



Betting Control Board

FINAL REPORT

**For period ending
29 JANUARY 2004**

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STATEMENT OF COMPLIANCE
for the Period Ending 29 January 2004

HON NICK GRIFFITHS LLB MLC
MINISTER FOR HOUSING AND WORKS; RACING AND GAMING; GOVERNMENT
ENTERPRISES; LAND INFORMATION

In accordance with section 70A of the *Financial Administration and Audit Act 1985*, I submit for your information and tabling in Parliament, the Report of the Betting Control Board for the period ended 29 January 2004.

This is the final report of the Betting Control Board as the Board was abolished on 30 January 2004 and its functions transferred to the Gaming and Wagering Commission of Western Australia.

The report has been prepared in accordance with the provisions of the Financial Administration and Audit Act.



Barry A Sargeant
REPORTING OFFICER

26 March 2004

LEGISLATION IMPACTING ON THE ACTIVITIES OF THE BOARD

ENABLING LEGISLATION

The Betting Control Board was established under the *Betting Control Act 1954*. The Board was responsible for regulating on- and off-course betting conducted pursuant to the *Betting Control Act 1954* and *Totalisator Agency Board Betting Act 1960*.

LEGISLATION ADMINISTERED

Betting Control Act 1954

LEGISLATION IMPACTING ON ACTIVITIES

In the performance of its functions, the Board complied with the following relevant written laws:

- *Anti Corruption Commission Act 1998*;
- *Disability Services Act 1993*;
- *Electoral Act 1907*;
- *Financial Administration and Audit Act 1985*;
- *Freedom of Information Act 1992*;
- *Parliamentary Commissioner Act 1971*;
- *Public Sector Management Act 1994*;
- *Salaries and Allowances Act 1975*;
- *State Supply Commission Act 1991*;
- *State Records Act 2000*; and
- *Totalisator Agency Board Betting Act 1960*

In the financial administration of the Betting Control Board, the Board has complied with the requirements of the *Financial Administration and Audit Act 1985* and relevant written law. It has exercised controls that provide reasonable assurance that the receipt and expenditure of moneys, the acquisition and disposal of public property and incurring of liabilities have been in accordance with legislative provisions. At the date of signing I am not aware of any circumstances which would render the particulars included in this statement, misleading or inaccurate.



Barry A Sargeant
REPORTING OFFICER

26 March 2004

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CHAIRMAN'S OVERVIEW

I am pleased to present the Final Report for the Betting Control Board for the period 1 August 2003 to 29 January 2004. The Board was reconstituted in 1996 and this report covers the Board's eighth year of operation.

The most significant event to occur during the reporting year was the introduction of the *Racing and Wagering Western Australia Act 2003* to merge the principal club functions of the Western Australian Turf Club, Western Australian Trotting Association and Western Australian Greyhound Racing Association, together with the off-course betting activities of the TAB, into a single controlling authority known as Racing and Wagering Western Australia (RWVA).

Effective 1 August 2003:

- RWVA was established as the controlling authority for thoroughbred, harness and greyhound racing in Western Australia;
- the Western Australian Turf Club, the Western Australian Trotting Association, and the Western Australian Greyhound Racing Association remained as racing clubs, responsible for the conduct of racing activities at their respective venues; and
- the Racecourse Development Trust was abolished and the development of racing and training infrastructure became a function of RWVA. The Trust's obligations, unallocated funds and funding source (unclaimed TAB dividends and refunds) have been transferred to RWVA.

Effective 30 January 2004:

- the TAB was abolished and RWVA assumed responsibility for the conduct of off-course betting; and
- the Betting Control Board was abolished and its functions transferred to the Gaming Commission of Western Australia, which was re-named the Gaming and Wagering Commission of Western Australia.

The Board, through the agency of the Department of Racing, Gaming and Liquor Inspectorate, carried out a program of 46 TAB agency audits and 1 agency inspection. These audits and inspections returned a high rate of compliance. A further 24 bookmaker and on-course totalisator inspections and audits were carried out on behalf of the Board.

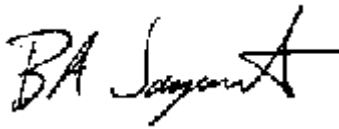
During the period under review, the Board successfully prosecuted:

- one person in the Perth Court of Petty Sessions in relation to 7 counts of credit betting; and
- one TAB agent in the Fremantle Court of Petty Sessions in relation to 50 counts of credit betting. The decision was appealed to the Supreme Court and the appeal was subsequently dismissed.

The number of licensed bookmaking operations in the State as at 29 January 2004 was 49, of which two were partnerships and another was a body corporate. Two new bookmaker licences were issued, while two licences were surrendered and two bookmakers were authorised to conduct sports betting during the year.

The Board could not have met its objectives without the dedication and commitment of the employees of the Department of Racing, Gaming and Liquor. I take this opportunity on behalf of the Board, to express appreciation for their efforts.

I also extend my appreciation to the present and past members and deputy members of the Board for their valuable contributions to the operation of the Board since 1954.

A handwritten signature in black ink, appearing to read 'BA Sargeant', with a stylized flourish at the end.

Barry A Sargeant
REPORTING OFFICER

26 March 2004

CORPORATE GOVERNANCE

Introduction

The *Statutory Corporations (Liability of Directors) Act 1996*:

- declares that the members of all Government “corporations” established for a public purpose owe to the “corporation” the same duties that the directors of a company under the Corporations Law owe to that company; and
- imposes on the “directors” of Government owned “corporations” responsible for business activities, specific duties to act honestly, to exercise reasonable care and diligence and not to make improper use of their information and position.

For the purposes of the *Statutory Corporations (Liability of Directors) Act 1996*, “corporation” means a body corporate established for a public purpose by a written law and, if the affairs of the corporation are managed by its members, a “director” means a member of the corporation.

While the Betting Control Board is not specified in Part 3 of the Act, the principles of corporate governance laid down in the Act have been adopted by the Board for the purposes of reporting. The following statements outline the Board’s purpose, constitution, scope of responsibility, and operational framework.

The Betting Control Board of Western Australia

The principal purpose of the Betting Control Board was to administer and control the conduct of on- and off-course betting in Western Australia in accordance with the *Betting Control Act 1954* and the *Totalisator Agency Board Betting Act 1960*.

Responsible Minister

The Hon. Nick Griffiths LLB MLC, Minister for Housing and Works; Racing and Gaming; Government Enterprises; Land Information.

Composition of the Board

The Betting Control Board was established by the *Betting Control Act 1954*. Membership of the Board comprised of:

- (a) the chief executive officer of the Department of Racing, Gaming and Liquor who holds office ex-officio;
- (b) the chairperson of the TAB, who holds office ex-officio, or a member of the TAB nominated by the chairperson and approved by the Minister;
- (c) one person nominated by the Western Australian Bookmakers’ Association and appointed by the Minister;
- (d) one person nominated by the Western Australian Turf Club and appointed by the Minister;
- (e) one person nominated by the Western Australian Trotting Association and appointed by the Minister;
- (f) one person nominated by the Western Australian Greyhound Racing Association and appointed by the Minister; and

- (g) one person, not being a member of any of the organisations mentioned in (c), (d), (e) or (f), appointed by the Minister.

Legislative Responsibilities

Section 6G(1) of the *Betting Control Act 1954* described the Board's responsibilities as:

- (a) to administer the law relating to the regulation of betting carried on under the *Betting Control Act 1954* or the *Totalisator Agency Board Betting Act 1960*;
- (b) to review the conduct, extent and character of that betting, including the provision, use and location of the betting facilities, and to cause licences, permits and authorisations relating to that betting to be issued as appropriate;
- (c) in conjunction with the Gaming Commission and the racing industry controlling authorities, taking into account the requirements and interest of the community as a whole, to formulate and implement policies for the scrutiny, control and regulation of that betting;
- (d) to –
 - (i) licence; or
 - (ii) grant, refuse or revoke any permit, approval, or authorisation in respect of, persons, premises, facilities, equipment and betting operations concerned with betting or in relation to whom or which a licence, permit, approval or authorisation is sought;
- (e) to advise the Minister, either of its own motion or upon request of the Minister, as to any matter relating to that betting;
- (f) to make recommendations to the Minister in relation to the control or supervision of particular kinds of betting or betting in particular circumstances, and as to the fees and charges to be prescribed;
- (g) to administer a scheme for the collection and verification of the payments of bookmakers' betting levy –
 - (i) to be remitted under section 15 (5) (b); or
 - (ii) deliverable under section 16 (3) (c), together with any additional levy payable under section 18B, and to cause to be paid into the Consolidated Fund all such moneys as are from time to time received by the Board; and
- (h) to enforce, and to prosecute persons contravening –
 - (i) the *Betting Control Act 1954*; and
 - (ii) the *Totalisator Agency Board Betting Act 1960*.

Board Meetings

The Betting Control Board met monthly or as required and every member is required to attend all meetings. If a member is unable to attend, arrangements are made for the deputy member to attend in his or her place. *If a member of the Board is absent, without the permission of the Minister, from four consecutive meetings of the Board, the office of that person becomes vacant.*

Dissenting members have the right to require their dissenting vote and any underlying reasons to be recorded in the minutes if they deemed it necessary.

Delegation of Board Powers

The Betting Control Board delegated some of its powers in the event that an urgent approval is required which cannot or need not wait until the next Board meeting. In this regard, some of these matters delegated to the Chairman and Secretary include:

- applications for the grant or renewal of a bookmaker's employee licence where the applicant has not incurred a conviction of a dishonest or serious nature;
- approval for amendments to sporting event betting contingencies;
- requests for authorisation to conduct telephone betting or to use a computerised betting ledger and the approval of equipment for these purposes; and
- approval for the conduct of race day betting by bookmakers at a racecourse at times other than during the course of a race meeting.

Boundaries to be Observed by Delegates

Where the Betting Control Board resolved to delegate its powers to the Chairman, or any officer of the Board, either generally or as provided in an instrument of delegation, the delegate may perform a power or duty only in accordance with that delegation and, when so exercised or performed, that power or duty shall be deemed to be exercised or performed by the Board.

Independent Professional Advice

In carrying out official duties, each member has the right to seek independent professional advice at the Board's expense, where the member considers it necessary to carry out his/her duties and subject to prior agreement of the Chairman, which cannot reasonably be withheld.

Access to Resources and Information

Each member is entitled to obtain such resources and information from the Board and/or the Department of Racing, Gaming and Liquor, including direct access to agency staff, as they may require after notifying the Chairman.

Betting Control Board Financial Controls

The Betting Control Board is responsible for keeping proper accounts and maintaining adequate systems of internal control to provide a reasonable assurance that the receipt and expenditure of moneys, the acquisition and disposal of property and the incurring of liabilities is in compliance with the requirements of the *Financial Administration and Audit Act 1985*, Treasurer's Instructions and other relevant written law.

The Department of Racing, Gaming and Liquor provided financial services and support to the Board. The Principal Accounting Officer of the Department of Racing, Gaming and Liquor is also responsible for the financial administration of the Board. However, primary responsibility for the detection, investigation and prevention of financial irregularities always rests with the Betting Control Board. Internal audit services are provided to the Board by the Department of Racing, Gaming and Liquor.

As part of its annual reporting obligations, the Betting Control Board is required to submit its Statement of Financial Performance, Statement of Financial Position and Statement of Cash Flows as part of its Financial Statements to the Auditor General of Western Australia.

Support for Board Operations

Support for the Board was provided by the Department of Racing, Gaming and Liquor. The Department recoups the cost of providing these services from the Board. From 28 June 1996, the Board became self-funded from bookmaker and totalisator licence fees and an annual contribution from the TAB, the amount of which must be approved by the responsible Minister.

BOARD MEMBERSHIP

The membership of the Betting Control Board as at 29 January 2004 was:

Chairman

Mr Barry Sargeant, Director General, Department of Racing, Gaming and Liquor, is an *ex-officio* member and appointed Chairman of the Board. Mr Sargeant assumed this position in November 1992 when appointed Executive Director of the Office of Racing, Gaming and Liquor. Mr Sargeant's deputy is Mr David Halge, Director Operations, of the Department of Racing, Gaming and Liquor.

Chairperson of the TAB

Mr Ross Bowe, Chairperson of the Western Australian TAB, is an *ex-officio* member of the Board. Mr Bowe assumed this position in August 2003 when he replaced Mr Raymond Walker as Chairperson of the TAB.

Mr Geoffrey Martin was approved by the Minister under section 6(2)(a)(ii) as a member of the Board, nominated by the TAB, during the period August 2003 to October 2003.

Nomination of the Minister for Racing and Gaming

Ms Catherine (Kate) Barlow was appointed by the Minister as the independent member of the Board in November 1998.

Nominee of the WA Bookmakers' Association

Mr Kieran Glynn is a licensed bookmaker and a former President of the Committee of the WA Bookmakers' Association. He was appointed to the Board in July 1999. Mr Glynn's deputy is Mr Brian Bartlett, a licensed bookmaker and former member of the Committee of the Association.

Nominee of the Western Australian Turf Club

Mr Terry Davenport, is a member of the WA Turf Club Committee. Mr Davenport was appointed to the Board in December 2002. Mr Davenport's deputy is Mr John Nicolay, member of the Committee of the WA Turf Club.

Nominee of the Western Australian Trotting Association

Mr Kenneth Tilbrook is a member of the Committee of the WA Trotting Association and was appointed to the Board on 1 December 2000. Mr Tilbrook's deputy is Mr Graham Compson, a Western Australia Trotting Association Committee member.

Nominee of the Western Australia Greyhound Racing Association

Mr Ken Norquay is the Chief Executive Officer of the WA Greyhound Racing Association and was appointed to the Board in November 1993. Mr Norquay's deputy is Mr Clive Nelthorpe, a former member of the Western Australian Greyhound Racing Association.

Secretary

The Secretary to the Board is Mr Jon Nichols, Manager Policy and Executive Support, of the Department of Racing, Gaming and Liquor.

Declaration of Interests

At the date of reporting, other than normal contracts of employment of service, no Board members, firms of which Board members are members or entities in which Board members have substantial interests, had any interests in existing or proposed contracts with the Board or Board members.

Retired Members

During the year, Mr Raymond Walker (Chairperson of the Western Australia TAB) retired as a member of the Board.

REPORT ON OPERATIONS

The Board met on three occasions during the period under review and presided over the following highlights:

Amendments to Betting Legislation

Racing and Wagering Western Australia Act 2003

The *Racing and Wagering Western Australia Act 2003* came into operation on 1 August 2003. The purpose of the Act is to implement the restructure of the racing industry governance system in Western Australia by merging the principal club functions of the Western Australian Turf Club, Western Australian Trotting Association and Western Australian Greyhound Racing Association, together with the off-course betting activities of the TAB, into a single controlling authority to be known as Racing and Wagering Western Australia (RWVA).

Specifically, to achieve the restructure the following changes occurred:

- RWVA was established as the controlling authority for thoroughbred, harness and greyhound racing in Western Australia;
- the Western Australian Turf Club, the Western Australian Trotting Association, and the Western Australian Greyhound Racing Association remained as racing clubs, responsible for the conduct of racing activities at their respective venues;
- the TAB was abolished and RWVA assumed responsibility for the conduct of off-course betting from 30 January 2004;
- the Racecourse Development Trust was abolished and the development of racing and training infrastructure became a function of RWVA. The Trust's obligations, unallocated funds and funding source (unclaimed TAB dividends and refunds) were transferred to RWVA.

To complement the restructure, the Betting Control Board was abolished and its functions transferred to the Gaming Commission of Western Australia to form the Gaming and Wagering Commission of Western Australia on 30 January 2004.

To manage these changes, in addition to *Racing and Wagering Western Australia Act 2003*, the following Acts have also been assented to -

- *Racing and Gambling Legislation Amendment and Repeal Act 2003*;
- *Racing Restriction Act 2003*; and
- *Racing and Wagering Western Australia Tax Act 2003*.

Racing and Gambling Legislation Amendment and Repeal Act 2003

On 1 August 2003, the *Racing and Gambling Legislation Amendment and Repeal Act 2003* came into operation. The purpose of the Act is to provide the transitional provisions needed to manage the establishment of RWWA and the consequential amendments needed to other Acts to recognise RWWA and to achieve the complementary aspects of the governance structure.

Racing Restriction Act 2003

The *Racing Restriction Act 2003* came into operation on 1 August 2003. The Act is essentially a re-draft of the *Racing Restriction Act 1917*, and stipulates that no thoroughbred, harness or greyhound race for a stake or prize, or for the purposes of betting, may be held unless the race is licensed by Racing and Wagering Western Australia (RWWA) and is held at a racecourse that is licensed by RWWA.

The Act maintains the present authority for the Minister to issue a direction to the relevant controlling authority arising from a dispute over any proposed change to the program of thoroughbred or harness racing meetings conducted in the metropolitan area that may necessitate a reduction in the number of race meetings conducted outside the metropolitan area.

The Act also implements a National Competition Policy Review recommendation to provide for the establishment, with the approval of the Minister, of an “approved racing organisation” as the controlling authority for horse racing that is not thoroughbred or harness racing.

Racing and Wagering Western Australia Tax Act 2003

On 30 January 2004, the *Racing and Wagering Western Australia Tax Act 2003* came into operation. The purpose of the Act is to apply the taxation regime that is currently in place in respect of the TAB under the *Totalisator Agency Board Betting Tax Act 1960* to RWWA’s off-course wagering turnover.

Betting Control Amendment Regulation (No. 3) 2003

These amendment regulations came into operation on 1 January 2004 and increased the Betting Control Board’s prescribed fees and charges (following a review in accordance with the provisions of section 55(b) of the *Financial Administration and Audit Act 1985*).

Betting Control Amendment Regulations (No. 4) 2003

These amendment regulations came into operation on 11 November 2003 and permit the display of a business name in lieu of the bookmakers name, provided it does not misrepresent the nature of service offered by the bookmaker and that the business name is acceptable to the Betting Control Board.

Totalisator Agency Board (Betting) Amendment Regulations 2003

These amendment regulations came into operation on 26 September 2003 and include the following Eastern States racing venues in the list of racecourses prescribed for the purposes of betting by the TAB;

- Mortlake, Victoria
- Edenhope, Victoria
- Penshurst, Victoria

- The Meadows, Victoria
- Grenfell, New South Wales
- Sapphire Coast, New South Wales
- Tumut, New South Wales
- Narrandera, New South Wales
- Tweed Heads, New South Wales
- Junee, New South Wales
- Temora, New South Wales
- Grafton, New South Wales
- Nowra, New South Wales
- Maitland, New South Wales
- Singleton, New South Wales
- Casino, New South Wales
- Redcliffe, Queensland
- Albion Park, Queensland
- Beenleigh, Queensland
- Bordertown, South Australia

Racing and Wagering Western Australia Regulations 2003

These regulations, implemented on 1 August 2003:

- i) establish licensing provisions for directors and key employees under sections 14 and 24 of the *Racing and Wagering Western Australia Act 2003*; and
- ii) detail arrangements for the payment of the annual fee payable by RWWA to the Gaming Commission to cover the cost of the Commission's regulatory functions in respect of RWWA, under section 53 of the *Racing and Wagering Western Australia Act 2003*,

In respect of the RWWA licensing regulations, the licence application fees will be the same as those applying in respect of Burswood Casino key employees.

Inspection Activities

In discharging its obligation to enforce the provisions of the *Betting Control Act 1954* and the *Totalisator Agency Board Betting Act 1960*, the Board's role is to ensure that adequate controls have been put in place to establish compliance with legislative requirements and to monitor the ongoing effectiveness of those controls.

Risk based, compliance assessment programs are used to assess compliance in relation to bookmakers' on-course and telephone betting operations, on-course totalisator betting, and betting conducted at TAB agencies. A regulatory agreement has been developed in conjunction with the TAB for the regulation of TAB betting in accordance with the *Betting Control Act 1954* and *Totalisator Agency Board Betting Act 1960*. Over the past seven years, betting inspections and audits have been carried out, on behalf of the Board, by the Inspectorate of the Department of Racing, Gaming and Liquor.

The Board, through the agency of the Department of Racing, Gaming and Liquor Inspectorate, carried out a program of 46 TAB agency audits and 1 agency inspections. These audits and inspections returned a high rate of compliance. A further 24 bookmaker and on-course totalisator inspections and audits were carried out on behalf of the Board.

During the period under review, the Board successfully prosecuted:

- one person in the Perth Court of Petty Sessions in relation to 7 counts of credit betting; and
- one TAB agent in the Fremantle Court of Petty Sessions in relation to 50 counts of credit betting. The decision was appealed to the Supreme Court and the appeal was subsequently dismissed.

Disciplinary action instigated by the Board during the year in relation to non-compliance included the following:

- a warning issued to a club for breaching the *Betting Control Act 1954* relating failing to obtain the necessary approval for a calling of the card function;
- a warning to a TAB agent for breaching the *Betting Control Act 1954* relating to credit betting; and
- a warning to a TAB employee for breaching the *Betting Control Act 1954* relating to credit betting.

Licensing

Amendments to the *Betting Control Act 1954* in September 2002 provided for, amongst other matters, a bookmaker's licences to be issued to a natural person, partnership or body corporate. A significant feature of the corporate licensing provisions was the requirement for a partnership or body corporate holding a bookmaker's licence to appoint a person as a bookmaker's manger to manage the operations.

The number of licensed bookmaking operations in the State as at 29 January 2004 was 49, of which two were partnerships and another was a body corporate. Two new bookmaker licences were issued, while two licences were surrendered. Two bookmakers were authorised to conduct sports betting during the year.

To accommodate the corporate licensing provisions the Board issued one bookmaker's manager licence.

The Board issued 15 new bookmaker's employee licences during the year. A total of 2 licences were renewed during the year and 19 were terminated.

The amendments to the *Betting Control Act 1954*, that came into operation on 1 August 1998, established provision for the issue of a temporary bookmaker's employee's licence to cater for times when a bookmaker needed to urgently licence an employee at short notice. This provision was utilised by a number of bookmakers during the year to overcome licensed employee shortages.

Thirteen bookmakers in Western Australia are authorised to conduct internet betting. Licensed bookmakers with internet endorsement not only must comply with the provisions of the *Betting Control Act 1954* but also with the Federal Government's *Interactive Gambling Act 2001* (Cth).

The Commonwealth Act places restrictions on interactive gambling and prohibits the provision of interactive gambling to people located in Australia. With regard to betting, the Act permits interactive wagering on horse and greyhound racing, and on sporting events (provided the transaction takes place prior to the sporting event commencing).

The Act bans the advertising of prohibited interactive gambling services on broadcast media, print media and billboards. Advertising on internet services aimed at an Australian audience is also banned.

On-course Betting Information

For the reporting period the total bookmaker turnover was \$61 million. Race bookmaking turnover was \$57.9 million and sports betting turnover was \$3.1 million.

Legislation introduced in 1998/99 to allow bookmakers to attend designated sporting events was not utilised over the reporting year.

On-course totalisator betting statistics were not available at the time of the report. However, this information and will be included in the 2003/04 annual report of the Gaming and Wagering Commission.

Bookmaker Betting Levy

Bookmakers paid betting levy totalling \$1.2 million on this turnover, all of which was retained by the host racing club apart from an amount of \$7, 671 (0.25 % of sports betting turnover) which was remitted to the Betting Control Board for disbursement as directed by the Minister for Sport and Recreation. In this regard there has been no disbursement of these funds by the Minister during the reporting period.

As reported in the 2002/03 annual report, thoroughbred and harness racing clubs have a policy of providing financial relief for bookmakers through rebates of a portion of betting levy.

GST Rebates

Bookmakers and racing clubs continue to benefit from the Government's rebate on GST for gross gambling margins. Rebates for the period under review totaled \$613,000.

Computerised Systems

As part of a commitment to e-business focussing on progressing web-based business transactions, a computerised system was implemented during August of 2003 to enable the lodgement of financial returns and payment of sports betting levy via the internet by race clubs in relation to betting turnover by bookmakers.

STATISTICAL INFORMATION

As this report covers a six monthly reporting period instead of the normal twelve month period, statistical information pertaining to Bookmakers' Licenses, Bookmakers' Employee Licenses, Bookmakers' Managers Licenses, Bookmakers' Turnover and Levy and On-Course Totalisator Turnover for the year will be included in the 2003/04 annual report of the Gaming and Wagering Commission.

REPORT ON EQUITY, ACCESS AND CUSTOMER FOCUS

Freedom of Information

As a statutory authority, the Betting Control Board is an “agency” for the purposes of the *Freedom of Information Act 1992*. The decision-maker in respect of all betting related access applications is the Director of Operations (Department of Racing, Gaming and Liquor) and the internal reviewer is the Chairman of the Board.

Compliance with Public Sector Standards

The Betting Control Board does not employ staff but has a net appropriation agreement with the Department of Racing, Gaming and Liquor relating to the functions carried out on behalf of the Board by staff of that agency.

As such, the Betting Control Board does not maintain plans for —

- *Equal Employment Opportunity;*
- *Public Sector Standards;*
- *Language Services;* and
- *Disability Services;*

and relies on the relevant plans of the Department of Racing, Gaming and Liquor. Accordingly, the Betting Control Board does not report on the outcomes of those plans. Details of the relevant plans and outcomes are available in the Department’s Annual Report.

Compliance with section 175ZE of the Electoral Act 1907

In compliance with section 175ZE of the *Electoral Act 1907*, the Betting Control Board is required to report on expenditure incurred during the financial year in relation to advertising agencies, market research organisations, polling organisations, direct mail organisations and media advertising organisations.

The details of the report are as follows:

<u>Expenditure with Advertising Agencies</u>	Nil
<u>Expenditure with Direct Mail Agencies</u>	Nil
<u>Expenditure with Government Agencies</u>	\$238.58
State Law Publisher	\$238.58
<u>Expenditure with Market Research Agencies</u>	Nil
<u>Expenditure with Media Advertising Agencies</u>	\$258.50
West Australian Newspapers	\$258.50
<u>Expenditure with Polling Agencies</u>	Nil
TOTAL EXPENDITURE	\$497.08

Pricing Policies on Outputs

Details regarding the pricing policies of outputs are provided in the Annual Report for the Department of Racing, Gaming and Liquor.

Major Promotional, Public Relations or Marketing Activities

The Department of Racing, Gaming and Liquor provides executive support to the Betting Control Board. It does not have a public relations unit within its structure. However, the Chairman and senior officers of the Department of Racing, Gaming and Liquor are regularly required to liaise with the media. They have also been required to represent the agency at a number of formal and social functions.

Summary of Gaming Commission Publications Available from the Department of Racing, Gaming and Liquor

The Department of Racing, Gaming and Liquor provides a number of publications to assist the public of Western Australia and the industries regulated by the Department. The publications relevant to the Board are the:

- Annual Report of the Betting Control Board.
- Racing Industry Status Report (statistical publication on the status of the racing industry in Western Australia.
- Betting Control Board Bulletin.

BUDGET INFORMATION AND OUTPUT MEASURES

Budget Information

	Estimate 2003/04 \$	Actual 2003/04 \$	Actual 2002/03 \$	Actual 2001/02 \$
Expenses from Ordinary Activities				
Fees Paid to Board Members	23 750	12 052	22 466	23 132
Other Expenses from Ordinary Activities	106 895	57 588	106 664	93 266
Total Cost of Services	130 645	69 640	129 130	116 398
Revenues from Ordinary Activities				
User Charges and Fees	125 400	56 571	122 249	111 839
Other Revenues from Ordinary Activities	4 565	1 471	4 481	4 456
Total Revenue from Ordinary Activities	129 965	58 042	126 730	116 295
Net Cost of Services	680	11 598	2 400	103
Total Revenues from Government	0	0	0	0
Total Changes in Equity Other Than Those Resulting from Transactions with WA State Government as Owners	(680)	(11 598)	(2 400)	(103)

Output Measures

Measure	2003/04 Target	2003/04 Actual
Quantity		
Number of betting audits and inspections conducted	173	71
Quality		
% of betting inspections and audits conducted in accordance with the Board's approved program	100%	100%
Timeliness		
% of on-course betting service providers inspected or audited every two years	50%	42%
Cost		
Average cost per betting inspection or audit (measured against total Board expenditure)	\$755	\$981

The target output measures for 2003/04 were projected on a 12 month audit and inspection period whilst the actual output measures for 2003/04 were for a 6 month period 01 August 2003 to 29 January 2004. Effective 30 January 2004 the Betting Control Board was abolished and its functions transferred to the Gaming Commission of Western Australia, which was re-named the Gaming and Wagering Commission of Western Australia.

FINANCIAL STATEMENTS

The aim of these Financial Statements is to present to the Parliament details of revenue and expenditure for the Betting Control Board.

This part of the Annual Report contains:

- Financial Statements;
- Accompanying Notes;
- Certification of the Financial Statements, and
- The Opinion of the Auditor General.

Betting Control Board
Statement of Financial Performance
for the period 1 August 2003 to 29 January 2004

	Note	1 August 2003 - 29 January 2004 \$	2002/03 \$
COST OF SERVICES			
Expenses from ordinary activities			
Board members expenses	11	12,052	22,466
Superannuation	1(h), 11	1,085	2,021
Other expenses from ordinary activities	1(g)	56,503	104,643
Total cost of services		69,640	129,130
Revenues from ordinary activities			
Revenue from operating activities			
Fees and charges	1(f)	56,571	122,249
Revenue from non-operating activities			
Interest revenue		1,471	4,481
Total revenues from ordinary activities		58,042	126,730
NET COST OF SERVICES	10(b)	11,598	2,400
CHANGE IN NET ASSETS		(11,598)	(2,400)
TOTAL CHANGES IN EQUITY OTHER THAN THOSE RESULTING FROM TRANSACTIONS WITH WA STATE GOVERNMENT AS OWNERS			
		(11,598)	(2,400)

The Statement of Financial Performance should be read in conjunction with the accompanying notes.

Betting Control Board
Statement of Financial Position
as at 29 January 2004

	Note	2003/04 \$	2002/03 \$
Current Assets			
Cash assets	2, 12 (a)	46,756	29,831
Receivables	1(d), 3, 12(a)	0	1,985
Other assets	4, 12 (a)	498	483
Inventories	1(j), 5	4,557	3,746
Total Current Assets		51,811	36,045
Total Assets		51,811	36,045
Current Liabilities			
Payables	1(d), 6, 12(a)	6,059	7,391
Accrued Board Fees		0	1,980
Fees in Advance	7, 12(a)	23,388	0
Fees in trust	8, 12(a)	33,282	25,994
Total Current Liabilities		62,729	35,365
Total Liabilities		62,729	35,365
NET ASSETS		(10,918)	680
Equity			
Accumulated surplus/(deficiency)	9	(10,918)	680
TOTAL EQUITY		(10,918)	680

The Statement of Financial Position should be read in conjunction with the accompanying notes.

Betting Control Board

Statement of Cash Flows

for the period 1 August 2003 to 29 January 2004

	Note	1 August 2003 - 29 January 2004 \$ Inflows (Outflows)	2002/03 \$ Inflows (Outflows)
CASH FLOWS FROM OPERATING ACTIVITIES			
Payments			
Board members expenses		(14,032)	(22,403)
Payments for superannuation		(1,263)	(2,016)
Payments to suppliers		(58,465)	(102,380)
GST payments on purchases		(839)	(7,019)
Receipts			
Interest received		1,456	4,588
Receipts from customers		79,984	122,249
GST receipts on sales		185	531
GST receipts from taxation authority		2,611	4,417
Net cash provided by/(used in) operating activities	10(b)	<u>9,637</u>	<u>(2,033)</u>
CASH FLOWS FROM INVESTING ACTIVITIES			
Receipts from fees in trust		7,288	16,417
Payments from fees in trust		0	(60,000)
Net cash used in investing activities		<u>7,288</u>	<u>(43,583)</u>
Net increase/(decrease) in cash held		16,925	(45,616)
Cash assets at the beginning of the financial year		<u>29,831</u>	<u>75,447</u>
Cash assets at the end of January	2, 10(a)	<u><u>46,756</u></u>	<u><u>29,831</u></u>

The Statement of Cash Flows should be read in conjunction with the accompanying notes.

1. STATEMENT OF ACCOUNTING POLICIES

These financial statements of the Betting Control Board are for the period 1 August 2003 to 29 January 2004.

The following accounting policies have been adopted in the preparation of the financial statements. Unless otherwise stated, these policies are consistent with those adopted in the previous year.

(a) General

The financial statements constitute a general purpose financial report which has been prepared in accordance with Accounting Standards, Statements of Accounting Concepts and other authoritative pronouncements of the Australian Accounting Standards Board, and Urgent Issues Group (UIG) Consensus Views as applied by the Treasurer's Instructions. Several of these are modified by the Treasurer's Instructions to vary application, disclosure, format and wording. The Financial Administration and Audit Act and the Treasurer's Instructions are legislative provisions governing the preparation of financial statements and take precedence over Accounting Standards, Statements of Accounting Concepts and other authoritative pronouncements of the Australian Accounting Standards Board, and UIG Consensus Views. The modifications are intended to fulfil the requirements of general application to the public sector, together with the need for greater disclosure and also to satisfy accountability requirements.

If any such modification has a material or significant financial effect upon the reported results, details of that modification and where practicable, the resulting financial effect, are disclosed in individual notes to these financial statements.

(b) Basis of accounting

The financial statements have been prepared on the accrual basis of accounting using the historical cost convention, except for certain assets and liabilities which, as noted, are measured at fair value.

(c) Cash

For the purpose of the Statement of Cash Flows, cash includes cash assets and restricted cash assets.

(d) Receivables and Payables

Receivables are recognised at the amounts receivable and they are due for settlement no more than 30 days from the date of recognition.

Collectability of receivables is reviewed on an ongoing basis. Debts which are known to be uncollectable are written off. A provision for doubtful debts is raised where some doubts as to collection exist and in any event where the debt is more than 60 days overdue.

Payables, including accruals not yet billed, are recognised when the Board becomes obliged to make future payments as a result of a purchase of goods or services. Payables are generally settled within 30 days.

(e) Insurance

Personal accident insurance for board members is arranged through RiskCover by the Department of Racing, Gaming and Liquor.

(f) User charges and fees

User charges and fees mainly comprises funding from the Totalisator Agency Board, bookmaker and totalisator licence fees and the sale of betting stationery. This represents money received pursuant to the Betting Control Act 1954.

(g) Services performed for the Betting Control Board by the Department of Racing, Gaming and Liquor

The Department of Racing, Gaming and Liquor provides support to the Betting Control Board to enable the Board to carry out its objectives. This support comprises most of the amount reported in the Statement of Financial Performance under 'Other expenses from ordinary activities'. These expenses are in the nature of salaries and administration costs in providing these support services.

Recoups from the Board to the Department of Racing, Gaming and Liquor are made on a monthly basis under a net appropriation agreement.

(h) Employee benefits

(i) Annual and Long Service Leave

The Betting Control Board does not employ staff. The Board utilises the staff and facilities of the Department of Racing, Gaming and Liquor. The cost of the services provided by the Department of Racing, Gaming and Liquor is recouped from the Board as a service fee. Accordingly, provisions have not been made for annual and long service leave.

(ii) Superannuation

The board members of the Board are non-contributory members of the West State Superannuation Scheme, an accumulation fund complying with the Commonwealth Government's Superannuation Guarantee (Administration) Act 1992. The superannuation expense comprises employer contributions in respect of board members which are payable to the West State Superannuation Scheme by the Board.

The liabilities for superannuation charges under the West State Superannuation Scheme are extinguished by payment of employer contributions to the Government Employees Superannuation Board (GESB).

The note disclosure required by paragraph 6.10 of AASB 1028 (being the employer's share of the difference between employees' accrued superannuation benefits and the attributable net market value of plan assets) has not been provided. State scheme deficiencies are recognised by the State in its whole of government reporting. The GESB's records are not structured to provide the information for the Board. Accordingly, deriving the information for the Board is impractical under current arrangements, and thus any benefits thereof would be exceeded by the cost of obtaining the information.

(i) Net fair values of financial assets and liabilities

Net fair values of financial instruments are determined on the basis of carrying amounts of current assets and current liabilities as those amounts are considered to approximate net market value.

(j) Inventories

Inventories are valued on a first in first out basis at the lower of cost and net realisable value.

(k) Comparative figures

Comparative figures are, where appropriate, reclassified so as to be comparable with the figures presented in the current financial year.

	1 August 2003 - 29 January 2004	2002/03
	\$	\$
2. CASH ASSETS		
Cash assets are represented by funds held at the Commonwealth Bank of Australia	<u>46,756</u>	<u>29,831</u>

	1 August 2003 - 29 January 2004 \$	2002/03 \$
3. RECEIVABLES		
Goods and services tax	0	1,985
	<u>0</u>	<u>1,985</u>
4. OTHER ASSETS		
Interest receivable	498	483
	<u>498</u>	<u>483</u>
5. INVENTORIES		
Betting tickets	900	654
Betting ledgers	3,658	3,092
	<u>4,557</u>	<u>3,746</u>
6. PAYABLES		
Payables for goods and services received	6,050	7,391
Goods and services tax	9	0
	<u>6,059</u>	<u>7,391</u>
7. FEES IN ADVANCE		
Bookmakers licence fee	11,742	0
Totalisator licence fee	11,646	0
	<u>23,388</u>	<u>0</u>
8. FEES IN TRUST - SPORTS BETTING LEVY		
Opening balance	25,994	69,577
Receipts	7,288	16,417
Payments	-	(60,000)
Closing balance	<u>33,282</u>	<u>25,994</u>
<p>Fees in trust represents amounts of betting levy collected from bookmakers' sports betting turnover. These monies are to be transferred to the Sports Wagering Account administered by the newly formed Gaming & Wagering Commission of WA .</p>		
9. EQUITY		
Accumulated surplus/(deficiency)		
Opening balance	680	3,080
Change in net assets resulting from operations	(11,598)	(2,400)
Closing balance	<u>(10,918)</u>	<u>680</u>

10. NOTES TO THE STATEMENT OF CASH FLOWS

(a) Reconciliation of cash

Cash at the end of the financial year as shown in the Statement of Cash Flows is reconciled to the related items in the Statement of Financial Position as follows:

	1 August 2003 - 29 January 2004	2002/03
	\$	\$
Cash assets	<u>46,756</u>	<u>29,831</u>
	<u>46,756</u>	<u>29,831</u>

(b) Reconciliation of net cost of services to net cash flows provided by/(used in) operating activities

Net cost of services	(11,598)	(2,400)
(Increase)/decrease in assets:		
Other assets	(15)	107
Inventories	(811)	840
Increase/(decrease) in liabilities:		
Payables	(1,341)	1,441
Accrued board fees	(1,980)	63
Fees in Advance	23,388	0
Net GST receipts/(payments)	1,957	(2,071)
Change in GST in receivables/payables	<u>37</u>	<u>(13)</u>
Net cash provided by/(used in) operating activities	<u>9,637</u>	<u>(2,033)</u>

11. REMUNERATION OF MEMBERS OF THE ACCOUNTABLE AUTHORITY

The number of members of the Accountable Authority whose total of fees, salaries, superannuation and other benefits for the financial year, fall within the following band:

	No.	No.
\$0 - \$10,000	<u>7</u>	<u>7</u>

1 August 2003 - 29 January 2004	2002/03
\$	\$

The total remuneration of the members of the Accountable Authority is:

<u>13,137</u>	<u>24,487</u>
---------------	---------------

The superannuation included here represents the superannuation expense incurred by the Authority in respect of members of the Accountable Authority.

No members of the Accountable Authority are members of the Pension Scheme.

12. ADDITIONAL FINANCIAL INSTRUMENTS DISCLOSURES

a) Interest rate risk exposure

The Board's exposure to interest rate risk and effective interest rates on financial instruments are:

	Weighted average effective interest rate	Floating interest rate	Non-interest bearing	Total 29 January 2004	Total 31 July 2003
		\$	\$	\$	\$
<u>29 January 2004</u>					
i) Financial assets	5.176%				
Cash assets		46,756		46,756	29,831
Receivables			0	0	1,985
Other assets			498	498	483
Total financial assets		46,756	498	47,254	32,299
ii) Financial liabilities					
Payables			6,059	6,059	7,391
Fees in Advance			23,388	23,388	0
Fees in trust			33,282	33,282	25,994
Total financial liabilities			62,729	62,729	33,385

b) Credit risk exposure

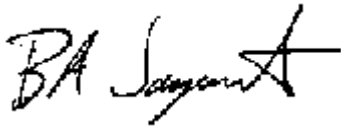
All financial assets are unsecured. Amounts owing by other government agencies are guaranteed and therefore no credit risk exists in respect of those amounts. In respect of other financial assets the carrying amounts represent the Board's maximum exposure to credit risk in relation to those assets.

	1 August 2003 - 29 January 2004	2002/03
	\$	\$
13. REMUNERATION OF AUDITOR		
The total of fees paid or due and payable to the auditors of the Board for the financial year is as follows:		
Fees to the Auditor General:		
- for external audit	<u>6,000</u>	<u>4,500</u>
14. OUTPUT INFORMATION		
The only output of the Board is Functions Performed for the Racing Industry. The details disclosed in the Statement of Financial Performance represent all details of expenses and revenues from ordinary activities for this output.		
15. OTHER COMMITMENTS		
As at 29 January 2004 the Board did not have any other material capital or expenditure commitments.		
16. CONTINGENT LIABILITIES AND CONTINGENT ASSETS		
The Board is not aware of any contingent liabilities and assets as at balance date.		
17. EVENTS OCCURRING AFTER REPORTING DATE		
As a result of the restructure of the Western Australian racing industry, the Betting Control Board was subsumed by the Gaming Commission of Western Australia to form the Gaming and Wagering Commission of Western Australia on 30 January 2004.		
18. RELATED BODIES		
The Board does not provide any assistance to other agencies which would deem them to be regarded as related bodies under the definitions included in Treasurer's Instruction 951.		
19. AFFILIATED BODIES		
The Board does not provide any assistance to other agencies which would deem them to be regarded as affiliated bodies under the definitions included in Treasurer's Instruction 951.		

FINANCIAL STATEMENTS STATEMENT OF CERTIFICATION

The accompanying financial statements of the Betting Control Board have been prepared in compliance with the provisions of the *Financial Administration and Audit Act 1985* from proper accounts and records to present fairly the financial transactions for the financial year ending 29 January 2004 and the financial position as at 29 January 2004.

At the date of signing, I am not aware of any circumstances which would render any particulars included in the financial statements misleading or inaccurate.

A handwritten signature in black ink, appearing to read 'BA Sargeant', with a stylized flourish at the end.

Barry A Sargeant
REPORTING OFFICER

26 March 2004

INDEPENDENT AUDIT OPINION ON FINANCIAL STATEMENTS



AUDITOR GENERAL

INDEPENDENT AUDIT OPINION

To the Parliament of Western Australia

BETTING CONTROL BOARD FINANCIAL STATEMENTS FOR THE PERIOD AUGUST 1, 2003 TO JANUARY 29, 2004

Audit Opinion

In my opinion,

- (i) the controls exercised by the Betting Control Board provide reasonable assurance that the receipt, expenditure and investment of moneys, the acquisition and disposal of property, and the incurring of liabilities have been in accordance with legislative provisions; and
- (ii) the financial statements are based on proper accounts and present fairly in accordance with applicable Accounting Standards and other mandatory professional reporting requirements in Australia and the Treasurer's Instructions, the financial position of the Betting Control Board at January 29, 2004 and its financial performance and cash flows for the period ended on that date.

Scope

The Board's Role

The Board was responsible for keeping proper accounts and maintaining adequate systems of internal control, preparing the financial statements, and complying with the Financial Administration and Audit Act 1985 (the Act) and other relevant written law.

The Reporting Officer's Role

Following the abolition of the Board with effect from January 30, 2004 the Treasurer appointed a Reporting Officer under the provisions of section 70A of the Act, who was responsible for preparing and presenting the final financial statements.

The financial statements consist of the Statement of Financial Performance, Statement of Financial Position, Statement of Cash Flows and the Notes to the Financial Statements.

Summary of my Role

As required by the Act, I have independently audited the final accounts and financial statements to express an opinion on the controls and financial statements. This was done by looking at a sample of the evidence.

An audit does not guarantee that every amount and disclosure in the financial statements is error free. The term "reasonable assurance" recognises that an audit does not examine all evidence and every transaction. However, my audit procedures should identify errors or omissions significant enough to adversely affect the decisions of users of the financial statements.

D D R PEARSON
AUDITOR GENERAL
April 7, 2004

4th Floor Dumas House 2 Havelock Street West Perth 6005 Western Australia Tel: 08 9222 7500 Fax: 08 9322 5664

KEY PERFORMANCE INDICATORS

Outcome

The desired outcome of the Betting Control Board is to administer and control the conduct of on- and off-course betting in Western Australia in accordance with the *Betting Control Act 1954* and the *Totalisator Agency Board Betting Act 1960*.

Effectiveness Indicator

In order to meet its desired outcome of controlling the conduct of on- and off-course betting in Western Australia, the Board has developed compliance assessment programs to test compliance with legislative requirements by betting operators. The following effectiveness indicator measures the degree to which betting operators are found to have complied with legislative requirements.

1. The number of compliance assessment programs executed where full compliance has been established expressed as a percentage of total programs undertaken.

No. of programs executed: 71	2002/03 No. of programs executed: 145
Compliance Indicator: 97.2 per cent	2002/03 Indicator: 95.9 per cent
	2001/02 No. of programs executed: 159
	2001/02 Indicator: 84.9 per cent
	2000/01 No. of programs executed: 158
	2000/01 Indicator: 94.9 per cent

Output - Functions Performed for the Racing Industry

Output Description: Perform functions in accordance with statutory obligations.

Efficiency Indicators

1. The percentage of bookmaker's employee licence applications processed within five working days of a completed application being received, which did not require referral to a Board meeting.

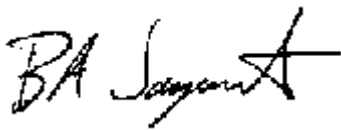
Indicator: 88.2 per cent	2002/03 Indicator: 98.0 per cent
	2001/02 Indicator: 100.0 per cent
	2000/01 Indicator: 100.0 per cent

2. The average cost of each compliance assessment program executed (calculated by dividing overall Board expenditure by the number of compliance assessment programs undertaken).

Indicator: \$981	2002/03 Indicator: \$891
	2001/02 Indicator: \$732
	2000/01 Indicator: \$972

PERFORMANCE INDICATORS STATEMENT OF CERTIFICATION

I hereby certify that the performance indicators presented here are based on proper records, are relevant and appropriate for assisting users to assess the performance of the Betting Control Board, and fairly represent the performance of the Board for the period ending 29 January 2004.

A handwritten signature in black ink, appearing to read 'BA Sargeant', with a stylized flourish at the end.

Barry A Sargeant
REPORTING OFFICER

26 March 2004

INDEPENDENT AUDIT OPINION ON PERFORMANCE INDICATORS



AUDITOR GENERAL

INDEPENDENT AUDIT OPINION

To the Parliament of Western Australia

**BETTING CONTROL BOARD
PERFORMANCE INDICATORS FOR THE PERIOD AUGUST 1, 2003 TO
JANUARY 29, 2004**

Audit Opinion

In my opinion, the key effectiveness and efficiency performance indicators of the Betting Control Board are relevant and appropriate to help users assess the Board's performance and fairly represent the indicated performance for the period August 1, 2003 to January 29, 2004.

Scope

The Board's Role

The Board was responsible for developing and maintaining proper records and systems for preparing performance indicators.

The Reporting Officer's Role

Following the abolition of the Board with effect from January 30, 2004 the Treasurer appointed a Reporting Officer under the provisions of section 70A of the Act, who was responsible for preparing and presenting the final performance indicators.

The performance indicators consist of key indicators of effectiveness and efficiency.

Summary of my Role

As required by the Financial Administration and Audit Act 1985, I have independently audited the final performance indicators to express an opinion on them. This was done by looking at a sample of the evidence.

An audit does not guarantee that every amount and disclosure in the performance indicators is error free, nor does it examine all evidence and every transaction. However, my audit procedures should identify errors or omissions significant enough to adversely affect the decisions of users of the performance indicators.

Handwritten signature of D D R Pearson in black ink.

D D R PEARSON
AUDITOR GENERAL
April 7, 2004

4th Floor Dumas House 2 Havelock Street West Perth 6005 Western Australia Tel: 08 9222 7500 Fax: 08 9322 5664

CONTACTING THE DEPARTMENT OF RACING, GAMING AND LIQUOR

Address, e-mail, facsimile and telephone contact details for the Department of Racing, Gaming and Liquor

The Department of Racing, Gaming and Liquor is located at -

Level 1, Hyatt Centre
87 Adelaide Terrace
East Perth, 6004
WESTERN AUSTRALIA

Postal address

P.O. Box 6119
East Perth, 6892
WESTERN AUSTRALIA

Telephone and facsimile numbers

Department of Racing, Gaming and Liquor's main switch-board: (08) 9425 1888
Country Callers (Toll-free): 1800 634 541
After hours (Message Bank): (08) 9425 1827
Facsimile number: (08) 9221 9838

Internet and e-mail service

General information is available on the Department of Racing, Gaming and Liquor's website, which can be found at www.rgl.wa.gov.au. The Betting Control Board's annual report is also available from the Department of Racing, Gaming and Liquor's website in PDF format.

Customers can also e-mail enquiries to rgl@rgl.wa.gov.au.

ACKNOWLEDGMENTS

Final Report Compilation: Colin Gray
A/Policy Officer
Department of Racing, Gaming and Liquor

Financial Statements: Jack Garrett
A/Principal Accounting Officer
Department of Racing, Gaming and Liquor