

Gambling Regulation Act 2003

Directions under Section 10.4A.4 to Gambling Industry Participants

These are the directions approved by the Victorian Gambling and Casino Control Commission (the Commission), pursuant to section 10.4A.4 of the *Gambling Regulation Act 2003* (the Act). They specify the following changes in the situation of a gambling industry participant (the participant) that require written notice be given to the Commission within 14 days after the change takes place::

1. Any change in the participant's name, registered address, business address or legal status or its constitution/replaceable rules (if applicable).
2. Any removal of an associate, within the meaning of section 1.4 of the Act. (Note: Under section 10.4A.6 of the Act, the participant must also notify the Commission in writing within 7 days of the person becoming an associate within the meaning of section 1.4 of the Act.)
3. Any change in the participant's legal or corporate structure.
4. Any change in the participant's management arrangements for its business, including any change to senior management personnel, or senior management organisation chart.
5. Any renegotiation of the participant's financing arrangements or any change in its equity partners or lenders.
6. Any finding of guilt for any offence under statute or at common law recorded in any jurisdiction against the participant (if a natural person, including details of any proceedings leading to participation in a court ordered Diversion Program or any similar program, and excluding traffic offences for which a non-custodial sentence was imposed).
7. The commencement of bankruptcy, winding up or liquidation proceedings, the appointment of a receiver or other controller, the appointment of an administrator or the entry into a formal or informal scheme of arrangement (however it is described) with the participant's creditors.
8. Any default on a loan taken by the participant.
9. Details of the commencement and outcome of any litigation against the participant, or to which the participant was a co-defendant, which resulted in an order or finding being made against the participant or an out of court settlement or dismissal reached in any jurisdiction. If the participant is a natural person, details of any litigation that has commenced against the participant personally and/or via business associations (e.g. legal action involving a company, joint venture, incorporated association or partnership of which you are or were respectively a director/office holder or partner or joint venturer) and the subsequent outcome.
10. If participant is a natural person, any disqualification from acting as a director of a company.
11. Details of the commencement and outcome of any investigation by the Australian Securities and Investments Commission (ASIC), by the Registrar of Incorporated Associations, by the Australian Prudential Regulation Authority (APRA), by the Australian Competition & Consumer Commission (ACCC), by the Australian Transaction Reports and Analysis Centre (AUSTRAC) exercising their statutory functions or by any other regulatory body or law enforcement agency in any jurisdiction in relation to:
 - a. any company or incorporated association of which you are respectively a director or the public officer (where the participant is a natural person); or
 - b. the participant (where the participant is a corporation)
12. The commencement and result of any disciplinary action taken against a gaming related licence, approval or authorisation held by the participant, outside Victoria.

13. Details of any application made by the participant, or any entity which is owned or managed by the participant for a gaming related licence, approval or authorization in any jurisdiction outside Victoria which was refused or withdrawn.
14. A participant who is a venue operator or bingo centre operator must also advise the Commission of any change in the participant's management arrangements for its liquor (if applicable) or gaming business or in the manner of tenure of the approved venue(s)/bingo centre including but not limited to, the sale of the freehold of the premises, or the renegotiation of the lease of the approved venue/bingo centre.
15. In addition to the above, a participant who is a person listed on the roll (the listed person) must also advise the Commission of the following:
 - The entering into a contract, agreement, understanding or other arrangement, however it is described, by the listed person with a person (other than a person listed on the roll of manufacturers, suppliers and testers) for the testing, supply or on-supply of gaming equipment in Victoria, whether the same or altered form, or for the acquisition of intellectual property with respect to gaming equipment in Victoria
 - The approval of a licence, permit or other authority, however it is described and under any jurisdiction, for the listed person to use or apply a design of a person (other than a person listed on the roll of manufacturers, suppliers and testers) with respect to gaming equipment in Victoria.

Definitions:

"any jurisdiction" means any country, place, state or territory, within or outside Australia, within which judgments of a court or other legal authority can be enforced.

"business association" includes a partnership, joint venture, collaboration or similar relationship, however described.

"gambling industry participant" means a bingo centre operator, a holder of a commercial raffle organiser's licence, a gaming operator, the keno licensee, the monitoring licensee, a registered bookmaker, a public lottery licensee, a registered bookmaker's key employee, a venue operator, the wagering and betting licensee, the holder of the wagering licence, a person listed on the roll, a relevant applicant, invitee or registrant.

Note

In accordance with section 10.4A.4 of the Act, failure to notify the VGCCC in writing of a change as specified above is an offence which may result in a fine of up to 60 penalty units or disciplinary action may be taken against a participant. Such disciplinary action may include:

- a. the cancellation or suspension of the participant's licence or registration;
- b. the variation of the terms of the licence or registration;
- c. the issuing of a letter of censure to the licensee or registration holder.

These directions commenced on 6 April 2016 and were further revised on 20 February 2017, 10 May 2017, 23 February 2022 and 1 September 2022.



Ian Steer

Acting Manager,

Licence Management

Date: 1 September 2022