

Preface: This document is provided for illustrative purposes only and not intended to be an official version of the *Pari-Mutuel Betting Supervision Regulations (the Regulations)*. It is to assist the reader's comprehension of the proposed amendments.

The following amended definitions found in section 2 of the *Regulations* are divided into 3 categories based on terms that are either Amended, Repealed, or Added (new):

AMENDED

"betting theatre" means a structure that is used for theatre betting at a location specified in the theatre licence;

The definition formerly read:

"betting theatre" means an enclosed structure that is used for theatre betting, that is affixed to the land and that contains seating for 75 per cent of the number of persons permitted by the appropriate municipal authority to occupy the structure;

"consolation double" means the pay-out price of a daily double ticket that combines a horse, entry or mutuel field that is declared the winner in the official result of the first race of the daily double with a horse, entry or mutuel field in the second race of the daily double where, after the first race is closed to betting,

(a) the second race of the daily double is cancelled, or

(b) the horse, entry or mutuel field in the second race of the daily double is scratched from that race;

The portion of the definition before paragraph (a) formerly read:

"consolation double" means the pay-out price of a daily double ticket that combines a horse, entry or mutuel field that is declared the winner in the official result of the first race of the daily double with a horse, entry or mutuel field in the second race of the daily double where, after the official result of the first race is posted,

"daily double" means a type of bet on two races to select the winning horse in the official result in each race;

The definition formerly read:

"daily double" means a type of bet on two races on a racing card to select the winning horse in the official result in each race;

"EIPH list" means a list, established and maintained by the Commission under subsection 170.1(1), of horses that display symptoms of exercise-induced pulmonary hemorrhage;

The definition formerly read:

"EIPH list" means a list, established and maintained by a Commission pursuant to subsection 170.1(1), of horses that display symptoms of exercise-induced pulmonary hemorrhage where the owner or trainer of the horse and the consulting veterinarian licensed by the Commission has determined that it would be in the horse's best interest to be placed on the list and an official veterinarian has endorsed that determination before placing the horse on the list;

"Executive Director" means the officer who is the Executive Director of the Canadian Pari-Mutuel Agency;

The new French definition reads:

« directeur exécutif » Le fonctionnaire désigné qui est le directeur exécutif de l'Agence canadienne du pari mutuel;

"foreign race inter-track betting" means pari-mutuel betting at one or more satellite tracks on a foreign race, where the money bet on each pool at each satellite track is combined with the money bet on the corresponding pool that is operated by a foreign pool host to form one pool from which the pay-out price is calculated and distributed;

The definition formerly read:

"foreign race inter-track betting" means pari-mutuel betting at one or more satellite tracks on a foreign race, where the money bet on each pool at each satellite track is combined with the money bet on the corresponding pool that is operated by the organization holding the foreign race to form one pool, from which the pay-out price is calculated and distributed;

"host track" means a race-course at which a race is held, with any inter-track or separate pool betting on that race being conducted at a satellite track;

The definition formerly read:

"host track" means a race-course at which a race is held on which inter-track or separate pool betting is conducted at a satellite track;

"inter-track betting" means pari-mutuel betting at one or more satellite tracks or in one or more places in one or more foreign countries, with the money bet on each pool at each satellite track or place being combined with the money bet on the corresponding pool that is operated by the pool host to form one pool from which the pay-out price is calculated and distributed;

The definition formerly read:

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"inter-track betting" means pari-mutuel betting at one or more satellite tracks or in one or more places in one or more foreign countries on a race that is held at a host track, where the money bet on each pool at each satellite track or place is combined with the money bet on the corresponding pool at the host track to form one pool from which the pay-out price is calculated and distributed;

"on-track account betting" means pari-mutuel betting conducted at a race-course or in a betting theatre of an association otherwise than by buying a ticket;

The definition formerly read:

"on-track account betting" means pari-mutuel betting conducted at a race-course or in a betting theatre of an association otherwise than by buying a ticket, and in accordance with sections 84.1 to 84.9;

"pari-mutuel system" means the equipment and all software, including the totalizator, the telephone account betting system, the on-track account betting system and the inter-track betting equipment, that are used to record bets and to transmit betting data;

The definition formerly read:

"pari-mutuel system" means the manual, electro-mechanical or computerized system and all software, including the totalizator, the telephone account betting system, the on-track account betting system and the inter-track betting equipment, that are used to record bets and to transmit betting data;

"theatre licence" means a licence that is issued under subsection 85(3) by the Executive Director to an association to authorize it to conduct theatre betting;

The definition formerly read:

"theatre licence" means a licence that is issued by the Executive Director to an association to conduct theatre betting under subsection 85(7);

REPEALED

"cashier" means a person who cashes winning tickets for an association;

"drug control surveillance program" means all of the activities relating to equine drug control undertaken by the test inspectors, official chemists and official veterinarians at official laboratories and other facilities dedicated to that control;

"exchange system" means a system for issuing tickets on a daily double in which the holder of a winning ticket on the first race of the daily double is entitled to exchange it for a ticket on the second race of the daily double;

"feature pool" means the pool corresponding to the following types of bets, namely, a daily double, an exactor, a quinella, a triactor or any bet other than a win, place or show bet that an association is authorized to offer by its permit;

"home market area" means a geographical area that is assigned to an association in respect of a race-course within which the association is authorized to conduct telephone account betting or theatre betting, as the case may be;

"horseman" means any person, group or organization that has an interest in the sharing of purses drawn from an association's percentage and the scheduling of races by the association, but does not include an officer or employee of an association;

"infield board" means a board or electronic screen that is situated in the infield of a race-course and that displays the information referred to in subsection 31(1);

"official veterinarian" means a veterinarian referred to in section 156;

"seller" means a person who issues tickets for an association;

ADDED

"charter" means the person designated by an association to record and report the information referred to in subparagraphs 27(a) (ix), (xi), (xii), (xiv) and (xx);

"equine drug control program" means all of the activities relating to equine drug control undertaken by the test inspectors, official chemists and veterinarians designated by the appropriate Commissions at official laboratories and other facilities dedicated to that control;

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“horseperson” means any person, group or organization that has an interest in the sharing of purses drawn from an association's percentage and the scheduling of races by the association but does not include an officer or employee of an association;

“pool host” means the organization that is responsible for combining the money for each type of bet from any location to form one pool from which the pay-out prices are calculated and distributed;

PART I PERMITS

3. (1) No association shall conduct pari-mutuel betting unless

(a) the association has been issued a permit;

(b) the pari-mutuel system and the facilities for its supervision and operation have been approved in accordance with section 15; and

(c) the association, if it conducts 10 or more days of racing per year, has provided

(i) a racing licence issued by the appropriate Commission,

(ii) the race dates approved by the appropriate Commission, and

(iii) evidence of an executed agreement for the period of the proposed pari-mutuel betting, between the association and the horsepersons who have been approved by the appropriate Commission, addressing the sharing of revenues between the association and those horsepersons.

(2) A permit referred to in paragraph (1)(a) expires at the end of the year in which it is issued.

(3) Approvals of the pari-mutuel system and its facilities referred to in paragraph (1)(b) expire at the end of the year in which they are given.

Paragraphs 3(1)(a) and (b) formerly read:

(a) the association has been issued a permit; and

(b) the pari-mutuel system and the facilities for its supervision and operation have been approved.

4. An association shall submit an application for a permit to the Executive Director at least 30 days before the first proposed day of betting.

Section 4 formerly read:

4. (1) An association shall submit an application for a permit to an officer not later than October 31 of the year immediately preceding the year for which the permit is requested.

(2) An association shall, at the time it submits an application referred to in subsection (1), send a copy of the application to the appropriate Commission.

5. An association shall, in making an application for a permit,

(a) provide evidence that the association is a corporation in good standing under the laws of the jurisdiction in which it was incorporated;

(b) name the owners and directors of the association and any person who holds or exercises control over 10 per cent or more of any voting shares issued by the association;

(c) provide evidence that the association

(i) owns the race-course on which the races are to be run, or

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- (ii) holds a lease on the race-course on which the races are to be run, for the duration of the permit;
- (d) provide the association's percentage;
- (e) describe the types of bets that the association proposes to operate as the pool host and the method of calculation that the association proposes to use for each type of bet, in accordance with Part IV and section 142.1;
- (f) provide the dates and times at which the association proposes to operate as the pool host for pari-mutuel betting on horse-racing conducted at its race-course;
- (g) describe the methods by which the association will present the information required under sections 25 to 27 to the public;
- (h) if an association permits the cancellations of bets, provide a statement that describes the association's policy on how a bet may be cancelled under section 57;
- (i) describe the manner in which the association will add to pari-mutuel pools, the amounts generated from overages and underpayments in accordance with sections 65 and 113;
- (j) if the association has contracted the operation of the pari-mutuel system to another person,
 - (i) provide a copy of the contract, and
 - (ii) name the person who manages and operates the pari-mutuel system at the association's race-course; and
- (k) provide any other information respecting the ownership and financial circumstances of the association that may be required by the Executive Director to determine whether the association is able to conduct pari-mutuel betting in accordance with the Act and these Regulations.

Section 5 formerly read:

5. (1) An association shall, in making an application for a permit,
- (a) provide evidence that the association is a corporation in good standing under the laws of the jurisdiction in which it was incorporated;
 - (b) name the owners and directors of the association and any person who holds or exercises control over 10 per cent or more of any voting shares issued by the association;
 - (c) provide evidence that the association
 - (i) owns the race-course on which the races are to be run, or
 - (ii) holds a lease on the race-course on which the races are to be run, for the duration of the permit;
 - (d) request approval for the association's percentage;
 - (e) request approval for the types of bets that the association proposes to offer and the method of calculation that the association proposes to use for each type of bet;
 - (f) request approval for the dates and times on which the association proposes to conduct pari-mutuel betting;
 - (g) submit proposed dates during the two years next after the year for which the permit is requested on which the association wishes to conduct pari-mutuel betting;
 - (h) where the association has contracted the operation of the pari-mutuel system to another person,
 - (i) provide a copy of the contract, and
 - (ii) name the person who manages and operates the pari-mutuel system at the association's race-course;
 - (i) where the association intends to apply for a theatre betting licence, be in compliance with the requirements of paragraph 85(4)(f);
 - (j) where the association intends to apply for authorization to conduct inter-track or separate pool betting, be in compliance with the requirements of paragraph 90(1)(d);
 - (k) where the association intends to apply for approval to conduct foreign race inter-track betting or foreign race separate pool betting, be in compliance with the requirements of paragraph 94(f); and
 - (l) provide such other information respecting the ownership and financial circumstances of the association as may be required by the

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Executive Director to determine whether the association will be able to conduct pari-mutuel betting in accordance with the Act and these Regulations.

(2) A permit shall not be issued where the information provided under paragraphs (1)(h) and (l) discloses that an association is not able to conduct pari-mutuel betting in accordance with the Act or these Regulations.

6. (1) The Executive Director shall issue a permit to an association if

- (a) the information provided in accordance with section 5 demonstrates that the association is able to conduct pari-mutuel betting in accordance with the Act and these Regulations; and
- (b) the methods described in accordance with paragraph 5(g) demonstrate that the association is capable of presenting the information referred to in that paragraph in a manner that is easily accessible to the public.

(2) A permit that is issued to an association shall

(a) REPEALED

(b) set out the terms and conditions of the permit, including

(i) the type of bets that the association may offer and the method of calculation that the association may use for each type of bet,

(ii) the facilities and equipment that require improvements to be made, including those associated with the provision of any photo finish surveillance program or video patrol surveillance program or with the undertaking of the equine drug control program activities, before the association may conduct pari-mutuel betting at its race-course, and

(iii) any limitations or restrictions on pari-mutuel betting that arise from the type of pari-mutuel system used at the association's race-course.

Subsection 6(1) formerly read:

6. (1) Subject to these Regulations, the Executive Director may, on application, issue a permit to an association.

Subparagraph 6(2)(a) formerly read:

(a) fix for a year the dates and times at which the association may conduct pari-mutuel betting; and

Subparagraph 6(2)(b)(ii) formerly read:

(ii) the facilities and equipment that require improvements to be made, including those associated with the provision of any photo finish surveillance program or video patrol surveillance program or with the undertaking of the drug control surveillance program activities, before the association may conduct pari-mutuel betting at its race-course, and

7. (1) An association that has applied for a permit under section 4 may also apply for a theatre licence under section 85 or an authorization under sections 76 and 84.1 or subsections 90(1), 90(1.1) and 94(1), as the case may be.

(2) An association may apply to the Executive Director to amend its permit or theatre licence or its authorization obtained under sections 76, 84.1, 90 or 95, as the case may be.

(3) An association shall immediately inform the Executive Director in writing of any changes in circumstances regarding the information required in its application under section 5 or subsections 76(1), 84.1(1), 85(1), 90(1), 90(1.1) or 94(1) or any other change in circumstances relevant to the permit, theatre licence or authorization referred to in any of those provisions, including the commencement of proceedings under the *Companies' Creditors Arrangement Act* or the *Bankruptcy and Insolvency Act*, the acquisition of a court order directed against the association or any change that affects whether the association will be able to continue to conduct horse races on its race-course in the ordinary course of its business.

Section 7 formerly read:

7. (1) The Executive Director may, by written notice to an association,

(a) amend the terms and conditions of its permit; or

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(b) suspend or cancel its permit, where the association

- (i) contravenes any provision of the Act or these Regulations, or
- (ii) fails to comply with any term or condition of its permit.

(2) An association may apply to the Executive Director to amend its permit.

(3) Where an association applies to the Executive Director to amend its permit, it shall send a copy of its application to the appropriate Commission.

(4) An association shall, on request of the Executive Director, immediately provide him or her with notice of any change in the owners or directors of the association and of any change in the persons who hold or exercise control 10 per cent or more of any voting shares issued by the association.

7.1. If an association contravenes any provision of the Act or these Regulations or fails to comply with any term or condition of its permit or theatre licence or authorization obtained under sections 76, 84.1, 90 or 95, as the case may be, or if there has been a change in circumstances under subsection 7(3), the Executive Director may, by written notice to an association,

- (a) issue a direction informing the association what actions it must take within a time specified by the Executive Director for the association to comply;
- (b) in the case where a permit has been issued and an application has been made for a theatre licence or authorization, refuse to issue the licence or authorization;
- (c) amend the terms and conditions of the permit, theatre licence or authorization to the extent necessary to remedy any contravention or non-compliance or address the change in circumstances;
- (d) if the remedies described in paragraphs (a) to (c) fail to address the situation, suspend the permit, theatre licence or authorization for a specified period of time during which the association must remedy the contravention or non-compliance or address the change of circumstances to the satisfaction of the Executive Director; or
- (e) cancel the permit, theatre licence or authorization if it is apparent that the association will be unable to remedy the contravention or non-compliance or address the change of circumstances within a reasonable period of time or if the change in circumstances results in the permit, theatre licence or authorization becoming inapplicable.

8. [Previously Repealed]

9. REPEALED

Section 9 formerly read:

9. Where, in an application for a permit, an association proposes to conduct pari-mutuel betting at a new race-course located within 80 km of an existing race-course on the same day as at the existing race-course, the Executive Director shall, with respect to the fixing of dates on which an association may conduct pari-mutuel betting, give priority to the association that conducted pari-mutuel betting on that day in the previous year.

10. An association shall display its permit prominently in a public place at its race-course.

11. [Previously Repealed]

PART II

PARI-MUTUEL SYSTEMS AND RELATED FACILITIES

REQUIREMENTS GENERALLY

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12. (1) An association shall permit an officer to test the pari-mutuel system and to examine the facilities for its supervision and operation to ensure that they meet the requirements of this Part and are in good working condition.

(2) If an association proposes a change in its pari-mutuel system, including the persons who operate it, the association shall notify an officer and permit the officer to conduct any applicable test, before implementing the change.

Section 12 formerly read:

12. (1) An association shall, no fewer than 48 hours before the beginning of a race-meeting, permit an officer to test

(a) the pari-mutuel system and to examine the facilities for its supervision and operation to ensure that they meet the requirements of this Part and are in good working condition; and

(b) the persons who operate the pari-mutuel system to ensure that they are qualified to operate it.

(2) Where an association proposes a change in its pari-mutuel system or in the persons who operate it, the association shall notify an officer and permit the officer to conduct any applicable test.

13. (1) For the proper supervision and operation of a pari-mutuel system, an association shall, at its race-course,

(a) provide rooms and areas that are lighted, ventilated and equipped with plumbing and electricity to meet the requirements of the operations carried out therein;

(b) provide a suitable location for providing the public with information and for receiving complaints from the public;

(c) ensure that each betting terminal is identifiable by means of a distinct name or number that is visible to any person who makes or cashes a bet;

(d) provide, for the use of an officer, an office in the immediate vicinity of the totalizator that is equipped with

(i) connections that are capable of supporting telephone and Internet services,

(ii) a storage cabinet and a filing cabinet that can be locked, and

(iii) such additional furnishings as are necessary to permit the officer to perform the officer's duties; and

(e) provide a device at the race-course located in the immediate vicinity of the totalizator and at any location authorized by an officer to close betting on a race.

(2) Paragraph (1)(d) does not apply in respect of a race-course that conducts races on fewer than 10 days in a year.

The portion of subsection 13(1) before paragraph (a) formerly read:

13. (1) For the proper supervision and operation of a pari-mutuel system at a race-course, an association shall

Paragraphs 13(1)(b), (c), (d) and (e) formerly read:

(b) provide a window for giving information and for receiving complaints;

(c) ensure that each seller, cashier, teller or self-activated terminal is identifiable by means of a name or number that is visible to any person who obtains or cashes a ticket;

(d) a telephone line capable of linking up with computer equipment;

(e) where a computerized or other approved pari-mutuel system is used, provide a device, located in the immediate vicinity of the totalizator and in any other locations that are authorized by an officer, for use by an officer or the association, to close betting on a race.

14. An association shall maintain a daily written record of the pari-mutuel system's operations and maintenance and shall retain those records for a period of one year from the date on which they were created.

Section 14 formerly read:

14. An association shall maintain a daily written record and, where applicable, a computerized print-out, of the pari-mutuel system's operations and maintenance and shall retain those records and print-outs for a period of 30 days after the end of every race-meeting.

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15. A pari-mutuel system shall not be approved unless

- (a) it is capable of accurately recording bets;
- (b) it is capable of accurately calculating the pay-out prices;
- (c) the tickets printed by the system contain the information set out in section 16; and
- (d) the association provides an officer, on request, with
 - (i) a description of the pari-mutuel system, including a diagram of the configuration of the totalizator,
 - (ii) a description of the method for sending and receiving pari-mutuel information between host and satellite tracks,
 - (iii) a description of the interface capabilities of the pari-mutuel system,
 - (iv) a description of the security system for the pari-mutuel system,
 - (v) a description of the controlled access to the pari-mutuel system,
 - (vi) a description of the security system that protects all records pertaining to the pari-mutuel system, including records of outstanding tickets and all approved types of pari-mutuel betting,
 - (vii) a description of procedures to implement modifications and testing of the pari-mutuel system,
 - (viii) a catalogue of all the pari-mutuel system computer records that are used at the association's race-course, and
 - (ix) a glossary of terms, procedural-log explanations and any other information required to enable an officer to audit the pari-mutuel system.

Section 15 formerly read:

15. Where an association uses a computerized pari-mutuel system, the system shall not be approved unless

Paragraph 15(d) formerly read:

- (d) the association provides the Executive Director, on request, with

Subparagraph 15(d)(viii) formerly read:

- (viii) a catalogue of all the pari-mutuel system computer tapes that are used at the association's race-course, and

16. An association shall ensure that every ticket sets out

- (a) the name of the race-course;
- (b) the value of each individual bet;
- (c) the amount of money bet;
- (d) the type of bet;
- (e) the location, number and date of the race;
- (f) a code that uniquely identifies the ticket;
- (g) the date the ticket was issued;
- (h) the number of the horse or horses on which the bet was made; and
- (i) the number of the ticket-issuing machine.

The portion of section 16 before paragraph (a) formerly read:

16. An association shall ensure that every computerized ticket sets out

Paragraph 16(e) formerly read:

- (e) the number of the race;

17. Whenever a device referred to in paragraph 13(1)(e) to close betting in a pari-mutuel system has been activated, the association shall record on its pari-mutuel system log file

- (a) the device that was used to close betting; and

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(b) the time of day in hours, minutes and seconds at which betting was closed.

The portion of section 17 before paragraph (a) formerly read:

17. Whenever a device referred to in paragraph 13(1)(e) to close betting in a computerized pari-mutuel system has been activated, the association shall record on its pari-mutuel system log file

18. REPEALED

Section 18 formerly read:

18. (1) Where an association uses an electro-mechanical pari-mutuel system with ticket-issuing machines, the system shall not be approved unless each ticket-issuing machine

- (a) is equipped with a sealed mechanism that records the progressive total of tickets issued through the machine;
- (b) is equipped with a mechanism that can lock any of the keys on the machine;
- (c) is of a type from which a record can be obtained showing the sale of tickets on each horse, entry or mutuel field, where the machine is used without a totalizator; and
- (d) is capable of printing on tickets the information set out in subsection 19(1).

(2) An association shall, when using an electro-mechanical pari-mutuel system with ticket-issuing machines, ensure that all the sales counters of each ticket-issuing machine are set at zero after the sales have been recorded and before betting on the next race begins.

19. REPEALED

Section 19 formerly read:

19. (1) An association shall ensure that every ticket issued by a ticket-issuing machine has printed on it

- (a) the name of the race-course;
- (b) the amount of money bet;
- (c) the type of bet;
- (d) the number and date of the race;
- (e) a unique reference code that identifies the transaction;
- (f) the date the ticket was issued;
- (g) the number of the horse or horses on which the bet was made; and
- (h) the number of the ticket-issuing machine.

TESTING AND BREAKDOWN OF PARI-MUTUEL SYSTEMS

20. An association shall, each day prior to the opening of betting,

- (a) test the operation of the pari-mutuel system; and
- (b) make all the necessary repairs and adjustments to the pari-mutuel system.

Paragraph 20(a) formerly read:

- (a) test the operation of the pari-mutuel system;

Paragraph 20(c) formerly read:

- (c) notify an officer that the pari-mutuel system is operating properly.

21. An association shall without delay notify an officer in writing if any error or faulty operation of the pari-mutuel system or its related equipment is discovered.

Section 21 formerly read:

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21. An association shall forthwith notify an officer in writing where, by reason of mechanical or electrical failure, any error or faulty operation of the pari-mutuel system or its related electrical equipment is discovered.

22. REPEALED

Section 22 formerly read:

22. (1) Where an association uses a manual pari-mutuel system with pre-printed tickets, each ticket shall have printed on it

- (a) the amount of money bet;
- (b) the type of bet;
- (c) a control number that enables an association to determine the number of tickets sold; and
- (d) a number that corresponds to the horse, entry or mutuel field on which the bet is made.

(2) An association shall ensure that the pre-printed tickets referred to in subsection (1) are kept in decks bearing consecutive control numbers and that the tickets issued for each race begin with control numbers starting with zero, ten or any multiple of ten.

23. REPEALED

Section 23 formerly read:

23. (1) Where all the pre-printed tickets in a deck have been issued in respect of a race, an association shall, if necessary, issue tickets from an additional deck of pre-printed tickets.

(2) Where an association issues a deck of pre-printed tickets in which the number referred to in paragraph 22(1)(d) is not the same as the number of the horse set out in the race program, the association shall immediately bring to the attention of the public the discrepancy in the two numbers by posting the discrepancy on the notice-board during betting and immediately after betting has closed and indicate the numbers on the calculation and record sheets referred to in subsection 24(1).

24. REPEALED

Section 24 formerly read:

24. (1) Where all the pre-printed tickets in a deck have been issued in respect of a race, an association shall, if necessary, issue tickets from an additional deck of pre-printed tickets.

(2) Where an association issues a deck of pre-printed tickets in which the number referred to in paragraph 22(1)(d) is not the same as the number of the horse set out in the race program, the association shall immediately bring to the attention of the public the discrepancy in the two numbers by posting the discrepancy on the notice-board during betting and immediately after betting has closed and indicate the numbers on the calculation and record sheets referred to in subsection 24(1).

RACE INFORMATION

General

25. (1) An association shall provide the public, free of charge and in an easily accessible manner, with the following information:

- (a) the name of the association conducting the pari-mutuel betting;
- (b) a statement that the pari-mutuel betting is supervised by the Minister and a statement that all pools are calculated and distributed in accordance with these Regulations;
- (c) Canadian Pari-Mutuel Agency contact information;
- (d) the terms and conditions of a bet, including the information that a winning ticket is valid indefinitely;
- (e) a description of how bets are cashed and cancelled, including any limits to the conditions, in accordance with subsection 57(6) and section 117;
- (f) a statement that bets may be refunded under certain circumstances and a description of how the public will be informed of any refunds;

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(g) with respect to odds,

(i) a description of the ratios that are used by an association to display odds,

(ii) the statement that approximate odds represent only the probable pay-out price of the win pool at the time they are posted and have no bearing on the pay-out price for any other pool,

(iii) a statement that if approximate odds for any horse are posted as "1:9", the pay-out price based on a \$2 bet on the win pool may be as low as \$2.10, and

(iv) a statement that if approximate odds for any horse are posted as "99:1", the pay-out price based on a \$2 bet on the win pool may be greater than \$200; and

(h) for associations that conduct 10 or more days of pari-mutuel betting, the value of outstanding tickets for each three-month period ending March 31, June 30, September 30 and December 31, as calculated three months after the end of the period, or for an association that does not conduct inter-track betting or separate pool betting, as the case may be, for each annual period ending December 31, as calculated three months after the end of the period;

(2) An association shall, on request, provide an officer in writing with any information set out in sections 25 to 27.

Section 25 formerly read:

25. An association shall provide, in respect of every racing card, by purchase or otherwise, a race program that sets out

(a) the name of the association conducting the pari-mutuel betting;

(b) directly underneath the association's name, a statement that the supervision of the pari-mutuel betting is provided by the Minister, the name of the Minister and a statement that all pools are calculated and distributed in accordance with these Regulations;

(c) the date and day of the week of the racing card;

(d) the number of each race;

(e) an explanation of all symbols that may appear on a ticket or a ticket-issuing machine;

(f) the terms and conditions of a ticket;

(g) the distance of each race;

(h) the number worn by each horse in a race and, where that number is different from the post position of a horse, the post position of the horse or a blank space in which that information may be written;

(i) where pre-printed tickets are used, the number referred to in paragraph 22(1)(d);

(j) the name, colour, sex, age, sire and dam of each horse on the racing card;

(k) the name of the trainer, owner and scheduled jockey or driver of each horse on the racing card;

(l) the colours of silks, where required, to be worn by the jockey or driver of each horse on the racing card;

(m) the weight assigned by the association to each horse in a running horse-race;

(n) the eligibility conditions that have to be met by each horse in a race;

(o) the amount of purse money or the prizes offered for each race;

(p) in the case of a race-course that has more than one type of track, the types of track on which each race will be run;

(q) the types of bets offered on each race;

(r) a list of the ratios that are used by an association to display odds;

(s) a statement that approximate odds represent only the probable pay-out price of the win pool at the time they are posted and have no bearing on the pay-out price for any other pool;

(t) a statement that where, pursuant to section 33, approximate odds for any horse are posted as "1:9", the pay-out price based on a \$2 bet on the win pool may be as low as \$2.10;

(u) the location of

(i) the notice-board, and

(ii) where applicable, the photo finish display board;

(v) the legal percentages;

(w) if applicable, a symbol indicating which horses have been administered furosemide in the manner set out in paragraph 170.1(1)(e);

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(x) a statement that all tickets should be kept until the official result of the race is declared; and

(y) a statement that any type of bet offered by the association set out in the race program means that type of bet as defined in section 2, and, in the case of a type of bet authorized by the association's permit, that is not defined in section 2, as that type of bet is specified in the permit.

Information on Each Race

26. (1) An association shall, in respect of each race, provide the public in an easily accessible manner, by purchase or otherwise, with the following information:

- (a) the date, number and scheduled post time of the race;
- (b) the distance of the race;
- (c) the number worn by each horse in the race and, if that number is different from the post position of a horse, the post position of the horse;
- (d) the name, sex and age of each horse in the race;
- (e) the name of the trainer, owner and jockey or driver of each horse in the race;
- (f) the weight assigned to each horse in a running horse race;
- (g) the eligibility conditions that have to be met by each horse in the race;
- (h) the amount of purse money or prizes offered for the race;
- (i) in the case of a race-course that has more than one type of track the type of track, on which the race will be run;
- (j) the types of bets offered on the race and the rules by which the pay-out price is calculated and distributed;
- (k) with respect to odds,
 - (i) the approximate odds and final odds on each horse, entry or mutuel field in the race;
 - (ii) during the five minutes before the close of betting, the approximate odds referred to in subparagraph (i), at intervals not exceeding two minutes,
 - (iii) if the odds are 1 to 10 or less and the association displays the odds in terms of a ratio but is incapable of displaying odds of 1 to 10 or less, those odds be displayed as "1:9", the lower odds not needing to be otherwise displayed;
 - (iv) if the odds are higher than 99 to 1, the higher odds, and if the association displays them in terms of
 - (A) a ratio, those odds displayed as "99:1", the higher odds not needing to be otherwise displayed, or
 - (B) a pay-out price, those odds displayed as "\$99.90", the higher odds not needing to be otherwise displayed;
- (l) the legal percentages and breakage rules applicable to each pool;
- (m) the horses that are on the EIPH list;
- (n) the official result and the winning combination of horses and pay-out prices for every pool, including refunds;
- (o) the running time of the race;
- (p) any entries and mutuel fields, late scratches, unfair starts, declarations of horses as non-contestants and dead heats;
and
- (q) the numbers of any scratched horses and any refunds made in accordance with these Regulations.

(2) An association that hosts a pool shall, on request, make available the following information:

- (a) the amount of money bet on each horse and on each winning combination of horses;
- (b) the total amount of money bet on each pool; and
- (c) any additional amounts added to the pool, including any overages and underpayments in accordance with sections 65 and 113.

Section 26 formerly read:

26. (1) An association that conducts 10 or more days of pari-mutuel betting during a year shall, in respect of every racing card, in addition to the information required by section 25, include in a race program or in some other publication that the association shall make available at the

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race-course, the following information:

(a) subject to subsection (2), in respect of each horse in a race, the chart lines of the last six races of that horse, listing the most recent race first and including, for each race,

- (i) the date,
- (ii) the name of the race-course,
- (iii) the size and type of track,
- (iv) the track condition,
- (v) the type of race,
- (vi) where applicable, the weight assigned to the horse,
- (vii) where applicable, the symbol for a free-legged pacer or a trotter wearing hobbles,
- (viii) the distance,
- (ix) the time of the leading horse at each measured fraction of the track, including the time of the winning horse,
- (x) the post position of the horse,
- (xi) the position of the horse at each measured fraction of the track,
- (xii) the position of the horse in the stretch and the number of lengths, if any, behind the leading horse,
- (xiii) the position of the horse in the official result,
- (xiv) the number of lengths, if applicable, that the horse finished behind the winning horse,
- (xv) the time for the horse to complete the race,
- (xvi) the final odds on the horse, expressed in dollars,
- (xvii) the name of the jockey or the driver of the horse,
- (xviii) the names of the horses that in the official result came in first, second and third,
- (xix) if the horse was scratched, the reason therefor;
- (xx) where applicable, the symbols that indicate that the horse had broken gait, was parked-out, caused a recall or was suffering from exercise-induced pulmonary hemorrhage, and
- (xxi) if the horse ran with the aid of a drug, the name of, or symbol for, the drug;

(b) in respect of each horse in a race, a summary for the current year and the preceding year of that horse's

- (i) starts in purse races, including the number of times the horse finished first, second and third in the official result, and
- (ii) amount of earnings from purse races;

(c) in respect of each horse in a race, the horse's best time in a race in the current year and the preceding year;

(d) in respect of each horse in a race, a symbol that identifies the type of licence issued by a Commission to the jockey or driver of the horse; and

(e) an explanation of the information referred to in paragraphs (a) to (d).

(2) Where chart lines are required under paragraph (1)(a) and a horse has not raced six times, the race program shall show

- (a) chart lines of as many past races as the horse has raced; and
- (b) the horse's running time in its last official work-out or qualifying race, as the case may be.

Information on Horse's Past Performance

27. An association that conducts 10 or more days of pari-mutuel betting during a year shall in respect of every race held at its race-course provide the public at that race-course in an easily accessible manner, by purchase or otherwise, with the following information no later than one hour before post time of the first race;

(a) for each horse in a race, the chart lines of the last five races of that horse, listing the most recent race first and including, for each race,

- (i) the date,
- (ii) the name of the race-course,

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- (iii) the size and type of track,
 - (iv) the track condition,
 - (v) the type of race,
 - (vi) the weight assigned to the horse, if applicable,
 - (vii) the information that the horse competed as a free-legged pacer or a trotter wearing hobbles, if applicable,
 - (viii) the distance,
 - (ix) the time of the leading horse as reported by the charter at each measured fraction of the track, including the time of the winning horse,
 - (x) the post position of the horse,
 - (xi) the position of the horse as reported by the charter, at each measured fraction of the track,
 - (xii) the position of the horse, as reported by the charter, in the home stretch and the number of lengths, if any, behind the leading horse,
 - (xiii) the position of the horse in the official result,
 - (xiv) the number of lengths behind the winning horse at the finish of the race as reported by the charter, if applicable,
 - (xv) the time for the horse to complete the race,
 - (xvi) the final odds on the horse, expressed in dollars,
 - (xvii) the name of the jockey or the driver of the horse and, if the surname and initials of two or more of those persons are identical, their full given names,
 - (xviii) the names of the horses that in the official result came in first, second and third in the official result,
 - (xix) the reason that the horse was scratched, if applicable,
 - (xx) each instance in which the charter reported that the horse broke gait, was parked-out, caused a recall or was suffering from exercise-induced pulmonary hemorrhage, and
 - (xxi) the information that the horse was on the EIPH list, if applicable;
- (b) in respect of each horse in a race, a summary for the current year and the preceding year of the horse's
- (i) starts in purse races, including the number of times the horse finished first, second and third in the official result, and
 - (ii) amount of earnings from purse races;
- (c) for each horse in a race, the type of licence issued by a Commission to the jockey or driver of the horse;
- (d) an explanatory note regarding the information referred to in paragraphs (a) to (c);
- (e) if chart lines are required under paragraph (a) and a horse has not raced five times,
- (i) the chart lines of as many past races as the horse has raced, and
 - (ii) the horse's running time in its last official work-out or qualifying race, as the case may be; and
- (f) if chart lines are required under paragraph (a) and the horse has raced in a foreign jurisdiction, the chart lines presented in a manner that is in accordance with the applicable rules of the jurisdiction in which the race was held.

Section 27 formerly read:

27. (1) The Executive Director may approve the use by an association of an abbreviated version of its race program where
- (a) betting begins more than one hour before post time of the first race of a racing card; or
 - (b) the association conducts foreign race separate pool betting.
- (2) Where, pursuant to subsection (1), the use by an association of an abbreviated version of its race program is approved, the

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abbreviated version shall contain all the information required by section 25.

28. REPEALED

Section 28 formerly read:

28. An association shall ensure that the number worn by each horse is the same as the number of that horse as shown on the race program.

29. REPEALED

Section 29 formerly read:

29. Where the surname and initials of two or more persons appearing on a race program are identical, the race program shall identify those persons by their full given names or addresses.

30. REPEALED

Section 30 formerly read:

30. Where a race program refers to any provision of these Regulations or to any excerpts therefrom, those references shall employ the exact language of the provisions or excerpts as they appear in these Regulations.

31. REPEALED

Section 31 formerly read:

31. (1) An association that conducts 10 or more days of pari-mutuel betting during a year shall provide an infield board on which the association shall display, for each race,

- (a) the odds referred to in section 32;
- (b) the official result of the first four horses in the race;
- (c) the winning combinations of horses for any feature pool;
- (d) the pay-out prices;
- (e) the race number;
- (f) dead heats, if any;
- (g) the post time;
- (h) the running time of the race;
- (i) the words "Photo", "Official" and "Objection" or "Inquiry", as the case may be; and
- (j) the entries and mutuel fields, if any.

(2) An association shall ensure that its infield board is adequately lit so that the information shown on it is visible to the public attending at the race-course.

(3) An association shall, no fewer than 48 hours before the beginning of a race-meeting, permit an officer to examine its infield board to determine whether it meets the requirements of subsections (1) and (2).

32. REPEALED

Section 32 formerly read:

32. (1) An association shall display on an infield board the approximate odds and the final odds on each horse, entry or mutuel field in a race.

(2) During the 10 minutes before the close of betting, an association shall display the approximate odds referred to in subsection (1) on its infield board, at intervals not exceeding two minutes.

33. REPEALED

Section 33 formerly read:

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33. Where the odds are 1 to 10 or less and the infield board is one that displays the odds in terms of a ratio and is incapable of displaying odds of 1 to 10 or less, those odds may be displayed by the expression "1:9" and the lower odds need not be otherwise displayed.

34. REPEALED

Section 34 formerly read:

34. Where the odds are higher than 99 to 1 and the infield board is one that displays the odds in terms of

- (a) a ratio, the odds may be displayed by the expression "99:1", or
- (b) a pay-out price, the odds may be displayed as "\$99.90",

and the higher odds need not be displayed.

35. REPEALED

Section 35 formerly read:

35. The final odds on each horse, entry or mutuel field shall be displayed by an association on its infield board

- (a) subject to subsection 73(2), within one minute after the start of the race or before the first horse crosses the finish line, whichever occurs first; and
- (b) for at least 30 seconds after the pay-out prices for a race are posted.

36. REPEALED

Section 36 formerly read:

36. An association shall ensure that the official result of the first four horses in a race and the pay-out prices remain displayed on the infield board for three minutes after the end of the race or until such time as the horses for the next race begin their post parade, whichever is later.

37. REPEALED

Section 37 formerly read:

37. An association shall provide an officer, in writing, in respect of each race, with the approximate odds, the final odds and the pay-out prices.

38. REPEALED

Section 38 formerly read:

38. Where an infield board that displays data by means of an electronic display fails to function properly, an association shall use an alternative form of public display during such period as is reasonable to effect the necessary repairs to, or the replacement of, the infield board.

39. REPEALED

Section 39 formerly read:

39. An association shall provide a notice-board on which it shall post, from the time that it comes to the association's attention until the end of the racing card, any errors to be corrected, or changes to be made in a race program, a publication referred to in subsection 26(1) or an abbreviated version of a race program referred to in section 27.

40. REPEALED

Section 40 formerly read:

40. (1) An association shall display, immediately after the end of each race, in a manner readily visible to the public, the following information:

- (a) the numbers of the winning horses and winning combinations of horses;
- (b) the pay-out prices for each pool; and

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- (c) the numbers of any scratched horses.
- (2) An association that hosts a pool shall, on request, make available the following information:
 - (a) the amount of money bet on each horse and on each winning combination of horses; and
 - (b) the total amount of money bet on each pool.
- (3) An association that hosts a pool shall, on request of an officer, make available any information related to the pool.

41. REPEALED

Section 41 formerly read:

41. An association shall provide a public-address system at a race-course.

42. REPEALED

Section 42 formerly read:

42. An association shall announce on its public-address system, immediately after it has been notified of any of the following by an officer or a judge or steward, as the case may be,
- (a) a late scratch;
 - (b) an unfair start;
 - (c) a horse that is declared to be a non-contestant;
 - (d) any objection or inquiry;
 - (e) the result of any objection or inquiry that is posted on the infield board;
 - (f) any entry that is not reflected in the race program;
 - (g) any refunds that are required to be made under Part IV; and
 - (h) any errors to be corrected or changes to be made in the race program that are posted on the notice-board pursuant to section 39.

COMMUNICATION SYSTEM

43. An association shall provide, at every race-course, a telephone or a similar device for an officer to communicate with

- (a) the judges' stand;
- (b) the pari-mutuel department; and
- (c) if applicable, the facilities of the photo finish surveillance program, the video patrol surveillance program and the equine drug control program.

Section 43 formerly read:

43. An association shall provide, at every race-course, a telephone or other electronic communication system

- (a) between the judges' stand and
 - (i) the pari-mutuel department,
 - (ii) the infield board,
 - (iii) the paddock,
 - (iv) the starting gate, and
 - (v) where applicable, the facilities of the photo finish surveillance program, the video patrol surveillance program and the drug control surveillance program; and
- (b) between the pari-mutuel department and the infield board.

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FINISH LINE

44. An association shall provide a finish line on the track at its race-course that has been established by a surveyor and that is located at right angles to the track, immediately in front of the judges' stand or, if the association has a photo finish surveillance program, immediately in front of the photo finish camera.

ARTIFICIAL LIGHTING

45. An association that holds races after dusk shall provide artificial lighting of the entire track.

PHOTO FINISH SURVEILLANCE PROGRAM

46. An association that has a photo finish surveillance program shall provide any facilities that are required for the proper operation of the program.

47. (1) If an association has a photo finish surveillance program, the association shall display a photo finish picture, in a manner readily visible to the public and immediately after the judges have decided the official result, whenever the distance between horses involved in a pari-mutuel pay-out is less than a neck at the finish line.

(2) An association that has a photo finish surveillance program shall ensure that each horse is equipped with a number on its saddle pad that corresponds to the number of the horse in the race information and that will be clearly identifiable in a photo finish picture.

(3) An association that runs trotting or pacing horse-races and has a photo finish surveillance program shall ensure that the wheel discs of the sulkys in a race are of a colour and type that do not interfere with the identification of the horses in a photo finish picture.

Subsections 47(1) and (2) formerly read:

47. (1) Where an association has a photo finish surveillance program, the association shall display a photo finish picture immediately after the judges decide the official result, on a photo finish display board provided by the association at a location approved by an officer and stated in the race program, whenever

(a) the "Photo" sign is displayed on the infield board; or

(b) at the finish line, the distance between horses involved in a pari-mutuel pay-out is less than a neck.

(2) An association that has a photo finish surveillance program shall ensure that each horse is equipped with a number on its head and on its saddle pad that corresponds to the number of the horse in the race program and that will be clearly identifiable in a photo finish picture.

VIDEO PATROL SURVEILLANCE PROGRAM

48. An association that has a video patrol surveillance program shall provide any facilities that are required for the proper operation of the program.

49. REPEALED

Section 49 formerly read:

49. An association that has a drug control surveillance program shall provide a retention area on its premises for the activities relating to the program and shall provide access to persons concerned to undertake those activities.

ACCESS

50. An association shall permit an officer unrestricted access at all times to its facilities and equipment and to all books, ledgers, accounts, documents and records of the association that relate to pari-mutuel betting.

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PART III

PARI-MUTUEL BETTING OPERATIONS

REQUIREMENTS RESPECTING PARI-MUTUEL BETTING OPERATIONS

51. (1) No association shall conduct pari-mutuel betting on races that are not held in accordance with the applicable rules of racing.

(2) No association shall offer a type of bet that is not expressly authorized under its permit.

(3) The Executive Director may set out terms and conditions in the association's permit governing each type of bet.

(4) Where a bet is made in foreign currency, the value of the bet for the purposes of calculating the applicable deductions and pay-out prices shall be determined by converting the foreign currency into Canadian currency at the rate of exchange between the Canadian dollar and that foreign currency as quoted by the Bank of Canada at noon on the day immediately preceding the day on which the post time of the first race of the racing card is scheduled.

52. (1) An officer or an association may cancel a type of bet on a race, or on a horse, entry or mutuel field in the race, before betting begins on that race.

(2) Subject to subsections (3) and (4), no association shall, after betting has begun on a race, refuse to accept bets on a horse, entry or mutuel field in the race.

(3) No association shall conduct pari-mutuel betting on a horse, entry or mutuel field that is

(a) a late scratch;

(b) added to a race after betting has begun; or

(c) removed from the pari-mutuel system for any period of time during which the betting has been opened for that race.

(4) No association shall conduct pari-mutuel betting on a race or on a horse, entry or mutuel field in a race if an officer has ordered that betting be stopped.

Paragraph 52(3)(b) formerly read:

(b) added to a race after betting has begun.

Subsection 52(4) formerly read:

(4) No association shall conduct pari-mutuel betting on a race or on a horse, entry or mutuel field in a race where an officer has ordered that that betting be closed because there are reasonable grounds for the officer to believe that the integrity of betting on that race or on the horse, entry or mutuel field, as the case may be, is in doubt.

53. (1) Except as provided in sections 76 to 98, no association shall accept bets or instructions to bet on a race from any person by telephone or by any other means of communication that originates from outside the race-course at which the race is taking place.

(2) Except as provided in sections 76 to 84.9, no association shall accept bets or instructions to bet on a race from any person unless that person tenders to the association, for each bet, cash or a voucher issued by the association in exchange for cash.

Subsection 53(1) formerly read:

53. (1) Except as provided in sections 76 to 89, no association shall accept bets or instructions to bet on a race from any person by telephone, telegram or any other means of communication that originates from outside the race-course at which the race is taking place.

54. (1) Subject to subsections (3), 81(2) and 84.6(2), a bet is made when a ticket is issued.

(2) Where a person makes a tender in accordance with subsection 53(2), the association shall immediately

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(a) issue a ticket to the person; or

(b) where, for any reason, a ticket cannot be issued, return the cash or voucher to the person.

(3) A bet made at a self-service terminal is made when the pari-mutuel system creates an electronic record of the bet.

Subsection 54(1) formerly read:

54. (1) Subject to subsections 81(2) and 84.6(2), a bet is made when a ticket is issued.

55. (1) If betting has begun on a race and a type of bet cannot be issued because of a defective totalizator, an association shall close betting on that type of bet and shall not resume offering that type of bet unless, prior to the race, the defect in the totalizator is rectified.

(2) Where, pursuant to subsection (1), a type of bet on a race is closed until such time as the race is run, all bets of that type that were made before betting was closed shall constitute the pool.

Subsection 55(1) formerly read:

55. (1) Where betting has begun on a race and a ticket on a type of bet cannot be issued owing to a defective totalizator or because there are no pre-printed tickets available, an association shall close betting on that type of bet and shall not resume offering that type of bet unless, prior to the race,

(a) the defect in the totalizator is rectified; or

(b) pre-printed tickets for that type of bet become available.

56. Where an association proposes to cancel or cancels any race on a racing card, the association shall immediately notify an officer.

57. (1) No association shall, on request of a person, cancel a bet and provide a refund to that person except in accordance with this section.

(2) Subject to subsections (5) and (6), where a person requests the cancellation of a bet, the association shall cancel the bet and provide a refund to the person if the request and cancellation take place before the betting on the race has closed.

(3) Where a person who makes a bet claims immediately upon receiving a ticket that the ticket is incorrect, the association shall cancel the bet and provide a refund to the person.

(4) Where an officer has reasonable grounds to believe that, on request of a person, the cancellation and refund of a bet made to that person may impact negatively on the integrity of the betting, the officer shall order the association to refuse to cancel and refund the bet.

(5) No association shall, on request of a person, cancel a bet and provide a refund to that person where

(a) that association has reasonable grounds to believe that the cancellation and refund of the bet may impact negatively on the integrity of the betting; or

(b) an officer orders the association to refuse to cancel and refund the bet under subsection (4).

(6) In order to prevent the cancellation of a bet from distorting or manipulating information displayed to the public in respect of a pool, a permit issued under subsection 6(1) shall contain the following conditions based on an historical record of the relevant betting patterns of an association and the horse racing industry:

(a) a threshold monetary amount of a bet above which an association may not, on request of a person, cancel the bet unless the person provides satisfactory proof of the person's identity; and

(b) time limits, in reference to the betting on a race, outside of which an association may not, on request of a person, cancel a bet.

(7) An association shall notify the public of the terms on which a bet may, on request of a person, be cancelled.

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58. No association shall refuse a claim for payment or a refund on a mutilated or torn ticket where the ticket can be identified to the satisfaction of an officer as a winning ticket.

59. REPEALED

Section 59 formerly read:

59. (1) No association shall, before betting has closed, subtract the value of any bet from a pool unless the ticket that was issued for the bet was

- (a) mutilated by the ticket-issuing machine and refunded; or
- (b) taken back and refunded and was not reissued.

(2) Where the value of a bet is subtracted from a pool under subsection (1), an association shall immediately notify an officer of the amount of money subtracted and, where applicable, of the seller's or teller's name.

60. (1) Where a person makes a complaint respecting pari-mutuel betting to an association, the association shall immediately make out a complaint report, setting out

- (a) the name of the complainant;
- (b) the nature of the complaint;
- (c) the name of the person, if any, against whom the complaint is made;
- (d) the date of the complaint; and
- (e) the action taken or proposed to be taken, if any, by the association.

(2) An association shall give every complaint report to an officer within forty-eight hours after the complaint has been made.

PARI-MUTUEL DEPARTMENT

61. REPEALED

Section 61 formerly read:

61. An association that has reasonable grounds to believe that an employee of a pari-mutuel department has contravened section 204 of the Act or these Regulations shall suspend or terminate that employee from employment and shall forthwith notify the Executive Director of the suspension or termination.

62. An association shall maintain a current list of the names of all personnel with access to the pari-mutuel department and shall provide the list to an officer on request.

Section 62 formerly read:

62. An association shall maintain a current list of the names and addresses of the supervisory personnel of the pari-mutuel department and shall forthwith provide the list to an officer on request.

63. (1) Subject to subsection (2), no person on the list referred to in section 62 shall, while having access to the pari-mutuel department,

- (a) place a bet or come into possession of a ticket; or
- (b) sell a ticket to or cash a ticket from a person who is not on the public side of the betting window.

(2) Subsection (1) does not apply to an on-track messenger employed by an association to place bets on behalf of persons attending at the race-course.

(3) No association shall open an account for a person who works in the association's pari-mutuel department.

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The portion of subsection 63(1) before paragraph (a) formerly read:

63. (1) Subject to subsection (2), no person who is an employee of a pari-mutuel department shall, while that person is inside the pari-mutuel department,

Paragraph 63(1)(b) formerly read:

(b) sell a ticket to or cash a ticket from a person other than a person who is on the opposite side of the employee's betting window.

64. (1) An association shall determine shortages and overages by comparing the actual amount of money turned in by each teller or terminal, as the case may be, with receipts in respect of cash draws and returns and records of the value of all bets made, cancelled, cashed and refunded and vouchers sold and cashed.

(2) Subject to section 65, no association shall offset a shortage by an overage.

(3) REPEALED

Subsection 64(1) formerly read:

64. (1) An association shall determine shortages and overages by comparing the actual amount of money turned in by each seller, cashier, teller or terminal, as the case may be, with receipts in respect of cash draws and cash returns and records of the value of all bets made, bets cancelled, bets cashed and bets refunded.

Subsection 64(3) formerly read:

(3) Where an association determines that there is a shortage in the money in the money box of an employee of the pari-mutuel department, that employee shall forthwith reimburse the association for the amount of the shortage.

65. (1) At the end of each racing day, an association shall add together any overages occurring in any races of that racing day and the resulting sum shall then be added to a future pool, in the manner described in the permit.

(2) Where overages are to be added to a pool, they shall be added to the net pool.

(3) An association shall add all money resulting from an overage to a pari-mutuel pool, not later than one year after the day on which the overage was incurred.

Subsection 65(1) formerly read:

65. (1) At the end of each racing day, an association shall add together any overages occurring in any races of that racing day and the resulting sum shall then be added, after betting has ended but before the pay-out price is calculated, to the first pool that is conducted on the third day on which pari-mutuel betting is held by that association after the day on which the overages occurred.

66. Before the start of each racing card or within 24 hours after the completion of any race-meeting, whichever occurs first, an association shall prepare and provide an officer with a report that shows

(a) for each teller or terminal, the value of bets made, cash draws and returns and records of the value of all bets made, cancelled, cashed and refunded and vouchers sold and cashed;

(b) each teller's name or identification number and the number of each terminal; and

(c) the amount of any shortages or overages as determined under subsection 64(1).

Section 66 formerly read:

66. (1) Before the start of each racing card or within 24 hours after the completion of any race-meeting, whichever occurs first, an association shall prepare and provide an officer with a statement or computer print-out for the immediately preceding racing card that contains

(a) in the case of any pari-mutuel system with separate selling and cashing terminals,

(i) for each seller, for each race, the denomination, type and value of bets made and bets cancelled,

(ii) for each cashier, for each race, the value of bets cashed and bets refunded,

(iii) the name or identification number of each seller referred to in subparagraph (i) and each cashier referred to in subparagraph

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- (ii), and
- (iv) for each pool, for each race, the amount of any shortages or overages as determined under subsection 64(1); and
- (b) in the case of a computerized pari-mutuel system with combined selling and cashing terminals,
 - (i) for each teller or terminal, for each race, the value of bets made, bets cancelled, bets cashed and bets refunded,
 - (ii) each teller's name or identification number and the number of each terminal, and
 - (iii) the amount of any shortages or overages as determined under subsection 64(1).

67. REPEALED

Section 67 formerly read:

67. (1) Where an association offers a daily double, the association shall issue
- (a) a separate ticket for each race; or
 - (b) one ticket to select race winners in both races.
- (2) No association that uses an exchange system shall permit a person
- (a) to increase the amount of the person's bet in the course of exchanging a ticket on a winning horse in the first race of a daily double for a ticket on a horse in the second race of the daily double; and
 - (b) to change a ticket on a horse in the second race of the daily double where the horse is scratched from that race.
- (3) An association that uses an exchange system shall, whenever two or more horses that are not part of the same entry or of the same mutuel field finish in a dead heat in first place in the official result of the first race of a daily double, for each horse involved in the dead heat,
- (a) provide separate windows for the exchange of tickets on each winning horse; and
 - (b) record the exchange of tickets separately.

ENTRIES AND MUTUEL FIELDS

68. Where the applicable rules of racing provide for the combining of two or more horses as an entry, an association shall consider any entry created under those rules to be an entry for the purposes of pari-mutuel betting.

Section 68 formerly read:

68. (1) Where the applicable rules of racing provide for the combining of two or more horses as an entry, an association shall consider any entry created under those rules to be an entry for the purposes of pari-mutuel betting.
- (2) Notwithstanding subsection (1), an officer may combine any two or more horses in a race as an entry where the officer considers it necessary for the integrity of pari-mutuel betting.

69. An association shall consider a bet made on one horse of an entry or mutuel field to be a bet on all of the horses in that entry or mutuel field.

70. No association shall host a type of bet that combines horses from the same entry or mutuel field.

Section 70 formerly read:

70. No association shall offer a quinella, exactor or triactor bet that combines horses from the same entry or mutuel field.

71. REPEALED

Section 71 formerly read:

71. No association shall permit betting to begin more than one hour before the scheduled post time of the first race of a racing card, unless it has first obtained the authorization of an officer.

CLOSE OF BETTING

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73. (1) No association shall accept bets on a race after the start of the race.

(2) If an association does not record betting on a race directly into the appropriate pool, the association shall ensure that betting closes at such a time before post time that is required to record all bets and calculate and display the final odds.

(3) For the purpose of ensuring compliance with subsection (1) or (2), an officer may order an association to close betting on a race.

Subsection 73(2) formerly read:

(2) Where an association uses pre-printed tickets or ticket-issuing machines without a totalizator or, in any other case where an association does not record betting on a race directly into the appropriate pool, the association shall ensure that betting closes at such time before post time as is required to record all bets and calculate and display the final odds.

74. Where, in respect of a race, ticket-issuing machines have been closed prematurely before the start of the race, an officer may authorize an association to reopen the ticket-issuing machines for the remainder of the period in which betting is permitted, where, in the opinion of the officer, the bets made after the ticket-issuing machines have reopened can be combined with the bets made before the ticket-issuing machines were closed.

TELEPHONE ACCOUNT BETTING

76. (1) An association that proposes to conduct telephone account betting shall apply in writing to the Executive Director.

(2) [Previously Repealed]

(3) No association shall conduct telephone account betting unless

(a) the association has been issued a permit;

(b) the services, facilities and equipment for conducting telephone account betting have been inspected and authorized by an officer; and

(c) the association has been authorized in writing by the Executive Director to conduct telephone account betting.

Subsection 76(1) formerly read:

76. (1) An association that proposes to conduct telephone account betting shall apply in writing to the Executive Director each year for a home market area. The association shall include the recommendation of the appropriate Commission with its application.

Paragraph 76(1)(c) formerly read:

(c) the association has been assigned a home market area.

77. (1) No association shall open an account other than in accordance with this section.

(2) An association that is authorized under paragraph 76(3)(c) may open a telephone betting account for any person who resides

(a) in the province in which the association operates a race-course;

(b) in another province, if approved by the appropriate Commission;

(c) in any of the Canadian Territories; or

(d) outside Canada.

(2.1) If a Commission has established intra-provincial boundaries for the purposes of limiting telephone account betting, an association wishing to conduct telephone account betting within those boundaries shall

(a) obtain an authorization from the appropriate Commission for that purpose; and

(b) provide the Executive Director with evidence of the Commission's authorization.

(3) REPEALED

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(4) REPEALED

(5) Where an association has opened an account other than in accordance with this section, the association shall forthwith close the account and return the balance of the money on deposit to the account holder.

The portion of subsection 77(2) before paragraph (d) formerly read:

(2) An association authorized to conduct telephone account betting may open an account for any person where an application in writing is made to the association and where the person who will be the account holder resides

(a) in a home market area of the association;

(b) in a home market area of another association where the association has entered into an agreement with that other association to conduct telephone account betting in that other association's home market area;

(c) in the Yukon Territory or the Northwest Territories; or

Subsections 77(3) and (4) formerly read:

(3) No association shall knowingly open an account for any employee of the association who is employed in the telephone account betting system.

(4) No employee of an association who is employed in the telephone account betting system shall open or hold an account.

78. Where an association opens an account for a person, the association shall forthwith

(a) assign an account number and an identification code to the account; and

(b) inform the account holder of the account number and the identification code assigned to the account.

79. (1) An association that operates a telephone account betting system shall hold any money deposited into an account as a custodian or depository for the account holder.

(2) No association shall accept a telephone account bet unless

(a) the account holder provides the telephone account betting system with the correct account number and identification code; and

(b) there is sufficient money in the account to cover the bet.

(3) Subject to section 118, no association shall permit any money to be withdrawn from an account other than by the account holder or the account holder's legal representative.

Paragraph 79(2)(a) formerly read:

(a) the person making the bet provides the telephone account betting system with the correct account number and identification code and the amount of the bet; and

80. (1) Where an account holder deposits money into an account, the association shall forthwith credit the account with the amount of the deposit.

(2) Where an account holder makes a telephone account bet, the association shall forthwith debit the account by the amount of the bet.

(3) Where an account holder has made a winning telephone account bet, the association shall credit the amount won to the holder's account immediately after the posting of the pay-out prices.

(4) If an account holder, or the account holder's legal representative, requests a withdrawal from the holder's account, the association shall give effect to the request within 48 hours.

(5) Where an account holder provides the correct telephone betting account number and identification code to a telephone account betting system and requests to be informed of the current balance of the account, an association shall

(a) where the request is for an oral statement, provide the requested information forthwith; and

(b) where the request is for a written statement of account, issue that written statement of account within 48 hours.

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(6) An association shall ensure that the statement of account referred to in paragraph (5)(b) contains all data respecting telephone account betting conducted by the account holder for the preceding 21 days.

(7) Where the terms of a telephone account betting system provide that an association shall pay interest on the money in an account, the association shall

(a) credit the interest as a deposit to the account; and

(b) identify the interest separately on the statement referred to in paragraph (5)(b).

Subsection 80(4) formerly read:

(4) Where an account holder requests a withdrawal from the holder's account, the association shall give effect to the request within 48 hours.

Paragraph 80(7)(b) formerly read:

(b) identify the interest separately on the statements referred to in paragraph (5)(b) and subsection 81(5).

81. (1) On the request of the account holder, a telephone account betting system shall provide the account holder with the balance in the account.

(2) A telephone account bet is made when the bet has

(a) been specified to the telephone account betting system by the account holder;

(b) been recorded in its entirety; and

(c) when requested by the account holder, been verified to that person by the telephone account betting system.

(3) [Previously Repealed]

(4) Where a disagreement arises with respect to the making of a telephone account bet, the account holder may request the recording referred to in paragraph (2)(b).

(5) REPEALED

(6) When an account holder places a telephone account bet orally, it shall be voice-recorded.

Subsection 81(1) formerly read:

81. (1) A telephone account betting system shall confirm to the account holder the balance in the account before and on completion of each telephone account betting session.

Paragraphs 81(2)(b) and (c) formerly read:

(b) been recorded in its entirety by automatically activated recording equipment; and

(c) when requested by the account holder, been verified to that person by the telephone account betting system confirming the information referred to in paragraph 79(2)(a).

Subsection 81(5) formerly read:

(5) An association shall, within 24 hours after the termination of a racing card, provide an officer with a statement of all telephone account bets made in respect of that racing card and the amount of each of those telephone account bets.

82. An association shall retain all recordings and any written or computer-stored data referred to in subsection 81(2) for no fewer than 35 days and shall make those recordings and data available to an officer on request.

83. (1) A telephone account holder who claims that a statement of account is incorrect shall make the claim to the association within 14 days after the day that the statement is issued.

(2) Where a claim is made under subsection (1), no association shall dispose of any recording or any written or computer-stored data related to that account until authorized to do so by an officer.

(3) An association shall process any complaint by a telephone account holder respecting telephone account betting pursuant to section 60.

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84. An officer may audit an account at any time.

Section 84 formerly read:

84. The Executive Director may audit any account on a random basis or whenever a complaint is made with respect to the accuracy of a telephone account betting transaction.

ON-TRACK ACCOUNT BETTING

84.1 (1) An association that proposes to conduct on-track account betting shall apply in writing to the Executive Director.

(2) No association shall conduct on-track account betting unless

- (a) the association has been issued a permit;
- (b) the on-track account betting system has been inspected and authorized by an officer; and
- (c) the association has been authorized in writing by the Executive Director to conduct on-track account betting.

Subsection 84.1(1) formerly read:

84.1 (1) An association that proposes to conduct on-track account betting shall notify the Executive Director in writing.

84.2. REPEALED

Section 84.2 formerly read:

84.2 (1) No association shall open an account other than in accordance with this section.

(2) No association shall knowingly open an account for any employee of the association who is employed in the on-track account betting system.

(3) No employee of an association who is employed in the on-track account betting system shall open or hold an account.

(4) Where an association has opened an account other than in accordance with this section, the association shall close the account forthwith and return the balance of the money or deposit to the account holder.

84.3 Where an association opens an account for a person, the association shall forthwith

- (a) assign an account number and an identification code to the account; and
- (b) inform the account holder of the account number and the identification code assigned to the account.

84.4 (1) An association that operates an on-track account betting system shall hold any money deposited into an account as a custodian or depository for the account holder.

(2) No association shall accept an on-track account bet unless there is sufficient money in the account to cover the bet.

(3) Subject to section 118, no association shall permit any money to be withdrawn from an account, other than on presentation by the person making the withdrawal of the correct account number and identification code.

Section 84.4(2) formerly read:

(2) No association shall accept an on-track account bet unless

(a) the person making the bet enters into the on-track account betting system the correct account number and identification code and the amount of the bet; and

(b) there is sufficient money in the account to cover the bet.

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84.5 (1) Where an account holder deposits money into an account, the association shall forthwith credit the account with the amount deposited.

(2) Where an account holder makes an on-track account bet, the association shall forthwith debit the account with the amount bet.

(3) Where an account holder has a winning on-track account bet, the association shall credit the account with the amount won immediately after the posting of the pay-out prices.

(4) Where an account holder requests a withdrawal from the holder's account, the association shall give effect to the request within 48 hours.

(5) Where the on-track account betting system does not automatically generate a written statement of account and an account holder provides the correct account number and identification code to the association and requests to be informed in writing of the current balance of the account, the association shall issue the written statement within 48 hours.

(6) An association shall ensure that the statement of account referred to in subsection (5) contains all data respecting the on-track account betting conducted by the account holder for the preceding 21 days.

(7) Where the terms of the on-track account betting system provide that an association shall pay interest on the money in an account, the association shall

(a) credit the interest as a deposit to the account; and

(b) identify the interest separately on the statement of account referred to in subsection (5).

84.6 (1) On the request of the account holder, an association shall ensure that the on-track account betting system is capable of providing a visual display of the balance in the account.

(2) An on-track account bet is made when the bet has been

(a) entered into the on-track account betting system by the account holder;

(b) recorded in the account of the account holder by means that allow verification at any time; and

(c) confirmed to the account holder.

(3) An association shall ensure that the on-track account betting system is designed to provide for the automatic turning off of any visual display.

(4) An association shall ensure that the on-track account betting system is designed to discontinue access to the account of an account holder upon the turning off of the visual display referred to in subsection (3).

(5) Where a disagreement arises with respect to the making of an on-track account bet, the account holder may request that an association provide the written statement of account referred to in subsection 84.5(5) immediately upon demand.

Subsection 84.6(1) formerly read:

84.6 (1) An association shall ensure that the on-track account betting system is designed to provide to the account holder a visual display of the balance in the account before and on completion of each on-track account bet.

Paragraphs 84.6(2)(b) and (c) formerly read:

(b) recorded in the account of the account holder by means that allow verification at any time by a print-out; and

(c) confirmed to the account holder by means of a visual display.

Subsection 84.6(3) formerly read:

(3) An association shall ensure that the on-track account betting system is designed to provide for the automatic turning off of the visual display referred to in paragraph (2)(c).

Subsection 84.6(6) formerly read:

(6) An association shall, within 24 hours after the termination of a racing card, provide an officer with a statement of all on-track account

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bets made in respect of that racing card and the amount of each of those bets.

84.7 (1) An association shall retain all computer-stored and other records relating to on-track account bets for no fewer than 35 days.

(2) An association shall make available to an officer on request all records referred to in subsection (1).

84.8 (1) An account holder who claims that a statement of account is incorrect shall make the claim to the association within 14 days after the day on which the statement is issued.

(2) Where a claim is made under subsection (1), no association shall dispose of any computer-stored or other records relating to that account until authorized to do so by an officer.

(3) An association shall process any complaint by an account holder respecting on-track account betting in accordance with section 60.

84.9 An officer may audit an account at any time.

Section 84.9 formerly read:

84.9 An officer may audit any account on a random basis or whenever a complaint is made with respect to the accuracy of an on-track account bet.

THEATRE BETTING

85. (1) An association that proposes to conduct theatre betting shall apply in writing to the Executive Director each year for a theatre licence for each betting theatre that the association proposes to operate.

(2) An association making an application for a theatre licence shall

(a) be the holder of a permit;

(b) be the holder of a licence issued by the Lieutenant Governor in Council of the province in which the betting theatre is located, or any other person or authority in the province that may be specified by the Lieutenant Governor in Council, in accordance with paragraph 204(8)(e) of the Act;

(c) provide evidence that it owns the betting theatre in respect of which the application is being made, or holds a lease on that betting theatre for the time period of the proposed betting;

(d) submit a description of

(i) the methods by which the association will present the information required under sections 25 and 26 to the public,

(ii) how the association will transmit pari-mutuel data from the betting theatre to the organization conducting the pari-mutuel betting, including an explanation of how the security of the transmission will be ensured, and

(iii) the facilities and equipment to be used to conduct the theatre betting.

(3) If an association has complied with subsections (1) and (2), the Executive Director shall issue a theatre licence to that association for the time period of the proposed betting if that period is less than the duration of the permit.

Section 85 formerly read:

85. (1) An association that proposes to conduct theatre betting shall apply in writing to the Executive Director each year for a home market area and for a theatre licence for each betting theatre that the association proposes to operate. The association shall include the recommendation of the appropriate Commission with its application.

(2) The Executive Director shall not assign a home market area to an association where the association's permit authorizes it to conduct fewer than 10 days of racing at its race-course.

(3) The Executive Director shall not issue a theatre licence to an association that conducted fewer than 50 days of racing at its race-course during the year preceding its application for the licence, unless a reduced number of days was recommended by the appropriate Commission.

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- (4) An association making an application for a theatre licence shall
- (a) be in possession of a permit that authorizes the association to conduct a minimum of 50 days of racing at its race-course;
 - (b) be in possession of a licence issued by the Lieutenant Governor in Council of the province in which the betting theatre is located, or such other person or authority in the province as may be specified by the Lieutenant Governor in Council, in accordance with paragraph 204(8)(e) of the Act;
 - (c) provide evidence that it owns the betting theatre in respect of which the application is being made, or holds a lease on that betting theatre for the duration of the permit;
 - (d) provide evidence that the betting theatre meets all applicable fire and safety requirements;
 - (e) submit for approval the details of the betting theatre's
 - (i) systems for the transmission and reception of signals from the race-course at which the race takes place,
 - (ii) systems for the transmission of pari-mutuel data from the betting theatre to the race-course at which the race takes place, and
 - (iii) accommodation, furniture, facilities and equipment, including their location in the betting theatre; and
 - (f) at the time the application is made, have executed an agreement with the horsemen under contract to it for the period of the proposed theatre licence, that governs the scheduling of races for, and the sharing of revenues from, the betting at the betting theatre and provide evidence of the agreement.
- (5) An association that operates a betting theatre shall, at that betting theatre,
- (a) provide food and beverage services and public washroom facilities;
 - (b) display the information set out in sections 31 to 36 in the manner described therein;
 - (c) display live, on one or more video screens reserved exclusively for that purpose, each race on which theatre betting is conducted, together with
 - (i) the name of the race-course,
 - (ii) the number of the race, and
 - (iii) except in the case of foreign race separate pool betting, the year, month, day, hour, minutes and seconds during which the race is run; and
 - (d) provide the accommodation, furniture, facilities and equipment in the betting theatre set out in its application under subparagraph (4)(e)(iii).
- (6) Where an association's permit authorizes the association to conduct 10 or more days of racing at its race-course, the Executive Director, on application by the association in writing, shall assign a home market area referred to in subsection (1) to that association for the year in respect of which the association's permit has been issued.
- (7) Where an association has complied with the provisions of paragraphs (4)(a) to (d) and (f) and where the Executive Director has approved the details set out in paragraph (4)(e) and an officer has inspected and authorized the services, facilities and equipment referred to in subsection (5), the Executive Director shall issue a theatre licence to that association for the year in respect of which the association's permit has been issued.

86. No association shall operate a betting theatre unless,

- (a) the association has been issued a permit;
- (b) an officer has reviewed the facilities and equipment referred to in subparagraph 85(2)(d)(iii) and authorized them as being suitable for the purpose intended;
- (c) the association has been issued a theatre licence in respect of that betting theatre;
- (d) the association posts the theatre licence in the betting theatre;
- (e) the association display the Canadian Pari-Mutuel Agency contact information; and
- (f) the association informs customers on the procedure for submitting complaints.

Paragraphs 86(a), (b) and (c) formerly read:

- (a) the association has been issued a theatre licence in respect of that theatre;
- (b) the services, facilities and equipment of that theatre for conducting theatre betting have been inspected and authorized by an officer; and
- (c) the association has been assigned a home market area.

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87. REPEALED

Section 87 formerly read:

87. (1) The Executive Director may attach to a theatre licence any terms and conditions or may amend a theatre licence and, upon issuing or amending the theatre licence, shall inform the association in writing forthwith of the terms and conditions or amendments.

(2) The Executive Director may suspend, cancel or refuse to renew a theatre licence where an association has failed to comply with the Act or these Regulations or with any terms and conditions attached to the theatre licence.

88. REPEALED

Section 88 formerly read:

88. (1) Subject to subsection (2), no association shall conduct theatre betting outside a home market area assigned to it.

(2) An association may conduct theatre betting in the home market area assigned to another association where it has entered into an agreement with the other association that authorizes it to conduct theatre betting in the home market area of that other association.

(3) Where an association's permit authorizes the association to conduct fewer than 10 days of racing at its race-course, the association may apply in writing to the Executive Director to prohibit theatre betting at any betting theatre located within 30 km of the association's race-course on any two of the days on which that association is authorized to conduct pari-mutuel betting.

89. REPEALED

Section 89 formerly read:

89. (1) Subject to subsection (2), an association that conducts theatre betting shall combine the money bet at its betting theatre on each pool with and distribute the pay-out prices from, the money bet on the corresponding pool at its race-course.

(2) Where in the Executive Director's opinion the recording of bets and the distribution of pools from theatre betting at an association's race-course under subsection (1) is economically prohibitive, the Executive Director may permit the association to pool the money bet and distribute the pay-out prices at its betting theatre.

INTER-TRACK AND SEPARATE POOL BETTING

90. (1) Subject to subsection (1.1), an association that proposes to conduct inter-track betting or separate pool betting at its race-course, whether as a pool host or a satellite track, shall

(a) be in possession of an approval issued by the appropriate Commission to conduct 10 or more days of racing for the year;

(b) apply each year in writing to the Executive Director for authorization to conduct the inter-track or separate pool betting each year; and

(c) provide evidence of an agreement between the association and another association for the conduct of inter-track betting or separate pool betting, as the case may be, between the race-courses of the two associations, whether as a pool host or a satellite track, and include

(i) the types of bets that are proposed to be offered,

(ii) the legal percentages to be deducted from each pool that each association proposes to offer, and

(iii) the method of calculation that the associations propose to use for each pool that is combined.

(1.1) An association that proposes to conduct inter-track betting or separate pool betting at its race-course as a pool host or a satellite track by combining the money bet on pools in a foreign country with the money bet on the corresponding pools at its race-course shall

(a) be in possession of an approval issued by the appropriate Commission to conduct 10 or more days of racing for the year;

(b) apply each year in writing to the Executive Director for authorization to conduct the inter-track betting and include the name and address of

(i) the organization conducting the foreign betting, and

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(ii) the governing body that regulates the foreign betting; and

(c) provide evidence of an agreement between the association and the organization conducting the foreign betting, and include

(i) the types of bets that are proposed to be offered,

(ii) the legal percentages to be deducted from each pool that the association proposes to offer and the percentage to be deducted from each pool that the foreign organization proposes to offer, and

(iii) the method of calculation that the association and the foreign organization propose to use for each pool that is combined.

(1.2) If the association already has an authorization for the previous year to conduct the inter-track betting or separate pool betting as a pool host or a satellite track, pursuant to subsection (1) or (1.1), the association may provide the Executive Director with a statement, in writing, confirming that the information submitted in its previous year's application in respect of that authorization remains unchanged.

(2) No association shall conduct inter-track or separate pool betting unless

(a) the association has been issued a permit;

(b) the association has been authorized in writing by the Executive Director to conduct inter-track or separate pool betting; and

(c) an officer has reviewed the facilities and equipment for conducting inter-track and separate pool betting and authorized them as being suitable for the purpose intended; and

(d) the association has informed the Executive Director of the dates that the races will be held.

Section 90 formerly read:

90. (1) Subject to subsection (1.1), an association that proposes to conduct inter-track betting or separate pool betting at its race-course, whether as a host track or a satellite track, shall

(a) be in possession of a permit that authorizes the association to conduct a minimum of 10 days of racing at its race-course;

(b) apply in writing to an officer for authorization to conduct inter-track or separate pool betting each year;

(c) provide evidence of an agreement between the association and another association for the conduct of inter-track betting or separate pool betting, as the case may be, between the race- courses of the two associations, whether as a host track or a satellite track, and include

(i) the dates and races that are involved,

(ii) the types of bets that are proposed to be offered,

(iii) the legal percentages to be deducted from each pool that each association proposes to offer, and

(iv) the method of calculation that the associations propose to use for each pool that is combined; and

(d) at the time the application for authorization to conduct inter-track or separate pool betting under paragraph (b) is made, have executed an agreement with the horsemen under contract to it for the period of the proposed inter-track or separate pool betting, that governs the scheduling of races for, and the sharing of revenues from, the proposed inter-track or separate pool betting and provide evidence of the agreement.

(e) [Previously Repealed]

(1.1) An association that proposes to conduct inter-track betting or separate pool betting at its race-course as a host track or a satellite track by combining the money bet on pools in a foreign country with the money bet on the corresponding pools at its race-course shall

(a) comply with the provisions of paragraphs (1)(a) and (d);

(b) apply in writing to an officer for authorization to conduct the inter-track betting and include the name and address of

(i) the organization conducting the foreign betting, and

(ii) the governing body that regulates the foreign betting; and

(c) provide evidence of an agreement between the association and the foreign organization for the conduct of inter-track betting, and include

(i) the dates, times and races involved,

(ii) the types of bets that are proposed to be offered,

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(iii) the legal percentages to be deducted from each pool that the association proposes to offer and the percentage to be deducted from each pool that the foreign organization proposes to offer, and

(iv) the method of calculation that the association and the foreign organization propose to use for each pool that is combined.

(2) No association shall conduct inter-track or separate pool betting unless the association

(a) has been authorized in writing by an officer to conduct inter-track or separate pool betting; and

(b) has had its services, facilities and equipment for conducting inter-track and separate pool betting inspected and authorized by an officer.

91. [Previously Repealed]

92. An association that operates a race-course as a satellite track shall conduct inter-track or separate pool betting only during the period in which betting may be conducted by the pool host.

Section 92 formerly read:

92. (1) An association may, in its agreement with another association, agree to conduct inter-track or separate pool betting on

(a) all races of a race-meeting;

(b) all races on selected days of a race-meeting;

(c) selected races of a racing card; or

(d) selected types of bets.

(2) An association that operates a race-course as a satellite track shall

(a) conduct inter-track betting only in respect of types of bets that are held at the host track;

(b) conduct inter-track or separate pool betting only during the period in which betting may be conducted at the host track; and

(c) for the purpose of inter-track or separate pool betting, make available, by purchase or otherwise, before betting begins,

(i) the host track's race program as described in section 25, or

(ii) where approved pursuant to subsection 27(1), an abbreviated version of the host track's race program.

93. No association that conducts inter-track betting or separate pool betting shall accept bets on a race after the start of the race.

Section 93 formerly read:

93. (1) An association that conducts inter-track or separate pool betting at its race-course shall display at that race-course in respect of each race,

(a) the value of all bets made;

(b) the approximate odds and the final odds; and

(c) the pay-out prices.

(2) The Executive Director may

(a) approve the use of television monitors to display any or all of the data referred to in subsection (1);

(b) designate the number of monitors referred to in paragraph (a) that are required at each race-course; and

(c) designate the periods during which any of the data referred to in subsection (1) shall be displayed.

(3) An association that conducts inter-track betting shall ensure that betting at a satellite track closes in sufficient time to permit the association to record all bets in the appropriate pool prior to the start of the race.

(4) An officer may order an association to close inter-track betting at such time as is required to ensure compliance with subsection (3).

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94. (1) Subject to subsection (1.1), an association that proposes to conduct foreign race inter-track betting or foreign race separate pool betting shall

- (a) be in possession of an approval issued by the appropriate Commission to conduct 10 or more days of racing for the year;
- (b) apply each year in writing to the Executive Director for authorization to conduct the foreign race inter-track betting or foreign race separate pool betting and include in the application the name and address of
 - (i) the race-course at which the foreign racing is scheduled to be held,
 - (ii) the organization holding the foreign racing and, in the case of foreign race inter-track betting, the organization conducting the foreign betting, and
 - (iii) the governing body that regulates the foreign racing and, in the case of foreign race inter-track betting, the governing body that regulates the foreign betting, and
- (c) provide the Executive Director with evidence of an executed agreement between the association and the organization conducting the pari-mutuel betting on foreign racing for the conduct of foreign race inter-track betting or foreign race separate pool betting, as the case may be, and include
 - (i) the types of bets proposed to be offered,
 - (ii) the legal percentages to be deducted from each pool that the association proposes to offer and the percentage to be deducted from each pool that the organization holding the foreign-hosted betting pools proposes to offer, and
 - (iii) in the case of foreign race inter-track betting, the description of how the betting pools are operated as combined pools and the applicable rules for each type of bet that the association proposes to offer; and
- (d) provide the Executive Director with details of the communication system that will be used by the association to ensure the accurate and timely exchange of race information between the association and the organization holding the foreign racing and the organization conducting the betting.

(1.1) An association that proposes to conduct foreign race inter-track betting or foreign race separate pool betting at its race-course as a pool host or a satellite track by combining the money bet on pools in a foreign country with the money bet on the corresponding pools at its race-course shall

- (a) be in possession of an approval issued by the appropriate Commission to conduct 10 or more days of racing for the year;
- (b) apply each year in writing to the Executive Director for authorization to conduct the foreign race inter-track betting and include the name and address of
 - (i) the organization conducting the foreign betting, and
 - (ii) the governing body that regulates the foreign betting; and
- (c) provide evidence of an agreement between the association and the organization conducting the foreign betting, and include
 - (i) the types of bets that are proposed to be offered,
 - (ii) the legal percentages to be deducted from each pool that the association proposes to offer and the percentage to be deducted from each pool that the foreign organization proposes to offer, and
 - (iii) the method of calculation that the association and the foreign organization propose to use for each pool that is combined.

(2) If the association already has an authorization for the previous year to conduct the inter-track betting or separate pool betting as a pool host or a satellite track, pursuant to subsection (1) or (1.1), the association may provide the Executive Director with a statement, in writing, confirming that the information submitted in its previous year's application in respect of that authorization remains unchanged.

Section 94 formerly read:

94. An association that proposes to conduct foreign race inter-track betting or foreign race separate pool betting shall

- (a) be in possession of a permit that authorizes the association to conduct a minimum of 10 days of racing at its race-course;
- (b) make a written application to the Executive Director in respect of each foreign race on which it proposes to conduct foreign race inter-track betting or foreign race separate pool betting, and include
 - (i) the name and address of

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(A) the race-course at which the foreign race is scheduled to be held,

(B) the organization holding the foreign race and, in the case of foreign race inter-track betting, the organization conducting the foreign betting, and

(C) the governing body that regulates the foreign race and, in the case of foreign race inter-track betting, the governing body that regulates the foreign betting,

(ii) the name of the foreign race, and

(iii) the time and date when the foreign race is scheduled to be held and, in the case of foreign race inter-track betting, the time and date the betting will be conducted;

(c) provide the Executive Director with evidence of an agreement between the association and the organization holding the foreign race for the conduct of foreign race inter-track betting or foreign race separate pool betting, as the case may be, and include, in the case of foreign race inter-track betting,

(i) the types of bets proposed to be offered,

(ii) the legal percentages to be deducted from each pool that the association proposes to offer and the percentage to be deducted from each pool that the organization holding the foreign race proposes to offer, and

(iii) the method of calculation that the association and the foreign organization propose to use for each pool that is combined;

(d) provide the Executive Director with details of the communication system to be used to ensure the accurate and timely exchange of race information between the association and the organization holding the foreign race; and

(e) [Previously Repealed]

(f) at the time the application to the Executive Director under paragraph (b) is made, have executed an agreement with the horsemen under contract to it for the period of the proposed foreign race inter-track betting or foreign race separate pool betting, that governs the scheduling of races for, and the sharing of revenues from, the proposed foreign race inter-track betting or foreign race separate pool betting and provide evidence of the agreement to the Executive Director.

95. (1) No association shall conduct foreign race inter-track betting or foreign race separate pool betting unless

(a) the association has been issued a permit;

(b) the association has been authorized in writing by the Executive Director to conduct the foreign race inter-track betting or foreign race separate pool betting;

(c) an officer has reviewed the facilities and equipment for conducting the foreign race inter-track betting or foreign race separate pool betting and authorized them as being suitable for the purpose intended; and

(d) the association has informed the Executive Director of the dates that the races will be held.

(2) and (3) [Previously Repealed]

Paragraphs 95(a) and (b) formerly read:

(a) the Executive Director has approved the association's application to conduct the foreign race inter-track betting or foreign race separate pool betting; and

(b) the services, facilities and equipment for conducting the foreign race inter-track betting or foreign race separate pool betting have been inspected and authorized by an officer.

96. [Previously Repealed]

97. An association shall ensure that the numbers that the association assigns to the horses in a foreign race for the purpose of foreign race inter-track betting or foreign race separate pool betting are the same as those assigned to those horses for pari-mutuel betting by the organization that conducts the foreign race, up to the capacity of the association's totalizator, after which a mutuel field shall be used.

97.1 (1) If there is an inconsistency between the foreign pool host rules relating to the conduct of foreign race inter-track betting and these Regulations, the rules prevail.

(2) In the absence of applicable foreign pool host rules relating to the conduct of foreign race inter-track betting, these Regulations apply.

98. No association that conducts foreign race inter-track betting or foreign race separate pool betting shall accept bets on a race after the start of the race.

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Section 98 formerly read:

98. (1) No association that conducts foreign race inter-track betting or foreign race separate pool betting shall accept bets on a race after the start of the race.

(2) Where the communication system referred to in paragraph 94(d) fails to operate, the association conducting the foreign race inter-track betting or foreign race separate pool betting shall ensure that betting closes before the start of the race.

99. REPEALED

Section 99 formerly read:

99. Where foreign race inter-track betting or foreign race separate pool betting is cancelled before betting has begun on a race, the association shall immediately advise an officer of the cancellation.

PART IV

CALCULATION AND DISTRIBUTION OF POOLS

OFFICIAL RESULT

100. A steward or judge, as the case may be, shall

- (a) as soon as possible after the finish of a race, notify the pari-mutuel department of
 - (i) the unofficial result,
 - (ii) any objection or inquiry and the name of the horse or horses involved, and
 - (iii) the official result; and
- (b) at the request of an officer, confirm the official result in writing.

PAYMENT TO RECEIVER GENERAL

101. An association shall make the payment to the Receiver General pursuant to subsection 204(4) of the Act within seven days after receipt of an invoice indicating the dates and race cards for which payment is due.

ASSOCIATION'S PERCENTAGE

102. (1) For the purposes of subsection 204(6) of the Act, the maximum percentage that an association may deduct and retain in respect of any pool is 35 per cent of the total amount of money bet through the agency of its pari-mutuel system in respect of that pool.

- (2) Subject to subsection (2.1), an association may, in respect of any pool, deduct and retain the association's percentage by
- (a) deducting a single percentage from the total pool in accordance with the gross pricing method as referred to in paragraph 119(1)(a); or
 - (b) deducting a single percentage or a different percentage from the total pool in accordance with the net pricing method as referred to in paragraph 119(1)(b).

(2.1) No association shall deduct and retain any percentage from any pool that exceeds the association's percentage for the pool that is set out in its permit or authorization under section 90 or 94, as the case may be.

(3) If an association proposes to change its percentage, it shall send a written notification of the proposed change to the Executive Director.

(4) No association shall deduct and retain its revised association's percentage referred to in subsection (3) until five days after the notification referred to in that subsection has been received by the Executive Director.

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Subsections 102(1), (2.1), (3) and (4) formerly read:

102. (1) For the purposes of subsection 204(6) of the Act, the maximum percentage that an association may deduct and retain in respect of any pool is 23 per cent of the total amount of money bet through the agency of its pari-mutuel system in respect of that pool.

(2.1) No association shall deduct and retain any percentage from any pool that exceeds the association's percentage for the pool that is set out in its permit.

(3) Where an association proposes to change the association's percentage at any time during the year for which its permit has been issued, the association shall send a written notification of the change to the Executive Director.

(4) No association shall deduct and retain the revised association's percentage referred to in subsection (3) until 15 days after the notification referred to in that subsection has been sent to the Executive Director.

RECORD OF CALCULATIONS

103. (1) An association shall, for each pool offered on each race, make available the following information to an officer, on request:

- (a) the amount of money bet;
- (b) the official result and the winning horses or combinations;
- (c) the pay-out prices;
- (d) the amount of money bet on each winning horse or combination;
- (e) the amount of money paid out for each winning horse or combination;
- (f) the amount of money to be refunded;
- (g) the amount of the association's percentage;
- (h) the amount of the deduction from each dollar bet authorized under a provincial enactment;
- (i) the amount of the payment to the Receiver General;
- (j) the amount of any cents retained by the association; and
- (k) the total of the amounts referred to in paragraphs (e) to (j).

(2) No association shall permit any change to be made to the amounts referred to in paragraphs (a) to (k) unless the change is authorized in writing by an officer.

(3) REPEALED

The portion of subsection 103(1) before paragraph (a), paragraph 103(1)(j) and subsection 103(2) formerly read:

103. (1) An association shall, for each pool, set out on a calculator's sheet or computer print-out

- (j) the amount of any cents and fractions of a cent that are retained by the association pursuant to section 114; and

(2) No association shall permit any change to be made to the amounts referred to in paragraph (1)(a) to (k) unless the change is authorized and initialled by an officer.

Subsection 103(3) formerly read:

(3) An association shall, after each race, give to an officer every original calculator's sheet or computer print-out referred to in subsection (1).

RECORD OF TICKETS

104. An association shall maintain an up-to-date record of all outstanding tickets.

Section 104 formerly read:

104. An association shall maintain an up-to-date record of all outstanding tickets in computer print-out form, or in a book used exclusively

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for that purpose, called an "outs-book".

105. An association shall retain any ticket that was cashed after the end of the racing day during which it was issued until its destruction is authorized by an officer.

Section 105 formerly read:

105. An association shall retain any ticket that was cashed after the end of the racing card during which it was issued until such time as its destruction is authorized by an officer.

REFUNDS GENERALLY

106. (1) An association shall make available for refund the value of all bets made in respect of a pool where

- (a) the correct number and value of the bets cannot be determined;
- (b) the correct number and value of the bets made on a horse or combination of horses cannot be determined;
- (c) the manner of calculating the pay-out price is not prescribed by this Part or attached to the association's permit; or
- (d) the bets are cancelled or ordered permanently stopped by an officer.

(2) In the case of inter-track betting or separate pool betting, if any of the circumstances described in subsection (1) occur at a satellite track, and a bet has been made, the association shall make available for refund the value of all bets made in respect of the pool at the satellite track.

(3) In the case of inter-track betting or separate pool betting, if, at a satellite track, an association is unable to transmit the betting information in respect of a pool, the association shall make available for refund the value of all bets made at the satellite track in respect of that pool.

107. Subject to section 135 and subsection 142.1(2), an association shall make available for refund

- (a) the value of all types of bets where
 - (i) a race is cancelled,
 - (ii) a race is declared "no contest" pursuant to the applicable rules of racing,
 - (iii) a race is postponed beyond the racing card for which it was scheduled, or
 - (iv) [Previously Repealed]
 - (v) the running or the finish of a race cannot properly be judged pursuant to the applicable rules of racing;
- (b) the bets made on a horse that is scratched, where the horse
 - (i) is not part of an entry or a mutuel field, or
 - (ii) is part of an entry or a mutuel field and there is no other horse remaining in that entry or mutuel field;
- (c) all show bets, where the total number of separate betting entities in a race is less than four;
- (d) all place, quinella or triactor bets, where the total number of separate betting entities in a race is less than three;
- (e) any win or exactor bet, where the total number of separate betting entities in a race is less than two; and
- (f) all win, place, show, daily double, consolation double, quinella, exactor and triactor bets, where no winning bets are determined.

The portion of section 107 before paragraph (a) formerly read:

107. Subject to section 135, an association shall make available for refund

108. [Previously Repealed]

109. If the first race of a daily double is cancelled, or if the second race of a daily double is cancelled before betting is closed on the first race, an association shall make available for refund the daily double bets.

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Section 109 formerly read:

109. Where the first race of a daily double is cancelled, or where the second race of a daily double is cancelled before the official result for the first race of the daily double has been posted, an association shall make available for refund the daily double bets.

110. (1) Subject to subsection (2), if a horse is scratched from the first race of a daily double or from the second race of a daily double before betting is closed on the first race, an association shall make available for refund the bets made on that horse.

(2) Subsection (1) does not apply where the horse that is scratched is part of an entry or mutuel field and at least one horse of that entry or mutuel field starts in the race.

Subsection 110(1) formerly read:

110. (1) Subject to subsection (2), where a horse is scratched from the first race of a daily double or from the second race of a daily double before the official result for the first race of the daily double has been posted, an association shall make available for refund the bets made on that horse.

CONSOLATION DOUBLE

111. If the second race of a daily double is cancelled after betting has been closed, an association shall pay out a consolation double, calculated in accordance with section 136, to the holder of a daily double ticket who selected the winning horse in the first race of that daily double.

Section 111 formerly read:

111. Where the second race of a daily double is cancelled after the official result for the first race of the daily double has been posted, an association shall pay out a consolation double, calculated in accordance with section 136, to the holder of a daily double ticket who selected the winning horse in the first race of that daily double.

112. (1) Subject to subsection (2), if a horse is scratched from the second race of a daily double after betting has been closed, an association shall pay out a consolation double, calculated in accordance with subsection 136(1) or 137(4), as the case may be, to the holder of a daily double ticket who selected the winning horse in the first race combined with the horse that is scratched in the second race.

(2) Subsection (1) does not apply where a horse that is scratched is part of an entry or a mutuel field and at least one horse of that entry or mutuel field starts in the race.

Subsection 112(1) formerly read:

112. (1) Subject to subsection (2), where a horse is scratched from the second race of a daily double after the official result for the first race of the daily double has been posted, an association shall pay out a consolation double, calculated in accordance with subsection 136(1) or 137(4) to the holder of a daily double ticket who selected the winning horse in the first race combined with the horse that is scratched in the second race.

OVERPAYMENTS AND UNDERPAYMENTS

113. (1) For the purpose of this section, an overpayment is the amount of money paid out to the holder of a winning ticket that is in excess of the correct pay-out price, and an underpayment is the amount of money paid out to the holder of a winning ticket that is less than the correct pay-out price.

(2) Subject to subsection (3), no association shall offset any overpayment by an underpayment.

(3) The Executive Director may approve the offsetting of an overpayment by an underpayment within the same race where the overpayment and the underpayment arise from the same cause.

(4) An association shall add all money resulting from an underpayment to a pari-mutuel pool, not later than one year after the day on which the underpayment was incurred.

(5) Where underpayments are added to a pool, they shall be added to the net pool.

Subsection 113(4) formerly read:

(4) An association shall add all money accruing to it from an underpayment, after betting has ended but before the pay-out price is

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calculated, to the first pool that is conducted on the third day on which pari-mutuel betting is held by that association after the day on which the underpayment occurred.

CALCULATION OF LEGAL PERCENTAGES, POOLS AND PAY-OUT PRICES GENERALLY

114. (1) [Previously Repealed]

(2) REPEALED

Subsection 114(2) formerly read:

(2) Where a calculating pool is divided, an association shall retain any cents that remain after the division.

115. (1) If a pay-out price is less than \$1.05, an association shall, at its expense, pay not less than \$1.05 per dollar bet to each holder of a winning bet.

(2) Subsection (1) does not apply if the winning bet results from a refund in accordance with sections 106 to 110.

Section 115 formerly read:

115. Where a pay-out price is less than \$1.05, an association shall, at its expense, pay out not less than \$1.05 per dollar bet to each holder of a winning ticket.

116. REPEALED

Section 116 formerly read:

116. (1) Subject to subsection (2), where an association determines that there is a discrepancy between its calculation of the amount of money bet on a pool and the recorded amount of the pool, the association shall use the larger amount as the basis for calculating the legal percentages and pay-out prices.

(2) Where a totalizator manager determines and satisfies an officer that the smaller of the amounts referred to in subsection (1) correctly represents the actual amount of money bet on the pool, an association may calculate the legal percentages and pay-out prices on the basis of that smaller amount.

(3) An officer may order that an association calculate the legal percentages and pay-out prices from a manual record taken from the ticket-issuing machines where the officer is not satisfied that the legal percentages or pay-out prices have been correctly determined.

117. An association shall immediately pay the pay-out price to the holder of a winning ticket at a location identified by the association.

Section 117 formerly read:

117. An association shall immediately pay the pay-out price to the holder of a winning ticket at the time that the holder surrenders the ticket to the association for payment.

118. If an association posts an incorrect pay-out price, as soon as it becomes aware that an error has been made, it shall

- (a) post the correct pay-out price;
- (b) inform the public of the change in the posted pay-out price; and
- (c) pay the correct pay-out price, including correcting all account-based bets.

Paragraph 118(b) formerly read:

(b) announce the correct pay-out price over its public-address system; and

119. (1) In calculating the pay-out price of any pool, including any pool that is a combination of corresponding pools, in foreign race inter-track betting, foreign race separate pool betting, inter-track betting or separate pool betting, an association may

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- (a) use the gross pricing method, where a single set of legal percentages is deducted from the total pool to determine the net pool; or
 - (b) use the net pricing method where a single set of legal percentages or different sets of legal percentages are deducted from the total pool to determine the net pool.
- (2) In calculating the pay-out price of any pool, an association shall
- (a) add the value of all bets made on that pool to determine the pool;
 - (b) subtract from the result obtained under paragraph (a) the amount of any bets made that the association is required to make available for refund; and
 - (c) deduct the legal percentages from the result obtained under paragraph (b) to calculate the net pool in accordance with subsection (1).
- (3) Subject to subsections (5) and (6), for the calculation of the pay-out price of any pool, an association using the gross pricing method shall make the applicable calculations set out in sections 120 to 147.
- (4) Subject to subsections (5) and (6), for the calculation of the pay-out price of any pool, an association using the net pricing method shall make the applicable calculations set out in sections 120 to 147 and
- (a) the value of the bets made on the winning horse, horses or combination, as the case may be, shall be the net value, determined by multiplying the value of those bets by the association's net factor that is applicable to those bets; and
 - (b) the value of the pay-out price for each bet made on the winning horse shall be determined by multiplying the price that results from the applicable calculation done in accordance with sections 120 to 147, by the association's net factor that is applicable to each winning bet.
- (5) Where the calculation of the pay-out price of any pool involves two or more horses of an entry or mutuel field, an association shall, in calculating that pay-out price
- (a) for the purpose of apportioning the calculating pool, divide the calculating pool among all the horses entitled to it, treating, in the division, the horses of the entry or mutuel field so entitled as if they were separate horses; and
 - (b) for the purpose of determining the share of the calculating pool applicable to the entry or mutuel field, combine the portions of the calculating pool to which the horses of the entry or mutuel field referred to in paragraph (a) are entitled.
- (6) Where the calculation of the pay-out price of a win, place or show pool involves any horse that finishes in a dead heat in any of the first three positions in the official result, an association shall, for the purpose of reflecting the dead heat in the calculation of the applicable pay-out price, divide the portion of the calculating pool applicable to the dead heat equally among the horses that finished in the dead heat on which bets were made.

+++NOTE – THERE ARE NO PROPOSED CHANGES TO SECTIONS 120 TO 142+++

OTHER PARI-MUTUEL POOLS

- 142.1** (1) If an association proposes to offer a type of bet that is not described in this Part, the bet may be offered if
- (a) the bet is a pari-mutuel bet approved by the Association of Racing Commissioners International;
 - (b) subject to subsection (2), the bet is in compliance with the Act and any other Act of Parliament or legislature and any regulation made under it;
 - (c) the association provides to the Executive Director a description of the proposed type of bet and evidence of its approval by the Association of Racing Commissioners International;
 - (d) before operating the bet, the type of bet that the association may offer and the method of calculation that the association may use for each type of bet have been included in the association's permit; and
 - (e) the association's operation of the bet conforms to the description of the bet in the permit.
- (2) A bet described in paragraph (1)(a) is not required to comply with the requirements of section 107.

143. to 147. [Previously Repealed]

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PART V

EQUINE DRUG CONTROL PROGRAM

148. [Previously Repealed]

PROHIBITION

149. No person who undertakes activities relating to an equine drug control program shall own or operate a race-course or own or manage a race-horse.

Section 149 formerly read:

149. No person who undertakes activities relating to a drug control surveillance program shall own or operate a race-course or own or manage a race-horse.

RETENTION AREA

150. (1) An association that has an equine drug control program shall provide a retention area on its premises for the activities relating to the program.

(2) While a retention area is being used by persons who are undertaking activities relating to an equine drug control program, an association shall

(a) limit entry to the area to

- (i) those persons,
- (ii) officers, and officials of a Commission or the association, in the performance of their duties,
- (iii) the owner or trainer of a horse chosen to undergo a test pursuant to subsection 161(1),
- (iv) persons that are authorized by a test inspector, and
- (v) horses selected for testing; and

(b) ensure that only equipment used on the racing strip or for controlling the horse is brought into the retention area.

Section 150 formerly read:

150. While a retention area is being used by persons undertaking activities relating to a drug control surveillance program, an association shall limit entry to the area to

- (a) those persons;
- (b) officers, and officials of a Commission or the association, in the performance of their duties;
- (c) the owner or trainer of a horse chosen to undergo a test pursuant to subsection 161(1); and
- (d) any persons that are authorized by a test inspector.

151. to 155. [Previously Repealed]

156. REPEALED

Section 156 formerly read:

156. (1) Where, in respect of a race-course, a Commission has not designated a veterinarian to be an official veterinarian, the Executive Director shall require the association to employ a licensed veterinarian.

(2) A veterinarian who is employed pursuant to subsection (1) is deemed to be the official veterinarian of the race-course.

157.and 158. [Previously Repealed]

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OWNERS AND TRAINERS

159. (1) Where a horse is chosen to undergo a test pursuant to subsection 161(1) and the owner or trainer of the horse has been notified pursuant to paragraph 161(2)(a), the owner or trainer shall immediately take the horse to a test inspector in the retention area.

(2) For the purposes of this Part, the owner or trainer of a horse may designate a representative.

(3) A representative designated under subsection (2) is deemed, for the purposes of this Part, to be the owner or trainer of the horse.

(4) The owner or trainer of a horse chosen to undergo a test may

(a) witness the collection of the official sample;

(b) witness the sealing and identification of the official sample container; and

(c) sign the documentation that accompanies the official sample.

(5) [Previously Repealed]

OFFICIAL SAMPLES

160. An official sample collected pursuant to these Regulations is the property of Her Majesty in right of Canada.

161. (1) A steward or judge, as the case may be, a veterinarian designated by the appropriate Commission or an officer may choose any horse that is entered in a race to undergo a test

(a) where the horse is not on an EIPH list, within two hours before the post time of the race;

(b) where the horse is on an EIPH list, within five hours before the post time of the race; or

(c) after the race has been run and before the horse leaves the racing strip.

(2) A person who chooses a horse pursuant to subsection (1) shall immediately

(a) notify the owner or trainer of the horse that the horse has been chosen to undergo a test; and

(b) inform a test inspector of the name of the horse.

(3) An association shall have available the means to notify the owner or trainer of a horse that his or her horse has been chosen to undergo a test after the race has been run and before the horse leaves the racing strip.

The portion of subsection 161(1) before paragraph (a) formerly read:

161. (1) A steward or judge, as the case may be, an officer or an official veterinarian may choose any horse that is entered in a race to undergo a test

162. (1) When a person other than a test inspector collects an official sample, the person shall, under the supervision of a test inspector,

(a) use approved paraphernalia provided by a test inspector;

(b) ensure that the official sample container is visible to the test inspector at all times; and

(c) sign the documentation that accompanies the official sample.

(2) No person shall remove a horse that has been chosen to undergo a test from a retention area unless authorized to do so by the test inspector supervising the collection.

163. and 164. [Previously Repealed]

165. On completion of an analysis of an official sample, an official chemist shall classify the official sample as positive and issue a certificate of positive analysis if he or she has determined that

(a) with respect to a drug set out in section 1 of the schedule,

(i) for any drug other than furosemide in respect of any horse, or for furosemide in respect of a horse that is not on an EIPH list, the drug is present in the official sample, or

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(ii) for furosemide in respect of a horse that is on an EIPH list, furosemide is not present in the official sample of urine or it is present in the official sample of blood in a quantity indicating that furosemide was administered to the horse otherwise than in the manner set out in paragraph 170.1(1)(e);

(b) with respect to a drug set out in section 2 of the schedule, the drug is present in the official sample in a concentration that exceeds the quantitative limit set out for the drug in that section; and

(c) with respect to a drug set out in section 3 of the schedule,

(i) if the owner or trainer complies with section 170, the drug is present in the official sample in a concentration that exceeds the quantitative limit set out for the drug in section 3 of the schedule, or

(ii) if the owner or trainer does not comply with section 170, the drug is present in the official sample.

166. [Previously Repealed]

167. Unless otherwise authorized by the Executive Director, an official chemist shall not disclose the details of any analysis to anyone other than the Executive Director, an officer or an official of the appropriate Commission.

168. and 169. [Previously Repealed]

STATEMENT AND SAMPLE

170. With respect to a drug set out in section 3 of the schedule and administered to a horse entered in a race at a race-course, the owner or trainer of the horse shall provide a test inspector

(a) at the race-course, not later than one half hour before the post time of the race in which the horse is entered, with a statement signed by the horse's veterinarian or trainer that identifies the horse, including its sex, and the race in which it is entered and indicates the brand name, generic name, route of administration, dosage and time of the last administration of the drug to the horse; and

(b) immediately after the race, if the horse has been chosen to undergo a test, with an official sample collected in accordance with section 162.

Section 170 formerly read:

170. With respect to a drug set out in section 3 of the schedule and administered to a horse entered in a race at a race-course, the owner or trainer of the horse may provide a test inspector

(a) at the race-course, not later than one-half hour before the post time of the race in which the horse is entered, with a statement signed by the horse's veterinarian or trainer that identifies the horse and the race in which it is entered and indicates the brand name, generic name, route of administration, dosage and time of the last administration of the drug to the horse; and

(b) immediately after the race, with an official sample of blood collected in accordance with section 162.

EIPH Program

170.1 (1) Where an exercise-induced pulmonary hemorrhage (EIPH) program for horses, established by the appropriate Commission, is implemented at a race-course of an association, the Executive Director shall, subject to the other requirements of these Regulations, approve pari-mutuel betting at that race-course where the Commission, at that race-course,

(a) establishes and maintains an up-to-date EIPH list and provides the test inspector with a copy of it at the beginning of every racing card;

(b) ensures that any horse on the EIPH list remains on that list for a period of at least 100 days;

(c) maintains an accurate medication record in respect of every horse on the EIPH list;

(d) prohibits any horse on the EIPH list from racing after a recurrence of bleeding during or after a race that is confirmed by a veterinarian designated by the appropriate Commission, for a minimum period of

(i) 14 consecutive days after that recurrence,

(ii) 90 consecutive days after the second recurrence, and

(iii) 365 consecutive days after the third recurrence;

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(e) verifies that any horse on the EIPH list receives the drug furosemide, in an amount not less than 150 mg and not more than 250 mg, intravenously, four hours plus or minus fifteen minutes before the post time of the race in which the horse is entered;

(f) ensures that any horse on the EIPH list that did not receive the drug furosemide in accordance with paragraph (e) is scratched;

(g) where any horse on the EIPH list did not receive the drug furosemide, as evidenced by the absence of that drug in an analysis of an official sample of urine collected from that horse, prohibits the horse from racing for a minimum period of 14 consecutive days; and

(h) ensures that an officer is given, on request, access to records maintained for the EIPH list.

(2) For the purpose of paragraph (1)(a), the Commission shall add a horse to the list if the following conditions are met:

(a) the owner or trainer of the horse and the consulting veterinarian licensed by the appropriate Commission have determined that it would be in the horse's best interest to be placed on the list, and

(b) the veterinarian designated by the appropriate Commission has endorsed that determination.

(3) Where a horse on an EIPH list is chosen to undergo a test pursuant to subsection 161(1), the owner or trainer of the horse shall provide a test inspector, immediately after the race, with an official sample of blood collected in accordance with section 162.

The portion of paragraph 170.1(1)(d) before subparagraph (i) formerly read:

(d) prohibits any horse on the EIPH list from racing after a recurrence of bleeding during or after a race that is confirmed by an endoscopic examination, performed by, or in the presence of, an official veterinarian, for a minimum period of

Section 170.1(2) formerly read:

(2) Where a horse on an EIPH list is chosen to undergo a test pursuant to subsection 161(1), the owner or trainer of the horse shall provide a test inspector, immediately after the race, with an official sample of blood collected in accordance with section 162.

170.2 REPEALED

Section 170.2 formerly read:

170.2 In addition to the information required by sections 25 and 26, every association shall, in its race program,

(a) designate the horses on the EIPH list by an appropriate symbol;

(b) designate the chart lines of the horses on the EIPH list by the symbol referred to in paragraph (a); and

(c) include an explanation of the symbol referred to in paragraph (a).

PROHIBITIONS

171. No person shall

(a) administer or permit the administration of a drug to a horse that is entered in a race in such a manner that a certificate of positive analysis would be issued under section 165 with respect to that horse;

(b) tamper with a horse before, during or after a race in such a manner as to interfere with the collection or analysis of an official sample;

(c) unless otherwise permitted by a test inspector or a veterinarian designated by the appropriate Commission, administer, after a race, anything except drinking water to a horse that has been chosen to undergo a test pursuant to subsection 161(1), until the horse is discharged;

(d) interfere with the work of any person who is undertaking activities relating to an equine drug control program;

(e) interfere with the collection or analysis of an official sample;

(f) substitute another horse for any horse that has been chosen to undergo a test pursuant to subsection 161(1); or

(g) substitute or misrepresent the contents of an official sample container.

Paragraphs 171(c) and (d) formerly read:

(c) unless otherwise permitted by a test inspector or an official veterinarian, administer, after a race, anything except drinking water to a

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horse that has been chosen to undergo a test pursuant to subsection 161(1), until the horse is discharged;

(d) interfere with the work of any person who is undertaking activities relating to a drug control surveillance program;

172. [Previously Repealed]

SCHEDULE

(Sections 2, 165 and 170)

LIST OF DRUGS

1. Any substance and any preparation, metabolite, derivative, isomer and salt of the substance,
 - (a) that is labelled for veterinary use under the *Food and Drug Regulations* during a period of 240 days, calculated from the day on which the drug was assigned a drug identification number (D.I.N.) under those Regulations;
 - (b) that is not labelled for veterinary use under the *Food and Drug Regulations*;
 - (c) that interferes with an analysis for any drug included in this schedule; or
 - (d) that is included in the following list:

Paragraphs 1a) to c) and the portion of paragraph 1d) of the French version of the Schedule to the Regulations reads:

1. Toute substance ou tout métabolite, préparation, dérivé, isomère ou sel de cette substance qui :

- a) soit est étiqueté pour usage vétérinaire en application du *Règlement sur les aliments et drogues* durant une période de 240 jours suivant la date d'attribution de l'identification numérique aux termes de ce règlement;
- b) soit est non étiqueté pour usage vétérinaire en application du *Règlement sur les aliments et drogues*;
- c) soit entrave l'analyse d'une drogue visée dans la présente annexe;
- d) soit figure dans la liste suivante :

+++NOTE – THERE ARE NO PROPOSED CHANGES FROM THIS POINT FORWARD+++