

ment, cheques and other instruments can be accepted only if there is sufficient time to enable it to be cleared before the closing time for acceptance of the investments for which the cheque or other instrument is remitted.

(iv) If a remittance 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.

(v) 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.

(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 is required and whether for win, place or double, and/or such other information as may be required to identify the investment to be 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 may 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) 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. PAYMENT OF DIVIDENDS AND REFUNDS

(i) 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.

(ii) If in any case the Board is in doubt to whom or to what address any dividend or refund 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.

(iii) Any investor who claims he has not received the full dividend or refund to which he is entitled, 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.

#### 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

##### 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.

(iii) Dividends will be paid or credited to the investor in the same manner as dividends in respect of other investments by cash, by telephone, or by post.

(iv) Investments on the doubles totalisator will not be accepted prior to the publication of acceptances.

##### B. PROVISIONS RELATING TO THE SCRATCHING OF HORSES FROM A DOUBLE

(i) *Where a Horse in the First Race of the Double is Scratched*—(a) If a horse, including a bracketed horse, is scratched from the first race, the investor may at his option nominate a substitute or accept a refund at the totalisator agency where the investment was made up to 15 minutes before the advertised time of closing for the receipt of investments for the double.

(b) Where a horse is scratched at any time before the first race and the investor has not substituted another horse, the investor, where a refund is or but for the provisions of Part C of this rule would have been obtained from the totalisator, will be entitled to a refund except in the case of a bracket when any one of the horses in such bracket starts, and in such event the investment will be deemed to remain on the starter represented by such bracket.

(ii) *Where a Horse in the Second Race of the Double is Scratched*—(a) If a horse, including a bracketed horse, is scratched from the second race, the investor may at his option and at the totalisator agency where the investment was made, accept a refund up to 15 minutes before the advertised time of closing for the receipt of investments for the double, or if the investment was made against a telephone deposit account nominate a substitute up to 15 minutes before the advertised starting time for the first race, or if the investment was made by cash nominate a substitute up to 15 minutes before the advertised starting time for the first race provided that the totalisator agency at which the investment was made is still open for receiving cash investments.

(b) Where a horse which is bracketed with a horse that starts is scratched from the second race at any time and the investor has not accepted a refund or nominated a substitute as aforesaid, then the investor will be deemed to have selected the remaining horse or horses in the bracket as his starter in the second race.

(c) Where a horse which is not bracketed with a horse that starts is scratched from the second race at any time and the investor has not accepted a refund or substituted another horse, the Board will substitute for the scratched horse the favourite for such race as determined by that part of the double investments received by the Board for separate totalisator numbers in the second race which were coupled with the winner of the first race and ascertained after the time of closing for receipt and substitution of investments for such double and as recorded before this adjustment takes place.

"Favourite" as determined in the foregoing may be a horse or those horses included in a bracket to which a separate number is allotted on the totalisator.

(d) *Board's Substitution in Second Race Where Two or More Horses are Equal Favourites*—In the event of two or more horses being equally determined as favourites in the second race in accordance with subclause (ii) (c) herein, the favourite for the purpose of such subclause will be the equal favourite first appearing in the list of runners in the totalisator records for that race at the time this adjustment takes place.

(e) *Board's Substitution in Second Race Where Investment on Scratched Horse is Only Investment for That Race*—In the event of the scratched horse being the only horse in the second race for which the Board has received doubles investments which were coupled with the winner of the first race, then the horse next above the scratched horse in the totalisator records for such race will be substituted for that scratched horse, and if there is not a horse next above in that race the horse next below the scratched horse in the totalisator records for such race will be substituted for the scratched horse.

(f) *Substitution of Chosen Favourite to be Final*—For the purpose of this rule the decision made by the official of the Board as to which horse shall be substituted for a scratched