

made within 4 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 4 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.

(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 provided that the investment was not made through a machine connected directly to a computer, 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, 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 afore-

said, 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 horse in the second race shall be binding upon the Board and upon the investor.

(g) *Brackets*—Where no bracket is shown in the notices exhibited by the Board but a horse is required to be bracketed with another horse on the totalisator, no bracket shall be deemed to exist unless both horses come under the orders of the starter. Where such a horse is scratched from the race, the Board shall substitute in accordance with subclause (ii) (c) herein.

(ii) *Method of Substitution of Cancellation*—(a) Investments made by telephone may be substituted or cancelled by telephone.

(b) Investments by cash may be substituted or cancelled only in person on presentation and exchange of the original ticket issued.

(c) Investments made by post may not be substituted or cancelled at any time.

C. TRANSMISSION OR OTHER FAILURE PRIOR TO THE CLOSING OF THE TOTALISATOR

When because of failure in the means of transmission or by reason of other unforeseen circumstances part or all of the details of investments received for the doubles totalisator cannot be recorded on that totalisator on course, the following provisions shall apply:

(i) *Failure Prior to the First Race of the Double*—(a) If an estimated 90 percent or more of such investments can be transmitted to the totalisator they shall be so transmitted, and as to the remainder not transmitted the Board will pay, in respect of those investments on the winner of the first race of the double coupled with the winner of the second race of the double, dividends at the rate declared and paid by the totalisator in respect of that double.

Provided that if in respect of such 90 percent or more of investments there is not an investment on every starter in the first race or if transmission to the course totalisator has commenced but there is a failure at any time before verification of the total investments intended to be transmitted has been received from the Board's representative at the totalisator, then in either such event the circumstance as set out in subparagraph (b) herein shall be deemed to apply.

(b) If it is estimated by the Board that less than 90 percent of the off-course investments on a double are available for transmission or if 90 percent or more of the total of such investments cannot be transmitted to the totalisator, the Board will hold all off-course investments on the double and will establish a separate off-course pool in respect thereof.

From all investments in the pool there shall be deducted and paid the same statutory deductions as would be due if the moneys had been invested on the totalisator, and the balance shall be available in dividends to be determined in the same manner as applies for the determination of the doubles dividend on course.