

**NORTHERN TERRITORY OF AUSTRALIA**

**TOTALISATOR LICENSING AND REGULATION REGULATIONS**

As in force at 7 June 2002

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As in force at 7 June 2002

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## TOTALISATOR LICENSING AND REGULATION REGULATIONS

### Regulations under the *Totalisator Licensing and Regulation Act*

#### **1 Citation**

These Regulations may be cited as the *Totalisator Licensing and Regulation Regulations*.

#### **2 Information to accompany application for licence**

An application for a licence under section 14 of the Act is to be accompanied by the following information:

- (a) the name of the applicant;
- (b) in the case of a natural person – the applicant's residential and business addresses;
- (c) in the case of a company:
  - (i) the address of the applicant's principal office;
  - (ii) the number of directors of the applicant;
  - (iii) the name of each director;
  - (iv) the name of the applicant's Public Officer;
  - (v) details of the operations and structure of the applicant; and
  - (vi) details of the classes of shareholding interests in the applicant and the powers and rights of the holders of those interests;
- (d) in the case of a club or body corporate other than a company:
  - (i) the address of the head office or other premises of the applicant from where the applicant controls its operations;

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- (ii) the names of the officers or members of the applicant who are concerned in the management of the applicant;
  - (iii) the name of the applicant's Public Officer, if any, or office holder who will receive on behalf of the applicant notices and other material given under the Act; and
  - (iv) details of the operations and structure of the applicant;
  - (e) any business names registered under the *Business Names Act* or a corresponding Act of a State or another Territory of the Commonwealth under which the applicant is or is proposing to carrying on a business;
  - (f) the applicant's A.B.N.;
  - (g) whether the applicant pays pay-roll tax or any other tax in the Territory;
  - (h) an address where documents required to be given, delivered, granted or issued to the applicant under the Act may be given, delivered, granted or issued to the applicant;
  - (j) the applicant's business telephone number;
  - (k) the applicant's electronic mail transfer address;
  - (m) the applicant's internet web site, if any;
  - (n) a list of the applicant's associates;
  - (p) details of the equipment that the applicant proposes to use to operate the totalisator and the means by which the applicant proposes to monitor the operation of the totalisator and the conduct of totalisator wagering under the licence.

### **3 Wagering tax**

For the purposes of section 34 of the Act, the prescribed percentage of a licensee's commission deducted for a month is:

- (a) in the case of thoroughbred and harness horse races and greyhound races (whether occurring in or outside Australia) – 40% of the licensee's commission deducted in relation to wagering on those races that occurred during the month;
- (b) in the case of races other than those referred to in paragraph (a) and prescribed events, sports and activities occurring in Australia – 20% of the licensee's commission deducted in relation to wagering on those races, events,

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sports or activities that occurred during the month; and

- (c) in the case of races other than those referred to in paragraph (a) and prescribed events, sports and activities occurring outside Australia – 10% of the licensee's commission deducted in relation to wagering on those races, events, sports or activities that occurred during the month.

**4 Maximum fine authority may impose under section 70(2)(d) of Act**

The prescribed amount for the purposes of section 70(2)(d) of the Act is 50 penalty units.

**5 Person to whom information may be disclosed**

For the purposes of section 101(1) of the Act, information or documents referred to in that subsection may be communicated or produced to the following persons :

- (a) an auditor carrying out an audit under Division 2 of Part 4 of the Act;
- (b) the Commissioner of Taxes within the meaning of section 4(1) of the *Taxation Administration Act* requiring the information or documents for the purposes of that Act;
- (c) a member or officer (however described) of a police force of the Commonwealth or a State or Territory of the Commonwealth acting in the course of that person's duties as a member or officer;
- (d) an employee, officer or member (however described) of an authority, organisation or body that has powers and functions under an Act of the Commonwealth or of a State or another Territory of the Commonwealth or under a law in force in another country corresponding to those of the authority under the Act and that requires the information or documents for the purposes of the exercise of those powers or the performance of those functions.

**6 TAB Queensland Limited and subsidiary exempt from application of Part 10 of Act**

- (1) Part 10 of the Act does not apply to TAB Queensland Limited, A.B.N. 84 085 691 738, or to NT TAB Pty Ltd (a subsidiary of TAB Queensland Limited whose A.B.N. is not known at the commencement of these Regulations).

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- (2) The exemption under subregulation (1) applies only while:
- (a) subject to subregulation (3) – TAB Queensland Limited is complying with Part 3 of the *TAB Queensland Limited Privatisation Act 1999* of the State of Queensland; and
  - (b) TAB Queensland Limited is a suitable person to hold a wagering licence for the purposes of sections 13 and 37 of the *Wagering Act 1999* of the State of Queensland and every associate of TAB Queensland Limited is a suitable person to be associated with TAB Queensland Limited for the purposes of section 14 and either section 38 or 39 of that Act.
- (3) Subregulation (2)(a) does not apply after the expiry of Part 3 of the *TAB Queensland Limited Privatisation Act 1999* of the State of Queensland under section 40 of that Act.

**7 Prescribed percentage under section 111(1) of Act**

For the purposes of section 111(1) of the Act, the prescribed percentage is 5%.

**8 Promotion of responsible wagering**

The authority may promote responsible wagering in any one or more of the following ways:

- (a) by making information about what totalisator wagering is available for the public;
- (b) by providing information to persons interested in wagering about the odds available for the various bet types;
- (c) by holding public meetings to provide information about and discuss issues relating to wagering;
- (d) by requesting the public to make comments and submissions concerning wagering (whether orally before the authority or at a public meeting referred to in paragraph (c) or in writing);
- (e) by assisting community welfare organisations to counsel or otherwise help problem gamblers;
- (f) by encouraging problem gamblers to adopt the option of self-exclusion from licensee's or agent's premises and to assist a licensee or agent in excluding those persons from the premises;

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- (g) by setting up or arranging courses and training in the promotion of responsible wagering and by requiring licensees, agents, operators and other persons employed by a licensee or agent to attend the courses and training sessions;
  - (h) by establishing standards, including standards designed to ensure probity in the conduct of totalisator wagering and the protection of persons who make bets, that a licensee or agent must comply with when promoting wagering or offering inducements to wager or otherwise conducting totalisator wagering under the licensee's licence;
  - (j) by imposing a condition on a licensee's licence that the licensee must comply with a standard referred to in paragraph (h).

**9 Licensee etc. may control conduct on premises**

- (1) If a person who is on a licensee's or agent's premises conducts himself or herself in a manner that causes disturbance or annoyance to or interferes with the comfort of other persons present on the premises, the licensee or the licensee's operator or the agent may:
  - (a) request the person to leave the premises; and
  - (b) if the person fails to leave the premises – with the assistance that is necessary, remove the person from the premises.
- (2) A person must not fail to comply with a request to leave premises under subsection (1)(a).

Penalty: 20 penalty units.

## ENDNOTES

### 1 KEY

Key to abbreviations

amd = amended  
app = appendix  
bl = by-law  
ch = Chapter  
cl = clause  
div = Division  
exp = expires/expired  
f = forms  
Gaz = Gazette  
hdg = heading  
ins = inserted  
lt = long title  
nc = not commenced

od = order  
om = omitted  
pt = Part  
r = regulation/rule  
rem = remainder  
renum = renumbered  
rep = repealed  
s = section  
sch = Schedule  
sdiv = Subdivision  
SL = Subordinate Legislation  
sub = substituted

### 2 LIST OF LEGISLATION

#### *Totalisator Licensing and Regulation Regulations (SL No. 27, 2000)*

Notified	16 June 2000
Commenced	16 June 2000

#### *Statute Law Revision Act 2002 (Act No. 18, 2002)*

Assent date	7 June 2002
Commenced	7 June 2002

### 3 LIST OF AMENDMENTS

r 4 amd Act No. 18, 2002, s 6