



# Victoria Government Gazette

No. S 255 Wednesday 17 September 2008  
By Authority, Victorian Government Printer

## Gambling Regulation Act 2003

### NOTICE CALLING FOR REGISTRATIONS OF INTEREST IN THE GRANT OF A KENO LICENCE UNDER THE **GAMBLING REGULATION ACT 2003** (VIC.)

Notice under section 6A.3.3 of the **Gambling Regulation Act 2003** (Vic.)

#### Gambling Licences Review

I, Tony Robinson MP, Minister for Gaming and Minister responsible for the **Gambling Regulation Act 2003** by this Notice under section 6A.3.3 of the Act call for Registrations of Interest in the grant of a Keno Licence.

TONY ROBINSON MP  
Minister for Gaming

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**GLOSSARY OF TERMS**

In this Notice, unless the context otherwise requires:

<b>ACCC</b>	means the Australian Competition and Consumer Commission established under the <b>Trade Practices Act 1974</b> (Cth)
<b>Act</b>	means the <b>Gambling Regulation Act 2003</b> (Vic.) as amended from time to time
<b>Annual Reports</b>	means the published annual reports and contents as required by the ASX and Corporations Law and any applicable international securities law
<b>Applicable Legislation</b>	has the meaning given to that term by section 3.2.3 of the Introduction
<b>Applicant</b>	means an Eligible Registrant who has been invited by the Minister to lodge an Application for a Keno Licence
<b>Application</b>	means an Application for a Keno Licence submitted by an Applicant
<b>ASIC</b>	means Australian Securities and Investment Commission
<b>Associate</b>	has the meaning given in section 1.4 of the Act and for the avoidance of doubt for the purposes of that definition a ‘gambling business’ includes the business of registering interest in the grant of a Keno Licence. The term Associate as used in this Notice also includes any person identified by the Secretary or the VCGR as an Associate, as provided by the Act, and communicated to the Registrant by the Project Director or VCGR as the case requires
<b>ASX</b>	Australian Securities Exchange
<b>Authorised Officers</b>	means an officer who is authorised to complete the Forms or provide information on behalf of the Registrant, each shareholder of the Registrant (if applicable), the Registrant’s Parent Company (if applicable) and the Registrant’s Ultimate Holding Company (if applicable) and such other entity which may be required to complete a Form or provide information as provided for by this Notice
<b>Business Day</b>	means a day that is not a Saturday, Sunday, public holiday or bank holiday in Victoria
<b>Certification of Financial Statements</b>	means financial statements must be certified in accordance with the VCGR’s guidelines for the certification of financial statements provided at Appendix F (only if unaudited)
<b>Club Keno</b>	means the game of club keno that the holder of the gaming operator’s licence under Chapter 3 of the Act and the holder of the gaming licence under Chapter 4 of the Act are currently authorised to conduct
<b>Department</b>	means the Department of Justice of the State
<b>Deposit</b>	means the amount to be paid by a Registrant in accordance with Part A – section 13.2 of this Notice
<b>Eligible Registrant</b>	has the meaning set out in Part A – section 5.1 of this Notice

<b>Financial Statements</b>	means the financial statements for the Registrant, Associate and/or Ultimate Holding Company and individual shareholder companies as required by this Notice and includes each of the following: a. Profit and Loss Statement; b. Balance Sheet; c. Cash Flow Statement; d. Notes to Accounts; e. Statement of changes in equity or statement of recognised income and expense as required under IFRS (if applicable); and f. Audit Certificate
<b>FIRB</b>	means Foreign Investment Review Board
<b>Forms</b>	means the forms set out in Part C of this Notice
<b>Gambling Licences Review or GLR</b>	means the State's review of electronic gaming machine, Keno and wagering licences and funding arrangements for the racing industry post 2012
<b>Gambling Licences Review Steering Committee</b>	means the interdepartmental Steering Committee that has been established by the State to assist the Secretary in the performance of her statutory functions
<b>Holding Company</b>	means a body corporate of which the Registrant entity is a subsidiary
<b>IFRS</b>	means International Financial Reporting Standards
<b>Independent Review Panel or IRP</b>	means the Independent Review Panel established under section 10.2A.3 of the Act
<b>Intellectual Property Rights</b>	means all intellectual property rights including all rights in relation to patents, copyright, trade marks and any right to have information kept confidential, existing as at the time of this Notice or in the future whether or not such rights are capable of registration
<b>Interested Person</b>	has the meaning given to that term in section 10.4.7A of the Act
<b>Invitation to Apply or ITA</b>	means an invitation to apply for a Keno Licence under section 6A.3.5 of the Act
<b>Jurisdiction</b>	means the State or Territory in Australia and, if outside Australia, the country and locality in which the licence, approval or authorisation was sought
<b>Keno Game</b>	has the meaning given in section 1.3(1) of the Act or any other games as prescribed by the Regulations made under the Act from time to time
<b>Keno Licence</b>	means the licence granted under Part 3 of Chapter 6A of the Act
<b>Licence Commencement Date</b>	means the date of the issue of the Keno Licence or such other date as may be specified by the Minister
<b>Letter of Confirmation</b>	means the letter of confirmation from the ACCC described in Part A – section 5.4 of this Notice
<b>Licensee</b>	means the holder of a Keno Licence



<b>Licensing Process</b>	means the process for granting a Keno Licence set out in Chapter 6A of the Act and the procedure relevant to that process described generally in the Introduction – section 3 of this Notice that may result in the grant of one Keno Licence to commence on the Licence Commencement Date. For the avoidance of doubt, a reference to the Licensing Process includes a reference to the ROI process
<b>Lodgement Period</b>	means the period between 10.00 and 14.00 on 14 November 2008 AEDT during which ROIs must be lodged in order to be considered by the Minister under section 6A.3.3 of the Act
<b>Management Structure</b>	means the organisational chart of directors, senior management and executives; the name of the chief operating/executive officer responsible for the management and operations or business of the Registrant; details of all senior managers and executives; and details of any existing or proposed, management contract arrangements, franchise arrangements or agency or licensee arrangements
<b>Minister</b>	means the Minister for Gaming for the State
<b>Notice</b>	means this document which is the Minister's notice calling for Registrations of Interest in the grant of a Keno Licence under section 6A.3.3 of the Act
<b>Office Holders and Executive Officers</b>	includes but is not limited to company directors; company secretary; committee members; and other executive positions of the Registrant and any other Interested Persons, as applicable
<b>Parent Company</b>	means a corporation that holds a controlling interest in the shares of the entity submitting a Registration of Interest
<b>Plaintiff</b>	means the party who commences legal action against another party (the other party being the 'defendant')
<b>Probity Adviser</b>	means the person referred to in section 3.4.5 of the Introduction to this Notice
<b>Project Director</b>	means the person appointed from time to time by the State as the Project Director for the Gambling Licences Review
<b>Protocols</b>	means the protocols established under and for the purposes described in section 7 of Part A of this Notice
<b>Registrant</b>	means the person who registers their interest in the grant of a Keno Licence in response to this Notice. When the Registrant entity has traded for less than two (2) financial years immediately prior to the date of this Notice, all of the references to the Registrant in terms of providing the responses and meeting the requirements of Part B and Part C of this Notice includes a reference to all the shareholders of the Registrant
<b>Related Agreement(s)</b>	means an agreement or agreements dealing with matters related to the Keno Licence referred to in section 6A.3.10 of the Act
<b>Relevant Entity</b>	has the meaning set out in section 10.2A.1 of the Act
<b>Relevant Person</b>	has the meaning given to that term in section 7.1 of Part A of this Notice

<b>Responsible Gambling Code of Conduct</b>	means the Responsible Gambling Code of Conduct required under section 6A.3.5(2)(ab) <sup>1</sup> of the Act and which may be amended from time to time
<b>ROI or Registration of Interest</b>	means a submission lodged by a Registrant in response to the Minister's Notice calling for Registrations of Interest in the grant of Keno Licence under section 6A.3.3 of the Act
<b>ROI process</b>	means the first stage of the Licensing Process, the procedure for the conduct of which is set out in the Act and this Notice
<b>Secretary</b>	means the Secretary of the Department
<b>Selected Registrant</b>	means an Eligible Registrant whom the Minister has determined will be invited to apply based on its demonstrated ability to meet the requirements set out in this Notice
<b>Stage Two of the Licensing Process</b>	means the Invitation to Apply stage of the Licensing Process
<b>State</b>	means the Crown in right of the State of Victoria and a reference to the State includes a reference to its servants, officers, agents and for the avoidance of doubt includes a reference to the Minister and the Secretary as the context requires
<b>State Party(ies)</b>	means the State, the ministers of the State (including the Minister), their officers, employees, servants, agents, advisers and contractors
<b>State's Guiding Principles for Gambling Policy</b>	means those principles set out in section 3.2.2 of the Introduction to this Notice
<b>State's Objectives</b>	means those objectives of the State with respect to the Keno Licence set out in section 3.1 of the Introduction to this Notice
<b>Statement of Outcomes</b>	means the Statement of Outcomes published by the Department on 10 April 2008
<b>Terms and Conditions</b>	means the terms and conditions set out in Part A of this Notice
<b>Ultimate Holding Company</b>	means a body corporate that is a Holding Company of the entity that is submitting a ROI in the grant of a Keno Licence and is itself a subsidiary of no other body corporate
<b>VCGR</b>	means the Victorian Commission for Gambling Regulation established under Chapter 10 of the Act and includes a reference to its officers, employees, servants, agents, advisers and contractors

<sup>1</sup> Note that this provision is due to be proclaimed on 1 December 2008.

## INTRODUCTION

The Minister publishes this Notice calling for Registrations of Interest (ROI) in the grant of a single Keno Licence in Victoria. The Keno Licence, which may be issued at the conclusion of the Licensing Process will allow the Licensee, subject to relevant Keno Licence conditions imposed by the Minister under section 6A.3.9 of the Act and the terms and conditions of any Related Agreement(s), to:

- conduct rapid draw Keno Games in Victoria; and
- distribute Keno Games via a network of hotels, clubs (with full club and restricted club licences – see licence types at [www.consumer.vic.gov.au](http://www.consumer.vic.gov.au)) and wagering outlets

for a licence term of ten (10) years proposed to commence in 2012. Selected Registrants will be advised of the Keno Licence Commencement Date for the new Keno Licence at the Invitation to Apply stage. Section 6A.3.11(2) of the Act also provides that while this new Keno Licence cannot be renewed, a person who holds or has held a Keno Licence may apply for a subsequent keno licence, if invited by the Minister to do so.

The publication of this Notice commences the Keno Licensing Process, which the Act provides is a two stage process.

At the conclusion of the first stage, the ROI process, the Minister may invite Selected Registrants to Apply for a Keno Licence. If the Minister determines to invite selected Registrants to apply, he will issue an Invitation to Apply setting out his requirements.

This Notice specifies and provides Registrants with information about the:

- State's framework for the conduct of the Licensing Process;
- process for granting a Keno Licence;
- conditions that will apply to all participants in the Licensing Process;
- matters that the Minister considers relevant to the Registration of Interest;
- existing Club Keno game, its distribution and the existing market;
- State's priorities and requirements with respect to a future Licensee;
- the information, material and responses that a Registrant must provide in its ROI including that which is required to demonstrate its ability to operate a Keno Licence; and
- matters on which the Secretary will report to the Minister

to the extent that they are relevant to the ROI process.

This Notice endeavours to assist potential Registrants understand the State's requirements and the rules of participation in the Licensing Process so that Registrations of Interest submitted in response to this Notice contain high quality content that is consistent with the State's Objectives.

### 1 THE KENO LICENCE OPPORTUNITY

Under the new Keno Licence, the Keno Game has the potential to be offered to more Victorians as an entertainment option.

The State foresees considerable scope for the development of the Victorian market for the Keno Game, which is currently characterised by significantly lower levels of consumer participation than is in evidence in other Australian states.

The Licensing Process and the Keno Licence, under which the Licensee will operate the Keno Game from 2012, have been designed to enable the development of the Victorian market. The key enabling features of the Licensing Process and the Keno Licence are:

- the use of a competitive Licensing Process for the operation of the Keno Game for the first time in Victoria, enabling the State to identify the most capable Licensee to operate a keno business and to develop the market for the Keno Game;
- the opportunity for the Licensee to utilise and develop a more extensive retail network than is possible via the current distribution arrangements applying to Club Keno; and

- the State's commitment to consider a broad range of business model alternatives, to ensure a viable keno business in Victoria.

Under the new licensing arrangements, the future Licensee has an opportunity to comprehensively revamp and relaunch the Keno Game in Victoria. The State is seeking a Licensee that is capable of continually developing its keno business in a highly competitive market for gambling and entertainment products.

While there is a clear imperative for the future Licensee to foster sustainable growth in Victoria's underdeveloped Keno market, the State will only welcome growth that arises through a business approach that is consistent with responsible gambling principles.

The State recognises that gambling delivers a number of economic benefits to the State, and expects the future Licensee to develop its business in a way that will facilitate:

- consumer choice and access;
- industry development;
- employment growth;
- flow-on benefits that accrue to the broader Victorian community; and
- compliance with the State's responsible gambling principles.

The increased opportunity for hotels, clubs and wagering outlets to offer Keno Games under the future licence arrangements, will provide consumers with greater choice through their access to a broader range of approved venues.

## 2 KENO MARKET IN VICTORIA

In developing a response to this Notice, Registrants should consider the current status of the Keno market and the opportunities that exist for its development.

This section presents an overview of the:

- Club Keno game currently available and the potential for new Keno Games under the Keno Licence;
- distribution arrangements for Keno Games; and
- sales history for Club Keno in Victoria.

### 2.1 Club Keno currently offered in Victoria

This section describes the Club Keno game currently offered in Victoria. The main features of the Club Keno game are:

<b>Draw</b>	<ul style="list-style-type: none"> <li>● 20 numbers are drawn from a pool consisting of numbers 1 to 80</li> <li>● a new game is drawn every four minutes</li> <li>● a random number generator is used to determine the winning numbers</li> </ul>
<b>Player Selections</b>	<ul style="list-style-type: none"> <li>● a player may select up to 15 numbers; or</li> <li>● a player may select a heads, tails or evens bet</li> </ul>
<b>Minimum Cost of Entry</b>	<ul style="list-style-type: none"> <li>● \$1 per game per draw</li> </ul>
<b>System</b>	<ul style="list-style-type: none"> <li>● selections are marked on a ticket</li> <li>● the ticket is fed into a terminal</li> <li>● the central database is updated</li> <li>● a receipt is issued to the player</li> </ul>

<b>Winning Outcomes</b>	<ul style="list-style-type: none"> <li>● a winning bet is where all (or a majority) of the player's selected numbers is drawn</li> <li>● a winning bet for heads is where the majority of selected numbers are 1 to 40; for tails it is where the majority of numbers are 41–80; or for evens where there is an equal number in each range</li> </ul>
<b>Results</b>	<ul style="list-style-type: none"> <li>● the winning numbers for each draw are posted electronically on monitors in venues</li> </ul>
<b>Prizes</b>	<ul style="list-style-type: none"> <li>● the prize divisions have fixed pay scales, unrelated to the size of the pool</li> <li>● prize levels are based on the number of matches between the player's tickets and the numbers drawn<sup>1</sup></li> <li>● there are also jackpot prizes for certain games, for which guaranteed minimum prizes are payable<sup>2</sup></li> </ul>

## Notes

<sup>1</sup> For example, a player who chooses to select 8 numbers (known as a Spot 8 entry) will win a prize if all 8 numbers are amongst the 20 drawn. However, smaller prizes are payable if fewer than the number of predicted numbers are drawn, that is, prizes are also paid for correctly predicting 6 or 7 numbers.

<sup>2</sup> Jackpot prizes are paid where all numbers are matched on Spot 10, Spot 9, Spot 8 and Spot 7 entries.

## 2.2 Keno Games under the Keno Licence

The Keno Licence will authorise the Licensee to operate Keno Games as defined in the Act. A Keno Game is considered to be a rapid draw lottery in which the outcome is determined by a random number generator drawing a set of numbers from a larger pool of numbers.

During the term of the Keno Licence, the Licensee may propose new Keno Games. Proposals by Registrants in relation to the provision of interactive Keno Games will be assessed on a case-by-case basis, having regard to relevant matters including the access controls and responsible gambling measures of each proposal.

The Act provides for new games to be prescribed as a Keno Game by the regulations made under the Act. The State will seek to amend the Act to provide for the Minister to approve new Keno Games that are rapid draw lotteries in which the outcome is determined by a random number generator drawing a set of numbers from a larger pool of numbers.

Proposed Keno Games will be reviewed to determine whether they may be considered unsuitable under the State's policy outlined in Part B – section 16.

## 2.3 Simulated racing games

Certain types of rapid draw lotteries may be classified as both a Keno Game under the Keno Licence and an approved betting competition under the post 2012 Wagering and Betting Licence.

Simulated racing games are games depicting horse, harness and greyhound racing where the outcome is determined by a random number generator drawing a set of numbers from a larger pool of numbers.

Trackside is an existing rapid draw fixed odds simulated racing game where the outcome is determined by a random number generator. It is currently operated as an approved betting competition under the current wagering licence.

Simulated racing games may be permitted to be operated by both the Keno Licensee and the Wagering and Betting Licensee post 2012.

The State will seek to amend the Act to provide for simulated racing games to be approved by the VCGR under the post 2012 Wagering and Betting Licence, provided such games:

- (a) involve simulated horse, harness and greyhound racing only;

- (b) the outcome of the game is determined by a random number generator drawing some numbers from a larger set of numbers;
- (c) are clearly an animation and not able to be interpreted as a live race; and
- (d) wagers on simulated racing games must not be made directly from an account and that payouts must be in form of cash or cheque.

#### **2.4 Keno style games not covered under Keno Licence**

The Keno Licence, operating from 2012, will not incorporate any keno style games approved under:

- the public lotteries licence(s) granted under the Act; or
- the **Casino Control Act 1991** (Vic.).

#### **2.5 Keno Games Distribution**

Club Keno products are currently distributed through the existing network of approved gaming venues. The future arrangements enable the post-2012 Keno Licensee to develop and utilise a significantly larger network of fixed venues.

##### **2.5.1 Current Distribution**

The Club Keno game can currently be offered in hotels and clubs that are approved gaming venues. As at 30 June 2008, Club Keno was being offered at 317 venues, out of a possible maximum of 524 venues. These venues operate Club Keno as the accredited agents of the current Club Keno operator.

##### **2.5.2 Proposed Future Distribution**

From 2012, the network of venues who elect to participate, has been extended to include:

- hotels;
- clubs with a full club and restricted club licences; and
- wagering outlets.

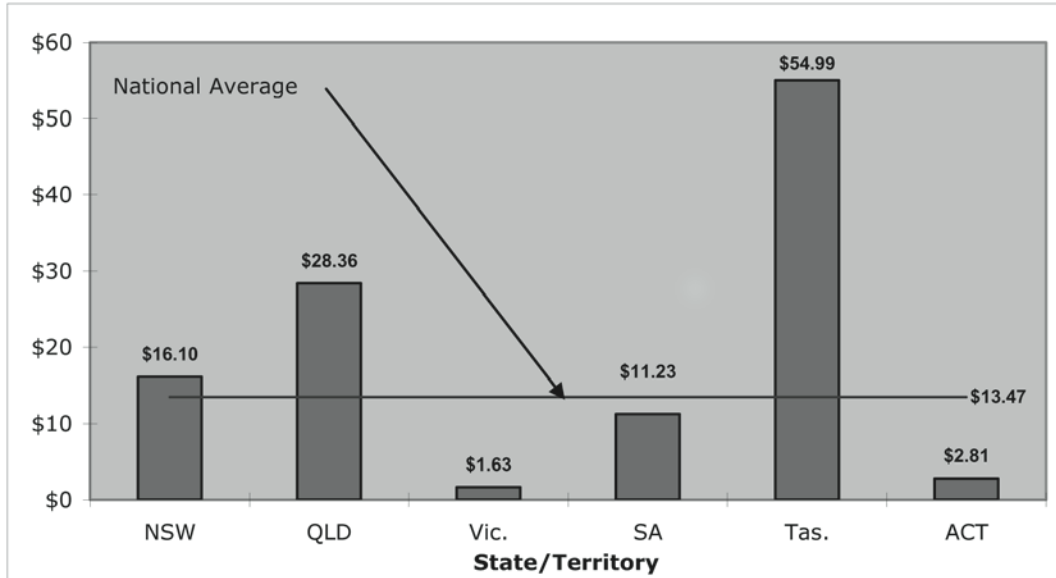
This will provide the future Keno Licensee with a potential network of approximately 2,500 venues at June 2008 from which Keno Games may be offered.

#### **2.6 Club Keno Sales/Market Data**

In the financial year ended 30 June 2008, the total sales for Club Keno were approximately \$27.1m.

Club Keno sales data for Victoria indicates that the current Club Keno product is underperforming in the Victorian market when compared to the sales generated in other states, particularly NSW, Queensland and Tasmania. Figure 1 shows per capita expenditure on keno games by state, highlighting the significant variance between states.

Figure 1 Keno Turnover and Expenditure, Australian States and Territories, 2005–06



Source: *Australian Gambling Statistics 24<sup>th</sup> Edition, State of Queensland, Office of Economic and Statistical Research, 2007*

Note

1. Per capita calculations are based on estimates of the adult population and player expenditure figures.

The retail network that the State has adopted for the post-2012 Keno Licence will allow for a potential increase in the size and reach of the Keno Game network.

Further data for Club Keno in Victoria is presented in Appendix B.

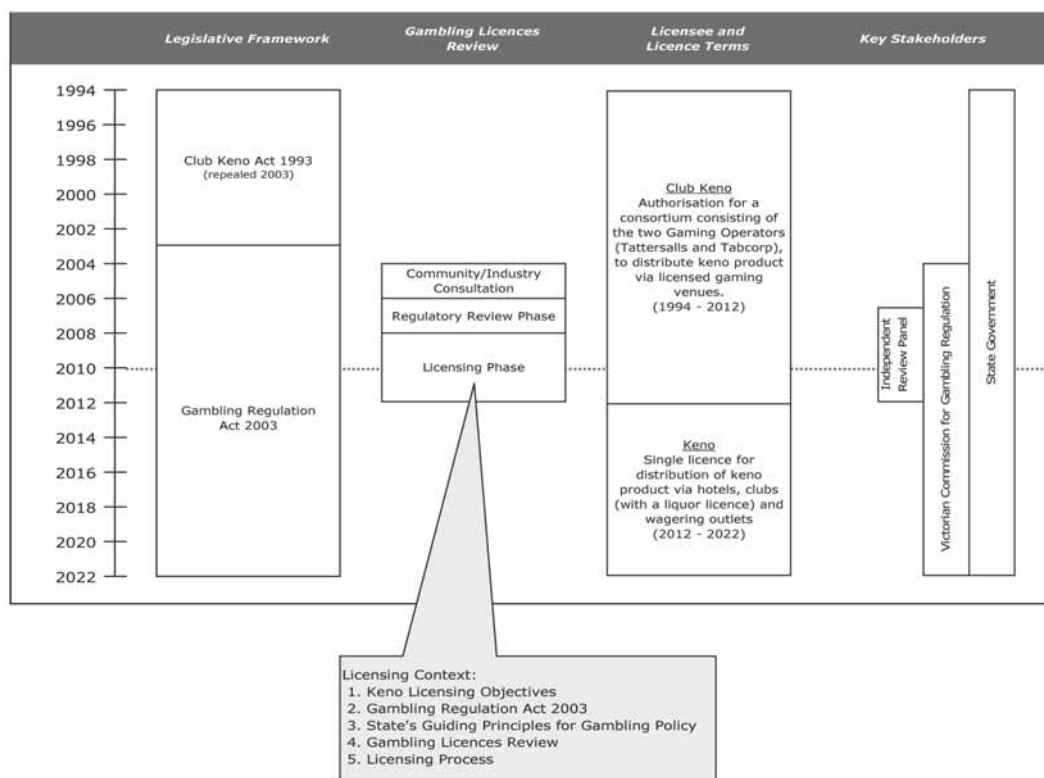
### 3 STATE FRAMEWORK FOR THE LICENSING PROCESS

It is important for all Registrants to understand the framework within which the State will conduct the Licensing Process. The State framework incorporates the:

- State's Objectives for the Keno Licence;
- Act under which the authority to grant a Keno Licence is given;
- State's Guiding Principles for Gambling Policy;
- Gambling Licences Review, which has provided the mechanism for the development of the future licensing structure and for conducting the licensing process; and
- Keno Licensing Process by which a Keno Licence may be granted, and the mechanisms established to support the Minister's decisions.

This framework provides the context for the Keno Licensing Process, of which this Notice is a key part. The Licensing Process is explained in this section, and is represented diagrammatically in Figure 2 below.

Figure 2 Keno Licensing in Victoria, 1994 to 2022



### 3.1 State's Keno Licensing Objectives

Through the implementation of the Licensing Process, the State is seeking a Keno Licensee that:

- meets the **Probity** requirements, conforming to the highest standards of business ethics, repute and integrity, at both a **Corporate** and **Individual** level, including **Financial** Probity;
- possesses the necessary **Technical Capability**, and will introduce infrastructure and systems that optimise the market reach of the Keno and related services and ensure a high level of customer service;
- can draw upon demonstrated **Financial Capability**, to support the commercial and financial strategies developed to address the expectations and requirements of the market and State stakeholders;
- will apply its **Commercial Capability** to constructively develop and maintain a professional and commercially successful Keno business over the Keno Licence term;
- is able to establish and adapt, as necessary, a **Product and Distribution Approach** that will grow the Keno business within the Responsible Gambling framework;
- support, in a constructive, co-operative and positive manner, the **Transition In** to the new licence at the expiry of the existing arrangements, ensuring that the business is operational on the first day of the new Keno Licence term, and a seamless **Transition Out** at the conclusion of the new Keno Licence;
- conforms fully with the State's **Responsible Gambling** requirements, and develops and implements its own Responsible Gambling Code of Conduct;



- continues to deliver **Total Payments to the State**, meeting its obligation to pay taxes to the State consistent with sales volumes and the supervision levels required with respect to the Keno Licence and any Premium Payment payable to the State under the Keno Licence;
- conforms fully with the Terms and Conditions articulated in the Keno **Licence and Related Agreement(s)**; and
- continues over the licence term, to deliver **Economic Benefits** to the State through the conduct of its keno business.

### 3.2 Legislative and Policy Context for Keno Licensing

The operation of a keno business in Victoria is subject to:

- Applicable Legislation, including the Act, which provides the authority to distribute Keno Games in the State; and
- The State's Guiding Principles for Gambling Policy, which articulate the priorities for licensing and the delivery of gambling services in the State.

#### 3.2.1 Legislative basis for Keno Licensing

Keno products were first introduced to the Victorian market in 1994. At that time, the authority to conduct a keno business in Victoria was given by the **Club Keno Act 1993** (Vic.), which authorised participants to conduct Club Keno games in venues already licensed (under the **Gaming Machine Control Act 1991** (Vic.)) for electronic gaming.

The **Club Keno Act 1993** was repealed in 2003, and the authorised providers of Club Keno in Victoria were granted an ongoing authority to conduct a Club Keno business under provisions of the Act.

##### *Current Arrangements*

Currently, there is no licence to conduct Club Keno. Instead, an authorisation to operate Club Keno is conferred by the Act on the current holders of the Gaming Licence (Tabcorp Holdings Ltd (**Tabcorp**)) and the Gaming Operator Licence (Tatts Group Ltd (**Tatts**)) pursuant to Chapters 3 and 4 of the Act.

Tatts and Tabcorp entered into a joint venture arrangement in 1993 to conduct Club Keno. Tattersalls Club Keno Pty Ltd currently operates Club Keno games on behalf of the joint venture.

The Act requires that the return to players by way of prizes from Club Keno must be no less than 75% of total player outlays on Club Keno. Currently, the remaining 25% is split in the following way:

- the joint venture operators receive 33.33%;
- the retail venues receive 33.33%;
- the State receives 24.24%; and
- the Commonwealth receives 9.09% (GST).

##### *Future Arrangements*

From 2012, the provider of Keno Games in Victoria will operate under a single Keno Licence, because of amendments in 2008 to the Act.

The possible distribution of Keno Games will be extended to hotels, clubs (with full club liquor licences) and wagering outlets. The Licensee will have the opportunity to negotiate arrangements with these venues for the distribution of Keno Games.

Under a post 2012 Keno Licence, the requirement to return no less than 75% of total player outlays as prizes to the players is preserved. While the State and Commonwealth will continue to receive 33.33 % of player expenditure (including GST), the distribution of the remaining 66.67% between the Licensee and venues will be subject to independent commercial arrangements between those parties.

Registrants should note that there will be a mid term review of the licensing arrangements for both the State and the Licensee to discuss the keno business.

### 3.2.2 State's Guiding Principles for Gambling Policy

The broad policy context for all forms of licensed gambling in Victoria is provided by the State's five guiding principles for gambling policy (**State's Guiding Principles for Gambling Policy**), which are:

- **Consumer choice**  
The Government recognises that gambling is a legitimate recreational activity for many, and Victorians are entitled to expect the highest standards of choice and service from gambling providers in a competitive and innovative marketplace.
- **Community benefit**  
The Government is committed to ensuring that the legitimate financial benefits of gambling are transparent, recognisable, and fairly distributed to the community.
- **Harm reduction**  
The Government is committed to reducing the harm caused to people experiencing the effects of problem gambling, and recognises that the State, the gambling industry and community partners have a shared responsibility to deliver effective solutions.
- **High standards of transparency and accountability**  
The Government seeks to ensure the highest standards of transparency, probity, integrity and accountability in the development of evidence based gambling policy, and the community will be engaged on the decisions that affect them.
- **Sustainable Racing Industry**  
The Racing Industry is a vital part of Victoria's economic and social fabric. The Government is committed to providing an environment that promotes a viable and sustainable future for the Racing Industry.

While the fifth principle 'Sustainable Racing Industry' is not directly applicable to the Keno Licence, it is illustrative of the priority that the State attaches to the broader commercial impacts of Licence holders.

### 3.2.3 Applicable Legislation

In addition to the Act, other State and Commonwealth legislation and legislative instruments may apply to the operation of the Keno Licence and may influence a Registrant's decision about how it will develop its proposal for the operation of a keno business in Victoria (**Applicable Legislation**). Applicable Legislation that may directly impact upon the Keno Licence, the operation of the Keno Licence and on the broader Victorian gambling market in which the Licensee will operate includes:

- the Act as amended from time to time;
- **Interactive Gambling Act 2003** (Cth);
- **Trade Practices Act 1974** (Cth);
- **Corporations Act 2001** (Cth); and
- Regulations and rules made under the Act from time to time.

The Registrant must make itself aware of the Applicable Legislation and ensure compliance with relevant Applicable Legislation for the purposes of making its ROI submission. Licensees must comply with all Applicable Legislation relevant to the operation of the Keno Licence and the conduct of the keno business throughout the term of the Keno Licence.

### 3.3 Gambling Licences Review

The Licensing Process for the Keno Licence is one component of a broader review of the State's arrangements for Gaming and Racing in Victoria beyond 2012. The Gambling Licences Review commenced in 2006, to determine:

- the electronic gaming machine and wagering licensing arrangements post 2012 and the broad approach and timing to implement these arrangements;
- the arrangements for the provision of Keno Games;
- the funding of the Racing Industry post 2012; and
- the broad financial and regulatory arrangements for the proposed Licensing arrangements.

The GLR is now in the licensing phase, during which the State will evaluate Registrations of Interest and Applications for post 2012 licences.

For information about the earlier phases of the Gambling Licences Review, refer to the publicly available reports provided on the Department website ([www.justice.vic.gov.au/gamblinglicencesreview](http://www.justice.vic.gov.au/gamblinglicencesreview)).

### **3.4 Keno Licensing Process**

The Keno Licensing Process is a two stage process that is being conducted in accordance with the provisions of the Act, and consists of:

- 1) this initial Registration of Interest stage, during which Registrants will be evaluated based on their demonstrated ability to meet the requirements described in this Notice and may be invited to apply for a Keno Licence; and
- 2) the subsequent Invitation to Apply stage, during which the Minister may:
  - by written notice, invite Selected Registrants identified at the ROI stage to apply for a Keno Licence; and
  - conduct a merit based comparative assessment of Applications.

#### **3.4.1 Purpose of the ROI stage**

The purpose of the ROI stage of the Licensing Process is to:

- inform Registrants about the framework within which the Minister's decisions with respect to the grant of the Keno Licence will be made;
- provide information to Registrants about the current Victorian Club Keno market and the State's requirements for the future delivery of Keno Games in this market;
- review how Registrants propose to meet the State's Objectives under the Keno Licence;
- call for and evaluate Registrations of Interest against the criteria, in order to assess the capacity and capability of Registrants to meet the State's requirements; and
- inform the Minister's decision whether or not to invite one or more Registrants to apply for a Keno Licence.

#### **3.4.2 Minister's Decision**

The Minister may invite one or more registrants to apply for a Keno Licence if he is of the opinion that it is in the public interest to do so. The Minister's consideration of the public interest will be informed by a number of matters including the objects of the Act and the evaluation of registrants against the evaluation criteria set out in Part B – section 1.1 of this Notice, which are based on the requirements of the Act.

#### **3.4.3 Administering the Licensing Process**

The Gambling Licences Review Team under the direction of the Project Director, within the Department of Justice will administer the Licensing Process, on behalf of the Secretary, to support her in fulfilling her statutory obligations in relation to Keno Licensing.

#### **3.4.4 Communication with the State**

Registrants (and prospective Registrants) may only communicate with the State via the:

- Project Director;
- Victorian Commission for Gambling Regulation;
- Probity Adviser (see section 3.4.5 below); and

- Independent Review Panel as provided by this Notice.

Details about the communication protocols which apply to the ROI process, are set out in Part A, section 6.

#### **3.4.5 Integrity of the Licensing Process**

The Licensing Process is subject to ongoing independent review to ensure that the integrity of the Licensing Process is maintained. The two parties with a role in monitoring the integrity of the process are the:

- Probity Adviser; and
- Independent Review Panel.

##### *Probity Adviser*

The State has appointed an external Probity Adviser, RSM Bird Cameron, in relation to the Licensing Process. The Probity Adviser is an independent adviser and auditor to the Minister, the Secretary and the Project Director regarding the probity and good governance of the process.

Registrants and their Associates are able to contact the Probity Adviser directly in the event that they wish to raise any concerns in relation to the probity of the Licensing Process including ROI process. The contact details for the State's Probity Adviser are as follows:

Stephen Marks  
Director, Probity Services  
RSM Bird Cameron  
Email Address: Stephen.Marks@rsmi.com.au

##### *Independent Review Panel*

The Independent Review Panel (IRP) is established under Division 2 of Part 2A of Chapter 10 of the Act to consider and report to the Minister on the probity, fairness and good governance of the ROI process and the Licensing Process.

The IRP consists of a chairperson and three other members appointed by the Governor in Council on the recommendation of the Minister.

Claire Noone  
The Secretariat  
Independent Review Panel  
Email Address: Claire.Noone@justice.vic.gov.au

**PART A: GENERAL TERMS AND CONDITIONS FOR REGISTRATION OF INTEREST****1 GENERAL****1.1 Interpretation of Notice**

The Terms and Conditions set out in this Part A form part of the Notice published by the Minister calling for Registrations of Interest and must be read in the context of the whole of the Notice.

In this Notice (including these Terms and Conditions), except where the context otherwise requires:

- (a) headings are for ease of reference only and do not affect the meaning of this Notice;
- (b) a reference to \$ or dollars is a reference to Australian currency;
- (c) another grammatical form of a defined word or expression has a corresponding meaning;
- (d) a reference to a clause is a reference to a clause under this Notice, unless specified otherwise;
- (e) a reference to an appendix, annexure or attachment is a reference to an appendix, annexure or attachment to this Notice unless specified otherwise; and
- (f) terms in this Notice have the meaning given to them in the glossary of terms in the Introduction to this Notice and if not defined there, have the meaning given to that term by the Act.

**1.2 Act to Prevail**

In the event, and to the extent of any inconsistency between this Notice and the Act, the Act will prevail.

**1.3 Indicative Licensing Timetable**

The timetable set out below is provided as an indication of timing for the grant of a Keno Licence (and related activities as set out). Dates, events and descriptions may change at any time at the Minister's discretion subject to the provisions set out in this Part A.

<b>Milestones</b>	<b>Date</b>
Call for ROI by Notice published in the Victoria Government Gazette	17 September 2008
Close of questions and clarifications regarding the ROI Notice	31 October 2008
Date for lodgement of ROI	14 November 2008
Evaluation of ROI complete	early to mid 2009
Copy of draft Keno Licence and Related Agreement(s) to be issued to each Registrant for comment	It is intended for release approximately 2 weeks after the ROI lodgement date
Comments on Keno Licence and Related Agreement(s) provided by the Registrants	12 January 2009
Letters from the ACCC to be submitted by each Registrant	30 January 2009
Issue of ITA to Selected Registrants (if any)	early to mid 2009
Applications for a Keno Licence to be lodged	mid 2009
Evaluation of Applications complete	late 2009
Announcement of successful Applicant (if any), and grant of Keno Licence and signing of Related Agreement(s)	late 2009
Current expiry of Tatts Group Limited (Tatt's) Gaming Operator's Licence	14 April 2012
Expiry of Tabcorp Holdings Ltd (Tabcorp) Gaming Licence.	15 August 2012

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Commencement of the Keno Licence	Mid to late 2012. Date will be advised to Selected Registrants invited to apply for a Keno Licence
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## **2 APPLICATION OF TERMS AND CONDITIONS**

### **2.1 Persons and matters to which Terms and Conditions relate**

The Registrant must comply with the Terms and Conditions and must procure relevant third parties (including each other Interested Person) to comply with those matters contained in the Notice, including these Terms and Conditions, which are expressed to apply to them.

These Terms and Conditions are intended to bind prospective registrants and persons who obtain a copy of this Notice, to the maximum extent that the Terms and Conditions may be relevant to such persons and to the maximum extent allowed by law. To give effect to that intention a reference to a Registrant should be construed to include a reference to a person who is a potential registrant or a person who has obtained a copy of this Notice or any information or taken any actions pursuant to its terms or otherwise in relation to the ROI process.

Without limiting the above, these Terms and Conditions apply to:

- a. this Notice and any other information given, received or made available by or on behalf of the Minister, the Secretary, the Project Director, the VCGR or otherwise by the State in connection with this Notice including any additional materials requested or provided in accordance with Part A – section 4.4 of this Notice and any revisions or addenda;
- b. without limiting (a) above, the draft Keno Licence and any Related Agreement(s) issued for comment as described in Part A – section 11 of this Notice;
- c. the ROI including any material, information or documents forming part of the ROI or provided or acquired in relation to the ROI;
- d. the ROI process; and
- e. all communications (including any briefings, presentations, meetings or negotiations) with the State, VCGR, with the Secretary or the Project Director relating to this Notice, the ROI or the ROI process.

### **2.2 Letter of acknowledgement and agreement**

Upon lodgement of a ROI, the Registrant will be taken to have understood and to have accepted and agreed to all the Terms and Conditions in this Part A. Without limiting the foregoing, the Registrant will submit a letter of acknowledgement and agreement with its ROI in the form set out in Part C – section 1.1, signed by a duly authorised representative of the Registrant which confirms the Registrant's acknowledgement and agreement to the Terms and Conditions of this Notice.

The duly executed letter must be delivered with the ROI at the same time and in accordance with the same procedures as apply to lodgement of ROIs set out in section 8.2 of Part A of this Notice. In addition, the Registrant must also submit all relevant Forms, consents, documents (templates for which are provided in Part C) and other information in accordance with the requirements of Part B of the Notice.

### **2.3 Third Party Arrangements**

Where the Notice provides that something must be done or not done on behalf of the Registrant, Associates, or any other Interested Person identified by the VCGR or the Secretary, or by any of their respective Relevant Persons, it will be necessary for the Registrant to enter into appropriate arrangements with those persons, to ensure the Registrant continues to comply with the requirements of this Notice and so that the Registrant's continued participation in the process is not adversely affected by the failure of any of those persons to comply with the State's requirements.

In particular, where Forms to be submitted with the ROI are required to be completed and/or executed by third parties (including individual and corporate entity Interested Persons), the Registrant must ensure that these Forms are provided to those third parties and are completed, executed and returned for inclusion in the Registrant's ROI during the Lodgement Period. The Registrant must ensure that, in addition to information provided by the Registrant, all information relating to Interested Persons and other third party documents and information which the Registrant must provide to the State in response to this Notice or which must be provided to the State, a State Party or the VCGR may be released to the State, State Parties and the VCGR for the purposes of the proper assessment of the ROI, the conduct of the ROI process, the Licensing Process and all related purposes.

#### **2.4 Non compliance with Terms and Conditions**

Subject always to Part A – section 3 below, if the Registrant fails to comply with any of the requirements of the Act, the Terms and Conditions, or any other requirements, processes and procedures set out in this Notice, the Minister may, in his absolute discretion, in addition to any other remedies available to him under the Act or otherwise at law refuse to consider, consider further, or to refer the ROI to the Secretary as provided by section 6A.3.3 of the Act.

### **3 MINISTER'S POWERS AND DISCRETIONS**

The Minister has a number of powers and discretions under the Act with respect to the conduct of the Licensing Process, including the ROI process. Notwithstanding anything in this Notice, and without limiting his powers and discretions under the Act or otherwise at law, the Minister reserves his right, in his absolute discretion:

- a. at any stage, and in accordance with section 4.4 of this Part A, to make amendments to this Notice, including, but not limited to, amendments to the Terms and Conditions set out in this Notice and by the issuing of addenda to this Notice;
- b. to require additional information or clarification from any Registrant or any Interested Person in the ROI process;
- c. to refuse to consider any ROI received after the expiration of the Lodgement Period;
- d. to refuse to consider, consider further or refer to the Secretary, any ROI that does not comply with the Terms and Conditions or fails to meet the requirements specified in any part of this Notice (whether or not a particular section or paragraph of the Notice expressly provides that his discretion may be exercised);
- e. following consideration of the Secretary's report referred to at section 10.2 of Part A and any other matters that the Minister considers relevant, decide:
  - i) to invite one or more of the Registrants to apply for a Keno Licence if the Minister is of the opinion that an invitation is in the public interest; or
  - ii) not to invite any of the Registrants to apply for a Keno Licence.

### **4 THE NOTICE**

#### **4.1 Status of Notice**

This Notice is made under section 6A.3.3 of the Act. It specifies, in accordance with section 6A.3.3 (2)(f) and (g), the requirements and matters that the Minister considers relevant to the Registration of Interest in the grant of a Keno Licence, including the Terms and Conditions set out in this Part A.

This Notice is not an offer. It is an invitation for persons to submit a ROI in the grant of the Keno Licence.

The Minister is under no obligation to short list a Registrant or grant a Keno Licence to a Registrant or Applicant.

#### **4.2 Prior information**

In the event of any inconsistencies between this Notice and any other documents or information previously provided or issued by the State in relation to the Gambling Licences Review or any

aspect of the Licensing Process, the information set out in this Notice shall prevail subject always to section 1.2 in Part A of this Notice.

#### **4.3 Accuracy of Notice and information**

While all due care has been taken in connection with the preparation of this Notice, neither the State nor any State Party warrants (either expressly or by implication) the accuracy, completeness or otherwise of its content or any information or opinion (including any opinion on the Act or its interpretation) whether provided in this Notice or any other document or in any other form, and whether provided before or after the release of this Notice.

To the maximum extent permitted by law, none of the State, any State Party nor the VCGR is liable, whether in negligence or otherwise, for any inaccuracies or deficiencies in this Notice or for any statement, evaluation or estimate made in this Notice that proves to be incomplete or incorrect. The Registrant must form its own views as to the information that is relevant to its decision to submit a ROI and should make its own lawful investigations and enquiries within the probity principles set out in this Notice, particularly Part B – sections 3, 5, 6 and 7 of this Notice.

Without limiting the above, neither the State, any State Party nor the VCGR warrants what Intellectual Property Rights, including patents, trademarks and logos are available to be used in conjunction with the term ‘keno’ by the new Licensee. The Registrant should make the appropriate investigations, such as database and other searches to determine what Intellectual Property Rights are available for use with respect to Keno Games which the Keno Licensee may be authorised to conduct under the Keno Licence.

#### **4.4 Additions and Amendments to Notice**

The Minister reserves the right to change any information in, or to issue addenda to, this Notice. All such addenda will, upon issue, become part of this Notice.

Any amendment to this Notice made on or before expiration of the Lodgement Period will be notified to potential Registrants via publication in the Victoria Government Gazette and a posting on the Victorian Government tenders website: [www.tenders.vic.gov.au](http://www.tenders.vic.gov.au)

Notifications of amendments to this Notice, including the ROI process outlined in this Notice after the expiration of the Lodgement Period will be sent to the email address provided by the Registrant in its ROI and posted on the Department’s website. Any amendments to the Notice will be sent to Registrants who have registered at the Victorian Government tenders website: [www.tenders.vic.gov.au](http://www.tenders.vic.gov.au)

To the maximum extent permitted by law, the Registrant will have no claim against the Minister, the State or any State Party for the Registrant’s failure to make itself aware of the contents of any such addenda or changes to information or with respect to the Minister or the State taking or not taking any of the actions referred to above.

Any additional information or clarifications that may be required in response to the amendments will be provided by the Registrant to the Minister within the time frame indicated in the amendment notice (via the email address set out at section 6.1 in Part A).

#### **4.5 Representations**

No representation made by or on behalf of the State in relation to the Notice (or its subject matter) will be binding on the State, the VCGR or any State Party unless that representation is expressly incorporated into the terms and conditions of the Keno Licence or any Related Agreement(s) ultimately entered into between the Minister and the Licensee.

#### **4.6 Limitation on use of Notice and Intellectual Property Rights**

All persons (whether or not they submit a ROI) obtaining this Notice and any other documents issued in relation to the ROI process may use this Notice and such documents only for the purpose of preparing a ROI.

All Intellectual Property Rights as may exist in this Notice and any other documents provided to the Registrant by or on behalf of the State in connection with the ROI process are owned by and will



remain the property of the State except as expressly provided by this Notice. All such information and documents will only be used by the Registrant in accordance with the Terms and Conditions set out in this Part A.

#### **4.7 Availability of Additional Materials**

All persons interested in submitting a ROI should familiarise themselves with the provisions of the Act, particularly Chapters 6, 6A and 10, and the Statement of Outcomes. This Notice and all other documents referred to in this Notice should also be carefully read and considered.

The internet addresses of those documents are set out in Appendix A.

### **5 ELIGIBILITY REQUIREMENTS**

#### **5.1 Eligible Registrant**

For a ROI to be considered by the Minister for evaluation, the Registrant must be an Eligible Registrant. An Eligible Registrant is a person who:

- (a) has a physical place of business in Victoria; and
- (b) is not a natural person.

#### **5.2 Compliance requirements**

For a ROI to be considered by the Minister for evaluation, the ROI must:

- (a) be lodged during the Lodgement Period;
- (b) be lodged with the Deposit specified in section 13.2 of Part A of this Notice; and
- (c) include all the information, executed documents, approvals and consents as required by this Notice.

#### **5.3 ROI submitted by group of persons and Registrant trading for less than two years**

A group of persons may submit an ROI provided that:

- (a) the ROI is lodged by an established single legal entity (other than a natural person);
- (b) where the Registrant has not been trading for more than two (2) financial years, the ROI provides, in addition to all the information about the Registrant, all the requisite information in relation to all the parties involved as set out in Part B and Part C of the Notice; and
- (c) a broad overview of the corporate structure of the legal entity is provided together with the ROI.

The interested parties in the ROI must not be party to any arrangement that prevents or affects the ability of any one of them from submitting a separate ROI (whether individually or with another group).

#### **5.4 Registrant's statement of intention and ACCC Letter of Confirmation**

The Registrant is asked to indicate its intention to apply for other gambling licences/entitlements in any jurisdiction that may affect its ability to take up or to continue to run operations under the Keno Licence (by answering the questions in Part C – section 11.3).

To facilitate the above, the Registrant should contact the ACCC and advise the ACCC of its intention to apply for a Keno Licence immediately upon obtaining a copy of this Notice. The Registrant should discuss with the ACCC its current licensing arrangements and any intention that the Registrant, any Associate or other Interested Person may have to apply for gambling licences or entitlements other than with respect to Keno which may affect the Registrant's ability to take up or continue to conduct operations under the Keno Licence.

The Registrant will need to request written confirmation from the ACCC (without necessarily conceding that the ACCC has the power to object) that the ACCC will have no objection to the Registrant ultimately being awarded a Keno Licence, should that be the result of the Licensing Process, including as a result of applying for or being awarded any other gambling licences or entitlements as described above (**Letter of Confirmation**).

Where possible, the Registrant will submit the ACCC's Letter of Confirmation with the ROI. If the Registrant does not submit the Letter of Confirmation with its ROI, it must mark the Letter of Confirmation 'Private and Confidential' and deliver it by registered post to the Project Director at the postal address set out in Part A – section 6.1

**In any event, the Letter of Confirmation must be submitted by no later than 30 January 2009. The confirmation will be substantially in the form of the template provided in Appendix E.**

In addition to the above, where the ACCC has issues in relation to the Registrant being ultimately awarded the Keno Licence, the Registrant must communicate these issues in the necessary detail to the Project Director, immediately upon being informed by the ACCC of those issues.

The Project Director may also provide a list of all the Registrants to the ACCC on a confidential basis and the ACCC may contact the Registrants individually to proceed with investigations in relation to their ROIs and to provide its confirmation.

The Registrant's failure to submit the Letter of Confirmation from the ACCC may result in the Minister, in his absolute discretion, refusing to consider, considering further or referring to the Secretary, the Registrant's ROI.

Information relating to the ACCC may be found on: <http://www.accc.gov.au/content/index.phtml/itemId/751136>

The Mergers & Asset Sales Branch can be contacted through:

General Manager  
Mergers and Asset Sales Branch  
Australian Competition and Consumer Commission  
GPO Box 3131  
CANBERRA ACT 2601  
Tel: 1300 302 502  
Fax: (02) 6243 1199  
Email: [mergers@acc.gov.au](mailto:mergers@acc.gov.au)

### **5.5 Foreign Investment Review Board Approval**

The Registrant and its Associates must review the requirements of the **Foreign Acquisitions and Takeovers Act 1976** (Cth) and ascertain whether the award of the Keno Licence to the Registrant will result in a transaction which may be examinable by the Foreign Investment Review Board (**FIRB**).

The Registrant must indicate in the ROI whether or not FIRB approval is required and the reasons for that indication, together with a summary of the Registrant's preliminary discussion with the FIRB and the outline of the process and timing to obtain formal approval.

The Registrant's failure to submit a summary of FIRB approval where it is required, may result in the Minister, in his absolute discretion, refusing to consider, considering further or referring to the Secretary, the Registrant's ROI.

## **6 COMMUNICATIONS DURING THE ROI PROCESS**

### **6.1 Project Director**

The Project Director will carry out the functions and take the actions described in this Notice for the State and relevant State Parties, as provided by this Notice.

All communications with the State relating to this Notice and the ROI process, except for:

- probity concerns in relation to the ROI process, which will be managed in accordance with the processes set out in Part A – section 7.7; and
- responses to the VCGR where the VCGR has communicated directly with the Registrant and/or relevant Interested Persons (as it may do from time to time pursuant to the VCGR's powers and functions under the Act relating to the ROI process and Licensing Process) and that communication requires a response, which will be managed in accordance with Part A – section 10.4;

must be directed to the Project Director via email at the following email address:

**The Project Director** at [kenolicensing@justice.vic.gov.au](mailto:kenolicensing@justice.vic.gov.au)

Where this Notice provides that documents may be or are required to be delivered in hard copy to the Project Director after the Lodgement Period they must be marked 'Private and Confidential' and sent by registered post to:

Mr Alan Clayton  
Project Director to the Secretary  
Keno Registration of Interest – 077/08  
Gambling Licence Review  
Department of Justice  
121 Exhibition Street, Melbourne, Vic. 3000

## **6.2 Requests for clarification or further information by Registrant**

The Registrant may request clarification from the State, through the Project Director, if it:

- is of the view that the Notice contains any discrepancies, errors or omissions; or
- has any doubt as to the meaning of any part of the Notice.

Requests must be made by no later than ten (10) Business Days prior to the expiry of the Lodgement Period. Requests must be submitted in writing by email to the Project Director at the email address specified in Part A – section 6.1 above.

Any request for clarification will be deemed to be made upon receipt by the Project Director of the request for clarification (provided such communication is submitted to the correct email address and in the required format).

The Minister may at any time restrict the period during which the State will accept requests for clarification or further information at his discretion and reserves the right not to respond to any request, irrespective of when such request is received.

All requests for clarification and any responses provided by the Minister will be provided by email to all Registrants that have received this Notice on the Victorian Government tenders website (see Appendix A). In the information provided to Registrants, the questions and requests will, to the extent possible, be amended and the responses will be drafted so as not to identify the person or organisation that submitted the question.

Registrants should note that requests for clarification and responses to requests will be published, and should therefore not include proprietary or confidential information, including such information with respect to their Associates. The State, State Parties and the VCGR, will not be liable to the Registrant or any Interested Person for publishing such information. To the maximum extent permitted by law the Registrant will indemnify the State, each of the State Parties and the VCGR against any loss or damage that they may suffer as a result of the publication of any proprietary or confidential information released by the Registrant contrary to the provisions of this section.

## **7 IMPROPER INTERFERENCE, UNAUTHORISED COMMUNICATIONS AND PROCEDURES TO PROTECT INTEGRITY OF THE LICENSING PROCESS**

### **7.1 Procedures and Protocols to ensure equality of treatment and access and to preserve the integrity of the Licensing Process**

The success of the Licensing Process, including the ROI process, requires all Registrants, their Associates (including any other Interested Person identified by the Secretary or the VCGR during the ROI process), and their respective officers, employees, servants, agents and contractors (including consultants and professional advisers) (**Relevant Persons**) to adhere to strict standards of behaviour throughout the process. It is imperative that the probity and integrity of the process is maintained and that all Registrants are treated equally and impartially and have the same opportunity to access information and advice about the process. The IRP will, in accordance with its statutory functions under the Act, consider and report on whether, in the preparation of recommendations or reports to the Minister by a Relevant Entity with respect to the Licensing Process, any issues arise with respect to these and other matters.

The Registrant acknowledges and agrees, as a condition of its participation in the ROI process and any other part of the Licensing Process:

- (a) to comply with the procedures set out in this section 7;
- (b) to act at all times consistently with the above governing principles and not to engage in activities or behaviours which bring or which have the potential to bring any part of the Licensing Process into disrepute or so as to compromise the probity, integrity or equity of the process;
- (c) not to seek from the State, its entities (including the VCGR) or any State Party, preferential treatment or consideration or preferential access to information, assistance or advice with respect to or about any part of the process;
- (d) not to seek access to, disclose, publish or otherwise misuse confidential information pertaining to any other Registrant or their Associates for the purpose of obtaining an unfair advantage in the process;
- (e) not to publish any statement or information with respect to this Notice, the ROI, the ROI process or any other aspect of the Licensing Process except as allowed by this Notice or as mandated by law or as otherwise previously agreed in writing by the Project Director;
- (f) not to improperly interfere with the consideration of any ROI, the preparation or making of any report, recommendation or decision of any Relevant Entity, the VCGR or the Minister in relation to any part of the Licensing Process;
- (g) to co-operate fully with the Independent Review Panel, including, by providing relevant information, to enable the Independent Review Panel to carry out its functions with respect to the Licensing Process;
- (h) to co-operate fully with the Probity Adviser, including, by providing relevant information, to enable the Probity Adviser to conduct necessary investigations relating to breaches of this section 7 in Part A;
- (i) to ensure that its Associates, its Relevant Persons and its Associates' Relevant Persons comply with the requirements listed out in (a) to (h) above.

The Registrant will establish written protocols to ensure compliance by it, its Associates and their respective Relevant Persons with the procedures and requirements set out in each of Part A – sections 7.1 to 7.7 of this Notice and such other procedures as are necessary or desirable to ensure such compliance (**Protocols**). The Registrant will ensure that each of its Associates and each of its own and its Associates' Relevant Persons reads and complies with the Protocols and is made aware of the possible consequences of non compliance with the Protocols, the procedures and requirements they include.

The Protocols will include the requirement that all Associates must sign and must be in a position to sign a statutory declaration declaring that neither they, nor their Relevant Persons, have acted inconsistently with the procedures and requirements set out in this Notice or the Protocols. The Protocols must include the appropriate governance and mechanism for reporting any breaches or potential breaches of the requirements of this Notice, or the Protocols and relevant procedures by any of the Registrant, any Associate or any of their respective Relevant Persons to the Chairman and Directors of the Board of the Registrant and in turn to the Project Director, immediately upon their occurrence.

The Project Director may require the Registrant to sign and procure an Associate (or any of their Relevant Persons) to sign a statutory declaration in the form set out in this Notice (or such other form as may be previously agreed in writing by the Project Director) at any time during the ROI process or the Licensing Process.

The Chairman of the Board of Directors of the Registrant will make a statutory declaration with respect to itself and each of its Relevant Persons in the form set out in Appendix D any time during the ROI process or Licensing Process, and provide it to the Project Director within five (5) Business Days of a statutory declaration being requested by the Project Director.

The Chairman of the Board of Directors of the Registrant will also ensure that each Associate signs a statutory declaration (where the Associate is a corporate entity by the Chairman of its Board of Directors) with respect to itself and each of its Relevant Persons on the same terms, and, to be delivered at the same time(s) as apply to the Registrant.

Original, executed statutory declarations will be marked 'Private and Confidential' and delivered by registered post to the Project Director at the postal address set out in Part A – section 6.1.

The Registrant will immediately notify the Project Director of any breaches of the requirements set out in Part A – sections 7.1 to 7.7 of this Notice by the Registrant, its Associates or any of their respective Relevant Persons and also of the action it intends and will or has required the Associate or the respective Relevant Persons to take, in order to remedy the breach. If the Project Director is of the opinion that the action taken or proposed to be taken by the Registrant or its Associate or their respective Relevant Persons is not sufficient or that any further action is required to be taken by them, the Registrant will ensure that it and its Associates and their respective Relevant Persons take that further action as may be required of them by the Project Director.

The Project Director may, at his absolute discretion, require the Registrant to provide him with a copy of the Protocols at any time during the ROI process or Licensing Process. If required to do so, the Registrant will provide the Protocols no later than three (3) Business Days from the Project Director's written request. Receipt by the Project Director of such Protocols will not be deemed to be acceptance or consent to the Protocols. It is the Registrant's obligation to ensure that Protocols are adequate and appropriate at all times.

The Minister may, in his absolute discretion, refuse to consider, consider further, or refer to the Secretary the Registrant's ROI if there is any non compliance with the procedures or requirements set out in this section 7 including, that a statutory declaration is not made and provided to the Project Director. The Minister's discretion may be exercised regardless of whether to not the Registrant or its Associate considers any breaches as referred to above has been remedied or not.

The Secretary will report to the Minister on whether she considers there has been a breach of the procedures and requirements set out in the Notice by the Registrant or its Associates or the respective relevant person.

## **7.2 Anti-competitive conduct**

The Registrant, its Associates, and their respective Relevant Persons must not engage in conduct prohibited by Part IV of the **Trade Practices Act 1974** (Cth) in relation to the preparation, content or lodgement of the Registrant's ROI. Without limiting the foregoing the Registrant, its Associates and their respective relevant persons must not engage in any collusion, anti-competitive conduct or any other similar conduct with any other Registrant or person in relation to the preparation, content or lodgement of the Registrant's ROI.

## **7.3 Anti-Lobbying, Improper Interference and Solicitation**

The Registrant, its Associates, and their respective Relevant Persons are prohibited from engaging either directly or indirectly in lobbying, improper interference or solicitation of any State Party or State entity (including the VCGR) with respect to any aspect of the Licensing Process (including the ROI process) or engaging in any activities which are likely to give rise to the perception that they have engaged in lobbying, improper interference or solicitation of State Parties or State entity (including the VCGR) with respect to the Licensing Process.

Without limiting the above, the Registrant, its Associates (and their respective Relevant Persons) must not engage in conduct:

- (a) that obtains or attempts to obtain preferential consideration or treatment of the Registrant or an Associate or a Relevant Person;
- (b) adversely affects, or attempts to adversely affect the consideration or treatment of any other Registrant or any of their Associates;
- (c) that improperly interferes with the process of:

- i. the preparation of a report or recommendation by any Relevant Entity in relation to the ROI or any aspect of the Licensing Process;
  - ii. the Minister's consideration of a ROI or any aspect of the Licensing Process;
  - iii. any preparation or making of a report by the VCGR under section 10.4.7B of the Act;
  - iv. the Minister making a decision or determination under the Act with respect to the Licensing Process; or
- (d) that obtains or attempts to obtain access to a Relevant Entity or any State Party with respect to the Licensing Process including for the purpose set out in (a), (b) or (c) above.

Nothing in this section will prevent contact with the Project Director, Probity Adviser, the Independent Review Panel or VCGR in accordance with this Notice.

The Minister may, in his absolute discretion refuse to consider, consider further, or refer to the Secretary the Registrant's ROI if there is any non compliance with the procedures or requirements set out in this section 7. The Minister's discretion may be exercised regardless of whether or not the Registrant or other relevant Interested Person considers any breach as referred to above has been remedied or not.

#### **7.4 Unauthorised communications**

All communication with respect to this Notice and in relation to the ROI process will be through the Project Director or as otherwise provided in section 6.1 of this Part A. The Registrant, its Associates, any other Interested Person and their respective Relevant Persons must not communicate during the ROI process or at any time during the Licensing Process with the State Parties or any State entities (including by promotional or advertising activities) with respect to the ROI, the ROI process, the Licensing Process or any related matter, other than as expressly permitted by this Notice, or otherwise, with the prior written consent of the Project Director.

Nothing in this section 7.4 is intended to prevent appropriate communications with the State Parties to the extent that such communications do not relate to this Notice, the ROI, the ROI process or the Licensing Process and does not prevent the Project Director, the VCGR, Probity Adviser or Independent Review Panel communicating with the Registrant, potential Registrant, or other Interested Persons in accordance with this Notice.

#### **7.5 Confidentiality of information and no public comment**

The Registrant will and will procure its Associates, its own and its Associates' Relevant Persons to keep all information and communications with the State, State Parties and the VCGR relating to the ROI, the ROI process and the Licensing Process confidential and will not disclose any such information or communications other than in accordance with this Notice or with the prior written consent of the Project Director.

The Registrant, its Associates and their respective Relevant Persons must not make or encourage public comment in relation to the ROI, the ROI process or the Licensing Process or any other matter or thing relevant to the ROI process or the Licensing Process without the prior written consent of the Project Director.

Without limiting the above, the Registrant, its Associates and their respective Relevant Persons must not make or encourage any public comment which is intended to have, has or has the potential to adversely affect the public repute or the consideration or treatment of another Registrant, its ROI, or an Associate of a Registrant (or the competitiveness or value of the opportunity).

Nothing in this Part A – section 7.5 is intended to prevent Registrants from providing information as required by law, including Corporations Law and the Australian Securities Exchange (ASX) Listing Rules and Regulations.

Nothing in this section is intended to prevent the Registrant's Relevant Persons discussing the ROI in the proper and ordinary course of the Registrant's business (and other than for the purposes set out in the second paragraph of this Part A – section 7.5) or prevent the Registrant or its

Associates obtaining advice or assistance from its advisers in respect to the ROI, subject always to the confidentiality obligations described in this Notice being maintained at all times.

It is intended that the names of Registrants will not be published. However, the Minister reserves the right, in his complete discretion, to publish the names of Registrants if he chooses to do so.

#### **7.6 Improper assistance**

The Registrant, its Associates, and their respective Relevant Persons must not seek or obtain the assistance of the State, State Parties or the VCGR in the preparation of the ROI.

The provisions of this section do not exclude contacts otherwise expressly allowed by this Notice.

#### **7.7 Concerns about ROI process**

Any concerns or enquiries that the Registrant may have about this Notice or the ROI process must be submitted to the Project Director in writing via email (to the email address specified in Part A – section 6.1) immediately upon the cause of the concern arising or becoming known to the Registrant. The written communication must set out:

- (a) the basis for the concern (specifying the issues involved);
- (b) how the subject of the concern (and the specific issues) affect the person or organisation raising the concern;
- (c) any relevant background material; and
- (d) the outcome desired by the person or organisation raising the concern.

Any concerns that the Registrant may have in relation to matters described in Part A – sections 7.1 to 7.6 or other probity concerns must be submitted (in appropriate detail) to the Probity Adviser in writing by email (to the email address specified in Introduction – section 3.4.5) with a copy of such writing provided at the same time to the Project Director at the email address provided in Part A – section 6.1.

The Probity Adviser will raise all probity concerns with the Independent Review Panel. Nothing in this Notice prevents the Registrant from taking any of its concerns with respect to these matters directly to the Independent Review Panel.

### **8 PROCEDURE FOR LODGEMENT OF ROIS**

#### **8.1 Contact Person**

Any questions relating to the lodgement process should be directed to the Project Director at the email address set out at Part A – section 6.1.

#### **8.2 Lodgement of ROIs**

##### **8.2.1 ROI Lodgement Requirements**

The ROI (including all Forms required to be completed by the Registrant and each of its Associates, all letters and third party responses) must be lodged during the Lodgement Period. ROIs must be placed in a sealed envelope/package prominently marked with the following details:

- Registrant's full name
- ROI name: Keno Licence
- ROI number: **ROI 077/08**

The State requires four (4) hard copies of the complete ROI, formatted as follows:

- One original permanently bound, signed copy:
  - Clearly marked as 'Original Bound Copy'
- Three unbound original signed copies:
  - Marked as 'Copy One', 'Copy Two' and 'Copy Three'
- Two (2) CD-ROM/DVDs each containing a full set of soft copies of all responses.
  - All copies (hard and soft copies) are to be clearly identified with the name of the

Registrant and all sections numbered according to directions provided in Part A of the ROI.

- One CD data must be in Microsoft format (Word, Excel, Project) in unprotected form to enable data analysis to facilitate evaluation of the submission; and one CD must be in PDF (Protected) format but must not be restricted from printing

In the event that there is any discrepancy between any of the above the 'Original Bound Copy' will be the copy which is taken to be true and correct and which takes priority over all other copies.

The original ROI must be lodged with a Deposit in the amount specified in Part A – Section 13.2 of this Notice. The Deposit Cheque must be lodged in a separate sealed envelope.

### **8.2.2 ROI Lodgement Period**

To control the reception and management of submissions, the Lodgement Period will be restricted to:

**10.00 to 14.00 (Australian Eastern Daylight Savings Time) on Friday 14 November 2008.**

ROIs will not be accepted prior to this time and any ROI lodged after the Lodgement Period will only be accepted subject to the provisions set out in Part A – section 8.2.4 of this Notice. It is the responsibility of the Registrant to ensure that they allow sufficient time to physically lodge the ROI in the Tender Box.

### **8.2.3 Tender Box**

All ROI submissions are to be lodged at the Tender Box, which is located at:  
Level B2  
Mail Centre  
121 Exhibition Street  
Melbourne, Victoria, Australia.

A map of the Tender Box location is provided at Appendix C.

### **8.2.4 Late Lodgement of ROIs**

ROIs must be lodged in the Lodgement Period. If an ROI is lodged after the Lodgement Period or it is lodged at a location or in a manner that is contrary to that specified in this Notice, the Minister may, in his absolute discretion refuse to consider, consider further, or refer the ROI to the Secretary.

The Minister's determination as to the actual time that a ROI is lodged will be final. Subject to paragraphs (a) and (b) below, all ROIs lodged after the Lodgement Period will be recorded and will only be opened for the purpose of identifying a business name and address of the Registrant.

The Minister may consider a late ROI if the Registrant can clearly demonstrate (to the reasonable satisfaction of the Minister) that late lodgement of the ROI:

- (a) resulted from the mishandling of the ROI by the State; or
- (b) was hindered by a major incident, and the integrity of the ROI process will not be compromised by accepting a ROI after the Lodgement Period.

The Project Director will inform each Registrant whose ROI was lodged after the Lodgement Period, if ineligible to be considered under this section, of their ineligibility for consideration as soon as practicable and request them to collect their ROIs together with any Deposit paid with respect to their ROI.

The Minister may, with respect to the ROI process, extend the Lodgement Period in his absolute discretion by posting details on the Victorian Government tenders website: [www.tenders.vic.gov.au](http://www.tenders.vic.gov.au). It will be the responsibility of each person intending to lodge a ROI to regularly check that website for information relating to the ROI process.



## **9 REGISTRATION OF INTEREST SUBMISSION**

### **9.1 Format and content**

The Registrant must ensure that:

- (a) its ROI is presented in the required format as set out in Part C; and
- (b) all information fields in Part C and all Forms are completed in the manner required and contain the information requested.

**The Minister may, in his absolute discretion, reject a ROI that does not include the information requested or is not in the format required.**

Unnecessarily elaborate responses or other presentations beyond what is requested by this Notice or by the Project Director are not required. Elaborate artwork and expensive visual and other presentation aids are not necessary.

The Registrant should note that proposals for legislative change by it are unlikely to be accepted. Any proposal for legislative change by the Registrant might only be supported by the Minister if a substantial public benefit could be demonstrated.

### **9.2 Illegible content, alterations and erasures**

Incomplete ROIs may not be considered, considered further or may not be referred by the Minister to the Secretary or may be evaluated solely on the information contained in the ROI.

Content in a ROI that is illegible may be disregarded and neither the State, any State Party or the VCGR is under any obligation whatsoever to seek clarification from the Registrant.

### **9.3 Obligation to notify errors**

If, after its ROI has been submitted, the Registrant becomes aware of an error in the ROI (excluding clerical errors which would have no bearing on the evaluation of the ROI) the Registrant must promptly notify the Project Director of such error via the email address set out at Part A – section 6.1 above.

The Project Director may permit the Registrant to correct an unintentional error in its ROI where that error becomes known or apparent after the expiration of the Lodgement Period, but in no event will any correction be permitted, if the Minister reasonably considers that the correction would materially alter the substance of the Registrant's ROI.

### **9.4 Clarification of ROI**

If the Project Director considers that a Registrant's ROI is unclear in any respect, the Project Director may, in his or her absolute discretion, seek clarification from the Registrant.

The Project Director is under no obligation to seek clarification of anything in the ROI and reserves the right to disregard any clarification that he or she considers to be unsolicited or otherwise impermissible in accordance with the Terms and Conditions set out in this Part A. If accepted, clarifications may form part of the Registrant's ROI.

The VCGR may also contact Registrants in writing with regard to clarification of matters relevant to their investigations.

### **9.5 Obligation to update information**

In accordance with section 6A.3.38 of the Act, if a change occurs in any relevant ROI information provided by the Registrant, the Registrant must provide written particulars of the change to the State as soon as practicable (via the email address set out at Part A – section 6.1 above).

The notification of changed information or circumstances must be accompanied by an explanation clearly setting out how and why those changes took place.

To the maximum extent permitted by law the State reserves the right not to take into account new information provided by a Registrant where the information does not constitute a 'change' to the information forming part of the ROI submitted by the Registrant.

The particulars of the notified changes will be provided to the VCGR if such changes are relevant to an investigation or inquiry by the VCGR in relation to the ROI.

### 9.6 Disclosure of ROI contents and ROI related information and Associates' Consent to Disclosure

The contents of the ROI and ROI related information (including information relating to the Registrant or its Associates which the State, a State Party or the VCGR may request under the provisions of this Notice or the Act) may need to be made available by the State, a State Party or the VCGR respectively for the purposes of the ROI process or the Licensing Process (or related purpose), including, without limitation, for the purposes of evaluating and reporting on the ROI and/or investigating and/or giving consideration to the matters which each relevant person may need to consider.

Without limiting the above the State, a State Party or VCGR may be required to disclose information provided by an Associate to the Registrant in order to afford the Registrant procedural fairness or to otherwise clarify a matter with respect to their ROI.

Each ROI will, except to the extent that disclosure is necessary or required for the above purposes or for any other purpose provided by this Notice, be treated as confidential by the State, State Parties and the VCGR. The State, State Parties and the VCGR will not disclose the ROI contents and ROI related information (including Registrant and Associate information) except to the extent required or permitted:

- a. by law (including, for the avoidance of doubt, as required or permitted under Chapter 10 of the Act, the **Freedom of Information Act 1982** (Vic.) and the **Public Records Act 1973** (Vic.));
- b. for the purpose of investigations by the ACCC or any other government authorities having relevant jurisdiction, including FIRB;
- c. where required, by the Auditor General;
- d. to external consultants and advisers of the Minister, the Secretary, or the VCGR engaged to assist with or advise on matters relating to the ROI, the ROI process or the Licensing Process;
- e. where required by the IRP, in performing its functions under the Act; or
- f. to other State departments or agencies assisting the Minister or the Secretary in performing their various functions under the Act in connection with the ROI, the ROI process and the Licensing Process.

To the maximum extent permitted by law, the State, the State Parties and the VCGR will not be liable to the Registrant or any Interested Person for making any disclosure of information (whether verbally or in written form) as provided by this section or otherwise in accordance with this Notice.

The Registrant will ensure that each of its Associates (and any Interested Person identified by the Secretary or the VCGR) signs the Associate Consent Letter contained Part C – Schedule V consenting to all Associate or Interested Person related or provided information (whether given verbally or in writing), including information relating to matters going to their own probity or matters relating to the Registrant's probity (as contemplated by the Act), being made available to the Registrant, if required by the State, a State Party or the VCGR in connection with any matter relevant to the ROI, the ROI process or the Licensing Process (**Consent Form**).

A signed Consent Form from each Associate (or other Interested Person as required by the Secretary or the VCGR), confirming that person's agreement to the above matters (Part C – Schedule W to AD), will to the extent that it is required by this Notice be submitted to the Project Director at the same time and in the same manner as the ROI.

### 9.7 Use of ROIs

Upon submission in accordance with the requirements of section 8 of this Part A, all ROIs become the property of the State. The Registrant will retain all ownership rights in intellectual property contained in the ROI. The submission of a ROI does not transfer to the State any ownership

interest in the Registrant's intellectual property rights, or give the State any rights in relation to the ROI except as expressly set out below.

By submitting a ROI, the Registrant grants to the State a perpetual, irrevocable, royalty free right to use, reproduce, copy or modify any such document or documents for the purposes of the ROI process and Licensing Process and related purposes of the State, notwithstanding any copyright or other intellectual property that may subsist in such document(s). The Registrant also grants the VCGR the right to use the documents and information and material relevant to its ROI for all purposes relevant to the ROI process and Licensing Process as contemplated by this Notice.

### **9.8 Withdrawal of ROI**

If the Registrant wishes to withdraw a ROI previously submitted by it, it must immediately notify the Minister in writing through the Project Director at the email address specified in Part A – section 6.1 above (and at the same time, the VCGR at the email address specified in Part A – section 10.4). Upon receipt of such notification, the Minister will cease to consider that ROI.

## **10 EVALUATION OF ROIs**

### **10.1 Registrant not to assume award of other gambling licences for purpose of Registration of Interest**

The Keno Licence in respect of which the Registrant submits its ROI will, if granted, be granted for the Keno Game operations only. The Registrant must not therefore, in its ROI, make submissions that rely upon or assume that they may be granted any other gambling licence or authorisation by the State in the future.

### **10.2 Evaluation process**

Following the expiration of the Lodgement Period, the Minister shall consider each ROI received and, provided the ROI satisfies all of the requirements specified in this Notice, shall refer the ROI to the Secretary.

If the Registrant fails to satisfy a requirement specified in this Notice, the Minister, in his absolute discretion, may refuse to consider, consider further, or to refer to the Secretary the Registrant's ROI.

The Secretary will report to the Minister on the matters specified in Part B – section 1.1. The VCGR on being requested by the Secretary will make investigations and inquiries that the Secretary considers necessary to enable the Secretary to report to the Minister.

Following consideration of the Secretary's report on Registrants and any other matters that the Minister considers relevant, the Minister:

- (a) may invite one or more Registrants to apply for a Keno Licence, if the Minister is of the opinion that an invitation is in the public interest; or
- (b) may decide not to invite any of the Registrants to apply for a Keno Licence.

Further information in relation to Stage Two of the Licensing Process, the ITA stage, is set out in section 14 of Part A of this Notice.

In considering whether to grant a licence application at the ITA stage, the Minister can consider the information provided by the Registrant in response to this Notice including any further (Part A – section 10.4) or updated information provided in accordance with this Notice or under the Act. The Registrant must, subject to the provisions of this Notice, ensure that its ITA response is consistent with its ROI in all material respects.

### **10.3 Matters relevant to evaluation of ROIs**

The Minister may invite one or more Registrants to apply for a Keno Licence if he is of the opinion that it is in the public interest to do so. The Minister's consideration of the public interest will be informed by a number of matters including the objects of the Act and the evaluation of Registrants against the evaluation criteria set out in Part B – section 1.1 of this Notice, which are based on the requirements of the Act.

If the Registrant is an Eligible Registrant within the meaning of the Act it will be evaluated against the criteria set out in Part B – section 1.1 of this Notice. The Secretary will report to the Minister on each of those matters. After consideration of the Secretary's report the Minister may invite one or more Registrants to apply for the Keno Licence if satisfied that the invitation is in the public interest or decide not to invite any Registrant.

Registrants should note that satisfaction of the criteria specified in sections 6A.3.7 (2)(a)–(g) of the Act set out in Part B – section 1.1 of this Notice, will not prevent the Minister exercising his discretion with respect to whether or not to invite a Registrant to apply for a Keno Licence at the conclusion of the ROI process.

#### **10.4 Further information to be provided by Registrants**

The Secretary, via the Project Director, and the VCGR, as appropriate, may by notice in writing, require the Registrant and any other Interested Person to:

- (a) provide further information that is relevant to the consideration of the ROI;
- (b) produce any records relevant to the consideration of the ROI specified in the Notice (and, if required, to permit examination of the records, the taking of extracts from them and the making of copies of them);
- (c) authorise a person described in the Notice to comply with the requirements set out in this section; or
- (d) provide the Secretary and the VCGR with the authorities and consents that the Secretary and the VCGR require for the purpose of enabling the Secretary and the VCGR to obtain information (including financial and other confidential information) concerning the Registrant, any of its Associates and any person whom the Secretary or the VCGR considers to be Associates of the Registrant, from other persons, including for the purpose of putting such information to the Registrant or any other Interested Person as may be required for the purpose of the ROI, ROI process and Licensing Process.

Where the Secretary requests such information or records, the Secretary may give any information provided or record produced by the Registrant or any other Interested Person, or a copy of the information or record, to the VCGR if the Secretary considers that the information or record is relevant to an investigation or inquiry by the VCGR in relation to the ROI.

Where the VCGR requests such information or records, the VCGR will give the Secretary and the Minister a copy of the information or records provided or produced by the Registrant or any other Interested Person.

If the Registrant or other Interested Person refuses to comply with such notice, the Secretary or the VCGR (as the case may be) will notify the Minister in writing as soon as practicable and the Minister may refuse to consider, or consider further, the ROI.

The Secretary is under no obligation to seek any further information. Any request from the Secretary for information will usually be made to the Registrant and any other Interested Person using the e-mail address supplied in the Registrant's ROI. All responses for additional information are to be forwarded to the Project Director in the same format and number as set out in section 8.2.1 of this Part A (with respect to the ROI documents), unless otherwise instructed by the Project Director or the VCGR.

The VCGR may contact the Registrant or other Interested Person, predominantly in writing, or by phone when necessary. Where required, the VCGR may require the Registrant and any other Interested Person to attend an interview. The contact address at the VCGR with respect to any matter relevant to the VCGR's investigation or enquiry is:

**Email Address: [GLP.Enquiries@GLP.VCGR.vic.gov.au](mailto:GLP.Enquiries@GLP.VCGR.vic.gov.au)**

In accordance with section 6A.3.37 of the Act, if the Secretary does require any further information from the Registrant or any other Interested Person as set out above and a change occurs in that information before the Minister has decided whether or not to invite the Registrant to

apply for a Keno Licence, the Registrant and any other Interested Person must give the Secretary written particulars of the change as soon as possible. If the Secretary considers that the changes are relevant to an investigation or inquiry by the VCGR in relation to the ROI, the Secretary will provide particulars of such changes to the VCGR.

#### **10.5 Investigation of Registrants and Associates**

Under section 10.4.7B of the Act, on being requested by the Secretary, the VCGR will carry out all investigations and inquiries considered necessary to enable the Secretary to report to the Minister on the ROI or for the Minister to consider the ROI properly. The VCGR will report to the Secretary on the results of those investigations and enquiries. Investigations may be conducted with respect to Registrants, Associates and persons whom the VCGR or the Secretary considers may become Associates

The Secretary may also request the VCGR to carry out further investigations and inquiries in relation to the ROI after receiving the VCGR's report and the VCGR will carry out such further investigations or inquiries and report to the Secretary on the results of these further investigations and inquiries. The VCGR may also seek additional information.

The VCGR also has power under section 10.4.7C of the Act to obtain photographs, fingerprints and palm prints of a Registrant, an Associate, or other Interested Person who is a natural person for the purpose of an investigation or inquiry under section 10.4.7B or on the request of the Secretary if the Secretary is satisfied that it is necessary to do so for the purpose of the proper consideration of the ROI. If the Registrant or any other Interested Person fails to comply with this request of the VCGR, the Minister, on being notified by the Secretary, may refuse to consider the ROI.

The VCGR can also under section 10.4.7D of the Act, refer information for police inquiry and report to the Chief Commissioner of Police and also do so on the request of the Secretary.

#### **11 DRAFT KENO LICENCE AND RELATED AGREEMENT(S)**

It is proposed that a draft Keno Licence and Related Agreement(s) will be provided to each Registrant, approximately 2 weeks after the expiry of the Lodgement Period, or such other time as notified by the Project Director, for the purposes described in this section.

The proposed Keno Licence will be in written form and will contain, among other things, the following conditions:

- a. There is to be a single Keno Licence post 2012.
- b. The Keno distribution is to be extended to those hotels, clubs (with full club liquor licences) and wagering outlets who express an interest in being involved.
- c. The Keno Licence term will be for ten (10) years.

The Minister may also require the Keno Licensee or any other person requested to enter into one or more written agreements with the Minister dealing with matters relating to the Keno Licence. Some of the matters that may be included in a Related Agreement(s) are outlined at Part A – section 14.5 below.

The Registrant will be invited to provide its comments on the terms and conditions set out in the draft Keno Licence and Related Agreement(s) documents by 12 January 2009 or such other time as notified by the Project Director. Further details with respect to the provision of the comments will be given to Registrants with the Licence and Related Agreement(s).

Comments made by the Registrant with respect to the draft Keno Licence and Related Agreement(s) will not form part of the evaluation of its ROI. Comments made will be provided to relevant persons within the State in de-identified form for consideration.

The comments provided by the Registrant may be disregarded by the Minister and no representation is made or is intended to be made in this Notice expressly or by implication that any comments made by the Registrant or any Registrant will be incorporated into the Keno Licence or any Related Agreement(s).

Further, the draft terms and conditions of the Keno Licence and the Related Agreement(s) are indicative only and the Minister may at his discretion, at any time prior to the grant of the Keno Licence, impose any terms and conditions that he thinks fit on the Keno Licence and Related Agreement(s).

## **12 FEEDBACK**

The Project Director may provide feedback to Selected Registrants regarding their respective ROIs. If the Project Director decides to provide feedback, feedback will be given to each Selected Registrant prior to the issue of the ITA. The feedback may be incorporated by Selected Registrants in the preparation of their Applications.

## **13 COSTS**

### **13.1 Costs of preparation**

The Registrant is responsible for the costs it incurs in preparing its ROI and any further information or documents requested by the State, a State Party or the VCGR. The State, State Parties and the VCGR will not be liable to reimburse any such costs or any costs incurred by any other Interested Person.

### **13.2 VCGR's costs of investigation for ROI and Deposit**

The VCGR will incur costs in conducting its investigation of the parts of the ROI assigned to it in accordance with section 10.4.7 of the Act. The actual costs will depend on the individual Registrant and the nature of the ROI submitted.

The Registrant is required to make an initial deposit of \$10,000 for each ROI submitted. The Deposit is to be in the form of a bank cheque made payable to the 'Victorian Commission for Gambling Regulation' and must be lodged with the ROI, in a separate sealed envelope. The Deposit is to assure payment of amounts due and payable to the VCGR as discussed in this section 13.2.

The Deposit will be applied to the costs of the VCGR with respect to the VCGR's investigations as described in this section.

## **14 STAGE TWO OF THE LICENSING PROCESS**

### **14.1 Options available to the Minister**

After consideration of the Secretary's report and any other matter that the Minister considers relevant, the Minister may, without limiting any other options available to him and subject always to Part A – section 3, prepare a list of Selected Registrants. Only Selected Registrants will be invited to apply for a Keno Licence.

Registrants that were not selected may not be provided with reasons as to why they were not selected and the State will not enter into any discussions with any Registrant in this regard.

### **14.2 Invitations to Apply for a Keno Licence**

Selected Registrants will be invited to apply for a Keno Licence under section 6A.3.3(7) of the Act and under the terms of an Invitation to Apply. Being invited to apply for a Keno Licence only reflects a Registrant's selection to be invited to apply for the Keno Licence and the Minister is not obliged to grant a Keno Licence to any particular Selected Registrant.

The requirements for an application for a Keno Licence and the requirements to be met by an Applicant will be set out in the Invitation to Apply. The Registrant should note that each Application for a Keno Licence will be subject to an extensive and rigorous evaluation process to determine compliance with:

- (a) the Act, and in particular those matters of which the Minister must be satisfied as specified in section 6A.3.7 of the Act; and
- (b) any other matters the Minister considers relevant.

Without limiting the State or any State Parties' right to seek additional information as provided elsewhere in this Notice, Applicants will be required to provide additional information at the ITA Stage including information with respect to the additional ITA criteria.

While the Minister may require additional information for the purpose of the ITA, the material submitted as part of a Selected Registrant's ROI will form part of its Application for a Keno Licence other than as expressly provided by this Notice.

#### **14.3 Costs associated with Stage Two**

In accordance with section 10.4.7G of the Act, each Applicant will be required to meet the reasonable costs of the VCGR in conducting its investigations with respect to the Application for a Keno Licence.

An Applicant for a Keno Licence is likely to be required to submit a deposit as part of its Application for a Keno Licence. This deposit may be in the order of \$50,000. The details of any such requirement will be set out in the Invitation to Apply.

It should be noted that the actual costs of the VCGR's assessment of an Application for a Keno Licence will depend on the Applicant and the nature of the Application for a Keno Licence submitted.

#### **14.4 Additional information required**

Under section 6A.3.5 of the Act, the Minister may require Applicants for a Keno Licence to provide further information in connection with the Application. The further information required by the Minister will be set out in the Invitation to Apply.

#### **14.5 Keno Licence and Related Agreement(s)**

The Keno Licence and Related Agreement(s) will be provided to the Applicants at the time the Invitation to Apply is issued.

The Minister may impose any conditions he thinks fit on a Keno Licence including those set out in section 6A.3.9 of the Act. The Minister may refuse to issue a Keno Licence if the Applicant refuses to enter into a Related Agreement(s) dealing with matters relating to the Keno Licence in accordance with section 6A.3.10 of the Act.

Applicants will be required in their Applications to confirm their agreement to comply with the conditions of the Keno Licence and to enter into and comply with the terms and conditions of the Related Agreement(s) if awarded the Keno Licence.

The Minister may require preferred Applicant(s) to agree to enter into a Related Agreement(s) with the Minister before the Minister issues the Keno Licence.

The Keno Licence and Related Agreement(s) may, among such other matters as the Minister considers appropriate address the following issues, in addition to any other matters which may arise during the Licensing Process:

1. Transition In to the new Keno Licence to ensure that such transition is managed smoothly by the new Keno Licensee with minimal disruption. The Keno Licensee will be required to demonstrate that it has sufficiently considered the issue of transition.
2. The Keno Licensee will be required to be operational on the Licence Commencement Date. (Note that each Applicant will be required to demonstrate this capability during the course of the Licensing Process and will be required to meet timelines for the implementation of the Keno Licence infrastructure leading up to the Licence Commencement Date).
3. The Keno Licence and/or Related Agreement(s) may require that agreements entered into by the Licensee with Keno retail agents acknowledges and appropriately reflects the objects of the Act, the Keno Licence conditions and the provisions of the Related Agreement(s) between the Minister and the Licensee. The Keno Licence may also require that the VCGR will approve the broad form of agreement between the Licensee and any Keno Game ticket agents.
4. It will be a condition of the Keno Licence that the Keno Licensee has to implement a Responsible Gambling Code of Conduct approved by the VCGR.
5. Appropriate end of term transition out provisions.

**14.6 Licence Commencement and Transition**

The Registrant acknowledges that the Club Keno authorisation is currently due to expire in 2012. Selected Registrants will be advised of the Keno Licence Commencement Date for the new Keno Licence at the Invitation to Apply stage. Further transition related information will be made available to Selected Applicants at ITA.

**15 REGISTRANT WARRANTIES**

By submitting a ROI, the Registrant represents and warrants to the State that:

- (a) it has not relied on any express or implied statement, warranty or representation, whether oral, written or otherwise made by or on behalf of the State or other State Parties, other than any statement, warranty or representation contained in this Notice;
- (b) all information provided by or on behalf of the Registrant in its ROI (including all attachments, schedules and appendices) is complete and accurate;
- (c) it did not use the improper assistance of the State or any State Party or information unlawfully obtained from the State in compiling its ROI;
- (d) it has carried out all relevant investigations and has examined and acquainted itself with and satisfied itself concerning:
  - i) the contents of this Notice;
  - ii) any other documents referenced or referred to in this Notice; and
  - iii) any other information made available in writing by the State to Registrants for the purposes of submitting a ROI;
- (e) it has sought and examined all necessary information which is obtainable by making reasonable enquiries and which is relevant to the risks, contingencies and other circumstances that could affect its ROI;
- (f) it has otherwise obtained all information and advice necessary for the preparation of its ROI;
- (g) it is responsible for all costs and expenses related to the preparation and lodgement of its ROI and any future process connected with or related to the Licensing Process;
- (h) it otherwise accepts and will comply with the rules set out in this Part A;
- (i) it will provide additional information as requested by:
  - i) the Secretary (in accordance with the terms of any notice given to it under section 6A.3.36); or
  - ii) the VCGR in accordance with the terms of any notice given to it under section 10.4.7E; or
  - iii) the Project Director in accordance with section 6 of this Part A; and
- (j) to the maximum extent permitted by law, it will make no claim against the State, other State Parties or the VCGR in connection with this Notice or the ROI Process or the Licensing Process as contemplated by this Notice;
- (k) it has complied with all Applicable Legislation and policy, both State and Commonwealth, in the submission of the ROI and there is no impediment, barrier or burden (whether legal or otherwise), it is aware of, that would prevent it from being awarded or taking up the Keno Licence;
- (l) it is prepared to and will take up the Keno Licence, if awarded to it at the end of the Licensing Process; and
- (m) it will obtain all necessary authorities and approvals and complete all actions necessary to enable it to take up and undertake the operations under the Keno Licence if awarded to it at the end of the Licensing Process.



## **16 LIMITATION ON LIABILITY**

None of the State, the State Parties or the VCGR, will be, under any circumstances, liable to compensate the Registrant, any Interested Person or any other party for any costs, expenses or losses incurred or suffered by that person, in evaluating or acting upon this Notice, or any information supplementing, updating or amending this Notice in submitting a ROI or in providing any other document or otherwise participating in this Licensing Process.

The Registrant waives all rights to claim costs or to appeal against a decision arising from the ROI process, any aspect of the Licensing Process and any related evaluation process and will procure an equivalent waiver from each of its Associates and every person identified by the Secretary or the VCGR as an Associate.

The information provided in this Notice does not attempt to provide a comprehensive overview of all facts or law relevant to the ROI process or an Application for a Keno Licence and the Registrant should make its own inquiries and obtain appropriate advice.

The acceptance of a ROI, by the Minister or the issue of an Invitation to Apply for a Keno Licence to a Selected Registrant is no warranty to the Registrant or any other Interested Person by the State, any State Party or the VCGR as to any matter, including, without limitation, the quality of the Registrant's Registration of Interest, the viability of any Keno Game proposed or the associated distribution approach or the fitness or capacity of the Registrant to conduct a Keno Game. Neither the State, the State Party, the Minister, the Secretary nor the VCGR are or will be held liable for any loss or damage suffered by the Registrant or any Interested Person in placing any reliance on such acceptance or issue.

The Registrant will enter into appropriate arrangements with each of its Associates (and any other person as may be identified by the Secretary or the VCGR as an Interested Person) to give effect to the limitation of liability expressed in this Notice. The Registrant agrees to indemnify the State, the State Parties and the VCGR, for any loss or damage suffered by any of them arising out of the Registrant's failure to limit that liability with respect to any of its Associates (or relevant Interested Person).

Each of the provisions of this clause 16 will apply to the maximum extent permitted by law.

## **17 GOVERNING LAW**

This Notice and the ROI process are governed by the laws applying in the State of Victoria.

The Registrant must comply with all relevant laws in preparing and lodging this Notice and taking part in the ROI process. Without limiting the foregoing, Registrants who are foreign companies must comply with any requirements under the **Corporations Act 2001** (if any) which may be relevant to a foreign company having a physical place of business in Victoria.

**PART B: STATEMENT OF REQUIREMENTS**

This Notice sets out the Minister's requirements for the ROI stage of the Licensing Process. This **Part B** of the Notice presents:

- the evaluation criteria against which Registrations of Interest will be assessed for the purpose of informing the Minister's consideration of whether it is in the public interest to invite one or more Registrants to apply for a Keno Licence;
- general information to assist prospective Registrants to complete their ROI response; and
- an overview of the requirements, in the context of the evaluation criteria.

The information in Part B will assist Registrants (and other Interested Persons as applicable) to complete their response Schedules provided in Part C of this Notice.

**1 EVALUATION OF ROIs**

The Minister may invite a Registrant to apply for a Keno Licence only if the Minister is of the opinion that it is in the public interest to do so. The Minister's consideration of the public interest will be informed by a number of matters including the objects and purposes of the Act and the assessment of Registrants against the following evaluation criteria, which are based in part on section 6A.3.3(2) and section 6A.3.7(2) (a) to (g) of the Act.

Registrants should note that satisfaction of the evaluation criteria below will not prevent the Minister exercising his discretion with respect to whether or not to invite a Registrant to apply for a Keno Licence at the conclusion of the ROI process.

**1.1 ROI Evaluation and Evaluation Criteria**

The seven evaluation criteria against which the ROI will be assessed are:

- |                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1. Probity</b>              | <p>Whether the Registrant and each Associate of the Registrant is of good repute, having regard to character, honesty and integrity (section 6A.3.7(2)(a));</p> <p>Whether the Registrant or an Associate of the Registrant, has an association with a person or body that is not of good repute having regard to character, honesty and integrity as a result of which the Registrant or Associate of the Registrant is likely to be significantly affected in an unsatisfactory manner (section 6A.3.7(2)(b));</p> <p>Whether each executive officer of the Registrant and any other person determined by the Minister to be concerned in or associated with the ownership, management or operation of the Registrant's keno business, is a suitable person to act in that capacity (section 6A.3.7(2)(c)); and</p> <p>Whether the Registrant has a sound and stable financial background (section 6A.3.7(2)(e)).</p> |
| <b>2. Technical capability</b> | <p>Whether the Registrant has sufficient technical capability and adequate systems to conduct the activities to be authorised by the Keno Licence (section 6A.3.7(2)(d)).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>3. Financial capability</b> | <p>Whether the Registrant is of sound and stable financial background and has adequate financial resources to ensure the financial viability of a keno business (sections 6A.3.3(2)(g) and 6A.3.7(2)(f));</p> <p>Demonstration of how the Registrant will manage circumstances that may affect its ability to operate a keno business (section 6A.3.3(2)(g)); and</p> <p>Demonstration of the Registrant's ability to access additional financial resources in the current economic environment (section 6A.3.3(2)(g)).</p>                                                                                                                                                                                                                                                                                                                                                                                             |

<b>4. Commercial capability</b>	Whether the Registrant has the ability to establish and maintain a successful keno business (section 6A.3.7(2)(g)); Demonstration of the Registrant's ability to manage key risks and issues associated with conducting a keno business (section 6A.3.3(2)(g)); and Demonstration of the Registrant's ability to apply a successful contract management approach (section 6A.3.3(2)(g)).
<b>5. Product and distribution</b>	Demonstration of the Registrant's ability to develop and grow a product range across a wide distribution network (section 6A.3.3(2)(g)).
<b>6. Responsible Gambling</b>	Demonstration of the Registrant's commitment to comply with the State's requirements for responsible gambling (section 6A.3.3(2)(g)).
<b>7. Transition</b>	Demonstration of the Registrant's ability to transition in to the new Keno Licence to ensure continuity of the provision of Keno Games to the market (section 6A.3.3(2)(g)).

In addition to the above the Minister will consider whether the grant of the Keno Licence furthers the purposes and objectives of the Act, including:

- Fostering responsible gambling by:
  - minimising harm caused by problem gambling; and
  - accommodates those who gamble without harming themselves or others;
- Ensuring that the conduct of Keno Games under the Keno Licence will be conducted honestly and that the management of the Licensee is free from criminal influence and exploitation;
- Promotes the economic development of the State.

Without limitation, other matters relevant to the consideration of the public interest include, the Registrant's intention and capacity (including in light of any competition issues arising) to conduct Keno operations under the Keno Licence in the event that it obtains another gambling licence. Without limitation, the State may form a view as to any issues under any legal constraints, including constraints under the **Trade Practices Act 1974** (Cth).

## 1.2 ITA Evaluation Process

Each Registrant (if any) that is invited to apply for a Keno Licence will be evaluated against the same seven criteria as applies at the ROI stage. However, an Applicant will be required to provide a greater level of detail to support its specific business proposal for conducting a keno business in Victoria.

In addition, Applicants will be assessed against the following additional evaluation criteria, which are:

<b>8. Total Payments to the State</b>	Demonstration of the Applicant's ability to meet its obligations to make payments, and the amounts of these payments, to the State in the form of taxes and Premium Payment pledged (section 6A.3.7(2)(i)).
<b>9. Keno Licence and Related Agreement (s)</b>	Whether the Applicant agrees to comply with the terms and conditions of the Keno Licence and Related Agreement(s) provided in the ITA Notice (section 6A.3.7(2)(i)).
<b>10. Economic Benefits</b>	Demonstration of the Applicant's ability to contribute further economic benefits to Victoria through its conduct of a keno business (section 6A.3.7(2)(i)).

**Please note that these ITA criteria will not be assessed at the ROI Stage.**

## 2 GENERAL ROI RESPONSE REQUIREMENTS

All Registrants must ensure that they are Eligible Registrants as defined under Part A – section 5.1.

The Registrant is required to present its ROI in accordance with the:

- General Terms and Conditions for Registration of Interest (Part A);
- Statement of Requirements (Part B); and
- Registrant Responses to Requirements (Part C).

Registrant compliance with these requirements is mandatory for participation in the ROI process and will assist the State's evaluation of the ROI.

### 2.1 Structure of ROI Responses

The State has developed a specific structure for Registrant responses.

Each Registrant is required to present its ROI response using the structure and in the order prescribed in this Notice, which comprises:

- 12 Volumes; containing
- 45 Schedules.

<b>Volume 1:</b>	<b>General Information</b>
<b>Volume 2:</b>	<b>Corporate Probity</b>
<b>Volume 3:</b>	<b>Financial Probity</b>
<b>Volume 4:</b>	<b>Individual Probity</b>
<b>Volume 5:</b>	<b>Technical Capability</b>
<b>Volume 6:</b>	<b>Financial Capability</b>
<b>Volume 7:</b>	<b>Commercial Capability</b>
<b>Volume 8:</b>	<b>Product and Distribution Approach</b>
<b>Volume 9:</b>	<b>Responsible Gambling</b>
<b>Volume 10:</b>	<b>Transition</b>
<b>Volume 11:</b>	<b>Declarations</b>
<b>Volume 12:</b>	<b>Proposed Keno Games &amp; Distribution Methods Review</b>

This structure aligns directly with the evaluation criteria, presented in Part B – section 1.1, above.

ROIs are to be referenced, labelled and sequenced as indicated in the Table presented as Appendix P – The Registrant's Checklist.

### 2.2 Types of Response Schedules

There are two types of Schedules:

#### 1) Schedules that must be signed

Each of these schedules should be completed electronically, printed and signed by the appropriate party. Where the space provided for a question is insufficient to record the response, an attachment to the Schedule should be provided that is clearly identified within the Schedule.

#### 2) Schedules that do not need to be signed

These schedules can be used as templates. Responses must include the title of the schedule and repeat each question followed by the Registrant response. The numbering and order of questions in responses must be the same as the order used in the Schedules, as provided in Part C.

### 2.3 Directions for Completion of Schedules

- Completed Forms form part of the Registrant's ROI and must be submitted as part of the ROI (therefore at the same time and in the same manner as the ROI).
- Forms are to be comprehensively completed by the Registrant and each Associate (as relevant).
- The Registrant is required to provide a copy of each Form to each Associate (and any other Interested Person) to which the Form applies for completion and must ensure all Forms are duly completed and returned to enable the Registrant to include the completed Forms as part of its ROI in accordance with the terms of this Notice.
- With respect to an individual Associate (and any other Interested Person), the consent clause on each Form is to be executed and with respect to an Associate (and any other Interested Person) which is a corporate entity, by the duly authorised officer of that entity.
- Ensure that you type or print an answer to every question in every Form.
- If a question does not apply to you or if there are no details to disclose in response to a particular question, state 'Not Applicable' in response (including a reason why the matter does not apply).
- If the space available is insufficient, please supply the required information on an attachment page and make sure it is securely attached to the Form. Begin each answer with the Form title and applicable question reference.
- Ensure ALL required attachments are enclosed with this Registration of Interest submission.
- Where the Registrant is a corporate entity that has traded for less than two (2) financial years, then all requirements in Part C (as appropriate) of this Notice, must be addressed with respect to **each** shareholder of the relevant corporate entity individually.
- Where the Registrant is a 100% owned subsidiary, information will be required for both the subsidiary and the Holding Company.

### 2.4 Multiple Sets of Schedules Required

At minimum, a Registrant is required to submit a response to every Schedule.

Under certain circumstances, however, additional sets of Schedules must be submitted along with the set of Registrant Schedules. There are two conditions that give rise to this additional response requirement:

#### 1. Registrant is a corporate entity that has traded for less than two financial years

Where the Registrant is a corporate entity that has traded for less than two (2) financial years, then all requirements in Part C (as appropriate) of this Notice, must be addressed with respect to each shareholder of the relevant corporate entity individually. Each shareholder of the Registrant must respond with the full details of each question (e.g. three (3) full years of financial statements) where the Registrant has traded for less than two (2) financial years.

#### 2. Registrant is a 100% owned subsidiary

Where the Registrant is a 100% owned subsidiary, Schedules must be submitted for both the Registrant and the Holding Company.

### 2.5 Third Party Responses

Where the Forms (set out in Part C) to be submitted, together with the ROI, are required to be filled out/executed by third party entities (e.g. Associates, including shareholders and consolidated entities), the Registrant is required to ensure that these forms are provided to the Associates and other third parties, are comprehensively completed, consents given, and Forms duly executed and returned by them for inclusion in the Registrant's ROI.

### 2.6 Late Submission of Completed National Police Certificate

ROIs, including all properly completed and executed Forms must be lodged during the Lodgement Period in accordance with section Part A – section 8.2.2 of the ROI. It is noted however that

there may be minor delays with the processing by Victoria Police of the National Police Certificate required to be completed.

To accommodate any such delay, if and only if that delay in fact arises, Registrants must apply (prior to the commencement of the Lodgement Period) to the Project Director at the address in Part A – section 6.1 for the late submission of the completed Form set out in Appendix M – National Police Certificate from Victoria Police. The Project Director will, at his discretion, determine whether or not to extend the period during which this Form may be completed and submitted. The Project Director shall advise Registrants of the late lodgement details for this Form only. Any extension given by the Project Director under this section will not exceed two (2) weeks following the end of the Lodgement Period i.e., not later than 28 November 2008.

### 2.7 General Registrant and Associate Details

- i. Part C should contain a more detailed description of the Registrant's organisation, including details of the organisational structure and the beneficial owners.
- ii. Part C should contain details and names of Associates and key personnel and their anticipated roles and of professional consultants with details of their qualifications and experience.
- iii. Where the Registrant is a corporate entity that has traded for less than two (2) financial years, this Part should contain the information required under i and ii with respect to **each** shareholder of the corporate entity individually. Where the Registrant is a 100% owned subsidiary, information will be required for both the subsidiary and the Holding Company.

An **Associate** of a Registrant is defined under section 1.4 of the Act as

- (1) For the purposes of this Act, an 'associate' of a person (the first person) 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 first person, 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 first person; or
  - c. ....[not applicable].
- (2) ....[not applicable].
- (3) In this section –
 

'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', ....[not applicable]

'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.

### **3 GENERAL REQUIREMENTS – VOLUME 1**

#### **3.1 Letter of Acknowledgement and Agreement**

The Registrant is required to submit a letter of acknowledgement and agreement that clearly states that the Registrant agrees to comply with the Terms and Conditions for registering an interest in the grant of a Keno Licence.

The letter must:

- include a specific statement that the Registrant agrees to comply with the Terms and Conditions for registering an interest in the grant of a Keno Licence;
- include a statement that the Registrant agrees to establish protocols to ensure compliance by the Registrant, its Associates and their respective Relevant Persons with the requirements in Part A – sections 7.1 to 7.7 and 15 in the Notice;
- be signed by the Managing Director and Secretary of the Registrant;
- include an email address for communications in relation to the ROI; and
- be printed on the Registrant's letterhead.

**The template for the Registrant's response is presented in Part C section 1.1.**

#### **3.2 Company Declaration**

The Company Declaration form presents:

- company details for the Registrant;
- information about the Authorised Officer representing the Registrant; and
- a declaration made by the Authorised Officer on behalf of the Registrant.

If the Registrant is a wholly owned subsidiary, completion of this Form includes ensuring that the person authorised to complete that Form is authorised to do so on behalf of the Registrant, its Parent Company and the Ultimate Holding Company or companies of the Registrant.

If the Registrant is a company that has traded for less than two (2) financial years, **each** shareholder must also complete a separate Company Declaration form.

**The form for the Registrant's response is presented in Part C section 1.3.**

#### **3.3 Consent Letter**

Where the Registrant is a corporate entity that has traded for less than two (2) financial years, then all requirements in Part C (as appropriate) of this Notice, must be addressed by and with respect to **each** shareholder of the Registrant as well as with respect to the Registrant. The Authorised Officer of each such corporate entity shareholder is required to execute a letter of consent in the form set out in Part C – Schedule D with respect to all information provided.

**The template for the Registrant's response is presented in Part C section 1.4.**

### **4 PROBITY**

The Probity responses from Registrants categorised as:

- **Corporate Probity;**
- **Financial Probity; and**
- **Individual Probity.**

The Registrant is required to provide sufficient information to demonstrate to the Minister that:

- i. the Registrant and its Associates are of good repute, having regard to character, honesty and integrity;
- ii. the Registrant and its Associates do not have an association with a person or body that is not of good repute having regard to character, honesty and integrity as a result of which the Registrant is likely to be significantly affected in an unsatisfactory manner;
- iii. each executive officer of the Registrant and any other person determined by the Secretary or the VCGR to be concerned in or associated with the ownership, management or operation of the Registrant's keno business, is a suitable person to act in that capacity; and

iv. the Registrant is of sound and stable financial background.

The information presented in this section is designed to assist Registrants in responding fully to the State's probity requirements.

## 5 CORPORATE PROBITY – VOLUME 2

The Corporate Probity section requires Registrants to detail existing corporate information so that an assessment may be undertaken. In order to make this assessment, Registrants are asked to provide the following information:

CORPORATE PROBITY REQUIREMENT	SCH REF	SCHEDULES FOR COMPLETION IN PART C
Corporate Structure	E	Part C – section 2.1
Major Shareholders	F	Part C – section 2.2
Current Office Holders and Executive Officers	G	Part C – section 2.3
Certification of Incorporation	H	Part C – section 2.4
Constitution / Replaceable Rules	I	Part C – section 2.5
Historical Organisational Extract from ASIC	J	Part C – section 2.6
Gaming History	K	Part C – section 2.7
Actions by Regulatory Bodies	L	Part C – section 2.8
Litigation	M	Part C – section 2.9
Charges, Offences and Convictions	N	Part C – section 2.10
Financial Information Release Form	O	Part C – section 2.11
Consent for Release of Information of Law Enforcement Agencies Form	P	Part C – section 2.12

## 6 FINANCIAL PROBITY – VOLUME 3

The ROI submission must address the Registrant's experience and resources or ability to harness the necessary experience and resources in each of the following attributes:

- a. the scope and extent of the Registrant's current business activities, including (where the Registrant is a subsidiary) the nature and size of the current business activities of the Holding Company; and
- b. the scope and extent of the Registrant's business experience and resources, including (where the Registrant is a subsidiary) the nature and size of the business experience of the Holding Company.

FINANCIAL PROBITY REQUIREMENT	SCH REF	SCHEDULES FOR COMPLETION IN PART C
Financial Statements	Q	Part C – section 3.1
Report to the VCGR	R	Part C – section 3.2
Financial Capacity	S	Part C – section 3.3
Business Credit File from VEDA Advantage	T	Part C – section 3.4
Financial Institution Letter	U	Part C – section 3.5



## 7 INDIVIDUAL PROBITY – VOLUME 4

Each person nominated as an Associate by the Registrant, the Secretary or the VCGR will need to complete all the following sections.

INDIVIDUAL PROBITY REQUIREMENT	SCH REF	SCHEDULES FOR COMPLETION IN PART C
Associate Consent Letter	V	Part C – section 4.1
Personal Declaration	W	Part C – section 4.2
Personal Business Interests	X	Part C – section 4.3
Personal Legal Action	Y	Part C – section 4.4
Personal Gaming History	Z	Part C – section 4.5
Personal Charges, Findings of Guilt and Convictions	AA	Part C – section 4.6
Personal Financial Particulars	AB	Part C – section 4.7
Individual Consent for Divulgence of Information by Law Enforcement Agencies	AC	Part C – section 4.8
Authorisation for the Release of Personal Information	AD	Part C – section 4.9

## 8 TECHNICAL REQUIREMENTS – VOLUME 5

A Registrant needs to demonstrate that it has or will have sufficient technical capability to provide an effective, reliable and secure system for the conduct of a keno business for the term of the Keno Licence.

The system consists of any instrument, contrivance or computer hardware or software or any other equipment that a Registrant proposes to use, or will cause or permit to be used.

The Registrant is required to describe clearly the functionality and performance of its proposed Keno system.

If applicable, the Registrant should demonstrate previous or existing systems and technical capabilities they have used in order to ensure continuity of a service and distribution to a large number of outlets.

**The form to be used for the Registrant’s response is presented in Part C section 5.**

## 9 FINANCIAL REQUIREMENTS – VOLUME 6

### 9.1 Sound and Stable Financial Background

Under Section 6A.3.7(2) ‘The Minister may grant a licence application only if he or she is satisfied that the granting of the application is in the public interest, taking into account each of the following matters – ..... (e) whether the applicant is of sound and stable financial background;’

The ROI process will investigate the financial stability and capability of the Registrant. When the Registrant is a corporate entity that has traded for less than two (2) financial years, then all requirements in this section must be addressed with respect to **each** shareholder of the corporate entity individually. Where the Registrant is a 100% owned subsidiary, information will be required for both the subsidiary and the Holding Company.

The Registrant should demonstrate their ability to leverage their financial experience and history in order to establish and operate a keno business.

In particular, Registrants will be asked to provide audited Financial Statements for the last three years. Financial statements are to be audited where available or required by law. Registrants are also asked to provide their current risk management and insurance policies and corporate credit rating (if applicable).

**The form for the Registrant’s responses is presented in Part C – section 6.1.**

## 9.2 Financial Resources

Under Section 6A.3.7(2) ‘The Minister may grant a licence application only if he or she is satisfied that the granting of the application is in the public interest, taking into account each of the following matters – ..... (f) whether the applicant has financial resources that are adequate to ensure the financial viability of a keno business;’

Registrants should demonstrate where they have had historical experience in fund raising or existing arrangements to raise additional funds if needed to support a Keno business.

As with the previous requirement, where the Registrant is a corporate entity that has traded for less than two (2) financial years, then all requirements in this section, much be addressed with respect to **each** shareholder of the corporate entity individually. Where the applicant is a 100% owned subsidiary, information will be required for both the subsidiary and the Holding Company.

In particular, Registrants will be asked to detail existing access to additional funds, demonstrate previous experience raising debt and/or equity, and any guarantees that may be in place from parent or associated organisations.

**The form for the Registrant’s response is presented in Part C – section 6.2.**

## 9.3 Other Financial Requirements

The Registrant will be asked to provide information on further financial requirements, in particular, the Registrants will need to document current specific circumstances that may influence the Registrant’s future ability to run a keno business; and they will also be asked to detail their proposed strategies to access additional financial resources in the current economic environment.

**The form for the Registrant’s response is presented in Part C – section 6.3.**

# 10 COMMERCIAL REQUIREMENTS – VOLUME 7

## 10.1 Commercial Structure

Under Section 6A.3.7(2) ‘The Minister may grant a licence application only if he or she is satisfied that the granting of the application is in the public interest, taking into account each of the following matters – .....(g) whether the applicant has the ability to establish and maintain a successful keno business;’

The ROI requests the Registrant to demonstrate they have the management structure, resources and strategy to be capable of successfully operating a Keno Licence. This area of investigation requires the Registrant to provide an organisational structure for the proposed keno business, including providing key roles and responsibilities and the curriculum vitae of the proposed keno business manager.

The Registrant is required to detail their experience in operating a gambling or like product including a brief description of the products, contact details to be used as a reference, the scope of the Registrant’s role in the provision of these products and a brief description of how these products are performing.

Where the Registrant is a corporate entity that has traded for less than two (2) financial years, then all requirements in this section much be addressed with respect to **each** shareholder of the corporate entity individually. Where the Registrant is a 100% owned subsidiary, information will be required for both the subsidiary and the Holding Company.

**The form for the Registrant’s response is presented in Part C – sections 7.1.**

## 10.2 Other Commercial Requirements

The Registrant is required to detail what they perceive as the key issues and risks in operating a keno business and how they propose to manage these issues and risks.

The Registrant is also required to demonstrate their strategy to contract and/or Keno Licence management and provide details of their codes and ethics that support their management policy.

**The form for the Registrant’s response is presented in Part C – sections 7.2.**

## 11 PRODUCT AND DISTRIBUTION REQUIREMENTS – VOLUME 8

### 11.1 Keno Product and Distribution

By opening the Keno Licence up to a competitive process, the Keno Licensee will be able to develop games that best suit player expectations and deliver more entertainment options. Keno Games have the potential to be a more attractive alternative entertainment option for Victorians.

A Registrant's product and distribution approach will be evaluated against the following criteria:

- demonstrated ability to develop and grow a product range across a wide distribution network.

In addition, new Keno Games proposed by Registrants will be reviewed to determine whether they may be considered unsuitable under the State's policy, in Part B – section 16.

#### *Product*

The existing Club Keno Game is a game in which, after the players have selected:

- i. a maximum of 15 numbers from the numbers 1 to 80 inclusive to match any of 20 numbers to be drawn in the playing of the game; or
- ii. heads, tails or evens;

the game is determined by drawing 20 numbers from the numbers 1 to 80 inclusive by a method of random selection.

The current Club Keno games are described in the Introduction – section 2.1.

#### *Distribution*

The new distribution arrangements, with the potential to increase to hotels, clubs (with full club liquor licences), and wagering outlets, will also provide an opportunity for the new Licensee to grow the product as a potential add-on to other entertainment options in venues.

#### *Investment*

The key set up costs of the keno business are:

- a. Keno Game terminals at retail outlets;
- b. fitouts at retail outlets;
- c. back office support; and
- d. monitoring.

#### *Marketing*

It is envisaged that Registrants will recognise that there is likely to be ongoing investment in marketing of the Keno Games as there will be a need to relaunch and grow the products over time.

#### *Assets – Keno Game*

There is some evidence that existing Keno infrastructure is near or at the end of its useful life. The new Licensee should expect to invest in new infrastructure as there may not be any opportunity or value in purchasing the incumbents' technology and systems.

#### *Market Growth*

Between 2002–03 and 2006–07, the cumulative annual growth for Victorian Club Keno expenditure was 1.1 per cent. By comparison, the Queensland cumulative annual growth rate over the period 2001–02 to 2005–06 was 9.9 per cent.

#### *Return to Venues*

While the return to player and taxes will remain unchanged, the venue share of expenditure will not be regulated; instead the Licensee will negotiate with individual venues.

Registrants are asked to detail their intended product range and distribution strategy.

Registrants are also asked to provide a high level outline of a proposed business model for the keno business. This model should demonstrate how the Registrant intends to grow and develop the keno business in Victoria and to redress any perceived underperformance in this market.

**The forms for the Registrant's responses are presented in Part C – sections 8.1 and 8.2.**

### **11.2 Interactive Gambling**

There is currently no prohibition in the Commonwealth **Interactive Gambling Act 2001** (Cth) on the provision of Keno Games via interactive means. Section 8D(1B) of the Act allows for the extension, via the Regulations, of prohibitions to include 'a highly repetitive or frequently drawn form of a Keno-type lottery or a similar lottery'. However, no Regulations appear to have been made in this area.

Proposals by Registrants in relation to the provision of interactive Keno Games will be assessed on a case-by-case basis, having regard to the access controls and responsible gambling measures of each proposal.

## **12 RESPONSIBLE GAMBLING REQUIREMENTS – VOLUME 9**

Responsible gambling will continue to be a priority under the new Keno Licence.

The gambling industry has a responsibility to deliver effective harm minimisation strategies. Under the new post 2012 arrangements, it will be a requirement that the Licensee has a Responsible Gambling Code of Conduct.

The Licensee will need to have a code of conduct that:

- complies with any direction about codes of conduct given by the Minister;
- demonstrates a commitment to foster responsible gambling;
- is appropriate for, and relevant to, the nature and type of gambling offered; and
- sets out a review process to assess the operation and effectiveness of the code of conduct.

**The form for the Registrant's commitment is presented in Part C – section 9.**

## **13 TRANSITION – VOLUME 10**

A prime consideration of the State is to ensure a seamless transition into the new Keno Licence granted by the Minister.

The Keno Licensee is expected to have the systems and infrastructure in place prior to the Keno Licence Commencement Date – with a period of testability and demonstration during the course of the Licensing Process (leading up to the Keno Licence Commencement Date.)

The Registrant is required to supply details of the key issues and risks they believe exist for transitioning into a new Keno Licensee.

**The form for the Registrant's response is presented in Part C – section 10.**

## **14 KENO LICENCE AND RELATED AGREEMENT(S)**

It is intended that a draft Keno Licence and Related Agreement(s) will be issued to all Registrants meeting the ROI Conditions of Registration (Part A) approximately 2 weeks after the expiry of the Lodgement Period.

Registrants will have the opportunity to provide any feedback or comment related to the draft Keno Licence and Related Agreement(s) to the Project Director by 12 January 2009. Feedback or comment provided by Registrants may be considered in the finalisation and settlement of the Keno Licence and Related Agreement(s) to be issued with the ITA.

**It should be noted that any comment or feedback provided by Registrants will not be taken into account in the evaluation of ROI responses.**

Indicative timeframes for this process will be as follows:

Indicative Milestones	Date
Public release of ROI	17 September 2008
Date for lodgement of ROI	14 November 2008
Issue of draft Keno Licence and Related Agreement(s) to Registrants	Approximately 2 weeks after the expiry of the Lodgement Period
Feedback and comments provided to Project Director	12 January 2009

#### 14.1 Performance Management Strategy

As part of the Keno Licence and Related Agreement(s), the Registrant may be asked to comply with performance management measures. These will be detailed and included in the draft Keno Licence and Related Agreement(s).

### 15 DECLARATIONS – VOLUME 11

#### 15.1 Statutory Declaration

As required by Part A – Section 7 the Registrant and its Associates will be required to provide statutory declarations whenever required to do so by the Project Director with respect to themselves and each of their Relevant Persons in relation to compliance with Protocols and procedures established by the Registrant to ensure equality of treatment and access and to preserve the integrity of the Licensing Process.

**The form for the Registrant’s response is presented in Part C – section 11.1.**

#### 15.2 Letter of Confirmation from ACCC

The Registrant is required to submit a Letter of Confirmation from the ACCC (addressed to the Registrant) with its ROI, addressing the matters and as detailed at section 5.4 of Part A of this Notice. In any event, the Letter of Confirmation must be submitted by the Registrant to the Project Director, by no later than 30 January 2009.

**The form for the Registrant’s response is presented in Part C – section 11.2.**

#### 15.3 Statement of Intention to conduct operations under the Keno Licence

The Registrant’s intention to take up and continue to conduct Keno operations under the Keno Licence if granted at the end of the Licensing Process is a relevant consideration. The Registrant’s ability and intention to conduct Keno operations may be affected by their intention to conduct other gambling operations under other gambling licences. The Registrant is therefore required to state their current intention with respect to these matters by providing responses to the questions set out in Part C – section 11.3.

**The form for the Registrant’s response is presented in Part C – section 11.3.**

#### 15.4 Summary on FIRB Approval

As required by Part A – section 5.5 of the ROI, the Registrant must include a note on whether or not FIRB approval is required and the reasons for that conclusion, together with a summary of the Registrant’s preliminary discussion with the FIRB and the outline of the process and timing to obtain formal approval.

**The form for the Registrant’s response is presented in Part C – section 11.4.**

### 16 PROPOSED KENO GAMES & DISTRIBUTION METHODS – VOLUME 12

The Act provides for new games to be prescribed as a Keno Game by the regulations. The State will seek to amend the Act to provide for the Minister to approve new Keno Games that are rapid draw lotteries in which the outcome is determined by a random number generator drawing a set of numbers from a larger pool of numbers.

Certain types of rapid draw lotteries may be classified as both a Keno Game under the Keno Licence and an approved betting competition under the post 2012 Wagering and Betting Licence.

Simulated racing games are games depicting horse, harness and greyhound racing where the outcome is determined by a random number generator drawing a set of numbers from a larger pool of numbers.

Trackside is an existing rapid draw fixed odds simulated racing game where the outcome is determined by a random number generator. It is currently operated as an approved betting competition under the current wagering licence.

Simulated racing games may be permitted to be operated by both the Keno Licensee and the Wagering and Betting Licensee post 2012.

The State will seek to amend the Act to provide for simulated racing games to be approved by the VCGR under the post 2012 Wagering and Betting Licence, provided such games:

- (a) involve simulated horse, harness and greyhound racing only;
- (b) the outcome of the game is determined by a random number generator drawing some numbers from a larger set of numbers;
- (c) are clearly an animation and not able to be interpreted as a live race; and
- (d) wagers on simulated racing games must not be made directly from an account and that payouts must be in the form of cash or cheque.

Proposed Keno Games (including distribution methods) will be reviewed to determine whether they may be considered unsuitable under the State's policy.

The State's policy is that a proposed Keno Game and/or distribution method would be considered unsuitable if it:

- has a strong appeal to minors; and/or
- is offensive; and/or
- is contrary to the public interest; and/or
- does not fit within the State's definition of a Keno Game as specified in this Notice; and/or
- unreasonably encroaches on other gambling products licensed under the Act; and/or
- proposes a distribution method that is not in accordance with the State's policy as specified in the ROI; and/or
- involves access controls for the product that are not satisfactory to meet the objectives of the Act, taking into account the proposed distribution method; and/or
- undermines the objective of fostering responsible gambling set out in section 1.1(2)(a) of the Act.

All Selected Registrants (if any) who are short listed will be notified of any proposed Keno Games or distribution methods that would be unsuitable in order to inform the development of their Application.

The review of proposed Keno Games during the ROI stage is independent of whether a Registrant is short listed, and would not inform the selection process.

While a proposed Keno Game and/or distribution method is not considered unsuitable, approval to operate the proposed Keno Game will still be subject to the game being prescribed by Regulations made in accordance with the Act and approval of the relevant Keno Game systems and rules by the VCGR.

**The form for the Registrant's response is presented in Part C – section 12.**

**PART C: REGISTRANT RESPONSES TO REQUIREMENTS****1 GENERAL INFORMATION ABOUT RESPONSES**

Each Registrant is required to prepare its response to this Notice using the schedule structure and response formats provided in Part C. In preparing a response, consideration should be given to the Statement of Requirements described as Part B.

*Who must respond?*

Where the Registrant is a corporate entity that has traded for less than two (2) financial years, then all requirements in Part C (as appropriate) of this Notice, must be addressed with respect to **each** shareholder of the relevant corporate entity individually. Where the applicant is a 100% owned subsidiary, information will be required for both the subsidiary and the Holding Company.

*Form of response*

The State is seeking responses to this Notice that:

- use the 45 schedules provided in Part C; and
- are presented in 12 clearly identified volumes.

The 12 volume structure for the response comprises:

<b>Volume 1:</b>	<b>General Information</b>
<b>Volume 2:</b>	<b>Corporate Probity</b>
<b>Volume 3:</b>	<b>Financial Probity</b>
<b>Volume 4:</b>	<b>Individual Probity</b>
<b>Volume 5:</b>	<b>Technical Capability</b>
<b>Volume 6:</b>	<b>Financial Capability</b>
<b>Volume 7:</b>	<b>Commercial Capability</b>
<b>Volume 8:</b>	<b>Product and Distribution Approach</b>
<b>Volume 9:</b>	<b>Responsible Gambling</b>
<b>Volume 10:</b>	<b>Transition</b>
<b>Volume 11:</b>	<b>Declarations</b>
<b>Volume 12:</b>	<b>Proposed Keno Games &amp; Distribution Methods Review</b>

A full list of the response schedules included within each volume is presented in Appendix P. This list is provided as an A3 foldout reference to assist Registrants in quickly finding information relevant to the preparation of their response.

*Additional Information*

Where possible responses are to be completed in the attached templates. Where further information is to be presented in support of any part of the response, Registrants may present the additional information as an attachment to the relevant schedule.

Any attachment is to be:

- related DIRECTLY to the question being asked;
- presented as an appendix to the schedule;
- referenced within the relevant part of the response; and
- clearly labelled.

*Directions for Use of Schedules*

Each of the Schedules may consist of:

- a broad description about the purpose of the response requirement and details about who must respond;

- Schedule notes, that provide definitions and minimum requirements applicable to the response; and
- a structured form presenting the Schedule questions.

Registrants must provide four (4) hard copies of their Responses as well as two (2) CD copies. Full instructions are included in Part A – Section 8.

**1.1 Letter of acknowledgement and agreement**

**The following Schedule must be completed in accordance with Part B – section 3.1.**

The letter of acknowledgement and agreement is set out in Schedule A of the Registrant's response.



## Schedule A: Letter of acknowledgement and agreement

**LETTER OF ACKNOWLEDGMENT AND AGREEMENT TO THE TERMS AND CONDITIONS OF****REGISTRATION OF INTEREST IN THE GRANT OF A KENO LICENCE** [To be inserted on Registrant's letterhead][Date]

The Minister for Gaming for and on behalf of the State of Victoria

c/o Alan Clayton, Project Director

Gambling Licences Review, Department of Justice, 121 Exhibition Street, Melbourne 3000

Dear Sir,

**Registration of Interest for Keno**

We refer to your Notice calling for Registrations of Interest in the grant of a Keno Licence under the *Gambling Regulation Act 2003* (Vic) (**Act**) (**ROI**) published in the Victoria Government Gazette on [insert date of publication of Notice] (**Notice for ROI**) and acknowledge that ..... [insert name of Registrant] (**the Registrant**) has this day submitted a **ROI** in accordance with the requirements set out in the Notice.

In consideration of being permitted to submit a ROI, the Registrant acknowledges and agrees:

- i) that the Notice for ROI specifies, among other things, the matters which the Minister considers relevant to the ROI including the matters set out in the Terms and Conditions in Part A of the Notice for ROI;
- ii) it has read and understood the Terms and Conditions and agrees it has and will continue to comply with each of them, and, to the extent that the Terms and Conditions require that a person other than the Registrant must do or refrain from doing anything relating to the ROI process or the Licensing Process, the Registrant will procure that person to do or refrain from doing such a thing;
- iii) to be bound by the Terms and Conditions set out in Part A of the Notice for ROI, particularly and without limitation:
  - a. the requirement that the Registrant, its Associates and any of their respective Relevant Persons will not improperly interfere with the making of a recommendation or report under the Act and engaging in any of the conduct which Part A of the Notice of ROI specifies they must not engage in;
  - b. the requirement that the Registrant will establish Protocols to ensure compliance with the above-mentioned provisions in the Notice for ROI, including reporting protocols for the Registrant's Relevant Persons and Associates and their Relevant Persons in cases of breach of the Protocols by any of them;
- iv) that the Protocols have been established as required by the ROI and the Act and will ensure that these Protocols are followed by it, its Associates and their respective Relevant Persons throughout the Licensing Process;
- v) without limitation, that the Registrant, its Associates and their relevant Respective Persons have not engaged, at the date of execution of this Letter, and will not engage in, at any time during the Licensing Process, conduct in contravention of Part A – section 7 of the Notice for ROI or the Protocols established in accordance with that Part;
- vi) that the Registrant will report to the Project Director any failure by it, its Associates or any of their Relevant Persons to comply with the Protocols;
- vii) to provide statutory declarations with respect to itself and its Relevant Persons and to procure statutory declarations from its Associates and their Relevant Persons, in accordance with the requirements of the Act and the Notice for ROI, declaring that it and its Relevant Persons and in the case of its Associates, them and their Relevant Persons have not acted inconsistently with the procedures and requirements set out in the Notice for ROI or the Protocols;
- viii) it represents and warrants to the State all the warranties listed out in Part A – section 15 of the ROI;
- ix) it agrees that it is prepared to and will take up the Keno Licence, if awarded to it at the end of the Licensing Process;
- x) to the maximum extent permitted by law, it agrees to indemnify (and keep indemnified) the State, each of the State's authorities and agencies and each of their respective officers, employees, agents and advisers against any loss, liability or claim under or in respect of the Notice for ROI or arising out of its non-compliance with any of the terms of conditions in the Notice for ROI;
- xi) that it has made its own enquiries and investigations in relation to the ROI process and the Licensing Process and that it has kept itself informed of all amendments or updates to the Notice for ROI or in relation to the Licensing Process (including the ROI process) by regularly checking the Victorian Government tenders website;
- xii) that it consents to any disclosure of information or material as contemplated by Part A – section 9.6 of the Notice for ROI; and
- xiii) that where this Notice for ROI contemplates any information being given, action taken, consent provided, or document executed by an Associate or relevant third party, the Registrant will procure that such information is given, action taken, consent provided, or document is executed by the relevant person.

All communications in relation to the ROI should be directed to the email address set out below:

**[Insert Registrant's email address]**

Words and expressions defined in the Notice for ROI have the same meaning when used in this letter.

This letter is executed as a deed in favour of the State of Victoria.

Yours sincerely

**SIGNED** by ..... )  
 as authorised representative for )  
 (to be signed by the Managing Director of the Registrant Company )

**SIGNED** by ..... )  
 as authorised representative for )  
 (to be signed by the Secretary of the Registrant Company )

in the presence of:..... )

Signature of witness )

By signing this document the  
 signatory warrants that the signatory  
 is duly authorised to execute this  
 document on behalf of [insert name of Registrant]

## 1.2 Checklist of Forms and Attachments

The Registrant is required to submit the Checklist of Forms and Attachments as Schedule B of its response. This **Schedule B** is attached as Appendix P – The Registrant’s Checklist.

This form is designed to assist Registrants in submitting a conforming Registration of Interest.

## 1.3 Company Declaration

The Registrant is required to provide a Company Declaration presenting:

- company details for the Registrant;
- information about the authorised officer representing the Company; and
- a declaration made by the authorised officer on behalf of the Company.

Where the Registrant is a corporate entity that has traded for less than two (2) financial years, then all requirements in Part C (as appropriate) of this Notice, must be addressed with respect to **each** shareholder of the relevant corporate entity individually. Where the Registrant is a subsidiary, a separate Company Declaration form must be completed by its Holding Company.

**The following Schedule must be completed in accordance with Part B – section 3.2.**

Schedule C: Company Declaration Form			
Full name of Company:	..... (Company Name)		
Australian Company Number (ACN):		Australian Business Number (ABN):	
Company’s registered office address:			
Company’s business address:			
Telephone number:	(.....)	Facsimile number:	(.....)
Email address:			
Does the Company intend to operate under any other business/trading name/s?	Yes:	<input type="checkbox"/>	No: <input type="checkbox"/>
	If Yes, provide details:		
Full name of authorised officer:	(Authorised company officer on behalf of Company)		
Position with Company:	(Position/Title)		
Telephone number:	(.....)	Mobile Telephone:	
Facsimile number:	(.....)		
Email address:			
I, the undersigned declare that:			
i. I am authorised to complete this Form on behalf of the Company, its Parent Company and the Ultimate Holding Company;			
All statements contained in and all matters accompanying this Form are true and correct in all details and fully disclose all information required to complete the Form.			
Signature of Authorised Officer:			
Date:	...../...../..... (Day/Month/Year)		

## 1.4 Consent Letter

Where the Registrant is a corporate entity that has traded for less than two (2) financial years, all requirements in Part C (as appropriate) of this Notice, must be addressed by and with respect to **each** shareholder of the Registrant as well as with respect to the Registrant. The Authorised Officer of each such shareholder is required to execute a letter of consent in the form set out in Schedule D with respect to all information provided.

**The following Schedule must be completed in accordance with Part B – section 3.3.**

**Schedule D: Consent Letter**

[Date]

The Minister for Gaming  
 Department of Justice  
 C/o Alan Clayton, Project Director  
 Gambling Licences Review  
 121 Exhibition Street, Melbourne 3000

Dear [insert name of Secretary],

**Registration of Interest for Keno**

I refer to the Notice Calling for Registrations of Interest in the grant of a Keno Licence under the *Gambling Regulation Act 2003* (Vic) (**Act**) dated [insert date of ROI] (**Notice for ROI**).

The [Insert name of Registrant] (**Registrant**) proposes to submit a Registration of Interest (“ROI”) and [insert name of Associate entity] is the Associate of the Registrant, as per the definition of Associates under the Act.

I ....., on behalf of [insert name of Associate entity],

- (i) **acknowledge** that I have read and understood the Notice for ROI;
- (ii) **understand** that the information and material provided by the [insert name of Associate entity] in or with respect to the matters set out in the Forms in Schedules E to U, AD to AI, Appendix D, K, L, M and N, to be completed by [insert name of Associate entity] under the ROI, will be submitted to the State by the Registrant in support of its ROI and that it is required for purposes relating to the ROI process and the Licensing Process for the grant of the Keno Licence including matters relevant to the assessment of the ROI submitted to the State by the Registrant; and
- (iii) **consent** to:
  - all information relating to [insert name of Associate entity], in or pursuant to the above-mentioned Forms, including information, whether provided verbally or in writing, being made available to any of the State, State Parties or the VCGR for purposes of any of them carrying out their duties, functions and powers in relation to the ROI, the ROI process, the Licensing Process, including, without limitation, to make such information available to the Registrant in the event that the information and material provided by [insert name of Associate entity] may raise matters which any of the VCGR or the State or State Parties considers should be provided or discussed with the Registrant.;
  - any disclosure of information or material as contemplated by Part A section 9.6 of the Notice for ROI.

I also acknowledge that the State, State Parties and the VCGR will not be liable to [insert name of Associate entity] for making disclosure of such information for the purposes of the Licensing Process or the ROI.

Words and expressions defined in the Notice for ROI have the same meaning when used in this letter.

This letter is executed as a deed in favour of the State of Victoria.

Yours sincerely

**SIGNED** by .....

as authorised representative for (name of Associate Entity)

(to be signed by the Managing Director of the Associate )

By signing this document the signatory warrants that the signatory is duly authorised to execute this document on behalf of [insert name of Registrant]

in the presence of:

.....

Signature of witness

.....

Name of witness (block letters)

**2 CORPORATE PROBITY**

The Registrant is required to respond to each of the following **Schedules E to P** in order to supply information about the Registrant’s Corporate details.

**All schedules refer to the Requirements as detailed in Part B – section 5.**

## 2.1 Corporate Structure

The Registrant is required to submit a Corporate Family Tree detailing the relationship of the Company to any subsidiary, parent and related entities, if applicable and shareholders with 10% or more of shares are also to be listed for each entity.

### Schedule E: Corporate Structure

Provide a Corporate Family Tree	Attachment Reference:.....
Provide details of the proposed management structure	Attachment Reference:.....

## 2.2 Major Shareholders

Registrants are required to use this schedule to provide information about the ownership structure of the Registrant, identifying all significant shareholders and the extent of the interest of each. Shareholders with 5% or more of shares are to be listed.

### Schedule F: Major Shareholders

Ultimate Holding Companies:			
1) Does the Company have an Ultimate Holding Company (as defined in Corporations Law)?	Yes: <input type="checkbox"/>	Go to Question 2	No: <input type="checkbox"/>
2) If YES, provide the following details:			
i. Name of Ultimate Holding Company:	.....		
ii. What is the percentage shareholding of the Ultimate Holding Company in the Registrant?	.....%		
Volume of Shares:			
3) What is the total number of Ordinary Shares of the Company, including voting and income entitlement shares?	.....		
4) What is the total number of Preference Shares of the Company? The total number of Preference Shares must include income entitlement shares only.	.....		
Major Shareholdings:			
5) List below the names of ALL shareholders who hold 5% or more of the total number of shares in the Company, and the number of shares held by each:			
Full name of shareholder	Class of share	Number of shares	
.....	.....	.....	
.....	.....	.....	
.....	.....	.....	
6) Have the Individual Probity Forms (Schedules V to AD) been completed for all individuals holding 5% or more of Company shares?	Yes: <input type="checkbox"/>	No: <input type="checkbox"/>	
Shares Held in Trust:			
7) Does any person or entity have beneficial control of 5% or more of shares in the Company?	Yes: <input type="checkbox"/>	Go to Question 8	No: <input type="checkbox"/>
8) Provide details of major shareholdings held in trust:			
Shares held by	Full name of beneficial owner	Number of shares	
.....	.....	.....	
.....	.....	.....	
.....	.....	.....	

<b>Schedule F: Major Shareholders</b>			
9) Have the Individual Probity Forms (Schedules V to AD) been completed for all individual beneficial owners holding 5% or more of Company shares?	Yes:	<input type="checkbox"/>	No: <input type="checkbox"/>
<b>Corporate Trustees:</b>			
10) Is the Company a Corporate Trustee?	Yes:	<input type="checkbox"/> Go to Question 11	No: <input type="checkbox"/> Go to Question 19
11) Type of Trust:	Discretionary Trust:	<input type="checkbox"/>	Unit Trust: <input type="checkbox"/>
12) Name of Trust:	.....		
13) Address of Trust:	.....		
14) Copy of the trust deed:	Attachment Reference:.....		
15) 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)	% ownership voting	Number of shares
.....	<input type="checkbox"/> / <input type="checkbox"/>	.....	.....
.....	<input type="checkbox"/> / <input type="checkbox"/>	.....	.....
.....	<input type="checkbox"/> / <input type="checkbox"/>	.....	.....
16) 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:	.....		
17) 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 decisions of the Trustee:	.....		
18) Have all individuals identified in Question 17 above completed the Individual Probity Forms (Schedules V to AD)?	Yes:	<input type="checkbox"/>	No: <input type="checkbox"/>
<b>Proposed Distribution of Profits:</b>			
19) How are the profits of the Company's proposed keno business to be distributed (e.g. dividends to shareholders, capital reinvestment plans etc)?	.....		

**2.3 Current Office Holders and Executive Officers**

Registrants are required to identify all of the current office holders of the Company and ensure that all Individual Probity Forms (Schedules V to AD) are completed for each office holder and executive officer. The Office Holders and Executive Officers should include at least all personnel mentioned in the organisational structure in Part C – section 2.1

<b>Schedule G: Current Office Holders and Executive Officers</b>			
List all of the current Office Holders and Executive Officers of the Company:			
Full name of Office Holder / Executive Officer	Position held		
.....	.....		
.....	.....		
.....	.....		
Have Individual Probity Forms (Schedules V to AD) been completed for all of the current office holders listed above?	Yes:	<input type="checkbox"/>	No: <input type="checkbox"/>

## 2.4 Certificate of Incorporation

The Registrant is required to submit a copy of their Certificate of Incorporation.

Schedule H: Certificate of Incorporation	
Provide a copy of the Certificate of Incorporation	Attachment Reference:.....

## 2.5 Constitution/Replaceable Rules

The Registrant is required to submit a copy of their Constitution / Replaceable Rules or Articles of Association.

Schedule I: Constitution/Replaceable Rules	
Provide a copy of the Constitution/Replaceable Rules	Attachment Reference:.....

## 2.6 Historical Organisational Extract from ASIC

Companies incorporated under Australian Corporations Law are required to provide an Historical Organisational Extract from ASIC. An Historical Organisational Extract is also required for Parent Companies and Ultimate Holding Companies. Registrants must submit the Original of the Historical Organisational Extract and similar reports from overseas agencies with the ROI copy marked 'Copy One'. Copies of the Extracts are acceptable for the other ROI submissions marked 'Original Bound Copy', 'Copy Two' and 'Copy Three'.

Schedule J: Historical Organisational Extract from ASIC			
1) Is the company's original Historical Organisational Extract from ASIC attached?	Yes: <input type="checkbox"/>	Go to Question 2	No: <input type="checkbox"/> Go to Question 3
2) If YES, attach the company's original Historical Organisational Extract as an Attachment to this Schedule.		Attachment Reference:.....	
3) Is the parent and/or ultimate holding company's original Historical Organisational Extract/s from ASIC attached?	Yes: <input type="checkbox"/>	Go to Question 4	No: <input type="checkbox"/> Go to Question 5
4) If YES, attach the parent and/or ultimate holding company's original Historical Organisational Extract/s as an Attachment to this Schedule.		Attachment Reference:.....	
5) Is an overseas equivalent report attached for the company?	Yes: <input type="checkbox"/>	Go to Question 6	No: <input type="checkbox"/> Go to Question 7
6) If YES, attach the overseas equivalent report for the company as an Attachment to this Schedule.		Attachment Reference:.....	
7) Is an overseas equivalent report attached for the parent and/or ultimate holding company?	Yes: <input type="checkbox"/>	Go to Question 8	No: <input type="checkbox"/> No further questions
8) If YES, attach the equivalent report for the parent and/or ultimate holding company as an Attachment to this Schedule.		Attachment Reference:.....	

## 2.7 Gaming History

The Registrant is required to provide information relating to the gaming history of the Company, its Parent Company or the Ultimate Holding Company, in particular licensing/authorisation details. When completing this section the Registrant must include details of any licences for registration, approval, authorisation or any other forms of approval.

In identifying the jurisdiction in which approval/authorisation for a gaming licence was sought, the Registrant is to name the:

- State or Territory (for licences in Australia);and
- country and locality (for licences outside Australia).

Registrants are also required to document any conditions placed on any licences held by the Registrant at any time.

Schedule K: Gaming History				
1) In Victoria or elsewhere, has the Company, its Parent Company or the Ultimate Holding Company ever applied for ANY other gaming industry licence, approval, authorisation or registration?	Yes:	<input type="checkbox"/> Go to Question 2	No:	<input type="checkbox"/> No further questions
<b>Licence applications granted:</b>				
2) Was any application, request for approval, authorisation or registration granted/approved?	Yes:	<input type="checkbox"/> Go to Question 3	No:	<input type="checkbox"/> Go to Question 4
3) Provide the following details for each application, request for approval, authorisation or registration that was granted/approved				
i. Name of Company:	.....			
ii. Type of licence/approval:	.....			
iii. Name shown on licence/approval:	.....			
iv. Licence No. (if known):	.....			
v. Jurisdiction:	.....			
vi. Licence/approval/association dates (if known):	From ...../..... (Month/Year)		To ...../..... (Month/Year)	
vii. Conditions that have been placed on a licence:	.....			
<b>Licence applications refused or withdrawn:</b>				
4) Was an application, request for approval, authorisation or registration refused or withdrawn?	Yes:	<input type="checkbox"/> Go to Question 5	No:	<input type="checkbox"/> Go to Question 6
5) Provide the following details for each application, request for approval, authorisation or registration that was refused/withdrawn				
i. Name of Company:	.....			
ii. Type of licence/approval sought:	.....			
iii. Jurisdiction:	.....			
iv. Date of application:	.....			
v. Reason for refusal or withdrawal of request:	.....			
<b>Licences suspended, cancelled, amended or revoked:</b>				
6) Has the Company, its Parent Company or the Ultimate Holding Company ever had a licence, approval, authorisation or registration suspended, cancelled, amended or revoked, or has it ever been the subject of disciplinary action by a gambling regulatory body?	Yes:	<input type="checkbox"/> Go to Question 7	No:	<input type="checkbox"/> No further questions
7) Provide the following details for each licence, approval, authorisation or registration suspended, cancelled, amended, revoked or subject to disciplinary action				
(i) Name of Company:	.....			
(ii) Type of licence/approval:	.....			
(iii) Jurisdiction:	.....			
(iv) Details of any specific conditions or restrictions imposed on a licence, approval or authorisation:	.....			
(v) Reasons for suspension, cancellation, amendment, revoked or subject to some disciplinary action:	.....			

## 2.8 Actions by Regulatory Bodies

The Registrant is required to provide details of every action taken (or pending) against the Company, its Parent Company or the Ultimate Holding Company by any government regulatory body. Such actions may include, but are not limited to:

- letters of censure;
- formal hearings;
- public censures; and
- investigations.

Schedule L: Actions by Regulatory Bodies				
<b>Action previously taken:</b>				
1) In Victoria or elsewhere, has there been any action taken against the Company, its Officers/Directors, its Parent Company or the Ultimate Holding Company by any government regulatory body?	Yes:	<input type="checkbox"/>	Go to Question 2	No: <input type="checkbox"/>
2) If YES, provide the following details for each case and the name of the relevant company:				
i. Name of Government Regulatory Body:	.....			
ii. Name of Company:	.....			
iii. Nature of Action:	.....			
iv. Date of Hearing / Issue of Notice:	...../...../..... (Day/Month/Year)			
v. Copy of the Result or Decision:	.....			
<b>Action pending or currently being pursued:</b>				
3) In Victoria or elsewhere, is there any action by a government regulatory body pending or currently being pursued against the Company, its Officers/Directors, its Parent Company or the Ultimate Holding Company?	Yes:	<input type="checkbox"/>	Go to Question 4	No: <input type="checkbox"/>
4) If YES, provide the following details for each case and the name of the relevant company:				
i. Name of Government Regulatory Body:	.....			
ii. Name of Company:	.....			
iii. Nature of Action:	.....			
iv. Date Matter is Scheduled to be Heard / Notice Issued	...../...../..... (Day/Month/Year)			

## 2.9 Litigation

The Registrant is required to provide details of any litigation (legal action) taken (or in progress) against the Company, its Parent Company or the Ultimate Holding Company by any government regulatory body in the ten (10) year period prior to the prescribed lodgement date for responses to this Notice (i.e. 10 years to 14 November 2008).

Schedule M: Litigation				
<b>Prior litigation:</b>				
1) In Victoria or elsewhere, has there been any litigation (legal action) taken against the Company, its Officers/Directors, its Parent Company or the Ultimate Holding Company or was any one of those Companies a party to any litigation (litigation which is not still pending and was settled either through a court hearing or out of court), during the last ten (10) years?	Yes:	<input type="checkbox"/>	Go to Question 2	No: <input type="checkbox"/>
2) If YES, provide the following details for each case and the name of the relevant company:				
(i) Nature of litigation:	.....			
(ii) Name of Company/Individual:	.....			
(iii) Result/Settlement:	.....			
(iv) Court or tribunal where matter was heard:	.....			
(v) Case number issued by the court or tribunal:	.....			



<b>Schedule M: Litigation</b>			
(vi) Date of Hearing / Issue of Notice:	...../...../..... (Day/Month/Year)		
(vii) Copy of the Result or Decision:	.....		
<b>Litigation currently in progress:</b>			
3) To your knowledge, is there any litigation currently in progress against the Company, its Officers/Directors, its Parent Company or the Ultimate Holding Company?	Yes:	<input type="checkbox"/> Go to Question 4	No: <input type="checkbox"/> No further questions
4) If YES, provide the following details for each case and the name of the relevant company:			
Nature of litigation:	.....		
Name of Company/Individual:	.....		
Court or tribunal where matter is scheduled to be heard (if applicable):	.....		
Next scheduled hearing date:	...../...../..... (Day/Month/Year)		
Case number issued by the court or tribunal:	.....		

## 2.10 Charges, Offences and Convictions

Registrants are required to identify all charges, offences and convictions against the Registrant.

<b>Schedule N: Charges, Offences and Convictions</b>			
<b>Prior charges:</b>			
1) Has the Company, its Parent Company or the Ultimate Holding Company ever been, in Victoria or elsewhere, found guilty of any offence?	Yes:	<input type="checkbox"/> Go to Question 2	No: <input type="checkbox"/> Go to Question 3
2) If YES, provide the following details for each offence and the name of the relevant company:			
i. Name of Company/Individual:	.....		
ii. Nature of offence (including date of offence):	.....		
iii. Date of decision:	...../...../..... (Day/Month/Year)		
iv. Jurisdiction:	.....		
v. Result of hearing or other disposition:	.....		
vi. Describe how the current ownership or management structure of the relevant company (e.g. directors, shareholders, trustees, beneficiaries, etc) differs in any way from the ownership or management structure of that company at the time of the offence(s):	.....		
<b>Investigations and pending charges:</b>			
3) To your knowledge, is there any investigation or charge currently pending against the Company, its Parent Company or the Ultimate Holding Company in respect of any offence, in Victoria or elsewhere?	Yes:	<input type="checkbox"/> Go to Question 4	No: <input type="checkbox"/> No further questions
4) If YES, provide the following details for each case and the name of the relevant company:			
i. Name of Company/Individual:	.....		
ii. Nature of investigation/charge:	.....		
iii. Date investigation/charge initiated:	...../...../..... (Day/Month/Year)		
iv. Jurisdiction:	.....		
v. Status of investigation/charge:	.....		

**Schedule N: Charges, Offences and Convictions**

- |                                                                                                                                                                                                                                                                  |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| vi. Describe how the current ownership or management structure of the relevant company (e.g. directors, shareholders, trustees, beneficiaries, etc) differs in any way from the ownership or management structure of that company at the time of the offence(s): |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

**2.11 Financial Information Release Form**

The Registrant is required to provide a duly executed copy of the Financial Information Release Form for each of the Company; its Parent Company; and the Ultimate Holding Company. The following notes apply to the Financial Information Release Form.

- 1) The financial information release form is required to assist the State with its enquiries. Among the people to whom it is intended to produce this form are banks and other financial institutions, solicitors, accountants, financial advisers and any other person or organisation who or which has lent money to, or borrowed from, the Company.
- 2) The original and signed Financial Information Release Form should be included in the ROI copy marked 'Copy One'. All the other versions of the ROI lodged ('Original Bound Copy', 'Copy Two' and 'Copy Three') may have a copy of this Form.

<b>STRICTLY CONFIDENTIAL</b> <i>Gambling Regulation Act 2003 (Victoria)</i>	
<b>Schedule O: Financial Information Release Form</b>	
In the matter of a Registration of Interest for the grant of a Keno Licence by:	
<b>Name:</b> .....	(Print the Corporation's name)
.....	(Full address of Corporation)
<b>I,</b> .....	(Full name of authorised officer signing the application on behalf of the Corporation)
being the duly authorised officer of the Corporation named above hereby authorise all <b>persons</b> who receive this <b>release form</b> from the Victorian Commission for Gambling Regulation (VCGR) and its staff to undertake the <b>authorised actions</b> for the <b>authorised purposes</b> as set out below:	
<b>AUTHORISED ACTIONS</b>	
1) To allow the Victorian Commission for Gambling Regulation, its staff or any other person appointed in writing by the VCGR, 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 Corporation (or to the Corporation and another person and to any subsidiary, related body corporate, trust or partnership to which the Corporation was a party), including but not limited to: <ul style="list-style-type: none"> <li>▪ any loan information;</li> <li>▪ any information relating to an account held with a financial institution (passbook, statement or other), including information relating to withdrawals, deposits, transfers and balances;</li> <li>▪ any information (including trust account information) of any solicitor, accountant, real estate agent and other fiduciary.</li> </ul>	
2) To answer written or verbal queries of, and to provide information (by any means) to the Victorian Commission for Gambling Regulation, its staff, or any other person appointed in writing by the VCGR to undertake the authorised actions, about the financial resources of the Corporation.	
<b>AUTHORISED PURPOSES</b>	
To enable the Victorian Commission for Gambling Regulation to report to the Minister for Gaming regarding the financial history and resources of a Corporation registering its interest in the grant of a Keno Licence.	
<b>Signed:</b>	..... (Authorised officer's signature)
<b>Dated:</b>	...../...../..... (Day/Month/Year)

**2.12 Consent for Release of Information of Law Enforcement Agencies Form**

The Registrant is required to provide a duly executed copy of the Financial Information Release Form for the Company; its Parent Company; and the Ultimate Holding Company.

<b>STRICTLY CONFIDENTIAL     <i>Gambling Regulation Act 2003 (Victoria)</i></b>	
<b>Schedule P: Consent for Release of Information of Law Enforcement Agencies Form</b>	
In the matter of a Registration of Interest for the grant of a Keno Licence by:	
Name: ..... (Print the Corporation's name) ..... ('the Corporation') (Full address of Corporation)	
I, ..... (Full name of authorised officer signing this Consent Form on behalf of the Corporation)	
<b>CONSENT</b> The Corporation hereby consents, for the purposes of registering the an interest in the grant of a Keno Licence under the <b>Gambling Regulation Act 2003</b> , to all probity investigations carried out by the Victorian Commission for Gambling Regulation and its staff, including but not limited to:-	
a. Inspection of criminal, intelligence or other records kept or maintained by:	
<ul style="list-style-type: none"> <li>▪ the Victoria Police;</li> <li>▪ any crime investigation agency;</li> <li>▪ any gaming regulatory body;</li> <li>▪ any Court;</li> </ul>	<ul style="list-style-type: none"> <li>▪ any State, Territory, Federal or overseas police force;</li> <li>▪ any corporate regulatory agency;</li> <li>▪ any casino regulatory body;</li> <li>▪ any government agency.</li> </ul>
(collectively referred to as 'law enforcement agencies')	
b. Release of particulars of any convictions, findings of guilt or other information recorded against the Corporation by the law enforcement agencies including, without limitation:	
<ul style="list-style-type: none"> <li>◆ details of all prosecutions, including acquittals and matters withdrawn or dismissed and all findings of guilt, whether or not a conviction was recorded to which the Corporation, was a party including any subsidiary, related body corporate, trust or partnership;</li> <li>◆ present matters or charges still outstanding;</li> <li>◆ law enforcement agencies intelligence howsoever obtained;</li> <li>◆ any other matters recorded as arising either in Victoria or elsewhere by any law enforcement agency and considered relevant to the Victorian Commission for Gambling Regulation.</li> </ul>	
<b>ACKNOWLEDGMENT</b> The Corporation acknowledges having read and understood the terms of the consent and the release and each has 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:	
<ul style="list-style-type: none"> <li>▪ its revocation in writing by the Corporation to the VCGR;</li> <li>▪ the Corporation's withdrawal or elimination from the two-stage licensing process for the grant of a Keno Licence under the <i>Gambling Regulation Act 2003</i> (Vic.).</li> </ul>	
A photocopy of this Authorisation will be considered as effective and as valid as the original	
..... Signature of Authorised Officer on behalf of the Corporation	Dated the .... day of ..... (day) (month) (year)
..... Signature of witness (any adult can be a witness)	..... Printed name of witness

**3 FINANCIAL PROBITY**

The Registrant is required to respond to each of the following **Schedules Q to U** in order to supply information about the Registrant's financial details.

**All schedules refer to the Requirements as detailed in Part B – section 6.**

**3.1 Financial Statements**

The Registrant is required to provide the audited financial statements for the last three financial years. If the Registrant is a corporate entity that has traded for less than two (2) financial years, then all requirements in this Schedule much be addressed with respect to **each** shareholder of the

corporate entity individually. Where the Registrant is a 100% owned subsidiary, information will be required for both the subsidiary and the Holding Company.

<b>Schedule Q: Financial Statements</b>			
<b>Financial Statements of the Company:</b>			
1) Name of the Company?	.....		
2) When did the Company commence trading?	...../...../..... (Day/Month/Year)		
3) For which financial years have financial statements been provided? (Present Financial Statements as Attachments to this Schedule as at 30 June each year)	Attachment Reference:.....		
4) Did the most recently completed financial year end more than six months prior to the date of this Notice?	Yes:	<input type="checkbox"/> Go to Question 5	No: <input type="checkbox"/> Go to Question 6
5) Have the unaudited accounts for the period since the end of the most recent financial year been provided? (Present unaudited accounts as an Attachment to this Schedule)	Attachment Reference:.....		
<b>Financial Statements of the Ultimate Holding Company:</b>			
6) Does the Company have an Ultimate Holding Company (as defined in Corporations Law)?	Yes:	<input type="checkbox"/> Go to Question 7	No: <input type="checkbox"/> No further questions
7) Name of the Ultimate Holding Company?	.....		
8) When did the Ultimate Holding Company commence trading?	...../...../..... (Day/Month/Year)		
9) For which financial years have financial statements been provided? (Present Financial Statements as Attachments to this Schedule)	Attachment Reference:.....		
10) Did the most recently completed financial year end more than six months prior to the date of this Notice?	Yes:	<input type="checkbox"/> Go to Question 11	No: <input type="checkbox"/> No further questions
11) Have the unaudited accounts for the period since the end of the most recent financial year been provided? (Present unaudited accounts as an Attachment to this Schedule)	Attachment Reference:.....		

### 3.2 Report to the VCGR

The Registrant is required to submit a report to the VCGR, disclosing the extent to which it has complied with the VCGR's 'Guidelines for Certification of Financial Statements' in Appendix G.

<b>Schedule R: Report to the VCGR</b>	
Present the Report to the Victorian Commission for Gambling Regulation as an Attachment to this Schedule and as defined in Appendix G	Attachment Reference:.....

### 3.3 Financial Capacity

The Registrant is required to respond with details as to their current financial capacity.

<b>Schedule S: Financial Capacity</b>	
<b>Financial Institutions and Other Funding Sources:</b>	
1) Provide the following details for EACH financial institution and other funding source with which the Company has accounts, borrowings or investments.	
(i) Financial Institution/Source Name:	.....
(ii) Branch/source address:	.....
(iii) Nature of Account	.....

<b>Schedule S: Financial Capacity</b>			
(iv) Approved amount of facility (if applicable)	.....		
(v) Average daily balance (over last 12 months) of account, borrowings or investment	.....		
<b>Receivership, Voluntary Administration and Bankruptcy:</b>			
2) Has the Company, its Parent Company or the Ultimate Holding Company ever been in receivership, voluntary administration, bankruptcy, a scheme of arrangement or a formal administration (e.g. agent for mortgagee appointed)? Include any pending arrangement for any of the above.	Yes:	<input type="checkbox"/> Go to Question 3	No: <input type="checkbox"/> Go to Question 5
3) Name of the Company subject to this action:	.....		
4) Provide details:	.....		
<b>Defaults:</b>			
5) Is the Company, its Parent Company or the Ultimate Holding Company currently in default of any debt incurred solely or jointly in the name of one of these companies? Include details ONLY where payment is overdue or in arrears.	Yes:	<input type="checkbox"/> Go to Question 6	No: <input type="checkbox"/> No further questions
6) If YES, provide the following details:			
i. Name of Company:	.....		
ii. Financial Institution or creditor:	.....		
iii. Amount owing (total amount):	.....		
iv. Amount in default (total amount):	.....		
v. Date payment was due:	...../...../..... (Day/Month/Year)		

### 3.4 Business Credit File from VEDA Advantage

The Registrant is required to provide a Business Credit File from VEDA Advantage in relation to the Company, its Parent Company and the Ultimate Holding Company. Instructions on obtaining a Business Credit File are provided in Appendix I.

<b>Schedule T: Business Credit File from VEDA Advantage</b>			
1) Is the Company registered with the Australian Securities and Investments Commission?	Yes:	<input type="checkbox"/> Go to Question 2	No: <input type="checkbox"/> No further questions
2) Is an Original Business Credit File/s from VEDA Advantage attached? (Present File/s as an Attachment to this Schedule)	Attachment Reference:.....		

### 3.5 Financial Institution Letter

The Registrant is required to request information in the form of a letter from its Financial Institution/s that should take the format as detailed in Appendix J.

<b>Schedule U: Financial Institution Letter</b>	
1) Provide the Financial Institution Letter/s as an Attachment to this Schedule and as detailed in the format in Appendix J	Attachment Reference:.....
2) Name of the Financial Institution/s that has provided a letter:	.....

**4 INDIVIDUAL PROBITY**

Each person nominated as an Associate by the Registrant, the Secretary or the VCGR will need to complete the following Schedules V to AD.

**All schedules refer to the Requirements as detailed in Part B – section 7.**

**4.1 Associate Consent Letter**

Each Associate is required to execute a letter of consent in the form set out in Schedule V below with respect to all information provided in Schedules W to AD.

<b>Schedule V: Associate Consent Letter</b>	
<p>[Date]                      The Minister for Gaming                      Department of Justice                      C/o Alan Clayton, Project Director                      Gambling Licences Review                      121 Exhibition Street, Melbourne 3000                      Dear [insert name of Secretary],</p> <p><b>Registration of Interest for Keno</b>                      I refer to the Notice Calling for Registrations of Interest in the grant of a Keno Licence under the <i>Gambling Regulation Act 2003 (Vic) (Act)</i> dated [insert date of ROI] (<b>Notice for ROI</b>).</p> <p>I, _____ [insert name of Associate] _____ am an Associate, within the meaning of the of the <i>Gambling Regulation Act 2003 (Vic) (Act)</i>, of _____ [insert name of Registrant] (<b>the Registrant</b>) and I hereby:</p> <p>(i) <b>acknowledge</b> that I have read and understood the notice calling for registrations of interest (<b>ROI</b>) in the grant of a Keno Licence under the Act dated 17 September 2008 (<b>Notice for ROI</b>);</p> <p>(ii) <b>understand</b> that the information and material relating to me in or with respect to the matters set out in Schedules W, X, Y, Z, AA, AB, AC &amp; AD, whether provided by me or any other person as contemplated by these Forms, will be submitted to the State by the Registrant in support of its ROI and that it is required for purposes relating to the ROI process and the Licensing Process for the grant of the Keno Licence, including matters relevant to the assessment of the ROI submitted to the State by the Registrant; and</p> <p>(iii) <b>consent</b> to</p> <ul style="list-style-type: none"> <li>• all information relating to me, in or pursuant to these Schedules W, X, Y, Z, AA, AB, AC &amp; AD, including information, whether provided verbally or in writing, being made available to any of the State, State Parties and the VCGR for the purposes of any of them carrying out their duties, functions and powers in relation to the ROI, the ROI process or the Licensing Process, including, without limitation, to make such information available to the Registrant in the event that the information and material provided by me may raise matters which any of the State, a State Party or the VCGR considers should be provided or discussed with the Registrant; and</li> <li>• any disclosure of information or material as contemplated by Part A section 9.6 of the Notice for ROI.</li> </ul> <p>I also acknowledge that the State, State Parties and the VCGR will not be liable for using or disclosing any such information or material for any purpose set out in this consent.</p> <p><b>SIGNED</b> by ..... Dated .....</p> <p>(Signature of person giving consent)</p> <p>.....</p> <p>(relationship with Registrant)</p> <p>in the presence of: )</p> <p>..... )</p> <p>Signature of witness Dated .....</p> <p>.....</p> <p>Name of witness (block letters)</p>	

**4.2 Personal Declaration Form**

Each person nominated as an Associate by the Registrant, the Secretary or the VCGR will need to complete a Personal Declaration Form.

Schedule W: Personal Declaration Form			
1. Full name of Individual:	Mr/Mrs/Miss/Ms (circle)	Male <input type="checkbox"/>	Female <input type="checkbox"/>
..... (Surname Name)		..... (First Name) (Middle Name(s))	
Date of Birth:	..... (day/month/year)	Place of Birth:	..... (County/State or Region)
Arrival date in Australia (if applicable)		..... (day/month/year)	
2. Current Residential Address:	..... (No.) (Street)		
	..... (City/Town/Suburb) (Postcode)		
	..... (State) (Country)		
	.....		
Number of years resident in this country:		Number of years resident at this address:	
Note: If at the above address for less than ten years, provide details, including dates (month/year), at each previous address during the last ten years on an attachment page.			
Have further details been provided on an attachment page:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Attachment Reference:.....
3. Postal address:	..... (PO Box No.) (Street)		
	..... (City/Town/Suburb)(Postcode)		
	..... (State) (Country)		
	.....		
4. Contact Details:			
Telephone number (BH):	(.....)	Telephone number (AH):	(.....)
Facsimile number:	(.....)	Mobile number:	(.....)
Email address:			
5. Have you ever been known by another name, including alias(es), nicknames, previous names, maiden name, name changes (legal or otherwise) as well as names you have used or by which you have been known:			
Yes <input type="checkbox"/>	No <input type="checkbox"/>	If Yes, list other name/s:.....	
In addition, for any legal name changes provide the following details:			
Date changed to current name:	..... (day/month/year)	Name prior to change:	
Date changed to previous name (if applicable):	..... (day/month/year)	Name prior to change:	
Have further details been provided:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Attachment Reference:.....

### 4.3 Personal Business Interests Form

Each person nominated as an Associate by the Registrant, the Secretary or the VCGR will need to complete a Business Interests Form.

If you have ever been the director or secretary of a company registered with ASIC, this form **must** be accompanied by your **original** Historical Personal Name Extract from ASIC. Refer to Appendix K for further instructions for obtaining an extract from ASIC.

**Note:** If you do not reside in Australia and are not now and have never been a director or secretary of a company registered with ASIC you are not required to apply to ASIC for an Extract.

Schedule X: Personal Business Interests Form		
Full name of Individual:	Mr/Mrs/Miss/Ms (circle)	Male <input type="checkbox"/> Female <input type="checkbox"/>
..... (Surname Name)	..... (First Name)	..... (Middle Name(s))
6. Is your <b>original</b> Historical Personal Name Extract from ASIC provided as an Attachment:	Attachment Reference:.....	
<b>OR</b> I hereby certify that I am not now and have never been a director or secretary of a company registered with ASIC. Yes <input type="checkbox"/>		
<b>IMPORTANT INFORMATION:</b> The following question must detail any business interests, directorships or partnerships (either within or outside Australia) <b>not</b> already disclosed in any ASIC Extract you may have provided with this form, i.e. details of any other: <ul style="list-style-type: none"> <li>• 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 10 years; and</li> <li>• 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 10 years.</li> </ul>		
7. List any business interests, directorships or partnerships (either within or outside Australia), apart from those already disclosed in any ASIC Extract you have provided as an Attachment:	Attachment Reference:.....	
8. Have you ever been disqualified from acting as an office holder of a company or are any like proceedings pending, in any jurisdiction*? If <b>YES</b> , provide details on an attachment page.	Attachment Reference:.....	

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

### 4.4 Personal Legal Action Form

Each person nominated as an Associate by the Registrant, the Secretary or the VCGR will need to complete a Personal Legal Action Form.

You must disclose details of any finalised legal action during the last ten (10) years where as a defendant, judgement was made against you or where legal action was settled out of court, whether personally or via a business association. You must also disclose any legal action currently being pursued against you. A business association includes cases where you are or were a director or office holder of a company or partner in a partnership at the time the legal action was taken against the company or partnership.

**Note:** A business association includes cases where you are or were a director or office holder of a company or partner in a partnership at the time the legal action was taken against the company or partnership.



<b>Schedule Y: Personal Legal Action Form</b>			
Full name of Individual:	Mr/Mrs/Miss/Ms (circle)	Male <input type="checkbox"/>	Female <input type="checkbox"/>
.....			
(Surname Name)	(First Name)	(Middle Name(s))	
9. During the last 10 years, have you been a party to any finalised legal action as a defendant or respondent, either personally or via a business association?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If YES, is the legal action:		Personal <input type="checkbox"/> via Business Associations <input type="checkbox"/>	
If via a business association, describe how your responsibilities or actions relate to the legal 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):		Date of delivery of Judgement (if known):	...../...../..... (day/month/year)
A copy of the documentation confirming the court outcome or, if settled out of court, a <b>copy</b> of the settlement agreement <b>must</b> be provided, regardless of whether any terms of the agreement are confidential as an Attachment:		Attachment Reference:.....	
10. Is there any legal action currently being pursued against you, whether personally or via a business association?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If YES, was the legal action:		Personal <input type="checkbox"/> via Business Associations <input type="checkbox"/>	
If via a business association, describe how your responsibilities or actions related to the legal action:			
Nature of Legal Action:			
Plaintiff:		Jurisdiction*:	
Court or tribunal where matter is being heard (if applicable):			
Case no. issued by court / tribunal (if known):		Date of delivery of Judgement (if known):	...../...../..... (day/month/year)
A copy of any further details provided as an Attachment:		Attachment Reference:.....	

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

#### 4.5 Personal Gaming History Form

Each person nominated as an Associate by the Registrant, the Secretary or the VCGR will need to complete a Personal Gaming History Form.

<b>Schedule Z: Personal Gaming History Form</b>			
Full name of Individual:	Mr/Mrs/Miss/Ms (circle)	Male <input type="checkbox"/>	Female <input type="checkbox"/>
.....			
(Surname Name)	(First Name)	(Middle Name(s))	
11. Have you ever applied, either personally or via a business association (i.e. as an office holder of a company), for <b>any</b> gaming industry licence, concession, approval, authorisation or registration?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
(a) If Yes and if the application was granted / approved or is still pending, provide the following details:			
Type of Licence/approval		Name shown on Licence/ approval:	

Schedule Z: Personal Gaming History Form			
Licence/approval/association dates (if known):		FROM: ...../..... TO: ...../..... (month/year) (month/year)	
Licence Number (if known)		Name of Gambling Regulator (if known):	
(b) If Application was refused or withdrawn, provide the following details:			
Type of Licence/approval		Name of Gambling Regulator (if known):	
Date of Application:		...../...../..... (day/month/year)	
Provide reason for refusal or withdrawal of request (if applicable) as an Attachment:		Attachment Reference:.....	
12. Except in relation to any application disclosed in Q11, have you ever been subject to a probity assessment by any gaming regulatory body, in any jurisdiction*?		Yes <input type="checkbox"/> No <input type="checkbox"/>	
(a) If Yes, provide the following details:			
Reason for Probity Assessment:		Name of Gambling Regulator (if known):	
Date:		...../...../..... (day/month/year)	
Provide further details as an Attachment:		Attachment Reference:.....	
13. With respect to Q11(a), have you, either personally or via a business association (i.e. as an office holder of an entity), ever had a licence, concession, approval, authorisation or registration suspended, cancelled, amended or revoked, or been the subject of disciplinary action by a gaming regulatory body? ( <b>Note:</b> Include details of any special conditions or restrictions imposed on a licence, concession etc)		Yes <input type="checkbox"/> No <input type="checkbox"/>	
(a) If Yes, provide the following details:			
Type of Action taken (tick any box/es that are applicable):		Suspension <input type="checkbox"/> Cancellation <input type="checkbox"/> Amendment <input type="checkbox"/> Revocation <input type="checkbox"/> Subject to Disciplinary Action <input type="checkbox"/>	
Type of Licence, concession etc:		Licence No (if known):	
Name of Gambling Regulator (if known):			
Provide details of action taken or any special conditions or restrictions imposed on a licence, concession etc as an Attachment:		Attachment Reference:.....	
14. Have you ever been employed by the Victorian Commission for Gambling Regulation or its predecessors?		Yes <input type="checkbox"/> No <input type="checkbox"/>	
(a) If Yes, provide the following details:			
Position Held:		Date Finished:	...../...../..... (month/year)

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

**4.6 Personal Charges, Findings of Guilt and Convictions Form**

Each person nominated as an Associate by the Registrant, the Secretary or the VCGR will need to complete a Personal Charges, Findings of Guilt and Convictions Form.

Schedule AA: Personal Charges, Findings of Guilt and Convictions Form			
Full name of Individual:		Mr/Mrs/Miss/Ms (circle)	Male <input type="checkbox"/> Female <input type="checkbox"/>
..... (Surname Name)		(First Name)	(Middle Name(s))
<b>IMPORTANT INFORMATION</b>			
<b>Persons Residing in Australia</b>			
This form <b>must</b> be accompanied by an <b>original</b> National Police Certificate (NPC) refer to instructions at Appendix M. You <b>must</b> disclose details of any offence not included in your NPC/processed consent form at Q16, 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 do so may adversely affect the VCGR's assessment of your suitability. ( <b>Note:</b> 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, do <b>not</b> need to be disclosed at Q16).			
<b>Persons residing outside Australia</b>			
It is required that in these circumstances you seek an equivalent report from your local Police Agency to assist the VCGR with its investigations. This report should provide details of any convictions, findings of guilt, either with or without conviction, and any matters still outstanding.			
15. (a) For Persons residing in Australia: Have you enclosed an NPC or, if applicable, a processed consent form?		Yes <input type="checkbox"/> No <input type="checkbox"/>	Attachment Reference:.....
(b) For Persons residing outside Australia: (i) Have you provided an equivalent report from your local Police Agency?		Yes <input type="checkbox"/> No <input type="checkbox"/>	Attachment Reference:.....
If <b>NO</b> to (b)(i), provide reasons why an equivalent report from your local Police Agency has not been enclosed on an attachment page.		Attachment Reference:.....	
(ii) Have you ever lived in Australia for any period of time?		Yes <input type="checkbox"/> No <input type="checkbox"/>	
If <b>YES</b> to (b)(ii): Period of Residence in Australia:		FROM: ...../..... (month/year)	TO: ...../..... (month/year)
16. Other than already disclosed in your NPC/processed consent form or any equivalent report from a local Police Agency:-			
a. Have you ever been found guilty of an offence?		Yes <input type="checkbox"/> No <input type="checkbox"/>	
b. Is there any investigation or charge currently pending against you in respect of any offence?		Yes <input type="checkbox"/> No <input type="checkbox"/>	
c. Have you ever participated in a Diversion Program* or any like proceedings?		Yes <input type="checkbox"/> No <input type="checkbox"/>	
If <b>YES</b> to either Q16 (a), (b) or (c), provide details in relation to each matter:			
Nature of Offence /Charge:		Date:	...../..... (month/year)
Result of hearing or other disposition (if known):			
Have further details been provided as an attachment?		Attachment Reference:.....	

\*A 'Diversion Program' is a matter which is diverted from the court system and is resolved without a conviction or police record.

**4.7 Personal Financial Particulars Form**

Each person nominated as an Associate by the Registrant, the Secretary or the VCGR will need to complete a Personal Financial Particulars Form. Each Associate will also need to complete **ALL** schedules as detailed in Appendix L.

<b>Schedule AB: Personal Financial Particulars Form</b>			
Full name of Individual:	Mr/Mrs/Miss/Ms (circle)	Male <input type="checkbox"/>	Female <input type="checkbox"/>
..... (Surname Name)		..... (First Name)	
..... (Middle Name(s))			
17. (a) Have you ever been declared bankrupt or been the subject of any insolvency arrangements, proceedings or related orders, in any jurisdiction?*		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If YES, provide the following details:			
Name of Trustee:			
Address:	..... (No.)		..... (Street)
	..... (City/Town/Suburb)		
	..... (Postcode)		
	..... (State)		..... (Country)
	..... (...) ..... (Telephone Number)		
Provide details of circumstances leading to bankruptcy arrangement/proceedings as an Attachment:		Attachment Reference:.....	
(b) Are bankruptcy or any like proceedings pending in any jurisdiction?*		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If YES, provide details of circumstances leading to these proceedings as an Attachment:		Attachment Reference: .....	
18. Are you currently, or have you been, in any jurisdiction*, a director or officer of a company / incorporated association:			
(a) which has been wound up, placed into liquidation (except members' voluntary liquidation), had a receiver or other controller or administrator appointed, entered into a formal or informal scheme of arrangement (however it is described) or has been subject to any like proceedings?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
(b) where an agent for the mortgagee has been appointed (e.g. Borrower in default of a debenture mortgage or floating charge over the company assets)?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
(c) where an investigation into the affairs of the company/incorporated association has been authorised by the Australian Securities and Investments Commission or its predecessors under Corporations Law, by the Registrar of Incorporated Associations under the <i>Associations Incorporation Act 1981</i> , by the Australian Prudential Regulation Authority, by the Australian Competition & Consumer Commission exercising their statutory functions or by any other regulatory body or law enforcement agency?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If YES, to Q18(a), (b), or (c), complete the following for each matter and provide details of circumstances leading to proceedings as an attachment:			
Company Name:		Commencement Date:	...../..... (month/year)
Type of proceedings:			
Details of trustee, administrator, liquidator, receiver/manager, regulatory body or law enforcement agency:			
Name:		Phone No:	(...) .....
Have further details been provided as an attachment?		Attachment Reference:.....	

<b>Schedule AB: Personal Financial Particulars Form</b>			
19. Have you provided a personal guarantee which is still current to any person or corporation for any debt or loan facilities for \$50,000 or more?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If <b>YES</b> , is any person, including any corporation, in respect of whom you have given a guarantee for \$50,000 or more, in default of any agreements with respect to payment of a debt or loan?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If <b>YES</b> , provide details as an attachment:		Attachment Reference:.....	
<b>Registrants are required to complete all Tables in Appendix L – Personal History as detailed below:</b>			
Table A – Cash at Financial Institutions		Attachment Reference:.....	
Table B – Accounts Receivable		Attachment Reference:.....	
Table C – Shares, Fixed Interest Security (Bonds)		Attachment Reference:.....	
Table D – Business Investment		Attachment Reference:.....	
Table E – Real Estate		Attachment Reference:.....	
Table F – Other Assets		Attachment Reference:.....	
Table G – Unsecured Loans		Attachment Reference:.....	
Table H – Secured Loans		Attachment Reference:.....	
Table I – Other Liabilities		Attachment Reference:.....	
Table J – Contingent Liabilities		Attachment Reference:.....	
<b>IMPORTANT INFORMATION – Credit History</b>			
If you reside or have resided in Australia or if you live outside Australia but have had reason to apply for credit, e.g. through your involvement as a director, shareholder etc of an Australian registered company, you <b>must</b> lodge an <b>original</b> Credit File from Veda Advantage with this form. The Credit File must be current at the time of lodgement of your application, i.e. lodged within three months from its date of issue. Instructions on obtaining your Credit File are provided in Appendix N.			
However, if you do not reside in Australia and have never applied for credit in Australia, a Credit File from Veda Advantage is <b>not</b> required.			
If you currently reside outside Australia, it is requested that you submit with this form an equivalent report from the relevant agency in that jurisdiction (refer to Appendix N for the type of information an equivalent report is expected to reveal).			
20. Have you enclosed your <b>original</b> Credit File or an equivalent report from the relevant agency in your jurisdiction*?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If <b>NO</b> , complete the following: I have provided reasons why my Credit File or an equivalent report from the relevant agency in my jurisdiction has not been enclosed as an attachment:		Attachment Reference:...	
21. Apart from matters recorded in your Credit File or any equivalent report from an agency in your jurisdiction, are you currently in default of any debt incurred solely or jointly in your name? ( <b>Note:</b> Do not include details <b>unless</b> a payment is overdue or in arrears)		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If <b>YES</b> , complete the following:			
Financial Institution or Creditor	Total Amount Owing	Total Amount in Default	Number of days payment is overdue
.....	\$.....	\$.....	.....
.....	\$.....	\$.....	.....
.....	\$.....	\$.....	.....

\*‘Jurisdiction’ means the State or Territory and, if outside Australia, the country and locality.

#### 4.8 Individual Consent for Divulgence of Information by Law Enforcement Agencies Forms

Each Associate of the Registrant is required to complete these Consent Forms for Divulgence of Information by Law Enforcement Agencies form.

<b>Schedule AC: Individual Consent for Divulgence of Information by Law Enforcement Agencies and Release Form</b>	
Full name of Individual:	Mr/Mrs/Miss/Ms (circle) Male <input type="checkbox"/> Female <input type="checkbox"/>
..... (Surname Name)	..... (First Name) (Middle Name(s))
Current Residential Address:	..... (No.) (Street) ..... (City/Town/Suburb) (Postcode) ..... (State) (Country)
<p>A reference in this <i>Consent and Release Form</i> to the Victorian Commission for Gambling Regulation ('the VCGR') includes a reference to a member of its staff and any other person appointed in writing by VCGR.</p> <p><b>I consent</b> to the VCGR carrying out all probity investigations in relation to me and my businesses including, but not limited to:</p> <p>(a) Inspection of criminal, intelligence or other records kept or maintained by:</p> <ul style="list-style-type: none"> <li>◆ Australian Federal Police;</li> <li>◆ Any casino regulatory body in any jurisdiction;</li> <li>◆ Any corporate regulatory agency in any jurisdiction;</li> <li>◆ Any gaming regulatory body in any jurisdiction;</li> <li>◆ Any crime investigation body in any jurisdiction; and</li> <li>◆ Any police force of any jurisdiction in any state, country or administrative region;</li> </ul> <p>(Collectively referred to as '<b>law enforcement agencies</b>');</p> <p>(b) Divulgence of particulars of any convictions, findings of guilt or other information recorded against me and held by a law enforcement agency including, without limitation:</p> <ul style="list-style-type: none"> <li>◆ details of all prosecutions, including acquittals and matters withdrawn or dismissed and all findings of guilt whether or not a conviction was recorded;</li> <li>◆ investigations, legal proceedings or charges still outstanding;</li> <li>◆ intelligence held by a law enforcement agency howsoever obtained; and</li> <li>◆ any other matters recorded by any law enforcement agency and considered relevant by the VCGR to its investigation of me as a person affiliated with an associate of a key gaming operative.</li> </ul>	
<p><b>RELEASE</b></p> <p>In consideration of a law enforcement agency providing particulars of any convictions, intelligence or other information recorded against me, <b>I hereby release</b> the VCGR, 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 <i>Consent</i> including particulars of any conviction, findings of guilt or other adverse material purporting to relate to me.</p>	
<p><b>ACKNOWLEDGMENT</b></p> <p>I acknowledge that I have read and understand the terms of this <i>Consent and Release Form</i> and I have had the opportunity to obtain independent legal advice before signing this <i>Consent and Release Form</i>. I agree that a photocopy of this form will be considered as effective and as valid as the original.</p>	
<b>EXECUTION AS A DEED:</b>	
..... Signature of Person giving Consent and Release	..... Signature of Witness (any adult can be a witness)
Date: ...../...../..... (day/month/year)	..... Print name of witness

**4.9 Authorisation for the Release of Personal Information Form**

Each Associate of the Registrant is required to complete this Release form.

Schedule AD: Authorisation for the Release of Personal Information Form	
Full name of Individual:	Mr/Mrs/Miss/Ms (circle) Male <input type="checkbox"/> Female <input type="checkbox"/>
(Surname Name)	(First Name) (Middle Name(s))
Current Residential Address:	(No.) (Street)
	(City/Town/Suburb) (Postcode)
	(State) (Country)
<p>A reference in this <i>Authorisation</i> to the Victorian Commission for Gambling Regulation ('the VCGR') includes a reference to a member of its staff and any other person appointed in writing by VCGR.                      Under the <i>Gambling Regulation Act 2003</i> (Vic), the VCGR is required to investigate any person, body or association having a business association with the Registrant for the grant of a Keno Licence.                      As part of the VCGR's on-going approval of Associates of the Registrant for the grant of a Keno Licence, the VCGR must consider whether an Associate has any business association with any person, body or association who or which, in the opinion of the VCGR:</p> <ul style="list-style-type: none"> <li>• is not of good repute, having regard to character, honesty and integrity; or</li> <li>• has undesirable or unsatisfactory financial resources.</li> </ul>	
<p>To assist the VCGR in this task,  <b>I authorise</b> all persons who receive this <i>Authorisation</i> from the VCGR:</p> <p>(a) To allow the VCGR to inspect and obtain a copy of any document, record or correspondence in the possession or under the control of the person to whom this <i>Authorisation</i> is given, which contains information relating to me including, but not limited to:</p> <ul style="list-style-type: none"> <li>• any loan information;</li> <li>• any information relating to an account held with a financial institution (passbook, statement or other) including information relating to withdrawals, deposits, transfers and balances;</li> <li>• any information (including trust account information) of any solicitor, accountant, real estate agent, insolvency practitioner and related trustee service provider or other fiduciary; and</li> </ul> <p>(b) To answer written or verbal queries of, and to provide information (by any means) to the VCGR about my financial resources.</p>	
<b>EXECUTION AS A DEED:</b>	
Signature of Person giving Consent and Release	Signature of Witness (any adult can be a witness)
Date: ...../...../..... (day/month/year)	Print name of witness

**NOTES:**

1. It is intended that this *Authorisation* will be produced to banks and other financial institutions, solicitors, accountants, financial advisers and any other person or organisation who has lent money to or borrowed from the signatory.
2. A photocopy of this form will be considered as effective and as valid as the original.

**5 Technical Capability**

The following Schedule must be completed in accordance with Part B – section 8.

Schedule AE: Technical Capability	
1) Describe the system proposed for the conduct of a keno business in Victoria from 2012.	
2) Demonstrate the capacity and capability of a previous or existing system the Registrant has used that ensures continuity of service and is distributed to a large number of outlets.	

**6 FINANCIAL CAPABILITY**

**6.1 Financial Background**

The Registrant is required to demonstrate that it has a sound and stable financial background.

Registrants are asked to provide Financial Statements that should be the audited financial statements if available.

Registrants are asked to also provide copies of their Risk Management Policy, Insurance Policies and Credit Ratings (if applicable) as detailed below.

The following Schedule must be completed in accordance with Part B – section 9.1.

<b>Schedule AF: Financial Background</b>		
1. Provide copies of audited financial statements <sup>2</sup> :		
Financial Statements to 30 June 2008	Attachment Reference:.....	
Financial Statements to 30 June 2007	Attachment Reference:.....	
Financial Statements to 30 June 2006	Attachment Reference:.....	
2. Provide a copy of the risk management policy		
		Attachment Reference:.....
3. Provide copies of insurances held:		
Type of Policy:	Amount Insured:	Expiry Date:
(i).....Public Liability		
(ii).....Professional Indemnity		
(iii).....Work Cover		
(iv).....Other? Type?.....		
4. Provide corporate credit rating for the last 3 financial years (if applicable):		
Detail Corporate Credit Rating of Registrant if applicable:		
Nominate the Ratings Agency providing the Rating:		

<sup>2</sup> Should the Registrant have a financial year other than 30 June, they are required to detail and provide the financial statements at the relevant financial year end. Where the Registrant is a corporate entity that has traded for less than 2 financial years, then all requirements in these questions, must be addressed with respect to each shareholder of the relevant corporate entity individually. Each Shareholder of the Registrant must respond with the full details of each question (e.g. 3 full years of financial statements) where the Registrant has traded for less than 2 financial years. Where the Registrant is a 100% owned subsidiary, information will be required for both the subsidiary and the Holding Company.

**6.2 Financial Resources**

The Registrant is required to demonstrate that they have access to adequate financial resources to support the viability of the keno business.

The following Schedule must be completed in accordance with Part B – section 9.2.

<b>Schedule AG: Financial Resourcing</b>		
5. Provide details of Registrant’s ability to access additional financial resources to support a Keno business		
6. Document previous experience in any debt funding or equity raising of the Registrant if applicable		
7. Provide details of any guarantees (if applicable) from parent or associated organisations		
Type of Guarantee:	Source of Guarantee:	Level / Amount of Guarantee:
(i).....		
(ii).....		



**6.3 Other Financial Requirements**

The Registrant is asked to provide information on the following further Financial Requirements:

- Registrants are asked to comment on how any circumstances they believe will both positively and negatively affect their ability to operate a keno business.
- Registrants are also asked to detail their proposed strategies to access additional financial resources in the current challenging economic environment.

**The following Schedule must be completed in accordance with Part B – section 9.3.**

<b>Schedule AH: Other Financial Requirements</b>	
8. Document how circumstances may affect your ability to run a keno business: Examples of the circumstances which should be detailed include: <ul style="list-style-type: none"> <li>◆ regulatory or law enforcement investigations;</li> <li>◆ instances of contract termination for cause;</li> <li>◆ significant current or pending litigation;</li> <li>◆ material contingent liabilities;</li> <li>◆ mergers / acquisitions as can be notified, either recent or which are pending; and</li> <li>◆ any other event or change that could materially impact on the Registrant’s financial standing that has occurred since the date of the most recent financial statements provided (including any liquidation or deregistration proceedings).</li> </ul>	
Circumstance Description and Details	How this has/will influence the Registrant’s ability to run a keno Business?
(i).....	
(ii).....	
(iii).....	
9. Provide details of the Registrant’s strategies to access additional financial resources in the current debt and equity environment	

**7 COMMERCIAL CAPABILITY**

**7.1 Commercial Structure**

The Registrant is required to demonstrate the capacity to establish and maintain a successful keno business.

**The following Schedule must be completed in accordance with Part B – section 10.1.**

<b>Schedule AI: Commercial Structure</b>	
1. Provide the Registrant’s top level corporate organisational chart and where the proposed keno business unit is positioned within this chart	Attachment Reference:.....
2. Provide the organisational structure of the proposed keno business unit’s senior management, including number of direct reports	Attachment Reference:.....
3. Provide position descriptions of proposed key roles within the proposed keno business unit:	
Role Title:	Position Description:

<b>Schedule AI: Commercial Structure</b>						
4. Provide a curriculum vitae of the proposed keno business manager:				Attachment Reference:.....		
5. Detail the contributions and arrangements of shareholders:						
If a Registrant has traded for less than 2 Financial Years, describe the arrangements and proposed functions that have been agreed by the shareholders of the Registrant in order to run a keno business. Include any previous arrangements the shareholders have undertaken. Attach a copy of the agreement detailing these arrangements.				Attachment Reference:.....		
6. Provide details of existing strategic relationships:						
List the Registrant's top 5 existing suppliers						
Supplier Name	Value of Total Expenditure with Supplier (%)	Value Contract represents of Supplier's Total Revenues (%)	Length of Contract			
7. Detail the Registrant's gambling or like product experience						
PRODUCT: (Name/ Description/ Industry)	LOCATION: (State/ Jurisdiction/ Extent of distribution)	VALUE: (Gross turnover)	REFEREE: (if relevant name/phone no/ organisation) <sup>3</sup>	ROLE IN COMPANY: (e.g. Consultant/ Operator/ Tech Support)	YEARS IN OPERATION/ Duration of Licence:	Brief Description on how successful the product has been:
8. Provide copies of published annual reports <sup>4</sup> if available and relevant:						
Annual Report to 30 June 2008				Attachment Reference:.....		
Annual Report to 30 June 2007				Attachment Reference:.....		
Annual Report to 30 June 2006				Attachment Reference:.....		

<sup>3</sup> May be used as a contact point by the Government to discuss the product

<sup>4</sup> Should the Registrant have a financial year other than 30 June, they are required to detail and provide the annual reports at the relevant financial year end.

## 7.2 Other Commercial Requirements

The following Schedule must be completed in accordance with Part B – section 10.2.

<b>Schedule AJ: Other Commercial Requirements</b>	
9. Provide details of the key risks establishing and operating a keno business. Risks may include Operational; Financial; Regulatory; Economic and Others. Provide details of the High Level Mitigation Strategies for these risks.	Attachment Reference:.....
10. Provide a copy of the proposed high level contract management and/or relationship management strategy(ies) for Venues and The State	Attachment Reference:.....

<b>Schedule AJ: Other Commercial Requirements</b>	
11. Provide a copy of the code of ethics or code of conduct	
Code of Ethics	Attachment Reference:.....
Code of Conduct	Attachment Reference:.....
12. Provide a copy of corporate governance policy	
Corporate Governance Policy	Attachment Reference:.....

**8 PRODUCT AND DISTRIBUTION APPROACH**

**8.1 Business Model**

The following Schedule must be completed in accordance with Part B – section 11.1.

<b>Schedule AK: Business Model</b>	
1. Provide the Registrant’s high level business model (including marketing structures, processes and systems).	Attachment Reference:.....

**8.2 Product and Distribution Strategy**

The Registrant is required to detail their proposed product and distribution strategy.

The following Schedule must be completed in accordance with Part B – section 11.1.

<b>Schedule AL: Product &amp; Distribution – Strategy</b>	
2. Provide details of any assumptions and evidence to substantiate the proposed business model, product range and outlet and distribution strategy(ies), particularly evidence and assumptions to support the alignment with market expectations and requirements.	Attachment Reference:.....
3. Provide a high level proposed outlet and distribution strategy (including technology)	Attachment Reference:.....
4. Provide Details demonstrating where a product has been developed by the Registrant in another market:	
Name of Product:	
Size of product at Commencement of Operation:	
Extent of Growth from Commencement :	
Factors affecting Growth including Marketing approaches:	
How does the growth in this product reflect the Registrant’s capabilities to grow a keno business?	
Issues experienced in this development:	

**9 RESPONSIBLE GAMBLING**

Demonstrate the commitment of the Registrant to ensuring compliance with State requirements for responsible gambling.

The following Schedule must be completed in accordance with Part B – section 12.

<b>Schedule AM: Responsible Gambling Declaration</b>	
Full name of Registrant:	..... (Company Name)
Note: this Form must be completed by an officer who is authorised to complete this Form on behalf of the Registrant, and the Registrant’s Parent Company (if applicable) and Ultimate Holding Company (if applicable).	

<b>Schedule AM: Responsible Gambling Declaration</b>			
Full name of authorised officer:	(Authorised company officer on behalf of Registrant)		
Position with Registrant:	(Position/Title)		
Telephone number:	(.....)	Mobile Telephone:	
Facsimile number:	(.....)		
Email address:			
I, the undersigned declare that:			
i. I am authorised to complete this Form on behalf of the Registrant, its Parent Company and the Ultimate Holding Company; ii. The Registrant agrees to comply with the State’s Responsible Gambling regulatory requirements. iii. The Registrant agrees to provide a Responsible Gambling Code of Conduct that meets Legislative Requirements should the Registrant be successful and be Invited to Apply for a Keno Licence.			
Signature of Authorised Officer:			
Date:	...../...../..... (Day/Month/Year)		

**10 TRANSITION**

Provide details of key risks, issues and assumptions the Registrant considers relevant to transitioning in to a Keno Licence including proposed communication strategy. Detailed Transition Plan(s) will be required to be submitted by the Applicants at ITA.

**The following Schedule must be completed in accordance with Part B – section 13.**

<b>Schedule AN: Transition</b>				
Registrant’s high level proposed transition risks & issues				
Key Risks or Issues:	Likelihood of Occurrence	Consequence of Occurrence	Mitigation Strategy	Assumptions
(i)				
(ii)				
(iii)				

**11 DECLARATIONS AND ADDITIONAL INFORMATION TO BE PROVIDED**

**11.1 Statutory Declaration**

As required under Part A – Section 7.1 the Registrant and each of its Associates is required to provide a statutory declaration with respect to themselves and each of their Relevant Persons in the form of a template provided in Appendix D.

**The following Schedule must be completed in accordance with Part B – section 15.1.**

<b>Schedule AO: Statutory Declaration</b>	
Attach Statutory Declaration in the form of the template in Appendix D.	Attachment Reference:.....

**11.2 ACCC Letter of Confirmation**

The Registrant is required to procure from ACCC a Letter of Confirmation, an example of which is provided in Appendix E.

**The following Schedule must be completed in accordance with Part B – section 15.2.**

<b>Schedule AP: ACCC Declaration</b>	
Attach Declaration from ACCC based on the example template in Appendix E.	Attachment Reference:.....

**11.3 Statement of Intention to conduct operations under the Keno Licence**

The Registrant is required to respond to the following questions with respect to its intentions.

**The following Schedule must be completed in accordance with Part B – section 15.3**

<b>Schedule AQ: Statement of Intention</b>	
1. Have you applied for, or do you intend to apply for, another gambling licence? If so, when and for what?	
2. If such a licence was to be awarded, what would be your intention as to holding or surrender of the Keno Licence if awarded to you? If there are different possible responses depending upon different contingencies, what are those contingencies (as you see them) and how would they impact upon your intention?	
3. Does your response to question 2 depend upon any action or direction of the ACCC or any other Commonwealth or State authority or agency as to the holding of the Keno Licence, the other licence or both? If so, how?	
4. Has the ACCC indicated that it has any issues in response to the discussions required by Part A – section 5.4? Detail what action has been taken or is proposed to be taken to deal with the issues raised by the ACCC, if any, in order to resolve them?	

**11.4 FIRB Form**

**The following Schedule must be completed in accordance with Part B – section 15.4.**

<b>Schedule AR: FIRB Form</b>	
FIRB Summary including reasons, preliminary discussion, outline of process and timing to obtain formal approval	Attachment Reference:.....

**12 Proposed Keno Games and Distribution Methods Review**

**The following Schedule must be completed in accordance with Part B – section 16.**

<b>Schedule AS: Proposed Keno Games &amp; Distribution Methods – Review of proposed Keno Games</b>				
Provide details of proposed Keno Games (including distribution method):				
Product Description	Distribution Methods and Outlets	Method of determining winning entry	Prize structure and odds of winning	Frequency of Draw

**Appendix A Reference Materials**

Internet addresses for relevant documents and information

Statement of Outcomes	<a href="http://www.justice.vic.gov.au/gamblinglicencereview">www.justice.vic.gov.au/gamblinglicencereview</a>
Gambling Licences Review Website	<a href="http://www.justice.vic.gov.au/gamblinglicencereview">www.justice.vic.gov.au/gamblinglicencereview</a>
<b>Gambling Regulation Act 2003 (Vic.)</b>	<a href="http://www.justice.vic.gov.au">www.justice.vic.gov.au</a>
Consumer Affairs Victoria	<a href="http://www.consumer.vic.gov.au">www.consumer.vic.gov.au</a>
Victorian Government Tender Website	<a href="http://www.tenders.vic.gov.au">www.tenders.vic.gov.au</a>
Victoria Government Gazette	<a href="http://www.gazette.vic.gov.au">www.gazette.vic.gov.au</a>
Statement of Principles	<a href="http://www.justice.vic.gov.au/gamblinglicencereview">www.justice.vic.gov.au/gamblinglicencereview</a>
Victorian Commission for Gambling Regulation	<a href="http://www.vcgr.vic.gov.au">www.vcgr.vic.gov.au</a>
Australian Securities and Investment Commission	<a href="http://www.asic.gov.au">www.asic.gov.au</a>
Australian Competition and Consumer Commission	<a href="http://www.accc.gov.au">www.accc.gov.au</a>
Victorian Police	<a href="http://www.police.vic.gov.au">www.police.vic.gov.au</a>
Veda Advantage – Corporate / Registrant	<a href="http://www.vedaadvantage.com">www.vedaadvantage.com</a>
Veda Advantage – Personal / Associate	<a href="http://www.mycreditfile.com.au">www.mycreditfile.com.au</a>

**Appendix B Additional Keno Game Data**TOTAL KENO TURNOVER<sup>5</sup> INCLUDES SALES OF CLUB KENO HEADS & TAILS GAME

YEAR to 30 June (unless otherwise noted)	TOTAL SALES IN CLUB KENO \$m
1993–94	7.976
1994–95	39.917
1995–96	31.343
1996–97	29.704
1997–98	28.505
1998–99	28.675
1999–00	27.246
2000–01	28.481
2001–02	28.547
2002–03	25.509
2003–04	27.968
2004–05	27.262
2005–06	26.933

Source: *Australian Gambling Statistics 24<sup>th</sup> Edition, State of Queensland, Office of Economic and Statistical Research, 2007*

<sup>5</sup> Turnover are Gross Ticket Sales before the Return to Player of Prizes of 75% of the Ticket Sales.

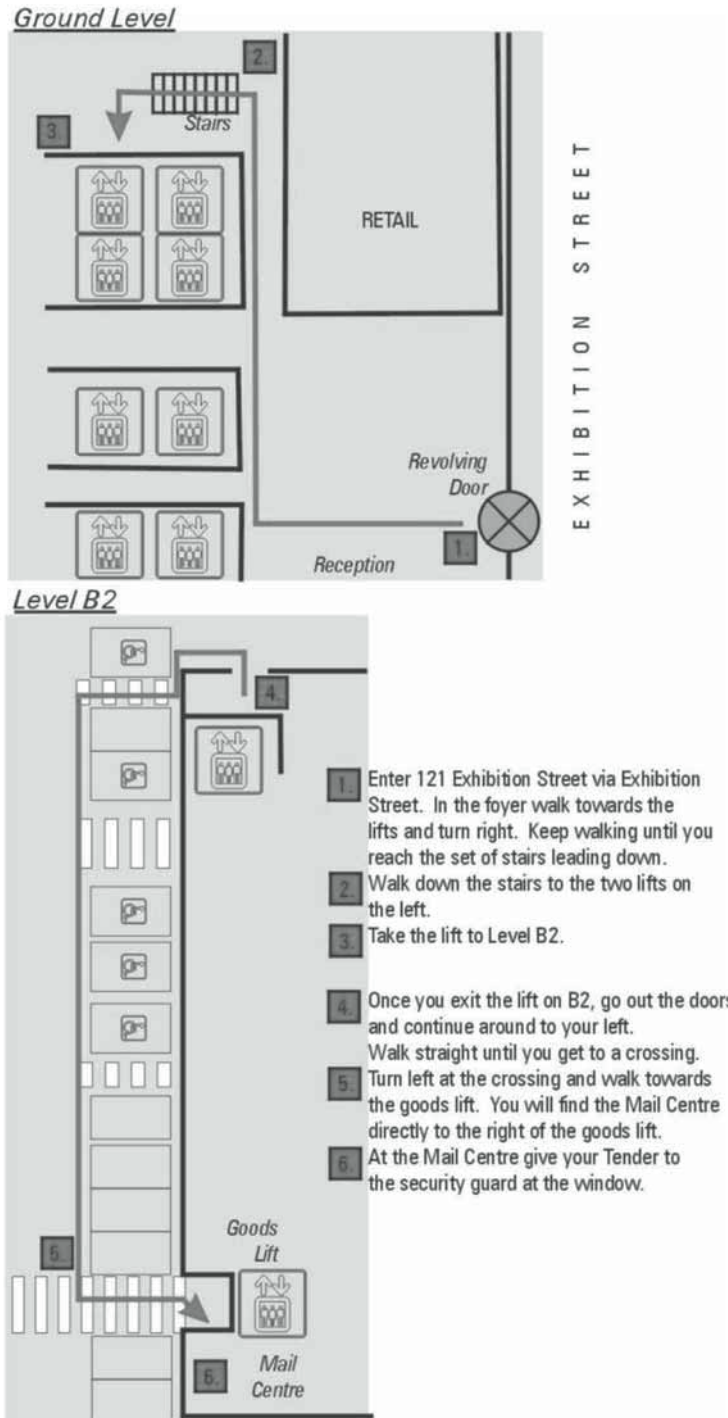
**Appendix C Map of Tender Box Location**

Map of Tender box location:

The Tender box is located in the Mail Centre on Level B2, which is in the carpark of 121 Exhibition Street, Melbourne, Victoria.

The Tender box is accessible:

By the foyer entrance at Exhibition Street (refer to the map opposite)





**Appendix D Template for Statutory Declaration****STATE OF VICTORIA – STATUTORY DECLARATION FOR REGISTRANT**

I.....do solemnly and sincerely declare that:-

**Definitions**

1. In this statutory declaration:-

‘Act’ means the **Gambling Regulation Act 2003** (Vic) as amended from time to time

‘Associates’ has the meaning given in the Registration of Interest.

‘Minister’ means the Minister for Gaming of the State of Victoria.

‘Notice for ROI’ means Notice Calling for Registrations of Interest in the grant of a Keno Licence under the Act dated 17 September 2008.

‘Licensing Process’ means the procedure for the conduct of a two stage licence award process, including the ROI process, that may result in the grant of one Keno Licence.

‘Registrant’ means *[detail of the Registrant corporation as appropriate]*.

‘Relevant Entity’ has the meaning given in s10.2A.1 of the Act.

‘Relevant Persons’ means and includes officers, employees, servants, agents and contractors.

‘ROI process’ means the first stage of the Licensing Process, the procedure for the conduct of which is set out in the Act and the Notice for ROI.

‘ROI or Registration of Interest’ means a submission lodged by a Registrant in response to the Notice for ROI.

‘State Party’ means the Crown in right of the State of Victoria, the Minister for Gaming of the State and any of their officers, employees, servants, agents, advisers and contractors.

**Preamble**

2. The Registrant is required to make a statutory declaration pursuant to section 9.1 of Part A of the Notice for ROI.

3. I hold the position of Chairman of the Board of Directors of the Registrant and am duly authorised by the Registrant to make this statutory declaration on its behalf.

4. I make this declaration on the basis of my knowledge, information and belief on behalf of the Registrant and on behalf of myself after making all due and proper enquiries with the Registrant, its Associates and their respective Relevant Persons.

**Anti-lobbying protocols and procedures**

5. In accordance with Part A – section 9.1 of the Notice for ROI, prior to submitting the ROI, the Registrant established the necessary protocols and procedures and made the necessary arrangements to ensure awareness of, and compliance by the Registrant, its Associates and their respective Relevant Persons with the provisions in the Notice for ROI ensuring equality of treatment and access and to preserve the integrity of the Licensing Process, including reporting protocols for Associates and Relevant Persons of both the Registrant and Associates in cases of breach of Protocols by them.

6. The procedure established under the protocols has been followed throughout the ROI process by the Registrant, its Associates and their respective Relevant Persons and there has been no conduct by the Registrant, its Associates, or their respective Relevant Persons in contravention of the protocols or procedures or the provisions of the Notice for ROI.

**OR**

The following issue in relation to the abovementioned protocols and procedures had arisen of which I had informed the Project Director on *[insert date]*.

*[insert details of the issue that arose]*

On the directions of the Project Director and to his satisfaction, the necessary steps as detailed below, to rectify the situation had been taken. Otherwise, the procedure established under the protocols has been followed throughout the ROI process by the Registrant, its Associates, or their Relevant Persons.

[insert details of steps taken]

[Strike out whichever is inapplicable]

- 7. Without limiting the previous clauses, neither the Registrant nor its respective Relevant Persons have:
  - (a) directly or indirectly engaged in lobbying any State Party or the Licensing Process nor engaged in any other activities or behaviours which bring or which have the potential to bring any part of the Licensing Process into disrepute or so as to compromise the probity, integrity or equity of the process;
  - (b) engaged in conduct which adversely affects, or attempts to adversely affect the consideration or treatment of any Registrant or any of its Associates
  - (c) sought or obtained from the State, the Minister or their officers, employees, servants, agents, advisers, contractors and service providers preferential treatment or consideration or preferential access to information, assistance or advice with respect to or about any part of the process;
  - (d) sought or obtained access to, disclosed, published or otherwise misused confidential information pertaining to any other registrant or their Associates for the purpose of obtaining an unfair advantage in the Licensing Process;
  - (e) published any statement or information or made or encouraged public comment with respect to this Notice for ROI, the ROI, the ROI process or any other aspect of the Licensing Process except as allowed by the Notice for ROI; or
  - (f) improperly interfered with the consideration of any ROI, the preparation or making of any report, recommendation or decision of any Relevant Entity, or the Minister in relation to any part of the Licensing Process; or
  - (g) sought or obtained access to a Relevant Entity, the Minister or any person engaged by the Minister with respect to the Licensing Process including for the purposes set out in (b) (c) (d) (e) and (f) above.

**Anti-competitive conduct**

- 8. The Registrant has not engaged in any collusive or anti-competitive conduct with any other Registrant or any other person in relation to the preparation, content and lodgement of their ROI.

And I make this solemn declaration conscientiously believing that it is true and correct and is made in the knowledge and belief that a person making a false declaration is liable to the penalties of perjury.

.....  
(Signature of person making declaration)

Declared at .....this ..... day of ..... 2008

Before me

.....  
(Signature, Title, Name and Address of person before whom the declaration is made)

**STATE OF VICTORIA – STATUTORY DECLARATION FOR AN ASSOCIATE**

I.....do solemnly and sincerely declare that:-

**Definitions**

1. In this statutory declaration:-

‘Act’ means the **Gambling Regulation Act 2003** (Vic) as amended from time to time

‘Associates’ has the meaning given in the Registration of Interest.

‘Minister’ means the Minister for Gaming of the State of Victoria.

‘Notice for ROI’ means Notice Calling for Registrations of Interest in the grant of a Keno Licence under the Act dated 17 September 2008.

‘Licensing Process’ means the procedure for the conduct of a two stage licence award process, including the ROI process, that may result in the grant of one Keno Licence.

‘Registrant’ means *[detail of the Registrant corporation as appropriate]*.

‘Relevant Entity’ has the meaning given in s10.2A.1 of the Act.

‘Relevant Persons’ means and includes officers, employees, servants, agents and contractors.

‘ROI process’ means the first stage of the Licensing Process, the procedure for the conduct of which is set out in the Act and the Notice for ROI.

‘ROI or Registration of Interest’ means a submission lodged by a Registrant in response to the Notice for ROI.

‘State Party’ means the Crown in right of the State of Victoria, the Minister for Gaming of the State and any of their officers, employees, servants, agents, advisers, contractors and service providers.

**Preamble**

2. I hold the position of Chairman of the Board of Directors of the [insert name of Associate] (**Associate**) of the Registrant (*or if the Associate is an individual, state your title and relationship with the Registrant which constitutes you an Associate of the Registrant*) and am duly authorised by the Associate to make this declaration on its behalf.
3. As an Associate of the Registrant, I am required to make a statutory declaration pursuant to section 9.1 of Part A of the Notice for ROI.
4. I make this declaration on the basis of my knowledge, information and belief on behalf of the Associate and on behalf of myself after making all due and proper enquiries with the Associate and its Respective Relevant Persons.

**Anti-lobbying protocols and procedures**

5. In accordance with Part A – section 9.1 of the Notice for ROI, prior to submitting the ROI, the Registrant established the necessary protocols and procedures and made the necessary arrangements to ensure awareness of, and compliance by the Registrant, its Associates and their respective Relevant Persons with the provisions in the Notice for ROI ensuring equality of treatment and access and to preserve the integrity of the Licensing Process, including reporting protocols for Associates and Relevant Persons of both the Registrant and Associates in cases of breach of Protocols by them.
6. The procedure established under the protocols has been followed throughout the ROI process by the Associate and its Relevant Persons and there has been no conduct by the Associates, or its Relevant Persons in contravention of the protocols or procedures or the provisions of the Notice for ROI.

**OR**

The following issue in relation to the conduct of [insert name of the Associate or its **Relevant Person, whichever is applicable**] in contravention of the protocols and procedures had arisen of which I had informed the Chairman of the Board of Directors of the Registrant on [insert date].

[insert details of the issue that arose]

On the directions of the Project Director to the Chairman of the Board of Director of the Registrant, and to Project Director’s satisfaction, the necessary steps as detailed below to rectify the situation had been taken. Otherwise, the procedure established under the protocols has been followed throughout the ROI process by the [insert name of the Associate or its Relevant Person, whichever is applicable]

[insert details of steps taken]

[Strike out whichever is inapplicable]

- 7. Without limiting the previous clauses, neither the Associate nor any of its respective Relevant Persons have:
  - (a) directly or indirectly engaged in lobbying any State Party or the Licensing Process, nor engaged in any other activities or behaviours which bring or which have the potential to bring any part of the Licensing Process into disrepute or so as to compromise the probity, integrity or equity of the process;
  - (b) engaged in conduct which adversely affects, or attempts to adversely affect the consideration or treatment of any Registrant or any of its Associates;
  - (c) sought or obtained from the State, the Minister or their officers, employees, servants, agents, advisers, contractors and service providers preferential treatment or consideration or preferential access to information, assistance or advice with respect to or about any part of the process;
  - (d) sought or obtained access to, disclosed, published or otherwise misused confidential information pertaining to any other registrant or their Associates for the purpose of obtaining an unfair advantage in the Licensing Process;
  - (e) published any statement or information or made or encouraged public comment with respect to this Notice for ROI, the ROI, the ROI process or any other aspect of the Licensing Process except as allowed by the Notice for ROI; or
  - (f) improperly interfered with the consideration of any ROI, the preparation or making of any report, recommendation or decision of any Relevant Entity, or the Minister in relation to any part of the Licensing Process; or
  - (g) sought or obtained access to a Relevant Entity, the Minister or any person engaged by the Minister with respect to the Licensing Process including for the purposes set out in (b) (c) (d) (e) and (f) above.

**Anti-competitive conduct**

- 8. The Associate has not engaged in any collusive or anti-competitive conduct with any other Registrant or any other person in relation to the preparation, content and lodgement of their ROI.

And I make this solemn declaration conscientiously believing that it is true and correct and is made in the knowledge and belief that a person making a false declaration is liable to the penalties of perjury.

.....  
(Signature of person making declaration)

Declared at .....this ..... day of ..... 2008

Before me.....

(Signature, Title, Name and Address of person before whom the declaration is made)

**Appendix E      Template for ACCC Declaration**  
**‘EXAMPLE ONLY’**

**[On ACCC’s letterhead]**  
[Date]  
[The Registrant’s details]  
[Address]

Dear [insert name of Registrant],

**[insert name of Registrant] – Submission of ROI for a Keno Licence**

I refer to your previous correspondence regarding your proposal to submit a Registration of Interest (ROI) in response to the Notice calling for ROIs in the grant of a Keno Licence under Part 3 of Chapter 6A of the **Gambling Regulation Act 2003** (Vic.) dated .....[*date of ROI*].

The ACCC has considered the information provided to it by you in relation to the ROI on a confidential basis and, based on that information, the ACCC’s preliminary view is that:

- (a) the grant of the Keno Licence to the [insert name of the Registrant], if it was successful in an application for a Keno Licence, does not appear to raise competition concerns pursuant to section 50 of the **Trade Practices Act 1974**.

[or]

- (b) ACCC has the following issues/objections to the [insert name of the Registrant] being granted the Keno Licence:

*[ACCC to detail any issues it may have]*

**[Strike out whichever is inapplicable]**

This preliminary view has been formed without the benefit of market inquiries due to the Registrant’s confidentiality requirements. Consequently the ACCC reserves the right to conduct market inquiries to assist its consideration of the grant of a Keno Licence to the Registrant.

We request that you advise the ACCC in writing when the process in relation to the ROI becomes public or a decision is made not to proceed with the application for a Keno Licence.

Yours sincerely

**SIGNED** by .....

**(Name)**

as .....

**(Position)**

**Appendix F Guidelines for Certification of Financial Statements*****Accompanying a Company History Inquiry Form relating to a Registration of Interest in the Grant of a Keno Licence*****Introduction**

The Victorian Commission for Gambling Regulation requires that Registrants for a Keno Licence must submit financial statements consisting of balance sheet, profit and loss statement and explanatory notes for the three most recently completed financial years.

The VCGR also requires financial statements of the Company's other business interests to assess the Company's financial resources.

In addition, it is the responsibility of the Company to be able to show, by way of consolidated financial statements, the net financial arrangements of the overall group of business entities, if necessary to do so. The financial statements of the Company must be:

- 1) Audited by a registered company auditor, or
- 2) Certified as to their accuracy by a registered company auditor or a financial member of the Institute of Chartered Accountants in Australia or CPA Australia, in the prescribed format as outlined in Attachment 3A.

Exempt proprietary companies where all members agree not to appoint an auditor along with unincorporated clubs, partnerships, trusts and sole traders are excluded from current legal requirements to undertake audits.

To meet the Victorian Commission for Gambling Regulation requirements, the financial statements for a Company are required to comply with the following guidelines, in accordance with the Australian Auditing Standard AUS802: 'The Audit Report on Financial Information Other than a General Purpose Financial Report', Paragraphs 1 to 21 inclusive as issued by the Australian Accounting Research Foundation.

The Accountant who is to perform the certification of the financial statements should undertake the following procedures prior to the preparation of a report to the Victorian Commission for Gambling Regulation as outlined in Appendix G which is required to accompany the financial statements. Comparative figures for the previous financial year must be included in the financial statements in accordance with the Accounting Standard AASB1018 'Profit and Loss Accounts.'

Accountants certifying statements must be objective, impartial and free of conflicts of interest in the performance of their professional duties. Accordingly, accountants are referred to Statement of Auditing Practice AUP 32 'Audit Independence'. In particular, professional ethics demand that auditors should not accept engagements if they hold or have held the office of director in audit clients or their related companies.

**General**

A review of the books and records to:

- 1) Determine whether they are appropriate for the business and maintained up to date; and
- 2) Confirm the financial statements are in accordance with the books and records of the Company and appropriate Accounting Standards.

**Revenue and Expenditure**

Confirm all taxation returns of the Company have been lodged with the Australian Taxation Office.

**Current Assets**

- Cash at Bank  
Confirm cash balances directly with the deposit holder in writing. Examine bank reconciliations for accuracy.

- Debtors  
Review an aged debtors listing at balance date for collectability of amounts due. Report total debtors believed to be doubtful. If amounts have been outstanding for longer than 60 days, explain why it is believed that these amounts are collectable.
- Stock  
Confirm the inventory valuation is calculated in accordance with the Accounting Standards.
- Other Current Assets  
Confirm all other current asset balances at balance date.

**Non-Current Assets**

- Physical Assets  
Confirm physical non-current assets and explain the valuation if these assets have not been recorded at cost (less depreciation).
- Intangible Assets  
Ensure intangible assets are valued in accordance with the appropriate Accounting Standards.

**Current Liabilities**

- Creditors  
Obtain an aged creditors register (including details on how long the creditors have been on the register) at balance date, determine the fifteen major suppliers and agree balance date liabilities to statements. If statements are unavailable, confirm the balances due directly with the suppliers.  
Review cash payments records to ensure all major creditors are included at balance date.
- Accruals  
Review the following accruals and ensure that at balance date, the appropriate accrual has been included in the financial statements. The certification should specifically report circumstances where more than the current month is included in the accrual, or if penalties have been charged during the last year.
  - Licence Fees
  - PAYG and GST
  - Rental, rates and taxes on properties
  - Employee entitlements including superannuation
  - Payroll Tax
  - Workcover
  - Utilities
- Other Current Liabilities  
Confirm all other current liabilities (including bank overdraft) at balance date.

**Non-Current Liabilities**

- Borrowings/Liabilities  
Directly confirm in writing the balances due, both current and non-current, and ensure that all interest has been accrued. Include in the certification, any circumstances where interest and/or principal repayments have been deferred, re-scheduled or capitalised. For shareholder/director loans, obtain confirmation of terms and period for repayment. Detail the nature of all debt instruments including loans, bonds, overdrafts, income securities, hybrid and all other forms of debt.
- Contingent Liabilities  
Confirm that all contingent liabilities have been identified and included in the notes to the accounts.

- Other Non-Current Liabilities  
Confirm all other non-current liabilities at balance date.

**Equity**

- Shareholder funds (if applicable)  
Confirm the authorised, issued and paid-up amounts of share capital.

**Note:** The following note should be included as part of the special purpose financial report under the heading '**Basis of Accounting**'.

'This special purpose financial report has been prepared for the purpose of lodging this probity inquiry form relating to a Keno Licence under the Gambling Regulation Act 2003. Australian Accounting Standards have been adopted in the preparation and presentation of the special purpose financial report except for the following: (list the Accounting Standards not complied with, and reasons for non-compliance, in the financial statements).'

Note: If you have any enquiries in relation to the Guidelines, please contact the VCGR via the email address for the Keno Licensing Process.



**Appendix G Report to the VCGR**

You have asked us to apply certain agreed procedures ('the Procedures'), as enumerated in the Victorian Commission for Gambling Regulation's publication 'Guidelines for Certification of Financial Statements' accompanying a Company History Inquiry Form, to the Special Purpose Financial Report of

.....("the Company").

The Special Purpose Financial Report is for the purpose of the Company's registration of interest in the grant of a Keno Licence under the **Gambling Regulation Act 2003**. The Special Purpose Financial Report comprises the balance sheet, profit and loss statement and notes set out on pages ..... to ..... accompanying this report.

The Special Purpose Financial Report is the responsibility of the Directors/Owners of the Company. Our responsibility is to carry out the agreed Procedures and report our findings. We have applied the Procedures to the Special Purpose Financial Report of the Company for the year ended .....

These Procedures were performed solely to assist in the evaluation of the Company's Company History Inquiry Form relating to a Registration of Interest in the grant of a Keno Licence. These procedures are substantially less in scope than an audit, the objective of which is to enable an auditor to express an opinion on such financial information. Accordingly, we do not express such an opinion.

We report that the agreed Procedures were satisfactorily completed and no exceptions or reportable matters were noted. / The following exceptions arose which we now bring to your attention: (*only if matters are reported*). (*Delete whichever sentence does not apply.*)

**Procedure reference Exception noted / reportable matter**

Except for the matters reported in the immediately preceding paragraph, based on the application of the agreed principles referred to above, nothing came to our attention that caused us to believe that the Special Purpose Financial Report is not presented fairly in accordance with the basis of accounting disclosed in Note 1 of the Special Purpose Financial Report. If we had performed additional procedures or audited the Special Purpose Financial Report, other matters might have come to our attention that would have been reported to you.

This Report is intended solely for your information and should not be presented to, or relied upon by any other parties, without our knowledge and consent.

Signed: .....

Partner: ..... Date: ...../...../.....

Member: .....

Firm: CPA Australia / Institute of Chartered Accountants (*please specify*)

Address: .....

## Appendix H Historical Organisational Extract from ASIC

A Company's Historical Organisational Extract reveals:

- **Current and historical organisation information**, including such information as type, status, registered addresses, roles within the organisation, share structure, members (*note: shows only the top 20 members in each class of shares issued by a company*), charges and documents lodged.
- **Relational organisational information**, including information on the roles and shares a company holds in respect of other organisations (*note: shows only the top 20 members in each class of shares issued by a company*) as well as licences held (e.g. security dealer).
- **Company charge information**, including details relating to all charges which have been registered against a company.

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 Company, while the Current Extract identifies only current information. If this 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.

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

**All** matters detailed in the Company's Historical Organisational Extract are taken into consideration by the Victorian Commission for Gambling Regulation. Should you wish to dispute any of the information disclosed in the Company's Historical Organisational Extract you should do so with ASIC **prior** to lodging the 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 either ASIC Business Centres, Local ASIC Representatives or Information Brokers. Locations of information providers are listed below.

#### ASIC BUSINESS CENTRES LOCATIONS IN VICTORIA

<b>Melbourne Business Centre</b> Shop 1, 120 Collins Street, Melbourne, Vic. 3001 Phone: (03) 9280 3500 Fax: (03) 9280 3550	<b>ASIC Information Processing Centre</b> 14–22 Grey Street, Traralgon, Vic. 3844 Phone: (03) 5177 3988 Fax: (03) 5177 3999	<b>Geelong Business Centre</b> Ground Centre 200 Malop Street, Geelong, Vic. 3212 Phone: (03) 5229 2966 Fax: (03) 5229 2940
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Details of other information providers can be obtained by contacting the ASIC Infoline by telephone on 1300 300 630 or by email at [www.asic.gov.au](http://www.asic.gov.au)

**Appendix I Business Credit File from VEDA Advantage****INFORMATION CONTAINED IN A BUSINESS CREDIT FILE**

Files are kept for businesses which have been credit-active during the past seven (7) years. Details include:

- when credit was applied for
- in whose name it was sought
- from what body or institution
- the amount sought and
- the type and purpose of the credit sought.

It also includes information necessary to identify the company as well as information of relevance for credit assessment purposes, such as:

- overdue accounts
- bankruptcy details
- court judgements

The date of issue of the Business Credit File **must** not be more than 3 months prior to lodgement of this form. If you do not provide the Business Credit File, or you enclose either a photocopied Credit File or a Credit File exceeding 3 months from the date of issue, this application form will be considered incomplete and will be returned. **All** matters detailed in the Business Credit File are taken into consideration by the VCGR and are essential to allow an assessment of the Company's financial resources. Should you wish to dispute any of the information disclosed in the Business Credit File you should do so with Veda Advantage **prior** to lodging your form.

**How to Apply for the Business Credit File**

To apply for the Business Credit File, a written application **signed by the authorised company officer** (a current company director/secretary of the Company) on behalf of the Company needs to be made to:

**MAIL REQUEST TO:**

Public Access Division, Veda Advantage  
PO Box 964, NORTH SYDNEY, NSW 2059

Fax Request on: (02) 9951 7880

Telephone Request or Enquiries to: (02) 9464 6000

As part of your application to Veda Advantage you should provide the following details:

**Authorised company officer details:**

- authorised officer's full name (surname, first and middle names);
- position within Company (e.g. company director); and
- telephone number including area code (business hours contact number).

**Company details:**

- the Company's name (company name); and
- the Company's Australian Company Number (ACN).

Veda Advantage can advise you of the cost of obtaining a Business Credit File. Arrangements for fee payment can be made over the telephone by credit card, or payment may be made by money order or bank cheque (personal cheques are not accepted). For credit card payment over the telephone, please contact Veda Advantage on telephone (02) 9464 6000 and follow the recorded instructions. Veda Advantage will usually provide you with the Company's Business Credit File within 24 hours of receiving your request, although some applications may take longer to process

**Appendix J Financial Institution Letter**  
**SAMPLE LETTER – FOR YOUR USE**

**INFORMATION FROM YOUR BANK OR FINANCIAL INSTITUTION**

The Manager,

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

(Name/Address of Bank)

Dear/Sir/Madam

..... (Company’s name) has submitted a Registration of Interest to the Secretary, Department of Justice as the first stage in a keno licensing process.

As part of the registration process, the Secretary is performing a review, we request that you provide the following details:

- i. The amounts outstanding and available under all facilities made available;
- ii. The next review date and expiry date for each existing facility;
- iii. The security held over each facility outlined above;
- iv. Whether any of the original facilities are in default of any payments of principal or interest;
- v. The nature of any current or previous discussions between yourselves and the Company which may materially impact upon the continuing availability of facility or have previously resulted in alterations to the original funding facility; and
- vi. Confirm that the bank supports the application.

The completion of this review is an integral part of the registration process for a Keno Licence, and accordingly, I would appreciate your reply at the earliest convenience.

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

Yours sincerely,

..... (Name)  
..... (Position)  
..... (Address)

### Appendix K Historical Personal Name Extract from ASIC

An Historical Personal Name Extract is a print-out provided by Australian Securities and Investments Commission (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
- 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 the Historical Personal Name Extract you provide fails to meet any of the following requirements your 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. 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 form.

#### Fees

Fees are payable for searching ASIC databases. The 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 and can advise you of the cost of obtaining an Historical Personal Name Extract.

#### How to apply for your Historical Personal Name Extract

An Historical Personal Name Extract can be obtained from either ASIC Business Centres, Local ASIC Representatives or Information Brokers. Locations of information providers in Melbourne, Sydney and Brisbane are listed below.

#### ASIC BUSINESS CENTRE LOCATIONS

Melbourne Business Centre	Sydney Business Centre	Brisbane Business Centre
Shop 1, 120 Collins Street, Melbourne, Vic. 3000 Phone: 1300 300 630 1300 555 600	Level 8, 55 Market Street, Sydney, NSW 2000 Phone: 1300 300 630	Level 20, 240 Queen Street, Brisbane, Qld 4000 Phone: 1300 300 630

Details of other information providers can be obtained by contacting the ASIC Infoline by telephone on 1300 555 600 or by email at [www.asic.gov.au](http://www.asic.gov.au).



**TABLE C**  
**Shares, Fixed Interest Security (Bonds)**

- List below the information requested for all shares and bonds held or controlled by you. Whenever interest exists through a trust/mutual fund or holding company, the shares held by such trust/mutual fund or holding company need not be listed. Indicate publicly traded shares and bonds by an asterisk.\*

Issuer	Types	No. of Shares or Units	Purchase Price	Date of Purchase	Name in Which Held	Market Value

**TABLE D**  
**Business Investment**

- List below the information requested regarding any business investment in which any direct, indirect, vested, or contingent interest is held by you, along with the names of all persons or entities that share a direct, vested or contingent interest therein. This should include but not be limited to joint ventures, partnerships, sole proprietorships and corporations. For those not solely held by you, indicate the percentage (%) you hold \*\*.

Entity	Type of Entity	No. of Shares* or Units	** % held	Purchase Price	Date of Purchase	Name in which Held	Persons or Entities Sharing Interest & Percentage Ownership	Market Value

\*Shares includes US Stocks





**TABLE G**  
**Unsecured Loans**

- List below the information requested for all unsecured loans payable for which you are solely or partly obligated. If partly obligated, list percentage (%) of obligation \*\*.

Name & Address of Creditor	Date Incurred	Original Amount	Unpaid Balance	** % of Obligation	Payment/Period	Interest Rate	Maturity Date	Purpose	Collateral

**TABLE H**  
**Secured Loans**

- List below the information requested for all secured loans payable for which you are solely or partly obligated. If partly obligated, list percentage (%) of obligation \*\*.

Name & Address of Creditor	Date Incurred	Original Amount	Unpaid Balance	** % of Obligation	Payment/Period	Interest Rate	Position of Secured Loan	Maturity Date	Description/Address of Real Estate

Unsecured Loans = US notes payable

Secured Loans = Mortgages



**Appendix M National Police Certificate from Victorian Police**

If you reside in Australia you **must** provide an **original** National Police Certificate (NPC), unless your business association is or will be with an associate of the casino operator<sup>6</sup>.

To obtain your NPC, you must make an application to the Victoria Police. The NPC **must** be current at the time of lodgement of your form and not exceed 3 months from the date of issue by the Victoria Police. If you fail to meet any of these requirements (you do not provide your NPC, or enclose either a photocopied NPC or NPC more than 3 months from the date of issue) your form will be considered incomplete and will be returned to you.

All matters detailed on your NPC are taken into consideration by the VCGR and are essential to allow assessment of your character, honesty and integrity. Should you wish to dispute any of the information disclosed in your NPC you should do so **prior** to lodging this application form, by writing to:

The Manager, Data Quality Unit, Records Services Branch, Victoria Police, PO Box 418, Melbourne Victoria 8005.

**HOW TO APPLY FOR YOUR NPC**

To obtain your National Police Certificate (NPC) from the Victoria Police you must complete a Victoria Police 'Consent to Check and Release National Police Record' form. The latest version of this form is to be downloaded from the following website:

<http://www.police.vic.gov.au>

and titled as 'Application-form-for-National-Police-Record-check'.

To obtain your NPC, a completed consent form and required attachments must be sent to:

**Public Enquiry Service  
Records Services Branch  
Victoria Police  
PO Box 418  
MELBOURNE VIC 8005**

Your application to the Public Enquiry Service of the Victoria Police **must** include:

- completed, signed and witnessed Victoria Police 'Consent to Check and Release National Police Record' form;
- photocopy of your current driver's licence, passport or birth certificate; and
- cheque or money order payable to the 'Victoria Police'.

When completing the Victoria Police 'Consent to Check and Release Police Record – For VCGR Applicant Use Only' form, you must ensure that:

- mark the section for Purpose of Check as 'Gaming Licence Application';
- all sections of the form are completed;
- the form is completed in ink and in BLOCK LETTERS
- none of the wording of the form is altered or deleted in any way; and
- the form is signed and dated by both you and a witness.

Please note that you should allow ten business days from the date applications are received at the Public Enquiry Service of the Victoria Police for applications to be processed. A receipt will not be issued unless specifically requested. If you have any enquiries regarding this process or the information contained in your NPC, please contact the Public Enquiry Service of the Victoria Police on telephone (03) 9247 5907.

<sup>6</sup> If you have or will have a business association with an associate of the casino operator, the casino operator may instead assist you in the provision of a processed 'Consent to Check and Release Criminal Record' form.

REGULATION ACT 2003 (VIC)

VP Form 820A

CONSENT TO CHECK AND RELEASE NATIONAL POLICE RECORD



Office Use Only

<b>Result:</b>
Vic:
Others:
Initials:

<b>Checks:</b>
1. S&GN&NNI
2. S&DOB&NNI
3. PH&NNI

Our Ref No:
Your Ref No:

Before completing this form, please read instructions on the reverse. Complete in ink ONLY.

SECTION 1: APPLICANT DETAILS:

Family Name:	Given Names:	
Previous or alternative names (see Section 5):		
Family Name:	Given Names:	
Current Residential Address:	Postcode	
Daytime Telephone No:	Date of Birth: / /	Place of Birth:
Previous addresses within the last five years (see Section 5):	Postcode	
Driver's Licence Number:	Copy Attached? <input type="checkbox"/>	Place of Issue
1. Do you have any convictions, findings of guilt and/or pending charges against you (non-traffic), that are less than 10 years old (five years for juvenile offences) in Victoria? See Section 6. <input type="checkbox"/> Yes <input type="checkbox"/> No 2. Do you have any convictions, findings of guilt and/or pending charges against you (non-traffic), in any other Australian State that are less than 10 years old (five for juvenile offences)? See Section 6. <input type="checkbox"/> Yes <input type="checkbox"/> No 3. Do you have any convictions, findings of guilt and/or pending charges against you for Commonwealth or Territory offences (non-traffic) that are less than 10 years old (five years for juvenile offences)? See Section 6. <input type="checkbox"/> Yes <input type="checkbox"/> No 4. Do you have any convictions for offences (non-traffic) where the sentence imposed was imprisonment for a period greater than 30 months? See Section 6. <input type="checkbox"/> Yes <input type="checkbox"/> No		

SECTION 2: TYPE OF CHECK/FEES (see Section 5) Tick appropriate box

National Name Check (\$30.70 Australian). \*  Police and fingerprints records search (\$127.00 Australian). \*

\*Fees subject to change please see note 1 overleaf.

NB: Organisations with authorisation to conduct records checks at a reduced fee of \$14.00 must complete Section 7 on the reverse of this form.

SECTION 3: PURPOSE OF CHECK (see Section 5) Tick appropriate box

Employment, voluntary work or occupation related licensing. Please specify TYPE of position [see Section 5].

For personal use only, NOT for employment or release to any other parties. (See Section 6 "What will my National Police Certificate show?").

Family Day Care (Section 8 on reverse must be completed).

Application for overseas visa.

Other (Please specify).

Gaming licence application.

SECTION 4: STATEMENT OF CONSENT AND INDEMNITY

I hereby consent to a check of the records of Victoria Police and other Australian police forces and to the release, to the address below, of details of any convictions, findings of guilt, either with or without conviction, any matters still outstanding against me and any other matters deemed to be relevant which are recorded against my name.

Name and address of organisation/person to whom result is to be sent. Victoria Police will send the result **directly** to this address. Copies are NOT provided.

(Name of Recipient [person or organisation])

(Address of Recipient)

Postcode

In consideration of Victoria Police releasing details of any convictions and other information recorded against my name, I hereby indemnify the State of Victoria, its servants and agents including all members of Victoria Police against all actions, suits, proceedings, causes of action, costs, claims and demands whatsoever which may be brought or made against it or them by any body or person by reason of or arising out of the release of any details of any conviction and other information recorded against my name or purporting to either relate to or concern me.

<b>Signed:</b>	<b>In the Presence of:</b>
Signature of Applicant:	Signature of Witness:
Printed Name Of Applicant:	Printed Name Of Witness:
Date:	Date:

CHECKLIST: All relevant sections completed?  Yes Have you attached: 1. Copy of identification?  Yes 2. Relevant payment?  Yes



## REGULATION ACT 2003 (VIC)

## SECTION 5: INSTRUCTIONS FOR COMPLETING THIS FORM

## Please ensure that you:

- Write in ink and use BLOCK LETTERS
- Complete all sections on the front of the form
- Complete the sections below if they apply to you
- Sign and date the form and have your signature witnessed
- Do not alter or delete the wording on the form in any way

## You must attach the following documents to this form:

- A cheque or money order made payable to **Victoria Police**. The fees are:  
\$30.70 for a national name check  
\$127.00 for a police and fingerprints records search.

## MAIL THIS FORM AND ALL ATTACHMENTS TO:

PUBLIC ENQUIRY SERVICE  
VICTORIA POLICE  
P.O. BOX 418  
MELBOURNE VIC 8005

Note 1: Fees change annually on 1<sup>st</sup> July, please refer to [www.police.vic.gov.au](http://www.police.vic.gov.au) or contact this office on 1300 881 596 to get the current fee if submitting form around this date.  
Note 2: A receipt will not be issued unless requested

## PLEASE DO NOT SEND CASH THROUGH THE MAIL

- A photocopy of your driver's licence, passport or birth certificate.
- **For a police and fingerprints records search**, you must also enclose a full set of fingerprints taken on Victoria Police form 235A or an appropriate form from another police force. Fingerprints can be taken by appointment at a police station or at the Victoria Police Centre, 637 Flinders Street, Melbourne by phoning (03) 9628 8300 for **appointments only** for general enquiries please call 1300 881 596

**Previous or alternative names:** In this section, write all names by which you are or have formerly been known, including your maiden name. If you have more than one such name, attach a separate list.

**Previous addresses within the last five years:** In this section write all addresses at which you have resided within the last five years. If you have more than one previous address, attach a separate list.

**Type of check/fees:** If you are not sure which type of check you need, ask the organisation or person who requires the check.

**Purpose of Check:** If the check is for employment, voluntary work or occupation related licensing, specify the type of work (eg. child care worker, cleaner, teacher, prison officer, sports coach, estate agent, bank officer, firefighter).

## SECTION 6: WHAT WILL MY NATIONAL POLICE CERTIFICATE SHOW?

## Victoria Police Policy - Victorian Records

For the purposes of employment, voluntary work or occupation related licensing/registration, Victoria Police may restrict the release of a person's police record according to the Victoria Police "Information Release Policy". If you have a police record with Victoria Police, the "Information Release Policy" may take into account the age of the police record and the purpose for which the information is being released. If ten years have elapsed since you were last found guilty of an offence in Victoria, Victoria Police will, in most instances, advise that you have no disclosable court outcomes. However, a record over ten years may be released:

- If it includes a term of imprisonment longer than thirty months;
- If it includes a serious violent or sexual offence and the records check is for the purpose of working with children, elderly people or disabled people;
- If it is for a Gaming licence application;
- If it is in the interests of crime prevention or public safety.

Please note:

- If the records check is for the applicant's personal information only, the above restrictions do not apply and all court results will be released.
- Findings of guilt without conviction and good behaviour bonds may be released.
- Recent charges or outstanding matters under investigation that have not yet gone to court may also be released.

## Other Australian Police Forces - Non-Victorian Records

Where a police record with another Australian police force has been obtained, any relevant legislation (and/or release policy) affecting that police force will be applied before it is released. Under various pieces of Commonwealth, State and Territory legislation a person has the right, in particular circumstances or for a particular purpose, to not disclose certain convictions (eg findings of guilt over a certain age). Such convictions (widely referred to as 'spent' or 'rehabilitated' convictions) will not be released unless the records check is for the applicant's personal information only and providing that this is in accordance with relevant legislation (and/or release policy). Please contact individual police forces directly for further information about their release policies and any legislation which affects them.

## SECTION 7: DECLARATION OF VOLUNTEER/STUDENT/FAMILY DAY CARE RESIDENT STATUS

(This section is for the use of organisations which have been authorised by Victoria Police to have records checks on volunteers, students or Family Day Care residents conducted at a reduced fee and should be completed by a representative of the authorising organisation/council).

I declare that the applicant named on this form is a student, prospective voluntary worker or Family Day Care resident authorised by the organisation named below. He/she will receive no payment for his/her services.

Organisation Name:	<input type="text"/>	CVF Number:	<input type="text"/>
Signature of Organisation's Representative:	<input type="text"/>	Printed Name:	<input type="text"/>
Position:	<input type="text"/>	Date:	<input type="text"/>

## SECTION 8: FAMILY DAY CARE SCHEME PARTICIPANTS

This application is for the purpose of participation in a Family Day Care Scheme. The person named on the front of this form is:

- Care provider—full fee applies, or  
 Adult (eighteen years or over) residing with care provider—reduced fee applies (Section 7 and following fields must be completed).

Care Provider's name:

Dept. of Justice Working with Children Application/Card No:

## Appendix N Credit File from Veda Advantage

If you reside in Australia or would otherwise be recorded with Veda Advantage (e.g. you have lived in Australia and applied for credit or you have been a director, shareholder etc. of an Australian registered company), you must obtain your Credit File from Veda Advantage which will identify any matters entered against your name by any financial provider in Australia. For your convenience, Veda's 'My Credit File – Standard File Service' form (the form) is attached. Please read the following information about completing the form and the Credit File.

You are required to submit the form to Veda, by post or fax, as addressed on the form. Veda will provide you with your Credit File at no cost, usually within 2 weeks of receiving your request, although some applications may take longer to process. Veda can also provide you with your Credit File within 1 working day upon payment of a fee. If you wish to use this facility please visit their website [www.mycreditfile.com.au](http://www.mycreditfile.com.au) or phone Veda on 1300 762 207.

### Information Contained in Your Credit File

Contained in your Credit File is information about you and your credit history including:

- Personal details such as: name, residential addresses, date of birth, drivers licence number and current or previous employer
- Credit applications and enquiries you have made during the past five (5) years
- Records of some current credit accounts
- Overdue Accounts (Defaults) which may have been listed against your name
- Bankruptcy information
- Default Judgments
- Public record information such as Directorships and Proprietorships.

### Information Regarding Completing the Form

When completing the form please ensure that you provide your personal details fully and correctly. This will enable Veda to provide you with your full Credit File. In particular, the following information needs to be recorded clearly and accurately:

- Full Name – Include your surname, first name and middle name(s) (if any).
- Date of Birth
- Any other name(s) you have used – List any other name(s) by which you are currently known or were known previously such as: nickname(s), alias(es), Anglicised name(s), maiden name, married name(s) and name(s) changed via deed poll. ***You may need to attach an extra sheet if several names apply.***
- Current driver licence number (if applicable).
- Previous driver licence number if you have moved from another Australian state or territory.
- Contact details – Current residential address and telephone contact number.
- Previous address(es) for the last five (5) years.

### Important Information Regarding Your Credit File

Your Credit File and any other letter from Veda advising of the result of the search conducted by them must accompany your ROI lodged with the Secretary, Department of Justice. **If you fail to meet any of the requirements noted below, your application form may be considered incomplete and returned to you.** Your Credit File must:

- be original and not a photocopy;
- be current at the time of lodgement of your application that is, not more than three (3) months from the date of issue by Veda;
- include your current name and any other name(s) that you are currently or were previously known by, such as: nickname(s), alias(es) and Anglicised name, maiden name, name(s)

changed via deed poll; or you should attach letter(s) from Veda confirming that no file was found under your other name(s).

- correctly disclose your personal details that is: all your name(s) as mentioned above, date of birth, address and driver licence number.

Should you find any issues with your Credit File, for example: it is incomplete or you wish to dispute any of the information disclosed in your Credit File, you should contact Veda and resolve the issue **prior** to lodging your form. All matters detailed in your Credit File are taken into consideration by the VCGR and are essential to allow an assessment of your ROI.

**Appendix O Keno Game Prizes**

The current Club Keno offers a range of both fixed and jackpot prizes, as detailed below.

- a. Fixed Prizes result in players being paid a pre-determined prize
- b. Jackpot Prizes involve a guaranteed minimum prize, that may increase in accordance with the size of the accumulated jackpot pool.

Each prize level nominated, represents the prize for a \$1 ticket entry.

Numbers Played	Numbers Matched	Prize: Non-Jackpot	Prize: Jackpot (Minimum)
1	1	\$3	
2	2	\$12	
3	3	\$44	
	2	\$1	
4	4	\$120	
	3	\$4	
	2	\$1	
5	5	\$640	
	4	\$14	
	3	\$2	
6	6	\$1,800	
	5	\$80	
	4	\$5	
	3	\$1	
7	7		\$5,000
	6	\$125	
	5	\$12	
	4	\$3	
	3	\$1	
8	8		\$25,000
	7	\$675	
	6	\$60	
	5	\$7	
	4	\$2	

Numbers Played	Numbers Matched	Prize: Non-Jackpot	Prize: Jackpot (Minimum)
9	9		\$100,000
	8	\$2,500	
	7	\$210	
	6	\$20	
	5	\$5	
10	10		\$1,000,000
	9	\$10,000	
	8	\$580	
	7	\$50	
	6	\$6	
15	5	\$2	
	4	\$1	
	15	\$250,000	
	14	\$100,000	
	13	\$50,000	
	12	\$12,000	
	11	\$2,000	
	10	\$250	
	9	\$50	
	8	\$20	
7	\$4		
6	\$2		
5	\$1		

Source: Club Keno Game Guide



**Appendix P Registrant's Checklist**

<b>Schedule B: Checklist of Forms and Attachments</b>				
<b>Schedule</b>	<b>Schedule Title</b>	<b>References</b>		
		Requirement Part B	Response Part C	CHECK LIST
<b>Volume 1: General</b>				
A	Letter of Acknowledgement and Agreement	3.1	1.1	<input type="checkbox"/>
B	Registrant's Checklist		1.2	<input type="checkbox"/>
C	Company Declaration Form	3.2	1.3	<input type="checkbox"/>
D	Consent Letter	3.3	1.4	<input type="checkbox"/>
<b>Volume 2: Corporate Probity</b>				
E	Corporate Structure	5	2.1	<input type="checkbox"/>
F	Major Shareholders		2.2	<input type="checkbox"/>
G	Current Office Holders & Executive Officers		2.3	<input type="checkbox"/>
H	Certificate of Incorporation		2.4	<input type="checkbox"/>
I	Constitution/Replaceable Rules		2.5	<input type="checkbox"/>
J	Historical Organisational Extract from ASIC		2.6	<input type="checkbox"/>
K	Gaming Experience		2.7	<input type="checkbox"/>
L	Actions by Regulatory Bodies		2.8	<input type="checkbox"/>
M	Litigation		2.9	<input type="checkbox"/>
N	Charges, Offences and Convictions		2.10	<input type="checkbox"/>
O	Financial Information Release Form		2.11	<input type="checkbox"/>
P	Consent for Release of Information of Law Enforcement Agencies Form		2.12	<input type="checkbox"/>
<b>Volume 3: Financial Probity</b>				
Q	Financial Statements	6	3.1	<input type="checkbox"/>
R	Report to the VCGR		3.2	<input type="checkbox"/>
S	Financial Capacity		3.3	<input type="checkbox"/>
T	Business Credit File from VEDA Advantage		3.4	<input type="checkbox"/>
U	Financial Institution Letter		3.5	<input type="checkbox"/>

<b>Volume 4: Individual Probity</b>				
V	Associate Consent Form	7	4.1	<input type="checkbox"/>
W	Personal Declaration Form		4.2	<input type="checkbox"/>
X	Personal Business Interests Form		4.3	<input type="checkbox"/>
Y	Personal Legal Action Form		4.4	<input type="checkbox"/>
Z	Personal Gaming History Form		4.5	<input type="checkbox"/>
AA	Personal Charges, Findings of Guilt and Convictions Form		4.6	<input type="checkbox"/>
AB	Personal Financial Particulars		4.7	<input type="checkbox"/>
AC	Individual Consent for Divulgence of Information by Law Enforcement Agencies		4.8	<input type="checkbox"/>
AD	Authorisation for the Release of Personal Information		4.9	<input type="checkbox"/>
<b>Volume 5: Technical Capability</b>				
AE	Technical Capability	8	5	<input type="checkbox"/>
<b>Volume 6: Financial Capability</b>				
AF	Financial Background	9.1	6.1	<input type="checkbox"/>
AG	Financial Resourcing	9.2	6.2	<input type="checkbox"/>
AH	Other Financial Requirements	9.3	6.3	<input type="checkbox"/>
<b>Volume 7: Commercial Capability</b>				
AI	Commercial Structure	10.1	7.1	<input type="checkbox"/>
AJ	Other Commercial Requirements	10.2	7.2	<input type="checkbox"/>
<b>Volume 8: Product and Distribution Approach</b>				
AK	Business Model	11.1	8.1	<input type="checkbox"/>
AL	Product and Distribution Strategy	11.1	8.2	<input type="checkbox"/>
<b>Volume 9: Responsible Gambling</b>				
AM	Responsible Gambling Declaration	12	9	<input type="checkbox"/>
<b>Volume 10: Transition</b>				
AN	Transition	13	10	<input type="checkbox"/>
<b>Volume 11: Declarations and Confirmations</b>				
AO	Statutory Declaration	15.1	11.1	<input type="checkbox"/>
AP	ACCC Letter of Confirmation	15.2	11.2	<input type="checkbox"/>
AQ	Statement of Intention to conduct operations under the Keno Licence	15.3	11.3	<input type="checkbox"/>
AR	FIRB Form	15.4	11.4	<input type="checkbox"/>
<b>Volume 12: Proposed Keno Games &amp; Distribution Methods Review</b>				
AS	Proposed Keno Games and Distribution Methods	16	12	<input type="checkbox"/>

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