

RG302*

Betting Control Act 1954

Betting Control Amendment Regulations 2002

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Betting Control Amendment Regulations 2002*.

2. Commencement

These regulations come into operation on the day on which the *Betting Legislation Amendment Act 2002* comes into operation.

3. The regulations amended

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

[* Reprinted 6 April 2001.

For amendments to 27 August 2002 see 2001 Index to Legislation of Western Australia, Table 4, p. 30.]

4. Regulation 4 amended

Regulation 4(8)(d) is amended by inserting after “as a bookmaker’s” —

“ manager or ”.

5. Regulation 5 amended

Regulation 5(1) is amended by inserting after “if he” —

“ or she ”.

6. Regulation 9 amended

Regulation 9(1)(a) is amended by deleting “required” and inserting instead —

“ approved ”.

7. Regulation 9A amended

- (1) Regulation 9A(1) is amended by deleting “in the form of Form 1 in Schedule 1” and inserting instead —

“ in a form approved by the Board ”.

- (2) Regulation 9A(2) is amended by deleting “form of Form 1 of Schedule 1” and inserting instead —

“ approved form ”.

8. Regulation 10 inserted

After regulation 9A the following regulation is inserted —

“

10. Application for approval

A person who desires to make application for approval under section 11B(4) or 11C(2) of the Act shall —

- complete and sign such forms as are approved by the Board; and
- lodge with the Secretary the forms together with the charge, if any, prescribed in respect of the application by regulation 17(2) or (3).

”.

9. Regulation 11 amended

Regulation 11 is amended by inserting after “bookmaker’s” —

“ manager or ”.

10. Regulation 13 repealed

Regulation 13 is repealed.

11. Regulation 14 amended

Regulation 14(2) is amended by deleting “A bookmaker’s licence is” and inserting instead —

“
A bookmaker’s licence, a bookmaker’s manager licence and bookmaker’s employee licence are
”.

12. Regulation 17 amended

- (1) Regulation 17 is amended by inserting before “The” the subregulation designation (1).
- (2) Regulation 17 is amended as follows:
 - (a) in paragraph (a) by deleting “\$300;” and inserting instead —
“ \$500; ”;
 - (b) after paragraph (b) by inserting the following paragraphs —

- “
 - (ba) On an application for a bookmaker’s manager licence \$120;
 - (bb) On an application for the renewal of a bookmaker’s manager licence \$65;”.

- (3) At the end of regulation 17 the following subregulations are inserted —

- “
 - (2) A person who applies under section 11B(4) of the Act for approval to become a member of a partnership that holds a bookmaker’s licence shall pay to the Board when making the application a charge of \$75.
 - (3) A person who applies under section 11C(2) of the Act for approval to occupy a position of authority in a body corporate that holds a bookmaker’s licence shall pay to the Board when making the application a charge of \$75.”.

13. Regulation 18 amended

- (1) Regulation 18 is amended by inserting before “The” the subregulation designation (1).
- (2) Regulation 18 is amended by deleting “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 —” and inserting instead —

“
The amount of the security required to be lodged with the Board under section 11E(1) on an application for a

bookmaker’s licence by a natural person or a partnership where all of the members of the partnership are natural persons shall be —

”.

- (3) At the end of regulation 18 the following subregulations are inserted —

“

- (2) The amount of the security required to be lodged with the Board under section 11E(1) on an application for a bookmaker’s licence by a body corporate or a partnership that has a member that is a body corporate shall be \$250 000.
- (3) The amount of the security required to be lodged with the Board under section 11E(2) by a director of a body corporate that is an applicant for or holds a bookmaker’s licence shall be \$10 000.

”.

14. Regulation 25 amended

Regulation 25 is amended by deleting “pursuant to these regulations” and inserting instead —

“ under the Act ”.

15. Regulation 27 amended

- (1) Regulation 27 is amended by inserting before “The” the subregulation designation (1).
- (2) Regulation 27 is amended by deleting “The holder of a licence who” and inserting instead —

“ A natural person who holds a licence and ”.

- (3) At the end of regulation 27 the following subregulation is inserted —

“

- (2) Each of the partners of a partnership, or a body corporate, that holds a licence who or which fails, within 7 days after the partnership or body corporate changes its place of business, to inform, in writing, the Board of the address of the then current place of business commits an offence.
Penalty: \$250.

”.

16. Regulation 28 amended

- (1) Regulation 28(1) is amended by deleting “The holder of a licence who” and inserting instead —

“ A natural person who holds a licence and ”.

(2) After regulation 28(1) the following subregulation is inserted —
“

(1a) Each of the partners of a partnership, or a body corporate, that holds a licence who or which fails to deliver that licence to the Board on demand being made by the Board or the Secretary commits an offence.
Penalty: \$50.

”.

(3) Regulation 28(2) is amended by deleting “The holder of a licence who” and inserting instead —

“ A natural person who holds a licence and ”.

(4) After regulation 28(2) the following subregulation is inserted —
“

(2a) Each of the partners of a partnership, or a body corporate, that holds a licence who or which fails to deliver that licence to the Board forthwith on receipt of a written notice from the Board of suspension or cancellation of the licence of the partnership or body corporate commits an offence.
Penalty: \$200.

”.

17. Regulation 29 amended

Regulation 29 is amended by inserting after “A licensee who” —

“

is a natural person, each of the partners of a partnership that is a licensee, or a body corporate that is a licensee, who or which

”.

18. Regulation 30 amended

Regulation 30 is amended by deleting “A bookmaker or an employee of a bookmaker may advertise his or her” and inserting instead —

“

A bookmaker or a manager or an employee of a bookmaker may advertise that person’s

”.

19. Regulation 36 amended

(1) Regulation 36(1) is amended by deleting “his or her” and inserting instead —

“ that person’s ”.

- (2) After regulation 36(6) the following subregulation is inserted —

“

- (7) This regulation applies to a partnership that is a bookmaker as if the partnership were a person, but it applies with the following changes —

- (a) obligations that would be imposed on the partnership are imposed instead on each partner, but may be discharged by any of the partners;
- (b) any offence against this regulation that would otherwise be an offence by the partnership is to be taken to have been committed by each of the partners.

”.

20. Regulation 43 amended

Regulation 43(2) is amended by inserting after “by the bookmaker” —

“ , the manager of the bookmaker ”.

21. Regulation 51 amended

After regulation 51(1) the following penalty provision is inserted —

“ Penalty: \$200. ”.

22. Regulation 58 amended

- (1) Regulation 58(1) is amended by inserting after “the bookmaker” —

“ , the bookmaker’s manager ”.

- (2) Regulation 58(2) is amended by inserting after “A bookmaker” —

“ , the bookmaker’s manager ”.

23. Regulation 59 amended

- (1) Regulation 59 is amended by inserting before “No bookmaker” the subregulation designation (1).

- (2) At the end of regulation 59 the following subregulation is inserted —

“

- (2) A bookmaker that is a body corporate or partnership shall not 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 and the bookmaker’s manager clearly shown thereon.

Penalty: \$200.

”.

24. Regulation 61 amended

Regulation 61(3) is amended by inserting after “No bookmaker” —

“ , manager of a bookmaker ”.

25. Regulation 62 amended

Regulation 62(1) is amended as follows:

- (a) by deleting “A bookmaker who” and inserting instead —

“ A bookmaker or a manager of a bookmaker who ”;

- (b) by deleting paragraph (a) and “or” after it and inserting instead —

“

- (a) omits from a betting board or list maintained and displayed in the course of the bookmaker’s business as a bookmaker the name of any runner which has been accepted to run in a race on which the bookmaker is betting; or

”.

26. Regulation 71 amended

- (1) Regulation 71(2)(e) is amended by inserting after “betting ticket number” —

“ (if it is available) ”.

- (2) Regulation 71(2)(e) is amended by inserting after “an agent” —

“ , manager ”.

27. Regulation 72 amended

- (1) Regulation 72(2)(e) is amended by inserting after “betting ticket number” —

“ (if it is available) ”.

- (2) Regulation 72(2)(e) is amended by inserting after “an agent” —

“ , manager ”.

28. Regulation 75 amended

Regulation 75(d) and the comma after it are deleted and the following is inserted instead —

“

- (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,

”.

29. Appendix amended

- (1) The Appendix Part 1 clause 2(1)(b) is amended by inserting after “that he” —
- “ or she ”.
- (2) The Appendix Part 1 clause 3(1)(a) is amended by inserting after “that he” —
- “ or she ”.
- (3) The Appendix Part 1 clause 4(3) is amended by inserting after “to him” —
- “ or her ”.
- (4) The Appendix Part 1 clause 4(3) is amended by inserting after “unless he” —
- “ or she ”.
- (5) The Appendix Part 1 clause 16 is amended by deleting “his” and inserting instead —
- “ that ”.
- (6) The Appendix Part 1 clause 16 is amended by deleting “him” and inserting instead —
- “ the bookmaker ”.

30. Schedule 1 repealed

Schedule 1 is repealed.

By Command of the Governor,

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