

Listing on the roll of manufacturers, suppliers and testers

MARCH 2016
CD/15/64679

This package contains the application and information material to be listed on the roll of manufacturers, suppliers and testers.

How to apply

Send application to:

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

or lodge in person at:

Level 3, 12 Shelley Street
Richmond

Need help?

For more information on how to apply for a liquor or gambling licence or permit:

- visit the Victorian Commission for Gambling and Liquor Regulation (VCGLR) website at vcglr.vic.gov.au
- telephone the VCGLR on 1300 182 457
- email the VCGLR at contact@vcglr.vic.gov.au



Application for listing on the roll of manufacturers, suppliers and testers

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Privacy policy

The Victorian Commission for Gambling and Liquor Regulation (VCGLR) is committed to responsible and fair handling of personal information consistent with the *Privacy and Data Protection Act 2014* and its obligations under the *Gambling Regulation Act 2003*.

Confidentiality provisions

Information provided in your application must not be disclosed by the VCGLR or its staff to someone else, except for the purposes stated in Division 6 of Chapter 10 of the Privacy and Data Protection Act (to access this Act visit vcqlr.vic.gov.au).

IMPORTANT INFORMATION

Completing the application form.

Before completing your application, you are strongly encouraged to meet with a Licensing Analyst to discuss the application process and obtain general advice about completing this form. This meeting may need to be held at least four weeks prior to lodgement of the application to ensure that you have sufficient time to obtain relevant reports and certificates from third parties. You can schedule a meeting by calling 1300 182 457. If you submit an application without meeting with a Licensing Analyst, there is a risk your application may not be complete, which will result in the application form being returned.

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.
- Note all dollar references throughout the application form are in Australian dollars. Where required, dollar amounts must be stated in Australian dollars.

Roll of Manufacturers, Suppliers and Testers

A person whose name is listed on the Roll is authorised, subject to the *Gambling Regulation Act 2003* (the Act), to do any one or more of the following things as specified in the Commission's determination under section 3.4.63 granting that person's application for listing and subject to any conditions to which that listing is subject—

- (a) if the person is listed in the division of the Roll for manufacturers—
 - (i) manufacture, sell or supply approved gaming machines (including obtaining restricted components for the purpose of manufacturing approved gaming machines);
 - (ii) manufacture, sell or supply restricted components;
 - (iii) a prescribed activity;
- (b) if the person is listed in the division of the Roll for suppliers—
 - (i) sell or supply approved gaming machines;
 - (ii) sell or supply restricted components;
 - (iii) obtain or acquire approved gaming machines or restricted components;
 - (iv) a prescribed activity;

- (c) if the person is listed in the division of the Roll for suppliers of testing services—
 - (i) enter into arrangements with venue operators to service, repair or maintain gaming equipment through the services of a person holding a gaming industry employee's licence;
 - (ii) enter into arrangements with gaming operators to service, repair or maintain gaming equipment through the services of persons holding a gaming industry employee's licence;
 - (iii) enter into arrangements with manufacturers or suppliers of gaming equipment or games or gaming operators to test gaming equipment or games for the purposes of the issue of certificates referred to in section 3.5.4, 3.5.5 or 3.5.13;
 - (iv) enter into arrangements with persons seeking approval of gaming equipment (within the meaning of the *Casino Control Act 1991*) to test the equipment for the purposes of the issue of certificates referred to in section 62 of that Act;
 - (v) enter into arrangements with the holder of the wagering licence, the wagering operator, the wagering and betting licensee or the holder of an on-course wagering permit to test instruments, contrivances, hardware, software or equipment referred to in section 4.2.3 for the purposes of the issue of certificates referred to in that section;
 - (vi) enter into arrangements with the monitoring licensee, the holder of a public lottery licence or the keno licensee to test instruments, contrivances, hardware, software or equipment referred to in section 3.5.13, 5.2.1A or 6A.2.5 for the purposes of the issue of certificates referred to in those sections;
 - (vii) enter into arrangements with a licensed provider to test interactive gaming equipment for the purposes of the issue of certificates referred to in section 7.4.4;
 - (viii) a prescribed activity.

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

For the purposes of this application, the 'applicant' must nominate an 'authorised officer' to be responsible for the completion of the 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

IMPORTANT INFORMATION

the business direction of the applicant. This capacity to influence extends beyond the day to day management and control of the business of the applicant, although it may include this. The authorised officer is typically the chairman of the board of directors, managing director, chief executive officer, public officer or company secretary.

Who is an associate?

The questions contained in this application form assist to identify an applicant's associates. The application must be accompanied by completed Associated Individual or Entity forms for relevant associates identified from completing this form.

For the purposes of section 1.4 of the Act, an "associate" of a gambling industry participant is—

- (a) a person who 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 gambling business of the gambling industry participant, 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 business; or
- (b) a person who is or will be an executive officer, whether in right of the person or on behalf of any other person, of the gambling business of the gambling industry participant; or
- (c) if the gambling industry participant is a natural person—a person who is a relative of the gambling industry participant.

Associates may include, but are not limited to:

- all current office holders (directors, secretary etc), managers and persons holding other executive positions (e.g. chief operating/executive officer);
- shareholders with 10 per cent or more of ordinary shares (voting and income entitlement shares) and/or preference shares (income entitlement shares only) of the applicant;
- persons or entities entitled to receive from the applicant, either directly or indirectly, any income derived from the business or entitlement to receive any payment as a result of money advanced;
- subsidiaries, related entities or the ultimate holding company of the applicant; and
- any other individual or entity determined by the Commission to be an associate.

Subsequent investigations by the Commission may reveal further associates of the applicant.

These individuals or entities will also be required to complete and lodge an appropriate associate form.

Lodgement of associate forms

Associate forms are part of the application for listing on the Roll and must be forwarded to the Commission as part of that application. The Commission is aware of the confidentiality of personal information provided in Associated Individual forms. Accordingly, Associated Individual forms may be provided with an application in a **sealed envelope** with instruction that it may only be opened after it has been lodged with the Commission. Where an Associated Individual applicant has failed to provide necessary information, the application form will be returned **in a sealed envelope (marked 'strictly confidential' and 'to be opened by addressee only')** to the authorised officer to organise completion and re-lodgement to the Commission.

Notification of Changes

Before determination of this application

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

False or Misleading Information

It is an offence under 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 (go to vcglr.vic.gov.au to confirm the current value of a penalty unit).

Application for listing on the roll of manufacturers, suppliers and testers

Office Use Only

Amount Received: \$ Receipt No:
 Revenue Officer (print name):
 Revenue Officer (signature):
 Date Received: / /
 Application No:
 Assigned to (print name):

Applicant Details

1. is seeking approval for:
 Applicant name

(tick appropriate box/es)

(a) listing in the division of the **Roll for manufacturers** to—

- manufacture, sell or supply approved gaming machines (including obtaining restricted components for the purpose of manufacturing approved gaming machines);
- manufacture, sell or supply restricted components.

(b) listing in the division of the **Roll for suppliers** to—

- sell or supply approved gaming machines;
- sell or supply restricted components;
- obtain or acquire approved gaming machines or restricted components.

(c) listing in the division of the **Roll for suppliers of testing services*** to enter into arrangements with—

- venue operators to service, repair or maintain gaming equipment through the services of a person holding a gaming industry employee's licence
- gaming operators to service, repair or maintain gaming equipment through the services of persons holding a gaming industry employee's licence;
- manufacturers or suppliers of gaming equipment or games or gaming operators to test gaming equipment or games for the purposes of the issue of certificates referred to in section 3.5.4, 3.5.5 or 3.5.13 of the Act;
- persons seeking approval of gaming equipment (within the meaning of the *Casino Control Act 1991*) to test the equipment for the purposes of the issue of certificates referred to in section 62 of that Act;
- the holder of the wagering licence, the wagering operator, the wagering and betting licensee or the holder of an on-course wagering permit to test instruments, contrivances, hardware, software or equipment referred to in section 4.2.3 of the Act for the purposes of the issue of certificates referred to in that section;
- the monitoring licensee, the holder of a public lottery licence or the keno licensee to test instruments, contrivances, hardware, software or equipment referred to in section 3.5.13, 5.2.1A or 6A.2.5 of the Act for the purposes of the issue of certificates referred to in those sections; or
- a licensed provider to test interactive gaming equipment for the purposes of the issue of certificates referred to in section 7.4.4 of the Act.

Note: Contact the Manager, Major Licences & Approvals on 1300 182 457 for further details relating to the Assessment Panel for the Accreditation of Testing Facilities.

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2. Is the applicant incorporated? YES NO

If YES, provide the following details:

Date of incorporation: / / Place of incorporation:

Australian Company Number:
(or overseas equivalent if applicable)

Australian Business Number (if applicable):

If NO, indicate the ownership structure (e.g. partnership):

3. (a) Applicant's registered office address:

.....
No. Street City/Town/Suburb
.....
State Country Postcode

(b) Applicant's postal address (if same as 3(a) write as above):

.....
No. Street City/Town/Suburb
.....
State Country Postcode

(c) Applicant's business address (if same as 3(a) write as above):

.....
No. Street City/Town/Suburb
.....
State Country Postcode

Telephone: (.....)..... Facsimile: (.....).....

Email:

4. (a) Has the applicant operated or does it intend to operate under any other business name(s)? YES NO

If NO, proceed to Q4(b). If YES, provide details below.

.....
.....

(b) Has the applicant's name or business/trading name changed in the last three years? YES NO

If NO, proceed to Q5. If YES, provide details below.

Name Changed From	Name Changed To	Date of Change
..... / /
..... / /

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

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5. Details of authorised officer completing this application form on behalf of the applicant:

Authorised officer's full name:
First Name Middle Name/s Surname

Position with applicant:
(e.g. company director/secretary etc)

Authorised officer's contact details:

Telephone (business hours): (.....) Mobile:

Facsimile: (.....) Email:

Note: The Authorised Officer MUST complete an Associated Individual form.

Legal Action

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

If **NO**, proceed to Q7. If **YES**, provide the following details:

Nature of legal action:

Plaintiff: Jurisdiction*:

Result/Settlement:

Court or tribunal where matter was heard:

Case no. issued by court/tribunal: Date of delivery of judgement: /..... /.....
(if known) (if known) (day/month/year)

If a matter has been finalised 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

7. Is there any legal action currently being pursued against the applicant? YES NO

If **NO**, proceed to Q8. If **YES**, provide the following details for each action:

Nature of legal action:

Plaintiff: Jurisdiction*:

Result/Settlement:

Court or tribunal where matter was heard:

Case no. issued by court/tribunal: Next scheduled hearing date: /..... /.....
(if known) (if known) (day/month/year)

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

* meaning the State or Territory and, if outside Australia, the country and locality

Gaming History

IMPORTANT INFORMATION

Q8 to Q12 require you to provide information relating to the applicant's gaming history, in particular licensing/authorisation details. When completing this section you must include details of any licences for registration, approval, authorisation or any other forms of approval.

8. In Victoria or elsewhere, has the applicant applied for a licence, or other authorisation, to manufacture or supply gaming machines or restricted components, or to supply testing services?
YES NO

If **YES**, proceed to Q9. If **NO**, proceed to Q10.

9. If **YES** to Q8, provide the following details for each application.

(a) If the application was granted/approved, provide the details below:

Jurisdiction*:

Type of licence/authorisation:

Licence/authorisation number (if known):

Dates licence/authorisation held: From..... /..... To /.....
(month/year) (month/year)

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

Jurisdiction* applied to:

Type of licence/authorisation sought:

Date lodged: /..... Date withdrawn or refused: /.....
(month/year) (month/year)

Reason application withdrawn/refused:

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

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

10. Other than disclosed at Q8, has the applicant ever applied (whether in Victoria or elsewhere) for **ANY** other gambling industry licence, approval, authorisation or registration?
YES NO

If **YES**, proceed to Q11. If **NO**, proceed to Q12.

* meaning the State or Territory and, if outside Australia, the country and locality the licence, approval or authorisation was sought

STRICTLY CONFIDENTIAL

11. If **YES** to Q10, provide the following details for each licence application, request for approval, authorisation or registration.

(a) If the application, request for approval, authorisation or registration was granted/approved, provide details below:

Type of licence/approval:

Name shown on licence/approval:

Licence No (if known): Jurisdiction*:

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

(b) If the application, request for approval, authorisation or registration was refused or withdrawn, provide details below: (include details of type of approval sought, date of application, jurisdiction* applied to and reason for refusal or withdrawal of request)

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

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

12. With respect to Q9(a) and Q11(a), has the applicant ever had a licence, approval, authorisation or registration suspended, cancelled, amended or revoked, or has it ever been the subject of disciplinary action by a gambling regulatory body (include details of any special conditions or restrictions imposed on a licence, approval or authorisation)?

YES NO

If **YES**, provide details:

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

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

* meaning the State or Territory and, if outside Australia, the country and locality the licence, approval or authorisation was sought

Charges, Findings of Guilt and Convictions

13. Has the applicant ever been found guilty of any offence? YES NO

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

Nature of Offence

.....

.....

City or Town: Date:/...../.....
(day/month/year)

Court/Tribunal etc: Jurisdiction*:

Result of Hearing or other Disposition:

If the ownership/management structure has changed from that at the time of the offence/s, describe how:

.....

.....

.....

.....

.....

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

14. Is there any investigation or charge currently pending against the applicant in respect of any offence?

YES NO

If **NO**, proceed to Q15. 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

* meaning the State or Territory and, if outside Australia, the country and locality the licence, approval or authorisation was sought

Corporate Structure and Establishment of Associates

15. How are the profits of the applicant’s proposed manufacturing, supplying or testing business to be distributed (e.g. dividends to shareholders, capital reinvestment plans etc)?

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

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

16. Provide details of the proposed management structure over the operations of the manufacturing, supplying or testing business. Include the name of the chief operating/executive officer responsible for the management and operations or business of the applicant and details of any existing or proposed, management contract arrangements, franchise arrangements or agency or licensee arrangements.

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

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

Note: Any entity or individual named in response to this question MUST complete an Associated Entity or Associated Individual form, as appropriate.

IMPORTANT INFORMATION

In the following section, ensure you complete ONLY those questions appropriate to the applicant’s structure, listed as follows:

- If the applicant is a **COMPANY**, complete Q17 to Q22 only
- If the applicant is a **PARTNERSHIP**, complete Q23 only
- If the applicant is a **CORPORATE TRUSTEE**, also complete Q24 in addition to Q17-Q22.

If the applicant is a COMPANY, complete Q17 to Q22.

17. Does the applicant have an ultimate holding company (as defined below)? YES NO

If **NO**, proceed to Q18. If **YES**, provide the ultimate holding company’s name:

.....

- **‘ultimate holding company’** - is a corporation that is a holding company of the applicant company and is itself a subsidiary of no other corporation.

Note: Any entity named in response to Q17 **must** complete an Associated Entity form and associates of an ultimate holding company named in response to Q17 **must** also complete an Associated Entity or Associated Individual form as appropriate.

Are appropriate associate forms attached for these individuals or entities? YES N/A

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21. Do any of the shareholders holding 10 per cent or more of shares in the applicant hold those shares on behalf of, or in trust for any person or entity?

YES NO

If **YES**, provide details below:

Shares held by	Full name of beneficial owner	No. of shares
.....
.....
.....

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

Note: Where a beneficial owner of shares is named in response to this question, and the beneficial owner holds a total of 10 per cent or more of ordinary or preferential shares, the beneficial owner of the shares MUST complete an Associated Entity or Associated Individual form, as appropriate.

22. List below the names of all current office holders (company directors, secretary, etc) of the applicant.

Full name of office holder	Position held
.....
.....
.....
.....

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

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

If the applicant is a PARTNERSHIP, complete Q23.

23. Partnership's Australian Business Number (ABN):

List below details of the individual and/or entities that constitute the partnership.

Name	Company <input type="checkbox"/>	Individual <input type="checkbox"/>	Percentage of ownership
.....	<input type="checkbox"/>	<input type="checkbox"/>
.....	<input type="checkbox"/>	<input type="checkbox"/>
.....	<input type="checkbox"/>	<input type="checkbox"/>
.....	<input type="checkbox"/>	<input type="checkbox"/>

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

Note: Partners with 10 per cent or more ownership in the applicant MUST complete an Associated Entity or Associated Individual form, as appropriate.

If the applicant is a CORPORATE TRUSTEE, complete Q24.

24. Provide the following details:

(a) Name(s) of Trust:

Address:

.....

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

A **copy** of the Trust Deed is required unless applying to renew a licence and there have been no changes to the Trust Deed since it was originally submitted.

Is a **copy** of the Trust Deed attached? YES

(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)		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"/>
.....	<input type="checkbox"/>	<input type="checkbox"/>

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

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

.....

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

(d) Of the Trust beneficiaries/unit holders, identify those who, by virtue of the Trust Deed have voting rights enabling them individually or as a group to remove/change the Trustee or to influence the decisions of the Trustee.

.....

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

Note: ALL beneficiaries or unit holders identified at question 27 (d) MUST complete an Associated Entity or Associated Individual form, as appropriate.

Financial Particulars

25. Provide details of all financial institutions and other sources with which the applicant has accounts, borrowings or investments of \$50,000 or more:

(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:

(iv) Financial institution/Source name:

Branch/Source address:

Nature of account:

(v) Financial institution/Source name:

Branch/Source address:

Nature of account:

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

26. Has the applicant 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 applicant)

YES NO

If **NO**, proceed to Q27. If **YES**, provide the following details: Date action taken: /.....
(month/year)

Type of proceedings:

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

Name: Telephone: (.....)

Reason for action taken:

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

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27. Has any person, entity or organisation provided a personal guarantee for \$50,000 or more for the applicant in relation to the applicant's proposed manufacturing or testing business?
YES NO

If **YES**, provide details below (include the name of the guarantor and the nature, terms and amount guaranteed):

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

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

Note: Persons or entities named in response to this question MAY be requested to complete appropriate associate documentation.

IMPORTANT INFORMATION

Companies incorporated under Australian Corporations Law

This form **must** be accompanied by your **original** Business Credit File from Veda Advantage. The Business Credit File **must** be current at the time of lodgement of this form and not exceed three (3) months from the date of issue by Veda Advantage. Instructions on obtaining the Business Credit File are provided in Attachment 2.

Companies not incorporated under Australian Corporations Law

Companies registered outside Australia will not be required to obtain a Business Credit File from Veda Advantage. Instead, to assist the VCGLR with its investigations a company registered outside Australia is requested provide an equivalent report from the relevant agency in that jurisdiction. For further details about the Business Credit File and the type of information contained in it, refer to the instructions contained in Attachment 2.

28. Is the Company's **original** Business Credit File from Veda Advantage or an equivalent report attached?
YES NO

If **YES**, proceed to Q29. If **NO**, you **must** provide reasons why a Business Credit File or an equivalent report from the relevant agency has not been enclosed on an attachment page.

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

29. Apart from any matters recorded in the Business Credit File from Veda Advantage or any equivalent report from a relevant overseas agency, is the Company 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 **YES**, complete the following (Note: All amounts must be stated in Australian currency):

(i) Financial Institution or creditor:

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

Date payment was due:/...../.....

(ii) Financial Institution or creditor:

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

Date payment was due:/...../.....

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

Documents to accompany an application

IMPORTANT INFORMATION

The following documents **MUST** accompany an application for listing on the Roll. For each requirement, you must confirm that the required documents are attached by ticking the 'yes' box. Please note that some requirements may not apply to all applicants. Where a particular attachment does not apply, you must indicate accordingly by ticking the 'N/A' box for not applicable. An application failing to provide any of the required documents listed below is considered incomplete and will be returned to the applicant for completion. An incomplete application cannot be accepted by the Commission.

30. Prescribed Fee

The prescribed fee (go to vcglr.vic.gov.au to confirm the current fee) **MUST** accompany an application for listing on the Roll.

Prescribed fee attached or credit card authorisation completed. YES

31. Confirmation of the Appointment of the Officer Authorised to Complete this Application

A **COPY** of the company minute or resolution, or the written agreement of the partners, appointing the officer authorised to complete this application for listing on the Roll on behalf of the applicant, **MUST** accompany the application (do not send original).

Copy of minute or resolution, or written agreement of the partners attached? YES

32. Certificate of Incorporation

If the applicant is incorporated, a **COPY** of the applicant's certificate of incorporation **MUST** accompany the application (do not send original).

Copy of certificate of incorporation attached? YES N/A

33. Business Name Certificate

For each business name listed at question 4 of section 1, a **COPY** of the certificate under section 23 of the *Business Names Act 1962* **MUST** accompany the application (do not send original/s).

Copy of certificate/s attached? YES N/A

34. Constitution/Replaceable Rules

If the applicant is incorporated, a **COPY** of the applicant's Constitution/Replaceable Rules **MUST** accompany the application (do not send original).

Copy of constitution/replaceable rules attached? YES N/A

35. Corporate Family Tree

A corporate family tree detailing the relationship of the applicant to parent, subsidiary and related companies (disclosed in section 2) **MUST** accompany the application. Shareholders with 10% or more of shares are to be listed for each related entity.

Corporate family tree attached? YES N/A

36. Diagram Showing Management Structure

A diagram showing the reporting relationships of the management team proposed to manage the operations of the applicant's manufacturing, supplying or testing business (as detailed in Q16), **MUST** accompany the application. Include the role of the compliance manager (if any).

Diagram showing management structure attached? YES

37. Trust Deed

If you indicated that the applicant is a Corporate Trustee, a copy of the trust deed **MUST** accompany the application (do not send original).

Copy of trust deed attached? YES N/A

38. Taxation Returns

If the applicant is a partnership, the applicant **MUST** provide taxation returns for the last three (3) years (certified by a registered tax agent, a member of the Institute of Chartered Accountants in Australia or CPA Australia) for the partnership and for all partners with 10% or more ownership in the applicant.

Taxation returns attached? YES N/A

IMPORTANT INFORMATION

Applicants incorporated under Australian Companies Law

This application form **MUST** be accompanied by the applicant's **ORIGINAL** Historical Organisational Extract from the Australian Securities and Investments Commission (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 application 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 Extract **MUST** be current at the time of lodgement of this application form and not exceed three (3) months from the date of issue by ASIC. Instructions on obtaining the applicant's Historical Organisational Extract are provided in Attachment 1.

Applicants not incorporated under Australian Law

An Historical Organisational Extract from ASIC will not be required for applicants which are **either not** registered with ASIC or not incorporated under Australian Law. To assist the Commission with its investigations it is requested that applicants based outside Australia seek a similar report from an overseas equivalent agency to be forwarded for the Commission's consideration. For further details about Historical Organisational Extracts and the type of information contained in the report, please refer to the instructions contained in Attachment 1.

39. Historical Organisational Extract from the Australian Securities and Investments Commission

Original Historical Organisational Extract from the Australian Securities and Investments Commission attached? YES

OR

Overseas equivalent report attached? YES NO

40. Completed Associated Individual Forms

Associated Individual forms, completed by **ALL** persons identified in questions 6, 16, 17, 20, 21, 22, 23 and 24 of sections 1 and 2, **MUST** accompany an application for listing on the Roll. Completed Associated Individual forms must include all attachments required to be included with the Associated Individual form.

An application for listing on the Roll not accompanied by **ALL** required associate forms (including attachments) is considered incomplete and will be returned to the applicant. An incomplete application will not be accepted by the Commission.

Completed forms attached for all Associated Individuals? YES

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41. Completed Associated Entity Forms

Associated Entity forms, completed for **ALL** entities identified in questions 16, 17, 20, 21, 23 and 24 of section 2, **MUST** accompany an application for listing on the Roll. Completed Associated Entity forms must include all attachments required to be included with the Associated Entity form. An application for listing on the Roll not accompanied by **ALL** required associate forms (including attachments) is considered incomplete and will be returned to the applicant. An incomplete application will not be accepted by the Commission.

Completed forms attached for all Associated Entities? YES

42. Business Credit File from Veda Advantage

Is the Company's **original** Business Credit File or an equivalent report attached? YES

If **NO**, you **must** provide reasons why a Business Credit File or an equivalent report from the relevant agency has not been enclosed on an attachment page.

IMPORTANT INFORMATION

Accountant or Auditor's statement

The Accountant or Auditor's statement must be completed and provided with this application.

Holding Company's Accountant or Auditor's statement (if applicable)

An Accountant or Auditor's statement must be completed and provided with this application in respect of the holding company, if applicable.

Summary of financial information

In lieu of providing an accountant or auditor's statement, the applicant can provide a summary of financial information for the **three most recent completed financial years**. The applicant is advised to consult with its accountant or auditor to ensure that the true and correct summary of financial information is provided. The VCGLR may subsequently request audited financial statements be submitted in the event that this summary is found to be incomplete, incorrect or misleading.

The applicant must also ensure the solvency declaration at the end of this section is signed by each Director of the applicant. The solvency declaration requires each Director to declare that they have a reasonable belief that the company will be able to pay its debts as and when they become due and payable.

This solvency declaration will assist the Commission to consider whether the applicant is of sound and stable financial background for the purposes of the *Gambling Regulation Act 2003*.

43. Is an accountants or auditor's statement for the applicant or, where applicable, the holding company attached? YES NO

If **YES**, proceed to Q44. If **NO**, proceed to Q43A.

43A. If an accountant or auditor's statement is not attached, is the summary of financial information and directors' solvency attached? YES NO

Is **YES**, proceed to Q44. If **NO**, provide reasons on an attachment page.

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

44. Financial Institution Letter

The Financial institution letter (provided at Attachment 4) must be forwarded to the applicant's and/or the holding company's major financial provider for completion and lodgement as part of this application.

Financial institution letter attached? YES

45. Advertising Requirements

Within 14 days of applying to the VCGLR to be listed in the division of the Roll for manufacturers, suppliers and/or suppliers of testing services , the applicant must publish in a newspaper circulating generally in Victoria and a newspaper circulating in the jurisdiction in which the manufacturer is primarily based, a notice containing the prescribed information and a statement that any person may object to the grant of the listing by giving notice in writing to the VCGLR within 28 days of the date of publication, stating the grounds for the objection. Set out below is the suggested format of the notice. Evidence of its publication must be provided as part of this application immediately the notice is placed.

SUGESTED FORMAT OF THE PUBLIC NOTICE

The Victorian Commission for Gambling and Liquor Regulation has received an application from (**applicant's name**) of (**applicant's business address**) for listing in the division of the Roll for manufacturers, suppliers and/or suppliers of testing services.

In accordance with section 3.4.62 of the *Gambling Regulation Act 2003*, any person or organisation may object to the granting of this application for listing, by giving notice in writing within 28 days from the date of this newspaper, stating grounds for objection to:

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

The permissible grounds for objection are specified in the Act and relate to the suitability of the applicant to be licensed. Further information may be obtained from the VCGLR on telephone 1300 182 457.

Is a copy advertisement included with this application? YES NO

If **NO**, the authorised officer **must** provide a copy of the advertisement within 14 days of lodging the application.

Declaration by Authorised Officer

I hereby declare that I have been authorised by the Company to complete this application form and that to the best of my knowledge and ability the contents of this form are true and correct.

..... Date:/...../.....
Signature of authorised officer (day/month/year)

.....
Signature of witness (any adult can be a witness) Print name of witness

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Payment Details

IMPORTANT INFORMATION

The prescribed fee must accompany this application. Please note that once an application has been registered, the application fee is non-refundable. **Note:** Refer to the Schedule of Gambling Fees and Fines on the VCGLR website at www.vcglr.vic.gov.au to confirm the current fee. The application fee can be paid by:

- cheque or money order, made payable to the Victorian Commission for Gambling and Liquor Regulation; or
- credit card by completing the appropriate details below.

PAYMENT BY CREDIT CARD

Card type MasterCard Visa **Amount \$**

(tick appropriate box)

Card Number **Expiry Date**

Name Shown on Card

Cardholder's Signature

Daytime telephone contact number of cardholder

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Gambling Regulation Act 2003

Consent for Release of Information by Law Enforcement Agencies

In the matter of this application for listing on the Roll of Manufacturers, Suppliers and Testers by:

Name: of
(Full name of applicant - name of company)

Address: ('applicant')
(Full address of applicant)

Authorised Officer:
(Full name of authorised officer signing the application on behalf of the applicant)

CONSENT

The applicant hereby consents, for the purposes of an application to be listed on the Roll of Manufacturers, Suppliers and Testers pursuant to the *Gambling Regulation Act 2003*, to all probity investigations carried out by the Victorian Commission for Gambling and Liquor Regulation (VCGLR) 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 gaming 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 the Applicant 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 to which the applicant was a party including any subsidiary, related body corporate, trust or partnership;
 - * present 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 VCGLR.

RELEASE

Upon signing the consent, the Applicant hereby releases the VCGLR, the Chief Commissioner of Police, State of Victoria and any of the law enforcement agencies, their servants, agents or contractors to the full extent of the law against any claim or demand of any kind and all actions, suits, proceedings, claims, demands, costs and expenses in respect of the use or misuse of the information obtained as a result of this consent including, particulars of any conviction, findings of guilt or other adverse material purporting to relate to the applicant.

ACKNOWLEDGMENT

The applicant acknowledges having read, and understands the terms of, the consent and the release and has had the opportunity to obtain independent legal advice before signing this consent. This consent commences on the date below and continues until the later of:-

- * its revocation in writing by the applicant to the VCGLR;
- * the applicant's removal from the Roll by the VCGLR .

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

EXECUTION AS A DEED

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

Dated the day of
(day) (month) (year)

.....
Signature of witness (any adult can be a witness)

.....
Printed name of witness

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VICTORIA

Gambling Regulation Act 2003

Financial Information Release Form

In the matter of this application to be listed on the Roll of Manufacturers, Suppliers and Testers by:

Name:
(Full name of applicant - name of company)

..... ('applicant')
(Full address of applicant)

I,
(Full name of authorised officer signing the application on behalf of the applicant)

being the duly authorised officer of the applicant hereby authorise all **persons** who receive this **release form** from the Victorian Commission for Gambling and Liquor Regulation (VCGLR) and its staff to undertake the **authorised actions** for the **authorised purposes** as set out below:

AUTHORISED ACTIONS

1. To allow the VCGLR, its staff or any other person appointed in writing by the Commission, 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 applicant (or to the Applicant and another person and to any subsidiary, related body corporate, trust or partnership to which the applicant 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 and other fiduciary.
2. To answer written or verbal queries of, and to provide information (by any means) to the VCGLR, its staff, or any other person appointed in writing by the Commission to undertake the authorised actions, about the financial resources of the Applicant.

AUTHORISED PURPOSES

To enable the VCGLR to be satisfied, in considering the application for listing on the Roll of Manufacturers, Suppliers and Testers, that the applicant and its associates have desirable and satisfactory financial resources and, in conducting ongoing monitoring, that those financial resources continue to be desirable and satisfactory.

Signed:
(Authorised officer's signature)

Dated:/...../.....
(day/month/year)

NOTES

1. This **financial information release form** is required to assist the Commission with its enquiries. Among the people to whom it is intended to be produced are banks and other financial institutions, solicitors, accountants, financial advisers and any other person or organisation who has lent money to or borrowed from the applicant.
2. In this **financial information release form**-
 - reference to an inspector is reference to an Inspector appointed under the *Gambling Regulation Act 2003*
 - reference to a member of staff of the Commission is a reference to a person employed by the Commission to assist in the administration of the *Gambling Regulation Act 2003*.
3. A photocopy of this form will be considered as effective and as valid as the original.

Accountant or Auditor's Statement

In the matter of this application to be listed on the roll of manufacturers, suppliers and testers and for the purposes of ongoing monitoring.

Section 3.4.63(3)(b) of the *Gambling Regulation Act 2003* (the Act) requires the Commission to consider whether an applicant to be listed on the roll of manufacturers, suppliers and testers is of 'sound and stable financial background'.

The following statement is to be completed by a Certified Practicing Accountant or Associate Chartered Accountant. This statement is provided for the sole purpose of assisting the Commission to assess an application made under the Act.

Name of Applicant:	
Name of Accountant or Auditor:	
Accountant or Auditor's address:	
Qualification (please tick)	
Chartered accountant <input type="checkbox"/>	Certified Practicing Accountant <input type="checkbox"/>
<p>I have considered all relevant documentation relating to the financial affairs of the above applicant.</p> <p>I am satisfied that at the time of making this statement, the applicant is able to pay its debts when and as they become due and payable.</p>	
Please specify below, or attach to this statement, any qualifications or explanations relating to the above statement that you wish to make.	
Signature of accountant	
Name of signatory	Date

Accountant or Auditor's Statement

In the matter of this application to be listed on the roll of manufacturers, suppliers and testers and for the purposes of ongoing monitoring.

Summary of financial information

In lieu of providing an accountant or auditor's statement, the applicant can complete this section with the required summary of its financial information for the **three most recent completed financial years**. The applicant is advised to consult with its accountant or auditor to ensure that a true and correct summary of financial information is provided. The VCGLR may subsequently request audited financial statements be submitted in the event that this summary is found to be incomplete, incorrect or misleading.

The applicant **must** also ensure the solvency declaration at the end of this section is signed by each Director of the applicant. The solvency declaration requires each Director to declare that they have a reasonable belief that the company will be able to pay its debts as and when they become due and payable.

This solvency declaration will assist the Commission to consider whether the applicant is of sound and stable financial background for the purposes of the *Gambling Regulation Act 2003*.

	Year ended/...../...../...../...../...../..... ...
Profit & Loss Statement				
Total Sales/Revenue				
Less: Cost of Sales				
Gross Operating Profit				
Other Income (<i>please specify</i>)				
<hr/>				
Total Income				
Less: Operating Expenditure				
Net Profit/(Loss) before taxation				
Less: Taxation Payable				
Net Profit/(Loss) after taxation				
Profit & Loss Appropriation				
Net Profit/(Loss) after taxation				
Retained Profits/(Losses) b/fwd				
Distribution to Beneficiaries				
Dividends declared/paid				
Others (<i>please specify</i>)				
<hr/>				
Retained Profits/(Losses) c/fwd				
Current assets				
Cash & deposits				
Trade debtors				
Other debtors				
Inventories				
Amounts owing by related parties/entities				
Amounts owing by shareholders/unit-holders				
Others (<i>please specify</i>)				
<hr/>				
Total current assets	a			

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Non-current assets

Property, plant & equipment
 Intangible assets
 Amounts owing by related parties/entities
 Amounts owing by shareholders/unit-holders
 Others (please specify)

Total non-current assets

b

--	--	--

Total assets (a + b)

c

--	--	--

Current liabilities

Bank overdraft & loans (secured)
 Trade creditors
 Sundry creditors
 Amounts owing to related parties/entities
 Amounts owing to shareholders/unit-holders
 Tax/GST liabilities
 Others (please specify)

Total current liabilities

d

--	--	--

Non-current liabilities

Bank overdraft & loans (secured)
 Amounts owing to related parties/entities
 Amounts owing to shareholders/unit-holders
 Provisions
 Others (please specify)

Total non-current liabilities

e

--	--	--

Total liabilities (d + e)

f

--	--	--

Net assets (c - f)

g

--	--	--

Year ended/...../..... /...../..... /...../.....

Equity

Issued capital/settlement sum
 Reserves
 Retained profits/(losses)
 Others (please specify)

Total equity

h

--	--	--

Net assets (g) must be equal to total equity (h)

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I, the authorised officer of the applicant declare and confirm that the attached audited financial statements or the summary of financial information provided are true and correct on the understanding that the applicant and myself are liable to prosecution for providing false and misleading information.

Name of authorised officer

Signature of authorised officer

Date

The persons listed below declare that we are the Directors of the applicant and that we have enquired into the financial affairs of the applicant. We declare that we are satisfied that at the time of making this application, the applicant is able to pay its debts as and when they become due and payable.

Name of Director

Signature of Director

Date

Name of Director

Signature of authorised officer

Date

Name of Director

Signature of authorised officer

Date

Name of Director

Signature of authorised officer

Date

ATTACHMENT 1

Historical Organisational Extract

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 the Australian Securities and Investments Commission (ASIC).

When making a search application to ASIC, ensure that you specify that you require a 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 three (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 and Liquor 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 Organisational Personal Name 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: asic.gov.au

Email: info.enquiries@asic.gov.au

ASIC's Infoline: 1300 300 630

ATTACHMENT 2

Business Credit File

As part of this application form, the associated entity must apply to Veda Advantage (Veda) for a Business Credit File (Credit File) which will identify any matters entered against the associated entity by any financial provider.

The **original** Credit File must be forwarded to the VCGLR with this application form. The Credit File must be current at the time of lodgement of the application form and be dated within three (3) months of the date the application form is lodged. If the associated entity fails to meet any of these requirements or does not attach a Credit File, the application form will be considered incomplete and will be returned.

All matters detailed in the Credit File are taken into consideration by the VCGLR and are essential to allow an assessment of the associated entity's financial resources. If the associated entity wishes to dispute any of the information disclosed in Credit File, Veda must be contacted **prior** to the application form being lodged.

How to Apply for a Business Credit File

A Credit File may be obtained from Veda by either:

- applying online, by going to mycreditfile.com.au; or
- phoning Veda on 1300 762207 to request that a form be mailed to the associated entity and submitting the form to Veda, by post, fax or email, as addressed on the form.

Veda will advise the cost of obtaining a Credit File and although it will usually be provided within 24 hours, in some cases it may take longer.

ATTACHMENT 2
FINANCIAL INSTITUTION LETTER
SAMPLE LETTER - FOR YOUR USE

INFORMATION FROM YOUR BANK OR FINANCIAL INSTITUTION

The Manager,

.....

.....

.....

(Name/Address of Bank)

Dear/Sir/Madam

..... (applicant's name) has applied to the Victorian Commission for Gambling and Liquor Regulation for listing on the Roll of Manufacturers, Suppliers and Testers.

As part of the application process, the Commission is performing a review, we request that you provide the following details:

- i. The amounts outstanding and available under all facilities made available;
- ii. The next review date and expiry date for each existing facility;
- iii. The security held over each facility outlined above;
- iv. Whether any of the original facilities are in default of any payments of principal or interest;
- v. The nature of any current or previous discussions between yourselves and the applicant which may materially impact upon the continuing availability of facility or have previously resulted in alterations to the original funding facility; and
- vi. Confirm that the bank supports the application.

The completion of this review is an integral part of the processing of the application for listing on the Roll of Manufacturers, Suppliers and Testers, and accordingly, I would appreciate your reply at the earliest convenience.

Please forward your reply on this matter directly to the undersigned at the address listed below.

Yours sincerely,

..... (Name)

..... (Position)

..... (Address)