NORTHERN TERRITORY OF AUSTRALIA

RACING AND BETTING REGULATIONS

As in force at 20 March 2013

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 20 March 2013.

RACING AND BETTING REGULATIONS

Regulations under the *Racing and Betting Act*

Part I Preliminary

1 Citation

These Regulations may be cited as the *Racing and Betting Regulations*.

2 Repeal

The Regulations specified in the Schedule are repealed.

Part II Bookmakers

Division 1 Division of security to Commission

3 Division of security where licence or permit cancelled

For the purposes of section 80(5)(b) of the Act, where the security held under section 72 of the Act in respect of a bookmaker:

(a) whose licence or permit has been cancelled by the Commission; and

(b) who has not paid all bets accepted by him that are winning bets,

is realised under that first-mentioned section, the proceeds from that realisation shall, where those proceeds are:

(c) sufficient to pay all the winning bets – be divided amongst the persons who made those winning bets so that all winning bets are paid and, after that division, the balance, if any, of the proceeds shall be released to the bookmaker; or

(d) insufficient to pay all the winning bets – be divided on a pro rata basis amongst the persons who made those winning bets so that each such person receives in respect of his winning bet the same amount in each dollar of his winning bet as any other such person also receives in respect of each dollar of the other person's winning bet.

3A Bookmakers security

For the purposes of section 72(1) of the Act, the prescribed amount is $250,000.

Division 2 Betting tickets and betting sheets

4 Betting ticket to bear name of bookmaker, &c.

For the purposes of section 74(1) of the Act, a betting ticket issued by a bookmaker on making a bet shall clearly show on it:

(a) his name, printed but not hand-written, in letters not less than 3 millimetres in height;

(b) the name or names of the runner or runners in respect of which the bet is made; and

(c) details of the bet recorded in an approved manner.

5 Use and recording of betting tickets

For the purposes of section 77(5) of the Act, a bookmaker shall ensure that betting tickets used and issued by him or on his behalf are so used and issued:

(a) as far as practicable, in proper consecutive order; and

(b) so that:

(i) subject to subparagraph (ii), the last 3 digits of the serial number on each such betting ticket; and

(ii) the full serial numbers of the first and last such betting tickets issued on a day,

are recorded beside the details recorded on the betting sheet in respect of the bet to which the betting ticket relates.

6 Recording of bets

(1) For the purposes of section 77(1) of the Act, the particulars, in respect of each bet made on a runner, to be entered on the approved form of betting sheet referred to in section 75(1) of the Act, or in, on or through such other form approved under section 75(2) of the Act by the Commission, are:

(a) the amount bet by the bookmaker, other than where the bet is a starting price bet;

(b) the amount bet by the bettor;

(c) in accordance with regulation 5, the serial number, or part of the serial number, of the betting ticket to which the bet relates;

(d) the progressive hold in respect of the runner; and

(e) where the bet is a credit bet – the correct name of the bettor immediately below the particulars referred to in paragraphs (a) to (d) inclusive,

and, where those particulars are to be entered on the approved form of betting sheet referred to in section 75(1) of the Act, they shall be so entered:

(f) immediately below the name of the runner;

(g) in the case of the amount referred to in paragraph (a) – in Column 2;

(h) in the case of the amount referred to in paragraph (b) – in Column 3;

(j) in the case of the serial number, or part of the serial number, referred to in paragraph (c) – in Column 5; and

(k) in the case of the progressive hold referred to in paragraph (d) – in Column 4,

of that form.

(2) For the purposes of section 77(5) of the Act, where a bookmaker reduces his liability in respect of a runner by making a bet on the runner with another bookmaker, he shall, in respect of the bet, enter on the approved form of betting sheet referred to in section 75(1) of the Act, or in, on or through such other form approved under section 75(2) of the Act by the Commission, particulars as to:

(a) the amount bet with the other bookmaker;

(b) the amount bet by the other bookmaker;

(c) the name of the other bookmaker; and

(d) the progressive hold in respect of the runner,

and, where those particulars are to be entered on the approved form of betting sheet referred to in section 75(1) of the Act, they shall be so entered:

(e) immediately below the name of the runner;

(f) in the case of the amount referred to in paragraph (a) – in Column 3;

(g) in the case of the amount referred to in paragraph (b) – in Column 2; and

(h) in the case of the progressive hold referred to in paragraph (d) – in Column 4,

of that form and, in respect of the name of the other bookmaker referred to in paragraph (c):

(j) on the line immediately below that on which the particulars referred to in paragraphs (e) to (h) inclusive are recorded.

(3) Subject to subregulation (4), a person shall not erase, obliterate, alter or amend an entry on a betting sheet.

(4) Where an incorrect entry is made on a betting sheet:

(a) the incorrect entry shall be ruled through in such a manner that the particulars of the incorrect entry can still be ascertained; and

(b) the correct entry shall, as far as practicable, be made immediately below the incorrect entry.

(5) Where a bookmaker records particulars of bets in respect of more than one race on the one betting sheet, he shall draw a single horizontal line across the betting sheet to separate each race from any other race on the betting sheet and shall show, in respect of the betting transactions in respect of each such race:

(a) the name of the racing venue where the race is being conducted; and

(b) the race number.

7 Use of betting sheets

For the purposes of section 77(5) of the Act, a bookmaker shall, as far as practicable, use his betting sheets in proper numerical order.

8 Bookmaker to account for betting sheets

(1) A bookmaker shall not, other than in the course of carrying out in accordance with the Act his calling as a bookmaker, remove, or permit to be removed, a betting sheet from a book of betting sheets issued to him.

(2) Where a betting sheet is mislaid, lost, inadvertently destroyed or otherwise is unable to be accounted for, the bookmaker to whom the betting sheet was issued shall immediately give notice in writing of that fact to the Commission and, in the notice, shall set out the full circumstances of the matter and, where the Commission conducts an inquiry into the matter, shall render such assistance in the inquiry as the Commission requires.

(3) Where a betting sheet referred to in subregulation (2) is, after a notice under that subregulation has been given to the Commission in respect of the betting sheet, recovered or found, the bookmaker to whom that betting sheet was issued shall:

(a) immediately give notice of that fact to the Commission; and

(b) shall forward that betting sheet to the Commission as soon as practicable.

9 Paid bets

For the purposes of section 77(5) of the Act, a bookmaker who, on the day on which a bet has been decided, pays a bettor in respect of the bet, shall immediately indicate on the original betting sheet the fact that that bet has been so paid by ruling through the serial number, or part of the serial number, of the betting ticket recorded on the betting sheet in respect of that bet in such a manner that the serial number, or part of the serial number, as the case may be, can still be ascertained.

Division 3 Advertising by bookmakers

10 Advertising by bookmakers

A bookmaker shall not advertise his calling as a bookmaker other than by an approved advertisement.

Division 4 Sports bookmakers

11 Fee for application to be sports bookmaker

For sections 89 and 89A of the Act, the prescribed fee for an application for a licence to conduct the business of a sports bookmaker is 20 000 revenue units for each year or part of a year for which the licence is granted.

12 Fee for renewal of licence

For section 91 of the Act, the prescribed fee for an application by a sports bookmaker to renew a licence granted under Division 2 of Part IV of the Act is 20 000 revenue units for each year or part of a year for which the licence is renewed.

13 Excess fee to be repaid

Where a licence referred to in regulation 11 or 12 is granted or renewed for a shorter period than was specified in the relevant application, the Commission must repay the excess fee paid by the applicant.

Division 5 Registered bookmakers

14 Fee for permit to operate as registered bookmaker

Subject to regulation 21, for section 102(2)(b)(ii) of the Act, the prescribed fee for an application to operate as:

(a) a registered bookmaker other than a registered country bookmaker – is 115 revenue units; and

(b) a registered country bookmaker – is 25 revenue units.

Division 6 Bookmaker's clerk

15 Fee for application for licence permitting person to be employed or engaged as bookmaker's clerk

For the purposes of section 103(1) of the Act, the prescribed fee for an application for a licence permitting a person to be employed or engaged by a bookmaker as a bookmaker's clerk is 20 revenue units.

Division 7 Bookmaker's bets

16 Person engaged or employed by bookmaker not to accept bets except where bookmaker, &c., present

A person who is engaged or employed by a bookmaker shall not accept a bet on behalf of the bookmaker except where:

(a) the bookmaker; or

(b) where the bookmaker is lawfully absent from his stand or licensed premises, as the case may be – the bookmaker's agent or clerk,

is there and then present:

(c) in the case of a registered bookmaker – on the bookmaker's stand; or

(d) in the case of a licensed bookmaker – in the bookmaker's licensed premises.

17 Settlement of betting disputes and claims in relation to bookmakers

(1) Subject to subregulation (2), a person making a claim to the Commission in respect of a winning bet that has not been paid to him by a bookmaker who accepted the bet shall submit particulars of his claim in writing to the Commission not later than 14 days after the completion of the sporting event in respect of which the bet was accepted.

(2) Where a claim referred to in subregulation (1) is submitted to the Commission after the expiration of the period specified in that subregulation for the submission of the claim, the Commission may, where it is of the opinion that the circumstances so warrant, and notwithstanding the expiration of that period, accept the submission of that claim as if, for that purpose, that claim had been submitted before the expiration of that period.

Division 8 Telephone betting

17A Telephone bookmaking systems

(1) The Commission shall not approve a telephone bookmaking system for the purposes of section 101(3) of the Act unless it is satisfied that:

(a) all telephone calls on the system will be recorded;

(b) the telephone lines used in the system for betting purposes have securable voice logging equipment of a type acceptable to the Commission; and

(c) the relevant control body has established procedures to ensure that it adequately supervises the system and its use.

(2) Without limiting the generality of subregulation (1), the procedures referred to in paragraph (b) of that subregulation shall ensure that:

(a) recorded tapes of all betting transactions are:

(i) collected by the betting stewards at the conclusion of each race meeting;

(ii) held and distributed by the betting stewards; and

(iii) maintained as betting records for inspection or audit by an approved person; and

(b) voice logging equipment used to record betting transactions is sealed and accessible only to betting inspectors, betting stewards or authorised persons.

17B Betting through telephone bookmaking system

(1) A bookmaker shall not make a bet referred to in section 101(3) of the Act unless:

(a) he or she is approved to do so;

(b) he or she does so in accordance with the conditions, if any, to which the approval is subject;

(c) before making the bet he or she obtains the consent of the bettor to the recording of the transaction on the telephone bookmaking system;

(d) the details of the bet are confirmed with the bettor before the conclusion of the transaction, including the betting ticket number, account number and the amount of the bet;

(e) the amount of the bet is not less than, or the amount of possible winnings from the bet is not less than, the amount determined by the Minister by notice in the *Gazette*; and

(f) the bet is made only on an incoming call from the bettor.

Maximum penalty: $2,000.

(2) A bet the details of which are not confirmed as required by subregulation (1)(d) shall not be construed as a valid bet.

17C Telephone bets to be separately recorded for bookmakers' returns

Details of all bets made under section 101(3) of the Act shall be separately shown in the return required by section 107(1) of the Act to be lodged.

Part III Totalizators

18 Totalizator licence

There shall be payable to the Commission in respect of a totalizator licence a fee of 2 revenue units for each day on which the holder of the licence is entitled, in pursuance of that licence, to use the totalizator.

19 Prescribed commission and prescribed amount

For the purposes of:

(a) the definition of ***totalizator pool*** in section 4(1); and

(b) sections 114(1) and 119(2),

of the Act, the prescribed commission and prescribed amount are, on the investment for each race on an on-course totalizator, in respect of:

(c) a win, place or quinella – 14.5%;

(d) a double event – 16.5%;

(e) a trifecta or four place forecast – 18%; and

(f) a win accumulator – 18%.

Part IV Miscellaneous

20 Fees for certain licenses and permits

For the purposes of section 24 of the Act, the prescribed fee for a licence or permit for which no fee, but for this regulation, has been prescribed, is 20 revenue units.

21 Fees payable pro rata

Where an application for the issue of a licence (other than a licence referred to in regulation 11 or 12) or permit is made after 30 June in a year and before the next succeeding 30 June and the licence or permit will be current for a period between those 2 dates, the fee payable for the issue of the licence or permit, as the case may be, is an amount that bears to the fee otherwise applicable under these Regulations for that licence or permit, as the case may be, the same proportion as the number of months, including part of a month, in the period between the date of the application and the next succeeding 30 June bears to 12.

22 Certain actions prohibited on licensed premises

Where, on licensed premises, bets are being taken, a person other than:

(a) the licensed bookmaker in respect of those premises; or

(b) the bookmaker's agent or clerk of the bookmaker referred to in paragraph (a),

shall not:

(c) stand, or attempt to stand, behind the counter or desk behind which the bets are being taken; or

(d) use a telephone, or attempt to use a telephone, within the premises,

without lawful excuse.

23 Cleanliness, &c., of licensed premises

A licensed bookmaker shall keep his licensed premises clean and free from litter and in a state of repair satisfactory to the Commission.

23A Prescribed fee for appeal

For the purposes of section 145D(4) of the Act, the prescribed fee to be lodged with a notice of appeal is 200 revenue units.

24 Offences

(1) A person who breaches these Regulations is, unless the provision breached or another provision of these Regulations or the Act provides that he is guilty of an offence, guilty of an offence by virtue of this subregulation.

(2) A person who is guilty of an offence against these Regulations is punishable upon conviction by a fine not exceeding $2,000.

Schedule Repealed Regulations

regulation 2

Year and number
1941, No. 4
1950, No. 5
1952, No. 6
1954, No. 4
1957, No. 5
1961, No. 15
1962, No. 16
1963, No. 13
1963, No. 20
1964, No. 12
1967, No. 21
1968, No. 9
1969, No. 16
1976, No. 22
1976, No. 31
1978, No. 20
1978, No. 32
1979, No. 1
1979, No. 12

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

Racing and Betting Regulations (SL No. 33, 1984)
Notified 27 June 1984
Commenced 27 June 1984

Amendment of Racing and Betting Regulations (SL No. 42, 1990)
Notified 10 October 1990
Commenced 10 October 1990

Amendment of the Racing and Betting Regulations (SL No. 6, 1991)
Notified 13 March 1991
Commenced 13 March 1991

Amendment of Racing and Betting Regulations (SL No. 5, 1995)
Notified 15 March 1995
Commenced 15 March 1995

Amendment of Racing and Betting Regulations (SL No. 27, 1995)
Notified 1 August 1995
Commenced 1 August 1995

Amendment of Racing and Betting Regulations (SL No. 17, 1997)
Notified 11 June 1997
Commenced 11 June 1997

Amendments of Racing and Betting Regulations (SL No. 46, 1998)
Notified 30 October 1998
Commenced 30 October 1998

Amendments of Racing and Betting Regulations (SL No. 30, 2000)
Notified 16 June 2000
Commenced 16 June 2000

Treasury Legislation Amendment (Revenue Units) Regulations 2006 (SL No. 33, 2006)
Notified 18 October 2006
Commenced 18 October 2006

Fees and Charges Amendment Regulations 2009 (SL No. 34, 2009)
Notified 14 December 2009
Commenced 1 January 2010 (r 2)

Racing and Betting Amendment Regulations 2013 (SL No. 3, 2013)
Notified 20 March 2013
Commenced 20 March 2013

3 LIST OF AMENDMENTS

r 3A	ins No. 5, 1995, r 1
r 4	amd No. 6, 1991
pt II	
div 4 hdg	sub No. 27, 1995
r 11	sub No. 27, 1995 amd No. 46, 1998, r 1; No. 30, 2000, r 1; No. 33, 2006, r 5; No. 34, 2009, r 10; No. 3, 2013. r 3
r 12	sub No. 27, 1995 amd No. 46, 1998, r 2; No. 33, 2006, r 5; No. 34, 2009, r 10; No. 3, 2013. r 4
r 13	rep No. 27, 1995 ins No. 46, 1998, r 3
r 14	amd No. 33, 2006, r 5; No. 34, 2009, r 10
r 15	amd No. 33, 2006, r 5
pt II	
div 8 hdg	ins No. 5, 1995, r 2
r 17A	ins No. 5, 1995, r 2
r 17B	ins No. 5, 1995, r 2 amd No. 17, 1997; No. 33, 2006, r 5
r 17C	ins No. 5, 1995, r 2
r 18	amd No. 33, 2006, r 5
r 19	amd No. 30, 2000, r 2
r 20	amd No. 33, 2006, r 5
r 21	amd No. 46, 1998, r 4
r 23A	ins No. 42, 1990 amd No. 33, 2006, r 5