



Victorian Commission  
for Gambling Regulation

**Registered Bookmaker  
- Approval as an Associated Entity**

---

**Application Form and Information Pages**

**Send application to:**

Commercial Licensing and Monitoring Unit  
Victorian Commission for Gambling Regulation  
PO Box 1988  
MELBOURNE VIC 3001

**Or lodge in person at:**

Level 5, 35 Spring Street  
MELBOURNE VIC 3000

**For enquiries contact:**

Victorian Commission for Gambling Regulation  
**Office Hours:** 9am to 5pm, Monday to Friday  
**Telephone:** (03) 9651 3655  
**Email:** [key.licences@vcgr.vic.gov.au](mailto:key.licences@vcgr.vic.gov.au)  
**Internet:** [www.vcgr.vic.gov.au](http://www.vcgr.vic.gov.au)

# Application for Approval as an Associated Entity of a Registered Bookmaker

## Contents

### IMPORTANT INFORMATION

Who should complete this form? .....	2
Lodgement of Associate Forms .....	2
Nomination of an authorised officer .....	2
False or Misleading Information .....	2
Requirement for Notification of Change .....	2
Confidentiality Provisions .....	2
Privacy Policy .....	3
What is an 'Associated Entity'? .....	3
Examples of Associated Entities .....	3

LODGEMENT GUIDE .....	4
-----------------------	---

### PAGES FOR COMPLETION BY ASSOCIATE

Details of Registered Bookmaker .....	5
Associate's Particulars .....	5 - 7
Legal Action .....	7
Racing and Gambling History.....	8
Charges, Findings of Guilt and Convictions .....	9
Corporate Structure and Establishment of Associates .....	10 - 13
Financial Particulars .....	14 - 15
Declaration by Authorised Officer .....	15
Consent for Release of Information by Law Enforcement Agencies Form .....	16
Financial Information Release Form .....	17
Authorisation by Associate under section 10.1.34(1)(b)of the <i>Gambling Regulation Act 2003</i> .....	18
Public Hearings under Section 10.1.22 of the <i>Gambling Regulation Act 2003</i> .....	19
Attachment Page .....	20

### ATTACHMENTS TO THE FORM

Guidelines for the Certification of Financial Statements .....	Attachment 1
Historical Organisational Extract from the Australian Securities and Investments Commission .....	Attachment 2
Company Extract from Veda Advantage .....	Attachment 3

## IMPORTANT INFORMATION

### Who should complete this form?

This form is for completion by entities seeking approval as:

- an associate of a corporation applying for a new registration as a bookmaker;
- an associate of a corporation applying to renew its registration as a bookmaker; or
- a new associate of a currently registered bookmaker.

### Lodgement of Associate Forms

Carefully review the associated entity form **before** lodgement to ensure it is fully completed and that **all** required attachments are provided. This simple check could save unnecessary delays in registration and processing time of the application.

Where an entity is seeking approval as an associate of an applicant for new registration as a bookmaker, associate documentation forms part of the registration application and must be forwarded to the VCGR as part of this application. A registered bookmaker application will not be accepted or registered by the VCGR if an incomplete associate form is submitted. The full application will be returned to the applicant with instructions that the relevant associated entity form is incomplete and must be completed before the application will be registered.

In the case of an entity seeking approval as an associate of a currently registered bookmaker, the completed associated entity form can be lodged by:

#### **Delivery to the VCGR's office:**

Commercial Licensing and Monitoring Unit  
Victorian Commission for Gambling Regulation  
Level 5, 35 Spring Street, MELBOURNE

#### **Mail to:**

Commercial Licensing and Monitoring Unit  
Victorian Commission for Gambling Regulation  
PO Box 1988  
MELBOURNE VIC 3001

### Nomination of an authorised officer to complete the application form on behalf of the associate

For the purposes of this application, the 'associate' must nominate an 'authorised officer' responsible for the completion of an application form and for the certification of all information provided. The authorised officer will be an associate of the applicant and should have capacity to influence the business direction of the applicant. The authorised officer is typically the chairman of the board of directors, managing director, chief executive officer, or a company secretary.

### Requirement for Notification of Change

#### *While your application is in progress*

Between lodging the application and a decision being made about it, the VCGR must be notified in writing about any changes to the information that has been provided (including any documents lodged with the application). Failure to provide the VCGR with updated information may result in your application being refused.

#### *Following determination of your application*

If approval is granted, an associate will also be given a set of Directions which give the associate an ongoing responsibility to notify the VCGR of specified changes in your situation. Whenever a specified change takes place, you must give written notice to the VCGR within 14 days of the change taking place. If the VCGR is **not** notified of a specified change, the associate may be prosecuted and fined up to 60 penalty units.

### False or Misleading Information

It is an offence under the Gambling Regulation Act 2003 (the Act) to give information that is false or misleading. If you give false or misleading information, your application may be refused and/or you may be prosecuted and fined up to 60 penalty units (for the current value of a penalty unit refer to the Schedule of Fees and Fines available on the VCGR's website at [www.vcgr.vic.gov.au](http://www.vcgr.vic.gov.au)).

### Confidentiality Provisions

Information provided in your application must not be disclosed by the VCGR or its staff to someone else, except for the purposes stated in Division 6 of Chapter 10 of the Act. You may view these provisions via the VCGR's website at [www.vcgr.vic.gov.au](http://www.vcgr.vic.gov.au) by clicking the Legislation Administered option under the Legislation & Standards button. **Note:** If necessary in performing its regulatory role, the VCGR may provide relevant information to the Victorian Bookmakers Association, Racing Victoria Limited, Greyhound Racing Victoria, Harness Racing Victoria, another racing controlling body or any other body whatsoever, and this may include the following:

- information concerning an application;
- other information provided to the VCGR;
- information in relation to you, your associates, your business or employment as a bookmaker or key employee.

## IMPORTANT INFORMATION

### Privacy Policy

Personal information supplied by the associate is collected, used and stored in accordance with the *Information Privacy Act 2000*. In accordance with the VCGR's privacy policy and relevant laws, you may be able to gain access to any personal or health information held about you by the VCGR. A full copy of the VCGR's privacy policy can be obtained from its website at [www.vcgr.vic.gov.au](http://www.vcgr.vic.gov.au). Alternatively, you can ask that a copy of the privacy policy be sent to you by contacting the Privacy Project Manager on (03) 9651 3333 or by email at [VCGR.Contact@vcgr.vic.gov.au](mailto:VCGR.Contact@vcgr.vic.gov.au).

### What is an 'Associated Entity'?

Under section 1.4 of the Act, a person (in this case, meaning a corporate person) is an 'associate' of an applicant for or currently registered bookmaker if the person:

- (a) holds or will hold any relevant financial interest, or is or will be entitled to exercise any relevant power (whether in right of the person or on behalf of any other person) in the bookmaking business, and by virtue of that interest or power, is able or will be able to exercise a significant influence over or with respect to the management or operation of that bookmaking business; or
- (b) holds or will hold any relevant position, whether in right of the person or on behalf of any other person, in the bookmaking business.

Section 1.4(3) of the Act provides the following definitions:

- \* **"relevant financial interest"**, in relation to a business, means –
  - (a) any share in the capital of the business; or
  - (b) any entitlement to receive any income derived from the business; or
  - (c) any entitlement to receive any payment as a result of money advanced;
- \* **"relevant position"**, in relation to a business, means the position of director, manager, or other executive position or secretary, however that position is designated;

- \* **"relevant power"**, means any power, whether exercisable by voting or otherwise and whether exercisable alone or in association with others –
  - (a) to participate in any directorial, managerial, or executive decision; or
  - (b) to elect or appoint any person to any relevant position.

### Examples of Associated Entities

This form must be completed by all entities who qualify as an 'associate' in accordance with the above definition. Examples of entities which may be captured as associates include, but are not limited to, the following:

- entities who own 10% or more of shares of the bookmaker or associated entity(ies) with either voting rights and/or income entitlements;
- the ultimate holding company of the bookmaker (as defined in Corporations Law);
- related parties, subsidiaries or subsidiary companies of the bookmaker (e.g. entities which the bookmaker has the capacity to control or any entity able to exercise a significant influence over or with respect to the management or operations of the bookmaking business).

Subsequent investigations may reveal additional associates of a bookmaker. These individuals or entities will be required to complete and lodge an appropriate associate form.

## IMPORTANT INFORMATION

# Application for Approval as an Associated Entity of a Registered Bookmaker

## LODGEMENT GUIDE

### Directions for Completion

- Ensure that you type or print in BLOCK LETTERS an answer to every question.
- If a question does not apply to you or if there are no details to disclose in response to a particular question, state N/A in response.
- If there is not enough space on the form for your answer, please supply the required information on an attachment page. Begin each answer with the question number.
- The application form will be returned if you don't provide a response to all applicable questions or if all required attachments are not enclosed.
- **Note:** There is **NO** fee payable to the VCGR in relation to making this application.

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

- Copy** of Trust Deed (only applicable if the associate is a Corporate Trustee) –*Refer to Q27*
- Associated Individual and Entity forms, completed by associates identified in Q24, Q25, Q26, Q27(d) and Q28 must be completed and include all required attachments.
- Audited or certified financial statements for the three most recently completed financial years, or, where the associate is a corporation which has never traded but has a holding corporation, a copy of the holding corporation's financial statements – *Refer to Q29 and Attachments 1 and 1A*
- Original** Historical Organisational Extract from the Australian Securities and Investments Commission (only applicable if the associate is a company)–*Refer to Q18 and Attachment 2*
- Original** Veda Advantage Company Credit Report–*Refer to Attachment 3.*
- A **copy** of independent documentation confirming the court outcome or, if settled out of court, a **copy** of the settlement agreement–*Refer to 'legal action' section on page 6 for full details*
- Consent for Release of Information by Law Enforcement Agencies form–*Refer to Page 16*
- Financial Information Release form–*Refer to Page 17*
- Authorisation by an associated entity–*Refer to Page 18*
- Acknowledgment in Relation to Public Hearings–*Refer to Page 19*

**STRICTLY CONFIDENTIAL**

VICTORIA

*Gambling Regulation Act 2003*

Send to: Commercial Licensing and Monitoring Unit  
 Victorian Commission for Gambling Regulation  
 PO Box 1988  
 MELBOURNE VIC 3001

Office Use Only	
Allocation Date:	...../...../.....
Associated Entity No:	.....
Assigned to (Print name):	.....

## Request for Approval as an Associated Entity of a Registered Bookmaker

Details of Bookmaker		Office Use Only
<p>1. This request for approval as an associated entity relates to (tick applicable box and provide details below):</p> <p>(a) <input type="checkbox"/> an application for new registration as a bookmaker;</p> <p>(b) <input type="checkbox"/> an application for renewal as a registered bookmaker; or</p> <p>(c) <input type="checkbox"/> an application as a new associate of a currently registered bookmaker.</p> <p>Registered bookmaker's name .....</p> <p>Bookmaker's registration number (if applicable): ..... / .....</p>		
<p>2. Reason for classification as an associate (tick appropriate box/es):</p> <p>(a) <input type="checkbox"/> Ultimate holding company of the bookmaker</p> <p>(b) <input type="checkbox"/> Related party, subsidiary or subsidiary company (as defined by the Australian Corporations Law) of the bookmaker</p> <p>(c) <input type="checkbox"/> Shareholder of the bookmaker</p> <p>(d) <input type="checkbox"/> Partner of the bookmaker</p> <p>(e) <input type="checkbox"/> Unit holder of the bookmaker who, by virtue of the Trust Deed, is empowered individually or as a group to remove/change the Trustee or to influence the Trustee's decisions.</p> <p>(f) <input type="checkbox"/> <b>Other</b> – Explain below reason for classification as an associate:</p> <p>.....</p> <p>.....</p>		
Associate's Particulars		
<p>3. Name of associated entity: .....</p>		
<p>4. Associate's registered office address:</p> <p>.....</p> <p align="center">No. Street</p> <p>.....</p> <p align="center">City/Town/Suburb State Postcode</p>		
<p>5. Postal address (if same as registered office address, write 'as above')</p> <p>.....</p> <p align="center">No./PO Box Street</p> <p>.....</p> <p align="center">City/Town/Suburb State Postcode</p>		



**STRICTLY CONFIDENTIAL**

Office  
Use Only

11. Is there any action by a government regulatory body pending or currently being pursued against the associate?  
YES  NO

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

Name of Government Regulatory Body: .....

Nature of Action: .....

Date Matter is Scheduled to be Heard (if known): ...../...../.....  
(Day/Month/Year)

Have further details been provided on an attachment page? YES  NO

**Legal Action**

12. During the last 10 years, has the associate been a party to any finalised legal action as a defendant or as a respondent?  
YES  NO

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

Nature of legal action: .....

Plaintiff: ..... Jurisdiction\*: .....

Result/Settlement: .....

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

Case no. issued by court/tribunal: ..... Date of delivery of judgement: ...../...../.....  
(If known) (Day/Month/Year)

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

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

Have further details been provided on an attachment page? YES  NO

13. Is there any legal action currently being pursued against the associate?  
YES  NO

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

Nature of legal action: .....

Plaintiff: ..... Jurisdiction\*: .....

Court or tribunal where matter is scheduled to be heard (if applicable): .....

Case no. issued by court/tribunal: ..... Next scheduled hearing date: ...../...../.....  
(If known) (Day/Month/Year)

Have further details been provided on an attachment page? YES  NO

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

Racing and Gambling History

Office Use Only

14. Has the associate ever applied for any racing or gambling industry licence, approval, authorisation or registration? YES [ ] NO [ ]

If NO, proceed to Q16. If YES, provide the following details for each application and then proceed to Q15.

(a) If the application was granted/approved or is still pending, provide details below:

Type of licence, approval etc: .....

Name shown on licence, approval etc: .....

Licence No. (if known): ..... Jurisdiction\*: .....

Licence, approval etc association dates (if known) From ..... / ..... To ..... / ..... (month/year) (month/year)

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

Type of licence, approval etc sought: .....

Date of application: ..... / ..... Jurisdiction\*: ..... (month/year)

Reason for refusal or withdrawal of request: .....

.....

.....

.....

Have further details been provided on an attachment page? YES [ ] NO [ ]

15. With respect to Q14(a), has the associate ever had a licence, approval, authorisation or registration suspended, cancelled, amended, revoked or been the subject of disciplinary action by a racing or gambling regulatory body? YES [ ] NO [ ]

If NO, proceed to Q16. If YES, provide the following details:

Type of licence, approval etc: .....

Licence No (if known): ..... Jurisdiction\*: .....

Name of Racing or Gambling Regulator (if known): .....

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

.....

.....

.....

.....

Have further details been provided on an attachment page? YES [ ] NO [ ]

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

**STRICTLY CONFIDENTIAL**

**Charges, Findings of Guilt and Convictions**

Office  
Use Only

16. Has the associate ever been found guilty of any offence? YES  NO

If **NO**, proceed to Q17. If **YES** give details below and indicate on an attachment page if the current ownership or management structure of the associate (e.g. directors, shareholders, trustees, beneficiaries, etc.) differs in any way from its ownership or management structure at the time of the offence(s):

Nature of Offence .....

Date: ...../...../..... Jurisdiction\*.....  
(Day/Month/Year)

Result: .....  
Result of Hearing or other Disposition

Have further details been provided on an attachment page? YES  NO

17. Is there any investigation or charge currently pending against the associate in respect of any offence? YES  NO

If **NO**, proceed to Q18. If **YES**, provide the following details:

Nature of investigation or charge: .....

City or Town: ..... Jurisdiction\*: .....

Have further details been provided on an attachment page? YES  NO

**Corporate Structure and Establishment of Associates**

**IMPORTANT INFORMATION**

**Historical Organisational Extract from the Australian Securities and Investments Commission (ASIC)**

**Associates incorporated under Australian Corporations Law**

This form **must** be accompanied by the associate's **original** Historical Organisational Extract from ASIC. When making a search application to ASIC, ensure that you specify that you require an Historical Organisational Extract and **not** a Current Organisational Extract. If this form is lodged with an extract other than an Historical Organisational Extract it will be considered incomplete and will be returned to you to be re-lodged when you have obtained the correct extract. The Historical Organisational Name Extract **must** be current at the time of lodgement of this form and must have been issued within the three months prior to the date of lodgement of this form. Instructions on obtaining an Historical Organisational Extract are provided in Attachment 2.

**Associates not incorporated under Australian Law**

An Historical Organisational Extract from ASIC is not required for an entity which is **not** registered with ASIC or **not** incorporated under Australian Law. Instead, to assist the VCGR with its investigations it is requested that an entity based outside Australia seek an equivalent report from the relevant overseas agency to be forwarded for the VCGR's consideration. For further details about Historical Organisational Extracts and the type of information contained in the report, refer to the instructions contained in Attachment 2.

18. Is the **original** Historical Organisational Extract from ASIC or an overseas equivalent report attached? YES  NO

If **YES**, proceed to Q19. If **NO**, is an equivalent report from the regulatory authority in each of those jurisdictions attached? YES  NO

If **NO**, provide reasons why an equivalent report from the regulatory authority in any of those jurisdictions has not been enclosed on an attachment page.

Have further details been provided on an attachment page? YES  NO

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

STRICTLY CONFIDENTIAL

Office  
Use Only

19.(a) State below how the profits of the associate are to be distributed (eg distributions to beneficiaries, trusts, dividends to shareholders, capital investment, etc.):

.....  
.....  
.....  
.....  
.....

(b) Provide details of profit distribution by the associate for the last three (3) financial years (include amounts of distribution and the names of beneficiaries of any distribution):

.....  
.....  
.....  
.....  
.....

Have further details been provided on an attachment page? YES  NO

**If the associate is a COMPANY, complete Q20 to Q26**

20. Date of Incorporation: ..... / ..... / .....  
(Day/Month/Year)

Place of Incorporation: .....

Australian Company Number (ACN, or overseas equivalent if applicable): .....

Australian Business Number (ABN, if applicable): .....

21. List the ultimate holding company, as defined in Corporations Law, of the associate (if applicable).

- 'ultimate holding company' – a corporation that is a holding company of the company lodging the associated entity form and is itself a subsidiary of no other corporation.

Ultimate holding company's name: .....

**STRICTLY CONFIDENTIAL**

Office  
Use Only

22. List below details of any related party, subsidiary or subsidiary company of the associate:
- 'related party' - an entity having control or significant influence over the financial and operating decision making policies of another entity where the relationship may prevent "arms-length" dealings.
  - 'subsidiary' – an entity that is controlled by a parent entity.
  - 'subsidiary company' - a company is subsidiary of another if that other company either:
    - (a) is a member of it and controls the composition of its board of directors; or
    - (b) holds more than half in nominal value of its equity share capital.

**Note:** Include the registered or commonly used business name of each entity.

(i) Entity Name: .....

Australian Company Number (or overseas equivalent if applicable): .....

Business name: .....

Nature of organisation's business: .....

Relationship to the associate: .....

(ii) Entity Name: .....

Australian Company Number (or overseas equivalent if applicable): .....

Business name: .....

Nature of organisation's business: .....

Relationship to the associate: .....

Have further details been provided on an attachment page? YES  NO

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

(a) ordinary shares (voting and income entitlement shares): Total number: .....

(b) preference shares (income entitlement shares only): Total number: .....

24. List below the names of **all** shareholders who hold 5% or more of the total number of shares in the associate, and the number of shares held by each:

Full Name of Shareholder	Class of Share	No. of Shares Held
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

**Note:** Shareholders with 10% or more of income entitlement and/or voting right shares **must** complete an Associated Entity or Associated Individual form as appropriate. The VCGR may at its discretion require any other shareholder in the associated entity to complete an associate form.

**STRICTLY CONFIDENTIAL**

Office  
Use Only

25. Do any of the shareholders holding 5% or more of shares in the associate hold those shares on behalf of or in trust for any person or entity? YES  NO

If NO, proceed to Q26. If YES, provide details below:

Shares Held By	Full Name of Beneficial Owner	No. of Shares
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

**Note:** Any beneficial owner of shares named in response to Q25 holding a total of 10% or more of ordinary or preferential shares **must** complete an appropriate associate form.

26. List below the names of all current company directors and the company secretary.

Name of Office Holder			Position Held
.....	.....	.....	.....
First name	Middle name/s	Surname	
.....	.....	.....	.....
First name	Middle name/s	Surname	
.....	.....	.....	.....
First name	Middle name/s	Surname	
.....	.....	.....	.....
First name	Middle name/s	Surname	
.....	.....	.....	.....
First name	Middle name/s	Surname	
.....	.....	.....	.....
First name	Middle name/s	Surname	
.....	.....	.....	.....
First name	Middle name/s	Surname	
.....	.....	.....	.....
First name	Middle name/s	Surname	

**Note:** All individuals identified above **must** complete an Associated Individual form.

27.(a) Is the associate a Corporate Trustee? YES  NO

If NO, proceed to Q28 If YES, complete the following:

Name(s) of Trust: .....

Address: .....

Type of trust (tick only one): Discretionary trust  Unit trust

A **copy** of the Trust Deed must be provided. Is a **copy** of Trust Deed attached? YES

**STRICTLY CONFIDENTIAL**

Office  
Use Only

**27. (b)** List below details of the individuals and/or entities that are beneficiaries or unit holders of the trust:

Full Name	Company - Individual (tick appropriate box)		% of Ownership	
			Voting	Income
.....	<input type="checkbox"/>	<input type="checkbox"/>	.....	.....
.....	<input type="checkbox"/>	<input type="checkbox"/>	.....	.....
.....	<input type="checkbox"/>	<input type="checkbox"/>	.....	.....
.....	<input type="checkbox"/>	<input type="checkbox"/>	.....	.....

**(c)** Specify which of the beneficiaries/unit holders of the trust received 10% or more of the trust's income distribution in any one of the last three (3) years:

.....

.....

.....

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

.....

.....

.....

**Note:** All beneficiaries or unit holders identified at Q27(d) **must** complete an Associated Entity or Associated Individual form as appropriate.

Have further details been provided on an attachment page? YES  NO

**If the associate is a PARTNERSHIP, complete Q28**

**28.** Partnership's Australian Business Number (ABN): .....

List below the details of the individuals and/or entities that constitute the partnership:

Full Name	Company - Individual (tick appropriate box)		% of Ownership	
			Voting	Income
.....	<input type="checkbox"/>	<input type="checkbox"/>	.....	.....
.....	<input type="checkbox"/>	<input type="checkbox"/>	.....	.....
.....	<input type="checkbox"/>	<input type="checkbox"/>	.....	.....
.....	<input type="checkbox"/>	<input type="checkbox"/>	.....	.....

**Note:** All partners with a partnership interest of 10% or greater of income or voting entitlements **must** complete an Associated Entity or Associated Individual form as appropriate.

Have further details been provided on an attachment page? YES  NO

Financial Particulars

IMPORTANT INFORMATION

Associate's Financial Statements

Financial statements consisting of balance sheet, profit and loss statement (including details of secured and unsecured loans, amounts and sources of funds) and explanatory notes (audited or certified as to whether the financial statements are presented fairly in accordance with applicable Accounting Standards and other mandatory professional reporting requirements), must be provided for the three most recently completed financial years. If this is more than six months from the date of application, an unaudited financial statement covering this period must also be provided. Where an associate has never traded but a holding entity exists, the holding company must provide financial details in accordance with the above requirements (Note: Guidelines for the certification of financial statements are provided at Attachment 1).

Holding Company's Financial Statements (if applicable)

The holding company's financial statements consisting of balance sheet, profit and loss statement (including details of secured and unsecured loans, amounts and source of funds) and explanatory notes (audited or certified as to whether the financial statements are presented fairly in accordance with applicable Accounting Standards and other mandatory professional reporting requirements), must be provided for the most recent completed financial year. If this is more than six months from the date of application, unaudited financial statements covering this period must also be provided.

29. Are the associate's financial statements or, where applicable, the holding company's financial statements attached? YES [ ] NO [ ]

If YES, proceed to Q30. If NO, provide reasons on an attachment page.

Have further details been provided on an attachment page? YES [ ] NO [ ]

IMPORTANT INFORMATION

Veda Advantage Company Extract

All associates (whether a company or an incorporated association) must lodge with this application form an original Company Extract from Veda Advantage (refer to instructions at Attachment 3). Only matters not reported in this credit report should be disclosed when responding to Q31.

30. Is the associate's original Company Extract from Veda Advantage attached? YES [ ]

31. Is the associate in default of any debt incurred solely or jointly in its name? (Note: Do not include details unless a payment is overdue or in arrears) YES [ ] NO [ ]

If NO, proceed to Q32. If YES, complete the following details (Note: All amounts must be stated in Australian currency):

Financial Institution or creditor: .....

Amount owing (total amount): \$ ..... Amount in default (total amount): \$ .....

Date payment was due: ...../...../..... (Day/Month/Year)

Financial Institution or creditor: .....

Amount owing (total amount): \$ ..... Amount in default (total amount): \$ .....

Date payment was due: ...../...../..... (Day/Month/Year)

Have further details been provided on an attachment page? YES [ ] NO [ ]

**STRICTLY CONFIDENTIAL**

Office  
Use  
Only

32. Has the associate ever had a receiver, controller or administrator appointed, entered a scheme of arrangement or a formal administration (however it is described), or been subject to any like proceedings? (Note: Include any pending arrangements known to the associate) YES  NO

If NO, proceed to Q33. If YES, provide details below:

Type of proceedings .....

Date action taken: ..... / .....  
(month/year)

Reason for action taken: .....

.....

.....

Details of administrator, liquidator, receiver, controller, regulatory body or law enforcement agency:

Name: ..... Ph No: (.....) .....

Have further details been provided on an attachment page? YES  NO

33. Provide the name and full address of all financial institutions and other sources with which the associate has accounts, borrowings or investments:

(i) Financial Institution/Source name: .....

Branch/Source address: .....

.....

Nature of account: .....

(ii) Financial Institution/Source name: .....

Branch/Source address: .....

.....

Nature of account: .....

(iii) Financial Institution/Source name: .....

Branch/Source address: .....

.....

Nature of account: .....

Have further details been provided on an attachment page? YES  NO

**Declaration by Authorised Officer**

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

Signature of authorised officer: ..... Date: ...../...../.....  
(Day/Month/Year)

Signature of witness\*: .....

Print name of witness: .....

\* Any adult can be a witness.

**STRICTLY CONFIDENTIAL**

**VICTORIA**

*Gambling Regulation Act 2003*

**Consent for Release of Information by Law Enforcement Agencies**

In the matter of this application for registration as a bookmaker and for the purposes of ongoing monitoring by:

Name: .....  
(Full name of associate)

Address: ..... (Associate)  
(Full address of associate)

I, .....  
(Full name of Authorised Officer signing the application on behalf of the Associate)

**CONSENT**

The Associate hereby consents to all probity investigations carried out by the Victorian Commission for Gambling Regulation (the VCGR) and its staff, including but not limited to:

- (a) Inspection of criminal, intelligence or other records kept or maintained by:
  - \* the Victoria Police;
  - \* any crime investigation agency;
  - \* any gambling regulatory body;
  - \* any Court;
  - \* any State, Territory, federal or overseas police force;
  - \* any corporate regulatory agency;
  - \* any casino regulatory body;
  - \* any government agency.

(collectively referred to as 'law enforcement agencies')
- (b) Release of particulars of any convictions, findings of guilt or other information recorded against me by the law enforcement agencies including, without limitation:
  - \* details of all prosecutions, including acquittals and matters withdrawn or dismissed and all findings of guilt, whether or not a conviction was recorded;
  - \* matters or charges still outstanding;
  - \* law enforcement agencies intelligence howsoever obtained;
  - \* any other matters recorded as arising either in Victoria or elsewhere by any law enforcement agency and considered relevant to the investigation or assessment of my application for registration as a bookmaker under the *Gambling Regulation Act 2003* to the VCGR.

**RELEASE**

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

**ACKNOWLEDGEMENT**

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

- \* the VCGR considers that I am no longer an associate of a registered bookmaker; or
- \* the expiry of any registration as a bookmaker (if granted).

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

**EXECUTION AS A DEED**

.....  
Signature of authorised officer on behalf of the Associate

Dated: ...../...../.....  
(Day/Month/Year)

.....  
Signature of Witness

.....  
Printed Name of Witness (any adult can be a witness)

**STRICTLY CONFIDENTIAL**

VICTORIA

*Gambling Regulation Act 2003*

**Financial Information Release Form**

In the matter of this application for approval as an associate of a bookmaker and for the purposes of ongoing monitoring by:

Name: .....  
(Print corporation name)

Address: ..... ('associate')  
(Full address of Associate)

I, .....  
(Full name of Authorised Officer signing the application on behalf of the Associate)

being the duly authorised officer of the associate hereby authorise all *persons* who receive a photocopy of this *financial information release form* from the Victorian Commission for Gambling Regulation (the VCGR) to undertake the *authorised actions* for the *authorised purposes* as set out below:

**Authorised actions**

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

**Release**

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

**Authorised purposes**

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

- \* the VCGR considers that I am no longer an associate of a registered bookmaker; or
- \* the expiry of any registration as a bookmaker (if granted).

**Signed:** .....  
(Authorised officer's signature)

**Dated:** ..... / ..... / .....  
(Day/Month/Year)

**Notes**

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

**STRICTLY CONFIDENTIAL**

VICTORIA

*Gambling Regulation Act 2003*

**Authorisation by Associate under Section 10.1.34(1)(b)**

**Who must complete this form?**

This form must be completed for **all** associates requesting approval as an associated entity of an applicant for registration as a bookmaker or an applicant renewing a bookmaker's registration. Accordingly, if you ticked (a) or (b) in response to Q1, you **must** read the following important information and complete the form below. If you ticked (c) in response to Q1, indicating that you are seeking approval as a new associate of a currently registered bookmaker, you are **not** required to complete this form.

**Important Information**

By completing this form, you will indicate your decision to authorise or not authorise the Victorian Commission for Gambling Regulation (the VCGR) and its staff to disclose the information outlined below. The VCGR and its staff are bound by Division 6 of Part 1 of Chapter 10 of the *Gambling Regulation Act 2003*, which contains strict confidentiality provisions. Any protected information that is recorded in this document is subject to Division 6 of Part 1 of Chapter 10 of the Act and cannot be disseminated except in accordance with those provisions. If endorsed, VCGR staff will be authorised to advise the applicant for registration as a bookmaker (to which this request for approval relates) that information obtained by the VCGR in relation to your associated entity form requires further assessment or investigation. The final determination of the application for registration as a bookmaker may be delayed pending the outcome of the assessment/investigation of your associated entity form.

Your endorsement of the following form **does not mean** you allow the release of any information or details contained in your associated entity form, or the release of any information obtained by the VCGR in the course of its investigations. The **only** information provided to the applicant for a registration as a bookmaker will be the fact that the application for such a licence will be delayed pending the outcome of the assessment/investigation of your associated entity form.

You do not have to authorise the release of this information. However, if you do not it may significantly delay any application this associated entity form relates to. Indicate your decision to authorise or not to authorise the release of this information by circling the appropriate choice in the below form. If you have any questions regarding this matter contact the Commercial Licensing and Monitoring Unit on telephone (03) 9651 3655 and ask to speak with a Licensing Analyst or email your enquiry to this Unit at [Commercial.Licensing@vcgr.vic.gov.au](mailto:Commercial.Licensing@vcgr.vic.gov.au).

**AUTHORISATION BY AN ASSOCIATED ENTITY**

In accordance with section 10.1.34(1)(b) of the *Gambling Regulation Act 2003*,

**Associated entity details:**

Name: ..... of  
(Print full name of associated entity)

Address: ..... (associate)  
(Full address of associated entity)

Authorised officer: .....  
(Full name of authorised officer signing the application on behalf of the associated entity)

**AUTHORISATION**

The associate hereby **AUTHORISES / DOES NOT AUTHORISE (circle the appropriate statement)** the VCGR and its staff to inform the applicant to which this associated entity form relates that determination of the application may be delayed due to assessment of this form requiring further or additional investigation.

Signed: .....  
Signature of authorised officer on behalf of the associated entity

Date: ...../...../.....  
(Day/Month/Year)

**STRICTLY CONFIDENTIAL**

VICTORIA

*Gambling Regulation Act 2003*

**Public Hearings under Section 10.1.22**

**Important Information about Public Hearings**

Section 10.1.22 of the *Gambling Regulation Act 2003* (the Act) requires the Victorian Commission for Gambling Regulation (the VCGR) to conduct certain aspects of its business in public. In addition to those matters it must decide in public, the VCGR has also decided that certain other matters will be decided in public, including the determination of suitability of associates of registered bookmakers (except matters needing an inquiry).

This means that any material provided by you in respect of your request for approval as an associate of a bookmaker, both now and in the future, may be publicly disclosed in the course of the decision-making process.

However, under section 10.1.22 (3) of the Act the VCGR may direct that an inquiry or meeting or part of an inquiry or meeting be held in private if it considers:

- (a) it necessary to do so to prevent the unreasonable divulgence of information relating to the personal affairs of any person including a deceased person; or
- (b) it is otherwise in the interests of justice or the public interest to do so.

The following "Acknowledgment in Relation to Public Hearings" must be completed for all entities requesting approval as an associated entity of an applicant for or a currently registered bookmaker. The acknowledgment requires the authorised officer to certify that they have read and understood this important information about public hearings. It also provides the associate with the opportunity to make submissions to the VCGR as to why it should decide to consider this request for approval in private. Please note that any reasons provided will be considered, but the final decision of whether a request for approval will be decided in private or in public will be made by the VCGR.

If you have any questions regarding the public hearing process contact the VCGR on telephone (03) 9651 3655 and ask to speak with a Licensing Analyst or email your enquiry to [Commercial.Licensing@vcgr.vic.gov.au](mailto:Commercial.Licensing@vcgr.vic.gov.au).

**ACKNOWLEDGMENT IN RELATION TO PUBLIC HEARINGS**

*Gambling Regulation Act 2003 - Section 10.1.22*

Name: ..... of  
(Print full name of associated entity)

Address: ..... ("associate")  
(Full address of associated entity)

Authorised Officer: .....  
(Full name of the authorised officer signing the form on behalf of the associated entity)

As the authorised officer completing this form on behalf of the associate, I hereby state that:

- (i) I have read the 'Important Information About Public Hearings' detailed above; and
- (ii) I understand that material which is relevant to this request for approval as an associate of an applicant for, or a currently registered bookmaker, whether provided now or in the future, will be liable to be publicly disclosed in the course of the decision-making process.

Further, I hereby advise the VCGR that (*tick the appropriate box below*):

- I have no objection to this request for approval being heard in public.
- I object to this request for approval being heard in public and have attached a statement of reasons as to why it should be decided in private.

Signed: .....  
Signature of authorised officer on behalf of the associated entity

Dated: ...../...../.....  
(Day/Month/Year)



## Attachment 1

### Guidelines for Certification of Financial Statements

#### Introduction

The Victorian Commission for Gambling Regulation (the VCGR) requires that an entity applying for approval as an associate of a registered bookmaker must submit financial statements consisting of balance sheets, profit and loss statement and the explanatory notes for the **three** most recently completed financial years. The VCGR also requires financial statements of the associates other business interests to assess the associates financial resources and stable background. In addition, it is the responsibility of the associate to be able to show, by way of consolidated financial statements, the net financial arrangement of the overall group of business entities, if necessary to do so. The financial statements of the applying entity must be:

- 1) **Audited** by a registered company auditor; **or**
- 2) **Certified** as to their accuracy by a registered company auditor or a financial member of the Institute of Chartered Accountants in Australia or CPA Australia, in the prescribed format as outlined in Attachment 1A.

Exempt proprietary companies where all members agree not to appoint an auditor along with unincorporated clubs, partnerships, trusts and sole traders are excluded from current legal requirements to undertake audits.

To meet the VCGR's requirements, the financial statements for an applying entity are required to comply with the following guidelines, in accordance with the Australian Auditing Standard AUS802: "The Audit Report on Financial Information Other than a General Purpose Financial Report", paragraphs 1 to 21 inclusive as issued by the Australian Accounting Research Foundation. The Accountant who is to perform the certification of the financial statements should undertake the procedures below prior to the preparation of a report to the VCGR, which is required to accompany the financial statements. Comparative figures for the previous financial year must be included in the financial statements in accordance with the Accounting Standard AASB1018 "Profit and Loss Accounts".

Accountants certifying statements must be objective, impartial and free of conflicts of interest in the performance of their professional duties. Accordingly, accountants are referred to Australian Auditing Standard AUS 108 "Framework for Assurance Engagements". In particular, professional ethics demand that auditors should not accept engagements if they hold or have held the office of director in audit clients or their related companies. The financial report to the VCGR should include the following information:

#### General

A review of the books and records to:

1. Determine whether they are appropriate for the business and maintained up-to-date; and
2. Confirm that financial statements are in accordance with the books and records of the applying entity.

#### Revenue and Expenditure

Confirm that all the associate's taxation returns have been lodged with the Australian Taxation Office.

#### Current Assets

##### • **Cash at Bank**

Confirm cash balances directly with the deposit holder in writing. Examine bank reconciliations for accuracy

##### • **Debtors**

Review an aged debtors listing at balance date for collectability of amounts due. Report total debtors believed to be doubtful. If amounts have been outstanding for longer than 60 days, explain why it is believed that these amounts are collectable.

##### • **Other Current Assets**

Confirm all other current asset balances at balance date.

## Attachment 1

### Non-Current Assets

- **Physical Assets**

Confirm physical non-current assets and explain the valuation if these assets have not been recorded at cost (less depreciation).

- **Intangible Assets**

Ensure intangible assets are valued in accordance with the appropriate accounting standard.

### Current Liabilities

- **Creditors**

Obtain an aged trial balance at balance date, determine the fifteen major suppliers and agree balance date liabilities to statements. If statements are unavailable, confirm the balances due directly with the suppliers.

Review cash payment records to ensure all major creditors are included at balance date.

- **Accruals**

Review the following accruals and ensure that at balance date, the appropriate accrual has been included in the financial statements. The certification should specifically report circumstances where more than the current month is included in the accrual, or if penalties have been charged during the last year.

- |   |  |
|---|--|
| - Rental, rates and taxes on properties | - Payroll Tax                                    |
| - Group Tax                             | - WorkCover                                      |
| - Utilities                             | - Employee entitlements including superannuation |

### **Other Current Liabilities**

Confirm all other current liabilities (including bank overdraft) at balance date.

### **Non-Current Liabilities**

- **Borrowings/Liabilities**

Directly confirm in writing the balances due, both current and non-current, and ensure that all interest has been accrued. Include in the certification, any circumstances where interest and/or principal repayments have been deferred, re-scheduled or capitalised. For shareholder/director loans, obtain confirmation of terms and period for repayment.

- **Contingent Liabilities**

Confirm that all contingent liabilities have been identified and included in the notes to the accounts.

- **Other Non-Current Liabilities**

Confirm all other non-current liabilities at balance date.

### Equity

- **Shareholder funds (if applicable)**

Confirm the authorised, issued and paid-up amounts of share capital.

#### NOTE:

The following note should be included as part of the special purpose financial report under the heading "**Basis of Accounting**".

"This special purpose financial report has been prepared for the purpose of applying for approval as an associate of a registered bookmaker under the *Gambling Regulation Act 2003*. Australian Accounting Standards have been adopted in the preparation and presentation of the special purpose financial report except for the following: (*list the Accounting Standards not complied with in the financial statements*)".

#### ENQUIRIES:

If you have any enquiries in relation to the Guidelines, contact the Commercial Licensing and Monitoring Branch on (03) 9651 3655, by fax (03) 9651 3777, or by email at [Commercial.Licensing@vcgr.vic.gov.au](mailto:Commercial.Licensing@vcgr.vic.gov.au).

**Attachment 1A**

**REPORT TO THE VICTORIAN COMMISSION FOR GAMBLING REGULATION**

You have asked to apply certain agreed procedures to the special purpose financial report of ..... (entity) for the purpose of that entity's application for approval as an associated entity of a registered bookmaker under the *Gambling Regulation Act* 2003. The special purpose financial report comprises the balance sheet, profit and loss statement and notes set out on pages ..... to ..... Accompanying this report.

The special purpose financial report is the responsibility of the Directors/Owners of ..... (entity). Our responsibility is to carry out the agreed procedures and report our findings.

We have applied the procedures for certification of financial statements accompanying an application for approval as an associate of a registered bookmaker as enumerated in the "Guidelines for Certification of Financial Statements" at Attachment 1 to the special purpose financial report of ..... (entity) for the year ended .....

These procedures are substantially less in scope than an audit the objective of which is to enable an auditor to express an opinion on such financial information. Accordingly, we do not express such an opinion.

We report that the agreed procedures were satisfactorily completed and no exceptions or reportable matters were noted / The following exceptions arose which we now bring to your attention (only if matters are reported):

Accounting Standard Reference	Exception noted/reportable matter
.....	.....
.....	.....
.....	.....
.....	.....

Except for the matters reported in the immediately preceding paragraph, based on the application of the agreed principles referred to above, nothing came to our attention that caused us to believe that the special purpose financial report is not presented fairly in accordance with the basis of accounting disclosed in Note 1 of the special purpose financial report. If we had performed additional procedures or audited the special purpose financial report, other matters might have come to our attention that would have been reported to you.

This report is intended solely for your information and should not be presented to, or relied upon by any other parties, without our knowledge and consent.

Name: .....

Signed: .....

Title: ..... Date: ..... / ..... / .....

Member: CPA Australia/Institute of Chartered Accountants (please specify)

Firm: .....

Address: .....

## Attachment 2

### HISTORICAL ORGANISATIONAL EXTRACT FROM THE AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION (ASIC)

As part of this associated entity form, you must apply for the associated entity's Historical Organisational Extract which identifies the type, status, registered address, roles within the organisation, share structure, members, charges and documents lodged, (current and historical) of organisations registered with ASIC.

When making a search application to ASIC, ensure that you specify that you require an Historical Organisational Extract and **not** a Current Organisational Extract. An Historical Organisational Extract identifies **both current and historical** information about the associated entity, while the Current Extract identifies only current information. If this associated entity form is lodged with an extract other than an Historical Organisational Extract it will be considered incomplete and will be returned for re-lodgement when the correct extract has been obtained.

The associated entity's Historical Organisational Extract **must** be current at the time of lodgement of this form and not exceed three (3) months from the date of issue. If you fail to meet any of these requirements (i.e. you do not provide the associated entity's Historical Organisational Extract, or you enclose either a photocopied extract or an extract exceeding 3 months from the date of issue) the associated entity form will be considered incomplete and will be returned to you.

**All** matters detailed in the associated entity's Historical Organisational Extract are taken into consideration by the Victorian Commission for Gambling Regulation. Should you wish to dispute any of the information disclosed in the associated entity's Historical Organisational Extract you should do so with ASIC **prior** to lodging the associated entity form.

#### Fees

Fees are payable for searching ASIC databases. ASIC fees for on-line/telephone searches through brokers may differ from the fees charged at an ASIC Business centre. Information brokers, however, may charge a service delivery fee in addition to the ASIC fee. The delivery fee may vary between brokers. ASIC does not regulate the amount of broker delivery fees.

ASIC can advise you of the cost of obtaining an Historical Organisational Extract.

#### How to apply for your organisational Extract

An Historical Organisational Extract can be obtained from either ASIC Business Centres, Local ASIC Representatives or Information Brokers. Locations of information providers are listed below.

#### How to apply for your Historical Organisational Extract

An Historical Organisational Extract can be obtained from ASIC. You may also contact ASIC's Infoline or refer to the ASIC website to obtain details of regional ASIC Business Centres and ASIC Representatives or Information Brokers.

#### Contact Details

Website: [www.asic.gov.au](http://www.asic.gov.au)

Email: [info.enquiries@asic.gov.au](mailto:info.enquiries@asic.gov.au)

ASIC's Infoline: 1300 300 630

## Attachment 3

### COMPANY EXTRACT FROM VEDA ADVANTAGE

As part of this associated entity form, you must apply to Veda Advantage for the associated entity's Company Extract which will identify any matters entered against the associated entity by any financial provider.

The associates **original** Company Extract **must** be forwarded to the VCGR with this application form. The extract must be current at the time of lodgement of the application form and not exceed three (3) months from the date of issue by Veda Advantage. If you fail to meet any of these requirements (i.e. you do not provide the associate's Company Extract or you enclose either a photocopied file or a file exceeding three (3) months from the date of issue) the application form will be considered incomplete and will be returned to you.

**All** matters detailed in the associated entity's Company Extract are taken into consideration by the VCGR and are essential to allow an assessment of the associated entity's financial resources and background. Should you wish to dispute any of the information disclosed in the associated entity's Company Extract you should do so with Veda Advantage **prior** to lodging your form.

#### HOW TO APPLY FOR THE ASSOCIATED ENTITY'S COMPANY EXTRACT

To apply for the associated entity's Company Extract, a written application **signed by the authorised company officer** (a current company director/secretary of the associated entity) on behalf of the associated entity needs to be made to:

##### MAIL REQUEST TO:

Public Access Division, Veda Advantage

PO Box 964, NORTH SYDNEY, NSW, 2059

Fax Request on: (02) 9951 7880

Telephone Request or Enquiries to: (02) 9464 6000

As part of your application to Veda Advantage you should provide the following details:

##### Authorised company officer details:

- authorised officer's full name (surname, first and middle names);
- position within associated entity (e.g. company director); and
- telephone number including area code (business hours contact number).

##### Associated Entity details:

- the associated entity's name (company name); and
- the associated entity's Australian Company Number (ACN).

Veda Advantage can advise you of the cost of obtaining a Company Extract. Arrangements for fee payment can be made over the telephone by credit card, or payment may be made by money order or bank cheque (personal cheques are not accepted). For credit card payment over the telephone, please contact Veda Advantage on telephone (02) 9464 6000 and follow the recorded instructions.

Veda Advantage will usually provide you with the associated entity's Company Extract within 24 hours of receiving your request, although some applications may take longer to process.