

Commercial raffle organiser licence – sole trader

OCTOBER 2019

This package contains the application and information material for approval of a sole trader as a commercial raffle organiser.

How to apply

Send application to:

Victorian Commission for Gambling and Liquor Regulation
GPO Box 1988
Melbourne Vic 3001

or lodge in person at:

Level 3, 12 Shelley Street
Richmond

Need help?

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

- visit the Victorian Commission for Gambling and Liquor Regulation (VCGLR) website at vcglr.vic.gov.au
- telephone the VCGLR on 1300 182 457
- email the VCGLR at contact@vcglr.vic.gov.au



Commercial raffle organiser's licence application for a sole trader

Contents

IMPORTANT INFORMATION

False or Misleading Information	2
Notification of Changes	2
Privacy Policy	2
Confidentiality Provisions	2

LODGEMENT GUIDE	3
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PAGES FOR COMPLETION BY APPLICANT

Personal Particulars	4 - 5
Legal Action	6
Racing and Gambling History	7
Other Regulatory History	7
Charges, Findings of Guilt and Convictions	8
Establishment of Associates	9 - 10
Business Interests	10 - 12
Financial Particulars	12 - 15
Responsible Gambling Code of Conduct	15
Advertising Requirements	15 - 16
Declaration by Applicant	16
Payment Details	16
Financial Information Release Form	17
Consent to Access Records of Law Enforcement Agencies Form	18
Attachment Page	19

GENERAL INFORMATION PAGES

Who can apply for a Commercial Raffle Organiser's Licence?	20
What does a Commercial Raffle Organiser's Licence permit me to do?	20
Who is an Associate?	20 - 21
Publication of Disciplinary Action	21
Lodgement of associate forms	21
Term of Licence	21

ATTACHMENTS TO THE FORM

Historical Personal Name Extract	Attachment 1
National Police Certificate	Attachment 2
Credit Report	Attachment 3
Responsible Gambling Code of Conduct	Attachment 4
Schedules A to J	Attachment 5

IMPORTANT INFORMATION

Before starting to complete your application, it is recommended that you telephone the Victorian Commission for Gambling and Liquor Regulation (VCGLR) on 1300 182 457 to discuss the application process.

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, state N/A (not applicable) in response.
- ANY QUESTION NOT ANSWERED OR LEFT BLANK WILL RESULT IN THE APPLICATION FORM BEING RETURNED.
- If the space available is insufficient, please supply the required information on an attachment page. Begin each answer with the title and reference of that question.

Notification of Changes

While your application is in progress

Between lodging the application and a decision being made about it, the VCGLR 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 VCGLR 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 VCGLR of specified changes in its situation. Whenever a specified change takes place, written notice must be given to the VCGLR within 14 days of the change taking place. If the VCGLR 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.

False or Misleading Information

Section 10.5.16 of the *Gambling Regulation Act 2003* provides that it is an offence to give information that is false or misleading in a material particular. Giving information that is false or misleading may result in the non-approval of your application and/or a prosecution being taken against you with a fine of up to 60 penalty units.

Privacy Policy Statement

The VCGLR 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 VCGLR or its staff to someone else, except for the purposes stated in Division 6 of Chapter 10 of the *Gambling Regulation Act 2003*. You may access these provisions at vcglr.vic.gov.au.

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LODGEMENT GUIDE

This information will help you complete the process to apply for a commercial raffle organiser's licence as a sole trader.

Before you complete the application form

Step 1: Obtain your Historical Personal Name Extract from the Australian Securities and Investments Commission (ASIC) and/or an equivalent report from other jurisdiction/s. Read '**Attachment 1** – Historical Personal name Extract' at the back of this application for more information.

Step 2: Obtain a police clearance:

- If you live in Australia or have lived in Australia for at least 12 months during the last 10 years, you are required to obtain a National Police Certificate (NPC) from Victoria Police. Read '**Attachment 2** – National Police Certificate' at the back of this application for more information.

and

- If you have lived outside Australia for 12 months or more in the last 10 years, you may be required to obtain a police clearance from the country you lived in. Contact the VCGLR on 1300 182 457 to find out what information you need to provide to satisfy this requirement.

Step 3: Obtain a credit report:

- If you live in Australia or have lived in Australia for at least 12 months during the last 10 years, you are required to provide an Australian individual credit report that is no more than three months old. Read '**Attachment 3** – Credit Report' at the back of this application for more information.

and

- If you have lived outside Australia for 12 months or more in the last 10 years, you may be required to obtain a credit report from the country you lived in. Contact the VCGLR on 1300 182 457 to find out what information you need to provide to satisfy this requirement.

Step 4: Complete 'Attachment 4 – Statement of Adoption of an Approved Generic Responsible Gambling Code of Conduct' or develop your own Code.

Step 5: Obtain two colour passport size photos and print your name on the back of each photo.

Step 6: Complete this application form, ensuring the information you provide is accurate.

You are now ready to complete your application – proceed to Step 7.

Step 7: Lodge your application with the VCGLR by mail or in person.

Your application must include the following:

- Historical Personal Name Extract from ASIC
- National Police Certificate
- Credit report
- Responsible Gambling Code of Conduct or Statement of Adoption
- Passport size photos
- Copy of your tax return and your Notice of Assessment from the ATO for the last three completed financial years
- Listing of your creditors
- Copy of the Public Notice and
- any other document that forms part of your application.

Please note:

- Address: The VCGLR's postal and physical addresses are located on the cover page of the application form or at vcqlr.vic.gov.au.

2. Current Residential Address:

.....
No. Street
.....
City/Town/Suburb State Postcode

3. Postal Address: (If same as Q2, write 'as above')

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

4. Current Business Address:

.....
No. Street
.....
City/Town/Suburb State Postcode

5. Contact Details: Email Address:

Phone No. (AH): Phone No. (BH):

Mobile No: Fax No. :

6. PHOTOGRAPHS:

Securely attach two (2) colour passport size photographs taken within the last 3 months to your application. Do not cut or separate passport photographs. Ensure your name is clearly printed on the back of each photograph.

Note: It is recommended that you provide your photographs in a sealed envelope with your name clearly printed on the front of the envelope. Securely attach the envelope to this page.

Complete the following:

(a) I have attached two passport size photographs: YES

(b) Date photograph taken: / /
Day/Month/Year

Attach two (2) colour passport photographs here

Legal Action

7. Have you personally, or any entity that you have been an officer of, ever been the defendant/respondent to any legal action in the past 10 years (including in progress)? YES NO

If **NO**, proceed to Q8. If **YES**, provide the following details for each action:

Nature of legal action:

Briefly describe how your responsibilities or actions related to this matter:
.....
.....

Plaintiff: Jurisdiction*:

Result/Settlement (indicate here if not finalised):

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

Case no. issued by court/tribunal: Date of delivery of judgement: / /
(if known) (if known) (day/month/year)

If a matter has been finalised you **must** provide a **copy** of independent documentation confirming the court outcome or, if settled out of court, a **copy** of the settlement agreement, regardless of whether any terms of the agreement are confidential.

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

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

IMPORTANT INFORMATION

If you currently live in Australia or if you have lived in Australia for at least 12 months during the last 10 years this form **must** be accompanied by your **original** National Police Certificate (NPC) from the Victoria Police (refer to instructions at Attachment 2). The NPC you provide **cannot** be a copy and **must** be obtained not more than 3 months before this form is lodged.

You **must** advise details at Q13 of any offence **not** included in your NPC, including participation in a Diversion Program, spent convictions, findings of guilt, suspended sentences, matters where a good behaviour bond is given and/or matters where no conviction is recorded, other court orders and provide details of all outstanding charges. Failure to disclose such matters may affect your application. However, Children’s Court matters more than 10 years old and non-custodial traffic matters, which are those for which a penalty other than a jail sentence or community based order was given, are **not** matters which you are required to disclose at Q13.

You **must** ensure that **all** names noted in Q1(a) - (c) are advised to the Victoria Police when applying for your NPC. If all such names are not shown in your NPC, your application will **not** be accepted.

In addition, if you currently live outside Australia or you have lived outside Australia for more than 12 months during the last 10 years you are requested to seek an equivalent report from the relevant Police Agency in that jurisdiction*. An equivalent report, which must be an original document or a certified copy of the original document, would be expected to reveal details in relation to any convictions, findings of guilt (either with or without conviction) and any matters still outstanding against you.

11. (a) Do you currently live in Australia or have you have lived in Australia for at least 12 months during the last 10 years? YES NO

If **YES** to Q11(a), an NPC must be provided.

(b) Do you currently live outside Australia or have you lived outside Australia for more than 12 months during the last 10 years? YES NO

If **YES** to Q11(b), you are requested to seek an equivalent report from the relevant Police Agency which is an original document or a certified copy of the original document. If an equivalent report is not enclosed, provide an explanation on an attachment page.

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

12. (a) Have you ever been charged with, or found guilty of, a criminal offence, or been investigated by a law enforcement agency for an alleged offence against you, that is not recorded on your attached Police documentation? YES NO

(b) Have you ever participated in a Diversion Program? YES NO

If **NO** to Q12(a) and (b), proceed to Q13. If **YES** to Q12(a) or (b), provide details below in relation to each matter:

Nature of Offence/Charge:

Date:/...../..... Jurisdiction*:.....
(day/month/year)

Result:
Result of Hearing or Other Disposition

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

Establishment of Associates

IMPORTANT INFORMATION

Family members named in response to Q14 to Q17 are **not** required to complete an associate form as part of your request for approval. However, where investigations by the VCGLR highlight issues of concern, the VCGLR may determine that a completed associate form is required from one or more nominated family members. In this circumstance, you will be notified of the requirement for the provision of completed associate form/s and advised regarding the completion and lodgement of the required form/s.

13. Applicant's Marital Status:

Married Single De Facto Separated Divorced Widowed

Spouse/De Facto Full Name:.....
First Name
Middle Name (s)
Surname

Date of Birth: / /
 (day/month/year)

14. Applicant's parents, including both natural parents and step-parents

Relationship to Applicant	First Name	Middle Name(s)	Surname	Date of Birth
..... / /
..... / /
..... / /
..... / /

15. Applicant's brothers and sisters: List all, including half/step brothers and sisters

Relationship to Applicant	First Name	Middle Name(s)	Surname	Date of Birth
..... / /
..... / /
..... / /
..... / /
..... / /

16. Applicant's children: List all, including step and adopted children

Relationship to Applicant	First Name	Middle Name(s)	Surname	Date of Birth
..... / /
..... / /
..... / /
..... / /
..... / /

17. How will the profits of the applicant be distributed?

.....

.....

.....

.....

.....

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

18. Provide details of the proposed management structure of the operations of the Commercial Raffle Organiser. Include details of any existing or proposed management contract arrangements and the names and positions of personnel proposed to manage its operations.

.....

.....

.....

.....

.....

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

Business Interests

IMPORTANT INFORMATION

Historical Personal Name Extract from the Australian Securities and Investments Commission (ASIC) and/or Equivalent Report from Other Jurisdictions

Regardless of your place of residence, you are required to provide an **original** Historical Personal Name Extract from ASIC. If you are not recorded on ASIC’s database you will be provided with a letter to that effect. In addition, if you have ever been a director or company secretary of a company registered in a jurisdiction outside Australia, you are requested to submit an equivalent report to the ASIC Historical Personal Name Extract from the regulatory authority in each of those jurisdictions with this form. Refer to Attachment 1 for further instructions for obtaining an extract from ASIC and for the type of information an equivalent report is expected to reveal.

19.(a) Is your **original** Historical Personal Name Extract from ASIC enclosed? YES

(b) Have you ever been a director or company secretary of a company registered in a jurisdiction outside Australia? YES NO

If **NO**, proceed to Q20. If **YES**, is an equivalent report from the regulatory authority in each of those jurisdictions attached? YES NO

If **NO**, provide reasons why an equivalent report from the regulatory authority in any of those jurisdictions has not been enclosed on an attachment page.

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

IMPORTANT INFORMATION

Q20 relates to any business interests, directorships or partnerships (either within or outside Australia), **not** disclosed in your ASIC Extract or any equivalent report. When completing Q20 you must disclose details of:

- **All** directorships (either within or outside Australia), including positions of director, secretary etc, you hold or have resigned from (whether or not the company is trading) during the last 3 years; and
- **All** business interests or partnerships you have been involved in (either within or outside Australia), including provision of finance of A\$50,000 or more in relation to any business dealing during the last 3 years.

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20. List below any business interests, directorships or partnerships (either within or outside Australia) **not** disclosed in your Extract from ASIC or any equivalent report:

.....

.....

.....

.....

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

21. Have you operated or do you intend to operate under any business name/s? YES NO

If **NO**, proceed to Q22. If **YES**, provide details below.

.....

.....

.....

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

22. Has your business/trading name changed in the last 3 years? YES NO

If **NO**, proceed to Q23. If **YES**, provide details below.

Name Changed From	Name Changed To	Date of Change
..... / /
..... / /

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

23. Are you making this application in your capacity as trustee for any trust? YES NO

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

(a) Name(s) of Trust:

Address:

Type of Trust (tick one only): 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 persons and/or entities that are beneficiaries or unit holders of the Trust:

Full Name	Company – Person (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"/>

23.(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 3 years:

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

(d) Of the Trust beneficiaries/unit holders, identify those who, by virtue of the Trust Deed have voting rights enabling them individually or as a group to remove/change the Trustee or to influence the Trustee's decisions.

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

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

Note: All beneficiaries or unit holders identified at Q23(d) **must** complete an Associated Entity or Associated Individual form as appropriate.

Financial Particulars

24. Are you the personal guarantor for someone else's debt or loan? YES NO

If **NO**, proceed to Q25. 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 **NO**, proceed to Q25. If **YES**, provide details on an attachment page.

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

IMPORTANT INFORMATION

You **must** obtain an **original** Credit Report if:

- you currently live in Australia; or
- you do not currently live in Australia but have lived in Australia at any time during the last 10 years; or
- you are or have been during the last ten years a director of officeholder of an Australian company.

If your circumstances do not meet the criteria noted above, a Credit Report is **not** required. **Note:** If you live or have lived outside Australia for at least 12 months during the last 10 years you are requested to submit an equivalent report from the relevant agency in that jurisdiction*.

The Credit Report you obtain cannot be more than 3 months old when you lodge this application and you **must** ensure that **all** names noted in Q1(a) - (c) are advised when applying for your Credit Report. If any such names are not shown in your Credit Report, your application will **not** be accepted. Instructions on obtaining your Credit Report are provided at Attachment 3.

25. Have you enclosed your **original** Credit Report and/or an equivalent report from a relevant overseas jurisdiction*? YES NO

If **YES**, proceed to Q26. If **NO**, provide reasons why a Credit Report and/or an equivalent report from a relevant overseas jurisdiction has not been enclosed 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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26. Other than disclosed on your Credit Report, are you 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 Q27. If **YES**, complete the following:

Financial Institution or creditor	Total amount owing	Total amount in default	Number of days payment is overdue
.....	\$	\$
.....	\$	\$

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

27. (a) Other than disclosed on your Credit Report, have you ever been subject to bankruptcy or any insolvency arrangements? YES NO

If **NO**, proceed to Q27(b). If **YES**, complete the following and provide details of circumstances leading to bankruptcy/arrangement proceedings on an attachment page.

Date of Bankruptcy/Arrangement:/...../..... Date of Discharge/Completion:/...../.....
(day/month/year) (day/month/year) (proposed date)

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

Name of Trustee:

Address:
No. Street City/Town/Suburb

.....
State Postcode (.....) Telephone Number

(b) Are bankruptcy or any like proceedings pending? YES NO

If **NO**, proceed to Q28. If **YES**, provide details of circumstances leading to proceedings on an attachment page.

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

28. (a) Have you ever been an officer of an entity that has 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 similar proceedings? YES NO

(b) Has the applicant ever been investigated by a regulatory body? (e.g. ASIC, RIA, APRA, ACCC) YES NO

If **NO** to Q28(a) and (b), proceed to Q29. If **YES** to Q28(a) or (b), in relation to each matter complete the following and provide details of circumstances leading to proceedings on an attachment page.

...../.....
Company/Incorporated Association Name Commencement Date (month/year)

Type of proceedings:

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

Name: Ph No: (.....)

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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IMPORTANT INFORMATION

A **copy** of your taxation return for the **three most recent completed financial years** must be provided, which should include the balance sheet and profit and loss (trading) statement of your business (if any). If the date of application is more than six months from the end of the most recent completed financial year, you must also provide a balance sheet and profit and loss statement covering the period from the most recent completed financial year to the date of application.

29. A **copy** of my taxation return for the three most recent completed financial years is enclosed. YES

30. Have you ever been disqualified from acting as an office holder of a company or are any like proceedings pending? YES NO

If **NO**, proceed to Q31. If **YES**, provide details below and reason for disqualification/proceedings on an attachment page:

Date of disqualification: / / Jurisdiction*:

(day/month/year)

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

31. Statement of Assets as at : / /

(day/month/year)

List all assets (A\$) at the appropriate line below. Enter the amount as of the date of this statement, which should be a date as recent as possible and within the past 12 months. Joint assets must be distributed between the applicant and the spouse/de facto according to beneficial ownership.

ASSETS:	Applicant	Spouse/De Facto
Cash on Hand		
Cash at Financial Institutions (see Schedule A)		
Accounts Receivable (see Schedule B)		
Shares & Fixed Interest Securities (see Schedule C)		
Business Investments (see Schedule D)		
Real Estate (see Schedule E)		
Other Assets (see Schedule F)		
TOTAL ASSETS		

32. Statement of Liabilities as at: / /

(day/month/year)

List all liabilities (A\$) at the appropriate line below. Enter the amount as of the date of this statement, which should be a date as recent as possible and within the past 12 months. Joint liabilities must be distributed between the applicant and the spouse/de facto according to personal share of liability.

LIABILITIES:	Applicant	Spouse/De Facto
Accounts Payable		
Taxes Payable		
Unsecured Loans (see Schedule G)		
Secured Loans (Mortgages) (see Schedule H)		
Other Liabilities (see Schedule I)		
TOTAL LIABILITIES		
NET WORTH (Total Assets less Total Liabilities)		
Contingent Liabilities * (see Schedule J)		

* Contingent Liabilities are potential debts that could be incurred, eg on default of a person for whom you have acted as loan guarantor

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

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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 **certified** by the applicant as to its accuracy.

33. Is a listing of the applicant's creditors attached? YES NO

If **YES**, proceed to Q34. If **NO**, provide reasons on an attachment page.

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

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 VCGLR 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 VCGLR.

A pro forma Code is provided for your assistance at Attachment 4. 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 VCGLR in assessing a Code, which are available at the VCGLR website under 'Responsible Gambling', must be referred to.

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

Date Code adopted by applicant / /
(day/month/year)

Advertising Requirements

IMPORTANT INFORMATION

Application being made to renew a current commercial raffle organiser's licence

The requirement noted below does not apply where an application is being made to renew a commercial raffle organiser's licence.

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 VCGLR within 28 days of the date of publication, stating the grounds for the objection.

Set out below is the suggested format of the notice:

The Victorian Commission for Gambling and Liquor Regulation has received an application
for a Commercial Raffle Organiser's Licence from **(applicant's name)**
of **(applicant's business address)**

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 Commission for Gambling and Liquor Regulation
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 VCGLR at contact@vcglr.vic.gov.au or 1300 182 457.

35. 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 applicant, **must** forward to the VCGLR a copy of the advertisement immediately following its publication.

Declaration by Applicant

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 applicant: Date:/...../.....
(day/month/year)

Signature of witness: *

Print name of witness:

* Any adult can be a witness.

Payment Details

IMPORTANT INFORMATION

The prescribed fee must accompany an application for a Commercial Raffle Organiser's Licence. Go to www.vcglr.vic.gov.au/Fees-Fines to confirm the current fee for a Commercial Raffle Organiser's Licence and note that, once an application has been registered, the application fee is non-refundable.

The application fee can be paid by:

- cheque or money order, made payable to the Victorian Commission for Gambling and Liquor Regulation;
- credit card by completing the appropriate details below.

PAYMENT BY CREDIT CARD

Complete only if paying by credit card

Card type MasterCard Visa **Amount \$**
(tick appropriate box)

Card Number **Expiry Date**

Name Shown on Card

Cardholder's Signature

Daytime telephone contact number of cardholder

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Gambling Regulation Act 2003

FINANCIAL INFORMATION RELEASE FORM

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

Name:
(Full name of applicant)

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

The applicant hereby authorises all **persons** who receive this **financial information release form** from the Victorian Commission for Gambling and Liquor Regulation (the VCGLR) and its staff to undertake the **authorised actions** for the **authorised purposes** as set out below:

Authorised actions

1. To allow the VCGLR to inspect and obtain a copy of any document, record or correspondence in the possession or under the control of the 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 fiduciary.
2. To answer written or verbal queries of, and to provide information (by any means) to the VCGLR 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 VCGLR 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 VCGLR to be satisfied, in considering the application for a commercial raffle organiser's licence, that the Applicant and his or her associates have desirable and satisfactory financial resources and, in conducting on-going monitoring, that those financial resources continue to be desirable and satisfactory. This consent commences on the date below and continues until the later of:-

- * the VCGLR 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:
(Applicant's signature)

Dated: / /
(day/month/year)

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 VCGLR includes is a reference to a member of its staff and any other person appointed in writing by the VCGLR.

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Gambling Regulation Act 2003

CONSENT TO ACCESS RECORDS OF LAW ENFORCEMENT AGENCIES

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

Name:
(Full name of applicant)

Address: **(‘applicant’)**
(Full address of applicant)

CONSENT

The applicant hereby consents to all probity investigations carried out by the Victorian Commission for Gambling and Liquor Regulation (the VCGLR) 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 gaming 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 me 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 VCGLR to the investigation or assessment of my application for a commercial raffle organiser’s licence under the *Gambling Regulation Act 2003*.

RELEASE

Upon signing this consent, the applicant hereby releases the VCGLR, 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.

ACKNOWLEDGMENT

I acknowledge having read and understood the terms of the consent and have noted that independent legal advice may be sought before signing this consent.

This consent commences on the date below and continues until the later of:-

- * the VCGLR 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).

EXECUTION AS A DEED

.....
Signature of Applicant

Dated: / /
(day/month/year)

.....
Signature of Witness

.....
Printed Name of Witness (any adult can be a witness)

General Information

Who can apply for a Commercial Raffle Organiser's Licence?

Any person (natural or corporate) can apply to the Victorian Commission for Gambling and Liquor Regulation (the VCGLR) for a Commercial Raffle Organiser's Licence.

What does a Commercial Raffle Organiser's Licence permit me to do?

A Commercial Raffle Organiser's Licence authorises the licence holder 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 *Gambling Regulation Act 2003* (referred to as the Act in this form); and
- (b) the submission to the VCGLR of periodic audited statements as required by or under the 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 VCGLR 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 VCGLR a copy of an agreement entered into under this section; and
- (b) notify the VCGLR 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.

Who is an associate?

The questions contained in the Commercial Raffle Organiser's Licence application form assist to identify an applicant's associates. Each associate must complete an Associated Individual or Associated Entity form, as appropriate.

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 also provides the following definitions:

"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.

General Information

Examples of an associate include, but are not limited to, the following:

- partners with a partnership interest of 10% or greater in income of the applicant/operator or associated entity(ies);
- where the applicant/operator or an associated entity(ies) is a trustee of a trust, the trust unit holders that own 10% or more of units (or income entitlement) or beneficiaries if a discretionary trust who have received 10% or more of the trust's income distribution in the last three (3) years; and
- any person who could exercise a significant influence over or with respect to the ownership, management or operation of the Commercial Raffle Organiser's business.

Subsequent investigations by the VCGLR may reveal additional associates of the applicant that will also be required to complete and lodge an associate form.

Publication of Disciplinary Action

Please note that as a licence holder you may be subject to disciplinary action being taken by the VCGLR. If the VCGLR does takes disciplinary action against you, its decision, including your name and licence number, may be published on the VCGLR website and in the VCGLR Annual Report.

Lodgement of associate forms

While Associated Individual forms may form part of the application for a Commercial Raffle Organiser's Licence and may be lodged as part of that application, the VCGLR 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 instruction that it may only be opened after it has been lodged with the VCGLR. Where an associated individual has failed to provide necessary information, the associated individual form will be returned **in a sealed envelope (marked 'strictly confidential' and 'to be opened by addressee only')** to the applicant to organise completion and re-lodgement to the VCGLR.

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.

Attachment 1

Historical Personal Name Extract from The Australian Securities & Investments Commission (ASIC)

A Historical Personal Name Extract is a print-out provided by ASIC which contains the following information:

- person's name and birth details
- companies against which the person's name is recorded, number and current status
- role(s)* held and residential address
- date appointed and date ceased, where applicable.

* The roles identified in a personal name search include:

- | | | |
|---------------------------|--------------------------------|--------------------------|
| • Administrator | • Local Agents | • Receiver |
| • Appointed Auditor | • Member of a Futures Exchange | • Representative |
| • Appointed Liquidator | • Official Manager | • Representative Futures |
| • Deputy Official Manager | • Petitioner Court Action | • Scheme Manager |
| • Director | • Provisional Liquidator | • Secretary |

When making your search application to ASIC, ensure that you specify that you require an Historical Personal Name Extract and **not** a Current Personal Name Extract. An Historical Personal Name Extract identifies **both current and historical** roles held by you in organisations registered with ASIC, while the Current Extract identifies only current roles. If your associate form is lodged with an extract other than an Historical Personal Name Extract it will be considered incomplete and will be returned to you to be re-lodged when you have obtained the correct extract.

Note: If you are not recorded on ASIC's database you will be provided with a letter to that effect.

If the Historical Personal Name Extract you provide fails to meet any of the following requirements your associate form will be considered incomplete and will be returned to you –

- an Historical Personal Name Extract rather than a Current Personal Name Extract must be lodged;
- it **must not** be dated more than three (3) months from the date your application is lodged; and
- the **original** Historical Personal Name Extract must be lodged (i.e. **not** a photocopied extract).

All matters detailed on your Historical Personal Name Extract may be taken into consideration by the VCGLR. Should you wish to dispute any of the information disclosed in your Historical Personal Name Extract you should do so with ASIC **prior** to lodging your associate 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 the broker delivery fees. ASIC can advise you of the cost of obtaining the Extract.

How to apply for your Historical Personal Name Extract

An Historical Personal Name 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

National Police Certificate

Requirement to obtain a National Police Certificate

If you live in Australia or have lived in Australia for at least 12 months during the last 10 years, you are required to obtain a National Police Certificate (NPC) from Victoria Police of the Australian Federal Police as part of your application to the VCGLR. Please note that Victoria Police requires approximately 20 working days to issue an NPC.

Important information

It is important that you follow the instructions on how to apply for an NPC so that it meets the VCGLR's requirements. Your NPC must show the following information:

1. That it was issued by Victoria Police or by the Australian Federal Police
2. Type of check: National name check
3. Reason for the check: Casino or gaming licence
4. Personal details: Your correct date of birth, current name and previous names in full (first name, all middle names and surname). You should also include any alias that you may have or have previously had
5. That it is an original document and not a photocopy or certified photocopy
6. That it is current and no more than three months old when you submit your application

Application fees

Victoria Police charges a fee to apply for an NPC. For the current fee that applies to your application, go to police.vic.gov.au and search for 'National Police Certificate'.

Disclosures

All matters detailed on your NPC will be taken into consideration by the VCGLR when assessing your character, honesty and integrity. Should you wish to dispute any of the information disclosed in your NPC, you should do so prior to submitting your application to the VCGLR by writing to:

Manager, Public Enquiry Service
Records Services Division, Victoria Police
GPO Box 919, Melbourne, Victoria 3001

Attachment 2

Proof of Identity

Proof of Identity Documentation

When applying for a National Police Certificate, applicants must supply a minimum of two types of identification from the list below with a minimum total of 100 points. Identification must include at least one type of photo ID (Category A) plus identification that contains the applicant's current residential address, signature and date of birth.

Category A (at least one Category A document must be provided)

	Points
Current Passport	70
Driver licence/Learner's permit/boat licence	40
Firearms/Private security licence	40
Current tertiary student ID card (with photo)	40
WWC Check card/Keypass/Proof of age card	40
Certified current passport size photo (if the applicant does not possess any other Category A ID)	40

Category B

Australian citizenship certificate	70
Birth certificate (not extract)	70
Birth card	70
Australian travel documents or current Australian Visa	70
Department of Veterans Affairs (DVA) card	40
Centrelink card (with reference number)	40
Government employee ID	40

Category C

Medicare card	25
Credit card or account card	25
Marriage certificate (registry issue only)	25
Change of name certificate (registry issue only)	25
Bank statement (with residential address)	25
Motor vehicle registration or insurance papers	25
Property rates notice/utilities notice	25
Property lease agreement	25
Home insurance papers	25
Taxation assessment notice	25
Records of primary, secondary or tertiary education	25
Records from a current or previous employer	25
Records of a professional or trade association	25

Attachment 3

Credit Report

You **must** obtain an **original** Credit Report if you currently live in Australia, or if you have lived in Australia for at least 12 months during the last 10 years or if you are or have been a director or company secretary of an Australian company during the last 10 years. (**Note:** If your circumstances do not meet these criteria, a Credit Report is **not** required).

You may obtain a copy of your Credit Report from either illion or Equifax. These companies offer a number of services to monitor and manage your credit profile and adhere to the Privacy Act, Credit Reporting Code of Conduct and the National Privacy Principles by providing you with the right to obtain a copy of your Credit Report.

HOW TO OBTAIN YOUR CREDIT REPORT

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 VCGLR 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.

All matters detailed in the Credit File are taken into consideration by the VCGLR 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.

IMPORTANT INFORMATION REGARDING YOUR CREDIT REPORT

When requesting a copy of your Credit Report, you are required to provide the following details:

- Family Name, First Name, Middle Name, Salutation [as stated in the Personal Particulars section of your VCGLR application form];
- any **preferred** given name [as stated in the Personal Particulars section of your VCGLR application form];
- Any other name(s) you have used - List any other name(s) by which you are currently known or were known previously, such as alias(es), anglicised name(s), maiden name, married name(s) and name(s) changed via deed poll [as stated in the Personal Particulars section of your VCGLR application form]; and
- Current and Previous Residential Address Date of Birth and Driver Licence Number (if available).

Attachment 3

Your Credit Report and any other letter from the Credit Report provider advising of the result of the search conducted must accompany your VCGLR application form. **If you fail to meet any of the requirements noted below, your VCGLR application form will be considered incomplete and returned to you.** Your Credit Report must:

- be original and not a photocopy;
- be submitted to the VCGLR within three months from its date of issue;
- include your current name and any other name(s) that you are currently or were previously known by, such as any **preferred** given name, alias(es), anglicised name, maiden name, name(s) changed via deed poll;
- correctly disclose your date of birth, address and driver licence number (if available); and
- include all pages of the report as provided to you by the Credit Report provider.

If you find any issues with your Credit Report, e.g. it is incomplete or you wish to dispute any of the information disclosed therein, you should contact the Credit Report provider (see contact details above) and resolve the issue/s **prior** to lodging your VCGLR application form.

Attachment 4

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]* and *[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.

Attachment 4

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.

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 per cent 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

Attachment 4

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 VCGLR by 30 June each year.