

(ii) *Where the Error Results in no Investment Being Made on the Totalisator*

If at the totalisator agency where the deposit lies there is a record in writing of an investment having been made, the Board will accept it as such even if the investment has not been transmitted to the totalisator.

F. BRACKETS

Notwithstanding that the selected horses are required to be named, the investment shall be subject to the provisions of rule 4 (f) relating to brackets except that the horses shall not be deemed to be identifiable for the purposes of rule 4 (f) (ii).

G. SPECIAL CONDITIONS APPLICABLE TO TELEPHONE INVESTMENTS

(i) Neither the Board nor any servant or agent of the Board shall be responsible for any loss arising from the unauthorised use of a depositor's account.

(ii) The delivery of cheques to the address given by the depositor will be at the sole risk of the depositor.

(iii) Any claim in respect of an alleged inaccurate entry in the depositor's statement of account must be rendered to the totalisator agency within four weeks after the statement has been received or is deemed to be received by the depositor.

(iv) Statements of account will be sent by unregistered post to the address as given by the depositor in his application form and will be deemed to be received by him at the time such statement would be delivered in the ordinary course of post.

8. Provisions Relating to Investments by Post

A. GENERAL

(i) Investments by post may be made as follows:

(a) By written instructions accompanied by a remittance for the amount to be invested; or

(b) By written instructions against a deposit previously established or dividends or refunds credited to such deposit. The minimum deposit shall be £10.

(ii) Investments by post and the lodging of instructions by post against deposits will be accepted only at such totalisator agencies as the Board may from time to time nominate, and the Board may at any time direct that investments posted from any particular area, district, or locality shall be addressed to a particular totalisator agency. The Board may also at any time close any totalisator agency for the receipt of investments by post.

(iii) No instructions nor amendments to previous instructions will be acted upon if received by telegram or money-order telegram or telephone. Where a postal deposit account has been established, investments may also be made by telephone provided the procedures set out in rule 7 hereof are followed.

(iv) All remittances must be by bank draft, postal note, money order, or bank note. Cheques will not be accepted except by way of deposit for future investments provided sufficient time elapses before investment against such deposit to enable such cheques to be cleared. All cheques must include exchange or poundage.

(v) If a remittance, other than a deposit, is received for an amount net to the Board other than in complete units of investment, the person on duty at the totalisator agency concerned may in his sole discretion either reject the investment altogether or accept it up to the multiple next below the net amount so received by the Board. The amount due to the investor in accordance with the exercise of the discretion as aforesaid shall be refunded to the investor by the Board less exchange or poundage.

(vi) Investments will not be accepted before the publication of acceptances for the race meeting concerned.

B. METHOD OF INVESTING

(i) Instructions must be in writing and be accompanied by a remittance sufficient, and no more, for the investment or investments required. Instructions relating to investments against deposits must also be in writing signed by the depositor.

(ii) The instructions as to investments must record clearly:

(a) The surname, initials, and postal address of the investor in block letters.

(b) The race meeting, the race at that race meeting, and the name or code number of the horse or horses in respect of which the investment, including an investment on a doubles totalisator, is made.

(c) The amount to be invested on each separate investment and the total amount enclosed.

(d) Whether the investment is for win, place, or doubles.

(e) The usual signature of the investor.

Notwithstanding that the selected horses are required to be named the investment shall be subject to the provisions of rule 4 (f) relating to brackets, except that the horses shall not be deemed to be identifiable for the purposes of rule 4 (f) (ii).

Instructions will not be accepted for alternative investments to be made in the event of a nominated horse being scratched. The investor shall be bound by the particulars and instructions supplied by him.

(iii) Where instructions are incomplete or ambiguous the senior officer of the Board present when such instructions are received may at his discretion reject the investment or accept

the investment according to what he believes to be the intention of the investor. The investor shall be bound by such interpretation.

(iv) Subject to the provisions of clause C (i) of this rule, investments against dividends or refunds payable or to become payable on previous investments will not be accepted.

(v) The Board may accept part of any investment instructions where the acceptance of the whole is not permitted under these rules.

(vi) The Board will accept investments up to 6 p.m. on the working day preceding the race day concerned. Instructions received by the Board at any time later will not be accepted unless the senior officer on duty at the totalisator agency concerned, in his discretion, accepts the instructions.

(vii) The Board shall not be bound to acknowledge receipt of or compliance with instructions for an investment.

C. CREDITING AND PAYMENT OF DIVIDENDS AND REFUNDS

(i) In the case of deposits to be operated against by written postal instructions dividends and refunds will be credited to the depositor's account as soon as is practicable after results are known. Investments against dividends or refunds so credited or known to be due will be accepted. In the absence of written instructions as to the balance to be retained to the credit of the depositor, settlement of the amount due to the depositor, including any balance of his original deposit, will be retained pending receipt of written instructions or remitted to the depositor at the discretion of the officer in charge.

(ii) In respect of investments by post dividends and refunds due will be posted on the earliest convenient day next after the day of the race meeting concerned.

(iii) If in any case the Board is in doubt to whom or to what address any refund or other remittance from the Board should be sent, the Board shall retain the amount payable and the person who claims to be entitled thereto must apply in writing, or, if so required, in person to the totalisator agency to which the investment was sent, and submit proof to the satisfaction of the Board of his right to the amount held by the Board.

(iv) Any investor or depositor who claims he has not received the full dividend or refund to which he is entitled, or who alleges that there is an inaccurate entry in his deposit statement, must apply in writing to the totalisator agency where the investment was made within four weeks of the day on which the race concerned was run, and the application must be accompanied by all relevant information supporting the claim. The senior officer on duty at the totalisator agency will then notify the investor of the decision regarding the claim.

If the investor is dissatisfied with the decision, he may, within four weeks of receiving the decision of the senior officer, submit his claim in writing to the head office of the Board with all relevant information supporting it. The decision of the Board shall be final.

(v) Where an investment or deposit has not been accepted, a refund of the amount of the remittance may be effected at the discretion of the Board by return of the remittance instrument enclosed by the investor.

9. General Provisions Relating to Telephone and Postal Investments

(i) Remittances in respect of dividends, refunds, or of any balance of a deposit account will be paid at the option of the Board by cheque, bank draft, bank transfer, bank note, postal note, or money order posted to the address given on the original instructions relating to the investment or deposit in respect of which the dividend or refund or remittance is payable. Posting the remittance shall be deemed delivery to the investor.

(ii) All exchange or poundage will be payable by the investor.

(iii) In respect of remittances or correspondence passing to and from the Board and an investor, the investor shall accept all risks, losses, delays, errors, or omissions which may occur in the ordinary course of post. The Board shall be under no obligation to send any remittance by registered post.

(iv) The Board shall not be bound to submit a statement of account when forwarding any remittance.

(v) Neither the Board nor any servant or agent of the Board shall be responsible for any loss arising from the unauthorised use of a depositor's account.

10. Special Provisions Relating to Doubles Betting

A. GENERAL

(i) Any person making an investment at or through a totalisator agency shall be deemed to accept, subject to any necessary modification in regard to investments off the course, the regulations for the operation of the doubles totalisator on the course adopted by the New Zealand Racing Conference and the New Zealand Trotting Conference respectively, and for the time being in force.

(ii) Every person intending to invest on the doubles totalisator is required, at the time of making such investment, to nominate the horse code numbers he selects for each race of the prescribed double. In addition he must give the information as to the race meeting, amount invested, and other matters required in making cash, telephone, or postal investments for win or place.