



**Racing  
Victoria**

# **RACING VICTORIA BOOKMAKERS' INTERNET BETTING RULES**

Applicable to Victorian Bookmakers

AS AT 14 SEPTEMBER 2023

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## 1. PRELIMINARY

### 1.1. Title

These Bookmakers' Internet Betting Rules may be cited as the *Bookmakers' Internet Betting Rules*.

### 1.2. Purpose

The purpose of these Rules is to set the terms and conditions upon which a Bookmaker may:

- (a) accept bets from persons using the communication method of the Internet as approved by the Minister for Racing pursuant to section 4A of the Racing Act; and
- (b) otherwise engage in betting activity over the Internet (except for the purpose of betting-back) in the course of the Bookmakers' business.

### 1.3. Authorising provision

These Rules are made pursuant to the approval given by the Minister for Racing pursuant to section 4A of the Racing Act.

### 1.4. Subject to terms of Ministerial approval

These Rules are subject to the terms and conditions specified by the Minister for Racing pursuant to section 4A of the Racing Act in respect of the use of the Internet for conducting the business of bookmaking.

### 1.5. Commencement

These Rules and any amendments to them have effect in respect of Bookmakers on and from the time specified by Racing Victoria.

## 2. DEFINITIONS AND INTERPRETATION

### 2.1. Definitions

In these Bookmakers' Internet Betting Rules the following definitions shall apply:

**Accredited Testing Provider** means an individual or Entity, approved by the Commission, that is tasked to assess whether an Internet Betting System complies with Racing Victoria's Test Report.

**Computer Terminal** means a device equipped with a keyboard and video display through which information and data can be entered or displayed.

**Emergency Change** means any change or modification to an Internet Betting System, previously approved by Racing Victoria, that is required to address an

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unforeseen circumstance affecting the continued operation or security of the Internet Betting System that calls for immediate action.

**Internet Betting System** means a system, approved by Racing Victoria, which facilitates betting transactions over the Internet, and which may comprise software, server infrastructure, hardware, operating systems, and any linked computer terminal required to run the software. For the avoidance of doubt, an Internet Betting System may be controlled and run by a Bookmaker, or by an Approved Betting System Provider who is authorised by Racing Victoria to conduct Managed Trading Services.

**Racing Victoria's Test Report** means the report against which Racing Victoria will assess the functionality and compliance of any Internet Betting System.

**Routine Change** means any change or modification to an Internet Betting System, previously approved by Racing Victoria, that relates to the look and feel of the Internet Betting System, unless otherwise advised by Racing Victoria.

**Significant Change** means any change or modification to an Internet Betting System, previously approved by Racing Victoria, that is not a Routine Change, unless otherwise advised by Racing Victoria.

**Victorian Official Price** means the official price recognised by Racing Victoria Stewards or as otherwise prescribed by Racing Victoria from time to time.

## 2.2. Interpretation

Unless the context requires to the contrary:

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

## 3. APPROVAL FOR USE OF INTERNET BETTING SYSTEM

### 3.1. Bookmaker must use Internet Betting System

A Bookmaker must not engage in betting activity (except for the purpose of betting-back) over the Internet other than via an Internet Betting System in respect of which the Bookmaker has obtained Racing Victoria's express prior approval to use and subject to any conditions imposed by Racing Victoria.

### 3.2. Application for approval to use Internet Betting System

A Bookmaker must apply in writing in the form specified by Racing Victoria for approval to use an Internet Betting System and provide all information requested in respect of that application.

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### 3.3. Racing Victoria may grant approval in its absolute discretion

Upon receipt of an application received in accordance with Rule 3.2, Racing Victoria may grant approval for a Bookmaker to use an Internet Betting System, subject to any conditions which it may impose.

## 4. TYPES OF BETTING

Racing Victoria may specify particular types of bets which may be received, made and/or processed over the Internet in the Bet Types Register.

## 5. INTERNET BETTING SYSTEM

### 5.1. Sole use

Except where a Bookmaker has obtained the written permission of Racing Victoria, an Internet Betting System must be used solely by the following, in accordance with the Club Bookmakers' Licence Rules:

- (a) an authorised Bookmaker;
- (b) a Bookmaker's Employee whose responsibilities include the receiving, making, recording and/or processing bets in the course of the Bookmaker's business; and
- (c) the staff of the Bookmaker's Approved Betting System Provider whose responsibilities include providing Managed Trading Services to the Bookmaker.

### 5.2. Proposed modifications

Except as otherwise agreed by Racing Victoria in its discretion:

#### (a) Routine Changes

- (i) any proposed Routine Change is not required to be approved by Racing Victoria before being implemented; and
- (ii) such Routine Change is not required to undergo additional testing by an Accredited Testing Provider

#### (b) Significant Changes

- (i) any proposed Significant Change must be approved in writing by Racing Victoria before being implemented; and
- (ii) such Significant Change may be subject to additional testing by an Accredited Testing Provider, to confirm that Internet Betting System continues to meet Racing Victoria's Test Report.

#### (c) Emergency Changes

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- (i) any proposed Emergency Change is not required to be approved by Racing Victoria before being implemented; and
- (ii) where the Emergency Change is also a Significant Change, it must be subsequently approved by Racing Victoria and may be subject to additional testing by an Accredited Testing Provider, to confirm that Internet Betting System continues to meet Racing Victoria's Test Report

(d) **Bookmaker Knowledge**

- (i) notwithstanding Rules 5.2(b) and 5.2(c), where the Bookmaker is aware of any impending Significant Change or Emergency Change, it must immediately notify Racing Victoria of this change.

**5.3. Advice regarding faults**

The Bookmaker must advise Racing Victoria immediately of any possible problem or fault with an Internet Betting System that is within the Bookmaker's reasonable knowledge.

**6. RECORDING OF INTERNET BETTING ACTIVITY**

**6.1. Racing Victoria to have live access**

Except as otherwise agreed by Racing Victoria in its absolute discretion, a Bookmaker operating or using an Internet Betting System must provide, or procure that an Approved Betting System Provider provides, Racing Victoria with live access to the Internet Betting System for the purposes of Racing Victoria monitoring betting transactions to ensure compliance by the Bookmaker with the Internet Betting Rules and the Racing Victoria Rules.

**6.2. Racing Victoria will record internet betting activity**

The Bookmaker acknowledges and agrees that Racing Victoria, or a Section 91E Entity may observe and make a record of all communications and betting transactions made over an Internet Betting System.

**6.3. Bookmaker to inform clients**

The Bookmaker must inform his or her clients that betting transactions or communications conducted over the Internet will be observed and recorded by Racing Victoria, or a Section 91E Entity.

**6.4. Retention of recordings**

Racing Victoria or a Section 91E Entity will retain a record of all betting and other transactions and communications over the Internet Betting System for not less

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than 28 days, and for such further period of time as it sees fit, noting the requirements of Privacy Laws.

## **6.5. Access to communication records**

The Bookmaker acknowledges and agrees that Racing Victoria may:

- (a) provide access to all records of an Internet Betting System to other relevant Controlling Bodies, any Gambling Regulator, any Law Enforcement Agency or any other person or body specified by the Minister pursuant to section 91E of the Racing Act; and
- (b) contract with a Section 91E Entity to assist Racing Victoria in the recording and retention of records of the Internet Betting System, if Racing Victoria is satisfied that such Section 91E Entity has Appropriate Technical and Procedural Measures in place.

## **7. CONDUCT OF BETTING OVER THE INTERNET BETTING SYSTEM**

### **7.1. Place and times where betting may be conducted**

Bookmakers, in the course of the bookmaking business, may only accept bets, or engage in betting activity (other than betting back), using an Internet Betting System at places and times in accordance with the Racing Act and the Bookmaker's Licence.

### **7.2. Exclusion from use of Internet Betting System**

The Bookmaker acknowledges and agrees that upon any breach by the Bookmaker or any Bookmaker's Approved Substitute (including those managing or supervising the staff employed by the Approved Betting System Provider that is providing Managed Trading Services to the Bookmaker) of these Rules or of the relevant Club Bookmakers' Licence Rules, Rules of Racing or Rules of Race Betting, Racing Victoria may exclude or suspend the Bookmaker from using the Internet Betting System or take other disciplinary action.

### **7.3. Compliance with Rules and permits**

Every Bookmaker must when receiving or making bets using an Internet Betting System approved by Racing Victoria comply with Racing Victoria Rules.

### **7.4. Audit Logs**

Racing Victoria may direct Bookmakers to organise, maintain and provide Racing Victoria with an audit trail capturing all recorded activity of the Internet Betting System at intervals prescribed by Racing Victoria. Such organisation, maintenance and provision of audit logs will be at the Bookmaker's own cost.

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## **7.5. Approval by the Stewards**

The approval by the Stewards or the Betting Supervisor for a Bookmaker to use a computer terminal on-course or at an Approved Off-Course Premises to accept and process bets utilising an Internet Betting System approved by Racing Victoria is deemed to be an approval under and in accordance with all applicable rules and the Racing Act.

## **7.6. Privacy Information**

Every Bookmaker must have a privacy policy approved by Racing Victoria and made available to customers on their website or through an application (as applicable) explaining how personal information collected in the general course of business on an Internet Betting System is stored, protected, used and made available to Racing Victoria and others referred to in Rule 6.5, in accordance with Privacy Laws. For the avoidance of doubt, the privacy policy prescribed by this Rule 7.6 must enable the Bookmaker to supply the information required or contemplated by the Club Bookmakers' Licence Rules.

## **7.7. Website or Application Content**

Racing Victoria may in writing direct a Bookmaker to make reasonable changes to the Bookmaker's website or any application as Racing Victoria thinks fit and the Bookmaker must promptly comply with Racing Victoria's reasonable direction.

## **7.8. Internet Bets not to be accepted after an event or race has started**

Except where permitted by law, any Internet bet made or accepted after an event or race has started is void.

## **7.9. Acceptance of Bets from outside Victoria**

- (a) Racing Victoria may give notice to a Bookmaker and require the Bookmaker not to accept bets from persons domiciled in another State or Territory of Australia or another country ("other jurisdiction") where it is unlawful in the other jurisdiction for persons in the other jurisdiction to place bets via the Internet with a Bookmaker in Victoria.
- (b) The Bookmaker must promptly comply with a notice received from Racing Victoria under this Rule.

# **8. RECORDING AND REPORTING**

## **8.1. Bookmaker to record details**

The Bookmaker must record all betting activity undertaken using an Internet Betting System approved by Racing Victoria together with the full name and

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other details of the client or other party with whom the bet is made in a manner so as to be easily identified on betting ledgers and records as an Internet bet.

## **8.2. Bookmaker to provide information**

- (a) Notwithstanding the obligations imposed on the Bookmaker under the Club Bookmakers' Licence Rules, the Bookmaker must forward electronically to Racing Victoria, in an approved format, a record of daily (or any other time period required by Racing Victoria from time to time) requests for bets received or processed over the Internet.
- (b) The Bookmaker must provide all other information relating to betting activity undertaken using an Internet Betting System approved by Racing Victoria as may be required by Racing Victoria or the Betting Supervisor.

## **8.3. Bookmaker to permit inspection**

The Bookmaker must allow a person authorised by the Betting Supervisor to inspect any Computer Terminal being used by the Bookmaker.

## **9. BOOKMAKER TO DISPLAY RULES**

Unless otherwise agreed by Racing Victoria in writing, a Bookmaker engaging in betting activity using an Internet Betting System must ensure that these Bookmakers' Internet Betting Rules, the Club Bookmakers' Licence Rules, and the Rules of Race Betting are posted and published on the Internet Betting System or made available to users of the Internet Betting System through a link to the internet site of Racing Victoria.

## **10. RESOLUTION OF ERRORS**

### **10.1. Acceptance of quoted dividend prima facie betting contract**

When a bet is placed by a person with a Bookmaker using an Internet Betting System, the acceptance of the bet by the Bookmaker as recorded by the Internet Betting System is deemed to be the formation of a betting contract which is binding on the parties unless Rules 7.8 or 10.2 apply.

### **10.2. Errors in quoted dividends or advertised contingencies**

A Bookmaker is not liable for a misquoted dividend or other incorrect information recorded by the Internet Betting System at the time that the bet was made ("recording error") where the recording error is caused by computer, systems or other technical malfunction that is not the result of human error or intervention by the Bookmaker and the Bookmaker can, if requested by Racing Victoria, establish to Racing Victoria's satisfaction that the recording error is a manifest error.

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2023.1	Changes relating to simplify overall requirements and alignment with other licence rules. This includes testing of certain changes, introduction of audit trail requirements and removal of redundant provisions.	Racing Victoria Board	14 September 2023

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