

WESTERN AUSTRALIA

TOTALISATOR AGENCY BOARD BETTING ACT 1960

**TOTALISATOR
AGENCY BOARD
RULES 1961**

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TOTALISATOR AGENCY BOARD BETTING ACT 1960

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RULES 1961**

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**TOTALISATOR AGENCY BOARD
RULES 1961**

Citation

1. These rules may be cited as the *Totalisator Agency Board Rules 1961*¹.

Interpretation

2. In these rules unless the context requires otherwise—

“**Chairman**” means the Chairman of the Board;

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

expressions used in these rules have the same respective meanings as in the *Totalisator Agency Board Betting Act 1960*.

Proceedings of the Board. Meetings

Ordinary meetings

3. (1) The Chairman shall convene the first meeting of the Board to be held at a time and place appointed by him, and the Board shall meet accordingly and shall hold such further meetings as it considers necessary for the efficient conduct of its affairs.

- (2) The meetings held pursuant to this rule are called “ordinary” meetings.

Special meetings

4. The Chairman of his own volition, or if requested to do so at any time by any 4 members, shall forthwith convene a special meeting of the Board.

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Notice of meetings

5. (1) The Secretary shall cause to be given to each member in writing, either delivered personally or sent by post or telegraph, notice of every meeting of the Board at least 48 hours before the time appointed for the commencement of the meeting unless the Chairman directs that shorter notice should be given because of an emergency, in which case the Secretary shall cause the shorter notice to be given to each member.

(2) In the case of a special meeting the notice of the meeting shall specify the business to be dealt with at that meeting.

(3) Notwithstanding the provisions of sub-rules (1) and (2), where it appears to the Chairman that, by reason of the urgency of the matter required to be dealt with by the Board, there is insufficient time available to convene a meeting to deal with that matter, if the matter in question is decided by a majority of the Board ascertained by separate communication to each member available, the decision shall be deemed to be the decision of the Board as if it were made at a duly convened meeting of the Board.

Quorum at meetings

6. (1) 6 members or their respective deputies constitute a quorum of the Board and may carry out the functions of the Board as effectively as if all members were present.

(2) If a quorum is not present within half an hour of the time appointed for the commencement of a meeting, the business lapses and the business set down for attention at that meeting shall be the business, or included in the business, for attention at the next ordinary or special meeting of the Board.

[*Rule 6 amended in Gazettes 27 November 1987 p. 4257; 16 September 1988 p. 3653.*]

Voting at meetings

7. (1) At meetings of the Board each member present shall vote on questions submitted at the meeting unless a member has a personal interest in the question or could stand to personally gain from a decision, in which case the member shall declare an interest in the matter and abstain from voting, and by a majority vote that member may be requested to leave the meeting whilst the matter is under deliberation.

(2) All questions shall be decided by a majority of votes of the members present and voting.

(3) The Chairman, or the person appointed his deputy when presiding, has a deliberative vote and, in the event of an equality of votes, has a casting vote.

[*Rule 7 amended in Gazette 27 November 1987 p. 4257.*]

Minutes of meetings

8. (1) The Secretary or, if he is not available, any other officer of the Board authorised by the Board to do so, shall keep proper minutes of resolutions carried, business transacted, and proceedings effected at each meeting of the Board.

(2) The minutes of the meeting shall be submitted to the members for confirmation either at the same or a subsequent meeting and when confirmed shall be signed by the Chairman.

(3) Production of the minute book purporting to have been signed by the Chairman is conclusive evidence of the matters recorded in the minutes.

(4) All Board papers issued prior to, during or after a meeting shall be safeguarded by the staff and members to whom they are distributed.

(4a) A member or any person employed on the staff shall not—

- (a) divulge the contents of any Board papers; or
- (b) disclose deliberations of a meeting,

to persons other than members or persons employed on the staff.

(4b) A person who contravenes subrule (4) or (4a) commits an offence.

Penalty: \$200.

(4c) Subrule (4a)—

- (a) does not apply where a member discloses information to the Board or committee that manages the body that nominated that member for appointment;
- (b) applies whenever the Chairman or the Deputy Chairman directs that, notwithstanding paragraph (a), that subrule so applies.

(5) Board members shall contact—

- (a) the Secretary on all Board meeting administrative matters; or
- (b) the General Manager for general matters,

and shall not approach the Board's staff for information without the agreement of the General Manager.

[Rule 8 amended in Gazettes 27 November 1987 pp. 4257-8; 8 November 1991 pp. 5767-8.]

Order of business at meetings

9. (1) Subject to subrule (2), the order of business at ordinary meetings of the Board shall be as follows—

- (a) recording of members or deputies present, apologies and recording of any other persons in attendance;
 - (b) confirmation of the minutes of the previous meeting;
 - (c) matters arising from the minutes of the previous meeting;
 - (d) staff, contractors and organization;
 - (e) agents;
 - (f) financial matters;
 - (g) application of the common seal;
 - (h) land, premises and agencies;
 - (i) such other business matters that are raised before or during the meeting;
- and

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(j) the date of the next ordinary meeting.

(2) The order of business may be varied, at the discretion of the Chairman, from time to time.

[Rule 9 inserted in Gazette 27 November 1987 p. 4258; amended in Gazette 2 August 1991 p. 4079.]

Business at special meetings

10. At special meetings of the Board only the business for which the special meeting has been called shall be dealt with.

Rescinding or altering resolution of the Board

11. (1) The Board may, at the same meeting at which it is passed, rescind or alter a resolution if all the members of the Board who were present at the time the resolution was passed are also present at the time the rescission or alteration is proposed.

(2) The Board may, at a meeting after that at which a resolution was passed, rescind or alter a resolution—

- (a) where notice of the motion to rescind or alter is not given—if a motion to that effect is carried by an absolute majority of the members of the Board; or
- (b) where the member intending to propose the rescission or alteration has, through the Secretary, given written notice of his intention to each of the other members of the Board at least 7 days before the meeting—if a motion to that effect is carried by a majority of the members voting on the proposal at the meeting,

but not otherwise.

[Rule 11 inserted in Gazette 27 November 1987 p. 4258.]

Leave of absence

12. Each member or deputy for a member is entitled to such leave of absence upon such terms and conditions as the Minister may grant to him.

Correspondence

13. All correspondence by the Board shall be signed by the Chairman or by a member or the Secretary or other officers of the Board with the approval of the Board.

[Rule 13 amended in Gazette 27 November 1987 p. 4258.]

Common Seal

14. The device of the common seal shall contain the words "Totalisator Agency Board."

Custody of common seal

15. (1) The Secretary of the Board shall have the custody of the common seal of the Board.

(2) The common seal shall be kept in such place as the Board from time to time directs, and, when not in use, shall be kept in a place of safe custody secured by lock and key.

Use of common seal

16. (1) The common seal shall be affixed to a document only in the presence of at least 2 members of the Board, one of whom shall be the Chairman or the Deputy Chairman of the Board, who shall thereupon sign the document which shall also be countersigned by the Secretary.

(2) The use of the common seal shall be either—

(a) authorized by a resolution of the Board;

or

(b) reported to the next ordinary meeting of the Board by the Secretary.

[Rule 16 inserted in Gazette 27 November 1987 p. 4258.]

Totalisator Agency Board Rules 1961

NOTES

¹. This reprint is a compilation as at 24 November 1992 of the *Totalisator Agency Board Rules 1961* and includes all amendments effected by the rules referred to in the following Table.

Rule	Gazettal	Commencement
<i>Totalisator Agency Board Rules 1961</i>	23 December 1960 pp. 4114-5	23 December 1960
<i>Totalisator Agency Board Amendment Rules 1987</i>	27 November 1987 pp. 4257-8	27 November 1987
<i>Totalisator Agency Board Amendment Rules 1988</i>	16 September 1988 p. 3653	16 September 1988
<i>Totalisator Agency Board Amendment Rules 1991</i>	2 August 1991 p. 4079	2 August 1991
<i>Totalisator Agency Board Amendment Rules (No. 2) 1991</i>	8 November 1991 pp. 5767-8	8 November 1991