

Gaming machine entitlements – amendment of a geographic area/venue condition

AUGUST 2012

This package contains the application and information material for approval of an amendment of a geographic area or venue condition.

How to apply

Send application to:

Victorian Commission for Gambling and Liquor Regulation
GPO Box 1988
Melbourne Vic 3001

or lodge in person at:

49 Elizabeth Street
Richmond

Need help?

For more information on how to apply:

- Visit the Victorian Commission for Gambling and Liquor Regulation website at www.vcglr.vic.gov.au
- Telephone the VCGLR on 1300 182 457



Victorian Commission for Gambling and Liquor Regulation

Application to Amend the Geographic Area Condition or Venue Condition of a Gaming Machine Entitlement

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DIRECTIONS FOR COMPLETION

- CAREFULLY read the application form and accompanying guidance booklet.
- ALL questions must be completed by filling in the appropriate box.
- Type or print in BLOCK LETTERS an answer to every question.
- If a question does not apply, state N/A (not applicable) in response.
- If there are no details to disclose in response to a particular question, state NIL in response.
- Ensure each page of the application form, including attachment pages, is signed and dated by the venue operator (or authorised officer or nominee on behalf of the venue operator).
- ANY QUESTION NOT ANSWERED OR LEFT BLANK WILL RESULT IN THE APPLICATION FORM BEING RETURNED TO THE APPLICANT.
- If the space available is insufficient, please supply the additional details on an attachment page. Precede each answer with the title and reference of that question.

PURPOSE

The State Government of Victoria, through the introduction of the *Gambling Regulation Act 2003* ("the Act"), has declared its intention that the gaming machine industry within the State will be strictly controlled to ensure that every endeavour is made to eliminate opportunities for illegal activity or organised crime. To this end, all persons or organisations that apply to participate in this industry are required, by law, to provide the information requested in this application form. The provision of all requested information is essential for processing of this application.

The matters for consideration by the Victorian Commission for Gambling and Liquor Regulation ("the Commission") when deciding whether to approve a proposed amendment to a venue operator's entitlement are set out under section 3.4A.12 of the Act. In particular, the Commission must be satisfied that:

- the venue operator still owns the gaming machine entitlement that it is requesting an amendment for (i.e. Entitlement has not been transferred or forfeited);
- the amendment will not breach the regional or municipal limit for the proposed area;
- the effect of a decision of the Commission to amend a geographic area condition must not be inconsistent with the effect of section 3.4A.5(5) of the Act;
- the effect of a decision of the Commission to amend a venue condition must not be inconsistent with the effect of section 3.4A.5(6) of the Act and,
- a decision of the Commission that amends a geographic area condition or venue condition, must not be inconsistent with –
 - a) in the case of a decision that amends a geographic area condition, a direction under section 3.2.3 or an order under section 3.2.4 of the Act;
 - b) in the case of a decision that amends a venue condition, a direction under section 3.2.3 of the Act.

The information requested in this application form is the minimum required to allow the Commission to consider the application in accordance with the matters for consideration in determining an application set out under the Act.

VICTORIAN COMMISSION FOR GAMBLING AND LIQUOR REGULATION

The Commission is the independent body responsible for the regulation of Victoria's gambling industry. Under the Act, the Commission is responsible for the consideration and determination of various applications, including applications to amend the conditions of a gaming machine entitlement.

GIVING FALSE OR MISLEADING INFORMATION

In accordance with section 10.5.16 of the Act, it is an offence to give information that is false or misleading in a material particular. Giving information that is false or misleading may result in the non-approval of your application and/or disciplinary action being taken against you and a fine of up to 60 penalty units.

MAKING AN APPLICATION

When is an application to amend the gaming machine entitlement condition required?

Under section 3.4A.5(4) of the Act, every gaming machine entitlement allocated by the Minister will have a condition that specifies the region or municipal district in which gaming may be conducted under that entitlement (a geographic area condition) and a condition that specifies the type of approved venue in which gaming may be conducted under that entitlement (a venue condition).

A venue operator that holds a gaming machine entitlement may make a request to the Commission pursuant to section 3.4A.12 of the Act, to amend a geographic area condition or venue condition to which the gaming machine entitlement is subject.

Any change to the geographic area condition or venue condition will require an application to the Commission to request an 'Amendment of a Geographic Area/Venue Condition'.

An applicant may nominate a date for the amendment to take effect from and the reason for this date being requested. Please note that a requested date for amendment is not automatically guaranteed and the Commission may approve the amendment effective from another date.

COMPLETING THE APPLICATION FORM

The application form must be completed by the authorised officer or nominee on behalf of the venue operator.

LODGING THE APPLICATION FORM

You can submit your completed application form in person to the Commission's office, or mail your application form as follows:

Mail submission to:

Victorian Commission for Gambling and Liquor Regulation
GPO Box 1988
MELBOURNE VIC 3001

Personal submission to the Commission's office at:

Victorian Commission for Gambling and Liquor Regulation
49 Elizabeth Street, Richmond

NOTE:

INCOMPLETE APPLICATION FORMS WILL NOT BE ACCEPTED OR REGISTERED BY THE VICTORIAN COMMISSION FOR GAMBLING AND LIQUOR REGULATION AND WILL BE RETURNED TO THE APPLICANT.

It is of benefit to you to review your application form BEFORE SUBMISSION to ensure it is FULLY COMPLETED and that ALL required attachments are provided. This simple check could save you unnecessary delays in registration and processing time.

APPLICATION PROCESS

Each application for amendment of a gaming machine entitlement condition is investigated by the Commission to ensure the application complies with the matters for consideration set out under section 3.4A.12 of the Act. Following the completion of all investigations, a report on the findings is made to the Commission regarding the gaming machine entitlement condition amendment.

The outcome of the Commission's decision will be made known at a Public Hearing of the Commission Meeting. Please check the Commission's website for further information.

You will also be advised in writing of the outcome of the Commission's decision concerning your application. If the Commission approves the amendment, you will receive a Notice of Approved Amendment of Gaming Machine Entitlement Condition detailing the

gaming machine entitlement/s that have condition amendment approval.

All applications accepted by the VCGLR will be time and date stamped. Due to municipal limits, regional caps and other restrictions, some decisions may affect the likelihood of success of other applications. Applications that may impact on any other current application will be determined by the VCGLR in the order in which they are received. Applications that do not impact on another current application will be determined in a timely manner.

REQUIREMENT FOR NOTIFICATION OF CHANGE

Before this application is determined

Between the lodgement of this application and its determination by the Commission, any changes to the information provided (including any documents lodged with the application) must be notified by the venue operator/nominee in writing without delay.

Failure to notify the Commission of any change may result in a fine of up to 60 penalty units.

WEBSITE

The Commission's website is located at www.vcglr.vic.gov.au. The website contains current information that may be of assistance to you. The site is regularly updated with advice of changes to the legislation and details of changes to licensing requirements and responsibilities for industry participants. In addition, various application forms are available from the website. In addition the Commission's website provides general information about the Commission and its statutory functions and responsibilities.

PRIVACY POLICY

The VCGLR is committed to responsible and fair handling of personal information consistent with the *Information Privacy Act 2000* and its obligations under the *Gambling Regulation Act 2003*.

IMPORTANT INFORMATION

Giving False or Misleading Information

In accordance with section 10.5.16 of the *Gambling Regulation Act 2003*, it is an offence to give information that is false or misleading in a material particular. Giving information that is false or misleading may result in the refusal of your application and/or disciplinary action being taken against you and a fine of up to 60 penalty units.

Privacy Policy

The VCGLR is committed to responsible and fair handling of personal information consistent with the *Information Privacy Act 2000* and its obligations under the *Gambling Regulation Act 2003*.

Outcome of your Application

The outcome of your application will be advised at a Public Hearing Commission Meeting. Please check the VCGLR website under Commission Meeting, Meeting Dates Agenda regularly for information on your application outcome. Alternatively, you can contact the VCGLR on 1300 182 457.

Application Process

All applications accepted by the VCGLR will be time and date stamped. Applications will be processed by the VCGLR in the same order they are received and in a timely manner.

Strictly Confidential

<h1>Application for the Amendment of a Geographic Area/Venue Condition</h1>	Office Use Only
	Revenue Officer:..... (Print name)
	Revenue Officer: (Signature)
	Date Received:/...../.....
	Venue Operator's Licence No.
Assigned to (Print name).....	

(a) Application is hereby made to the Victorian Commission for Gambling and Liquor Regulation to amend the gaming machine entitlement venue/geographic condition issued to:

Venue Operator Name:.....

Authorised Person:

Licence Number V /.....

Application Continued on Next Page

