



*Wagering Act 1998*

# **Wagering Regulation 1999**

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## Queensland

# Wagering Regulation 1999

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# Wagering Regulation 1999

## 1 Short title

This regulation may be cited as the *Wagering Regulation 1999*.

## 2 Commencement

This regulation commences on 1 July 1999.

## 3 Definitions

In this regulation—

**2 dividend race** means a race—

- (a) where—
  - (i) there are 5, 6 or 7 runners in the race at the time an authority operator is notified, by the race club conducting the race, of scratchings for the race; and
  - (ii) at least 4 runners start in the race;
- (b) where—
  - (i) there are at least 8 runners in the race at the time an authority operator is notified, by the race club conducting the race, of scratchings for the race; and
  - (ii) 4, 5 or 6 runners start in the race.

**3 dividend race** means a race where—

- (a) there are at least 8 runners in the race at the time an authority operator is notified, by the race club conducting the race, of scratchings for the race; and
- (b) at least 7 runners start in the race.

**advanced evaluation** means an evaluation of any of the following things relating to regulated wagering equipment—

- (a) communications protocols;
- (b) monitoring systems;
- (c) random number generators.

**automated device** means a device to transmit investments to the licence operator electronically.

**basic evaluation** means an evaluation of any of the following things relating to regulated wagering equipment—

- (a) artwork;
- (b) cabinet design;
- (c) documentation, including for example, operational manuals.

**casino licensee** means a casino licensee under the *Casino Control Act 1982*.

**casino operator** means a casino operator under the *Casino Control Act 1982*.

**closing time** has the meaning given by section 15D.

**commercial special facility licence** means a commercial special facility licence under the *Liquor Act 1992*.

**commercial special facility premises** means premises to which a commercial special facility licence relates.

**competitor**, for an event, means a person, team of persons, animal or object that the licence operator conducting wagering on the event expects to compete in the event.

**credit ticket** means a voucher for use in place of money to make an investment.

**customer input system** means a computer or other device and any software installed on the computer or device that—

- (a) is used by a wagering licensee for the conduct of wagering; and
- (b) requires a person who makes an investment to input information for the investment into the computer or device.

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***deposit account*** means an account in the name of an investor with a licence operator.

***event*** means—

- (a) for an event on which wagering is conducted by a licence operator under a race wagering licence—an event that—
  - (i) is, or relates to, thoroughbred, harness or greyhound racing; and
  - (ii) may be lawfully held in Queensland or elsewhere; or
- (b) for an event on which wagering is conducted by a licence operator under a sports wagering licence—
  - (i) a sporting event or sporting contingency; or
  - (ii) a simulated event or simulated contingency approved for the licence under the Act, section 57; or
  - (iii) a non-sporting event, or a contingency relating to a non-sporting event, approved for the licence under the Act, section 57.

***fixed odds management system*** means a computer or other device and any software installed on the computer or device that contains information used by a wagering licensee to calculate odds for the conduct of wagering on a fixed odds basis.

***host computer system*** means a computer that has—

- (a) software installed on it that any person can use through the internet with another computer; or
- (b) information contained on it that any person can access through the internet with another computer.

***intermediate evaluation*** means an evaluation of any of the following things relating to regulated wagering equipment—

- (a) hardware, other than hardware subject to basic evaluation;

- (b) software, other than software subject to advanced evaluation;
- (c) the mathematical treatise of the derivation of the theoretical return to a player.

**internet wagering system** means a host computer system and any software installed on the host computer system used by a wagering licensee for the conduct of wagering.

**lotteries computer system** means a computer system used for the conduct of lotteries by a lottery licensee under a lottery licence.

**lottery licence** means a licence under the *Lotteries Act 1997* to conduct a lottery.

**lottery licensee** means a person who holds a lottery licence.

**odds**, for an investment on a selection for an event, means the multiple of the investor's investment that decides the payout the investor receives if the investor correctly predicts the result of the event.

**payout** includes the amount of the investment made.

**promotional credit** has the meaning given by the rule.

**race**—

- (a) means an event that is, or relates to, a thoroughbred, harness or greyhound race; but
- (b) does not include a simulated event.

**race totalisator** means a totalisator used for conducting wagering under a race wagering licence.

**relevant chief executive** means the chief executive of the department in which the *Liquor Act 1992* is administered.

**restricted investor** means a person registered with a licence operator as a restricted investor under section 15G(1).

**result** means the outcome of an event.

**rule** means a rule made under the *Wagering Act 1998*, section 198.

**runner** means a competitor in a race.



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**selection** means a result on which an investment is made.

**simulated event random number generator** means a device designed and used to select random numbers to determine the result for a simulated event.

**subsidiary operator** means—

- (a) an individual or body corporate to which the holder of a commercial special facility licence has, with the approval of the relevant chief executive—
  - (i) let or sublet part of the commercial special facility premises; and
  - (ii) let or sublet the right to sell liquor; or
- (b) an individual or body corporate with which the holder of a commercial special facility licence has, with the approval of the relevant chief executive—
  - (i) entered into a franchise or management agreement for part of the commercial special facility premises; and
  - (ii) let or sublet the right to sell liquor.

**telebet system** means a computer or other device and any software installed on the computer or device that—

- (a) is used by a wagering licensee for the conduct of wagering; and
- (b) requires the licensee to input information for an investment made by a person into the computer or device.

**totalisator**, for schedule 2, means an instrument, machine or device under which a system mentioned in the Act, section 8(1) is operated.

**unrestricted investor** means a person registered with a licence operator as an unrestricted investor under section 15H.

**4 Persons with whom licence operator may enter into agency agreements—Act, s 141**

For section 141(1)(b) of the Act, a person is eligible to be a wagering agent if the person is a person intending to carry on operations as an agent of a licence operator, whether or not the operations are the only business activity carried on by the person.

**5 Calculating commission—Act, s 163**

- (1) For section 163(1) of the Act, the amount, for an authority operator, is calculated as follows—
  - (a) if the authority operator is the Golden Casket Lottery Corporation Limited ACN 078 785 449 and the totalisator is conducted for the game ‘Sports Tipping’—50% of the total amount invested in the totalisator;
  - (b) otherwise—25% of the total amount invested in the totalisator.
- (2) For section 163(2) of the Act, the amount for a financial year, for the Golden Casket Lottery Corporation Limited ACN 078 785 449, on totalisators conducted for the game ‘Sports Tipping’ is calculated as 50% of the total amount invested in the year in the totalisators.

**10 Percentage penalties for late payment—Act, s 170**

- (1) For section 170(2) of the Act, the percentage is 5%.
- (2) For section 170(4) of the Act, the percentage is 5%.

**10A Prescribed amount—Act, s 173**

For section 173(4) of the Act, the prescribed amount is \$8,000.

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**11 Places of operation for wagering agents—Act, s 205**

For section 205(2) of the Act, the following kinds of places are appropriate for a wagering agent—

- (a) for a race club—a racing venue;
- (b) for a person mentioned in section 4 who is not a casino licensee, casino operator or the holder of a licence under the *Liquor Act 1992*—
  - (i) a part of retail shopping or other commercial premises that—
    - (A) is fully enclosed by a permanent structure; and
    - (B) uses frosted or opaque glass if glass is used to enclose or partly enclose the part; and
    - (C) uses frosted or opaque perspex if perspex is used to enclose or partly enclose the part; and
    - (D) has an opening that is a doorway and not an open shopfront; and
    - (E) is able to be locked at the close of trade; and
    - (F) does not have an automatic teller machine within the part; and
    - (G) is not located within, or next to, a food court area or cinema area within a shopping centre or within, or next to, a similar area where a significant number of minors congregate; or  
*Example of a similar area where a significant number of minors congregate—*  
an arcade games venue
  - (ii) if the person intends to carry on operations as an agent at a place temporarily—a place approved by the chief executive;
- (c) for a casino licensee—
  - (i) the casino to which the licensee’s casino licence relates; or

- (ii) the hotel-casino complex of which the casino is identified as part in the licence;
- (d) for a casino operator—
  - (i) the casino for which the operator is the casino operator; or
  - (ii) the hotel-casino complex of which the casino is identified as part in the licence;
- (e) for the holder of a licence under the *Liquor Act 1992* only—
  - (i) if the licence is a commercial hotel licence or community club licence under that Act—
    - (A) part of the premises of which the licensed premises to which the licence relates forms part; or
    - (B) a place mentioned in paragraph (b)(i); or
  - (ii) otherwise—
    - (A) part of the premises, of which the licensed premises to which the licence relates forms part, approved by the chief executive; or
    - (B) a place mentioned in paragraph (b)(i);
- (f) for the holder of a licence under the *Liquor Act 1992* who also holds a gaming machine licence under the *Gaming Machine Act 1991*—
  - (i) part of the premises of which the licensed premises to which the licence under the *Liquor Act 1992* relates forms part; or
  - (ii) a place mentioned in paragraph (b)(i);
- (g) for a subsidiary operator who does not hold a gaming machine licence under the *Gaming Machine Act 1991*—part of the commercial special facility premises, approved by the chief executive, that the subsidiary operator has leased or subleased or for which the subsidiary operator has entered into a franchise or management agreement;

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- (h) for a subsidiary operator who holds a gaming machine licence under the *Gaming Machine Act 1991*—part of the commercial special facility premises that the subsidiary operator has leased or subleased or for which the subsidiary operator has entered into a franchise or management agreement.

### **11A Declaration of approved entities—Act, s 208A**

Each entity mentioned in schedule 1A is declared to be an approved entity for section 208A of the Act.

### **12 Requests to review decisions about claims for payment—Act, s 214**

- (1) This section prescribes, for section 214(6) of the Act, the way in which the chief executive must deal with a request, made by a claimant under section 214(4)(a) of the Act, to review a decision of an authority operator (the *operator's decision*).
- (2) The chief executive must either review, or refuse to review, the operator's decision.
- (3) The chief executive may refuse to review the operator's decision only if the chief executive considers the request was not made in good faith or is frivolous.
- (4) If the chief executive decides to refuse to review the operator's decision, the chief executive must—
  - (a) give written notice of the chief executive's decision to the authority operator and claimant; and
  - (b) give the claimant a written notice stating the reasons for the chief executive's decision.
- (5) If the chief executive decides to review the operator's decision, the chief executive must—
  - (a) give the authority operator a copy of the claimant's request; and
  - (b) by written notice given to the authority operator invite the operator, and by written notice given to the claimant invite the claimant, to make a written submission to the

chief executive about the operator's decision within 1 month after receiving the notice (the *submission period*).

- (6) The chief executive may—
  - (a) cause an investigation to be made about any matter the chief executive considers relevant to the review; and
  - (b) request a report of the investigation be given to the chief executive.
- (7) As soon as practicable after the end of the submission period, the chief executive must—
  - (a) consider all written submissions made in the submission period by the authority operator and claimant; and
  - (b) consider any report given to the chief executive under subsection (6); and
  - (c) make a decision about the review; and
  - (d) give the authority operator and claimant a written notice stating the decision and the reasons for the decision.
- (8) Nothing in this section affects or prejudices any other right or remedy of an authority operator or participant in approved wagering.

### **13 Requests to resolve claims for payment—Act, s 214**

- (1) This section prescribes, for section 214(6) of the Act, the way in which the chief executive must deal with a request, made by a claimant under section 214(4)(b) of the Act, to resolve a claim for payment of a winning bet.
- (2) The chief executive must ask the authority operator to immediately try to resolve the claim.
- (3) If, within 14 days of making the request under subsection (2), the chief executive is not advised of the resolution of the claim by the authority operator or claimant, the chief executive must by written notice given to the authority operator invite the operator, and by written notice given to the claimant invite the claimant, to make a written submission to the chief executive

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about the claim within 1 month after receiving the notice (the *submission period*).

- (4) The chief executive may—
  - (a) cause an investigation to be made about a matter the chief executive considers relevant to the claim; and
  - (b) request a report of the investigation be given to the chief executive.
- (5) As soon as practicable after the end of the submission period, the chief executive must—
  - (a) consider all written submissions made in the submission period by the authority operator and claimant; and
  - (b) consider any report given to the chief executive under subsection (4); and
  - (c) make a decision about the claim; and
  - (d) give the authority operator and claimant a written notice stating the decision and the reasons for the decision.
- (6) However, the chief executive is not required to take or complete action under subsection (5) if the chief executive is advised of the resolution of the claim by the authority operator or claimant.
- (7) Nothing in this section affects or prejudices any other right or remedy of an authority operator or participant in approved wagering.

### **13A Report about prohibition under order or direction—Acts 216L**

- (1) A general operator must give the chief executive a report about the prohibition of persons from taking part in approved wagering at, or entering or remaining in, the operator's approved place of operation under a self-exclusion order or an exclusion direction—
  - (a) within 14 days after 31 December in each year; and
  - (b) within 14 days after—
    - (i) 30 June 2006; and

- (ii) 30 June in each later year.
- (2) Subsection (3) applies if a person takes part in approved wagering at, or enters or remains in, a general operator's approved place of operation in contravention of a self-exclusion order or an exclusion direction.
- (3) The general operator must, within 7 days after the contravention, give a report to the chief executive about the prohibition of the person from taking part in approved wagering at, or entering or remaining in, the operator's approved place of operation under the self-exclusion order or exclusion direction.

#### **14 Entities to whom information may be disclosed—Act, s 308**

The entities prescribed for section 308(3)(a) of the Act are set out in schedule 1.

#### **15 Limit on amount invested**

- (1) A person may, by written notice to a licence operator, set a limit on the amount the person may invest by telephone, automated device or the internet.

*Examples—*

- 1 The person might set a limit by reference to a stated maximum for all events on which wagering is conducted by the licence operator over a stated period (e.g. a limit of \$100 over 1 month).
  - 2 The person might set the limit at zero thus effectively preventing the person from investing on events on which wagering is conducted by the licence operator until the limit is relaxed or removed.
- (2) A person who has set a limit under this section may change or revoke the limit by written notice given to the licence operator.
  - (3) A notice increasing or revoking the limit does not have effect unless—
    - (a) 7 days have passed since the licence operator received the notice; and



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- (b) the person has not notified the licence operator of an intention to withdraw the notice.
  - (4) A notice reducing the limit has effect on its receipt by the licence operator.
  - (5) A licence operator must not accept a wager from a person contrary to a limit set for the person under this section.

### **15A Cancellation of investment—fixed odds**

- (1) A licence operator conducting fixed odds wagering must cancel an investment if—
  - (a) the investment made is not the investment the investor intended; and
  - (b) the investor’s request to cancel the investment is made within 2 minutes of making the investment; and
  - (c) the cancellation can be effected before the closing time for accepting investments on the event on which the investment is made.
- (2) If an investment is cancelled, the investment must be refunded in full.
- (3) In this section—

*fixed odds wagering* means wagering conducted on a fixed odds basis under a wagering licence.

### **15B Cancellation of investment—sports totalisator**

- (1) A licence operator is under no obligation to ensure a sports totalisator investment is the investment the investor intended.
- (2) The licence operator must cancel the investment, at the investor’s request, if the cancellation can be effected before the closing time for accepting investments on the totalisator on which the investment is made.
- (3) The money used to make the investment must be refunded or, at the investor’s request, may be used to make another investment.

(4) In this section—

*sports totalisator* means a totalisator used for conducting wagering under a sports wagering licence.

### **15C Cancellation of investment—race totalisator**

(1) This section applies to a race on which an investment is made or, if the investment is made on more than 1 race, the first of the races on which the investment is made.

(2) The investment may be cancelled up until 5 minutes before the advertised starting time for the race.

(3) An authority operator must cancel an investment presented for cancellation less than 5 minutes before the advertised starting time if—

(a) the investor advises the investment made is not the investment the investor intended; and

(b) the investor's request to cancel the investment is made within 5 minutes after making the investment; and

(c) the cancellation can be effected before the closing time for accepting investments on the totalisator on which the investment is made.

(4) An investment may be cancelled before the closing time if the investment—

(a) involves a scratching; and

(b) is presented for cancellation in time to allow the cancellation to be effected before the closing time.

(5) This section applies unless the rule provides that investments may not be cancelled in particular circumstances.

(6) If an investment is cancelled, the investment must be refunded in full.

(7) In this section—

*scratching*, for a runner in a race, means a runner that has been scratched before the time, stated by the race club conducting the race, for notifying scratchings.

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**15D Closing time for accepting investments**

- (1) An authority operator may decide the time after which the operator will not accept investments (the *closing time*)—
  - (a) on stated selections; or
  - (b) on stated wagering options; or
  - (c) on stated classes of totalisator; or
  - (d) on stated events or classes of events; or
  - (e) at stated times during an event; or
  - (f) at stated premises.
- (2) An investment accepted after the closing time must be refunded in full.
- (3) In this section—  
*wagering option* has the meaning given by the rule.

**15E Printed tickets**

- (1) If an investor makes an investment using cash, a credit ticket or another payment method approved by the chief executive, the authority operator must issue a ticket (a *printed ticket*) to the investor.
- (2) More than 1 investment may be recorded on a printed ticket if the investment is made using a totalisator.
- (3) It is the investor's responsibility to ensure the details on the printed ticket are in accordance with the investment details requested by the investor.
- (4) The investment is taken to have been made when the investment is paid for and the printed ticket issues to the investor.
- (5) The investor may use the printed ticket to claim a payout, dividend or refund payable to the investor in relation to the investment.

### **15F Application to open deposit account**

- (1) A person may apply to a licence operator to open a deposit account with the licence operator by giving the licence operator the information required for an account under the licence operator's control system.
- (2) The application must be accompanied by funds to deposit in the account in the amount of at least the minimum deposit amount decided by the licence operator.
- (3) Subject to sections 15G and 15H, the licence operator may register the person as a restricted or an unrestricted investor.

### **15G Registration as a restricted investor**

- (1) A licence operator must not register a person as a restricted investor unless the licence operator—
  - (a) carries out the registration under the licence operator's control system; and
  - (b) informs the person of the effect of sections 15H, 15I, 15J, 15K, 15M(2) and 15O(1) and (2).
- (2) If the licence operator registers a person as a restricted investor, the licence operator must, as soon as practicable after registering the person, give the person a written notice stating the effect of sections 15H, 15I, 15J, 15K, 15M(2) and 15O(1) and (2).

### **15H Registration as an unrestricted investor**

The licence operator must not register a person as an unrestricted investor, unless the licence operator—

- (a) carries out the registration under the licence operator's control system; and
- (b) as required by the licence operator's control system, authenticates the person's identity and verifies the person is at least 18.

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**15I End of registration as a restricted investor**

- (1) A person who is registered as a restricted investor may subsequently be registered as an unrestricted investor.
- (2) If a restricted investor is subsequently registered as an unrestricted investor, the person's registration as a restricted investor is cancelled.
- (3) If a person's registration as a restricted investor is not sooner cancelled under subsection (2), the registration ends 72 hours after the person was registered.
- (4) Despite subsection (3), if the period that applies to verifying the person's identity under the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cwlth), section 34(1) is less than 72 hours, the registration ends when that period ends.

**15IA Authentication of identity within 1 year**

- (1) This section applies if—
  - (a) a person's registration as a restricted player ends under section 15I(3) or (4); and
  - (b) the person's identity is authenticated and age verified under section 15H after the person's registration has ended but less than 1 year after the day the person was registered as a restricted player.
- (2) The licence operator must reinstate the person's registration as a restricted player.
- (3) After acting under subsection (2), the licence operator may register the person as an unrestricted player under section 15I(1).

**15J Limit on deposits by restricted investors**

A licence operator must not allow a restricted investor to deposit to the investor's deposit account more than the amount, not more than \$1,000, stated in the licence operator's control system for this section.

**15K Restricted investors may not make withdrawals or close accounts**

A restricted investor may not make a withdrawal from or close the investor's deposit account with a licence operator.

**15L Withdrawals by unrestricted investors**

An unrestricted investor may only make the following withdrawals from the investor's deposit account with a licence operator—

- (a) a withdrawal of the whole or part of a payout, dividend or refund credited by the licence operator to the account;
- (b) a withdrawal of funds deposited by the investor, if the withdrawal is authorised under the licence operator's control system;
- (c) a withdrawal of the balance of funds in the account, other than funds consisting of a promotional credit, to close the account.

**15M Refusal to accept a deposit or investment**

- (1) A licence operator may refuse to accept a deposit to, or an investment from, an investor's deposit account if the licence operator reasonably believes the account is being, has been, or is about to be used in contravention of a law of a State or the Commonwealth.
- (2) A licence operator must refuse to accept a deposit to, or an investment from, a restricted investor's deposit account if the licence operator reasonably believes it will not be able, under section 15H(b), to authenticate the investor's identity or verify the investor's age.

**15N Closing an unrestricted investor's deposit account**

- (1) A licence operator may close an unrestricted investor's deposit account.

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- (2) If a licence operator closes an unrestricted investor's account, the licence operator—
    - (a) may deduct the amount of a promotional credit standing to the credit of the investor's account; and
    - (b) must send the balance of funds in the account, after any deduction under paragraph (a), to the investor.
  - (3) If, after any deduction under subsection (2)(a), there is less than \$20 in the account, the licence operator may send the balance of funds from the account to the investor by credit ticket.
  - (4) A licence operator who closes an unrestricted investor's deposit account may deduct an account closing fee of \$5 from the balance of funds sent to the investor.
  - (5) This section does not apply to the extent the *Financial Transaction Reports Act 1988* (Cwlth) applies.

## 150 Accounting for account balances for restricted investors

- (1) This section applies if—
  - (a) a person's registration as a restricted investor ends under section 15I(3) or (4); and
  - (b) when the registration ends, an amount (the ***account balance***) is standing to the credit of a deposit account established by a licence operator in the name of the person.
- (2) If, 1 year after the day the person was registered as a restricted investor, the person has not been registered as an unrestricted investor under section 15I(1), the licence operator must close the account and pay the account balance to the chief executive.
- (3) If an amount of the account balance is not paid under subsection (2) by the licence operator, the State may recover the amount from the licence operator as a debt.
- (4) This section does not apply to the extent the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cwlth) applies.

**15P Cancelling an investment made by telephone, automated device or the internet**

- (1) The licence operator must cancel an investment made by telephone, automated device or the internet if—
  - (a) the investment made is not the investment the investor intended; and
  - (b) the investor's request to cancel the investment is made during the telephone call, or transmission by automated device or the internet, used to make the investment; and
  - (c) the cancellation can be effected before the closing time for accepting investments on the event on which the investment is made.
- (2) An investment may be cancelled before the closing time if—
  - (a) a competitor that was part of the selection on which the investment was made had withdrawn from the event before the investment was made; and
  - (b) cancellation is requested in time to allow the cancellation to be effected before the closing time.
- (3) If an investment is cancelled, the investment must be refunded in full.

**15Q Depositing funds for credit with licence operator**

- (1) An investor may deposit funds with a licence operator to establish a credit for making investments with the licence operator.
- (2) A person who wishes to establish a credit with a licence operator must, if asked by the licence operator, produce evidence of a kind required by the chief executive that the person is at least 18 years of age.
- (3) The amount of funds deposited to establish a credit must be at least—
  - (a) if the chief executive approves an amount—the approved amount; or
  - (b) if the chief executive does not approve an amount—\$5.



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- (4) The licence operator must give the investor a credit ticket.
  - (5) The credit ticket must have the following printed on it—
    - (a) the date the ticket was issued;
    - (b) the amount of credit established;
    - (c) the number allocated to the ticket by the licence operator;
    - (d) the expiry date of the ticket.

### **15R Use of funds at credit on credit ticket**

- (1) The licence operator may credit payouts, dividends or refunds from the investor's investments to the credit ticket.
- (2) The investor may have direct access to funds at credit on the credit ticket only—
  - (a) to obtain the balance of funds at credit and cancel the ticket; or
  - (b) to obtain the whole or part of the amount credited to the ticket as a payout, dividend or refund on an investment; or
  - (c) as authorised by the licence operator or the chief executive.

### **15S Issue of replacement credit ticket**

Each time the amount at credit on a credit ticket (the *original ticket*) changes, the licence operator must—

- (a) issue a new credit ticket stating the current amount at credit; and
- (b) retain the original ticket.

### **15T Damaged credit tickets**

A licence operator may refuse to pay funds at credit on a credit ticket or correct a claimed error on a credit ticket if—

- (a) the ticket is damaged or altered; and
- (b) the licence operator can not verify the information on the ticket.

### **15U Request to stop payment on credit ticket**

- (1) An investor may ask a licence operator to stop payment on a credit ticket entitling a claimant to the balance of funds at credit on the ticket or a payout or refund on the basis that the ticket has been lost or stolen.
- (2) The request to stop payment must—
  - (a) be on the form supplied by the licence operator; and
  - (b) contain enough information for the licence operator to properly identify the credit ticket; and
  - (c) be accompanied by a search fee of—
    - (i) if the chief executive approves an amount—the approved amount; or
    - (ii) if the chief executive does not approve an amount—\$5.
- (3) The chief executive must not approve an amount that is more than the reasonable cost of conducting the search.
- (4) The licence operator may stop payment on the credit ticket.
- (5) If payment is made before the licence operator is able to stop payment, the licence operator—
  - (a) must tell the investor that the payment has already been made; and
  - (b) must help in any police investigation; and
  - (c) if the licence operator knows the name and address of the person to whom the payment was paid—may tell an investigating police officer the name and address.
- (6) If the licence operator stops payment on a credit ticket under subsection (4), the licence operator must not make a payment until it investigates the ownership of the credit ticket.

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**15V Payouts, dividends or refunds as soon as practicable**

- (1) As soon as practicable after the result of an event is announced, the authority operator conducting wagering on the event must make payouts or pay dividends for winning investments and pay refunds.
- (2) However, the authority operator must not pay a race totalisator dividend before the steward has declared the correct weight and given the all clear signal.
- (3) In this section—  
*steward* means the person responsible for supervising the conduct of racing at a race meeting.

**15W Publication of results**

- (1) As soon as practicable after the result of an event is announced by the entity controlling the event, the authority operator must make the result available—
  - (a) at the authority operator's and all wagering agents' places of operation; and
  - (b) for enquiries by telephone or the internet.
- (2) Also, if the authority operator conducts totalisator wagering for the event, the authority operator must make the amount of the dividend and the selection on which the dividend is declared available as soon as practicable after the dividend is declared.
- (3) In this section—  
*totalisator wagering* means wagering conducted, using a totalisator, under a wagering licence.

**15X Bonus prize reserve**

- (1) For each type of investment, 3.75% of the total of all investments made on the totalisator must be put aside as part of a reserve fund (the *bonus prize reserve*).
- (2) The bonus prize reserve must be distributed in payment of dividends.

- (3) The licence operator must identify the bonus prize reserve in the licence operator's accounting records as a bonus prize reserve until it is dealt with under subsection (2).

### **15Y Payment of bonus prize reserve into the consolidated fund**

- (1) This section applies if a person who is a licence operator—
  - (a) stops conducting wagering under a sports wagering licence using a totalisator; or
  - (b) stops being a licence operator.
- (2) The person must pay to the chief executive the amount of a bonus prize reserve that has not been distributed under section 15X.
- (3) The chief executive must pay the amount received under subsection (2) into the consolidated fund.

### **16 Regulated wagering equipment—Act, sch 2**

For the definition *regulated wagering equipment* in schedule 2 of the Act, the wagering equipment specified in schedule 2 is regulated wagering equipment.

### **16A Evaluation of regulated wagering equipment—Act, s 208**

For section 208(3)(a) of the Act, an evaluation carried out by the chief executive may include 1 or more of the following types of evaluation—

- (a) basic evaluation;
- (b) intermediate evaluation;
- (c) advanced evaluation.

### **17 Fees**

- (1) The fees payable under the Act are stated in section 17A and schedule 3.

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- (2) A fee stated in schedule 3, item 4 may consist of, or include, an amount for part of an hour that is the equivalent of the relevant proportion of the hourly rate, stated in the schedule, worked out using 15-minute periods (wholly or partly completed).

### **17AA Rounding of amounts expressed as numbers of fee units**

- (1) This section applies for working out the amount of a fee expressed in this regulation as a number of fee units.
- (2) For the purpose of the *Acts Interpretation Act 1954*, section 48C(3), the amount is to be rounded—
  - (a) if the result is not more than \$100—to the nearest multiple of 5 cents (rounding one-half upwards); or
  - (b) if the result is more than \$100 but not more than \$1,000—to the nearest multiple of 10 cents (rounding one-half upwards); or
  - (c) if the result is more than \$1,000 but not more than \$5,000—to the nearest dollar (rounding one-half upwards); or
  - (d) if the result is more than \$5,000 but not more than \$100,000—to the nearest multiple of 10 dollars (rounding one-half upwards).

*Example—*

If a fee were 35 fee units and the value of a fee unit were \$1.015, the number of dollars obtained by multiplying 35 by \$1.015 would be \$35.525. Because \$35.525 is halfway between \$35.50 and \$35.55, it is rounded upwards, so the amount of the fee would be \$35.55.

### **17A Fee for particular investigations**

- (1) This section applies to any of the following persons for whom the chief executive may undertake an investigation under the Act, section 24—
  - (a) an applicant for a wagering authority that is a wagering licence;
  - (b) a business or executive associate of the applicant.

- (2) This section also applies to a person who is a business or executive associate of a wagering licensee for whom the chief executive may undertake an investigation under the Act, section 38(1).
- (3) The person must pay to the chief executive the reasonable costs of conducting the investigation.

*Examples of costs of conducting the investigation—*

- costs of outsourcing professional services, for example, legal or accounting services
- internal costs, including staff costs
- travel and accommodation costs incurred inside or outside the State or overseas

## **17B How fee for investigation must be paid**

- (1) This section applies in relation to a fee payable by a person (the ***relevant person***) under section 17A for an investigation.
- (2) The chief executive may require, in writing, the relevant person to pay all or part of the fee in advance.
- (3) The chief executive may make the requirement before the investigation starts, and at any time during the investigation.
- (4) If the requirement is made before the investigation starts, the chief executive may decide not to start the investigation until the fee or part of the fee is paid.
- (5) If the requirement is made during the investigation, the fee or part of the fee must be paid within 28 days after the requirement is made.
- (6) The fee or part of the fee payable in advance must be—
  - (a) an amount not more than the chief executive’s estimate or latest estimate of the fee payable under section 17A; and
  - (b) reduced by the amount, if any, already paid by the relevant person to the chief executive under this section in relation to the investigation.
- (7) As soon as reasonably practicable after the investigation is finished the chief executive must—

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- (a) give the relevant person a written itemised account of the costs comprising the fee; and
  - (b) either—
    - (i) refund any overpayment to the relevant person; or
    - (ii) require, in writing, the relevant person to pay to the chief executive, within 28 days after the requirement is made, the amount of any shortfall between the amount already paid by the relevant person under this section and the amount of the fee.
- (8) For subsection (7), an investigation is finished in relation to a relevant person if—
- (a) both of the following apply—
    - (i) the chief executive considers the relevant person has failed to comply with a requirement made by the chief executive under the Act, section 40 in relation to the investigation;
    - (ii) the chief executive considers the investigation is finished; or
  - (b) the chief executive considers the investigation has been completed for the chief executive’s purposes under the Act, section 38(1).
- (9) A relevant person given a requirement under subsection (2) or (7)(b)(ii) must comply with the requirement.
- (10) A failure by the chief executive to comply with subsection (7)(a) or (b) as soon as reasonably practicable after the investigation does not affect the recovery of the amount of any shortfall mentioned in subsection (7)(b)(ii).
- (11) In a proceeding to recover the amount of a shortfall mentioned in subsection (7)(b)(ii), a written itemised account of the costs given to the relevant person for the investigation under subsection (7)(a) is evidence of the costs.

**18 Transitional provision for Gaming Legislation  
Amendment Regulation (No. 3) 2022**

- (1) This section applies if—
  - (a) before the commencement, a person was registered as a restricted investor; and
  - (b) immediately before the commencement, the registration had not been cancelled or had not ended.
- (2) Section 15I, as amended by the *Gaming Legislation Amendment Regulation (No. 3) 2022*, applies to the person's registration.



## **Schedule 1A    Approved entities**

section 11A

BMM Australia Pty Ltd ACN 084 016 044

ENEX Pty Ltd ACN 096 299 099

GTA Pty Ltd ACN 082 989 446

QALAB Pty Ltd ACN 136 553 832

## **Schedule 1      Entities**

### section 14

Alberta Gaming, Liquor and Cannabis Commission, Canada  
Alcohol and Gaming Commission of Ontario, Canada  
Australian Border Force  
Australian Communications and Media Authority (ACMA)  
Australian Competition and Consumer Commission  
Australian Crime Commission (commonly known as Australian Criminal Intelligence Commission)  
Australian Federal Police  
Australian Securities and Investments Commission  
Australian Security Intelligence Organisation  
Australian Taxation Office  
Australian Transaction Reports and Analysis Centre (AUSTRAC)  
Bureau of Gambling Control, Department of Justice, California  
Casino Control Commission, New Jersey  
Centrelink  
Commissioner, Consumer and Business Services, South Australia  
Commissioner for Fair Trading, Queensland  
Commissioner of State Revenue, Queensland  
Commissioner, Tasmanian Liquor and Gaming Commission  
Crime and Corruption Commission, Queensland  
Department of Home Affairs  
Department of Industry, Tourism and Trade (Liquor, Racing and Gaming), NT

Department of Internal Affairs, New Zealand

Department of Justice and Community Safety, Victoria

Department of Local Government, Sport and Cultural Industries  
(Racing, Gaming & Liquor), Western Australia

Department of Safety and Homeland Security, Delaware

Department of Service Nova Scotia and Internal Services (Alcohol,  
Gaming, Fuel and Tobacco Division), Canada

Department of Treasury and Finance, South Australia

Department of Treasury and Finance, Tasmania

Division of Gaming, Colorado

Division of Gaming Enforcement, New Jersey

Gambling and Racing Commission, ACT

Gambling Commission, New Zealand

Gambling Commission, UK

Gambling Regulatory Authority of Singapore

Gaming and Wagering Commission, Western Australia

Gaming Board for the Bahamas

Gaming Policy and Enforcement Branch, British Columbia

Independent Liquor and Gaming Authority, NSW

Indiana Gaming Commission, USA

Japan Casino Regulatory Commission

Liquor & Gaming NSW

Lotteries Commission, South Australia

Lotteries Commission, Western Australia

Louisiana State Police Gaming Enforcement Division, USA

Mississippi Gaming Commission, USA

Missouri Gaming Commission, USA

Missouri State Highway Patrol, USA  
Mpumalanga Economic Regulator, South Africa  
National Indian Gaming Commission, USA  
Nevada Gaming Commission, USA  
Nevada Gaming Control Board, USA  
New South Wales Crime Commission  
New South Wales Independent Casino Commission  
New South Wales Police Force  
New York State Police  
New Zealand Police  
Northern Territory Police Force  
Office of Racing Integrity, Tasmania  
Office of Racing, Victoria  
Pueblo of Isleta Gaming Regulatory Agency, USA  
QCAT  
Queensland Police Service  
South Australia Police  
South Dakota Commission on Gaming, USA  
Tasmania Police  
The International Criminal Police Organization—Interpol  
Victorian Gambling and Casino Control Commission  
Victoria Police  
Western Australia Police Force  
Western Cape Gambling and Racing Board, South Africa  
WorkCover Queensland

## **Schedule 2      Regulated wagering equipment**

### section 16

betting terminal

central computer system of a wagering licensee

communications network of a wagering licensee

customer input system

fixed odds management system

internet wagering system

minitote PC

simulated event random number generator

telebet system

totalisator

**Schedule 3      Fees**

## section 17

	<b>Fee units</b>
1    Application fee for wagering licence (Act, s 19(c))	19,580.00
2    Application fee for key person licence (Act, s 102(2)(c))	566.10
3    Issuing replacement key person licence (Act, s 116(4))	41.65
4    Evaluation by the chief executive of regulated wagering equipment (Act, s 208(4)(a)), for each hour or part of an hour involved in the following—	
(a) carrying out—	
(i) a basic evaluation	234.30
(ii) an intermediate evaluation	292.80
(iii) an advanced evaluation	344.80
(iv) administration for an evaluation	175.60
(b) giving advice for an evaluation	175.60
(c) holding a meeting for an evaluation	175.60

*Note—*

See section 17(2) in relation to a fee for part of an hour.