

Race and Sports Bookmaking (Rules for Sports Bookmaking) Determination 2006 (No 2)

Disallowable Instrument DI2006—208

made under the

***Race and Sports Bookmaking Act 2001*, s23(1) - Rules for sports bookmaking**

EXPLANATORY STATEMENT

The *Race and Sports Bookmaking Act 2001* (the Act) regulates the activities of sports bookmakers in the Australian Capital Territory.

Part 3 of the Act provides for the conduct and control of sports bookmaking. In particular, section 23 of the Act provides that the Gambling and Racing Commission may determine rules for sports bookmaking.

This Instrument provides for the rules for sports bookmaking and revokes DI2006-76 dated 11 May 2006 and notified under the Legislation Register on 18 May 2006. These rules do not include the rules for methods of betting (including the arrangements for telecommunication equipment), record keeping and audit requirements. These matters are dealt with under separate instruments made pursuant to section 23 of the Act.

New clause 9.1 has been inserted to provide clarification of the sports events determined under section 20 of the Act that may be offered by sports bookmakers as fixed-odds betting markets. Quarter horse racing has not been offered as a fixed-odds betting market. This event has also been specifically restricted to tote-odds markets by the revised Sports Bookmaking Events determination made under section 20 of the Act. The non-inclusion of quarter horse racing does not represent a change in practice. Quarter horse racing has been limited to tote-odds markets by virtue of clause 16.3(4) of the Rules since this event was introduced in

March 2003. The inclusion of explicit events available for fixed-odds markets in new clause 9.1 will provide additional transparency for consumers and ACT sports bookmaking licensees.

Clauses 9.2, 9.3 and 9.4, previously clauses 9.1, 9.2 and 9.3, provide for the individual requirements for fixed-odds betting on greyhound, harness and thoroughbred racing respectively. These clauses have been amended to reflect that the provisions only relate to 'Australian' greyhound, harness and thoroughbred racing. These amendments are consequential to the introduction of individual rules for international thoroughbred racing at new clause 9.5.

A typographical error in renumbered clause 9.3(2)(i) has been amended to reflect that sub-clause 9.3(2)(ii) commences from “; All bets will be settled...”.

New clause 9.5(1) has been inserted to leave no doubt that sports bookmakers must not offer individual international thoroughbred racing events as a fixed-odds market if any racing event does not retain Group 1 or Group 2 racing status as classified by the International Cataloguing Standards Committee. The inclusion of this new clause is a result of the Gambling and Racing Commission determining, under section 20 of the Act, international thoroughbred racing events that have either Group 1 or Group 2 status.

Clause 11.1(1) has been amended to correct a typographical error. The additional typing space before the percentage sign has been removed. There has been no other amendment to the drafting of this clause.

Clause 14.1 provides for the events and individual rules that may be offered as spread betting markets. The clause has been reformatted into two sub-clauses to provide clarity. New clause 14.1(1) clearly articulates that only those events listed may be offered as spread betting markets. To provide consistency with clause 9, the event relating to thoroughbred racing in clause 14.1(1) has also been amended so that there is no doubt that spreading betting markets may only be offered in relation to 'Australian' thoroughbred racing markets. New clause 14.1(2) provides the nexus between the sports events that may be offered and the applicability of the individual rules.

Minor consequential changes to clause 14.13(1), (2) and (3) also reflect the addition of 'Australian' to the description of relevant thoroughbred racing. There is no change in practice by the

introduction of the revised wording, it is only used to distinguish Australian events from the newly introduced international events.

The dictionary section of this instrument has been amended to include 'rules of racing' and 'rules of betting'. This terminology is used in clause 9.2, 9.3 and 9.4 and has been defined to ensure clarity for the regulation of Australian greyhound, harness and thoroughbred racing due to the inclusion of a new international thoroughbred racing events regime. The definitions clearly articulate that the rules of racing are those rules as promulgated by the Australian Capital Territory Racing Club Inc, the Canberra Harness Racing Club Inc and the Canberra Greyhound Racing Club Inc. The definition for the rules of betting provides the nexus to the relevant racing clubs' rules of racing.

With the introduction of international races and appropriate groupings, as assessed by the International Cataloguing Standards Committee, a new definition has been inserted to ensure that there is no confusion in the applicable committee. The definition provides that the International Cataloguing Standards Committee is the committee affiliated with *The Jockey Club Information Systems Inc* and performs the primary function of the assessment, grading and publication of international thoroughbred racing events.

In all other respects the instrument has not been amended.