



# Victoria Government Gazette

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## **Gambling Regulation Act 2003**

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

Notice under section 5.3.2A of the **Gambling Regulation Act 2003** (Vic.)

I, Jane Garrett, MP, Minister for Consumer Affairs, Gaming and Liquor Regulation and the Minister responsible for the **Gambling Regulation Act 2003** (Act), by this Notice under section 5.3.2A of the Act call for registrations of interest in the grant of a public lottery licence.

Dated 30 September 2015

HON. JANE GARRETT MP  
Minister for Consumer Affairs, Gaming and Liquor Regulation

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**GLOSSARY OF TERMS AND INTERPRETATION****1 Glossary of Terms**

In this Notice, unless the context otherwise requires:

<b>ACCC</b>	means the Australian Competition and Consumer Commission established under section 6A of the <b>Competition and Consumer Act 2010</b> (Cth).
<b>Act</b>	means the <b>Gambling Regulation Act 2003</b> (Vic.) as amended from time to time.
<b>Ancillary Agreement(s)</b>	means an agreement or agreements dealing with matters ancillary to the Public Lottery Licence referred to in section 5.3.7A of the Act.
<b>Annual Reports</b>	means the published annual reports and contents as required by the ASX and Corporations Act and any applicable international securities law.
<b>Applicable Legislation</b>	has the meaning given to that term in section 2 of the Introduction to this Notice.
<b>Applicant</b>	means a Selected Registrant that lodges an Application.
<b>Application</b>	means an application for a Public Lottery Licence submitted by an Applicant under section 5.3.3 of the Act.
<b>Appointed Subsidiary</b>	has the meaning given in section 5.1.2 of the Act.
<b>ASIC</b>	means the Australian Securities and Investment Commission.
<b>Associate</b>	has the meaning given in section 1.4 of the Act.
<b>ASX</b>	means the Australian Securities Exchange.
<b>Authorised Lottery</b>	means each Public Lottery that the Minister has authorised the Current Licensee to conduct under the Current Public Lottery Licence, as specified in Annexure A to the Current Public Lottery Licence.
<b>Authorised Officer</b>	means an officer that is authorised to complete the Schedules or provide information on behalf of a Registrant, each Substantial Shareholder (if applicable), a Registrant's Holding Company (if applicable) and a Registrant's Ultimate Holding Company (if applicable) and such other entity which may be required to complete a Schedule or provide information as provided for by this Notice.
<b>Bloc Agreements</b>	means an agreement, whether it is an agreement, arrangement or understanding, between a Licensee, or an Appointed Subsidiary, and a licensee(s) or operator(s) of another lottery or lotteries, to conduct an Authorised Lottery or Authorised Lotteries as a lottery or lotteries and to create a common prize pool.
<b>Business Day</b>	means a day that is not a Saturday, Sunday, public holiday or bank holiday in Victoria.
<b>Corporations Act</b>	means the <b>Corporations Act 2001</b> (Cth).

<b>Current Public Lottery Licence</b>	means the Public Lottery Licence issued to the Current Licensee that commenced on 1 July 2008, as amended from time to time.
<b>Current Licensee</b>	means Tattersall's Sweeps Pty Ltd.
<b>Dedicated Area</b>	has the meaning given to that term in section 3.4.3 of the Introduction to this Notice.
<b>Department</b>	means the Department of Justice and Regulation of the State of Victoria.
<b>Department Report</b>	means the report prepared by the Department for the Minister referred to in Part C – section 3.
<b>Deposit</b>	means the amount to be paid by a Registrant in accordance with Part B – section 8.3 of this Notice.
<b>Distribution Methods</b>	means the method of distributing or selling of Public Lottery tickets or entries, including the nature and general location of retail outlets and where permitted, any electronic distribution methods.
<b>Distributor</b>	has the meaning given in section 3.4.3 of the Introduction to this Notice.
<b>Eligible Registrant</b>	has the meaning set out in Part B – section 1 of this Notice.
<b>Executive Officers</b>	has the meaning given in section 1.4(3) of the Act.
<b>Financial Statements</b>	means the financial statements for a Registrant, Holding Company, Ultimate Holding Company and/or Substantial Shareholders as required by this Notice and includes each of the following: <ul style="list-style-type: none"> <li>(a) profit and loss statement;</li> <li>(b) balance sheet;</li> <li>(c) cash flow statement;</li> <li>(d) notes to accounts;</li> <li>(e) statement of changes in equity or statement of recognised income and expense as required under IFRS (if applicable); and</li> <li>(f) audit certificate.</li> </ul>
<b>FIRB</b>	means the Foreign Investment Review Board.
<b>Holding Company</b>	means a body corporate of which a 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>Invitation to Apply or ITA</b>	means an invitation to apply for a Public Lottery Licence under section 5.3.2A(7) of the Act.

<b>Jurisdiction</b>	means a state or territory in Australia and, if outside Australia, the country and locality.
<b>Licence Commencement Date</b>	means the date from which the successful Applicant (if any) will be authorised to conduct Public Lotteries in Victoria under the New Public Lottery Licence.
<b>Licensee</b>	means the holder of a Public Lottery Licence.
<b>Licensee Only Distributor</b>	has the meaning given to that term in section 3.4.3 of the Introduction to this Notice.
<b>Licensing Process</b>	means the process for issuing a Public Lottery Licence set out in Chapter 5 of the Act and the procedure relevant to that process described generally in the Introduction of this Notice that may result in the issue of one Public Lottery 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 Date</b>	means before 2pm on 26 November 2015 AEDT by which ROIs must be lodged in order to be considered by the Minister under section 5.3.2A of the Act.
<b>Management Structure</b>	means: <ul style="list-style-type: none"> <li>(a) the organisational chart of directors, senior management and executives;</li> <li>(b) the name of the chief operating/executive officer responsible for the management and operations or business of a Registrant;</li> <li>(c) details of all senior managers and executives; and</li> <li>(d) details of any existing or proposed, management contract arrangements, franchise arrangements or agency or licensee arrangements.</li> </ul>
<b>Mandatory Schedules</b>	means the Schedules referred to in Part C – section 1.1(d), namely Schedules A, C, D, G, H, J, O, P, V, AA, AE and AF that must be submitted as part of a Registrant’s response to this Notice.
<b>Member</b>	has the meaning given to that term in section 3.1.1 of the Introduction to this Notice.
<b>Minimum Standards</b>	means the requirements specified in Part C – section 1.1 that a Registrant must meet for the registration of interest to be considered by the Minister in accordance with section 5.3.2A(2)(c) of the Act.
<b>Minister</b>	means the Minister for Consumer Affairs, Gaming and Liquor Regulation for the State.
<b>New Public Lottery Licence</b>	means the Public Lottery Licence to be issued at the conclusion of the Licensing Process.
<b>New Licensee</b>	means the holder of the New Public Lottery Licence.
<b>Notice</b>	means this document which is the Minister’s notice calling for Registrations of Interest in the grant of a Public Lottery Licence under section 5.3.2A of the Act.



<b>Plaintiff</b>	means the party that commences legal action against another party (the other party being the ‘defendant’).
<b>Probity Adviser</b>	means the person referred to in Part B – section 5.4 to this Notice.
<b>Protocols</b>	means the protocols established under and for the purposes described in Part B – section 6.1 of this Notice.
<b>Public Lottery</b>	means a public lottery as defined in section 5.1.2 of the Act.
<b>Public Lottery Licence</b>	means the public lottery licence issued under Division 2 of Part 3 of Chapter 5 of the Act to conduct the Public Lotteries authorised by the Minister.
<b>Registrant</b>	means the person that registers its interest in the grant of a Public Lottery Licence in accordance with this Notice.
<b>Regulations</b>	means any regulations made by the Governor in Council pursuant to section 11.2.1 of the Act.
<b>Relevant Associate</b>	means: <ul style="list-style-type: none"> <li>(a) all Executive Officers of a Registrant;</li> <li>(b) where a Registrant is a wholly owned subsidiary, the Holding Company and Ultimate Holding Company;</li> <li>(c) where a Registrant has traded for less than two (2) financial years immediately prior to the date of this Notice and is not a wholly owned subsidiary, all Substantial Shareholders.</li> </ul>
<b>Relevant Entity</b>	has the meaning given to that term in section 10.2A.1 of the Act.
<b>Relevant Person</b>	has the meaning given to that term in Part B – section 6.1 of this Notice.
<b>Responsible Gambling Code of Conduct</b>	means the Responsible Gambling Code of Conduct required under section 5.3.7B of the Act (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 this Notice.
<b>ROI process</b>	means the first stage of the Licensing Process (which ends when the Minister issues the Invitation to Apply, commencing Stage Two of the Licensing Process) the procedure for the conduct of which is set out in the Act and this Notice.
<b>Schedules</b>	means the schedules set out in Part D of this Notice.
<b>Selected Registrant</b>	means an Eligible Registrant that the Minister has determined will be invited to apply for the Public Lottery Licence.
<b>Senior Project Manager</b>	means the person appointed from time to time by the State as the Senior Project Manager for the Licensing Process.
<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.
<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>Substantial Shareholder</b>	means a shareholder with a shareholding of 10% or more of the shares of a Registrant.
<b>Terms and Conditions</b>	means the Terms and Conditions set out in Part B of this Notice.
<b>Ultimate Holding Company</b>	means a body corporate that is a Holding Company of a Registrant and is itself a subsidiary of no other body corporate.
<b>VCGLR</b>	means the Victorian Commission for Gambling and Liquor Regulation established under the <b>Victorian Commission for Gambling and Liquor Regulation Act 2011</b> (Vic.) and includes a reference to its officers, employees, servants, agents, advisers and contractors.
<b>VCGLR Report</b>	means the report prepared by the VCGLR for the Minister referred to in Part C – section 3.

## 2 Interpretation

In this Notice (including the Terms and Conditions set out in Part B which form part of the Notice), 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 section is a reference to a section under this Notice, unless specified otherwise;
- (e) a reference to a schedule or appendix 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 which precedes the Introduction to this Notice and if not defined there, have the meaning given to that term by the Act.

## 3 Act to Prevail

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

## **CONTENTS**

This Notice consists of the following parts:

### **Introduction**

The Introduction provides an overview of the opportunity that may be available to a successful Applicant (if any) through the Licensing Process and the statutory framework within which the Licensing Process and the Public Lottery Licence are to be conducted.

### **Part A – Procedure for Registering Interest**

Part A specifies the procedure for registering an interest in the grant of a Public Lottery Licence.

### **Part B – Terms and Conditions**

The Terms and Conditions specify the requirements for participation in the Licensing Process, including the procedures and protocols for communication during the Licensing Process.

### **Part C – Statement of Requirements and Information Requested**

The Statement of Requirements sets out the Minimum Standards, information requested and the ROI evaluation criteria and provides instructions for completing the Response Schedules in Part D.

### **Part D – Registrant Response Schedules**

Part D includes the response Schedules which a Registrant must provide to satisfy the Minimum Standards and all other response Schedules a Registrant is requested to provide in response to this Notice.

### **Appendices**

Additional information is presented in the Appendices to this Notice.

## INTRODUCTION

### 1 NOTICE

The Minister publishes this Notice calling for Registrations of Interest in the grant of one Public Lottery Licence in Victoria. This Notice is made under section 5.3.2A of the Act. This Notice is not an offer. It is an invitation for persons to submit a ROI for the issue of a Public Lottery Licence.

The publication of this Notice commences the Licensing Process, which under the Act is a two stage process which consists of:

- (1) this initial ROI stage, during which Registrants will be considered by the Minister to determine which Registrants (if any) will be invited to apply for a Public Lottery Licence; and
- (2) the subsequent ITA stage, during which the Minister may, by written notice, invite Selected Registrants identified at the ROI stage to apply for a Public Lottery Licence.

The Minister is under no obligation to invite a Registrant to apply for the Public Lottery Licence or issue a Public Lottery Licence to an Applicant.

Through the Licensing Process, the State is seeking a Licensee that will maximise the net benefits to Victorians from the conduct of Public Lotteries.

The Public Lottery Licence (if any) issued at the conclusion of the Licensing Process will authorise the Licensee, subject to any terms and conditions of the Public Lottery Licence or any Ancillary Agreement(s), to conduct one or more Public Lotteries for a term of 10 years.

This Notice specifies and provides Registrants with information about the:

- process for issuing a Public Lottery Licence;
- terms and conditions that will apply to all participants in the Licensing Process;
- matters that the Minister considers relevant to a ROI;
- Minimum Standards that a Registrant must meet for a ROI to be considered by the Minister; and
- information, material and responses that a Registrant is requested to provide in its ROI.

### 2 LEGISLATIVE BASIS FOR PUBLIC LOTTERY LICENSING

The Act provides the legislative basis for the Licensee to conduct Public Lotteries in Victoria. In addition to the Act, other State and Commonwealth legislation and legislative instruments may apply to the operation of a Public Lottery business and may influence a Registrant's decision about how it will develop its proposal for the operation of a Public Lottery business in Victoria (**Applicable Legislation**).

Applicable Legislation that may affect the Public Lottery Licence, the operation of a Public Lottery business and the broader Victorian gambling market in which the Licensee will operate includes the:

- Act;
- **Victorian Commission for Gambling and Liquor Regulation Act 2011** (Vic.);
- **Consumer and Competition Act 2010** (Cth);
- Corporations Act;
- **Interactive Gambling Act 2001** (Cth); and
- regulations and rules made from time to time under any of the legislation referred to above.

Registrants should make themselves aware of the Applicable Legislation and if issued the Public Lottery Licence, must ensure compliance with Applicable Legislation relevant to the operation of a Public Lottery business throughout the term of the Public Lottery Licence.

### 3 PUBLIC LOTTERIES IN VICTORIA

This section provides an overview of the:

- Public Lotteries currently available in Victoria and the potential for new Public Lotteries under the New Public Lottery Licence;
- current and proposed distribution arrangements for Public Lotteries;
- sales history for Public Lotteries in Victoria; and
- proposed arrangements for the future provision of Public Lotteries under the New Public Lottery Licence.

#### 3.1 Public Lottery products currently offered in Victoria

Under the Current Public Lottery Licence, there are three main types of Public Lottery products offered in Victoria; those that are determined by:

- drawing numbers from a larger pool of numbers. These may be conducted through ball draws or some other random draw mechanism;
- scratching or revealing panels on a ticket for the opportunity to win a prize (instant lotteries or ‘scratchies’); and
- reference to the results of external events (being a soccer football pool).

The Public Lottery Licence authorises the Current Licensee to conduct the Public Lotteries specified and authorised under the Current Public Lottery Licence. The products that the Current Licensee is authorised to offer are:

- Tattslotto – Bloc lottery;
- Oz Lotto – Bloc lottery;
- Powerball – Bloc lottery;
- Super 66 – Bloc lottery;
- The Pools – Bloc lottery;
- Monday & Wednesday Lotto – Bloc lottery;
- Draw Lotteries – Bloc lottery;
- Set for Life – Bloc lottery;
- Keno; and
- Instant Scratch-Its.

Further information on the Current Public Lottery Licence, including details of the products offered, can be accessed via the website of the VCGLR: <http://www.vcglr.vic.gov.au/home/gambling/existing+licensees/lotteries/public+lotteries>

Public Lotteries must be conducted in accordance with lottery rules made by the Licensee. The rules for each Public Lottery conducted under the Current Public Lottery Licence can be found at: [https://media.tatts.com/Lotto/tattersalls/games/General/20150731\\_Rules%20of%20Authorised%20Lotteries\\_1%20August%202015.pdf](https://media.tatts.com/Lotto/tattersalls/games/General/20150731_Rules%20of%20Authorised%20Lotteries_1%20August%202015.pdf)

##### 3.1.1 ‘Bloc’ Agreements

Registrants should note that in Australia public lottery licences are issued on a state-by-state basis. In order to increase the size of the prize pools (and hence the attractiveness of each lottery) for players, the Current Licensee has entered into Bloc Agreements with lottery operators in other states and territories to operate certain Public Lotteries under a national pool.<sup>1</sup>

<sup>1</sup> The Current Licensee is also authorised in other jurisdictions (including Tasmania) to sell its products (subject to the regulatory requirements of each jurisdiction).

Public Lotteries that are subject to a Bloc Agreement have been identified above in section 3.1 as a 'Bloc lottery'. Non-Victorian members of the current Bloc Agreements for these Public Lotteries are (**Members**):<sup>2</sup>

- Lotteries Commission of South Australia and Tatts Lotteries SA Pty Ltd – South Australia;
- Lotteries Commission of Western Australia (Lotterywest) – Western Australia;
- New South Wales Lotteries Corporation Pty Ltd – New South Wales and Australian Capital Territory;
- Golden Casket Lottery Corporation Limited – Queensland; and
- Tatts NT Lotteries Pty Ltd – Northern Territory.

The New Public Lottery Licence will authorise the New Licensee to enter into Bloc Agreements. However, Registrants should note that neither the State nor the Minister is in a position to grant a successful Applicant the right to participate in the current Bloc Agreements.

The State understands that the current Bloc Agreements generally incorporate the following terms:

- **Term:** The Bloc Agreement operates for an indefinite duration whilst there are at least two Members.
- **New members:** If the existing Members agree, a new licensee may be admitted as a member of the Bloc Agreement. A new member must enter into each Bloc Agreement on the same terms as the existing Members.
- **The game:** Each Member shall promote, conduct and sell entries in the bloc lottery as provided for by the legislation and licensing terms governing lotteries in the Member's respective jurisdiction.
- **Pooling:** Members pool lotteries prize money on a pari-mutuel basis, with each Member contributing a prescribed amount to the prize fund so that each Member can offer substantially larger prizes than would otherwise be possible. Members must also make prize payments to other Members of common dividends won in respect of each game.
- **Intellectual Property:** Unless agreed by all Members to the contrary, any intellectual property owned by a Member at the time of entering into the Bloc Agreement will continue to be the sole property of that Member and all issues relating to the intellectual property in or used in connection with each lottery will be governed by the terms of an separate trade mark agreement, and any ancillary licence agreements, for each lottery entered into, with the consent of all the Members, or a quorum of Members.

Copies of the current Bloc Agreements will be made available to Selected Registrants (if any) when invited by the Minister to apply for the Public Lottery Licence, subject to the execution of a confidentiality agreement.

The Current Public Lottery Licence includes provisions that might assist a New Licensee being admitted to join the current Bloc Agreements. These provisions are set out in clause 9.1 of the Current Public Lottery Licence. Clause 9.1 of the Current Public Lottery Licence provides that the Current Licensee is under an obligation to:

- act in good faith and give all reasonable assistance during the Transition Out Period (as defined in the Ancillary Agreement) for transition of that Authorised Lottery to a person appointed to operate an Authorised Lottery that is the subject of a Bloc Agreement;

<sup>2</sup> Not all Members participate in each of the Bloc lotteries identified in section 3.1.

- facilitate the inclusion of that person in that Bloc Agreement for the purpose of conducting Authorised Lotteries in Victoria as part of the Bloc Agreement; and
- not engage in conduct which has the effect or would have the effect of unreasonably excluding any person that is appointed to operate an Authorised Lottery that is the subject of a Bloc Agreement from that Bloc Agreement.

Each Registrant should make its own assessment of, and obtain appropriate advice, in relation to, these provisions.

### **3.2 Future product offerings under the Public Lottery Licence**

The New Public Lottery Licence will authorise and require the New Licensee to conduct and promote all products which are authorised Public Lotteries under the Act and specified in the New Public Lottery Licence.

In considering whether a proposed Public Lottery or Distribution Method for a Public Lottery proposed by an Applicant may be authorised under the New Public Lottery Licence, the Minister will consider whether the proposed Public Lottery will be offensive or contrary to the public interest.

The Minister has the discretion to amend the Public Lottery Licence during the term of the Public Lottery Licence to enable the availability of additional products and Distribution Methods. Any proposed amendment will be considered on a case-by-case basis in accordance with the Act.

Where a Licensee makes a request to amend the Public Lottery Licence, as a condition of making a requested amendment, the Minister may require the Licensee to pay to the State a premium determined by the Minister that reflects the increased value of the Public Lottery Licence as amended.

The State is seeking a New Licensee that will:

- review its Public Lotteries throughout the term of the Public Lottery Licence to ensure that the Public Lotteries offered by the Licensee remain attractive to Victorian players; and
- ensure that its Responsible Gambling Code of Conduct (subject to approval by the VCGLR) is at all times appropriate for the Public Lottery market in Victoria having regard to industry changes, emerging research and government and community expectations about responsible gambling.

### **3.3 Public Lotteries that will not be authorised**

A Public Lottery that is or involves:

- (a) wagering;
- (b) gaming on gaming machines;
- (c) a club keno game; or
- (d) a game, other than keno, approved under section 60 of the **Casino Control Act 1991** (Vic.) to be played in a casino,

cannot be authorised under the Public Lottery Licence.

In addition, it is not intended that the Minister will authorise a Public Lottery that is a rapid-draw lottery.

### **3.4 Public Lotteries Distribution**

#### **3.4.1 Current distribution methods in Victoria**

The Distribution Methods for each Authorised Lottery are specified in the Current Public Lottery Licence. This includes the method of selling lottery tickets and the approved points of sale. The Current Licensee is obliged to conduct all Public Lotteries authorised by the Current Public Lottery Licence, but is not required to sell tickets at

all approved points of sale. Any change to the Distribution Method for an Authorised Lottery requires an amendment to the Public Lottery Licence and must be approved by the Minister.

Public Lotteries are currently distributed through an existing network of Distributors, being:

- Tattersall's full-offer retail outlets (including sub-outlets);
- partial-offer retail outlets;
- convenience outlets; and
- Tattersall's website.

#### 3.4.2 *Proposed Distribution Methods*

##### *Distribution through retail outlets*

It is intended that the New Public Lottery Licence will authorise the distribution of Public Lotteries from any retail outlet, including all convenience outlets, supermarkets and hypermarkets.

Distribution in supermarkets and hypermarkets will only be authorised where the distribution is restricted to locations where other products that cannot be purchased by minors are sold, including for example, cigarettes and alcohol. It is intended that the restrictions on the locations where Public Lotteries may be purchased within a retail outlet will only apply in supermarkets and hypermarkets.

##### *Electronic Distribution Methods*

It is intended that the sale of Public Lotteries online will be permitted via the Licensee's website (subject to any restrictions under the **Interactive Gambling Act 2001** (Cth)).

The New Public Lottery Licence will require the New Licensee to develop and maintain a website for the distribution of Authorised Lotteries in Victoria and to use its best endeavours to ensure that players are not redirected to a website of a related entity of the Licensee in another Jurisdiction or to another member of a Bloc Agreement.

It is not intended that distribution using Short Messaging Service, commonly known as SMS, technology will be authorised by the New Public Lottery Licence.

#### 3.4.3 *Current arrangements with Distributors*

The State understands that the Current Licensee has entered into distribution arrangements with each distributor that distributes its Public Lotteries (**Distributor**).

Under clause 10.3 of the Current Public Lottery Licence, the Current Licensee must not engage in any exclusive distribution arrangements with a Distributor that has the purpose or effect or likely effect of precluding a Distributor from acting as a distributor for another licensee, except where the Current Licensee controls the Distributor within the meaning of section 50AA of the Corporations Act. Notwithstanding this restriction, the Current Licensee:

- is not precluded from requiring as part of its operational standards and distributor arrangements a Distributor to have a dedicated area within the Distributor's premises to be made available only for the conduct of the Authorised Lotteries (**Dedicated Area**); and
- may have exclusive arrangements with Distributors for which the predominant purpose of the Distributor's business at establishment was for the sale of Authorised Lotteries (**Licensee Only Distributor**).



### 3.4.4 *Future arrangements with Distributors*

#### *Fair dealings*

The State is seeking a New Licensee that treats, and will deal with, Distributors in a fair and reasonable manner and that all requirements imposed on Distributors are reasonable in the context of the nature and turnover of a Distributor's Public Lotteries business. It is intended that the draft Public Lottery Licence will include an obligation on the New Licensee to act in this manner in its dealings with its Distributors (or potential Distributors), including when negotiating the terms of any distribution agreements (or any changes to its distribution agreements).

The State is also seeking a New Licensee that will provide reasonable support and services to its retail Distributors to enable those Distributors to maximise their capacity to sell Authorised Lotteries.

#### *Exclusive distribution and Dedicated Area*

It is intended that the New Licensee will not be permitted to engage in any exclusive distribution arrangement with a Distributor that has the purpose or effect or likely effect of precluding a Distributor from acting as a distributor for other products (both gambling and non-gambling products), except where the New Licensee controls the Distributor within the meaning of section 50AA of the Corporations Act.

Notwithstanding this restriction, the New Licensee will be permitted to require that its Distributors have a Dedicated Area. However, a Dedicated Area will only be permitted if its size, location and scale are reasonable having regard to the nature of the Distributor's business.

#### *Dispute resolution process*

The State is seeking a New Licensee that will implement an effective and efficient dispute resolution process that will be available to Distributors and potential Distributors in the event that disagreements arise prior to and during the course of the New Licensee's relationship with its Distributors.

It is intended that as part of this dispute resolution process required by the New Public Lottery Licence, the New Licensee will appoint an independent arbiter to whom disputes can be referred by either the New Licensee or a Distributor for a decision that will be binding on the New Licensee.

It is not intended that these proposed Public Lottery Licence requirements will preclude Distributors from raising complaints with or referring disputes to the ACCC or under any applicable industry code, including the Franchising Code of Conduct or preclude a Distributor from commencing proceedings in a court or tribunal.

The details of these obligations will be provided to Selected Registrants at the ITA stage.

### 3.5 **Intellectual Property**

Each Registrant should make its own inquiries and obtain appropriate advice in relation to the use of any existing intellectual property rights required for the future operation of its proposed Public Lotteries.

Neither the State nor the Minister make any assurances that a New Licensee will be granted the Intellectual Property Rights subsisting in the Public Lotteries currently being conducted in Victoria (including the name, logo and rules of the Public Lotteries), including any Intellectual Property Rights subsisting in the current Bloc Agreements.

Registrants should note that the current Ancillary Agreement includes provisions in relation to the sub-licensing of Licensed IP (as that term is defined in the Ancillary Agreement) to a New Licensee (see clause 4 of the Ancillary Agreement). It is intended that Selected Registrants will be provided with further information in relation to the Licensed IP at the ITA stage.

### 3.6 Equipment approval

The Act provides that the VCGLR must approve all technical equipment and systems used in connection with a Public Lottery. The VCGLR may, with the approval of the Minister, make standards in respect of this equipment. There are currently no standards made under section 10.1.5A of the Act however Registrants should consider the Lottery System Document (Version 2.2, 5 January 2005) which is currently used by accredited testing facilities to evaluate lottery systems for approval in Victoria.

This Lottery System Document has been used to ensure:

- the system operates in accordance with the rules of each Authorised Lottery;
- the system is fair to players;
- the system operates in a manner that is auditable, reliable and secure; and
- all parties receive the correct entitlement for lottery subscriptions and revenue.

For a copy of the Lottery System Document see: <http://www.vcglr.vic.gov.au/home/laws+and+regulations/policy/technical+standards/>

It is intended that Selected Registrants will be provided with further information in relation to the technical standards that will be applied to the New Licensee's technical equipment and systems at the ITA stage.

### 3.7 Lottery agent's commission

The New Public Lottery Licence will regulate the amount of commission payable to Distributors. Each Selected Registrant will be asked to provide details of its proposed commission structure at the ITA stage. The commission that will be payable under the New Public Lottery Licence to Distributors is intended to be subject to the Minister's approval under the terms of the New Public Lottery Licence.

### 3.8 Premium payment

#### 3.8.1 Premium

Under section 5.3.9 of the Act, the Minister may require the New Licensee to pay, as consideration for the Public Lottery Licence, one or more amounts determined by the Minister as the premium payment. The Minister may determine the premium payment as:

- (a) a single amount payable on the issue of the Public Lottery Licence or by the later time determined by the Minister; or
- (b) an amount payable each year for the duration of the Public Lottery Licence at the time determined by the Minister.

Selected Registrants will be asked at the ITA stage to make an offer to the State for the premium that it will pay as consideration for the Public Lottery Licence.

#### 3.8.2 Additional premium payment for commission paid for online sales

In addition to any premium offered by Selected Registrants at the ITA stage, Registrants should note that the Minister is considering whether, as a term of the New Public Lottery Licence, the New Licensee may be required to pay an amount each year which is determined by the amount of commission payable to the New Licensee for online sales through the New Licensee's website as a premium payment (**Online Premium**). This may be in addition to any premium offered by Selected Registrants at the ITA stage.

Details of the premium payments requirement by the New Licensee will be provided at the ITA Stage.

### 3.9 Return to Player

Section 5.4.1 of the Act requires that the Licensee ensure that the following minimum return to players is made on Public Lotteries conducted each year under the Public Lottery Licence:

- 50 per cent of the total amount paid by players to enter soccer and football pools;
- 60 per cent of the total amount paid by players to enter any other Public Lottery.

Return to player amounts are calculated on a per Public Lottery basis.

It is not proposed that there will be any change to the way in which the return to player is calculated under the New Public Lottery Licence.

### 3.10 Public Lottery Sales/Market data

In 2014–15, Public Lottery turnover in Victoria under the Current Public Lottery Licence was \$1.3 billion.

Historical sales data for each Authorised Lottery under the Current Public Lottery Licence is provided in Appendix M. Appendix M also includes historical sales data for Intralot Australia Pty Ltd who operated a Public Lottery Licence in Victoria from 1 July 2008 to 31 January 2015.

The data presented in Appendix M is historical and is provided for information purposes only and must not be construed as a warranty or representation of future performance or expectations under the New Public Lottery Licence.

## 4 PUBLIC LOTTERY LICENCE AND ANCILLARY AGREEMENT(S)

The Minister may impose any conditions she thinks fit on the Public Lottery Licence and may refuse to issue a Public Lottery Licence unless the Applicant enters into one or more agreements with the Minister dealing with matters ancillary to the Public Lottery Licence.

The form of a New Public Lottery Licence and Ancillary Agreement(s) required by the Minister will not necessarily be similar to the Current Public Lottery Licence or Ancillary Agreement(s).

A draft Public Lottery Licence and Ancillary Agreement(s) will be provided to Selected Registrants at the commencement of the ITA stage to allow them to provide feedback on the draft Public Lottery Licence and Ancillary Agreement(s) to the State before the date for lodgement of Applications. Feedback and comments provided will be considered by the State and/or State Parties in the finalisation and settlement of the Public Lottery Licence and Ancillary Agreement(s).

**Any comment or feedback provided by Selected Registrants will only be permitted in respect of the proposed Public Lottery Licence and Ancillary Agreement(s). However, any such comments or feedback will not be taken into account in the evaluation of Applications at the ITA stage.**

The final Public Lottery Licence and Ancillary Agreement(s) will be provided to all Selected Registrants prior to the lodgement date for Applications. Each Selected Registrant will then be required to confirm its agreement to comply with the terms of the Public Lottery Licence and to enter into, and comply with, the terms and conditions of the Ancillary Agreement(s) if awarded the New Public Lottery Licence.

In addition to any other matters identified in the Introduction for intended inclusion in the New Public Lottery Licence, some further indicative terms and conditions of the New Public Lottery Licence and Ancillary Agreement(s) are detailed below. Registrants should note that the terms and conditions set out below are indicative only and the Minister may at her discretion impose any terms and conditions that she thinks fit on the New Public Lottery Licence and Ancillary Agreement(s).

**4.1 Terms of the Licence**

The New Public Lottery Licence to be issued at the conclusion of the Licensing Process may include the following terms:

Licence term	Licence term of 10 years, and licence can only be extended once for a maximum period of 12 months.
Number of licences	One Public Lottery Licence to be issued.
Amendment of licence	<p>In accordance with section 5.3.19(1A) of the Act, the Minister may make any amendment to the Public Lottery Licence at any time upon giving written notice of the decision to amend the Public Lottery Licence to the Licensee. Before making an amendment, the Minister must notify the Licensee of the Minister's intention and give the Licensee no less than 14 days to make written representations about the intended action.</p> <p>The Licensee may also seek to amend the Public Lottery Licence. The process for amending the Public Lottery Licence in this way requires the Licensee to seek Ministerial approval under section 5.3.16 of the Act. A premium payment may be required as a condition of any amendment to reflect any increase in licence value.</p>
Surrender of licence	Subject to the Minister's consent, the Licensee may surrender the Public Lottery Licence.
Conduct of Public Lotteries	<p>The Licensee can only conduct Public Lotteries specified in the Public Lottery Licence.</p> <p>The Licensee must conduct all Public Lotteries specified in the Public Lottery Licence.</p>
Changing authorised lotteries	The Licensee cannot claim a refund of any part of a premium payment if a Public Lottery is removed from the Public Lottery Licence but the Minister may require a premium payment for amendment to a Public Lottery that results in any increase in licence value.
Premium payment	The Minister may require that the Licensee pay, as consideration for the Public Lottery Licence, one or more amounts determined by the Minister as the premium payment.
Compliance	<p>The Licensee must comply with the Act and Regulations including compliance with:</p> <ul style="list-style-type: none"> <li>● the return to player provisions set out in section 5.4.1 of the Act;</li> <li>● supervision charges set out in section 5.4.2 of the Act;</li> <li>● Public Lottery tax provisions set out in section 5.4.3 of the Act.</li> </ul>
Annual financial statements	Licensee must submit annual financial statements on its Public Lotteries business to the Minister that comply with Australian Accounting Standards and that have been audited by an auditor approved by the VCGLR.

Physical place of business	The Licensee must maintain a physical place of business in Victoria throughout the licence term.
Corporate structure	The Licensee must be a body corporate.
Directing customers to purchase Public Lottery tickets online	The Licensee must not require a Distributor to encourage or induce a customer to purchase Public Lottery tickets via the Licensee's website. This restriction will not prevent the Licensee from requiring a Distributor to display advertising that includes the address of the Licensee's website.
Communicating proposed changes to Public Lottery business	The Licensee must, prior to introducing any changes to the operations of its Public Lottery business that may change its distribution arrangements or impact on a Distributor's Public Lottery businesses, meet with the relevant industry associations (including any organisation authorised by the ACCC to conduct collective bargaining on behalf of Distributors) to discuss the proposed changes.

#### 4.2 Terms of the Ancillary Agreements

The Ancillary 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:

Performance standards	The Licensee must comply with set performance standards.
Reporting requirements	The Licensee must provide regular reports to the VCGLR and other reports upon request from the VCGLR.
Liability in relation to issue of licence	The Licensee acknowledges that no action lies against the State, the State Parties or the VCGLR and no compensation is payable to the Licensee in connection with the issue of the Public Lottery Licence.

#### 4.3 Licence Commencement and Transition

Registrants acknowledge that the Current Public Lottery Licence is due to expire on 30 June 2018. Selected Registrants will be advised of the Public Lottery Licence Commencement Date for the New Public Lottery Licence at the ITA stage. Further transition related information will be made available to Selected Registrants at the ITA stage.

### 5 ADMINISTERING THE MINISTER'S DECISION

The Minister's decision at the ROI stage will be informed by the VCGLR Report and the separate assessment of matters considered by the Department on behalf of the Minister, as well as any matters the Minister considers relevant, including compliance with the Minimum Standards.

#### 5.1 Department of Justice and Regulation

The Department will administer the Licensing Process, on behalf of the Minister, to support her in fulfilling her statutory obligations in relation to the Licensing Process.

#### 5.2 Victorian Commission for Gambling and Liquor Regulation

The VCGLR is a statutory body established under the **Victorian Commission for Gambling and Liquor Regulation Act 2011** (Vic.).

The Act provides that:

- at the ROI stage, the VCGLR must report to the Minister on the matters specified by the Minister in this Notice as matters on which the VCGLR will report to the Minister, in relation to each Registration of Interest referred to it by the Minister; and
- at the ITA stage, the VCGLR must report to the Minister stating whether or not, in the VCGLR's opinion, each Application referred to the VCGLR by the Minister meets the requirements set out in section 5.3.4 of the Act. The report may include any recommendations the VCGLR thinks fit, including any recommendations as to any appropriate licence terms. The report must include the reasons for any findings or recommendations contained in it.

The VCGLR's powers of investigation in relation to these stages of the Licensing Process are set out in Division 1 of Part 4 of Chapter 10 of the Act and in the **Victorian Commission for Gambling and Liquor Regulation Act 2011** (Vic.).

## 6 INDICATIVE TIMETABLE

The timetable set out below is provided as an indication of timing for the issue of a Public Lottery Licence (and related activities as set out). Dates, events and descriptions may change at any time at the Minister's discretion.

Milestones	Date
Call for ROI by Notice published in the Victoria Government Gazette	30 September 2015
Close of questions and clarifications regarding the ROI Notice	2 pm AEDT on Thursday 12 November 2015 (2 weeks before the date for lodgement of the ROI)
Date for lodgement of ROI	Before 2 pm AEDT on Thursday 26 November 2015
Issue of ITA to Selected Registrants (if any) including proposed Licence and Ancillary Agreement	July 2016
Feedback on proposed Public Lottery Licence and Ancillary Agreement(s) to be provided by Selected Registrants	August 2016
Final Public Lottery Licence and Ancillary Agreement provided to Selected Registrants	September 2016
Applications for a Public Lottery Licence to be lodged	October 2016
Announcement of successful Applicant (if any) for Public Lottery Licence	June 2017
Anticipated expiry of Current Public Lottery Licence	30 June 2018
Anticipated commencement of the Public Lottery Licence	1 July 2018

**PART A: PROCEDURE FOR REGISTERING INTEREST**

All potential Registrants considering lodging a ROI must register and download a copy of this ROI documentation from the Victorian Government tenders website: [www.tenders.vic.gov.au](http://www.tenders.vic.gov.au)

**1 LODGEMENT OF ROIs****1.1 ROI Lodgement Requirements**

A ROI (including all Schedules completed by a Registrant and each of its Relevant Associates, all letters and third party responses) must be lodged by the Lodgement Date. A ROI must be placed in a sealed envelope/packaging prominently marked with the following details:

- Registrant's full name
- ROI name: Public Lottery Licence Registration of Interest
- ROI number: ROI 013/15-16

Four (4) hard copies of the complete ROI, formatted as follows, are to be submitted:

- 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) USB/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 a Registrant and all sections are to be numbered in accordance with the directions provided in Part C of this Notice.

One USB/CD-ROM/DVD data must be in Microsoft format (Word, Excel, Project) in unprotected form to enable data analysis to facilitate evaluation of the submission and one USB/CD-ROM/DVD 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 that takes priority over all other copies.

The 'Original Bound Copy' of the ROI must be lodged with a Deposit in the amount specified in Part B – section 8.3 of this Notice. The Deposit must be in a sealed envelope prominently marked with the details as specified above.

**1.2 ROI Lodgement Date**

All responses to this Notice must be lodged before 2 pm on 26 November 2015 AEDT.

Any ROI lodged after the Lodgement Date will only be accepted subject to the provisions set out in Part A – section 1.4 of this Notice. It is the responsibility of a Registrant to ensure that it allows sufficient time to physically lodge the ROI at the Tender Box.

**1.3 Tender Box**

All ROI submissions are to be lodged at the Tender Box, which is located at:

Level B2 (Basement)  
Mail Centre  
121 Exhibition Street  
Melbourne  
Victoria, Australia

The Tender Box is open from 7am to 5pm on Business Days.

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

**1.4 Lodgement after the Lodgement Date**

Subject to Part A – section 1.4.1 and section 1.5 below, if a ROI is lodged after the Lodgement Date or it is lodged at a location or in a manner that is contrary to that specified in this Notice, the Minister may, in her absolute discretion, refuse to consider, consider further, or refer the ROI to the VCGLR.

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

**1.4.1 Minister's discretion in respect of Lodgement Date**

The Minister may consider a ROI lodged after the Lodgement Period if a Registrant can clearly demonstrate (to the reasonable satisfaction of the Minister) that lodgement of the ROI after the Lodgement Date:

- (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 Date.

The Minister may extend the Lodgement Date in her 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.

**1.5 Late Submission of Completed National Police Certificate**

A ROI, including all completed and executed Schedules, must be lodged by the Lodgement Date in accordance with Part A – section 1.2 of this Notice. It is noted however that there may be minor delays with the processing by Victoria Police of the required National Police Certificate.

To accommodate any such delay, if and only if that delay in fact arises, Registrants must apply (prior to the Lodgement Date) to the Senior Project Manager at the email address in Part B – section 5.2 for the late submission of the completed form set out in Appendix J – National Police Certificate from Victoria Police and Schedule U. The Senior Project Manager will, at his or her discretion, determine whether or not to extend the period during which this Appendix J and Schedule U may be completed and submitted. The Senior Project Manager shall advise Registrants of the late lodgement details for this Appendix J and Schedule U only. Any extension given by the Senior Project Manager under this section will not exceed two (2) weeks after the Lodgement Date (not later than 10 December 2015).

**1.6 Questions relating to lodgement process**

Any questions relating to the lodgement process should be directed to the Senior Project Manager at the email address set out at Part B – section 5.2 of this Notice.



**PART B: TERMS AND CONDITIONS FOR ALL REGISTRATIONS OF INTEREST****1 ELIGIBILITY REQUIREMENTS**

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

- (a) has a physical place of business in Victoria; and
- (b) is a body corporate

**(Eligible Registrant).**

The Minister has the discretion to consider a ROI that fails to comply with any of the requirements of the Act or this Notice. The Minister may, in her absolute discretion, refuse to consider, consider further, or to refer a non-compliant ROI to the VCGLR as provided by section 5.3.2A of the Act.

**2 APPLICATION OF TERMS AND CONDITIONS****2.1 Persons and matters to which Terms and Conditions relate**

A Registrant must comply with the Terms and Conditions, and must procure relevant third parties (including each Associate) to comply with those matters contained in this Notice, including these Terms and Conditions, that are expressed to apply to them.

These Terms and Conditions are intended to bind prospective Registrants and persons that obtain a copy of this Notice, to the maximum extent that the Terms and Conditions are 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 that is a potential Registrant or a person that 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 Department, the VCGLR or otherwise by the State or a State Party in connection with this Notice including any additional materials requested or provided in accordance with Part B – section 5.8 of this Notice and any revisions or addenda;
- (b) a ROI including any material, information or documents forming part of the ROI or provided or acquired in relation to a ROI;
- (c) the ROI process; and
- (d) all communications (including any briefings, presentations, meetings or negotiations) with the State, any State Party, the VCGLR or the Senior Project Manager relating to this Notice, a ROI or the ROI process.

**2.2 Letter of acknowledgement and agreement**

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

The duly executed letter must be delivered with a ROI at the same time and in accordance with the procedures that apply to lodgement of ROIs set out in Part A – section 1 of this Notice.

**2.3 Third Party Arrangements**

Where this Notice provides that something must be done or not done on behalf of a Registrant, its Associates, or by any of their respective Relevant Persons, a Registrant must enter into appropriate arrangements with those persons, to ensure that a Registrant complies with the requirements of this Notice and so that a Registrant's continued participation in the ROI process is not adversely affected by the failure of any of those persons to comply with this Notice.

In particular, where Schedules to be submitted with a ROI to comply with the Minimum Standards are required to be completed and/or executed by third parties (including individual and corporate entity Relevant Associates), a Registrant must ensure that these Schedules are provided to those third parties and are completed, executed and returned for inclusion in a Registrant's ROI before the Lodgement Date. A Registrant must ensure that, in addition to information provided by a Registrant, all information relating to its Relevant Associates and other third party documents and information that a Registrant provides to the State as part of its ROI or that is provided to the State, a State Party or the VCGLR may be released to the State, State Parties and the VCGLR for the purposes of the proper assessment of a 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 B – section 3 below, if a 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 her absolute discretion, in addition to any other remedies available to her under the Act or otherwise at law refuse to consider, consider further, or to refer to the VCGLR, a Registrant's ROI as provided for by section 5.3.2A of the Act.

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

The Minister has 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 her powers and discretions under the Act or otherwise at law, the Minister reserves her right, in her absolute discretion:

- (a) at any stage, and in accordance with section 4.3 of this Part B, 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 request additional information or clarification from any Registrant or any Relevant Associate in the ROI process;
- (c) to refuse to consider, consider further or refer to the VCGLR, any ROI received after the Lodgement Date;
- (d) to refuse to consider, consider further or refer to the VCGLR, any ROI that does not comply with the Terms and Conditions or fails to meet the Minimum Standards or requirements specified in any part of this Notice (whether or not a particular section or paragraph of the Notice expressly provides that her discretion may be exercised); and
- (e) following consideration of the VCGLR's Report and any other matters that the Minister considers relevant, the Minister may decide to invite one or more Registrants to apply for a New Public Lottery Licence.

### **4 THE NOTICE**

#### **4.1 Prior information**

In the event of any inconsistencies between this Notice and any other documents or information previously provided or issued by the State, any State Parties or the VCGLR in relation to any aspect of the Licensing Process, the information set out in this Notice shall prevail subject always to the Glossary of Terms and Interpretation section of this Notice.

#### **4.2 Accuracy of Notice and information**

While all due care has been taken in connection with the preparation of this Notice, neither the State, any State Party nor the VCGLR 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, neither the State, any State Party nor the VCGLR 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. A 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 investigations and enquiries within the probity principles set out in this Notice.

Without limiting the above, neither the State, any State Party nor the VCGLR warrants that any intellectual property rights, including patents, trademarks and logos are available to be used in conjunction with the term 'Public Lottery' by the New Licensee. A 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 Public Lotteries which the New Licensee may be authorised to conduct under the New Public Lottery Licence.

#### **4.3 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 the Lodgement Date 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). It will be the responsibility of each person intending to lodge a ROI to regularly check that website for information relating to additions or amendments made to this Notice.

Notifications of amendments to this Notice, including the ROI process outlined in this Notice, after the Lodgement Date will be sent to the email address provided by a Registrant in its ROI.

To the maximum extent permitted by law, a Registrant will have no claim against the State, any State Party or the VCGLR for a 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 must be provided by a Registrant to the Minister within the time frame indicated in the amendment notice (via the email address set out at Part B – section 5.2).

#### **4.4 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, any State Party or the VCGLR unless that representation is expressly incorporated into the terms and conditions of the New Public Lottery Licence or any Ancillary Agreement(s) ultimately entered into between the Minister and the Licensee.

#### **4.5 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 only use this Notice and such documents for the purpose of preparing a response to this Notice.

All Intellectual Property Rights as may exist in this Notice and any other documents provided to a 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 a Registrant in accordance with the Terms and Conditions set out in this Part B.

#### **4.6 Availability of Additional Materials**

All persons interested in submitting a ROI should familiarise themselves with the provisions of the Act, particularly Chapters 5 and 10. This Notice and all other documents referred to in this Notice should also be carefully read and considered.

## **5 COMMUNICATION DURING THE LICENSING PROCESS**

### **5.1 Communication with the State**

Registrants (including prospective Registrants) may only communicate with the State during the Licensing Process via the:

- Senior Project Manager;
- VCGLR; and
- Probity Adviser (see section 5.4 below),

and as provided for by this Notice.

Details about the communication protocols which apply to the ROI process are set out in this Part B – section 5 of this Notice.

### **5.2 Senior Project Manager**

The Senior Project Manager will carry out the functions and take the actions described in this Notice for the State and relevant State Parties as provided for 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 B – section 5.4; and
- after the Lodgement Date, responses to the VCGLR where the VCGLR has communicated directly with a Registrant and/or a Registrant's Relevant Associates and that communication requests a response, which will be managed in accordance with Part B – section 5.8,

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

doj.olgr.LLP@justice.vic.gov.au

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

Senior Project Manager  
Lotteries Licensing Project  
Office of Liquor, Gambling and Racing  
Department of Justice and Regulation  
GPO Box 123  
Melbourne, Victoria 3001

### **5.3 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 Licensing Process are the:

- Probity Adviser; and
- IRP.

### **5.4 Probity Adviser**

The State has appointed an external Probity Adviser, O'Connor Marsden & Associates in relation to the Licensing Process. The Probity Adviser is an independent adviser to the State, relevant State Parties and the VCGLR regarding the probity and good governance of the Licensing 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 the ROI process. The contact details for the State's Probity Adviser are as follows:

Andrea Hassett  
Director  
O'Connor Marsden and Associates  
Email Address: ahassett@ocm.net.au

### 5.5 Independent Review Panel

The 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.

### 5.6 Unauthorised communications

All communication with respect to this Notice and in relation to the ROI process will be through the Senior Project Manager or as otherwise provided in Part B – section 5.2. A Registrant, its Associates, and their respective Relevant Persons must not communicate during the ROI process or at any time during the Licensing Process with the State, any State Parties or the VCGLR (including by promotional or advertising activities) with respect to a 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 Senior Project Manager.

Nothing in this section 5.6 is intended to prevent appropriate communications with the State, any State Parties or the VCGLR to the extent that such communications do not relate to this Notice, a ROI, the ROI process or the Licensing Process and does not prevent the Senior Project Manager, the VCGLR, the IRP or the Probity Adviser from communicating with a Registrant, potential Registrant, or their Associates or their respective Relevant Persons in accordance with this Notice.

### 5.7 Requests for clarification or further information by Registrant

A Registrant may request clarification from the State, through the Senior Project Manager, if it:

- is of the view that this 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 **2 pm AEDT on 12 November 2015**. Requests must be submitted in writing by email to the Senior Project Manager at the email address specified in Part B – section 5.2 above.

Any request for clarification will be deemed to be made upon receipt by the Senior Project Manager of the request for clarification (provided such communication is submitted to the correct email address).

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

All requests for clarification to which responses are provided by the Minister will be uploaded on the Victorian Government tenders website (see **Appendix A**) and an email notification will be sent to those that registered and downloaded the ROI documentation from this website. 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.

Where a Registrant is of the view that a clarification request is not of a general nature, but relates to matters that are particular to that Registrant or its proposed ROI, that Registrant may identify that the clarification request is particular to them. Where a clarification request is identified in this way, the Senior Project Manager may in his or her discretion:

- not respond to the clarification request;
- provide a Registrant with the opportunity to withdraw its request;
- publish the question and response for all Registrants; or
- provide a response that will not be circulated to other Registrants.

The State, any State Parties and the VCGLR will not be liable to a Registrant or any of its Associates for publishing any questions or responses in accordance with this section. To the maximum extent permitted by law a Registrant will indemnify the State, each of the State Parties and the VCGLR against any loss or damage that a Registrant or any of its Associates suffer as a result of the publication of any proprietary or confidential information published by the State, any State Parties or the VCGLR in accordance with this section.

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

The VCGLR or the Senior Project Manager, as appropriate, may by notice in writing, request that a Registrant or any of its Relevant Associates:

- (a) provide further information that is relevant to the consideration of its ROI;
- (b) produce any records relevant to the consideration of its ROI specified in the Notice (and, if required, 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 VCGLR with the authorities and consents that the VCGLR requires for the purpose of enabling the VCGLR to obtain information (including financial and other confidential information) concerning a Registrant or any of its Relevant Associates from other persons, including for the purpose of putting such information to a Registrant or any of its Relevant Associates as may be required for the purpose of its ROI, ROI process and Licensing Process.

Where the Senior Project Manager requests such information or records, the Senior Project Manager may give any information provided or record produced by a Registrant or any of its Relevant Associates, or a copy of the information or record, to the VCGLR if the Senior Project Manager considers that the information or record is relevant to an investigation or inquiry by the VCGLR in relation to a ROI.

Where the VCGLR requests such information or records, the VCGLR will give the Senior Project Manager a copy of the information or records provided or produced by a Registrant or any of its Relevant Associates.

Neither the VCGLR nor the Senior Project Manager is under any obligation to seek any further information. Any request from the VCGLR or the Senior Project Manager for information will usually be made to a Registrant and any of its Relevant Associates using the email address supplied in a Registrant's ROI. All responses to requests for additional information are to be forwarded to the Senior Project Manager, unless otherwise instructed by the Senior Project Manager or the VCGLR.

The VCGLR may contact a Registrant or any of its Relevant Associates, predominantly in writing, or by phone when necessary. Where required, the VCGLR may request a Registrant and any of its Relevant Associates to attend an interview. The contact details for the VCGLR with respect to any matter relevant to the VCGLR's investigation or enquiry will be provided to Registrants as required.

If the Senior Project Manager or the VCGLR does require any further information from a Registrant or any of its Relevant Associates as set out above and a change occurs in that information before the Minister has decided whether or not to invite a Registrant to apply for a Public Lottery Licence, a Registrant and any of its Relevant Associates must give the Senior Project Manager written particulars of the change as soon as possible.

If the Senior Project Manager considers that the changes are relevant to an investigation or inquiry by the VCGLR in relation to the ROI, the Senior Project Manager will provide particulars of such changes to the VCGLR.

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

### **6.1 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 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 Licensing Process. It is imperative that the probity and integrity of the Licensing Process is maintained and that all Registrants are treated equally and impartially and have the same opportunity to access information about the Licensing 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.

A 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 Part B – section 6;
- (b) not to engage in activities or behaviours that 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, any State Party, or the VCGLR preferential treatment or consideration or preferential access to information, assistance or advice with respect to or about any part of the Licensing 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, a ROI, the ROI process or any other aspect of the Licensing Process except as allowed by this Notice or as required by law or as otherwise previously agreed in writing by the Senior Project Manager;
- (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 or the Minister in relation to any part of the Licensing Process;
- (g) to co-operate fully with the IRP, including, by providing relevant information, to enable the IRP 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 Part B - section 6; and
- (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.

A Registrant must establish written protocols to ensure compliance by it, any of its Associates, and their respective Relevant Persons with the procedures and requirements set out in each of Part B – sections 6.1 to 6.6 of this Notice and such other procedures as are necessary or desirable to ensure such compliance (**Protocols**). A Registrant must ensure that each of its Associates and their respective 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 must 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 a Registrant, any of its Associate or any of their respective Relevant Persons to the Chair and Directors of the Board of a Registrant and in turn to the Senior Project Manager, immediately upon their occurrence.

The Senior Project Manager may require a 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 Senior Project Manager) at any time during the ROI process or the Licensing Process.

The Chair of the Board of Directors of a Registrant must sign a statutory declaration with respect to a Registrant and each of its Relevant Persons in accordance with Part D – Schedule AF and in the form set out in Appendix C and a Registrant must submit the statutory declaration with its ROI. In addition, at any time during the ROI process or Licensing Process, the Chair of the Board of Directors of a Registrant must provide a statutory declaration with respect to a Registrant and each of its Relevant Persons in the form set out in Appendix C to the Senior Project Manager (within five (5) Business Days of a statutory declaration being requested by the Senior Project Manager).

The Chair of the Board of Directors of a Registrant must also ensure that each Associate signs a statutory declaration (where the Associate is a corporate entity by the Chair of its Board of Directors) with respect to the Associate and each of its Relevant Persons on the same terms when requested to do so by the Senior Project Manager (to be provided within five (5) Business Days of a statutory declaration being requested by the Senior Project Manager).

Original, executed statutory declarations must be marked 'Private and Confidential' and delivered by registered post to the Senior Project Manager at the postal address set out in Part B – section 5.2.

A Registrant must immediately notify the Senior Project Manager of any breaches of the requirements set out in Part B – sections 6.1 to 6.6 of this Notice by a 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 Senior Project Manager is of the opinion that the action taken or proposed to be taken by a Registrant or its Associate or their respective Relevant Persons is not sufficient or that any further action is required to be taken by them, a Registrant must ensure that it and its Associates and their respective Relevant Persons take that further action as may be required of them by the Senior Project Manager.

The Senior Project Manager may, at his or her absolute discretion, require a 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, a Registrant must provide the Protocols no later than three (3) Business Days from the Senior Project Manager's written request. Receipt by the Senior Project Manager of such Protocols will not be deemed to be acceptance or consent to the Protocols. It is a Registrant's obligation to ensure that Protocols are adequate and appropriate at all times.

The Minister may, in her absolute discretion, refuse to consider, consider further, or refer to the VCGLR a Registrant's ROI if there is any non-compliance with the procedures or requirements set out in this section 6 including that a statutory declaration is not made and provided to the Senior Project Manager. The Minister's discretion may be exercised regardless of whether or not a Registrant or any of its Associates considers any breaches as referred to above have been remedied or not.



The VCGLR will report to the Minister on whether it considers there has been a breach of the procedures and requirements set out in this Notice by a Registrant or any of its Associates or their respective Relevant Persons.

## **6.2 Anti-competitive conduct**

A Registrant, its Associates, and their respective Relevant Persons must not engage in conduct prohibited by Part IV of the **Competition and Consumer Act 2010** (Cth) in relation to the preparation, content or lodgement of a Registrant's ROI. Without limiting the foregoing, a 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 a Registrant's ROI.

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

A Registrant, its Associates, and their respective Relevant Persons are prohibited from engaging either directly or indirectly in lobbying, improper interference or solicitation of the State, any State Party or the VCGLR 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 the State, any State Party or the VCGLR with respect to the Licensing Process.

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

- (a) obtains or attempts to obtain preferential consideration or treatment of a Registrant, a Registrant's Associate or their respective Relevant Persons;
- (b) adversely affects, or attempts to adversely affect the consideration or treatment of any other Registrant or any of their Associates;
- (c) improperly interferes with the process of:
  - (i) the preparation of a report or recommendation by the VCGLR or other 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) the Minister making a decision or determination under the Act with respect to the Licensing Process; or
- (d) obtains or attempts to obtain access to 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 Senior Project Manager, the Probity Adviser, the IRP or the VCGLR in accordance with this Notice.

The Minister may, in her absolute discretion, refuse to consider, consider further, or refer to the VCGLR a Registrant's ROI if there is any non-compliance with the procedures or requirements set out in this section 6. The Minister's discretion may be exercised regardless of whether or not a Registrant or any of its Associates or their respective Relevant Persons considers any breach as referred to above has been remedied or not.

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

A Registrant must, and must procure that its Associates, and the Registrant's and its Associates' respective Relevant Persons, keep all information and communications with the State, any State Parties and the VCGLR relating to a ROI, the ROI process and the Licensing Process confidential and must not disclose any such information or communications other than in accordance with this Notice or with the prior written consent of the Senior Project Manager.

A Registrant, any of its Associates and their respective Relevant Persons must not make or encourage public comment in relation to a 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 Senior Project Manager.

Without limiting the above, a Registrant, any of 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 B – section 6.4 is intended to prevent Registrants from providing information as required by law, including the Corporations Act and the ASX listing rules and regulations.

Nothing in this section is intended to prevent a Registrant's Relevant Persons discussing a ROI in the proper and ordinary course of a Registrant's business (and other than for the purposes set out in the second paragraph of this Part B – section 6.4) or prevent a Registrant or its any of its Associates obtaining advice or assistance from its advisers in respect to a 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 her complete discretion, to publish the names of Registrants if she chooses to do so.

#### **6.5 Improper assistance**

A Registrant, any of its Associates, and their respective Relevant Persons must not seek or obtain the assistance of the State, any State Party or the VCGLR in the preparation of the ROI.

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

#### **6.6 Concerns about ROI process**

Any concerns or enquiries that a Registrant may have about this Notice or the ROI process must be submitted to the Senior Project Manager in writing via email (to the email address specified in Part B – section 5.2) immediately upon the cause of the concern arising or becoming known to a 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 a Registrant may have in relation to matters described in Part B – sections 6.1 to 6.6 or other probity concerns must be submitted (in appropriate detail) to the Probity Adviser in writing by email (to the email address specified in Part B – section 5.4) with a copy of such writing provided at the same time to the Senior Project Manager at the email address provided in Part B – section 5.2.

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

### **7 REGISTRATION OF INTEREST SUBMISSION**

#### **7.1 Disclosure of ROI contents and ROI related information and Relevant Associates' Consent to Disclosure**

The contents of a ROI and ROI-related information (including information relating to a Registrant or any of its Relevant Associates which the State, any State Party or the VCGLR 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 VCGLR 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, any State Party or the VCGLR may be required to disclose information provided by a Relevant Associate to a Registrant in order to afford a 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, any State Party and the VCGLR. The State, any State Party and the VCGLR will not disclose the contents of a ROI and ROI-related information (including Registrant and Relevant Associate information) except:

- (a) to the extent required or permitted 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 or the Independent Broad-based Anti-corruption Commission;
- (d) to external consultants and advisers of the Minister, the Department or the VCGLR engaged to assist with or advise on matters relating to a ROI, the ROI process or the Licensing Process;
- (e) to the IRP for the purposes of it performing its functions under the Act; or
- (f) to other State departments or agencies assisting the Minister or the VCGLR in performing their various functions under the Act in connection with a ROI, the ROI process and the Licensing Process.

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

A Registrant will ensure that each of its Relevant Associates that are not natural persons signs the Relevant Associate Consent Letter contained in Part D – Schedule D consenting to all Relevant Associate related or provided information (whether given verbally or in writing), including information relating to matters going to their own probity or matters relating to a Registrant’s probity, being made available to a Registrant, if required by the State, a State Party or the VCGLR in connection with any matter relevant to a ROI, the ROI process or the Licensing Process (**Corporate Entity Consent Letter**). A Registrant must submit each Corporate Entity Consent Letter with its ROI.

A Registrant must also ensure that each of its Relevant Associates that are natural persons signs a Consent Form, confirming that person’s agreement to the above matters (in the form contained in Part D – Schedule P) (**Natural Person Consent Form**). A Registrant must submit each Natural Person Consent Form with its ROI.

## 7.2 Use of ROIs

Upon lodging a ROI in accordance with the requirements of Part A, all ROIs become the property of the State. A Registrant will retain all ownership of all intellectual property rights contained in its ROI. The submission of a ROI does not transfer to the State any ownership interest in a Registrant’s intellectual property rights, or give the State any rights in relation to a ROI except as expressly set out below.

By lodging a ROI, a 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 rights that may subsist in such document(s). A Registrant also grants the VCGLR 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.

### **7.3 Withdrawal of ROI**

If a Registrant wishes to withdraw its ROI, it must immediately notify the Minister in writing (by email to the Senior Project Manager) and the VCGLR (at the email address that will be provided to Registrants as required). Upon receipt of such notification, the Minister will cease to consider that ROI.

A Registrant that withdraws its ROI must pay any amounts incurred by the VCGLR (as set out in Part B – section 8 below) in conducting its investigation of a Registrant’s ROI, up to the date and time that any such withdrawal is received. Amounts previously paid by a Registrant used for the purpose of the VCGLR’s evaluation are non-refundable. These arrangements are without prejudice to the VCGLR’s rights and powers under sections 10.4.7(1A), (2) and (3) of the Act.

## **8 COSTS OF STAGE ONE OF THE LICENSING PROCESS**

### **8.1 Costs of preparation**

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

### **8.2 VCGLR’s costs of investigation**

The VCGLR will incur costs in conducting its investigation of each ROI referred to it by the Minister. A Registrant is required to meet the reasonable costs of the VCGLR in conducting its investigations of a Registrant’s ROI.

The VCGLR has provided an estimate of the possible cost of its investigations with respect to each ROI which may be in the order of \$40,000.

Registrants should note that the actual cost will depend on a Registrant and the nature of the ROI submitted and that the costs may exceed the estimate. The VCGLR is entitled to recover all reasonable costs of its investigations up to and in excess of the above estimate in accordance with the Act.

The VCGLR has determined that where its costs are likely to exceed the above estimate the VCGLR will notify a Registrant of this and the likely further costs. It will then be at a Registrant’s discretion as to whether it continues to participate in the Licensing Process and, if so, it will be required to pay the further costs of the VCGLR.

Upon receiving any revised estimate from the VCGLR, a Registrant may withdraw from the Licensing Process. The process for withdrawing is provided for at Part B – section 7.3.

Any unused amounts previously paid by a Registrant for the purpose of the VCGLR investigations will be refunded to a Registrant.

### **8.3 VCGLR’s Application Deposit**

A Registrant is required to make an initial deposit of \$20,000 when submitting its ROI (**Deposit**). The Deposit must be in the form of a bank cheque that does not contain any information that would identify a Registrant and is to be made payable to the ‘Victorian Commission for Gambling and Liquor Regulation’ and must be included with a Registrant’s ROI in accordance with Part A – section 1.1. The Deposit is to be applied to payment of amounts due and payable to the VCGLR as specified in Part B – section 8.2.

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

### **9.1 Options available to the Minister**

After consideration of the VCGLR Report and any other matter that the Minister considers relevant, the Minister may, without limiting any other options available to her and subject always to Part B – section 3, prepare a list of Selected Registrants. Only Selected Registrants will be invited to apply for a Public Lottery Licence.

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

### **9.2 Invitations to Apply for a Public Lottery Licence**

Selected Registrants will be invited to apply for a Public Lottery Licence under section 5.3.2A(7) of the Act and under the terms of an Invitation to Apply. Being invited to apply for a Public Lottery Licence only reflects a Registrant's selection to be invited to apply for the Public Lottery Licence and the Minister is not obliged to issue a Public Lottery Licence to any particular Selected Registrant.

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

- (a) the Act, and in particular those matters which the VCGLR must report on as specified in section 5.3.4(1) of the Act; and
- (b) any other matters the Minister considers relevant.

Without limiting the State's, any State Party's or the VCGLR's right to seek additional information as provided elsewhere in this Notice, Applicants will be required to provide additional information at the ITA stage with respect to the ITA evaluation criteria detailed below.

Notwithstanding anything in this Notice to the contrary, the context in which a ROI (but not any subsequent Invitation to Apply for a Public Lottery Licence) will be evaluated is whether there are reasonable grounds for believing that a Registrant will have the capacity and capability of satisfying the Minister in respect of the evaluation criteria specified in Part C – section 2.1 of this Notice, rather than whether the Minister is satisfied as to those matters, which is level of assessment against which ITA evaluation criteria will be assessed at the ITA stage. The material submitted as part of a Selected Registrant's ROI will form part of its Application and may be considered by the Minister at the ITA stage. However, Registrants should note that additional information will be required to be submitted by Selected Registrants at the ITA stage.

In considering whether to grant a Public Lottery Licence, the Minister may consider the information provided by a Selected Registrant in response to this Notice including any further or updated information provided in accordance with this Notice. A Selected Registrant must, subject to the provisions of this Notice, ensure that its ITA response is consistent with its ROI response in all material respects.

### **9.3 ITA Evaluation Criteria**

The following are the criteria set out in section 5.3.4(1) of the Act that the VCGLR must report to the Minister on and on which each Selected Registrant (if any) will be assessed by the VCGLR at the ITA stage:

- |                              |  |
|------------------------------|--|
| <b>Probity</b>               | <ol style="list-style-type: none"> <li>1. Whether the Applicant and each Associate of the Applicant is of good repute having regard to character, honesty and integrity;</li> <li>2. Whether the Applicant or an Associate of the Applicant, 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 Applicant or the Associate of the Applicant is likely to be significantly affected in an unsatisfactory manner;</li> <li>3. Whether each Executive Officer of the Applicant and any other person determined by the Commission to be concerned in or associated with the ownership, management or operation of the Applicant's business, is a suitable person to act in that capacity;</li> </ol> |
| <b>Financial background</b>  | <ol style="list-style-type: none"> <li>4. Whether the Applicant is of sound and stable financial background;</li> </ol>  |
| <b>Technical capability</b>  | <ol style="list-style-type: none"> <li>5. Whether the Applicant has sufficient technical capability and adequate systems to conduct the Public Lotteries to be authorised by the Public Lottery Licence;</li> </ol>  |
| <b>Financial capability</b>  | <ol style="list-style-type: none"> <li>6. Whether the Applicant has the financial resources that are adequate to ensure the financial viability of a Public Lottery business;</li> </ol>   |
| <b>Commercial capability</b> | <ol style="list-style-type: none"> <li>7. Whether the Applicant has the ability to establish and maintain a Public Lottery business in Victoria; and</li> </ol>  |
| <b>Responsible Gambling</b>  | <ol style="list-style-type: none"> <li>8. Whether the Responsible Gambling Code of Conduct accompanying the Application complies with any directions given under section 10.6.6 of the Act and the additional requirements set out in section 10.6.7 of the Act and has been approved by the VCGLR.</li> </ol>   |
- It is intended that Applicants will also be assessed against the following additional evaluation criteria at the ITA stage:
- |   |  |
|---|--|
| <b>Transition</b>                                     | <ol style="list-style-type: none"> <li>9. Demonstration of the Applicant's ability to transition in to the New Public Lottery Licence to ensure continuity of the provision of Public Lotteries to the market;</li> </ol>                  |
| <b>Product and distribution</b>                       | <ol style="list-style-type: none"> <li>10. Demonstration of the Applicant's ability to develop and grow a product range across a wide distribution network;</li> </ol>   |
| <b>Total Payments to the State</b>                    | <ol style="list-style-type: none"> <li>11. 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;</li> </ol> |
| <b>Public Lottery Licence and Ancillary Agreement</b> | <ol style="list-style-type: none"> <li>12. Whether the Applicant agrees to comply with the terms and conditions of the Public Lottery Licence and Ancillary Agreement(s) provided during the ITA stage; and</li> </ol>                     |
| <b>Economic Benefits</b>                              | <ol style="list-style-type: none"> <li>13. Demonstration of the Applicant's ability to contribute economic benefits to Victoria through its conduct of a Public Lottery business.</li> </ol>   |

**Please note that the ITA evaluation criteria will not be assessed at the ROI stage and the above criteria are provided to inform a Registrant, as much as possible, as to how an Application is intended to be assessed at the ITA stage.**

#### **9.4 Costs associated with Stage Two**

In accordance with section 10.4.7(1) of the Act, each Applicant will be required to meet the reasonable costs of the VCGLR's investigations with respect to the Application for a Public Lottery Licence.

An Applicant for a Public Lottery Licence is likely to be required to submit a deposit as part of its Application for a Public Lottery Licence. This deposit may be in the order of \$100,000. 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 VCGLR's investigations of an Application for a Public Lottery Licence will depend on the Applicant and the nature of the Application.

The VCGLR has estimated the possible cost of its investigation of each Application to be in the order of \$300,000.

Applicants should note that the actual cost will depend on the Applicant and the nature of the ITA submitted and that the costs may exceed the estimate. The VCGLR is entitled to recover all reasonable costs of its investigations up to and in excess of the above estimate in accordance with the Act.

#### **10 REGISTRANT WARRANTIES**

By submitting a ROI, a 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, any State Party or the VCGLR, other than any statement, warranty or representation contained in this Notice;
- (b) all information provided by or on behalf of a 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, any State Party or the VCGLR or information unlawfully obtained from the State, any State Party or the VCGLR 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 terms and conditions set out in this Part B;
- (i) to the maximum extent permitted by law, it will make no claim against the State, any State Party or the VCGLR in connection with this Notice or the ROI process or the Licensing Process as contemplated by this Notice;

- (j) 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 New Public Lottery Licence;
- (k) it is prepared to and will take up the New Public Lottery Licence, if awarded to it at the end of the Licensing Process; and
- (l) 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 New Public Lottery Licence if awarded to it at the end of the Licensing Process.

## 11 LIMITATION ON LIABILITY

Neither the State, any State Party nor the VCGLR, will be, under any circumstances, liable to compensate a Registrant, any of its Associates 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 the Licensing Process.

A 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 must procure an equivalent waiver from each of its Associates.

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 Public Lottery Licence and a 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 Public Lottery Licence to a Selected Registrant is no warranty to a Registrant or any of its Associates by the State, any State Party or the VCGLR as to any matter, including, without limitation, the quality of a Registrant's ROI, the viability of any Public Lottery proposed or the associated distribution approach or the fitness or capacity of a Registrant to conduct a Public Lottery business. Neither the State, any State Party nor the VCGLR are or will be held liable for any loss or damage suffered by a Registrant or any of its Associates in placing any reliance on such acceptance or issue.

A Registrant must enter into appropriate arrangements with each of its Associates to give effect to the limitation of liability expressed in this Notice. A Registrant agrees to indemnify the State, the State Parties and the VCGLR, for any loss or damage suffered by any of them arising out of a Registrant's failure to limit that liability with respect to any of its Associates.

Each of the provisions of this section 11 will apply to the maximum extent permitted by law.

## 12 GOVERNING LAW

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

A 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 that are foreign companies must comply with any requirements under the Corporations Act or the **Foreign Acquisitions and Takeovers Act 1975** (Cth) (if any) which may be relevant to a foreign company having a physical place of business in Victoria.



## **PART C: STATEMENT OF REQUIREMENTS**

This Notice sets out the Minister's requirements for the ROI stage of the Licensing Process. In the event, and to the extent of any inconsistency between this Notice and the Act, the Act will prevail.

This Part C of the Notice sets out:

- the Minimum Standards and the other information requested from Registrants for the purpose of informing the Minister's consideration of whether to invite one or more Registrants (if any) to apply for a Public Lottery 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 C will assist Registrants (and Relevant Associates as applicable) to complete the response Schedules provided in Part D of this Notice.

### **1 MINIMUM STANDARDS AND INFORMATION REQUESTED**

#### **1.1 Minimum Standards – mandatory requirements**

For a ROI to be considered by the Minister for evaluation, a Registrant must meet the following Minimum Standards:

- (a) be an Eligible Registrant;
- (b) lodge its ROI by the Lodgement Date in accordance with Part A;
- (c) lodge its ROI with the Deposit specified in Part B – section 8.3 of this Notice; and
- (d) include in its ROI all the information, executed documents, approvals and consents as required by Schedules A, C, D, G, H, J, O, P, V, AA, AE and AF (**Mandatory Schedules**) in accordance with the directions provided in Part C – section 4.

#### **1.2 Other information**

Registrants are also requested to provide the other information, executed documents, approvals and consents specified in Part C and Part D of this Notice in accordance with the directions provided in Part C – section 4. All information provided, and the failure of a Registrant to provide any information, executed document, approval or consent as requested by this Notice, will be a relevant matter which the Minister will consider in determining whether to invite a Registrant to apply for a Public Lottery Licence.

#### **1.3 Minister's discretion**

Notwithstanding any other information provided in this Notice, the Minister has the discretion to consider a ROI that fails to comply with any of the requirements of the Act or this Notice. However, any Registrant that submits a non-complying ROI does so at its own risk. The Minister may, in her absolute discretion, in addition to any other remedies available to her under the Act or otherwise at law refuse to consider, consider further, or to refer a non-compliant ROI to the VCGLR as provided by section 5.3.2A of the Act.

#### **1.4 Legislative amendment**

The Minister will not accept any proposal from a Registrant that would require legislative amendment.

### **2 ROI EVALUATION**

#### **2.1 ROI Evaluation Criteria**

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

##### **Probity**

1. Whether a Registrant and its Relevant Associates are of good repute, having regard to character, honesty and integrity;

<b>Financial background</b>	2. Whether a Registrant has a sound and stable financial background;
<b>Commercial capability</b>	3. Whether a Registrant has the ability to establish and maintain a Public Lottery business in Victoria; and
<b>Responsible Gambling</b>	4. Demonstration of a Registrant's commitment to comply with all requirements imposed by the Act, the Regulations and any legislative instruments made under the Act or Regulations relevant to responsible gambling.

Notwithstanding anything in this Notice to the contrary, the context in which a ROI (but not any subsequent Invitation to Apply for a Public Lottery Licence) will be evaluated is whether there are reasonable grounds for believing that a Registrant will have the capacity and capability of satisfying the Minister in respect of the above evaluation criteria, rather than whether the Minister is satisfied as to those matters.

In addition to the above, the Minister may consider any other matters she considers relevant in making her determination to invite one or more Registrants to apply for the Public Lottery Licence.

Without limitation, other matters relevant to the ROI the Minister may consider include a consideration of any legal constraints on the ability of a Registrant to conduct a Public Lottery business in Victoria related to any approvals that may be required under the **Foreign Acquisitions and Takeovers Act 1975** (Cth) (refer to Schedule AG: FIRB Form).

### 3 ROI EVALUATION PROCESS

After the Lodgement Date, the Minister will consider each ROI received and, provided the ROI satisfies all of the requirements in Part C – section 1.1 of this Notice, will refer the ROIs to the VCGLR and the Department.

For each ROI referred to the VCGLR, the VCGLR will report to the Minister (**VCGLR Report**) on the following evaluation criteria:

- (a) whether a Registrant and its Relevant Associates are of good repute, having regard to character, honesty and integrity;
- (b) whether a Registrant has a sound and stable financial background; and
- (c) demonstration of a Registrant's commitment to comply with all requirements imposed by the Act, the Regulations and any legislative instruments made under the Act or Regulations relevant to responsible gambling.

The Department will separately report to the Minister (**Department Report**) on whether a Registrant has the ability to establish and maintain a Public Lottery business in Victoria.

Following consideration of the VCGLR Report, the Department Report and any other matters that the Minister considers relevant, including a Registrant's compliance with the Minimum Standards, the Minister may invite one or more Registrants to apply for a Public Lottery Licence.

### 4 RESPONSE SCHEDULES

The State has developed a structure for a Registrant's ROI responses that is designed to ensure each Registrant provides a detailed ROI that will allow the Minister to evaluate each ROI in accordance with this Notice.

To facilitate this, each Registrant is requested to present its ROI response using the structure and in the order prescribed in this Notice, which comprises:

- Volume 1: General Information**
- Volume 2: Details of Registrant**
- Volume 3: Corporate Probity**

- Volume 4: Individual Probity**
- Volume 5: Financial Background**
- Volume 6: Commercial Capability**
- Volume 7: Responsible Gambling**
- Volume 8: Declarations**

To assist in the evaluation of each ROI, Registrants are requested to submit a ROI that:

- is referenced, labelled and sequenced as indicated in the Appendix L – The Registrant’s Checklist;
- contains the information specified in this Part C of the Notice; and
- is in divisible parts (Volume 1, 2, 3, 4, 5, 6, 7 and 8) as specified in this Part C of the Notice.

#### **4.1 Directions for Completion of Schedules**

At a minimum, a Registrant must submit a response to the Mandatory Schedules. The Mandatory Schedules must be completed in accordance with the following instructions to ensure that a Registrant satisfies the Minimum Standards. It is also requested that all other Schedules be completed in accordance with the following instructions:

- The Schedules are to be comprehensively completed by a Registrant and each Relevant Associate (as relevant).
- A Registrant is requested to provide a copy of each relevant Schedule to each Relevant Associate to which the Schedule applies for completion and must ensure all Schedules are duly completed and returned to enable a Registrant to include the completed Schedules as part of its ROI in accordance with the terms of this Notice.
- With respect to a Relevant Associate that is not a natural person, each Schedule is to be executed by the duly authorised officer of that Relevant Associate.
- A Registrant is to type or print an answer to each question in the Schedules.
- If a question does not apply to a Registrant or if there are no details to disclose in response to a question, a Registrant is requested to state ‘Not Applicable’ in response (including a reason why the matter does not apply).
- Each of the Schedules that must be signed 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.
- For any Schedule that does not need to be signed, the Schedules can be used as templates. Responses must include the title of the Schedule and repeat each question followed by a Registrant’s response. The numbering and order of questions in responses must be the same as the order used in the Schedules, as provided in Part D.
- Ensure ALL required attachments are enclosed with its ROI submission.

#### **4.2 Multiple sets of Schedules**

Additional sets of the Mandatory Schedules must be submitted where:

**(1) Registrant that has traded for less than two financial years**

Except where a Registrant falls within subparagraph (2) below, where a Registrant has traded for less than two (2) financial years, all Mandatory Schedules should be provided with respect to each Substantial Shareholder of a Registrant individually in addition to the Registrant. Each Substantial Shareholder of a Registrant should provide a full response to each question (e.g. three (3) full years of financial statements).

**(2) Registrant is a wholly owned subsidiary**

Where a Registrant is a wholly owned subsidiary, all Mandatory Schedules must be submitted for each of the Registrant, its Holding Company and Ultimate Holding Company.

Registrants are also requested to submit multiple sets of all other Schedules (as relevant) for Substantial Shareholders and Holdings Companies where paragraphs (1) or (2) above apply to a Registrant.

The table below is designed to assist a Registrant in identifying where multiple sets of the Mandatory Schedules must be submitted by Registrants and where multiple sets of other Schedules are requested to be submitted by Registrants as part of its ROI. Note where ✓\* is indicated below in reference to a Schedule, only Substantial Shareholders that are corporate entities (and not Substantial Shareholders that are natural persons) are required to complete the relevant Schedules.

Volume 1: General Information	Schedule	Mandatory Schedule	Registrant	Holding Companies	Substantial Shareholders
Letter of Acknowledgement and Agreement	<b>A</b>	✓	✓		
Checklist of Schedules and Attachments	<b>B</b>		✓		
Company Declaration	<b>C</b>	✓	✓	✓	✓*
Consent Letter	<b>D</b>	✓		✓	✓
Volume 2: Details of Registrant	Schedule	Mandatory Schedules	Registrant	Holding Companies	Substantial Shareholders
Corporate Structure	<b>E</b>		✓	✓	✓*
Substantial Shareholders	<b>F</b>		✓	✓	✓*
Current Executive Officers	<b>G</b>	✓	✓		
Certification of Incorporation	<b>H</b>	✓	✓	✓	✓*
Constitution/ Replaceable Rules	<b>I</b>		✓	✓	✓*
Historical Organisational Extract	<b>J</b>	✓	✓	✓	✓*
Volume 3: Corporate Probity Requirements	Schedule	Mandatory Schedule	Registrant	Holding Companies	Substantial Shareholders
Gambling History	<b>K</b>		✓	✓	✓*
Actions by Regulatory Bodies	<b>L</b>		✓	✓	✓*
Litigation	<b>M</b>		✓	✓	✓*
Charges, Offences and Convictions	<b>N</b>		✓	✓	✓*
Consent for Release of Information of Law Enforcement Agencies	<b>O</b>	✓	✓	✓	✓*

Volume 4: Individual Probity Requirements	Schedule	Mandatory Schedule	Executive Officers of Registrant	Natural Person that are Substantial Shareholders	
Consent and Declaration by Executive Officers for all disclosures	<b>P</b>	✓	✓	✓	
Personal Declaration	<b>Q</b>		✓	✓	
Personal Business Interests	<b>R</b>		✓	✓	
Personal Legal Action	<b>S</b>		✓	✓	
Personal Gambling History	<b>T</b>		✓	✓	
Personal Charges, Findings of Guilt and Convictions	<b>U</b>		✓	✓	
Individual Consent for Release of Information by Law Enforcement Agencies	<b>V</b>	✓	✓	✓	
Volume 5: Financial Requirement	Schedule	Mandatory Schedule	Registrant	Holding Companies	Substantial Shareholders
Audited Financial Statements	<b>W</b>		✓	✓	✓*
Report to the VCGLR	<b>X</b>		✓	✓	✓*
Accountant or Auditor Statement	<b>Y</b>		✓	✓	✓*
Financial Background	<b>Z</b>		✓	✓	✓*
Financial Information Release	<b>AA</b>	✓	✓	✓	✓*
Volume 6: Commercial Capability	Schedule	Mandatory Schedule	Registrant	Holding Companies	Substantial Shareholders
Commercial structure	<b>AB</b>		✓		
Business Model	<b>AC</b>		✓		
Relevant experience	<b>AD</b>		✓	✓	✓
Volume 7: Responsible Gambling	Schedule	Mandatory Schedule	Registrant	Holding Companies	Substantial Shareholders
Responsible gambling declaration	<b>AE</b>	✓	✓		
Volume 8: Declaration	Schedule	Mandatory Schedule	Registrant	Holding Companies	Substantial Shareholders
Statutory declaration	<b>AF</b>	✓	✓		
FIRB Approval	<b>AG</b>		✓		

**4.3 Unnecessarily elaborate responses or other presentations**

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

**4.4 Illegible content, alterations and erasures**

ROIs that contain incomplete Mandatory Schedules may not be considered, considered further or may not be referred by the Minister to the VCGLR 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 nor the VCGLR is under any obligation whatsoever to seek clarification from a Registrant.

**4.5 Obligation to notify errors**

If, after its ROI has been submitted, a Registrant becomes aware of an error in the ROI (excluding clerical errors that would have no bearing on the evaluation of the ROI) a Registrant must promptly notify the Senior Project Manager of such error via the email address set out at Part B – section 5.2.

The Senior Project Manager may permit a Registrant to correct an unintentional error in its ROI where that error becomes known or apparent after the Lodgement Date if the Senior Project Manager considers that the correction would not materially alter the substance of a Registrant's ROI.

**4.6 Clarification of ROI**

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

The Senior Project Manager 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 this Part C. If accepted, clarifications may form part of a Registrant's ROI.

The VCGLR may (but is not obliged to) also contact a Registrant in writing with regard to clarification of matters relevant to its investigations.

**4.7 Obligation to update information**

If a change occurs in any relevant ROI information provided by a Registrant, a Registrant must provide written particulars of the change to the Senior Project Manager as soon as practicable (via the email address set out at Part B – section 5.2).

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

The Minister reserves the right not to take into account new information provided by a Registrant if the new information improves the proposal and cannot be explained or justified as occurring in the normal course of a Registrant's business.

The details of the notified changes will be provided to the VCGLR if such changes are relevant to the VCGLR's investigations.

**5 VOLUME 1 – GENERAL INFORMATION**

This Part should contain a general overview of a Registrant's organisation

Registrants must provide the following information:

<b>GENERAL INFORMATION</b>	<b>SCH REF</b>	<b>Is it a Mandatory Schedule?</b>
Letter of Acknowledgement and Agreement	<b>A</b>	<b>Y</b>
Company Declaration	<b>C</b>	<b>Y</b>
Consent Letter	<b>D</b>	<b>Y</b>

### 5.1 Letter of Acknowledgement and Agreement

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

The letter must:

- include a statement that a Registrant agrees to comply with the Terms and Conditions for registering an interest in the grant of a Public Lottery Licence;
- include a statement that a Registrant agrees to establish Protocols to ensure compliance by a Registrant, its Associates and their respective Relevant Persons with the requirements in Part B – sections 6.1 to 6.6 and 9 in this Notice;
- be signed by the Managing Director and Secretary of a Registrant;
- include an email address for communications in relation to the ROI; and
- be printed on a Registrant's letterhead.

**The template for a Registrant's response is presented in Schedule A.**

### 5.2 Company Declaration

The Company Declaration form provides:

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

**The form for a Registrant's response is presented in Schedule C.**

### 5.3 Consent Letter

A Registrant must ensure that the Authorised Officer of each Relevant Associate that is not a natural person signs the Relevant Associate Consent Letter consenting to all Relevant Associate related or provided information being made available to a Registrant, if required by the State, any State Party or the VCGLR in connection with the ROI, the ROI process or the Licensing Process.

**The template for a Registrant's response is presented in Schedule D.**

## 6 VOLUME 2 – DETAILS OF THE REGISTRANT

This part should contain a more detailed description of a Registrant's organisation, including details of the organisational structure and the beneficial owners.

Registrants are required to provide the following Mandatory Schedules and requested to provide the following other Schedules:

DETAILS OF REGISTRANT	SCH REF	Is it a Mandatory Schedule?
Corporate Structure	<b>E</b>	<b>N</b>
Substantial Shareholders	<b>F</b>	<b>N</b>
Current Executive Officers	<b>G</b>	<b>Y</b>
Certification of Incorporation	<b>H</b>	<b>Y</b>
Constitution / Replaceable Rules	<b>I</b>	<b>N</b>
Historical Organisational Extract from ASIC	<b>J</b>	<b>Y</b>

## 7 VOLUME 3–5 – PROBITY AND FINANCIAL BACKGROUND

The probity and financial background responses from Registrants are categorised as:

- Corporate Probity (Volume 3);
- Individual Probity (Volume 4); and
- Financial Background (Volume 5).

A Registrant is requested to provide sufficient information to demonstrate to the Minister that there are reasonable grounds for believing that a Registrant will have the capacity and capability of satisfying the Minister that:

- a Registrant and its Relevant Associates are of good repute, having regard to character, honesty and integrity; and
- a Registrant is of sound and stable financial background.

### 7.1 Volume 3 – Corporate Probity

The Corporate Probity section asks Registrants to provide existing corporate information so that an assessment of the Registrant's and its Relevant Associates' (who are not natural persons) corporate probity may be undertaken. In order to make this assessment Registrants are required to provide the following Mandatory Schedules and requested to provide the following other Schedules:

CORPORATE PROBITY REQUIREMENT	SCH REF	Is it a Mandatory Schedule?
Gambling History	K	N
Actions by Regulatory Bodies	L	N
Litigation	M	N
Charges, Offences and Convictions	N	N
Consent for Release of Information of Law Enforcement Agencies	O	Y

### 7.2 Volume 4 – Individual Probity

The Individual Probity section asks each person nominated as an Executive Officer by a Registrant and any Substantial Shareholders that are natural persons to provide individual probity information so that an assessment of the Relevant Associate's individual probity may be undertaken. In order to make this assessment, Executive Officers and Substantial Shareholders that are natural persons are required to provide the following Mandatory Schedules and are requested to provide the following other Schedules:

INDIVIDUAL PROBITY REQUIREMENT	SCH REF	Is it a Mandatory Schedule?
Consent and Declaration for all Disclosures	P	Y
Personal Declaration	Q	N
Personal Business Interests	R	N
Personal Legal Action	S	N
Personal Gambling History	T	N
Personal Charges, Findings of Guilt and Convictions	U	N
Individual Consent for Release of Information by Law Enforcement Agencies	V	Y

### 7.3 Volume 5 – Financial Background

The Financial Background section requires Registrants to provide detailed information to allow an assessment of whether a Registrant is of sound and stable financial background.

In order to make this assessment Registrants are required to provide the following Mandatory Schedule and requested to provide the following other Schedules:



<b>FINANCIAL BACKGROUND REQUIREMENT</b>	<b>SCH REF</b>	<b>Is it a Mandatory Schedule?</b>
Audited Financial Statements	<b>W</b>	<b>N</b>
Report to the VCGLR	<b>X</b>	<b>N</b>
Accountant or Auditor statement	<b>Y</b>	<b>N</b>
Financial Probity	<b>Z</b>	<b>N</b>
Financial Information Release Form	<b>AA</b>	<b>Y</b>

## **8 VOLUME 6 – COMMERCIAL CAPABILITY**

The Commercial Capability section requires Registrants to provide information to allow an assessment of whether the Registrant has the ability to establish and maintain a Public Lottery business in Victoria.

In order to make this assessment, Registrants are requested to provide the information set out in this section 8.

### **8.1 Commercial Structure**

Each Registrant's ROI should demonstrate it has the management structure, resources and strategy to successfully operate a Public Lottery business. A Registrant is requested to provide an organisational structure for the proposed Public Lottery business, including providing key roles and responsibilities and the curriculum vitae of the proposed Public Lottery business manager.

Registrants are requested to provide the following Schedule:

<b>COMMERCIAL CAPABILITY</b>	<b>SCH REF</b>	<b>Is it a Mandatory Schedule?</b>
Commercial structure	<b>AB</b>	<b>N</b>

### **8.2 Business model**

A Registrant is requested to provide a high level description of its proposed business model or models that:

- outlines the initiatives and strategies a Registrant proposes to adopt to secure the level of business performance to meet the State's objectives; and
- includes a marketing strategy, processes and systems.

Registrants are requested to provide the following:

<b>COMMERCIAL CAPABILITY</b>	<b>SCH REF</b>	<b>Is it a Mandatory Schedule?</b>
Business model	<b>AC</b>	<b>N</b>

### **8.3 Relevant experience**

A Registrant is requested to demonstrate its experience in gambling or like products including a brief description of the products, the scope of a Registrant's role in the provision of these products and a brief description of how these products are performing.

Registrants are requested to provide the following Schedule:

<b>COMMERCIAL CAPABILITY</b>	<b>SCH REF</b>	<b>Is it a Mandatory Schedule?</b>
Relevant experience	<b>AD</b>	<b>N</b>

## 9 VOLUME 7 – RESPONSIBLE GAMBLING REQUIREMENTS

Responsible gambling will continue to be a priority under the New Public Lottery Licence. The gambling industry has a responsibility to deliver effective harm minimisation strategies. Under the New Public Lottery Licence, the New Licensee will be required to have a Responsible Gambling Code of Conduct.

The New 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.

Responsible Gambling Codes of Conduct must be approved by the VCGLR. Further information on the requirements the VCGLR must consider when approving a Responsible Gambling Code of Conduct are set out in Appendix K.

A Registrant is required to demonstrate its commitment to comply with any and all requirements imposed by the Act, the Regulations and any legislative instruments made under the Act or Regulations relevant to responsible gambling by completing the form in **Part D – Schedule AE**.

RESPONSIBLE GAMBLING	SCH REF	Is it a Mandatory Schedule?
Responsible Gambling declaration	AE	N

## 10 VOLUME 8 – DECLARATIONS

### 10.1 Statutory Declaration

As required by Part B – section 6, a Registrant must provide statutory declarations as part of its ROI. The Senior Project Manager may request that a Registrant or its Associates provide additional statutory declarations at any time with respect to themselves and each of their Relevant Persons.

The form for a Registrant’s response is presented in Part D – Schedule AF and Appendix C.

DECLARATIONS	SCH REF	Is it a Mandatory Schedule?
Statutory Declaration	AF	N

### 10.2 Summary of FIRB Approval

A Registrant and its Associates should review the requirements of the **Foreign Acquisitions and Takeovers Act 1976 (Cth)** to ascertain whether the award of the New Public Lottery Licence to a Registrant will result in a transaction that may be examinable by the Foreign Investment Review Board.

The Minister requests that a Registrant indicate in its ROI whether or not FIRB approval is required and the reasons why that approval is required, together with a summary of a Registrant’s discussions with the FIRB and an outline of the process and timing to obtain FIRB approval.

The requested form for a Registrant’s response as to whether FIRB approval is required is presented in Part D – Schedule AG.

DECLARATIONS	SCH REF	Is it a Mandatory Schedule?
FIRB Approval	AG	N

**PART D: REGISTRANT RESPONSES TO REQUIREMENTS****1 VOLUME 1 – GENERAL INFORMATION****1.1 Schedule A: Letter of acknowledgement and agreement**

The following Schedule must be completed in accordance with Part C – section 5.1

The letter of acknowledgement and agreement is set out in Schedule A of a 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 PUBLIC LOTTERY LICENCE**

[To be inserted on Registrant's letterhead]

[Date]

The Minister for Consumer Affairs, Gaming and Liquor Regulation  
C/o Senior Project Manager  
Lotteries Licensing Project  
Office of Liquor, Gambling and Racing  
Department of Justice and Regulation  
GPO Box 123  
Melbourne, Victoria 3001

Dear Minister,

**Registration of Interest for Public Lotteries Licence**

We refer to your Notice calling for Registrations of Interest in the grant of a Public Lottery Licence under the *Gambling Regulation Act 2003* (Vic) (**Act**) (**ROI**) published in the Victorian 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 B 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 B 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 B 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 protocols by any of them;
- iv) that the Protocols have been established as required by the Notice for 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 and also that there is no conduct by it, its Associates and their respective Relevant Persons in contravention of these provisions;
- v) that the Registrant will report to the Senior Project Manager any failure by it, its Associates or any of their Relevant Persons to comply with the Protocols;

vi)	to provide statutory declarations as required by the Notice 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;
vii)	it represents and warrants to the State all the warranties listed out in Part B – section 10 of the Notice for ROI;
viii)	it agrees that it is prepared to and will take up the Public Lottery Licence, if awarded to it at the end of the Licensing Process;
ix)	to the maximum extent permitted by law, it agrees to indemnify (and keep indemnified) the State and any State Party 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;
x)	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 ( <a href="http://www.tenders.vic.gov.au">www.tenders.vic.gov.au</a> );
xi)	that it consents to any disclosure of information or material as contemplated by Part B – section 7.1 of the Notice for ROI; and
xii)	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:	
<b>[Insert Registrant’s email address]</b>	
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	
<b>SIGNED</b> by .....	)
as authorised representative for	)
<i>(to be signed by the Managing Director of the Registrant Company )</i>	
<b>SIGNED</b> by .....	)
as authorised representative for	)
<i>(to be signed by the Secretary of the Registrant Company )</i>	
in the presence of:	) .....
.....	) By signing this document the
Signature of witness	) signatory warrants that the signatory
.....	) is duly authorised to execute this
.....	) document on behalf of [insert name of
Name of witness (block letters)	Registrant]

**1.2 Schedule B: Checklist of Schedules and Attachments**

Registrants are requested to submit the Checklist of Schedules and Attachments as Schedule B of its response. This **Schedule B** is attached as Appendix L – The Registrant’s Checklist. This form is designed to assist Registrants in submitting a detailed Registration of Interest.

**1.3 Schedule C: Company Declaration**

The relevant company is required to provide a Company Declaration presenting:

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

The following Schedule must be completed in accordance with Part C – section 5.2.

Schedule C: Company Declaration			
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 Officer on behalf of Company)		
Position with company:	(Position/Title)		
Telephone number:	(.....)	Mobile number:	
Facsimile number:	(.....)		
Email address:			
I, the undersigned declare that I am authorised to complete this form on behalf of the 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 Schedule D: Consent Letter

The following Schedule must be completed in accordance with Part C – section 5.3.
---

**Schedule D: Consent Letter**

[Date]

The Minister for Consumer Affairs, Gaming and Liquor Regulation  
C/o Senior Project Manager  
Lotteries Licensing Project  
Office of Liquor, Gambling and Racing  
Department of Justice and Regulation  
GPO Box 123  
Melbourne, Victoria 3001

Dear Minister,

**Registration of Interest for Public Lottery**

I refer to the Notice Calling for Registrations of Interest in the grant of a Public Lottery 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 Relevant Associate entity] is the Relevant Associate of the Registrant, as per the definition of Relevant Associates in the Notice for ROI.

I ....., on behalf of [insert name of Relevant 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 Relevant Associate entity] in or with respect to the matters to be completed by [insert name of Relevant 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 Public Lottery 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 Relevant Associate entity], in or pursuant to the above-mentioned Schedules, including information, whether provided verbally or in writing, being made available to any of the State, State Parties or the VCGLR 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 Relevant Associate entity] may raise matters which any of the State, State Parties or the VCGLR considers should be provided or discussed with the Registrant.;
  - any disclosure of information or material as contemplated by Part B - section 7.1 of the Notice for ROI.

I also acknowledge that the State, the State Parties and the VCGLR will not be liable to [insert name of Relevant 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.

Yours sincerely

This letter is executed as a deed.

**Executed by [Company / Individual]**

.....

Managing Director

.....

Name of Managing Director (block letters)

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

## 2 VOLUME 2 – DETAILS OF REGISTRANT

Registrants and its Relevant Associates that are not natural persons are requested to respond to each of the following **Schedules E to J** in order to supply information about a Registrant's and Relevant Associate's corporate details.

All schedules refer to the requirements as detailed in Part C – section 6.

### 2.1 Schedule E: Corporate Structure

Each company requested to complete this schedule is requested to submit a corporate family tree detailing the relationship of the company to any subsidiary, holding companies, related entities, and/or Substantial Shareholders (as relevant).

Schedule E: Corporate Structure	
Provide a corporate family tree	Attachment Reference:.....
Provide details of the proposed Management Structure	Attachment Reference:.....

### 2.2 Schedule F: Substantial Shareholders

The company is requested to use this schedule to provide information about the ownership structure of the company, identifying all substantial shareholders and the extent of the interest of each.

Schedule F: Substantial Shareholders				
<b>Companies:</b>				
1) Does the company have a holding company?	Yes:	<input type="checkbox"/>	No:	<input type="checkbox"/>
		Go to Question 2		Go to Question 3
2) If yes, provide the following details:				
i. Name of holding company:	.....			
ii. What is the percentage shareholding of the holding company in the company?	.....%.....			
<b>Volume of Shares:</b>				
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.	.....			
<b>Substantial shareholdings:</b>				
5) List below the names of ALL shareholders with a shareholding of 10% or more of the shares in the company, and the number of shares held by each:				
Full name of shareholder	Class of share	Number of shares		
.....	.....	.....		
.....	.....	.....		
.....	.....	.....		

Schedule F: Substantial Shareholders				
<b>Shares Held in Trust:</b>				
6) Does any person or entity have beneficial control of 10% or more of shares in the company?	Yes:	<input type="checkbox"/> Go to Question 7	No:	<input type="checkbox"/> Go to Question 8
7) Provide details of substantial shareholdings held in trust:				
Shares held by	Full name of beneficial owner	Number of shares		
.....	.....	.....		
.....	.....	.....		
.....	.....	.....		
<b>Corporate Trustees:</b>				
8) Is the company a corporate trustee?	Yes:	<input type="checkbox"/> Go to Question 9	No:	<input type="checkbox"/> Go to Question 16
9) Type of trust:	Discretionary trust:	<input type="checkbox"/>	Unit trust:	<input type="checkbox"/>
10) Name of trust:	.....			
11) Address of trust:	.....			
12) Is a copy of the trust deed attached?	Yes:	<input type="checkbox"/>	No:	<input type="checkbox"/>
13) 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"/>	.....	.....	
14) 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:		.....		
15) 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:		.....		
<b>Proposed Distribution of Profits:</b>				
16) How are the profits of the company's proposed Public Lottery business to be distributed (e.g. dividends to shareholders, capital reinvestment plans etc)?		.....		



**2.3 Schedule G: Current Executive Officers**

Registrants are required to identify all of the Executive Officers of a Registrant.

Schedule G: Current Executive Officers			
List all of the current Executive Officers of the Registrant:			
Full name of Executive Officer	Position held		
.....	.....		
.....	.....		
.....	.....		
Have Individual Probity forms (Schedules P to W) been completed for all of the current Executive Officers listed above?	Yes:	<input type="checkbox"/>	No: <input type="checkbox"/>

**2.4 Schedule H: Certificate of Incorporation**

The company 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 Schedule I: Constitution/Replaceable rules**

The company is requested 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 Schedule J: Historical Organisational Extract from ASIC**

Companies incorporated under the Corporations Act are required to provide a Historical Organisational Extract from ASIC. Companies are required to 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'. Instructions of how to apply for an Historical Organisational Extract from ASIC are set out in Appendix F.

Schedule J: Historical Organisational Extract from ASIC	
1) Provide the company's original Historical Organisational Extract from ASIC	Attachment Reference:.....
2) If required, provide an overseas equivalent report attached for the company	Attachment Reference:.....

**3 VOLUME 3 – CORPORATE PROBITY**

Registrants are required to respond to **Schedule O** and requested to respond to each of the following **Schedules K to N** in order to supply information about a Registrant's corporate details.

All schedules should be completed in accordance with Part C – section 7.1.
--

**3.1 Schedule K: Gambling History**

The company is requested to provide information relating to the gambling history of the company, in particular licensing/authorisation details. When completing this section the company is requested to 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 company is to name the:

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

Companies are also requested to document any conditions placed on any licences held by the company at any time.

Schedule K: Gambling History				
1)	In Victoria or elsewhere, has the company ever applied for ANY other gambling 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 ...../..... To ...../..... (Month/Year) (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 or 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 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

<b>Schedule K: Gambling History</b>	
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)	Reason for suspension, cancellation, amendment, revocation or disciplinary action taken: .....

### 3.2 Schedule L: Actions by Regulatory Bodies

The company is requested to provide details of every action commenced (or pending) against the company by any government regulatory body in Victoria or any other Jurisdiction. Such actions may include, but are not limited to:

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

<b>Schedule L: Actions by Regulatory Bodies</b>				
<b>Action previously taken:</b>				
1)	In Victoria or elsewhere, has there been any action commenced against the company or its Executive Officers by any government regulatory body?	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 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 or its Executive Officers?	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 government regulatory body:	.....		
ii.	Name of company:	.....		
iii.	Nature of action:	.....		
iv.	Date matter is scheduled to be heard / notice issued	...../...../..... (Day/Month/Year)		

**3.3 Schedule M: Litigation**

The company is requested to provide details of any litigation (legal action) taken (or in progress) against the company in the ten (10) year period prior to the prescribed lodgement date for responses to this Notice (being 10 years to 26 November 2015).

<b>Schedule M: Litigation</b>				
<b>Prior litigation:</b>				
1)	In Victoria or elsewhere, has there been any litigation (legal action) taken against the company or its Executive Officers or was any the company 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"/> Go to Question 3
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:	.....		
(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 or its Executive Officers?	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:	.....		

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

The company is requested to identify all charges, offences and convictions against the company.

<b>Schedule N: Charges, Offences and Convictions</b>				
<b>Prior charges:</b>				
1)	Has the 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):	.....		

Schedule N: Charges, Offences and Convictions				
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):			
Investigations and pending charges:				
3)	To your knowledge, is there any investigation or charge currently pending against the company in respect of any offence, in Victoria or elsewhere?	Yes:	<input type="checkbox"/>	No: <input type="checkbox"/>
			Go to Question 4	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:	.....		
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):			

### 3.5 Schedule O: Consent for Release of Information of Law Enforcement Agencies

Companies are requested to provide a duly executed copy of the Consent for Release of Information of Law Enforcement Agencies for the company.

STRICTLY CONFIDENTIAL <i>Gambling Regulation Act 2003 (Victoria)</i>
<b>Schedule O: Consent for Release of Information of Law Enforcement Agencies</b>
In the matter of a Registration of Interest for the grant of a Public Lottery Licence by:
<b>Name:</b> .....
(Print the Company's name)
.....('the Company')
(Full address of Company)
<b>I,</b> .....
(Full name of authorised officer signing this consent form on behalf of the Company)
<b>CONSENT</b>
The Company hereby consents, for the purposes of registering the an interest in the grant of a Public Lottery Licence under the <i>Gambling Regulation Act 2003</i> (Vic), to all probity investigations carried out by the Victorian Commission for Gambling and Liquor Regulation and its staff, including but not limited to:–
a. inspection of criminal, intelligence or other records kept or maintained by:

<b>STRICTLY CONFIDENTIAL</b> <i>Gambling Regulation Act 2003 (Victoria)</i>	
<b>Schedule O: Consent for Release of Information of Law Enforcement Agencies</b>	
<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’)	
<p>b. Release of particulars of any convictions, findings of guilt or other information recorded against the Company by the law enforcement agencies 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 to which the Company, 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; and</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 and Liquor Regulation.</li> </ul>	
<p><b>ACKNOWLEDGMENT</b></p> <p>The Company 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.</p> <p>This consent commences on the date below and continues until the later of:</p> <ul style="list-style-type: none"> <li>▪ its revocation in writing by the Company to the VCGLR;</li> <li>▪ the Company’s withdrawal or elimination from the two-stage licensing process for the grant of a Public Lottery Licence under the <i>Gambling Regulation Act 2003 (Vic)</i>.</li> </ul> <p>A photocopy of this Authorisation will be considered as effective and as valid as the original</p>	
<p>..... Signature of Authorised Officer on behalf of the Company</p>	<p>Dated the ..... day of ..... (day) (month) (year)</p>
<p>..... Signature of witness (any adult can be a witness)</p>	<p>..... Printed name of witness</p>

**4 VOLUME 4 – INDIVIDUAL PROBITY**

Each person nominated as an Executive Officer by a Registrant and any Substantial Shareholders that are natural persons must complete the following **Schedule P** and **V**. They are also requested to complete **Schedule Q** to **U**.

**4.1 Schedule P: Consent and Declaration for all disclosures**

All schedules refer to the requirements as detailed in Part C – section 7.2.

**Schedule P: Consent and Declaration for all disclosures**

I, \_\_\_\_\_ [*insert name of Relevant Associate*] \_\_\_\_\_ am an Associate, within the meaning of the of the *Gambling Regulation Act 2003* (Vic) (**Act**), of \_\_\_\_\_ [*insert name of Registrant*] (**the Registrant**) and I hereby:

(i) **acknowledge** that I have read and understood the Notice Calling for Registrations of Interest (**ROI**) in the grant of a Public Lottery Licence under the Act dated [insert] (**Notice for ROI**);

(ii) **understand** that the information and material relating to me in or with respect to the matters set out in Schedules P to V, whether provided by me or any other person as contemplated by the any of the Schedules P to V, 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 Public Lottery 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 me, in or pursuant to Schedules P to V, including information, whether provided verbally or in writing, being made available to any of the State, State Parties and the VCGLR 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, State Parties or the VCGLR considers should be provided or discussed with the Registrant; and
- any disclosure of information or material as contemplated by Part B - section 7.1 of the Notice for ROI.

I also acknowledge that the State, State Parties and the VCGLR will not be liable for using or disclosing any such information or material for any purpose set out in this consent.

**SIGNED** by ..... Dated .....

(Signature of person giving consent)

.....  
 Relationship with Registrant)  
 in the presence of: ..... )  
 ..... )  
 ..... Dated .....

Signature of witness

.....  
 Name of witness (block letters)  
 Declaration

In the matter of my being a Relevant Associate of a company registering interest for the grant of a public lottery licence, I declare that all statements contained in and all matters accompanying the following forms are true and correct in every detail and fully disclose all information required to complete the forms.

**Signature of Relevant Associate:** ..... **Dated:** .....

**Signature of witness\*:** .....

**\*Any adult can be a witness**

## 4.2 Schedule Q: Personal Declaration

Schedule Q: Personal Declaration			
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 (10) 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 (if same as question 2, write 'as above'):	..... (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. Is your primary place of residence outside Australia?			
Yes <input type="checkbox"/>	No <input type="checkbox"/>	If yes, complete the following: Do you hold a current passport? Yes <input type="checkbox"/>	
		No <input type="checkbox"/>	
		If yes, complete the following details: Country passport issued: Passport number	
6. 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, provide details: Previous name: ..... Date of change: .../.../... Previous name: ..... Date of change: .../.../... Previous name: ..... Date of change: .../.../...	



### 4.3 Schedule R: Personal Business Interests

Each person nominated as an Executive Officer by a Registrant and any Substantial Shareholders that has ever been the director or secretary of a company registered with ASIC, is requested to submit this form accompanied by your **original** Historical Personal Name Extract from ASIC. Instructions of how to apply for an Historical Personal Name Extract from ASIC are set out in Appendix I.

**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 asked to apply to ASIC for an Extract.

Schedule R: Personal Business Interests		
Full name of individual:	Mr/Mrs/Miss/Ms (circle)	Male <input type="checkbox"/> Female <input type="checkbox"/>
..... (Surname name)	..... (First name)	..... (Middle name(s))
1. 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>		
2. 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:.....	
3. Have you ever been disqualified from acting as an office holder of a company or are any like proceedings pending, in any Jurisdiction? If yes, provide details on an attachment page.	Attachment Reference:.....	

### 4.4 Schedule S: Personal Legal Action

Each person nominated as Executive Officer by a Registrant and any Substantial Shareholders that are natural persons are requested to complete a Personal Legal Action Form.

You are requested to 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.

**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.

Schedule S: Personal Legal Action			
Full name of individual:	Mr/Mrs/Miss/Ms (circle)	Male <input type="checkbox"/>	Female <input type="checkbox"/>
.....			
(Surname name)	(First name)	(Middle name(s))	
1. During the last ten (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, 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:	
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:.....	
2. 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 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 any further details has been provided as an Attachment:		Attachment Reference:.....	

**4.5 Schedule T: Personal Gambling History**

**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 a gambling industry licence, concession, approval, authorisation or registration was applied for.

Schedule T: Personal Gambling History			
Full name of individual:	Mr/Mrs/Miss/Ms (circle)	Male <input type="checkbox"/>	Female <input type="checkbox"/>
.....			
(Surname name)	(First name)	(Middle name(s))	

Schedule T: Personal Gambling History			
1. Have you ever applied, either personally or via a business association (i.e. as an office holder of a company), for <b>any</b> gambling 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:	
Licence/approval/association dates (if known):		From: ...../..... (month/year)	To: ...../..... (month/year)
Licence number (if known)		Name of gambling regulator (if known):	
(b) If application was refused or withdraw, 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:.....	
2. Except in relation to any application disclosed in question 1, have you ever been subject to a probity assessment by any gambling 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:.....	
3. With respect to question 1(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 gambling 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:.....	
4. Have you ever been employed by the VCGLR or its predecessors?		Yes <input type="checkbox"/> No <input type="checkbox"/>	
(a) If yes, provide the following details:			
Position held:		Date finished:	...../..... (month/year)

## 4.6 Schedule U: Personal Charges, Findings of Guilt and Convictions

Schedule U: Personal Charges, Findings of Guilt and Convictions			
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) and must be obtained not more than three (3) months before lodgement of this form (refer to instructions at Appendix J).			
You <b>must</b> disclose details of any offence not included in your NPC/processed consent form at question 2, 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 VCGLR's assessment of your suitability. ( <b>Note:</b> Children's Court matters more than ten (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 question 2).			
<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 VCGLR with its investigations. This report should provide details of any convictions, findings of guilt, either with or without conviction, and any matters still outstanding.			
1. (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 No to question 1(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 yes to question 1(b)(ii): Period of residence in Australia:	From: ...../..... (month/year)	To: ...../..... (month/year)	
2. 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? (This includes matters where a good behaviour bond is given or matters where no conviction is recorded)	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 yes to either question 2 (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 Schedule V: Individual Consent for Release of Information by Law Enforcement Agencies

Schedule V: Individual Consent for Release of Information by Law Enforcement Agencies	
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 for Release of Information by Law Enforcement Agencies</i> to the Victorian Commission for Gambling and Liquor Regulation (VCGLR) includes a reference to a member of its staff and any other person appointed in writing by VCGLR.</p> <p><b>I consent</b> to the VCGLR 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 gambling 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 VCGLR to its investigation of me as a person affiliated with a registrant who has submitted a registration of interest in the grant of a public lottery licence under the <i>Gambling Regulation Act 2003</i> (Vic).</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, I hereby release the VCGLR, each law enforcement agency and their servants, agents or contractors to the full extent of the law and against any claim or demands of any kind and any actions, suits, proceedings, claims, demands, costs and expenses whatsoever which may be taken or made in respect of the use or misuse of the information obtained out of this <i>Consent for Release of Information by Law Enforcement Agencies</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>	
<p><b>EXECUTED AS A DEED:</b></p>	
.....	
Signature of person giving Consent and Release	
.....	
Name of person giving Consent and Release (block letters)	

**5 VOLUME 5: FINANCIAL BACKGROUND**

The company is requested to respond to each of the following **Schedules W** to **AA** in order to supply information about the company's financial details.

All schedules should be completed in accordance with Part C – section 7.3.

**5.1 Schedule W: Financial Statements**

The company is requested to provide the audited financial statements for the last three (3) financial years.

<b>Schedule W: Financial Statements</b>				
<b>Company's financial statements</b> The financial statements should include: <ul style="list-style-type: none"> <li>● a balance sheet;</li> <li>● a profit and loss statement (including details of secured and unsecured loans, amounts and sources of funds);</li> <li>● a cash flow statement and explanatory notes; and</li> <li>● a list of creditors.</li> </ul> If the most recent completed financial year is more than six months from the date of this Registration of Interest, unaudited financial statements covering this period should also be provided.				
1)	For which financial years have financial statements been provided? (Present financial statements as Attachments to this Schedule)	Attachment Reference:.....		
2)	Has the company traded for three years or more?	Yes: <input type="checkbox"/>	No: <input type="checkbox"/>	
3)	If yes to question 2, are COPIES of the company's financial statements for the past three years (including the most recently completed financial year) attached?	Attachment Reference:.....		
4)	If no to question 2, tick the appropriate statement below (you must tick either (i), (ii) or (iii) below):  (i) The company has been trading for less than one year (and financial statements for the most recently completed financial year period are not available). I understand that a Financial Information Release Form must be completed and provided as part of the application.  (ii) The company has been trading for more than one year but less than two. A COPY of the Registrant's financial statements for the most recently completed financial year is attached. In addition, I understand that a Financial Information Release Form must be completed and provided as part of the application.  (iii) The company has been trading for more than two years but less than three. A COPY of the company's financial statements for the past two years (including the most recently completed financial year) is attached. In addition, I understand that a Financial Information Release Form must be completed and provided as part of the application.	Yes:	<input type="checkbox"/>	No: <input type="checkbox"/>
5)	Is the date of this Registration of Interest for the grant of a Public Lottery Licence more than six (6) months from the most recently completed financial year?	Yes: <input type="checkbox"/>	No: <input type="checkbox"/>	
6)	If yes to question 5, is a COPY of the company's unaudited financial statements covering the period from the end of the last financial year to the date of this application attached?	Attachment Reference:.....		

**5.2 Schedule X: Report to the VCGLR**

The company is requested to submit a report to the VCGLR, disclosing the extent to which it has complied with the VCGLR's 'Guidelines for Certification of Financial Statements' in Appendix E.

Schedule X: Report to the VCGLR	
Present the Report to the Victorian Commission for Gambling and Liquor Regulation as an Attachment to this Schedule and as defined in Appendix E	Attachment Reference:.....

**5.3 Schedule Y: Accountant or Auditor Statement**

The company is requested to provide the following statement completed by a Certified Practising Accountant or a Chartered Accountant.

Schedule Y: Accountant or Auditor's statement	
Name of company:	
Name of accountant or auditor:	
Accountant or auditor's address:	
Qualification (please tick)	
Chartered accountant <input type="checkbox"/>	Certified practising accountant <input type="checkbox"/>
Please specify the current ratio or working capital ratio of the company:	
Please specify the gearing ratio of the company:	
I have considered all relevant documentation relating to the financial affairs of the company. I am satisfied that at the time of making this statement, the company:	
<ul style="list-style-type: none"> <li>● is profitable (1)</li> <li>● is reporting positive returns on assets (1)</li> <li>● is solvent (2)</li> <li>● is liquid (3)</li> <li>● has satisfactory gearing (4)</li> </ul>	
Please specify below, or attach to this statement, any qualifications or explanations relating to the above statement.	
Signature of accountant or auditor:	
Name of signatory (block letters)	Date

**Notes**

- (1) Profitability is to be assessed on the average of the returns received for the previous three years and whether positive returns are being generated from its assets utilised in the business.
- (2) Solvency is to be measured by the net worth ratio of the company. Using the standard measure of solvency total tangible assets should be at least 50% in excess of total liabilities. Assets and liabilities may contain loans from/to related parties such as Executive Officers. In such instances, all such loans/advances are to be eliminated to obtain the adjusted net worth.
- (3) Liquidity is to be measured by the current ratio or working capital ratio. Assets and liabilities may contain loans from/to Executive Officers. In such instances, all such loans/advances are to be eliminated when calculating the current ratio. It is expected that the liquidity ratio and the percentage of payments made and received (within the payment terms) that would ordinarily apply to the company, will be considered by the accountant and provided in this statement.

- (4) The gearing ratio is to be measured against the company's level of equity to support its external liabilities. If the company has loans/advances from related parties, such amounts are also considered as equity in that the amounts can easily be converted into share capital.

#### 5.4 Schedule Z: Financial Background

The company is requested to respond with details as to its current financial background.

Schedule Z: Financial Background				
<b>Receivership, Voluntary Administration and Bankruptcy:</b>				
1)	Has the 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 4
2)	Name of the company subject to this action:	.....		
3)	Provide details:	.....		
<b>Defaults:</b>				
4)	Is the 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 5	No: <input type="checkbox"/> Go to Question 6
5)	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)		
6)	Has the company applied for a Business Credit File from Veda Advantage?	Yes:	<input type="checkbox"/>	No: <input type="checkbox"/>
7)	If yes to question 6, is a copy of the company's Veda Advantage Business Credit File attached?	Attachment Reference .....		

#### 5.5 Schedule AA: Financial Information Release

East company is required to provide a duly executed copy of the Financial Information Release.

The financial information release is required to assist the VCGLR with its investigations. 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.



<b>STRICTLY CONFIDENTIAL</b> <i>Gambling Regulation Act 2003 (Victoria)</i>	
<b>Schedule AA: Financial Information Release Form</b>	
In the matter of a Registration of Interest for the grant of a Public Lottery Licence by:	
<b>Name:</b> .....	(Print the Company's name)
.....	..... ('the Company')
	(Full address of Company)
<b>I,</b> .....	(Full name of authorised officer signing the application on behalf of the Company)
being the duly authorised officer of the Company named above hereby authorise all <b>persons</b> who receive this <b>release form</b> from the VCGLR 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 VCGLR, its staff or any other person appointed in writing by the VCGLR, to inspect and obtain a copy of any document, record or correspondence in the possession or under the control of the person, which contains information pertaining to the Company (or to the Company and another person and to any subsidiary, related body corporate, trust or partnership to which the Company 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 VCGLR, its staff, or any other person appointed in writing by the VCGLR to undertake the authorised actions, about the financial resources of the Company.
<b>AUTHORISED PURPOSES</b>	
To enable the VCGLR to report to the Minister for Consumer Affairs, Gaming and Liquor Regulation regarding the financial history and resources of a company.	
<b>Signed:</b>	..... (Authorised Officer's signature)
<b>Dated:</b>	...../...../..... (Day/Month/Year)

## 6 VOLUME 6: COMMERCIAL CAPABILITY

### 6.1 Schedule AB: Commercial Structure

Registrants are requested to demonstrate the capacity to establish and maintain a successful Public Lottery business.

The following Schedules should be completed in accordance with Part C – section 8.1.

Schedule AB: Commercial Structure		
1.	Provide the Registrant's top level corporate organisational chart and where the proposed Public Lottery business unit is positioned within this chart	Attachment Reference:.....
2.	Provide the organisational structure of the proposed Public Lottery business unit's senior management, including number of direct reports	Attachment Reference:.....
3.	Provide position descriptions of proposed key roles within the proposed Public Lottery business unit:	
	Role title:	Position description:
4.	Provide a curriculum vitae of the proposed Public Lottery business manager:	Attachment Reference:.....

## 6.2 Schedule AC: Business Model

The following Schedule should be completed in accordance with Part C – section 8.2.

Schedule AC: Business Model		
1.	Provide the Registrant's high level business model (including marketing strategy, processes and systems)	Attachment Reference:.....
2.	Provide details of any assumptions and evidence to substantiate the proposed business model particularly evidence and assumptions to support the alignment with market expectations and requirements.	Attachment Reference:.....

## 6.3 Schedule AD: Relevant Experience

The following Schedule should be completed in accordance with Part C – section 8.3.

Schedule AD: Relevant Experience		
1.	Provide details demonstrating where a gambling or like product has been developed by the company in any market/Jurisdiction	
	Product (Name/description/industry):	
	Location (Jurisdiction/extent of distribution):	
	Value (gross turnover per annum):	
	Years in operation/duration of licence:	
	Brief description on how successful the product has been (including size of product at commencement of operation and 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 Public Lottery business?	

**7 VOLUME 7: RESPONSIBLE GAMBLING**

The following Schedule must be completed in accordance with Part C – section 9.

**7.1 Schedule AE: Responsible Gambling Declaration**

Schedule AE: Responsible Gambling Declaration			
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.			
Full name of Authorised Officer:	(Authorised Officer on behalf of Registrant)		
Position with Registrant:	(Position/title)		
Telephone number:	(.....)	Mobile number:	
Facsimile number:	(.....)		
Email address:			
I, the undersigned declare that:			
i. I am authorised to complete this Form on behalf of the Registrant;			
ii. The Registrant agrees to comply with all requirements imposed by the Act, the Regulations and any legislative instruments made under the Act or Regulations relevant to responsible gambling.			
iii. The Registrant agrees to provide a Responsible Gambling Code of Conduct to be approved by the VCGLR that meets the requirements of all Applicable Legislation should the Registrant be invited to apply for a Public Lottery Licence.			
Signature of Authorised Officer:			
Date:	...../...../..... (Day/Month/Year)		

**8 VOLUME 8: DECLARATIONS**

**8.1 Schedule AF: Statutory Declaration**

As required under Part B – section 7.1 a Registrant and each of its Relevant Associates are 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 C.

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

Schedule AF: Statutory Declaration	
Attach statutory declaration in the form of the template in Appendix C.	Attachment Reference:.....

**8.2 Schedule AG: FIRB Approval**

The following Schedule should be completed in accordance with Part C – section 10.2.

Schedule AG: FIRB Approval	
FIRB approval summary including reasons, preliminary discussion, outline of process and timing to obtain formal approval	Attachment Reference:.....

**Appendix A Reference Materials**

Internet addresses for relevant documents and information

<b>Gambling Regulation Act 2003 (Vic.)</b>	<a href="http://www.legislation.vic.gov.au">http://www.legislation.vic.gov.au</a>
Victorian Government Tender Website	<a href="http://www.tenders.vic.gov.au">www.tenders.vic.gov.au</a>
Victorian Government Gazette	<a href="http://www.gazette.vic.gov.au">www.gazette.vic.gov.au</a>
Victorian Commission for Gambling and Liquor Regulation	<a href="http://www.vcglr.vic.gov.au">www.vcglr.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>

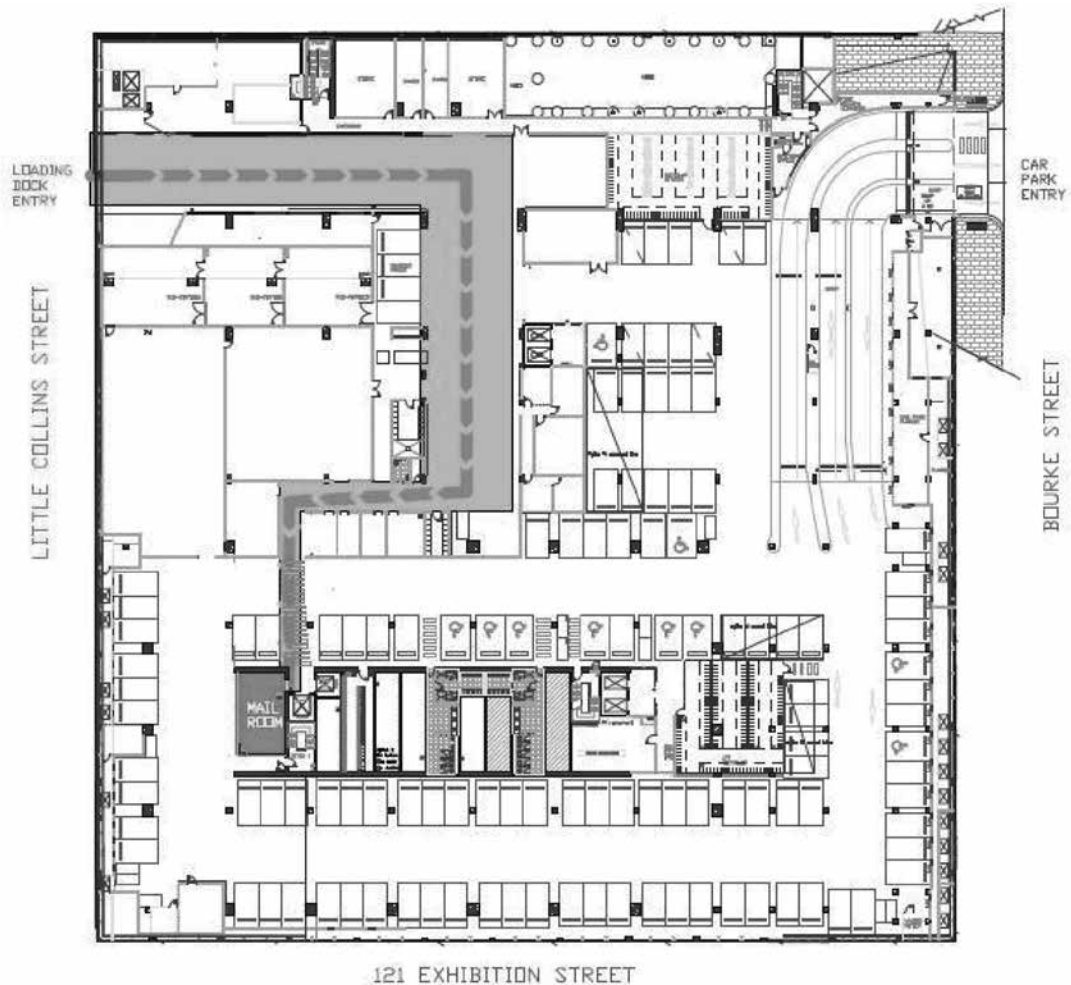
**Appendix B Map of Tender Box Location**

Tender Box Location

Mail Centre, Basement Level B2

121 Exhibition Street

Registrants are advised to follow the directions below for lodgement of tenders. In the event you require any assistance please contact the Mail Centre on (03) 8684 0184.

**Tender Lodgement Directions**

1. Enter the loading dock entry via Little Collins Street.
2. Make your way down the ramp and then turn right.
3. Walk to the end and turn right.
4. Follow the corridor around where you will see a crossing.
5. Keep walking straight towards the goods lift.
6. On your right you will find the Mail Centre where the Security Guard will help you with your lodgement.

**Please note: It is recommended that you print this map in colour to assist with your lodgement.**

**Appendix C 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 Consumer Affairs, Gaming and Liquor Regulation of the State of Victoria.

‘Notice for ROI’ means Notice Calling for Registrations of Interest in the grant of a Public Lottery Licence under the Act dated [INSERT].

‘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 Public Lottery Licence.

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

‘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 Consumer Affairs, Gaming and Liquor Regulation 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 Part B – section 6.1 of the Notice for ROI.
3. I hold the position of Chair 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 B – section 6.3 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 Senior Project Manager on *[insert date]*.

*[insert details of the issue that arose]*

On the directions of the Senior Project Manager and to his or her 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, any State Party or the VCGLR 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;
  - (f) improperly interfered with the consideration of any ROI, the preparation or making of any report, recommendation or decision of the Victorian Commission for Gambling and Liquor Regulation, the State or the Minister in relation to any part of the Licensing Process; or
  - (g) sought or obtained access to 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 ..... 2015

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 Consumer Affairs, Gaming and Liquor Regulation of the State of Victoria.

‘Notice for ROI’ means Notice Calling for Registrations of Interest in the grant of a Public Lottery Licence under the Act dated [INSERT].

‘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 Public Lottery Licence.

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

‘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 Consumer Affairs, Gaming and Liquor Regulation of the State and any of their officers, employees, servants, agents, advisers, contractors and service providers.

**Preamble**

2. I hold the position of Chair of the Board of Directors of the [insert name of Associate] (**Associate**) of the Registrant and am duly authorised by the Associate to make this declaration on its behalf (*or if the Associate is an individual, state your title and relationship with the Registrant that constitutes you an Associate of the Registrant*).
3. As an Associate of the Registrant, I am required to make a statutory declaration pursuant to Part B – section 6.1 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**

3. In accordance with Part B – section 6.3 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.
4. 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 Chair of the Board of Director of the Registrant on [insert date].



*[insert details of the issue that arose]*

On the directions of the Senior Project Manager to the Chair of the Board of Director of the Registrant, and to Senior Project Manager'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]**

5. 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 Associate;
  - (c) sought or obtained from the State, the Minister, any State Party or the VCGLR 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;
  - (f) improperly interfered with the consideration of any ROI, the preparation or making of any report, recommendation or decision of the Victorian Commission for Gambling and Liquor Regulation, the State or the Minister in relation to any part of the Licensing Process; or
  - (g) sought or obtained access to 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**

7. 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 ..... 2015

Before me

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

**Appendix D Guidelines For Certification of Financial Statements*****Accompanying a Company History Inquiry Form relating to a Registration of Interest in the Grant of a Public Lottery Licence*****Introduction**

The Victorian Commission for Gambling and Liquor Regulation (**VCGLR**) requests that Registrants (and (where relevant) its Relevant Associates) for a Public Lottery Licence submit financial statements consisting of balance sheet, profit and loss statement and explanatory notes for the three (3) most recently completed financial years. The financial statements together with comparative figures for the previous financial year must be prepared in accordance with the Accounting Standard AASB101 'Presentation of Financial Statements'.

The VCGLR also requests financial statements of the Company's other business interests to assess the Company's financial resources and stable background.

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 Schedule Y.

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. Such companies are still required to submit financial statements, certified in accordance with VCGLR's guidelines.

To meet the VCGLR's requirements, the financial statements for a company are required to comply with the following guidelines, in accordance with the Australian Auditing Standard AUS80: 'The Audit Report on Financial Information Other than a General Purpose Financial Report'.

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 VCGLR as outlined in Appendix E, which is required to accompany the financial statements.

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 'Framework for Assurance Engagements' issued by the Auditing and Assurance Standards Board (AUASB) on 19 April 2010. 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.

**Procedures for Certification of Financial Statements*****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.

***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.

- 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 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.

- Rental, rates and taxes on properties
- Group Tax
- Utilities
- Payroll Tax
- Workcover
- Employee entitlements including superannuation

- 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.

- 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 and financial background inquiry form relating to a Public Lottery Public Lottery Licence under the **Gambling Regulation Act 2003** (Vic.). 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 Senior Project Manager.



## Appendix F 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.

The Historical Organisational Extract must be issued within three months of the date of lodgement of the Registrant's ROI. **Any** matters detailed in the company's Historical Organisational Extract may be taken into consideration by the Victorian Commission for Gambling and Liquor 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 obtaining an Historical Organisational Extract.

### 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

##### Melbourne Business Centre

Level 7,

120 Collins Street

Melbourne, Victoria 3000

Phone: (03) 9280 3200

Fax: (03) 9280 3444

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 G 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

It is requested that the date of issue of the Business Credit File not be more than three (3) months prior to lodgement of the ROI. **Any** matters detailed in the Business Credit File may be taken into consideration by the VCGLR. Should you wish to dispute any of the information disclosed in the Business Credit File you should do so with Veda Advantage **prior** to obtaining a Business Credit File.

**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 Enquires 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 H 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/is an Associate of a registrant that has submitted a Registration of Interest to the Victorian Minister for Consumer Affairs, Gaming and Liquor Regulation, as the first stage in a Public Lottery licensing process.

As part of the registration process, the Victorian Commission for Gambling and Liquor Regulation (VCGLR) is performing a review and 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 Public Lottery 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 I 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.

- It is requested that the Historical Personal Name Extract is **not** dated more than three (3) months from the date of the ROI lodgement; and
- **original** Historical Personal Name Extract be lodged (i.e. **not** a photocopied extract).

Any 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 obtaining an Historical Personal Name Extract.

### 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

<p><b>Melbourne Business Centre</b> Level 7, 120 Collins Street, Melbourne, Vic. 3000</p> <p>Phone: 1300 300 630 1300 555 600</p>	<p><b>Sydney Business Centre</b> Level 8, 55 Market Street, Sydney, NSW 2000</p> <p>Phone: 1300 300 630</p>	<p><b>Brisbane Business Centre</b> Level 20, 240 Queen Street, Brisbane, Qld 4000</p> <p>Phone: 1300 300 630</p>
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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)



**Appendix J National Police Certificate from Victorian Police**

If you reside in Australia you **must** provide an **original** National Police Certificate (NPC).

To obtain your NPC, you must make an application to the Victoria Police. It is requested that the NPC be current at the time of lodgement of your ROI and not exceed three (3) months from the date of issue by the Victoria Police at the time ROI is lodged. Any matters detailed on your NPC are taken into consideration by the VCGLR. Should you wish to dispute any of the information disclosed in your NPC you should do so **prior** to lodging your application for a National Police Certificate, by writing to:

Manager, Public Enquiry Service, Victoria Police, GPO Box 919, Melbourne, Victoria 3001.

**HOW TO APPLY FOR YOUR NPC**

To obtain your National Police Certificate (NPC) from the Victoria Police you must complete a Victoria Police 'Online application form for the National Police Certificate' form. The latest version of this form is to be downloaded from the following website: <http://www.police.vic.gov.au> and titled as 'Online application form for the National Police Certificate'. The type of check required is National Name Check..

To obtain your NPC, a completed consent form and required attachments must be sent to:

**Victoria Police**  
**GPO Box 919**  
**MELBOURNE, VIC. 3001**

Your application to the Victoria Police **must** include:

- completed, signed and witnessed Victoria Police 'Online application form for the National Police Certificate';
- certificate minimum of two (2) types of identification with a minimum total of 100 points (for example, your current passport and current driver's licence); and
- an Australian cheque or money order payable to the 'Victoria Police'.

When completing the Victoria Police 'Consent to Check and Release Police Record – For VCGLR Applicant Use Only' form, you must ensure that:

- 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.



VICTORIA POLICE

# Online Application Form & Instructions

## Consent to Check and Release National Police Record

### Online instructions for applicants applying for a National Police Certificate

#### Step 1: Gathering mandatory information before you start

- ❖ If an organisation or employer has requested you to obtain a National Police Certificate they should inform you of the 'Type of check' required (Section A), i.e. National name check or National name check and fingerprint record search. A National name check is usually sufficient for general employment, licensing or visa purposes.
- ❖ If you are not certain which 'Purpose of check' to select (Section E), discuss the options with the organisation prior to completing the form.
- ❖ If an organisation is paying for the check then the organisation's details (contact name, name, address and phone number of organisation) must be entered in Section D.
- ❖ A minimum of 100 points of identity is required for this application (Section G). Identity documents must include identification containing a photo, your current residential address, your signature and your date of birth. Failure to meet all of the identity requirements will result in your application being returned. Whilst you can obtain photocopies of your identity documents after completing the form, you must be able to enter the details of your Primary Category A or Primary Category B identification details whilst completing the form online.

#### Step 2: Completing the application

- ❖ Applicants must read the instructions prior to completing and forwarding the application for processing. Incomplete or incorrect applications will be returned for correction.
- ❖ Place one character per box. Leave a space between each word. Leave boxes blank if you are not required to complete part of a section.
- ❖ You may only print the form when all mandatory information has been entered. If you are missing required information you may save the form to your computer and continue when you have all the information.
- ❖ Complete the checklist to ensure you have or will complete any outstanding requirements prior to forwarding your application for processing.

**Online instructions for applicants applying for a National Police Certificate** (continued)

**Step 3: Forwarding the application**

- ❖ Print the completed application form.
- ❖ Obtain photocopies of the identification you have nominated on your application.
- ❖ Take the completed form, your original identification documents and photocopies of identification to a person listed in Section F of the instructions for certification and witnessing of your signature.
- ❖ Attach a cheque or money order payable to Victoria Police. **DO NOT SEND CASH THROUGH THE MAIL.** Current processing fees can be accessed at [www.police.vic.gov.au/content.asp?Document\\_ID=274](http://www.police.vic.gov.au/content.asp?Document_ID=274). A tax invoice will not be issued unless requested.
- ❖ If you are paying the reduced rate ensure the CVF details (Section E) are completed by the relevant organisation.
- ❖ Forward the completed application, certified identity documents and payment to:

**Public Enquiry Service**  
**Victoria Police**  
**GPO Box 919**  
**MELBOURNE VIC 3001**

**What will my National Police Certificate show?**

- ❖ To view the National Police Certificate - Information Release Policy click on this link, [www.police.vic.gov.au/content.asp?Document\\_ID=692](http://www.police.vic.gov.au/content.asp?Document_ID=692)

**Contact information:**

- ❖ Internet: [www.police.vic.gov.au](http://www.police.vic.gov.au)
- ❖ Telephone: 1300 881 596

Help ? For help on each section position your mouse over the question mark adjacent to the section heading.

**Section A: Type of check required** (This section must be completed) ?

National name check **OR**  National name check and fingerprint records search

**Victoria Police Use Only: Victoria Police member to complete**

Fingerprints: Ink  Livescan  Date Prints Taken           Station Code     Reg/EmpNo

**Section B: Details of Applicant** (This section must be completed) ?

Family name/surname

First given name

Other given names

Male  Female  Daytime contact phone number/mobile            Date of birth (DD MM YYYY)

**Were you born in Australia?** Suburb/town of birth  State

Yes ▶ Please record your suburb/town of birth

Country of birth

No ▶ Please record your country of birth

**Other names you have used (including former, maiden name/s etc)**  
 If you are known or have been known by any other names, please list them below, indicating if they are a former or also known as name.

Former name  Also known as  Family name/surname

**OR**

First given name

Other given names

Former name  Also known as  Family name/surname

**OR**

First given name

Other given names

If you require an attachment to record additional previous names please cross this box. (Add Section H : Attachment - 1)

**Section C: Current, postal and previous residential address/es** (This section must be completed) ?

Enter your current residential address in the space provided. Enter your postal address **ONLY** if it differs from your current residential address. Your certificate will only be delivered to your current residential or postal address. Provide details of previous residential addresses for the last five years only.

**CURRENT RESIDENTIAL ADDRESS** (must not be a PO Box or a business address)

Unit number/street number/street name (with a gap between numbers and words)

Suburb/town/locality State Postcode

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**PLEASE NOTE:** If you complete this section your certificate will be mailed to this address

**POSTAL ADDRESS** (complete only if different to current residential address)

Unit number/street number/street name/PO Box (with a gap between numbers and words)

Suburb/town/locality State Postcode

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**PREVIOUS RESIDENTIAL ADDRESS/ES FOR THE LAST FIVE YEARS - please begin with the most recent**

Unit number/street number/street name (with a gap between numbers and words)

Suburb/town/locality State Postcode

Unit number/street number/street name (with a gap between numbers and words)

Suburb/town/locality State Postcode

If you require an attachment to record additional previous addresses please cross this box. (Add **Section H : Attachment - 1**)

**Section D: Payment Provider** (This section must be completed) Copies of the certificate will **NOT** be provided to employer/organisation. ?

Is this certificate being paid for by an employer/organisation or for Victoria Police purposes?  Yes (refer below)  No (go to section E)

Note: Results of 'Working with Police' checks will be released to the Victoria Police representative nominated in this section.

If you answered Yes, this section must be completed and signed by the employer/organisation's representative or by a Victoria Police representative if check is for Working with Police.

Name of Employer/organisation's representative Title of representative (e.g. Manager, Co-ordinator)

Employer/organisation

Unit number/street number/street name/PO Box (with a gap between numbers and words)

Suburb/town/locality State Postcode

Daytime contact phone number/mobile

To ensure the protection of privacy and the provision of natural justice, I authorise Victoria Police to deliver the certificate only to the applicant's residential or nominated postal address.

**Signature of employer/organisation's representative**

Please sign within the box and use **BLACK INK**

**Section E: Purpose of check** (This section must be completed) ?

Complete only ONE of the following three options. Different certificates are issued according to the type of check. If you require more than one certificate for different purposes, you need to apply and pay for separate certificates.

**OPTION 1 - Employment, occupational licensing, visa or insurance purposes (cross only one box)**

<input type="checkbox"/> Contact with children	<input type="checkbox"/> Adult aged/disabled care	<input type="checkbox"/> Contact with prisoners	<input type="checkbox"/> Prison/Corrections Officer
<input type="checkbox"/> Casino or gaming licence	<input type="checkbox"/> Working with Police	<input type="checkbox"/> Insurance investigation	
<input type="checkbox"/> Application for an overseas visa	<input type="checkbox"/> Healthcare (please specify) ▼	<input type="checkbox"/> Emergency Services (please specify) ▼	<input type="checkbox"/> Other (please specify) ▼

**OPTION 2 - Volunteer/authorised student placement/Family Day Care resident (cross only one box)**

<input type="checkbox"/> Contact with children	<input type="checkbox"/> Adult aged/disabled care	<input type="checkbox"/> Volunteer - Contact with prisoners
<input type="checkbox"/> Volunteer - Gaming	<input type="checkbox"/> Healthcare (please specify) ▼	<input type="checkbox"/> Volunteer - Emergency Services (please specify) ▼
<input type="checkbox"/> Other (please specify type of volunteer/student placement) ▶	Name of care provider	
<input type="checkbox"/> Family Day Care resident (18 years or over) ▶	In accordance with the Working with Children Act 2005, Family Day Care providers must be registered with the Department of Justice Working with Children Check Unit.	

Community Volunteer Fee (CVF) details including CVF number MUST be provided below for any Option 2 selection.

**Declaration of volunteer/authorised student /Family Day Care resident status**  
 This section is to be completed by organisations that have applied for and have a CVF (Community Volunteer Fee) number. This section can ONLY be completed by a representative of such an organisation. The reduced payment rate will NOT be permitted unless this section is completed. I declare that the applicant named on this form is a student, a prospective voluntary worker or a Family Day Care resident authorised by the organisation named below. The applicant will receive no payment for his/her services.

Name of organisation  
 \_\_\_\_\_

Name of organisation's representative  
 \_\_\_\_\_

Daytime contact phone number/mobile  
 \_\_\_\_\_

Signature  
 \_\_\_\_\_

Date signed  
 \_\_\_\_/\_\_\_\_/\_\_\_\_

CVF number  
 \_\_\_\_/\_\_\_\_

**OPTION 3 - Personal Use (not for release to other parties)**

A National Police Certificate will not be provided for Personal Use purposes. A certificate generated for Personal Use does not include interstate criminal history, is NOT for employment purposes and should NOT be released to other parties. Please refer to Section E, Option 3 of the Instructions.

**Section F: Certification, authorisation and statement of consent and indemnity** (This section must be completed) ?

I certify that I am the applicant named in this form and all the details herein provided by me are true and correct. I have not omitted names or aliases that I have or may have used previously. I have read and understood the contents of this form. I consent to a check of the records of Victoria Police and other Australian police forces and to the release (as specified in policy at [www.police.vic.gov.au/content.asp?Document\\_ID=692](http://www.police.vic.gov.au/content.asp?Document_ID=692)) 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. If applicable, I hereby authorise Victoria Police to obtain information from the Roads Corporation which relates to my identity and which is kept by the Roads Corporation. In consideration of Victoria Police releasing any 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 reasons of or arising out of the release of any details of any findings of guilt, convictions and other information recorded against my name or purporting to either relate to or concern me.

Signature of applicant (In the presence of the certifier)  
 \_\_\_\_\_

**In the presence of the certifier please sign within the box using BLACK INK. Certifier must then complete 'Certifier Use Only' in Section G** ▶

Name of applicant  
 \_\_\_\_\_

Date signed

**Section G: Proof of Identity** (This section must be completed) ?

**Proof of Identity Documentation**  
 Applicants must supply a minimum of two (2) types of identification from the list below with a minimum total of 100 points. Identification must include at least one type of photo ID (Category A) plus identification that contains the applicant's current residential address, signature and date of birth. A minimum of one Category A photo ID and completion of Category D is required for applicants under 15 years of age.  
 (All identity documents with at least one containing your current residential address must be certified)

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**Category A - You must have at least ONE Category A document**

	Points	
1. Current passport (Australian/Foreign)	70 ▶	Category A List Number (1-5) <span style="float: right;">?</span> Card/Document - ID Number
2. Driver licence/Learner's permit/Boat licence	40 ▶	State of issue      Expiry date (DD MM YYYY)
3. Firearms/Private security licence	40 ▶	Country of issue
4. Current tertiary student identification card (with photo)	40 ▶	
5. WWC Check card/Key pass/Proof of age card	40 ▶	
6. Certified current passport size photo (only required if the applicant does not possess any other category A identification. If a passport photo identification is provided, a selection from the category B list is mandatory for applicants 15 years of age and over.)	40 ▶	

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**Category B**

1. Australian citizenship certificate	70 ▶	Category B List Number (1-7) <span style="float: right;">?</span> Card/Document - ID Number
2. Birth certificate (not extract)	70 ▶	State of issue
3. Birth card	70 ▶	Country of issue
4. Australian travel documents or current Australian Visa	70 ▶	
5. Department of Veterans Affairs (DVA) card	40 ▶	
6. Centrelink card (with reference number)	40 ▶	
7. Government employee ID	40 ▶	

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<p><b>Category C</b></p> <table border="0" style="width: 100%;"> <tbody> <tr><td>Medicare card</td><td style="text-align: center;">25 ▶</td><td></td></tr> <tr><td>Credit card or account card</td><td style="text-align: center;">25 ▶</td><td></td></tr> <tr><td>Marriage certificate (registry issue only)</td><td style="text-align: center;">25 ▶</td><td></td></tr> <tr><td>Change of name certificate (registry issue only)</td><td style="text-align: center;">25 ▶</td><td></td></tr> <tr><td>Bank statement (with residential address)</td><td style="text-align: center;">25 ▶</td><td></td></tr> <tr><td>Motor vehicle registration or insurance papers</td><td style="text-align: center;">25 ▶</td><td></td></tr> <tr><td>Property rates notice/utilities notice</td><td style="text-align: center;">25 ▶</td><td></td></tr> <tr><td>Property lease agreement</td><td style="text-align: center;">25 ▶</td><td></td></tr> <tr><td>Home insurance papers</td><td style="text-align: center;">25 ▶</td><td></td></tr> <tr><td>Taxation assessment notice</td><td style="text-align: center;">25 ▶</td><td></td></tr> <tr><td>Records of primary, secondary or tertiary education</td><td style="text-align: center;">25 ▶</td><td></td></tr> <tr><td>Records from a current or previous employer</td><td style="text-align: center;">25 ▶</td><td></td></tr> <tr><td>Records of a professional or trade association</td><td style="text-align: center;">25 ▶</td><td></td></tr> </tbody> </table> <p><b>ADD TOTAL POINTS (must be 100 or more)</b> ▶ <input style="width: 50px;" type="text"/></p>	Medicare card	25 ▶		Credit card or account card	25 ▶		Marriage certificate (registry issue only)	25 ▶		Change of name certificate (registry issue only)	25 ▶		Bank statement (with residential address)	25 ▶		Motor vehicle registration or insurance papers	25 ▶		Property rates notice/utilities notice	25 ▶		Property lease agreement	25 ▶		Home insurance papers	25 ▶		Taxation assessment notice	25 ▶		Records of primary, secondary or tertiary education	25 ▶		Records from a current or previous employer	25 ▶		Records of a professional or trade association	25 ▶		<p><b>Category D (under 15 years of age)</b>  <b>Parent/guardian consent</b></p> <p><b>Category A identification MUST be attached</b></p> <p>I hereby consent to a national police record check on the applicant listed on this form and I acknowledge that I am the parent/guardian of the applicant.</p> <p>Signature of parent/guardian  <input style="width: 100%; height: 20px;" type="text"/></p> <p>Name of parent/guardian  <input style="width: 100%; height: 20px;" type="text"/></p> <p>Daytime contact phone number/mobile  <input style="width: 100%; height: 20px;" type="text"/></p>
Medicare card	25 ▶																																							
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Records from a current or previous employer	25 ▶																																							
Records of a professional or trade association	25 ▶																																							

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**Certifier Use Only: Certification of Proof of Identity - To be completed by certifier when sighting documents**  
 Persons authorised to certify documentation are required, in the presence of the applicant, to witness the applicant's signature and sight original documentation and verify that the photo identification is a true likeness of the applicant. They must sign and date each photocopy of original documents and complete this section.

I certify that the attached photographic identification is a true likeness of the applicant and that the proof of identification documentation selected above, submitted with this application and signed and dated by me are true copies of the originals, such originals having been sighted by me.

Title (eg Mr, Mrs, etc)      Name


Title/Position (eg chemist, teacher etc)      Daytime contact phone number/mobile

Provider/Registered Number      Date signed      Signature of certifier  
           

DD MM YYYY

**Application Form Checklist** (This section must be completed)

Prior to forwarding your application form please complete the checklist below to ensure your request can be processed in a timely manner. Failure to complete or supply any part of the application may result in it being returned.

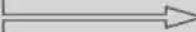
- Sections A, B, C, D, E & G are complete?
- You can be reached during business hours on the phone number you have provided in Section B if clarification of details is required?
- Your identification contains your photo, date of birth, current residential address and signature?
- You will take your completed form, original identification documents and photocopies to a person listed here  for certification of your identity documents. This person must also sign section G and sign and witness your signature on section F of the application form
- You will attach a cheque or money order payable to Victoria Police for the current fee?

Once all the above steps have been completed, attach your certified identification documents and payment to the application form and forward to:

**Public Enquiry Service**  
**Victoria Police**  
**GPO Box 919**  
**MELBOURNE VIC 3001**

**Instructions for printing application form**

Please follow the instructions to print application form correctly:

- ❖ Click on the **Print Form** button (on the right) after completing the form. 
- ❖ When printing make sure page size is not reduced or enlarged to fit print area.
- ❖ Also make sure **Page Scaling** is set to **None** (See image below - red highlight)
- ❖ If you wish to retain a copy for your records change the number of **Copies** to 2. (See image below - green highlight). Alternatively, you may save the file and reprint the application later.

**Print Form**



**Appendix K Ministerial Direction – Responsible Gambling Code of Conduct****Gambling Regulation Act 2003**

## MINISTERIAL DIRECTION

## Responsible Gambling Codes of Conduct

I, Tony Robinson MP, Minister for Gaming, under section 10.6.6 (2) of the **Gambling Regulation Act 2003** (the Act) revoke the previous direction made under section 10.6.6(1)(a) and (b) of the Act on 30 September 2008 and, in substitution, direct the Commission:

- to ensure that a Responsible Gambling Code of Conduct (code of conduct) approved by it meets the standards and requirements set out in Part A of this Direction
- to have regard to the guidelines set out in Part B of this Direction when determining whether a code of conduct meets those standards and requirements.

**PART A – Standards and Requirements****1. Definitions**

1.1. Unless the context otherwise requires or the contrary intention appears, terms defined in the Act or the **Casino Control Act 1991** have the same meaning.

1.2. In this direction:

**Customer complaint** means a complaint from a customer about the provision of gambling and includes a complaint relating to a code of conduct.

**Customer loyalty scheme** means a system conducted by or on behalf of a relevant person that tracks a person's expenditure on a gambling product and rewards that expenditure with bonus, loyalty or reward points and includes a 'loyalty scheme' as defined in section 1.3 of the Act.

**Payment of winnings** for the purposes of this direction, includes accumulated credits on gaming machines.

**Pre-commitment decision** means a decision a person makes before commencing a session of gambling to set a specified limit on his or her expenditure or time spent gambling.

**Relevant person** means a person defined as a relevant person in accordance with section 10.6.5 of the Act.

**2. Preparation of a Code**

2.1 The Commission must ensure that a relevant person has a code of conduct that:

- (a) meets the requirements of the Act or where relevant the **Casino Control Act 1991**
- (b) complies with this and any other relevant Ministerial direction
- (c) is approved by the Commission.

2.2 A code of conduct must be written in a manner that will enable it to be readily understood by customers. As a minimum requirement, a code of conduct must be written in plain English and be presented in such a way as to be reasonably accessible to customers, including customers from culturally and linguistically diverse backgrounds.

**3. Availability of the Code of Conduct**

A code of conduct must require the relevant person to make the code of conduct available:

- (a) to customers (and must specify how this will occur)
- (b) where the relevant person has a website, on that website.

**4. Responsible gambling message**

A code of conduct must:

- (a) include a responsible gambling message that identifies the relevant person's commitment to responsible gambling
- (b) require the display of that responsible gambling message wherever the relevant person conducts gambling so that it will be clearly visible to customers.



**5. Responsible gambling information**

- 5.1. A code of conduct must specify the information about responsible gambling that the relevant person will make available to customers. This must include information about:
- (a) how to gamble responsibly
  - (b) how to make and keep a pre-commitment decision
  - (c) the availability of gambling support services
  - (d) restrictions that apply to the payment of winnings by cheque and the provision of credit or the lending of money for the purposes of gambling
  - (e) self-exclusion programs.
- 5.2. A code of conduct must state how this information will be made available.

**6. Gambling product information**

- 6.1. A code of conduct must state how information about any relevant rules for gambling will be made available to customers.
- 6.2. Where the relevant person is a venue operator or a casino operator, the code of conduct must specify how customers will be informed about accessing product information available on gaming machines.

**7. Customer loyalty scheme information**

- 7.1. Where a customer loyalty scheme is offered to customers, a code of conduct must specify:
- (a) that the relevant person will make appropriate information about the customer loyalty scheme available to participants
  - (b) how that information will be provided.
- 7.2. A code of conduct must identify how and when participating customers will be informed about any benefits they have accrued as part of the loyalty scheme.

**8. Pre-commitment strategy**

Other than a code of conduct applying to a commercial raffle organiser, a code of conduct must specify what the relevant person will do to:

- (a) assist a customer to make a pre-commitment decision
- (b) support a customer who has made a pre-commitment decision.

**9. Interaction with customers**

- 9.1. A code of conduct must require the relevant person to interact with customers to foster responsible gambling, and must identify how this will occur.
- 9.2. In particular, a code of conduct must specify a process for interacting with those customers who:
- (a) have requested information about, or assistance with, a gambling problem or self-exclusion
  - (b) are displaying indicators of distress that may be related to problem gambling.
- 9.3. A code of conduct must require that interaction with customers occurs in a manner that respects the customer's right to privacy.

**10. Interaction with staff**

- 10.1. A code of conduct must state whether a staff member is permitted to participate in gambling offered by the relevant person and, if so, when.
- 10.2. A code of conduct must identify a process for providing information and assistance to a staff member who indicates that he or she has a gambling problem.
- 10.3. A code of conduct must require that interaction with staff occurs in a manner that respects the staff member's right to privacy.

**11. Interaction with problem gambling support services**

A code of conduct must require the relevant person to interact with problem gambling support services and specify the process for that contact and how frequently contact will occur.

**12. Customer complaints**

12.1. A code of conduct must require the relevant person to implement and comply with a process for resolving complaints from customers about compliance with and the operation of the code of conduct.

12.2. The complaint process must:

- (a) specify how a complaint can be made
- (b) specify the process for resolution of a complaint
- (c) provide for independent review of decisions made by the relevant person about customer complaints
- (d) specify how information about complaints will be collected and retained
- (e) enable the Commission to monitor compliance with the complaints process.

**13. Compliance with the prohibition on gambling by minors**

A code of conduct must specify what steps the relevant person will take to ensure compliance with the law in relation to the prohibition on:

- (a) the sale of gambling products and services to minors
- (b) the entry of minors into areas where gambling is conducted.

**14. The gambling environment**

A code of conduct must identify what the relevant person will do:

- (a) to discourage customers from engaging in extended and intensive gambling
- (b) where appropriate, to ensure customers are made aware of the passage of time.

**15. Financial Transactions**

15.1. A code of conduct must specify:

- (a) the rules that apply to cashing customer cheques
- (b) how and when customers will be advised of those rules
- (c) the records that will be kept of cheques that have been cashed.

15.2. A code of conduct must specify the options that are available to customers for the payment of winnings including payment by cheque.

**16. Responsible advertising and promotions**

16.1. A code of conduct must specify that any advertising and promotions related to gambling undertaken by or on behalf of the relevant person will:

- (a) comply with the advertising code of ethics adopted by the Australian Association of National Advertisers
- (b) not be false, misleading or deceptive about odds, prizes or the chances of winning
- (c) have the consent of any person identified as winning a prize prior to publication
- (d) not be offensive or indecent in nature
- (e) not create an impression that gambling is a reasonable strategy for financial betterment
- (f) not promote the consumption of alcohol while purchasing gambling products.

16.2. A code of conduct must specify the measures that the relevant person will adopt to ensure that advertising and promotions comply with 16.1.

**PART B – Guidelines****1. General**

In determining whether a code of conduct meets the relevant standards and requirements in Part A of this Direction, the Commission must have regard to the type of gambling to which the code of conduct will apply and the manner in which that type of gambling is provided.

Each of the following guidelines applies to the standard or requirement with the corresponding heading in Part A of this Direction.

**2. Preparation of a Code**

The requirement could be satisfied by a relevant person adopting a model code of conduct that has been prepared by a representative association, providing that the adopted code of conduct complies with all legislative requirements, any relevant Ministerial direction and is approved by the Commission.

**3. Availability of the Code of Conduct**

The requirement could be met by specifying that the relevant person will do one or more of the following:

- displaying, in a place that is readily accessible to customers at the premises at which gambling is conducted, a notice that the code of conduct is available upon request
- providing a copy of the code of conduct on request
- displaying a notice that the code of conduct is available on the relevant website
- displaying, in a place that is readily accessible to customers at the premises at which gambling is conducted, a copy of the code of conduct.

**4. Responsible gambling message**

This requirement could be met, for example, by the code of conduct requiring the responsible gambling message to be displayed prominently in the premises where gambling is conducted.

**5. Responsible gambling information**

This requirement could be met by the code of conduct specifying that the relevant person will, for example, do one or more of the following:

- provide information about household budgeting websites such as the Commonwealth Government's website Understanding Money
- provide information about gambling support services upon request or where a person states that he or she, a family member or friend has a gambling problem
- display and make available information about responsible gambling strategies, including information produced by Gambler's Help and other gambling support services
- display responsible gambling messages via electronic media such as TV screens, electronic displays etc.

**6. Gambling product information**

6.1 This requirement could be met, for example, by the code of conduct specifying that gambling product information:

- will be displayed on signs at entrances to the premises at which gambling is conducted and at the cashier in those premises
- will be provided to customers on request.

6.2 In the case of information that is available on gaming machines, this requirement could be met by the code of conduct specifying that the venue operator will include in a sign a statement about how to use the Player Information Display on a gaming machine to access product information.

**7. Customer loyalty scheme information**

- 7.1 Subject to 7.2, a code of conduct need not set out the detail of a customer loyalty scheme. It is sufficient if the code specifies what information will be made available and how this will occur.
- 7.2 Where the customer loyalty scheme is a loyalty scheme within the meaning of section 1.3 of the Act, the requirements included in the code of conduct for customer loyalty scheme information must be consistent with the relevant requirements of the Act.

**8. Pre-commitment strategy**

- 8.1 This requirement could be met by the code of conduct specifying that the relevant person will provide brochures, posters, or other written information about:
- using a pre-commitment decision to limit the amount spent on gambling (either in a session, where relevant, or over a longer period of time)
  - how to identify the triggers that lead to overspending on gambling.
- 8.2 The code of conduct could provide that this information will be made available at an information kiosk that is readily accessible to gambling customers.
- 8.3 This requirement could also be met by a venue operator including in his or her code of conduct a means to ensure that customers are made aware of the availability of Player Information Display screens and the session tracking functionality on gaming machines.

**9. Interaction with customers**

- 9.1 This requirement could be met by the code of conduct requiring the relevant person to have a nominated staff member available whenever gambling occurs who is responsible for providing information about the code of conduct and responsible gambling to customers.
- 9.2 It could also involve ensuring staff are adequately trained to enable them to recognise the indicators of distress and to understand how to respond appropriately and in a timely manner. Gambling providers should acquaint themselves with indicators of problem gambling related to their specific gambling type.

However, some indicators of behaviour related to problem gambling includes where a person:

- gambles every day and it is difficult for the person to stop gambling at closing time
- gambles for extended periods, that is, gambles for three hours or more without a break
- avoids contact while gambling, communicates very little with anyone else, barely reacts to events going on around him/her
- displays aggressive, anti-social or emotional behaviour while gambling, and may swear at gambling equipment or staff, may kick gambling equipment or may cry after losing money
- makes requests to borrow money from staff or other customers or continues gambling with the proceeds of large wins.

**10. Interaction with staff**

This requirement could be met by the code of conduct requiring the relevant person to do one or more of the following:

- conduct seminars and workshops for staff
- make written material on responsible gambling available to staff
- direct employees who request assistance with gambling problems to appropriate assistance
- enable staff to perform non-gambling related duties, if available.

**11. Interaction with problem gambling support services**

This requirement could be met by the code of conduct requiring the relevant person to regularly contact support services by:

- email
- face-to-face meetings
- attending seminars or conferences with support service staff.

**12. Customer complaints**

12.1 This requirement could be met by the code of conduct requiring the relevant person to join a complaints resolution scheme administered by another person, providing that scheme complies with all legislative requirements, any relevant Ministerial directions and is approved by the Commission.

12.2 In the event that a relevant person is already required to provide a customer complaints process, this requirement does not apply.

**13. The gambling environment**

This requirement could be met by the code of conduct providing that the relevant person will, for example:

- stage events that occur at specified times (for example, coffee breaks)
- announce the time at regular intervals.

**14. Responsible advertising and promotions**

This requirement could be met by the code of conduct requiring the use of a quality assurance program for advertising and promotions.

**Appendix L Registrant's Checklist**

<b>Schedule B: Checklist of Schedules and Attachments</b>				
Schedule	Schedule Title	References		
		Part C	Response Part D	CHECK LIST
<b>Volume 1: General Information</b>				
A	Letter of Acknowledgement and Agreement	5.1	1	<input type="checkbox"/>
B	Registrant's Checklist		1.2	<input type="checkbox"/>
C	Company Declaration	5.2	1.3	<input type="checkbox"/>
D	Consent Letter	5.3	1.4	<input type="checkbox"/>
<b>Volume 2: Details of the Registrant</b>				
E	Corporate Structure	6	2.1	<input type="checkbox"/>
F	Substantial Shareholders		2.2	<input type="checkbox"/>
G	Current 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"/>
<b>Volume 3: Corporate Probity</b>				
K	Gambling History	7.1	3	<input type="checkbox"/>
L	Actions by Regulatory Bodies		3.2	<input type="checkbox"/>
M	Litigation		3.3	<input type="checkbox"/>
N	Charges, Offences and Convictions		3.4	<input type="checkbox"/>
O	Consent for Release of Information of Law Enforcement Agencies		3.5	<input type="checkbox"/>
<b>Volume 4: Individual Probity</b>				
P	Consent Form and Declaration for all financial disclosures	7.2	4.1	<input type="checkbox"/>
Q	Personal Declaration		4.2	<input type="checkbox"/>
R	Personal Business Interests		4.3	<input type="checkbox"/>
S	Personal Legal Action		4.4	<input type="checkbox"/>
T	Personal Gambling History		4.5	<input type="checkbox"/>
U	Personal Charges, Findings of Guilt and Convictions		4.6	<input type="checkbox"/>
V	Individual Consent for Release of Information by Law Enforcement Agencies		4.7	<input type="checkbox"/>
<b>Volume 5: Financial Background</b>				
W	Financial Statements	7.3	5.1	<input type="checkbox"/>
X	Report to the VCGLR		5.2	<input type="checkbox"/>
Y	Accountant or Auditor's statement		5.3	<input type="checkbox"/>
Z	Financial Background		5.4	<input type="checkbox"/>
AA	Financial Information Release		5.5	<input type="checkbox"/>

<b>Volume 6: Commercial Capability</b>				
AB	Commercial Structure	8.1	6.1	<input type="checkbox"/>
AC	Business Model	8.2	6.2	<input type="checkbox"/>
AD	Relevant experience	8.3	6.3	<input type="checkbox"/>
<b>Volume 7: Responsible Gambling</b>				
AE	Responsible Gambling Declaration	9	7.1	<input type="checkbox"/>
<b>Volume 8: Declarations</b>				
AF	Statutory Declaration	10.1	8.1	<input type="checkbox"/>
AG	FIRB Approval	10.2	8.2	<input type="checkbox"/>

## Appendix M Historical Sales Data for Public Lotteries under Public Lottery Licence

*Tattersall's Sweeps Pty Ltd sales data by product*

Lottery Product	2014/2015	2013/2014	2012/2013	2011/2012	2010/2011	2009/2010	2008/2009	2007/2008	2006/2007	2005/2006
Draw lotteries	\$1,641,807	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Tatts Instant	\$18,614,668	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$66,448,019	\$71,692,205	\$71,261,759
Tatts 2	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$19,315,050	\$18,648,199	\$17,893,244
Tatts Keno	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$48,939,202	\$43,572,886	\$47,106,249
Wednesday Tattslofto	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$46,849,582	\$46,741,590	\$43,894,250
Mon & Wed Lotto	\$74,180,202	\$72,667,396	\$67,973,627	\$71,388,328	\$60,564,403	\$62,227,044	\$40,111,519	\$ -	\$ -	\$ -
Oz Lotto	\$214,592,858	\$269,747,772	\$321,262,833	\$248,477,785	\$201,446,802	\$236,801,187	\$296,373,528	\$159,079,051	\$114,671,260	\$86,945,000
Powerball	\$344,869,106	\$290,045,391	\$332,802,658	\$233,137,163	\$232,738,159	\$270,273,236	\$213,924,179	\$279,726,325	\$243,066,559	\$252,261,511
The Pools	\$2,437,620	\$2,564,937	\$3,266,701	\$2,979,502	\$2,289,820	\$2,526,126	\$2,910,779	\$2,442,528	\$2,091,795	\$2,137,608
Saturday Lotto	\$654,805,482	\$629,874,761	\$645,705,291	\$723,559,940	\$651,916,233	\$616,782,238	\$639,341,437	\$603,383,806	\$631,925,445	\$604,274,702
Super 66	\$3,945,259	\$4,158,067	\$4,524,640	\$3,939,313	\$3,945,180	\$3,916,081	\$3,951,275	\$3,906,340	\$4,212,616	\$4,588,765



***Intralot Australia Pty Ltd sales data by product<sup>3</sup>***

Lottery Product	2014/Jan 2015	2013/2014	2012/2013	2011/2012	2010/2011	2009/2010	2008/2009	2007/2008	2006/2007	2005/2006
Cross/Match	\$262,061	\$461,010	\$544,635	\$597,899	\$688,492	\$938,396	\$1,840,345	\$ -	\$ -	\$ -
Intralot Instants	\$22,261,700	\$40,443,798	\$44,085,484	\$52,102,590	\$43,119,180	\$39,920,468	\$44,148,100	\$ -	\$ -	\$ -
Intralot Keno	\$4,040,776	\$7,299,903	\$7,794,319	8,262,506	\$8,268,579	\$6,951,231	\$10,485,587	\$ -	\$ -	\$ -
Lucky 3	\$1,045,301	\$1,618,197	\$1,637,379	\$1,474,777	\$1,335,975	\$1,364,147	\$181,998	\$ -	\$ -	\$ -
Lucky 5	\$394,655	\$595,706	\$647,161	\$757,193	\$793,010	\$1,750,878	\$265,084	\$ -	\$ -	\$ -
Bingo	\$28,761	\$58,753	\$81,071	\$103,004	\$168,021	\$340,792	\$1,304,842	\$ -	\$ -	\$ -

<sup>3</sup> There is no sales data available prior to 2008/2009 because Intralot did not hold a Public Lottery Licence prior to that period.

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