



*Wagering Act 1998*

# Wagering Regulation 1999

Reprinted as in force on 27 August 2010

Reprint No. 5

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This regulation is reprinted as at 27 August 2010. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

## Spelling

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## Queensland

# Wagering Regulation 1999

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# Wagering Regulation 1999

[as amended by all amendments that commenced on or before 27 August 2010]

## 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—

***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.

***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, a horse, trotting or greyhound race; and
  - (ii) is scheduled to be held at a race meeting at a racing venue; and
- (b) for an event on which wagering is conducted by a licence operator under a sports wagering licence—
  - (i) a sporting event or contingency (whether in Australia or elsewhere); or
  - (ii) another event or contingency that is an approved event or contingency for the licence operator.

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***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** means an event that is a horse, trotting or greyhound race.

**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.

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

**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, using the formula—

$$\frac{I}{4}$$

where—

*I* means the total amount invested in each totalisator conducted by the authority operator on 1 or more events or contingencies.

- (2) For section 163(2) of the Act, the amount, for an authority operator for a financial year, is calculated as follows—

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(a) if the authority operator is the Golden Casket Lottery Corporation Limited ACN 078 785 449 and the totalisators are conducted for the game ‘Sports Tipping’—50% of the total amount invested in the year in the totalisators;

(b) otherwise, using the formula—

$$\frac{4 \times Y}{25}$$

where—

*Y* means the total amount invested in the year in totalisators conducted by the authority operator on events or contingencies.

#### **5A Prescribed amount—Act, s 165**

For section 165(2) of the Act, the prescribed amount is \$2000.

#### **6 Calculation and payment of wagering tax—Act, s 166**

(1) For section 166(2)(a) and (3) of the Act, the percentage is 20%.

(1A) For section 166(2)(b) of the Act, the percentage is 20% other than if—

(a) the designated person is the Golden Casket Lottery Corporation (ACN 078 785 449); and

(b) the totalisator is conducted for the game ‘Sports Tipping’.

(2) For section 166(4) of the Act, the wagering tax is payable monthly on or before the seventh day of the month immediately following the month for which the tax is payable.

#### **7 Adjustment of wagering tax**

(1) Subsection (2) applies to a wagering licensee if the wagering tax for a month (the *reference month*) is a negative amount (a *tax credit*).

- (2) In working out the wagering tax payable for the month (the *adjustment month*) immediately after the reference month, the tax credit for the reference month is, to the extent possible, to be set off against the wagering tax that, apart from this subsection, would be payable for the adjustment month.

## **8 Returns for calculation of wagering tax—Act, s 167**

For section 167(1) of the Act, a return must—

- (a) be given for each month by an authority holder who is liable to pay a wagering tax for the month; and
- (b) be given on or before the seventh day of the month immediately following the month to which the return relates; and
- (c) for wagering conducted by an authority holder by means of a totalisator, state—
  - (i) the commissions deducted, under section 163(1) of the Act, for the month to which the return relates by the designated person for the authority holder; and
  - (ii) the amounts retained, under section 213(2) of the Act, for the month to which the return relates by the designated person; and
- (d) for wagering conducted by an authority holder on a fixed odds basis—set out the authority holder's gross revenue for the month to which the return relates; and
- (e) state the authority holder's global GST amount, calculated under the *A New Tax System (Goods and Services Tax) Act 1999* (Cwlth), division 126, for the month to which the return relates, for wagering conducted under the wagering authority.

## **9 Percentage of wagering tax for community investment fund—Act, s 169**

- (1) For section 169(1)(a) of the Act, the percentage is 8.5%.
- (2) For section 169(1)(b) of the Act, the percentage is 45.75%.

**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 \$8000.

**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) the part of retail shopping or other commercial premises, approved by the chief executive; or
  - (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—part of the premises, of which the licensed

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- premises to which the licence relates forms part, approved by the chief executive;
- (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*—part of the premises of which the licensed premises to which the licence under the *Liquor Act 1992* relates forms part;
  - (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;
  - (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.

## 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

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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 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—Act, s 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).

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- 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
    - (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 40 minutes before the advertised starting time for the race.
- (3) An authority operator must cancel an investment presented for cancellation less than 40 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

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- (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.

### 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 or a credit ticket, 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.

[s 15F]

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- (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 approved 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 approved 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).

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**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 approved control system; and
- (b) as required by the licence operator's approved control system, authenticates the person's identity and verifies the person is at least 18.

**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 90 days after the day the person was registered.

**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 \$1000, stated in the licence operator's approved 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—

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- (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 approved 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.
- (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.

### **15O 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); 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) The licence operator must 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 *Financial Transaction Reports Act 1988* (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.

[s 15Q]

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- (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.
- (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.

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**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—

[s 15V]

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- (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.

### **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—

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*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

[s 16]

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- (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**

The fees payable under the Act are in schedule 3.

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## **Schedule 1      Entities**

### section 14

Alberta Gaming and Liquor Commission, Canada  
Alcohol and Gaming Commission of Ontario, Canada  
Alcohol and Gaming Division Nova Scotia, Canada  
Australian Capital Territory Gambling and Racing  
Commission  
Australian Competition and Consumer Commission  
Australian Crime Commission  
Australian Customs Service  
Australian Federal Police  
Australian Securities and Investments Commission  
Australian Security Intelligence Organisation  
Australian Taxation Office  
Australian Transaction Reports and Analysis Centre  
(AUSTRAC)  
British Columbia Gaming Policy and Enforcement Branch,  
Canada  
Casino Liquor and Gaming Control Authority, New South  
Wales  
Casino Regulatory Authority of Singapore  
Centrelink  
Colorado Division of Gaming, USA  
Colorado State Patrol, USA  
Crime and Misconduct Commission, Queensland  
Department of Immigration and Citizenship  
Department of Internal Affairs, New Zealand

Department of Racing, Gaming and Liquor, Western Australia  
Department of Treasury and Finance, Revenue, Gaming and  
Licensing Division, Tasmania  
Department of Treasury and Finance, South Australia  
Gambling Commission, Great Britain  
Gambling Commission, New Zealand  
Gaming and Wagering Commission of Western Australia  
Gaming Board of the Commonwealth of the Bahamas  
Independent Gambling Authority, South Australia  
Interpol  
Lotteries Commission of South Australia  
Lotterywest, Western Australia  
Louisiana State Police, USA  
Missouri State Highway Patrol, USA  
Mpumalanga Gaming Board, South Africa  
National Indian Gaming Commission, USA  
Nevada Gaming Commission, USA  
Nevada Gaming Control Board, USA  
New Jersey Casino Control Commission, USA  
New Jersey Division of Gaming Enforcement, USA  
New South Wales Crime Commission  
New South Wales Liquor Administration Board  
New South Wales Office of Liquor, Gaming and Racing  
New South Wales Police Service  
New Zealand Police  
Northern Territory Licensing Commission  
Northern Territory Police  
Office of Fair Trading, Queensland

Office of State Revenue, Queensland  
Office of the Liquor and Gambling Commissioner, South  
Australia  
Pueblo of Isleta Gaming Regulatory Agency, USA  
Queensland Police Service  
Racing, Gaming and Licensing Division, Northern Territory  
Racing Services Tasmania  
South Australia Police  
South Dakota Commission on Gaming, USA  
Tasmanian Gaming Commission  
Tasmania Police  
The Mississippi Gaming Commission, USA  
Victorian Commission for Gambling Regulation  
Victoria Police  
Western Australia Police Service  
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  
telebet system  
totalisator

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## Schedule 3      Fees

section 17

\$

1	Application for race wagering licence or sports wagering licence (s 19(c) of the Act) . . . . .	14 119.20
2	Application for key person licence (s 102(2)(c) of the Act) . . . . .	406.85
3	Issuing replacement key person licence (s 116(4) of the Act) . . . . .	29.85
4	Evaluation of regulated wagering equipment (s 208(4)(a) of the Act), for each hour, or part of an hour, involved in the following—	
	(a) carrying out—	
	(i) basic evaluation . . . . .	167.85
	(ii) intermediate evaluation . . . . .	209.05
	(iii) advanced evaluation . . . . .	250.25
	(iv) administration for an evaluation . . . . .	126.65
	(b) giving advice for an evaluation . . . . .	126.65
	(c) holding meetings for an evaluation . . . . .	126.65

## Endnotes

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 27 August 2010. Future amendments of the Wagering Regulation 1999 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

## 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	1 July 1999	16 July 1999
1A	1999 SL No. 211	10 September 1999	23 September 1999
1B	1999 SL No. 275	12 November 1999	22 November 1999
1C	2000 SL No. 4	21 January 2000	31 January 2000
1D	2000 SL No. 137	1 July 2000	14 July 2000
1E	2000 SL No. 286	1 December 2000	14 December 2000
2	2000 SL No. 286	1 December 2000	30 March 2001
2A	2001 SL No. 270	21 December 2001	4 January 2002
2B	2002 SL No. 128	7 June 2002	13 June 2002
2C	2002 SL No. 138	14 June 2002	21 June 2002

Reprint No.	Amendments included	Effective	Notes
2D	2002 SL No. 244	1 October 2002	
2E	2003 SL No. 219	1 October 2003	R2E withdrawn, see R3
3	—	1 October 2003	
3A	2004 SL No. 194	1 October 2004	
3B	2004 SL No. 253	1 December 2004	
3C	2005 SL No. 1	4 February 2005	
3D	2005 SL No. 69	1 May 2005	
3E	2005 SL No. 115	1 July 2005	
3F	2006 SL No. 139	1 July 2006	
3G	2007 SL No. 137	1 July 2007	
4	2007 SL No. 210	1 September 2007	
4A	2008 SL No. 177	1 July 2008	
4B	2008 SL No. 418	1 January 2009	
4C	2009 SL No. 94	19 June 2009	
4D	2009 SL No. 84	1 July 2009	
4E	2009 Act No. 24	1 December 2009	
4F	2010 Act No. 22	1 July 2010	
	2010 SL No. 128		
4G	2010 SL No. 198	30 July 2010	
4H	2010 SL No. 225	27 August 2010	R4H withdrawn, see R5
5	—	27 August 2010	

## 5 List of legislation

### **Wagering Regulation 1999 SL No. 126**

made by the Governor in Council on 24 June 1999

notfd gaz 25 June 1999 pp 932–8

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 1999 (see s 2)

exp 31 August 2011 (see SIA s 56A(2) and SIR s 5 sch 3)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

### **Wagering Amendment Regulation (No. 1) 1999 SL No. 211**

notfd gaz 10 September 1999 pp 180–3

commenced on date of notification

### **Gaming Legislation Amendment Regulation (No. 1) 1999 SL No. 275 s 1, pt 5**

notfd gaz 12 November 1999 pp 1007–9

commenced on date of notification

### **Wagering Amendment Regulation (No. 1) 2000 SL No. 4**

notfd gaz 21 January 2000 pp 192–3

commenced on date of notification

### **Gaming Legislation Amendment Regulation (No. 2) 2000 SL No. 136 pts 1, 8**

notfd gaz 30 June 2000 pp 736–48

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2000 (see s 2)

### **Treasury Legislation Amendment Regulation (No. 1) 2000 SL No. 137 pts 1, 8**

notfd gaz 30 June 2000 pp 736–48

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2000 (see s 2)

### **Gambling Legislation Amendment Regulation (No. 1) 2000 SL No. 286 pts 1, 6**

notfd gaz 17 November 2000 pp 1093–5

ss 1–2 commenced on date of notification

remaining provisions commenced 1 December 2000 (see s 2)

### **Gambling Legislation Amendment Regulation (No. 1) 2001 SL No. 270 s 1, pt 8**

notfd gaz 21 December 2001 pp 1482–8

commenced on date of notification

### **Gambling Legislation Amendment Regulation (No. 1) 2002 SL No. 128 pts 1, 8**

notfd gaz 7 June 2002 pp 575–8

commenced on date of notification

### **Gambling Legislation Amendment Regulation (No. 2) 2002 SL No. 138 pts 1, 9**

notfd gaz 14 June 2002 pp 697–700

commenced on date of notification

- Gambling Legislation Amendment Regulation (No. 3) 2002 SL No. 244 ss 1, 2(2) pt 8**  
notfd gaz 27 September 2002 pp 340–4  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 October 2002 (see s 2(2))
- Gambling Legislation Amendment Regulation (No. 1) 2003 SL No. 219 ss 1, 2(2), pt 8**  
notfd gaz 19 September 2003 pp 219–21  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 October 2003 (see s 2(2))
- Gambling Legislation Amendment Regulation (No. 1) 2004 SL No. 194 ss 1, 2(2), pt 8**  
notfd gaz 24 September 2004 pp 322–4  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 October 2004 (see s 2(2))
- Gambling Legislation Amendment Regulation (No. 2) 2004 SL No. 253 pts 1, 8**  
notfd gaz 26 November 2004 pp 1040–2  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 December 2004 (see s 2)
- Gambling Legislation Amendment Regulation (No. 1) 2005 SL No. 1 s 1, pt 8**  
notfd gaz 4 February 2005 pp 358–9  
commenced on date of notification
- Gambling Legislation Amendment Regulation (No. 2) 2005 SL No. 69 pts 1, 6**  
notfd gaz 29 April 2005 pp 1392–5  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 May 2005 (see s 2)
- Gambling Legislation Amendment Regulation (No. 3) 2005 SL No. 115 pts 1, 8**  
notfd gaz 17 June 2005 pp 569–71  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2005 (see s 2)
- Gambling Legislation Amendment Regulation (No. 1) 2006 SL No. 139 pts 1, 8**  
notfd gaz 23 June 2006 pp 898–902  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2006 (see s 2)
- Gambling Legislation Amendment Regulation (No. 1) 2007 SL No. 137 pts 1, 7**  
notfd gaz 29 June 2007 pp 1157–65  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2007 (see s 2)
- Gambling Legislation Amendment Regulation (No. 2) 2007 SL No. 210 pts 1, 7**  
notfd gaz 24 August 2007 pp 2151–3  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 September 2007 (see s 2)
- Gambling Legislation Amendment Regulation (No. 1) 2008 SL No. 177 pts 1, 8**  
notfd gaz 27 June 2008 pp 1268–78  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2008 (see s 2)

**Liquor and Other Legislation Amendment Regulation (No. 1) 2008 SL No. 418 pts 1, 7**

notfd gaz 12 December 2008 pp 2044–53  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 January 2009 (see s 2)  
Note—A regulatory impact statement and explanatory note were prepared.

**Gambling and Other Legislation Amendment Regulation (No. 1) 2009 SL No. 84 pts 1, 10**

notfd gaz 12 June 2009 pp 619–21  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2009 (see s 2)

**Liquor and Other Legislation Amendment Regulation (No. 1) 2009 SL No. 94 ss 1, 22–23**

notfd gaz 19 June 2009 pp 707–11  
commenced on date of notification  
Note—A regulatory impact statement and explanatory note were prepared.

**Queensland Civil and Administrative Tribunal (Jurisdiction Provisions) Amendment Act 2009 No. 24 ss 1–2, ch 5 pt 77**

date of assent 26 June 2009  
ss 1–2 commenced on date of assent  
remaining provisions commenced 1 December 2009 (2009 SL No. 252)

**Racing and Other Legislation Amendment Act 2010 No. 22 pts 1, 6**

date of assent 7 June 2010  
ss 1–2 commenced on date of assent  
remaining provisions commenced 1 July 2010 (see s 2)

**Fair Trading and Other Legislation Amendment Regulation (No. 1) 2010 SL No. 128 pts 1, 29**

notfd gaz 18 June 2010 pp 529–35  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2010 (see s 2)

**Gambling Legislation Amendment and Repeal Regulation (No. 1) 2010 SL No. 198 pts 1, 6**

notfd gaz 30 July 2010 p 1253–5  
ss 1–2 commenced on date of notification  
remaining provisions commenced 30 July 2010 (see s 2)

**Wagering Amendment Regulation (No. 1) 2010 SL No. 225**

notfd gaz 27 August 2010 pp 1520–4  
commenced on date of notification

## 6 List of annotations

### Definitions

- s 3**
- def “**advanced evaluation**” ins 2002 SL No. 128 s 26
  - def “**automated device**” ins 2010 SL No. 198 s 18
  - def “**basic evaluation**” ins 2002 SL No. 128 s 26
  - def “**closing time**” ins 2010 SL No. 198 s 18
  - def “**commercial special facility licence**” ins 2008 SL No. 418 s 48(2)
  - def “**commercial special facility premises**” ins 2008 SL No. 418 s 48(2)
  - def “**competitor**” ins 2010 SL No. 198 s 18
  - def “**credit ticket**” ins 2010 SL No. 198 s 18
  - def “**customer input system**” ins 2010 SL No. 225 s 3
  - def “**deposit account**” ins 2010 SL No. 198 s 18
  - def “**event**” ins 2010 SL No. 198 s 18
  - def “**fixed odds management system**” ins 2010 SL No. 225 s 3
  - def “**host computer system**” ins 2010 SL No. 225 s 3
  - def “**intermediate evaluation**” ins 2002 SL No. 128 s 26
  - def “**internet wagering system**” ins 2010 SL No. 225 s 3
  - def “**lotteries computer system**” ins 2000 SL No. 4 s 3
  - def “**lottery licence**” ins 2000 SL No. 4 s 3
  - def “**lottery licensee**” ins 2000 SL No. 4 s 3
  - def “**odds**” ins 2010 SL No. 198 s 18
  - def “**payout**” ins 2010 SL No. 198 s 18
  - def “**promotional credit**” ins 2010 SL No. 198 s 18
  - def “**race**” ins 2010 SL No. 198 s 18
  - def “**race totalisator**” ins 2010 SL No. 198 s 18
  - def “**relevant chief executive**” ins 2002 SL No. 138 s 44
  - def “**restricted investor**” ins 2010 SL No. 198 s 18
  - def “**result**” ins 2010 SL No. 198 s 18
  - def “**rule**” ins 2010 SL No. 198 s 18
  - def “**runner**” ins 2010 SL No. 198 s 18
  - def “**selection**” ins 2010 SL No. 198 s 18
  - def “**special facility liquor licence**” ins 2002 SL No. 138 s 44
    - om 2008 SL No. 418 s 48(1)
  - def “**special facility premises**” ins 2002 SL No. 138 s 44
    - om 2008 SL No. 418 s 48(1)
  - def “**subsidiary operator**” ins 2002 SL No. 138 s 44
    - amd 2008 SL No. 418 s 48(3)–(4)
  - def “**telebet system**” ins 2010 SL No. 225 s 3
  - def “**totalisator**” ins 2010 SL No. 225 s 3
  - def “**unrestricted investor**” ins 2010 SL No. 198 s 18

### Calculating commission—Act, s 163

- s 5** sub 1999 SL No. 211 s 3

### Prescribed amount—Act, s 165

- s 5A** ins 2002 SL No. 244 s 18

**Calculation and payment of wagering tax—Act, s 166**

**prov hdg** sub 2002 SL No. 244 s 19

**s 6** amd 1999 SL No. 275 s 11; 2000 SL No. 137 s 21

**Returns for calculation of wagering tax—Act, s 167**

**s 8** amd 2000 SL No. 137 s 22; 2002 SL No. 138 s 45; 2002 SL No. 244 s 20

**Percentage of wagering tax for community investment fund—Act, s 169**

**s 9** sub 2000 SL No. 286 s 24; 2010 Act No. 22 s 34

**Prescribed amount—Act, s 173**

**s 10A** ins 2002 SL No. 244 s 21

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

**s 11** amd 1999 SL No. 211 s 4; 2002 SL No. 138 s 46; 2008 SL No. 418 s 49

**Report about prohibition under order or direction—Act, s 216L**

**s 13A** ins 2005 SL No. 69 s 15

sub 2005 SL No. 115 s 23

**Limit on amount invested**

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pres s 15 ins 2010 SL No. 198 s 19

**Cancellation of investment—fixed odds**

**s 15A** ins 2010 SL No. 198 s 19

**Cancellation of investment—sports totalisator**

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**Cancellation of investment—race totalisator**

**s 15C** ins 2010 SL No. 198 s 19

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**Withdrawals by unrestricted investors**

s 15L ins 2010 SL No. 198 s 19

**Refusal to accept a deposit or investment**

s 15M ins 2010 SL No. 198 s 19

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

s 15N ins 2010 SL No. 198 s 19

**Accounting for account balances for restricted investors**

s 15O ins 2010 SL No. 198 s 19

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

s 15P ins 2010 SL No. 198 s 19

**Depositing funds for credit with licence operator**

s 15Q ins 2010 SL No. 198 s 19

**Use of funds at credit on credit ticket**

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

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**Publication of results**

s 15W ins 2010 SL No. 198 s 19

**Bonus prize reserve**

s 15X ins 2010 SL No. 198 s 19

**Payment of bonus prize reserve into the consolidated fund**

s 15Y ins 2010 SL No. 198 s 19

**Evaluation of regulated wagering equipment—Act, s 208**

s 16A ins 2002 SL No. 128 s 27

**SCHEDULE 1—ENTITIES**

sub 2000 SL No. 136 s 66

amd 2002 SL No. 138 s 47; 2003 SL No. 219 s 27; 2004 SL No. 253 s 20;  
2005 SL No. 1 s 19; 2006 SL No. 139 s 24; 2007 SL No. 210 s 17; 2008 SL  
No. 418 s 50; 2009 SL No. 94 s 23

**SCHEDULE 2—REGULATED WAGERING EQUIPMENT**

amd 2000 SL No. 4 s 4

sub 2010 SL No. 225 s 4

**SCHEDULE 3—FEES**

amd 2000 SL No. 136 s 67; 2000 SL No. 137 s 23

sub 2001 SL No. 270 s 17

amd 2002 SL No. 128 s 28; 2002 SL No. 244 s 22

sub 2003 SL No. 219 s 28; 2004 SL No. 194 s 17; 2005 SL No. 115 s 24; 2006

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No. 84 s 24

amd 2009 Act No. 24 s 866

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