

TASMANIAN FOREIGN GAMES PERMIT APPLICATION FORM

**This document and its contents are confidential to the
Tasmanian Liquor and Gaming Commission and Liquor and Gaming Branch.**

Please note that failure to disclose all relevant information, or to provide complete records, may be sufficient reason for the Commission to reject this permit application.

LIQUOR AND GAMING CONTACT DETAILS

Salamanca Building Parliament Square
4 Salamanca Place HOBART TAS 7000
Telephone: (03) 6166 4040 Facsimile: (03) 6173 0218

Level 3 Henty House 1 Civic Square LAUNCESTON TAS 7250
Telephone: (03) 6777 2777 Facsimile: (03) 6173 0218

GPO Box 1374 HOBART TAS 7001 Australia
Email: gaming@treasury.tas.gov.au Web: www.gaming.tas.gov.au

June 2016
Trim Ref: 10/40745

SECTION A – CHECKLIST

BACKGROUND

A company applying for a Foreign Games Permit, under Part 4C of the *Gaming Control Act 1993*, must complete and submit an Application Form. In addition, details of each person who is an associate of the applicant company must be provided.

An associate is a person who holds a relevant position in the company, such as director, secretary or manager. This applies to the applicant company, the parent company and any associated companies. An associate is also one who holds a share of 5 per cent or more in the capital of the applicant company; or is entitled to receive any income derived from the business of the applicant company. The *Gaming Control Act 1993* offers a comprehensive definition of the term 'associate'.

Copies of the *Gaming Control Act 1993* can be obtained from the Printing Authority of Tasmania, GPO Box 307C Hobart 7001, or can be accessed on the Internet at the following address: <http://www.thelaw.tas.gov>.

A company applying for a Foreign Games Permit must submit:

- this completed Application Form;
- a completed Associate Application Form for each individual associate of the applicant;
- a completed Associated Company Form for each company associated with the applicant; and
- an application fee of 1 000 fee units. The value of a fee unit is indexed annually. The current value can be obtained by contacting the Liquor and Gaming Branch using the details shown below.

FOR FURTHER ASSISTANCE in completing any of the documentation, please contact the Tasmanian Liquor and Gaming Commission on (03) 6166 4040.

SUBMITTING THE APPLICATION

Applicants for a Foreign Games Permit are asked to submit the completed forms and requisite documents, along with the application fee, in an envelope marked:

STRICTLY CONFIDENTIAL

APPLICATION FOR FOREIGN GAMES PERMIT:

The application should be addressed as follows:

If sent by post:

Tasmanian
Liquor and Gaming Commission
GPO Box 1374
Hobart Tas 7001

or

If hand delivered:

Tasmanian Liquor and Gaming Commission
Salamanca Building Parliament Square
4 Salamanca Place
Hobart Tas 7000

An application and its contents are confidential to the Tasmanian Liquor and Gaming Commission.

SECTION B – GAMING BUSINESS SUBMISSION REQUIREMENTS

In order to be considered to be a suitable person to be involved in the conduct of foreign games under a Foreign Games Permit, the applicant must demonstrate that it has the ability to lawfully conduct the foreign game activities for which the applicant wishes to sell tickets in Tasmania.

The Tasmanian Liquor and Gaming Commission requires the applicant to:

1. provide details of each foreign game product in which tickets are intended to be sold in Tasmania. This should include a description of each game, or class of game, and the rules of the games;
2. describe any previous business experience of the applicant in relation to the business to be conducted under a Foreign Games Permit;
3. provide evidence of the lawful ability to conduct the foreign games where the foreign games are, or are intended to be, conducted. This should include copies of any licences or permits issued by gaming regulatory authorities;
4. provide details of any proposed accredited representatives including outlet name, outlet address and accredited representative; and
5. provide details of the premises from which the foreign game activities will be conducted.

The Tasmanian Liquor and Gaming Commission may refuse to process a foreign games permit application if the Commission considers that a revenue sharing agreement under section 150B of the *Gaming Control Act 1993* has not been entered into by the Treasurer with the appropriate government representative of the jurisdiction where the foreign game activities will be conducted.

Please provide evidence of any such agreement that is already in place, or the status of any negotiations to secure an agreement.

The Tasmanian Liquor and Gaming Commission may, at its discretion, seek further information or document from the applicant, or any associates of the applicant. Failure to comply with a request for further information or documents may result in refusal to process the application.

Note that any information supplied above, and forming part of the application, is not to be taken as being approved by the Tasmanian Liquor and Gaming Commission on the granting of a Foreign Games Permit.

SECTION C – APPLICANT DETAIL

- 1. **Name of company:**
- 2. **Date of incorporation:** **Place of incorporation:**
- 3. **Registered Number of applicant - ACN/ABN (please specify):**

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- 4. **Registered Office of Company:**
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- 5. **Postal Address of Company:**
-

- 6. **Address of Business Premises:**
-

Working backwards from the current address, list all addresses at which the company has been registered or has conducted business over the last five years. Please use an attachment.

- 7. **Business Phone:** **Mobile:**
- Fax:** **email:**

- 8. **Contact Person** (This is the person who is to receive any correspondence):
- Name (Mr / Mrs / Miss / Ms / Dr):**

- Business Phone:** **Mobile:**
- Fax:** **email:**

- 9. **Requested documents, please submit with application:**
 - Copies of the memorandum and articles of association, constitution or other incorporating documents in force at this time. If the Company has adopted the replaceable rules under the Corporations Law, a statement to this effect will suffice.
 - A copy of the Certificate of Registration from the Australian Securities and Investments Commission.
 - A copy of the Certificate of Registration for the business name under which the company conducts its operations.

- A corporate family tree showing how the company relates to Subsidiary, Holding and related entities.
- Provide details of all Holding, Subsidiary and related Companies as defined pursuant to the Corporation Law including details as to the nature of the business conducted by such companies. On an attachment page, identify the companies listed that own or control in excess of 5 per cent of issued shares or voting rights.
- If the company has appointed an auditor, a copy of the most recent auditor's report on the financial affairs of the company.
- Financial statements of the company, consisting of a balance sheet, profit and loss statement and explanatory notes for the last three financial years.
- A copy of the annual Company return to the Australian Securities and Investments Commission, or equivalent overseas government body, for the last five years.
- A copy of the audited and/or published financial statements of any holding company for the last five years.
- A list of the details of all bank accounts (name branch and account number) operated by the Company.
- A list of the investments of the Company which includes all relevant details.

10. The Company Auditors – provide a list of the names and address of the company auditors for the past five years.

11. Legal Advisors and consultants – provide a list of the names and address of any legal advisors, solicitors, and/or consultants engaged over the past five years.

12. Associates – provide a list of names and address of any Associates.

An associate is a person who holds one or more of the positions of director, secretary, manager or other executive position in the applicant company, the parent company or the holding company; or holds a share of 5 per cent or more in the capital of the applicant company; or is entitled to receive any income derived from the business of the applicant company.

13. Shareholdings:

Show here the total number of shares issued to all shareholders. List the names of the 10 major shareholders and specify the number of shares held by each:

Shareholder	No. of shares held

14. Directors who have ceased to hold office during the past five years – provide a list of the names and addresses for all Directors who have ceased to hold office during the past five years.

SECTION D – FINANCIAL HISTORY

If you answer YES to any of these questions, please provide details on an attachment page.

	YES	NO
A) Has there been any substantial change to the financial situation of the company since the last financial accounts?	<input type="checkbox"/>	<input type="checkbox"/>
B) Has the company ever been subject to an adverse credit rating?	<input type="checkbox"/>	<input type="checkbox"/>
C) Has the company acted as guarantor for any person or entity which is currently in default of that financial agreement?	<input type="checkbox"/>	<input type="checkbox"/>
D) Has the company ever been placed in external administration (that is liquidation, receivership, administration or scheme of arrangement)?	<input type="checkbox"/>	<input type="checkbox"/>
E) Does the company have any financial interest, whether directly or indirectly, with an individual or in any business, whether registered or not, in Australia or elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>
F) Has the company ever been insolvent?	<input type="checkbox"/>	<input type="checkbox"/>
G) Does the company have any current loans or has it obtained funds from any persons, companies or institutions? Please provide full details.	<input type="checkbox"/>	<input type="checkbox"/>

SECTION E – GAMING

If you answer YES to any of these questions, please provide details on an attachment page.

	YES	NO
A) Does the company hold a licence in the casino/gaming industry, either in Australia or overseas? (If YES, please include Licence Type and Number, Jurisdiction and name of the Control Authority on an attachment page.)	<input type="checkbox"/>	<input type="checkbox"/>
B) Has the company applied for a licence in the casino/gaming industry either in another Australian State or overseas? (If YES, please include Licence Type and Number, Jurisdiction and name of the Control Authority on an attachment page.)	<input type="checkbox"/>	<input type="checkbox"/>
C) Has the company ever been granted a licence to conduct bookmaking activities? (If YES, please include Licence Type and Number, Jurisdiction and name of the Control Authority on an attachment page.)	<input type="checkbox"/>	<input type="checkbox"/>

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|-----------|--|--------------------------|--------------------------|
| D) | Has the company ever been refused a licence to conduct bookmaking activities or had any such licence revoked? | <input type="checkbox"/> | <input type="checkbox"/> |
| E) | Has the company ever been refused a licence to conduct casino/gaming activities or had any such licence revoked? | <input type="checkbox"/> | <input type="checkbox"/> |

SECTION F – BUSINESS AFFILIATIONS

If you answer YES to any of these questions, please provide details on an attachment page.

- | | YES | NO |
|---|--------------------------|--------------------------|
| A) Does the company have any other company, or person, acting on its behalf in Australia or overseas? | <input type="checkbox"/> | <input type="checkbox"/> |
| B) Does the company have any other agency or branch in Australia or overseas? | <input type="checkbox"/> | <input type="checkbox"/> |
| C) Has the company ever changed its name? | <input type="checkbox"/> | <input type="checkbox"/> |
| D) Does the company have, or does it use, or has it previously used, any other business name? | <input type="checkbox"/> | <input type="checkbox"/> |
| E) Has the company or any director or office bearer of the company been associated with the ownership, administration or management of: | <input type="checkbox"/> | <input type="checkbox"/> |
| <ul style="list-style-type: none"> • a casino; • keno or lottery operations; • interactive gaming; • race wagering or sports betting operations; • a club, hotel or tavern; • any other gaming or wagering activity (please specify); or • a manufacturer or supplier of gaming equipment? | | |

If YES, please provide details on an attachment page.

- | | | |
|---|--------------------------|--------------------------|
| F) Does the company have any interest, financial or otherwise, in any other company or with any person or business, or has the company ever provided financial assistance or other support to any other company, person, business, association or other body involved with the ownership, administration or management of: | <input type="checkbox"/> | <input type="checkbox"/> |
| <ul style="list-style-type: none"> • a casino; • keno or lottery operations; • interactive gaming; • race wagering or sports betting operations; | | |

- a club, hotel or tavern;
- any other gaming or wagering activity (please specify); or
- a manufacturer or supplier of gaming equipment?

If YES, please provide details on an attachment page.

SECTION G – LITIGATION

If you answer YES to any of these questions, please provide details on an attachment page.

Yes **No**

- | | | | |
|-----------|--|--------------------------|--------------------------|
| A) | Has the company ever been convicted of an offence? | <input type="checkbox"/> | <input type="checkbox"/> |
| B) | Are you aware of any current charges or summons against the company, which are before a Court for any offence or violation? | <input type="checkbox"/> | <input type="checkbox"/> |
| | If YES give details of nature of offence, court date of appearance. | | |
| C) | Has a director ever been disqualified from acting as such under any provision of current or previous Australian Corporations and Securities Legislation (or overseas equivalent)? | <input type="checkbox"/> | <input type="checkbox"/> |
| D) | Has the company ever been under investigation by the Australian Securities and Investments Commission or any other Government authority to your knowledge? | <input type="checkbox"/> | <input type="checkbox"/> |
| E) | Has the company ever been associated with a company that is currently, or has been, under investigation by the Australian Securities and Investments Commission or any other Government authority to your knowledge? | <input type="checkbox"/> | <input type="checkbox"/> |
| F) | Is the company the subject of any civil litigation? | <input type="checkbox"/> | <input type="checkbox"/> |

Gaming Control Act 1993
Section 77F(3)(d)
AUTHORITY AND CONSENT
(Companies)

To:

All courts, Government Departments, employers, educational institutions, banks, financial and other institutions, all agencies - Federal (including the Australian Tax Office), State and Local Governments, without exception both foreign and domestic and to whomsoever else this authorisation and consent may be duly presented.

From: (Name of Company) (ACN/ABN)

Of (Address)

Telephone: Email

hereby authorise and consent to the Tasmanian Liquor and Gaming Commission (“the Commission”) and any delegate of the Commission to obtain information (including financial and other confidential information) concerning the Company and its associates.

Without restricting the generality of this authorisation and consent the Commission or its delegate may have access to inspect and obtain copies of the following:

- a) any credit report, other report, legal or personal information derived from those reports that has any bearing on the Company’s and its associates credit worthiness, credit history, credit standing or credit capacity;
- b) any loan information, cheque account records, savings deposit records, safe deposit records, safe deposit box records, passbook records and bank statement sheets pertaining to the Company and its associates;
- c) any records relating to investigations of the Company’s and its associates’ activities conducted by any State, Territory, Federal or overseas police force, crime investigation agencies, corporate regulatory agencies or any gaming or casino regulatory bodies;
- d) any court records relating to any present or past civil or criminal court proceedings to which the Company and its associates is or was a party;
- e) any information; and
- f) any other document, record or correspondence pertaining to the Company and its associates.

A photocopy of this Authority and Consent will be considered as effective and as valid as the original. This Authority and Consent shall be used for the purposes of the Company’s application for a Foreign Games Permit.

Signed and Sealed by (Name of Company) in the presence of:	OR	Signed on behalf of and with the authority of the Company in the presence of:
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Director

Secretary

Date: / /20

Date: / /20

Note: In this Authority and Consent Form reference to associates includes the directors, managers, secretaries and companies associated with the Company, as well as its business associates.

DECLARATION

I/we am/are duly authorised to make an application on behalf of the Company.

Executed under the common seal of
(name of Company)

Signature:

Name:

This application is to be accompanied by:

- a) a completed “Associate Application Form” in respect of each individual associate of the applicant;
- b) a completed “Associate Company Application Form” for each company associated with the applicant; and
- c) the prescribed fee

which form part of the application.

Applicant Signature: Date:

In the presence of:
(Signature of Witness)

Name of Witness:

Address of Witness
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