

Racing Queensland Limited

POLICY FOR LAWFUL BETTING ON RACES

DATE POLICY WAS MADE

This policy was made on 1 July 2010.

COMMENCEMENT DATE

This policy comes into effect on 1 July 2010.

PURPOSE

The *Racing Act 2002* (Act) authorises Racing Queensland Limited (Racing Queensland) to make policies for the sound management of the industry. Section 81(f) of the Act requires Racing Queensland to make a policy for lawful betting on races under its control, including selling a product to a person lawfully conducting wagering under the *Wagering Act 1998*.

This policy should also be read in conjunction with Racing Queensland's Licensing Policy.

To protect the public interest and the interests of parties to a bet, and to guard against illicit activity, wagering and betting activities are stringently regulated. Under the Act and the *Wagering Act 1998*, lawful betting can only occur with a licensed wagering operator or a licensed racing bookmaker. Both the *Wagering Act 1998* and the Act restrict licensing of racing bookmakers and wagering operators to people and corporations of suitable character, reputation, experience and financial position.

Under section 201 of the Act, an applicant for racing bookmaker's licence must hold an eligibility certificate. Eligibility certificates are issued by the Office of Gaming Regulation after checks into the applicant's background to determine whether the applicant is a suitable person to hold a racing bookmaker's licence. The Act and the Rules of Racing regulate the way bets with racing bookmakers are made, recorded and settled and how disputes are resolved.

Under section 199 of the Act, a racing bookmaker licensed by Racing Queensland must not carry on bookmaking unless the bookmaking is at a venue of a licensed club which is under the control of Racing Queensland at a time when a race meeting is being held and the betting takes place under a direction given by the Racing Queensland steward in charge of the meeting.

Section 249 of the Act allows a racing bookmaker to make a bet with a person who is not present at the venue of a licensed club. The bet must be made through a telephone bookmaking system that has Racing Queensland's approval; the bettor must consent to recording the transaction before the transaction starts and the details of the bet must be confirmed with the bettor before the transaction ends.

Racing bookmakers are not restricted to betting on thoroughbred, harness or greyhound races – Racing Queensland may, under the circumstances set out under section 255 of the Act, declare a sporting contingency on which bookmaking is allowed.

Racing Queensland charges racing bookmakers a licence fee. Under section 35 of the *Racing Act 2002* and Racing Queensland's policy on fees, this licensing fee must reflect the reasonable cost of providing the licensing service. Racing Queensland's licensing fee differs

from the standing fees and levies that race clubs may charge racing bookmakers.

The purpose of this policy on lawful betting is to ensure that wagering and betting are regulated consistently and in a way that is fair to both parties to the bet.

POLICY STATEMENT

Racing Queensland will regulate bookmaking and licence, supervise and monitor racing bookmakers in accordance with the Act and the Rules of Racing.

Racing Queensland will ensure high standards of integrity and fairness in racing by only issuing bookmaking licences to people or corporations that are of good character and reputation that possess appropriate skills and experience, and are in a sound financial position.

Only a person who holds an eligibility certificate from the Office of Gaming Regulation can be licensed as a racing bookmaker. The Office of Gaming Regulation undertakes background checks to determine the suitability of a person to hold an eligibility certificate. In addition to the Office of Gaming Regulation's checks, Racing Queensland may develop and implement extra standards of competency and probity that an applicant must satisfy before being granted a racing bookmaker's licence.

Racing bookmakers must conduct their bookmaking in accordance with the Act and the Rules of Racing.

In accordance with section 250 of the Act, racing bookmakers must maintain an insurance policy or bond to indemnify bettors against default by the racing bookmaker on payment of winnings to the bettor. The policy or bond must include any conditions that Racing Queensland requires. Racing Queensland will not license or renew the licence of a racing bookmaker without a policy or bond. Any licensed racing bookmaker without such a policy or bond may have their licence suspended until Racing Queensland is satisfied an appropriate policy or bond is in place.

Racing Queensland may make rules for the licensing and operations of racing bookmakers and their remote clerks, clerks and agents.

Racing Queensland will help ensure that betting with a racing bookmaker, including a licensed wagering operator, and wagering with a totalisator is conducted in such a way that encourages responsible gambling and the minimisation of harm from betting.

APPLICATION

This policy applies to Racing Queensland and racing bookmakers licensed by Racing Queensland.

DEFINITIONS

'Person' means for the purposes of the definition of "racing bookmaker" means a natural person or a corporation, the directors executive officers and shareholders of which comply with all requirements imposed by Racing Queensland on racing bookmakers who are natural persons. All provisions that apply to racing bookmakers as natural persons also apply to directors, executive officers and shareholders of a corporation licensed as a racing bookmaker.

'Racing bookmaker' means the holder of a racing bookmaker's licence. For the purposes of the Rules of Racing, a racing bookmaker is a person licensed by Racing Queensland as a

racing bookmaker or racing bookmaker's remote clerk or a person authorised to act as a racing bookmaker's agent. The Act provides that an individual or a corporation can be licensed as a racing bookmaker.

'Racing bookmaker's clerk' means the licence holder of a racing bookmaker's clerk licence.

'Racing bookmaker's clerk licence' means a licence from the control body to be employed by a racing bookmaker as a clerk in the conduct of the racing bookmaker's business at a licensed venue.

'Racing bookmaker's licence' means a licence from the control body as a racing bookmaker for the codes of racing that the control body is approved to manage.

'Sporting contingency' means a contest, contingency or event relating to animals (other than a race), an athletic meeting, exercise, fight, game, pastime or sport.

'Telephone bookmaking system' means a system approved by Racing Queensland for recording bets made between a racing bookmaker and a person not present at a race meeting as provided by section 249 of the *Racing Act 2002*. The bettor must consent to recording the betting transaction before the transaction starts and the details of the bet must be confirmed with the bettor before the betting transaction ends, including, for example, the betting ticket number, account number and amount of the bet.

PROCEDURES

Roles and responsibilities

Racing bookmakers and their remote clerks, clerks and agents are responsible for conducting their bookmaking in accordance with the conditions of their licence and the Rules of Racing. Racing bookmakers are responsible for the conduct of their remote clerks, clerks and agents.

Rules of Racing

This policy is consistent with the Rules of Racing for bookmaking.

Review

Review date will be July 2012.

REVISION HISTORY

Version	Date	Description
1.01	July 2010	Board adopted under exceptional circumstances
1.02	September 2010	Board confirmed this policy continued to have effect