

is omitted, the Board in its sole discretion may, if it is satisfied that such record or omission is an error and it is manifest that the investment was intended for a particular meeting, treat the investment as intended for that meeting and the investment shall be deemed to be made accordingly.

(g) (i) Subject to the following provisions of this clause the investor shall be deemed to accept the ticket issued to him unless he applies forthwith after issue thereof to have any error or omission rectified.

(ii) Subject to the provisions of the next succeeding sub-clause (iii) herein, if the investment as indicated on the ticket is one which cannot be recorded on the totalisator or is one for which notices are not exhibited at the agency in accordance with clause (f) herein at the time the ticket is issued, the investor shall be entitled only to a refund.

(iii) Where the ticket is issued for a doubles investment and in respect of the second race of such double there is either no horse code number recorded or the number recorded is not one included on the totalisator, the investor shall be deemed to accept the ticket as issued and in the event of the horse selected winning the first race of the double the Board will place the investment in the second race of the double on the favourite as would be determined in accordance with the provisions of rule 10B (ii) and the investor shall be entitled only to such dividend if any as may be derived therefrom.

(iv) Subject to the provisions of the last preceding sub-clause (iii) and rule 5 (f) (iii), where the ticket is incomplete as to any of the required particulars or the ticket or any of the required particulars thereon are in the opinion of the Board ambiguous, the investor shall be entitled only to a refund.

(v) If the ticket is issued and the details of amounts of individual investments recorded thereon do not agree with the recorded total of the amounts on the ticket, the details shall prevail and the ticket shall be treated accordingly.

(h) Any ticket, when presented for a dividend or refund or for the correction of an alleged error, may be rejected without any payment made thereon if it has been altered or defaced.

6. Payment of Dividends and Refunds in Respect of Cash Investments

(a) No dividends will be paid on the day of the race concerned.

Refunds may be paid at any time when the totalisator agency at which the investment was made is open for business, but the person in charge of such agency may declare at any time that refunds due in respect of any race meeting or race shall be payable at the same time as when dividends for such meeting or race are payable.

(b) There shall be displayed in every totalisator agency from time to time the earliest date and the hours when dividends and refunds will be payable.

Thereafter dividends will be payable at the totalisator agency from which the ticket was issued during the notified hours for a period of four weeks from the date of the meeting concerned.

(c) Payment will be made on production of the ticket and will be in cash or may at the option of the Board be by cheque.

(d) Dividends and refunds not claimed or paid within the period of four weeks as aforesaid may be claimed on production at the totalisator agency where the investment was made of the ticket in respect of which the payment is due and the completion by the claimant of such written form of application as the Board may require.

Dividends and refunds not claimed within six months from the date of the meeting concerned shall be deemed to be forfeited to the Board.

7. Provisions Relating to Investments by Telephone

A. GENERAL

(i) Investments by telephone will be accepted at such totalisator agencies as may be nominated by the Board for that purpose and only against a deposit previously established at such agency or against dividends due to the credit of an investor's account.

(ii) Depositors will use only the telephone numbers notified to them.

(iii) The person in charge may refuse to accept any deposit or, having accepted such, may refund the deposit or any balance thereof at his discretion and without giving any reason therefor. He may restrict acceptance of deposits or telephone instructions to those received from persons connected to particular telephone exchanges.

(iv) Subject to the special provisions relating to doubles investments, investments or the cancellation of investments may be made by telephone at any time during the business hours of the totalisator agency up to the closing time of that agency for the race concerned.

(v) A separate record will be kept of each deposit account and of the investments made against it.

(vi) Dividends and refunds will be credited to depositors' accounts as soon as practicable on the day of the race concerned or thereafter.

(vii) No instructions or amendments to previous instructions will be acted upon unless received by telephone.

B. PROCEDURE FOR OPENING OR RENEWING A DEPOSIT ACCOUNT

(i) Application to open a deposit account must be in writing giving the information required in the form required by the Board and must be signed by the applicant.

(ii) The application must be accompanied by a deposit of at least £2.

(iii) Where cheques are received as a deposit, no investment against that deposit will be accepted until the cheque is cleared.

(iv) The depositor will be given a receipt for the amount deposited.

(v) The depositor is required to nominate four codes, each of four figures, and to give instructions as to the balance, if any, to be carried forward in his account from time to time.

(vi) Any depositor desiring to renew or increase his deposit may do so by forwarding or paying the additional amount to the totalisator agency concerned or so authorised and by advising his account number and name.

(vii) At the option of the Board any depositor may be required to submit a further application amending any or all of the particulars required to be given. The depositor may also revoke the original application and replace it by a new one on satisfying the Board that there is reasonable need of it for his own protection. In either case any amounts standing to the credit of the depositor will be transferred to his credit in the new account.

C. PROCEDURE FOR INVESTING AGAINST DEPOSITS

(i) The depositor must state his account number and one or more of his four codes as required by the operator.

(ii) The depositor is required to supply the following information—the race meeting, the race at that meeting and the name or code number of the horse, the amount of the investment, and whether for win, place, or doubles, and/or such other information as may be required to identify the investment to be made.

(iii) On receipt of the instructions the operator will read back the message unless the depositor states he does not require the instructions repeated.

D. CREDITING AND PAYMENT OF DIVIDENDS

(i) All dividends will be credited to the depositor's account.

(ii) The amount standing to the credit of the account of a depositor at any time shall be disposed of in accordance with the instructions of the depositor. The instructions shall be in such form as the Board from time to time may require.

In the absence of such instructions the amount may be retained pending receipt of instructions or the whole or part of the amount may be remitted to the depositor at any time at the discretion of the person in charge at the totalisator agency at which the deposit account is held.

E. PROVISIONS APPLICABLE WHERE ERROR IS MADE IN THE GIVING OR RECORDING OF TELEPHONE INVESTMENTS

(i) *Where the Error Results in an Incorrect Investment Being Made*

Prima facie the investment will be deemed to be that which is recorded so that the investor shall suffer the loss or receive the benefit as the case may be.

Where, however, the error results in a loss to the investor who alleges that the error was due to the mistake or other default of any servant of the Board, or of any agent or of any servant of any agent, the Board will inquire into the circumstances and if in its sole discretion the Board is satisfied that such error was due either to the wilful default or to the negligence of such servant or agent, the Board will refund the amount invested but shall not be liable to any dividend which would have been payable had the correct investment been made. Application for a refund must be made promptly after notice of the error is received or deemed to be received by the investor. Notwithstanding the foregoing, the Board shall have a discretion to pay part or all of the dividend which would have been due but for the error.

(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.