

RACING, GAMING AND LIQUOR

RA301

BETTING CONTROL ACT 1954**BETTING CONTROL AMENDMENT REGULATIONS 1996**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Betting Control Amendment Regulations 1996*.

Commencement

2. These regulations come into operation on the day on which Part 3 of the *Acts Amendment (Racing and Betting Legislation) Act 1995* comes into operation.

Principal regulations

3. In these regulations the *Betting Control Regulations 1978** are referred to as the principal regulations.

[* Reprinted as at 20 August 1992.
For amendments to 19 February 1996 see 1994 Index to
Legislation of Western Australia, Table 4, p. 22, and Gazette, 2
December 1994.]

Regulation 2 repealed and a regulation substituted

4. Regulation 2 of the principal regulations is repealed and the following regulation is substituted —

“

Transitional provisions

2. Notwithstanding that by the operation of the *Acts Amendment (Racing and Betting) Act 1995* and the *Betting Control Amendment Regulations 1996* 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.

”

Regulations 17A, 17B, 17C, 17D and 17E inserted

5. After regulation 17 of the principal regulations the following regulations are inserted —

“

Bookmakers' annual licence fee

17A. (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 \$250;
 - (ii) on total turnover greater than \$250 000 but not exceeding \$1 000 000 \$500;
 - and
 - (iii) on total turnover greater than \$1 000 000 \$750,
 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 12 (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 relevant to the assessment of any bookmakers' annual licence fee at such time and in such manner as the Board may, in writing, request.

On-course totalisator annual licence fee

17B. (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 \$25;
 - and
 - (iii) on total turnover greater than \$100 000 0.025% of the turnover,

for that year; and
- (b) payable, on the basis of self assessment by the authority authorized 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 authorized 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.

Percentage of bets to belong to TAB

17C. 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

- (d) for bets of any other kind, 25%,

subject to section 17E (2).

Percentage of bets to belong to racing club

17D. 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 authorized by regulation 17C, in relation to a bet of that kind, to be deductible by the TAB.

Levy which may be retained

17E. For the purpose of section 15 (5) (a) of the Act, 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 of the Act applies, no percentage;
- (b) sports betting to which section 4B of the Act applies, 50%; and
- (c) all other betting, 100%.

”.

Regulation 27 amended

6. Regulation 27 of the principal regulations is amended by deleting the passage commencing with “both” and ending with “in writing,” and substituting the following —

“ , in writing, the Board ”.

Change from “Commissioner” to “Board”

7. The principle regulations are amended in the provisions set out in the Table to this regulation by deleting “Commissioner” and substituting in each case the following —

“ Board ”.

Table

36 (1) (a)	37 (4) (twice)
36 (5) (b) (i)	38 (twice)
36 (5) (b) (ii)	39 (twice)
37 (3)	

Regulation 49 amended

8. Regulation 49 of the principal regulations is amended after “place” by inserting the following —

“ , whether or not an each way bet, ”.

Regulation 56 amended

9. Regulation 56 of the principal regulations is amended after "the bet" by inserting the following —

"

is accepted or settled, or the payment is to be made, by the holder
of the licence as an agent of the TAB, or that bet

".

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.
