



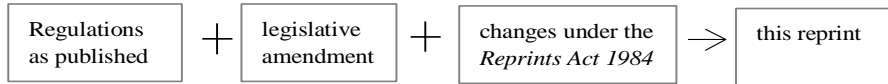
Western Australia

Betting Control Regulations 1978

Reprinted as at 6 April 2001

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).
Notes of this kind may also be at the foot of Schedules or headings.
2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Western Australia

Betting Control Regulations 1978

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Western Australia

Reprinted under the
Reprints Act 1984 as
at 6 April 2001

Betting Control Act 1954

Betting Control Regulations 1978

1. Citation

These regulations may be cited as the *Betting Control Regulations 1978*¹.

2. Transitional provision

Notwithstanding that by the operation of the *Acts Amendment (Racing and Betting Legislation) Act 1995* and the *Betting Control Amendment Regulations 1996*¹ certain responsibilities of the person holding the office of Commissioner of State Taxation were transferred to the Board, where under these regulations any form or activity was approved by the Commissioner of State Taxation that form or activity shall be taken to have been approved by the Board in the absence of any specific decision by the Board to the contrary.

*[Regulation 2 inserted in Gazette 25 Jun 1996 p. 2975;
amended in Gazette 22 Oct 1996 p. 5619.]*

3. Interpretation

- (1) In these regulations unless the context requires otherwise —
“**Chairman**” means the Chairman of the Board;

“concession bet” means a bet to win at special odds, the stake being refunded if the runner concerned is placed second or third, subject to the number of starters;

“country” means any part of the State outside the metropolitan area;

“each way bet” means a bet comprising 2 equal amounts, one amount being for a win and one for a place and both being taken or laid on the same runner or other competitor or contingency at the same time, at stated odds for a win;

“grandstand enclosure” means that portion of a racecourse which is set aside as such by the committee or other authority controlling the racecourse, and commonly known as the “grandstand enclosure”;

“internet betting” means a method of making and accepting bets by means of an on-line telecommunications system (commonly known as “the Internet”) using a computer system that is subject to the procedures set out in regulation 76;

“leger” means that portion of a racecourse which is set aside as such by the committee or other authority controlling the racecourse, and commonly known as “the leger”;

“rules” means, except in the Appendix, the Rules of Racing, the Rules of Trotting, or the Rules of Greyhound Racing;

“runner” means —

- (a) in the context of a horse race, a horse running in the race;
- (b) in the context of a greyhound race, a greyhound running in the race; or
- (c) in the context of a designated sporting event, a competitor competing in the event;

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

“sporting event” does not include a designated sporting event.

- (2) Expressions which are defined in, or are to be read as included in a reference by reason of, section 4 or which are expressions defined in the Rules of Betting set out in the Appendix have the same respective meanings for the purposes of these regulations, those Rules, and any approval under section 4B, unless the context otherwise requires.
- (3) Notwithstanding that these regulations and the Rules of Betting set out in the Appendix would not otherwise apply, where —
 - (a) in the context of a designated sporting event, a permit under section 4A; or
 - (b) in the context of a sporting event, an approval under section 4B,

provides that bets of a kind other than those defined in this regulation may be made, these regulations and those Rules of Betting shall be taken to apply to those bets.

[Regulation 3 amended in Gazette 24 Jun 1988 p. 2003; 14 Feb 1992 p. 857; 10 Jul 1992 p. 3286-7; 21 Jul 1998 p. 3851, 3854, 3855 and 3856; 26 Nov 1999 p. 5908.]

4. Meetings of the Board

- (1) The Board shall hold such meetings as it considers necessary for the efficient conduct of its affairs.
- (2) The Chairman of his own volition may, and if requested to do so at any time by any 2 members of the Board shall forthwith, convene a special meeting of the Board.
- (3) The Secretary shall cause to be given to each member of the Board in writing, either delivered personally or sent by post or telegraph, notice of every ordinary or special meeting of the Board at least 48 hours before the time appointed for the commencement of that meeting, unless the Chairman is of the opinion that shorter notice should be given because of an emergency in which case the Secretary shall cause the shorter notice to be given to each member.

- (4) In the case of special meetings the notice convening the meeting shall specify the business to be dealt with at that meeting, and only that business shall be dealt with.
- (5) Notwithstanding the provisions of subregulation (3), where it appears to the Chairman that, by reason of the urgency of a matter required to be dealt with by the Board, there is insufficient time available to convene a meeting to deal with that matter, if the matter in question is decided by a majority of the Board ascertained by separate communication to each member available, that decision shall be deemed to be the decision of the Board as if it was made at a duly convened meeting of the Board.
- (6) If a quorum is not present within half an hour of the time appointed for the commencement of a meeting the business lapses and the business set down for attention at that meeting shall be the business, or included in the business, for attention at the next ordinary or special meeting of the Board.
- (7) At meetings of the Board each member present shall vote on questions submitted at the meeting.
- (8) The order of business at ordinary meetings of the Board shall be —
 - (a) the confirmation of the minutes of the previous meeting;
 - (b) matters arising from the minutes of the previous meeting;
 - (c) all applications for a licence to carry on business as a bookmaker;
 - (d) all applications for a licence to undertake employment as a bookmaker's employee; and
 - (e) general business, which shall include such other matters as any member of the Board decides to bring before the Board.

[Regulation 4 amended in Gazette 10 Jul 1992 p. 3287.]

5. Minutes

- (1) The Secretary, or, if he is not available, some other person authorised by the Board to do so, shall keep proper minutes of resolutions carried, business transacted, and proceedings effected at each meeting of the Board.
- (2) The minutes of a meeting shall be submitted to the members of the board for confirmation either at the same or a subsequent meeting, and when confirmed shall be signed by the Chairman.
- (3) Production of the minute book purporting to have been signed by the Chairman is conclusive evidence of the matters recorded in the minutes.

6. Revocation or alteration of resolutions

- (1) A resolution of the Board shall not be revoked or altered unless —
 - (a) notice of intention to move the revocation or alteration is given in writing to each of the members of the Board before the time appointed for the commencement of the meeting at which it is proposed to move the revocation or alteration; or
 - (b) the member intending to move the revocation or alteration, in lieu of giving notice to each member, gives at a meeting of the Board notice in writing of the intention to move the revocation or alteration at the next following meeting of the Board, in which case the Secretary, when giving notice of the next following meeting to the members of the Board, shall annex to the notice a copy of that notice of intention.
- (2) A resolution of the Board shall not be revoked or altered unless not less than 48 hours notice of the intention so to do has been given by one or other of the methods referred to in subregulation (1).

7. Correspondence

All correspondence by the Board shall be signed by the Chairman, or the Secretary.

8. Common Seal

- (1) The device of the Common Seal shall contain the words “The Common Seal of the Betting Control Board”.
- (2) The Secretary shall have the custody of the Common Seal of the Board.
- (3) The Common Seal shall be kept in such place as the Board from time to time directs, and when not in use shall be kept in a place of safe custody secured by lock and key.
- (4) The Common Seal shall not be affixed to any document except by the authority of a resolution of the Board.
- (5) Where the Common Seal is authorised to be affixed to a document, it shall be affixed only in the presence of at least 2 members of the Board, of whom one shall be either the Chairman or the Deputy Chairman of the Board, who shall thereupon sign the document, and the document shall be countersigned by the Secretary.

9. Application for licence

- (1) A person who desires to make application for a licence shall —
 - (a) complete and sign such forms as are required by the Board;
 - (b) lodge with the Secretary the forms together with the fee, if any, prescribed in respect of the application by regulation 17.

- (2) A person may —
- (a) at any time prior to the determination of their application for the grant of a licence, withdraw the application by notice in writing served on the Board;
 - (b) at any time after a licence is granted to that person, surrender that licence to the Board,

and upon receipt by the Board of a notice of withdrawal or the surrender of a licence pursuant to this subregulation, that application or licence, as the case may be, ceases to have effect, but a withdrawal or surrender so made does not affect the operation of regulation 18 or the validity of any bond or security lodged under that regulation.

[Regulation 9 amended in Gazette 14 Jul 1989 p. 2133; 10 Jul 1992 p. 3286-7.]

9A. Application to conduct a designated sporting event

- (1) An application for the purposes of section 4A(2) shall be in the form of Form 1 in Schedule 1 and shall be submitted in a completed form.
- (2) The information required to be given in the form of Form 1 of Schedule 1 is the information prescribed for the purposes of section 4A(3).
- (3) The Board may require the Commissioner of Police to report on any application made for the purposes of section 4A(2).

[Regulation 9A inserted in Gazette 21 Jul 1998 p. 3852.]

[10. Repealed in Gazette 10 Jul 1992 p. 3287.]

11. When a licence may be renewed

An application for the renewal of a licence as a bookmaker's employee may be made only during the currency of the licence to which the renewal is to relate, and any application made in relation to a licence which has expired shall be treated as an

application for a licence in the first instance and not by way of renewal.

[Regulation 11 amended in Gazette 10 Jul 1992 p. 3286-7.]

12. Grant of a licence

- (1) Where the Board determines that a licence shall be granted the Secretary shall notify the applicant and, on the applicant paying the appropriate licence fee, if any, prescribed to the Board and lodging with the Board the security or bond required by the Board in accordance with regulation 18, shall furnish to the applicant a receipt for that fee and for the security and issue the relevant licence.
- (2) A licence shall be signed by the Chairman or the Deputy Chairman of the Board and countersigned by the Secretary.

[Regulation 12 amended in Gazette 10 Jul 1992 p. 3286-8.]

13. Application for a temporary bookmaker's employee's licence

An application for the purposes of section 12A(1) of the Act shall be in the form of Form 2 in Schedule 1 and shall be submitted in a completed form.

[Regulation 13 inserted in Gazette 21 Jul 1998 p. 3852.]

14. Effect of a licence

- (1) A licence under the Act shall be issued in a form approved by the Board.
- (2) A bookmaker's licence is subject to the terms and conditions specified therein or endorsed thereon.
- (3) The Board may endorse a licence or alter the endorsement on a licence at any time.
- (4) An alteration of the endorsement may be effected by actual alteration or interlineation or by the replacement of the licence.

- (5) A licence authorises the holder of it to do only such acts, and to do them only at such times and places and in such circumstances, as are specifically stated in these regulations, as are specified in an approval under section 4B, a permit under section 12 or the licence itself or by endorsement on the licence, and authorises the holder only to do any of the acts while doing it in accordance with these regulations, such approval or such permit.
- (6) A bookmaker's licence authorises the licensee to carry on the business of a bookmaker only on that portion of a racecourse named therein, and not elsewhere.
- (7) A bookmaker's licence which is endorsed to that effect authorises the licensee to carry on the business of a bookmaker, in relation to sporting events or contingencies approved under section 4B, by means of —
- (a) on-course telephone betting conducted in accordance with regulation 71; or
 - (b) on-course internet betting, conducted in accordance with regulations 74 and 76,
- or both, as the case may be.
- (8) A bookmaker's licence which is endorsed to that effect authorises the licensee to carry on the business of a bookmaker, in relation to racing, by means of —
- (a) on-course telephone betting conducted in accordance with regulation 72; or
 - (b) on-course internet betting, conducted in accordance with regulations 75 and 76,

or both, as the case may be.

[Regulation 14 amended in Gazette 24 Jun 1988 p. 2004; 10 Jul 1992 p. 3286 and 3288; 31 Aug 1993 p. 4677 (correction in Gazette 10 Sep 1993 p. 4975); 24 Dec 1993 p. 6839; 21 Jul 1998 p. 3852 and 3855; 26 Nov 1999 p. 5908-9.]

[15. *Repealed in Gazette 10 Jul 1992 p. 3288.*]

16. Duplicate licences

- (1) On stating the circumstances under which that licence was lost or destroyed, and on payment of the prescribed fee, the holder of a licence may apply to the Board for the issue of a duplicate licence of the same effect, and subject to the same terms and conditions, as the original licence the Board may issue such a duplicate licence.
- (2) Where after the issue of a duplicate licence the original licence is found, the duplicate licence shall forthwith be forwarded to the Board for cancellation.

[Regulation 16 amended in Gazette 10 Jul 1992 p. 3286 and 3288.]

17. Fees

The Board shall charge the following fees —

- | | | |
|------|---|--------|
| (aa) | On the grant of a permit under section 4A for a designated sporting event | \$30; |
| (a) | On an application for a bookmaker's licence..... | \$300; |
| (b) | On an application for, or for the renewal of, a bookmaker's employee licence..... | \$20; |
| (c) | For an appeal to the Board in connection with a betting dispute..... | \$100; |
| (d) | On provision of a copy of a transcript of an appeal hearing, for each page..... | \$2; |
| (e) | On applying for the issue of a duplicate licence..... | \$10. |

[Regulation 17 amended in Gazette 14 Jul 1989 p. 2133; 10 Jul 1992 p. 3288; 21 Jul 1998 p. 3852.]

17A. Bookmakers' annual licence fee

- (1) The bookmakers' annual licence fee payable under section 13(1) shall be —
- (a) paid, in respect of each assessment year commencing on 1 August and ending on 31 July, at the following rates —
 - (i) on total turnover not exceeding \$250 000..... \$275;
 - (ii) on total turnover greater than \$250 000 but not exceeding \$1 000 000..... \$550;
and
 - (iii) on total turnover greater than \$1 000 000..... \$825,for that year; and
 - (b) payable, on the basis of self assessment by the holder of the licence, on or before 31 August following the end of the assessment year —
 - (i) to the Board; and
 - (ii) in accordance with a properly completed annual return, in a form approved by the Board, accompanying the payment.
- (2) The bookmakers' annual licence fee payable under section 13(4) in respect of a part year shall be —
- (a) assessed by the Board on the basis of total turnover during the year ending the preceding 31 July assessed proportionately according to the number of months, or parts of a month, during which the licence operated in the year of assessment; and
 - (b) payable to the Board at such time and in such manner as the Board may, in writing, request.
- (3) The holder of the licence shall supply or make available to the Board such other information as the Board may consider to be

r. 17B

relevant to the assessment of any bookmakers' annual licence fee at such time and in such manner as the Board may, in writing, request.

[Regulation 17A inserted in Gazette 25 Jun 1996 p. 2975; amended in Gazette 10 Jul 1988 p. 3647; 21 Jul 1998 p. 3852.]

17B. On-course totalisator annual licence fee

- (1) The on-course totalisator annual licence fee payable under section 17A(1) shall be —
- (a) paid, in respect of each assessment year commencing on 1 August and ending on 31 July, at the following rates —
- | | | |
|-------|--|-------------------------------|
| (i) | on total turnover not exceeding \$10 000..... | no fee; |
| (ii) | on total turnover greater than \$10 000 but not exceeding \$100 000..... | \$30; |
| | and | |
| (iii) | on total turnover greater than \$100 000..... | 0.030%
of the
turnover, |
- for that year; and
- (b) payable, on the basis of self assessment by the authority authorised to possess and operate that totalisator, on or before 15 August following the end of the assessment year —
- (i) to the Board; and
- (ii) in accordance with a properly completed annual return, in a form approved by the Board, accompanying that payment.

- (2) The on-course totalisator annual licence fee payable under section 17A(4) in respect of a part year shall be —
 - (a) assessed by the Board on the basis of total turnover during the year ending the preceding 31 July assessed proportionately according to the number of months, or parts of a month, during which the on-course totalisator operated in the year of assessment; and
 - (b) payable to the Board at such time and in such manner as the Board may, in writing, request.
- (3) The authority authorised to possess and operate the totalisator shall supply or make available to the Board such other information as the Board may consider to be relevant to the assessment of any on-course totalisator annual licence fee at such time and in such manner as the Board may, in writing, request.

[Regulation 17B inserted in Gazette 25 Jun 1996 p. 2976; amended in Gazette 10 Jul 1998 p. 3647.]

17C. Percentage of bets to belong to TAB

For the purpose of section 17E(1)(a), the amount prescribed as the commission for a bet is —

- (a) where the totalisator is conducted on the system whereby all winning bets, for a win or a place, are deducted before the commission is deducted —
 - (i) for a losing bet for a win..... 20%;
and
 - (ii) for a losing bet for a place..... 25%;
- (b) for all other win and place bets, 14.25% of the gross takings of the totalisator pool;
- (c) for all novelty bets as described in regulation 38(1) of the *Totalisator Agency Board (Betting) Regulations 1988*, other than a favourite numbers bet, 20%; and

r. 17D

(d) for bets of any other kind, 25%,
subject to section 17E(2).

[Regulation 17C inserted in Gazette 25 Jun 1996 p. 2976-7.]

17D. Percentage of bets to belong to racing club

For the purpose of section 17F(a), the amount prescribed as the commission for a bet which may be deducted by a racing club shall be the same percentage as is authorised by regulation 17C, in relation to a bet of that kind, to be deductible by the TAB.

[Regulation 17D inserted in Gazette 25 Jun 1996 p. 2977.]

17E. Levy which may be retained

For the purpose of section 15(5) (a), a racing club may retain out of the sum of bookmakers' betting levy received by that club in respect of —

- (a) sports betting to which section 4A applies, no percentage;
- (b) sports betting to which section 4B applies, 50%; and
- (c) all other betting, 100%.

[Regulation 17E inserted in Gazette 25 Jun 1996 p. 2977; amended in Gazette 21 Jul 1998 p. 3854.]

18. Security to be given

The amount of the security required to be lodged with the Board under section 11 on an application for a bookmaker's licence shall be such as the Board may specify in relation to that application, but shall not be less than —

- (a) for a licence endorsed for metropolitan grandstand enclosure operations with The Western Australian Turf Club..... \$50 000;
- (b) for a licence endorsed for metropolitan grandstand enclosure operations with the Western Australian Trotting Association..... \$30 000;

- (c) for a licence endorsed for metropolitan grandstand enclosure operations with the Western Australian Greyhound Racing Association..... \$20 000;
- (d) for a licence endorsed for metropolitan leger or country racecourse operations with The Western Australian Turf Club, the Western Australian Trotting Association, or the Western Australian Greyhound Racing Association..... \$20 000;
- (e) for a licence endorsed to authorise the conduct of sports betting or double event betting, or both..... \$100 000.

[3a Omitted under the Reprints Act 1984 s. 7(4)(e).]

[Regulation 18 amended in Gazette 24 Jun 1988 p. 2004; 10 Jul 1992 p. 3288-9; 4 Mar 1997 p. 1396 (as amended in Gazette 24 Jun 1997 p. 3014); 21 Jul 1998 p. 3854.]

[19-24. Repealed in Gazette 10 Jul 1992 p. 3289.]

25. Register

The Secretary shall maintain a register of persons licensed pursuant to these regulations.

[26. Repealed in Gazette 10 Jul 1992 p. 3289.]

27. Change of address

The holder of a licence who fails, within 7 days after changing his or her place of residence, to inform, in writing, the Board of the address of the then current place of residence commits an offence.

Penalty: \$50.

[Regulation 27 amended in Gazette 24 Jun 1988 p. 2004; 10 Jul 1992 p. 3286 and 3289; 25 Jun 1996 p. 2977.]

28. Return of licence

- (1) The holder of a licence who fails to deliver that licence to the Board on demand being made by the Board or the Secretary, commits an offence.

Penalty: \$50.

- (2) The holder of a licence who fails to deliver that licence to the Board forthwith on receipt of a written notice of suspension or cancellation from the Board, commits an offence.

Penalty: \$200.

[Regulation 28 amended in Gazette 24 Jun 1988 p. 2004; 10 Jul 1992 p. 3286 and 3289.]

29. Production of a licence

A licensee who refuses or neglects to produce the original licence on demand by a member of the Board or a person authorised by the Board or a person authorised by a racing club, commits an offence.

Penalty: \$200.

[Regulation 29 amended in Gazette 24 Jun 1988 p. 2004; 10 Jul 1992 p. 3286 and 3289.]

30. Advertising

A bookmaker or an employee of a bookmaker may advertise his or her business of betting by means of, or in —

- (a) any book, newspaper, magazine, pamphlet, business card, sign or other printed matter;
- (b) radio or television transmission, visual display communicated by electronic means or cinematographic exhibition.

[Regulation 30 inserted in Gazette 12 Aug 1983 p. 2918; amended in Gazette 10 Jul 1992 p. 3289; 13 Oct 2000 p. 5726.]

[31-35. Repealed in Gazette 10 Jul 1992 p. 3289.]

36. Betting tickets

- (1) A bookmaker shall not use or permit to be used in the carrying on of his or her business any betting ticket that —
- (a) is not in a form approved by the Board; and
 - (b) does not have printed thereon his or her name and the initials of the controlling authority by which that bookmaker is registered.

[(2) *repealed*]

- (3) A bookmaker who uses a betting ticket which is impressed with a rubber stamp or is marked with the bookmaker's name in a manner which does not comply with subregulation (1) commits an offence.

Penalty: \$500.

- (4) A bookmaker shall not sell or transfer to any other bookmaker a betting ticket unless it is transferred in respect of a bet.
- (5) Betting tickets shall —
- (a) bear consecutive numbers, and be issued in consecutive order;
 - (b) be provided for the use of a bookmaker —
 - (i) if the record of betting is to be handwritten, by the Board at reasonable cost; and
 - (ii) if the record of betting is to be made using a computer, by that bookmaker in a form, size and colour approved by the Board;
- and
- (c) when issued in respect of a bet, be cancelled by —
 - (i) writing across the face; or
 - (ii) otherwise defacing the ticket,
- in such a manner as to prevent re-use.

- (6) A bookmaker who —
- (a) uses a betting ticket that does not comply with; or
 - (b) otherwise fails to comply with,

this regulation commits an offence.

[Regulation 36 amended in Gazette 12 Aug 1983 p. 2918; 14 Feb 1992 p. 859-60; 10 Jul 1992 p. 3289-90; 25 Jun 1996 p. 2977; 13 Oct 2000 p. 5726.]

37. The written record of betting transactions

- (1) The written record required to be kept in respect of each betting transaction shall show the following information —
- (a) the name of the bookmaker;
 - (b) the name of the racecourse;
 - (c) the date of the meeting;
 - (d) where appropriate, the race number;
 - (e) the number of the betting ticket;
 - (f) the name of the runner, or the nature of the event or contingency, on which the bet is made;
 - (g) the kind of bet made, in sufficient detail to identify the bet;
 - (h) the amount of the bet and the odds at which it was made;
 - (j) where the bet is not made for cash, the name of the person with whom the bet is made;
 - (k) where the bet is on a sporting event, such other particulars as are specified in an approval under section 4B approving the conduct of betting; and
 - (l) where the bet is conducted on a race course, such other particulars as are specified in a permit under section 12 in relation to betting at the race course.

- (2) The details of the amount of the bet may be shown in either of the following ways —
 - (a) the amount bet by the bettor and the odds at which the bet is made shall be recorded, and if win and place bets in respect of one runner backed each way are recorded on the one ticket the separate amounts backed for a win and a place, and the odds at which the bet for a win is made, shall be recorded; or
 - (b) the sum of the amount bet by the bettor and the amount bet by the bookmaker shall be recorded, and if win and place bets in respect of one runner backed each way are recorded on the one ticket, 2 amounts shall be shown, each being the sum of the amount backed and the amount bet by the bookmaker in relation to each bet.
- (3) Where approval is granted under subregulation (5), the record shall be made using the approved computer and in a format which shows the information required by subregulation (1) unless a different format is specifically approved by the Board.
- (4) Except where approval is granted under subregulation (5) the record shall —
 - (a) be made using a book of forms provided by the Board; and
 - (b) show the information required by subregulation (1),unless otherwise specifically approved by the Board.
- (5) Upon application made in writing by the bookmaker concerned, the Board may grant written approval to the use of a computer —
 - (a) to facilitate the recording of bets;
 - (b) for the purposes of the written record required to be kept by that bookmaker under the Act; and
 - (c) to produce betting tickets for issue to bettors.

- (6) In respect of any approval granted under subregulation (5) —
- (a) such conditions as to —
 - (i) the use of;
 - (ii) the time or circumstances of the use of;
 - (iii) subject to regulation 36(5)(b)(ii), the form, colour or other specifications of betting tickets to be issued as required by; and
 - (iv) the format of the record to be produced by, that computer as the Board specifies in that approval may be imposed; and
 - (b) the Board, at any time by notice in writing given to the bookmaker, may —
 - (i) cancel or vary a condition imposed; or
 - (ii) withdraw the approval.

[Regulation 37 inserted in Gazette 14 Feb 1992 p. 860-1; amended in Gazette 25 Jun 1996 p. 2977; 21 Jul 1998 p. 3853 and 3855.]

38. Supply of books

Where copies of any form required to be approved or provided by the Board for the purposes of these regulations is to be supplied in book form by the Board to the bookmaker on request the book of forms shall be so supplied at reasonable cost to the bookmaker.

[Regulation 38 amended in Gazette 10 Jul 1992 p. 3290; 25 Jun 1996 p. 2977.]

39. Loss of books etc.

Where the whole or the unused portion of the book form of any of the forms required for the purpose of the Act is lost or is destroyed, the bookmaker to whom the book belongs shall forthwith notify the Board in writing of the fact and of the

circumstances under which the loss or destruction occurred, and if the book or portion is subsequently found it shall be immediately forwarded to the Board.

[Regulation 39 amended in Gazette 14 Feb 1992 p. 861; 25 Jun 1996 p. 2977.]

[40-42. Repealed in Gazette 10 Jul 1992 p. 3290.]

43. Betting material

[(1) repealed]

- (2) Before betting material is delivered to an authorised person it shall be completed by the bookmaker or an employee of the bookmaker in the prescribed manner.
- (3) Where the Board requires a bookmaker or the committee or other authority of a racing club to produce or deliver any betting material in the possession or control of that person or body that bookmaker, committee or other authority shall deliver the material or cause it to be delivered at the office of the Board within the time specified by the Board.

[Regulation 43 amended in Gazette 10 Jul 1992 p. 3290.]

[44-47. Repealed in Gazette 10 Jul 1992 p. 3290.]

48. Rules of Betting

Subject to these regulations, all bets shall be in accordance with the Rules of Betting set out in the Appendix.

49. Bets on more than one result

For the purposes of these regulations a bet for a win and a place, whether or not an each way bet, or a double or treble or other similar bet is to be regarded as one bet only except in so far as —

- (a) in the context of a designated sporting event a permit under section 4A provides otherwise; or

- (b) in the context of a sporting event an approval under section 4B provides otherwise.

[Regulation 49 inserted in Gazette 21 Jul 1998 p. 3853.]

50. Permitted bets

A bookmaker shall bet either against a first runner or for a win and a place (where place betting is permitted) except in so far as —

- (a) in the context of a designated sporting event a permit under section 4A provides otherwise;
- (b) in the context of a sporting event an approval under section 4B provides otherwise; or
- (c) the rules of the authority controlling the racecourse provide otherwise,

and except that when the favourite is at odds on, the bookmaker may bet first and second, or first, second and third.

[Regulation 50 inserted in Gazette 21 Jul 1998 p. 3853.]

51. Place betting

- (1) A bookmaker shall not accept a bet for a place other than as part of an each way bet except in so far as —
 - (a) in the context of a designated sporting event a permit under section 4A provides otherwise;
 - (b) in the context of a sporting event an approval under section 4B provides otherwise; or
 - (c) the bookmaker is expressly permitted to do so by the committee or other authority controlling the racecourse on which the bookmaker is operating on that day.

[(2) repealed]

- (3) Where place betting is permitted a bookmaker who offers odds against a runner, or competitor or contingency in the context of

a sporting event, shall, unless the favourite is at “odds on” at the time the bet is laid, accept a win and place bet on that runner, or competitor or contingency in the context of a sporting event, if that bet is demanded by the backer.

Penalty: \$200.

[Regulation 51 amended in Gazette 24 Jun 1988 p. 2005; 14 Sep 1990 p. 4863; 10 Jul 1992 p. 3291; 21 Jul 1998 p. 3854 and 3855.]

52. Concession betting

A bookmaker shall not make a concession bet unless the bookmaker holds a permit to do so from the committee or other authority controlling the racecourse on which the bookmaker is operating.

Penalty: \$200.

[Regulation 52 amended in Gazette 24 Jun 1988 p. 2005; 10 Jul 1992 p. 3291.]

53. Doubles other than multiple doubles

No bookmaker shall make double event bets, other than multiple doubles, except in respect of such events or subject to such conditions and the chart being in such form as the Board may from time to time approve.

Penalty: \$200.

[Regulation 53 amended in Gazette 24 Jun 1988 p. 2005.]

54. Trebles

No bookmaker shall make a treble event bet, except in respect of such events or subject to such conditions and the chart being in such form as the Board may from time to time approve.

Penalty: \$200.

[Regulation 54 amended in Gazette 24 Jun 1988 p. 2005.]

55. All-up

No bookmaker shall make more than a treble “all-up” bet.
Penalty: \$200.

[Regulation 55 amended in Gazette 24 Jun 1988 p. 2005.]

[56. Repealed in Gazette 13 Oct 2000 p. 5726.]

57. Stand

No bookmaker shall bet or offer to bet from any position in the betting ring, or in an approved area where betting to which section 4B applies is carried on, other than from the stand or other specified area allotted by the committee or other authority controlling the race meeting.

Penalty: \$200.

*[Regulation 57 amended in Gazette 24 Jun 1988 p. 2005;
10 Jul 1992 p. 3291; 21 Jul 1998 p. 3854.]*

58. Use of stand

- (1) No person other than the bookmaker or any licensed employee shall be, or be permitted to be, upon the betting stand of that bookmaker.

Penalty: \$200.

- (2) A bookmaker or licensed employee shall remain at the betting stand of that bookmaker for at least 15 minutes after the declaration of correct weight for the last race on the programme at any meeting on which the bookmaker is operating.

*[Regulation 58 amended in Gazette 24 Jun 1988 p. 2005;
10 Jul 1992 p. 3291.]*

59. Name of bookmaker to be shown

No bookmaker shall carry on business as a bookmaker at a race meeting unless there is displayed on the betting stand of that

bookmaker a tablet or sign which has the name of the bookmaker clearly shown thereon.

Penalty: \$200.

[Regulation 59 amended in Gazette 24 Jun 1988 p. 2005; 10 Jul 1992 p. 3291.]

60. Betting boards, etc., to be approved

No bookmaker carrying on business as a bookmaker at a race meeting shall use or display any betting board, tablet or sign, or display the name of that bookmaker or the names of runners, or in the context of a sporting event the name of every competitor and a description of each contingency on which betting is approved, or the odds the bookmaker is prepared to bet, unless such betting board, tablet or sign, and the manner in which names and odds are displayed is in accordance with the requirements of, or has the approval of, the committee or other authority controlling the race meeting.

[Regulation 60 amended in Gazette 24 Jun 1988 p. 2005; 10 Jul 1992 p. 3291; 21 Jul 1998 p. 3856.]

61. Betting boards

- (1) A licensed bookmaker who carries on business as a bookmaker at a race meeting shall display a betting board on which is listed the names of the runners in each race in the same order as they appear in the official race book published for that race meeting or in the context of a sporting event the name of every competitor and a description of each contingency on which betting is approved.
- (2) A bookmaker carrying on business as a bookmaker at a race meeting shall exhibit the odds first offered by that bookmaker on each runner engaged in each race at least 20 minutes, or such other period as may be specified under the rules of the authority controlling the race meeting, before the scheduled starting time of the first race and for subsequent races not later than

5 minutes after the pay-out signal for the previous race has been given.

- (3) No bookmaker or licensed employee shall remove from the bookmaker's betting board the names of any runners running in a race or the odds the bookmaker is prepared to bet on those runners until the race is concluded.

[Regulation 61 amended in Gazette 24 Jun 1988 p. 2005; 10 Jul 1992 p. 3292; 21 Jul 1998 p. 3855 and 3856.]

62. Omissions from betting board, etc.

- (1) A bookmaker who —
- (a) omits from a betting board or list maintained and displayed by him in the course of his or her business as a bookmaker the name of any runner which has been accepted to run in a race on which he or she is betting; or
 - (b) omits from a betting chart or list maintained and displayed for the purpose of multiple doubles betting in respect of any race meeting —
 - (i) the name of any runner accepted to run in a race at that meeting; or
 - (ii) the price offered for each runner whose name appears on the chart or list,

commits an offence.

- (2) No bookmaker shall bet or offer to bet on any runner, or in the context of a sporting event any competitor or contingency, which is not at that time included in the official list.

[Regulation 62 amended in Gazette 10 Jul 1992 p. 3292; 21 Jul 1998 p. 3855.]

63. Bets with other bookmakers

- (1) No bookmaker shall be compelled to accept a bet from another bookmaker, or from any person on behalf of a bookmaker.

[(2) repealed]

- (3) Where a bookmaker or a person on behalf of a bookmaker backs a runner, or in the context of a sporting event a competitor or contingency, for the purpose of reducing the bookmaker's liability for bets already accepted by the bookmaker against that particular runner, competitor or contingency, the bet shall be regarded for the purpose of these regulations as a "bet back".
- (4) Where a bet is made by or on behalf of a bookmaker with another bookmaker —
 - (a) the bookmaker receiving the bet shall record the name of the bookmaker making the bet, or on whose behalf the bet is made, alongside the record of the bet whether or not the bet is made in cash; and
 - (b) if the bet is a "bet back", the bookmaker who makes the bet or on whose behalf the bet is made shall record the transaction as a "bet back".
- (5) Where a bet by way of a "bet back" is made by a bookmaker or by any person on behalf of a bookmaker on any totalisator, the bookmaker who makes the bet or on whose behalf the bet is made shall record the transaction as a "bet back" on the totalisator and shall retain the totalisator ticket or tickets of all losing bets for a period of one month.
- (6) A bookmaker who makes a "bet back" with another bookmaker or the totalisator is not permitted to deduct the amount of the "bet back" from the total of the bets the bookmaker has received for the race or race meeting to which the bet relates or from the total of any other races or race meetings on which the bookmaker has accepted bets.

[Regulation 63 amended in Gazette 24 Jun 1988 p. 2005; 10 Jul 1992 p. 3293; 21 Jul 1998 p. 3855 and 3856.]

[64-65. Repealed in Gazette 13 Oct 2000 p. 5726.]

[66-67. Repealed in Gazette 10 Jul 1992 p. 3293.]

68. Cooperation with the Board in matters relating to betting disputes

A racing club, the committee or other authority controlling any racecourse or any race meeting, and any steward or other person acting in the course of the administration of any racecourse or race meeting on behalf of any such club, committee or other authority, shall, on demand by the Board for the purposes of these regulations, produce to the Board any transcript of proceedings, records, letters or other relevant material in their possession taken or produced at, or relating to, any preliminary or other hearing of a betting dispute which is the subject of an appeal to the Board.

[69. *Repealed in Gazette 21 Jul 1998 p. 3854.*]

70. Totalisator operation by a racing club

- (1) In this regulation a reference to a club is a reference to a committee or another authority controlling a racecourse that operates a totalisator under an authorisation to which section 17B for the time being applies.

[(2)-(4) *repealed*]

- (5) A bet received by a club may be transmitted by that club to —
- (a) a totalisator pool operated by the TAB under the *Totalisator Agency Board Betting Act 1960* if the TAB has authorised the club to so transmit the bet and that authorisation has not been withdrawn; or
 - (b) a totalisator pool operated by another club, unless the Board directs otherwise.
- (6) Bets transmitted under section 17B and registered on a totalisator shall form part of the total amount invested on the totalisator in respect of the race, sporting event or contingency 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, sporting event or contingency.

- (7) Notwithstanding subregulation (6), bets that are transmitted and received under section 17B form part of the gross amount of the takings of the totalisator of the club with whom the bet was initially placed and the dividends declared payable on those bets shall be payable by that club.
- (8) Where a club transmits bets to a totalisator pool conducted by another club, the profit, or loss, from the operation of that totalisator pool shall be apportioned by the club to which the bet was transmitted and paid, credited or debited to the club transmitting the bet in proportion to the contribution of that club to the total investments in that totalisator pool.
- (9) Where a combined totalisator pool scheme of a kind to which section 27 of the *Totalisator Agency Board Betting Act 1960* refers is being operated, whether or not by the TAB, a bet received by a club may be transmitted or further transmitted in accordance with the regulations or rules controlling the conduct of that pool for any of the purposes of that pool.

[Regulation 70 inserted in Gazette 10 Jul 1992 p. 3293-4; amended in Gazette 31 Jul 1992 p. 3796; 21 Jul 1998 p. 3854; 13 Oct 2000 p. 5726-7.]

71. Telephone betting on sporting events

- (1) When betting on a sporting event, or a contingency, is approved under section 4B a licensee who is so authorised by endorsement on the licence may carry on business as a bookmaker by means of on-course telephone betting in relation to that sporting event or contingency —
 - (a) in accordance with the procedures established and approved by the Board for the conduct of such betting, and not otherwise; and
 - (b) if the committee or other authority controlling the racecourse so permits.

- (2) For the purposes of subregulation (1) the Board has established the following procedures —
- (a) the telephone system to be used shall be of a type approved by the Board;
 - (b) all inward and outward telephone lines used for betting purposes shall have attached securable voice logging equipment of a type approved by the Board;
 - (c) consent to the voice logging of the betting transactions is to be obtained from all telephone bettors;
 - (d) all betting transactions by telephone shall be recorded through the voice logging equipment;
 - (e) the full details of each bet received, including the betting ticket number and account number, shall be confirmed with the bettor by the bookmaker, or an agent or employee of the bookmaker, before the conclusion of the telephone conversation;
 - (f) tapes, when used to record betting transactions, shall —
 - (i) be held and distributed by stewards;
 - (ii) at the end of each race meeting, be collected by the Betting Steward, together with the duplicate sports betting sheets; and
 - (iii) be maintained as betting records for inspection or audit by any authorised person;and
 - (g) the voice logging equipment used shall be sealed by, and only accessible by or in conjunction with, a Betting Steward or other authorised person.
- (3) The details of all bets received by telephone are to be separately recorded and, for the purposes of section 15, included in the returns to be delivered under the Act.

- (4) Where an offer of a bet by telephone is not confirmed as required by the procedures established by the Board that transaction does not constitute a valid bet.

[Regulation 71 inserted in Gazette 31 Aug 1993 p. 4677; amended in Gazette 24 Dec 1993 p. 6839; 21 Jul 1998 p. 3854.]

72. Telephone betting on racing

- (1) A licensee who is so authorised by endorsement on the licence may carry on business as a bookmaker by means of on-course telephone betting in relation to racing —
- (a) in accordance with the procedures established and approved by the Board for the conduct of such betting;
 - (b) if the committee or other authority controlling the racecourse so permits;
 - (c) if the bet is on a race being conducted at any other race meeting in the State, if the committee or other authority controlling that other race meeting so permits; and
 - (d) where the bet relates to —
 - (i) a race conducted within the metropolitan area of Perth, or within the metropolitan area of a capital city of a State or Territory of Australia — if the amount of the bet is not less than \$200, or if the amount to be won on the bet is not less than \$2 000; or
 - (ii) a race conducted outside of the metropolitan area of Perth, and outside of the metropolitan area of a capital city of a State or Territory of Australia — if the amount of the bet is not less than \$100, or if the amount to be won on the bet is not less than \$1 000,
- and not otherwise.
- (2) For the purposes of subregulation (1) the Board has established and approved the following procedures —
- (a) the telephone system to be used shall be of a type approved by the Board;

- (b) all inward and outward telephone lines used for betting purposes shall have attached securable voice logging equipment of a type approved by the Board;
 - (c) consent to the voice logging of the betting transactions is to be obtained from all telephone bettors;
 - (d) all betting transactions by telephone shall be recorded through the voice logging equipment;
 - (e) the full details of each bet received, including the betting ticket number and account number, shall be confirmed with the bettor by the bookmaker, or an agent or employee of the bookmaker, before the conclusion of the telephone conversation;
 - (f) tapes, when used to record betting transactions, shall —
 - (i) be held and distributed by stewards;
 - (ii) at the end of each race meeting, be collected by the Betting Steward; and
 - (iii) be maintained as betting records for inspection or audit by any authorised person;and
 - (g) the voice logging equipment used shall be sealed by, and only accessible by or in conjunction with, a Betting Steward or other authorised person.
- (3) The details of all bets received by telephone are to be separately recorded and, for the purposes of section 15, included in the returns to be delivered under the Act.
- (4) Where an offer of a bet by telephone is not confirmed as required by the procedures established by the Board that transaction does not constitute a valid bet.

[Regulation 72 inserted in Gazette 24 Dec 1993 p. 6839-40; amended in Gazette 24 Jun 1997 p. 3014; 21 Jul 1998 p. 3854 and 3855; 13 Oct 2000 p. 5727.]

73. Credit betting other than by telephone

For the purposes of section 31(1)(b)(iii) where a bet, other than a bet made by telephone under regulation 71 or 72, is made on credit the bookmaker may, instead of delivering the betting ticket to the bettor, make the ticket available for collection by the bettor.

[Regulation 73 inserted in Gazette 21 Jul 1998 p. 3854.]

74. Internet betting (sporting events)

When betting on a sporting event, or a contingency, is approved under section 4B a licensee who is so authorised by endorsement on the licence may carry on business as a bookmaker by means of on-course internet betting, in relation to that sporting event or contingency —

- (a) in accordance with the procedures established and approved by the Board under regulation 76 for the conduct of internet betting; and
- (b) if the committee or other authority controlling the racecourse so permits,

and not otherwise.

[Regulation 74 inserted in Gazette 26 Nov 1999 p. 5909.]

75. Internet betting (racing)

A licensee who is so authorised by endorsement on the licence may only carry on business as a bookmaker by means of on-course internet betting in relation to racing —

- (a) in accordance with the procedures established and approved by the Board under regulation 76 for the conduct of internet betting;
- (b) if the committee or other authority controlling the racecourse so permits;
- (c) if the bet is on a race being conducted at any other race meeting in the State, if the committee or other authority controlling that other race meeting so permits; and

- (d) if the amount of the bet is not less than \$200, or if the amount to be won on the bet is not less than \$2 000,

and not otherwise.

[Regulation 75 inserted in Gazette 26 Nov 1999 p. 5909-10.]

76. Procedures for internet betting

- (1) For the purposes of regulations 74 and 75 the Board has established the following procedures:
 - (a) any internet betting system shall be developed in accordance with the Board's specifications;
 - (b) an internet betting system shall not be used unless it is first audited and approved by the Board;
 - (c) an approved internet betting system shall not be modified or changed unless consent for the specific modification or change is obtained from the Board;
 - (d) any internet betting using an approved internet betting system shall be conducted in accordance with any further conditions that are imposed by the Board, as part of the licence endorsement, under regulation 14;
 - (e) any internet bet using an approved internet betting system shall be confirmed in a manner, and within a time, that the Board approves;
 - (f) an internet betting ticket —
 - (i) may be written in such a form; and
 - (ii) notwithstanding section 31(1)(b)(iii), is to be delivered (or not delivered) in a manner, approved by the Board.
- (2) Where an internet bet is not confirmed in the manner or within the time approved by the Board, that transaction does not constitute a valid bet.

- (3) The details of all internet bets received are to be separately recorded in a format approved by the Board under regulation 37 and, for the purposes of section 15, included in the returns to be delivered under the Act.

[Regulation 76 inserted in Gazette 26 Nov 1999 p. 5910.]

Appendix Rules of Betting

Part 1 — Betting under the rules of racing

[Heading inserted in Gazette 21 Jul 1998 p. 3856.]

1. Interpretation

- (1) In these rules, unless the contrary intention appears —
- “**all up bet**” means a bet in which the original stake and any subsequent winnings are wagered on the runners named until the contract is completed;
 - “**barrier**” includes starting box or starting gate;
 - “**betting sheet**” means the written record of a bookmaker’s bets on the several runners in a race as required by the Act and regulations;
 - “**committee**” means the committee of the racing club holding the race meeting;
 - “**double**” means a bet on the contingency of 2 races;
 - “**objection**” includes protest;
 - “**play or pay**” used in relation to a bet, means a bet that holds good whether the runner to which the bet relates runs in the race in respect of which the bet is made or not;
 - “**stewards**” means —
 - (a) the stewards for the time being having the control of the racecourse on which the race to which a bet relates is conducted; or
 - (b) if no stewards have been appointed by the committee of the club by which the race is conducted, the committee of that club;
 - “**treble**” means a bet on the contingency of 3 races;
 - “**walk-over**” used in relation to a race, means a race in which only one runner starts.
- (2) For the purpose of these rules a runner shall be deemed to run in a race if that runner is ordered by the starter to take its place at the

barrier or has been semaphored as a starter, whether or not that runner subsequently takes any part in the race, unless in a particular case the stewards declare the runner not to be a starter in the race.

2. Bets void in certain circumstances

- (1) A bet is void —
 - (a) if, when it is made, it is not possible for the backer to win;
 - (b) if, being made on a match or private sweepstake between 2 runners those runners after the bet is made, become the property of the same person or of a person who admits that he is, or is proven to be, the servant or agent of, or to be acting in collusion with, the first-mentioned person;
 - (c) if it is made on a runner in running;
 - (d) unless the parties to the bet agree to the contrary, if, being made in respect of particular runners neither of those runners wins the race to which the bet relates;
 - (e) if, being made on a match between 2 horses or greyhounds the match results in a dead heat;
 - (f) if it is made after the determination of the race to which it relates;
 - (g) if it is so declared by the rules of the authority controlling the racecourse on which the bet was made;
 - (h) if it is declared to be void by the Board pursuant to subrule (2); or
 - (i) if it becomes void in the manner provided in rule 12.
- (2) The Board may investigate, in such a manner as it thinks fit, any allegation of fraud or corrupt practice in relation to a bet or a race to which a bet relates, and may declare that bet, or all or any bets made in respect of that race, to be void.

3. When bets are off

- (1) No bet can be declared off except by mutual consent or as hereinafter provided, that is to say —
 - (a) either the backer or the bookmaker may demand bets to be confirmed before the race is run, upon proving to the

- committee or the stewards that he has just cause for so doing; if and when ordered by the committee or the stewards the bets shall be covered or sufficient security given in default of which the bets will be off;
- (b) in the event of a race being divided, all bets made on the race at fixed prices before the announcement that the race is divided are off;
 - (c) all wagers with any person who after the making of the wagers has been declared a defaulter, are off;
 - (d) a fixed price bet (not being a double, or a bet on the Melbourne Cup, Caulfield Cup, Sydney Cup, Perth Cup or Railway Stakes, or such other race as the Board may declare to be a race to which this paragraph relates) that is laid on the day on which the race meeting is held is off if the runner on which the bet is laid does not run in the race to which the bet relates;
 - (e) in the event of the stewards permitting or ordering a runner to be withdrawn from a race either after the time for scratching or after the starters have been semaphored for the race or after declaring it a non-starter, settlement of bets made prior to withdrawal shall be determined in the manner prescribed in the rules of racing of the authority controlling the race meeting except that if no rule is applicable then the stewards controlling the meeting shall determine the manner in which such bets shall be settled;
 - (f) if, in the opinion of the stewards, a runner has been prevented from starting by a mechanical failure of a barrier, the stewards may declare that runner to be a non-starter and shall declare all bets on that runner to be off, and all other bets on the race shall be settled in the manner prescribed in paragraph (e).
- (2) No provision of subrule (1)(e) or (f) —
- (a) affects the discretion of the stewards to declare all bets off in special circumstances or direct that all bets be paid at totalisator odds; or
 - (b) prevents a bookmaker from laying odds against a runner in a race after the stewards order or permit the withdrawal from that race of any other runner.

- (3) The provisions of subrule (1)(e) or (f) do not apply to bets made before the day of the race.

4. Determination and settlement of bets

- (1) Bets shall go to the backers of the horses or greyhounds placed by the judge, but if a protest or objection is entered in accordance with the rules of racing of the authority controlling the race meeting before the "Correct Weight" or "All Clear" signal has been given bets are governed by the stewards decision on the objection, except that where a runner or, if the runner is a horse, the rider or driver is disqualified, and there are circumstances in connection therewith which in the opinion of the stewards require further investigation the stewards may forthwith make an order postponing the settlement of all bets on such race pending completion of their enquiries.
- (2) Settlement of bets shall be made in accordance with the provisions of these rules.
- (3) A person to whom a betting ticket is issued by a bookmaker shall be deemed to have accepted the ticket issued to him and to have agreed that the particulars shown thereon are correct, unless he applies forthwith after the issue of the ticket to the person who issued it to have any error on or omission from the ticket rectified.
- (4) Bets on a designated sporting event shall be determined on the official results as declared by the controlling authority responsible for conducting the designated sporting event.

5. Bets in respect of postponed race or race meeting

If a race meeting, or a race at a race meeting, is postponed from one day to another, all bets thereon made on that race or race meeting on the day of the postponement but before the postponement is announced are off.

6. Each way bets

- (1) Subject to subrule (2) place betting whether or not as part of an each way bet shall be in accordance with the conditions relating to totalisator place betting on the racecourse on which the race is run.

Appendix Rules of Betting

- (2) The place bet whether or not comprised in an each way bet shall be settled as provided by subrule (4) on the first, second and third runner where there are 8 or more runners, and on the first and second runner where there are 5, 6 or 7 runners, in the race.
- (3) For the purposes of subrule (2) the number of runners in a race is —
 - (a) where the bet is made on any day prior to the day of the race, the greatest number that is in the race on the day the bet is made; and
 - (b) where the bet is made on the day of the race, the actual number that is taken as starting, under the conditions governing the place totalisator.
- (4) A winning place bet other than as part of an each way bet shall be settled at the odds given by the bookmaker and a winning place bet comprised in an each way bet shall be settled —
 - (a) where there are 8 or more runners in the race, at one-fourth of the odds for a win; and
 - (b) where there are 5, 6 or 7 runners in the race, at one-third of the odds for a win.

7. All bets to be “play or pay” except in certain circumstances

All bets shall be play or pay, unless the parties thereto mutually agree to the contrary, with the following exceptions —

- (a) bets made on the day of the race to which they relate;
- (b) bets on matches;
- (c) bets made after the running numbers are officially placed on the number-board, in relation to a runner that is not subsequently under the starter’s orders;
- (d) bets that are declared off by the stewards;
- (e) bets on a walk-over; and
- (f) bets made at starting price.

8. Provisions as to settlement of bets following a dead heat

- (1) In the event of a dead heat for first place, or, in place betting, where any of the runners to which a bet relates runs a dead heat for second

or third place, as the case may be, any bet in respect of a runner involved in the dead heat shall be determined in the following manner —

- (a) half of the amount wagered shall be regarded as “won” at the agreed odds; and
 - (b) half of the amount wagered shall be lost.
- (2) If bets are made on the result of a photo finish and before the numbers of the placed runners are exhibited and a dead heat is declared for first place, all such bets shall be void.
- (3) If a bet is made runner against runner, one to win, and one of the runners runs a dead heat for first place, the bet shall be determined in the following manner —
- (a) half of the amount wagered shall be regarded as “won” at the agreed odds; and
 - (b) half of the amount wagered shall be lost.
- (4) If runners are backed to run first and second and the runners so backed run a dead heat for first place, or if the runner backed to run first wins the race and the runner backed to run second dead heats for second place with another runner, any bet in respect of a runner involved in the dead heat shall be determined in the following manner —
- (a) half of the amount wagered shall be regarded as “won” at the agreed odds; and
 - (b) half of the amount wagered shall be lost.
- (5) Where a designated sporting event results in a tie, draw or dead heat, and odds are offered for that tie, draw or dead heat, any bet for a win is lost.
- (6) If no odds are offered for a tie, draw or dead heat and the designated sporting event results in a tie, draw or dead heat, then any bet for a win shall be determined in the following manner —
- (a) half of the amount wagered shall be regarded as “won” at the agreed odds; and
 - (b) half of the amount wagered shall be lost.

9. Doubles

- (1) The provisions of this rule do not apply to bets known as multiple doubles.
- (2) Double event bets (not being multiple doubles) shall be considered play or pay, except when otherwise agreed when the bets are made, or unless otherwise by these rules provided.
- (3) Doubles (not being multiple doubles) are subject to the following conditions, namely —
 - (a) bets are determined when the first event is lost;
 - (b) if either event is decided in the backer's favour and the other results in a dead heat between 2 runners one of which was backed by the backer, the bookmaker shall pay to the backer one-half of the proceeds of the bet which would have been payable if each event had been won outright by the runner backed by the backer in the double, and if the dead heat is between more than 2 runners the amount payable by the bookmaker to the backer shall be calculated on a proportionate basis;
 - (c) if both runners backed run dead heats the bookmaker shall pay to the backer one-quarter of the proceeds of the bet which would have been payable if each event had been won outright by the runner backed by the backer in the double;
 - (d) if the runner backed for the first event wins and the runner backed for the second event does not start, the bet shall be play or pay unless otherwise agreed at the time the bet is made or otherwise provided for in these rules;
 - (e) in the case of bets made on the course on the day of the race upon which both events are run, then those bets shall be void if the first event is divided after the bet is made, but if the runner backed for one event wins and the runner backed for the other event does not come under the starter's orders, such bets shall be paid at the totalisator odds of the winner subject to a limit of 25-1 at race meetings in the metropolitan area and Goldfields annual round, and 15-1 at race meetings in Western Australia other than these;

- (f) for the purpose of this rule, any runner in respect of which bets have been declared off by the stewards pursuant to rule 3 shall be deemed not to have come under the starter's orders;
 - (g) if the bet is made before the day of the first race and either of the runners backed is scratched on or before the day when the bet is made, the money wagered shall be returned to the backer, but otherwise the bet is play or pay;
 - (h) where the double is on races not run on the same day bets made on the day of the first race are void if —
 - (i) the runner chosen for the first race does not run in that race;
 - (ii) the runner chosen for the second race is scratched not later than the time of scratching for the first race;
 - (iii) the runner chosen for the first race wins and the runner chosen for the second race does not run in that race.
- (4) If a race is divided under the provisions of the rules of racing of the authority controlling the race meeting, all doubles bets (not being multiple doubles) made before the announcement that either race is to be divided stand, but the backer shall receive one-half, or (if both races are divided) one-quarter of the amount that would have been payable to the backer if the race had not been divided.

10. Multiple doubles

- (1) The following provisions apply to bets of the kind commonly known as multiple doubles, namely —
 - (a) bets are determined when a race to which the double relates is lost;
 - (b) if either of the runners selected is scratched, the bet shall be determined according to the rules of the authority controlling the racecourse on which the bet is made or if there are no rules applicable then the stewards shall determine the manner in which the bet shall be settled;
 - (c) if both runners selected do not run in the race, the bet is void; and

Appendix Rules of Betting

(d) if the bet is made in respect of runners entered for more races than one to be run on the same day, the bookmaker shall write or otherwise clearly indicate on the ticket the names of the races selected by the backer of the runners.

(2) For the purposes of these rules and the regulations, the expression **“multiple double”** means a double on 2 races scheduled at the time the bet is made to be run on the same day.

11. “All up” bets

- (1) “All up” bets will be declared “on” only in the order written.
- (2) In the event of a race being run late or a meeting postponed the bet will be “on” in the order written.
- (3) In “all up” bets “each way” the money will each time be equally divided unless otherwise specified.
- (4) An “all up” bet contract must be fulfilled.

12. Provisions as to races that are re-run

In the event of a race being ordered to be re-run the same day, all bets in favour of any runner which started on the first run shall stand, except that in special circumstances the stewards may make such other ruling as they think fit.

13. Provisions as to bets on runners that are entered for 2 or more races on the same day

- (1) If a person desires to back at starting price a runner that is entered for more races than one to be run on the same day, the bet, unless otherwise specified on the betting ticket, refers to the first race in which the runner starts, and, if that race is a walk-over, no bet is made.
- (2) The provisions of subrule (1) shall not apply to “all up” bets, which shall be settled in accordance with rule 11.
- (3) If a person backs at a fixed price a runner that is entered for more races than one to be run on the same day, the bookmaker shall write or otherwise clearly indicate on the betting ticket the race selected by the backer.

- (4) Where a person backs a runner that is entered at more race meetings than one on any day, the bet, unless otherwise specified, applies to the race meeting at which the runner starts on that day.

14. Prohibition on betting after race

- (1) No bet shall be made after a race on or in anticipation of the result of a photograph unless such form of betting is expressly permitted by the rules of racing of the body controlling the race meeting where the bet is made.
- (2) A bet made on a runner after a race in which the judge calls for a photograph to decide the result shall be determined by the hoisting of the numbers in the semaphore (or alternative means of the declaration of the result of the race) and not upon the hoisting of the weight flag.

15. Settlement of bets on deaths of parties thereto

The death of either party to a bet shall not invalidate the bet.

16. Settlement of bets on suspension or cancellation of licence of a bookmaker

If the licence of a bookmaker is suspended or cancelled, nothing in these rules or in any regulations made under the Act prevents the bookmaker from paying, after the date of the suspension or cancellation of his licence, the betting debts incurred by him, subject to such conditions as the Board may impose in a particular case.

17. Settling

Settling in terms of these rules shall not be disturbed except in cases of fraud.

**Part 2 — Betting on a sporting event, or a contingency,
approved under section 4B**

[Heading inserted in Gazette 10 Jul 1992 p. 3294.]

1. Bets shall be determined on the official results as declared by the controlling authority responsible for conducting the sporting event to which the bets relate.

Appendix Rules of Betting

2. Any outcome not covered by these rules shall be determined by the Stewards acting at the race meeting where the bet was laid.
3. Where betting on the outcome of a sporting contingency involves a points margin, such a points margin shall be declared to half a point in every case.
4. Where a sporting event or contingency results in a tie, draw or dead heat, and odds are offered for that tie, draw or dead heat, any bet for a win is lost.
5. If no odds are offered for a tie, draw or dead heat and the event or contingency results in a tie, draw or dead heat between 2 teams or 2 competitors, then any bet for a win shall be determined in the following manner —
 - (i) half of the amount wagered shall be regarded as “won” at the agreed odds; and
 - (ii) half of the amount wagered shall be lost.
6. In bets involving more than one contingency of, or relating to, the same sporting event —
 - (a) if the first contingency is not decided in the backer’s favour, the bet is lost;
 - (b) where the bet covers 2 contingencies and either of those contingencies is decided in the backer’s favour and the other results in a tie, the backer shall receive half the amount receivable had the bet been a winning bet;
 - (c) where the bet covers 2 contingencies and both are tied, the backer shall receive one fourth of the amount receivable had the bet been a winning bet;
 - (d) where the bet covers 2 or more contingencies and one contingency is decided in the backer’s favour, if the event is subsequently abandoned or if by reason of circumstances not covered by that bet any bet as to any of the other contingencies is not capable of being decided, the backer shall be paid at odds to be determined by the Stewards acting at the race meeting where the bet was laid;

- (e) where the bet covers 3 or more contingencies and one or more results in a tie, bets shall be determined by the Stewards acting at the meeting where the bet was laid; and
 - (f) where the bet covers a contingency and by reason of circumstances not covered by the bet it is not capable of being decided, all bets are to be refunded.
7. Where a sporting event is abandoned, all bets are to be refunded except those laid in respect of contingencies that have been decided totally or in part.
8. Where a sporting event is postponed to a later date, all bets on the event or contingent on the event shall stand.
9. All bets in relation to sporting contingencies shall be “play or pay”, unless the parties mutually agree to the contrary.

[Appendix amended in Gazette 14 Sep 1990 p. 4864; 10 Jul 1992 p. 3294-5; 21 Jul 1998 p. 3855, 3856 and 3857.]

Schedule 1 — Forms

[r. 9A and 12A]

Form 1

Betting Control Regulations 1978, regulation 9A
APPLICATION FOR PERMIT TO CONDUCT A DESIGNATED SPORTING EVENT

Applicant	Full name:
	Address: Postcode:

Event	Name:
	Venue: Postcode:
	Date:

Betting supervisor	Full name:
	Address: Postcode:
	Tel:
	Position:

Venue particulars	Is the venue for the proposed designated sporting event already registered by the Betting Control Board in respect of designated sporting events of the same class? YES <input type="checkbox"/> NO <input type="checkbox"/> <i>(Please tick)</i>
	If NO — (1) provide a plan of the venue detailing the positions from which bookmaking will be conducted; and (2) obtain the consent of the owner of the venue.

Owner of venue	Full name:
	Address: Postcode:
	I consent to the venue being registered for the purposes of section 4A of the <i>Betting Control Act 1954</i> . <div style="text-align: center;">_____</div> <i>Signature of owner/for and on behalf of owner</i>

Back of Form 1

Please note that it is the applicant's responsibility to ensure that the operation of a permit issued under section 4A of the Betting Control Act 1954 does not contravene Local Laws.

Betting particulars	<i>Names of bookmakers attending:</i>	
	<i>Betting contingencies to be offered:</i>	

Signatures	_____ <i>Signature of applicant/for and on behalf of applicant</i>
	_____ <i>Signature of betting supervisor</i>

Form 2

Betting Control Regulations 1978, regulation 13
APPLICATION FOR A TEMPORARY BOOKMAKER'S EMPLOYEE'S LICENCE

Bookmaker	Full name:
	Address: Postcode:
	Tel (hm): Tel (wk):

Employee	Full name:
	Address: Postcode:
	Tel (hm): Tel (wk):
	Date of birth:

Employment particulars	Racecourse:
	Date of employment:

Employee's particulars	Have you previously been granted a temporary bookmaker's employee's licence? YES <input type="checkbox"/> NO <input type="checkbox"/> <i>(Please tick)</i>		
	If YES, give details of the racecourse(s) and date(s) of employment:		
	Course:	Date:	
	Course:	Date:	
	Course:	Date:	
	Have you ever been convicted of any offence other than those dealt with by way of an infringement notice? YES <input type="checkbox"/> NO <input type="checkbox"/> <i>(Please tick)</i>		
	If YES, give details of each offence:		
	<i>Nature of offence</i>	<i>Date and place of conviction</i>	<i>Sentence imposed</i>

Back of Form 2

Declaration	I declare that the information on this Form is true and correct and I understand that the provision of false information constitutes an offence under section 11(9) of the <i>Betting Control Act 1954</i> . _____ <i>Signature of bookmaker</i> _____ <i>Signature of employee</i>
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Steward's use only	Application: APPROVED/REFUSED _____ <i>Signature of steward</i>
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[Schedule 1 inserted in Gazette 21 Jul 1998 p. 3858-60.]



Notes

¹ This reprint is a compilation as at 6 April 2001 of the *Betting Control Regulations 1978* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any previous reprint.

Compilation Table

Citation	Gazettal	Commencement
<i>Betting Control Regulations 1978</i>	22 Jun 1978 p. 1991-2014	22 Jun 1978
<i>Betting Control Amendment Regulations 1983</i>	12 Aug 1983 p. 2918	12 Aug 1983
<i>Betting Control Amendment Regulations 1988</i>	4 Mar 1988 p. 667-8	4 Mar 1988 (see r. 2)
<i>Betting Control Amendment Regulations (No. 2) 1988</i>	24 Jun 1988 p. 2003-5	24 Jun 1988
<i>Betting Control (Amendment) Regulations 1989</i>	14 Jul 1989 p. 2133	14 Jul 1989
<i>Betting Control Amendment Regulations 1990</i>	14 Sep 1990 p. 4863-4	14 Sep 1990
<i>Betting Control Amendment Regulations 1991</i>	14 Feb 1992 p. 857-60	14 Feb 1992
<i>Betting Control Amendment Regulations 1992</i>	10 Jul 1992 p. 3286-95	10 Jul 1992
<i>Betting Control Amendment Regulations (No. 2) 1992</i>	31 Jul 1992 p. 3796	31 Jul 1992
Reprint of the <i>Betting Control Regulations 1978</i> as at 20 Aug 1992 (includes amendments listed above)		
<i>Betting Control Amendment Regulations 1993</i>	31 Aug 1993 p. 4677 (Correction in <i>Gazette</i> 10 Sep 1993 p. 4975)	31 Aug 1993
<i>Betting Control Amendment Regulations (No. 2) 1993</i>	24 Dec 1993 p. 6839-40	24 Dec 1993

Citation	Gazettal	Commencement
<i>Betting Control Amendment Regulations 1994</i>	2 Dec 1994 p. 6383	2 Dec 1994
<i>Betting Control Amendment Regulations 1996</i>	25 Jun 1996 p. 2974-8	28 Jun 1996 (see r. 2 and <i>Gazette</i> 25 Jun 1996 p. 2901)
<i>Betting Control Amendment Regulations (No. 2) 1996</i>	22 Oct 1996 p. 5619	22 Oct 1996
<i>Betting Control Amendment Regulations 1997</i>	4 Mar 1997 p. 1395	4 Mar 1997
<i>Betting Control Amendment Regulations (No. 2) 1997</i>	4 Mar 1997 p. 1396 (as amended in <i>Gazette</i> 24 Jun 1997 p. 3014)	1 Aug 1997 (see r. 2)
<i>Betting Control Amendment Regulations (No. 3) 1997</i>	24 Jun 1997 p. 3014	24 Jun 1997
<i>Betting Control Amendment Regulations 1998</i>	13 Mar 1998 p. 1394	13 Mar 1998
<i>Betting Control Amendment Regulations (No. 3) 1998</i>	10 Jul 1998 p. 3647	1 Aug 1998 (see r. 2)
<i>Betting Control Amendment Regulations (No. 2) 1998</i>	21 Jul 1998 p. 3850-60	1 Aug 1998 (see r. 2 and <i>Gazette</i> 21 Jul 1998 p. 3825)
<i>Betting Control Amendment Regulations (No. 3) 1999</i>	26 Nov 1999 p. 5908-10	26 Nov 1999
<i>Betting Control Amendment Regulations 2000</i>	13 Oct 2000 p. 5726-7	13 Oct 2000

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)
all up bet	App. cl.1(1)
barrier.....	App. cl.1(1)
betting sheet	App. cl.1(1)
Chairman.....	3(1)
committee	App. cl.1(1)
concession bet	3(1)
country	3(1)
double	App. cl.1(1)
each way bet.....	3(1)
grandstand enclosure.....	3(1)
internet betting	3(1)
leger	3(1)
multiple double	App. cl.1(1), 10(2)
objection	App. cl.1(1)
play or pay	App. cl.1(1)
rules.....	3(1)
runner.....	3(1)
Secretary	3(1)
sporting event.....	3(1)
stewards	App. cl.1(1)
treble	App. cl.1(1)
walk-over	App. cl.1(1)