

RG303\*

## Betting Control Act 1954

**Betting Control Amendment Regulations 2004**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Betting Control Amendment Regulations 2004*.

**2. Commencement**

These regulations come into operation on 30 January 2004.

**3. The regulations amended**

The amendments in these regulations are to the *Betting Control Regulations 1978\**.

[\* Reprinted as at 6 April 2001.

For amendments to 12 January 2004 see *Western Australian Legislation Information Tables for 2002, Table 4, p. 31, and Gazette 20 June and 11 November 2003.*]

**4. Regulation 3 amended**

Regulation 3(1) is amended as follows:

- (a) by deleting the definitions of “Chairman” and “Secretary”;
- (b) by deleting the definition of “rules” and inserting instead —

“

“**rules of racing**” means the rules of racing made under, or continued for the purposes of, the RWWA Act;

“**rules of wagering**” means the rules of wagering made under, or continued for the purposes of, the RWWA Act;

”.

**5. Regulations 3A to 8 repealed**

Regulations 3A, 4, 5, 6, 7 and 8 are repealed.

**6. Regulation 9 amended**

Regulation 9(1)(b) is amended by deleting “Secretary” and inserting instead —

“ Commission ”.

**7. Regulation 10 amended**

Regulation 10(b) is amended by deleting “Secretary” and inserting instead —

“ Commission ”.

**8. Regulation 12 amended**

- (1) Regulation 12(1) is amended by deleting “Secretary” and inserting instead —

“ Commission ”.

- (2) Regulation 12(2) is repealed.

**9. Regulation 17 amended**

Regulation 17(1) is amended as follows:

- (a) by deleting the full stop at the end of the subregulation and inserting instead a semicolon;
- (b) by inserting after paragraph (e) the following paragraph —

“

- (f) On an application by an offshore betting operator for an exemption under section 27A of the Act ..... \$500.

”.

**10. Regulation 17D amended**

Regulation 17D is amended by deleting “the TAB” and inserting instead —

“ RWWA ”.

**11. Regulation 25 amended**

Regulation 25 is amended by deleting “Secretary” and inserting instead —

“ Commission ”.

**12. Regulation 28 amended**

- (1) Regulation 28(1) is amended by deleting “or the Secretary”.
- (2) Regulation 28(1a) is amended by deleting “or the Secretary”.

**13. Regulation 29 amended**

Regulation 29 is amended by inserting after “on demand by” the following —

“ a steward, ”.

**14. Regulation 48 amended**

Regulation 48 is amended by inserting after “Appendix” —

“ and the rules of wagering ”.

**15. Regulation 48A inserted**

After regulation 48 the following regulation is inserted —

“

**48A. Minimum bet obligations**

A bookmaker is to comply with any minimum bet obligations imposed as a condition of a permit granted to the bookmaker under section 12 of the Act or imposed under the rules of wagering.

”.

**16. Regulation 50 amended**

Regulation 50(c) is deleted and the following paragraph is inserted instead —

“

(c) these regulations or the rules of wagering provide otherwise,

”.

**17. Regulation 59 amended**

Regulation 59(1)(b) is amended by deleting “Board’s” and inserting instead —

“ Commission’s ”.

**18. Regulation 61 amended**

Regulation 61(2) is amended by deleting “under the rules of the authority controlling the race meeting” and inserting instead —

“

as a condition of a permit granted to the bookmaker under section 12 of the Act or specified under the rules of wagering

”.

**19. Regulation 68 amended**

Regulation 68 is amended by deleting “and any steward or” and inserting instead —

“ a steward, and any ”.

**20. Regulation 70 amended**

- (1) Regulation 70(5) is repealed and the following subregulation is inserted instead —

“

- (5) A bet received by a club may be transmitted by that club to a totalisator pool operated by RWWA under the RWWA Act if RWWA has authorised the club to so transmit the bet and that authorisation has not been withdrawn.

”.

- (2) Regulation 70(8) is repealed.
- (3) Regulation 70(9) is amended by deleting “section 27 of the *Totalisator Agency Board Betting Act 1960*” and inserting instead —

“ section 59 of the RWWA Act ”.

**21. Regulation 76 amended**

Regulation 76(1)(a) is amended by deleting “Board’s” and inserting instead —

“ Commission’s ”.

**22. Regulation 77 inserted**

After regulation 76 the following regulation is inserted —

“

**77. Form of search warrant**

A search warrant for the purposes of section 28A of the Act is to be in the form of Form 1 in Schedule 1.

”.

**23. Appendix amended**

- (1) The Appendix Part 1 rule 1 is amended as follows:

- (a) by deleting the definition of “stewards”;
- (b) by inserting before the definition of “treble” the following definition —

“

“**Scale of Deduction Table**” means the Table set out at the end of these Rules;

”.

- (2) The Appendix Part 1 rule 2(1)(g) is amended by deleting “the rules of the authority controlling the racecourse on which the bet was made” and inserting instead —

“ the rules of racing or wagering ”.

- (3) The Appendix Part 1 rule 3(1) is amended as follows:
- (a) by deleting the semicolon after paragraph (d) and inserting instead a full stop;
  - (b) by deleting paragraphs (e) and (f).
- (4) After the Appendix Part 1 rule 3(1) the following subrules are inserted —
- “
- (1a) 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, bets made prior to the withdrawal shall be settled in accordance with the Scale of Deduction Table.
  - (1b) With regard to all successful win only, each way, place only, concession, multiples doubles and trebles, bets are to be paid the face value of the ticket less the number of cents in the dollar deduction applicable on the scale of deductions in the Scale of Deduction Table for the dividends of the runner at the time of its withdrawal.
  - (1c) Where 2 or more withdrawals occur simultaneously during betting, successful bets made prior to the time of withdrawal are to be paid the face value of the ticket less a deduction determined by adding together the rates of deduction applicable to each of the runners withdrawn.
  - (1d) Where withdrawals occur at different times during betting on a race, successful bets placed prior to the last withdrawal are to be paid the face value of the ticket, less deductions determined as follows —
    - (a) for bets placed prior to the first withdrawal, the rate of deduction is to be determined by adding together the rates of deduction applicable to the dividends of all withdrawn runners;
    - (b) for bets placed after the time of the first withdrawal, and prior to the time of the second withdrawal, the rate of deduction is to be determined by the deduction applicable on the scale of deductions in the Scale of Deduction Table to the dividends of the second withdrawal.
  - (1e) Despite subrules (1c) and (1d) —
    - (a) in circumstances they deem appropriate, and when there is sufficient time, the stewards may declare off all bets on the remaining runners and order that betting on the race be re-opened, or they may order all bets be paid at totalisator dividends;
    - (b) except in the case of a dead heat, no order is to be made the effect of which would oblige a backer to receive less than his or her stake.

- (1f) Where the runner ordered or permitted to be withdrawn, or declared a non-starter is shorter than the range of dividends set out in the Scale of Deduction Table, the stewards may —
- (a) if there is sufficient time, declare off all bets made on the remaining runners and order that betting on the race be re-opened; or
  - (b) if there is insufficient time to re-open betting, declare a deduction assessed from the Scale of Deduction Table.

”.

- (5) The Appendix Part 1 rule 3(2) is amended by deleting “subrule (1)(e) or (f)” and inserting instead —

“ subrules (1a) to (1f) ”.

- (6) The Appendix Part 1 rule 3(3) is amended by deleting “subrule (1)(e) or (f)” and inserting instead —

“ subrules (1a) to (1f) ”.

- (7) The Appendix Part 1 rule 4(1) is amended by deleting “of the authority controlling the race meeting”.

- (8) The Appendix Part 1 rule 9(4) is amended by deleting “of the authority controlling the race meeting”.

- (9) The Appendix Part 1 rule 10(1)(b) is amended by deleting “the rules of the authority controlling the racecourse on which the bet is made or if there are no rules” and inserting instead —

“

the regulations or the rules of wagering or if there are no regulations or rules

”.

- (10) The Appendix Part 1 rule 14(1) is amended by deleting “of the body controlling the race meeting where the bet is made”.

- (11) After the Appendix Part 2 rule 9 the following Table is inserted —

“

#### Scale of Deduction Table

This Table is to be used to determine the rate % of deduction in respect of win, place, concession, double and treble bets. Rate % of deduction (cents in \$) from the face value of the ticket.

Dividend of Withdrawn Runner (for bet of \$1)	Win Doubles Treble Deduction	Place Deduction where 8 or more Runners	Place Deduction where less than 8 Runners	Concession Deduction
	Cents	Cents	Cents	Cents
1.05	80	30	44	70
1.06	80	30	44	70
1.07	80	30	44	70

<b>Dividend of Withdrawn Runner (for bet of \$1)</b>	<b>Win Doubles Treble Deduction</b>	<b>Place Deduction where 8 or more Runners</b>	<b>Place Deduction where less than 8 Runners</b>	<b>Concession Deduction</b>
	<b>Cents</b>	<b>Cents</b>	<b>Cents</b>	<b>Cents</b>
1.08	80	30	44	70
1.09	80	30	44	70
1.10	80	30	44	70
1.12	80	30	44	70
1.14	80	30	44	70
1.16	80	30	44	70
1.18	79	30	44	70
1.20	78	30	44	70
1.22	77	30	44	70
1.24	75	29	43	67
1.26	74	29	43	67
1.28	73	29	43	67
1.30	72	29	42	67
1.35	69	29	42	64
1.40	67	28	41	62
1.45	64	28	41	59
1.50	62	28	40	57
1.55	60	27	39	55
1.60	58	27	39	53
1.65	57	27	38	53
1.70	55	27	38	51
1.75	53	26	37	49
1.80	52	26	37	48
1.85	51	26	36	47
1.90	49	25	36	45
1.95	48	25	35	44
2.00	47	25	35	43
2.05	46	25	35	42
2.10	45	24	34	41
2.15	43	24	34	40
2.20	42	24	33	39
2.25	42	24	33	39
2.30	41	24	33	39
2.35	40	23	32	38
2.40	39	23	32	37
2.45	38	23	32	36
2.50	37	23	31	35
2.60	36	22	30	34
2.70	35	22	30	33
2.80	33	21	29	31

<b>Dividend of Withdrawn Runner (for bet of \$1)</b>	<b>Win Doubles Treble Deduction</b>	<b>Place Deduction where 8 or more Runners</b>	<b>Place Deduction where less than 8 Runners</b>	<b>Concession Deduction</b>
	<b>Cents</b>	<b>Cents</b>	<b>Cents</b>	<b>Cents</b>
2.90	32	21	29	30
3.00	31	21	28	29
3.10	30	20	27	28
3.20	29	20	27	27
3.30	28	20	26	26
3.40	27	19	26	25
3.50	27	19	25	25
3.60	26	19	25	24
3.70	25	19	25	24
3.80	25	18	24	24
3.90	24	18	24	23
4.00	23	18	23	22
4.20	22	17	23	21
4.40	21	17	22	20
4.60	20	16	21	19
4.80	19	16	21	18
5.00	19	16	20	18
5.50	17	15	19	17
6.00	16	14	18	16
6.50	14	13	16	14
7.00	13	12	16	13
7.50	12	12	15	12
8.00	12	11	14	12
8.50	11	11	13	11
9.00	10	10	13	10
9.50	10	10	12	10
10.00	9	10	12	9
11.00	8	9	11	8
12.00	8	8	10	8
13.00	7	8	9	7
14.00	7	7	9	7
15.00	6	7	8	6
16.00	6	7	8	6
17.00	5	6	7	5
18.00	5	6	7	5
19.00	5	6	7	5
20.00	5	5	6	5
21.00	4	5	6	4
26.00	3	4	5	3



<b>Dividend of Withdrawn Runner (for bet of \$1)</b>	<b>Win Doubles Treble Deduction</b>	<b>Place Deduction where 8 or more Runners</b>	<b>Place Deduction where less than 8 Runners</b>	<b>Concession Deduction</b>
	<b>Cents</b>	<b>Cents</b>	<b>Cents</b>	<b>Cents</b>
31.00	3	3	4	3
41.00	2	3	3	2
51.00	2	2	2	2

**24. Schedule 1 inserted**

After the Appendix the following Schedule is inserted —

“

**Schedule 1 — Forms**

[r. 77]

**Form 1**

*Betting Control Act 1954*

[s. 28A]

**WARRANT**

I, [insert name of Justice of the Peace granting the warrant], of  
....., being a JUSTICE OF THE PEACE and  
being satisfied upon complaint by [insert name of complainant] that there is  
reason to suspect that

unlawful betting within the meaning of section 28A of the *Betting Control  
Act 1954* is or is about to be carried on at (1).....

.....

.....

GRANT to (2) .....

THIS WARRANT empowering that person to enter those premises with such  
other persons as may be necessary to assist using such force as may be  
necessary and there to do any of the things referred to in section 28A(2) of that  
Act, and this warrant continues to have effect until the purposes for which it  
was granted is satisfied.

Granted on .....

at .....

.....  
Signature of Justice of the  
Peace granting the warrant.

(1) Insert particulars of place.

(2) Insert the name and designation of the authorised officer or member of the  
Police Force.

”

## 25. References to “Board” amended

In each place listed in the Table to this regulation “Board” is deleted and the following is inserted instead —

“ Commission ”.

### Table

r. 2 (in second and third places where it occurs)	r. 29 (twice)
r. 9(1)(a)	r. 36(1)(a)
r. 9(2) (3 times)	r. 36(5)(b) (twice)
r. 9A(1)	r. 37(3)
r. 9A(3)	r. 37(4) (twice)
r. 10(a)	r. 37(5)
r. 12(1) (4 times)	r. 37(6) (twice)
r. 14(1)	r. 38 (twice)
r. 14(3)	r. 39 (twice)
r. 16(1) (twice)	r. 43 (3 times)
r. 16(2)	r. 53
r. 17(1) (twice)	r. 54
r. 17(2)	r. 59(3)
r. 17(3)	r. 71(1)(a)
r. 17A(1)(b) (twice)	r. 71(2) (3 times)
r. 17A(2) (3 times)	r. 71(4)
r. 17A(3) (3 times)	r. 72(1)(a)
r. 17B(1)(b) (twice)	r. 72(2) (3 times)
r. 17B(2) (3 times)	r. 72(4)
r. 17B(3) (3 times)	r. 74(a)
r. 18(1)	r. 75(a)
r. 18(2)	r. 76(1) (6 times)
r. 18(3)	r. 76(2)
r. 27(1)	r. 76(3)
r. 27(2)	Appendix Part 1 rule 2(1)(h)
r. 28(1) (twice)	Appendix Part 1 rule 2(2)
r. 28(1a) (twice)	Appendix Part 1 rule 3(1)(d)
r. 28(2) (twice)	Appendix Part 1 rule 16
r. 28(2a) (twice)	

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.