

**Authorised Version No. 003**  
**Gambling Regulation (Commercial Raffle  
Organisers) Regulations 2006**

**S.R. No. 38/2006**

Authorised Version incorporating amendments as at  
2 November 2011

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**1 Objectives**

The objective of these Regulations is to make provision with respect to—

- (a) fees for applications for, and applications for the renewal of, commercial raffle organiser's licences;
- (b) information to be included in notices relating to applications for commercial raffle organiser's licences;
- (c) conditions of a commercial raffle organiser's licence;
- (d) the auditing of books, accounts and financial statements of the holders of commercial raffle organiser's licences.

**2 Authorising provision**

These Regulations are made under section 11.2.1 of the **Gambling Regulation Act 2003**.

**3 Commencement**

These Regulations come into operation on 1 July 2006.

**4 Definitions**

In these Regulations—

*incorporated association* has the same meaning as in the **Associations Incorporation Act 1981**;

*licensee* has the meaning given by section 8.5A.1 of the Act;

*Registrar* means the Registrar of Incorporated Associations under the **Associations Incorporation Act 1981**;

*the Act* means the **Gambling Regulation Act 2003**.

**5 Application for commercial raffle organiser's licence**

For the purposes of section 8.5A.5(2) of the Act, the prescribed fee to accompany an application for a commercial raffle organiser's licence is 149.5 fee units.

**6 Application for renewal of commercial raffle organiser's licence**

For the purposes of section 8.5A.12(1) of the Act, the prescribed fee for the renewal of a commercial raffle organiser's licence is 138.5 fee units.

**7 Application for commercial raffle organiser's licence—publication of notice**

For the purposes of section 8.5A.5(3)(a) of the Act, the following is the prescribed information to be contained in the notice published by an applicant for a commercial raffle organiser's licence—

- (a) a statement that the application has been made;
- (b) the name and business address of the applicant;
- (c) if applicable, A.C.N. of the applicant;
- (d) the address and telephone number of the Commission.

## **8 Conditions of commercial raffle organiser's licence**

For the purposes of section 8.5A.8(3)(a) of the Act, the following are prescribed conditions of a commercial raffle organiser's licence—

- (a) the licensee must not purchase raffle tickets in a commercial raffle run by the licensee;
- (b) the licensee must take all reasonable steps to ensure that the following persons do not purchase raffle tickets in a commercial raffle run by the licensee—
  - (i) a relative of the licensee;
  - (ii) a director or employee of the licensee;
  - (iii) any person liable as licensee, in relation to the raffle, under section 8.5A.10(3) or section 8.5A.10(4) of the Act;
  - (iv) a relative of a person mentioned in subparagraph (ii) or (iii);
- (c) if the licensee enters into an agreement with a community or charitable organisation under section 8.5A.23 of the Act for the conduct, in whole or in part, of a raffle on behalf of the organisation, the licensee must—
  - (i) for each successive period of 7 days after the agreement is entered into, or within any other period or periods determined by the Commission and notified in writing to the licensee, the licensee must deposit the portion of the raffle proceeds owing to the community or charitable organisation under the agreement into a bank account of the community or charitable organisation; and

- (ii) at the time any money is deposited by the licensee under subparagraph (i), provide the community or charitable organisation with a written statement detailing the number of tickets sold during the raffle and the amount of money deposited.

### 9 Maximum fee

For the purposes of section 8.5A.23(2)(e) of the Act, the maximum fee to be paid to a licensee must be fair and reasonable.

### 10 Auditing of accounts and financial statements

An audit conducted under section 8.5A.26(4) of the Act must be undertaken by an auditor who is—

- (a) a registered company auditor within the meaning of the Corporations Act; or
  - (b) a member of the Institute of Chartered Accountants in Australia, CPA Australia or the Institute of Public Accountants; or
  - (c) if the licensee is an incorporated association, a person approved by the Registrar as an auditor under section 30B(1)(d) of the **Associations Incorporation Act 1981** for the purposes of section 30B of that Act.
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Reg. 10(b)  
amended by  
S.R. No.  
121/2011  
reg. 4.

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## ENDNOTES

### 1. General Information

The Gambling Regulation (Commercial Raffle Organisers) Regulations 2006, S.R. No. 38/2006 were made on 4 April 2006 by the Governor in Council under section 11.2.1 of the **Gambling Regulation Act 2003**, No. 114/2003 and came into operation on 1 July 2006: regulation 3.

The Gambling Regulation (Commercial Raffle Organisers) Regulations 2006 will sunset 10 years after the day of making on 4 April 2016 (see section 5 of the **Subordinate Legislation Act 1994**).

**2. Table of Amendments**

This Version incorporates amendments made to the Gambling Regulation (Commercial Raffle Organisers) Regulations 2006 by statutory rules, subordinate instruments and Acts.

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Gambling Regulation Amendment Regulations 2011, S.R. No. 121/2011

*Date of Making:* 2.11.11

*Date of Commencement:* 2.11.11

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### 3. Explanatory Details

#### Fee Units

These Regulations provide for fees by reference to fee units established under the **Monetary Units Act 2004**.

The amount of the fee is to be calculated, in accordance with section 7 of that Act, by multiplying the number of fee units applicable by the value of a fee unit.

The value of a fee unit for the financial year commencing 1 July 2011, is \$12.22. The amount of the calculated fee may be rounded to the nearest 10 cents.

The value of a fee unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a fee unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.