

Venue operator's licence – application for a company or incorporated association

VOL141224

This form contains the application and information material for a new or renewal approval of a company or incorporated association as a venue operator.

How to apply

Send application via email to:

contact@vgccc.vic.gov.au

Privacy Policy

The VGCCC is committed to responsible and fair handling of personal information consistent with the *Privacy and Data Protection Act 2014* and its obligations under the *Gambling Regulation Act 2003 (the Act)*.

Confidentiality Provisions

Information provided in your application must not be disclosed by the VGCCC or its staff to someone else, except for the purposes stated in Part 1, Division 6 of Chapter 10 of the Act. Go to vgccc.vic.gov.au to access this Act.

Venue operator's licence – approval of a company or incorporated association

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

If applying for a **hotel** venue operator's licence, refer to Q2(a): –

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

If applying for a **club** venue operator's licence, refer to Q2(b): –

- a **copy** the Certificate of Registration and constitution (if a company) or the Certificate of Incorporation, rules and the minutes of the most recent meeting confirming the committee members (if an incorporated association)
- a **copy** of the club liquor licence or racing club licence, if one is currently held
- if a club liquor licence or racing club licence is **not** currently held, the declaration number as a community or charitable organisation
- if a club liquor licence or racing club licence is **not** currently held and the applicant has **not** been declared, the **copy** of the applicant's constitution (if a company) or rules (if an incorporated association) noted above must be certified as true and correct by the authorising officer* and include clearly marked provisions prohibiting the distribution of any annual profit or surplus to its members or the distribution of any surplus to its members on winding up. In addition, if the constitution or rules does **not** include a statement of community purpose setting out the purposes for which the applicant is established, a separate statement of community purpose.
- copy(ies)** of the Record of Registration for Business Name – refer to Q5
- a **copy** of the minute or resolution appointing the authorised officer – refer to Q6
- a **copy** of documentation confirming any court outcomes or settlement agreements – refer to Q8
- historical organisational extract, unless the applicant is incorporated under the *Associations Incorporation Reform Act 2012* – refer to Q14(a) and the website
- a corporate family tree – refer to Q16
- Associated Individual and/or Associated Entity forms – refer to Q6, Q14(b), Q15, Q17, Q19, Q20 and Q29(d)
- audited and certified financial statements – refer to Q21
- a financial institution letter – refer to Q22
- a **copy** of the contract of sale, funding details etc, unless applying to renew a licence – refer to Q24
- a list of creditors – refer to Q25
- business credit file – refer to Q26 and the website
- if applying for a **new** licence, a **copy** of the public notice (if it has been published) – refer to Q32
- required details regarding the Self-Exclusion Program – refer to Q33
- required details regarding the Responsible Gambling Code of Conduct – refer to Q34
- a **copy** of the business plan including financial projections for the first 3 years, governance and compliance frameworks, experience in managing a business, jurisdictions the licensee operates in and how the business will operate.

*The authorising officer is defined under the Act as the public officer or secretary (if an incorporated association) or the company secretary (if a company).

Strictly Confidential

Venue operator's licence – approval of a company or incorporated association

Are you applying for a new or renewal of licence?

New licence

Renewal of licence

If renewal, existing licence number

Applicant details

1) Full name of the applicant:

Australian Corporation Number (ACN) / Associations
Incorporation Number:

2) a. Does this application relate to a hotel venue operator's
licence?

YES NO

If **NO**, proceed to Q2(b).

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

Is the above information attached?

YES NO

b. Does this application relate to a **club** venue operator's
licence?

YES NO

If **NO**, proceed to Q3.

If **YES**, a **copy** of the following documents must be provided:

- the Certificate of Registration and constitution (if a company) or the Certificate of Incorporation, rules and the minutes of the most recent meeting confirming the committee members (if an incorporated association); and
- the applicant's club liquor licence or racing club licence (if either is held).

Is the above information attached?

YES NO

If **YES**, proceed to Q3.

If the applicant does not currently hold a club liquor licence or a racing club licence but has been declared as a community or charitable organisation by the VGCCC, please provide its declaration number below.

Declaration Number:

If a declaration number is provided above, proceed to Q3.

If not, a copy of the applicant's constitution (if a company) or rules (if an incorporated association) must be attached which is certified as true and correct by the authorising officer* and includes clearly marked provisions prohibiting the distribution of any annual profit or surplus to its members or the distribution of any surplus to its members on winding up must be provided.

In addition, if the applicant's constitution or rules do not include a statement of community purpose setting out the purposes or which the club is established, a separate statement of community purpose must be provided.

Is the above information attached?

YES NO

**The authorising officer is defined under the Act as the public officer or secretary (if an incorporated association) or the company secretary (if a company).*

3) Applicant's registered office address and contact details:

Contact number:

Email address:

4) Postal address (if same as Q3, write 'as above'):

5) a. Has the corporation operated under any other business name/s?

YES NO

If **NO**, proceed to Q5(b). If **YES**, provide details below.

Is a copy of each Record of Registration for Business Name attached? (The Record of Registration can be requested through ASIC at asic.gov.au or through Business Registration Service at business.gov.au)

YES NO

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

YES NO

If **NO**, proceed to Q6). If **YES**, provide details below. Include what the name was changed from and to, and the date of the change.

Have further details been provided on an attachment page?

YES NO

6) Details of authorised officer on behalf of the applicant :

First name:

Middle name/s:

Surname:

Position Held:

(e.g. company director/secretary, club president/secretary etc)

Contact number:

Email address:

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

7) Has the applicant ever applied for a liquor licence?

YES NO

Legal Action

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

YES Number of occurrences:

NO

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

Name of regulatory body or law enforcement agency:

Nature of investigation:

Date of Hearing (if known):

Outcome: attach documentation:

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

YES Number of occurrences:

NO

If **NO**, proceed to Q10 (**Note**: Failure to disclose relevant legal action will delay determination of any new venue operator's licence connected to this application). If **YES**, provide the following details:

Nature of legal action:

Plaintiff:

Jurisdiction*:

Result/Settlement

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

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

Date of delivery of judgement (if known):

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

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

YES NO

Have further details been provided on an attachment page?

YES NO

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

Racing and Gambling History

10) Has the applicant ever applied for any gambling or racing industry licence, approval, authorisation or registration?

YES NO

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

Type of licence, approval etc:

Licence No. (if known):

Name of Racing/Gaming Regulator (if known):

Name shown on licence, approval etc:

Licence/approval association date (mm/yyyy):

to

11) a. Has the applicant ever been the subject of disciplinary action, regulatory breaches, enforcement action, or had an application for any licence or permit refused?

YES Number of occurrences:

NO

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

Type of licence, approval etc:

Licence No (if known):

Date action taken (month / year):

Name of Racing/Gaming Regulator (if known):

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

Have further details been provided on an attachment page?

YES NO

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

Type of licence, approval etc sought:

Date of application (month / year):

Name of Racing/Gambling Regulator (if known):

Reason for refusal or withdrawal:

b. Please list your regulatory, breach and compliance history with other gambling regulators other than the VGCCC over the last ten years.

Have further details been provided on an attachment page?

YES NO

Charges, Findings of Guilt and Convictions

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

YES Number of occurrences:

NO

If **NO**, proceed to Q13. If **YES**, provide the following details:

Nature of offence:

City or Town:

Date (dd/mm/yyyy):

Court/Tribunal etc:

Jurisdiction*:

Result of Hearing or other Disposition:

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

Have further details been provided on an attachment page?

YES NO

13) Has the applicant ever taken part in a diversion program?

YES Number of occurrences:

NO

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

Nature of investigation or charge:

City or Town:

Jurisdiction*:

Result of Hearing or other Disposition:

Have further details been provided on an attachment page?

YES NO

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

Corporate structure and establishment of associates

IMPORTANT INFORMATION

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

Applicants incorporated under Australian Corporations Law

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

Applicants incorporated under the Associations Incorporation Reform Act 2012

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

14) a. Is an historical organisational extract from ASIC attached?

YES N/A

14) b. Detail below any individuals or entities entitled to receive from the applicant, directly or indirectly, any compensation (excluding wages and salaries), benefits or rents based on a percentage or share of the proceeds of gaming:

Name:

Name:

Name:

Note: All individuals and entities named in response to Q14(b) **may** be required to complete an appropriate associate form.

Are appropriate associate forms attached for these individuals or entities?

YES NO

Have further details been provided on an attachment page?

YES NO

IMPORTANT INFORMATION

Q15 must be completed where the applicant is a **company**, if an **incorporated association**, proceed to Q17.

15) Does the corporation have an ultimate holding company (as defined below)?

YES NO

If **NO**, proceed to Q16. If **YES**, provide the ultimate holding company's name:

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

Note: Any entity named in response to Q15 **must** complete an Associated Entity form and associates of an ultimate holding company named in response to Q15 **must** also complete an Associated Entity or Associated Individual form as appropriate. The VGCCC may also require other entities under the ultimate holding company to complete an associate form.

Are appropriate associate forms attached for these individuals or entities?

YES NO

16) In the event that the applicant has either a parent or holding company, its shares are held by a company, or it is linked to a trust, then a corporate family tree outlining its structure must be provided.

Is a corporate family tree attached?

YES NO

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

First name:

Middle name(s):

Surname:

Position Held:

First name:

Middle name(s):

Surname:

Position Held:

First name:

Middle name(s):

Surname:

Position Held:

First name:

Middle name(s):

Surname:

Position Held:

First name:

Middle name(s):

Surname:

Position Held:

Note: All individuals named in response to Q17 must complete an Associated Individual form, except the proposed nominee, who must complete an application for approval as a nominee form.

Are appropriate associate/nominee forms attached for these individuals?

YES NO

IMPORTANT INFORMATION

Q18 to Q20 are only applicable where the applicant is a **company**. If the applicant is an **incorporated association**, proceed to Q21.

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

i. ordinary shares (voting and income entitlement shares):

Total number:

ii. preference shares (income entitlement shares only):

Total number:

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

Name of shareholder:

Class of share:

No. of shares held

Name of shareholder:

Class of share:

No. of shares held

Name of shareholder:

Class of share:

No. of shares held

Name of shareholder:

Class of share:

No. of shares held

Name of shareholder:

Class of share:

No. of shares held

Name of shareholder:

Class of share:

No. of shares held

Name of shareholder:

Class of share: No. of shares held

Name of shareholder:

Class of share: No. of shares held

Name of shareholder:

Class of share: No. of shares held

Name of shareholder:

Class of share: No. of shares held

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

Are appropriate associate forms attached for these individuals?

YES NO

20) Do any of the shareholders holding 10% or more of shares hold those shares on behalf of, or in trust for, any individual or entity?

YES NO

If **NO**, proceed to Q21. If **YES**, provide details below:

Shares held by:

Full name of beneficial owner: No. of shares held

Shares held by:

Full name of beneficial owner: No. of shares held

Shares held by:

Full name of beneficial owner: No. of shares held

Note: Where a beneficial owner of shares is named in response to Q20, and they hold a total of 10% or more of ordinary or preferential shares, an Associated Entity or Associated Individual form must be submitted.

Are appropriate associate forms attached for these individuals?

YES N/A

Financial Particulars

IMPORTANT INFORMATION

Accountant or Auditor's statement

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

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

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

Summary of financial information

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

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

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

21) Is an Accountant or Auditor's statement for the Applicant or, where applicable, the holding company attached?

YES

Have further details been provided on an attachment page?

YES NO

IMPORTANT INFORMATION

Financial institution letter

The financial institution letter (see attachment 2) **must** be forwarded to the applicant's major financial provider for completion and submission as part of this application. Where the applicant has no financial history or has traded for less than 12 months, but a holding company exists, the financial institution letter should be forwarded to the holding company's major financial institution for completion and submission as part of this application.

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

YES NO

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

i. Financial institution/source name:

Branch/source address:

Nature of account:

ii. Financial institution/source name:

Branch/source address:

Nature of account:

Have further details been provided on an attachment page?

YES NO

IMPORTANT INFORMATION

Requirements for an applicant purchasing the business or freehold

Where an applicant is purchasing the business/freehold relating to this application, a **copy** of the contract of sale, details of the source of funding for the purchase and documentary evidence in support of the funding arrangements must be provided.

24) Have you purchased, or are you proposing to purchase, the business and/or freehold property that relate to this licence application?

YES NO

If **NO**, proceed to Q25. If **YES**, is all required documentation as noted above attached?

YES NO

IMPORTANT INFORMATION

List of Creditors

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

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

YES NO

If **YES**, proceed to Q26. If **NO**, provide reasons on an attachment page.

Have further details been provided on an attachment page?

YES NO

IMPORTANT INFORMATION

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

26) Is the applicant's business credit file attached?

YES NO

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

YES Number of occurrences: NO

If **NO**, proceed to Q28. If **YES**, complete the following (Note: All amounts must be stated in Australian currency):

Financial institution or creditor:

Total amount owing:

Total amount in default:

Number of days payment is overdue:

Financial institution or creditor:

Total amount owing:

Total amount in default:

Number of days payment is overdue:

Have further details been provided on an attachment page?

YES NO

28) Has the applicant ever been wound up, placed into liquidation, had a receiver, controller, administrator or agent for a mortgage appointed, entered into a scheme of arrangement, or been involved in other similar proceedings? (Note: Include any pending arrangements known to the applicant)

YES Number of occurrences: NO

If **NO**, proceed to Q29. If **YES**, provide the following details below:

Date action taken (mm/yyyy)

Type of proceedings:

Details of administrator, receiver, controller, regulatory body or law enforcement agency (include name and phone no):

Name:

Phone number:

Reason for action taken:

Have further details been provided on an attachment page?

YES NO

29) Is the applicant a Corporate Trustee?

YES NO

If **NO**, proceed to Q30. If **YES**, Q29(a)-(d) **must** be completed:

a. Name(s) of Trust:

Address:

Type of Trust (tick one only)

Discretionary Trust Unit Trust

Is a **copy** of Trust Deed attached?

YES

b. List below details of individuals and/or entities that are beneficiaries or unit holders of the Trust:

Full name:

Company Individual (tick appropriate box)

% of ownership:

Voting:

Income:

Full name:

Company Individual (tick appropriate box)

% of ownership:

Voting: Income:

Full name:

Company Individual (tick appropriate box)

% of ownership:

Voting: Income:

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

Name:

Name:

Name:

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

Name:

Name:

Name:

Note: All individuals identified at Q29(d) above must complete an Associated Individual form or Associated Entity form.

Is an appropriate associate form attached for each person named in response to Q29(d)?

YES NO

Have further details been provided on an attachment page?

YES NO

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

YES Number of occurrences:

NO

If **NO**, proceed to Q31. If **YES**, complete the following and provide details of circumstances leading to bankruptcy/ arrangement proceedings on an attachment page.

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

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

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

Is a **copy** inclosed?

YES NO

31) Is the applicant the guarantor for someone else's debt or loan?

YES Number of occurrences:

NO

If **NO**, proceed to Q32.

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

YES NO

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

Have further details been provided on an attachment page?

YES NO

Advertising Requirements

IMPORTANT INFORMATION

If this application is being made to renew a current venue operator's licence, advertising requirements do not apply. If this is the case proceed to Q32.

If this application is being made for a **new** venue operator's licence, within 14 days of making this application the applicant must publish in a newspaper circulating generally in Victoria, a notice containing the prescribed information and a statement that any person may object to the grant of the licence by giving notice in writing to the VGCCC within 28 days of the date of publication, stating the grounds for objection. Set out below is the suggested format of the notice. Please note that the notice requires applicants to include venue details, the number of electronic gaming machines proposed to be installed at the venue and the proposed hours of operation. If at the time of this licence application there are no premises subject to the application, where indicated the public notice should state N/A to reflect that the relevant information is not applicable to the application. Evidence of the publication of the notice must be provided as part of this application immediately the notice is placed.

SUGGESTED FORMAT OF THE PUBLIC NOTICE

(Authorised officer's name), as the authorised officer on behalf of **(applicant's name)** of (applicant's business address) has applied to the Victorian Gambling and Casino Control Commission for a Venue Operator's Licence. If this application is successful, it is proposed to operate **(number or N/A)** gaming machines between **(hours of operation or N/A)**, **(days open or N/A)** at **(venue name and address or N/A)**.

In accordance with section 3.4.10 of the *Gambling Regulation Act 2003*, any person or organisation may object to the grant of this licence by giving notice in writing, within 28 days from the date of this newspaper, to:

Victorian Gambling and Casino Control Commission GPO Box 1988, MELBOURNE VIC 3001

The permissible grounds for objection are specified in the Act and relate to the suitability of the applicant to be licensed.

32) If applying for a new venue operator's licence, has the notice been published?

YES NO

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

YES NO

If **NO**, the authorised officer, on behalf of the applicant, must forward to the VGCCC a copy of the advertisement within 14 days of the application being lodged.

Responsible Gambling Requirements

IMPORTANT INFORMATION

Self-Exclusion Program (SEP)

A venue operator must have a compliant SEP as part of the licence application, whether or not this application includes an approved gaming venue. The VGCCC may not approve a new licence application without a SEP and your application will not be finalised until a compliant SEP is lodged with the VGCCC.

Applicant can adopt a SEP developed by a peak body for their industry. If it wishes to develop its own SEP, a venue operator must refer to the Ministerial Directions which set out the matters which must be contained in a SEP and the criteria and benchmarks applied by the VGCCC in assessing a SEP. The Ministerial Directions, and a list of SEPs are available at the VGCCC website.

33) In regard to the SEP, one of the following documents must be attached to this application:

- A statement confirming that a SEP has been adopted (refer to Attachment 3); or
- Where the applicant has amended a SEP, a copy of that amended SEP; or
- Where the applicant has developed its own SEP, a copy of that SEP.

Is one of the above documents attached?

YES NO

IMPORTANT INFORMATION

Responsible Gambling Code of Conduct (Code)

A venue operator must have a Code as part of the licence application, whether or not this application includes an approved gaming venue. The VGCCC may not approve a new licence application without a Code and your application will not be finalised until a compliant Code is submitted. Applicants may adopt a Code, a list of which is available at the VGCCC website.

If it wishes to develop its own Code, a venue operator must refer to the Ministerial Directions which set out the matters which must be contained in a Code. The Ministerial Directions are available at the VGCCC website.

34) In regard to the Code, one of the following documents must be attached to this application:

- A statement confirming that a Code developed by an industry peak body has been adopted (refer to Attachment 4); or
- Where the applicant has amended a Code, a copy of that amended approved Code; or
- Where the applicant has developed its own Code, a copy of that Code.

Is one of the above documents attached?

YES NO

Declaration by authorised officer

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

Signature of authorised officer:

Date (day/month/year):

Signature of witness*:

Date (day/month/year):

Print name of witness (*any adult can be a witness):

Payment details

IMPORTANT INFORMATION

Applications must be accompanied by the relevant fee. Please note that once an application has been registered, the application fee is non-refundable. To confirm the current fee, refer to our website. The application fee can be paid by Credit card (Visa or MasterCard).

Financial information release form

Gambling Regulation Act 2003

In the matter of this application for a venue operator's licence and for the purposes of ongoing monitoring by:

Name (Full name of applicant):

Address (Full address of applicant):

('Applicant')

I, the applicant hereby authorises all **persons** who receive a photocopy of this **financial information release form** from the Victorian Gambling and Casino Control Commission (the VGCCC) and its staff to undertake the **authorised actions** for the **authorised purposes** as set out below:

Authorised actions

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

Release

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

Authorised purposes

To enable the VGCCC to be satisfied that the applicant and each of its associates is of sound and stable financial background and that, in conducting on-going monitoring, those financial resources continue to be desirable and satisfactory. This authorisation commences on the date below and continues until the later of:-

- the VGCCC considers that the applicant is no longer a venue operator; or
- the expiry of any venue operator's licence (if granted).

Signature of applicant:

Dated (dd/mm/yyyy)

Notes

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

Consent for release of information by law enforcement agencies

Gambling Regulation Act 2003

In the matter of this application for a venue operator's licence and for the purposes of ongoing monitoring by:

Name (Full name of applicant):

of

Address (Full address of applicant)

('corporation')

Consent

I consent to the VGCCC carrying out all probity investigations in relation to me and my businesses including, but not limited to:

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

- Australian Federal Police;
- any crime investigation body in any jurisdiction; and
- any casino regulatory body in any jurisdiction;
- any corporate regulatory agency in any jurisdiction;
- any police force of any jurisdiction in any state, country;
- any government agency;
- any court
- any gaming regulatory body in any jurisdiction (collectively referred to as '**law enforcement agencies**');
- or administrative region.

I consent to the VGCCC carrying out all probity investigations in relation to me and my businesses including, but not limited to:

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

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

Release

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

Acknowledgment

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

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

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

Execution as a Deed

Signature of authorised officer:

Date:

Signature of authorised officer:

Date:

Print name of witness (*any adult can be a witness):

Attachment 1 – Accountant or Auditor's statement

Gambling Regulation Act 2003

Background

In the matter of this application, and for the purposes of ongoing monitoring, Section 3.4.11(2)(ab) of the Gambling Regulation Act 2003 (the Act) requires the Commission to consider whether an applicant for a venue operator's licence or renewal of such licence is of 'sound and stable financial background'.

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

Name of applicant:

Name of accountant or auditor:

Accountant or auditor's address:

Qualification:

Certified practicing accountant Chartered accountant

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

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

Signature of accountant:

Date:

Printed name of signatory:

Attachment 1(a) – Summary of financial information

Gambling Regulation Act 2003

Background

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

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

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

Year ended

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Profit & Loss Statement

Total Sales/Revenue			
Less: Cost of Sales			

Gross Operating Profit			
Other Income (specify)			

Total Income			
Less: Operating Expenditure			

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

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

Retained Profits/(Losses) c/fwd			
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Year ended

--	--	--

Current Assets

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

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

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

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

Total assets (a+b)	c		
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Current Assets

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

Total current liabilities	d		
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Year ended

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Non-current liabilities

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

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

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

Equity

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

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

Authorised officer declaration

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

Name of Authorised Officer:

Signature of Authorised Officer:

Date:

Directors declaration

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

Name of Director:

Signature of Director:

Date:

Name of Director:

Signature of Director:

Date:

Name of Director:

Signature of Director:

Date:

Name of Director:

Signature of Director:

Date:

Name of Director:

Signature of Director:

Date:

Attachment 2 – Financial institution letter

The Manager,

(Name/Address of Bank)

Dear

(applicant's name)

has applied to the Victorian Gambling and Casino Control Commission (the VGCCC) for a venue operator's licence.

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

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

The completion of this review is an integral part of the processing of the application for registration as a venue operator, 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,

Signature:

Date:

Name:

Position:

Address:

*Delete were inapplicable

Venue operator's licence – company or incorporated association

Attachment 3 – Statement of adoption of a Self-Exclusion Program

Statement for completion by Authorised Officer

Note: This statement must be completed only if the applicant company/incorporated association has adopted an existing Exclusion Program (SEP).

Applicant name:

Name of SEP administrator:

VGCCC SEP number*:

Date SEP adopted by applicant (day/month/year):

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

Is a copy of the minutes attached?

 YES

Signature of authorised officer:

Date:

Signature of witness:

Date:

Print name of authorised officer:

Print name of witness (*any adult can be a witness):

*The VGCCC SEP number can be found with the SEP on the VGCCC website.

Venue operator's licence – company or incorporated association

Attachment 4 – Statement of adoption of a Responsible Gambling Code of Conduct

Statement for completion by Authorised Officer

Note: This statement must be completed only if the applicant company has adopted a Responsible Gambling Code of Conduct (Code).

Name of Code:

VGCCC code number*:

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

Note: A copy of the minutes of the board which confirms adoption of a compliant Code must be attached. Is a copy of the minutes attached?

YES

Signature of authorised officer:

Date:

Signature of witness:

Date:

Print name of authorised officer:

Print name of witness (*any adult can be a witness):

* The VGCCC code number can be found with the Code on the VGCCC website.

