

SOUTH AUSTRALIA

Authorised Betting Operations Act 2000—section 41(1)(c)

Determination No. 2 of 2003

The Independent Gambling Authority makes the following determination for the purposes of section 41(1)(c) of the *Authorised Betting Operations Act 2000*:

**Recitals**

A. Section 41 of the *Authorised Betting Operations Act 2000* (“Act”) says:

**41. Approval of rules, systems, procedures and equipment**

(1) It is a condition of the major betting operations licence or an on-course totalisator betting licence that the following must be approved by the Commissioner:

- (a) the rules governing the betting operations conducted under the licence; and
- (b) systems and procedures for monitoring and enforcing compliance with those rules and for reporting and dealing with any non-compliance; and
- (c) other systems and procedures, or equipment of a kind, that the Authority determines from time to time to be subject to this section.

(2) Without limiting the matters dealt with by rules, the rules must, for a form of betting in which the actual amounts payable on winning bets are not pre-determined, clearly set out—

- (a) the method of calculation of winnings; and
- (b) the proportion of money invested that will be retained by the licensee.

(3) It is a condition of the major betting operations licence or an on-course totalisator betting licence that the licensee must ensure—

- (a) that the rules are published in a manner approved by the Commissioner; and
- (b) that the operations under the licence conform with the rules and the systems and procedures approved under this section; and
- (c) that equipment of a kind that must be approved by the Commissioner is not installed or used unless so approved or contrary to any instructions of the Commissioner.

(4) Before the Authority makes a determination for the purposes of subsection (1)(c), the Authority must—

- (a) give written notice to the licensee concerned of the proposed determination; and
- (b) consider any representations made by the licensee about the proposed determination within 14 days after the notice is given or a longer period allowed in the notice.

B. On 29 September 2003, the Independent Gambling Authority (“Authority”), for the purposes of section 41(4) of the Act, gave written notice to SA TAB Pty Ltd (“licensee”) of its intention to make a determination under section 41(1)(c).

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C. The Authority has received no representations in response to that notice.

**1. Date of application**

This determination (the determination made by this instrument as varied from time to time) applies to equipment and systems in, or to be in, use on and from 30 June 2004.

**2. Variation of determination**

This determination may be varied or revoked by further instrument given in accordance with section 41(1)(c) of the Act.

**3. General scope of determination**

- (1) Subject to sub-clause (2), this determination applies to all hardware, software and other systems used by the licensee, or by the licensee and any other entity, in the totalisator and fixed odds betting operations conducted under the licence.
- (2) This determination does not apply to—
  - (a) hardware which is excluded hardware; or
  - (b) software which is excluded software; or
  - (c) systems which are excluded services—within the meaning of clause 4.

**4. Exclusions**

- (1) The following are “excluded hardware”—
  - (a) x86 family personal computers and peripherals, including—
    - (i) desktop computers using as the microprocessor the Intel 8086 or later series 16- or 32-bit chip (including clones), subject to them functioning to specification;
    - (ii) memory and storage devices commonly installed on the desktop computers referred to in sub-paragraph (i);
    - (iii) visual display units, keyboards, pointing devices and printers commonly connected to the desktop computers referred to in sub-paragraph (i);
    - (iv) DDN, ISDN and PSTN modems commonly connected to the desktop computers referred to in sub-paragraph (i); and
  - (b) Macintosh family personal computers and peripherals, including—
    - (i) desktop computers complying to the specifications of Apple Computer Inc for the Macintosh, iMac, MacBook and PowerMac

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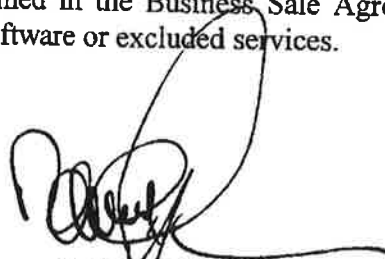
- ranges of personal computers (including clones), subject to them functioning to specification;
- (ii) other devices corresponding, for the Macintosh family, to the devices referred to in paragraphs (a)(ii)–(iv);
  - (c) terminal visual display units used in totalisator offices, agencies and branches;
  - (d) television sets used as display units in totalisator offices, agencies and branches;
  - (e) branch controllers, i-Select units and DLVC units used in information display and print-related systems in totalisator offices, agencies and branches;
  - (f) network communications infrastructure, including modems, routers, hubs and cables, for uses consistent with the recommendations of the manufacturers of the individual components and subject to them functioning to specification.
- (2) The following are “**excluded software**”—
- (a) operating software for x86 family personal computers—
    - (i) Microsoft DOS Version 6.1 or later (or equivalent);
    - (ii) Microsoft Windows 3.1 or later (but only for use on desktop computers using a processor not capable of running 32-bit operating software);
    - (iii) Microsoft Windows 32 bit operating system software;
  - (b) operating software for Macintosh family personal computers—
    - (i) the minimum required operating system software specified by Apple Computer Inc, or later;
  - (c) QNX;
  - (d) Linux;
  - (e) purpose specific software supplied with components forming part network infrastructure in sub-clause (1)(f).
- (3) The following are “**excluded services**”—
- (a) Telstra DDN, ISDN and PSTN.

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- (4) Despite anything in this clause, hardware, software and systems which form part of the “**interface**” as defined in the Business Sale Agreement are not excluded hardware, excluded software or excluded services.

Dated: 17 October 2003



R.C.J. CHAPPELL

*Secretary to the Independent Gambling Authority*