

Western Australia

**Totalisator Agency Board
(Betting) Regulations 1988**

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Western Australia

Totalisator Agency Board (Betting) Regulations 1988

CONTENTS

Part 1 — Preliminary

1.	Citation	1
2.	Commencement	1
3.	Interpretation	1

Part 2 — General conditions relating to bets made at or through totalisator agencies

4.	Persons excluded from totalisator agencies	4
5.	Persons making a bet bound by these regulations and his instructions	4
6.	Bets accepted subject to the rules of the relevant authority and these regulations	5
7.	All bets to be 50 cents or multiples of 50 cents	6
8.	Dividend as declared	6
9.	Bets may be refused	7
10.	Only authorized betting to be accepted	7
11.	Hours for opening	7
12.	Bets may be made by various methods	8
13.	Bets to be properly marked	8
13A.	TAB may decide certain particulars of bets	9
14.	Tickets to be properly marked	10
15.	TAB to exhibit notices	10
16.	Correction of errors and omissions, and the giving of certain refunds	11

Contents

17.	Time for payment of dividends or refunds for cash bets	12
18.	Presentation of tickets or claims	13
19.	When refunds of bets are payable	14

Part 2A — General conditions relating to bets received and transmitted by racing club to TAB

19A.	Authorized racing club may transmit bets	16
19B.	Person making a bet bound by these regulations	16
19C.	Only authorized betting to be accepted	16
19D.	Bets transmitted by racing club to be registered on TAB's totalisator	17
19E.	Apportionment of profit or loss	17
19F.	References to a pool conducted by the TAB	18

Part 3 — Deposit account betting

20.	Procedure for establishing a deposit account	19
21.	Procedure for keeping, maintaining, increasing or renewing a deposit account	20
22.	Recording of bets against a deposit account	20
23.	Crediting of dividends against a deposit account	21
24.	Deposit accounts to be disposed of in accordance with instructions	21
25.	General conditions applicable to deposit accounts	21
26.	General provisions relating to bets made by post or telegram	23
27.	Crediting and payment of dividends and refunds on deposit accounts and bets made by post or telegram	24
28.	Bets by telephone	25
29.	Errors in bets by telephone	26

Part 4 — General provisions

30.	Closing time for acceptance of bets	28
31.	Totalisator pools — generally	28
32.	Bets transmitted by the TAB to be registered on totalisator	29
33.	Bets on races outside the State	29

34.	Totalisator pools — win and place betting on races outside the State	30
34B.	Communication failure where a combined totalisator pool scheme is conducted	34
34C.	Prescribed body corporate	34
35.	Bracketing of runners	34
36.	Racecourses and races prescribed for the purpose of section 20 or section 21	35
37.	Totalisator Board betting tax	39
37A.	Annual fee payable by the TAB to the Betting Control Board	40
37B.	Distribution of TAB funds	40

Part 5 — Novelty bets

38.	Novelty Bets on racing	41
39.	Novelty bets for races prescribed	42
40.	Dividends on novelty bets	43
41.	Double event bets on races	45
42.	Favourite numbers bets	46
43.	Determination of the off-course favourite	47
44.	Sweepstakes bets	48

Part 6 — Sporting events

Division 1 — Sporting events and bets prescribed

45.	Sporting events prescribed (section 19A(1)(c))	50
46.	Novelty bets on sporting events generally	51
47.	TAB may specify aspects of sporting events	53
48.	General conditions relating to the conduct of totalisator pools	54
48A.	Scoop bets and Footy-Tipping bets	56
49.	Bracketing	57
50.	General conditions relating to betting on games, pools of games, etc.	58

Division 2 — Australian Rules Football

51.	Bets on Australian Rules Football	58
52.	Interpretation (for Australian Rules Football)	59
53.	Types of bets	59
54.	Footo bets	60

Division 3 — Cricket		
55.	Bets on cricket	61
56.	Interpretation (for cricket)	61
57.	Types of bets	61
Division 4 — Soccer		
58.	Bets on soccer	62
59.	Types of bets	62
Division 5 — Rugby		
60.	Bets on rugby	63
61.	Interpretation (for rugby)	63
62.	Types of bets	64
63.	Combined pool scheme	64
Division 6 — Brownlow Medal (AFL)		
64.	Bets on the outcome of the Brownlow Medal count	64
65.	Interpretation (for the Brownlow Medal count)	64
66.	Types of bets	65
Division 7 — Norm Smith Medal (AFL)		
67.	Bets on the recipient of the Norm Smith Medal	65
68.	Interpretation (for the awarding of the Norm Smith Medal)	66
69.	Types of bets	66
Division 8 — Basketball		
70.	Bets on basketball	66
71.	Types of bets	66
Division 9 — Golf		
72.	Bets on golf	67
73.	Types of bets	67
Division 10 — Tennis		
74.	Bets on tennis	67
75.	Types of bets	67
Division 11 — Boxing		
76.	Bets on boxing	68
77.	Type of bet	68
Division 12 — Motorsport events and motorcycle events		
78.	Bets on motorsport events and motorcycle events	68

79.	Interpretation	68
80.	Types of bets (motorsport events)	69
81.	Types of bets (motorcycle events)	69
Division 13 — Athletics		
82.	Bets on athletics	69
83.	Types of bets	69
Division 14 — Cycling		
84.	Bets on cycling	70
85.	Types of bets	70
Division 15 — American Football		
86.	Bets on American Football	70
87.	Types of bets	70
Division 16 — Baseball		
88.	Bets on baseball	71
89.	Types of bets	71
Division 17 — Netball		
90.	Bets on netball	71
91.	Types of bets	71
Division 18 — Hockey		
92.	Bets on hockey	72
93.	Types of bets	72
Division 19 — Sailing		
94.	Bets on sailing events	72
95.	Types of bets	73

Notes

Defined Terms

Western Australia

Totalisator Agency Board Betting Act 1960

Totalisator Agency Board (Betting) Regulations 1988

Part 1 — Preliminary

1. Citation

These regulations may be cited as the *Totalisator Agency Board (Betting) Regulations 1988*¹.

2. Commencement

These regulations shall come into operation on 28 March 1988.

3. Interpretation

(1) In these regulations, unless the contrary intention appears —

“**agency**” means a totalisator agency;

“**athletics**” may include any Olympic event (or similar event for disabled participants), and any other event generally considered to be an athletic event;

“**cash**” means bank notes or coins;

“**deposit account**” or “**depositor’s account**” means an account established by the depositor with the TAB, and includes a credit account established pursuant to sections 33 and 34 of the Act;

s. 3

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

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

“novelty bet”, in relation to —

- (a) racing, means a bet of the kind referred to in Part 5; and
- (b) sporting events, means a sports bet of the kind prescribed in Part 6;

“participant” in relation to a sporting event, means an individual or a team contesting the outcome of that sporting event, but does not include a horse or greyhound;

“place bet” means the nomination of a runner or participant to finish either first, second or third in a particular race or sporting event;

“prescribed commission” in relation to any bet —

- (a) received in the first instance by the TAB, means the amount prescribed under section 17E of the *Betting Control Act 1954* as the commission for a bet of that kind; or
- (b) received in the first instance by a racing club for inclusion in a totalisator pool, means the amount prescribed under section 17F of the *Betting Control Act 1954* as the commission for a bet of that kind;

“runner”, in relation to a horse race, or a greyhound race, means a horse or greyhound participating in that race;

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

“sporting event” means an event set out in section 19A(1)(a) or 19A(1)(b) of the Act, or prescribed in Part 6, Division 1 of these regulations for the purposes of section 19A(1)(c) of the Act;

“ticket” means a totalisator ticket issued to an investor and on which is recorded details of the bet or bets made by that investor;

“unit” means a unit of investment;

“win bet” means the nomination of the winner of a particular race or sporting event.

- (2) For the purpose of these regulations a winning ticket means a ticket on which is recorded a winning bet, or one or more winning bets.
- (3) For the purpose of calculating the number of winning tickets in relation to any kind of bet —
 - (a) where a ticket for a winning bet of that kind records multiple units, it shall be counted as though it were a like multiple number of tickets for that kind of bet each bet being for a unit of 50 cents; and
 - (b) where a ticket records more than one winning bet of the same kind, the method of counting the units recorded referred to in paragraph (a) shall be used in respect of each of those bets.
- (4) For the purposes of these regulations, the provisions of Part 4 and Part 5, respectively, are to be taken to be subject to section 27(2) of the Act.

[Regulation 3 amended in Gazette 31 July 1992 pp.3796-7; 25 June 1996 p.2978; 11 September 1998 pp.4943-4.]

Part 2 — General conditions relating to bets made at or through totalisator agencies

4. Persons excluded from totalisator agencies

- (1) The following classes of persons are excluded from entering or remaining in a totalisator agency —
 - (a) persons under disqualification imposed under the rules of galloping racing, the rules of trotting or the rules of greyhound racing by the galloping racing, trotting or greyhound racing authority in any State or Territory;
 - (b) persons in respect of whom an order has been made under section 25 of the *Betting Control Act 1954*;
 - (c) persons apparently under the influence of intoxicating liquor; and
 - (d) persons who behave in an undesirable, offensive or disorderly manner.
- (2) A person who is smoking a tobacco product is excluded from entering a totalisator agency that is owned or held on lease or licence by the TAB and a person who smokes a tobacco product while in such an agency is excluded from remaining in the agency.
- (3) A person who is in a totalisator agency in contravention of subregulation (1) or (2) may be removed by a member, officer, employee or agent of the TAB or by a member of the police force of the State.

*[Regulation 4 inserted in Gazette 2 August 1991 p.4078;
amended in Gazette 31 July 1992 p.3796.]*

5. Persons making a bet bound by these regulations and his instructions

- (1) A person making a bet with or through the TAB 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.

- (2) The TAB shall ensure that copies of these regulations are, so far as is practicable, made available at its head office for perusal on demand.
- (3) A person giving particulars or instructions to the TAB in relation to a bet shall be bound by the information supplied by him.

*[Regulation 5 amended in Gazette 31 July 1992 p.3796;
25 July 1997 p.3927.]*

6. Bets accepted subject to the rules of the relevant authority and these regulations

- (1) Subject to these regulations a bet made with or through the TAB at a totalisator agency is deemed to be accepted subject to —
 - (a) in relation to a race —
 - (i) the rules of racing or the rules of trotting or the rules of greyhound racing (as the case may be) administered by the racing, trotting or greyhound authority in the State or Territory where the race takes place, and in particular to the provisions of those rules in respect of the entry, acceptance, withdrawal, or disqualification of horses or greyhounds, the running of races, and the powers of the stewards; and
 - (ii) the rules governing the operation of the particular totalisator conducted on the race on which the bet is made, on a race course in the State;
 - (b) in relation to a sporting event, the rules of the sporting authority recognized by the TAB as responsible for the conduct of that sporting event;
 - (c) the provisions of these regulations governing the operation of a totalisator pool scheme by the TAB, where the bet is placed by the TAB in such a pool; and

Totalisator Agency Board (Betting) Regulations 1988

Part 2 General conditions relating to bets made at or through
totalisator agencies

s. 7

(d) the regulations or rules governing the operation of that totalisator pool, where the bets are to be included in a combined totalisator pool scheme.

(2) Any question as to whether a body is an authority recognized by the TAB for the purposes of this regulation shall be determined by the TAB.

[Regulation 6 amended in Gazette 31 July 1992 pp.3796-7.]

7. All bets to be 50 cents or multiples of 50 cents

(1) The minimum bet that may be made with or through the TAB shall be a unit of 50 cents and larger bets shall be made in multiples of 50 cents.

(2) Dividends shall be calculated and payable in multiples of 5 cents, rounded down if the dividend declared by reference to one unit of betting would not be divisible by 5 cents.

*[Regulation 7 amended in Gazette 31 July 1992 p.3796;
29 July 1994 p.3860.]*

8. Dividend as declared

The dividend for a unit of 50 cents shall be as declared —

- (a) on the totalisator conducted on the race course on the race or races on which the bet was made;
- (b) by the TAB, on the race or races or the sporting event on which the bet was made, where the bet is placed by the TAB in a totalisator pool scheme conducted by the TAB; or
- (c) by the organisation controlling, and in accordance with the regulations or rules governing the operation of, that totalisator pool where the bets are to be included in a combined totalisator pool scheme.

[Regulation 8 amended in Gazette 31 July 1992 pp.3796-7.]

9. Bets may be refused

- (1) The person in charge at any totalisator agency, unless otherwise directed by the TAB, is authorized on behalf of the TAB to refuse to accept, at any time and without giving any reason, all or any part of the amount of any bet offered to be made with or through the TAB.
- (2) Any bet offered to be made with or through the TAB by or on behalf of a person apparently under the age of 18 years shall not be accepted.

[Regulation 9 amended in Gazette 31 July 1992 p.3796.]

10. Only authorized betting to be accepted

Bets with or through the TAB shall be accepted by or on behalf of the TAB at a totalisator agency —

- (a) subject to these regulations; and
- (b) only in respect of such race meetings or races, or such sporting events, as the TAB authorizes in relating to that agency.

[Regulation 10 amended in Gazette 31 July 1992 p.3796.]

11. Hours for opening

- (1) Subject to subregulation (2), bets made by the deposit of the amount of the bet in cash shall be accepted by or on behalf of the TAB only during the hours the totalisator agency is open for the acceptance of those bets.
- (2) The TAB, or the person in charge of the totalisator agency subject to the approval of the TAB, may at any time close the agency and decline to accept bets or bets of a particular kind.

[Regulation 11 amended in Gazette 31 July 1992 p.3796.]

s. 12

12. Bets may be made by various methods

Subject to these regulations, bets will be accepted by the TAB, whether by or as agent or otherwise —

- (a) on cash payment at a totalisator agency; or
- (b) where instructions are given by telephone, post or telegram if —
 - (i) the instructions relate to, and the bet is made against, a deposit account previously established at the totalisator agency; or
 - (ii) where no deposit account has previously been established, the instructions are received at the totalisator agency at least 2 hours before the scheduled starting time of the particular race or sporting event on which the bet is to be made and are accompanied by a cash remittance of an appropriate amount.

[Regulation 12 amended in Gazette 31 July 1992 p.3796.]

13. Bets to be properly marked

- (1) The TAB shall not be required to accept any bet unless the person making the bet with the TAB clearly indicates —
 - (a) in a bet on a race or races, other than a favourite numbers bet or a sweepstakes bet —
 - (i) the code letter or designation of the race meeting;
 - (ii) the race or races in respect of which the bet is made;
 - (iii) the horse or greyhound code number or numbers selected;
 - (iv) the amount of the bet; and
 - (v) whether the bet is to be for a win or place or all up, or the relevant details required by the TAB to be given in making a bet of some other prescribed kind;

or

- (b) any other relevant details that may be necessary or appropriate to the making of —
 - (i) a favourite numbers bet or a sweepstakes bet; or
 - (ii) a bet on a sporting event,

and furnishes such other information as may be required by the TAB to identify the kind of bet to be made and, in the case of a bet made by post or telegram, the surname, initials and address of the investor.

- (2) The TAB shall not accept instructions for alternative bets in the event of the horse or greyhound selected being scratched or participants in a sporting event not taking part.

[Regulation 13 amended in Gazette 31 July 1992 p.3796.]

13A. TAB may decide certain particulars of bets

- (1) Notwithstanding any other provision of these regulations, a person making a bet on a race or sporting event may request the TAB to decide for him, by means of computer random generation, such particulars of the bet as are specified by the person.
- (2) Where such a request is in respect of a race or sporting event, and such particulars of a bet as to such a race or sporting event, as to which the TAB has publicly made known it will receive such requests, the TAB shall decide the particulars by means of computer random generation.
- (3) The provisions of these regulations apply, subject to necessary modifications, to and in relation to a bet made under subregulations (1) and (2) in the same way as they would apply if all particulars of the bet had been decided by the person making the bet.

[Regulation 13A inserted in Gazette 20 December 1991 p.6379; amended in Gazette 31 July 1992 p.3796.]

s. 14

14. Tickets to be properly marked

Every totalisator ticket issued by the TAB shall be printed, written, stamped, punched or marked to show the kind of bet and —

- (a) in the case of a bet on a race or races, other than a favourite numbers bet —
 - (i) 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;
 - (ii) the number of the race or races in respect of which the ticket is issued; and
 - (iii) except where the ticket relates to a sweepstakes bet, the code number that has been allocated by the TAB to the horse or greyhound or horses or greyhounds on which the bet in respect of which the ticket is issued is made;

or

- (b) in the case of a bet on a sporting event, the description and date of the event and the participants in respect of which the bet is made,

together with sufficient details to identify the bet accepted and the amount of the bet expressed in units of 50 cents.

[Regulation 14 amended in Gazette 31 July 1992 p.3796.]

15. TAB to exhibit notices

- (1) The TAB shall, so far as is practicable, cause notices to be exhibited at all totalisator agencies showing —
 - (a) in the case of a bet on a race or races, the names and numbers of the horses or greyhounds known to have accepted as starters for races for the race meetings for which the TAB will receive bets, the date and code or designation of each such race meeting, the numbers of races and the code numbers allotted to the horses or greyhounds; and

- (b) in the case of a bet on a sporting event, sufficient details to identify the sporting event, the participants, the distinguishing marks or code numbers or letters allotted to participants, the kind of bets which the TAB will receive, and such other information as may be necessary, including any brackets or other distinguishing mark of any double or other combination of races or kind of bet, as may be necessary for the proper identification of bets.
- (2) Bets shall be accepted by or on behalf of the TAB —
 - (a) in the case of betting on a race or races, or in respect of a race meeting or race meetings, only in respect to runners accepted as starters and in accordance with any notice which may be exhibited; and
 - (b) in the case of a sporting event, only in accordance with any notice which may be exhibited in respect to that sporting event.
- (3) No bet on a race or sporting event shall be receivable by the TAB before the official publication of acceptances for that race or sporting event.

*[Regulation 15 amended in Gazette 31 July 1992 p.3796;
11 September 1998 p.4944.]*

16. Correction of errors and omissions, and the giving of certain refunds

- (1) Where a totalisator ticket has been issued by the TAB and there is recorded thereon in respect of a race meeting or sporting event either an incorrect date or incorrect designation of the race meeting or sporting event, or if either of those particulars is omitted, the TAB may, if satisfied that the record or omission is an error and that it is manifest that the ticket was issued and intended to apply to a particular bet, treat the ticket in the manner apparently intended by the investor and the bet shall be deemed to have been made accordingly.

Totalisator Agency Board (Betting) Regulations 1988

Part 2 General conditions relating to bets made at or through
totalisator agencies

s. 17

- (2) Subject to this regulation, the person to whom a totalisator ticket is issued by the TAB shall be deemed to accept the ticket issued to him and to have agreed that the particulars shown are correct, unless he applies forthwith after the issue of the ticket to the person who issued it to have any error or omission rectified.
- (3) If the bet in respect of which a totalisator ticket is issued is one which cannot be recorded by the TAB on a totalisator, or is one for which notices exhibited by the TAB at the totalisator agency at the time the ticket is issued are not in accordance with these regulations, the person to whom the ticket belongs shall be entitled to a refund of the amount shown on the ticket.
- (4) Unless subregulation (1) applies, where a totalisator ticket is incomplete as to any of the particulars required to be shown on the ticket, or if any of those particulars are in the opinion of the TAB ambiguous, the person to whom the ticket belongs shall be entitled only to a refund of the amount shown on the ticket.
- (5) When a totalisator ticket is presented for the payment of a dividend or refund or for the purpose of correcting any alleged error, if the ticket has been altered, mutilated or defaced the TAB may reject the ticket and the person to whom the ticket belongs shall not be entitled to any dividend or refund in relation to that ticket.

*[Regulation 16 amended in Gazette 31 July 1992 p.3796;
9 April 1999 p.1435.]*

17. Time for payment of dividends or refunds for cash bets

- (1) Dividends or refunds will be payable in respect of the running of any race or the holding of any sporting event, subject to subregulation (2), during the notified hours and days of business for a period of 7 months.
- (2) Refunds in respect of totalisator tickets may be paid by or on behalf of the TAB at any time when the totalisator agency is open for the receiving of bets, except that where dividends in

respect of the same ticket may still become payable at a future time refunds due in respect of any race meeting, race or sporting event to which that ticket relates shall be payable only at the same time as, or after, those dividends would have become payable.

[Regulation 17 amended in Gazette 31 July 1992 p.3796.]

18. Presentation of tickets or claims

- (1) Subject to subregulations (1a) and (5), a dividend or refund in respect of a bet in cash made with the TAB shall be paid upon the presentation and surrender of the totalisator ticket issued by the TAB for that bet.
- (1a) The TAB may, upon the presentation or surrender of a totalisator ticket issued for a bet in cash, refuse to pay a dividend or refund in respect of that bet if there are reasonable grounds to suspect that the person presenting the ticket is not entitled to the dividend or refund.
- (2) The payment of any dividend or refund by the TAB shall be made in cash unless the TAB decides to make the payment by cheque or otherwise by the transfer of moneys.
- (3) Subject to subregulation (5), the TAB 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 TAB of the totalisator ticket if the person making the claim for the dividend or refund proves to the satisfaction of the TAB —
 - (a) that the totalisator ticket has been lost or destroyed; and
 - (b) that the person is the person entitled to the dividend or refund.
- (4) The TAB may —
 - (a) require a person making a claim for a dividend or refund to verify the claim in a manner required by the TAB, and may require verification of the claim by statutory declaration;

s. 19

- (b) pay the dividend or refund to which a claim made under paragraph (a) relates at such time as the TAB determines; and
 - (c) deduct from the amount of any dividend or refund paid under subregulation (3) the amount of the out-of-pocket expenses actually incurred by the TAB, including stamp duty if any, in connection with the establishment and payment of the claim.
- (5) The TAB may refuse to pay a dividend or refund in respect of a bet in cash made with the TAB if the dividend or refund has already been paid under this regulation.

*[Regulation 18 amended in Gazette 31 July 1992 p.3796;
20 January 1998 p.395.]*

19. When refunds of bets are payable

- (1) The amounts of bets for a place received by the TAB for transmission to a totalisator on a race course, whether so transmitted or not so transmitted by the TAB, or received by the TAB and placed in a totalisator pool conducted by the TAB, shall be refunded by the TAB if for any reason the place totalisator is not operated for the race on which the bets were made.
- (2) Where a race meeting or a race at a race meeting is postponed from one day to another or is abandoned, the TAB 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 —
 - (a) double event bets in respect to which the first leg of the double event has already been run;
 - (b) sweepstakes bets; and
 - (c) favourite number bets.
- (3) Subject to these regulations, where a sporting event, or any match comprising part of a sporting event, does not occur or is

abandoned or does not run its full course or is postponed from one day to another, all of the amounts of bets made in respect of that sporting event or match, as the case may be, shall be refunded by the TAB.

- (4) Refunds of bets accepted may also be made by the TAB in the circumstances provided for in regulations 16(3), 16(4), 29(3), 29(4), 35(1)(b), 35(2), 40(4), 41(2) and 48(4), and refunds of moneys may be made in the circumstances provided for in regulation 26(3) and (4).

[Regulation 19 amended in Gazette 31 July 1992 p.3796.]

s. 19A

Part 2A — General conditions relating to bets received and transmitted by racing club to TAB

[Heading inserted in Gazette 26 May 1989 p.1548.]

19A. Authorized racing club may transmit bets

- (1) The TAB may authorize a racing club to transmit bets received by that racing club to a totalisator pool conducted by the TAB.
- (2) The TAB shall not accept a bet transmitted by a racing club to a totalisator pool conducted by the TAB unless that racing club has been authorized by the TAB to so transmit bets and the authorization has not been withdrawn by the TAB.
- (3) The TAB may withdraw an authorization given under subregulation (1) at any time.

[Regulation 19A inserted in Gazette 26 May 1989 p.1548; amended in Gazette 31 July 1992 p.3796.]

19B. Person making a bet bound by these regulations

A person making a bet with or through a racing club that is transmitted to a totalisator pool conducted by the TAB shall be deemed to accept and be bound by the relevant provisions of these regulations as if that bet were a bet made with or through the TAB.

[Regulation 19B inserted in Gazette 26 May 1989 p.1548; amended in Gazette 31 July 1992 p.3796.]

19C. Only authorized betting to be accepted

Bets with or through a racing club for transmission to a totalisator pool conducted by the TAB shall be accepted by that racing club —

- (a) subject to these regulations as if the bets were bets made with or through the TAB; and

- (b) only in respect of such race meetings or races, or such sporting events, as the TAB authorizes in relation to that racing club.

*[Regulation 19C inserted in Gazette 26 May 1989 p.1548;
amended in Gazette 31 July 1992 p.3796.]*

19D. Bets transmitted by racing club to be registered on TAB's totalisator

- (1) Whenever bets received by a racing club are transmitted to the TAB for registration in respect of any race on the totalisator operated by the TAB, 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 under subregulation (1) 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.

*[Regulation 19D inserted in Gazette 26 May 1989 p.1548;
amended in Gazette 31 July 1992 p.3796.]*

19E. Apportionment of profit or loss

Where a racing club transmits bets to a totalisator pool conducted by the TAB, the profit, or loss, from the operation of that totalisator pool shall be apportioned by the TAB and paid, credited or debited to that racing club in proportion to the contribution of that racing club to the total investments in that totalisator pool.

*[Regulation 19E inserted in Gazette 26 May 1989 p.1548;
amended in Gazette 31 July 1992 p.3796.]*

Totalisator Agency Board (Betting) Regulations 1988

Part 2A General conditions relating to bets received and transmitted by racing club to TAB

s. 19F

19F. References to a pool conducted by the TAB

For the purposes of this Part, a reference to a totalisator pool conducted by the TAB shall be construed as including a reference to a totalisator pool operated pursuant to a combined totalisator pool scheme whether or not the pool was conducted by the TAB.

[Regulation 19F inserted in Gazette 31 July 1992 p.3797.]

Part 3 — Deposit account betting

20. Procedure for establishing a deposit account

- (1) An application to establish a deposit account for the purpose of betting with or through the TAB shall be made in writing in a form acceptable to the TAB.
- (2) A deposit to the account of an amount of not less than \$5 may be lodged with the TAB at the time of making the application and if the application is refused wholly or in part the TAB shall refund the deposit, wholly or in part, except in so far as it may relate to an account which is established.
- (3) The TAB or, with the approval of the TAB, 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.
- (4) The TAB may require any depositor to submit a new application in writing amending any or all of the particulars given or required to be given when originally establishing the deposit account.
- (5) A depositor may cancel his original application, and substitute a new application, on satisfying the TAB that for his own protection there is reasonable need to do so.
- (6) In either of the cases referred to in subregulation (4) or (5) any amounts standing to the credit of the depositor in the original deposit account shall be transferred to his credit in the new deposit account.

[Regulation 20 amended in Gazette 31 July 1992 p.3796.]

s. 21

21. Procedure for keeping, maintaining, increasing or renewing a deposit account

- (1) A separate record shall be kept by the TAB of each deposit account and of the amount of the bets made against it and of all transactions on that account, for a period of not less than 5 weeks.
- (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 to the account.
- (3) Where cheques are received as a deposit, no bet against that deposit shall be accepted by the TAB until the cheque is paid by the financial institution on which it is drawn.

[Regulation 21 amended in Gazette 31 July 1992 p.3796; 30 October 1998 p.6016.]

22. Recording of bets against a deposit account

- (1) At a totalisator agency equipped with automatic data processing facilities for the recording of bets, a bet made with or through the TAB against a deposit account shall be recorded prior to the closing time fixed by the TAB for the acceptance of bets for the race, sporting event or competition concerned at that totalisator agency.
- (2) Except where the bet is received at the Account Betting Centre, at the time a bet is recorded against a deposit account a totalisator ticket shall be printed showing details of the bet to be charged against the deposit account of the depositor placing the bet.

In and by the printing of the totalisator ticket referred to in subregulation (2) 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 the amount of the bet is held on behalf of the TAB.

[Regulation 22 amended in Gazette 31 July 1992 p.3796.]

23. Crediting of dividends against a deposit account

All dividends due and payable to the depositor shall be deemed to be credited to the depositor's account with the TAB immediately such dividends are known to the TAB.

[Regulation 23 amended in Gazette 31 July 1992 p.3796.]

24. Deposit accounts to be disposed of in accordance with instructions

- (1) The amount standing to the credit of the deposit account of the depositor at any time shall be disposed of by the TAB in accordance with the instructions of the depositor.
- (2) Where no such instructions have been received by the TAB the amount may be retained by the TAB pending receipt by the TAB of instructions, or the whole or part of the amount may be remitted to the depositor at any time at the discretion of the TAB or person in charge of the totalisator agency where the deposit account is kept.

[Regulation 24 amended in Gazette 31 July 1992 p.3796.]

25. General conditions applicable to deposit accounts

- (1) Moneys payable in respect of dividends, refunds or of any balance of a deposit account may at the option of the TAB be paid to an account nominated by the depositor by bank transfer or otherwise or may be remitted to the address of the depositor at the address given by the depositor to the TAB.
- (2) Any exchange, poundage or postage payable on any moneys relating to a deposit account may be charged to the person entitled to the moneys, and may be deducted by the TAB from the account.
- (3) In respect of remittances or correspondence passing to and from the TAB and depositor, the depositor shall accept all risks, losses, delays, errors or omissions that may occur in the ordinary course of post and the TAB shall not be required to send any remittance or correspondence by registered post.

s. 25

- (4) The TAB shall not be required to submit a statement of account when forwarding any remittance.
- (5) The TAB may, unless instructed to the contrary by the depositor in the manner required by the TAB, send statements of his deposit account with the TAB 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 TAB by the depositor.
- (6) 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.
- (7) The transfer or posting of moneys by the TAB to an account nominated or the address given by the depositor to the TAB for the purpose shall be at the sole risk of the depositor.
- (8) The TAB shall not be responsible for any loss to a depositor arising from —
 - (a) the unauthorized use of a depositor's account by any person other than the TAB, its employees or agents; or
 - (b) delay or no delivery of any moneys transferred or posted on to the depositor by the TAB.
- (9) Where a depositor allows his deposit account to run into a debit balance and the 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 the bet the TAB may disallow, either in whole or in part, any credit, either by way of dividends or refunds, arising from the bet and may allow the debit to the depositor's account on that bet to remain.
- (10) Where the TAB has delivered to a depositor or sent to him by post a statement of the depositor's account with the TAB, if the depositor claims that there is an alleged inaccurate entry in the statement, he shall within 7 days after the statement has been received or is deemed to be received by him notify that claim in

writing to the TAB or the person in charge of the totalisator agency where the account is kept in accordance with regulation 27(4).

[Regulation 25 amended in Gazette 31 July 1992 p.3796.]

26. General provisions relating to bets made by post or telegram

- (1) The TAB may at any time direct that bets by post or telegram, or such bets from any particular area, district or locality, shall be addressed to a particular totalisator agency.
- (2) The TAB may at any time close any particular agency for the receipt of bets, or bets sought to be made by a particular method.
- (3) Remittances, other than deposits for the credit of a deposit account, sent to the TAB shall be by bank draft, postal note, money order or in cash for the amount of the bet or bets required, and no more, calculated in multiples of units of 50 cents, and in any other case the person in charge of the totalisator agency where the remittance is received may —
 - (a) reject the bet altogether; or
 - (b) accept the bet up to the multiple of 50 cents next below the net amount received, and refund the balance to the investor.
- (4) Where a remittance for a bet or deposit is sent to the TAB and has not been accepted by it, a refund of the amount may be effected by the TAB by return to the investor of the remittance instrument.
- (5) Where any written instructions received by the TAB 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.

s. 27

- (6) Where the TAB is not permitted to accept the whole of any written instructions relating to a bet, the TAB may accept that part of those instructions which it is permitted to accept.
- (7) The TAB shall accept bets by post or telegram up to 2 hours before the scheduled starting time of the particular race or the commencement of the particular sporting event in respect of which the bet is made, but instructions relating to bets on a race or sporting event received by the TAB after that time shall not be accepted unless the officer in charge of the totalisator agency concerned so directs.
- (8) The TAB shall not be bound to acknowledge receipt of any written instructions relating to a bet, or to comply with any such instructions otherwise than in accordance with these regulations.

[Regulation 26 amended in Gazette 31 July 1992 p.3796.]

27. Crediting and payment of dividends and refunds on deposit accounts and bets made by post or telegram

- (1) Bets against dividends or refunds payable or to become payable on previous bets with the TAB shall not be accepted by the TAB, unless those dividends or refunds are credited, or deemed to have been credited, to a deposit account.
- (2) In respect of bets made with the TAB by post or telegram dividends and refunds shall be posted by the TAB to the investor on the earliest convenient day next after the day of the race or sporting event on which the bets were made.
- (3) Where the TAB is in doubt as to whom or to what address any refund or other remittance from the TAB should be sent, the TAB shall retain the amount payable until the person who claims to be entitled to it applies in writing or, if required by the TAB, in person to the totalisator agency where the bet was made and submits proof to the satisfaction of the TAB of his right to the amount held by the TAB.

- (4) Where a person who has made a bet with the TAB claims that he has not received the full dividend or refund to which he alleges he is entitled or alleges that there is an inaccuracy in relation to the accounting in respect of his bets with the TAB, he shall, if he requires an adjustment to be made —
- (a) apply in writing to the totalisator agency where the bet was made on the account kept within 7 days of the day on which the race or sporting event on which the bet was made was held or the date on which he received the statement; and
 - (b) include in the application all relevant information supporting the claim.
- (5) The TAB shall notify the claimant of its decision on his claim and the decision of the TAB shall be final.

[Regulation 27 amended in Gazette 31 July 1992 p.3796.]

28. Bets by telephone

- (1) Subject to these regulations, bets by telephone may be accepted by the TAB at a totalisator agency nominated by the TAB for that purpose against a deposit account previously established at that agency.
- (2) A depositor making a bet with or through the TAB by telephone shall use only the telephone numbers notified to him by the TAB for that purpose.
- (3) 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 TAB from time to time for the acceptance of bets for the race or sporting event concerned.
- (4) Where a bet has been made with or through the TAB by telephone no amendment shall be made to the bet, except with the approval of the TAB for the purpose of the correction of an error or omission.

s. 29

- (5) When making a bet by telephone against a deposit account the depositor shall state his account number and account name and one or more of his codes, if required by the person who receives the bet at the totalisator agency.
- (6) The depositor shall supply to the person who receives a telephone bet at the totalisator agency sufficient information as to the matters that are by regulation 13 required to be indicated to enable that person to identify the bet to be made.
- (7) The person receiving the bet shall read back the bet as recorded, unless the depositor states he does not require it, and the depositor is deemed to have accepted the bet as recorded unless he requests the person receiving the bet to rectify any error or omission at that time.

[Regulation 28 amended in Gazette 31 July 1992 p.3796.]

29. Errors in bets by telephone

- (1) Subject to subregulation (2) where an error results in an incorrect bet being made by telephone with the TAB, *prima facie* the bet shall be deemed to be that which is recorded by the TAB so that the depositor shall suffer the loss or receive the benefit as the case may be.
- (2) Where a person alleges that an error as to a telephone bet resulting in loss to a depositor was due to the mistake or other default of any employee of the TAB, or of any agent or of any employee of any agent, the TAB shall inquire into the circumstances.
- (3) Where the TAB is satisfied that the error was due either to the wilful default or to the negligence of the employee or agent the TAB shall refund the amount of the bet.
- (4) Where the error arises by reason of incorrect information obtained from reference material, whether or not supplied by the TAB, the TAB may, but is not liable to, refund the amount of the bet.

- (5) The TAB is not liable to pay, but may pay part or all of, any dividend that would have been payable but for the error.

[Regulation 29 amended in Gazette 31 July 1992 p.3796.]

Part 4 — General provisions

30. Closing time for acceptance of bets

- (1) For the purposes of sections 20 and 21 of the Act the prescribed closing time for the acceptance of bets is the starting time for the race in respect of which the bets are made.
- (2) For the purposes of betting on a sporting event, the TAB shall display on the notices exhibited under regulation 15 the closing time for the acceptance of bets for the totalisator pool conducted in respect of the event.

[Regulation 30 amended in Gazette 31 July 1992 p.3796.]

31. Totalisator pools — generally

- (1) The TAB may conduct separate totalisator pools —
 - (a) for different kinds of bets;
 - (b) for different races or sporting events; or
 - (c) for such other purposes as the TAB may determine.
- (2) Where details of a bet otherwise properly received by the TAB to be recorded in a totalisator pool have not been duly recorded owing to a failure in the means of, or error in, transmission, or to other circumstances beyond the control of the TAB, the TAB, if a dividend would have been payable in respect of that bet had it been duly recorded, shall pay in respect of the bet the same dividend as would have been payable had the bet been duly recorded.
- (3) Except in the case of novelty betting, where the TAB —
 - (a) transmits bets to a totalisator operating on a racecourse; and
 - (b) also conducts a totalisator pool for bets of the same kind, on the same race or races, the pool conducted by the TAB shall be operated in accordance with the provisions governing the operation of the racecourse totalisator for bets of that kind.

[Regulation 31 amended in Gazette 31 July 1992 p.3796.]

32. Bets transmitted by the TAB to be registered on totalisator

- (1) Whenever bets received by the TAB 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) 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.

[Regulation 32 amended in Gazette 31 July 1992 p.3796.]

33. Bets on races outside the State

- (1) All bets in respect of races conducted on race courses outside the State lodged with and received by or on behalf of the TAB shall be so lodged and received subject to the condition that at any time prior to the running of the race the TAB may determine that the bets in respect of that race shall be made with and received by or on behalf of the TAB or be placed by the TAB in a totalisator pool conducted by it on that race.
- (2) 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 TAB for placement in a totalisator pool are deemed to be so lodged and received subject to the condition 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 TAB 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 TAB for payment in accordance with section 22(2)(a) of the Act and subregulation (3).

s. 34

- (3) For the purposes of section 22(2)(a) of the Act, the TAB in respect of any bet lodged with it and received by it or on its behalf on a race conducted on a race course situated outside the State and not placed in a totalisator pool conducted pursuant to regulation 34 —
- (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 of 50 cents any amount by which the dividend declared by the totalisator conducted on that race course exceeds \$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 of 50 cents, any amount by which the dividend declared by the totalisator conducted on that race course exceeds \$20.50; and
 - (c) shall, where a dividend of 50 cents is declared by the totalisator on that race course on each winning ticket based on a unit of 50 cents, pay by way of dividend in respect of each winning ticket the sum of 55 cents.

[Regulation 33 amended in Gazette 31 July 1992 p.3796.]

34. Totalisator pools — win and place betting on races outside the State

- (1) This regulation applies in relation to any totalisator pool conducted by the TAB in respect of win bets and place bets.
- (2) Where a totalisator pool is conducted for a win the TAB, after allowing for refunds, shall —
 - (a) place all bets accepted for a win on that race or sporting event into a separate pool;
 - (b) deduct the prescribed commission from the amount by which each pool exceeds the bets accepted on the runner or participant placed first in that race and calculate the win dividend for the runner or participant by dividing the number of winning tickets on that runner or participant into the amount remaining; and

- (c) declare and pay that dividend in respect of each unit to the holders of winning tickets.
- (3) Where a totalisator pool is conducted for a place on a race or sporting event in which the number of runners or participants listed to start at the opening time of the advertised business hours of the totalisator agency immediately prior to the starting of the first race or sporting event is not less than 8, subject to subregulations (4) and (5), the TAB, after allowing for refunds, shall —
 - (a) place all bets received for a place on that race or sporting event into a separate pool and divide that pool into 3 equal parts on behalf of the runners or participants placed first, second or third respectively;
 - (b) from each of the 3 parts respectively deduct the prescribed commission from the amounts by which these parts exceed the bets accepted on the runners or participants placed first, second and third respectively, and calculate the dividend for first, second and third places by dividing the number of winning tickets on the runners or participants placed first, second or third respectively into the amount of the part remaining; and
 - (c) declare and pay that dividend in respect of each unit to the holders of winning tickets.
- (4) Where the bets accepted on only one of the runners or participants placed first, second or third is more than one-third of the amount, after allowing for refunds, of all bets accepted for a place on that race or sporting event, the TAB shall —
 - (a) before proceeding with the division of the pool under subregulation (3)(a), declare and pay out of the pool a dividend of 50 cents in respect of each unit to the holders of winning tickets on that runner or participant;
 - (b) divide and set aside the amount then remaining in the pool in 2 equal parts on behalf of the other 2 placed runners or participants, deduct from each the prescribed

s. 34

- commission from the amount by which that part exceeds the bets accepted on the placed runner or participant to which that part relates, and calculate the respective dividends for each of those 2 placed runners or participants by dividing the number of winning tickets on that runner or participant into the amount of the part as set aside for that runner or participant after the commission has been deducted; and
- (c) declare and pay the respective dividends in respect of each unit to the holders of winning tickets.
- (5) Where the bets accepted on each of 2 of the runners or participants placed first, second or third is more than one-third of the amount, after allowing for refunds, of all bets accepted for a place on that race or sporting event, the TAB shall —
- (a) before proceeding with the division of the pool under subregulation (3)(a), declare and pay out of the pool a dividend of 50 cents in respect of each unit to the holders of winning tickets on either of those runners or participants;
- (b) set aside the part then remaining in the pool on behalf of the other runner or participant placed first, second or third, deduct the prescribed commission from the amount by which that part exceeds the bets accepted on that runner or participant and calculate the dividend for that placed runner or participant by dividing the number of winning tickets on that runner or participant into the amount of the part set aside for that runner or participant after the commission has been deducted; and
- (c) declare and pay that dividend in respect of each unit to the holders of winning tickets.
- (6) Where a totalisator pool is conducted for a place on a race or sporting event and the number of runners or participants listed to start at the opening time of the advertised business hours of the totalisator agency immediately prior to the starting of the

first race or sporting event is less than 8 but more than 4 the pool shall be divided into 2 separate and equal parts on behalf of the runners or participants placed first and second only, but the other provisions of subregulations (3), (4) and (5) apply subject to that change, a reference to “one-third” being construed as a reference to “one-half”.

(7) Where the number of runners or participants listed to start at the opening time of the advertised business hours of the totalisator agency immediately prior to the starting of the first race or sporting event is less than 5, the place totalisator shall not operate.

(8) In relation to a win or place bet made and win and place totalisator pools conducted pursuant to this regulation —

[(a) deleted]

(b) to ensure that a dividend can be declared and paid, the TAB itself may invest one 50 cents bet for both a win and a place on every runner or participant that finally starts in each particular race or sporting event;

(c) where 2 or more runners or participants 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 runners or participants forming the dead heat shall be the dividends that, but for that dead heat, would otherwise have been declared and paid for those runners or participants in accordance with these regulations divided by the number of runners or participants forming the dead heat; and

(d) notwithstanding any other provision of this regulation, where either a win or place dividend calculated and payable under this regulation is less than 55 cents, the TAB may declare and pay a dividend of 55 cents.

[Regulation 34 amended in Gazette 31 July 1992 p.3796; 25 June 1996 p.2979; 11 September 1998 pp.4944-5.]

s. 34B

[34A. Repealed in Gazette 25 June 1996 p.2979.]

34B. Communication failure where a combined totalisator pool scheme is conducted

Where a combined totalisator pool scheme is conducted and due to a communication failure normal procedures can not be followed, the management of the TAB has and may exercise discretion to determine dividend calculations.

[Regulation 34B inserted in Gazette 31 July 1992 p.3798.]

34C. Prescribed body corporate

Tabcorp Holdings Ltd, a company incorporated in Victoria, is a body corporate for the purposes of section 27 of the Act.

[Regulation 34 inserted in Gazette 29 July 1994 p.3860.]

35. Bracketing of runners

- (1) In conducting any totalisator pool other than a totalisator pool for sweepstakes bets —
 - (a) the TAB may place any 2 or more runners entered in a race in one bracket and assign, for the purposes of the notices to be exhibited, the same code number to all the runners placed in that bracket, and may constitute one or more brackets in one race in that manner;
 - (b) where 2 or more runners in a race are placed in a bracket to which one code number is assigned, the runners placed in the bracket shall, for the purposes of these regulations, be regarded as a single runner 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 runners placed in the bracket or of such of those runners as start in that race, but if —
 - (i) after the bet has been made, one or more of the runners placed in a bracket carrying the code number nominated in the bet is or are withdrawn

leaving one or more runners remaining in that bracket and the withdrawal takes place before the closing time fixed at the totalisator agency at which the bet was made for the acceptance of such bets; or

- (ii) the runner nominated by the person making the bet fails to start in the particular race concerned,

the TAB shall refund to that person the amount of the bet, unless regulation 41(4) applies.

- (2) Where, in a novelty bet other than a double event bet, a favourite numbers bet or a sweepstakes bet, the person making the bet twice nominates the one code number assigned to 2 or more runners placed in a bracket and one or more of the runners so bracketed fails to start so that less than 2 of those runners starts in the race, the TAB shall refund to that person the amount of the bet.
- (3) Where brackets are applied, if a totalisator ticket is issued by mistake under the code number of a runner in lieu of the code number assigned to the bracket of runners and the totalisator ticket has not been cancelled prior to the closing time fixed for the acceptance of the bet, the TAB shall convert the code number to the appropriate bracket code number and the person making the bet shall be deemed to have selected that bracket code number.

[Regulation 35 amended in Gazette 31 July 1992 p.3796.]

36. Racecourses and races prescribed for the purpose of section 20 or section 21

- (1) For the purposes of section 20(1) of the Act the following horse races and racecourses are prescribed —
 - (a) in the State of Victoria —

All horse races held at racecourses situated at Ararat, Bacchus Marsh, Bairnsdale, Ballan, Ballarat, Benalla,

Bendigo, Boort, Camperdown, Casterton, Caulfield, Charlton, Cobram, Colac, Coleraine, Cranbourne, Donald, Echuca, Elmore, Flemington, Geelong, Goulbourn, Gunbower, Hamilton, Hanging Rock, Horsham, Kilmore, Kyneton, Marong, Maryborough, Mildura, Moe, Moonee Valley, Mornington, Murtoa, Nyah, Ouyen, Pakenham, Saint Arnaud, Sale, Sandown, Seymour, Shepparton, Stawell, Springvale, Stoney Creek, Swan Hill, Tatura, Terang, Traralgon, Wangaratta, Warracknabeal, Warragul, Warnambool, Wedderburn, Werribee, Wodonga, Woodend, Yarra Glen or the Melbourne Showground;

(b) in the State of New South Wales —

All horse races held at racecourses situated at Albury, Armidale, Ballina, Bankstown, Bathurst, Bega, Berrigan, Bombala, Bowraville, Bulli, Canterbury, Casino, Cessnock, Coffs Harbour, Coonabarabran, Coonamble, Cootamundra, Corowa, Cowra, Deniliquin, Denman, Dubbo, Fairfield, Finley, Forbes, Gilgandra, Glenn Innes, Gosford, Goulburn, Grafton, Griffith, Gulgong, Gundagai, Gunnedah, Harold Park, Hawkesbury, Inverell, Kembla Grange, Kempsey, Krumbach, Leeton, Lismore, Lithgow, Maitland, Menangle Park, Moree, Moruya, Mudgee, Murwillumbah, Muswellbrook, Narromine, Newcastle, Nowra, Orange, Parkes, Peak Hill, Penrith, Port MacQuarie, Queanbeyan, Quirindi, Randwick, Richmond, Rosehill, Scone, Tamworth, Taree, Wagga, Walcha, Warren, Warwick Farm, Wauchope, Wellington, Wyong or Young;

(c) in the State of Queensland —

All horse races held at Albion Park, Eagle Farm and Doomben racecourses situated at Brisbane, the Bundamba racecourse situated at Ipswich, or at the racecourses situated at Beaudesert, Birdsville, Cairns,

Caloundra, Dalby, Esk, Gatton, Gold Coast, Gympie, Kilcoy, Lockyer, Mackay, Parklands, Rockhampton, Southport, Sunshine Coast, Toowoomba or Townsville;

(d) in the State of South Australia —

All horse races held at the Cheltenham, Globe Derby Park, Morphettville and Victoria Park racecourses situated at Adelaide, or at the racecourses situated at Angle Park, Balaklava, Clare, Gawler, Halidon, Kadina, Kapunda, Mount Gambier, Murray Bridge, Naracoorte, Oakbank, Penola, Port Augusta, Port Lincoln, Port Pirie Strathalbyn, Wayville or Whyalla;

(e) in the State of Tasmania —

All horse races held at racecourses situated at Devonport, Elwick, Glenorchy, Hobart, Launceston or Mowbray;

(ea) in the Australian Capital Territory —

All horse races held at racecourses situated at Canberra;

(f) in the Northern Territory —

All horse races held at the Fannie Bay racecourse situated at Darwin, or at the racecourse situated at Alice Springs;

(fa) in Hong Kong —

All horse races held at the Happy Valley and Sha Tin racecourses situated at Hong Kong;

(fb) in Japan —

All horse races held at the Fuchu racecourse situated at Tokyo;

(g) in New Zealand —

All horse races held at the racecourses situated at Addington, Aintree, Auckland, Christchurch, Dunedin or Wellington;

(h) in the United Kingdom —

The horse race known as “The Derby” held at Epsom;

- (i) in the United States of America —
All horse races held at the Meadowlands Paceway situated at New York.
- (2) For the purposes of section 20(1) of the Act the following greyhound races and racecourses are prescribed —
All greyhound races held at racecourses situated at —
 - (a) in the State of South Australia —
Albion Park, Angle Park, Gawler, Mount Gambier, Port Augusta, Port Lincoln or Port Pirie;
 - (b) in the State of Queensland —
Brisbane Cricket Ground, Gold Coast, Ipswich or Toowoomba;
 - (c) in the State of New South Wales —
Bulli, Cessnock, Dapto, Gosford, Harold Park, Lismore, Newcastle, Penrith, Richmond, Tweeds Heads, Wentworth Park or Wyong;
 - (d) in the State of Victoria —
Ballarat, Bendigo, Cranbourne, Geelong, Horsham, Olympic Park, Sale, Sandown Park, Shepparton, Traralgon, Wangarrata, Warragul or Warrnambool;
 - (e) in the State of Tasmania —
Devonport, Elwick, Glenorchy, Hobart, Launceston or Mowbray;
 - (f) in the Australian Capital Territory —
Canberra.
- (3) For the purposes of section 21(2) of the Act, the following horse or greyhound races are prescribed —
 - (a) in the Metropolitan Area of the State —
 - (i) all horse races held at Perth Racecourse (known as Ascot), Belmont or at Belmont Park Racecourse, Rivervale;

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- (ii) all trotting races held at Gloucester Park, East Perth;
 - (iii) all greyhound races held at Cannington Central, Cannington;
 - (b) in the country areas of the State —
 - (i) all horse races held at Albany, Beverley, Broome, Bunbury, Carnarvon, Esperance, Geraldton, Kalgoorlie, Mount Barker, Narrogin, Newman, Northam, Pinjarra, Port Hedland, Roebourne, Toodyay or York;
 - (ii) all trotting races held at Albany, Bridgetown, Bunbury, Busselton, Collie, Cunderdin, Geraldton, Harvey, Kalgoorlie, Kellerberrin, Merredin, Narrogin, Northam, Pinjarra, Trayning, Wagin, Williams, Wyalkatchem or York;
 - (iii) all greyhound races held at Mandurah and Northam.

[Regulation 36 amended in Gazette 23 March 1989 p.814; 31 August 1990 pp.4484-5; 12 April 1991 p.1662; 2 August 1991 pp.4077-8; 27 September 1991 p.5069; 20 October 1992 pp.5227-8; 21 April 1995 p.1406; 5 November 1996 p.5818; 25 July 1997 pp.3927-8.]

37. Totalisator Board betting tax

The TAB shall lodge with the Commissioner by the last business day for the Treasury in each month a return of all moneys paid to the TAB during the month immediately preceding that month in respect of bets made through or with the TAB 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.

[Regulation 37 amended in Gazette 31 July 1992 p.3796.]

s. 37A

37A. Annual fee payable by the TAB to the Betting Control Board

The annual fee payable by the TAB under section 18(7) shall be paid to the Betting Control Board in such amounts, and at such times, as that Board may, in writing to the TAB, request.

[Regulation 37A inserted in Gazette 25 June 1996 p.2979.]

37B. Distribution of TAB funds

For the purposes of section 28(2)(h) and 28(3)(h), the date prescribed is the day on which section 14 of the *Acts Amendment (Racing and Betting Legislation) Act 1995* comes into operation ².

[Regulation 37B inserted in Gazette 25 June 1996 p.2979.]

Part 5 — Novelty bets

38. Novelty Bets on racing

- (1) Subject to these regulations, the TAB may make and accept —
- (a) double event bets;
 - (b) quinella bets;
 - (c) exacta bets;
 - (d) tierce bets;
 - (e) trifecta bets;
 - (f) quartet bets;
 - (g) favourite numbers bets;
 - (h) sweepstakes bets; and
 - (i) superfecta bets,

in respect of races conducted on racecourses within the State, and on such racecourses outside the State as are specified in regulation 36(1) and (2).

- (2) In a double event bet, the person making the bet selects a combination of 2 runners, or the same runner twice, on the chance that they or it will be first in each of 2 races nominated by the TAB as the double event.
- (3) In a quinella bet, the person making the bet selects a combination of 2 runners in the same race on the chance that they will be first and second in that race, irrespective of the order in which they finish.
- (4) In an exacta bet, the person making the bet selects one runner to be first and another runner to be second in that order in the same race.
- (5) In a tierce bet, the person making the bet selects a combination of 3 runners in the same race on the chance that they will be first, second and third in that race irrespective of the order in which they finish.

s. 39

- (6) In a trifecta bet, the person making the bet selects one runner to be first, another runner to be second, and another runner to be third in that order in the same race.
- (7) In a quartet bet, the person making the bet selects one runner to be first, another runner to be second, another runner to be third place, and another runner to be fourth in that order in the same race.
- (8) In a favourite numbers bet, the person making the bet selects a series of numbers on the chance that, subject to regulation 42, the races to which those numbers relate will be won by the runner determined under regulation 43 to be the off-course favourite for those races.
- (9) In a sweepstakes bet, the person making the bet obtains a number issued by the TAB in respect of a race on the chance that a runner accepted as a starter in a race will be allocated in accordance with regulation 44 to that number and on the further chance that, if a runner is allocated to the number, it will be first, second or third in that race.
- (10) In a superfecta bet, the person making the bet selects one runner to be first, another runner to be second, another runner to be third, another runner to be fourth, another runner to be fifth and another runner to be sixth, in that order, in the same race.

[Regulation 38 amended in Gazette 31 July 1992 p.3796; 19 April 1994 p.1653; 5 November 1996 pp.5818-9.]

39. Novelty bets for races prescribed

The bets set out in regulation 38 —

- (a) are prescribed as “novelty bets” in relation to a race; and
- (b) may be known by the names prescribed in that regulation,

in accordance with the definition of “novelty bet” in section 3 of the Act.

[Regulation 39 inserted in Gazette 11 September 1998 p.4945.]

40. Dividends on novelty bets

- (1) Subject to these regulations, the dividend payable in respect of a novelty bet for a unit of 50 cents shall —
 - (a) subject to paragraph (b), be that declared on the totalisator pool in relation to which the bet was accepted; but
 - (b) shall not in any case be less than 50 cents.
- (2) Before any dividend is calculated or declared on a totalisator pool for any novelty bet, other than a favourite numbers bet or sweepstakes bet, the TAB shall —
 - (a) deduct the prescribed commission from the gross takings of that totalisator pool;
 - (b) divide the number of winning tickets into the amount of the resulting balance, and declare and pay that dividend in respect of each unit to the holder of each winning ticket unless paragraph (c) applies;
 - (c) where 2 or more runners share a sequence of places in a race by reason of a dead heat by those runners and any of these runners has been selected by the holder of a winning ticket to fill any of those places, determine the number of possible combinations that would, had they been selected, have constituted winning tickets (in this regulation called “**winning combinations**”) and divide that number into the amount of the resulting balance so as to provide equal portions for each winning combination and pay by way of dividend —
 - (i) the portion provided for each respective winning combination that was selected to the holder of the winning ticket in which that winning combination was selected; or
 - (ii) if there is more than one winning ticket in which a particular winning combination was selected, pay to the holders of those winning tickets their

s. 40

respective share of that portion after dividing the portion for that winning combination by the number of winning tickets in which that winning combination was selected,

subject to subregulation (1).

- (3) Where a totalisator pool is conducted for any kind of novelty bet other than a favourite numbers bet or sweepstakes bet —
- (a) if no bet placed in the totalisator pool concerned is a winning bet, the TAB shall deduct the prescribed commission from the gross takings and carry forward the balance and add it 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 TAB may determine; and
 - (b) if, in a case to which subregulation (2)(c) applies, there is a winning combination that was not selected by any person making a bet placed in the totalisator pool concerned, the TAB shall carry forward the amount of the portion provided for that winning combination and add it 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 TAB may determine.
- (4) Where in a novelty bet, other than a favourite numbers bet or a sweepstakes bet —
- (a) any or all of the runners selected by the person making the bet is or are scratched, unless regulation 41 applies; or
 - (b) there are not enough runners officially placed to give a result,

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

*[Regulation 40 amended in Gazette 31 July 1992 p.3796;
25 June 1996 p.2979.]*

41. Double event bets on races

- (1) The TAB may take and accept bets known as double event bets in respect of any 2 races, conducted on the same day or on different days, nominated by the TAB to comprise a double event.
- (2) Where the 2 races are conducted on the same day and a runner selected for the double event by the person making the bet fails to start, the TAB shall substitute for the runner selected the off-course favourite for that race, determined under regulation 43, and the person making the bet shall be deemed to have selected the runner or runners so substituted unless he has obtained a refund of the amount of the bet by surrendering the totalisator ticket issued prior to the closing time fixed for the acceptance of bets on that double event.
- (3) Where the 2 races that comprise a double event are conducted on different days and either or both of the runners selected by the person making a bet on that double event fails or fail to start in one of those races in which it was selected to win by that person, 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.
- (4) 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 TAB shall deduct the prescribed commission from the gross takings of the totalisator pool for that double event and pay a dividend, or carry forward the resulting balance, in accordance with these regulations as if each ticket in which the runner that won the first race of the double event was nominated to win that race was a winning ticket.

*[Regulation 41 amended in Gazette 31 July 1992 p.3796;
25 June 1996 p.2979.]*

42. Favourite numbers bets

- (1) The TAB shall determine the events to which the available participating numbers on a favourite numbers bet ticket relate by random selection from events —
 - (a) on which the TAB intends to operate in respect of the favourite numbers totalisator pool concerned; and
 - (b) which are to be run after the time advertised by the TAB as being the closing time for the receipt of bets for that totalisator pool.
- (2) Having determined the events referred to in subregulation (1), the TAB shall —
 - (a) at the same time determine which other events are to be substituted should all or any of these events be abandoned or postponed from one day to another; and
 - (b) by notices exhibited in totalisator agencies or by announcements made, specify the number of winning events required to be selected successfully in order to comprise a winning bet.
- (3) For the purposes of this regulation, a winning event is one which is won by the off-course favourite, as determined under regulation 43.
- (4) If one of the runners 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.
- (5) Where a totalisator pool is conducted in respect of favourite numbers betting, the TAB shall —
 - (a) deduct the prescribed commission from the gross takings of that totalisator pool; and
 - (b) divide the number of winning tickets into the amount of the resulting balance, and declare and pay that dividend

in respect of each unit to the holder of each winning ticket.

- (6) If no favourite numbers bet placed in the totalisator pool concerned is a winning bet, the TAB shall carry forward 50% of the resulting balance and add it 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.
- (7) The TAB shall, after carrying forward 50% of the resulting balance in accordance with subregulation (6), divide the remaining 50% of the resulting balance by the number of tickets in which were selected a number of successful numbers which is one less than the number required under subregulation (2)(b) and declare and pay a dividend based on that reduced requirement.
- (8) If there are no tickets nominating the required number of successful numbers as reduced under subregulation (7), the TAB shall progressively reduce by one the number required for the purpose of determining which bets are winning bets until the TAB is able to declare and pay a dividend.

[Regulation 42 amended in Gazette 31 July 1992 p.3796; 25 June 1996 p.2979.]

43. Determination of the off-course favourite

- (1) For the purposes of regulation 41 and 42, where a runner starts in a race it is deemed to be the off-course favourite for the race if there has been invested on that runner by way of win bets a greater amount than is so invested on any other runner starting in that race, the amounts of the respective investments being determined —
 - (a) where the data processing facilities of the TAB are linked to the on-course totalisator, by reference to the total amount of win bets recorded; and

s. 44

(b) in any other case, by reference to the win bets accepted by the TAB.

(2) If in a race there have been invested on 2 or more runners equal win bet amounts, each of which is greater than the amount so invested on any other runner starting in the race, the off-course favourite is deemed to be whichever of those equally backed runners has assigned to it the lowest numerical code number in the notice exhibited by the TAB for the race.

[Regulation 43 amended in Gazette 31 July 1992 p.3796.]

44. Sweepstakes bets

(1) The TAB shall —

- (a) issue an identifying entry number for each sweepstakes bet made in respect of a race; and
- (b) determine by random selection to which of those entry numbers (in this regulation called “**selected numbers**”) a runner accepted as a starter will be allocated.

(2) The TAB shall, by the notices exhibited in totalisator agencies, or by announcements made, make known —

- (a) the selected numbers; and
- (b) which runner accepted as a starter has been allocated to the respective selected numbers.

(3) Where a totalisator pool is conducted in respect of a sweepstakes bet, the TAB shall —

- (a) deduct the prescribed commission from the gross takings;
- (b) unless subregulation (4) or (5) applies, declare and pay by way of dividend to the holder of the ticket for the selected number to which was allocated the runner that was placed —
 - (i) first — 75%;
 - (ii) second — 15%; and

- (iii) third — 5%,
of the resulting balance, and divide the remaining 5%
and pay that as dividend to the holders of the tickets for
the remaining selected numbers according to their
respective units.
- (4) Where, by reason of a dead heat, 2 or more runners share a
sequence of places (whether or not first, second or third) in a
race in respect of which sweepstakes bets have been made and
any of those places is first, second or third, the dividend payable
under subregulation (3) in respect of the places shared shall be
aggregated and divided equally between the holders of the
tickets for the selected numbers to which runners sharing the
sequence of places were allocated.
- (5) A sweepstakes bet relates to the race in respect of which the bet
was made, notwithstanding the postponement of the race to
another day, but where the race is abandoned, the TAB shall,
after deducting commission under subregulation (3), pay by way
of dividend to the holder of the ticket for each selected number
an amount obtained by dividing the resulting balance into as
many equal parts as there are selected numbers.

*[Regulation 44 amended in Gazette 31 July 1992 p.3796;
25 June 1996 p.2980.]*

Part 6 — Sporting events

[Heading inserted in Gazette 11 September 1998 p.4946.]

Division 1 — Sporting events and bets prescribed

[Heading inserted in Gazette 11 September 1998 p.4946.]

45. Sporting events prescribed (section 19A(1)(c))

- (1) In addition to those events set out in section 19A(1)(a) (*cricket*) and 19A(1)(b) (*Australian Rules Football*) of the Act, the following events are prescribed as sporting events for the purposes of section 19A(1)(c) of the Act —
- (a) any game or series of games of soccer;
 - (b) any game or series of games of rugby;
 - (c) the event at which points for the Brownlow Medal (for the best player in the AFL football season) are tallied, and the medal winner, the second and the third highest points recipients are decided;
 - (d) the awarding of the Norm Smith Medal for the best player in each AFL Grand Final;
 - (e) any game or series of games of basketball;
 - (f) any game or series of games of golf;
 - (g) any match or series of matches of tennis;
 - (h) any boxing match or series of boxing matches;
 - (i) any single competitive motorsport event or motorcycle event, or series of competitive motorsport events or motorcycle events;
 - (j) any single athletic competition, series of athletic events or event combining athletic events;
 - (k) any competitive cycling event or series of competitive cycling events;

- (l) any game or series of games of American Football (“Gridiron”);
 - (m) any game or series of games of baseball;
 - (n) any game or series of games of netball;
 - (o) any game or series of games of hockey;
 - (p) any competitive event or series of competitive events between sailing craft.
- (2) In addition to the sporting events prescribed in subregulation (1), the TAB may conduct totalisator betting on —
- (a) the results of other forms of;
 - (b) the results of combinations of;
 - (c) the performances of particular teams within; or
 - (d) individual performances within,

the sporting events provided for in the Act or these regulations.

[Regulation 45 inserted in Gazette 11 September 1998 pp.4946-7.]

46. Novelty bets on sporting events generally

- (1) For the purposes of this Part, and in accordance with the definition of “novelty bet” in section 3 of the Act —
- (a) the types of bets set out in the Table to this regulation are prescribed as novelty bets for sporting events; and
 - (b) each of the designations associated with the types of bets set out in the Table is a prescribed designation in relation to the method of betting described.

Table

- **“Sports Tierce”** (or “First Three Any Order”) means the selection of a combination of 3 participants in the same sporting event, and the forecast that that combination will

be first, second and third in that sporting event, irrespective of the order in which they finish.

- “Sports Quinella”** (or “First Two Any Order”) means the selection of a combination of 2 participants in the same sporting event, and the forecast that that combination will be first and second in that sporting event, irrespective of the order in which they finish.
 - “Scoop”** (or “Sports-Tipping”) means the nomination of an amount of a bet, and the prediction that the results of each match, etc., in a predetermined pool of sporting events will in total result in —
 - (a) an overall win to the participant designated as the “home team”;
 - (b) an overall win to the participant designated as the “away team”; or
 - (c) a draw.
 - “Top Score”** means —
 - (a) the nomination of an amount of a bet;
 - (b) the nomination of the winning participant;
 - (c) the nomination of whether the bet is on the score at the end of the first half, or on the match result and final score; and
 - (d) the nomination that a selected score or scores will be the exact score of the winning participant,in relation to a game or match selected for that purpose by the TAB.
 - “Top Scorer”** means the prediction of the individual with the best score in a sporting event.
 - “Footo”** and its variations, means the method of betting described in regulation 54.
- (2) Notwithstanding subregulation (1), where a Division in this Part sets out a type of bet specific to a particular sporting event, that

bet is also prescribed as a “novelty bet” for that sporting event, in accordance with the definition of “novelty bet” in section 3 of the Act.

[Regulation 46 inserted in Gazette 11 September 1998 pp.4947-8.]

47. TAB may specify aspects of sporting events

- (1) For the purposes of conducting betting in relation to prescribed sporting events, the TAB may specify any or all of the following —
 - (a) one or more games of a particular prescribed sporting event upon which it will accept bets (*see also regulation 10*);
 - (b) one or more games of a particular prescribed sporting event that may be substituted in the case of a cancellation, postponement or other reason that a result is not obtained from a prescribed sporting event, or may specify that the bets will be refunded in those circumstances (*see also regulations 16, 17 and 19*);
 - (c) the requirement that the sporting event be conducted within the rules of, and under the authority of, a specified body if bets are to be taken (*see also regulation 6(1)(b)*);
 - (d) whether a particular sporting event is to be taken as having a result, despite disqualifications, scratchings, ongoing protests, appeals, drug testing, etc., or may specify a delegate (steward) as having the responsibility to make official announcements of results in relation to a particular sporting event or type of sporting event;
 - (e) the list that is to be used in determining which teams are to be described as “away teams” and as “home teams” from week to week, in relation to a sporting event (*see also regulation 15(1)*);

Totalisator Agency Board (Betting) Regulations 1988

Part 6 Sporting events

Division 1 Sporting events and bets prescribed

s. 48

- (f) a collection of games that is to be regarded as a pool of games in relation to the particular sporting event (*see also regulation 15(1)*);
- (g) the hours during which, and the places at which, bets may be made in relation to specific sporting events (*see also regulations 11 and 12*);
- (h) the closing time for the acceptance of bets (*see also regulations 15, 30(2) and 48(2)*);
- (i) the dividend to be paid for a unit of 50 cents in relation to the sporting event on which the bet was made (*see also regulations 8 and 34*);
- (j) whether the competition that is the subject of the betting is at State, national or international level;
- (k) whether a particular age group within the sport, or whether the male or female competition within the sport, is to be the subject of betting.

- (2) In this regulation —
the description “**game**” includes the description “match”, “bout”, “round”, “competition”, “ceremony” and other common methods of describing a prescribed sporting event.

[Regulation 47 inserted in Gazette 11 September 1998 pp.4948-9.]

48. General conditions relating to the conduct of totalisator pools

- (1) Where there is a conflict between this general regulation, and a specific provision in this Part, the specific provision applies.
- (2) The TAB in accordance with regulation 15, and otherwise by announcements and advertisements, shall give notice of —
 - (a) the teams (and, where the TAB feels it to be appropriate, the individuals) participating in, and the venue and date of, the matches comprising a competition;

- (b) the scheduled starting time for an event; and
 - (c) the details required by the TAB to be marked, or otherwise given to the TAB, in making a bet.
- (3) Subject to this regulation, where a totalisator pool is conducted by the TAB it shall —
 - (a) in relation to novelty bets on a sporting event —
 - (i) deduct the prescribed commission from the gross takings of that totalisator pool;
 - (ii) add any jackpot under subregulation (6); and
 - (iii) divide the number of winning tickets into the amount of the resulting balance, and declare and pay that dividend in respect of each unit to the holder of each winning ticket;
 - (b) in relation to win bets and place bets, use the same calculations and methods as are used in relation to win bets and place bets in racing under these regulations.
- (4) Where, in relation to a particular sporting event, a dead heat or tie (i.e. between 2 participants) is an outcome that may be nominated as one of the options in a win bet, and a draw or tie in fact occurs, only those win bets that nominated a dead heat or tie will be eligible to receive a dividend.
- (5) Where, in relation to a particular sporting event, a dead heat or tie is not an outcome that can be nominated, but does in fact occur (i.e. between 2 or more participants), the TAB shall calculate the dividends to be declared and paid for the participants forming the dead heat by calculating the dividends that, but for the dead heat, would otherwise have been declared and paid for those participants in accordance with these regulations, and dividing those dividends by the number of participants forming the dead heat.
- (6) If no bet placed in the totalisator pool concerned is a winning bet, the TAB shall carry forward the resulting balance and add it to the amount invested in a subsequent totalisator pool

Totalisator Agency Board (Betting) Regulations 1988

Part 6 Sporting events

Division 1 Sporting events and bets prescribed

s. 48A

conducted for the same kind of bet, on the same or another day, as the TAB may determine.

- (7) The dividend payable in respect of a novelty bet for a unit of 50 cents under this Part —
- (a) shall not be less than 50 cents; and
 - (b) notwithstanding the dividend calculated under these regulations is less than 55 cents, may be declared and paid by the TAB at 55 cents.

[Regulation 48 inserted in Gazette 11 September 1998 pp.4949-50; amended in Gazette 9 April 1999 p.1435.]

48A. Scoop bets and Footy-Tipping bets

- (1) This regulation applies in relation to any totalisator pool conducted by the TAB in respect of Scoop bets or Footy-Tipping bets.

- (2) In this regulation —

“game pool” means a collection of matches determined by the TAB under regulation 47(1)(f) as comprising a pool of games;

“secondary winning ticket” in relation to a totalisator pool in which there is no winning ticket, means a ticket that nominates the highest number of correct results of matches in the relevant game pool;

“winning ticket” means a ticket with the results of every match in the game pool correctly nominated on it.

- (3) Where a totalisator pool is conducted in respect of Scoop betting or Footy-Tipping betting, the TAB shall —
- (a) deduct the prescribed commission from the gross takings of that totalisator pool;
 - (b) add any jackpot under subregulation (4)(a); and
 - (c) divide the number of winning tickets into the amount of the resulting balance, and declare and pay that dividend

in respect of each unit to the holder of each winning ticket.

- (4) If no Scoop bet or Footy-Tipping bet placed in the totalisator pool concerned is a winning bet (including where the totalisator pool was in respect of Footy-Tipping bets and one or more of the matches in the game pool resulted in a tie), the TAB shall —
- (a) carry forward 80% of the resulting balance and add it to the amount invested in a subsequent totalisator pool conducted for the same kind of Scoop bet or Footy-Tipping bet as that in respect of which no winning bet was made; and
 - (b) divide the remaining 20% of the resulting balance by the number of secondary winning tickets and declare and pay a dividend in respect of each unit to the holder of each of those tickets.

[Section 48A inserted in Gazette 9 April 1999 pp.1435-6.]

49. Bracketing

- (1) Where a sporting event comprises more than 24 participants, the TAB may reduce the nominal number of participants to 24 by ‘bracketing’ the participants in a manner similar to regulation 35(1) (*i.e. using the same betting number to represent more than one participant*).
- (2) Where bracketing has taken place and 2 (or more) participants with the same betting number finish 1st, 2nd or 3rd in a sporting event, then only the highest placed participant with that betting number will be counted when determining winning combinations for that sporting event.

[Regulation 49 inserted in Gazette 11 September 1998 p.4950.]

50. General conditions relating to betting on games, pools of games, etc.

- (1) Where a match in a pool is postponed from one day to another, abandoned or cancelled, that match shall be omitted from the pool and the results of the pool shall be based upon the remaining matches.
- (2) Where all the matches in a pool are abandoned or cancelled, all bets on that pool shall be refunded by the TAB.
- (3) If the TAB or, where appropriate, the Steward, declares that a single sporting event does not have a result, due to that event being forfeit, cancelled, postponed, abandoned, etc., or due to scratchings or a lack of officially placed participants, all bets on that sporting event shall be refunded by the TAB.
- (4) If one or more of the participants in a sporting event are scratched, a person who has a bet on a scratched participant, or a combination bet that includes a scratched participant, is entitled to a refund representing the combinations of the bet that include the scratched participant.
- (5) If a single sporting event is forfeit, abandoned, etc., but despite that forfeiture, abandonment, etc., the TAB or, where appropriate, the steward, declares that the sporting event does have a result, all bets on that sporting event shall be paid in accordance with that declared result.

[Regulation 50 inserted in Gazette 11 September 1998 pp.4950-1.]

Division 2 — Australian Rules Football

[Heading inserted in Gazette 11 September 1998 p.4951.]

51. Bets on Australian Rules Football

The TAB may make and accept bets on Australian Rules Football in accordance with these regulations.

[Regulation 51 inserted in Gazette 11 September 1998 p.4951.]

52. Interpretation (for Australian Rules Football)

For the purposes of this Division, a score of more than 999 will be deemed to be a score of 999; and a score of zero will be deemed to be a score of 1.

[Regulation 52 inserted in Gazette 11 September 1998 p.4951.]

53. Types of bets

(1) The TAB may accept the following types of bets on Australian Rules Football (as set out in Division 1) —

- (a) Win bets;
- (b) Top Score bets;
- (c) Top Scorer bets;
- (d) Scoop bets.

(2) In addition to the types of bets in subregulation (1), the TAB may accept the following types of bets on Australian Rules Football —

- (a) Footo bets (*i.e. with a nominated winning margin*);
- (b) Footy-Tipping bets (*i.e. Scoop type bets without the option of nominating a draw as an outcome*);
- (c) Bets on the first goal scorer of a selected game or games;
- (d) Bets on the points scored in the first quarter of a selected game or games;
- (e) Bets on the points scored in the second quarter of a selected game or games;
- (f) Bets on the points scored in the third quarter of a selected game or games;
- (g) Bets on the points scored in the final quarter of a selected game or games;
- (h) Bets on the final score of a selected game or games.

[Regulation 53 inserted in Gazette 11 September 1998 pp.4951-2.]

54. Footo bets

- (1) For a Footo bet, the person making the bet nominates —
- (a) his selected team, on the chance that it will be the winning team or the game will be a draw; and
 - (b) the winning margin,

in a match to be played in a competition to which a totalisator pool relates.

- (2) The winning margin may be selected —
- (a) as a draw;
 - (b) from one or more score ranges within brackets of 3 numbers determined by the TAB; or
 - (c) as a greater score range,

any selection for a draw or for a greater score range being taken to be a bracket, and each bracket being a separate bet, but all the brackets selected being required to be consecutive.

- (3) Where a match is selected, but the game is cancelled, not determined by running its full course, or postponed from one day to another, then despite regulations 47 and 50, all amounts of bets made in respect of that match are to be refunded by the TAB.
- (4) Notwithstanding subregulation (3) where there is a result for the first half of a match the TAB may declare and pay a dividend in respect of each unit to the holder of each winning ticket in the totalisator pool concerned.

[Regulation 54 inserted in Gazette 11 September 1998 p.4952.]

Division 3 — Cricket

[Heading inserted in Gazette 11 September 1998 p.4952.]

55. Bets on cricket

The TAB may make and accept bets on cricket in accordance with these regulations.

[Regulation 55 inserted in Gazette 11 September 1998 p.4952.]

56. Interpretation (for cricket)

In this Division —

“**draw**” includes a game or innings in which there is no result because the game or innings is unfinished at the cessation of play for the game;

“**runs**” (scored by individuals) do not include sundries, extras, etc.;

“**runs**” (scored by teams) includes sundries, extras, etc.;

“**tie**” means a game or innings in which both teams score the same number of runs and for which the rules make no other provision for determining the winning team.

[Regulation 56 inserted in Gazette 11 September 1998 pp.4952-3.]

57. Types of bets

- (1) The TAB may accept the following types of bets on cricket (as set out in Division 1) —
 - (a) Win bets;
 - (b) Top Score bets (*see also the provisions of subregulation (3)*);
 - (c) Top Scorer bets.

Totalisator Agency Board (Betting) Regulations 1988

Part 6 Sporting events

Division 4 Soccer

s. 58

- (2) In addition to the types of bets in subregulation (1), the TAB may accept the following types of bets on cricket —
- (a) Bets on the most wickets taken by a player in a selected game or games;
 - (b) Bets on the most runs scored by a player in a selected game or games;
 - (c) Bets on the highest score that will be achieved by a player in a selected game or games.
- (3) Where —
- (a) there is no result for a match or there is a first innings draw, all of the amounts of bets made in respect of that match and innings shall be refunded by the TAB;
 - (b) there is a result for the first innings of a match, but the final result of the match is a draw, the dividend in respect of bets made on the final score will be determined as if the result were a tie.
- (4) Where a match is selected, but the game is cancelled, or postponed from one day to another, then despite regulations 47 and 50, all amounts of bets made in respect of that match are to be refunded by the TAB.

[Regulation 57 inserted in Gazette 11 September 1998 p.4953.]

Division 4 — Soccer

[Heading inserted in Gazette 11 September 1998 p.4953.]

58. Bets on soccer

The TAB may make and accept bets on soccer in accordance with these regulations.

[Regulation 58 inserted in Gazette 11 September 1998 p.4953.]

59. Types of bets

- (1) The TAB may accept the following types of bets on soccer —
- (a) Win bets;

- (b) Scoop bets;
 - (c) Top Score bets;
 - (d) Top Scorer bets.
- (2) In addition to the types of bets in subregulation (1), the TAB may accept the following types of bets on soccer —
- (a) Bets on the first goal scorer of a selected game or games;
 - (b) Bets on the final score of a selected game or games.

[Regulation 59 inserted in Gazette 11 September 1998 pp.4953-4; amended in Gazette 9 April 1999 p.1436.]

Division 5 — Rugby

[Heading inserted in Gazette 11 September 1998 p.4954.]

60. Bets on rugby

The TAB may make and accept bets on rugby in accordance with these regulations.

[Regulation 60 inserted in Gazette 11 September 1998 p.4954.]

61. Interpretation (for rugby)

- (1) In this Division —
- “the NSW rules”** means the rules cited as the *Sporting Contests (General) Totalizator Rules 1983* of the State of New South Wales, as at 8 November 1994.
- (2) The NSW rules apply with such modifications as are necessary for those rules to take effect under this Division, including specifically —
- (a) the alteration of the reference in the NSW rules from “FootyTAB” to “RugbyBet” (to avoid confusion in this State);

- (b) the disapplication of provisions relating to the acceptance of investments by post; and
- (c) the disapplication of those provisions that relate to betting on soccer.

[Regulation 61 inserted in Gazette 11 September 1998 p.4954.]

62. Types of bets

In addition to —

- (a) Win bets;
- (b) Scoop bets; and
- (c) Top Scorer,

the TAB may accept those types of bets, on rugby, that are set out in the NSW rules.

[Regulation 62 inserted in Gazette 11 September 1998 p.4954.]

63. Combined pool scheme

Pursuant to section 27 of the Act, the TAB may include bets under this Division as a part of a combined totalisator pool with the Totalisator Agency Board of New South Wales.

[Regulation 63 inserted in Gazette 11 September 1998 p.4954.]

Division 6 — Brownlow Medal (AFL)

[Heading inserted in Gazette 11 September 1998 p.4954.]

64. Bets on the outcome of the Brownlow Medal count

The TAB may make and accept bets on the outcome of the Brownlow Medal count in accordance with these regulations.

[Regulation 64 inserted in Gazette 11 September 1998 p.4954.]

65. Interpretation (for the Brownlow Medal count)

In this Division —

“**Brownlow Medal count**” means the counting of points awarded by umpires to players throughout an AFL season

based on a player's performance in each game of AFL football, to determine an outcome for that season;

“Brownlow medallist” for a particular season, means the player or players with the highest aggregate point score, excluding any player who has been suspended during a round in which points are awarded;

“outcome” means the order in which the players finished the season in terms of points awarded, excluding any player who has been suspended during a round in which points are awarded.

[Regulation 65 inserted in Gazette 11 September 1998 p.4955.]

66. Types of bets

The TAB may accept the following types of bets on the outcome of the Brownlow Medal count —

- (a) Win bets;
- (b) Place bets;
- (c) Sports Tierce bets.
- (d) Sports Quinella bets.

[Regulation 66 inserted in Gazette 11 September 1998 p.4955.]

Division 7 — Norm Smith Medal (AFL)

[Heading inserted in Gazette 11 September 1998 p.4955.]

67. Bets on the recipient of the Norm Smith Medal

The TAB may make and accept bets on who will be the recipient of the Norm Smith Medal in accordance with these regulations.

[Regulation 67 inserted in Gazette 11 September 1998 p.4955.]

68. Interpretation (for the awarding of the Norm Smith Medal)

In this Division —

“**the Norm Smith Medal**” means the medal awarded to the Australian Rules footballer who is adjudged to be the best on the ground in the AFL grand final.

[Regulation 68 inserted in Gazette 11 September 1998 p.4955.]

69. Types of bets

The TAB may accept Win bets on who will be awarded the Norm Smith medal.

[Regulation 69 inserted in Gazette 11 September 1998 p.4955.]

Division 8 — Basketball

[Heading inserted in Gazette 11 September 1998 p.4955.]

70. Bets on basketball

The TAB may make and accept bets on basketball in accordance with these regulations.

[Regulation 70 inserted in Gazette 11 September 1998 p.4955.]

71. Types of bets

The TAB may accept the following types of bets on basketball —

- (a) Win bets;
- (b) Scoop bets;
- (c) Top score bets;
- (d) Top scorer bets.

[Regulation 71 inserted in Gazette 11 September 1998 p.4956.]

Division 9 — Golf

[Heading inserted in Gazette 11 September 1998 p.4956.]

72. Bets on golf

The TAB may make and accept bets on golf in accordance with these regulations.

[Regulation 72 inserted in Gazette 11 September 1998 p.4956.]

73. Types of bets

The TAB may accept the following types of bets on golf —

- (a) Win bets;
- (b) Place bets;
- (c) Sports Tierce bets;
- (d) Sports Quinella bets;
- (e) Top Scorer bets.

[Regulation 73 inserted in Gazette 11 September 1998 p.4956.]

Division 10 — Tennis

[Heading inserted in Gazette 11 September 1998 p.4956.]

74. Bets on tennis

The TAB may make and accept bets on tennis in accordance with these regulations.

[Regulation 74 inserted in Gazette 11 September 1998 p.4956.]

75. Types of bets

The TAB may accept the following types of bets on tennis —

- (a) Win bets;
- (b) Place bets;
- (c) Sports Tierce bets;

(d) Sports Quinella bets;

(e) Scoop bets.

[Regulation 75 inserted in Gazette 11 September 1998 p.4956.]

Division 11 — Boxing

[Heading inserted in Gazette 11 September 1998 p.4956.]

76. Bets on boxing

The TAB may make and accept bets on boxing in accordance with these regulations.

[Regulation 76 inserted in Gazette 11 September 1998 p.4956.]

77. Type of bet

The TAB may accept Win bets on boxing.

[Regulation 77 inserted in Gazette 11 September 1998 p.4956.]

Division 12 — Motorsport events and motorcycle events

[Heading inserted in Gazette 11 September 1998 p.4957.]

78. Bets on motorsport events and motorcycle events

The TAB may make and accept bets on motorsport events and motorcycle events in accordance with these regulations.

[Regulation 78 inserted in Gazette 11 September 1998 p.4957.]

79. Interpretation

In this Division —

“**motorcycle events**” includes motorcycle and sidecar events;

“**motorsport events**” does not include motorcycle events.

[Regulation 79 inserted in Gazette 11 September 1998 p.4957.]

80. Types of bets (motorsport events)

The TAB may accept the following types of bets on motorsport events —

- (a) Win bets;
- (b) Place bets;
- (c) Sports Tierce bets;
- (d) Sports Quinella bets.

[Regulation 80 inserted in Gazette 11 September 1998 p.4957.]

81. Types of bets (motorcycle events)

The TAB may accept the following types of bets on motorcycle events —

- (a) Win bets;
- (b) Place bets;
- (c) Sports Tierce bets;
- (d) Sports Quinella bets.

[Regulation 81 inserted in Gazette 11 September 1998 p.4957.]

Division 13 — Athletics

[Heading inserted in Gazette 11 September 1998 p.4957.]

82. Bets on athletics

The TAB may make and accept bets on athletics in accordance with these regulations.

[Regulation 82 inserted in Gazette 11 September 1998 p.4957.]

83. Types of bets

The TAB may accept the following types of bets on athletics —

- (a) Win bets;
- (b) Place bets;

- (c) Sports Tierce bets;
- (d) Sports Quinella bets.

[Regulation 83 inserted in Gazette 11 September 1998 p.4957.]

Division 14 — Cycling

[Heading inserted in Gazette 11 September 1998 p.4958.]

84. Bets on cycling

The TAB may make and accept bets on cycling in accordance with these regulations.

[Regulation 84 inserted in Gazette 11 September 1998 p.4958.]

85. Types of bets

The TAB may accept the following types of bets on cycling —

- (a) Win bets;
- (b) Place bets;
- (c) Sports Tierce bets;
- (d) Sports Quinella bets.

[Regulation 85 inserted in Gazette 11 September 1998 p.4958.]

Division 15 — American Football

[Heading inserted in Gazette 11 September 1998 p.4958.]

86. Bets on American Football

The TAB may make and accept bets on American Football in accordance with these regulations.

[Regulation 86 inserted in Gazette 11 September 1998 p.4958.]

87. Types of bets

The TAB may accept the following types of bets on American Football —

- (a) Win bets;

- (b) Scoop bets;
- (c) Top Score bets;
- (d) Top Scorer bets.

[Regulation 87 inserted in Gazette 11 September 1998 p.4958.]

Division 16 — Baseball

[Heading inserted in Gazette 11 September 1998 p.4958.]

88. Bets on baseball

The TAB may make and accept bets on baseball in accordance with these regulations.

[Regulation 88 inserted in Gazette 11 September 1998 p.4958.]

89. Types of bets

The TAB may accept the following types of bets on baseball —

- (a) Win bets;
- (b) Scoop bets;
- (c) Top Score bets;
- (d) Top Scorer bets.

[Regulation 89 inserted in Gazette 11 September 1998 p.4958.]

Division 17 — Netball

[Heading inserted in Gazette 11 September 1998 p.4958.]

90. Bets on netball

The TAB may make and accept bets on netball in accordance with these regulations.

[Regulation 90 inserted in Gazette 11 September 1998 p.4958.]

91. Types of bets

The TAB may accept the following types of bets on netball —

- (a) Win bets;

- (b) Scoop bets;
- (c) Top Score bets;
- (d) Top Scorer bets.

[Regulation 91 inserted in Gazette 11 September 1998 p.4959.]

Division 18 — Hockey

[Heading inserted in Gazette 11 September 1998 p.4959.]

92. Bets on hockey

The TAB may make and accept bets on hockey in accordance with these regulations.

[Regulation 92 inserted in Gazette 11 September 1998 p.4959.]

93. Types of bets

The TAB may accept the following types of bets on hockey —

- (a) Win bets;
- (b) Scoop bets;
- (c) Top Score bets;
- (d) Top Scorer bets.

[Regulation 93 inserted in Gazette 11 September 1998 p.4959.]

Division 19 — Sailing

[Heading inserted in Gazette 11 September 1998 p.4959.]

94. Bets on sailing events

The TAB may make and accept bets on sailing events in accordance with these regulations.

[Regulation 94 inserted in Gazette 11 September 1998 p.4959.]

95. Types of bets

The TAB may accept the following types of bets on sailing events —

- (a) Win bets;
- (b) Place bets;
- (c) Sports Tierce bets;
- (d) Sports Quinella bets.

[Regulation 95 inserted in Gazette 11 September 1998 p.4959.]

Notes

- ¹ This reprint is a compilation as at 20 August 1999 of the *Totalisator Agency Board (Betting) Regulations 1988* and includes the amendments included in the reprint of 12 November 1992 and amendments effected by the other regulations referred to in the following Table.

Table of Regulations

Citation	Gazettal	Commencement	Miscellaneous
<i>Totalisator Agency Board (Betting) Regulations 1988</i>	25 March 1988 pp.935-55	28 March 1988 (see regulation 2)	
(Regulations effecting amendments included in the previous reprint are not referred to in this Table)	12 November 1992		Previous reprint as at 12 November 1992
<i>Totalisator Agency Board (Betting) Amendment Regulations 1993</i>	2 July 1993 p.3276	1 August 1993 (see regulation 2)	
<i>Totalisator Agency Board (Betting) Amendment Regulations 1994</i>	19 April 1994 p.1653	19 April 1994	
<i>Totalisator Agency Board (Betting) Amendment Regulations (No. 2) 1994</i>	29 July 1994 p.3860	29 July 1994	
<i>Totalisator Agency Board (Betting) Amendment Regulations (No. 3) 1994</i>	23 December 1994 p.7123	23 December 1994	
<i>Totalisator Agency Board (Betting) Amendment Regulations 1995</i>	21 April 1995 pp.1405-6	1 May 1995 (see regulation 2)	
<i>Totalisator Agency Board (Betting) Amendment Regulations 1996</i>	25 June 1996 pp.2978-80	28 June 1996 (see regulation 2 and <i>Gazette</i> 25 June 1996 p.2901)	
<i>Totalisator Agency Board (Betting) Amendment Regulations (No. 2) 1996</i>	5 November 1996 pp.5817-19	5 November 1996	
<i>Totalisator Agency Board (Betting) Amendment Regulations 1997</i>	25 July 1997 pp.3927-8	25 July 1997	

Totalisator Agency Board (Betting) Regulations 1988

Citation	Gazettal	Commencement	Miscellaneous
<i>Totalisator Agency Board (Betting) Amendment Regulations (No. 2) 1997</i>	20 January 1998 p.395	20 January 1998	
<i>Totalisator Agency Board (Betting) Amendment Regulations 1998</i>	11 September 1998 pp.4942-59	11 September 1998	
<i>Totalisator Agency Board (Betting) Amendment Regulations (No. 3) 1998</i>	30 October 1998 pp.6015-16	1 December 1998 (see regulation 2)	
<i>Totalisator Agency Board (Betting) Amendment Regulations 1999</i>	9 April 1999 pp.1434-6	9 April 1999	

² Operative 28 June 1998 (see *Gazette* 25 June 1998 p.2901).

Defined Terms

Defined Terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined Term	Provision(s)
agency	3(1)
athletics	3(1)
Brownlow Medal count.....	65
Brownlow medallist	65
cash	3(1)
deposit account.....	3(1)
depositor.....	3(1)
depositor's account	3(1)
draw	56
Footo	46(1)(b)
game.....	47(2)
game pool.....	48A(2)
investor.....	3(1)
motorcycle events	79
motorsport events	79
novelty bet.....	3(1)
outcome.....	65
participant	3(1)
place bet	3(1)
prescribed commission.....	3(1)
runner	3(1)
runs	56
Scoop	46(1)(b)
secondary winning ticket	48A(2)
Secretary	3(1)
selected numbers	44(1)(b)
sporting event.....	3(1)
Sports Quinella.....	46(1)(b)
Sports Tierce	46(1)(b)
the Norm Smith Medal.....	68
the NSW rules	61(1)
ticket.....	3(1)
tie	56
Top Score	46(1)(b)
Top Scorer.....	46(1)(b)
unit	3(1)

Defined Terms

win bet.....	3(1)
winning combinations	40(2)(c)
winning ticket.....	48A(2)