

Western Australia

Racing and Wagering Western Australia Act 2003

Rules of Wagering 2005

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Rules of Wagering 2005

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Rules of Wagering 2005

Part 1 — Preliminary

1. Citation

These rules may be cited as the *Rules of Wagering 2005*.

2. Commencement

These rules come into operation on 30 January 2005.

3. Interpretation

(1) In these rules —

all-up means a wager in which any subsequent dividends are wagered on the runners named until the contract is completed;

betting exchange means a facility provided by the operator of the betting exchange, for fee, commission or other reward, under which offers to back a runner are matched with offers to lay against the runner with the result that wagers are made between those offering to back and those offering to lay;

bookmaker has the meaning given by section 4(1) and (2)(a) and (aa) of the *Betting Control Act 1954*;

bookmaker's manager means a licensed managed within the meaning of the *Betting Control Act 1954*;

cash means bank notes or coins;

Commission means the Gaming and Wagering Commission of Western Australia established under the *Gaming and Wagering Commission Act 1987*;

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

controlling authority means the body responsible for conducting a sporting event;

depositor means a person who establishes a wagering account with RWWA for the purpose of wagering with or through RWWA;

dividend means the amount payable to an investor in respect of a winning wager, including the amount wagered by the investor on that wager, and includes “winnings” as referred to in section 62 of the RWWA Act;

doubles means a wager on the contingency of 2 races or events;

fixed odds wager means a wager where a fixed amount that will be won if the wager is successful is determined before the wager is accepted;

Flexi Bet means a method of wagering an amount on one or more of the wagers described in rule 22A, where the amount of the investment on each combination covered by that wager can be a percentage, or fraction, of a unit;

internet wagering means a method of making and accepting wagers 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 of the *Betting Control Regulations 1978*;

investor means a person who makes, or offers to make, or attempts to make, a wager on a race or sporting event and includes a bettor;

multiple double means a double on 2 races or events scheduled at the time the wager is made to be run on the same day;

novelty wager means —

- (a) in relation to a race, a wager of the kind referred to in rule 17; and
- (b) in relation to a sporting event, a wager of the kind prescribed in rule 24 of these rules;

no race means an event declared a no race by the stewards or committee or other body controlling the racecourse after the running of an event at the racecourse;

objection includes protest, as defined and provided for by the relevant Rules of Racing giving rise to such matter;

official result means the result or outcome of a sporting event, as declared by the relevant controlling authority immediately following the end of the event;

on-course totalisator means a totalisator operated by a racing club at a racecourse under an authorisation under section 17B or 17D of the *Betting Control Act 1954*;

on-course totalisator manager means a person appointed under rule 8;

participant, in relation to a sporting event, means an individual or a team contesting the outcome of that sporting event, but does not include a horse or a greyhound;

place wager means the selection of a runner or participant to finish either first, second or third (third being dependant upon the number of starters) in a particular race or sporting event;

play or pay means a wager that holds good whether or not a runner or participant on which the wager is made runs or participates in the race or sporting event in respect of which the wager is made;

prescribed commission means the amount prescribed by regulation 17C or 17D of the *Betting Control Regulations 1978*, as the case may be, that may be deducted as commission from a wager included in a totalisator pool;

race means a thoroughbred race, a harness race or a greyhound race, but does not include a trial;

runner means —

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- (a) in the context of a thoroughbred race or a harness race, a horse running in the race; and
- (b) in the context of a greyhound race, a greyhound running in the race;

RWWA means Racing and Wagering Western Australia established under section 4 of the RWWA Act;

RWWA Act means the *Racing and Wagering Western Australia Act 2003*;

RWWA Regulations means the *Racing and Wagering Western Australia Regulations 2003*;

scheduled starting time of a race or a sporting or other event means the starting time of the race or event that has been determined by the relevant racing club or body conducting the race or event and notified to RWWA;

sporting event means —

- (a) any cricket match or series of cricket matches selected by RWWA;
- (b) any match or series of matches selected by RWWA from Australian Rules Football fixtures; or
- (c) any other event that is prescribed in these rules or the RWWA Regulations as a sporting event,

but does not include a race or trial;

stake means the amount of money invested on a wager by an investor;

ticket means a ticket issued to an investor upon which the details of a wager or wagers made by the investor with RWWA, an on-course totalisator, or a bookmaker are recorded and that is evidence of the wager or wagers having been made by the investor for the payment of dividends;

totalisator means the instrument known as *the totalisator* and includes —

- (a) any other machine, instrument or contrivance of a like nature and conducted on the like principles lawfully operated under any Act;
- (b) any totalisator pool scheme conducted by RWWA under the RWWA Act for enabling any number of persons to make wagers with one another on like principles;

totalisator agency means any totalisator agency established and operated under the RWWA Act, and includes any premises on which wagers may be made on a race or event through or with RWWA;

totalisator operator means RWWA, in its capacity to conduct totalisator wagering under the RWWA Act, or a racing club duly authorised to conduct on-course totalisator wagering under the *Betting Control Act 1954*;

unit means an investment of 50 cents on a wager;

wagering account means a wagering account established by a depositor under section 64 of the RWWA Act;

walk-over, in relation to a race, means a race in which there is only one runner;

win wager (also referred to as “straight-out”) means the nomination of the winner of a particular race or sporting event.

- (2) In these rules **wager** and **bet** have the same meaning, and a reference to a **wager** in the rules is the same as a reference to a **bet** in the *Betting Control Act 1954* and regulations made under that Act.

[Rule 3 amended in Gazette 18 Aug 2006 p. 3370; 18 Sep 2007 p. 4712.]

4. Application

- (1) Subject to subrule (2), these rules apply to the conduct of wagering by —
 - (a) RWWA;

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- (b) racing clubs authorised to operate a totalisator under section 17B or 17D of the *Betting Control Act 1954*; and
 - (c) bookmakers.
- (2) Nothing in these rules affects the operation of sections 59(4) and 61(4) of the RWWA Act which provide that, where RWWA participates in a combined totalisator pool scheme, or a jointly operated fixed odds wagering system, RWWA may adopt and operate under the rules pertaining to the operation or administration of that scheme or joint system.
- (3) These rules are binding upon —
 - (a) RWWA, the board, directors, stewards and other officers, employees and agents of RWWA;
 - (b) racing clubs and their managing bodies, members, officers, employees and agents;
 - (c) bookmakers, licensed managers and employees within the meaning of the *Betting Control Act 1954*; and
 - (d) all persons making or placing wagers with or through RWWA, a duly authorised on-course totalisator, or a bookmaker.

5. Matters not covered by these rules

- (1) Any matter in relation to a wager to which these rules apply which is not provided for by these rules is to be determined —
 - (a) where the matter relates to wagering conducted by a bookmaker or an on-course totalisator — by the steward in charge of the race meeting or racecourse at which the bookmaker or on-course totalisator is operating; or
 - (b) where the matter relates to off-course wagering conducted with or through RWWA — by RWWA.
- (2) A determination under subrule (1) is final and binding and, unless a written law otherwise provides, not subject to further review.

6. Copy of these rules to be available

An up-to-date copy of these rules is to be available for perusal on demand at RWWA's head office during normal office hours and at every racecourse at which wagering is being conducted.

Part 2 — Conduct of totalisator wagering generally

7. Supervision of wagering by on-course totalisators

In accordance with section 50(1)(a) of the RWWA Act, the conduct of wagering by, with or through an on-course totalisator is to be supervised by a steward supervising the conduct of wagering at a racecourse at which totalisator wagering is conducted or otherwise appointed by RWWA to supervise the conduct of wagering.

8. Racing club to appoint on-course totalisator manager

Where a racing club conducts wagering through a duly authorised on-course totalisator, that racing club is to ensure that a person is appointed to manage the operations of the on-course totalisator and to ensure that the conduct of wagering through the on-course totalisator conforms in all respects with these rules and all written laws governing the operation of on-course totalisators.

9. Duty to report non-compliance

It is the duty of an on-course totalisator manager to report any instances of non-compliance with these rules or other laws governing the operation of the on-course totalisator to the steward supervising the conduct of wagering at the racecourse.

10. Changes affecting wagering to be advised

- (1) In relation to any race, where —
- (a) a runner is scratched, declared a non-starter, or otherwise withdrawn from the race;
 - (b) a protest is lodged in relation to the result of the race; or
 - (c) there is any other occurrence which affects or may affect the conduct of wagering on the totalisator,

it is the responsibility of the steward in control of that race to inform the on-course totalisator manager of that occurrence and

to announce or arrange the announcement of the details of the occurrence over the racecourse public address system.

- (2) Where the race is one on which RWWA is conducting wagering, or operating a totalisator wagering service on behalf of a racing club, the on-course totalisator manager receiving such advice is to immediately convey that advice to the RWWA race day control centre.

11. Numbering of runner on totalisator

Each runner that is to start in a race is to be denoted on the totalisator by a number corresponding with the number of the runner in the official program for that race and no such runner may be barred on the totalisator.

12. Display of anticipated dividends

In respect of each totalisator pool conducted by RWWA for win wagers and place wagers in respect of a race, there is to be displayed in a prominent place by figures or suitable indicators a progressive indication of the anticipated dividend payable to the investors in respect of each runner.

13. When dividends become payable

- (1) No dividend may be declared or paid in respect of a wager relating to a race until the steward in control of that race has signalled "correct weight" or "all clear" in respect of the running of that race, or has otherwise authorised the payment of dividends in respect of that race.
- (2) A dividend declared in accordance with subrule (1) is final despite any subsequent order or decision of the stewards, RWWA, the Racing Penalties Appeal Tribunal or of any court or otherwise, to declare any other runner to be the winner or place getter in place of the winner or place getter first declared by the stewards, or to otherwise alter the result of the race.

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- (3) The steward in charge of a race is to cause the results of the race to be displayed in a prominent position on the racecourse and the on-course totalisator manager is to cause those results to be communicated to RWWA.
- (4) Wagers on a sporting event are to be determined, and dividends declared, on the basis of the official result of that sporting event, unless otherwise determined and notified to customers generally at the time of placing the wager.
- (5) A dividend declared in respect of a sporting event, in accordance with subrule (4), is final despite any subsequent order or decision of the controlling authority or of any court or otherwise, to declare any other result or outcome, or to otherwise alter the result or outcome of the sporting event.

[Rule 13 amended in Gazette 18 Aug 2006 p. 3370.]

14. Exhibiting of dividends

Immediately after the declaration of a dividend in respect of a race, the on-course totalisator manager is to cause a notice displaying the amount of each dividend payable to be exhibited at the racecourse and the notice is to remain exhibited until after the last race.

15. Wagers that contravene the Rules of Racing not permitted

A totalisator operator is not permitted to receive or make a wager that contravenes the Rules of Racing made under section 45 of the RWWA Act.

Part 3 — Rules of totalisator wagering

16. Totalisator pools – win and place wagers

- (1) This rule applies in relation to any totalisator pool conducted by RWWA or a racing club (“**the totalisator operator**”) in respect of win wagers and place wagers made on races or sporting events.
- (2) Where a totalisator pool is conducted for a win wager, the totalisator operator, after allowing for refunds, is to —
 - (a) place all win wagers on that race or sporting event into separate pool;
 - (b) deduct the prescribed commission from the pool, having regard to whether the pool is conducted on the system under which —
 - (i) the commission to be deducted is calculated as a percentage of the sum of the losing wagers held in the pool (“**the losing wagers method**”); or
 - (ii) the commission is calculated as a percentage of the wagers placed in the pool (“**the flat commission method**”);
 - (c) add to the pool, where applicable, any supplementary amount determined in accordance with section 103 of the RWWA Act;
 - (d) calculate the win dividend for the runner or participant by dividing the number of winning units on that runner or participant into the amount remaining; and
 - (e) declare and pay the dividend in respect of each unit to the holders of winning tickets in accordance with the RWWA Regulations.
- (3) Where a totalisator pool is conducted for a place wager on a race or sporting event in which the number of runners or participants listed to start at the expiration of the time set by the totalisator operator for the notification of final scratchings in respect of that

race or sporting event is, despite any late scratchings, 8 or more, then, subject to subrules (4) and (5), the totalisator operator, after allowing for refunds, is to —

- (a) place all place wagers received on that race or sporting event into a separate pool and divide that pool into 3 equal parts on behalf of the runners or participants placed first, second or third respectively;
 - (b) from each of the 3 parts respectively deduct the prescribed commission from the parts (having regard to whether the pool is conducted on the losing wagers method or the flat commission method);
 - (c) add to the pool, where applicable, any supplementary amount determined in accordance with section 103 of the RWWA Act;
 - (d) calculate the dividend for first, second and third places by dividing the number of winning units on the runners or participants placed first, second or third respectively into the amount of the part remaining; and
 - (e) declare and pay that dividend in respect of each unit to the holders of winning tickets in accordance with the RWWA Regulations.
- (4) Where the wagers accepted on only one of the runners or participants placed first, second or third are more than one-third of the amount, after allowing for refunds, of all place wagers accepted on that race or sporting event, together with any supplementary amount added to the pool in accordance with section 103 of the RWWA Act, the totalisator operator is to —
- (a) before proceeding with the division of the pool under subrule (3)(a), declare and pay out of the pool a dividend of 50 cents in respect of each unit to the holders of winning tickets on that runner or participant;
 - (b) divide and set aside the amount then remaining in the pool in 2 equal parts on behalf of the other 2 placed runners or participants and deduct from each the

- prescribed commission from the parts (having regard to whether the pool is conducted on the losing wagers method or the flat commission method);
- (c) calculate the respective dividends for each of those 2 placed runners or participants by dividing the number of winning units on that runner or participant into the amount of the part as set aside for that runner or participant after the commission has been deducted; and
 - (d) declare and pay the respective dividends in respect of each unit to the holders of winning tickets in accordance with the RWWA Regulations.
- (5) Where the place wagers accepted on each of 2 of the runners or participants placed first, second or third is more than one-third of the amount, after allowing for refunds, of all place wagers accepted on that race or sporting event, together with any supplementary amount added to the pool in accordance with section 103 of the RWWA Act, the totalisator operator is to —
- (a) before proceeding with the division of the pool under subrule (3)(a) declare and pay out of the pool a dividend of 50 cents in respect of each unit to the holders of winning tickets on either of those runners or participants;
 - (b) set aside the part then remaining in the pool on behalf of the other runner or participant placed first, second or third and deduct the prescribed commission from the part (having regard to whether the pool is conducted on the losing wagers method or the flat commission method);
 - (c) calculate the dividend for that placed runner or participant by dividing the number of winning units on that runner or participant into the amount of the part set aside for that runner or participant after the commission has been deducted; and
 - (d) declare and pay that dividend in respect of each unit to the holders of winning tickets in accordance with the RWWA Regulations.

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- (6) Where a totalisator pool is conducted for a place wager on a race or sporting event and the number of runners or participants listed to start at the expiration of the time set by the totalisator operator for the notification of final scratchings in respect of that race or sporting event is, despite any late scratchings, less than 8 but more than 4, the pool is to be divided into 2 separate and equal parts on behalf of the runners or participants placed first and second only, but the other provisions of subrules (3), (4) and (5) apply subject to that change, a reference to “one-third” being construed as a reference to “one-half”.
- (7) Where the number of runners or participants listed to start at the expiration of the time set by the totalisator operator for the notification of final scratchings in respect of that race or sporting event is, despite any late scratchings, less than 5, the place wager totalisator is not to operate.
- (8) In relation to totalisator pools conducted under this rule —
- (a) to ensure that a dividend can be declared and paid, the totalisator operator may itself invest a one unit win wager and a one unit place wager on every runner or participant that finally starts in each race or sporting event;
 - (b) where 2 or more runners or participants dead heat for first, second or third place, requiring the payment of one or more additional win or place dividends, then the dividends to be declared and paid for the runners or participants forming the dead heat are to be the dividends that, but for that dead heat, would otherwise have been declared and paid for those runners or participants in accordance with these rules divided by the number of runners or participants forming the dead heat; and
 - (c) where, under these rules, the dividend calculated for one unit in respect of a win wager or a place wager is less than 55 cents, the provisions of regulation 31(3) of the RWWA Regulations are to be observed.

17. Totalisator pools – novelty wagers on races

- (1) Subject to these rules, a totalisator operator may make and accept —
- (a) double event wagers;
 - (b) quinella wagers;
 - (c) exacta wagers;
 - (d) tierce wagers;
 - (e) trifecta wagers;
 - (f) quartet wagers;
 - (g) favourite numbers wagers; and
 - (h) quaddie wagers,

in respect of races and, for the purpose of the rules, these wagers are collectively referred to as “**novelty wagers**”.

- (2) For the purposes of these rules —
- (a) in a double event wager, the person making the wager selects a combination of 2 runners, or the same runner twice, on the chance that they or it will be first in each of 2 races nominated by the totalisator operator as the double event;
 - (b) in a quinella wager, the person making the wager selects a combination of 2 runners in the same race on the chance that they will be first and second in that race, irrespective of the order in which they finish;
 - (c) in an exacta wager, the person making the wager selects one runner to be first and another runner to be second in that order in the same race;
 - (d) in a tierce wager, the person making the wager selects a combination of 3 runners in the same race on the chance that they will be first, second and third in that race irrespective of the order in which they finish;

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- (e) in a trifecta wager, the person making the wager selects one runner to be first, another runner to be second, and another runner to be third in that order in the same race;
- (f) in a quartet wager, the person making the wager selects one runner to be first, another runner to be second, another runner to be third, and another runner to be fourth in that order in the same race;
- (g) in a favourite numbers wager, the person making the wager selects a series of numbers on the chance that, subject to rule 20, the races to which those numbers relate will be won by the runner determined under rule 21 to be the off-course favourite for those races (“**successful numbers**”); and
- (h) in a quaddie wager, the person making the wager selects 4 runners, one from each of 4 races nominated by the totalisator operator at a race meeting, on the chance that all 4 runners win their races.

18. Dividends on novelty wagers

- (1) Dividends are to be declared and paid to the holders of winning tickets in accordance with the RWWA Regulations, rule 18A and this rule.
- (2) Before any dividend is calculated or declared on a totalisator pool for any novelty wager, other than a favourite numbers wager or a quaddie wager, the totalisator operator, after allowing for refunds, is to —
 - (a) deduct the prescribed commission from the sum of the wagers included in that totalisator pool;
 - (b) add to the pool, where applicable, any jackpot amount determined in accordance with these rules and any supplementary amount determined in accordance with section 103 of the RWWA Act;

- (c) unless paragraph (d) applies, divide the number of winning units into the amount of the resulting balance; and
 - (d) where 2 or more runners share a sequence of places in a race by reason of a dead heat by those runners and any of these runners has been selected by the holder of a winning ticket to fill any of those places, determine the number of possible combinations that would, had they been selected, have constituted winning units (“**winning combinations**”) and divide that number into the amount of the resulting balance so as to provide equal portions for each winning combination and pay by way of dividend —
 - (i) the portion provided for each respective winning combination that was selected to the holder of the winning wager in which that winning combination was selected; or
 - (ii) if there is more than one winning wager in which a particular winning combination was selected, to the holders of those winning tickets their respective share of that portion after dividing the portion for that winning combination by the number of winning units relating to wagers in which that winning combination was selected.
- (3) Where a totalisator pool is conducted for any kind of novelty wager other than a favourite numbers wager, quaddie wager or trifecta wager —
- (a) if no wager placed in the totalisator pool concerned is a winning wager, the totalisator operator is to deduct the prescribed commission from the sum of the wagers included in the pool and carry forward the balance and add it to the amount invested in a subsequent totalisator pool conducted for the same kind of wager, whether conducted on the same day or another day, as the totalisator operator may determine; and

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- (b) if, in a case to which subrule (2)(d) applies, there is a winning combination that was not selected by any person making a wager placed in the totalisator pool concerned, the totalisator operator is to carry forward the amount of the portion provided for that winning combination and add it to the amount invested in a subsequent totalisator pool conducted for the same kind of wager, whether conducted on the same day or another day, as the totalisator operator may determine.
- (4) Where in a novelty wager, other than a favourite numbers wager or a trifecta wager there are not enough runners officially placed to give a result, the totalisator operator is to refund all wagers in that pool.
- (5) Where a totalisator pool is conducted for a trifecta wager and no wager placed in the totalisator pool is a winning wager, RWWA is to —
 - (a) deduct the prescribed commission from the sum of the wagers included in the totalisator pool; and
 - (b) carry the remaining balance of that pool forward and add it to a totalisator pool conducted for a trifecta wager either on the same day or on a subsequent day.
- (6) Where a totalisator pool is conducted for a trifecta wager and —
 - (a) only 2 placings are declared for that race — a winning wager is to be a selection of the 2 placed runners and any other runner in the race; or
 - (b) only a winner is declared for that race — a winning wager is to be a selection of the winner and any 2 other runners in the race,

but if no selection satisfies paragraph (a) or (b) the totalisator operator is to refund all wagers in that pool.

[Rule 18 amended in Gazette 30 Aug 2005 p. 4055; 18 Sep 2007 p. 4712.]

18A. Trifecta, quaddie and quartet dividends if less than one unit is invested on correct selections

Despite rule 22, where the total of trifecta investments, quartet investments or quaddie investments in respect of which a dividend is to be paid (“winning trifecta combination”, “winning quartet combination” or “winning quaddie combination” as the case may be) is less than one unit —

- (a) only the amount of the trifecta dividend pool, the quartet dividend pool or the quaddie dividend pool determined in accordance with the following formula will be distributed amongst the investors on the winning trifecta combination, winning quartet combination or winning quaddie combination —

$$da = di \times (ai \div ui)$$

where —

- da** is the amount of the trifecta dividend pool, quartet dividend pool or quaddie dividend pool that is to be distributed among the investors on the winning trifecta combination, winning quartet combination or winning quaddie combination;
- di** is the total amount that would be distributed to investors on the winning trifecta combination, winning quartet combination or winning quaddie combination, if the total of trifecta investments, quartet investments or quaddie investments in respect of which a dividend is to be paid was not less than a unit of investment;
- ai** is the total of all trifecta investments, quartet investments or quaddie investments (if any) on the winning trifecta combination, the winning quartet combination or the winning quaddie combination;

ui is the unit of investment for the trifecta, quartet or quaddie;

and

- (b) there is to be transferred to the trifecta jackpot pool, the quartet jackpot pool or the quaddie jackpot pool conducted on the succeeding trifecta event, the succeeding quartet event or the succeeding quaddie an amount calculated in accordance with the following formula —

$$t = di - da$$

where —

t is the amount transferred to the trifecta jackpot pool, quartet jackpot pool or quaddie jackpot pool on the succeeding trifecta event, the succeeding quartet event or the succeeding quaddie;

di has the same meaning as in paragraph (a);

da has the same meaning as in paragraph (a).

[Rule 18A inserted in Gazette 18 Sep 2007 p. 4712-13.]

19. Double event wagers on races

- (1) The totalisator operator may take and accept wagers in respect of any 2 races, conducted on the same day or on different days, nominated by the totalisator operator to comprise a double event.
- (2) Where the 2 races are conducted on the same day and a runner selected for the double event by the person making the wager fails to start, the totalisator operator is to substitute for the runner selected the off-course favourite for that race, determined under rule 21, and the person making the wager is to be taken to have selected the runner or runners so substituted unless the person has obtained a refund of the amount of the wager by surrendering the ticket issued prior to the closing time fixed for the acceptance of wagers on that double event.

- (3) Where the first race of a double event has already been run and the race that would have comprised the second race of that double event is abandoned, the totalisator operator is to deduct the prescribed commission from the wagers included in the totalisator pool for that double event and pay a dividend, or carry forward the resulting balance, in accordance with these rules, as if each wager in which the runner that won the first race of the double event was nominated to win that race was a winning wager.
- (4) Despite subrule (2), an investor may, when making the selections for a double event wager, select the substitute as described in subrule (2) for one of, or both of, the races on which the wager is made.

20. Favourite numbers wagers

- (1) The totalisator operator is to determine the races to which the available participating numbers on a favourite numbers wager relate by random selection from races —
 - (a) on which the totalisator operator intends to operate in respect of the favourite numbers totalisator pool concerned; and
 - (b) which are to be run after the time advertised by the totalisator operator as being the closing time for the receipt of wagers for that totalisator pool.
- (2) Having determined the races referred to in subrule (1) the totalisator operator is to —
 - (a) at the same time determine which other races are to be substituted should all or any of these races be abandoned or postponed from one day to another; and
 - (b) by notices exhibited in totalisator agencies or by announcements made, specify the number of successful numbers (within the meaning of rule 17(2)(g)) required to be selected in a favourite numbers wager in order to constitute a winning wager.

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- (3) If one of the runners participating in a dead heat is the off-course favourite in the race concerned and that race is one to which a favourite numbers wager relates, that race is to be taken for the purpose of this rule to have been won by that off-course favourite.
- (4) Where a totalisator pool is conducted in respect of favourite numbers wagers, the totalisator operator, after allowing for refunds, is to —
 - (a) deduct the prescribed commission from the sum of the wagers included in the pool;
 - (b) add to the pool, where applicable, any supplementary amount determined in accordance with section 103 of the RWWA Act together with any amount carried forward in accordance with subrule (5); and
 - (c) divide the number of winning units into the amount of the resulting balance, and declare and pay that dividend in respect of each unit to the holder of each winning ticket in accordance with the RWWA Regulations.
- (5) If no favourite numbers wager placed in the totalisator pool concerned is a winning wager, the totalisator operator is to carry forward 50% of the resulting balance and add it to the amount invested in a subsequent totalisator pool conducted for the same kind of favourite numbers wagers as that in respect of which no wager on the winning combination was made.
- (6) The totalisator operator is to, after carrying forward 50% of the resulting balance in accordance with subrule (5), divide the remaining 50% of the resulting balance by the number of tickets in which were selected a number of successful numbers which is one less than the number required under subrule (2)(b) and declare and pay a dividend based on that reduced requirement.
- (7) If there are no wagers nominating the required number of successful numbers as reduced under subrule (6) the totalisator operator is to progressively reduce by one the number of successful numbers required for the purpose of determining

which wagers are winning wagers until the totalisator operator is able to declare and pay a dividend.

- (8) If after the operation of subrule (7) the number of successful numbers required is reduced to one and no wager is a winning wager, the remaining 50 % of the resulting balance is to be carried forward in accordance with subrule (5).

21. Determination of the totalisator favourite

- (1) For the purposes of rules 19, 20 and 22, where a runner starts in a race it is to be taken to be the totalisator favourite for the race if there has been invested on that runner by way of win wagers a greater amount than is so invested on any other runner starting in that race, the amounts of the respective investments being determined —
- (a) in respect of a pool not operated under a combined pool scheme —
 - (i) where any win wagers received by an on-course totalisator on a particular race are transmitted to RWWA for inclusion in the RWWA pool for win wagers on that race — by reference to the total amount of win wagers recorded; and
 - (ii) in any other case — by reference to the win wagers accepted by RWWA;
 - and
 - (b) in respect of pools operated under a combined pool scheme — in accordance with the rules of that combined pool scheme adopted under section 59(4) of the RWWA Act governing the determination of the totalisator favourite or substitute.
- (2) If in a race there have been invested on 2 or more runners equal win wager amounts, each of which is greater than the amount so invested on any other runner starting in the race, the totalisator favourite is to be taken to be whichever of those equally backed

runners has assigned to it the lowest number in the list of starters exhibited by the totalisator operator for the race.

22. Quaddie wagers

- (1) In a quaddie wager, the totalisator operator is to —
 - (a) nominate the races (if any) at that race meeting on which it intends to offer quaddie wagers; and
 - (b) announce the proposed method of alternate payment it intends to employ under subrule (9) should it be necessary.
- (2) If a runner selected by an investor as part of a quaddie wager fails to start, and that investor has not obtained a refund of the amount of that wager in accordance with the regulation 43 of the RWWA Regulations, the totalisator favourite (determined under rule 21) will be substituted for the non-starting runner in relation to that quaddie wager.
- (3) Subject to subrule (4) where a race nominated as being a race on which a quaddie wager is offered is —
 - (a) cancelled;
 - (b) postponed so that it takes place in other than the order of the races as nominated by the totalisator operator;
 - (c) abandoned; or
 - (d) declared a “no race”,all selections in that race in a quaddie wager are winners for that particular race.
- (4) Where all 4 races nominated as being races at a particular race meeting on which a quaddie wager is offered are —
 - (a) cancelled;
 - (b) postponed from one day to another;
 - (c) abandoned;
 - (d) declared a “no race”; or

- (e) any combination of paragraphs (a) to (d),
all quaddie wagers on that group of races are to be refunded to the ticket holders.
- (5) Before a dividend is calculated or declared on a totalisator pool for a quaddie wager, the totalisator operator, after allowing for refunds, is to deduct the prescribed commission from the sum of the wagers included in that pool.
- (6) After deducting the prescribed commission, the totalisator operator is to divide the number of winning units into the amount of the resulting pool balance and declare and pay that dividend in respect of each unit to the holders of winning tickets in accordance with the RWWA Regulations.
- (7) If 2 or more runners place first in a nominated race due to a dead heat, the totalisator operator is to determine the winning quaddie combinations using each of the first placed runners, divide the number of winning units into the amount of the pool balance and declare and pay that dividend in respect of each unit to the holders of winning tickets in accordance with the RWWA Regulations.
- (8) If a combination of dead heats, or triple dead heats, occurs, and the number of winning quaddie combinations for a nominated group of races could be 8 or more, the first race with the result that giving rise to 8 or more combinations, and any subsequent race in that nominated group, is to be disregarded when calculating the winning quaddie combinations for that race meeting.
- (9) If there are no winning wagers on a particular group of races nominated as being the 4 races on which quaddie wagers are taken, the totalisator operator is to deduct the prescribed commission from the sum of the wagers included in the pool, and may —

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- (a) carry the remaining balance of that pool forward and add it to a totalisator pool conducted for a quaddie wager either on the same day, or a subsequent day; or
- (b) pay that balance out to an alternate winning combination (calculated under subrule (10)),

as the totalisator operator determines from time to time.

- (10) Alternate winning quaddie combinations are to be arrived at using the following progression of winning runners (and taking into account any dead heats) until the totalisator operator is able to declare and pay a dividend —
- (a) first, the winning runners in the first 3 races, and the second placed runner in the fourth race;
 - (b) second, the winning runners in the first 3 races, and the third placed runner in the fourth race;
 - (c) third, the winning runners in the first 3 races, and any runner in the fourth race;
 - (d) fourth, the winning runners in the first 2 races, the second placed runner in the third race and any runner in the fourth race; and
 - (e) fifth, the winning runners in the first 2 races, the third placed runner in the third race and any runner in the fourth race,

but if none of those combinations results in a winning wager, the totalisator operator is to replace the prescribed commission into the totalisator pool, and refund all quaddie wagers made in respect of that particular group of 4 nominated races.

22A. Flexi Bets

- (1) A Flexi Bet is available on a trifecta wager, a quaddie wager or a quartet wager.
- (2) The amount wagered on each combination covered by a Flexi Bet is determined by dividing the total amount of the Flexi Bet by the number of combinations covered by the Flexi Bet (with

any fractions rounded down to the nearest ten thousandth of a cent — i.e. rounded down to 4 decimal places).

- (3) Any amount resulting from rounding down a Flexi Bet under subrule (2) forms a part of the investment pool of the relevant totalisator upon which the Flexi Bet is made.
- (4) The minimum amount that may be wagered on a totalisator in a single Flexi Bet is as follows —
 - (a) where the wager is placed through a retail agency — 50 cents or 1%, whichever is the greater, and that minimum amount must be, or rounded up to be, a multiple of 50 cents;
 - (b) where the wager is placed through a call centre — 50 cents or 1%, whichever is the greater, and that minimum amount must be, or rounded up to be, a multiple of 50 cents;
 - (c) where the wager is placed using the internet using the “Easy Bet” system — 50 cents or 1%, whichever is the greater, and that minimum amount must be, or rounded up to be, a multiple of 50 cents;
 - (d) where the wager is placed using the internet using the “Expert Bet” system — 1 cent or 1%, whichever is the greater.
- (5) The percentage of a wager in subrule (4) is to be based upon the amount that would be invested if all combinations of the Flexi Bet were to be covered using a unit wager per combination.

[Rule 22A inserted in Gazette 18 Sep 2007 p. 4713-14.]

23. Totalisator pools – sporting events

- (1) For the purposes of paragraph (c) of the definition of “sporting event” in section 3 of the RWWA Act, an event in the Table to this subrule is prescribed as a sporting event.

Table

Any game of soccer or series of games of soccer.

- (2) In addition to the sporting events prescribed in subrule (1), the totalisator operator may conduct totalisator wagering on —
- (a) the results of other forms of sporting events;
 - (b) the results of combinations of sporting events;
 - (c) the performances of particular teams within sporting events; and
 - (d) individual performances within sporting events.

24. Novelty wagers on sporting events generally

For the purposes of these rules so far as they relate to wagering on sporting events —

- (a) the types of wagers set out in the Table to this rule are prescribed as novelty wagers for sporting events; and
- (b) each of the designations associated with the types of wagers set out in the Table is a prescribed designation in relation to the method of wagering described.

Table

footy tipping wager means the nomination of an amount of a wager, and the prediction that the results of each Australian Rules Football fixture, in a predetermined pool of matches will in total result in —

- (a) an overall win to the participant designated as the “home team”; or
- (b) an overall win to the participant designated as the “away team”;

sports tipping wager means the nomination of an amount of a wager, and the prediction that the results of each event, in a predetermined pool of sporting events, not being an Australian Rules Football fixture, will in total result in —

- (a) an overall win to the participant designated as the “home team”;
- (b) an overall win to the participant designated as the “away team”; or
- (c) a draw;

footo, and its variations, means the method of wagering described in rule 27.

25. Footing tipping wagers and sports tipping wagers

- (1) This rule applies in relation to any totalisator pool conducted by the totalisator operator in respect of footy tipping wagers or sports tipping wagers.
- (2) In this rule —
 - game pool* means a collection of fixtures or events determined by the totalisator operator under regulation 64 of the RWWA Regulations as comprising a pool of games;
 - secondary winning wager* in relation to a totalisator pool in which there is no winning wager, means a wager that nominates the highest number of correct results of matches in the relevant game pool;
 - winning wager* means a wager with the results of every match in the game pool correctly nominated on it.
- (3) Where a totalisator pool is conducted in respect of footy tipping wagers or sports tipping wagers, the totalisator operator, after allowing for refunds, is to —
 - (a) deduct the prescribed commission from the sum of the wagers included in the pool;
 - (b) add any jackpot under subrule (4)(a) or any supplementary amount determined in accordance with section 103 of the RWWA Act; and
 - (c) divide the number of winning units into the amount of the resulting balance, and declare and pay that dividend in respect of each unit to the holder of each winning ticket.

- (4) If no footy tipping wager or sports tipping wager placed in the totalisator pool concerned is a winning wager (including where the totalisator pool was in respect of footy tipping wagers and one or more of the matches in the game pool resulted in a tie), the totalisator operator is to —
- (a) carry forward 80% of the resulting balance and add it to the amount invested in a subsequent totalisator pool conducted for the same kind of footy tipping wagers or sports tipping wagers as that in respect of which no winning wager was made; and
 - (b) divide the remaining 20% of the resulting balance by the number of secondary winning wagers and declare and pay a dividend in respect of each unit to the holder of each of those tickets.

26. Wagers on Australian Rules Football

- (1) The totalisator operator may make and accept wagers on Australian Rules Football in accordance with these rules.
- (2) For the purposes of wagering on Australian Rules Football —
 - (a) a score of more than 999 will be taken to be a score of 999; and
 - (b) a score of zero will be taken to be a score of one.
- (3) The totalisator operator may accept the following types of wagers on Australian Rules Football —
 - (a) footo wagers; and
 - (b) footy tipping wagers.
- (4) In addition to the types of wagers in subrule (3), a totalisator operator may accept the following types of wagers on Australian Rules Football —
 - (a) wagers on the first goal scorer of a selected match or series of matches;
 - (b) wagers on the points scored in the first quarter of a selected match or group of matches;

- (c) wagers on the points scored in the second quarter of a selected match or group of matches;
- (d) wagers on the points scored in the third quarter of a selected match or group of matches;
- (e) wagers on the points scored in the final quarter of a selected match or group of matches; and
- (f) wagers on the final score of a selected match or group of matches.

27. Footo wagers

- (1) For a Footo wager, the investor making the wager nominates —
 - (a) the selected team, on the chance that it will be the winning team or the that match will be a draw; and
 - (b) the winning margin, in a match to be played in a competition to which a totalisator pool relates.
- (2) The winning margin may be selected —
 - (a) as a draw, where a draw is an outcome permitted under the rules governing the conduct of a particular match;
 - (b) from one or more score ranges within brackets of 3 numbers determined by the totalisator operator; or
 - (c) as a greater score range, any selection for a draw or for a greater score range being taken to be a bracket, and each bracket being a separate wager, but all the brackets selected being required to be consecutive.
- (3) Where a match is selected, but the match is cancelled, not determined by running its full course, or postponed from one day to another, then all wagers made in respect of that match are to be refunded by the totalisator operator.
- (4) Despite subrule (3) where there is a result for the first half of a match, the totalisator operator may declare and pay a dividend in respect of each unit to the holder of each winning ticket in the totalisator pool concerned.

28. Wagers on cricket

- (1) The totalisator operator may make and accept wagers on cricket in accordance with these rules.
- (2) For the purposes of this rule —
 - draw* includes a match or innings in which there is no result because the match or innings is unfinished at the cessation of play for the match;
 - runs* (scored by individuals) do not include sundries, extras or other like matters;
 - runs* (scored by teams) includes sundries, extras and other like matters;
 - tie* means a match or innings in which both teams score the same number of runs and for which the rules make no other provision for determining the winning team.
- (3) A totalisator operator may accept win wagers on cricket.
- (4) In addition to win wagers, a totalisator operator may accept the following types of wagers on cricket —
 - (a) wagers on the most wickets taken by a player in a selected match or group of matches;
 - (b) wagers on the most runs scored by a player in a selected match or group of matches;
 - (c) wagers on the highest score that will be achieved by a player in a selected match or group of matches.
- (5) Where —
 - (a) there is no result for a match or there is a first innings draw, all of the amounts of wagers made in respect of that match and innings is to be refunded by the totalisator operator; or
 - (b) there is a result for the first innings of a match, but the final result of the match is a draw, the dividend in respect of wagers made on the final score will be determined as if the result were a tie.

- (6) Where a match is selected, but the match is cancelled, or postponed from one day to another, then all amounts of wagers made in respect of that match are to be refunded by the totalisator operator.

29. Wagers on soccer

- (1) The totalisator operator may make and accept wagers on soccer in accordance with these rules.
- (2) The totalisator operator may accept the following types of wagers on soccer —
- (a) win wagers; and
 - (b) sports tipping wagers.

Part 4 — Conduct of bookmaker wagering generally

30. Application

In this Part, unless the context otherwise requires —

- (a) a reference to a runner includes a reference to a participant;
- (b) a reference to a race or a race meeting includes a reference to a sporting event;
- (c) a reference to a racing club includes a reference to a sporting organisation conducting a designated sporting event under section 4A of the *Betting Control Act 1954*; and
- (d) a reference to racecourse includes a reference to a sporting venue at which a designated sporting event is being conducted under section 4A of the *Betting Control Act 1954*.

31. Bookmakers, bookmaker's managers and bookmaker employees to be licensed

- (1) In accordance with section 12 of the *Betting Control Act 1954* no person is entitled to operate as a bookmaker, bookmaker's manager or bookmaker's employee at a racecourse without a licence issued by the Commission and a permit issued by the committee or other authority controlling the racecourse.
- (2) The holder of a licence referred to in subrule (1) is, on demand, required to produce the original of that licence to a steward, a member of, or person authorised by, the Commission, or a person authorised by the racing club.

32. Bookmakers to operate in accordance with permit issued by racing club

A bookmaker conducting wagering at a racecourse is to do so in accordance with a permit issued by the committee or other authority controlling the racecourse in accordance with section

12 of the *Betting Control Act 1954* and may not vary the mode of wagering being conducted under such a permit without first gaining the approval of the committee or other authority controlling the racecourse.

33. Bookmaker's agents and substitutes

- (1) In accordance with section 12(4) of the *Betting Control Act 1954*, a steward supervising wagering at a racecourse may permit a bookmaker who is a natural person to use a licensed manager or a licensed employee, being a manager or employee specifically nominated to and approved by that steward for that purpose —
 - (a) as substitute bookmaker on behalf of the bookmaker where that bookmaker is absent on account of sickness, leave or other circumstances acceptable to that authority;
 - (b) as the agent of that bookmaker to operate a second stand, or in another approved area, on behalf of that bookmaker at that race course, either generally or on a particular occasion, whether or not paragraph (a) applies; or
 - (c) as the agent of that bookmaker, to operate on behalf of that bookmaker at that race course notwithstanding the absence of the bookmaker, in the event of there otherwise being, in the opinion of that authority, insufficient bookmakers to meet public demand.
- (2) In accordance with section 12(4)(a) of the *Betting Control Act 1954*, a steward supervising wagering at a racecourse may permit a licensed manager who is carrying on the business of a bookmaker that is a partnership or a body corporate to use a licensed employee, being an employee specifically nominated to and approved by that steward for that purpose —
 - (a) to act as a licensed manager of the partnership or body corporate where the manager is absent on account of sickness, leave or other circumstances acceptable to that authority;

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- (b) as the agent of the partnership or body corporate to operate a second stand, or in another approved area, on behalf of that partnership or body corporate at that race course, either generally or on a particular occasion, whether or not paragraph (a) applies;
- (c) as the agent of the partnership or body corporate, to operate on behalf of that partnership or body corporate at that race course notwithstanding the absence of the licensed manager, in the event of there otherwise being, in the opinion of that authority, insufficient bookmakers to meet public demand; or
- (d) as the agent of the partnership or body corporate, in circumstances approved by the Commission.

34. Temporary bookmaker's employee licence

- (1) The steward supervising the conduct of wagering at a racecourse may, under section 12A of the *Betting Control Act 1954*, approve the issue of a temporary bookmaker's employee licence.
- (2) A bookmaker may apply under section 12A(1a) of the *Betting Control Act 1954*, in a form approved by the Commission, to a steward for a temporary bookmaker's employee's licence to be granted to a person nominated by the bookmaker in respect of a day on which a bookmaker may conduct wagering on the race course.
- (3) A steward to whom an application referred to in subrule (1) or (2) is made may, under section 12A(2) of the *Betting Control Act 1954* —
 - (a) if that steward is satisfied that the applicant —
 - (i) has no licensed employees, or insufficient licensed employees, to enable the applicant to conduct the applicant's business at the race course on the day in question; and

- (ii) has taken all reasonable steps to obtain the services of a licensed employee or an additional licensed employee, but to no avail, grant the temporary licence applied for, subject to such terms and conditions as that steward imposes on that temporary licence; or

- (b) refuse the application,

but may before doing so require the applicant to furnish to that steward such information additional to that provided in a form approved by the Commission as appears to that steward to be necessary for the proper consideration of the application.

- (4) In making a decision referred to in subrule (3), a steward is to apply such principles as are from time to time communicated to racing clubs by the Commission for the purposes of this rule.
- (5) A steward is not required to specify any reason for a refusal made by the steward.
- (6) A steward who has granted one or more temporary licences is required under section 12A(5a) of the *Betting Control Act 1954*, within 3 days of the approval to communicate to the Commission the details of the applications for those temporary licences, and of the persons to whom those temporary licences have been granted.
- (7) A temporary licence remains current until the conclusion of the day in respect of which it was granted.
- (8) A person to whom a temporary licence is granted is to be taken to be the holder of a bookmaker's employee's licence in relation to the day to which the temporary licence relates.

35. Supervision of wagering by bookmakers

- (1) In accordance with section 50(1)(a) of the RWWA Act, the conduct of wagering by or with a bookmaker at a racecourse is to be supervised by the steward in control of the race meeting

being held at that racecourse, or otherwise appointed by RWWA to supervise the conduct of wagering at that racecourse.

- (2) Where, in the opinion of the steward supervising the conduct of wagering at a racecourse, a bookmaker is operating in contravention of these rules and, on being directed to comply by the steward refuses to obey such a direction, the steward may direct the bookmaker to cease accepting wagers —
- (a) for the remainder of the race meeting at which the bookmaker is operating; or
 - (b) until such time as the bookmaker complies with the direction to comply with the requirements of these rules.

36. Duty to report non-compliance

It is the duty of a bookmaker operating at a racecourse to report any instances of non-compliance with these rules or the laws governing the conduct of wagering by bookmakers to the steward supervising the conduct of wagering at the racecourse.

37. Record of wagering transactions

- (1) A bookmaker conducting wagering at a racecourse is to, in respect of each race meeting on which the bookmaker is conducting wagering, establish and maintain a written or electronic record showing the following information —
- (a) the name of the bookmaker;
 - (b) the name of the racecourse;
 - (c) the date of the race meeting;
 - (d) where appropriate, the race number;
 - (e) the number of the ticket;
 - (f) the name of the runner, or the nature of the event or contingency, on which the wager is made;
 - (g) the kind of wager made, in sufficient detail to identify the wager;

- (h) the amount of the wager and the odds at which it was made;
 - (i) where the wager is not made for cash, the name of the person with whom the wager is made;
 - (j) where the wager is on a sporting event, such other particulars as are specified in an approval under section 4B of the *Betting Control Act 1954* approving the conduct of wagering; and
 - (k) where the wager is conducted on a race course, such other particulars as may be specified in a permit issued by a racing club under section 12 of the *Betting Control Act 1954*.
- (2) The details of the amount of the wager may be shown as follows —
- (a) the stake wagered by the investor and the odds at which the wager is made is to be recorded, and if win and place wagers 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 wager for a win is made, is to be recorded; or
 - (b) the sum of the amount wagered by the investor and the amount wagered by the bookmaker is to be recorded, and if the wager is an each way wagers in respect of one runner backed comprise an each way wager recorded on the one ticket, 2 amounts is to be shown, each being the sum of the amount backed and the amount wagered by the bookmaker in relation to the win component and the place component.
- (3) With the approval of the Commission, a bookmaker may use a computer to facilitate the recording of wagers.
- (4) Where approval is granted under subrule (3) the record is to be made —
- (a) using a computer approved by the Commission; and

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- (b) in a format which shows the information required by subrule (1) or a different format specifically approved by the Commission.
- (5) Except where approval is granted under subrule (3) the record is to —
 - (a) be made using a book of forms provided by the Commission; and
 - (b) show the information required by subrule (1) or otherwise specifically approved by the Commission.
- (6) At the conclusion of each race meeting or as otherwise determined by the stewards, a bookmaker is to supply in writing on the form approved by the Commission to the stewards full particulars of unpaid winning wagers.

38. Tickets

- (1) A bookmaker conducting wagering at a racecourse is to ensure that the tickets used in the carrying on of that bookmaker's business are in a form approved by the Commission and have printed (not stamped or written) on the ticket the bookmaker's name and the name of the controlling authority by which that bookmaker is licensed.
- (2) The tickets referred to in subrule (1) are to —
 - (a) bear consecutive numbers;
 - (b) be issued in consecutive order;
 - (c) when issued in respect of a wager, be cancelled by writing across the face or otherwise defacing the ticket in such a manner as to prevent re-use;
 - (d) comply in all other respects with the requirements of the RWVA Act and RWVA Regulations concerning the recording of wagers.

39. Betting stands

A bookmaker conducting wagering at a racecourse is to —

- (a) conduct such wagering from a betting stand in the betting ring or other specified position allotted by the committee or other authority controlling the racecourse, or otherwise by the steward supervising the conduct of wagering at the racecourse;
- (b) display the name of the bookmaker on the stand or other specified position in accordance with regulation 59 of the RWWA Regulations;
- (c) permit only the bookmaker, the bookmaker's manager or a licensed employee to be present upon the betting stand of that bookmaker; and
- (d) be present on the bookmaker's stand at least 30 minutes prior to the advertised starting time of the first race of the race meeting being conducted at the racecourse at which the bookmaker is operating and remain on the stand until at least 15 minutes after the declaration of correct weight for the last race of that race meeting.

40. Betting boards, charts etc.

A bookmaker, or bookmaker's manager, conducting wagering at a racecourse —

- (a) is to ensure that any betting board, chart, sign or other notice displays —
 - (i) the name of that bookmaker and (where relevant) the name of the bookmaker's manager;
 - (ii) the names of runners, or participants or contingencies on which wagering is approved; and
 - (iii) the dividends the bookmaker is prepared to pay in respect of winning wagers,

in accordance with these rules and the requirements of the stewards supervising the conduct of wagering at the racecourse;

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- (b) is to display a betting board, chart, sign or other notice listing 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 participant and a description of each contingency on which wagering is approved;
- (c) is to exhibit the dividends first offered by that bookmaker on each runner engaged in each race at least 20 minutes, or such other period as may be specified by the committee or other authority controlling the racecourse, or otherwise by the steward supervising the conduct of wagering at the racecourse, 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;
- (d) is not to remove from the bookmaker's betting board chart, sign or other notice the names of any runners running in a race or the dividends the bookmaker is prepared to wager on those runners until the race has commenced;
- (e) is not to omit from a betting board, chart sign or other notice maintained and displayed by the bookmaker the name of, or dividends offered for any runner which has been accepted to run in a race on which the bookmaker is conducting wagering; and
- (f) is not to make or accept or offer to make or accept a wager on any runner which is not at that time included in the official list.

41. Betting turnover returns

A bookmaker conducting wagering at a race meeting is to ensure that the betting return required to be completed in accordance with sections 14, 15 and 16 of the *Betting Control Act 1954*, together with the betting levy payable in respect of the return, is lodged with the host racing club within 7 days of the race meeting.

42. Collection of wagering sheets

A bookmaker conducting wagering at a racecourse is to, in accordance with section 15(3) of the *Betting Control Act 1954*, cause to be delivered to a person authorised by the racing club to receive it on behalf of the club, the duplicate record of the particulars of the bookmaker's wagers in respect of —

- (a) each race held at a race meeting conducted by that club, before the conclusion of that race as soon as may be practicable after its commencement;
- (b) each race held or to be held otherwise than at that race course and during the race meeting conducted by that club at which the wager was made, at the conclusion of the race meeting at which the wager was made; and
- (c) each race held or to be held otherwise than at that race course and on a day other than a day on which a race meeting is conducted at the race course, at the conclusion of the race meeting in respect of which the wager was made.

43. Minimum wager obligations

- (1) A bookmaker conducting wagering at a racecourse and offering odds against a runner is required to accept a wager on that runner at such odds if requested by an investor, except that the bookmaker is not to be required to accept a wager on which the bookmaker stands to lose more than the amount determined by the committee or other authority controlling the racecourse at which the bookmaker is conducting wagering as a condition of a permit issued under section 12 of the *Betting Control Act 1954*.
- (2) Where in relation to subrule (1) no amount has been determined, the following minimum wager obligations apply —
 - (a) in relation to a wager on a runner in a greyhound race requested —
 - (i) more than 3 minutes prior to the scheduled time of the race — more than \$600; and

- (ii) within 3 minutes prior to the scheduled time of the race — more than \$300;
- (b) in relation to a wager on a runner in a thoroughbred race —
 - (i) held at a metropolitan race meeting classified as a prime meeting, where the bookmaker is operating in the Local Ring — more than \$2 500; and
 - [(ii) *deleted*]
 - (iii) held at a metropolitan race meeting classified as a prime meeting, where the bookmaker is operating in the interstate ring — more than \$2 500; and
 - (iv) held at a metropolitan race meeting classified as a midweek meeting — more than \$2 500; and
 - (v) held at racecourses located at Albany, Bunbury, Geraldton, Kalgoorlie, Mt. Barker, Northam, Pinjarra and York — more than \$1 500; and
 - (vi) held at racecourses located at Broome, Carnarvon, Collie, Derby, Dongara, Esperance, Exmouth, Kununurra, Marble Bar, Mingenew, Moora, Narrogin, Norseman, Port Hedland, Roebourne and Wyndham — more than \$1 000; and
 - (vii) held at any other racecourse or where the bookmaker is operating in the silver ring of a racecourse in the metropolitan — more than \$500;
- (c) in relation to a wager on a runner in a harness race —
 - (i) that is a metropolitan front race meeting — more than \$2 000 at a time before horses enter onto the track for the race and more than \$1 000 once the horses have entered onto the track; and

- (ii) that is a country front race meeting held at a metropolitan racecourse — more than \$1 000 at a time before horses enter onto the track and more than \$500 once the horses have entered onto the track; and
- (iii) held at racecourses located at Pinjarra, Bunbury, Harvey and Northam — more than \$1 000 at a time before horses enter onto the track, reducing to \$300 once the horses have entered onto the track; and
- (iv) held at any other racecourse — more than \$500 at a time before horses enter onto the track and more than \$200 once the horses have entered onto the track,

provided that, on application by the bookmaker to the steward supervising the conduct of wagering at the racecourse prior to the commencement of wagering, the steward may grant the bookmaker exemption from the operation of the limits under this rule.

- (3) A bookmaker conducting wagering on sporting events or contingencies on any metropolitan racecourse need not accept any wager to lose more than \$2 500 and on any other racecourse need not accept any wager to lose more than \$1 500.
- (4) Despite subrules (1), (2) and (3), a bookmaker may refuse any wager requested by an investor on credit.

[Rule 43 amended in Gazette 20 Jul 2007 p. 3630.]

44. Wagers with other bookmakers

- (1) A bookmaker is not compelled to accept a wager from another bookmaker, or from any person on behalf of a bookmaker.
- (2) Where a bookmaker or a person on behalf of a bookmaker makes a wager on a runner for the purpose of reducing the bookmaker's liability for wagers already accepted by the

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bookmaker on that particular runner, the wager is to be regarded as a “bet back”.

- (3) Where a wager is made by or on behalf of a bookmaker with another bookmaker —
 - (a) the bookmaker receiving the wager is to record the name of the bookmaker making the wager, or on whose behalf the wager is made, alongside the record of the wager whether or not the wager is made in cash; and
 - (b) if the wager is a “bet back”, the bookmaker who makes the wager or on whose behalf the wager is made is to record —
 - (i) the details of the wager;
 - (ii) the wager as a “bet back”; and
 - (iii) the number of the betting ticket.
- (4) Where a wager 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 wager or on whose behalf the wager is made is to record the transaction as a “bet back” on the totalisator and is to retain the ticket or tickets of all losing bets back for a period of one month.
- (5) 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 wagers the bookmaker has received for the race or race meeting to which the wager relates or from the total of any other races or race meetings on which the bookmaker has accepted wagers.

45. Telephone wagering

- (1) Subject to subrule (2), a bookmaker conducting wagering on a racecourse may, if authorised by the Commission and by the committee or other authority controlling the racecourse, negotiate and accept wagers communicated to the bookmaker by telephone by an investor located other than on the racecourse at which the bookmaker is operating, in accordance with the

procedures established by the Commission for the conduct of such wagering.

- (2) A bookmaker is not to accept a wager, other than a wager on a sporting event, by telephone where the wager relates to a runner in a race being conducted at a racecourse elsewhere in Western Australia, unless the committee or other authority conducting that other race so permits.
- (3) For the purposes of subrule (1) the Commission has established and approved the following procedures —
 - (a) the telephone system to be used is to be of a type approved by the Commission;
 - (b) all inward and outward telephone lines used for wagering purposes are to have attached securable voice logging equipment of a type approved by the Commission;
 - (c) consent (by internationally recognised protocols) to the voice logging of the wagering transactions is to be obtained from all telephone investors;
 - (d) all wagering transactions by telephone are to be recorded through the voice logging equipment;
 - (e) the full details of each wager received, including the ticket number (if it is available) and account number, are to be confirmed with the investor by the bookmaker, or an employee of the bookmaker, before the conclusion of the telephone conversation;
 - (f) tapes, when used to record wagering transactions, are to be maintained under the control of the stewards for inspection or audit by authorised officers within the meaning of the *Gaming and Wagering Commission Act 1987*; and
 - (g) access to the voice logging equipment is to be restricted to stewards, and authorised officers within the meaning of the *Gaming and Wagering Commission Act 1987*.

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- (4) The details of all wagers received by telephone are to be separately recorded and included in the returns to be delivered under the *Betting Control Act 1954*.
- (5) A failure to confirm the details of a telephone wager in the manner required by the procedures established by the Commission does not invalidate the wager.
- (6) Should a bookmaker need to use any telephone other than an authorised telephone during the course of a meeting, the bookmaker is to first obtain the permission of the stewards to do so.
- (7) Each bookmaker authorised to conduct telephone wagering is to submit to the stewards a list of telephone wagering clients showing each client's full name and identification code where used. Such list is to be updated as required by the stewards.
- (8) A bookmaker authorised to conduct telephone wagering may only do so from the bookmaker's betting stand.
- (9) Each telephone wager is to be identified as such in the bookmaker's wagering ledger.
- (10) A bookmaker may provide fluctuations in wagering about a runner on request from an investor as well as relevant official information, i.e. track rating, scratching, riding changes or wagering deductions.
- (11) No bookmaker may accept a telephone wager from any person other than the account holder without written authorisation from the account holder
- (12) No bookmaker may quote a dividend about a runner that is less than the dividend displayed on the bookmaker's board at the time of the telephone call.
- (13) On —
 - (a) demonstrating a need for a bet back facility off-course;
and

- (b) supplying to the Commission a list of bookmakers with whom bets back will be made,

a bookmaker may be granted permission to use an approved telephone for the purpose of a bet back facility off-course.

- (14) At the conclusion of each race meeting or as otherwise determined by the stewards, the bookmaker is to deliver to the stewards a complete and accurate record of all telephone wagers on a form approved by the stewards.

46. Internet wagering

- (1) Subject to subrule (2), a bookmaker conducting wagering on a racecourse may, if authorised by the Commission and by the committee or other authority controlling the racecourse, negotiate and accept wagers communicated to the bookmaker by internet by an investor located other than on the racecourse at which the bookmaker is operating, in accordance with the procedures established by the Commission for the conduct of such wagering.
- (2) A bookmaker is not to accept a wager, other than a wager on a sporting event, via the internet where the wager relates to a runner in a race being conducted at a racecourse elsewhere in Western Australia, unless the committee or other authority conducting that other race so permits.
- (3) Any racing or wagering information or advertising published or otherwise provided as part of or in association with the internet wagering service provided by a bookmaker authorised to conduct wagering via the internet, is not to contravene the laws of any other State or territory of Australia.
- (4) For the purposes of subrule (1) the Commission has established and approved the following procedures —
 - (a) any internet wagering system is to be developed in accordance with the Commission's specifications.

- (b) an internet wagering system is not to be used unless it is first audited and approved by the Commission;
- (c) an approved internet wagering system is not to be modified or changed unless consent for the specific modification or change is obtained from the Commission;
- (d) any internet wagering using an approved internet wagering system is to be conducted in accordance with any further conditions that are imposed by the Commission, as part of the licence endorsement, under regulation 14 of the *Betting Control Regulations 1976*;
- (e) an internet wager using an approved internet wagering system is to be confirmed in a manner, and within a time, approved by the Commission;
- (f) an internet wagering ticket —
 - (i) may be written in such a form; and
 - (ii) is to be delivered (or not delivered) in a manner, approved by the Commission;
- (g) no wager received via the internet is to be accepted without payment of the full amount of the wager at the time the wager is made;
- (h) internet wagering to be conducted on an account basis only, with the account to be subject to PIN or password protection. Credit cards may only be used to transfer money into an account;
- (i) the bookmaker is to observe the requirements of the *Financial Transactions Reports Act 1995*;
- (j) the bookmaker is required to obtain a hard copy registration form, including an age declaration, from each wagering client who is an Australian resident. Prior to the registration form being received, a wagering account may be activated upon verifying the client is 18 years of age or older by —
 - (i) an electoral roll check; or

- (ii) where the account holder is not entered on the electoral roll, obtaining a copy of a document that includes evidence of the client's age.
 - (k) in respect of persons from overseas an electronic registration form is acceptable. However, a copy of a document attesting to the client's age is to be obtained prior to an account being activated;
 - (l) prominent warnings in relation to the prohibition of underage wagering at both the registration stage and on the on-line wagering facility are to be displayed;
 - (m) the client registration procedure for internet wagering is to include a voluntary pre-commitment facility where clients are able to indicate the maximum individual wager they are to be permitted to make and the maximum amount they may be permitted to deposit into their account in any one month and at least a 7 day period is to elapse before any increase to the designated limits can come into effect;
 - (n) links to both the Commission's site and a problem gambling support service site are to be provided;
 - (o) a duplicate copy of the wager confirmation message is to be transmitted to the relevant racecourse controlling authority in respect of each internet wager accepted, or alternatively, the committee or other body controlling the racecourse is to be provided with real time on-line system access.
- (5) A failure to confirm the details of an internet wager in the manner required by the procedures established by the Commission does not invalidate the wager.
- (6) The details of all internet wagers received are to be separately recorded in a format approved by the Commission and included in the returns to be delivered under the *Betting Control Act 1954*.

47. Settling generally

- (1) The death of either party to a wager does not invalidate the wager.
- (2) If the licence of a bookmaker is suspended or cancelled, nothing in these rules or in any other written law prevents the bookmaker from paying, after the date of the suspension or cancellation of that licence, the wagering debts incurred by the bookmaker, subject to such conditions as the Commission may impose in a particular case.
- (3) Settling in terms of these rules is not to be disturbed except in cases of fraud.
- (4) Where a ticket is lost, discarded or destroyed and the investor claims payment in respect of that ticket, the stewards are to determine the validity of the claim having regard to any available evidence or information provided by the investor or the bookmaker from whom the payment is sought.

[Rule 47 amended in Gazette 7 Apr 2006 p. 1490.]

48. Defaulters in wagering

- (1) In order for RWWA to record any person as a defaulter in wagering, a bookmaker is to first obtain an order of default through a formal civil proceeding in an appropriate court or jurisdiction.
- (2) Upon receipt of an order of default as referred to in subrule (1), action is to be instigated in accordance with the Rules of Racing to have the person named on the order listed as a defaulter under the Rules of Racing and suffer the prescribed consequences of that listing.
- (3) A person listed as a defaulter in accordance with this rule is to remain so listed until the person's default is cleared or the person's listing as a defaulter is removed.

Part 5 — Rules of bookmaker wagering

49. Meaning of terms used in this Part

(1) In this Part —

odds means the numerical ratio of money to be paid by the bookmaker (*the odds portion*) to the amount of the investor's stake in respect of a wager in the event that the wager is successful. (For example: where a dividend of \$3 is offered in respect of a runner, the odds at which the wager is offered are 2:1, the odds portion of the dividend is \$2, with the remainder of the dividend being the return of the investor's stake of \$1.).

(2) In this Part —

- (a) a reference to a type of “wager” means a wager at fixed odds;
- (b) for the purposes of place, each-way and concession wagers, if —
 - (i) at the time wager is made there are 8 or more starters listed to start in the race, there are 3 places payable and a runner achieves a place if it finishes first, second or third; and
 - (ii) at the time the wager is made, there are 5, 6 or 7 starters listed to start in the race there are 2 places payable and a runner achieves a place if it finishes first or second.

50. Permitted wagers — races

- (1) A bookmaker conducting wagering at a racecourse may, in accordance with these rules and subject to permission being granted by the committee or other authority controlling the racecourse, make and accept the following wagers on races —
- (a) win wagers;
 - (b) place wagers;
 - (c) each-way wagers;

- (d) concession wagers;
 - (e) doubles wagers.
- (2) For the purpose of this Part —
- (a) in a win wager the bookmaker offers odds against a runner winning a particular race;
 - (b) in a place wager the bookmaker offers odds against a runner achieving a place in a race as described in rule 49(2)(b);
 - (c) in an each-way wager the bookmaker offers odds against a particular runner winning a race (the win component) and, subject to rule 49(2)(b), achieving a place in the race (the place component) with the total amount wagered on an each-way wager being divided equally between the win component and the place component;
 - (d) in a concession wager, the bookmaker offers odds against a runner winning a particular race on the basis that the investor's stake is returned in the event that the runner achieves a place, as described in rule 49(2)(b), other than first;
 - (e) in a doubles wager the bookmaker offers odds against the combination of 2 runners (or the same runner twice) winning 2 different races (hereinafter referred to as legs in the context of a doubles wager) whether or not held on the same day.
- (3) Place wagers, each-way wagers and concession wagers are not permitted where 4 or less runners are listed to start a race at the time wagering is opened on that race.

[Rule 50 amended in Gazette 7 Apr 2006 p. 1490.]

51. Bookmakers not to offer, make or accept certain wagers

The following wagers may not be offered, made or accepted by a bookmaker —

- (a) a wager requested by a person who is warned off under regulation 72 of the RWWA Regulations;
- (b) a wager that is requested by a person who is disqualified under, or that otherwise contravenes, the rules of racing made under section 45 of the RWWA Act;
- (c) a wager where the dividend payable in respect of the wager is based on the dividend payable on any totalisator; and
- (d) a wager, whether or not as a bet back, in relation to a race by means of a betting exchange.

52. Provisions as to runners

For the purpose of these rules a runner is to be taken to run in a race if that runner is ordered by the starter to take its place at the barrier, starting gate or box, 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.

53. Wagers void in certain circumstances

- (1) A wager is void —
 - (a) if, when it is made, it is not possible for the investor to win;
 - (b) if, it is made on a match or private sweepstake between 2 runners, and those runners after the wager is made become the property of the same person or of a person who admits that he or she is, or is proven to be, the servant or agent of, or to be acting in collusion with, the firstmentioned person;
 - (c) if it is made on a runner after the commencement of the race to which the wager relates;
 - (d) if, being made on a race between 2 runners, the race results in a dead heat;

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- (e) if it is made after the determination of the race to which it relates;
 - (f) if it is so declared by the rules of racing or these rules;
 - (g) if it is declared to be void by the Commission under subrule (2); or
 - (h) if it is declared to be void by the stewards acting in accordance with these rules.
- (2) The Commission may investigate, in such a manner as it thinks fit, any allegation of fraud or corrupt practice in relation to a wager or a race to which a wager relates, and may declare that wager, or all or any wagers made in respect of that race, to be void.

54. When wagers are off

No wager can be declared off except by mutual consent or in the following circumstances —

- (a) either the investor or the bookmaker may demand wagers to be confirmed before the race is run, upon proving to the committee or the stewards that he or she has just cause for so doing; if and when ordered by the steward supervising the conduct of wagering at the racecourse the wagers is to be covered or sufficient security given in default of which the wagers are off;
- (b) in the event of a race being divided, all wagers 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 wager not being a doubles wager that is laid on the day on which the race meeting is held is off if the runner on which the wager is laid does not run in the race to which the wager relates; and
- (e) if a race meeting, or a race at a race meeting, is postponed from one day to another, all wagers made on

that race or race meeting on the day of the postponement but before the postponement is announced are off.

55. Determination and settlement of wagers

- (1) A person to whom a ticket is issued by a bookmaker is to be taken to have accepted the ticket issued and to have agreed that the particulars of the wager shown on the ticket are correct, unless that person applies immediately after the issue of the ticket to the person who issued it to have any error on or omission from the ticket rectified.
- (2) Unless subrule (3) or (4) applies, winning wagers are to be based on the placing of runners as determined by the judge and dividends in respect of winning wagers are to be payable once the "Correct Weight" or "All Clear" signal has been given.
- (3) Subject to subrule (4), if a protest or objection is entered in accordance with the rules of racing before the "Correct Weight" or "All Clear" signal has been given under the rules of racing, winning wagers are to be based on the placing of runners by the stewards determined in accordance with the result of the decision on the protest or objection.
- (4) Where a runner or, if the runner is a horse, the rider or driver is disqualified, and there are circumstances in connection with the disqualification which in the opinion of the stewards require further investigation the stewards may forthwith make an order postponing the settlement of all wagers on such race pending completion of their enquiries.
- (5) Subject to these rules, a win wager in respect of a race is to be settled at the odds agreed at the time of the wager in the event the selected runner wins the race.
- (6) Subject to these rules, a place wager in respect of a race is to be settled at the odds agreed at the time of the wager in the event the selected runner achieves a place as described in rule 49(2)(b).

- (7) Subject to these rules, an each-way wager is to be settled in the following manner —
- (a) the win component is to be determined and settled in the same manner as a win wager under subrule (5);
 - (b) the place component is to be determined and settled -
 - (i) where there are 3 places payable as described in rule 49(2)(b), at one-fourth of the odds agreed at the time of the wager;
 - (ii) where there are 2 places payable as described in rule 49(2)(b), at one-third of the odds agreed at the time of the wager.
- (8) Subject to these rules, a concession wager is to be determined and settled in the same manner as a win wager under subrule (5), except that where the selected runner achieves a place as described in rule 49(2)(b), other than first place, the investor's stake is to be returned.
- (9) The following provisions apply to the determination and settlement of doubles wagers, other than multiple doubles —
- (a) doubles wagers are to be considered play or pay, except when otherwise agreed when the wagers are made, or unless otherwise provided by these rules;
 - (b) wagers are determined when the first leg is lost;
 - (c) if either leg is decided in the investor's favour and the other results in a dead-heat between 2 runners, one of which was selected in the wager, the wager is to be determined and settled at one-half of the dividend which would have been payable in respect of the wager except for the dead heat and if the dead heat is between more than 2 runners the wager is to be determined and settled on a proportionate basis;
 - (d) if both runners selected in the wager run dead heats the wager is to be determined and settled at one-quarter of the dividend which would have been payable in respect of the wager except for the dead heats;

- (e) if the runner selected for the first leg wins and the runner selected for the second leg does not start, the wager is to be “play or pay” unless otherwise agreed at the time the wager is made or otherwise provided in these rules;
 - (f) in the case of a wager made on the racecourse on the day of the race upon which both legs are run, if the runner selected for one leg wins and the runner selected for the other leg does not come under the starter’s orders, the wager is to be paid in accordance with the on-course totalisator dividend declared in respect of the winning runner subject to a limit of \$26.00;
 - (g) for the purpose of this rule, any runner in respect of which wagers have been declared “off” by the stewards under rule 54 is to be taken not have come under the starter’s orders.
- (10) The following provisions apply to doubles wagers of the kind commonly known as multiple doubles (i.e. a doubles wager on races scheduled to be held on the same day) —
- (a) wagers are determined when a leg to which the wager relates is lost;
 - (b) if either of the runners is scratched, and the other runner selected wins its respective leg, the wager is determined and settled in accordance with the on-course totalisator dividend declared in respect of the winning runner subject to a limit of \$26.00;
 - (c) if both runners selected do not run in the race the wager is void;
 - (d) if either leg is decided in the investor’s favour and the other results in a dead-heat between 2 runners, one of which was selected in the wager, the wager is to be determined and settled at one-half of the dividend which would have been payable in respect of the wager, were it not for the dead heat, and if the dead heat is between more than 2 runners the wager is to be determined and settled on a proportionate basis;

- (e) if both runners selected in the wager run dead heats the wager is to be determined and settled at one-quarter of the dividend which would have been payable in respect of the wager, were it not for the dead heat.

56. Determination of wagers where runner withdrawn

- (1) In the event of the stewards permitting or ordering a runner to be withdrawn from a race —
 - (a) after the time for scratching;
 - (b) after the starters have been semaphored for the race; or
 - (c) after the runner is declared a non-starter,

wagers made prior to the withdrawal are to be settled in accordance with the Scale of Deduction Table in Schedule 1.

- (2) With regard to all successful win, place, each-way, concession and multiple doubles wagers, investors are to be paid the dividend payable in respect of the wager less the number of cents in the dollar deduction applicable on the scale of deductions in the Scale of Deduction Table in Schedule 1 for the dividends of the runner at the time of its withdrawal.
- (3) Where 2 or more withdrawals occur simultaneously during wagering, successful wagers made prior to the time of withdrawal are to be paid the dividend payable in respect of the wager less a deduction determined by adding together the rates of deduction applicable to each of the runners withdrawn.
- (4) Where withdrawals occur at different times during wagering on a race, successful wagers placed prior to the last withdrawal are to be paid the dividend payable in respect of the wager less deductions determined as follows —
 - (a) for wagers 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 wagers 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 in Schedule 1 to the dividends of the second withdrawal.
- (5) Despite subrules (3) and (4) —
 - (a) in circumstances they deem appropriate, and when there is sufficient time, the stewards may declare all wagers on the remaining runners to be void and order that wagering on the race be re-opened, or they may order all wagers be paid at totalisator dividends; and
 - (b) except in the case of a dead heat, no order is to be made the effect of which would oblige an investor to receive less than the amount invested in respect of the wager.
- (6) 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 in Schedule 1, the stewards may —
 - (a) if there is sufficient time, declare all wagers made on the remaining runners to be void and order that wagering on the race be re-opened; or
 - (b) if there is insufficient time to re-open wagering, declare a deduction assessed from the Scale of Deduction Table in Schedule 1.
- (7) Subrules (1) to (6) —
 - (a) do not affect the discretion of the stewards to declare wagers to be void in special circumstances or direct that all wagers be paid at totalisator dividends; and
 - (b) do not prevent 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.

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- (8) Subrules (1) to (6) do not apply to wagers made before the day of the race.

57. Wagers to be pay or play except in certain circumstances

- (1) All wagers are to be play or pay, unless the parties agree to the contrary.
- (2) Subrule (1) does not apply to —
- (a) wagers made on the day of the race to which they relate;
 - (b) wagers on matches;
 - (c) wagers made after the running numbers are officially placed on the semaphore, in relation to a runner that is not subsequently under the starter's orders;
 - (d) wagers that are declared off by the stewards;
 - (e) wagers on a walk-over; and
 - (f) wagers made at starting price.

58. Provisions as to settlement of wagers following a dead heat

- (1) This rule does not apply to doubles wagers.
- (2) Where —
- (a) in a win wager, a runner is selected to win and it finishes in a dead heat with another runner for first place; or
 - (b) in a place wager, a runner is selected to achieve a place and it finishes in a dead heat with another runner for (subject to rule 49(2)(b)) third place where, there are 3 places are payable, or for second place where only 2 places are payable,

the amount payable to the investor is to be the dividend which would have been payable in respect of the wager, were it not for the dead heat, divided by the number of runners involved in the dead heat.

- (3) In a place wager where, in accordance with rule 49(2)(b), there are only 2 places payable and the selected runner finishes in a

dead heat with 2 or more other runners, the amount payable to the investor in respect of such a runner is to be-

- (a) one third of the dividend which would have been payable in respect of the wager, were it not for the dead heats, where 3 runners dead heat for first place;
 - (b) one half of the dividend which would have been payable in respect of the wager, were it not for the dead heats, where 4 runners dead heat for first place; and
 - (c) where there are more than 4 runners in a dead heat for first place such amount as the stewards may determine in the particular case.
- (4) In a concession wager —
- (a) where a runner selected by the investor finishes in a dead heat for first place with one other runner, the amount payable to the investor in respect of the wager is to be half of the odds portion of the wager plus the investor's stake;
 - (b) where a runner selected by the investor finishes in a dead heat for first place with 2 other runners, the amount payable to the investor in respect of the wager is to be —
 - (i) where, in accordance with rule 49(2)(b), there are 3 places payable — one third of the odds value of the wager plus the investor's stake; and
 - (ii) where, in accordance with rule 49(2)(b), there are 2 places payable — one third of the odds value of the wager plus the half of the investor's stake;
 - (c) where a runner selected by the investor finishes in a dead heat for second place with one other runner and, and in accordance with rule 49(2)(b), there are 2 places payable, the amount payable to the investor in respect of the wager is to be half of the investor's stake;
 - (d) where a runner selected by the investor finishes in a dead heat for second place with 2 other runners the

amount payable to the investor in respect of the wager is to be —

- (i) where, in accordance with rule 49(2)(b), there are 3 places payable — two thirds of the investor's stake; and
 - (ii) where, in accordance with rule 49(2)(b), there are 2 places payable — one third of the investor's stake;
- (e) where a runner selected by the investor finishes in a dead heat for third place with 2 other runners the amount payable to the investor in respect of the wager is to be —
- (i) where, in accordance with rule 49(2)(b), there are 3 places payable — one third of the investor's stake; and
 - (ii) where, in accordance with rule 49(2)(b) there are 2 places payable — nil.

59. Provisions as to races that are re-run

- (1) In the event of a race being ordered to be re-run on the same day, all wagers in favour of any runner which started on the first run are to stand, and the applicable deduction is to apply if any runner is unable to start, unless the stewards in their absolute discretion decide otherwise.
- (2) If a race is postponed to another date or is abandoned, all wagers are to be declared off and the moneys refunded.

60. Pre-post wagering on the final of a special event

- (1) The committee or other authority controlling a racecourse may allow bookmakers to accept wagers on the result of the final of a special event that is to be conducted on the basis of heats and final and may specify the time that bookmakers can commence wagering on the special event.
- (2) All wagers made on a special event are to be play or pay, except wagers made on the final on the day of the race.

- (3) All wagers made on the result of the final are not affected by the withdrawal or disqualification of a competitor as a result of the competitor having competed in a heat of the special event.

61. “Favout” wagering

- (1) For the purposes of this rule “favout” wagering means a mode of wagering approved by the stewards which allows the bookmakers to conduct wagering on a race without a designated runner and where the finishing position of the designated runner in the race is to have no bearing on the settlement of a wager on the race. A bookmaker desiring to operate “favout” wagering on a race is to make application to the stewards at least 45 minutes prior to the advertised start time of the race.
- (2) The stewards may approve or refuse the application and if approved are to designate the runner to be excluded from wagering.
- (3) Once a bookmaker commences to operate “favout” wagering the bookmaker is not permitted to change the mode of wagering.
- (4) Where a bookmaker is operating “favout” wagering on a race and a designated runner is withdrawn prior to the race or is declared a non-starter after the race there is to be no alteration to wagering on the race.
- (5) The number of bookmakers allowed to conduct “favout” wagering on a race may be determined by the stewards.

62. Wagering on a sporting event, or a contingency, approved under section 4B of the *Betting Control Act 1954*

- (1) Wagers are to be determined on the official results as declared by the controlling authority responsible for conducting the sporting event to which the wagers relate.
- (2) Any outcome in relation to a wager not covered by these rules is to be determined by the steward supervising the conduct of wagering at the racecourse where the wager was laid.

- (3) Where wagering on the outcome of a sporting contingency involves a points margin, such a points margin is to 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 wager 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 participants, then the amount payable to the investor in respect of the wager is to be the dividend that would have been payable in respect of the wager were it not for the dead heat divided by the number of teams or participants in the dead heat.
- (6) In wagers involving more than one contingency of, or relating to, the same sporting event —
 - (a) if the first contingency is not decided in the investor's favour, the wager is lost;
 - (b) where the wager covers 2 contingencies and either of those contingencies is decided in the investor's favour and the other results in a tie or dead heat, the investor is to be entitled to half of the dividend payable in respect of the wager were it not for the tie or dead heat;
 - (c) where the wager covers 2 contingencies and both result in a tie or a dead heat, the investor is to be entitled to one fourth of the dividend which would have been payable in respect of the wager were it not for the tie or dead heat;
 - (d) where the wager covers 2 or more contingencies and one contingency is decided in the investor's favour, if the event is subsequently abandoned or if by reason of circumstances not covered by that wager, any wager as to any of the other contingencies is not capable of being decided, the investor is to be paid at odds to be

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

[Rule 62 amended in Gazette 7 Apr 2006 p. 1490.]

Part 6 — Rules as to the operation of totalisator agencies

63. Meaning of terms used in this Part

In this Part —

agency manual means the relevant manual of conduct and any relevant agency circulars —

- (a) with which an agent of RWWA has been issued; and
- (b) that the agent is obliged to follow under of that agent's agency agreement with RWWA;

agency settlement means a monetary settlement between RWWA and an agent conducted in accordance with the agency manual;

PubTAB agreement means an agency agreement between RWWA and a person, allowing that person to operate as a totalisator agent at licensed premises;

relevant period means the period between 2 consecutive agency settlements;

uncleared cheque means a cheque in relation to which a financial institution has not made a payment or other funds transfer based on that cheque.

64. Obligations of agents and employees while on duty

While on duty in an agency, a RWWA agent and any person employed or otherwise engaged by the agent to assist in the operation of a totalisator agency is not permitted to-

- (a) make personal wagers;
- (b) consume alcohol; or
- (c) be under the influence of illicit drugs or alcohol.

65. Use of video surveillance

Where video surveillance equipment is installed in a totalisator agency, it is the duty of the agency operator to ensure that the

equipment is functioning at all times while the agency is open for business.

66. Agency bonds

When requested to do so in accordance with an agency agreement, an agent is to provide a bond to the value demanded by RWWA, with such bond to be in the form of cash, bank guarantee or other form acceptable to RWWA.

67. Acceptance of cheques

- (1) Regulation 35(3) of the RWWA regulations states that a cheque may be accepted as part or full payment for a wager if —
 - (a) the cheque is completed, signed and dated prior to the acceptance of the wager;
 - (b) the cheque has not been altered in a material particular;
 - (c) the cheque is banked no later than 3 days after the wager is received; and
 - (d) the cheque is accepted in accordance with any rules of wagering and directions issued by the Commission under section 109G of the *Gaming and Wagering Commission Act 1987*.

- (2) In accordance with regulation 35(3)(d) of the RWWA regulations, the following additional rules are to be observed by agents when receiving a cheque as payment for a wager—
 - (a) the cheque is to be made payable to the TAB or RWWA;
 - (b) an agent appointed under a PubTAB agreement can only accept an uncleared cheque as payment for a bet if that uncleared cheque, when added to the uncleared cheques already accepted by the agent during the relevant period, does not result in a total amount that is more than the value of the agent's bond; and
 - (c) an agent appointed under an agency agreement other than a PubTAB agreement (including a fixed term

agency agreement) can only accept an uncleared cheque as payment for a bet if that uncleared cheque, when added to the uncleared cheques already accepted by the agent during the relevant period, does not result in a total amount that is —

- (i) more than \$20 000 (where an amount is not specified in a separate letter of notification received by the agent from RWWA); or
- (ii) more than an amount that has been specified as being appropriate for a particular agent, and is set out in a separate letter of notification received by that agent from RWWA.

Schedule 1 — Scale of Deduction Table

[r. 56]

The following Table is the table referred to in rule 56 and is to be used to determine the rate % of deduction in respect of win, place, each-way, concession and doubles wagers. Rate % of deduction (cent in \$) from the dividend payable in respect of the wager. (note for the purpose of this table, the win component of an each-way wager is to be taken as win wager and the place component a place wager)

Table

Dividend of withdrawn runner (for wager of \$1)	Win, Doubles, Trebles deduction Cents	Place deduction where 8 or more runners Cents	Place deduction where less than 8 Runners Cents	Concession deduction Cents
1.05	0.80	0.30	0.44	0.70
1.06	0.80	0.30	0.44	0.70
1.07	0.80	0.30	0.44	0.70
1.08	0.80	0.30	0.44	0.70
1.09	0.80	0.30	0.44	0.70
1.10	0.80	0.30	0.44	0.70
1.12	0.80	0.30	0.44	0.70
1.14	0.80	0.30	0.44	0.70
1.16	0.80	0.30	0.44	0.70
1.18	0.79	0.30	0.44	0.70
1.20	0.78	0.30	0.44	0.70
1.22	0.77	0.30	0.44	0.70
1.24	0.75	0.29	0.43	0.67
1.26	0.74	0.29	0.43	0.67
1.28	0.73	0.29	0.43	0.67
1.30	0.72	0.29	0.42	0.67
1.35	0.69	0.29	0.42	0.64
1.40	0.67	0.28	0.41	0.62

Rules of Wagering 2005**Schedule 1** **Scale of Deduction Table**

Dividend of withdrawn runner (for wager of \$1)	Win, Doubles, Trebles deduction Cents	Place deduction where 8 or more runners Cents	Place deduction where less than 8 Runners Cents	Concession deduction Cents
1.45	0.64	0.28	0.41	0.59
1.50	0.62	0.28	0.40	0.57
1.55	0.60	0.27	0.39	0.55
1.60	0.58	0.27	0.39	0.53
1.65	0.57	0.27	0.38	0.53
1.70	0.55	0.27	0.38	0.51
1.75	0.53	0.26	0.37	0.49
1.80	0.52	0.26	0.37	0.48
1.85	0.51	0.26	0.36	0.47
1.90	0.49	0.25	0.36	0.45
1.95	0.48	0.25	0.35	0.44
2.00	0.47	0.25	0.35	0.43
2.05	0.46	0.25	0.35	0.42
2.10	0.45	0.24	0.34	0.41
2.15	0.43	0.24	0.34	0.40
2.20	0.42	0.24	0.33	0.39
2.25	0.42	0.24	0.33	0.39
2.30	0.41	0.24	0.33	0.39
2.35	0.40	0.23	0.32	0.38
2.40	0.39	0.23	0.32	0.37
2.45	0.38	0.23	0.32	0.36
2.50	0.37	0.23	0.31	0.35
2.60	0.36	0.22	0.30	0.34
2.70	0.35	0.22	0.30	0.33
2.80	0.33	0.21	0.29	0.31
2.90	0.32	0.21	0.29	0.30

Dividend of withdrawn runner (for wager of \$1)	Win, Doubles, Trebles deduction Cents	Place deduction where 8 or more runners Cents	Place deduction where less than 8 Runners Cents	Concession deduction Cents
3.00	0.31	0.21	0.28	0.29
3.10	0.30	0.20	0.27	0.28
3.20	0.29	0.20	0.27	0.27
3.30	0.28	0.20	0.26	0.26
3.40	0.27	0.19	0.26	0.25
3.50	0.27	0.19	0.25	0.25
3.60	0.26	0.19	0.25	0.24
3.70	0.25	0.19	0.25	0.24
3.80	0.25	0.18	0.24	0.24
3.90	0.24	0.18	0.24	0.23
4.00	0.23	0.18	0.23	0.22
4.20	0.22	0.17	0.23	0.21
4.40	0.21	0.17	0.22	0.20
4.60	0.20	0.16	0.21	0.19
4.80	0.19	0.16	0.21	0.18
5.00	0.19	0.16	0.20	0.18
5.50	0.17	0.15	0.19	0.17
6.00	0.16	0.14	0.18	0.16
6.50	0.14	0.13	0.16	0.14
7.00	0.13	0.12	0.16	0.13
7.50	0.12	0.12	0.15	0.12
8.00	0.12	0.11	0.14	0.12
8.50	0.11	0.11	0.13	0.11
9.00	0.10	0.10	0.13	0.10
9.50	0.10	0.10	0.12	0.10
10.00	0.09	0.10	0.12	0.09

Rules of Wagering 2005**Schedule 1** Scale of Deduction Table

Dividend of withdrawn runner (for wager of \$1)	Win, Doubles, Trebles deduction Cents	Place deduction where 8 or more runners Cents	Place deduction where less than 8 Runners Cents	Concession deduction Cents
11.00	0.08	0.09	0.11	0.08
12.00	0.08	0.08	0.10	0.08
13.00	0.07	0.08	0.09	0.07
14.00	0.07	0.07	0.09	0.07
15.00	0.06	0.07	0.08	0.06
16.00	0.06	0.07	0.08	0.06
17.00	0.05	0.06	0.07	0.05
18.00	0.05	0.06	0.07	0.05
19.00	0.05	0.06	0.07	0.05
20.00	0.05	0.05	0.06	0.05
21.00	0.04	0.05	0.06	0.04
26.00	0.03	0.04	0.05	0.03
31.00	0.03	0.03	0.04	0.03
41.00	0.02	0.03	0.03	0.02
51.00	0.02	0.02	0.02	0.02

Notes

¹ This is a compilation of the *Rules of Wagering 2005* and includes the amendments made by the other written laws referred to in the following table.

Compilation table

Citation	Gazettal	Commencement
<i>Rules of Wagering 2005</i>	28 Jan 2005 p. 401-79	30 Jan 2005 (see r. 2)
<i>Rules of Wagering Amendment Rules 2005</i>	30 Aug 2005 p. 4055	30 Aug 2005
<i>Rules of Wagering Amendment Rules 2006</i>	7 Apr 2006 p. 1489-90	7 Apr 2006
<i>Rules of Wagering Amendment Rules (No. 2) 2006</i>	18 Aug 2006 p. 3369-70	18 Aug 2006
<i>Rules of Wagering Amendment Rules (No. 2) 2007</i>	20 Jul 2007 p. 3629-30	20 Jul 2007
<i>Rules of Wagering Amendment Rules 2007</i>	18 Sep 2007 p. 4711-14	r. 1 and 2: 18 Sep 2007 (see r. 2(a)); Rules other than r. 1 and 2: 19 Sep 2007 (see r. 2(b))