

Australian Capital Territory

Race and Sports Bookmaking (Operation of Sports Bookmaking Venues) Direction 2005 (No 2)*

Disallowable instrument DI2005—48

made under the

**Race and Sports Bookmaking Act 2001, s 22 (Directions for operation of
sports bookmaking venues)**

The Commission directs that direction DI2005-11 is revoked and that the attached schedule shall be the directions for operation of sports bookmaking venues.

Malcolm Gray
Chair
Gambling and Racing Commission

5 April 2005

*Name amended under Legislation Act, s 60

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

SCHEDULE

A. OPERATIONAL DIRECTIONS FOR A SPORTS BOOKMAKING VENUE WHICH IS NOT LOCATED AT MANUKA OVAL OR CANBERRA STADIUM (FORMERLY BRUCE STADIUM) OR A PLACE APPROVED AS A BACK-UP FACILITY

Definitions In these directions:-

“Auditorium Manager” means the Chief Executive of the Canberra Racing Club

"sports bookmaker" is defined within the *Race and Sports Bookmaking Act 2001* (the Act).

1 Hours of betting

Sports bookmakers may accept bets on approved sports bookmaking events as follows:-

1.1 24 hours per day, Monday to Sunday; and

1.2 At the discretion of the Auditorium Manager, sports bookmakers may be required to provide a face to face bookmaking service in the determined sports bookmaking venue for a specified period.

2 Hours of attendance

2.1 At all times when sports bookmaking is being conducted, each sports bookmaker must attend at the sports bookmaking venue either by way of an agent who holds a sports bookmaking agent’s licence, or:

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- (a) in the case of an individual bookmaker - in person;
- (b) in the case of a syndicate - by a member of the syndicate; or
- (c) in the case of a company - by a director of the company.

2.2 2.1 does not apply to ACTTAB Limited (A.C.N. 071 257 504) whilst its ACT sports bookmaking licence remains in force and it is a 100% ACT Territory Owned Corporation.

3 Restrictions

3.1 The following restriction applies to sports bookmaking on racing events:-

3.1.1 On a day when there is a race meeting being conducted by the Canberra Racing Club or by the Queanbeyan Racing Club, sports bookmakers are not permitted to accept face-to-face bets from a member of the public, on any thoroughbred, harness or greyhound event.

3.2 The above restriction does not apply to sports bookmakers betting back within the betting auditorium or to licensed race bookmakers fielding at Canberra Racing Club meetings betting back with sports bookmakers.

3.3 Sports bookmakers are permitted to accept telephone, facsimile or Internet bet transactions on thoroughbred, harness or greyhound events during this time.

4 Telecommunications Equipment

4.1 Sports bookmakers shall utilise the voice telecommunications equipment made available through the ACT Government InTACT voice network.

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- 4.1.1 This restriction does not apply to data services, ISDN lines and other non-voice telecommunication services.
- 4.2 Sports bookmakers shall enter into a separate agreement with InTACT. This agreement shall cover appropriate charging mechanisms and indemnity provisions.
- 4.3 The following restrictions shall apply to the use of telecommunications equipment:-
- 4.3.1 All incoming and outgoing calls will be automatically recorded on the approved voice recording equipment.
- 4.3.2 No betting transactions, including bet backs are to be undertaken using the telecommunications equipment detailed in 4.1.1.
- 4.3.3 In establishing accounts with clients or when accepting bets from new clients, bookmakers shall inform punters that all conversations are recorded.
- 4.5 The following restriction apply to other telecommunications equipment in the approved sports bookmaking venue:-
- 4.5.1 Sports bookmakers, sports bookmakers agents or other employees of sports bookmakers are not permitted to undertake betting transactions, including bet backs, using any other telecommunications device within the approved sports bookmaking venue; and
- 4.5.2 Sports bookmakers, sports bookmakers agents or other employees of sports bookmakers are not permitted to undertake betting transactions, including bet backs, using any other telecommunications equipment within the premises of the Canberra Racing Club.

5 Ticketing

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- 5.1 In respect of face-to-face bets, sports bookmakers are required to issue a ticket to a punter in a form that clearly displays the name of the bookmaker, the details of the bet, the amount of the bet and the amount to be won by the punter.
- 5.2 In the case of bets on thoroughbred, harness or greyhound events, the nature of the bet - Win only, Each Way, Place only, Double or Quinella is to be clearly indicated.
- 5.3 Tickets are to be in a form that will ensure that the details printed on the ticket will not deteriorate, fade or become unreadable over the period of the contingency or within a period of 28 days thereafter.
- 5.4 Thermal ticket printers are not permitted to be used in the approved sports bookmaking venue.

6 Lost tickets

- 6.1 In the event that a punter loses a sports bookmaking ticket, the sports bookmaker shall, in the first instance, endeavour to determine from the betting records of the sports bookmaker the identity of the backer who made the bet in question.
- 6.2 If the sports bookmaker is unable to identify the transaction and/or the backer, the details of the bet and the name of the sports bookmaker concerned is to be forwarded to the following:-

ACT Gambling and Racing Commission
PO Box 214
CIVIC SQUARE ACT 2608

- 6.3 On receipt of the relevant information, the matter shall be investigated and appropriate follow up action initiated.

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7 Risk Management

- 7.1 In order to manage risk associated with the conduct of sports bookmaking, sports bookmakers are permitted to lay off as follows:-
- 7.1.1 For exposures associated with **thoroughbred, harness or greyhound** event - laying off is permitted with any other bookmaker fielding **in Australia** who is licensed to accept bets of the relevant kind;
- 7.1.2 For exposures associated with any other approved sports bookmaking event, laying off is permitted to any other bookmaker who is licensed to accept bets of the relevant kind;
- 7.2 Sports bookmakers shall take all steps possible to lay-off with other licensed sports and race bookmakers within the approved sports bookmaking venue before calling outside the venue.

8 Audit and Financial Arrangements

- 8.1 The financial year for the sports bookmaking service shall be 1 July to 30 June each year.
- 8.2 By 30 September each year, sports bookmakers shall provide annual financial statements to the ACT Gambling and Racing Commission.
- 8.2.1 In the case of an individual bookmaker who holds a sports bookmaking licence, a statement detailing the trading position of the sports bookmaking business for the year ending 30 June and prepared and certified by a Chartered Accountant, is required.
- 8.2.2 In the case of a syndicate of bookmakers who hold a sports bookmaking licence, a statement detailing the trading position of the sports bookmaking business for the year ending 30 June and prepared and certified by a Chartered Accountant, is required.

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- 8.2.3 In the case of a company that holds a sports bookmaking licence, an audited financial statement for the company for the year ending 30 June is required.

9 Calculation of Exchange Rates

- 9.1 Where, during any month, bets are accepted in a currency other than Australian dollars, for the purpose of determining the appropriate exchange rate, sports bookmakers shall record the appropriate exchange rate, for each currency, as published each Wednesday in the Australian Financial Review.
- 9.2 At the end of each month, in respect of each currency, sports bookmakers shall add the exchange rates together and divide by the number of Wednesdays in the month to obtain an average exchange rate for each currency for the month.
- 9.3 Sports bookmakers shall apply the average exchange rate, as determined above, to the total amount of bets accepted in the month in each currency, to obtain an Australian dollar equivalent of bets accepted.
- 9.4 In determining the tax on sports bookmaking, in accordance with section 65 of the Act, the appropriate rate shall be applied to the Australian Dollar equivalent as calculated at 9.3.
- 9.5 Evidence of the exchange rate calculations shall be submitted to the Manager Racing, ACT Gambling and Racing Commission each month, along with the sports bookmakers tax returns.
- 9.6 This section does not apply to the calculation of the amount payable to any winner outside Australia. Overseas winners shall be paid in their local currency according to the stated odds.

10 Auditorium Manager

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- 10.1 The Auditorium Manager is responsible for the administration of the security guarantee arrangements established by the sports bookmakers.
- 10.2 Sports bookmakers are subject to the security guarantee arrangements determined by the Bookmakers Licensing Committee under the *Bookmakers Act 1985* immediately before the repeal of that Act. The Auditorium Manager does not guarantee the performance or the liabilities of licensed sports bookmakers.
- 10.3 The Auditorium Manager shall provide, on a monthly basis, a report detailing the operations of the approved sports bookmaking venue.
- 10.4 The Report shall be forwarded to the Manager Racing, ACT Gambling and Racing Commission.
- 11 Financial arrangements
- 11.1 Sports bookmakers shall pay the Auditorium Manager a fee equivalent to an agreed rent per square metre of space occupied at the approved sports bookmaking venue at the Canberra Racecourse.
- 11.2 Sports bookmakers shall pay the Auditorium Manager an amount equivalent to an agreed percentage of turnover, as a management fee.
- 11.3 Sports bookmakers who, in the normal course of their business, use the National Bookmakers Pricing Service shall pay the Auditorium Manager a fee equivalent to an equal share of the cost of access to the National Bookmakers Pricing Service, based on the number of users of the service.

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- 11.4 The above fees are payable on the 10th day of the month, or next working day, following the month for which the amount was determined.
- 11.5 In the event that an appropriate fee, as provided by parts 11.1, 11.2 or 11.3, cannot be agreed between the Auditorium Manager and the sports bookmakers, the ACT Gambling and Racing Commission shall determine an appropriate fee.
- 11.6 Decisions of the ACT Gambling and Racing Commission shall be binding on the sports bookmakers and the Auditorium Manager.
- 12 Permissible Bets
- 12.1 Only a licensed race bookmaker with approval from the ACT Gambling and Racing Commission to engage in race bookmaking at a designated sports bookmaking venue or a licensed sports bookmaker may take bets at a sports bookmaking venue.
- 12.2 Sports bookmakers shall only take bets in respect of determined sports bookmaking events when operating at a sports bookmaking venue.
- 12.3 Race bookmakers with approval from the ACT Gambling and Racing Commission to engage in race bookmaking at a designated sports bookmaking venue shall only take bets in respect of races.
- 12.4 A sports bookmaker who offers markets in relation to Australian racing events must inform each person accessing its services that the sports bookmaker is prohibited from offering odds based upon totalisator dividends on such events. Where a sports bookmaker offers markets in relation to Australian racing events via the Internet, the following information must be posted upon its website pages where such markets are offered: *“Please note, that sports*

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bookmakers licensed in the Australian Capital Territory are prohibited from offering odds based upon totalisator dividends in relation to Australian racing events.”

B. OPERATIONAL DIRECTIONS FOR A SPORTS BOOKMAKING VENUE AT MANUKA OVAL

1 Times of betting

1.1 The determined sports bookmaking venue shall only open on those days that:-

1.1.1 the Prime Minister’s XI plays a visiting international cricket team.

1.2 Invited sports bookmakers may field at the determined sports bookmaking venues at Manuka Oval between the following times:-

1.2.1 For face to face betting on approved sports bookmaking events, from 1 hour prior to the scheduled commencement of play until 30 minutes after the completion of play.

2 Hours of attendance

2.1 Between the times outlined above, invited sports bookmakers must, subject to the consent of the Manager of the venue, attend Manuka Oval either by way of an agent who holds a sports bookmaking agent’s licence, or:

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- (a) in the case of an individual bookmaker - in person;
- (b) in the case of a syndicate - by a member of the syndicate; or
- (c) in the case of a company - by a director of the company.

3 Methods of betting

- 3.1 Sports bookmakers are only permitted to accept face-to-face bets at Manuka Oval.

4 Ticketing

- 4.1 In respect of all bets, sports bookmakers are required to issue a ticket to a backer in a form that displays the details of the bet, the amount of the bet, the amount to be won by the backer and the name of the sports bookmaker.
- 4.2 Tickets are to be in a form that will ensure that the details printed on the ticket will not deteriorate, fade or become unreadable over the period of the contingency or within a period of 28 days thereafter.
- 4.3 Thermal ticket printers are not permitted to be used at Manuka Oval.

5 Lost tickets

- 5.1 In the event of the loss of a sports bookmaking ticket, a sports bookmaker shall make its best endeavours to identify the backer and the transaction in question.

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- 5.2 If the identity of the backer or the transaction cannot be clearly determined, the details of the bet and the name of the sports bookmaker concerned is to be forwarded to the following:-

ACT Gambling and Racing Commission
PO Box 214
CIVIC SQUARE ACT 2608

- 5.3 On receipt of the relevant information, the matter shall be investigated and appropriate follow up action initiated.

6 Audit and Financial Arrangements

- 6.1 The audit and financial arrangements at Manuka Oval are the same as those in part “A” above.

7 Security Guarantee Arrangements

- 7.1 The security guarantee arrangements at Manuka Oval are the same as those in part “A” above.

8 Permissible Bets

- 8.1 Only a licensed race bookmaker with approval from the ACT Gambling and Racing Commission to engage in race bookmaking at a designated sports bookmaking venue or a licensed sports bookmaker may take bets at a sports bookmaking venue.
- 8.2 Sports bookmakers shall only take bets in respect of determined sports bookmaking events when operating at a sports bookmaking venue.

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- 8.3 Race bookmakers with approval from the ACT Gambling and Racing Commission to engage in race bookmaking at a designated sports bookmaking venue shall only take bets in respect of races.
- 8.4 A sports bookmaker who offers markets in relation to Australian racing events must inform each person accessing its services that the sports bookmaker is prohibited from offering odds based upon totalisator dividends on such events. Where a sports bookmaker offers markets in relation to Australian racing events via the Internet, the following information must be posted upon its website pages where such markets are offered: *“Please note, that sports bookmakers licensed in the Australian Capital Territory are prohibited from offering odds based upon totalisator dividends in relation to Australian racing events.”*

C. OPERATIONAL DIRECTIONS FOR A SPORTS BOOKMAKING VENUE AT CANBERRA STADIUM (FORMERLY BRUCE STADIUM)

- 1 Times of betting
- 1.1 The determined sports bookmaking venue shall open on those days that:-
- 1.1.1 a home game is played during the Canberra Raiders participation in the National Rugby League competition;
- 1.1.2 a home game is played during the Brumbies participation in the Super 12 competition;
- 1.1.3 the Brumbies play a touring international Rugby team at Canberra Stadium;

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- 1.1.4 the Australian Wallabies play an international Rugby match at Canberra Stadium.
- 1.2 At the invitation of the manager of Canberra Stadium, sports bookmakers shall field at the determined sports bookmaking venue between the following times:-
- 1.2.1 For face to face betting on approved sports bookmaking events, from two hours prior to the scheduled commencement of the main game to one half of one hour after the conclusion of the main game.
- 2 Hours of attendance
- 2.1 Between the times outlined above, invited sports bookmakers must, subject to the consent of the hirer of the Stadium, attend at Canberra Stadium either by way of an agent who holds a sports bookmaking agent's licence, or:
- (a) in the case of an individual bookmaker - in person;
 - (b) in the case of a syndicate - by a member of the syndicate; or
 - (c) in the case of a company - by a director of the company.
- 3 Methods of betting
- 3.1 Sports bookmakers are only permitted to accept face-to-face bets at Canberra Stadium.
- 4 Ticketing
- 4.1 In respect of all bets accepted, sports bookmakers shall issue a ticket to the backer in a form that displays the details of the bet, the amount of the bet, the amount to be won by the backer and the name of the sports bookmaker.

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- 4.2 Thermal ticket printers are permitted to be used at Canberra Stadium only for bets where the contingency is determined on the same day that the ticket is issued.
- 4.3 Tickets in respect of other bets shall be in a form that will ensure that the details printed on the ticket will not deteriorate, fade or become unreadable over the period of the contingency or within a period of 28 days thereafter.

5 Lost tickets

- 5.1 In the event of the loss of a sports bookmaking ticket, a sports bookmaker shall make its best endeavours to determine if the ticket has been paid and identify the backer and the transaction in question.
- 5.2 If the identity of the punter or the transaction cannot be clearly determined, the details of the bet and the name of the bookmaker concerned are to be forwarded to the:-

ACT Gambling and Racing Commission
PO Box 214
CIVIC SQUARE ACT 2608

- 5.3 On receipt of the relevant information, the matter shall be investigated and appropriate follow up action initiated.

6 Audit and Financial Arrangements

- 6.1 The audit and financial arrangements at Canberra Stadium are the same as those in part “A” above.

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7 Security Guarantee Arrangements

7.1 The security guarantee arrangements at Canberra Stadium are the same as those in part “A” above.

8 Permissible Bets

8.1 Only a licensed race bookmaker with approval from the ACT Gambling and Racing Commission to engage in race bookmaking at a designated sports bookmaking venue or a licensed sports bookmaker may take bets at a sports bookmaking venue.

8.2 Sports bookmakers shall only take bets in respect of determined sports bookmaking events when operating at a sports bookmaking venue.

8.3 Race bookmakers with approval from the ACT Gambling and Racing Commission to engage in race bookmaking at a designated sports bookmaking venue shall only take bets in respect of races.

8.4 A sports bookmaker who offers markets in relation to Australian racing events must inform each person accessing its services that the sports bookmaker is prohibited from offering odds based upon totalisator dividends on such events. Where a sports bookmaker offers markets in relation to Australian racing events via the Internet, the following information must be posted upon its website pages where such markets are offered: *“Please note, that sports bookmakers licensed in the Australian Capital Territory are prohibited from offering odds based upon totalisator dividends in relation to Australian racing events.”*

D. OPERATIONAL DIRECTIONS FOR A DETERMINED SPORTS BOOKMAKING VENUE AT A PLACE APPROVED AS A BACK-UP FACILITY

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1 Hours of betting

Sports bookmakers may accept bets on approved sports bookmaking events as follows:-

- 1.1 24 hours per day, Monday to Sunday only if the sports bookmaking venue located on the ground floor of the Acton Stand of the Canberra Racecourse, as determined in Determination DI2002-6, cannot be used as a sports bookmaking venue, for example, because of:
 - (a) damage caused by fire, water, heat or storm; or
 - (b) electrical or telecommunications failure, however caused.
- 1.2 Sports bookmakers must give the Commission written notice as soon as practicable after starting to operate a determined sports bookmaking venue at a place approved as a back-up facility.

2 Hours of attendance

- 2.1 At all times when sports bookmaking is being conducted, each sports bookmaker must attend at the sports bookmaking venue either by way of an agent who holds a sports bookmaking agent's licence, or:
 - (a) in the case of an individual bookmaker - in person;
 - (b) in the case of a syndicate - by a member of the syndicate; or
 - (c) in the case of a company - by a director of the company.

3 Restrictions

- 3.1 The following restriction applies to sports bookmaking on racing events:-

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- 3.1.1 On a day when there is a race meeting being conducted by the Canberra Racing Club or by the Queanbeyan Racing Club, sports bookmakers are not permitted to accept face-to-face bets from a member of the public, on any thoroughbred, harness or greyhound event.
- 3.2 The above restriction does not apply to sports bookmakers betting back within the betting auditorium or to licensed race bookmakers fielding at Canberra Racing Club meetings betting back with sports bookmakers.
- 3.3 Sports bookmakers are permitted to accept telephone, facsimile or Internet bet transactions on thoroughbred, harness or greyhound events during this time.

4 Telecommunications Equipment

- 4.1 Sports bookmakers shall utilise voice telecommunications equipment approved for use by the ACT Gambling and Racing Commission.
 - 4.1.1 This restriction does not apply to data services, ISDN lines and other non-voice telecommunication services.
- 4.2 Sports bookmakers shall enter into a separate agreement with InTACT. This agreement shall cover appropriate charging mechanisms and indemnity provisions.
- 4.3 The following restrictions shall apply to the use of telecommunications equipment:-
 - 4.3.1 All incoming and outgoing calls will be automatically recorded on the approved voice recording equipment.

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- 4.3.2 No betting transactions, including bet backs are to be undertaken using the telecommunications equipment detailed in 4.1.1.
- 4.3.3 In establishing accounts with clients or when accepting bets from new clients, bookmakers shall inform punters that all conversations are recorded.
- 4.4 The following restriction apply to other telecommunications equipment in the approved sports bookmaking venue:-
 - 4.4.1 Sports bookmakers, sports bookmakers agents or other employees of sports bookmakers are not permitted to undertake betting transactions, including bet backs, using any other telecommunications device within the approved sports bookmaking venue.

5 Ticketing

- 5.1 In respect of face-to-face bets, sports bookmakers are required to issue a ticket to a punter in a form that clearly displays the name of the bookmaker, the details of the bet, the amount of the bet and the amount to be won by the punter.
- 5.2 In the case of bets on thoroughbred, harness or greyhound events, the nature of the bet - Win only, Each Way, Place only, Double or Quinella is to be clearly indicated.
- 5.3 Tickets are to be in a form that will ensure that the details printed on the ticket will not deteriorate, fade or become unreadable over the period of the contingency or within a period of 28 days thereafter.

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5.4 Thermal ticket printers are not permitted to be used in the approved sports bookmaking venue.

6 Lost tickets

6.1 In the event that a punter loses a sports bookmaking ticket, the sports bookmaker shall, in the first instance, endeavour to determine from the betting records of the sports bookmaker the identity of the backer who made the bet in question.

6.2 If the sports bookmaker is unable to identify the transaction and/or the backer, the details of the bet and the name of the sports bookmaker concerned is to be forwarded to the following:-

ACT Gambling and Racing Commission
PO Box 214
CIVIC SQUARE ACT 2608

6.3 On receipt of the relevant information, the matter shall be investigated and appropriate follow up action initiated.

7 Risk Management

7.1 In order to manage risk associated with the conduct of sports bookmaking, sports bookmakers are permitted to lay off as follows:-

7.1.1 For exposures associated with **thoroughbred, harness or greyhound** event - laying off is permitted with any other bookmaker fielding **in Australia** who is licensed to accept bets of the relevant kind;

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7.1.2 For exposures associated with any other approved sports bookmaking event, laying off is permitted to any other bookmaker who is licensed to accept bets of the relevant kind;

7.2 Sports bookmakers shall take all steps possible to lay-off with other A.C.T. licensed sports and race bookmakers before calling bookmakers located outside the A.C.T.

8 Audit and Financial Arrangements

8.1 The financial year for the sports bookmaking service shall be 1 July to 30 June each year.

8.2 By 30 September each year, sports bookmakers shall provide annual financial statements to the ACT Gambling and Racing Commission.

8.2.1 In the case of an individual bookmaker who holds a sports bookmaking licence, a statement detailing the trading position of the sports bookmaking business for the year ending 30 June and prepared and certified by a Chartered Accountant, is required.

8.2.2 In the case of a syndicate of bookmakers who hold a sports bookmaking licence, a statement detailing the trading position of the sports bookmaking business for the year ending 30 June and prepared and certified by a Chartered Accountant, is required.

8.2.3 In the case of a company that holds a sports bookmaking licence, an audited financial statement for the company for the year ending 30 June is required.

9 Calculation of Exchange Rates

9.1 Where, during any month, bets are accepted in a currency other than Australian dollars, for the purpose of determining the appropriate exchange rate, sports bookmakers shall record the

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appropriate exchange rate, for each currency, as published each Wednesday in the Australian Financial Review.

- 9.2 At the end of each month, in respect of each currency, sports bookmakers shall add the exchange rates together and divide by the number of Wednesdays in the month to obtain an average exchange rate for each currency for the month.
 - 9.3 Sports bookmakers shall apply the average exchange rate, as determined above, to the total amount of bets accepted in the month in each currency, to obtain an Australian dollar equivalent of bets accepted.
 - 9.4 In determining the tax on sports bookmaking, in accordance with section 65 of the Act, the appropriate rate shall be applied to the Australian Dollar equivalent as calculated at 9.3.
 - 9.5 Evidence of the exchange rate calculations shall be submitted to the Manager Racing, ACT Gambling and Racing Commission each month, along with the sports bookmakers tax returns.
 - 9.6 This section does not apply to the calculation of the amount payable to any winner outside Australia. Overseas winners shall be paid in their local currency according to the stated odds.
- 10 Permissible Bets
- 10.1 Only a licensed race bookmaker with approval from the ACT Gambling and Racing Commission to engage in race bookmaking at a designated sports bookmaking venue or a licensed sports bookmaker may take bets at a sports bookmaking venue.
 - 10.2 Sports bookmakers shall only take bets in respect of determined sports bookmaking events when operating at a sports bookmaking venue.

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- 10.3 Race bookmakers with approval from the ACT Gambling and Racing Commission to engage in race bookmaking at a designated sports bookmaking venue shall only take bets in respect of races.
- 10.4 A sports bookmaker who offers markets in relation to Australian racing events must inform each person accessing its services that the sports bookmaker is prohibited from offering odds based upon totalisator dividends on such events. Where a sports bookmaker offers markets in relation to Australian racing events via the Internet, the following information must be posted upon its website pages where such markets are offered: *“Please note, that sports bookmakers licensed in the Australian Capital Territory are prohibited from offering odds based upon totalisator dividends in relation to Australian racing events.”*

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