

Commercial raffle organiser's licence – company, incorporated association or partnership

This package contains the application and information material for a commercial raffle organiser's licence for a company, incorporated association or a partnership.

How to apply

This is an interactive PDF form which allows you to:

- complete the form using a computer or tablet
- save your progress and continue at a later time
- print the completed form to sign and return.

You are still able to print the form and complete it by hand if you prefer.

This form has been designed to be completed using the free Adobe Acrobat Reader software. To download this free software, please visit the following link or search for the free "Adobe Acrobat Reader" on your devices app store.

This form may not function as intended if you use any other software.

Send application via post to:

Victorian Gambling and Casino Control Commission
GPO Box 1988
Melbourne Vic 3001

lodge in person at:

Level 3, 12 Shelley Street, Richmond VIC 3121

or via email to:

contact@vgccc.vic.gov.au

Need help?

For more information on how to apply for a liquor or gambling licence or permit:

- visit the Victorian Gambling and Casino Control Commission (VGCCC) website at vgccc.vic.gov.au
- telephone the VGCCC on 1300 182 457
- email the VGCCC at contact@vgccc.vic.gov.au

Important information

Commercial raffle organiser's licence – company, incorporated association or partnership

Directions for completion

Any person (natural or corporate) can apply to the Victorian Gambling and Casino Control Commission (the VGCCC).

Answer every question and use BLOCK letters.

- If a question does not apply, or if there are no details to disclose in response to a particular question, print N/A (not applicable) in response.
- If the space available is insufficient, please supply the required information on an attachment page(s). If you do so, begin each answer with the title and reference of the question you are responding to.

You must carefully review the application form and lodgement checklist (see page 5) to ensure it is fully completed and that all required attachments are provided. This simple check could save unnecessary delays in registration and processing time of the application.

The application form may be returned to you if you do not provide a response to all applicable questions, or if all required attachments are not enclosed

Nomination of an authorised officer to complete the application form on behalf of the applicant

For the purposes of this application, the '**applicant**' must nominate an '**authorised officer**' responsible for the completion of an application form and for the certification of all information provided. The authorised officer will be an associate of the applicant and should have capacity to influence the business direction of the applicant. This capacity to influence may include but extends beyond the day to day management and control of the commercial raffle organiser. The authorised officer is typically the chairman of the board of directors/committee of management, managing director, chief executive officer, public officer or club/company secretary.

False or misleading information

It is an offence under the Act to give information that is false or misleading. If you give false or misleading information, your application may be refused and/or you may be prosecuted and fined up to 60 penalty units (visit www.vgccc.vic.gov.au/Fees-Fines to confirm the current value of a penalty unit).

Publication of disciplinary action

The holder of a commercial raffle organiser's licence may be subject to disciplinary action being taken by the VGCCC. If the VGCCC does take disciplinary action against a licensed commercial raffle organiser, its decision, including the licensee's full name and licence number, will be published on the VGCCC website and in the VGCCC Annual Report.

Notification of changes

While your application is in progress

Between lodging the application and a decision being made about it, the VGCCC must be notified in writing about any changes to the information that has been provided (including any documents lodged with the application). Failure to provide the VGCCC with updated information may result in the application being refused, or any licence granted being subsequently cancelled.

Following grant of a licence

If a licence is granted, the licensee will also be given a set of Directions which give a licensee an ongoing responsibility to notify the VGCCC of specified changes in its situation. Whenever a specified change takes place, written notice must be given to the VGCCC within 14 days of the change taking place. If the VGCCC is not notified of a specified change, disciplinary action may be taken against the licensee and/or the licensee may be prosecuted and fined up to 60 penalty units.

General information

Who is an Associate?

The questions contained in this application form assist to identify a corporation's associates, who must complete an Associated Individual or Associated Entity form. This application must be accompanied by completed associate forms for relevant associates identified from the completion of this form. For the purposes of the Act an **"associate"** of a gambling industry participant is—

(a) a person who holds or will hold any relevant financial interest, or is or will be entitled to exercise any relevant power (whether in right of the person or on behalf of any other person) in the gambling business of the gambling industry participant, and by virtue of that interest or power, is able or will be able to exercise a significant influence over or with respect to the management or operation of that business; or

(b) a person who is or will be an executive officer, whether in right of the person or on behalf of any other person, of the gambling business of the gambling industry participant; or

(c) if the gambling industry participant is a natural person—a person who is a relative of the gambling industry participant.

The Act provides the following definitions which assist to identify associates:

"executive officer", in relation to a body (whether incorporated or not), means—

(a) a director, secretary or member of the committee of management of the body (by whatever name called); or

(b) any other person who is concerned with, or takes part in, the management of the body, whether or not the person's position is given the name of executive officer;

"relative", in relation to a person, means—

(a) the spouse or domestic partner of the person;

(b) a parent, son, daughter, brother or sister of the person; or

(c) a parent, son, daughter, brother or sister of the spouse or domestic partner of the person;

"relevant financial interest", in relation to a gambling business, means—

(a) any share in the capital of the business; or

(b) any entitlement to receive any income derived from the business; or

(c) any entitlement to receive any payment as a result of money advanced;

"relevant power" means any power, whether exercisable by voting or otherwise and whether exercisable alone or in association with others—

(a) to participate in any directorial, managerial, or executive decision; or

(b) to elect or appoint any person as an executive officer.

Associates may include directors, shareholders with 10% or more of ordinary shares and/or 10% or more of preference shares, subsidiaries, related entities or the ultimate holding entity of the corporation; and any other individual or entity determined by the VGCCC to be an associate. Subsequent investigations by the VGCCC may reveal additional associates of the corporation. These individuals or entities will also be required to complete and submit an appropriate associate form.

Lodgement of associate forms

As noted above, Associated Individual and Associated Entity forms are part of the application for a commercial raffle organiser's licence and must be lodged with this form. The VGCCC is aware of the confidentiality of personal information provided in Associated Individual forms. Accordingly, Associated Individual forms **may** be provided with an application in a **sealed envelope** with instructions that it may only be opened after it has been lodged with the VGCCC.

Where an Associated Individual has failed to provide necessary information, the form **may** be returned in a sealed envelope (marked **'strictly confidential'** and **'to be opened by addressee only'**) to the authorised officer to organise completion and re-lodgement to the VGCCC.

Term of licence

If approved, a commercial raffle organiser's licence remains in force for a term not exceeding ten (10) years specified in the licence, unless sooner cancelled or surrendered.

What does a commercial raffle organiser's licence permit me to do?

A licensee is authorised to conduct a raffle, in whole or in part, on behalf of a community or charitable organisation which has entered into an agreement to do so. The agreement must provide for—

- (a) compliance by the licensee with all relevant provisions of the Act; and
- (b) the submission to the VGCCC of periodic audited statements as required by or under this Act; and
- (c) the retention of records as required by the Act; and
- (d) the provision to the community or charitable organisation of a copy of all documents submitted on its behalf to the VGCCC by the licensee; and
- (e) the maximum fee, determined in accordance with the regulations, to be paid to the licensee for the raffle.

The agreement may contain any other provisions that are not inconsistent with the Act. Please note that it is the community or charitable organisation's responsibility to—

- (a) give the VGCCC a copy of an agreement entered into under this section; and
- (b) notify the VGCCC of the termination of the agreement.

If an agreement is entered into under this section, the commercial raffle organiser is solely liable under the Act in respect of the functions performed by the licensee as if it were the community or charitable organisation.

Privacy Policy

The Victorian Gambling and Casino Control Commission is committed to responsible and fair handling of personal information consistent with the *Privacy and Data Protection Act 2014* and its obligations under the *Gambling Regulation Act 2003*.

Confidentiality Provisions

Information provided in your application must not be disclosed by the VGCCC or its staff to someone else, except for the purposes stated in Division 6 of Chapter 10 of the Act (to access these provisions go to vgccc.vic.gov.au).

Commercial raffle organiser's licence – company, incorporated association or partnership

The following documentation, where applicable, **must** be submitted with this application:

If the applicant is a **company** –

a **COPY** of the Certificate of Incorporation

a **COPY** of the Constitution/Replaceable Rules

a corporate family tree detailing the relationship of the company to any subsidiary, parent and related entities must be provided, if such a structure exists

If the applicant is an **incorporated association** –

a **COPY** of the Certificate of Incorporation

a **COPY** of Rules/Constitution and Statement of Purpose

If the applicant is a **partnership** –

a **COPY** of the partnership agreement (if available)

a **COPY** of the business name certificate (if applicable)

For each business name listed at Q4, you must provide a copy of the section 23 certificate under the Business Names Act 1962

a **COPY** of the minute or resolution appointing the officer authorised to apply for a Commercial Raffle Organiser's Licence on behalf of the company, incorporated association or partnership and, if applicable, a copy of the minutes of the most recent meeting confirming committee members

Associated Individual and Entity forms, completed by associates identified in Q14, 15, 17, 18 and 28(d) must be completed and include all required attachments'

Original historical organisational extract, (only applicable if the applicant is a company) – refer to Q13 and attachment 1

Accountant or Auditor's statement, or summary of financial information - refer to Q19 and attachment 2

A financial institution letter – refer to Q20 and attachment 3

A list of creditors – *refer to Q22*

Original Business Credit File dated within 3 months of lodging your application – refer to Q23 and attachment 4'

A **COPY** of trust deed, if applicable– *refer to Q28(a)*

A **COPY** of the public notice, if applicable – *refer to Q29*

Responsible Gambling Code of Conduct – *refer to Q30 and attachment 5*

Commercial raffle organiser's licence – company, incorporated association or partnership

Applicant details

IMPORTANT INFORMATION

A **copy** of the Certificate of Registration and constitution (if a company) or a **copy** of the Certificate of Incorporation, rules and the minutes of the most recent meeting confirming the committee members (if an incorporated association) must be attached.

1. The applicant is hereby applying for a new commercial raffle organiser's licence.

Full name of the applicant (applying company, incorporated association or partnership):

If the applicant is a **company**, provide the following details:

Australian Company Number (ACN):

Australian Business Number (ABN):

Date of Incorporation (day/month/year):

If the applicant is an **incorporated association**, provide the following details:

Association Incorporation Number:

Australian Business Number (ABN):

Date of Incorporation (day/month/year):

If the applicant is a **partnership**, provide the **ABN** (if applicable):

2. The applicant's registered office address and contact details:

Daytime telephone number: Mobile telephone number:

Email address:

3. Postal address (if same as Q2, write 'as Q2'):

IMPORTANT INFORMATION

A copy of the section 23 certificate under the Business Names Act 1962 for each business name listed at Q4.

4.(a) Has the applicant operated or does it intend to operate under any other business name/s?

▶ YES ▶ NO

If **NO**, proceed to Q4(b).

If **YES**, provide details below.

(b) Has the applicant's name or business/trading name changed in the last 3 years?

▶ YES ▶ NO

If **NO**, proceed to Q5.

If **YES**, provide details below. Include what the name was changed from and to, and the date of the change.

Note: A **copy** of the section 23 certificate under the Business Names Act 1962 for each business name listed at Q4 must be attached (unless submitted previously in connection with an earlier application).

Is a **copy** of relevant certificate attached?

▶ YES ▶ NO

Have further details been provided on an attachment page?

▶ YES ▶ NO

5. Details of authorised officer on behalf of the applicant :

First Name:

Middle Name/s:

Surname:

Position Held (e.g. company director/secretary):

Daytime telephone number: Mobile telephone number:

Email address:

Note: The authorised officer **must** provide a **copy** of the minute or resolution authorising them to apply for a commercial raffle organiser licence on behalf of the applicant **and** complete an Associated Individual form.

IMPORTANT INFORMATION

Q6 to Q14 does not apply to a **partnership** application.

Legal action

6. Has the applicant ever been the defended/respondent to any legal action in the past 10 years (including in progress)?

▶ YES ▶ NO

If **NO**, proceed to Q7. (**Note:** Failure to disclose relevant legal action will delay determination of any new commercial raffle organiser's licence connected to this application).

If **YES**, provide the following details:

Nature of legal action:

Plaintiff:

Jurisdiction*:

Result/Settlement:

Court or tribunal where matter was or is being heard (if applicable):

Case no. issued by court/tribunal (if known):

Date of delivery of judgement (if known, dd/mm/yyyy):

A **copy** of independent documentation confirming the court outcome or, if settled out of court, a **copy** of the settlement agreement **must** be provided, regardless of whether any terms of the agreement are confidential.

Is a copy of the court outcome or settlement agreement attached?

▶ YES ▶ NO

Have further details been provided on an attachment page?

▶ YES ▶ NO

Racing and gambling history

7. Has the applicant ever applied for **any** gambling or racing industry licence, approval, authorisation or registration?

▶ YES ▶ NO

If **NO**, proceed to Q8.

If **YES**, provide the following details of each application:

(a) If the application was granted/approved or is still pending, provide details below:

Type of licence, approval etc:

Licence No. (if known):

Name of Racing/Gambling Regulator (if known):

Name shown on licence, approval etc

Licence/approval/association dates (dd/mm/yyyy):
to

Other regulatory history

8. Has the applicant ever been the subject of disciplinary action, or had an application for any licence or permit refused?

(**Note:** Include details of any special conditions or restrictions imposed on a licence, approval etc)

▶ YES ▶ NO

If **NO**, proceed to Q9.

If **YES**, provide details below:

Type of licence, approval etc:

Jurisdiction*:

Licence No (if known):

Name of Regulator (if known):

Details of action taken or any special conditions or restrictions imposed on a licence, approval etc:

Have further details been provided on an attachment page?

► YES ► NO

(b) If the application was refused or withdrawn, provide details below, include licence number if withdrawn.

Type of licence, approval etc sought:

Date of application (mm/yyyy):

Name of Racing/Gambling Regulator (if known):

Provide reason for refusal or withdrawal of request on an attachment page.

Have further details been provided on an attachment page?

► YES ► NO

Charges, findings of guilt and convictions

9. Has the applicant ever been charged with, or found guilty of, a criminal offence, or been investigated by a law enforcement agency for an alleged offence against the applicant?

► YES ► NO

If **NO**, proceed to Q10.

If **YES**, provide details below:

Nature of Offence :

Date (dd/mm/yyyy):

Jurisdiction*:

Court/Tribunal etc:

Result of Hearing or other disposition:

If the ownership/management structure has changed from that at the time of the offence/s, describe how:

Have further details been provided on an attachment page?

► YES ► NO

10. Is there any investigation or charge currently pending against the applicant in respect of any offence?

► YES ► NO

If **NO**, proceed to Q11.

If **YES**, provide the following details:

Nature of investigation or charge:

City or Town:

Jurisdiction*:

Have further details been provided on an attachment page?

► YES ► NO

11. Has the applicant ever been investigated by a regulatory body or law enforcement agency?
(e.g. ASIC, RIA, APRA, ACCC)

YES NO

If **NO**, proceed to Q12.

If **YES**, provide the following details for each case:

Name of regulatory body or law enforcement agency:

Nature of investigation:

Date of Hearing (if known):

Result:

Have further details been provided on an attachment page?

YES NO

12. Has the applicant ever taken part in a diversion program?

► YES ► NO

If **NO**, proceed to Q13.

If **YES**, provide the following details:

Nature of investigation or charge:

City or Town:

Jurisdiction*:

Have further details been provided on an attachment page?

► YES ► NO

* "Jurisdiction" means the State or Territory and, if outside Australia, the country and locality.

Corporate structure and establishment of Associates

IMPORTANT INFORMATION

Historical organisational extract from the Australian Securities and Investments Commission (ASIC)

Applicants incorporated under Australian Corporations Law

All corporations incorporated under Australian Corporations Law **must** lodge with this application form an historical organisational extract from ASIC (refer to instructions at attachment 1).

Applicants incorporated under the Associations Incorporation Reform Act 2012

If the applicant is incorporated under the *Associations Incorporation Reform Act 2012*, an historical organisational extract is not required.

13. Is an historical organisational extract from ASIC attached?

► YES ► NO

IMPORTANT INFORMATION

Q14 must be completed where the applicant is a **company** (if an **incorporated association** or a **partnership**, proceed to Q15).

14. Does the applicant have an ultimate holding company (as defined on the following page)?

► YES ► NO

- **'ultimate holding company'** – is a corporation that is a holding company of the applicant company and is itself a subsidiary of no other corporation.

If **NO**, proceed to Q15. If **YES**, provide the ultimate holding company's name:

(**Note:** Any entity named in response to Q14 **must** complete an Associated Entity form and associates of an ultimate holding company named in response to Q14 **must** also complete an Associated Entity or Associated Individual form as appropriate).

15. List below the names of all current company directors and the company secretary (if a company) or the names of all current committee members and the secretary (if an incorporated association) or the names of all partners (if a partnership).

First name/s:

Middle name/s:

Surname:

Position held:

First name/s:

Middle name/s:

Surname:

Position held:

First name/s:

Middle name/s:

Surname:

Position held:

First name/s:

Middle name/s:

Surname:

Position held:

Note: All individuals named in response to Q15 must complete an Associated Individual form, except the proposed nominee, who must complete an application for approval as a nominee form.

Are appropriate forms attached?

► YES ► NO

IMPORTANT INFORMATION

Q16 to Q18 are only applicable where the applicant is a **company**. If the applicant is an **incorporated association** or a **partnership** proceed to Q19.

16. Give the total number of ordinary shares (voting and income entitlement shares) and preference shares (income entitlement shares only):

(i) ordinary shares (total no):

(ii) preference shares (total no):

17. List below the names of the ten (10) largest shareholders and the number of shares held:

Name of shareholder:

Class of shares:

No of shares held:

Name of shareholder:

Class of shares: No of shares held: Full name of beneficial owner:

Name of shareholder: No of shares held:

Class of shares: No of shares held: Shares held by:

Name of shareholder: Full name of beneficial owner:

Class of shares: No of shares held: No of shares held:

Name of shareholder: Shares held by:

Class of shares: No of shares held: Full name of beneficial owner:

Name of shareholder: No of shares held:

Class of shares: No of shares held: Shares held by:

Name of shareholder: Full name of beneficial owner:

Class of shares: No of shares held: No of shares held:

Name of shareholder: **Note:** Where a beneficial owner of shares is named in response to Q18, and the beneficial owner holds a total of 10% or more of ordinary or preferential shares, the beneficial owner of the shares **must** complete an Associated Entity or Associated Individual form as appropriate.

Class of shares: No of shares held:

Name of shareholder:

Class of shares: No of shares held:

Name of shareholder:

Class of shares: No of shares held:

Note: Shareholders with 10% or more of shares in the applicant **must** complete an Associated Entity or Associated Individual form as appropriate. The VGCCC may also require any other shareholder of the applicant to complete an associate form.

18. Do any of the shareholders holding 10% or more of shares hold those shares on behalf of, or in trust for, any person or entity?

► YES ► NO

If **NO**, proceed to Q19.

If **YES**, provide details below:

Shares held by:

Financial particulars

IMPORTANT INFORMATION

Accountant or Auditor's statement

The Accountant or Auditor's statement must be completed and provided with this application.

Holding Company's Accountant or Auditor's statement (if applicable)

An Accountant or Auditor's statement must be completed and provided with this application in respect of the holding company, if applicable.

Summary of financial information

In lieu of providing an accountant or auditor's statement, the applicant can provide a summary of financial information for **the three most recent completed financial years**. The applicant is advised to consult with its accountant or auditor to ensure that the true and correct summary of financial information is provided. The VGCCC may subsequently request audited financial statements be submitted in the event that this summary is found to be incomplete, incorrect or misleading.

The applicant must also ensure the solvency declaration at the end of this section is signed by each Director of the applicant. The solvency declaration requires each Director to declare that they have a reasonable belief that the company will be able to pay its debts as and when they become due and payable.

This solvency declaration will assist the Commission to consider whether the applicant is of sound and stable financial background for the purposes of the *Gambling Regulation Act 2003*.

19. Is an Accountant or Auditor's statement for the applicant or, where applicable, the holding company attached?

► YES ► NO

If **YES**, proceed to Q20.

If **NO**, provide reasons on an attachment page.

(a) If an Accountant or Auditor's statement is **not** attached, is the summary of financial information and Director's solvency declaration attached?

► YES ► NO

Have further details been provided on an attachment page?

► YES ► NO

IMPORTANT INFORMATION

Financial institution letter

The financial institution letter (see Attachment 3) must be forwarded to the applicant's major financial provider for completion and submission as part of this application. Where the applicant has no financial history or has traded for less than 12 months, but a holding company exists, the financial institution letter should be forwarded to the holding company's major financial institution for completion and submission as part of this application.

20. Is a financial institution letter from the applicant's or, if applicable, the holding company's major financial provider attached?

► YES ► NO

21. Provide details of all financial institutions and other sources with which the applicant has accounts, borrowings or investments of \$50,000 or more:

Financial Institution/Source name:

Branch/ Source address:

Nature of account:

Financial Institution/Source name:

Branch/ Source address:

Nature of account:

Have further details been provided on an attachment page?

► YES ► NO

IMPORTANT INFORMATION

List of Creditors

A listing of the applicant's creditors, stating the name of the creditor, amount owing and number of days debt has been owed, if applicable, must be attached. The list should be completed as at the end of the latest calendar month and be on behalf of the applicant as to its accuracy. Where an applicant has never traded but a holding company exists, a listing of the holding company's creditors must instead be provided as part of this application.

22. Is a listing of the applicant's creditors or, where an applicant has never traded but a holding company exists, a listing of the holding company's creditors attached?

► YES ► NO

If **YES**, proceed to Q23.

If **NO**, provide reasons on an attachment page.

Have further details been provided on an attachment page?

► YES ► NO

IMPORTANT INFORMATION

All applicants (whether a company, an incorporated association or a partnership) must lodge, with this application form, an original Business Credit File (refer to instructions at Attachment 4).

23. Is the applicant's original Business Credit File attached?

► YES ► NO

24. Other than what has been disclosed on the Credit File, is the applicant in default of any debt repayment or loan (including less than \$5,000)? (**Note:** Do not include details **unless** a payment is overdue or in arrears)

► YES ► NO

If **NO**, proceed to Q25.

If **YES**, complete the following (Note: All amounts must be stated in Australian currency):

Financial Institution or creditor:

Total amount owing: Total amount in debt:

No of days payment is overdue:

Financial Institution or creditor:

Total amount owing: Total amount in debt:

No of days payment is overdue:

Financial Institution or creditor:

Total amount owing: Total amount in debt:

No of days payment is overdue:

Have further details been provided on an attachment page?

► YES ► NO

25. Has the applicant ever been wound up, placed into liquidation, had a receiver, controller, administrator or agent for a mortgage appointed, entered into a scheme of arrangement, or been involved in other similar proceedings?

► YES ► NO

If **NO**, proceed to Q26.

If **YES**, provide details in following column:

Type of proceedings:

Date action taken (mm/yyyy):

Details of administrator, liquidator, receiver, controller, regulatory body or law enforcement agency.

Name:

Phone number:

Reason for action taken:

Have further details been provided on an attachment page?

► YES ► NO

26. Other than what has been disclosed on the Credit File, has the applicant ever been subject to bankruptcy or insolvency arrangements?

► YES ► NO

If **NO**, proceed to Q27.

If **YES**, complete the following and provide details of circumstances leading to bankruptcy/arrangement proceedings on an attachment page.

Date of Bankruptcy/Arrangement (dd/mm/yyyy):

Date of Discharge/Completion (proposed date, dd/mm/yyyy):

Note: If you are a discharged bankrupt, a copy of your Certificate of Discharge From Bankruptcy must accompany this application (Do not send the original certificate).

Is a copy enclosed?

► YES ► NO

Name of Trustee:

Address:

Telephone number:

27. Is the applicant the guarantor for someone else's debt or loan?

► YES ► NO

If **NO**, proceed to Q28.

If **YES**, is any person, including any corporation in respect of whom you have given a guarantee in default of any agreements with respect to payment of a debt or loan?

▶ YES ▶ NO

If **YES**, provide details on an attachment page.

Have further details been provided on an attachment page?

▶ YES ▶ NO

28. Is the applicant a Corporate Trustee?

▶ YES ▶ NO

If **NO**, proceed to Q29.

If **YES**, a copy of the Trust Deed must be attached and Q28(a) - (d) completed.

(a) Name(s) of Trust:

Address:

Type of Trust (check one box only):

▶ Discretionary Trust ▶ Unit Trust

Is a copy of the Trust Deed attached?

▶ YES

(b) List below details of persons and/or entities that are beneficiaries or unit holders of the Trust:

Full name:

% of ownership:

Voting: Income:

Full name:

% of ownership:

Voting: Income:

Full name:

% of ownership:

Voting: Income:

Full name:

% of ownership:

Voting: Income:

Full name:

% of ownership:

Voting: Income:

(c) Specify all of the current beneficiaries/unit holders of the Trust who received 10% or more of the Trust's income distribution in any one of the last 3 years:

Full name:

Full name:

Full name:

(d) Identify below all trust beneficiaries/unit holders/appointer with voting rights that, by virtue of the Trust Deed, enable them individually or as a group to remove/change the Trustee or to influence the Trustee's decisions:

Full name:

Full name:

Full name:

Note: All persons identified by Q28(d) **must** complete an Associated Individual form.

Have further details been provided on an attachment page?

▶ YES ▶ NO

Advertising requirements

IMPORTANT INFORMATION

Application being made for a new commercial raffle organiser's licence

Within **14 days** of applying for a commercial raffle organiser's licence, the applicant must publish in a newspaper circulating in the area and in a newspaper circulating generally in Victoria, a notice containing the prescribed information and a statement that any person may object to the grant of the licence by giving notice in writing to the VGCCC within 28 days of the date of publication, stating the grounds for the objection.

Set out below is the suggested format of the notice:

(Authorised officer's name),

as the authorised officer on behalf of

**(applicant's name) (applicant's A.C.N. if applicable) of
(applicant's business address)**

has applied to the Victorian Gambling and Casino Control Commission for a Commercial Raffle Organiser's Licence.

In accordance with section 8.5A.5 (3)(b) of the Gambling Regulation Act 2003, any person or organisation may object to the grant of this licence by giving notice in writing within 28 days from the date of this newspaper, stating the grounds for objection to:

Victorian Gambling and Casino Control Commission

GPO Box 1988

MELBOURNE VIC 3001

The permissible grounds for objection are specified in the Act and relate to the suitability of the applicant to be licensed. For further information contact the VGCCC at contact@vgccc.vic.gov.au or 1300 182 457.

29. If applying for a new commercial raffle organiser's licence, has the notice been published?

► YES ► NO

If YES, is a copy of the publication of the notice attached?

► YES ► NO

If **NO**, the authorised officer, on behalf of the applicant, must forward to the VGCCC a copy of the advertisement immediately following its publication.

Responsible Gambling Code of Conduct

IMPORTANT INFORMATION

A commercial raffle organiser must have a Responsible Gambling Code of Conduct (Code) approved as part of the licence application.

The VGCCC may not approve a new licence application without an approved Code and your application will not be finalised until a Code is lodged and approved by the VGCCC.

A pro forma Code is provided for your assistance at Attachment 5. If a commercial raffle organiser wishes to develop its own Code, the Ministerial Directions which set out the matters which must be contained in a Code and the criteria and benchmarks applied by the VGCCC in assessing a Code, which are available at the VGCCC website under 'Responsible Gambling', must be referred to.

30. Is a **copy** of the applicant's Code attached?

► YES

Date Code adopted by applicant (dd/mm/yyyy):

Note: A copy of the minutes of the board/committee meeting which confirms adoption of the Code must be attached.

Is a **copy** of the minutes attached?

► YES

Declaration by Authorised Officer

I declare that I have read and understood the questions in this application form and the directions for answering them and I have answered the questions truthfully and completely to the best of my knowledge.

Signature of authorised officer:

Signature of witness*:

Full name of witness:

Date (dd/mm/yyyy):

* Any adult can be a witness

IMPORTANT INFORMATION

Applications must be accompanied by the relevant fee. Please note that once an application has been registered, the application fee is non-refundable. To confirm the current fee, refer to the 'Gambling fees' fact sheet on our website. The application fee can be paid by:

- cheque or money order, made payable to the Victorian Gambling and Casino Control Commission; or
- credit card (Visa or MasterCard)

If you wish to make payment by credit card, please lodge your completed application with the VGCCC and we will contact you directly to arrange payment if your application is accepted.

Privacy – the VGCCC is committed to responsible and fair handling of personal information consistent with the *Policy and Data Protection Act 2014* and its obligations under the *Gambling Regulation Act 2003* and the *Liquor Control Reform Act 1998*. Credit card details will be destroyed once your payment has been processed.

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Financial information release form

Gambling Regulation Act 2003

In the matter of this application for a Commercial Raffle Organiser's licence and for the purposes of ongoing monitoring by:

Name: _____ of
(Full name of applicant)

Address: _____ ('applicant')
(Full address of applicant)

I, _____
(Full name of authorised officer signing the application on behalf of the applicant)

being the duly authorised officer of the corporation hereby authorise all **persons** who receive a photocopy of this **financial information release form** from the Victorian Gambling and Casino Control Commission (the VGCCC) to undertake the **authorised actions** for the **authorised purposes** as set out below:

Authorised actions

1. To allow the VGCCC and its staff or any other person appointed in writing by the VGCCC, to inspect and obtain a copy of any document, record or correspondence in the possession or under the control of any person, which contains information pertaining to the applicant (or to the applicant and another person and to any subsidiary, related body corporate, trust or partnership to which the applicant was a party), including but not limited to:
 - any loan information;
 - any information relating to an account held with a financial institution (passbook, statement or other), including information relating to withdrawals, deposits, transfers and balances;
 - any information (including trust account information) of any solicitor, accountant, real estate agent or other person who has the management or care of business or financial matters on behalf of the applicant;
2. To answer written or verbal queries of and to provide information (by any means) to the VGCCC and its staff or any other person appointed in writing by the VGCCC to undertake the authorised actions, about the financial resources of the applicant.

Release

In consideration of a bank, other financial institution, solicitor, accountant, financial adviser or any other person or organisation who has lent money to or borrowed from the applicant providing any of those particulars recorded against the applicant as detailed above under the heading "Authorised actions", **I hereby release** the VGCCC to the full extent of the law and against any claim or demands of any kind and any actions, suits, proceedings, claims, demands, costs and expenses whatsoever which may be taken or made in respect of the use or misuse of the information obtained out of this authorisation.

Authorised purposes

To enable the VGCCC to make an assessment of the applicant's financial stability and that, in conducting on-going monitoring, an Applicant's continuing financial stability. This consent commences on the date below and continues until the later of:-

- the VGCCC considers that I am no longer the holder of a Commercial Raffle Organiser's licence; or
- the expiry of any Commercial Raffle Organiser's licence (if granted).

Signed: _____
(Authorised officer's signature)

Dated: _____
(dd/mm/yyyy)

Notes

1. A photocopy of this form will be considered as effective and as valid as the original.
2. A reference in this **financial information release form** to the VGCCC includes is a reference to a member of its staff and any other person appointed in writing by the VGCCC.

Consent for release of information by Law Enforcement Agencies

Gambling Regulation Act 2003

In the matter of this application for a commercial raffle organiser's licence and for the purposes of ongoing monitoring by:

Name: _____ of _____
(Full name of applicant)

Address: _____ ('applicant')
(Full address of applicant)

Consent

The applicant hereby consents to all probity investigations carried out by the Victorian Gambling and Casino Control Commission (VGCCC) and its staff, including but not limited to:

(a) inspection of criminal, intelligence or other records kept or maintained by:

- the Victoria Police;
- any crime investigation agency;
- any gambling regulatory body;
- any Court;
- any State, Territory, federal or overseas police force;
- any corporate regulatory agency;
- any casino regulatory body;
- any government agency.

(collectively referred to as 'law enforcement agencies')

(b) release of particulars of any convictions, findings of guilt or other information recorded against the applicant by the law enforcement agencies including, without limitation:

- details of all prosecutions, including acquittals and matters withdrawn or dismissed and all findings of guilt, whether or not a conviction was recorded;
- matters or charges still outstanding;
- law enforcement agencies intelligence howsoever obtained;
- any other matters recorded as arising either in Victoria or elsewhere by any law enforcement agency and considered relevant by the VGCCC to the investigation or assessment of this application for a commercial raffle organiser's licence under the *Gambling Regulation Act 2003*.

Release

Upon signing this consent, the applicant hereby releases the VGCCC, each law enforcement agency and their servants, agents or contractors to the full extent of the law and against any claim or demands of any kind and any actions, suits, proceedings, claims, demands, costs and expenses whatsoever which may be taken or made in respect of the use or misuse of the information obtained out of this consent, including particulars of any conviction, findings of guilt or other adverse material purporting to relate to the applicant.

Acknowledgement

I acknowledge having read and understood the terms of the consent and the release and have noted that independent legal advice may be sought before signing this consent. This authorisation commences on the date below and continues until the later of:-

- the VGCCC considers that applicant no longer holds a Commercial Raffle Organiser's licence; or
- the expiry of any Commercial Raffle Organiser's (if granted).

A photocopy of this form will be considered as effective and as valid as the original.

Execution as a Deed

X _____
Signature of authorised officer

Date:

X _____
Signature of witness

Date:

Printed name of witness (any adult can be a witness)

Attachment 1 – Historical organisational extract from the Australian Securities and Investments Commission (ASIC)

Background

An historical organisational extract identifies the type, status, registered address, roles within the organisation, share structure, members and charges and documents lodged (current and historical) of organisations registered with ASIC.

When making a search application to ASIC, ensure that you specify that you require an historical organisational extract and **not** a current organisational extract. An historical organisational extract identifies both **current and historical** information about the corporation, while the current extract identifies only current information. If this application form is lodged with an extract other than an historical organisational extract it will be considered incomplete.

In addition, the historical organisational extract **must** have been issued within three months of the date of lodgement of this form. If you fail to meet any of these requirements (i.e. you do not provide an historical organisational extract or you enclose either a photocopied extract or an extract issued more than three months prior to the date of lodgement of this form) the application form will be considered incomplete and will be returned to you.

All matters detailed in the corporation's historical organisational extract are taken into consideration by the Victorian Gambling and Casino Control Commission. Should you wish to dispute or amend any of the information disclosed in the corporation's historical organisational extract you should do so with ASIC **prior** to lodging your application.

Fee for searching ASIC databases

Fees are payable for searching ASIC databases. ASIC fees for on-line/telephone searches through brokers may differ from the fees charged at an ASIC Business Centre. Information brokers, however, may charge a service delivery fee in addition to the ASIC fee. The delivery fee may vary between brokers. ASIC does not regulate the amount of broker delivery fees.

ASIC can advise you of the cost of obtaining an historical organisational extract.

How to apply for your historical organisational extract

An historical organisational extract can be obtained from ASIC. You may also contact ASIC's Infoline or refer to the ASIC website to obtain details of regional ASIC Business Centres and ASIC Representatives or Information Brokers.

Contact details

Website: asic.gov.au
Email: info.enquiries@asic.gov.au
ASIC's Infoline: 1300 300 630

Note: A partnership applicant is not required to complete this attachment.

Attachment 2 – Accountant or Auditor's statement

Gambling Regulation Act 2003

Background

In the matter of this application, and for the purposes of ongoing monitoring, Section 8.5A.7(2)(b) of the *Gambling Regulation Act 2003* (the Act) requires the Commission to consider whether an applicant for a commercial raffle organiser's licence or renewal of such licence is of 'sound and stable financial background'.

Note: For a partnership application the Accountant or Auditor's statement must be provided separately for each partner.

The following statement is to be completed by a Certified Practicing Accountant or Associate Chartered Accountant. This statement is provided for the sole purpose of assisting the Commission to assess an application made under the Act.

Name of applicant:

Name of accountant or auditor:

Accountant or auditor's address:

Qualification:

☐ Certified Practicing Accountant

☐ Chartered Accountant

I have considered all relevant documentation relating to the financial affairs of the above applicant. I am satisfied that at the time of making this statement, the applicant is able to pay its debts when and as they become due and payable.

Please specify below, or attach to this statement, any qualifications or explanations relating to the above statement that you wish to make.

X

Signature of accountant

Date:

(Printed name of signatory)

Attachment 2(a) – Summary of financial information

Gambling Regulation Act 2003

Background

In lieu of providing an accountant or auditor's statement, the applicant can complete this section with the required summary of its financial information for the three most recent completed financial years. The applicant is advised to consult with its accountant or auditor to ensure that a true and correct summary of financial information is provided.

The VGCCC may subsequently request audited financial statements be submitted in the event that this summary is found to be incomplete, incorrect or misleading. The applicant must also ensure the solvency declaration at the end of this section is signed by each Director and in the case of a partnership, each partner of the applicant. The solvency declaration requires each Director/partner to declare that they have a reasonable belief that the company/partnership will be able to pay its debts as and when they become due and payable.

This solvency declaration will assist the Commission to consider whether the applicant is of sound and stable financial background for the purposes of the *Gambling Regulation Act 2003*.

Year ended

Profit & Loss Statement

Total Sales/Revenue			
Less: Cost of Sales			

Gross Operating Profit			
Other Income (please specify)			

Total Income			
Less: Operating Expenditure			

Net Profit/(Loss) before taxation			
Less: Taxation Payable			

Net Profit/(Loss) after taxation			
---	--	--	--

Profit & Loss Appropriation			
Net Profit/(Loss) after taxation			
Retained Profits/(Losses) b/fwd			
Distribution to Beneficiaries			
Dividends declared/paid			
Others (please specify)			

Retained Profits/(Losses) c/fwd			
--	--	--	--

Year ended

Current Assets

Cash & deposits			
Trade debtors			
Other debtors			
Inventories			
Amounts owing by related parties/entities			
Amounts owing by shareholders/unit-holders			
Others (please specify)			

Total current assets	a		
-----------------------------	----------	--	--

Non-current assets			
Property, plant & equipment			
Intangible assets			
Amounts owing by related parties/entities			
Amounts owing by shareholders/unit-holders			
Others (please specify)			

Total non-current assets	b		
---------------------------------	----------	--	--

Total assets (a+b)	c		
---------------------------	----------	--	--

Current liabilities

Bank overdraft & loans (secured)			
Trade creditors			
Sundry creditors			
Amounts owing by related parties/entities			
Amounts owing by shareholders/unit-holders			
Tax/GST liabilities			
Others (please specify)			

Total current liabilities	d		
----------------------------------	----------	--	--

Year ended

Non-current liabilities

Bank overdraft & loans (secured)			
Amounts owing by related parties/entities			
Amounts owing by shareholders/unit-holders			
Provisions			
Others (please specify)			

Total non- current liabilities	e		
---------------------------------------	----------	--	--

Total liabilities	f		
--------------------------	----------	--	--

Net assets (c-f)	g		
-------------------------	----------	--	--

Equity

Issued capital/settlement sum			
Reserves			
Retained profits/(losses)			
Others (please specify)			

Total equity	h		
---------------------	----------	--	--

Net assets **(g)** must be equal to total equity **(h)**

Authorised officer declaration

I, the authorised officer of the applicant declare and confirm that the attached audited financial statements or the summary of financial information provided are true and correct on the understanding that the applicant and myself are liable to prosecution for providing false and misleading information.

Name of authorised officer

X

Signature of authorised officer

Date:

Directors declaration/declaration by all partners (if applicant is a partnership)

The persons listed below declare that we are the Directors/partners of the applicant and that we have enquired into the financial affairs of the applicant. We declare that we are satisfied that at the time of making this application, the applicant is able to pay its debts as and when they become due and payable.

Name of Director or partner of partnership applicant:

X

Signature

Date:

Name of Director or partner of partnership applicant:

X

Signature

Date:

Name of Director or partner of partnership applicant:

X

Signature

Date:

Name of Director or partner of partnership applicant:

X

Signature

Date:

Name of Director or partner of partnership applicant:

X

Signature

Date:

Attachment 3 – Financial institution letter

The Manager,

(Name/Address of Bank)

Dear Sir/Madam

(applicant's name)

has applied to the Victorian Gambling and Casino Control Commission (the VGCCC) for a commercial raffle organiser's licence.

As part of the application process, the VGCCC is performing a review of this company/incorporated association/partnership*. In connection with this review, we request that you provide the following details:

- the amounts outstanding and available under all facilities made available to the company/incorporated association/partnership*;
- the next review date and expiry date for each existing facility;
- the security held over each facility outlined above;
- whether any of the original facilities are in default of any payments of principal or interest;
- the nature of any current or previous discussions between yourselves and the company/incorporated association/partnership* which may materially impact upon the continuing availability of credit to the company/incorporated association/partnership* or have previously resulted in alterations to the original funding facility; and
- confirm that the bank supports the application.

The completion of this review is an integral part of the processing of the application for registration as a commercial raffle organiser, and accordingly, I would appreciate your reply at the earliest convenience.

Please forward your reply on this matter directly to the undersigned at the address listed below.

Yours Sincerely,

X

Signature

Date:

Name:

Position:

Address:

* Delete where inapplicable

Attachment 4 – Business credit file

Background

As part of this application form, the applicant must apply for a business credit file (credit file) which will identify any matters entered against the applicant by any financial provider. A business credit file can be obtained from either Equifax or illion.

The credit file must be forwarded to the VGCCC with this application form. The credit file must be no older than three (3) months at lodgement of the application. If the applicant fails to meet any of these requirements or does not attach a credit file, the application form will be considered incomplete.

All matters detailed in the credit file are taken into consideration by the VGCCC and are essential to allow an assessment of the applicant's financial resources. If the applicant wishes to dispute any of the information disclosed in the credit file, the provider of the credit file must be contacted prior to the application form being lodged.

How to apply for a business credit file

illion

To obtain your Credit Report from illion please visit express.illion.com.au or alternatively, you may contact illion on 13 23 33 to arrange for its provision. Additional information may also be found at illion.com.au.

Equifax

To obtain your Credit Report from Equifax, please visit mycreditfile.com.au or alternatively, you may contact Equifax on 13 83 32 to arrange for its provision. Additional information may also be found at mycreditfile.com.au.

Commercial raffle organiser's licence – company, incorporated association or partnership

Attachment 5 – Commercial Raffle Organiser (CRO)

Responsible Gambling Code of Conduct

1. Availability of the Responsible Gambling Code of Conduct

The Code is available on the [Name of CRO] website at [website address] or by request to [Name/Position of contact person] and [Freecall number]

2. Responsible Gambling Message

[Name of CRO] is committed to selling raffle tickets responsibly to support community and charitable organisations. This message will be displayed on [Name of CRO] website and on material developed by [Name of CRO] for the promotion and conduct of raffles on behalf of community and charitable organisations.

A responsible gambling message is available to any customers placed on hold prior to or during a telephone contact.

3. Responsible Gambling Information

Information about the following is available on the [Name of CRO] website at [website address] or by request to [Name of contact person] and [Freecall number]

- how to gamble responsibly, e.g. decide before you buy how much you want to spend
- the availability of gambling support services
- restrictions that apply to the provision of credit or the lending of money by [Name of CRO] for the purposes of purchasing raffle tickets.

4. Gambling Product Information

The terms and conditions for the conduct of a raffle will be printed on the ticket and/or information material designed to promote the raffle, and the [Name of CRO] website at [website address] or by request to:

[Name of contact person]

[Freecall number]

This information will include how to enter and the odds of winning the stated prizes based on the total possible ticket sales.

5. Customer Loyalty Scheme Information

Refer to the definition of 'customer loyalty scheme' in the Minister's Direction. If the CRO offers such a scheme, the relevant details should be included here.

6. Interaction with Customers

[Name of CRO] telephone staff will assist customers who request it with information about help with a gambling problem. This information will include referral details to a Gambler's Help telephone service and/or information materials prepared by Gambler's Help services. In addition for customers who have indicated that they have a gambling problem or where a canvasser forms the view from the caller that a caller may be overextending themselves financially:

- Telephone canvassers will offer to end the call/call back later if the customer wishes to continue with their ticket purchase (cooling off period)
- Provide a telephone number whereby credit card purchasers could amend or cancel their order (cooling off period)
- Where tickets are sold in person suggest that the purchaser take a moment to reflect on whether they wish to purchase tickets/as many tickets [cooling off period]
- Where tickets sold by mail an upper limit of [X] books will be issued to a customer to purchase/sell at any one time.

7. Interaction with Staff

Staff are/are not permitted to purchase raffle tickets being sold by [Name of CRO].

A nominated manager/supervisor of [Name of CRO] will assist a staff member who requests it, with information about help with a gambling problem. This information will include referral details to a Gambler's Help telephone service and/or information materials prepared by Gambler's Help services. This will be done away from the general work area and in such a way as to protect the staff member's privacy.

Staff members who are displaying indicators of distress that may be related to problem gambling (not confined to raffle purchases) will be offered the above information and assistance.

8. Interaction with Problem Gambling Support Services

The Manager or a senior staff member of [Name of CRO] will contact Gambler's Help services twice a year to obtain updated publications and any changes to contact details or available services. This information will be communicated to staff, and made available for use with customers, as soon as practicable after it is received.

Commercial raffle organiser's licence – company, incorporated association or partnership

Attachment 5 – Commercial Raffle Organiser (CRO)

Responsible Gambling Code of Conduct (cont'd)

9. Customer Complaints

Specify/describe [Name of CRO] usual complaints handling process for use for complaints against the Code. Identify an independent process for handling complaints unable to be settled by the regular process.

10. Commitment to discourage gambling by minors

[Name of CRO] does not encourage early gambling habits in children. [Name of CRO] will not target a promotion or sales campaign at minors and will not knowingly sell raffle tickets to minors.

[Name of CRO] will not supply a prize of a raffle which includes liquor (or any other product that cannot be legally purchased by a minor) to a minor.

11. The Gambling Environment

[Name of CRO] will discourage repeatedly excessive purchase of tickets by customers. To achieve this [Name of CRO] will:

- Set a limit on the quantum or value of tickets to be sold to an individual
- Check data base of regular ticket purchasers to detect a pattern of excessive purchase
- Not engage in hard/pressure sales techniques.

12. Financial Transactions

[Name of CRO] will not cash customer's cheques or extend credit to customers to purchase raffle tickets. Customers will be advised of this at the time if they request such a service.

Prizes of cash are not permitted in Victoria by law except that cash may form up to 10 percent of a travel prize.

13. Responsible Advertising Promotions

Any advertising and promotions undertaken by [Name of CRO] in relation to a raffle will:

- Comply with the advertising code of ethics adopted by the Australian Association of National Advertisers
- Not be false or misleading or deceptive about odds, prizes or the chances of winning
- Have the consent of any person identified as winning a prize prior to publication
- Not be offensive or indecent in nature
- Not create an impression that entering a raffle is a reasonable strategy for financial betterment
- Not promote the consumption of alcohol while buying raffle tickets.

[Name of CRO] will incorporate the above standards into its advertising checklist and will assess all proposed advertising against these standards.

Processes and Structures to Support the Ongoing Implementation of the Code.

1. Responsible Gambling matters will be a standing item for Board and staff meetings.
2. A Responsible Gambling Officer will be identified from among senior staff to:
 - a. Handle more difficult customer contacts
 - b. Liaise with Gambler's Help services to obtain relevant information, advice and training and make this available to staff and customers
 - c. Induct new staff members to ensure they are informed about responsible gambling issues and the Code
 - d. Handle responsible gambling issues raised by staff
 - e. Identify staff worthy of reward and recognition for their responsible gambling efforts

Code Review Process

1. [Name of CRO] Code will be reviewed each year on the anniversary of its commencement.
 2. Input will be obtained from management and staff and a sample of patrons about the operation and effectiveness of the Code.
- A report of the review will be provided to the VGCCC by 30 June each year.

This attachment page is provided for additional information that requires more space than that provided in the original question. Precede your entry with the question number and title to which the additional information relates.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

► NO

Please copy if additional attachment pages are required.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

► NO