

# Raffles

## Conditions of exempt game

In accordance with section 3, subsection 8A of the *Gaming Control Act 1993*, the Tasmanian Liquor and Gaming Commission has declared the following game to be an exempt game:

### Raffles

Raffles, subject to the following conditions:

1. the total retail value of all prizes in the raffle does not exceed \$10,000;
2. only reasonable and actually incurred operational costs (including reasonable and actually incurred cost of prizes) are deducted from the gross proceeds of all ticket sales, and the remaining proceeds, without any further deduction, are used for the lawful purposes of a not-for-profit organisation or charitable purpose and not for the private gain or benefit of any person except by way of charity;
3. sufficient information is provided in advance to enable participants to reasonably understand the rules of the game, this information including at a minimum:
  - a. the ticket price;
  - b. the not-for-profit organisation or charitable purpose which is to benefit from the raffle;
  - c. the name and address of the operator of the raffle;
  - d. the prizes available and their estimated retail value (including relevant information about prizes such as make, model, brand, description, number, and whether there are conditions attached to the prize);
  - e. whether any third party is receiving remuneration to conduct or promote the raffle, and if so, the identity of that third party, the nature of their involvement, and the nature of their remuneration;
  - f. the date of the raffle draw; and
  - g. how the results will be published, winners will be contacted, and prizes will be distributed;
4. sufficient information is retained about each participant to enable raffle winners to be contacted and prizes to be distributed;
5. the following individuals do not purchase raffle tickets:
  - a. anyone involved in the conduct or drawing of the raffle, or any member of their immediate family; or
  - b. anyone involved in the management of any not-for-profit organisation or charitable purpose which is to benefit from the raffle.
6. the raffle is not abandoned due to lack of ticket sales;

7. the draw occurs within 12 months of the commencement of the sale of tickets;
8. there is no requirement that a participant be present at the draw in order to win;
9. the method of drawing the winning ticket(s) allows each ticket a random and equal chance of being drawn;
10. if more than one prize is being offered, the first ticket drawn wins the most valuable prize, second ticket drawn wins second most valuable, and so on;
11. the raffle prizes do not include:
  - a) tobacco products;
  - b) firearms or ammunition;
  - c) dangerous articles within the meaning of the *Police Offences Act 1935*;
  - d) cosmetic surgery or any other similar procedure the main purpose of which is to improve personal appearance; or
  - e) if tickets are available for sale to children under the age of 18, liquor;
12. the total value of all cash, or cash equivalent, prizes available in the raffle does not exceed \$5,000;
13. the results of the raffle are made reasonably accessible to participants;
14. reasonable efforts are made to contact winners and distribute prizes within a reasonable period after the draw;
15. if raffle winners cannot be contacted or prizes cannot be distributed after reasonable attempts to do so, and a reasonable period of time not exceeding nine months has passed, the prizes are sold or otherwise disposed of in a reasonable manner, and the proceeds of sale, if any, are distributed to the nominated not-for-profit or charitable organisation;
16. raffle proceeds are distributed to the nominated not-for-profit or charitable organisation within a reasonable time after the draw; and
17. the raffle organiser retains sufficient records to reasonably demonstrate compliance with these conditions, such records to include, at a minimum, details of:
  - a. the ticket price, the number of tickets sold, and the total gross proceeds received from ticket sales;
  - b. the date of the draw;
  - c. the estimated retail value of prizes;
  - d. the amount deducted for reasonable and actually incurred operational costs (including reasonable and actually incurred cost of prizes);
  - e. the amount of proceeds distributed, and the method of distribution, to the nominated not-for-profit organisation or charitable purpose;
  - f. whether any third party received remuneration to conduct or promote the raffle, and if so, the identity of that third party, the nature of their involvement, and the nature of their remuneration;
  - g. the raffle winners;
  - h. the method of distribution of prizes to winners; and

## Contact

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- i. if winners could not be contacted or prizes could not be distributed, the steps taken to attempt this, and the steps taken to sell or otherwise dispose of the prizes and to distribute the proceeds to the relevant not-for-profit organisation or charitable purpose.

Dated: 4 September 2024

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