

Betting Rules Amendment Notice (No. 2) 2019

Pursuant to sections 52 and 54 of the Racing Act 2003, the Racing Industry Transition Agency hereby gives notice of the following amendments to the Betting Rules published as a Supplement to the [New Zealand Gazette, 25 August 2003, No. 113, page 2981](#).

Deleted words are ~~struck out and in red~~.

These amendments to the Betting Rules are as follows:

3.1 In these Rules, unless the context otherwise requires:

[DELETE]

...

~~“Board” means the New Zealand Racing Board as established under the Act.~~

...

~~“Identification” means such identity documentary evidence and any other personal information as the Board deems acceptable and necessary from time to time.~~

...

[INSERT]

...

“AML/CFT Act” means the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 as amended.

...

“Board” means the New Zealand Racing Board as established under the Act, and continued and renamed the Racing Industry Transition Agency.

...

“Identification” means such identity documentary evidence and any other personal information as the Board deems acceptable and necessary from time to time.

4.2 Where bets will be accepted

[DELETE]

~~Bets will be accepted at or through Totalisator Agencies, including account betting, betting by telephone, internet, SkyBet and any other means as determined by the Board.~~

[INSERT]

Bets will be accepted at or through Totalisator Agencies, including account betting, betting by telephone, internet and any other means as determined by the Board. Notwithstanding anything to the contrary in these Rules, and in accordance with section 65 of the Act, the Board may refuse to accept all or any part of a bet without giving any reason for doing so.

[INSERT AFTER RULE 4.15]

4.16 Board may withhold or delay payment

Notwithstanding anything to the contrary in these Rules, the Board may withhold or delay any payment where the Board is (in its sole opinion) unable to comply with its obligations under the AML/CFT Act, including but not limited to where it cannot establish the Identification of a person to its satisfaction.

[RENUMBER EXISTING RULES 4.16 TO 4.23, TO RULES 4.17 TO 4.24 AND UPDATE RELEVANT REFERENCES]

6 BETTING VOUCHERS

[DELETE]

~~The Board at its discretion and subject to these Rules, may issue Betting Vouchers, or any other instrument, in return for deposits received from Investors.~~

~~All transactions made using Betting Vouchers, are ‘Occasional Transactions’ for the purposes of the Financial Transactions Reporting Act 1996.~~

[INSERT]

The Board at its discretion and subject to these Rules, may issue Betting Vouchers, or any other instrument, in return for deposits received from Investors.

6.2 Deposits to Betting Vouchers

[DELETE]

...

~~(c) Any person must produce Identification before depositing cash in the sum of NZ\$10,000.00 or more onto a Betting Voucher. Should the deposit be made on behalf of another party or parties, the Board's agent, at the Totalisator Agency must obtain and record the Identification of both the depositor and the other party or parties before the deposit can be made.~~

[INSERT]

...

(c) Any person must produce Identification before depositing cash in the sum of NZ\$1,000.00 or more onto a Betting Voucher. Should the deposit be made on behalf of another party or parties, the Board's agent, at the Totalisator Agency must obtain and record the Identification of both the depositor and the other party or parties before the deposit can be made.

6.3 Redemption of Betting Vouchers

[DELETE]

~~Upon presentation of a Betting Voucher at a Totalisator Agency, funds may be redeemed from it.~~

[INSERT]

Subject to Rule 4.16, upon presentation of a Betting Voucher at a Totalisator Agency, funds may be redeemed from it.

7.1 Purpose of Rules

[DELETE]

~~The purpose of Rule 7 is to specify the conditions for establishing and operating a Betting Account. Rule 7 is to be read subject to any specific provisions in Rule 8 RULES RELATING TO INTERNET INVESTMENTS, Rule 9 RULES RELATING TO SKYBET INVESTMENTS, and in conjunction with the General Terms and Conditions for Accounts.~~

[INSERT]

The purpose of Rule 7 is to specify the conditions for establishing and operating a Betting Account. Rule 7 is to be read subject to any specific provisions in Rule 8 RULES RELATING TO INTERNET INVESTMENTS, and in conjunction with the General Terms and Conditions for Accounts.

7.2 Establishing a Betting Account

[DELETE]

...

~~(b) The applicant must be 18 years of age or older and must have their identity and age verified by the Board. The acceptable methods of verification by the Board of age and identity are specified in APPENDIX 2.~~

...

~~(g) All transactions made will be subject to the Financial Transactions Reporting Act 1996.~~

...

[INSERT]

...

(b) The applicant must be 18 years of age or older and must have their identity and age verified by the Board.

...

(g) All transactions made will be subject to the AML/CFT Act.

...

7.4 Deposit of funds to a Betting Account

[DELETE]

~~(a) Any person wishing to deposit funds in a Betting Account may do so by funds transfer or such other means as approved by the Board, providing it complies with the Financial Transactions Reporting Act 1996.~~

...

[INSERT]

(a) Any person wishing to deposit funds in a Betting Account may do so by funds transfer or such other means as approved by the Board, providing it complies with the AML/CFT Act.

...

8.2 Establishment of an Account via the Internet

[DELETE]

~~Investors who wish to place bets via the internet:~~

- ~~a. Must be 18 years of age or older and must have their identity and age verified by the Board. The acceptable methods of verification by the Board of age and identity are specified in APPENDIX 2; and~~
- ~~b. May establish an account by depositing clear funds at the amounts detailed in the Terms and Conditions schedule as amended from time to time.~~

~~The Board may (but will not be obliged to) accept bets as soon as an account has been established via the internet. Similarly, the Board may (but will not be obliged to) accept bets while this account remains in credit. However, the Board will not permit withdrawals to be made from this account until the Account Holder's age and identity have been verified in accordance with the procedure described in APPENDIX 2.~~

~~If an Account Holder's age and identity have not been verified by the Board within the number of days detailed in the Terms and Conditions schedule as amended from time to time after establishment of their account, then the Board will be entitled to suspend operation of that account until such verification has been received by the Board.~~

~~Existing Account Holders may, at the discretion of the Board, use their existing account to place bets via the internet. To the extent that these existing customers place bets via the internet, they will be bound by Rule 8 RULES RELATING TO INTERNET INVESTMENTS.~~

[INSERT]

Investors who wish to place bets via the internet:

- a. Must be 18 years of age or older and must have their identity and age verified by the Board.; and
- b. May establish an account by depositing clear funds at the amounts detailed in the Terms and Conditions schedule as amended from time to time.

The Board may (but will not be obliged to) accept bets as soon as an account has been established via the internet. Similarly, the Board may (but will not be obliged to) accept bets while this account remains in credit. However, the Board will not permit withdrawals to be made from this account until the Account Holder's age and identity have been verified in accordance with the procedures of the Board.

If an Account Holder's age and identity have not been verified by the Board within the number of days detailed in the Terms and Conditions schedule as amended from time to time after establishment of their account, then the Board will be entitled to suspend operation of that account until such verification has been received by the Board.

Existing Account Holders may, at the discretion of the Board, use their existing account to place bets via the internet. To the extent that these existing customers place bets via the internet, they will be bound by Rule 8 RULES RELATING TO INTERNET INVESTMENTS.

[DELETE]

9 RULES RELATING TO SKYBET INVESTMENTS

~~Rule 9 RULES RELATING TO SKYBET INVESTMENTS is to be read in conjunction with any specific provisions in the Special Terms for Skybet Betting.~~

9.1 Interpretation

~~In Rule 9, unless the context otherwise requires:—~~

~~“Sky” means Sky Network Television Ltd, working in partnership with the Board to provide Skybet.~~

~~“Skybet” is the means of betting through interactive television.~~

9.2 Requirements

~~An account and Personal Identification Number (“PIN”) is required to use Skybet. See Rule 7 RULES FOR ESTABLISHING AND OPERATING A BETTING ACCOUNT and Rule 8 RULES RELATING TO INTERNET INVESTMENTS. The use of a correct PIN for a TAB Account shall be sufficient to establish liability of the Account Holder for all bets placed. Sky and the Board have no obligations for any further authentication.~~

9.3 Bet Value

~~The Board may determine the minimum and maximum bet value for Skybet. See APPENDIX 1. The Board will not accept bets using Skybet where there are insufficient cleared funds in the Account Holder’s account.~~

9.4 Method of Payment

~~All bets placed using Skybet will be debited from the Account Holder’s account automatically upon acceptance of the bet by the Board. All Dividends, Returns and Refunds will be credited to the Account Holder’s account.~~

9.5 Acceptance of Bets

~~All bets will be debited to the Account Holder’s account automatically upon acceptance of their bet by the Board. The Board will not accept bets via Skybet where there are insufficient cleared funds in credit in the account.~~

~~By placing a bet using Skybet, the Account Holder agrees that their bet, once it has been transmitted:~~

- ~~a. Will not be cancelled, withdrawn or amended by the Account Holder;~~
- ~~b. May be accepted in whole or in part, or declined, by the Board at the complete discretion of the Board; and~~
- ~~c. Will be accepted by the Board (thereby forming a betting contract) when the Board determines that the Board will accept the bet, with communication to the Account Holder unnecessary for this purpose.~~

~~The Board may refuse to accept any bet placed using Skybet and will not be required to give reasons for its refusal. The Board will use its best endeavours to communicate to the Account Holder that the bet has not been accepted by the Board.~~

9.6 Liability

~~Sky and the Board will not be liable for any loss or damage arising out of, or in any way related to, the placing of bets using the Skybet system, including without limitation, delay, interruption or failure in the performance of the Skybet system.~~

[INSERT]

9 RULES RELATING TO BETTING COMPETITIONS

The Board may run a Competition in accordance with this Rule 9 from time to time. Rule 9 RULES RELATING TO BETTING COMPETITIONS is to be read in conjunction with the General Terms and Conditions for Accounts.

9.1 Interpretation

In Rule 9, unless the context otherwise requires: -

“Communication Device” means a machine, device, or thing for communicating at a distance and using any technology (including telecommunication, radiocommunication, and broadcasting technology).

“Competition” is a betting competition operated by the Board as described in this Rule 9 whereby entry is via the internet, including through the use of a Communication Device.

9.2 Requirements

- a. An Account is required to participate in a Competition and the terms of Rule 7 RULES FOR ESTABLISHING AND OPERATING A BETTING ACCOUNT apply.
- b. The terms of Rule 8 RULES RELATING TO INTERNET INVESTMENTS apply.

9.3 Framework of a Competition

The framework of a Competition will be as follows:

By placing a bet using Skybet, the Account Holder agrees that their bet, once it has been transmitted:

- a. A Competition will operate over a specified time period in relation to a series of Races;
- b. A minimum and/or a maximum number of Account Holders that may participate in the Competition may apply;
- c. A minimum Investment may be required by, and/or a maximum Investment may apply to, an Account Holder to participate in relation to each Race and/or the Competition;
- d. The Board may limit the types of Investment that an Account Holder may submit in relation to each Race in a

NEW ZEALAND GAZETTE

Competition by excluding the ability to place certain types of Investments, including (but not limited to) Fixed Odds Bets, Multi Bets and totalisator bets;

- e. The Board may arrange for funds from an Account Holder’s Betting Account to be held separately by the Board for the purpose of enabling an Account Holder to participate in a Competition;
- f. The Board may set out the eligibility criteria for an Account Holder to participate in, and/or win any prizes in connection with, a Competition;
- g. The winner of a Competition will be determined by the Board on the basis set out in the specific terms and conditions for that Competition, including (but not limited to) consideration of the level of profit of participating Account Holders; and
- h. An Account Holder may withdraw from participation in a Competition at any time, provided that any such withdrawal will result in the Account Holder forfeiting their eligibility to win any prizes in connection with the Competition.

9.4 Terms and Conditions for a Competition

The Board may determine, and amend, the specific terms and conditions governing the operation of a Competition from time to time. The specific terms and conditions for a particular Competition will be available on the Board’s website while that Competition is running. Any such specific terms and conditions are not incorporated by reference in this Rule.

APPENDIX 1

[DELETE]

...

CHANNEL TYPE	MINIMUM BET VALUE	MAXIMUM BET VALUE	DIVIDEND, REFUND, RETURN ROUNDING	PAYOUT ROUNDING	MINIMUM SYNDICATE VOUCHER VALUE
TAB Retail Outlet	\$1		Nearest 10c	Nearest 10c	\$1
PhoneBet – Totalisator	\$1	-	Nearest 10c	Nearest 10c	\$10
PhoneBet – FOB	\$1		Nearest 1c	Nearest 1c	-
Touch Tone – Totalisator	\$2	-	Nearest 10c	Nearest 10c	\$2
Touch Tone – FOB	\$2	-	Nearest 1c	Nearest 1c	-
Internet – Totalisator	\$1		Nearest 10c	Nearest 10c	\$1
Internet – FOB	\$.01	-	Nearest 1c	Nearest 1c	-

...

[INSERT]

...

CHANNEL TYPE	MINIMUM BET VALUE	MAXIMUM BET VALUE	DIVIDEND, REFUND, RETURN ROUNDING	PAYOUT ROUNDING	MINIMUM SYNDICATE VOUCHER VALUE
TAB Retail Outlet	\$1	-	Nearest 10c	Nearest 10c	\$1
PhoneBet - Totalisator	\$1	-	Nearest 10c	Nearest 10c	\$10
PhoneBet - FOB	\$1	-	Nearest 1c	Nearest 1c	-
Touch Tone - Totalisator	\$2	-	Nearest 10c	Nearest 10c	\$2
Touch Tone - FOB	\$2	-	Nearest 1c	Nearest 1c	-

NEW ZEALAND GAZETTE

Internet - Totalisator	\$1	-	Nearest 10c	Nearest 10c	\$1
Internet - FOB	\$.01	-	Nearest 1c	Nearest 1c	-

...

[DELETE]

APPENDIX 2

Identification process for Betting Account established through internet

After completing the required application form for a new Betting Account, internet users MUST provide verification of identity, this may be by means of documentary or other evidence that is capable of identifying the customer. The accepted means of Identification are certified copies of a:

- Passport
- Driver's licence

A copy of the relevant page or pages of the above that contain the personal details, photograph and signature of the account applicant will be required. These must be endorsed by a reputable and identifiable person such as a:

- Notary public
- Lawyer
- Doctor in private practice
- Justice of the peace
- Government official

Please ensure that the endorsement is either stamped or a phone number provided by the verifier. (Please note that existing phonebetting Account Holders who enable their existing phone account for internet access do not need to send any identification.)

Note that the above form of identification can be presented at a Totalisator Agency in New Zealand for verification of identity and signature, in which case the TAB representative will send the verification documents to Account Betting Customer Services.

This can be either sent to:

**Manager Account Betting Customer Services
National Office
New Zealand Racing Board
PO Box 38899
Wellington Mail Centre
Lower Hutt 5045
New Zealand**

or faxed to: **+64 4 5766922**

or emailed to: **administration@nzracingboard.co.nz**

This record will be used as signature identification and age verification. If verification of the identity of the Account Holder is not received within 30 days of opening, the account may be 'frozen' and may not be accessible until such time as this is received. Please note that withdrawals can NOT be made from accounts until this documentation has been received.

Acceptable forms of identification for Betting Accounts established through retail network

An application for a Betting Account made through the Board's retail network must be accompanied by identification that includes a photograph, specimen signature and proof of age. Acceptable forms of identification are:

- Passport
- Driver's licence
- HANZ 18+ Card

[RENUMBER EXISTING APPENDICES 3 TO 6, TO APPENDICES 2 TO 5 AND UPDATE RELEVANT REFERENCES]

NEW ZEALAND GAZETTE

These Rules come into force on **1 August 2019**.

Full copies of the Betting Rules may be inspected on request at TAB offices or downloaded from the Racing Industry Transition Agency website www.tab.co.nz.

Further enquiries can be made to Racing Industry Transition Agency, PO Box 38899, Wellington Mail Centre, Lower Hutt 5045.

Dated at Wellington this 30th day of July 2019.

JOHN ALLEN, Chief Executive of the Racing Industry Transition Agency.

2019-gs3575

01-08-2019 10:02
