

Queensland



Subordinate Legislation 2000 No. 11

Wagering Act 1998

WAGERING AMENDMENT RULE (No. 1) 2000

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Short title

1. This rule may be cited as the *Wagering Amendment Rule (No. 1) 2000*.

Commencement

2. This rule commences on 2 February 2000.

Rule amended

3. This rule amends the *Wagering Rule 1999*.

Amendment of s 5 (Application of rule)

4. Section 5(1), from ‘wagering’—

omit, insert—

‘wagering, on a fixed odds basis or using a totalisator, on events.’.

Amendment of s 6 (Identification of selection)

5. Section 6(1)—

omit, insert—

‘**6.(1)** Each selection for an event, on which a licence operator is conducting fixed odds wagering, is identified by a number (a “**sportsbet number**”) given to the selection by the licence operator.’.

Insertion of new s 6A

6. After section 6—

insert—

‘Identification of match or sporting event

‘**6A.** Each match or sporting event, on which a licence operator is conducting a sports totalisator, is identified by a symbol or code given to the match or sporting event by the licence operator.’.

Amendment of s 9 (Deciding the odds)

7.(1) Section 9, heading—

omit, insert—

‘Deciding the odds for fixed odds wagering’.

(2) Section 9(1), after ‘A licence operator’—

insert—

‘conducting fixed odds wagering’.

Amendment of s 11 (How to make an investment)

8. Section 11—

insert—

‘**(2)** A person who uses an investment ticket to make an investment must not, without the approval of the licence operator with whom the person makes the investment, make a mark on the investment ticket by mechanical or electronic means.’.

Replacement of s 12 (Investment for a win)

9. Section 12—

omit, insert—

‘Investment for a win—fixed odds

‘12. A fixed odds investment is a winning investment if it is made on a selection that is the result for the event.’.

Amendment of s 13 (Investment for a place)

10.(1) Section 13, heading—

omit, insert—

‘Investment for a place—fixed odds’.

(2) Section 13(1), ‘an investment for a place’—

omit, insert—

‘a fixed odds investment for a place’.

Amendment of s 16 (Refund of investment)

11.(1) Section 16, heading—

omit, insert—

‘Refund of investment—fixed odds’.

(2) Section 16(1), ‘All investments’—

omit, insert—

‘All fixed odds investments’.

Insertion of new s 16A

12. After section 16—

insert—

‘Refund of investment—sports totalisator (sports tipping)

‘16A.(1) A licence operator conducting a sports totalisator (sports tipping) on a match may decide a period of time after which the licence operator declares a postponed match to be postponed for the purposes of this section.

‘(2) If a match is declared to be postponed, the licence operator must refund in full all investments received on the totalisator for the match.’.

Amendment of s 17 (Cancellation of investment)

13.(1) Section 17, heading—

omit, insert—

‘Cancellation of investment—fixed odds’.

(2) Section 17(1), after ‘A licence operator’—

insert—

‘conducting fixed odds wagering’.

Insertion of new s 17A

14. After section 17—

insert—

‘Cancellation of investment—sports totalisator (sports tipping)

‘17A.(1) A licence operator is under no obligation to make sure a sports totalisator (sports tipping) 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.’.

Amendment of s 18 (Closing time for accepting investments)

15. Section 18(1)—

insert—

‘(ba)on stated classes of totalisator; or’.

Amendment of s 19 (Printed tickets)

16.(1) Section 19(1)—

omit, insert—

‘19.(1) If an investor makes an investment using cash or a credit ticket, the licence operator must issue a ticket (a **“printed ticket”**) to the investor.

‘(1A) More than 1 investment may be recorded on a printed ticket if the investment is made using a totalisator.’.

(2) Section 19(4), ‘a payout or a refund’—

omit, insert—

‘a payout, dividend or refund’.

Replacement of s 21 (Damaged printed tickets)

17. Section 21—

omit, insert—

‘Damaged printed tickets

‘21. A licence operator may refuse to make a payout, pay a dividend, make a refund or correct an alleged error on a printed ticket if—

- (a) the printed ticket is damaged or altered; and
- (b) the licence operator is unable to verify the information on the printed ticket.’.

Amendment of s 22 (Request to stop payment on a printed ticket)

18. Section 22(1), ‘payout or a refund’—

omit, insert—

‘payout, dividend or refund’.

Amendment of s 24 (Investments only against funds in deposit accounts)

19. Section 24(2), ‘payouts or’—

omit, insert—

‘payouts, dividends or’.

Amendment of s 26 (Deposit account)

20.(1) Section 26(1)(c), ‘payouts’—

omit, insert—

‘payouts, dividends’.

(2) Section 26(2)(b), ‘payout’—

omit, insert—

‘payout, dividend’.

Amendment of s 29 (Making a telephone investment)

21. Section 29(1)(b) to (e)—

omit, insert—

- ‘(b) for fixed odds wagering—
 - (i) the sportsbet number for the investment; and
 - (ii) whether the investment required includes an each way option;
- (c) for sports totalisator wagering—
 - (i) the match or sporting event symbol or code; and
 - (ii) the selection made;
- (d) the amount of the investment;
- (e) any other information the licence operator requires to identify the investment.’.

Amendment of s 30 (Making an investment by automated device)

22. Section 30(1)(b) to (e)—

omit, insert—

- ‘(b) for fixed odds wagering—
 - (i) the sportsbet number for the investment; and
 - (ii) whether the investment required includes an each way option;
- (c) for sports totalisator wagering—
 - (i) the match or sporting event symbol or code; and
 - (ii) the selection made;
- (d) the amount of the investment;
- (e) any other information the licence operator requires to identify the investment.’.

Amendment of s 31 (Making an investment by the internet)

23. Section 31(1)(b) to (e)—

omit, insert—

‘(b) for fixed odds wagering—

- (i) the sportsbet number for the investment; and
- (ii) whether the investment required includes an each way option;

(c) for sports totalisator wagering—

- (i) the match or sporting event symbol or code; and
- (ii) the selection made;

(d) the amount of the investment;

(e) any other information the licence operator requires to identify the investment.’.

Amendment of s 36 (Use of funds at credit on credit ticket)

24.(1) Section 36(1), ‘payouts’—

omit, insert—

‘payouts, dividends’

(2) Section 36(2)(b), ‘payout’—

omit, insert—

‘payout, dividend’.

Replacement of ss 40 and 41

25. Sections 40 and 41—

omit, insert—

‘Result of event

‘**40.(1)** For the purpose of making payouts or paying dividends, the result of an event is the result announced, at the conclusion of the event, by the body or organisation controlling the event.

‘(2) Subsection (1) applies—

- (a) even if a protest is lodged or a match is replayed; and
- (b) whether or not the body or organisation later amends the result.

‘Payouts, dividends or refunds as soon as practicable

‘41. As soon as practicable after the result of an event is announced, the licence operator conducting wagering on the event must make payouts or pay dividends for winning investments and pay refunds.’

Amendment of s 42 (Amount of payout)

26.(1) Section 42, heading—

omit, insert—

‘Amount of payout for fixed odds wagering’.

(2) Section 42(1), after ‘investment’—

insert—

‘made on a fixed odds basis’.

Replacement of s 43 (Payment of payout or refund)

27. Section 43—

omit, insert—

‘Payment of payout, dividend or refund

‘43.(1) An investor may claim a payout, dividend or refund by giving the printed ticket for the investment to the licence operator.

‘(2) The licence operator may make the payout or pay the dividend or refund—

- (a) in cash or by cheque; or
- (b) by depositing the amount of the payout, dividend or refund in the investor’s account with a financial institution.

‘(3) An investor may claim a payout, dividend or refund at a wagering

agent's place of operation for up to 13 weeks immediately after the event on which the investment was made.¹.

Amendment of s 44 (Payout or refund may be sent to investor)

28.(1) Section 44, heading—

omit, insert—

'Payout, dividend or refund may be sent to investor'.

(2) Section 44(1) and (2), 'payout or refund'—

omit, insert—

'payout, dividend or refund'.

Amendment of s 45 (Payout or refund made to deposit account or credit ticket)

29.(1) Section 45, heading—

omit, insert—

'Payout, dividend or refund made to deposit account or credit ticket'.

(2) Section 45, 'payout' to 'refund'—

omit, insert—

'payout, dividend or refund'.

Insertion of new s 45A

30. After section 45—

insert—

'Draw result for sports totalisator (sports tipping) wagering

'45A. If the result of an event on which a licence operator conducts sports totalisator (sports tipping) wagering is a draw and a further event is conducted between the competitors involved in the draw, the result of the

¹ See s 213 (Claims for payment of winning bets) of the Act.

further event does not affect the declaration of dividends for the event in which the draw happened.’.

Amendment of s 46 (Dead heat not a separate selection)

31.(1) Section 46, heading—

omit, insert—

‘Dead heat not a separate selection for fixed odds wagering’.

(2) Section 46(1), after ‘selection’—

insert—

‘for fixed odds wagering’.

Amendment of s 47 (Dead heat as a separate selection)

32.(1) Section 47, heading—

omit, insert—

‘Dead heat as a separate selection for fixed odds wagering’.

(2) Section 47(1) and (3), ‘a wagering option’—

omit, insert—

‘a fixed odds wagering option’.

Amendment of s 48 (Publication of results)

33. Section 48—

insert—

‘**(2)** Also, if the licence operator conducts totalisator wagering for the event, the licence 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.’.

Insertion of new pt 7

34. After section 48—

insert—

‘PART 7—TOTALISATORS (SPORTS WAGERING)

‘Division 1—Preliminary

‘Application of pt 7

‘49.(1) This part applies to wagering conducted under a sports wagering licence using a totalisator.

‘(2) A licence operator may use any name the licence operator considers appropriate for a class of totalisator mentioned in this part.

‘Division 2—Sports tipping totalisator

‘Definitions for div 2

‘50. In this division—

“bonus prize reserve” see section 52.

“expert pick” see section 53.

“highest margin investment” see section 66.

“highest scoring half investment” see section 69.

“margins investment” see section 59.

“multi-tip investment” see section 54.

“points spread investment” see section 63.

“totalisator pool”, for a type of investment, means the total of all investments made on the totalisator for the type of investment, less any amount put aside as part of a bonus prize reserve.

“unit of investment” means—

- (a) for a winners investment—\$2; and
- (b) for a margins investment—\$2; and
- (c) for a points spread investment—\$2; and

- (d) for a highest margin investment—\$1; and
- (e) for a highest scoring half investment—\$1.

“winners investment” see section 55.

‘Types of investment

‘51. A person may make 1 of the following types of investment on a sports tipping totalisator—

- (a) a winners investment;
- (b) a margins investment;
- (c) a points spread investment;
- (d) with a winners or margins investment—a highest margin investment;
- (e) with a points spread investment—a highest scoring half investment.

‘Bonus prize reserve

‘52.(1) For each type of investment, 3.75% of the total of all investments made on the totalisator is to be put aside as part of a reserve fund (the **“bonus prize reserve”**).

‘(2) The bonus prize reserve must be distributed from time to time in payment of dividends.

‘Expert pick

‘53.(1) An investor may make an investment mentioned in section 51 by expert pick.

‘(2) In subsection (1)—

“expert pick” means a random selection made by the licence operator’s computer.

‘Multi-tip investment

‘54.(1) An investor who makes a winners or margins investment may also make a multi-tip investment.

‘(2) The maximum number of multi-tip investments an investor may make for each investment is—

- (a) for a winners investment—twice the number of matches on the match list; and
- (b) for a margins investment—3 times the number of matches on the match list.

‘(3) In this section—

“multi-tip investment” means an additional investment on 1 of the matches on the match list.

‘Winners investment

‘55.(1) To make a winners investment, the investor selects, for each match on the match list, a home win, away win or a draw.

‘(2) A totalisator pool for winners investments provides the following dividends for investors who select—

- (a) the correct result for all the matches on the match list—level 1 dividend;
- (b) the correct result for all but 1 of the matches on the match list—level 2 dividend.

‘(3) If there is only 1 match on the list, a level 1 dividend is paid to an investor who selects the correct result for the match.

‘Calculation of dividends—winners investments

‘56.(1) The level 1 dividend payable is calculated by dividing the totalisator pool for payment of level 1 dividends by the number of units of investment made on the correct result for all the matches on the match list.

‘(2) The level 2 dividend payable is calculated by dividing the pool for payment of level 2 dividends by the number of units of investment made on the correct result for all but 1 of the matches on the match list.

‘Distribution of totalisator pool—winners investments

‘57.(1) The totalisator pool for winners investments must be distributed as follows—

- (a) level 1 dividends—60% of the pool;
- (b) level 2 dividends—40% of the pool.

‘(2) If there are no investors eligible for a level 1 dividend, the part of the pool for payment of level 1 dividends must be added to the pool for payment of level 2 dividends.

‘(3) If there are no investors eligible for a level 2 dividend, the part of the pool for payment of level 2 dividends must be added to the pool for payment of level 1 dividends.

‘(4) Subsections (5) and (6) apply if there are no investors eligible for levels 1 or 2 dividends.

‘(5) If the matches on the list are part of a series that involves rounds of matches and there is a further round of matches to be played in the series, the pool jackpots and forms part of the pool for the winners totalisator operated on the further round of matches.

‘(6) If the matches on the list are part of a series that involves rounds of matches and there are no further rounds of matches to be played in the series, the pool must be used to pay a dividend to investors who select the correct result for all but 2 of the matches on the match list.

‘(7) If there are no investors eligible for levels 1 or 2 dividends, or eligible under subsections (5) or (6), the pool must be added to the bonus prize reserve.

‘Distribution if match becomes a void match—winners investments

‘58.(1) If 1 match on the match list becomes void—

- (a) the parts of the winners investment totalisator pool for payment of level 1 and level 2 dividends are combined to become the pool for payment of level 1 dividends; and
- (b) no level 2 dividend is paid.

‘(2) If more than 1 match becomes a void match, the licence operator

must refund all investments received for winners investments to the investors.

‘Margins investment

‘**59.(1)** To make a margins investment, the investor selects the winning margin or a draw for each match on the match list.

‘**(2)** A totalisator pool for margins investments provides the following dividends for investors who select—

- (a) the correct result for all the matches on the match list—level 1 dividend;
- (b) the correct result for all but 1 of the matches on the match list—level 2 dividend;
- (c) the correct result for all but 2 of the matches on the match list—level 3 dividend.

‘**(3)** If there is only 1 match on the match list, a level 1 dividend is paid to an investor who selects the correct result for the match.

‘Calculation of dividends—margins investments

‘**60.(1)** The level 1 dividend payable is calculated by dividing the margins investments totalisator pool for payment of level 1 dividends by the number of units of investment made on the correct result for all the matches on the match list.

‘**(2)** The level 2 dividend payable is calculated by dividing the pool for payment of level 2 dividends by the number of units of investment made on the correct result for all but 1 of the matches on the match list.

‘**(3)** The level 3 dividend payable is calculated by dividing the pool for payment of level 3 dividends by the number of units of investment made on the correct result for all but 2 of the matches on the match list.

‘Distribution of totalisator pool—margins investments

‘**61.(1)** The totalisator pool for margins investments must be distributed as follows—

- (a) level 1 dividends—35% of the pool;
- (b) level 2 dividends—35% of the pool;
- (c) level 3 dividends—30% of the pool.

‘(2) If there are no investors eligible for a level 1 dividend, the part of the margins investments totalisator pool that is for payment of level 1 dividends must be added to the pool for payment of level 2 dividends.

‘(3) If there are no investors eligible for a level 2 dividend, the part of the pool for payment of level 2 dividends must be added to the pool for payment of level 3 dividends.

‘(4) If there are no investors eligible for a level 3 dividend, the part of the pool for payment of level 3 dividends must be added to the pool for payment of level 2 dividends.

‘(5) If there are no investors eligible for levels 2 or 3 dividends, the part of the pool for payment of levels 2 and 3 dividends must be added to the pool for payment of level 1 dividends.

‘(6) Subsections (7) and (8) apply if there are no investors eligible for levels 1, 2 or 3 dividends.

‘(7) If the matches on the list are part of a series that involves rounds of matches and there is a further round of matches to be played in the series, the pool jackpots and forms part of the pool for the margins totalisator operated on the further round of matches.

‘(8) If the matches on the list are part of a series that involves rounds of matches and there are no further rounds of matches to be played in the series, the pool must be used to pay a dividend to investors who select the correct result for all but 3 of the matches on the match list.

‘(9) If there are no investors eligible for levels 1, 2 or 3 dividends, or eligible under subsections (7) or (8), the pool must be added to the bonus prize reserve.

‘Distribution if match becomes a void match—margins investments

‘62.(1) If 1 match on the match list becomes void—

- (a) the part of the margins investment totalisator pool for payment of both level 1 and level 2 dividends is combined to become the pool

for payment of level 1 dividends; and

- (b) the part of the margins investment totalisator pool for payment of level 3 dividends becomes the pool for payment of level 2 dividends; and
- (c) no level 3 dividend is paid.

‘(2) If 2 matches on the match list become void—

- (a) the margins investment totalisator pool for payment of level 1, 2 and 3 dividends is combined to become the pool for payment of level 1 dividends; and
- (b) no level 2 or 3 dividend is paid.

‘(3) If more than 2 matches become void matches, the licence operator must refund all investments received for margins investments to the investors.

‘Points spread investment

‘63.(1) To make a points spread investment, the investor selects, for each match on the match list, the points spread in which each competitor’s score will fall, for each half of the match and for the whole match.

‘(2) The totalisator pool for points spread investments provides dividends for investors who select, for each match on the match list, the correct points spread for each competitor for each half of the match and for the whole match.

‘Calculation of dividends—points spread investments

‘64. The dividend payable to an investor who selects, for each match on the match list, the correct points spread for each competitor for each half of the match and for the whole match is calculated by dividing the totalisator pool for points spread investments by the number of units of investment made on the correct selection.

‘Distribution of totalisator pool—points spread investments

‘65.(1) If there are no investors eligible to receive a dividend from the

points spread totalisator pool, the pool jackpots and forms part of the pool for the next points spread totalisator decided by the licence operator.

‘(2) If, after the last match in a series of matches, there are no investors eligible to receive a dividend, the totalisator pool must be used to pay a dividend to investors who select all but 1 correct result.

‘(3) If there are no investors eligible under subsection (2), the pool must be added to the bonus prize reserve.

‘Highest margin investment

‘66. To make a highest margin investment, the investor—

- (a) makes a winners investment or a margins investment; and
- (b) selects the match that will be won by the highest margin.

‘Calculation of dividend—highest margin investments

‘67. The dividend payable is calculated by dividing the highest margin totalisator pool by the number of units of investment made on the match that is won by the highest margin.

‘Distribution of totalisator pool—highest margin investments

‘68.(1) Dividends are payable to investors who—

- (a) receive a level 1 dividend for a winners investment or a margins investment; and
- (b) select the match that is won by the highest margin.

‘(2) Subsections (3) and (4) apply if there are no investors eligible to receive a dividend.

‘(3) If the matches on the list are part of a series that involves rounds of matches and there is a further round of matches to be played in the series, the pool jackpots and forms part of the pool for the highest margin totalisator operated on the further round of matches.

‘(4) If the matches on the list are part of a series that involves rounds of matches and there are no further rounds of matches to be played in the series, the pool must be used to pay a dividend to investors who select the

match that is won by the second highest margin.

‘(5) If there are no investors eligible under subsection (1), (3) or (4), the pool must be added to the bonus prize reserve.

‘Highest scoring half investment

‘69. To make a highest scoring half investment, the investor—

- (a) makes a points spread investment; and
- (b) selects—
 - (i) the competitor that will score the highest number of points in a half of a match; and
 - (ii) whether the competitor will score the points in the first or second half of the match.

‘Calculation of dividend—highest scoring half investments

‘70. The dividend payable is calculated by dividing the highest scoring half totalisator pool by the number of units of investment made on—

- (a) the competitor that scores the highest number of points in a half of a match; and
- (b) the half of the match in which the points are scored.

‘Distribution of totalisator pool—highest scoring half investments

‘71.(1) Dividends are payable to investors who—

- (a) receive a dividend for a points spread investment; and
- (b) select—
 - (i) the competitor that scores the highest number of points in a half of a match; and
 - (ii) the half of the match in which the points are scored.

‘(2) Subsections (3) and (4) apply if there are no investors eligible to receive a dividend.

‘(3) If the matches on the list are part of a series that involves rounds of

matches and there is a further round of matches to be played in the series, the pool jackpots and forms part of the pool for the points spread totalisator operated on the further round of matches.

‘(4) If the matches on the list are part of a series that involves rounds of matches and there are no further rounds of matches to be played in the series, the pool must be used to pay a dividend to investors who select—

- (a) the competitor that scores the second highest number of points in a half of a match; and
- (b) the half of the match in which the points are scored.

‘(5) If there are no investors eligible under subsection (1), (3) or (4), the pool must be added to the bonus prize reserve.

‘Minimum dividend

‘72.(1) A licence operator may decide the minimum dividend the licence operator will pay for an investment.

‘(2) The minimum dividend may be, for example, the same amount as the minimum investment the licence operator will accept on the event.

‘(3) If, in the part of the totalisator pool that is for payment of the relevant level dividend, there is not enough money to pay a minimum dividend, the licence operator must use money from the bonus prize reserve to make up the shortfall.

‘(4) If there is not enough money in the bonus prize reserve to make up the shortfall, the licence operator must adjust the other levels of dividends payable from the totalisator pool to pay at least the minimum dividend for each level.

‘Payment of dividends or refunds in cash

‘73. A licence operator may decide the maximum amount of a dividend or refund that the licence operator will pay in cash.

‘Use of security codes and other tests to check printed tickets and dividends

‘74.(1) A licence operator may record security codes on, or put into effect other tests for, printed tickets—

- (a) for making sure forged or fraudulently altered printed tickets are not taken to be tickets for winning investments; and
- (b) for deciding—
 - (i) whether a printed ticket is a ticket for a winning investment; and
 - (ii) if a ticket is a ticket for a winning investment—the amount of the dividend.

‘(2) If a licence operator decides that a printed ticket does not display a valid security code or satisfy other tests for the ticket, the licence operator must not pay a dividend for the ticket.

‘(3) Subsection (2) has effect even though the ticket appears to be valid.

‘When a printed ticket is void

‘75.(1) A printed ticket is void if—

- (a) the printed ticket is recorded in the licence operator’s computer system as cancelled; or
- (b) information forming part of the printed ticket is changed other than with the authority of the licence operator.

‘(2) A person does not have a claim against a licence operator for a prize based on a void printed ticket.’.

Amendment of schedule (Dictionary)

35. Schedule—

insert—

‘“away team”, for a match, means a team shown on a match list as the away team by the word ‘away’ or the letter ‘A’.

“away win”, for a match, means the away team has, or is taken to have, scored a higher number of points than the home team in the match.

“class of totalisator” means a class of totalisator mentioned in part 7.

“draw”, for an event on which a sports totalisator is conducted, means 2 or more competitors place in the same position in the event.

“fixed odds wagering” is wagering conducted on a fixed odds basis under a wagering licence.

“home team”, for a match, means a team shown on a match list as the home team by the word ‘home’ or the letter ‘H’.

“home win”, for a match, means the home team has, or is taken to have, scored a higher number of points than the away team in the match.

“match” means a sporting event—

- (a) between 2 or more competitors; and
- (b) on which a licence operator conducts a sports totalisator.

“match list” means a list of matches—

- (a) prepared by the licence operator conducting a sports totalisator on the matches; and
- (b) stating—
 - (i) the home team and the away team for each match; and
 - (ii) if a points start has been allocated to a team for a match—the amount of the points start.

“printed ticket” see section 19.

“sports totalisator” is a totalisator used for conducting wagering under a sports wagering licence.

“totalisator wagering” is wagering conducted, using a totalisator, under a wagering licence.

“void match” means a match—

- (a) declared void by the body or organisation controlling the sport; or
- (b) declared void, for sports totalisator investments on the match, by the licence operator conducting the totalisator.

“**winning margin**” means the number of points by which an event is won.’.

ENDNOTES

1. Made by the Minister on 31 January 2000.
2. Notified in the gazette on 1 February 2000.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Treasury Department.