

# Frequently asked questions

## Bookmakers

### Who is a bookmaker?

A bookmaker is a person:

- who (whether on their own account or as an employee or agent for another person) carries on the business or vocation of, or acts as a bookmaker or turf commission agent
- who gains or endeavours to gain a livelihood entirely or partly by betting or making wagers.

### Who can become a bookmaker?

An individual aged 18 years or more, or a corporation may apply to the Victorian Gambling and Casino Control Commission (VGCCC) for registration as a bookmaker.

### How do I register to become a bookmaker?

An individual may apply to be registered as a bookmaker by completing the 'Bookmaker's registration as a sole trader' online form.

A corporation may apply to be registered as a bookmaker by completing the 'Bookmaker's registration – corporation' online form.

These forms are to be completed online, and then printed for signature. The forms are designed to guide you through the application process providing information about the application and any required documents that need to be attached.

Applicants must ensure that the application form is completed as incorrect or incomplete applications (including relevant documentation) will not be accepted, and will be returned to the applicant.

### Do bookmakers still need to be licensed by the relevant racing industry controlling body?

Yes. Bookmakers must also obtain a club bookmaker's licence from one of the relevant racing industry controlling bodies, such as Racing Victoria Limited, Harness Racing Victoria or Greyhound Racing Victoria.

Licences provide the authority for bookmakers to field at race meetings of each racing code and in some cases, to conduct 24-hour trading at racecourses.

Each racing industry controlling body provides rules of racing for licensed bookmakers:

- Racing Victoria Limited – rules of racing for licensed bookmakers
- Harness Racing Victoria – Australian Harness Racing Rules
- Greyhound Racing Victoria – Betting and Bookmakers Rules

To find out about club bookmaker's licence applications and rules of racing, please refer to the contact details below.

Racing Victoria Limited  
racingvictoria.net.au Ph: 03 9258 4258

Email: [information@racingvictoria.net.au](mailto:information@racingvictoria.net.au) Racing Victoria Centre  
4000 Epsom Road  
Flemington VIC 3031

Harness Racing Victoria  
[hrv.org.au](http://hrv.org.au)  
Ph: 03 8378 0200  
Email: [info@hrv.org.au](mailto:info@hrv.org.au) PO Box 184  
Moonee Ponds VIC 3039

Greyhound Racing Victoria  
[grv.org.au](http://grv.org.au)  
Ph: 03 8329 1100  
Email: [admin@grv.org.au](mailto:admin@grv.org.au) 4  
6-50 Chetwynd Street  
West Melbourne VIC 3003

### **Do I need to be registered as a bookmaker with the VGCCC before applying to the relevant racing industry controlling body for a club bookmaker's licence?**

Applicants must first register as a bookmaker with the VGCCC before obtaining a licence from either of the racing industry controlling bodies. You must not undertake any duties as a bookmaker without having both your registration and licence approved.

### **Is a guarantee (bond arrangement) required?**

A guarantee is required to cover intended bookmaking operators. Under the *Racing Act 1958*, the guarantee (bond) can be arranged between the applicant and the Victorian Bookmakers' Association in the determined amount, in the circumstances and to the extent provided by the Racing Act. Alternative arrangements can be made as long as the VGCCC has approved.

Under the *Gambling Regulation Act 2003* (the Act), the VGCCC cannot determine a bookmaker's application until satisfied that the applicant has appropriate bond arrangements. **How long does the registration process take?**

Each application is different. To ensure that your application is processed efficiently, check that you have completed all sections of the application form and attached the relevant documents.

You will be sent a letter that confirms we have received your application and outlines any further information required. Once we have received all the required information and documents, your application will be determined. You will be advised of the outcome in writing.

Decisions are also published on the VGCCC website within 14 days.

### **Is my personal information that I provide to the VGCCC accessible to anyone else?**

The only information that may be released without your consent is if you have applied for, or hold a current registration and if any, the particulars of disciplinary action taken against you by the VGCCC.

Unless you have provided written authorisation no other information will be released about you, or your application to any other person other than those permitted under the Act.

### Can key employees work as bookmakers?

An employee not registered as a 'key employee' cannot perform the duties of a bookmaker. Furthermore, a key employee may not perform the duties of a bookmaker, unless they have been approved as a substitute by Racing Victoria Limited, Harness Racing Victoria or Greyhound Racing Victoria.

Bookmakers may perform any of the duties of a key employee except they are not eligible to be licensed as an approved substitute for another bookmaker by the relevant controlling body.

### I am a registered bookmaker and wish to enter a partnership with another bookmaker – what is required?

If you are a registered bookmaker and wish to enter into a partnership with another bookmaker, you must seek approval from the VGCCC to operate in a trading partnership with another registered bookmaker. All partners must be registered bookmakers.

A registered bookmaker may apply to be a member of a partnership by completing the 'Approval to be a member of a trading bookmaking partnership' form available on the VGCCC website.

### Do I need to renew my bookmaker registration?

Yes. You will receive a reminder with an application for renewal of your registration three months before it expires. To ensure you receive this reminder you must advise the VGCCC of any changes to your residential address in writing within 14 days of the change occurring. Failure to notify the VGCCC of any changes may result in prosecution and a fine of 60 penalty units.

### Can an applicant or registered bookmaker appeal to the Victorian Civil and Administrative Tribunal (VCAT)??

An applicant or registered bookmaker can apply to VCAT for review:

- if a decision to refuse an application for registration of a bookmaker or bookmaker's key employee
- if a decision to refuse an application for approval of registered bookmakers to be in partnership
- a decision to suspend an approval of registered bookmakers to be in partnership
- a decision to refuse an application for approval of a nominee of a registered bookmaker
- a decision to impose or amend a condition of a registration as a bookmaker or bookmaker's key employee
- a decision to refuse to renew a registration as a bookmaker or bookmaker's key employee
- a decision to take disciplinary action against a registered bookmaker or bookmaker's key employee
- a decision to suspend the registration of a bookmaker's key employee under the Act.

### Nominee of a corporation

#### What is a nominee?

The Act requires that if a corporation is approved as a registered bookmaker it must nominate a person to be approved by the VGCCC to be responsible as the nominee on behalf of the corporation.

This ensures one person is accountable for the management and control of the bookmaking business, with the person nominated and approved to be liable under the Act as a registered bookmaker.

The nominee application form must lodge at the same time as the registration as a bookmaker.

### **What are the responsibilities of a nominee?**

Nominees of a registered bookmaking corporation play an important role in the regulation of Victoria's racing industry. The nominee is responsible for the management and control of the business, and could be prosecuted for any breaches that occur.

### **What happens if the nominee resigns?**

If an existing nominee resigns, is dismissed or ceases to manage or control the business, the registration holder must nominate another individual to be approved as a nominee.

### **How do I obtain a nominee application form?**

A person may apply to be the nominee of a corporate bookmaker by completing the 'Registered bookmaker – approval as a nominee of a corporation' form.

## **Associated individual or entity**

### **Who is considered as an associate?**

Under the Act, an associate of a registered bookmaker includes:

- a person who holds or will hold any relevant financial interest, or is or will be entitled to exercise any relevant power (whether together with, or on behalf of any other person) in the gambling business, and by virtue of that interest or power, is able or will be able to exercise a significant influence over or with respect to the management or operation of that business
- a person who is or will be an executive officer (whether together with, or on behalf of any other person) in the gambling business.

### **What type of person could be an associate?**

- Each director, public officer, chief executive, chief financial officer, committee or board member of corporate bookmakers or associated entity
- Shareholders that own 10 per cent or more shares of the applicant, operator or associated entity with voting rights or income entitlements
- All committee members, or members of the board
- Those with a partnership interest of 10 per cent, greater income or voting entitlements of the applicant or associated entity
- Where the applicant or associated entity is a trust or trustee (in the case of a corporate trustee, all directors of that trustee company)
- Trust unit holders or beneficiaries who, by virtue of the Trust Deed have voting rights enabling them to remove or change the trustee, or to influence decisions of the trustee
- Any associate who could exercise a significant influence over or with respect to the management or operation of the bookmaking business
- Subsequent investigations by the VGCCC may reveal additional associates of the applicant. These individuals or entities will also be required to complete and submit an appropriate associate form.

**If the bookmaker needs to renew their registration, do I need to reapply as an associate?**

Yes. The approval as an associate is granted in respect of the bookmaker's registration and for the duration of that registration. Therefore, you will need to reapply when the bookmaker renews their registration.

Your application will need to be accompanied by the necessary documentation, and you will not be able to rely on documents provided in respect of the previous application unless they are not older than three months at the application lodgement date.

**Where can I obtain the required application forms?**

You can access the application forms on the VGCCC website. Alternatively, you can contact the VGCCC on 1300 599 759 or [contact@vgccc.vic.gov.au](mailto:contact@vgccc.vic.gov.au).