

TASMANIAN LIQUOR & GAMING COMMISSION

FACT SHEET

MEMBERS DRAWS

The following information provides guidelines for running Members draws in Tasmania.

MEMBERS DRAWS

Throughout Tasmania a number of Clubs and Organisations conduct regular draws (usually weekly or monthly) for the benefit of members with prizes consisting both of cash and/or goods and services. It is common practice for it to be a condition of these draws that a member is required to be present at the draw to be eligible to win the prize on offer. It is also common practice to jackpot the prize to the next draw should a member not be present at the draw when the member's number is drawn out.

Typically activities such as a members draw are free for members to enter with the prize(s) on offer being provided and funded entirely by the Club or Organisation conducting the draw for its members.

Provided that no money or anything of value is wagered by members (that is, participation in the draw is entirely without cost or risk to participants), then the activity is not considered to be a gambling activity and therefore not captured by the provisions of the *Gaming Control Act 1993*.

CHARGING FEES IS ILLEGAL IN CERTAIN CIRCUMSTANCES

It is illegal:

- To charge a fee to enter these jackpot type members draws;
- To charge a fee for 'insurance' for those not in attendance at these draws; or
- To charge a fee to 'buy back' into these draws if a participant is eliminated or precluded from winning by any means.

By charging a fee for a members draw, with a jackpot component as described above, any Club or Organisation conducting the activity could attract a heavy penalty if prosecuted for conducting a gaming related activity that is not authorised by the Act.

LEGAL REQUIREMENTS

Members draws can be legally conducted provided that there is no cost of entry whatsoever for members to participate.

A cost of entry can be applied for participants to enter provided that the activity is conducted strictly in accordance with the approved Rules and Conditions for the authorised game of 'Raffles'. Of note, this game does not provide for a jackpot component to the game (a winner would be determined and declared each draw) nor does it require that a person is present to be eligible to win the draw. A copy of the Rules and Conditions for Raffles can be found on the Treasury and Finance website at www.gaming.tas.gov.au by following the links through the Liquor and Gaming Branch to the Minor Gaming Activity of Raffles.

FREQUENTLY ASKED QUESTIONS

Is it legal to declare no winner and jackpot a prize to the next draw if the member is not present at the draw?

Yes, provided that there is no cost of entry whatsoever to participants.

No, if there is a cost of entry, the activity must comply with the rules for raffles and these rules do not permit jackpots nor do they require a person to be present at a draw.

Who can conduct a raffle?

Anyone can conduct a raffle provided that all proceeds are used for the legal purposes of a not-for-profit organisation or a charitable purpose.

Do I need a permit to conduct a raffle?

You only need a permit to conduct a raffle if the total retail value of the prizes is in excess of \$5 000. However, regardless of the prize value you will at all times need to comply with the approved rules and conditions of the game.

Is cash permitted as a prize in a raffle?

Yes. Up to a maximum of \$5 000 in total for the raffle.

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