



# **RACING VICTORIA CLUB BOOKMAKERS' LICENCE RULES 2010**

AS AT 22 JUNE 2021

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Clause

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**RACING VICTORIA LIMITED**  
**CLUB BOOKMAKERS' LICENCE RULES 2010**

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**1. PRELIMINARY**

**1.1 Title**

These Licence Rules may be cited as the Club Bookmakers' Licence Rules 2010.

**1.2 Purpose**

The purpose of these Licence Rules is to provide rules pursuant to sections 91A and 91AB of the Racing Act for and with respect to:

1.2.1 the issue of Licences to Registered Bookmakers, and approval for Approved Substitutes, to carry on the business of bookmaking on a Racecourse or part of a Racecourse and/or an Approved Off-Course Premises;

1.2.2 the terms and conditions of Licences; and

1.2.3 the exclusion or removal from a Racecourse or part of a Racecourse bookmakers who do not hold a valid Licence.

**1.3 Authorising provision**

These Licence Rules are made pursuant to sections 91A and 91AB of the Racing Act.

**1.4 Rules of Betting**

**1.4.1 Racing Victoria may make**

Racing Victoria may from time to time make Rules of Betting (and from time to time amend, modify or rescind any such Rules of Betting) to regulate the conduct of:

- (a) Race Betting;
- (b) Sports Betting;
- (c) Future Doubles Betting;
- (d) Future Win/Place Betting; and
- (e) Future Sports Betting.

**1.4.2 Effect of Rules of Betting**

Rules of Betting made by Racing Victoria pursuant to Licence Rule 1.4.1:

- (a) are made pursuant to section 91A of the Racing Act;
- (b) have effect and are binding and may be enforced as if part of these Licence Rules.

## 2. COMMENCEMENT AND TRANSITIONAL PROVISIONS

### 2.1 Definitions

In this Licence Rule 2:

**“Commencement Date”** means 1 July 2010.

**“Former Club Bookmakers’ Licence Rules”** means the Club Bookmakers’ Licence Rules 2009 of Racing Victoria immediately before the Appointed Day.

### 2.2 Commencement

These Licence Rules come into operation and effect on and from the beginning of the Commencement Date. Any amendments to these Licence Rules come into effect on the date declared by Racing Victoria.

### 2.3 Preservation of effect, decision, rights and obligations

Everything done, arising or suffered under the Former Club Bookmakers’ Licence Rules is deemed to have been done, arisen or suffered under these Licence Rules and, without limiting the generality of the foregoing:

- 2.3.1 **Appointments:** all appointments of persons (including but not limited to the Betting Supervisor and Authorised Officers) made under or pursuant to the Former Club Bookmakers’ Licence Rules are deemed to have been made, and to continue in effect, under or pursuant to these Licence Rules.
- 2.3.2 **Decisions made and action taken under Former Club Bookmakers’ Licence Rules:** all decisions made, action taken and discretions and powers exercised under or pursuant to the Former Club Bookmakers’ Licence Rules are deemed to be fully effective and to continue in force as if properly and validly made or taken under or pursuant to these Licence Rules.
- 2.3.3 **Licences, permits, etc:** all licences, permits, registrations, authorisations and any other rights or privileges granted under or pursuant to the Former Club Bookmakers’ Licence Rules are deemed to continue in full force and effect and upon the same terms and conditions as if properly and validly made under or pursuant to these Licence Rules.
- 2.3.4 **Obligations and liabilities:** all obligations and liabilities of any kind (including pecuniary obligations and liabilities) incurred or arising under or pursuant to the Former Club Bookmakers’ Licence Rules are deemed to have been incurred or to have arisen under or pursuant to these Licence Rules.

- 2.3.5 **Offences:** any offence under or breach of the Former Club Bookmakers' Licence Rules is deemed to be an offence under or breach of these Licence Rules.
- 2.3.6 **Penalties and disabilities:** all penalties, disabilities, disqualifications, suspensions and obligations of any kind (including fines and other pecuniary obligations) imposed, incurred or arising under or pursuant to the Former Club Bookmakers' Licence Rules are deemed to be imposed, incurred or to arise under or pursuant to these Licence Rules.
- 2.3.7 **Inquiries, investigations and proceedings:** all inquiries, investigations and other proceedings of any nature initiated or conducted under or pursuant to the Former Club Bookmakers' Licence Rules are deemed to be initiated or conducted under or pursuant to these Licence Rules.

### 3. DEFINITIONS AND INTERPRETATION

#### 3.1 Definitions

In these Licence Rules:

**“Approved Sports Betting Event”** has the same meaning as in the Bookmaker Sports Betting Rules 2007.

**“Approved Betting System”** means any of the following systems expressly approved by Racing Victoria for use by Bookmakers in the course of their bookmaking business:

- (a) Computerised Betting System;
- (b) Internet Betting System; or
- (c) Telephone Betting System.

**“Approved Method of Communication”** means a method of communication approved by the Minister under section 4A of the Racing Act.

**“Approved Off-Course Premises”** means an off-course premises approved by Racing Victoria in accordance with section 4C of the Racing Act.

**“Approved Substitute”** means a Registered Bookmaker's Key Employee who has been approved by Racing Victoria pursuant to section 91AB of the Racing Act and Licence Rule 9 to carry on the business of a bookmaker during a period of absence by the Bookmaker.

**“Approved SCB”** has the same meaning as in the Bookmaker Sports Betting Rules 2007.

**“Approved Wagering Service Provider”** means a wagering service provider (as defined in Chapter 2, Part 5, Division 5A of the Gambling Regulation Act) who has obtained, and holds, a current publication and use of race fields approval from Racing Victoria in accordance with section 2.5.19B of the Gambling Regulation Act.



**“AUSTRAC”** means the Australian Transaction Reports and Analysis Centre.

**“Authorised Officer”** means:

- (a) a person authorised in writing by Racing Victoria for the purposes of these Licence Rules;
- (b) a Betting Supervisor;
- (c) a Steward;
- (d) the General Manager, Manager or Internal Auditor, Racing Victoria Wagering Department; or
- (e) the General Manager or Manager, Racing Victoria Integrity Services.

**“Bet Back”** means a Bet Back as defined in Part D of Schedule 1 of the Bookmakers’ Licence Levy Rules 2012 or a Non-VTR Bet Back as defined in Part D of Schedule 2 of the Bookmakers’ Licence Levy Rules 2012, as applicable.

**“Betting Exchange”** has the meaning given in Part D of Schedule 1 of the Bookmakers’ Licence Levy Rules 2012.

**“Betting Supervisor”** means the person appointed as such by Racing Victoria, and any other person to whom duties have been delegated by the person so appointed.

**“Betting Transaction”** means a contract between the Bookmaker and a Customer, by which a bet or wager is placed with and accepted by the Bookmaker in relation to a Race or Approved Sports Betting Event (or a contingency related to a Race or Approved Sports Betting Event);

**“Bet Types Register”** means the register of bet types created and maintained by Racing Victoria.

**“Bookmaker”** means a Registered Bookmaker who is the holder of a Licence granted pursuant to these Rules.

**“Bookmaker Client Account Form”** is the form of that name available on the Racing Victoria website.

**“Bookmaker’s Key Employee”** means the holder of a current certificate of registration as a Registered Bookmaker’s Key Employee under Part 5A of Chapter 4 of the Gambling Regulation Act.

**“Bookmakers’ Licence Levy Rules”** means the Bookmakers’ Licence Levy Rules 2009 made pursuant to section 91B and approved pursuant to section 91D of the Racing Act as amended from time to time.

**“Bookmaker Rules”** means these Licence Rules, the Bookmakers’ Licence Levy Rules 2009, the Bookmakers’ Sports Betting Rules 2007, the Bookmakers’ Telephone Betting Rules 2001, the Bookmakers’ Internet Betting Rules 2001 and any other bookmaker rules made by Racing Victoria pursuant to its powers under the Racing Act with respect to bookmakers as amended from time to time.

**“Bookmaking Activities”** includes the activities of a person in gaining, or endeavouring to gain, a livelihood wholly or partly by betting or making wagers or carrying on any activity relating to the operations of a Bookmaker. **“Chief Executive”** means the chief executive officer of Racing Victoria.

**“Club”** means a thoroughbred racing club in Victoria that:

- (a) is registered by Racing Victoria under the Rules of Racing; or
- (b) conducts a race meeting that is registered by Racing Victoria under the Rules of Racing.

**“Commission”** means the Victorian Commission for Gambling and Liquor Regulation established under Part 2 of the *Victorian Commission for Gambling and Liquor Regulation Act 2011* (Vic) (or its successor from time to time).

**“Complaint”** means a written complaint submitted on the pro forma provided on RVL’s website in relation to the Bookmaker for an alleged breach of the obligations set out in Licence Rule 13.13.

**“Complainant”** means a person who submits a Complaint.

**“Computerised Betting System”** means a system approved by Racing Victoria for use by Bookmakers, which may be comprised of computer equipment and software, and by which bets may be recorded and betting tickets issued.

**“Control”** has the meaning given in section 50AA of the *Corporations Act 2001* (Cth).

**“Controlling Body”** has the same meaning as in the Racing Act.

**“Designated Area”** means one or more of the parts of a Racecourse as determined by Racing Victoria from time to time for the conduct of the business of a Bookmaker at the Racecourse.

**“Directors”** means the directors of Racing Victoria acting as a board.

**“Entity”** means any body corporate, joint venture (whether incorporated or unincorporated), partnership, trust or individual.

**“Final Acceptances”** has the same meaning as in the Rules of Racing.

**“Final Acceptances Deadline”** means the closing time for Final Acceptances for a Victorian Race as advertised in Inside Racing.

**“Fit and Proper Person”** is a person who:

- (a) is of good fame, integrity and character;
- (b) has never been convicted of an offence involving fraud or dishonesty or been sentenced to a term of imprisonment;
- (c) has never been subject to disciplinary action under the Rules of Racing (or the rules of racing applicable to thoroughbred horse racing in another

jurisdiction or any equivalent rules of conduct of any sport in respect of which betting is conducted) or under any applicable law;

- (d) is not prohibited by law from being a director of a company; and
- (e) is not a bankrupt.

**“Future Bets”** means bets accepted by engaging in Future Betting.

**“Future Betting”** means:

- (a) Future Doubles Betting;
- (b) Future Sports Betting; and/or
- (c) Future Win/Place Betting.

**“Future Doubles Betting”** means betting made by the nomination of a horse or greyhound or a combination of two horses or two greyhounds on the chance that such horse or horses or greyhound or greyhounds will fill first place or fill first, second or third places in two specified races providing at least one of the races is decided at a race meeting conducted on a day after the day the bet is placed.

**“Future Sports Betting”** means betting made by way of wagering on any Approved Sports Betting Event which involves the nomination of a result of a betting contingency approved under section 4(1)(b) of the Racing Act where the result is to be decided 35 days or more after the day on which the bet is placed.

**“Future Win/Place Betting”** means:

- (a) a bet made with a Bookmaker who is authorised by Racing Victoria to accept future win/place bets; and is
- (b) a bet where the result is to be decided 35 days or more after the day on which the bet is placed; and is
- (c) a bet made by the nomination of a horse or greyhound on the chance that such horse or greyhound will fill first place or fill first, second or third place in a specified race, or a bet made by the nomination of a horse or greyhound on the chance that such horse or greyhound will fill first place in three specified races;
- (d) but does not include a bet made when the bookmaker is operating under a club betting permit issued by the Minister.

**“Gambling Regulation Act”** means the *Gambling Regulation Act 2003 (Vic)* as amended from time to time.

**“Insolvency Event”** means, in relation to a person, any of the following:

- (a) the person, being an individual, commits an act of bankruptcy;
- (b) the person becomes insolvent;

- (c) the person assigns any of its property for the benefit of creditors or any class of them;
- (d) a receiver, receiver and manager, administrator, controller, provisional liquidator or liquidator is appointed to the person or the person enters into a scheme of arrangement with its creditors or is wound up;
- (e) the holder of a mortgage, encumbrance or other security interest takes any step towards taking possession of or takes possession of any assets of the person or exercises any power of sale;
- (f) any step is taken to do anything listed in the above paragraphs; or
- (g) any event that is analogous or has a substantially similar effect to any of the events specified in this definition in any jurisdiction.

**“Internet Betting Rules”** means the rules of that name made by Racing Victoria and approved by the Minister pursuant to section 4A of the Racing Act as amended from time to time.

**“Internet Betting System”** has the meaning given in the Internet Betting Rules.

**“Licence”** means a club bookmaker’s licence as defined in section 84 of the Racing Act which is granted to a Registered Bookmaker by Racing Victoria under these Licence Rules.

**“Licence Rules”** means these Club Bookmakers’ Licence Rules 2010.

**“Licence Levy”** means the levy payable by the holder of a Licence or Approved Substitute in accordance with the Bookmakers’ Licence Levy Rules 2009.

**“Non-Racing Contingency Bet”** means a Betting Transaction in respect of or in relation to an event or matter that may occur at a Victorian Race or a Race Meeting:

- (a) the outcome of which does not depend on the performance of a horse or horses in a Victorian Race; and
- (b) which is not disrespectful of any participant or official involved in Victorian thoroughbred horse racing or which does not otherwise bring Victorian thoroughbred horse racing into disrepute.

**“Officer”**, in relation to an Entity:

- (a) where the Entity is a corporation, has the meaning in section 9 of the Corporations Act 2001 (Cth);
- (b) where the Entity is an individual, that individual or any Approved Substitute; and
- (c) where the Entity is neither a corporation nor an individual, means:
  - (i) a partner in the partnership if the Entity is a partnership; or

- (ii) an office holder of the unincorporated association if the Entity is an unincorporated association; or
- (iii) in every case, a person:
  - A. who makes, or participates in making, decisions that affect the whole, or a substantial part, of the business of the Entity; or
  - B. who has the capacity to affect significantly the Entity's financial standing.

“**PRA**” means a Principal Racing Authority of a State or Territory of Australia.

“**Promotional Offer**” has the meaning given in the Bookmakers’ Licence Levy Rules 2009.

“**Publicly Displayed**” means to publish, display or otherwise communicate odds to the public generally including, but not limited to, on a website or other internet enabled device that does not require a person to identify himself or herself (for example, by requiring a person to log in or to provide personal information).

“**Race**” means any horse race, harness race or greyhound race, whether taking place in Australia or another jurisdiction.

“**Race Betting**” means betting by way of wagering on any Race.

“**Racecourse**” means a racecourse licensed under section 24(1) of the Racing Act for horse racing in Victoria.

“**Race-Day Official**” means a person who acts in an official capacity as a steward, veterinary steward, handicapper, judge, starter, clerk of course, clerk of scales, farrier, barrier attendant or timekeeper, or as assistants or deputies of any of the above.

“**Racing Act**” means the *Racing Act 1958 (Vic)* as amended from time to time.

“**Racing Victoria**” means Racing Victoria Limited (ACN 096 917 930).

“**Racing Victoria Rules**” means, together:

- (a) the Licence Rules;
- (b) the Rules of Racing;
- (c) the Rules of Race Betting; and
- (d) the Bookmaker Rules,

as amended from time to time.

“**Registered Bookmaker**” has the same meaning as in section 1.3 of the Gambling Regulation Act.

**“Registered Bookmaker’s Certificate”** means a certificate of registration issued by the Commission in accordance with the Gambling Regulation Act.

**“Related Body Corporate”** means a company that is a related body corporate, as that term is defined in section 9 of the *Corporations Act 2001* (Cth).

**“Related Entity”** means, in relation to an Entity (**the First Entity**):

- (a) any Entity which Controls the First Entity;
- (b) any Entity which is Controlled by the First Entity;
- (c) for the avoidance of doubt, all Related Bodies Corporate of the First Entity; or
- (d) any wagering services provider (‘White Label Partner’) with which the Bookmaker has entered into an agreement, arrangement, understanding, promise or undertaking to transmit, refer or facilitate the communication of betting transactions to the White Label Partner.

**“Relevant Fixed Odds Bet”** means a fixed odds bet described in Rule 13.13.

**“Relevant Law”** means any law (including statutes, regulations, ordinances and by-laws):

- (a) relating to or in connection with:
  - (i) wagering; or
  - (ii) the activities or undertakings of operating a wagering business (including laws pertaining to the privacy of Customers); or
  - (iii) the carrying on of a business of the type conducted by the Bookmaker or any of its Related Entities; or
- (b) a breach of which would constitute a criminal offence,

made in any Australian jurisdiction and including, without limitation, the Racing Act 1958 (Vic), the Gambling Regulation Act 2003 (Vic), the Interactive Gambling Act 2001 (Cth), the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth) and the Crimes Act 1958 (Vic).

**“Rules of Betting”** means the betting rules as made by Racing Victoria from time to time pursuant to Rule 1.4.

**“RVL Website”** means the official website of Racing Victoria, currently at the URL <https://www.racingvictoria.com.au/>

**“SCB Agreement”** has the same meaning as in the Sports Betting Rules.

**“Sports Betting”** means betting by way of wagering on an Approved Sports Betting Event.

**“Telephone Betting Rules”** means the rules of that name made by Racing Victoria and approved by the Minister pursuant to section 4A of the Racing Act.

“**Telephone Betting System**” has the meaning given in the Telephone Betting Rules.

“**Victorian Race**” means a thoroughbred horse race:

- (a) scheduled to be held; or
- (b) held,

### **3.2 in the State of Victoria under the Rules of Racing. Interpretation**

Unless the context requires to the contrary:

- 3.2.1 words and expressions used in these Licence Rules have the meaning ascribed to them in the Racing Act and the Rules of Racing; and
- 3.2.2 these Licence Rules shall be interpreted in accordance with the provisions of the *Interpretation of Legislation Act 1984* (Vic).

## **4. THE REQUIREMENT FOR A LICENCE**

### **4.1 Licence required to operate as a bookmaker**

A person, including a Registered Bookmaker, must not carry on the business of a bookmaker on any Racecourse, unless the person holds a current Licence or is an Approved Substitute.

### **4.2 Licence is sufficient**

Subject to Licence Rule 4.3, a holder of a Licence does not require any authorisation under the Racing Act from any racing club to carry on business as a Bookmaker on a Racecourse or part of a Racecourse.

### **4.3 Clubs may specify requirements**

A Club conducting race meetings at a Racecourse may, with the prior approval of Racing Victoria, make rules, regulation, by-laws or specifications, consistent with and subordinate to these Licence Rules, specifying terms and conditions upon which a Bookmaker or Bookmakers may conduct their business or vocation as a Bookmaker on Designated Areas of the Racecourse, providing that a Club may not require the payment of any fees or charges other than the reasonable cost of providing services to the Bookmaker.

### **4.4 Licence is non-transferable**

- 4.4.1 A Licence is not transferable to any other person.
- 4.4.2 Except as permitted by a Licence or otherwise expressly authorised in writing by Racing Victoria:
  - (a) a Bookmaker; or

(b) an Approved Substitute,

must not carry on Bookmaking Activities on behalf of, or in conjunction with, any other person, including any other Bookmaker.

## **5. CATEGORIES AND CONDITIONS OF LICENCE**

### **5.1 General categories**

A Licence issued to a Registered Bookmaker may be restricted by Racing Victoria, in its absolute discretion, to limit a Bookmaker to undertaking one or more of the following:

- 5.1.1 Race Betting;
- 5.1.2 Sports Betting;
- 5.1.3 Future Doubles Betting;
- 5.1.4 Future Win/Place Betting;
- 5.1.5 Future Sports Betting; and/or
- 5.1.6 any other category of betting as determined by Racing Victoria at its discretion.

### **5.2 AUSTRAC registration**

Racing Victoria will not approve a Bookmaker's Licence application unless and until the Bookmaker has registered himself/herself/itself with AUSTRAC and provided proof of that registration to Racing Victoria. It will be a term of any Licence that the Bookmaker maintains its registration and otherwise complies with all of its obligations under the legislation administered by AUSTRAC.

### **5.3 Other Conditions**

A Licence may be granted to a Registered Bookmaker by Racing Victoria, in its absolute discretion, with conditions relating to:

- 5.3.1 telephone betting and related systems;
- 5.3.2 internet betting and related systems;
- 5.3.3 conducting Bookmaking Activities at Racecourses;
- 5.3.4 conducting Bookmaking Activities in Designated Areas;
- 5.3.5 conducting Bookmaking Activities at Approved Off-Course Premises;
- 5.3.6 days and times of operation, including whether a Bookmaker may accept bets during the course of a race meeting only, or at any time;



- 5.3.7 the allocation of bookmaker stands, and the transfer of access rights to bookmaker stands;
- 5.3.8 the term of the Licence;
- 5.3.9 the types of bets listed on the Bet Types Register that a Bookmaker may offer and make;
- 5.3.10 the Approved Sports Betting Events a Bookmaker can accept bets on;
- 5.3.11 further applications and approvals required to conduct Bookmaking Activities at Racecourses; and
- 5.3.12 any other matter that Racing Victoria determines from time to time.

## **6. APPLICATION FOR A LICENCE**

### **6.1 Application by a Registered Bookmaker**

- 6.1.1 Any Registered Bookmaker may apply to Racing Victoria for a Licence.
- 6.1.2 An application under Rule 6.1 must be in the form, and provide the information, that is specified by Racing Victoria from time to time.

### **6.2 Incomplete application may be rejected**

An application made under Rule 6.1 may be rejected if it is not in the form, or does not contain the information, as specified by Racing Victoria.

## **7. GRANT OF LICENCE**

### **7.1 Racing Victoria may grant licence**

Racing Victoria may grant or refuse an application made under Rule 6 and may at any time revoke or vary an approval under this Rule.

### **7.2 Racing Victoria approval of grant of Licence**

Racing Victoria may:

- 7.2.1 suspend an approval of a Licence application, and during the period of suspension, the approval has no force or effect;
- 7.2.2 impose any term or condition on an approval either on or after the granting of the application for the approval;
- 7.2.3 vary or revoke a term or condition of an approval.

### **7.3 Limitations on grant of Licence**

A Licence granted under Rule 7.1 pursuant to an application that was made under Rule 6.1 is subject to the limitations or conditions applicable to the holder's Registered Bookmaker's Certificate.

## **8. TERM OF A LICENCE**

### **8.1 Term**

A Licence has effect from the date specified by Racing Victoria and remains in force subject to:

8.1.1 Rule 8.2;

8.1.2 any special terms and conditions imposed by Racing Victoria; and

8.1.3 revocation or suspension in accordance with these Licence Rules.

### **8.2 Termination**

A Licence terminates immediately upon:

8.2.1 revocation of the Licence in accordance with these Licence Rules;

8.2.2 the resignation in writing by the Bookmaker addressed to Racing Victoria;

8.2.3 the person ceasing to be a Registered Bookmaker for any reason; or

8.2.4 the expiration of the term of the Licence.

## **9. APPROVED SUBSTITUTE**

### **9.1 Racing Victoria may issue**

Racing Victoria may grant approval for a Bookmaker's Key Employee to be an Approved Substitute upon the terms and conditions of this Licence Rule 9.

### **9.2 Purpose and effect**

In accordance with section 91AB of the Racing Act, the purpose and effect of an Approved Substitute is to authorise a Bookmaker's Key Employee to carry on the business of the Bookmaker during a period when the Bookmaker is absent.

### **9.3 Application for a Bookmaker's Key Employee to be an Approved Substitute**

9.3.1 A Bookmaker may make written application to Racing Victoria for a Bookmaker's Key Employee to be an Approved Substitute.

9.3.2 An application under Rule 9.3.1 must be in the form, and provide the information, that is specified by Racing Victoria from time to time.

9.3.3 An application may be rejected if it is not in the form, or does not contain the information, as specified by Racing Victoria.

#### **9.4 Grant of Approval for an Approved Substitute**

Racing Victoria may, upon receipt by Racing Victoria of a valid application from a Bookmaker, in their absolute discretion:

9.4.1 approve or refuse an application that complies with Rule 9.3 and may at any time revoke or vary an approval under this Licence Rule;

9.4.2 suspend an approval of an Approved Substitute application, and during the period of suspension, the approval has no force or effect;

9.4.3 impose any term or condition on an approval either on or after the granting of the application for the approval; or

9.4.4 vary or revoke a term or condition of an approval.

#### **9.5 Term**

An Approved Substitute may only be authorised to carry on the business on behalf of the Bookmaker:

9.5.1 at race meetings;

9.5.2 at Racecourses;

9.5.3 at Approved Off-Course Premises;

9.5.4 with respect to certain Approved Sports Betting Events; and

9.5.5 on dates and at times,

as may be specified by Racing Victoria in its absolute discretion.

#### **9.6 Conditions**

In addition to any special terms and conditions, an Approved Substitute is subject to the terms and conditions applying to the Licence held by the Bookmaker for whom the Approved Substitute acts.

#### **9.7 Approved Substitute Register**

Racing Victoria will maintain a Register of Approved Substitutes in accordance with sections 91AB(3) and 91AB(4) of the Racing Act.

#### **9.8 Approved Substitute subject to the Racing Victoria Rules**

When a Bookmaker's Key Employee is performing the role of an Approved Substitute for a Bookmaker, that person is subject to the provisions of the Licence Rules and the other Racing Victoria Rules as if he or she is the holder of a Licence.

## **10. TIMES AND METHOD OF OPERATION**

### **10.1 Authority to conduct betting during the holding of a race meeting or at any time**

A Bookmaker must only conduct Bookmaking Activities at times in accordance with his or her Licence and any conditions imposed by Racing Victoria.

### **10.2 Telephone Betting**

A Bookmaker must not engage in Telephone Betting, unless he or she:

10.2.1 is expressly authorised by Racing Victoria to engage in Telephone Betting pursuant to the Telephone Betting Rules; and

10.2.2 at all times complies with the Telephone Betting Rules.

### **10.3 Internet Betting**

A Bookmaker must not engage in Internet Betting, unless he or she:

10.3.1 is expressly authorised by Racing Victoria to engage in Internet Betting pursuant to the Internet Betting Rules; and

10.3.2 at all times complies with the Internet Betting Rules.

## **11. BOOKMAKER TO KEEP RECORD OF EMPLOYEES AND ASSISTANTS**

### **11.1 Record Keeping**

A Bookmaker must keep, and make available to Racing Victoria immediately upon request, records of all employees and assistants engaged by the Bookmaker in the course of the Bookmaker's business. The records must evidence the following:

11.1.1 the name of each employee or assistant;

11.1.2 the date on which each employee was employed, or assistant was engaged, by the Bookmaker; and

11.1.3 the dates and times worked by each employee or assistant.

## **12. CONDUCT OF RACE, FUTURE DOUBLE AND/OR FUTURE WIN/PLACE BETTING**

### **12.1 Bookmaker engaged in Race, Future Double and/or Future Win/Place Betting**

12.1.1 Rule 12 applies to the conduct of betting by a Bookmaker who is authorised to engage in Race Betting, Future Double Betting and/or Future Win/Place Betting. **Allocation to field by Racing Victoria**

A Bookmaker must apply to Racing Victoria, in the form and by the time specified by Racing Victoria, to be allocated to field at a race meeting on a Racecourse.

#### 12.1.2 **Notice of intention not to field up to two days prior to race meeting**

Except as permitted by a Licence, a Bookmaker must give two (2) clear days' notice (not counting Saturdays, Sundays or Victorian public holidays as days) to the Betting Supervisor of the Bookmaker's intention not to field at any race meeting to which the Licence applies and at which the Bookmaker has been allocated to field.

**Penalty:** A Bookmaker who does not give notice pursuant to this Rule 12.1.2 and without reasonable cause (such as illness) fails to field at a race meeting to which the Licence applies is thereby liable to pay the following relevant fee as determined by the Betting Supervisor:

Metropolitan Rail position:	\$600
Metropolitan non-Rail:	\$400
Country race meeting:	\$400
Picnic race meeting:	\$200
Point-to-point race meeting:	\$200

#### 12.1.3 **Notice of intention not to field between date of allocation of stand and two days prior to race meeting**

In the event that a Bookmaker, without reasonable cause (as determined by Racing Victoria in its discretion), provides notice to the Betting Supervisor of the Bookmaker's intention not to field at any race meeting to which the Bookmaker has been allocated to field between:

- (a) the day on which the Bookmaker was allocated to field at that meeting; and
- (b) two days prior to that meeting,

the Bookmaker may be required to pay an administration fee to Racing Victoria.

**Administration Fee:** Racing Victoria may require a Bookmaker who provides notice in respect of a race meeting pursuant to this Rule 12.1.3 without reasonable cause to pay an administration fee of \$25.

#### 12.1.4 **Commencement of betting**

When fielding at a race meeting, a Bookmaker must commence betting on races as follows:

#### 12.1.5 **Accepting bets on races at the race meeting:** if accepting bets on races conducted at the race meeting at which the Bookmaker is fielding: not less than 25 minutes before the advertised starting time of each race, or as otherwise specified or directed by the relevant Club or the Stewards; or

12.1.6 **Accepting bets on races not at the race meeting:** if accepting bets on races not run at the race meeting at which the Bookmaker is fielding: immediately after the first call of odds has been transmitted.

12.1.7 **Continuation of betting**

A Bookmaker engaging in Race Betting must remain at the Bookmaker's stand(s) until 15 minutes after the last race (or until 30 minutes if requested by the Betting Supervisor to do so).

12.1.8 **Display of odds**

Once a Bookmaker has commenced betting on a race being held at the Racecourse at which the Bookmaker is fielding, the Bookmaker must display odds for every runner for that particular race until the start time of the race.

## 13. CONDUCT OF BOOKMAKING OPERATIONS

### 13.1 Computerised Betting System

Subject only to Rule 13.3, a Bookmaker must conduct all betting activities as a Bookmaker using one or more Approved Betting Systems, provided that the Bookmaker has obtained the express approval of Racing Victoria to use such system in accordance with Rule 13.2.

### 13.2 Approval for use of Approved Betting System

13.2.1 A Bookmaker must apply in writing in the form specified by Racing Victoria for approval to use an Approved Betting System.

13.2.2 Prior to granting an approval to the Bookmaker to use an Approved Betting System, Racing Victoria may require, at its sole discretion, that the relevant system be tested by an independent third-party tester (as nominated by Racing Victoria at its sole discretion) at the Bookmaker's sole cost.

13.2.3 Upon receipt of an application received in accordance with Rule 13.2.1, Racing Victoria may grant approval for a Bookmaker to use an Approved Betting System, subject to any conditions which it may impose at its discretion.

13.2.4 In the event that there is a proposed alteration (including an upgrade) to the operation or function of an Approved Betting System, a Bookmaker must not use the altered betting system unless such alterations have been expressly approved by Racing Victoria.

### 13.3 Use of manual betting system

A Betting Supervisor may permit a Bookmaker or Bookmakers to use a manual betting system which complies with the requirements of the Bookmakers' Licence Levy Rules at a race meeting, or generally at a Racecourse, if the use of an

Approved Betting System approved as provided in Rule 13.1 is not reasonably possible because of:

13.3.1 a lack of facilities available at the Racecourse; or

13.3.2 a failure of the Bookmaker's Approved Betting System.

#### **13.4 Use of Decimal Dividend Odds**

A Bookmaker must conduct all betting activities as a Bookmaker using decimal dividend odds only, provided that a Bookmaker may give any information expressly requested by a customer or potential customer regarding the prices offered by the Bookmaker.

#### **13.5 Recording of all betting activity**

A Bookmaker must ensure that all betting activity conducted in the course of the Bookmaker's business is properly, accurately and completely recorded in a form approved by Racing Victoria. The betting activity recorded must include, but not be limited to:

13.5.1 all bets made:

(a) in person during a race meeting;

(b) by telephone;

(c) via the internet; or

(d) via any other approved means;

13.5.2 all Bet-Backs with any Bookmaker, totalisator operator, or Approved Wagering Service Provider; and

13.5.3 any bets which may have been cancelled or are unpaid.

#### **13.6 No use of personal account**

13.6.1 Subject to Rule 13.6.2, a Bookmaker that holds a personal betting account with another Bookmaker, wagering service provider and/or Betting Exchange (a 'Personal Account') must not conduct any Bookmaking Activities via that Personal Account including, without limitation, the placement of a bet on behalf of a Customer.

13.6.2 A Bookmaker is not required to comply with Rule 13.6.1 if the relevant Bookmaker, wagering service provider and/or Betting Exchange ('Service Provider') with which the Bookmaker holds the Personal Account is prohibited, pursuant to the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth) or other Australian legislation by which the Service Provider is bound (be it Federal or State level), from permitting that Bookmaker to hold more than one account with the Service Provider.

#### **13.7 No other use of Approved Betting System**

Unless otherwise expressly authorised to do so by Racing Victoria, a Bookmaker must not use, and must not permit or authorise any other person to use, an Approved Betting System approved under Rule 13.1 for any purpose other than to conduct the business of the Bookmaker.

### **13.8 Provision of access to Approved Betting System**

A Bookmaker must whenever requested to do so by an Authorised Officer:

- 13.8.1 allow the Authorised Officer or any person approved by him or her to inspect the Approved Betting System(s) used by the Bookmaker;
- 13.8.2 deliver into the custody of the Authorised Officer the Approved Betting System or systems (including, as required, hardware and software) used by the Bookmaker;
- 13.8.3 provide all information requested by an Authorised Officer in respect of the Approved Betting System(s) used as approved under Rule 13.1, including but not limited to provision of all computer codes incorporated in the system whether approved or not; and
- 13.8.4 ensure that the Bookmaker's employees and assistants, including the Bookmaker's Key Employees, co-operate fully with all requests of the Authorised Officer or relevant delegate.

### **13.9 Inspection of betting system**

Where an Authorised Officer takes custody of an Approved Betting System or Systems in accordance with Rule 13.8, Racing Victoria may inspect, review, audit and examine the Approved Betting System(s).

### **13.10 Accuracy of clocks and timing information**

- 13.10.1 A Bookmaker must ensure that the clocks and related timing information on his or her Approved Betting System are accurate and correct at all times.
- 13.10.2 In the event that a Bookmaker becomes aware that his or her clock is inaccurate in any respect, the Bookmaker must immediately advise the Betting Supervisor who may, at his or her discretion:
  - (a) suspend the Bookmaker's use of that Approved Betting System; or
  - (b) make any order or direction as deemed appropriate in relation to the Bookmaker's use of that Approved Betting System.

### **13.11 Provision of reports and information**

A Bookmaker must:

- 13.11.1 immediately after the Bookmaker finishes fielding at a race meeting, or at any other time required by an Authorised Officer, provide the Betting Supervisor the Bookmaker's completed holding cards and betting ledger; and



- 13.11.2 as soon as is reasonably practicable, or where required by Racing Victoria from time to time, in real time, provide as directed by an Authorised Officer all such information, records or documents required by Racing Victoria to verify the Bookmaker's obligations under and compliance with the Racing Victoria Rules and any Relevant Law, including without limitation information regarding bets made by the Bookmaker, such information to be provided in the form and manner as may be required by the Authorised Officer.

## 13.12 Bet Types

### Approval for bet types – Victorian Thoroughbred Racing (VTR)

- 13.12.1 Bookmaker's must only offer bet types on VTR that are on the Bet Type Register or are otherwise approved by Racing Victoria.

- 13.12.2 Subject to Rule 13.12.7, the Bookmaker will not:

- (a) publish and use Victorian thoroughbred race fields in respect of any bet type not referred to in Rule 13.12.1; or
- (b) accept bets on a Victorian Race in relation to a bet type not referred to in Rule 13.12.1,

unless the Bookmaker has first informed and consulted with Racing Victoria in respect of the bet type it proposes to introduce.

- 13.12.3 Notwithstanding Rule 13.12.2 in the case of bet types not referred to in Rule 13.12.1 which allow a Customer to directly profit from the poor performance of a horse, the Bookmaker will not:

- (a) publish and use Victorian thoroughbred race fields in respect of such bet type; or
- (b) accept bets on a Victorian Race in relation to such bet type,

unless the Bookmaker has first obtained the written approval of Racing Victoria in respect of the bet type it proposes to introduce.

- 13.12.4 Following a consultation with Racing Victoria pursuant to Rule 13.12.2 or receipt of an application for approval pursuant to Rule 13.12.3, Racing Victoria may, in its absolute discretion, refuse to approve or permit the use of the proposed bet type or require the Bookmaker to comply with conditions with respect to the proposed bet type.

- 13.12.5 Without limiting Rule 13.12.4, Racing Victoria will refuse to approve a proposed bet type if:

- (a) Racing Victoria has integrity concerns in relation to proposed bet type including if it forms the view that the proposed bet type can be manipulated by any person or has the potential to allow Customers to profit directly from the poor performance of a horse; or

- (b) Racing Victoria believes that the proposed bet type is disrespectful to any participant or official in Victorian thoroughbred racing or brings Victorian thoroughbred horse racing into disrepute.

13.12.6 If Racing Victoria imposes conditions on a particular bet type and the Bookmaker offers that bet type, the Bookmaker must comply with any conditions imposed. In the event that Racing Victoria considers that the Bookmaker is not complying with the conditions applying to a particular bet type it may give a notice in writing to that effect to the Bookmaker.

13.12.7 Subject to Rule 13.12.8, a Bookmaker may offer or propose to offer a Non-Racing Contingency Bet without first consulting with Racing Victoria pursuant to Rule 13.12.2 or obtaining approval pursuant to Rule 13.12.3.

13.12.8 If the Bookmaker offers or proposes to offer a Non-Racing Contingency Bet which Racing Victoria considers in its absolute discretion:

- (a) relates to the performance of a horse or horses in a Victorian Race;
- (b) raises integrity concerns in relation to the particular bet type or Betting Transactions on Victorian Races generally; or
- (c) is disrespectful to any participant or official in Victorian thoroughbred horse racing or brings Victorian thoroughbred horse racing into disrepute,

Racing Victoria may give a notice in writing to that effect to the Bookmaker.

13.12.9 If the Bookmaker offers or proposes to offer a bet type in breach of this Rule 13.12 (**Non-Sanctioned Bet Type**), Racing Victoria may give a notice to that effect to the Bookmaker and upon receipt of that notice the Bookmaker:

- (a) will immediately cease to offer the Non-Sanctioned Bet Type;
- (b) will refund all amounts taken or received by the Bookmaker in relation to the Non-Sanctioned Bet Type; and
- (c) will take all other such action in relation to the offering of the Non-Sanctioned Bet Type as Racing Victoria may require.

The rights of Racing Victoria under this Rule are in addition to any other rights Racing Victoria may have under these conditions or at law.

13.12.10 In this Rule, “publish” means publish or disseminate, or cause to be published or disseminated, in any form or by any method of communication and “Victorian thoroughbred race field means a “race field” (as defined in the Gambling Regulation Act) in relation to a Victorian Race.

### 13.13 Betting Limits

Notwithstanding rule 5.1 in the Rules of Race Betting and subject to rule 13.13.2, Bookmakers are required to accept a fixed odds bet via an Approved Betting System in the categories described in the table below at odds that are Publicly Displayed by

the Bookmaker for any thoroughbred race up to the maximum amounts for the Bookmaker to lose as specified in the table below:

Race Type	Bet Type
Metropolitan Victorian Race	In any one win, win/place or each-way bet: to lose \$2,000
	In any one place bet: to lose \$800
Non-metropolitan Victorian Race	in any one win, win/place or each-way bet: to lose \$1,000
	in any one place bet: to lose \$400

### 13.13.1 Compliance by Bookmaker

Subject to rule 13.13.2, a Bookmaker must not do any act or refuse to do any act to avoid complying (either in whole or in part) with Rule 13.13 including but not limited to by:

- (a) closing a person's account;
- (b) refusing to open a person's account;
- (c) placing any restrictions on a person's account in relation to betting on Victorian thoroughbred racing;
- (d) refusing to lay a Relevant Fixed Odds Bet to any person when those fixed odds are Publicly Displayed; or
- (e) laying lesser odds on a Relevant Fixed Odds Bet to a person than those Publicly Displayed.

### 13.13.2 Exclusions

The Bookmaker is not required to comply with its obligations under Rules 13.13 or 13.13.1 if at the time of the Betting Transaction in relation to a Relevant Fixed Odds Bet:

- (a) the customer is not domiciled in Australia;
- (b) at the time the Customer is attempting to enter into the relevant Betting Transaction, the relevant Publicly Displayed odds are not being made available to Customers generally in the jurisdiction in which the relevant Customer's principal place of residence is situated;
- (c) the bet is a Betting Transaction on a betting exchange;
- (d) the person has not provided the Bookmaker with sufficient funds to pay for the Relevant Fixed Odds Bet;
- (e) the bet with the Bookmaker is placed prior to the Final Acceptances Deadline for the relevant Victorian Race;

- (f) the bet forms part of a multi-bet placed with the Bookmaker;
- (g) the Bookmaker has already accepted a Relevant Fixed Odds Bet or number of Relevant Fixed Odds Bets of the same bet type up to the relevant limit in Rule 13.13 on that horse from the person;
- (h) where the Bookmaker's Publicly Displayed Price has changed prior to the Relevant Fixed Odds bet being confirmed, the Bookmaker is not compelled to accept a Relevant Fixed Odds Bet at the pre-changed price;
- (i) where the person is acting as agent or nominee for a third party and the person placing the bet will not be beneficially entitled to the whole of the proceeds of the Relevant Fixed Odds Bet with the Bookmaker;
- (j) the Bookmaker has refused to accept a Relevant Fixed Odds Bet, done an act or refused to do any act referred to in rule 13.13.1 due to:
  - (i) the person being warned off or disqualified under the Rules of Racing;
  - (ii) the person having previously engaged in fraudulent activity;
  - (iii) the person is on a relevant gambling self-exclusion register;
  - (iv) the person having previously breached a material condition of that person's agreement with the Bookmaker, unless the dominant purpose of such condition is to avoid complying with Rule 13.13 or the material condition is determined by Racing Victoria (in its absolute discretion) to be an unreasonable condition;
  - (v) the Bookmaker being unable to accept any bet (or the Relevant Fixed Odds Bet) from the person by operation of any Laws, including but not limited to the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth) or any responsible gambling legislation.
  - (vi) there being systematic multiple identical Relevant Fixed Odds Bets from related/connected parties and/or from the same IP address;
  - (vii) a person placing a Relevant Fixed Odds Bet from, or a Relevant Fixed Odds Bet is received from, a proxy server;
  - (viii) the Relevant Fixed Odds Bet being a promotional bet, including a bonus bet or free bet (whether in part or in whole), where the customer has not provided the full payment for the stake;
  - (ix) the Bookmaker reasonably suspecting that the person placing the Relevant Fixed Odds Bet is not the beneficial owner of the bet or the account is being used in violation of the Bookmaker's

account terms and conditions, where the suspicion can be reasonably validated by the Bookmaker through public records, IP tracking, unique device tracking or some other verifiable process or source;

- (x) unauthorised scraping of a Bookmaker's website;
- (xi) the Relevant Fixed Odds Bets being placed by employees/associates (and/or their associates) of a Bookmaker where there is a reasonably held belief by the Bookmaker that the bet is based on betting information (including, but not limited to, betting trends and bets placed with that Bookmaker) that is not publicly available;
- (xii) the Relevant Fixed Odds Bet being contrary to the Rules of Racing, Laws or these rules;
- (xiii) any other reason that in Racing Victoria's opinion raises serious integrity concerns;
- (xiv) any other reason as published by Racing Victoria on its website from time to time; or
- (xv) The person having been restricted to betting via a specified platform (e.g. telephone) arising from reasonably held concerns by the Bookmaker as to robotic or systemic use via other platforms/channels.

### 13.13.3 Complaints

- (a) the Bookmaker must provide Racing Victoria with all information that Racing Victoria requests for the purposes of its investigation and determination of a Complaint.
- (b) The Bookmaker agrees, subject only to compliance with laws relating to privacy or data protection, to use its best endeavours to comply promptly with a request received from Racing Victoria under clause (a).
- (c) Racing Victoria agrees to provide any relevant information provided to Racing Victoria by the Complainant to the Bookmaker against whom a Complaint has been made.
- (d) All requests by Racing Victoria under clause (a) shall be kept strictly confidential and shall not be divulged by Racing Victoria to any third party (other than the Complainant) except:
  - (i) where required by law;
  - (ii) where expressly permitted by these conditions;
  - (iii) with the prior written consent of the Bookmaker and the Complainant; or

- (iv) where a Complainant has submitted one or more separate complaints against other Bookmakers which are consistent with the Complaint, Racing Victoria may provide non-specific information, subject to compliance with laws relating to privacy or data protection, to assist Bookmakers to respond to the Complainant consistently.
- (e) Racing Victoria's obligations under clause (d) does not apply where the confidential information has been made public through no fault of Racing Victoria.
- (f) Racing Victoria will provide a Bookmaker against whom a Complaint has been made written notice giving the Bookmaker an opportunity to make written submissions to Racing Victoria in relation to the Complaint within 14 days.
- (g) The Bookmaker agrees that Racing Victoria's determination to uphold any Complaint is final and binding on the Bookmaker.
- (h) Where, in relation to a Complaint that has been upheld by Racing Victoria and Racing Victoria has determined that the Bookmaker has failed to comply with its obligations under this Licence Rule 13.13.3, Racing Victoria may in its discretion:
  - (i) notify the Bookmaker with regard to its Minimum Bet Limit obligations;
  - (ii) reprimand the Bookmaker;
  - (iii) issue a letter of rectification which may include a direction to the Bookmaker to rectify within a specified time any matter giving rise to the Complaint;
  - (iv) order the Bookmaker to make financial compensation or restitution of a specified amount to the Complainant with respect to the Complaint that has been upheld by Racing Victoria; and/or
  - (v) suspend or revoke the Bookmaker's Licence in accordance with Licence Rules 20 and 21.
- (i) The rights of Racing Victoria under clause (h) are in addition to, or without limitation to, the rights of Racing Victoria at law or under the terms and conditions for Licences.
- (j) Where a Bookmaker receives a notice, declaration, suspension, revocation or order from Racing Victoria under clause (h), the Bookmaker will promptly take all necessary steps to address and comply with such notice, declaration, suspension, revocation or order as is required by Racing Victoria and will keep Racing Victoria advised of its progress.

### **13.14 Promotional Offers**

- 13.14.1 Subject to the terms of this Rule 13.14, a Bookmaker may make or communicate that it is willing to enter into a Promotional Offer.
- 13.14.2 Racing Victoria may, by notice in writing to a Bookmaker, object to a Bookmaker making, communicating or otherwise utilising a particular Promotional Offer and may, in its absolute discretion, by notice in writing, require the Bookmaker to cease making, communicating and/or otherwise utilising the Promotional Offer described in the notice.
- 13.14.3 Without limiting Rule 13.14.2 Racing Victoria may object to a Promotional Offer if:
- (a) Racing Victoria has integrity concerns in relation to the Promotional Offer including if it forms the view that the Promotional Offer can be manipulated by any person or has the potential to allow Customers to profit directly from the poor performance of a horse; or
  - (b) Racing Victoria believes that the Promotional Offer is disrespectful to any participant or official in Victorian thoroughbred racing or brings Victorian thoroughbred horse racing into disrepute.
- 13.14.4 Racing Victoria is not required to give any reasons for its decision to give a notice under Rule 13.14.2.

### **13.15 Bet Back Accounts (and lay betting)**

- 13.15.1 The Bookmaker must promptly on request by Racing Victoria (which request may be given either by notice in writing to a particular Bookmaker or by way of general notice to all Bookmaker's published on the Racing Victoria Website) provide details of the account or accounts used by the Bookmaker for the purposes of making Bet Backs, unless that account is with another Bookmaker (each notified account a Nominated Bet Back Account).
- 13.15.2 Without limiting Rule 13.15.1, the Bookmaker must provide Racing Victoria with details of each Nominated Bet Back Account at least fourteen (14) days prior to the end of each Period.
- 13.15.3 The Bookmaker must promptly notify Racing Victoria in writing of any change to a Nominated Bet Back Account or any additional account proposed to be used by the Bookmaker for the purposes of making Bet Backs. Such changed accounts or additional accounts will become after the date of the relevant notice a "Nominated Bet Back Account" for the purposes of this Rule 13.15.
- 13.15.4 The Bookmaker may not:
- (a) use the Nominated Bet Back Accounts for any purposes other than making Bet Backs or placing lay bets with a Betting Exchange;
  - (b) make Bet Backs or place lay bets with a Betting Exchange with respect to a Victorian Race using any account other than a Nominated Bet Back Account; nor

- (c) include in the amount of Bet Backs taken into account for the purposes of the calculation of the Levy payable by the Bookmaker pursuant to the Bookmakers' Licence Levy Rules 2012 any Betting Transaction constituting a Bet Back not effected through or using a Nominated Bet Back Account.

### **13.16 Penalty for failing to provide timely reports or reports in required form**

In the event that a Bookmaker, without reasonable cause (as determined by the Betting Supervisor at their discretion), either:

- (a) fails to provide reports in the timeframe required by an Authorised Officer; and/or
- (b) fails to provide information regarding bets in a form and manner as may be required by an Authorised Officer,

the Bookmaker may be required to pay an administration fee to Racing Victoria of a minimum of \$25 per breach.

## **14. FUTURE BETTING**

### **14.1 Trust account**

#### **14.1.1 Establishment**

A Bookmaker conducting Future Betting must establish a separate bank account for Future Bets and provide details of that account to Racing Victoria upon request.

#### **14.1.2 Use**

- (a) All Future Bets must be paid into that separate bank account.
- (b) No payments may be made from moneys held in the account except to settle a Future Bet once it has been decided.

#### **14.1.3 No fees or charges**

A Bookmaker conducting Future Betting must ensure that no bank fees or other charges are deducted from the account in which Future Bets are held.

### **14.2 Reports**

A Bookmaker conducting Future Betting must, not later than the tenth day of each month, lodge with the Betting Supervisor:

- 14.2.1 a return for the previous month listing all Future Bets which had not been decided as at the first of the month; and



- 14.2.2 a copy of the relevant bank statement and a reconciliation of the bank account in which the Future Bets are held.

## **15. ACCOUNT CLIENTS**

### **15.1 Interpretation**

For the purpose of this Licence Rule 15:

“**account**” means any arrangement or facility by which a Bookmaker permits a client to place bets either:

- (a) on credit; or
- (b) using funds held by the Bookmaker in advance.

“**signatory**”, in relation to an account, means a person other than the client, on whose instructions (whether required to be in writing or not and whether required to be signed or not) the Bookmaker conducts transactions in relation to the client’s account.

“**Terms and Conditions**” means the terms and conditions and betting rules which apply to an account, as agreed between the Bookmaker and a client.

### **15.2 Account opening procedures and information**

- 15.2.1 A Bookmaker must not open an account for a client without first collecting and recording the client’s name, date of birth and residential address.
- 15.2.2 As soon as practicable, but no later than 7 days from the date of first opening an account for a client, every Bookmaker must lodge with the Betting Supervisor, in the form prescribed by Racing Victoria, the name, date of birth and address of the client.
- 15.2.3 As soon as practicable, but no later than 21 days from the date of first opening an account for a client, every Bookmaker must complete a Bookmaker Client Account Form in relation to the client and verify the identity of the client in accordance with that form.
- 15.2.4 In the event that a client does not verify his or her identity in accordance with the Bookmaker Client Account Form within 14 days of opening an account, a Bookmaker must immediately close the account and report the matter to the Betting Supervisor.

### **15.3 No withdrawals or deposits permitted without identity verification**

- 15.3.1 A Bookmaker must not pay any winnings from the account of a client where the identity of the client has not been verified in accordance with the Bookmaker Client Account Form.
- 15.3.2 Except in the case of an account used exclusively to conduct betting over the internet, a Bookmaker must not permit any deposits to be paid to an

account where the identity of the client has not been verified in accordance with the Bookmaker Client Account Form. For the avoidance of doubt, a deposit does not include payment of credit owing on the account.

#### **15.4 Signatories to accounts**

- 15.4.1 A Bookmaker must not allow a person to be a signatory to an account without first completing a Bookmaker Client Account Form and verifying the identity of the signatory in accordance with that form.
- 15.4.2 As soon as practicable, but no later than 7 days from the date of allowing a person to be a signatory to an account a Bookmaker must lodge with the Betting Supervisor, in the form prescribed by Racing Victoria, the name, date of birth and address of the relevant signatory.

#### **15.5 Other matters**

- 15.5.1 Subject to sub-rules 15.5.2 and 15.5.4, the obligations of this Licence Rule 15 do not apply to accounts already in existence at the commencement of this Licence Rule 15.
- 15.5.2 With respect to accounts already in existence at the commencement of this Licence Rule 15, a Bookmaker must lodge the information required by Licence Rule 15.2 and 15.4 with the Betting Supervisor within 7 days of the commencement of this Licence Rule 15, if the bookmaker has not already done so.
- 15.5.3 A Bookmaker must maintain and produce immediately upon request by any Authorised Officer any Bookmaker Client Account Form required to be completed under this Licence Rule 15.
- 15.5.4 Notwithstanding anything in this Licence Rule 15, a Bookmaker must comply with any requirements of the *Anti-Money Laundering and Counter Terrorism Financing Act 2006* (Cth).

#### **15.6 Certain Internet Betting Systems**

Racing Victoria may exempt a Bookmaker from the requirements of Rules 15.1 to 15.4 where Racing Victoria approves an Internet Betting System which allows the Bookmaker to accept bets from customers of a third party, and where:

- 15.6.1 the Bookmaker may not immediately know the identity of the person placing the bet;
- 15.6.2 the third party has satisfied all requirements of Rule 15.1 to 15.5 in respect of its customers as if it were the Bookmaker; and
- 15.6.3 Racing Victoria has full access to the customer information obtained by the third party.

#### **15.7 Terms and Conditions**

The Bookmaker must ensure that Terms and Conditions:

- 15.7.1 are clear and unambiguous;
- 15.7.2 contain all material terms which a reasonable person would expect to find in such Terms and Conditions;
- 15.7.3 comply with all Relevant Law;
- 15.7.4 comply with the Rules of Racing; and
- 15.7.5 do not contain any provisions which, in the opinion of Racing Victoria, are inappropriate or unfair to the client having regard to Relevant Law, the Rules of Racing, bookmaking in Victoria or any other matter which Racing Victoria considers relevant in its absolute discretion.

Upon request from Racing Victoria, the Bookmaker must within 14 days provide a letter from a law firm acceptable to Racing Victoria which:

- 15.7.6 is addressed to Racing Victoria and upon which it can rely; and
- 15.7.7 states that the Terms and Conditions comply with this Licence Rule 15.7.

## **16. RESOLUTION OF BETTING DISPUTES**

### **16.1 Betting Disputes**

Disputes or claims in respect of bets accepted or made by a Bookmaker may, with the consent of the parties involved in the betting contract, be mediated by the Betting Supervisor.

### **16.2 Matters referable to the Betting Supervisor**

A Bookmaker or a customer may refer to the Betting Supervisor any issue or dispute relating to the outcome of a bet which:

- 16.2.1 is not provided for in these Rules; or
- 16.2.2 relates to the interpretation of these Rules.

### **16.3 Prior attempt at resolution**

Before referring any matter to the Betting Supervisor, a customer must endeavour to resolve the matter directly with the relevant Bookmaker.

### **16.4 Time frame for reference to Betting Supervisor**

References to the Betting Supervisor must be made within twenty-eight (28) days of the date of completion of the race or event to which the disputed bet relates.

### **16.5 Contact point for Racing Victoria Betting Supervisor**

Referrals to the Betting Supervisor should be directed to Racing Victoria Betting Compliance and Regulation, by contacting:

Wagering Operations  
Racing Victoria Limited  
400 Epsom Road  
Flemington VIC 3031  
Telephone: (03) 9258 4667  
Email: wagering@racingvictoria.net.au

## **16.6 Process upon receipt by Betting Supervisor**

Upon receipt of a complaint the Betting Supervisor must investigate the complaint and use all reasonable endeavours to make a determination having regard to the representations by both parties within 30 days from the date of lodgement of the complaint. The Betting Supervisor is entitled to request further information from the parties for the purposes of resolving the complaint, and the parties agree to provide such information in a timely manner.

## **17. OBLIGATIONS OF LICENCE HOLDERS**

### **17.1 Obligations**

Without limiting the terms, conditions and limitations that Racing Victoria may impose upon any Licence, a Bookmaker, as a condition of holding the Licence:

#### **17.1.1 Comply with laws, etc:** must comply at all times with:

- (a) the Racing Victoria Rules;
- (b) the terms and conditions of the Licence;
- (c) the conditions of registration imposed by the Commission under the Gambling Regulation Act, including the implementation of a Responsible Gambling Code of Conduct; and
- (d) all laws, by-laws, regulations, whether applicable generally or in respect of a particular Racecourse, or bookmaking or wagering businesses.

#### **17.1.2 No person other than Bookmaker's employees or assistants:** except as authorised by the Licence, must not employ, engage, arrange or permit any person other than his or her Bookmaker's Key Employee or other duly authorised employee or assistant to accept or place bets for or on his or her behalf or in the course of his or her business.

#### **17.1.3 Bookmaker's Key Employee:** must not employ any Bookmaker's Key Employee unless:

- (a) the Bookmaker's Key Employee wears, prominently displayed and as directed by an Authorised Officer, the identity card most recently

issued to him or her by the Commission pursuant to section 4.5A.6 of the Gambling Regulation Act;

- (b) the employment or use of the services of the Bookmaker's Key Employee does not cause obstruction to the public; and
- (c) the Bookmaker's Key Employee is presented in accordance with standards as specified by Racing Victoria.

17.1.4 **Bookmaker to ensure employees or assistants assist Racing Victoria:** at all times, must ensure that all employees employed, or assistants engaged, by the Bookmaker:

- (a) assist Racing Victoria with any enquiry or direction (or other relevant matter) related to the Bookmaker's business; or
- (b) where directed or requested, attend and give evidence in respect of any investigation undertaken, or inquiry held, by Racing Victoria in accordance with the Racing Victoria Rules.

17.1.5 **Responsibility for acts and omissions of employees or assistants:** is responsible at all times for the actions, omissions, and conduct of all employees and assistants whom he or she engages to perform any duties in relation to the business of the Bookmaker.

17.1.6 **Guarantee:** must have in place guarantees as required by section 94A of the Racing Act.

17.1.7 **Dress standards:** must comply with minimum dress requirements as specified by Racing Victoria from time to time.

17.1.8 **Conduct:** must not engage in any conduct that, in the opinion of Racing Victoria, is detrimental to the best interests of the profession of bookmaking in Victoria.

17.1.9 **Provision of financial information:** must provide such financial information and other information as Racing Victoria, the Betting Supervisor or the Stewards may require from time to time.

17.1.10 **Change in financial position:** must immediately advise the Betting Supervisor of any material change in the holder's assets, liabilities or general financial position.

17.1.11 **Change in control:** must immediately advise Racing Victoria of any change in Control of the Bookmaker.

17.1.12 **Notification of certain financial circumstances, disciplinary actions, prosecutions and/or breaches of obligations:** must immediately advise Racing Victoria if any of the following occur:

- (a) an Insolvency Event occurs in relation to the Bookmaker;
- (b) a breach of the Racing Victoria Rules by the Bookmaker;

- (c) any Officer of the Bookmaker is not or ceases to be a Fit and Proper Person;
- (d) a prosecution is commenced against the Bookmaker, any of its Officers or any Related Entity of the Bookmaker (**'Notifiable Prosecution'**);
- (e) a judgment is delivered in respect of a Notifiable Prosecution or a Notifiable Prosecution is dismissed or discontinued;
- (f) disciplinary action is taken against the Bookmaker, any of its Officers or any Related Entity of the Bookmaker under the Rules of Racing (or the rules of racing applicable to thoroughbred horse racing in another jurisdiction or any equivalent rules of conduct of any sport in respect of which betting is conducted) or under any applicable law or any formal notice is given of the intention to commence an investigation or inquiry to determine whether any disciplinary action should be taken;
- (g) there is a material change in the nature or extent of the Bookmaker Activities carried on by the Bookmaker or in the means by which the Bookmaker carries on that business;
- (h) any act, omission, fact, matter or circumstance which the Bookmaker reasonably considers may:
  - (i) materially and adversely impact the integrity or reputation of Victorian thoroughbred horse racing;
  - (ii) warrant disciplinary action under the Rules of Racing against a Licensed Person; or
  - (iii) be wagering activity otherwise in breach of the Rules of Racing or any applicable law;
- (i) a person who is warned off a race course or who is a disqualified person under the Rules of Racing ('Disqualified Person') attempts to open an account with the Bookmaker or transacts on an account with the Bookmaker or the Bookmaker accepts a Betting Transaction from a Disqualified Person; or
- (j) any information or facts set out in the Bookmaker's original application for a License has changed.

**17.1.13 Provision of information in relation to compliance matters:** must disclose to Racing Victoria all details relating to:

- (a) any report or statement provided to any regulatory or law enforcement agency by the Bookmaker which relates to any:
  - (i) suspected breach of law or breach of the Rules of Racing by any person relating to Betting Transactions; or

- (ii) non-compliance by the Bookmaker with its Licence where such non-compliance may result in suspension or termination of that Licence; and
- (b) any request for information made to the Bookmaker by any regulatory or law enforcement agency which relates to any:
  - (i) suspected breach of law or breach of the Rules of Racing by any person relating to Betting Transactions; or
  - (ii) non-compliance by the Bookmaker with its Licence where such non-compliance may result in suspension or termination of that Licence.

**17.1.14 Obligations regarding the detection and prevention of misconduct:** the Bookmaker will:

- (a) take reasonable steps to prevent use of its Bookmaking Activities in breach of the Rules of Racing;
- (b) promptly notify the Stewards of any suspicious Betting Transaction of which it is aware prior to a Victorian Race being run and within 2 Business Days of any such notification provide the Stewards with details of the Bookmaker's internal investigation with respect to the suspicious Betting Transaction; and
- (c) in addition to any notification pursuant to the above clause, at any time that the Bookmaker becomes aware of any suspicious Betting Transaction, notify the Stewards within 2 Business Days of the Bookmaker becoming aware of any suspicious Betting Transaction and promptly provide the Stewards with details of the Bookmaker's internal investigation with respect to the suspicious Betting Transaction.

**17.1.15 Identity Card:** must when conducting the business of bookmaking, wear, prominently displayed and as directed by an Authorised Officer, the identity card most recently issued to him or her by the Commission pursuant to section 4.5A.6 of the Gambling Regulation Act.

**17.1.16 Not to display advertising:** unless approved by Racing Victoria, must not display or permit to be displayed in any Designated Area any advertising or any registered or unregistered trade mark, logo, design or other distinguishing patterns, colour or feature promoting or associated with any business organisation, enterprise or undertaking other than the bookmaking business conducted by the bookmaker pursuant to his or her Licence.

**17.1.17 Not to permit loitering:** must not permit any person to loiter or remain in the vicinity of his or her allotted betting stand during the conduct of betting other than his or her Bookmaker's Key Employee or other duly authorised employee or assistant engaged in the Bookmaker's betting operations on the day, and for that purpose may if necessary call upon the assistance of any Authorised Officer.

17.1.18 **Not to bet with Race-Day Official:** must not accept a bet from a person where the bookmaker knows, or has reasonable grounds to believe, that the person is a Race-Day Official who is, or may be, officiating at a race meeting during which that race is to be held.

17.1.19 **Not to accept bet on credit with Racing Victoria employee:** must not accept a bet from a person on credit where the Bookmaker knows, or has reasonable grounds to believe, that the person is an employee of Racing Victoria (whether on a full-time, part-time or casual basis).

For the purpose of Licence Rule 17.1.19, a bet on credit means a bet where payment for the bet is not made by the bettor at the time of placing the bet but is settled at a later time.

## **18. AUDIT OF BETTING OPERATIONS**

### **18.1 Purpose**

A Bookmaker must when requested to do so by the Betting Supervisor, allow a person approved by the Betting Supervisor to audit the Bookmaker's betting operations for the purpose of verifying compliance with these Licence Rules, Licence terms and conditions and relevant legislation and regulations.

### **18.2 Conduct and report**

A Bookmaker must ensure that the audit is conducted and an audit report is given to the Betting Supervisor within thirty (30) days of receipt of a request by the Betting Supervisor in accordance with this Licence Rule.

### **18.3 Bookmaker to pay cost**

A Bookmaker must pay the cost of such audit as required by Racing Victoria.

## **19. WITHDRAWAL OF A LICENCE OR APPROVAL FOR APPROVED SUBSTITUTE BY AN AUTHORISED OFFICER**

### **19.1 Withdrawal Process**

If an Authorised Officer is satisfied that, at a Racecourse, a Bookmaker or an Approved Substitute:

19.1.1 is or has been drunk or disorderly; or

19.1.2 is assaulting or has assaulted any person or is using or has used any profane indecent or blasphemous language or any threatening or abusive words or has been or is otherwise misconducting or misbehaving himself or herself; or



- 19.1.3 is acting or has acted dishonourably or improperly in connection with any race meeting, any Race, any Approved Sports Betting Event or any bet; or
- 19.1.4 has made a bet for or with any jockey or apprentice jockey or with any person apparently under the age of 18 years; or
- 19.1.5 is in breach of any of these Licence Rules,

the Authorised Officer may advise the Bookmaker that the Licence, or the approval for an Approved Substitute, is withdrawn in respect of that day and the Licence or approval for an Approved Substitute, granted by Racing Victoria shall be taken to have been withdrawn by Racing Victoria in respect of that day, and the Authorised Officer shall refer the matter to Racing Victoria or to the Stewards.

## **20. REVOCATION OR SUSPENSION OF A LICENCE BY RACING VICTORIA OR THE STEWARDS**

### **20.1 Revocation or suspension of Registered Bookmaker's Certificate**

A Licence shall be automatically revoked or suspended immediately upon the revocation or suspension (respectively) of the holder's Registered Bookmaker's Certificate.

### **20.2 Racing Victoria or the Stewards may revoke or suspend**

Racing Victoria or the Stewards may revoke or suspend a Licence or, in the case of a person approved to be an Approved Substitute, prohibit that person from holding approval to be an Approved Substitute for any specified period of time, in all cases at any time by notice in writing given personally or by post to a Bookmaker or an Approved Substitute if they are satisfied that the Bookmaker or Approved Substitute:

- 20.2.1 obtained the Licence or approval for an Approved Substitute by misrepresentation or concealment of any material fact;
- 20.2.2 has breached any of the Racing Victoria Rules;
- 20.2.3 is in default in the payment of the Licence Levy;
- 20.2.4 has made default in payment of any bet;
- 20.2.5 has been disqualified by Racing Victoria or Stewards or governing body of any Club or Approved SCB;
- 20.2.6 is untrustworthy or disreputable or associated with disreputable persons;
- 20.2.7 has been convicted of any offence punishable by imprisonment;
- 20.2.8 is conducting or has conducted the business of a bookmaker in an area on a Racecourse other than the Designated Area specified in the Licence, or at an off-course premises that is not an Approved Off-Course Premises; or

- 20.2.9 is guilty of any malpractice or dishonourable or improper conduct in connection with betting or sporting contingencies whether on a Racecourse, Approved Off-Course Premises or elsewhere;
- 20.2.10 has made or offered to accept a bet for or with any person apparently under the age of 18 years;
- 20.2.11 has made or offered to accept a bet with a jockey or apprentice jockey under circumstances that involve, cause or may cause bribery or corruption, or where the Bookmaker knew that the Customer was a jockey or apprentice jockey;
- 20.2.12 was drunk or disorderly on a Racecourse;
- 20.2.13 has assaulted any person or used any profane, indecent or blasphemous language or used threatening or abusive words or otherwise misconducted or misbehaved himself or herself on a Racecourse or Approved Off-Course Premises; or
- 20.2.14 is guilty of conduct prejudicial to the interests of racing or the sport of an Approved SCB; or
- 20.2.15 has otherwise breach these Rules or the conditions of the Licence.

### **20.3 Grant subject to conditions**

In any case where Racing Victoria or the Stewards may revoke or suspend a Licence or revoke or suspend approval for a person to be an Approved Substitute for a period of time, Racing Victoria or Stewards may impose conditions or limitations on a Licence or on the approval of an Approved Substitute, including for example precluding the holder from using an Approved Method of Communication.

## **21. RACING VICTORIA OR THE STEWARDS MAY IMPOSE PENALTY**

In any case where Racing Victoria or the Stewards may revoke or suspend a Licence or prohibit a person from being an Approved Substitute Racing Victoria or the Stewards may, in addition to or in lieu of taking such action:

- 21.1.1 impose a fine upon the Bookmaker or Approved Substitute; and
- 21.1.2 require the Bookmaker or Approved Substitute to take such action as Racing Victoria or the Stewards direct.

## **22. REMOVAL OF PERSONS WITHOUT LICENCES**

### **22.1 Process**

- 22.1.1 If an Authorised Officer is satisfied that a person is carrying on activities, or attempting to carry on activities, as a bookmaker on a Racecourse and

that person does not hold the required Licence or is not an Approved Substitute, the Authorised Officer may:

- (a) seize and detain any equipment, apparatus, gear, tools or any other article, matter or thing which may be used by the person in carrying on the business; and
- (b) request the person to leave the Racecourse.

22.1.2 If a person fails within a reasonable time to comply with a request made under Licence Rule 22.1, the Authorised Officer or any person requested by an Authorised Officer to provide assistance may remove or cause the person to be removed from the Racecourse using any means that appear reasonably necessary.

## **23. AUTHORISED OFFICER TO PROVIDE IDENTIFICATION**

An Authorised Officer may not exercise his or her powers under these Licence Rules unless he or she first identifies himself or herself to the person who is the subject of such exercise, but the failure to do so will not render any exercise of powers invalid or unenforceable.

## **24. DELEGATION BY RACING VICTORIA**

### **24.1 Power of Delegation**

Racing Victoria may delegate any of its powers and discretions under these Licence Rules to:

- 24.1.1 a subcommittee or subcommittees, whether or not comprised by members of the Directors;
- 24.1.2 the Betting Supervisor;
- 24.1.3 the Stewards;
- 24.1.4 the Chief Executive;
- 24.1.5 the General Manager or Manager, Integrity Services;
- 24.1.6 the General Manager or Manager, Wagering; or
- 24.1.7 officers of Racing Victoria or any Club.

## **25. POWER AND PROCEDURES OF STEWARDS**

### **25.1 Powers**

For the purposes of these Licence Rules the Stewards may exercise the powers granted to them by or pursuant to the Rules of Racing as though the Rules of Racing formed part of these Licence Rules.

## **25.2 Procedures**

In the exercise of their powers and discretions under these Licence Rules the Stewards shall comply with the quorum and procedural requirements of the Rules of Racing as though the Rules of Racing formed part of these Licence Rules.

## **25.3 Deliberately left blank – rule repealed.**

## **26. NOTIFICATION TO THE COMMISSION**

### **26.1 Process**

Racing Victoria:

26.1.1 may give to the Commission:

- (a) information regarding any matter relating to the conduct of a Bookmaker or Approved Substitute; and
- (b) information that the Commission may reasonably require relating to the conduct of a Bookmaker or Approved Substitute;

26.1.2 must notify the Commission of any suspension or revocation of a Licence and of any other penalty imposed or disciplinary action taken under these Licence Rules and the reasons therefore; and

26.1.3 may make recommendations to the Commission in respect of the grant, conditions, suspension or revocation of a Registered Bookmaker's Certificate or registration of any person as a Bookmaker's Key Employee.

**Made by the Directors  
of Racing Victoria**