

Key gaming operative - approval as an associated entity

FEBRUARY 2022

This package contains the application and information material for approval as an associated entity of a key gaming operative, being the holder of a:

- **casino operator's licence**
- **public lottery licence**
- **gaming operator's, gaming and/or wagering licence**
- **wagering and betting licence**
- **monitoring licence**
- **keno licence**
- **person listed on the roll of manufacturers, suppliers and testers.**

How to apply

Send application to:

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

or lodge in person at:

Level 3, 12 Shelley Street
Richmond VIC 3121

Need help?

For more information on how to apply:

- Visit the Victorian Gambling and Casino Control Commission website at vgccc.vic.gov.au
- Telephone the VGCCC on 1300 182 457
- email the VGCCC at contact@vgccc.vic.gov.au

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DIRECTIONS FOR COMPLETION

Before commencing this Form please read the following instructions carefully:

1. Type or print in BLOCK LETTERS in answer to every question.
2. All responses to questions and all attachments must be in English.
3. If a question does not apply, or if there is nothing to disclose in reply to a particular question, state "N/A" in response to that question.
4. Where indicated, ALL questions must be completed by ticking the appropriate box (ie. YES ☐ , No ☐ , or N/A ☐).
5. If any question is not answered or is left blank, the Form may be returned to you with a request for the information to be supplied. The VGCCC may also advise the Key Gaming Operative that the VGCCC is waiting to receive further information from you.
6. If there is not enough space to respond to any question, please supply the additional information on an attachment page. Precede each answer with the number and title for that question. Further attachment pages should be photocopied if required.
7. All dates should be completed in the format: Day/Month/Year.
8. All dollar amounts are to be recorded in Australian Dollars.

IMPORTANT INFORMATION

This form is for completion by entities seeking approval as a **new associate** of a Key Gaming Operative, a Key Gaming Operative being the holder of a casino operator's licence, a public lottery licence, a person listed on the roll of manufacturers, suppliers and testers, a wagering and betting licence, a monitoring licence or a keno licence. Please note that until the entity receives approval as an associate by the Victorian Gambling and Casino Control Commission (VGCCC) it must not be involved in any decision of the Key Gaming Operative in relation to the management or operation of the gambling business.

Carefully review this form **before** lodgement 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.

Examples of an entity associated with a Key Gaming Operative include, but are not limited to, the following:

- entities owning 10% or more of shares of the Key Gaming Operative or associated entity(ies) with either voting rights and/or income entitlements;
- the ultimate holding company of the Key Gaming Operative (as defined in Corporations Law);
- related parties of the Key Gaming Operative (e.g. any entity able to exercise a significant influence over or with respect to the management or operations of the gambling business).

Submission of the information requested in this form is necessary to enable the VGCCC to carry out its investigation of the entity's suitability and further information in addition to that requested in this form may be required.

Application fee

To confirm the current fee, refer to the 'Gambling fees and fines' information sheet available at vgccc.vic.gov.au.

False or Misleading Information

It is an offence under the *Gambling Regulation Act 2003* (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 (for the current value of a penalty unit refer to the Gambling Fees and Fines information sheet available on the VGCCC's website at vgccc.vic.gov.au/Fees-Fines).

Requirement for notification of changes while your application is in progress

Between lodging your application and a decision being made about it, you must notify the VGCCC in writing immediately of any changes to the information you have provided (including any documents lodged with the application).

Privacy Policy

Go to vgccc.vic.gov.au to access the VGCCC's privacy policy statement page, which contains information on how the VGCCC manages personal information and health information.

Confidentiality Provisions

Information provided in this application must not be disclosed by the VGCCC or its staff to someone else, except for the purposes provided for under Division 6 of Part 10 of the Act. You may access these provisions via the VGCCC's website at vgccc.vic.gov.au by clicking the 'Legislation Administered' option under the 'Legislation & Standards' button.

LODGEMENT GUIDE

Directions for Completion

- **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, supply the required information on an attachment page. Begin each answer with the title and reference of that question.
- Ensure that you have attached all required items listed below prior to lodging this application.
- **This application form will be returned if any Question is not answered or if the correct application fee is not paid.**

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

- ☐ A letter from the Key Gaming Operative explaining and providing details of the Company's association with the Key Gaming Operative or advice as to why such a letter is not attached – *Refer to Q2*

- ☐ A corporate tree diagram detailing the relationship of the Company to any other entities

- ☐ Copy of the Company's Certificate of Incorporation

- ☐ Copy of the Company's Constitution (Memorandum of Association and Articles of Association)

- ☐ Copy of any Trust Deeds–*Refer to Q25*

- ☐ **Original** Historical Organisational Extract from the Australian Securities and Investments Commission–*Refer to Q16 and Attachment 1.*
OR, if applicable
An equivalent report from the regulatory authority in the Company's jurisdiction

- ☐ **Original** Equifax Company Credit Report–*Refer to Q26 and Attachment 2.*
OR, if applicable
An equivalent report from the relevant agency in the Company's jurisdiction

- ☐ List of Debtors and Creditors as at date of lodgment of this form–*Refer to Schedules A and B at pages 18 and 19*

Office Use Only

Request for Approval as an Associated Entity of a Key Gaming Operative

Date/...../.....

Application No.

Assigned to (Print name)

Details of Association

1. The Company is seeking approval as a new associated entity of a Key Gaming Operative, being (tick all appropriate boxes):

☐ **The holder of a Casino Operator's Licence**

Licensee Name:

☐ **The holder of a Public Lottery Licence:**

Licensee Name:

☐ **The holder of a Wagering and Betting Licence**

Licensee Name:

☐ **The holder of a Monitoring Licence**

Licensee Name:

☐ **The holder of a Keno licence**

Licensee Name:

☐ **A person listed on the Roll of Manufacturers, Suppliers and Testers:**

Name:

IMPORTANT INFORMATION

A letter from the Key Gaming Operative **must** be provided with this application which explains and provides details of the applicant's association with the Key Gaming Operative.

Note: Where the letter is provided by a Key Gaming Operative that is a roll listee and/or holds or ultimately controls multiple licences, details in relation to the association with **each** licensee is required.

2. Is a letter from the Key Gaming Operative as detailed above attached? YES ☐ NO ☐

If **YES**, proceed to Q3. If **NO**, you must provide advice as to why such a letter is not attached on an attachment page.

Have further details been provided on an attachment page? YES ☐ NO ☐

Details of Authorised Officer completing this form on behalf of the Entity

3. Authorised officer's full name:
(First Name) (Middle Name/s) (Surname)

Position with the Company:
(e.g. company director/secretary)

Authorised officer's contact details: Email Address:

Telephone No: (.....) Facsimile No: (.....)

Mobile telephone:

Information Regarding the Company

4. Full name of the company:

Date of Incorporation:/...../.....
(day/ month/year)

Company Registration Number:

Place of Incorporation:

Contact Details: Email Address:

Telephone No: (.....) Facsimile No: (.....)

Please attach the following documents:

- (i) A Copy of the Company's Certificate of Incorporation. Do **not** send original. Is a copy of the Certificate of Incorporation attached? YES ☐ NO ☐
- (ii) A copy of the Company's Constitution/Replaceable Rules. Do **not** send original. Is a copy of the Constitution/Replaceable Rules attached? YES ☐ NO ☐
- (iii) A corporate family tree detailing the relationship of the Company to any subsidiary, parent and related entities must be provided, if applicable, and shareholders with 10% or more of shares are to be listed for each entity. Is a copy of the corporate family tree attached? YES ☐ N/A ☐

If **NO** to (i) or (ii), reasons **must** be provided as to why the documentation has not been enclosed on an attachment page.

Have further details been provided on an attachment page? YES ☐ NO ☐

5. Company's registered office address:

..... No./PO Box Street City/Town/Suburb
..... State Country Postcode

6. Postal address (if same as registered office address, write 'as above')

..... No./PO Box Street City/Town/Suburb
..... State Country Postcode

7. Provide a brief history of the Company's activities since incorporation:

.....

.....

.....

.....

.....

.....

Have further details been provided on an attachment page? YES ☐ NO ☐

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8. Has the Company operated, or does it intend to operate, under any other business name/s?
YES ☐ NO ☐

If **NO**, proceed to Q9. If **YES**, provide details below.

.....

.....

.....

Have further details been provided on an attachment page? YES ☐ NO ☐

9. Has the Company's name or business/trading name changed in the last 3 years?
YES ☐ NO ☐

If **NO**, proceed to Q10. If **YES**, provide details below.

Name Changed From	Name Changed To	Date of Change (Day/Month/Year)
...../...../.....
...../...../.....
...../...../.....

10. Has the Associated Entity ever been investigated by a regulatory body or law enforcement agency?
(e.g. ASIC, RIA, APRA, ACCC) YES ☐ NO ☐

If **NO**, proceed to Q11. If **YES**, provide the following details for each case:

Nature of Action:

Name of Regulatory Body:

Jurisdiction*:

Date of Hearing (if known):/...../.....
(Day/Month/Year)

Result:

Have further details been provided on an attachment page? YES ☐ NO ☐

Legal Action

11. Has the Associated Entity ever been the defendant/respondent to any legal action in the past 10 years (including in progress)? YES ☐ NO ☐

If **NO**, proceed to Q12. If **YES**, provide the following details for each action:

Nature of legal action:

Plaintiff:

Jurisdiction*:

Result/Settlement:

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

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

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

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Date of delivery of judgement:/...../.....
(Day/Month/Year)

A **copy** of the court outcome or, if a matter was 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/settlement agreement attached? YES ☐ N/A ☐

Have further details been provided on an attachment page? YES ☐ NO ☐

12. Has the Associated Entity ever taken part in a diversion program? YES ☐ NO ☐

If **NO**, proceed to Q13. If **YES** give details below:

Nature of Investigation or charge

Date:/...../..... Jurisdiction *:.....
(Day/Month/Year)

Have further details been provided on an attachment page? YES ☐ NO ☐

Gaming History

13. Has the Company ever applied for **any** gaming industry licence, approval, authorisation or registration? YES ☐ NO ☐

If **NO**, proceed to Q14. If **YES**, provide the following details:

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

Type of licence, approval etc:

Name shown on licence, approval etc:

Licence No. (if known): Jurisdiction *:

Licence, approval etc association dates (if known) From...../..... To...../...../
(month/year) (month/year)

(b) If the application was refused or withdrawn, provide details below:

Type of licence, approval etc sought:

Date of application: / Jurisdiction *:
(month/year)

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

Have further details been provided on an attachment page? YES ☐ NO ☐

14. Has the Associated Entity ever been the subject of disciplinary action, or had an application for any licence or permit refused? YES ☐ NO ☐

If **NO**, proceed to Q15. If **YES**, provide the following details:

Date: /
(month/year)

Name of Gaming Regulator (if known).....

Reason for probity assessment.....

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

Charges, Findings of Guilt and Convictions

15. Has the Associated Entity 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 Associated Entity?
YES ☐ NO ☐

If **NO**, proceed to Q16. If **YES** give details below:

Nature of Offence

Date:/...../..... Jurisdiction *:.....
(Day/Month/Year)

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 ☐

16. Is there any investigation or charge currently pending against the Company in respect of any offence?
YES ☐ NO ☐

If **NO**, proceed to Q17. 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 ☐

Corporate Structure and Establishment of Associates

IMPORTANT INFORMATION

Historical Organisational Extract from the Australian Securities and Investments Commission (ASIC)

Companies incorporated under Australian Corporations Law

This form **must** be accompanied by the Company's **original** Historical Organisational Extract from 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. If this form is lodged with an extract other than an Historical Organisational Extract it will be considered incomplete and will be returned to you to be re-lodged when you have obtained the correct extract. The Historical Organisational Extract **must** be current at the time of lodgement of this form and must have been issued within the three months prior to the date of lodgement of this form. Instructions on obtaining the Extract are provided in Attachment 1.

Companies not incorporated under Australian Corporations Law

An Historical Organisational Extract from ASIC will not be required for a company which is **not** registered with ASIC. Instead, to assist the VGCCC with its investigations a company incorporated outside Australia is requested to provide an equivalent report from the regulatory authority in its jurisdiction. For further details about Historical Organisational Extracts and the type of information contained in the report, refer to the instructions contained in Attachment 1.

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17. Is an **original** Historical Organisational Extract from ASIC or an equivalent report attached?
YES ☐ NO ☐

If **YES**, proceed to Q18. If **NO**, you **must** provide reasons why an **original** Historical Organisational Extract from ASIC or an equivalent report has not been enclosed on an attachment page.

Have further details been provided on an attachment page? YES ☐ NO ☐

18. Does the Company have an **ultimate holding company**? YES ☐ NO ☐

Note: 'ultimate holding company' means a corporation that is a holding company of a company, and is itself not a subsidiary of any other corporation.

If **NO**, proceed to Q19. If **YES**, provide details below:

.....
Ultimate holding company's name

.....
Company Registration Number

Note: Any entity named in response to Q18 **must** complete an Associated Entity form and associates of an ultimate holding company named in response to Q18 **must** also complete an Associated Entity or Associated Individual form as appropriate.

Are appropriate associate forms attached for these individuals or entities? YES ☐ NO ☐

19. List below details of any entity having control or significant influence over the financial and operating decision making policies of the entity currently seeking approval as an associate. ☐

Note: All entities named in response to this question MUST complete an Associated Entity form

(i) Registered name:

Australian Company Number (or overseas equivalent if applicable):

Business name:

Nature of organisation's business:

Relationship to applicant:

(ii) Registered name:

Australian Company Number (or overseas equivalent if applicable):

Business name:

Nature of organisation's business:

Relationship to applicant:

Have further details been provided on an attachment page? YES ☐ NO ☐

20. State below how the profits of the Company are to be distributed (eg distributions to beneficiaries, trusts, dividends to shareholders, capital investment etc):

.....
.....
.....

Have further details been provided on an attachment page? YES ☐ NO ☐

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21. Give the total number of ordinary shares and preference shares of the Company:

(a) Ordinary shares (voting and income entitlement shares): Total number:

(b) Preference shares (income entitlement shares only): Total number:

22. List below the names of **all** shareholders who hold 10% or more of the total number of shares in the Company, and the class and number of shares held by each:

Full name of shareholder	Class of share	% of issued shares etc
.....
.....
.....
.....

Have further details been provided on an attachment page? YES ☐ NO ☐

Note: Shareholders with 10 per cent or more of shares in the company **MUST** complete an Associated Entity or Associated Individual form, as appropriate. The Victorian Gambling and Casino Control Commission may require any other shareholder in the company to complete an associate form.

23. Do any of the shareholders holding 10% or more of shares in the Company hold those shares on behalf of or in trust for any person or entity? YES ☐ NO ☐

If **NO**, proceed to Q24. If **YES**, provide details below:

Shares Held By	Full Name of Beneficial Owner	No. of Shares
.....
.....
.....

Have further details been provided on an attachment page? YES ☐ NO ☐

Note: Where a beneficial owner of shares is named in response to this question, and the beneficial owner holds a total of 10 per cent or more of ordinary or preferential shares, the beneficial owner of the shares **MUST** complete an Associated Entity or Associated Individual form, as appropriate.

24. List below the names of all of the Company's current Office Holders and the positions they hold:

Name of Office Holder			Position Held
.....
First name	Middle name/s	Surname	
.....
First name	Middle name/s	Surname	
.....
First name	Middle name/s	Surname	
.....
First name	Middle name/s	Surname	

Have further details been provided on an attachment page? YES ☐ NO ☐

Note: All individuals identified above **MUST** complete an Associated Individual form.

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25. Provide details of the Company's management structure, including each executive position within the structure and the name and date of birth of any persons currently filling those positions:

.....

.....

.....

.....

.....

.....

.....

Have further details been provided on an attachment page?

YES ☐ NO ☐

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26. Is the Company a Corporate Trustee?

YES ☐ NO ☐

If **NO**, proceed to Q27. If **YES**, complete the following:

(a) Name(s) of Trust:

Address:

Type of trust (tick only one): Discretionary trust ☐ Unit trust ☐

A **copy** of the Trust Deed must be provided. Is a **copy** of Trust Deed attached? YES ☐

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

Full Name	Company - Individual (tick appropriate box)		% of Ownership Voting - Income	
.....	<input type="checkbox"/>	<input type="checkbox"/>
.....	<input type="checkbox"/>	<input type="checkbox"/>
.....	<input type="checkbox"/>	<input type="checkbox"/>
.....	<input type="checkbox"/>	<input type="checkbox"/>

(c) Specify which of the beneficiaries/unit holders of the trust received 10% or more of the trust's income distribution in any one of the last three (3) years:

.....
.....
.....

(d) Identify below **any** person or entity that, by virtue of the Trust Deed, can individually or as a group remove or change the Trustee or influence the Trustee's decisions:

.....
.....
.....

Have further details been provided on an attachment page?

YES ☐ NO ☐

Note: All beneficiaries or unit holders identified at question 26(d) **MUST** complete an Associated Entity or Associated Individual form, as appropriate.

Financial Particulars

IMPORTANT INFORMATION

Companies incorporated under Australian Corporations Law

This form **must** be accompanied by your **original** Business Credit File from Equifax. The Business Credit File **must** be current at the time of lodgement of this form and not exceed three (3) months from the date of issue by Equifax. Instructions on obtaining the Business Credit File are provided in Attachment 2.

Companies not incorporated under Australian Corporations Law

Companies registered outside Australia will not be required to obtain a Business Credit File from Equifax. Instead, to assist the VGCCC with its investigations a company registered outside Australia is requested provide an equivalent report from the relevant agency in that jurisdiction. For further details about the Business Credit File and the type of information contained in it, refer to the instructions contained in Attachment 2.

27. Is the Company's **original** Business Credit File from Equifax or an equivalent report attached?
YES ☐ NO ☐

If **YES**, proceed to Q28. If **NO**, you **must** provide reasons why a Business Credit File or an equivalent report from the relevant agency has not been enclosed on an attachment page.

Have further details been provided on an attachment page? YES ☐ NO ☐

28. Other than what has been disclosed on the Credit File, is the Associated Entity 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 Q29. If **YES**, complete the following details:

Financial Institution or creditor:

Amount owing (total amount): \$ Amount in default (total amount): \$

Date payment was due: / / Jurisdiction*:
(Day/Month/Year)

Have further details been provided on an attachment page? YES ☐ NO ☐

29. Has the Associated Entity 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 involved in other similar proceedings?
YES ☐ NO ☐

If **NO**, proceed to Q30. If **YES**, provide details below:

Date action taken: /
(month/year)

Reason for action taken:
.....

Have further details been provided on an attachment page? YES ☐ NO ☐

30. Other than what has been disclosed on the Credit File, has the Associated Entity ever been subject to bankruptcy or any insolvency arrangements?
YES ☐ NO ☐

If **NO**, proceed to Q31. If **YES**, provide details on an attachment page.

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

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31. Is the Associated Entity the guarantor for someone else's debt or loan?

YES ☐ NO ☐

If **NO**, proceed to Q32. If **YES**, provide details on an attachment page.

Have further details been provided on an attachment page?

YES ☐ NO ☐

32. Provide the name and full address of all financial institutions and other sources with which the Company has accounts, borrowings or investments of \$50,000 or more:

(i) Financial Institution/Source name:

Branch/Source address:

.....

Nature of account:

(ii) Financial Institution/Source name:

Branch/Source address:

.....

Nature of account:

(iii) Financial Institution/Source name:

Branch/Source address:

.....

Nature of account:

Have further details been provided on an attachment page?

YES ☐ NO ☐

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*.

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33. Is an accountant or auditor's statement for the applicant or, where applicable, the holding company attached? YES ☐ NO ☐

If **YES**, proceed to declaration by authorised officer. If **NO**, proceed to 33.(a).

(a). If an accountant or auditor's statement is not attached, is the summary of financial information and directors' solvency attached? YES ☐ NO ☐

If **YES**, proceed to declaration by authorised officer. If **NO**, provide reasons on an attachment page.

Have further details been provided on an attachment page? YES ☐ NO ☐

Declaration by Authorised Officer

I hereby declare that I have been authorised by the Company to complete this application form and that to the best of my knowledge and ability the contents of this form are true and correct.

Signature of authorised officer: Date: / /
(Day/Month/Year)

Signature of witness*:

Print name of witness:

* Any adult can be a witness.

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Fee Payment

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 *Information Privacy Act 2000* 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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SCHEDULE A

List of Outstanding Debtors

List below all outstanding Debtors as at date of lodgement of this form

[illegible]

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SCHEDULE B

List of Outstanding Creditors

List below all outstanding Creditors over \$250,000 as at date of lodgment of this form

[illegible]

**AUTHORISATION TO RELEASE INFORMATION TO
THE VICTORIAN GAMBLING AND CASINO CONTROL COMMISSION
(“Authorisation”)**

TO: All courts, corrections agencies, employers, banks, financial and other institutions and all government agencies and statutory bodies in any country or jurisdiction, without exception both foreign and domestic and to whomsoever else this *Authorisation* may be presented.

FROM: (“the Company”)
(print company name)

BACKGROUND:

1. The Victorian Gambling and Casino Control Commission (VGCCC) regulates Victoria’s casino and gaming industry.
2. The VGCCC is required to investigate any person, body or association having a business association with a key gaming operative pursuant to section 28A of the *Casino Control Act* 1991 (Vic.) or Chapters 3 to 8 of the *Gambling Regulation Act* 2003 (Vic).
3. The company has entered or will enter into a business relationship with a key gaming operative.
4. The company acknowledges that the VGCCC is currently conducting an investigation into its affairs.

AUTHORISATION:

The company authorises any person to whom a copy of this *Authorisation* is presented to give the VGCCC (and those members of the VGCCC’s staff who are authorised by an original letter of authority signed by the Chair of the VGCCC) to have access to inspect and obtain copies of the following **documents** and information relating to the company and its **subsidiaries**:

- (a) any information and documents relating to the company’s credit worthiness, credit history, credit standing and credit capacity in the last 10 (ten) years;
- (b) any information, statements and records relating to bank accounts of any kind in the last 10 (ten) years;
- (c) any information relating to investigations of the operations or activities of the company, or its subsidiaries, conducted in the last 10 (ten) years by the person or entity to whom this *Authorisation* is presented;
- (d) any documents and court records relating to any present past civil, criminal or court proceedings in the last 10 (ten) years to which the company or its subsidiaries is a party; and
- (e) any other document, record or correspondence pertaining to the company or its subsidiaries which the VGCCC considers may be relevant for the purposes of the investigation.

Notes:

1. The information may be provided in electronic or printed form, as agreed by the person requesting the information.
2. A photocopy of this form will be considered as effective and as valid as the original.

**AUTHORISATION TO RELEASE INFORMATION
TO THE VICTORIAN GAMBLING AND CASINO CONTROL COMMISSION** (continued)

NOTES:

In this *Authorisation*:

1. the meaning of “**document**” includes, in addition to a document in writing:
 - (a) any book, map, plan, graph or drawing;
 - (b) any photograph;
 - (c) any label, marking or other writing which identifies or describes anything of which it forms part, or to which it is attached by any means whatsoever;
 - (d) any disc, tape, sound track or other device in which sounds or other data (not being visual images) are embodied so as to be capable (with or without the aid of some other equipment) of being reproduced therefrom;
 - (e) any film (including microfilm), negative, tape or other device in which one or more visual images are embodied so as to be capable (with or without the aid of some other equipment) of being reproduced therefrom; and
 - (f) anything whatsoever on which is marked any words, figures, letters or symbols which are capable of carrying a definite meaning to persons conversant with them.
2. “**subsidiaries**” means any entity, whether or not incorporated, that is controlled by the Company.

SIGNED OR SIGNED AND SEALED IN ACCORDANCE WITH THE CONSTITUTION OF:

.....
(print company name)

Seal:

.....
Director's signature

.....
Print Director's name

.....
Secretary's signature

.....
Print Secretary's name

Dated / /
(Day/Month/Year)

Strictly Confidential

Accountant or Auditor's Statement

In the matter of this application for the approval of an associated entity and for the purposes of ongoing monitoring.

Section 10.4A.1 of the *Gambling Regulation Act 2003* and section 28A(4)(b) of the *Casino Control Act 1991* requires the Commission to consider whether an applicant is of 'sound and stable financial background'.

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 *Gambling Regulation Act 2003* or the *Casino Control Act 1991*.

Name of Applicant:	
Name of Accountant or Auditor:	
Accountant or Auditor's address:	
Qualification (please tick)	
Chartered accountant <input type="checkbox"/>	Certified Practicing Accountant <input type="checkbox"/>
<p>I have considered all relevant documentation relating to the financial affairs of the above applicant.</p> <p>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.</p>	
<p>Pease specify below, or attach to this statement, any qualifications or explanations relating to the above statement that you wish to make.</p>	
Signature of accountant	
Name of signatory	Date

Accountant or Auditor's Statement

In the matter of this application for the approval of an associated entity and for the purposes of ongoing monitoring.

Summary of financial information

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 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* or the *Casino Control Act 1991*.

Year ended/...../..... /...../..... /...../.....

Profit & Loss Statement

Total Sales/Revenue			
Less: Cost of Sales			
Gross Operating Profit			
Other Income (<i>please specify</i>)			
.....			
.....			
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 (<i>please specify</i>)			
.....			
.....			
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 (<i>please specify</i>)			
.....			
.....			
Total current assets	a		

Strictly Confidential

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

Total assets (a + b)

Current liabilities

Bank overdraft & loans (secured)

Trade creditors

Sundry creditors

Amounts owing to related parties/entities

Amounts owing to shareholders/unit-holders

Tax/GST liabilities

Others (*please specify*)

Total current liabilities

Non-current liabilities

Bank overdraft & loans (secured)

Amounts owing to related parties/entities

Amounts owing to shareholders/unit-holders

Provisions

Others (*please specify*)

Total non-current liabilities

Total liabilities (d + e)

Net assets (c - f)

Year ended/...../..... /...../..... /...../.....

Equity

Issued capital/settlement sum

Reserves

Retained profits/(losses)

Others (please specify)

Total equity

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

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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

Signature of authorised officer

Date

The persons listed below declare that we are the Directors 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

Signature of Director

Date

Name of Director

Signature of Director

Date

Name of Director

Signature of Director

Date

Name of Director

Signature of Director

Date

ATTACHMENT PAGE

Please copy if additional attachment pages are required.

This image shows a full page of white paper with horizontal dotted lines. The lines are evenly spaced and run across the width of the page, providing a guide for handwriting practice. There are no margins, text, or other markings on the page.

Attachment 1

HISTORICAL ORGANISATIONAL EXTRACT

As part of this associated entity form, you must apply for the associated entity's Historical Organisational Extract which identifies the type, status, registered address, roles within the organisation, share structure, members, charges and documents lodged, (current and historical) of organisations registered with the Australian Securities and Investments Commission (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 associated entity, while the Current Extract identifies only current information. If this associated entity form is lodged with an extract other than an Historical Organisational Extract it will be considered incomplete and will be returned for re-lodgement when the correct extract has been obtained.

The associated entity's Historical Organisational Extract **must** be current at the time of lodgement of this form and not exceed three (3) months from the date of issue. If you fail to meet any of these requirements (i.e. you do not provide the associated entity's Historical Organisational Extract, or you enclose either a photocopied extract or an extract exceeding 3 months from the date of issue) the associated entity form will be considered incomplete and will be returned to you.

All matters detailed in the associated entity's Historical Organisational Extract are taken into consideration by the Victorian Gambling and Casino Control Commission. Should you wish to dispute any of the information disclosed in the associated entity's Historical Organisational Extract you should do so with ASIC **prior** to lodging the associated entity form.

Fees

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 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

Attachment 2

Business Credit File

As part of this application form, the associated entity may apply to either illion or Equifax for a Business Credit File (Credit File) which will identify any matters entered against the associated entity by any financial provider.

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 associated entity fails to meet any of these requirements or does not attach a Credit File, the application form will be considered incomplete and will be returned.

All matters detailed in the Credit File are taken into consideration by the VGCCC and are essential to allow an assessment of the associated entity's financial resources. If the associated entity 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.