

# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 1 January 1984

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## TOTALIZATOR RULES 1979

### Rules under the *Racing and Betting Act*

1. These Rules may be cited as the *Totalizator Rules 1979*.
2. In these Rules, unless the contrary intention appears:

***backed horse*** means a horse in respect of which an investment has been made, and ***backed*** has a corresponding meaning.

***commission*** means the amount per centum of the moneys to be deducted, pursuant to section 83 of the Act, out of moneys paid into a totalizator with respect to any event.

***Committee*** means the Committee of the racing club conducting the race meeting at which investments on the totalizator are made.

***Dividend*** means the amount declared to be payable in respect of any event and shall be deemed to include the unit of investment.

***Double*** means any combination of two horse races at a race meeting which the Committee shall declare to be the subject matter for investment in the double totalizator.

***Double totalizator*** means a totalizator used for enabling persons to invest moneys on horse races by the nomination of a combination of two horses on the chance that such horses shall fill first places in two races at a race meeting.

***Event*** means a horse race and includes, where the case so requires, two horse races capable of being coupled in a double bet on a totalizator.

***four place forecast*** means any horse race at a race meeting which the committee declares to be the subject matter for investment in a four place forecast totalizator.

***four place forecast totalizator*** means a totalizator used for enabling persons to invest moneys on horse races by the nomination of a combination of 4 horses on the chance that such horses will fill the first,

## *Totalizator Rules*

second, third and fourth places in correct finishing order in the same horse race at a race meeting.

**Horse** means any horse or pony engaged in any horse race or pony race or trotting race, but when the race is one conducted by a greyhound racing club, these rules shall be read and construed as if the words **greyhound** had been substituted respectively for **horse** or **horses** whenever such words appear in the rules;

**Investment** means the purchase of a totalizator ticket in respect of any event at a race meeting.

**Investor** means any person purchasing a totalizator ticket.

**Manager** means the officer appointed by a racing club to manage the totalizator established on its race course.

**Placed horse** means a horse in respect of which any sum of money would be payable from the totalizator to an investor by order of the stewards if the same had been backed, and **place** or **placed** shall have a corresponding meaning.

**Place totalizator** means a totalizator used for enabling persons to invest moneys on horse raced by the nomination of a horse in respect of any event on the chance that such horse shall fill a place in such race.

**Pool** (in relation to **win, place, quinella, double, trifecta, four place forecast** or **win accumulator**) means the total amount paid into the appropriate totalizator on all parts of a racecourse in respect of any event less commission.

**Quinella** means any horse race at a race meeting which the committee shall declare to be the subject matter for investment in the Quinella Totalizator.

**Quinella Totalizator** means a totalizator used for enabling persons to invest moneys on horse races by the nomination (irrespective of order) of a combination of two horses on the chance that such horses shall fill first and second places in the same horse race at a race meeting.

**RULES OF RACING** means the Rules for the time being in force at the particular, galloping, trotting or dog meeting whether or not such meeting is held in the Northern Territory or elsewhere.

**Starter** in any race means a horse, the driver, rider or jockey of which is ordered by the official starter to line up at or behind the starting point and which is not subsequently declared by the stewards to be withdrawn from the race.

## Totalizator Rules

**Stewards** means the persons appointed to act as stewards by the racing club conducting the race meeting at which the totalizator operates.

**Ticket** means the certificate issued from the **win, place, quinella, double, trifecta, four place forecast** or **win accumulator totalizator** to an investor and denoting by words and numbers thereon the particular event and the horse or combination of horses on which an investment has been made and the amount of such investment.

**Trifecta** means any horse or greyhound race at a race meeting which the committee shall declare to be the subject matter for investment in a Trifecta Totalizator.

**Trifecta Totalizator** means a totalizator used for enabling persons to invest moneys on horse or greyhound races by the nomination of a combination of three horses or greyhounds on the chance that such horses or greyhounds will fill the first, second and third places in correct finishing order in the same horse or greyhound race at a race meeting.

**Unit of investment**, in respect of **win, place, double** and **quinella**, means the sum of 50 cents and in respect of **trifecta** and **four place forecast** means the amount of one dollar.

**Win Accumulator** means a combination of 3, 4, 5 or 6 races which the Committee declares to be the subject-matter for investment in a win accumulator totalizator.

**Win Accumulator Totalizator** means a totalizator used for enabling persons to invest money by the nomination of a horse in each race of a win accumulator on the chance that such horses shall fill first places in such races.

**Winner** and **Second horse** and **Third horse** and **Fourth horse** means the horses declared by the stewards to be the winner and second horse and third horse and fourth horse respectively in any race or division of a race. The posting of particulars of the dividends on the totalizator in respect of each race or division of a race shall be a sufficient declaration of the relative positions at the finishing post of the horses indicated.

**Win Totalizator** means a totalizator used for enabling persons to invest moneys on horse races by the nomination of a horse in respect of any horse race on the chance that such horse shall be the winner of such race.

3. Unless otherwise expressly provided, the responsibility for complying with the requirements of these rules shall be upon every racing club on whose course any totalizator has been established pursuant to the provisions of sections of the Act.

## *Totalizator Rules*

4. The Committee shall appoint some person to inform forthwith the manager of the totalizator or his representative of the start of each race on which the totalizator is operating, the withdrawal of a horse, the lodging of a protest on such race, or of any incident which affects the operation of the totalizator on any race, and for that purpose shall install in the totalizator house a telephone or a public address system or a warning device.
5. Every racing club using a totalizator shall have the totalizator and all bells and telephone equipment connected therewith thoroughly tested within twenty-four hours before the advertised time of commencement of the first race on each race day to ensure that all are in perfect working order.
6. The full and true statement of the moneys paid into the totalizator in respect of each event on the occasion of the use thereof, shall be forwarded to the N.T. Racing and Gaming Commission within fourteen days of the date of the race meeting at which the totalizator was so used.
7. All books of account, vouchers, paid dividend ticket, documents, forms, returns, or other records relating to the operation of totalizators shall, on demand by the Auditor-General or any officer authorized by him in that behalf, be submitted for audit and examination, and all persons connected with such racing clubs shall render every assistance to the Auditor-General or any officer appointed by him in that behalf in the conduct of such audit and examination.
8. A record of all unclaimed dividends and of all fractions shall be kept by racing clubs in such a manner that such records can, if the Auditor-General so desires be examined by him or by any officer authorized by him in that behalf.
9. No member, officer, agent, or servant of any racing club shall receive or permit to be received any investment on the totalizator elsewhere than at the totalizator itself.
10. There shall be displayed on the front of every win or place totalizator by figures or suitable indicators a progressive indication of the anticipated dividend payable to investors in respect of each horse.
- 10A. An offence of contravening or failing to comply with rule 4, 5, 6 or 10 is a regulatory offence.
11.
  - (1) Persons desiring to approach any window of a totalizator shall form up in a queue, or rank, in single file, extending outwards from such window.
  - (2) No person shall:
    - (a) join any such queue or rank except at the rear end thereof;

## *Totalizator Rules*

- (b) take precedence of any person who by reason of his proximity to the totalizator has a prior right in any such queue or rank;
  - (c) pass money, or a ticket, to any person in such queue or rank, in order to obtain a ticket on any horse, or to collect a dividend, as the case may be.
- 12. Every person shall at all times observe and comply with any reasonable direction by any member of the Police Force as to:
  - (a) the manner of approaching to, or departing from any totalizator;
  - (b) the regulation of persons in the vicinity of such totalizator.
- 13. Any club or person contravening or failure to comply with the requirement of any of these shall be liable to a penalty of not more than \$100 for each breach of such Regulations.
- 14.
  - (1) Any investor may invest an unlimited amount of any horse.
  - (2) All investments shall be made in cash.
- 15. Subject to these rules if any horse does not become a starter all money invested on such horse shall be refunded in full to the investors concerned in the manner provided in Rule 26 hereof; and the amount so to be refunded shall be deemed not to have been made into the totalizator.

### **Rules relating to the working of a totalizator generally**

- 16. Subject to these rules, each horse starting in a race shall be denoted on the totalizator by a number corresponding with the number of such horse in the official program.
- 17. Every investor should satisfy himself before leaving the totalizator window that he has received the ticket, or tickets, for which he applied, or the correct amount of dividend or refund payable to him as the case may be.

No claim in respect of the issue of tickets or in respect of short payment of dividend, or refund, shall be permitted after the investor has departed from the totalizator window.
- 18. Every investor acquiring a ticket shall, subject to these rules, be deemed to have irrevocably constituted the workers of the totalizator, and each and every one of them, his agent or agents to invest the moneys paid in advance by him to the workers of the totalizator for such ticket on the horse or horses named or numbered or denoted on such ticket, and for the event named or denoted thereon. On payment of the money as aforesaid and the issue in accordance with these rules of a ticket to the investor in respect of such payment, he shall have no

## *Totalizator Rules*

rights other than those conferred by the said rules on the holder of any such ticket.

19. Any ticket issued from a totalizator is so issued to and accepted by the investor subject to the Act and these rules.
20. A club, or Committee, or stewards thereof, or the officials engaged in working any totalizator or all or any of them, shall not be or be deemed to be a stakeholder or stakeholders of the money paid into such totalizator as the price of any ticket.
21. Every dividend shall be calculated on the unit of investment.
22. (1) In the event of a race being run over again by order of the stewards the amount originally invested on such race shall be dealt with in accordance with the ultimate result of the race:  
  
Provided that a horse shall not be deemed to be a started in the race unless it becomes a started in the re-run race.  
  
(2) The Committee may open the totalizator for such re-run race as if it were a distinct or independent race.
23. (a) Except where an official is appointed under subparagraph (b) of this rule, no dividends shall be declared or paid except on the order of the stewards and when the stewards have ordered a dividend to be declared or paid on any horse in any race or on any combination of horses in any quinella, double, trifecta, four place forecast or win accumulator no investor on any other horse in such race or on any other combination of horses in such quinella, double or fourth horse shall be entitled to receive a dividend notwithstanding that by a subsequent order of the stewards or by a decision of the committee or by any Court or otherwise any other horse is declared to be the winner or second horse or third horse or fourth horse in place of any horse first declared by the stewards to be the winner or second horse or third horse or fourth horse or whatever may afterwards result, any regulation or law or rule of racing of any nature or kind to the contrary notwithstanding.  
  
(b) Where the committee or governing body of a club is authorised to use a totalizator on interstate events, that committee or governing body shall appoint an official to be responsible for ascertaining and conveying to the manager of the totalizator or his representative such information which may concern the operation of the totalizator and the declaration of dividends payable on such interstate events and dividends may be declared and paid on the information of such official.
24. (1) If a protest is duly lodged in accordance with the rules of racing before the riders of the horses placed by the judge have

## *Totalizator Rules*

been weighed in, or the greyhounds examined, the pool shall be retained until the protest has been decided by the stewards, and shall thereafter be dealt with in accordance with such decision at such time and place as the stewards appoint:

Provided that prior to their decision on any protest duly lodged as aforesaid and at any time after the said riders have been weighed in the stewards may order such dividends as they are satisfied will not be affected by the result of the protest to be declared and paid.

(2) If no protest is lodged as aforesaid, the dividends shall be declared and paid as ordered by the stewards.

25. Immediately after the declaration of a dividend in respect of an event, notice of the amount of the dividend payable shall be exhibited in places appointed by the committee for that purpose and shall remain exhibited until after the last race.
26. Every investor shall be entitled to receive payment of any dividend, or refund, on presentation of the ticket entitling him thereto at the pay office on the day of the race in respect of which the ticket was issued, not later than thirty minutes after the declaration of the dividend of the last race on that day: Provided that if it is impracticable for any such investor to present the ticket for payment within the time so limited, the dividend or refund to which he is entitled will be payable on presentation at any reasonable hour of such ticket at the office of the secretary of the club, or at such other place as may from time to time be determined by the Committee and notified in the official program of the Club, within a period of one month from the day on which the race was run: Provided further that such dividend, or refund, if not so paid within such last-mentioned period will be payable at the Treasury, Darwin, within a period being not more than two months from the day on which the race was run.
27. No dividend or refund shall be paid except on presentation of a ticket not mutilated or defaced. Torn or disfigured tickets shall not be accepted except by order of the Committee.
28. If any event or circumstance touching or concerning any investment or dividend in any totalizator which is not provided for by these rules should happen to arise, the matter shall be dealt with in such manner as the Committee or any sub-committee of its members appointed by it for the purpose may determine.
29. The decision of the said Committee or sub-committee (as the case may be) upon:
  - (a) any question or dispute as to the amount available for dividend on any horse, or horses, in any event;

## *Totalizator Rules*

- (b) any question as to the genuineness of any ticket or as to any forgery or alteration thereof or tampering therewith;
  - (c) any matter arising under the last preceding rules shall be final and conclusive.
30. The Manager shall allot windows at the totalizator for the receipt of investments for a **Win** or a **Place** or a **Double** or a **Quinella** or a **Trifecta**, a **Four Place Forecast** or a **Win accumulator** (as the case may be), and no investments other than those for which the windows are so allotted shall be taken at any such window.
31. The Manager shall also allot windows for the payment of dividends on presentation of tickets representing winning investments.
32. All windows shall be clearly marked to assist investors in identifying the same.
33. All moneys paid into a totalizator by way of investment shall be recorded so as to register separately the aggregate of all investments on all parts of the racecourse for **Win, Place, Double, Quinella, Trifecta, Four Place Forecast** and **Win Accumulator** respectively.
34. (1) In any case where these Rules provide for the return of the pool to investors it shall not be necessary to pay any fraction of 5 cents unless such fraction amounts to or exceeds 5 cents in which case 5 cents shall be paid.
- (2) The amount of fractions of 5 cents not returned to investors shall be held by the club using the totalizator and shall be paid within fourteen days from the receipt thereof to the Racing and Gaming Commission to be paid to and form part of consolidated revenue.

### **Rules relating to the win totalizator**

35. In respect of the Win totalizator, the dividend on the winner of any race shall be calculated by dividing the pool by the number of units of investments on such winner.

Provided that:

- (a) in the event of a dead heat for a first place the pool shall be divided into as many equal parts as there are backed horses running such dead heat and each such part shall be treated as a separate total and in regard to each backed horse running such dead heat one of such parts shall be divided amongst the investors on such horse;
- (b) in the event of no investment being made on the winner the pool shall be returned to the investors in the manner provided in Rule 2 hereof.



## *Totalizator Rules*

### **Rules relating to the place totalizator**

- 36.** (1) Where (but for the operation of this subrule) at the time the place totalizator would normally be opened for the reception of investments, four or less horses are notified to the public as starters in any race, such totalizator shall not be opened.
- (2) Where at the time the place totalizator is opened for the reception of investments on any race:
- (a) more than four and not more than seven horses are notified to the public as starters in that race every investment for a place shall be on the chance that the horse nominated shall fill the first place or second place in that race (hereinafter referred to as a two dividends race);
  - (b) eight or more horses are notified to the public as starters in that race every investment for a place shall be on the chance that the horse nominated shall fill the first place or second place or third place in that race (hereinafter referred to as a three dividends race).
- 37.** Subject to Rule 36 in a two dividends race:
- (a) the place pool shall be divided into two equal parts one of which shall be divided amongst the investors on the winner and the other amongst the investors on the second horse;
  - (b) in the event of there being no investors on one of the place horses the place pool shall be divided amongst the investors on the other placed horse;
  - (c) in the event of a dead heat for the first place, the place pool shall be divided into as many equal parts as there are backed horses running such dead heat and each such part shall be divided amongst the investors on each backed horse running the dead heat;
  - (d) in the event of two or more horses running a dead heat for second place one half of the pool shall be divided amongst the investors on the winner and the remaining half shall be divided into as many equal parts as there are backed horses running such dead heat and each such part shall be divided amongst the investors on each backed horses running the dead heat;
- Provided that in the event of there being no investors on the winner, the pool shall be divided into as many equal parts as there are backed horses running such dead heat and one such part shall be divided amongst the investors on each backed horse running the dead heat;

## *Totalizator Rules*

- (e) in the event of there being no investors on the placed horses, the pool shall be returned to the investors in the manner provided in Rule 26 thereof.

**38.** Subject to Rule 36 in a three dividends race:

- (a) the place pool shall be divided into three equal parts and one such part shall be divided amongst the investors on the winner, one such part amongst the investors on the second horse and one such part amongst the investors on the third horse;
- (b) in the event of three or more horses running a dead heat for first place, the pool shall be divided into as many equal parts as there are backed horses running the dead heat and one such part shall be divided amongst the investors on each backed horse running the dead heat;
- (c) in the event of two horses running a dead heat for first place, one-third of the pool shall be divided amongst the investors on each of the horses running the dead heat and one-third amongst the investors on the third horse;

Provided that if only one of the horses running the dead heat has been backed, one-half of the pool shall be divided amongst the investors on the backed horse running the dead heat and the other half amongst the investors on the third horse;

- (d) in the event of two or more horses running a dead heat for second place, one-third of the pool shall be divided amongst the investors on the winner and two-thirds of the pool shall be divided into as many equal parts as there are backed horses running the dead heat and one such part shall be divided amongst the investors on each backed horse running the dead heat; Provided that if only one of the horses running the dead heat has been backed, one-half of the pool shall be divided amongst the investors on the winner and the other half amongst the investors of the backed horse running the dead heat;
- (e) in the event of two or more horses running a dead heat for third place; one-third of the pool shall be divided amongst the investors on the winner, one-third amongst the investors on the second horse, and the remaining third shall be divided into as many equal parts as there are backed horses running the dead heat and one of such parts shall be divided amongst the investors on each of the backed horses running the dead heat;
- (f) notwithstanding the provisions of this rule if in any such race:
  - (i) one of the placed horses has not been backed, the pool shall be divided into two equal parts and one of such

## *Totalizator Rules*

parts shall be divided amongst the investors on each of the placed horses which have been backed;

- (ii) two of the placed horses have not been backed, the pool shall be divided amongst the investors on the placed horse which has been backed;
- (iii) none of the placed horses has been backed, the pool shall be returned to the investors in the manner provided in Rule 26 hereof.

**39.** (1) In this section:

***Minimum amount*** in relation to a part of a place pool, means the amount that is sufficient to enable a dividend of Fifty cents (\$0.50) to be declared in respect of that part.

(2) Subject to subclause (3) of this rule where, in relation to a part of the place pool, the minimum amount exceeds the total of:

- (a) that part; and
- (b) the commission deducted in respect of the place pool concerned –

a sum equal to the amount of the excess shall be deducted from the remaining part of the place pool, or in equal proportions from the remaining parts, and added to the first mentioned part of the place pool.

(3) Where two or more horses fill any one place in a race (including first place) and any part of a pool ascertained in accordance with Rule 35 and 36 in respect of that place is required to be divided in respect of the horses filling that place the dividend declared payable in respect of each horse in that place shall be the dividend payable notwithstanding that such dividend may be less than fifty cents (\$0.50).

### **Rules relating to the quinella totalizator**

**40.** (1) Subject to the provisions of this rule the pool shall be divided amongst the investors on the combination of the winner and the second horse.

(2) In the event of there not being any investors on the combination of the winner and the second horse, the pool shall be divided amongst the investors on the combination of the winner and the third horse.

(3) In the event of there not being any investors on either of such combinations, the pool shall be divided amongst the

## *Totalizator Rules*

investors on the combination of the second horse and the third horse.

- (4) In the event of a dead heat for first place between two horses:
  - (a) the pool shall be divided amongst the investors on the combination of the two horses running such dead heat;
  - (b) if the combination referred to in paragraph (a) hereof has not been backed, the pool shall be divided into as many equal parts as there are combinations which have been backed of one of the horses running such dead heat and the third horse and one of such parts shall be divided amongst the investors on each backed combinations;
  - (c) if the combination referred to in paragraph (a) hereof has not been backed and there is a dead heat for third place between two or more horses the pool shall be divided into as many equal parts as there are combinations which have been backed of one of the horses running the dead heat for first place and one of the horses running the dead heat for third place and one of such parts shall be divided amongst the investors on each backed combination.
- (5) In the event of a dead heat for first place between three or more horses, the pool shall be divided into as many equal parts as there are combinations which have been backed of any two horses running such dead heat and one of such parts shall be divided amongst the investors on each backed combination.
- (6) In the event of a dead heat for second place between two or more horses:
  - (a) the pool shall be divided into as many equal parts as there are combinations which have been backed of the winner and one of the horses running the dead heat for second place and one of such parts shall be divided amongst the investors on each such combination.
  - (b) If no combination referred to in paragraph (a) hereof has been backed, the pool shall be divided into as many equal parts as there are combination which have been backed of two of the horses running the dead heat for second place and one of such parts shall be divided amongst the investors on each such combination.
- (7) In the event of there not being any investors on the combination of the winner and the second horse and two or more horses dead heat for third place:

## *Totalizator Rules*

- (a) the pool shall be divided into as many equal parts as there are combinations which have been backed of the winner and one of the horses running the dead heat for third place and one of such parts shall be divided amongst the investors on each such combination;
  - (b) if no combination referred to in paragraph (a) hereof has been backed, the pool shall be divided into as many equal parts as there are combinations which have been backed of the second horse and one of the horses running the dead heat for third place and one of such parts shall be divided amongst the investors on each such combination.
- (8) In the event of there not being any investors on any of the combinations referred to in subparagraphs (1), (2), (3), (4), (5), (6) and (7) of this rule, the pool shall be returned to the investors in the manner provided in Rule 26 hereof.

**40A.** For the purposes of the apportionment of dividends any placegetter identified on the totalizator by a bracket number shall be treated in the same manner as if it were given a separate number of the totalizator.

Where a dividend is declared solely in respect of two placegetters includes in a common bracket number, all of the investors who have combined that bracket number with any other starter in the race shall be entitled to receive such dividend.

### **Rules relating to the double totalizator**

- 41.**
- (1) Subject to the provisions of this Rule, the pool shall be divided among the investors on the combination of the winner in each race of the double.
  - (2) In the event of there not being any investors on the combination of the winner in each race of the double the pool shall be divided among the investors on the combination of the winner in the first race with the second horse in the second race.
  - (3) In the event of there not being any investors on either such combinations the pool shall be divided among the investors on the combination of the winner in the first race with the third horse in the second race.
  - (4) In the event of there not being any investors on any of the combinations referred to in subparagraph (1), (2), and (3) of this rule the pool shall be divided among the investors on the combination of the second horse in the first race with the winner in the second race.
  - (5) In the event of there not being any investors on any of the combinations referred to in subparagraph (1), (2), (3), and (4) of

## *Totalizator Rules*

this rule the pool shall be divided among the investors on the combination of the second horse in the first race with the second horse in the second race.

(6) In the event of there not being any investors on any of the combinations referred to in subparagraph (1), (2), (3), (4) and (5) of this rule the pool shall be divided among the investors on the combination of the second horse in the first race with the third horse in the second race.

(7) In the event of there not being any investors on any of the combinations referred to in subparagraph (1), (2), (3), (4), (5), and (6), of this rule the pool shall be divided among the investors on the combination of the third horse in the first race with the winner in the second race.

(8) In the event of there not being any investors on any of the combinations referred to in subparagraph (1), (2), (3), (4), (5), (6) and (7) of this rule, the pool shall be divided among the investors on the combination of the third horse in the first race with the second horse in the second race.

(9) In the event of there not being any investors on any of the combinations referred to in subparagraph (1), (2), (3), (4), (5), (6), (7), and (8) of this rule, the pool shall be divided among the investors on the combination of the third horse in the first race with the third horse in the second race.

(10) In the event of there not being any investors on any of the combinations referred to in subparagraph (1), (2), (3), (4), (5), (6), (7), (8), and (9) of this rule, the pool shall be refunded to the investors in the manner provided in Rule 26 hereof.

(11) Where as the result of a dead heat in any race to which the double relates, investors on two or more combinations of horses become entitled to a dividend in pursuance of the preceding subregulations of this rule, then in such case the pool shall be divided into such a number of equal parts as is equivalent to the number of such combinations. Each such part shall be treated separately and the dividend payable to an investor on any such combination shall be ascertained by dividing that part among the investors on such combination.

### **42.** Where:

- (a) a horse in the first race of any double becomes a non-starter any money invested on any double which includes such horse shall, if such first race is the second race of a previous double, be deemed to be invested on the double comprising the horse determined by the Committee for the purposes of paragraph (c)

## *Totalizator Rules*

of this rule and the horse selected by the investor in the second race of the double concerned;

- (b) a horse in the first race of any double becomes a non-starter any money invested on any double which includes such horse shall, if such first race is not the second race of the previous double be deemed to be invested on the double comprising the horse in the first race which has the greatest relative amount of money invested on it on the **Win** totalizator and the horse selected by the investor in the second race of the double concerned.

Provided that where two or more horses are equally determinable for the purposes of this paragraph the first of such horses named in the official programme shall be deemed to be the horse selected by the investor to win the first race of the double and all investments on a double comprising a non-starter in the first race of the double shall be deemed to be invested on the horse so determined and the horse selected to win the second race of the double concerned.

Provided further that any horse so determined pursuant to this paragraph shall be announced to the public by the Committee as soon as practicable.

Provided further that if no such horse can be so determined on the **Win** totalizator, all investments on the double comprising the non-starter in the first race of the double and any horse in the second race of the double shall be refunded in full to the investors in the manner provided in Rule 26 hereof.

Provided further that if a horse in the first race of such double becomes a non-starter and is included in a bracket as shown in the official programme and another horse included in the same bracket remains a starter, the provisions of this paragraph and paragraph (a) of this rule shall not apply.

- (c) a horse in the second race of any double becomes a non-starter, the money invested on any double which combines such horse with the winner of the first race of such double shall be deemed to be invested on the double which combines the winner of such first race with such other horse in the second race of such double as the Committee shall before the running of such second race determines and announce to the public and in making any such determination and announcement, the Committee shall have regard to the investments in the double totalizator on the event in question and, as far as practicable, determine and announce a horse in such second race in respect of which, having regard to all investments on the combination of the winner of such first race with starters in such second race, the greatest relative amount of money has been invested on the double combining the said winner and such horse.

## *Totalizator Rules*

Provided that where two or more horses are equally determinable in accordance with the foregoing provisions of this paragraph the first of such horses named in the official programme shall be deemed to be the horse selected by the investor to win the second race of the double and all investments on a double combining the winner of the first race of the double concerned with a non-starter in the second race of such double, shall be deemed to be invested on the double comprising the winner of the first race of the double and the starter so determined.

Provided further that if the horse in the second race of any double becoming the non-starter is included in a bracket as shown in the official programme and another horse included in the same bracket remains a starter, the provisions of this paragraph shall not apply.

- (d) in any such event, the amount invested on any double in respect of which any investor is entitled to a refund in accordance with this rule shall be deemed not to have been paid into the totalizator.
- 43.** In the event of the first or second race of any double or both the first race and the second race of any double being run over again by order of the stewards, the pool shall be dealt with in accordance with the ultimate results of any such re-run race or races.
- 44.**
- (1) In the event of both races comprising a double being abandoned, all investments on such double shall be refunded in full.
  - (2) In the event of the first race of a double being abandoned before or after the start of such race:
    - (a) a dividend shall be determined on the result of the second race of such double and the pool shall be divided as follows:
      - (i) amongst the investors on a combination comprising any horse in the first race and the winning horse in the second race; or
      - (ii) where there are no investors on such a combination, amongst the investors on a combination comprising any horse in the first race and the horse placed second in the second race; or
      - (iii) where there are no investors on either of such combinations, amongst the investors on a combination comprising any horse in the first race and the horse placed third in the second race; or



## *Totalizator Rules*

- (b) if there are no investors on any combination specified in paragraph (a) investments on such double shall be refunded after deduction of the commission prescribed by the Act.
- (3) In the event of the second race of a double being abandoned before or after the first race is run:
  - (a) a dividend shall be determined on the result of the first race of such double and the pool shall be divided as follows:
    - (i) amongst the investors on a combination comprising the winning horse in the first race and any horse in the second race; or
    - (ii) where there are no investors on such a combination, amongst the investors on a combination comprising the horse placed second in the first race and any horse in the second race; or
  - (b) if there are no investors on any combination specified in paragraph (a) investments on such double shall be refunded after deduction of the commission prescribed by the Act.

### **Rules relating to the trifecta totalizator**

#### **45. Rules relating to the trifecta totalizator**

- (1) Subject to this rule, the pool shall be divided among the investors who have nominated the combination of first horse, second horse and third horse in the correct finishing order.
- (2) Where no investors have nominated the combination referred to in subrule (1), the dividend pool shall be carried forward and be added to the dividend pool for the next trifecta race conducted by the club, either on that day or at a subsequent meeting.
- (3) Where, as the result of a dead heat in a race on which a trifecta is being operated, investors on 2 or more combinations become entitled to a dividend in accordance with subrule (1), the dividend pool shall be divided into such number of equal parts as is equivalent to the number of such backed combinations and each such part shall be treated separately and the dividend payable to an investor on such a combination shall be ascertained by dividing that part among the investors on such backed combinations.
- (4) A trifecta totalizator shall not be conducted on a race in which there are more acceptors than there are numbers available on the totalizator.

## *Totalizator Rules*

(5) Where a horse does not become a starter in a race on which a trifecta totalizator is being operated, all money invested on a combination which includes such horse shall be refunded in full to the investors concerned and the amount so refunded shall, for the purposes of these Rules, be deemed not to have been paid into the totalizator.

### **Rules relating to the four place forecast totalizator**

#### **45A. Division of pool**

(1) Subject to this rule, the pool shall be divided among those investors who have nominated the combination of the first horse, second horse, third horse and fourth horse in the correct finishing order.

(2) In the event of there not being any investors who have nominated the combination referred to in subrule (1), the pool shall be added to a subsequent four place forecast totalizator pool as approved by the Chairman.

(3) The number of race meetings during which the pool may be accumulated before a dividend is declared shall be determined by the Chairman, provided that the Committee shall be given at least 6 days notice of the date of a meeting so determined subject to the provisions of subrule (5).

(4) Subject to these Rules, the Committee shall determine the number of races at any one meeting on which the four place forecast totalizator shall be conducted.

(5) In the event of there not being any investors who have nominated the combination referred to in subrule (1) on the last-determined four place forecast totalizator race at a meeting referred to in subrule (3), the pool shall be divided in the following order of precedence among those investors who have nominated:

- (a) a combination of the first horse, second horse and third horse in correct finishing order with any other starter in the race;
- (b) a combination of the first horse, second horse, third horse and fourth horse irrespective of finishing order;
- (c) a combination of any 3 of the horses placed first, second and third irrespective of finishing order with any other starter in the race; and
- (d) a combination of the first horse and second horse in correct finishing order with any other starter in the race.

## *Totalizator Rules*

- (6) If there are no investors who have nominated the combinations referred to in subrules (1) and (5) at a meeting determined under subrule (3), the pool shall be added to the next succeeding four place forecast totalizator race conducted by the Committee and again dealt with in accordance with subrules (1) and (5).
- (7) Where, as a result of a dead heat in any one race on which the four place forecast totalizator is being conducted, investors on 2 or more combinations become entitled to a dividend in pursuance of this rule, the pool shall be divided into a number of equal parts equal to the number of such backed combinations treating each part separately and ascertaining the dividend payable to an investor on any combination by dividing that part among the investors on such backed combinations.
- (8) Where, at the time when the four place forecast totalizator would normally be opened for the receipt of investments, 6 or less horses are notified to the public as starters in any race, such totalizator shall not be opened.
- (9) In the event that a horse is notified as a non-starter in a race on which the four place forecast totalizator has opened resulting in 6 or less starters in that race:
- (a) all investments on that race shall be refunded in accordance with Rule 26; and
  - (b) any pool carried forward pursuant to subrules (2) and (5) will again be dealt with in accordance with subrules (2) and (5).
- (10) If any horse does not become a starter in a race on which the four place forecast totalizator is being conducted all money invested on any combination which includes such horse shall be refunded in full to the investors concerned in the manner provided in Rule 26 and the amount so refunded shall be deemed not to have been paid into the totalizator.
- (11) Upon a four place forecast totalizator race being declared no race by the stewards all investments on that particular race shall be refunded in the manner provided in Rule 26 and any pool carried forward from a previous four place forecast totalizator race shall be added to and form part of the pool for the next four place forecast totalizator race in accordance with subrule (3).

### **45B. Rules relating to win accumulator totalizator**

## *Totalizator Rules*

- (1) Subject to this rule, the pool shall be divided among the investors on the combination of the winners of each of the races of a win accumulator.
- (2) Where there are no investors who have nominated the combination referred to in subrule (1), the pool shall be added to a subsequent win accumulator totalizator pool as approved by the Commission.
- (3) Subject to subrule (5), the number of race meetings during which the pool may be accumulated before a dividend is declared shall be determined by the Commission, which shall give the Committee not less than 6 days notice of the date of the last meeting of that number so determined.
- (4) Subject to these Rules, the Committee may, with the approval of the Commission, determine the number of races at any one meeting on which the win accumulator totalizator shall be conducted.
- (5) Where there are no investors who have nominated the combination referred to in subrule (1) on the last win accumulator race at the last meeting of a number of race meetings determined under subrule (3), the pool shall be divided, among those investors who have nominated, as follows:
  - (a) where there are no investors on the combination of the winners of the 3 races of a 3 race win accumulator, the alternative combinations for distribution of the pool in order of precedence shall be:
    - (i) the winners of the first 2 races with second in the third race;
    - (ii) the winners of the first 2 races with third in the third race; and
    - (iii) the winners of the first 2 races with any selection in the third race;
  - (b) where there are no investors on the combination of the winners of the 4 races of a 4 race win accumulator, the alternative combinations for distribution of the pool in order of precedence shall be:
    - (i) the winners of the first 3 races with second in the fourth race;
    - (ii) the winners of the first 3 races with third in the fourth race;

### *Totalizator Rules*

- (iii) the winners of the first 3 races with any selection in the fourth race;
  - (iv) the winners of the first 2 races with second in the third race and any selection in the fourth race; and
  - (v) the winners of the first 2 races with third in the third race and any selection in the fourth race;
- (c) where there are no investors on the combination of the winners of the 5 races of a 5 race win accumulator, the alternative combinations for distribution of the pool in order of precedence shall be:
- (i) the winners of the first 4 races with second in the fifth race;
  - (ii) the winners of the first 4 races with third in the fifth race;
  - (iii) the winners of the first 4 races with any selection in the fifth race;
  - (iv) the winners of the first 3 races with second in the fourth race and any selection in the fifth race; and
  - (v) the winners of the first 3 races with third in the fourth race and any selection in the fifth race; and
- (d) where there are no investors on the combinations of the winners of the 6 races of a 6 race win accumulator, the alternative combinations for distribution of the pool in order of precedence shall be:
- (i) the winners of the first 5 races with second in the sixth race;
  - (ii) the winners of the first 5 races with third in the sixth race;
  - (iii) the winners of the first 5 races with any selection in the sixth race;
  - (iv) the winners of the first 4 races with second in the fifth race and any selection in the sixth race;
  - (v) the winners of the first 4 races with third in the fifth race and any selection in the sixth race;
  - (vi) the winners of the first 4 races with any selection in the fifth race and any selection in the sixth race;

## Totalizator Rules

- (vii) the winners of the first 3 races with second in the fourth race and any selection in the fifth race and any selection in the sixth race; and
- (viii) the winners of the first 3 races with third in the fourth race and any selection in the fifth race and any selection in the sixth race.

(6) Where there are no investors who have nominated the combinations referred to in subrules (1) and (5) on the last win accumulator race at the last meeting of a number of race meetings determined under subrule (3), the pool shall be added to the next succeeding win accumulator conducted by the Committee and again dealt with in accordance with subrules (1) and (5).

(7) Subject to subrules (8) and (9), where a race of a win accumulator is abandoned or declared a No Race, irrespective of whether such No Race is later re-run, all selections in that race shall be deemed to be winners, and the pool shall be divided in accordance with these Rules.

(8) Where:

- (a) in a 3 or 4 race win accumulator – one or more races;
- (b) in a 5 race win accumulator – 2 or more races; or
- (c) in a 6 race win accumulator – 3 or more races,

are abandoned or declared a No Race, all investments shall be refunded in full.

(9) Where, as the result of a dead-heat in a race of a win accumulator, investors on 2 or more combinations of horses become entitled to a dividend pursuant to these Rules, the pool shall be divided into the number of equal parts that is equivalent to the number of such backed combinations.

(10) Where, in a race of a win accumulator, a horse nominated in the race is not a starter in that race for which it was so nominated by the investor, the investment by that investor on that horse for that race shall, for the purposes of these Rules, form part of the investment on the most favoured starter in the win accumulator totalizator pool for that race.

(11) Subject to subrule (12), for the purposes of subrule (10), the term **most favoured starter**, in relation to the win accumulator totalizator pool for a race, means the horse, in that race, which has the largest number of investments on it.

## *Totalizator Rules*

(12) Where, by virtue of subrule (11), 2 or more horses in a race would, but for this subrule, qualify under that subrule as most favoured starter in the race, the first such horse named in the official programme for that race shall, for the purposes of subrule (10), be the most favoured starter in that race.

(13) Where a most favoured starter referred to in subrule (10) has been determined in accordance with subrules (11) and (12), the Committee shall, as soon as practicable after the most favoured starter has been so determined, announce to the public, by such means as it thinks fit, the name of that most favoured starter.

### **Provisions relating to scratched or withdrawn horses or greyhounds**

- 46.** When a horse or greyhound is scratched or withdrawn from a race, an investor who holds a ticket on that horse or greyhound, may present that ticket to the Totalizator up to race start time and nominate another selection.

## Totalizator Rules

### 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

##### **Totalizator Rules (SL No. 11, 1979)**

Notified 3 August 1979  
Commenced 3 August 1979

##### **Amendments of the Totalizator Rules**

Notified 3 April 1980  
Commenced 3 April 1980 (*Gaz G14*, 3 April 1980, p 1)

##### **Amendments of the Totalizator Rules**

Notified 26 June 1981  
Commenced 26 June 1981 (*Gaz G25*, 26 June 1981, p 1)

##### **Amendments of the Totalizator Rules**

Notified 11 February 1983  
Commenced 11 February 1983 (*Gaz G6*, 11 February 1983, p 4)

##### **Amendment of the Totalizator Rules**

Notified 13 May 1983  
Commenced 13 May 1983 (*Gaz G19*, 13 May 1983, p 4)

##### **Criminal Law (Regulatory Offences) Act 1983 (Act No. 68, 1983)**

Assent date 28 November 1983  
Commenced 1 January 1984 (s 2, s 2 *Criminal Code Act 1983* (Act No. 47, 1983), *Gaz G46*, 18 November 1983, p 11 and *Gaz G8*, 26 February 1986, p 5)

#### 3 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22, 2018) to: r 1.



**4**

**LIST OF AMENDMENTS**

r 2	amd Gaz G14, 3 April 1980; Gaz G6, 11 February 1983
r 10A	ins Act No. 68, 1983, s 100
r 23	amd Gaz G14, 3 April 1980; Gaz G6, 11 February 1983
r 30	amd Gaz G14, 3 April 1980; Gaz G6, 11 February 1983
r 33	amd Gaz G14, 3 April 1980; Gaz G6, 11 February 1983
r 45	amd Gaz G25, 26 June 1981
	sub Gaz G19, 13 May 1983
r 45A	ins Gaz G14, 3 April 1980
r 45B	ins Gaz G6, 11 February 1983
r 46	amd Gaz G14, 3 April 1980