

**RACING AND GAMING**

RA301

**BETTING CONTROL ACT 1954****BETTING CONTROL AMENDMENT REGULATIONS 1991**

Made by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Betting Control Amendment Regulations 1991*.

**Principal regulations**

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

[\* *Published in the Gazette of 22 June 1978 at pp. 1991-2014.*  
*For amendments to 31 October 1991 see 1990 Index to Legislation of Western Australia, pp. 194-195.*]

**Regulation 3 amended**

3. Regulation 3 of the principal regulations is amended by adding the subregulation following —

“ (4) In these regulations, unless the context otherwise requires —

- (a) a reference to a betting ticket includes a reference to a betting ticket which is produced by a computer used to facilitate the betting; and
- (b) a reference to writing includes a reference to the printing of a betting ticket, form or other record produced by a computer so used.

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**Regulation 33 amended**

4. Regulation 33 of the principal regulations is amended —

- (a) by inserting after the regulation designation “33.” the subregulation designation “(1)”;
- (b) by deleting “or” and substituting the following —  
“ , to comply with subregulation (2), or otherwise ”;  
and
- (c) by adding the subregulation following —

“ (2) A bookmaker shall —

- (a) prepare and keep in the English language a true, complete and accurate written record —

- (i) setting out the financial position of the business carried on, in such a way as will enable the accounts to be conveniently inspected and properly audited; and

- (ii) showing full particulars and details of each betting transaction made by or on behalf of that bookmaker and the betting turnover resulting,  
in such manner as is required by these regulations or by the Commissioner;
- (b) for the purpose of recording bets —
  - (i) use forms, or a method of recording, approved by the Commissioner; and
  - (ii) make the required entries in numerical sequence;
- (c) ensure that any duplicate of a form or other record required by or under the Act is clearly legible and an exact copy of the original;
- (d) not remove, or permit to be removed, any part of any book of forms or of any form or other record, except for the purpose of delivering it to a racing club or the Commissioner as required by the Act;
- (e) retain such betting material and records relating to the business carried on by or on behalf of that bookmaker as the Commissioner may from time to time in writing require for such period after the completion of the transaction to which they relate as the Commissioner may so require; and
- (f) on being required to do so by the Board, the Commissioner or some other person authorized by the Act or these regulations so to require —
  - (i) notify the Board or the Commissioner, as may be required, where any betting material, form or other record may be inspected; and
  - (ii) furnish, deliver or produce any such betting material, form or other record to the Board or the Commissioner, or to a person authorized for the purpose under the Act, as may be required. ”.

#### **Regulation 34 amended**

#### **5. Regulation 34 of the principal regulations is amended —**

- (a) in subregulation (1), by inserting after “bet” the following —

“ or in any record in such a manner as to prevent its legibility, or any obliteration of any such entry, except as is required by subregulation (2) ”;

and
- (b) in subregulation (2), by deleting “shall rule through the incorrect entry and make the correct entry immediately under it” and substituting the following —

“ shall —

- (a) if the record is handwritten —
  - (i) rule through the incorrect entry, preserving its legibility; and
  - (ii) make the correct entry immediately under it; or
- (b) if the record was made using a computer —
  - (i) cause the word “CANCELLED” to be endorsed adjacent to such details of the incorrect entry as will enable the reference to be identified; and
  - (ii) make the correct entry immediately thereafter.

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#### Regulation 35 amended

6. Regulation 35 of the principal regulations is amended by deleting “bet to write and deliver” and substituting the following —

“ bet —

- (a) if the record of betting is to be handwritten, to write and deliver; or
- (b) if the record of betting is to be made using a computer, to ensure that the computer causes to be issued,

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#### Regulation 36 amended

7. Regulation 36 of the principal regulations is amended by adding the subregulations following —

“ (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 Commissioner 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 Commissioner;
- and
- (c) when issued in respect of a bet, be cancelled —
    - (i) by 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.

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**Regulation 37 substituted**

8. Regulation 37 of the principal regulations is repealed and the following regulation substituted —

**The written record**

“ 37. (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 horse or greyhound, 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; and
- (k) where the bet is on a sporting event, such other particulars as are specified by the Minister in the notice given under section 4B approving the conduct of betting.

(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 Commissioner.

(4) Except where approval is granted under subregulation (5) the record shall —

(a) be made using a book of forms provided by the Commissioner; and

(b) show the information required by subregulation (1), unless otherwise specifically approved by the Commissioner.

(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.

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#### **Regulation 39 amended**

10. Regulation 39 of the principal regulations is amended by deleting “these regulations” and substituting the following —

“ the Act ”.

#### **Regulation 40 amended**

11. Regulation 40 of the principal regulations is amended —

(a) in subregulation (1) —

(i) by deleting “on a form supplied by the Commissioner and in such manner that the original and duplicate are clearly legible and the duplicate is an exact copy of the original,” and substituting the following —

“ , on a form provided by the Commissioner if the record is handwritten and in a permanent documentary form if the record is to be made using a computer, ”;

and

- (b) in subregulation (2), by deleting “under the provisions of” and substituting the following —

“ if a handwritten record is kept for the purposes of ”.

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

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