



Victorian Commission
for Gambling Regulation

Raffle

Information and Conditions

For enquiries contact:

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IMPORTANT INFORMATION

The rules about minor gaming activities such as raffles are in the *Gambling Regulation Act 2003* and the *Gambling Regulation Regulations 2005* (referred to hereafter as 'the Act' and as 'the Regulations').

Under the Act, if your organisation proposes to conduct a raffle, it must first be **declared by the VCGR to be a community or charitable organisation**.

APPLYING FOR DECLARATION

If your organisation has not been declared by the VCGR, you will need to complete the Application for Declaration as a Community or Charitable Organisation and lodge it with the VCGR. The application form, which includes more information about declaration, is available on the VCGR website at www.vcgr.vic.gov.au under Application Forms. If you need to check whether your organisation has been declared or not, you can contact the Minor Gaming Unit on (03) 9651 3630, or via email at minor.gaming@vcgr.vic.gov.au.

MINOR GAMING PERMIT

Once declared, your organisation may need to apply for a Minor Gaming Permit to be able to conduct a raffle. A permit is required where the retail value of the prizes in the raffle is more than \$5,000.

What is a Raffle?

A raffle is a fundraising lottery with goods as prizes. The Act prescribes that prizes in a raffle must not include cash, stocks or shares, unless the cash is part of a travel and/or accommodation prize. Only 10% of the total travel prize can be cash/spending money.

Under the Act, there are three types of raffle. They are raffles of \$500 or less ('small raffles'), \$5,000 or less and, over \$5,000. Different requirements apply, depending on the value of the raffle. The chart on page 3 provides a useful summary of some of the requirements for each type of raffle.

Can I conduct a raffle on behalf of a community or charitable organisation?

Where a permit is not required, a person can conduct a raffle on behalf of a community or charitable organisation provided they have the written authority of the governing body of the community or charitable organisation which is to benefit from the raffle.

A permit is not required to conduct a raffle where the retail value of the prize/s is **\$5,000 or less**. The raffle must still be conducted in accordance with the relevant Conditions (see pages 5-6).

A permit is not required to conduct a raffle where the retail value of the prize/s is **\$500 or less**. The raffle must still be conducted in accordance with the relevant **Conditions** which follow the Information pages (see page 4).

'Retail value' of prizes is determined by valuing the goods or services being offered as prizes at the recognised retail price. The recognised retail value of any goods or services is normally what they can be bought for in a retail situation, regardless of whether the prize has been purchased at a discount or even donated.

How do I apply for a permit?

By completing the **Application for a Minor Gaming Permit** which is available on our website or by contacting the Minor Gaming Unit.

How long does the permit last for?

A minor gaming permit to conduct a raffle may be given for a period of up to 12 months.

Are there conditions?

Yes – the permit will be issued subject to the conditions which appear on the face of the permit and the relevant Conditions for Conduct of a Raffle (see pages 7 – 8)..

Can the conditions be changed?

Yes. You must get VCGR's approval if you wish to change any of the conditions of the permit (other than conditions which are set down in the Act, which cannot be changed), e.g. the date and/or time of the draw. You cannot start the changes until they have been approved. To get approval you need to complete the **Application for Amendment to a Minor Gaming Permit** form which is available on the VCGR website under Application Forms.

Who is responsible for the raffle?

When applying for a Minor Gaming Permit, your organisation needs to nominate a person over 18 years of age, who must be approved by the VCGR. This person is called the 'Nominee'. The Nominee is responsible for ensuring that any minor gaming activity which is run under the permit is conducted in accordance with the rules and conditions.

Having a Nominee does not exempt your organisation from any legal action if there is a breach of the minor gaming permit conditions.

If the Nominee resigns, is dismissed, or leaves your organisation, you must nominate another person to be responsible for the minor gaming permit and notify the VCGR within 7 days. If a minor gaming permit holder does not have an approved Nominee, the directors or members of the committee of management of the permit holder (as the case requires) are all separately responsible and liable under the Act as permit holder.

If the permit holder does not have a person who has been approved by the VCGR, the directors or members of the committee of management of the permit holder (as the case requires) are all separately responsible and liable under the Act as permit holder.

Is the Nominee required to submit a National Police Certificate? (NPC)

Where the permit to which this application relates is for the conduct of a **large raffle**, the nominee **must** submit an **original** NPC.

A large raffle is defined as a raffle where:

- The total prize pool will exceed \$100,000; or
- The total prize pool will exceed \$60,000 **and** the ticket price will be \$35 or more.

The requirement to obtain an NPC in the above circumstances will only be waived if you have previously submitted an NPC to the VCGR which is dated within 12 months of the date of this application (refer to page 9 for further instructions on obtaining an NPC).

Note: Where a nominee provides insufficient details of any offences they may be required to supply an NPC, which could delay the issue of the permit.

Running a raffle for political parties

If your organisation is declared to be for the purposes of a political party, you must ensure that any affiliates or branches that are not declared organisations, but wish to conduct a raffle, must conduct the raffle in the name of the declared political party. The affiliates or branches must have the written authority of the declared political party to conduct the raffle. If a political party is to receive any proceeds from the conduct of a raffle, this fact must be included on each raffle ticket.

Raffles conducted by Commercial Raffle Organisers on behalf of community or charitable organisations

The Act requires that from 1 July 2006 commercial raffle organisers (CRO) must be licensed.

A commercial raffle organiser means a person, other than an employee of a permit holder, who is hired on a commercial basis to conduct all or part of a raffle.

From 1 July 2006, a CRO must not conduct a raffle, either in whole or in part, on behalf of community or charitable organisations unless they have been granted a Commercial Raffle Organiser's Licence by the VCGR.

Agreement with Commercial Raffle Organisers

If your organisation intends to hire a licensed CRO to run either the whole of, or only part of, a raffle, you will need to enter into an agreement with the holder of the CRO's licence.

The agreement must provide that the CRO will –

- comply with all the provisions of the Act; and
- submit periodic audited statements to the VCGR; and
- retain records as required by the Act; and
- provide to the community or charitable organisation a copy of all documents the CRO has submitted to the VCGR on behalf of the community and charitable organisation; and
- charge a fair and reasonable maximum fee to be paid to the CRO for the raffle.

Your organisation must give a copy of the agreement to the VCGR. The organisation must also notify the VCGR of the termination of the agreement.

Liability under the Agreement

The licensed CRO is solely liable under the Act in respect of the functions performed by it as if it were the community or charitable organisation.

RAFFLE REQUIREMENTS

This chart lists the three types of raffles under the Act and some of the requirements for each type. The Conditions which apply to each type of raffle are on the following pages. You should refer to these for the full requirements for the type of raffle you wish to conduct.

Prize Pool	\$500 or less	\$5,000 or less	Over \$5,000
Is a Permit Required?	No	No	Yes
Is the number of tickets available for sale limited?	Yes, must be not less than twice and not more than six times the total value of the prizes	Yes, must be not less than twice and not more than six times the total value of the prizes	Yes, must not exceed the number authorised by the permit
Are we required to have printed tickets?	No	Yes	Yes
Do we need to collect ticket purchaser's details?	No	Yes, ticket sellers should obtain enough information to be able to identify the winners	Yes, ticket sellers should obtain enough information to be able to identify the winners
How long can we sell tickets for?	One day, or within an 8 hour period	No longer than 3 months	For the period authorised on the permit. A permit will not be issued for a period exceeding 12 months
When does the draw have to occur?	On the same day as the ticket sales, or within an 8 hour period	On the date printed on the tickets, which must not be more than 14 days after the date of the proposed last ticket sales	On the day authorised by the permit
What method must we use to draw the raffle?	The method of draw must allow each ticket a random and equal chance of winning	The method of draw must allow each ticket a random and equal chance of winning	The method of draw must allow each ticket a random and equal chance of winning
We cannot locate the winner, what should we do?	If a winner does not come forward within a reasonable amount of time following the announcement of the winning number a redraw must occur	Contact the Minor Gaming Unit	Contact the Minor Gaming Unit
What records must we keep and for how long must we keep them?	Distribution of funds and distribution of prizes. Three years.	Distribution of funds, details of tickets printed and distribution of prizes. Three years.	How tickets were sold; How the sales were publicised; The names of people to whom tickets were issued for sale and, for each person, how many tickets were sold, how many tickets were returned and how much money was remitted; When and how the raffle was drawn and the names and addresses of the winners; and Description (including retail value) of their respective prizes. Three years.

**CONDITIONS FOR THE CONDUCT OF A 'SMALL RAFFLE' WITH A
TOTAL PRIZE VALUE OF \$500 OR LESS**

A person may only conduct a small raffle with the written authority of the community or charitable organisation to benefit from the raffle.

"Small raffle" means a raffle for which the value of the prizes:

- (a) in that raffle does not exceed \$500; and
- (b) in that and every other raffle conducted for the benefit of the same community or charitable organisation on the same day or within an 8 hour period together does not exceed \$1,000; and

for which the sale of the first ticket and the drawing of the raffle occur on the same day or within an 8 hour period.

1. SALE OF TICKETS

- (a) Tickets may only be sold and drawn on the same day or within an 8 hour period.
- (b) A person who sells tickets must not be remunerated in respect of selling tickets.
- (c) Tickets for a small raffle may be either:
 - (i) a blank raffle book numbered on both butt and the ticket; or
 - (ii) where the method of the draw is to be a spinning wheel, buttless numbered tickets, from a perforated ticket sheet, having no more numbers than there are divisions on the wheel.
- (d) A ticket in a raffle must not be a ticket in another raffle.

2. THE SMALL RAFFLE DRAW

- (a) The method of the draw must allow each ticket in the draw a random and equal chance of being drawn.
- (b) If there is more than one prize, the first ticket drawn must win first prize (ie 'reverse draws' are not allowed).
- (b) In the event a winner cannot be identified, or no person comes forward to claim the prize within a reasonable period after the draw is loudly proclaimed, the raffle must be drawn again or, if the method of the draw is a spinning wheel, the wheel spun again.

3. WINNER NOTIFICATION AND PRIZE DISTRIBUTION

- (a) Prizes must be delivered to winners within 28 days after the draw.
- (b) A book-buyer's prize must not be offered or paid.

4. KEEPING OF RECORDS

The person conducting the raffle must ensure accurate records are kept for three years after finalisation of the raffle of:

- (a) the disposition of funds; and
- (b) the distribution of prizes.

5. BANKING REQUIREMENTS

There must be a single account, at a deposit-taking institution in Victoria. This account must be established in the organisation's name and be used for all financial transactions relating to the conduct of the raffle.

CONDITIONS FOR THE CONDUCT OF A RAFFLE WITH A TOTAL PRIZE VALUE OF \$5,000 OR LESS

A person may only conduct a raffle with the written authority of the community or charitable organisation to benefit from the raffle.

1. SALE OF TICKETS

- (a) Tickets may be sold for a maximum period of 3 months.
- (b) The value of the total number of tickets available for sale must not be greater than 6 times and not less than twice the value of all of the prizes.
- (c) Ticket sellers must ensure that a permanent record is made of sufficient information to identify and locate the person to whom the ticket is sold.
- (d) A person who sells tickets:
 - must be authorised by the responsible person to do so; and
 - must not be remunerated in respect of selling tickets.
- (e) If the person who conducts the raffle is not an employee of the community or charitable organisation to benefit from the raffle, that person may receive payment for conducting the raffle. In this situation, every ticket or all advertising material must be printed with:
 - the name of the person; and
 - the fact that he/she is conducting the raffle for reward.
- (f) A book-buyer's prize must not be offered or paid.
- (g) The following must be printed on each ticket:
 - the name of the community or charitable organisation to benefit from the raffle; and/or
 - the name of the political party to which all or part of the proceeds are to go;
 - the ticket price;
 - a description of each prize and its value;
 - the date, time and location where the raffle will be drawn; and
 - the method of publication or notification of results.
 - A ticket in a raffle must not be a ticket in another raffle.

2. THE RAFFLE DRAW

- (a) The method of the draw must allow each ticket in the draw a random and equal chance of being drawn.
- (b) If there is more than one prize, the first ticket drawn must win first prize (ie 'reverse draws' are not allowed).
- (c) The draw must be conducted on the day printed on the ticket, being a day not more than 14 days after the proposed last ticket sale.
- (d) A ticket which has been drawn is not eligible to be drawn again.

3. WINNER NOTIFICATION AND PRIZE DISTRIBUTION

- (a) The results of the draw must be published and winners notified in accordance with the method printed on the tickets.
- (b) Prizes must be delivered to winners within 28 days after the draw.

4. KEEPING OF RECORDS

The person conducting the raffle must ensure that accurate records are kept for a period of three years after finalisation of the raffle of:

- the disposition of funds;
- all tickets which have been printed;
- the distribution of prizes.

CONDITIONS FOR THE CONDUCT OF A RAFFLE WITH A TOTAL PRIZE VALUE OF \$5,000 OR LESS

5. DISPOSAL OF UNCLAIMED PRIZES

In the event a winner does not claim a prize in a raffle and/or the person who conducted the raffle cannot, after a reasonable effort, find a winner of the prize, the person who conducted the raffle must:

- ensure the prize is retained for 12 months after the draw; or
- if the prize is livestock or property of a perishable nature, sell the prize in a way that brings a reasonable price and retain the proceeds (after deducting the reasonable costs of the sale) for 12 months after the draw;
- if the prize has still not been claimed after 12 months the community or charitable organisation must sell or otherwise dispose of the prize, if this has not already been done, and pay the proceeds (after deducting the reasonable costs of the sale or disposal) to the Treasurer for payment into the Consolidated Fund.

6. BANKING REQUIREMENTS

There must be a single account at a deposit-taking institution in Victoria. This account must be established in the organisation's name and be used for all financial transactions relating to the conduct of the raffle.

CONDITIONS FOR THE CONDUCT OF A RAFFLE WHERE THE PRIZE VALUE EXCEEDS \$5,000

Where the prize value of a raffle exceeds \$5,000, the community or charitable organisation to benefit MUST obtain a Minor Gaming Permit to conduct the raffle.

1. SALE OF TICKETS

- (a) The number of tickets printed must not exceed the number authorised by the permit.
- (b) Tickets must only be sold during the period authorised by the permit.
- (c) The responsible person must ensure that sufficient information is obtained to identify and locate the person to whom the ticket is sold.
- (d) A person who sells tickets:
 - must be authorised by the permit holder or responsible person to do so; and
 - cannot be remunerated, other than for reasonable out of pocket expenses, (whether by way of ticket seller's prize or otherwise) unless authorised in the raffle's permit conditions. In the event that remuneration is offered (ie the responsible person for the raffle is not an employee of the organisation or charity and has an agreement to promote/conduct the raffle for reward), the company name and number must be printed on every ticket or on all material advertising the raffle.
- (e) The following must be printed on each ticket:
 - the name of the minor gaming permit holder
 - the minor gaming permit number
 - the ticket price
 - the maximum number of tickets authorised by the minor gaming permit
 - a description of each prize and its retail value
 - when and where the raffle will be drawn
 - the method of publication or notification of results
 - details of any book-buyer's prize authorised under the minor gaming permit
 - if the whole or part of the proceeds are for a political party – the name of the political party
 - if the nominee is not an employee of the raffle permit holder and will receive payment (other than reasonable out of pocket expenses), or the raffle permit holder or the nominee has an agreement or arrangement with a person (other than an employee of the permit holder) to promote or conduct the raffle for reward, that fact (including the name and, if applicable, ACN of the nominee or the person promoting or conducting the raffle for reward) must be printed on every ticket or on all material advertising the raffle.
- (f) A ticket in the raffle may only be a ticket in another raffle if authorised on the permit.

2. THE RAFFLE DRAW

- (a) The raffle must be drawn on the day authorised by the minor gaming permit.
- (b) The method of the draw must allow each ticket in the draw a random and equal chance of being drawn.
- (c) If there is more than one prize being offered, the first ticket drawn must win the first prize. 'First prize' is defined as the most valuable prize offered in the raffle. 'Reverse draw' raffles are not allowed.
- (d) A ticket which has been drawn is not eligible to be drawn again, unless authorised by the permit.

3. WINNER NOTIFICATION AND PRIZE DISTRIBUTION

- (a) The results of the draw must be published and winners notified in accordance with the information printed on the tickets.
- (b) Prizes must be delivered to winners within 28 days after the draw.

4. KEEPING OF RECORDS

The permit holder conducting the raffle must ensure accurate records are kept for a period of three years of:

- the manner in which tickets to the raffle were sold and how tickets sales were publicised;
- the names of the people to whom tickets were issued for sale and, for each person, how many tickets were sold, how many tickets were returned and how much money was remitted;
- when and how the raffle was drawn; and
- the names and addresses of the winners and a description (including the retail value) of their respective prizes.

CONDITIONS FOR THE CONDUCT OF A RAFFLE WHERE THE PRIZE VALUE EXCEEDS \$5,000

5. DISPOSAL OF UNCLAIMED PRIZES

In the event a winner does not claim a prize in a raffle and the person who conducted the raffle cannot, after a reasonable effort, find a winner of the prize, the community or charitable organisation to benefit from the raffle:

- must ensure the prize is retained for 12 months after the draw; or
- if the prize is livestock or property of a perishable nature, may sell the prize in a way that brings a reasonable price and retain the proceeds (after deducting the reasonable costs of the sale) for 12 months after the draw.
- If the prize has still not been claimed after 12 months the community or charitable organisation must sell or otherwise dispose of the prize, if this has not already been done, and pay the proceeds (after deducting the reasonable costs of the sale or disposal) to the Treasurer for payment into the Consolidated Fund.

6. BANKING REQUIREMENTS

The permit holder must keep and maintain a single account, at an authorised deposit-taking institution in Victoria. This account must be established in the organisation's name and be used for all financial transactions relating to the conduct of the raffle.

NATIONAL POLICE CERTIFICATE FROM THE VICTORIA POLICE

Where the permit to which this application relates is for the conduct of a **large raffle**, the nominee **must** submit an **original** National Police Certificate (NPC) obtained from the Victoria Police together with this application form. **Note:** An NPC is not required if the nominee has previously submitted an NPC to the VCGR which is dated within 12 months of the date of this application.

A large raffle is defined as a raffle where:

- The total prize pool will exceed \$100,000; or
- The total prize pool will exceed \$60,000 **and** the ticket price will be \$35 or more.

An NPC is obtained from the Victoria Police by completing a 'Consent to Check and Release National Police Record' form and **must** be current at the time of lodgement of your form and not exceed three (3) months from the date of issue by the Victoria Police. If you fail to meet any of these requirements (i.e. you do not provide your NPC, or enclose either a photocopied NPC or an NPC more than 3 months from the date of issue) your application form will be considered incomplete and will be returned to you.

All matters detailed on your NPC are taken into consideration by the VCGR and are essential to allow assessment of your character, honesty and integrity. Should you wish to dispute any of the information disclosed in your NPC you should do so **prior** to lodging your renewal application form, by writing to The Manager, Public Enquiry Service, Records Services Division, Victoria Police, PO Box 418, Melbourne Victoria 8005.

NPC application process

You may access the guidelines for completion of the consent form, frequently asked questions and the electronic downloadable consent form at www.police.vic.gov.au by clicking the "Our Services" button and then choosing the "Police Record Checks" option.

Should you have any difficulties in accessing the consent form or any other questions in relation to your police record check you may contact the Public Enquiry Service of Victoria Police on 1300 881 596 between 8am and 5pm.

Please note that:

- a 100 point identity check is incorporated into the consent form;
- an authorised certifier is required to witness and certify identity documents and signature of applicant; and
- the completed consent form, together with the certified documents and fee must then be posted for processing.

In addition, when you apply to the Victoria Police for your NPC, for the purpose of obtaining your gaming licence you **must** ensure that you provide the following details in the NPC application form [as have been stated in the "Personal Particulars" section]:

- your first name, middle name/s, surname;
- any **preferred** given name to appear on your licence; and
- any alias(es), previous names, maiden name, name changes (legal or otherwise) as well as names you have used or by which you have been known.

If any such names are not shown in your NPC, your application will **not** be accepted.

Please note that you should allow ten working days from the date applications are received at the Public Enquiry Service of the Victoria Police for applications to be processed.