

Authorised Version No. 007
Gambling Regulations 2015

S.R. No. 55/2015

Authorised Version incorporating amendments as at
29 March 2017

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Part 1—Preliminary

1 Objectives

The objectives of these Regulations are—

- (a) to provide for matters relating to—
 - (i) gaming machines; and
 - (ii) wagering and betting; and
 - (iii) trade promotion lotteries; and
 - (iv) community and charitable gaming; and
- (b) to prescribe fees relating to gaming; and
- (c) to prescribe certain offences to be infringement offences; and
- (d) to prescribe infringement penalties in respect of those infringement offences; and
- (e) to provide for other matters that are authorised or required to be prescribed by the **Gambling Regulation Act 2003**.

2 Authorising provision

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

3 Commencement

- (1) These Regulations, except Part 10, come into operation on 20 June 2015.
- (2) Part 10 comes into operation on 1 July 2015.

4 Revocations

The Regulations listed in Schedule 1 are **revoked**.

5 Definitions

(1) In these Regulations—

appropriate controlling body means—

- (a) in the case of horse racing, Racing Victoria; and
- (b) in the case of harness racing, Harness Racing Victoria; and
- (c) in the case of greyhound racing, Greyhound Racing Victoria;

betting office means any place at which the wagering and betting licensee or operator or an agent of the wagering and betting licensee or operator accepts bets;

book-buyer's prize means a prize for which a person is eligible by reason of having purchased a particular book of tickets;

cashier area means an area in an approved venue or casino where a person may collect or redeem gaming tokens from a cashier;

electronic game information means the following information in relation to a game that may be played on a gaming machine—

- (a) the return to players of that game;
- (b) the average number of individual games played for each win, based on one line being played per game, which may be described as "theoretical number of individual games played per win";

- (c) the odds of achieving the 5 most valuable individual winning combinations;
- (d) the odds of achieving the 5 least valuable individual winning combinations;
- (e) the maximum and minimum bet options available;
- (f) if the gaming machine is part of a linked jackpot arrangement—
 - (i) a statement that the gaming machine is part of a linked jackpot arrangement; and
 - (ii) the sum of the return to players contributed by the game and the return to players contributed to the linked jackpot arrangement, which may be described as "total return"; and
 - (iii) the return to players of the game contributed by the linked jackpot arrangement;

electronic player information means the following information in relation to a continuous period of gaming on a gaming machine by an individual player—

- (a) the amount of money the player has put into the gaming machine during the period, which may be described as "cash in";
- (b) the amount of money wagered by the player on the gaming machine during the period, which may be described as "credits played";

- (c) the amount of money won by the player on the gaming machine during the period, which may be described as "credits won";
- (d) the difference between the credits won and the credits played during the period, which may be described as "session win or loss";
- (e) the amount of money paid out by the machine during the period which may be described as "cash out";
- (f) the amount of money that is currently available for the player to wager on the machine, which may be described as "credits available";
- (g) the time at which the period started;
- (h) the current time of day;
- (i) the length of the period;
- (j) if amounts won in a jackpot are not included on the credit meter of the gaming machine, a statement that the information displayed does not include amounts won in a jackpot during the period;

event includes contingency;

family member of an individual means—

- (a) the individual's spouse or domestic partner; or
- (b) a parent, grandparent, brother or sister of the individual; or
- (c) a child (including an adopted child, step-child or ex-nuptial child) or a grandchild of the individual; or

- (d) the spouse or domestic partner of an individual referred to in paragraph (b) or (c);

first training module means the training course that—

- (a) is provided by or on behalf of the Department of Justice and Regulation; and
- (b) is provided, and is to be completed, by use of an Internet site; and
- (c) covers the content specified under regulation 124(1)(a);

Reg. 5(1) def.
of *first training module*
inserted by
S.R. No.
111/2016
reg. 7.

first prize, in respect of a raffle having more than one prize, means the most valuable prize offered in the raffle;

gaming equipment software means the software used in relation to gaming equipment and includes game software;

incorporated association has the same meaning as in the **Associations Incorporation Reform Act 2012**;

linked jackpot arrangement has the same meaning as in the **Casino Control Act 1991**;

logic area means the area of a gaming machine—

- (a) described as a logic area by section 2.3.36 of the Australian/New Zealand Gaming Machine National Standard made by the Commission under section 3.5.3(1) of the Act and amended under that section from time to time; and
- (b) containing the electronic components and items set out in section 2.3.37 of that Standard;

lucky envelope permit means a minor gaming permit that authorises the holder to sell lucky envelopes as specified in the permit;

majority interest means a relevant interest in a corporation of more than 50%;

majority shareholder means—

- (a) in the case of a private company in which the voting shares are not divided into classes—a person entitled to more than 50% of those shares; and
- (b) in the case of a private company in which the voting shares are divided into classes—a person entitled to more than 50% of the shares in one of those classes;

minor gaming permit means a permit issued under Division 2 of Part 3 of Chapter 8 of the Act;

notional value, in respect of a series of lucky envelopes, means the lucky envelope price multiplied by the number of lucky envelopes in the series;

old refresher course means—

- (a) in relation to the period of time before 1 September 2016, a refresher course approved under section 9A.1.18(3) of the Act as in force from time to time before that day; or
- (b) in relation to the period of time beginning on 1 September 2016 and ending on 31 December 2016, a refresher course that, immediately before 1 September 2016, was approved under section 9A.1.18(3) of the Act as in force at that time;

Reg. 5(1) def.
of *old*
refresher
course
inserted by
S.R. No.
111/2016
reg. 7.

old training course means—

- (a) in relation to the period of time before 1 September 2016, a training course approved under section 9A.1.18(3) of the Act as in force from time to time before that day; or
- (b) in relation to the period of time beginning on 1 September 2016 and ending on 31 December 2016, a training course that, immediately before 1 September 2016, was approved under section 9A.1.18(3) of the Act as in force at that time;

Reg. 5(1) def.
of *old training
course*
inserted by
S.R. No.
111/2016
reg. 7.

player information brochure means a brochure, booklet, pamphlet or leaflet that—

- (a) is in the form specified for brochures in the player information standards; and
- (b) contains, in English, the information specified for brochures in the player information standards;

player information poster means a poster that—

- (a) is in the form specified for posters in the player information standards; and
- (b) contains, in English, the information specified for posters in the player information standards;

player information standards means the standards made by the Minister under regulation 11(1);

player information talker means a sign that—

- (a) is designed to be affixed to a gaming machine; and
- (b) is in the form specified for talkers in the player information standards; and

(c) contains, in English, the information specified for talkers in the player information standards;

private company means a company that is not limited by shares, or whose shares are not quoted on the Australian Stock Exchange or any exchange of the World Federation of Exchanges;

punchboard means a device which contains a series of lucky envelopes and is designed so that the lucky envelopes are dispensed by being punched out of the device;

raffle permit means a minor gaming permit that authorises the holder to conduct a raffle as specified in the permit;

Registrar means the Registrar of Incorporated Associations under the **Associations Incorporation Reform Act 2012**;

relevant interest means an interest in a corporation with an entitlement to a distribution of the corporation's property on its winding up;

responsible person means—

- (a) in the case of bingo conducted under Chapter 8 of the Act, the natural person nominated by a community or charitable organisation under section 8.4.2A(2)(c) of the Act; and
- (b) in any other case, the nominee within the meaning of section 8.1.2 of the Act;

rolling jackpot sequence means the sessions of bingo games in respect of which a rolling jackpot operates;

scratch and win card means a ticket in a trade promotion lottery in which the tickets that entitle the holders to claim a prize have been determined and announced before the commencement of the trade promotion lottery;

second training module means the training course that—

(a) is provided in person by—

(i) a person employed or engaged as a venue support worker by an entity specified under regulation 125(1); or

(ii) a person employed by the Victorian Responsible Gambling Foundation established under section 4 of the **Victorian Responsible Gambling Foundation Act 2011**; and

(b) covers the content specified under regulation 124(1)(b);

selection means a person, team, animal, object, event or contingency or a combination of 2 or more of those things nominated by the wagering and betting licensee or operator on which the wagering and betting licensee or operator is willing to accept a bet;

series, in relation to lucky envelopes, means all the lucky envelopes in a particular lottery;

sign means either a single sided sign or a double sided sign;

Reg. 5(1) def.
of *second
training
module*
inserted by
S.R. No.
111/2016
reg. 7.

small raffle means a raffle—

- (a) for which the value of the prizes—
 - (i) in that raffle does not exceed \$500; and
 - (ii) 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 \$1000; and
- (b) 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;

statement period, in relation to a participant in a loyalty scheme, means the period to which a player activity statement relates;

street frontage means any side of an approved venue that abuts or is aligned to a road or road related area within the meaning of the **Road Safety Act 1986**;

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

- (2) In these Regulations, a reference to the value of a prize (other than a monetary component of a prize) in a trade promotion lottery or a raffle or in respect of a lucky envelope is a reference to the price at which a person might reasonably expect to purchase that prize in the absence of a discount or special incentive.
- (3) For the purposes of the definition of *family member* in subregulation (1), an individual referred to in paragraph (a), (b), (c) or (d) of that definition does not cease to be a family member merely because of the individual's death.

Part 2—Authorised gambling

6 Standards and conditions—Games at amusement centres, fetes, carnivals etc.

(1) For the purposes of section 2.2.3(3)(b) of the Act, the prescribed standards and conditions are the following—

**Reg. 6(1)
amended by
S.R. No.
55/2015
reg. 121.**

- (a) in the case of a device or game, the device or game is not—
 - (i) a game approved under section 60 of the **Casino Control Act 1991**; or
 - (ii) a gaming machine within the meaning of the Act;
- (b) in the case of a device or game, the device or game is such that the prize or prizes available to be won at a particular attempt are clearly and unambiguously identified to participants;
- (c) in the case of a device or game that is a spinning wheel—
 - (i) the wheel is divided into approximately equal divisions; and
 - (ii) the design of the wheel allows an approximately equal and random chance of the wheel finishing in or on a particular division; and
 - (iii) the wheel is maintained in such a way that it operates as designed; and
 - (iv) the number of tickets sold in each spin is equal to the number of divisions of the wheel;

- (d) in the case of a device or game that is not a spinning wheel—
 - (i) there is no systemic bias to a particular outcome in the rules or design; and
 - (ii) a prize winning outcome is achievable; and
 - (iii) reasonable steps are taken to explain to participants, in language likely to be understood by them, the way in which the game is played or the device operates (including the extent to which skill is relevant); and
 - (iv) the game is played in the manner explained and the device (or any device forming part of the game) is maintained in such a way that it operates as designed.

Part 3—Gaming machines

Division 1—Preliminary

7 References to venue operator

In this Part, *venue operator* does not include the casino operator.

Division 2—Lighting and external views

8 Lighting requirements

- (1) At any time when a gaming machine is available for gaming in an approved venue, the venue operator must ensure that lighting in the gaming machine area containing the gaming machine complies with this regulation.
- (2) At any time when a gaming machine is available for gaming in a casino, the casino operator must ensure that lighting in the casino complies with this regulation.
- (3) Lighting in an area complies with this regulation if—
 - (a) the horizontal illuminance at each point that is 0·3 metres in front of the base of each gaming machine in the area and 1·5 metres above the floor is 50 lux or greater; and
 - (b) the average vertical illuminance in front of each gaming machine in the area is 30 lux or greater; and
 - (c) in the non-gaming parts of that area—
 - (i) the average horizontal illuminance 1·5 metres above the floor is 40 lux or greater; and
 - (ii) there is no point where the horizontal illuminance 1·5 metres above the floor is below 20 lux.

- (4) For the purposes of this regulation, illuminance is to be measured without any person other than the person making the measurement being within 5 metres of the measuring instrument.
- (5) In this regulation, a reference to the average vertical illuminance in front of a gaming machine is the average of the vertical illuminance measured at each of the following points—
- (a) the point that is 1.5 metres above the floor and 0.3 metres in front of the left edge of the video screen of the gaming machine; and
 - (b) the point that is 1.5 metres above the floor and 0.3 metres in front of the centre of the video screen of the gaming machine; and
 - (c) the point that is 1.5 metres above the floor and 0.3 metres in front of the right edge of the video screen of the gaming machine.
- (6) In this regulation, a reference to the average horizontal illuminance in an area is a reference to the average of the horizontal illuminances measured at the centre of each square in a grid of points that are—
- (a) 0.5 metres apart within a 2.0 metre radius of any gaming machine in the area; and
 - (b) 2.0 metres apart within any other part of the area.
- (7) For the purpose of subregulation (3)(c)—
- (a) the non-gaming parts of the gaming machine area of an approved venue are the parts of that gaming machine area that are not within 2.0 metres of a gaming machine; and
 - (b) the non-gaming parts of the casino are the areas designated by the Commission under regulation 9(1).

9 Casino must designate non-gaming parts of casino

- (1) For the purposes of regulation 8, the Commission must designate parts of the casino that contain seating provided for the comfort and convenience of players of gaming machines.
- (2) The Commission must notify the casino operator of each designation under subregulation (1).

10 Windows in approved venues and casinos

- (1) This provision applies to a window that provides a view—
 - (a) from a gaming machine area in an approved venue to an area or space outside the approved venue; or
 - (b) from a position in front of a gaming machine in a casino to an area or space outside the casino.
- (2) A venue operator or casino operator must not remove the whole or any part of a window to which this regulation applies except for the following purposes—
 - (a) replacing the window with a window of equal or greater size;
 - (b) repairing the window.

Penalty: 20 penalty units.

- (3) A venue operator or casino operator who removes the whole or any part of a window to which this regulation applies for the purpose of replacing the window with another window of equal or greater size must complete that replacement within 10 business days.

Penalty: 20 penalty units.

- (4) A venue operator or casino operator who removes the whole or any part of a window to which this regulation applies for the purpose of repairing the window must complete that repair within 10 business days.

Penalty: 20 penalty units.

- (5) A venue operator or casino operator must not obscure a window to which this regulation applies except by installing blinds.

Penalty: 20 penalty units.

- (6) For the purposes of subregulation (5), a window is not taken to be obscured only because it is treated for the purpose of temperature control or the reduction of glare from direct sunlight (including by tinting or shading the window).

Division 3—Player information standards and printed information

11 Minister may make player information standards

- (1) The Minister may make standards setting out—
- (a) the information that is to be contained in, and the required form of—
 - (i) the posters, talkers and brochures referred to in Division 3; and
 - (ii) responsible gambling signs referred to in regulation 35; and
 - (iii) brochures relating to the pre-commitment system; and
 - (b) the information that is to be contained in the written statement referred to in regulation 21.

Reg.
11(1)(a)(iii)
inserted by
S.R. No.
139/2015
reg. 18.

- (2) On making the player information standards, the Minister must give the standards to the Commission.
- (3) On receiving the player information standards from the Minister, the Commission must publish the standards on the Commission's website.
- (4) Player information standards have effect on being published on the Commission's website.

12 Posters

- (1) At all times when gaming machines are available for gaming in an approved venue, the venue operator must take all reasonable steps to ensure that player information posters are displayed in accordance with subregulations (5) and (6) in the gaming machine area of the approved venue.
Penalty: 20 penalty units.
- (2) Without limiting subregulation (1), the making of any necessary request to the Commission under regulation 16 is a reasonable step for the purposes of subregulation (1).
- (3) At all times when gaming machines are available for gaming in a casino, the casino operator must take all reasonable steps to ensure that player information posters are displayed in accordance with subregulations (5) and (6) in the gaming machine area of the casino.
Penalty: 20 penalty units.
- (4) Without limiting subregulation (3), the making of any necessary request to the Commission under regulation 15 is a reasonable step for the purposes of subregulation (3).

- (5) Player information posters must be displayed as follows—
- (a) if there are 15 or fewer gaming machines available for gaming, at least one poster must be displayed;
 - (b) if there are more than 15 gaming machines available for gaming—
 - (i) at least one poster must be displayed for every 15 gaming machines; and
 - (ii) one additional poster must be displayed for any additional gaming machines less than 15 in number.
- (6) Player information posters must be displayed in such a manner that the information contained in them is clearly visible to a person sitting or standing in front of a gaming machine in the area.
- (7) Nothing in this regulation prevents the display of posters containing information in languages other than English.

13 Talkers

- (1) At all times when a gaming machine is available for gaming in an approved venue, the venue operator must take all reasonable steps to ensure that a player information talker is displayed on the gaming machine so that it is clearly visible from the front of the machine.
- Penalty: 20 penalty units.
- (2) Without limiting subregulation (1), the making of any necessary request to the Commission under regulation 16 is a reasonable step for the purposes of subregulation (1).
- (3) At all times when a gaming machine is available for gaming in a casino, the casino operator must take all reasonable steps to ensure that a player

information talker is displayed on the gaming machine so that it is clearly visible from the front of the machine.

Penalty: 20 penalty units.

- (4) Without limiting subregulation (3), the making of any necessary request to the Commission under regulation 15 is a reasonable step for the purposes of subregulation (3).
- (5) If the player information standards set out 2 or more player information talkers that differ from each other in form or information or both, the different player information talkers must, as far as practicable, be distributed so that—
 - (a) there is an even number of talkers of each type; and
 - (b) the different types of talkers are located evenly throughout the approved venue or casino.
- (6) Nothing in this regulation prevents the display of talkers containing information in languages other than English.

14 Brochures

- (1) At all times when gaming machines are available for gaming in an approved venue, the venue operator must take all reasonable steps to ensure that—
 - (a) player information brochures are available at each cashier area in the approved venue; and
 - (b) the total number of player information brochures available is at least equal to the number of gaming machines in the approved venue.

Penalty: 20 penalty units.

- (2) Without limiting subregulation (1), the making of any necessary request to the Commission under regulation 16 is a reasonable step for the purposes of subregulation (1).
- (3) At all times when a gaming machine is available for gaming in a casino, the casino operator must take all reasonable steps to ensure that—
 - (a) player information brochures are available at each cashier area in the gaming machine area of the casino; and
 - (b) the total number of player information brochures available in the casino is at least equal to the number of gaming machines in the gaming area of the casino.

Penalty: 20 penalty units.

- (4) Without limiting subregulation (3), the making of any necessary request to the Commission under regulation 15 is a reasonable step for the purposes of subregulation (3).
- (5) Nothing in this regulation prevents the provision or display of brochures containing information in languages other than English.

15 Commission to provide player information to casino operator on request

On request by a casino operator, the Commission must provide a player information poster, a player information talker or a player information brochure to each casino operator in a form allowing them to be copied.

16 Commission to provide player information to venue operator on request

On written request by a venue operator, the Commission must, within 14 days of the request, provide the venue operator with player information posters, player information talkers

and player information brochures that the venue operator needs to enable the venue operator to comply with regulations 12, 13 and 14.

17 Offence to alter information set out in player information standards

A venue operator or casino operator must not alter the form of or information contained on or in a player information poster, player information talker or player information brochure unless the alteration is made to comply with an amendment to the player information standards.

Penalty: 20 penalty units.

18 Change in player information standards

- (1) Within 14 days after an amendment is made to the player information standards, the Commission must—
 - (a) notify each venue operator and casino operator of the amendment; and
 - (b) if the amendment requires the amendment of any player information poster, player information talker or player information brochure, provide a copy of the amended poster, talker or brochure to the casino operator in a form allowing it to be copied.
- (2) Within 3 months after an amendment is made to the player information standards, the Commission must provide to each venue operator copies of the amended poster, talker or brochure in sufficient numbers to enable the venue operator to comply with regulation 12, 13 or 14 (as the case requires).
- (3) If the player information standards are amended in relation to the form of, or information to be contained in, a player information poster, player information talker or player information brochure, it is sufficient compliance with regulation 12(1)

or (3), 13(1) or (3) or 14(1) or (3) (as the case requires) for a period of 4 months immediately following the amendment, if the poster, talker or brochure complies with the player information standards as in force immediately before the amendment.

Division 4—Display of information by gaming machines

19 Gaming machines to display time of day

- (1) A venue operator or casino operator who knows or who could reasonably be expected to know that a gaming machine is not able to display the time of day in accordance with this regulation must not permit gaming on the gaming machine.

Penalty: 20 penalty units.

- (2) The time of day is displayed on a gaming machine in accordance with this regulation if the time of day—
 - (a) is displayed—
 - (i) on the video screen; or
 - (ii) on a device attached to the gaming machine in a position that is acceptable under subregulation (3); and
 - (b) is clearly visible to a person playing the gaming machine; and
 - (c) is accurate to within 5 minutes; and
 - (d) indicates whether the hour is before or after noon; and
 - (e) is displayed continuously; and
 - (f) does not obscure any other information relevant to gaming on gaming machines.

- (3) For the purposes of subregulation (2)(a), a position on a gaming machine is acceptable if it is—
- (a) either—
 - (i) in front of the machine cabinet; or
 - (ii) within 10 centimetres of the left or right edge of the machine cabinet; and
 - (b) not higher than—
 - (i) if the gaming machine has a top box—5 centimetres above the bottom of the top box; or
 - (ii) if the gaming machine does not have a top box—the top of the machine cabinet; and
 - (c) not lower than the bottom of the button panel.
- (4) In this regulation, a reference to a *button panel*, *top box* or *video screen* of a gaming machine is a reference to the part of the gaming machine that corresponds to the similarly labelled part of a gaming machine represented in Schedule 2.

20 Gaming machine must generate and display electronic information

- (1) A venue operator or casino operator who knows, or who could reasonably be expected to know, that a gaming machine is not able to display electronic game information at the instruction of a player must not permit gaming on the gaming machine.

Penalty: 20 penalty units.

- (2) A venue operator or casino operator who knows, or who could reasonably be expected to know, that a gaming machine is not able to display electronic player information in accordance with subregulation (3) must not permit gaming on that gaming machine.

Penalty: 20 penalty units.

- (3) A gaming machine is able to display electronic player information in accordance with this subregulation if a player of the gaming machine is able to—
- (a) instruct the machine to begin generating electronic player information; and
 - (b) instruct the machine to display the electronic player information that relates to the period beginning with the instruction referred to in paragraph (a) and ending at the earlier of—
 - (i) the time when the player gives the instruction referred to in this paragraph; or
 - (ii) the end of a period of 60 seconds during which no games are displayed on the machine.

Reg. 20A
inserted by
S.R. No.
12/2017 reg. 6.

20A Gaming machines must not be playable by certain cards

A venue operator must not permit gaming on a gaming machine that accepts or registers a bet or a gaming machine credit by use of a card that is not a player card.

Penalty: 20 penalty units.

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Pt 3 Div. 5
(Heading and
regs 21, 22)
revoked by
S.R. No.
111/2016
reg. 5.

Division 6—Prescribed connection and prescribed profit

23 Prescribed connection

For the purposes of paragraphs (a), (b) and (e) of the definition of *prescribed connection* in section 1.3(1) of the Act, the prescribed interests (legal or equitable) in or in relation to an entitlement holder, the prescribed rights or powers in relation to an entitlement holder, and the prescribed relationships between a person employed or engaged by an entitlement holder and another person are the following—

- (a) a relevant financial interest held by an entitlement holder in the gambling business of another entitlement holder that enables or would enable the entitlement holder to exercise a significant influence over or with respect to the management or operation of the gambling business of that other entitlement holder;
- (b) a relevant power that may be exercised by an entitlement holder (whether in right of the entitlement holder or on behalf of any other entitlement holder) in the gambling business of another entitlement holder that would allow the entitlement holder to exercise a significant influence over or with respect to the management or operation of the gambling businesses of that other entitlement holder;
- (c) a relevant financial interest held by a person in the gambling businesses of two or more entitlement holders that would allow the person to exercise a significant influence over or with respect to the management or

- operation of the gambling businesses of those entitlement holders;
- (d) a relevant power that may be exercised by a person (whether in right of the person or on behalf of any other person) in the gambling businesses of two or more entitlement holders that would allow the person to exercise a significant influence over or with respect to the management or operation of the gambling businesses of those entitlement holders;
 - (e) where two or more entitlement holders are private companies—
 - (i) the position of executive officer held by a person in two or more entitlement holders; or
 - (ii) the relationship of family member between a person who holds the position of executive officer in two or more entitlement holders and another person; or
 - (iii) a majority shareholding held by a person in two or more entitlement holders; or
 - (iv) a majority interest held by a person in two or more entitlement holders; or
 - (v) shareholdings held by two or more persons in two or more entitlement holders, the sum of which amounts to the majority interest in each entitlement holder;
 - (f) an interest held by an entitlement holder in another entitlement holder that would make the entitlement holders related bodies corporate;

- (g) an interest held by any other person that would make two or more entitlement holders related bodies corporate;
- (h) a beneficial interest held by an executive officer under two or more trusts in respect of which two or more entitlement holders are the trustees;
- (i) a beneficial interest held by a family member of an executive officer under two or more trusts in respect of which two or more entitlement holders are the trustees;
- (j) where an entitlement holder is a trustee of a trust—
 - (i) a beneficial interest held under that trust by an entitlement holder that is a private company; or
 - (ii) a beneficial interest held under that trust by a person who is the majority shareholder of another entitlement holder that is a private company; or
 - (iii) a beneficial interest held under that trust by a person who is an executive officer of another entitlement holder that is a private company;
- (k) where an entitlement holder is a corporation that has issued share capital—
 - (i) a direct interest held by another entitlement holder in that share capital the value of which exceeds 10%; or
 - (ii) an interest in that entitlement holder held by a person who holds an interest, has a power or has a relationship referred to in paragraphs (a) to (j) in relation to another entitlement holder who holds a direct interest in that

- share capital the value of which exceeds 10%; or
- (iii) an indirect interest held by another entitlement holder in the entitlement holder the value of which exceeds 10%; or
 - (iv) an interest in that entitlement holder held by a person who holds an interest, has a power or has a relationship referred to in paragraphs (a) to (j) in relation to another entitlement holder who holds an indirect interest in the entitlement holder the value of which exceeds 10%; or
 - (v) an aggregate interest held by another entitlement holder in the entitlement holder the value of which exceeds 10%; or
 - (vi) an interest in that entitlement holder held by a person who holds an interest, has a power or has a relationship referred to in paragraphs (a) to (j) in relation to another entitlement holder who holds an aggregate interest in the entitlement holder the value of which exceeds 10%;
- (l) where an entitlement holder is a trustee of a trust under which trust capital has been issued—
- (i) a direct interest held by another entitlement holder in that trust the value of which exceeds 10%; or
 - (ii) an interest in that entitlement holder held by a person who holds an interest, has a power or has a relationship referred to in paragraphs (a) to (j) in

- relation to another entitlement holder who holds a direct interest in that trust the value of which exceeds 10%; or
- (iii) an indirect interest held by another entitlement holder in the entitlement holder the value of which exceeds 10%; or
- (iv) an interest in that entitlement holder held by a person who holds an interest, has a power or has a relationship referred to in paragraphs (a) to (j) in relation to another entitlement holder who holds an indirect interest in the entitlement holder the value of which exceeds 10%; or
- (v) an aggregate interest held by another entitlement holder in the entitlement holder the value of which exceeds 10%; or
- (vi) an interest in that entitlement holder held by a person who holds an interest, has a power or has a relationship referred to in paragraphs (a) to (j) in relation to another entitlement holder who holds an aggregate interest in the entitlement holder the value of which exceeds 10%.

Note

This regulation applies to determining a prescribed connection for the purposes of section 3.2A.7(2)(b) of the Act.

24 Direct interests

- (1) For the purposes of regulation 23(k), the value of the direct interest is the proportion (expressed as a percentage) of the voting power of all voting shares issued by the corporation that the person

can exercise, or significantly influence the exercise of, the voting power attached to the voting shares.

- (2) For the purposes of regulation 23(1), the value of the direct interest is the proportion (expressed as a percentage) of the voting power of all interests in a trust that the person can exercise, or significantly influence the exercise of, the voting power attached to that interest in the trust.

25 Indirect interests

- (1) For the purposes of regulation 23(k) and (l), an entitlement holder (the *first entitlement holder*) holds an indirect interest in another entitlement holder if the other entitlement holder is linked to another corporation or trust (the *directly linked corporation or trust*) in which the first entitlement holder has a direct interest.
- (2) An entitlement holder is linked to a directly linked corporation or trust if the directly linked corporation or trust is part of a chain of corporation or trusts—
 - (a) that starts with the directly linked corporation or trust; and
 - (b) in which a link in the chain is formed if a corporation or trust has a direct interest in the next corporation or trust.
- (3) The value of the indirect interest held by the first entitlement holder in the entitlement holder (the *indirectly linked corporation or trust*) that is linked to the directly linked corporation or trust is calculated by multiplying together the following—
 - (a) the value of the direct interest of the first entitlement holder in the directly linked corporation or trust; and

- (b) the value of each direct interest that forms a link in the chain of corporations or trusts by which the indirectly linked corporation or trust is linked to the directly linked corporation or trust.

26 Aggregate interests

- (1) For the purposes of regulation 23(k) and (l), an entitlement holder (the *first entitlement holder*) holds an aggregate interest in another entitlement holder if—
 - (a) the first entitlement holder holds a direct interest and one or more indirect interests in the other entitlement holder; or
 - (b) the first entitlement holder holds two or more indirect interests in the other entitlement holder; or
 - (c) the first entitlement holder holds a direct interest and one or more indirect interests in the other entitlement holder, and another person holds an interest in the other entitlement holder and also holds an interest, has a power or has a relationship referred to in regulation 23(a) to (j) in relation to the first entitlement holder; or
 - (d) the first entitlement holder holds two or more indirect interests in the other entitlement holder, and another person holds an interest in the other entitlement holder and also holds an interest, has a power or has a relationship referred to in regulation 23(a) to (j) in relation to the first entitlement holder.
- (2) The value of the aggregate interest held by the first entitlement holder in the other entitlement holder is calculated by adding together the following—

- (a) the value of the direct interest (if any) of the first entitlement holder in the other entitlement holder;
- (b) the value of each indirect interest of the first entitlement holder in the other entitlement holder;
- (c) for the purpose of subregulation (1)(c) and (d), the value of each interest (if any) of a person (other than the first entitlement holder) in the other entitlement holder.

27 Prescribed profit

For the purposes of section 3.4A.18(2) of the Act, the prescribed profit is the amount calculated in accordance with the following formula—

$A - B$

where—

- A is the financial benefit a person has received, or is entitled to receive, for a gaming machine entitlement transferred in accordance with the gaming machine entitlement allocation and transfer rules; and
- B is the money paid, or agreed to be paid, by a person for a gaming machine entitlement at the time the gaming machine entitlement was acquired in accordance with the gaming machine entitlement allocation and transfer rules.

Division 7—Signage and advertising

28 Excluded signs—in gaming machine areas

For the purposes of the definition of *gaming machine related sign* in section 3.5.35(5) of the Act, a sign is excluded from the operation of section 3.5.35 of the Act if—

- (a) the sign is located in the gaming machine area of an approved venue and is displayed to be viewed primarily from inside the gaming machine area; or
- (b) the sign is located inside the boundaries of a casino and is displayed to be viewed primarily from inside the boundaries of the casino.

29 Excluded signs—on approved venues

For the purposes of the definition of *gaming machine related sign* in section 3.5.35(5) of the Act, a sign is excluded from the operation of section 3.5.35 of the Act if—

- (a) the sign is located on an approved venue; and
- (b) the sign (or each side of the sign) contains the word "pokies" (used once)—
 - (i) in white text on a single colour background; and
 - (ii) in Helvetica font, Arial font or other similar font; and
- (c) the area of the sign (or each side of the sign) does not exceed 2 square metres; and
- (d) except as provided under paragraph (b) and regulation 30(a) and (b), the sign (or each side of the sign) contains none of the following—
 - (i) decorative ridges or illumination, embossing, bulges, or other irregularities;
 - (ii) words, numbers, symbols or pictures that draw attention to the availability of gaming machines for gaming or that are

frequently associated with gaming machines; and

- (e) subject to paragraph (f), only one sign under this regulation is displayed on the approved venue; and
- (f) if the approved venue has more than one street frontage, no more than 2 signs under this regulation are displayed, and—
 - (i) one of those signs is displayed on each street frontage of the approved venue; or
 - (ii) one of those signs is displayed across the corner of the approved venue and the other sign is displayed on a street frontage of the approved venue.

Note

The display of a sign must comply with other laws, including planning laws.

30 Excluded signs—directional signs

For the purposes of the definition of *gaming machine related sign* in section 3.5.35(5) of the Act, a sign is excluded from the operation of section 3.5.35 of the Act if—

- (a) the sign contains text that draws attention to the availability of gaming machines for gaming or terms or expressions frequently associated with gaming machines but that text is limited to—
 - (i) words; or
 - (ii) numbers; or
 - (iii) arrow symbols; or
 - (iv) a combination of words, numbers and arrow symbols; and

- (b) the purpose of the sign is to give directions to the location of the gaming machine area of an approved venue or the area of the casino in which gaming machines are situated; and
- (c) any words on the sign or, in the case of a double sided sign, on each side of the sign, that refer to the availability of gaming machines for gaming or use a term or expression frequently associated with gaming machines, in compliance with paragraph (a), do not exceed 0.3 of a square metre in size (when measured from the lowest and highest and the leftmost and rightmost extremities of the words); and
- (d) the sign contains no other words, numbers, symbols or pictures that draw attention to the availability of gaming machines for gaming or that are frequently associated with gaming machines; and
- (e) in relation to an approved venue, the sign is located—
 - (i) inside a building in which a gaming machine area of the approved venue is located; or
 - (ii) at any entrance to a building in which a gaming machine area of the approved venue is located and the sign is the only sign giving those directions at that entrance; or
 - (iii) at any entrance to a car park used primarily by patrons of the approved venue and the sign is the only sign giving those directions at that entrance; and

- (f) in relation to a casino, the sign is located—
 - (i) inside a building in which the casino is located; or
 - (ii) inside the area of land bounded by the Yarra River, Clarendon Street, City Road and Queensbridge Street.

Note

The display of a sign must comply with other laws, including planning laws.

31 Excluded signs—signs for clubs not on freeways or arterial roads

For the purposes of the definition of *gaming machine related sign* in section 3.5.35(5) of the Act, a sign is excluded from the operation of section 3.5.35 of the Act if—

- (a) the sign is displayed by an approved venue that—
 - (i) has a club licence within the meaning of section 10 of the **Liquor Control Reform Act 1998**; and
 - (ii) is not located on a freeway or arterial road within the meaning of the **Road Management Act 2004**; and
- (b) the sign contains text that complies with the requirements set out in regulation 30(a) and (b); and
- (c) the sign contains no other words, numbers, symbols or pictures that draw attention to the availability of gaming machines for gaming or that are frequently associated with gaming machines, except as provided under regulation 29(b); and
- (d) the area of the sign (or each side of the sign) does not exceed 2 square metres; and

- (e) the sign (or each side of the sign) contains no decorative ridges or illumination, embossing, bulges or other irregularities; and
- (f) only one sign under this regulation is displayed by the approved venue.

Note

The display of a sign must comply with other laws, including planning laws.

32 Excluded signs—convention signs

For the purposes of the definition of *gaming machine related sign* in section 3.5.35(5) of the Act, a sign is excluded from the operation of section 3.5.35 of the Act if the sign is displayed at—

- (a) a trade promotion event for the gaming industry; or
- (b) a convention for the gaming machine industry.

33 Excluded signs—corporate logo

For the purposes of the definition of *gaming machine related sign* in section 3.5.35(5) of the Act, a sign is excluded from the operation of section 3.5.35 of the Act if the sign (or each side of the sign) contains only—

- (a) the symbol in Schedule 3; or
- (b) the symbol in Schedule 3 and the word "CROWN" (used once); or
- (c) the word "CROWN" (used once).

34 Excluded signs—problem gambling

For the purposes of the definition of *gaming machine related sign* in section 3.5.35(5) of the Act, a sign is excluded from the operation of section 3.5.35 of the Act if the sign consists only

of information about problem gambling or services relating to problem gambling.

35 Responsible gambling sign

- (1) For the purposes of paragraph (b) of the definition of *responsible gambling sign* in section 1.3(1) of the Act, a prescribed responsible gambling sign is a sign in the form and containing the information set out in the player information standards under regulation 11(1)(a)(ii).
- (2) Responsible gambling signs must be displayed as follows—
 - (a) at least one sign outside each entrance to the gaming machine area of the approved venue; and
 - (b) in such a manner that the information contained in them is clearly visible to a person entering the gaming machine area.
- (3) The Commission must provide to each venue operator responsible gambling signs in sufficient numbers to enable the venue operator to comply with this regulation.

Note

Section 3.5.35A(1) of the Act provides that it is an offence for a venue operator, other than a venue operator who is a casino operator, to fail to display a responsible gambling sign outside every entrance to a gaming machine area of an approved venue.

- (4) On written request by the venue operator the Commission must, within 14 days of the request, provide the venue operator with any further responsible gambling signs that the venue operator needs to enable the venue operator to comply with this regulation.

- (5) Within 3 months after an amendment is made to the player information standards, the Commission must provide to each venue operator copies of the amended responsible gambling sign in sufficient numbers to enable the venue operator to comply with this regulation.
- (6) If the player information standards are amended in relation to the form of, or information to be contained in, a responsible gambling sign it is sufficient compliance with this regulation for a period of 4 months immediately following the amendment, if the responsible gambling sign complies with the player information standards as in force immediately before the amendment.

36 Exceptions to gaming machine advertising prohibitions—casino operators

- (1) For the purposes of section 3.5.34AA(6)(c) of the Act, the prescribed term is "CROWN".
- (2) For the purposes of section 3.5.34AA(6)(c) of the Act, a symbol, or a symbol that is similar to or a reasonable likeness to a symbol, set out in Schedule 3 is a prescribed symbol.

Division 8—Restricted gaming components and monitoring gaming components

37 Restricted gaming components

For the purposes of the definition of *restricted gaming component* in section 1.3(1) of the Act, the following components are prescribed to be restricted gaming components—

- (a) software, software modules, or memory modules designed specifically to enable game play on a gaming machine;

- (b) a software storage medium designed specifically for a gaming machine;
- (c) a memory module designed specifically for a gaming machine;
- (d) an electronic module (including, but not limited to, a circuit board, but not including a repeater, signal amplifier or line isolation device) designed specifically for a game or a gaming machine;
- (e) any component that participates in determination of the result of game play or downloading of software that participates in determination of the result of game play.

38 Restricted monitoring component

For the purposes of the definition of *restricted monitoring component* in section 1.3(1) of the Act, the following components are prescribed to be restricted monitoring components—

- (a) software designed specifically for an electronic monitoring system;
- (b) a software storage medium designed specifically for an electronic monitoring system;
- (c) a memory module designed specifically for an electronic monitoring system;
- (d) an electronic module (including, but not limited to, a circuit board, but not including a repeater, signal amplifier or line isolation device) designed specifically for an electronic monitoring system.

Division 9—Publication of notice

39 Application for venue operator's licence— publication of notice

For the purposes of section 3.4.8(3)(a) of the Act, the prescribed information to be contained in the notice published by an applicant for a venue operator's licence is—

- (a) a statement that an application has been made; and
- (b) the applicant's name and business address; and
- (c) the name and address of the venue at which the applicant proposes to conduct gaming, if known; and
- (d) the number of gaming machines proposed to be installed at the venue, if known; and
- (e) the times at which it is proposed the venue will be open for gaming, if known; and
- (f) the address and telephone number of the Commission.

40 Application for listing on the Roll—publication of notice

For the purposes of section 3.4.61(3)(a) of the Act, the prescribed information to be contained in the notice published by an applicant for listing on the Roll of Manufacturers, Suppliers and Testers is—

- (a) a statement that an application has been made; and
- (b) the applicant's name and business address; and
- (c) the address and telephone number of the Commission.

Division 10—Determination of net cash balance and revenue

41 Determining the sum of amounts for net cash balance and revenue

- (1) For the purposes of paragraph (b) of the definition of *daily net cash balance* in section 3.6.2 of the Act, the amount to be deducted from the total amount wagered in relation to a gaming machine for payment to a jackpot special prize pool is determined, in the case of a gaming machine of a venue operator of an approved venue, by multiplying the total amount wagered by not more than 0·04 as determined by the Commission from time to time.
- (2) For the purposes of paragraph (b) of the definition of *revenue* in sections 3.6.6A(8) and 3.6.6B(8) of the Act, the amount to be deducted from the total amount earned from bets in relation to a gaming machine for payment to a jackpot special prize pool is determined, in the case of a gaming machine of a venue operator of an approved venue, by multiplying the total amount bet by not more than 0·04 as determined by the Commission from time to time.

42 Notification of determination

- (1) The Commission, immediately after making a determination under regulation 41, must give written notice of the determination to the venue operator affected by the determination.
- (2) A determination under regulation 41 takes effect on the day specified in the notice.

Part 4—Wagering and betting

Division 1—Conduct of wagering and betting

43 Definition

In this Division—

operator means each of the following—

- (a) the wagering and betting licensee;
- (b) the wagering and betting operator.

44 Display of betting rules

- (1) An operator must display the betting rules in each place that the operator, or agent of the operator, accepts bets in cash from investors.
- (2) Betting rules displayed under subregulation (1) must be displayed in a position that is readily accessible to the public.
- (3) An operator must make a copy of the betting rules available at its principal place of business on demand by any person.

45 Management and control of betting offices

An operator must ensure that each of the operator's betting offices is under the management and control of an officer, employee or agent of the operator who is appointed for that purpose.

46 Numbering and bracketing of selections

- (1) Subject to this regulation, the operator must allot to each selection in a totalisator a list number corresponding with the number of the selection (if any) in the race fields published by the appropriate controlling body.
- (2) If there are more selections than there are list numbers available for allocation by the operator, the operator may create a sufficient number of brackets so that the highest list number allotted to

any selection does not exceed the highest list number available.

- (3) The operator may create brackets for use in conjunction with any bet type offered by the operator.
- (4) Selections bracketed together under subregulation (2) or (3) must each be allotted the same list number with a distinguishing letter shown alongside that common list number.
- (5) If selections are bracketed together under subregulation (2) or (3), a bet accepted in respect of the bracket number for that bracket must be taken to be invested on each selection included in that bracket unless the bet on that bracket is a bet that—
 - (a) one selection in that bracket will win one race at a race meeting; and
 - (b) the other selection in that bracket will win a different race at the race meeting.

47 Information regarding selections, dividends and prizes

- (1) An operator must obtain any information that is necessary to allow the operator to make selections and to declare dividends or prizes in respect of an event for which it operates a totalisator, including—
 - (a) the identifying name and number for each runner in the event; and
 - (b) the value of the total amount invested in all the pools for the event; and
 - (c) the official outcome of the event.

- (2) An operator must display, in each of the operator's betting offices, the information that is obtained by it under subregulation (1).

48 Display of results and determination of dividends or prizes

- (1) An operator must display, in each of the operator's betting offices, the results of events on which the operator conducts totalisators.
- (2) An operator must display, in each of the operator's betting offices, the dividends that are payable by the operator in respect of events on which the operator conducts totalisators.

49 Protests

- (1) This regulation applies if—
- (a) an operator conducts a totalisator on a wagering event; and
 - (b) after the conclusion of a wagering event, a person lodges a protest in accordance with the relevant rules of racing.
- (2) Subject to subregulation (3), the operator must—
- (a) until the protest has been decided by a steward of the appropriate controlling body, retain the money that is to be paid by way of dividends; and
 - (b) once the protest has been decided by a steward of the appropriate controlling body, deal with the money in accordance with the decision.
- (3) The operator may pay money by way of a dividend before the protest has been decided if the operator is satisfied that the dividend will not be affected by the decision.

(4) In this regulation—

relevant rules of racing means—

- (a) in relation to a wagering event that is a horse race, the Rules of Racing within the meaning of Division 2B of Part I of the **Racing Act 1958**; and
- (b) in relation to a wagering event that is a harness race, the rules made under section 49 of the **Racing Act 1958** by Harness Racing Victoria; and
- (c) in relation to a wagering event that is a greyhound race, the rules made under section 82 of the **Racing Act 1958** by Greyhound Racing Victoria;

steward has the same meaning as it has in the **Racing Act 1958**.

50 Financial statements

Within 14 days after the day on which a totalisator or an approved betting competition is conducted by the operator, the operator must provide to the Commission a notice in relation to that totalisator or approved betting competition in the form in Schedule 4 or in any other manner or form that is approved by the Commission.

51 Payments into pools

An operator may, in respect of any event for which the operator conducts a totalisator or approved betting competition, either—

- (a) before accepting bets in respect of the event, allocate an amount of money to be used to increase the money available for dividends, guaranteed pool amount or prizes in respect of the totalisator or approved betting competition; or

- (b) after ceasing to accept bets in respect of the event, supplement the amount of money available for dividends, guaranteed pool amount or prizes in respect of the totalisator or approved betting competition so as to return a specified minimum dividend or prize.

52 Particulars on ticket

The operator must ensure that every ticket issued by the operator in respect of a totalisator or an approved betting competition must identify—

- (a) the totalisator or approved betting competition concerned; and
- (b) the date and place of issue of the ticket; and
- (c) the selection or combination of selections chosen; and
- (d) the amount of the bet.

53 Significant events

- (1) This regulation applies if an operator discovers a significant event in respect of a totalisator or an approved betting competition conducted by an operator.
- (2) The operator must, before the end of the next business day after the day on which the significant event was discovered, report the occurrence of the significant event to the Commission.
- (3) The Commission may request further information from the operator in relation to the significant event.
- (4) The operator must comply with a request made under subregulation (3).

- (5) For the purposes of this regulation, each of the following is a *significant event*—
- (a) an error in the calculation of a dividend or prize;
 - (b) an error in the calculation of the money available for dividends;
 - (c) the acceptance by the operator of a bet—
 - (i) in the case of a bet in a totalisator—after the start of the event on which the bet is accepted; or
 - (ii) in the case of a bet in an approved betting competition—after the later of—
 - (A) the start of the event in respect of which the bet is accepted; or
 - (B) the time at which the operator indicates that it is not accepting, or has ceased to accept, bets in respect of the event;
 - (d) the manipulation or attempted manipulation by a person employed by the operator of the equipment or software used in connection with a totalisator or an approved betting competition;
 - (e) the misuse by a person employed by the operator of information obtained by that person as a result of his or her employment;
 - (f) the forgery or attempted forgery of a ticket in respect of a totalisator or an approved betting competition;
 - (g) the presentation of a forged ticket in respect of a totalisator or an approved betting competition;

- (h) the cancellation of a bet after the result of the event on which the bet was made has been decided;
- (i) a period of time in excess of 10 minutes during which the operator is unable to accept bets at a time when the operator's betting offices are open for business;
- (j) the activation of the operator's emergency procedures or disaster recovery procedures in connection with the operator's totalisator business.

54 Termination of acceptance of bets

The operator must establish and maintain procedures or systems approved by the Commission to terminate the acceptance of bets by the operator—

- (a) in the case of a bet in a totalisator—after the start of the event on which the bet is accepted; or
- (b) in the case of a bet in an approved betting competition—after the start of the event in respect of which the bet is accepted or after the operator has indicated that it is not accepting, or has ceased to accept, bets in respect of that event, whichever is the later.

Division 2—Race fields

55 Time in which wagering service provider may apply for publication and use approval

- (1) For the purposes of section 4.2.3B(2)(a) of the Act, the prescribed time for making an application for publication and use approval is—

Reg. 55(1)
amended by
S.R. No.
55/2015
reg. 122.

- (a) subject to subregulation (2), not less than 70 days before the day on which the approval is to expire, if the wagering service provider holds a current publication and use approval from the appropriate controlling body; or
 - (b) not less than 70 days before the day on which the wagering service provider wishes the approval to be granted, if the wagering service provider does not hold a current publication and use approval from the appropriate controlling body.
- (2) The appropriate controlling body may extend the time under subregulation (1)(a) if satisfied that the wagering service provider has good reason for requiring that extension.

Reg. 56
amended by
S.R. No.
55/2015
reg. 123.

56 Form of application

For the purposes of section 4.2.3B(2)(b) of the Act, the prescribed form for an application for publication and use approval is the form in Schedule 5.

Reg. 57
amended by
S.R. No.
55/2015
reg. 124.

57 Time in which appropriate controlling body must determine application

For the purposes of section 4.2.3C(3)(a) of the Act, the prescribed time in which the appropriate controlling body must determine an application by either granting or refusing publication and use approval is—

- (a) not less than 10 days before the expiry of the approval, if the wagering service provider holds a current publication and use approval from the appropriate controlling body and makes the application not less than 70 days before that approval is to expire; or
- (b) not more than 60 days after receiving the application in any other case.

58 Time in which appropriate controlling body must notify applicant of decision

For the purposes of section 4.2.3C(3)(b) of the Act, the prescribed time in which the appropriate controlling body must notify an applicant in writing of its decision to grant or refuse publication and use approval is not more than 7 days after the day on which the decision is made.

Reg. 58
amended by
S.R. No.
55/2015
reg. 125.

Part 5—Trade promotion lotteries

59 Conditions of a trade promotion lottery

For the purposes of section 5.7.2(1)(b) of the Act, the prescribed conditions are that a person who conducts a trade promotion lottery—

- (a) obtains the prior written consent for the conduct of the lottery from the person whose trade or business is to be promoted by the lottery; and
- (b) conducts the lottery so as to benefit primarily the trade or business being promoted; and
- (c) ensures that all information designed to or likely to induce a person to enter the trade promotion lottery and any scratch and win card that is or forms part of the trade promotion lottery includes—
 - (i) the closing date of the lottery; and
 - (ii) if applicable, where and when the lottery will be drawn; and
 - (iii) the name and date of the publication in which the names of the winners will be published; and
 - (iv) the requirements, if any, that must be met to be eligible to enter the lottery; and
- (d) causes the names of winners of all prizes worth more than \$1000 to be published—
 - (i) in a newspaper circulating generally in Victoria; or
 - (ii) on the Internet, for a minimum period of 28 days; or

- (iii) if the lottery was advertised solely through a trade journal, promotional magazine or similar publication, in that publication; and
- (e) causes the winners of prizes to be advised in writing of the prize; and
- (f) ensures that records are kept for a period of 3 years after finalisation of the lottery that provide—
 - (i) an accurate financial accounting of the lottery; and
 - (ii) an accurate accounting for all entries; and
 - (iii) an accurate reporting of the distribution of the prizes; and
- (g) ensures that, if a trade promotion lottery is to be drawn, the method of the draw allows each ticket in the draw a random and equal chance of being drawn; and
- (h) ensures that a prize winner must not be required to incur a cost to accept a prize (other than a trivial cost); and
- (i) complies with any other condition specified in this Part as a prescribed condition.

60 Prescribed condition—use of information

- (1) For the purposes of section 5.7.2(1)(b) of the Act, it is a prescribed condition that a person who conducts a trade promotion lottery who intends to use any information relating to an entrant in the trade promotion lottery for a purpose other than the conduct of the lottery states each purpose in the conditions of entry of the lottery.

- (2) A person who conducts a trade promotion must not use, or permit to be used, the information relating to an entrant in the lottery referred to in subregulation (1) except in accordance with the purposes stated in the condition of entry.
- (3) For the purposes of section 5.7.2(1)(b) of the Act, it is a prescribed condition that a person who conducts a trade promotion lottery obtains the prior written agreement from the person whose trade or business is to be promoted by the lottery that the person will not use any information relating to an entrant in the lottery referred to in subregulation (1) except in accordance with the purposes stated in the conditions of entry.

61 Prescribed condition—presence of entrants

- (1) For the purposes of section 5.7.2(1)(b) of the Act, it is a prescribed condition that a person who conducts a trade promotion lottery does not require an entrant in the lottery to be present at the drawing of the lottery in order to be eligible to win a prize unless—
 - (a) entry to the lottery is only available in the premises in which the draw is to take place; and
 - (b) the draw is to take place within 24 hours after the commencement of the lottery.
- (2) For the purposes of section 5.7.2(1)(b) of the Act, it is a prescribed condition that a person who conducts a trade promotion lottery pays or otherwise transfers the prize within 28 days after the draw to a winner who—
 - (a) is present at the draw; and
 - (b) is otherwise readily identifiable.

62 Substituted winners

- (1) A person who conducts a trade promotion lottery may substitute a winner of a prize if—
 - (a) a winner of a prize is not readily identified; and
 - (b) reasonable efforts have made to identify the winner of the prize and were unsuccessful; and
 - (c) the conditions of entry provide that the person who conducts the trade promotion lottery may draw an additional entrant's name in such a situation; and
 - (d) an additional entrant's name is drawn.
- (2) In the circumstances set out in subregulation (1), the additional entrant's name is substituted for the name of the winner of that prize.

63 Prescribed condition—scratch and win cards

For the purpose of section 5.7.2(1)(b) of the Act, it is a prescribed condition that a person who conducts a trade promotion lottery with scratch and win cards ensures that the conditions of entry include—

- (a) disclosure of—
 - (i) the maximum number of scratch and win cards to be distributed; and
 - (ii) the total number and individual value of the prizes; and
- (b) a condition that printing errors and other quality control matters are not to be used as a reason for refusing payment of prizes.

64 Lottery must not be conducted in offensive manner or contrary to public interest

For the purposes of section 5.7.2(1)(b) of the Act, it is a prescribed condition that a person who conducts a trade promotion lottery under section 5.7.2 must ensure that the lottery is conducted in a manner that—

- (a) is not offensive; and
- (b) is not contrary to the public interest.

65 Prizes

- (1) A person who conducts a trade promotion lottery under section 5.7.2 may substitute a prize for another prize only if—
 - (a) a person conducting the lottery and the prize winner agree in writing to the substitution of the original prize for the other prize; and
 - (b) the substituted prize is of the same or greater value than the original prize.
- (2) Despite subregulation (1), a person who conducts a trade promotion lottery may substitute a prize for another prize without reaching an agreement with the prize winner if—
 - (a) the circumstances in which the prize has become unavailable are beyond the reasonable control of the person who conducts the trade promotion lottery; and
 - (b) reasonable attempts have been made to reach an agreement with the winner and were unsuccessful; and
 - (c) the prize is of the same or greater value than the original prize.

Part 6—Community and charitable gaming

Division 1—Sporting or recreational clubs or associations

66 Sporting or recreational club or association

For the purposes of section 8.3.3(1)(b) of the Act, a sporting or recreational club or association is of a prescribed kind if—

- (a) it has a bona fide membership; and
- (b) it has been formed for recreational purposes or the promotion of any sport; and
- (c) if it is incorporated, it can show continuing compliance with the requirements of the law under which it is incorporated; and
- (d) if it is unincorporated—
 - (i) it is managed by a committee, elected by the general body of members for a period of not less than 12 months, which meets regularly; and
 - (ii) it consistently holds annual general meetings; and
 - (iii) it records its decisions accurately in writing; and
- (e) it has a treasurer who maintains proper financial records and presents a statement of income and expenditure and a balance sheet at its annual general meeting; and
- (f) it operates a banking account in its name; and
- (g) when it issues cheques, the cheques are signed by no fewer than 2 authorised officers of the club or association; and

- (h) it has a constitution which provides that, in the event of the club or association being disbanded, its net assets are not to be distributed to members but are to be distributed to—
- (i) a fund with objectives similar to those of the club or association; or
 - (ii) a fund which is appropriated exclusively for a purpose referred to in paragraph (b)(i) of the definition of *community purpose* in section 1.3(1) of the Act; or
 - (iii) a community or charitable organisation.

Division 2—Conduct of bingo

67 Period of ceasing to conduct sessions of bingo for which the Commission must be notified

For the purposes of section 8.4.2A(5) of the Act, the prescribed period is 3 months.

68 Amount of large bingo prize for which the Commission must be notified

For the purposes of section 8.4.2C(1) of the Act, the prescribed amount is \$20 000.

69 Return in respect of bingo

- (1) It is a condition of bingo conducted under Chapter 8 of the Act (except section 8.2.4A) that a community or charitable organisation must, before 1 October in each year that bingo is conducted, give the Commission a return setting out, in respect of the year or part year ending on the preceding 30 June, for each month—

- (a) the gross receipts; and
 - (b) the total expenses (including catering and the fees paid to the holder of a bingo centre operator's licence); and
 - (c) the serial numbers of unsold tickets, if any; and
 - (d) the prizes paid; and
 - (e) the net proceeds of bingo; and
 - (f) the balance of each jackpot pool, if any, at the end of that month.
- (2) A return under this regulation—
- (a) must be signed by—
 - (i) the responsible person; and
 - (ii) the president, secretary, treasurer or a director of the community or charitable organisation; and
 - (b) subject to subregulation (4), must contain or be accompanied by a certificate addressed to the Commission from a person referred to in subregulation (3) setting out the person's opinion as to the truth and accuracy of the return.
- (3) A person may provide a certificate required by subregulation (2)(b) if the person—
- (a) not being a member of the governing body of the community or charitable organisation, has been appointed by the governing body with the same authority as the auditor of a public company; and

- (b) is—
- (i) a registered company auditor; or
 - (ii) a member of the Institute of Chartered Accountants in Australia, CPA Australia or the Institute of Public Accountants; or
 - (iii) the manager of a branch of a financial institution.
- (4) Subregulation (2)(b) does not apply if—
- (a) the gross receipts for the year of the return do not exceed \$50 000; and
 - (b) the running sheets and all bank records for the conduct of bingo have been reviewed by—
 - (i) the responsible person; and
 - (ii) the president, secretary or treasurer or a director of the community or charitable organisation; and
 - (c) the return contains or is accompanied by a certificate given by each person who has undertaken a review under paragraph (b) setting out the person's opinion as to the truth and accuracy of the running sheets and bank records.
- (5) A person must not give a certificate under subregulation (4)(c) that the person knows, or could reasonably be expected to know, is false.
- Penalty: 20 penalty units.
- (6) It is a condition of bingo conducted under Chapter 8 of the Act (except section 8.2.4A) that if the authority to conduct sessions of bingo is suspended under section 8.4.18 of the Act, subject to subregulation (7), the community or charitable organisation must give to the Commission, within

3 months of that suspension, a return in respect of the period starting on the preceding 1 July and ending on the last day of the authorised conduct of bingo.

- (7) Subregulation (6) does not apply if the suspension referred to in subregulation (6) is lifted within 3 months, in which case the community or charitable organisation may provide a return for the past year before the suspension with its return for the period after the suspension.

70 Duties of responsible person

- (1) It is a condition of bingo conducted under Chapter 8 of the Act (except section 8.2.4A) that a session of bingo games must be personally supervised by the responsible person or a person aged at least 18 years authorised in writing by the responsible person in accordance with subregulation (2).
- (2) The responsible person or authorised person referred to in subregulation (1) must—
- (a) ensure that bingo games are played only by people aged at least 18 years; and
 - (b) ensure that a running sheet is completed in accordance with regulation 79 in respect of every bingo game played; and
 - (c) ensure that prizes are paid as required under regulation 73; and
 - (d) perform any other duties of the supervisor of a session of bingo games required under the rules of bingo.

71 Banking

It is a condition of bingo conducted under Chapter 8 of the Act (except section 8.2.4A) that the community or charitable organisation pay the gross proceeds from a session of bingo (less the

amount of any jackpot pool retained for distribution as prize money in a later session of bingo in a jackpot sequence) into the account approved by the Commission under section 8.6.1 of the Act—

- (a) if the session was held in a bingo centre, within 3 days after the day on which the session was conducted; or
- (b) if the session was held in a place other than a bingo centre, within 5 days after the day on which the session was conducted; or
- (c) within any other period that the Commission notifies in writing to the community or charitable organisation.

72 Unsold tickets

It is a condition of bingo conducted under Chapter 8 of the Act (except section 8.2.4A) that the community or charitable organisation must retain unsold bingo tickets for 6 months after the date of the return under regulation 69 in respect of those tickets.

73 Prizes

- (1) It is a condition of bingo conducted under Chapter 8 of the Act (except section 8.2.4A) that the amount of prizes distributed—
 - (a) in a bingo game must be not less than 20% of the gross receipts for the game; and
 - (b) in any period of 7 consecutive days must be not less than 50% and not more than 90% of the total of the gross receipts for all bingo games in all sessions conducted in that period.

- (2) It is a condition of bingo conducted under Chapter 8 of the Act (except section 8.2.4A) that if more than one jackpot pool is maintained concurrently, only one of the jackpot pools may be in operation in a session.
- (3) It is a condition of bingo conducted under Chapter 8 of the Act (except section 8.2.4A) that prize money won in a bingo game must be paid at the end of the game.

Division 3—Bingo centres and employees

74 Information to be published in application for bingo centre operator's licence

For the purposes of section 8.5.3(2)(b)(i) of the Act, the prescribed information is—

- (a) the name and address of the applicant; and
- (b) the address of the bingo centre or proposed bingo centre.

75 Conditions of bingo centre operator's licence

For the purposes of section 8.5.7(3)(a) of the Act, the prescribed conditions are—

- (a) a bingo centre operator must not conduct more than one session of bingo in the same room at the same time; and
- (b) a bingo centre operator who proposes to enter into an agreement under section 8.4.6 of the Act with a community or charitable organisation must declare to the governing body of the community or charitable organisation all conflicts between the interests of the operator of the bingo centre and the interests of the community or charitable organisation.

Division 4—Miscellaneous

76 Contract with bingo centre operator

If a community or charitable organisation enters into an agreement with a bingo centre operator under section 8.4.6 of the Act, a reference in this Part to the responsible person under this Part includes the bingo centre operator with whom the agreement is made.

Note

See also section 8.4.6(5) of the Act.

77 Expenses payable by a community or charitable organisation

For the purposes of section 8.4.7 of the Act, the prescribed maximum amount in relation to each session of bingo is—

- (a) if the session is in a rolling jackpot sequence—60% of the amount remaining after deducting from the gross proceeds for that session the amount paid into the jackpot pool for distribution as prize money in a later session in a rolling jackpot sequence; or
- (b) in all other cases—60% of the gross proceeds of the session.

78 Information in records

For the purposes of section 8.6.2(2) of the Act, the prescribed information in relation to a community or charitable organisation is—

- (a) for each bingo game—
 - (i) except for braille tickets in the form approved under section 8.4.5 of the Act—
 - (A) the serial numbers of the bingo tickets sold; and

- (B) the total number of bingo tickets available to be sold; and
- (C) the lowest book number and the highest book number of bingo tickets sold (start and finish selling numbers); and
- (ii) the number of bingo tickets sold, excluding braille tickets; and
- (iii) the number of charges made under section 8.4.5(3) of the Act for a visually-impaired person to enter the game; and
- (iv) the gross receipts; and
- (v) the value of prizes paid; and
- (vi) the gross profit; and
- (b) for each session of bingo games—
 - (i) the expenses paid; and
 - (ii) the opening balance of any jackpot pool and the date from which the jackpot pool was carried forward; and
 - (iii) the closing balance of any jackpot pool and the date to which it will be carried forward; and
 - (iv) the book number of any unsold book between the lowest book number for the session and the highest book number for the session (wasted book numbers).

79 Running sheets

The supervisor of a session of bingo games must—

- (a) keep a running sheet containing the information required to be kept under regulation 78; and
- (b) ensure that a bingo game does not commence until the portion of the running sheet relating to the previous bingo game has been completed.

Division 5—Lucky envelopes

80 Conditions of lucky envelope permit

- (1) For the purposes of section 8.3.13(3)(a) of the Act, the following are prescribed conditions in respect of a lucky envelope permit for the sale of lucky envelopes—
 - (a) lucky envelopes must not be sold to persons under the age of 18 years;
 - (b) the name of the holder of the lucky envelope permit and the number of the permit must be—
 - (i) clearly visible on a receptacle, other than a lucky envelope vending machine, from which lucky envelopes are dispensed; and
 - (ii) a visible distinctive serial number; and
 - (iii) clearly visible at the point of sale of lucky envelopes;
 - (c) lucky envelopes in respect of which a cash prize may be payable may only be sold—
 - (i) on premises licensed under section 8 of the **Liquor Control Reform Act 1998**;or

- (ii) on premises occupied by the executive or governing body of the permit holder;
or
 - (iii) at a bingo centre operated under a bingo centre operator's licence; or
 - (iv) at a fete, fair, carnival or gymkhana;
 - (d) the notional value of a series of lucky envelopes must not exceed \$5000;
 - (e) the value of prizes available to be won in a series of lucky envelopes must be not less than 50% and not more than 75% of the notional value of the series;
 - (f) a lucky envelope may only be sold by lucky envelope vending machine if the machine complies with the requirements of subregulation (2).
- (2) For the purposes of subregulation (1)(f), a lucky envelope vending machine must—
- (a) have—
 - (i) a separate lockable coin or token tray;
and
 - (ii) a visible distinctive serial number; and
 - (iii) a coin or token reject or return mechanism which prevents it from accepting coins or tokens without dispensing a lucky envelope; and
 - (b) be constructed to prevent the dispensing of a lucky envelope without the insertion of a coin or token; and
 - (c) have clearly displayed on it—
 - (i) the name of the permit holder; and
 - (ii) the number of the permit; and

- (iii) the number of lucky envelopes in the series to which the lucky envelope belongs; and
- (iv) a list of prizes and winning numbers, symbols or letters; and
- (d) in the case of an electronic lucky envelope vending machine, in addition to any other requirement, be—
 - (i) designed and constructed in such a way as to prevent physical or electronic access to a random number generator or a storage device (including memory) by a person other than a technician conducting necessary repairs or maintenance; and
 - (ii) designed and constructed so that a purchaser of lucky envelopes cannot accumulate credits; and
 - (iii) constructed so as to count and permanently record, by means of a tamper-proof device, each lucky envelope dispensed; and
- (e) be installed on premises—
 - (i) licensed under section 8 of the **Liquor Control Reform Act 1998**; or
 - (ii) occupied by the executive or governing body of the permit holder; or
 - (iii) in a bingo centre operated under a bingo centre operator's licence.

81 Standards for lucky envelopes

- (1) For the purposes of section 8.4.1 of the Act, the prescribed standards for lucky envelopes are the standards set out in this regulation.
- (2) A lucky envelope must be part of a series.

- (3) Each series of lucky envelopes, except a lucky envelope dispensed from an electronic lucky envelope vending machine, must include and have published with it by the supplier—
- (a) the same predetermined price for each lucky envelope which complies with regulation 80; and
 - (b) a predetermined value of prizes and number of winning lucky envelopes which complies with regulation 80.
- (4) Each lucky envelope in a series, other than a lucky envelope in a punchboard, must have printed on the outside—
- (a) a serial number identifying the series; and
 - (b) the name of the supplier; and
 - (c) the name of the holder of the lucky envelope permit and the number of the permit, unless—
 - (i) the name, ACN (if any), address and telephone number of the supplier are printed on each lucky envelope; and
 - (ii) the supplier maintains on the supplier's premises for 3 years after the date on which the lucky envelopes were supplied a register of—
 - (A) the serial number of the series; and
 - (B) the name of the holder of the lucky envelope permit; and
 - (C) the number of the lucky envelope permit; and

- (D) the date on which the lucky envelopes were supplied; and
 - (E) the name of the person to whom the lucky envelopes were supplied.
- (5) A punchboard for lucky envelopes must have printed on it the name of the holder of the lucky envelope permit and the number of the permit, unless—
- (a) the name, ACN (if any), address and telephone number of the supplier are printed on the punchboard; and
 - (b) the supplier maintains on the supplier's premises for 3 years after the date on which the punchboard was supplied a register of—
 - (i) the name of the permit holder; and
 - (ii) the number of the permit; and
 - (iii) the date on which the punchboard was supplied; and
 - (iv) the name of the person to whom the punchboard was supplied.
- (6) Each lucky envelope must have printed on it so as only to be visible once the lucky envelope has been dispensed—
- (a) symbols, numerals or letters or any combination of any of them; or
 - (b) characters referred to in paragraph (a) and, in the case of a winning ticket, an indication that the ticket is a winning ticket; or
 - (c) the description of a prize which the holder is entitled to claim; or

- (d) an indication that the lucky envelope is not a winning ticket; or
 - (e) a combination of paragraph (a), (b), (c) or (d).
- (7) If one or more lucky envelopes in a series comply with subregulation (6)(a) or (b), there must be displayed at the point of sale of the lucky envelopes (or, in the case of a lucky envelope in a punchboard, on the punchboard) a legend which indicates—
- (a) the combinations of characters that entitle the holder to claim a prize; and
 - (b) if there are different prizes, the prize to which a particular combination relates.

82 Records—lucky envelope permits

For the purposes of section 8.6.2 of the Act, in relation to the holder of a lucky envelope permit, the prescribed information is, in respect of each series of envelopes sold, the following—

- (a) the premises on which the lucky envelopes were sold;
- (b) the name of each person who sold them, except if the lucky envelopes were sold in—
 - (i) premises licensed under section 8 of the **Liquor Control Reform Act 1998**; or
 - (ii) premises occupied by the executive or governing body of the permit holder; or
 - (iii) a bingo centre operated under a bingo centre operator's licence;
- (c) the notional value, gross receipts and value of prizes paid;

- (d) the amount and nature of expenses incurred and the persons to whom those expenses were paid;
- (e) the number of lucky envelopes not sold.

Division 6—Raffles

83 Prescribed conditions of raffle permits

- (1) For the purposes of section 8.3.13(3)(a) of the Act, the following are prescribed conditions of a raffle permit—
 - (a) the number of raffle tickets printed must not exceed the number authorised by the raffle permit;
 - (b) on the sale of a raffle ticket the responsible person must ensure that a permanent record is made of sufficient information to identify and locate the person to whom the ticket is sold;
 - (c) raffle tickets may only be sold during the period authorised by the raffle permit;
 - (d) a ticket in a raffle can only be used to enter a separate raffle if authorised by the raffle permit or permits;
 - (e) the raffle ticket must be printed in accordance with subregulation (2);
 - (f) the raffle must be drawn on the day authorised by the raffle permit;
 - (g) the method of the draw must allow each raffle ticket in the draw a random and equal chance of being drawn;
 - (h) if there is more than one prize, the first raffle ticket drawn must win the first prize;

- (i) unless authorised by the raffle permit, a raffle ticket which has been drawn is not eligible to be drawn again;
 - (j) the results of the draw must be published in accordance with the method of publication or notification printed on the raffle tickets;
 - (k) if a winner is present at the draw or is otherwise readily identified, the holder of the raffle permit must pay or otherwise transfer the prize to the winner within 28 days after the draw;
 - (l) a book-buyer's prize must not be offered or paid unless the raffle permit authorises a book-buyer's prize;
 - (m) a person who sells tickets in the raffle—
 - (i) must be expressly or by necessary implication authorised by the holder of the raffle permit or responsible person to do so; and
 - (ii) may only be remunerated (whether by way of a ticket seller's prize or otherwise) in accordance with a condition imposed by the Commission under section 8.3.13(3)(b) of the Act.
- (2) For the purposes of subregulation (1)(e), each raffle ticket must have the following printed on it—
- (a) the name of the holder of the raffle permit;
 - (b) the raffle permit number;
 - (c) the raffle ticket price and the maximum number of tickets authorised by the raffle permit;
 - (d) a description of each prize and its value;

- (e) when and where the raffle is to be drawn and the method of publication or notification of the results.
- (3) For the purposes of section 8.3.13(3)(a) of the Act, it is a prescribed condition of a raffle permit that—
- (a) if the responsible person is not an employee of the holder of the raffle permit and will receive payment other than reasonable out of pocket expenses; or
 - (b) if the holder of the raffle permit or the responsible person 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, the ACN of the responsible person or the person promoting or conducting the raffle for reward) must be printed—
- (c) on every ticket; or
 - (d) on all material advertising the raffle.

84 Conditions for raffles where raffle permit not required—prize value of \$5000 or less

- (1) For the purposes of section 8.2.3(b) of the Act, the prescribed conditions are the following—
- (a) a person may only conduct a raffle referred to in section 8.2.3 of the Act with the written authority of the governing body of the community or charitable organisation to benefit from the raffle;
 - (b) in relation to the raffle tickets in the raffle—
 - (i) the period during which tickets are sold must not exceed 3 months; and

- (ii) 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; and
 - (iii) unless the raffle is a small raffle, on the sale of a ticket the person conducting the raffle must ensure that a permanent record is made of sufficient information to identify and locate the person to whom the ticket is sold; and
 - (iv) a ticket in a raffle must not be a ticket in another raffle; and
 - (v) unless the raffle is a small raffle, the following is printed on each ticket—
 - (A) the name of the community or charitable organisation to benefit from the raffle;
 - (B) the ticket price;
 - (C) a description of each prize and its value;
 - (D) the location, the date and the time at which the raffle will be drawn and the method of publication or notification of the results;
- (c) the raffle tickets for a small raffle may be—
- (i) a blank raffle book numbered on both the butt and the ticket; or
 - (ii) in the case of a raffle 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) in relation to the drawing of the raffle—
 - (i) unless the raffle is a small raffle, the raffle must be drawn on the day printed on the ticket, being a day not more than 14 days after the proposed last ticket sale; and
 - (ii) the method of the draw must allow each ticket in the draw a random and equal chance of being drawn; and
 - (iii) if there is more than one prize, the first ticket drawn must win the first prize; and
 - (iv) unless the raffle is a small raffle, a ticket which has been drawn is not eligible to be drawn again;
- (e) unless the raffle is a small raffle, the results of the draw must be published or notified in accordance with the method of publication or notification printed on the tickets;
- (f) in addition to paragraph (e), in relation to the drawing of a small raffle—
 - (i) if a ticket butt is drawn to win a prize, the raffle must be drawn again, without the ticket butt if—
 - (A) the person to whom the ticket was sold cannot be identified from the butt; and
 - (B) no person comes forward to claim the prize within a reasonable period after the draw is loudly proclaimed; and
 - (ii) if the method of the draw is a spinning wheel, the wheel must be spun again if no person comes forward to claim the

prize within a reasonable period after the draw is loudly proclaimed and—

- (A) there is no ticket butt; or
 - (B) there is a ticket butt and the person to whom a ticket was sold cannot be identified from the butt; or
 - (C) the wheel has to come to a rest on a number for which a ticket may not have been sold;
- (g) if a winner was present at the draw or is otherwise readily identified, the community or charitable organisation to benefit from the raffle must pay or otherwise transfer the prize to the winner within 28 days after the draw;
- (h) a book-buyer's prize must not be offered or paid;
- (i) a person who sells tickets must not be remunerated in respect of that activity;
- (j) the person conducting a raffle must ensure that accurate records are kept for a period of 3 years after finalisation of the raffle of—
- (i) the disposition of funds; and
 - (ii) unless the raffle is a small raffle, all tickets which have been printed; and
 - (iii) the distribution of prizes.
- (2) For the purposes of section 8.2.3(b) of the Act, it is a prescribed condition of a raffle permit that—
- (a) if the person who conducts a raffle is not an employee of the community or charitable organisation to benefit from the raffle and will receive payment other than reasonable out of pocket expenses; or

- (b) if the person who conducts the raffle or the community and charitable organisation to benefit from the raffle has an agreement or arrangement with another person (other than an employee of the community or charitable organisation) to conduct or promote the raffle for reward—

that fact (including the name and, if applicable, the ACN of the responsible person or the person promoting or conducting the raffle for reward) must be printed—

- (c) on every ticket; or
- (d) on all material advertising the raffle.

85 Disclosure if raffle proceeds to be paid to or for a political party

For the purposes of section 8.2.5(1) of the Act, every ticket in the raffle to which that section applies must—

- (a) state that all or part of the proceeds of the raffle are to be paid to or for the purposes of a political party; and
- (b) name that political party.

86 Records—raffle permits

For the purposes of section 8.6.2 of the Act, the prescribed information that must be kept by the holder of a raffle permit is the following—

- (a) the manner in which tickets in the raffle were sold and how ticket sales were publicised;
- (b) the names of the persons 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;
- (c) when and how the raffle was drawn;

- (d) the names and addresses of the winners and a description (including the value) of their respective prizes.

87 Disposal of unclaimed prizes in a raffle

- (1) This regulation applies if—
 - (a) a winner does not claim a prize in a raffle; and
 - (b) the person who conducted the raffle cannot, after reasonable efforts to do so, find a winner of the prize.
- (2) The community or charitable organisation to benefit from the raffle to which this regulation applies—
 - (a) must ensure that the prize is retained for 3 months after the draw; or
 - (b) 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.
- (3) If a prize or proceeds of the sale of a prize retained under subregulation (2) remain unclaimed after a period of 12 months after the draw of the raffle, the community or charitable organisation must—
 - (a) sell or otherwise dispose of the prize if this has not already been done; and
 - (b) after deducting the reasonable costs of the sale or disposal, pay the proceeds to the Treasurer for payment into the Consolidated Fund.

Division 7—Commercial raffle organisers

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

For the purposes of section 8.5A.5(3)(a) of the Act, the prescribed information is the following—

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

89 Conditions of commercial raffle organiser's licence

For the purposes of section 8.5A.8(3)(a) of the Act, the prescribed conditions are the following—

- (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 8.5A.10(4) of the Act;
 - (iv) a relative of a person referred to 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, 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.

90 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, having regard to—

- (a) the activities and the objects of the community or charitable organisation; and
- (b) the services to be provided by the licensee.

91 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; or

- (b) a member of, and holds a current practicing certificate from 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 96(4) or 99(5) of the **Associations Incorporation Reform Act 2012** for the purposes of section 96 or 99 of that Act, as the case requires.

Part 7—Duties of gaming industry employees

92 Duties of a gaming industry employee

For the purposes of section 9A.1.2(1)(a) of the Act, the prescribed duties of a gaming industry employee employed by or working for a venue operator, the monitoring licensee or a gaming machine services provider are—

- (a) to perform any task that requires access to the logic area of a gaming machine at the premises of an approved venue; and
- (b) to possess keys that unlock the logic area of a gaming machine at an approved venue; and
- (c) to issue keys referred to in paragraph (b) to another person holding a gaming industry employee's licence; and
- (d) to perform any task that requires access to any of the following restricted monitoring components contained in a gaming machine at an approved venue—
 - (i) a jackpot interface board;
 - (ii) a slot machine interface board; and
- (e) to supervise persons carrying out any of the duties referred to in paragraphs (a) to (c) at an approved venue.

93 Functions of a gaming industry employee in a bingo centre

For the purposes of section 9A.1.2(1)(b) of the Act, the prescribed functions of a gaming industry employee in a bingo centre are—

- (a) to perform, as a sole employee, any of the functions in relation to the operation or administration of a bingo game, including—

- (i) selling bingo tickets; and
 - (ii) writing up running sheets; and
 - (iii) checking back numbers on bingo tickets; and
 - (iv) paying prizes; and
- (b) to supervise persons carrying out any of the functions referred to in paragraph (a)(i), (ii), (iii) and (iv).

94 Other duties of a gaming industry employee

For the purposes of section 9A.1.2(1)(g) of the Act, the prescribed duties of a gaming industry employee are—

- (a) to install gaming equipment at an approved venue; and
- (b) to connect gaming equipment to an electronic monitoring system at the premises of the monitoring licensee or an approved venue; and
- (c) to supervise persons carrying out a duty referred to in paragraph (a) or (b).

Part 8—Fees

Division 1—Gaming machines

95 Application for approval of premises

For the purposes of section 3.3.4(2) of the Act, the prescribed fee is 876·48 fee units.

96 Modification of gaming machine areas

For the purposes of section 3.3.16(2) of the Act, the prescribed fee is 8·48 fee units.

97 Application for venue operator's licence

For the purposes of section 3.4.8(2)(b) of the Act, the prescribed fee is 154·59 fee units.

98 Nominee of licensee

For the purposes of section 3.4.14(3A)(b) of the Act, the prescribed fee is 10·37 fee units.

99 Renewal of venue operator's licence

For the purposes of section 3.4.16(2) of the Act, the prescribed fee is 85·43 fee units.

100 Proposal of amendment by venue operator

For the purposes of section 3.4.18(1)(b) of the Act, the prescribed fee is—

- (a) in the case of an amendment under section 3.4.17(1)(a) of the Act, being the addition of an approved venue, 20·13 fee units; and
- (b) in the case of an amendment under section 3.4.17(1)(b) of the Act, being an increase in the number of gaming machines permitted in an approved venue—

- (i) in the circumstances where a private inquiry is to be conducted under the **Victorian Commission for Gambling and Liquor Regulation Act 2011**, 88·14 fee units; or
- (ii) in all other circumstances, 876·48 fee units; and
- (c) in the case of an amendment under section 3.4.17(1)(c) of the Act, 8·48 fee units; and
- (d) in the case of an amendment under section 3.4.17(1)(d) of the Act, 876·48 fee units; and
- (e) in the case of an amendment under section 3.4.17(2) of the Act, 876·48 fee units.

101 Application to be listed on Roll

For the purposes of section 3.4.61(2)(a) of the Act, the prescribed fee is 203·97 fee units.

102 Approval of gaming machine types and games

For the purposes of section 3.5.4(1) of the Act, the prescribed fee is—

- (a) in the case of a gaming machine type, 26·93 fee units; or
- (b) in the case of a game, 12·05 fee units.

103 Variation of gaming machine types and games

For the purposes of section 3.5.5(3B)(b) of the Act, the prescribed fee is—

- (a) in the case of a gaming machine type, 10·79 fee units; or
- (b) in the case of a game, 10·79 fee units.

Division 2—Gaming machine entitlements

104 Request for amendment of geographic area condition or venue condition

For the purposes of section 3.4A.12(2)(b) of the Act, the prescribed fee is 3.41 fee units.

105 Fee payable for gaming machine entitlement transfers

For the purposes of section 3.4A.15(1) of the Act, the prescribed fee is 11.24 fee units.

106 Costs of sale of forfeited gaming machine entitlements that are allocated again

For the purposes of paragraph (a) of the definition of *State-owned amounts* in section 3.4A.33(2) of the Act, the prescribed costs of sale are the amount of 13.39 fee units.

Division 3—Community and charitable gaming

107 Application for minor gaming permit

For the purposes of section 8.3.12(2)(e) of the Act, the prescribed fee is 1.74 fee units.

108 Amendment of conditions of minor gaming permit

For the purposes of section 8.3.17(2)(a)(iii) of the Act, the prescribed fee is 1.06 fee units.

109 Application for bingo centre operator's licence

For the purposes of section 8.5.3(1)(b) of the Act, the prescribed fee is 154.59 fee units.

110 Renewal of bingo centre operator's licence

For the purposes of section 8.5.11(2) of the Act, the prescribed fee is 85.43 fee units.

111 Application for commercial raffle organiser's licence

For the purposes of section 8.5A.5(2)(b) of the Act, the prescribed fee is 154.59 fee units.

112 Renewal of commercial raffle organiser's licence

For the purposes of section 8.5A.12(2) of the Act, the prescribed fee is 85.43 fee units.

Division 4—Sports betting fees

113 Application for approval as sports controlling body

For the purposes of section 4.5.12(2)(c) of the Act, the prescribed fee is 211.78 fee units.

Division 5—Calcutta Sweepstakes

114 Calcutta Sweepstakes

For the purposes of section 2.2.6(3) of the Act, the prescribed fee is 3.71 fee units.

Reg. 114
amended by
S.R. No.
55/2015
reg. 126.

Division 6—Gaming industry employees

115 Application for gaming industry employee's licence

For the purposes of section 9A.1.4(3)(a) of the Act, the prescribed fee is 5.16 fee units.

116 Application for replacement identification

For the purposes of section 9A.1.8(4)(b) of the Act, the prescribed fee is \$10.72.

117 Application for renewal of gaming industry employee's licence

For the purposes of section 9A.1.11(2) of the Act, the prescribed fee is 3.40 fee units.

118 Application for a gaming industry employee's licence by casino employees

For the purposes of section 9A.1.21(2)(a) of the Act, the prescribed fee is 3·39 fee units.

Division 7—Commission approval

119 Application for approval of associates

For the purposes of section 10.4A.7(2A)(b) of the Act, the prescribed fee is—

- (a) in the case of a natural person, 7·10 fee units; or
- (b) in any other case, 36·96 fee units.

Part 9—Infringement offences

120 Infringement offences

- (1) For the purposes of section 10.5.20(1) of the Act, an offence specified in Column 2 of Schedule 6 is prescribed as an infringement offence.
- (2) For the purposes of section 10.5.21 of the Act, the prescribed infringement penalty for an infringement offence is the penalty set out in Column 3 of Schedule 6 in respect of that infringement offence.

Part 10—Training requirements

Pt 10
(Heading and
regs 121–128)
expired by
force of
S.R. No.
55/2015
reg. 128, new
Pt 10
(Heading and
regs 121, 122)
inserted by
S.R. No.
111/2016
reg. 6.

121 Training requirements for person who had completed a training course before 1 January 2017

New reg. 121
inserted by
S.R. No.
111/2016
reg. 6,
substituted by
S.R. No.
111/2016
reg. 8.

- (1) This regulation applies to a person who—
- (a) became a person to whom section 9A.1.18 of the Act applies before 1 January 2017; and
 - (b) had completed an old training course by 1 January 2017.
- (2) For the purpose of section 9A.1.18(2) of the Act, the training requirements are that the person completes the first training module and the second training module before the later of—
- (a) the third anniversary of the last day on which the person completed an old training course or an old refresher course; or
 - (b) 1 July 2017.

122 Training requirements for person who had not completed a training course before 1 January 2017

New reg. 122
inserted by
S.R. No.
111/2016
reg. 6,
substituted by
S.R. No.
111/2016
reg. 8.

- (1) This regulation applies to a person who—
- (a) became a person to whom section 9A.1.18 of the Act applies before 1 January 2017; and
 - (b) had not completed an old training course by 1 January 2017.

- (2) For the purpose of section 9A.1.18(2) of the Act, the training requirements are that the person completes the first training module and the second training module before 1 July 2017.

New reg. 123
inserted by
S.R. No.
111/2016
reg. 8.

123 Training requirements for person commencing employment after 1 January 2017

- (1) This regulation applies to a person who becomes a person to whom section 9A.1.18 of the Act applies after 1 January 2017.
- (2) For the purpose of section 9A.1.18(2) of the Act, the training requirements are that—
- (a) the person completes the first training module within one month of becoming a person to whom section 9A.1.18 of the Act applies; and
 - (b) the person completes the second training module within 6 months of becoming a person to whom section 9A.1.18 of the Act applies.

New reg. 124
inserted by
S.R. No.
111/2016
reg. 8.

124 Minister may specify content of training requirements

- (1) The Minister may by instrument specify—
- (a) the content of the first training module; and
 - (b) the content of the second training module.
- (2) The Minister must, within 14 days of specifying content under subregulation (1), publish the instrument specifying that content on the website of the Department administered by the Minister.
- (3) An instrument made under subregulation (1) takes effect on the day it is published under subregulation (2).
- (4) The Minister must make the first instrument under subregulation (1) before 1 January 2017.

125 Minister may specify entities to provide second training module

- (1) The Minister may specify an entity whose venue support workers may provide the second training module.
- (2) The Minister must publish on the website of the Department administered by the Minister a list of the entities specified under subregulation (1).
- (3) The Minister must, within 14 days of specifying an entity under subregulation (1), update the list published under subregulation (2).
- (4) The specification of an entity under subregulation (1) takes effect on the day that the list is updated under subregulation (3) to include that entity.

New reg. 125
inserted by
S.R. No.
111/2016
reg. 8.

Gambling Regulations 2015
S.R. No. 55/2015
Schedule 1—Regulations revoked

Schedule 1—Regulations revoked

Regulation 4

| <i>S.R. No.</i> | <i>Title</i> |
|-----------------|--|
| 60/2005 | Gambling Regulation (Signage) Regulations 2005 |
| 61/2005 | Gambling Regulation Regulations 2005 |
| 38/2006 | Gambling Regulation (Commercial Raffle Organisers) Regulations 2006 |
| 100/2007 | Gambling Regulation (Sports Betting Fees) (Amendment) Regulations 2007 |
| 103/2008 | Gambling Regulation (Race Fields) Regulations 2008 |
| 108/2009 | Gambling Regulation Amendment (Fees) Regulations 2009 |
| 114/2009 | Gambling Regulation (Prescribed Connection and Prescribed Profit) Regulations 2009 |
| 141/2009 | Gambling Regulation Amendment (Bingo) Regulations 2009 |
| 167/2009 | Gambling Regulation Amendment (Advertising) Regulations 2009 |
| 121/2011 | Gambling Regulation Amendment Regulations 2011 |
| 18/2012 | Gambling Regulation (Signage) Amendment Regulations 2012 |
| 80/2012 | Gambling Regulation Amendment Regulations 2012 |
| 93/2014 | Gambling Regulation (Prescribed Connection and Prescribed Profit) Amendment Regulations 2014 |

Schedule 2—Diagrams of gaming machines

Regulation 19

DIAGRAM 1
GAMING MACHINE WITH TOP BOX

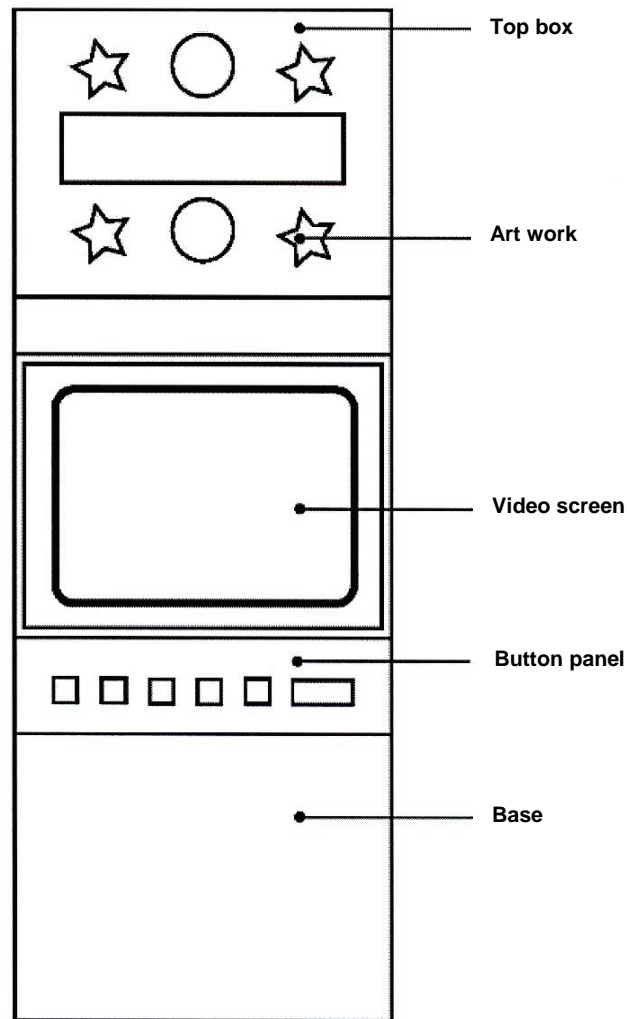
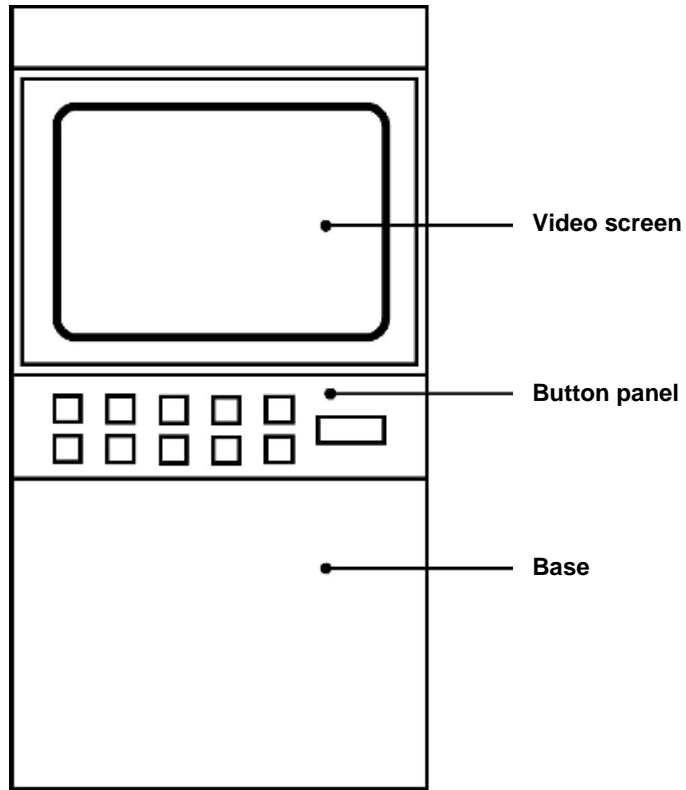


DIAGRAM 2
GAMING MACHINE WITHOUT TOP BOX



Schedule 3—Corporate logo

Regulations 33 and 36



Schedule 5—Application to publish and use Victorian race fields

Sch. 5
amended by
S.R. No.
55/2015
reg. 127.

Regulation 56

APPLICATION TO PUBLISH AND USE VICTORIAN RACE FIELDS

I apply for approval to publish and use the following race fields information:

- Victorian horse racing race fields
- Victorian harness racing race fields
- Victorian greyhound racing race fields

Please tick

DETAILS OF APPLICANT

Name of Applicant:

Address of Applicant:

Applicant's contact details:

State, Territory or Country where
Applicant is licensed to operate:

Trading names used by Applicant:

Applicant's ACN or ABN:

ADDITIONAL INFORMATION

*[Insert any additional information required by the appropriate
controlling body under section 4.2.3B(2)(c) of the **Gambling Regulation
Act 2003**.]*

CERTIFICATION

I _____ certify that I am authorised to make the
application on behalf of _____ and that the
information provided is true and correct.

Signature of authorised representative:

Name of authorised representative:

Date:

Gambling Regulations 2015
S.R. No. 55/2015
Schedule 6—Infringement offences

Sch. 6
amended by
S.R. No.
111/2016
reg. 9.

Schedule 6—Infringement offences

Regulation 120

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|-------------------------------------|--|--|
| <i>Item No.</i> | <i>Prescribed infringement offence</i> | <i>Prescribed infringement penalty</i> |
| <i>Gambling Regulation Act 2003</i> | | |
| 1 | An offence against section 3.4.14(1) of the Gambling Regulation Act 2003 | 6 penalty units |
| 2 | An offence against section 3.4.14(2) of the Gambling Regulation Act 2003 | 6 penalty units |
| 3 | An offence against section 3.4.14(3) of the Gambling Regulation Act 2003 | 6 penalty units |
| 4 | An offence against section 3.5.8(3) of the Gambling Regulation Act 2003 | 6 penalty units |
| 5 | An offence against section 3.5.25(1) of the Gambling Regulation Act 2003 | 3 penalty units |
| 6 | An offence against section 3.5.26 of the Gambling Regulation Act 2003 | 3 penalty units |
| 7 | An offence against section 3.5.33(3A) of the Gambling Regulation Act 2003 | 8 penalty units |

Gambling Regulations 2015
S.R. No. 55/2015
Schedule 6—Infringement offences

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|-----------------|--|--|
| <i>Item No.</i> | <i>Prescribed infringement offence</i> | <i>Prescribed infringement penalty</i> |
| 8 | An offence against section 3.5.33(3B) of the Gambling Regulation Act 2003 | 8 penalty units |
| 9 | An offence against section 3.6.9(1) of the Gambling Regulation Act 2003 | 6 penalty units |
| 10 | An offence against section 3.7.5(1) of the Gambling Regulation Act 2003 | 6 penalty units |
| 11 | An offence against section 4.5.19(1) of the Gambling Regulation Act 2003 | 6 penalty units |
| 12 | An offence against section 4.5A.6(5) of the Gambling Regulation Act 2003 | 2 penalty units |
| 13 | An offence against section 4.8.4(1) of the Gambling Regulation Act 2003 | 6 penalty units |
| 14 | An offence against section 4.8.4(1A) of the Gambling Regulation Act 2003 | 6 penalty units |
| 15 | An offence against section 5.7.18 of the Gambling Regulation Act 2003 | 4 penalty units |
| 16 | An offence against section 8.5.9(1) of the Gambling Regulation Act 2003 | 4 penalty units |

Gambling Regulations 2015
S.R. No. 55/2015
Schedule 6—Infringement offences

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|-----------------|--|--|
| <i>Item No.</i> | <i>Prescribed infringement offence</i> | <i>Prescribed infringement penalty</i> |
| 17 | An offence against section 8.5.9(2) of the Gambling Regulation Act 2003 | 4 penalty units |
| 18 | An offence against section 8.5.38 of the Gambling Regulation Act 2003 | 6 penalty units |
| 19 | An offence against section 8.5A.10(1) of the Gambling Regulation Act 2003 | 4 penalty units |
| 20 | An offence against section 8.5A.10(2) of the Gambling Regulation Act 2003 | 4 penalty units |
| 21 | An offence against section 8.5A.27 of the Gambling Regulation Act 2003 | 6 penalty units |
| 22 | An offence against section 8.6.2(2) of the Gambling Regulation Act 2003 | 4 penalty units |
| 23 | An offence against section 8.6.3(2) of the Gambling Regulation Act 2003 | 3 penalty units |
| 24 | An offence against section 9A.1.6(4) of the Gambling Regulation Act 2003 | 4 penalty units |
| 25 | An offence against section 9A.1.15 of the Gambling Regulation Act 2003 | 2 penalty units |

Gambling Regulations 2015
S.R. No. 55/2015
Schedule 6—Infringement offences

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|-----------------|---|--|
| <i>Item No.</i> | <i>Prescribed infringement offence</i> | <i>Prescribed infringement penalty</i> |
| 26 | An offence against section 9A.1.18(3) of the Gambling Regulation Act 2003 | 4 penalty units |
| 27 | An offence against section 9A.1.22(1) of the Gambling Regulation Act 2003 | 2 penalty units |
| 28 | An offence against section 10.4A.4(1)(a) of the Gambling Regulation Act 2003 | 2 penalty units |
| 29 | An offence against section 10.4A.4(1)(c) of the Gambling Regulation Act 2003 | 2 penalty units |
| | <i>Casino Control Act 1991</i> | |
| 30 | An offence against section 54A of the Casino Control Act 1991 | 2 penalty units |
| 31 | An offence against section 56(1) of the Casino Control Act 1991 | 6 penalty units |
| 32 | An offence against section 57(1) of the Casino Control Act 1991 | 2 penalty units |
| 33 | An offence against section 58A(2) of the Casino Control Act 1991 | 4 penalty units |
| 34 | An offence against section 66(1) of the Casino Control Act 1991 | 3 penalty units |
| 35 | An offence against section 77(1) of the Casino Control Act 1991 | 2 penalty units |

Gambling Regulations 2015
S.R. No. 55/2015
Schedule 6—Infringement offences

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|-----------------|---|--|
| <i>Item No.</i> | <i>Prescribed infringement offence</i> | <i>Prescribed infringement penalty</i> |
| 36 | An offence against section 77(2) of the Casino Control Act 1991 | 2 penalty units |
| 37 | An offence against section 77(3) of the Casino Control Act 1991 | 2 penalty units |
| 38 | An offence against section 79(2) of the Casino Control Act 1991 | 4 penalty units |
| 39 | An offence against section 126(1) of the Casino Control Act 1991 | 6 penalty units |
| 40 | An offence against section 127(2) of the Casino Control Act 1991 | 6 penalty units |

Endnotes

1 General information

See www.legislation.vic.gov.au for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.

The Gambling Regulations 2015, S.R. No. 55/2015 were made on 16 June 2015 by the Administrator of the State of Victoria, as the Governor's deputy, with the advice of the Executive Council under section 11.2.1 of the **Gambling Regulation Act 2003**, No. 114/2003 and came into operation as follows:

Regulations 1–120, Schedules 1–6 on 20 June 2015: regulation 3(1);
regulations 121–128 on 1 July 2015: regulation 3(2).

The Gambling Regulations 2015 will sunset 10 years after the day of making on 16 June 2025 (see section 5 of the **Subordinate Legislation Act 1994**).

INTERPRETATION OF LEGISLATION ACT 1984 (ILA)

Style changes

Section 54A of the ILA authorises the making of the style changes set out in Schedule 1 to that Act.

References to ILA s. 39B

Sidenotes which cite ILA s. 39B refer to section 39B of the ILA which provides that where an undivided regulation, rule or clause of a Schedule is amended by the insertion of one or more subregulations, subrules or subclauses the original regulation, rule or clause becomes subregulation, subrule or subclause (1) and is amended by the insertion of the expression "(1)" at the beginning of the original regulation, rule or clause.

Interpretation

As from 1 January 2001, amendments to section 36 of the ILA have the following effects:

- **Headings**

All headings included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any heading inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule.

This includes headings to Parts, Divisions or Subdivisions in a Schedule; Orders; Parts into which an Order is divided; clauses; regulations; rules; items; tables; columns; examples; diagrams; notes or forms.

See section 36(1A)(2A)(2B).

- **Examples, diagrams or notes**

All examples, diagrams or notes included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any examples, diagrams or notes inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, form part of that Statutory Rule. See section 36(3A).

- **Punctuation**

All punctuation included in a Statutory Rule which is made on or after 1 January 2001 forms part of that Statutory Rule. Any punctuation inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule. See section 36(3B).

- **Provision numbers**

All provision numbers included in a Statutory Rule form part of that Statutory Rule, whether inserted in the Statutory Rule before, on or after 1 January 2001. Provision numbers include regulation numbers, rule numbers, subregulation numbers, subrule numbers, paragraphs and subparagraphs. See section 36(3C).

- **Location of "legislative items"**

A "legislative item" is a penalty, an example or a note. As from 13 October 2004, a legislative item relating to a provision of a Statutory Rule is taken to be at the foot of that provision even if it is preceded or followed by another legislative item that relates to that provision. For example, if a penalty at the foot of a provision is followed by a note, both of these legislative items will be regarded as being at the foot of that provision. See section 36B.

- **Other material**

Any explanatory memorandum, table of provisions, endnotes, index and other material printed after the Endnotes does not form part of a Statutory Rule. See section 36(3)(3D)(3E).

Gambling Regulations 2015
S.R. No. 55/2015
Endnotes

2 Table of Amendments

This publication incorporates amendments made to the Gambling Regulations 2015 by statutory rules, subordinate instruments and Acts.

Gambling Regulations 2015, S.R. No. 55/2015

Date of Making: 16.6.15
Date of Commencement: Reg. 128 on 1.7.15: reg. 3(2)
Note: Reg. 128 provided that Pt 10 (regs 121–128) expired on 1.7.16

Gambling Regulation (Pre-commitment and Loyalty Scheme) and Gambling Amendment Regulations 2015, S.R. No. 139/2015

Date of Making: 24.11.15
Date of Commencement: Reg. 18 on 1.12.15: reg. 3

Gambling Amendment (Training Requirements) Regulations 2016, S.R. No. 111/2016

Date of Making: 30.8.16
Date of Commencement: Regs 5, 6 on 1.9.16: reg. 3(1); regs 7–9 on 1.1.17: reg. 3(2)

Gambling Regulation (Pre-commitment and Loyalty Scheme) and Gambling Amendment Regulations 2017, S.R. No. 12/2017

Date of Making: 27.3.17
Date of Commencement: Reg. 6 on 29.3.17: reg. 3

3 Amendments Not in Operation

There are no amendments which were Not in Operation at the date of this publication.

4 Explanatory details

Fee Units

These Regulations provide for fees by reference to fee units within the meaning of 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 2016 is \$13.94. 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.

Penalty Units

These Regulations provide for penalties by reference to penalty units within the meaning of section 110 of the **Sentencing Act 1991**. The amount of the penalty is to be calculated, in accordance with section 7 of the **Monetary Units Act 2004**, by multiplying the number of penalty units applicable by the value of a penalty unit.

The value of a penalty unit for the financial year commencing 1 July 2016 is \$155.46.

The amount of the calculated penalty may be rounded to the nearest dollar.

The value of a penalty 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 penalty unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

Gambling Regulations 2015
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Endnotes

Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter is included in S.R. No. 55/2015 in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2014.

| Statutory rule provision | Title of applied, adopted or incorporated document | Matter in applied, adopted or incorporated document |
|--|---|--|
| Regulation 5 (definition of <i>logic area</i>) | Australian/New Zealand Gaming Machine National Standard made by the Commission under section 3.5.3(1) of the Act and amended under that section from time to time | Sections 2.3.36 and 2.3.37, page 19 |