds as start in that race.
- (f) Notwithstanding the provisions of paragraph (e) of this subregulation, if, after the bet has been made, one or more of the horses or greyhounds placed in a bracket carrying the code number nominated in the bet is or are withdrawn leaving one or more horses or greyhounds remaining in that bracket and the withdrawal or withdrawals takes place before the closing time fixed at the totalisator agency at which the bet was made for the acceptance of such bets, the person who made the bet is entitled, on the surrender of the totalisator ticket for the bet at that totalisator agency before the closing time fixed at that totalisator agency for the acceptance of such bets, to a refund of the amount of the bet.
- (g) Subject to paragraphs (e) and (f) of this subregulation, where the horse or greyhound nominated by a person making the bet fails to start in the particular race concerned, the Board shall refund to that person the amount of the bet.
- (h) Where two or more horses or greyhounds dead heat for first, second or third place, requiring the payment of one or more additional win or place dividends, then the dividends to be declared and paid for the horses or greyhounds forming the dead heat shall be the dividends that, but for such dead heat, would otherwise have been declared and paid for such horses or greyhounds in accordance with these regulations divided by the number of horses or greyhounds forming the dead heat, provided that a fraction of five cents (5c) shall be paid as five cents (5c).
- (i) Notwithstanding any other provision of this regulation, where either a win or place dividend calculated and payable under this regulation is less than fifty-five cents (55c), the Board may declare and pay a dividend of fifty-five cents (55c).

37. All bets in respect of a race conducted on a race course outside the State lodged with and received by or on behalf of the Board for placement in a totalisator pool to be conducted pursuant to regulation 36 of these regulations are deemed to be so lodged and received subject to the conditions that if at any time prior to the running of the race a breakdown occurs in communications or in any equipment used by or on behalf of the Board so that the conduct of the pool is rendered impracticable, all bets so lodged and received are to be deemed to have been lodged with and received by or on behalf of the Board for payment in accordance with the provisions of paragraph (a) of subsection (2) of section 22 of the Act, and any regulations made pursuant thereto.

Substituted by
G.G. 12/10/66,
p. 2703.
Amended by
G.G. 11/10/74,
p. 3843.

Heading
inserted by
G.G. 16/11/66,
p. 2958.

Payment of dividends declared by a totalisator conducted on a
racecourse outside the State.

Inserted by
G.G. 16/11/66,
p. 2958.
Amended by
G.G. 11/10/74,
p. 3843.

37A. For the purposes of paragraph (a) of subsection (2) of section 22 of the Act, the Board in respect of any bet lodged with it and received by it or on its behalf on a race conducted on a racecourse situated outside the State and not placed in a totalisator pool conducted pursuant to regulation 36 of these regulations—

- (a) shall not, where the bet was for a win, pay by way of dividend in respect of each winning ticket based on a unit investment of fifty cents (50c) any amount by which the dividend declared by the totalisator conducted on that race course exceeds eighty dollars fifty cents (\$80.50);
- (b) shall not, where the bet was for a place, pay by way of dividend in respect of each winning ticket based on a unit investment of fifty cents (50c), any amount by which the dividend declared by the totalisator conducted on that race course exceeds twenty dollars fifty cents (\$20.50); and
- (c) shall, where a dividend of fifty cents (50c) is declared by the totalisator on that race course on each winning ticket based on a unit investment of fifty cents (50c), pay by way of dividend in respect of each winning ticket the sum of fifty-five cents (55c).

Totalisator Board Betting Tax.

38. The Board shall lodge with the Commissioner by the last business day for the Treasury in each month a return of all moneys paid to the Board during the month immediately preceding that month in respect of bets made through or with the Board under the provisions of the Act, and such return shall be accompanied by the amount of the Totalisator Agency Board betting tax payable in respect of those moneys so paid.

39. For the purposes of paragraph (a) of subsection (1) of section thirty-one of the Act, a person who is desirous of dealing with premises that were registered premises within the meaning of the expression "registered premises" in the Betting Control Act 1954, in any manner referred to in that section shall, subject to that section, first notify the Board by notice in writing served on the Board specifying the premises concerned, the situation of the premises, the manner in which he desires to deal with the premises and the full name and address of the person disposing of, or acquiring any estate in, the premises.

Heading
inserted by
G.G. 18/4/62,
p. 948.

Bets Transmitted by Board to be Registered on Totalisator.

Inserted by
G.G. 18/4/62,
p. 948.
Amended by
G.G. 11/10/74,
p. 3843.

40. (1) Whenever bets received by the Board are transmitted to a racing club for registration in respect of any race on the totalisator operating on the race course of that club, those bets that are so transmitted up to the time when in respect of that race the totalisator is officially closed shall be accepted for registration, and registered, on the totalisator.

(2) The bets registered on the totalisator pursuant to subregulation (1) of this regulation shall form part of the total amount invested on the totalisator in respect of the race for which the bets were transmitted, and shall be taken into account in the calculation of the dividends to be declared payable on the result of that race.

Heading
inserted by
G.G. 30/1/81,
p. 449.

Sub-agencies.

Inserted by
G.G. 30/1/81,
p. 449.

40A. (1) A sub-agency shall not be established on the part of any hotel or tavern premises licensed for the sale of liquor under the Liquor Act 1970.

(2) Unless otherwise approved by the Minister, any sub-agency established by the Board shall provide separate access to a public street or right of way during the hours that the sub-agency is open for the receiving of bets.

(3) Where a sub-agency is conducted as a part of another business or operation, that part which is conducted as a totalisator agency shall be suitably partitioned or screened to the satisfaction of the Board.

(4) No business other than that usually conducted by totalisator agencies shall be conducted in a sub-agency.

Miscellaneous.

41. For the purposes of paragraph (b) of subsection (1) of section twenty and subsection (1) of section twenty-one of the Act the prescribed closing time for the acceptance of bets is five minutes immediately preceding the advertised starting time for the race in respect of which the bets are made.

Heading inserted by G.G. 27/2/63, p. 744.

Inserted by G.G. 27/2/63, p. 744.
Amended by G.G. 17/8/66, p. 2234; G.G. 11/5/73, p. 1169; G.G. 11/10/74, p. 3843; G.G. 6/7/79, p. 1834.

42. For the purposes of subsection (2) of section twenty-one of the Act, the following horse or greyhound races are prescribed:—

Inserted by G.G. 27/2/63, p. 745.

(1) In the Metropolitan Area of this State—

Amended by G.G. 18/7/63, p. 2066; G.G. 1/10/71, p. 3883; G.G. 23/3/73, p. 770; G.G. 4/1/74, p. 25;

(a) all horse races held at Perth Racecourse (known as Ascot), Belmont Park; Belmont Park Racecourse, Belmont Park; Helena Vale Racecourse, Helena Vale;

(b) all trotting races held at Gloucester Park, East Perth; Richmond Raceway, East Fremantle;

(c) all greyhound races held at Cannington Central Greyhound Association, Cannington.

G.G. 11/10/74, pp. 3839-43; G.G. 1/12/78, p. 4510; G.G. 30/1/81, p. 449; G.G. 24/9/82, p. 3790.

(2) In the country areas of this State—

(a) all horse races held at Albany, Beverley, Bunbury, Geraldton, Kalgoorlie, Mount Barker, Narrogin, Northam, Pinjarra, Toodyay and York;

(b) all trotting races held at Bunbury, Cunderdin, Harvey, Kalgoorlie, Narrogin, Northam, Pinjarra, Wagin, York;

(c) all greyhound races held at Mandurah.

Appendix.

Totalisator Agency Board.

Reg. 21 (1).

APPLICATION FORM—DEPOSIT ACCOUNT.

Appendix inserted by G.G. 3/10/63, p. 2957. Amended by G.G. 24/5/66, p. 1321.

NAME (Block Letters)	Surname	Christian Name(s)	Age
ADDRESS POSTAL ADDRESS	If Depositor desires, the address of any T.A.B. Agency can be given as the postal address		
Post cheque for any amount to my credit in excess of	\$	Statement—Required/Not Required If statement of account not required, Depositor can check position of account when placing bets by phone	
Amount of Deposit (minimum \$2)	\$	You may telephone me re betting at Phone No.	
CODE	4 figure Code Numbers		
	1st	2nd	3rd
Signature of Applicant or Person in Charge of Totalisator Agency			

