

Games of chance – art union

Information for applicants

1. This application form is for a paid-entry lottery, conducted by a non-profit organisation, where the total prize exceeds \$30,000
2. Complete all applicable questions. If information is missing, we can ask you to supply the required information and/or documents to support the application. Failure to supply information can delay a decision on the application
3. If you need more information about applying for a game of chance permit, go to www.fairtrading.nsw.gov.au
4. If you need help in completing the application form, call 13 32 20 or email CELottery@finance.nsw.gov.au
5. Please provide an email address for the nominated contact person as permit and correspondence will be sent by email
6. Lodge this application form and any supporting documents by:

Email

CELottery@finance.nsw.gov.au

Post

NSW Fair Trading
PO Box 972
Parramatta NSW 2124

OFFICE USE ONLY

By (circle): mail | OTC | email

Date lodged _____

Application number _____

Finalised by _____

Date finalised _____

Permit number _____

PART A

ART UNION DETAILS

Name of art union _____

Web address of lottery _____

Lottery start date (dd mm yyyy) _____ Lottery end date (dd mm yyyy) _____

PART B

BENEFITING NON-PROFIT ORGANISATION DETAILS

Organisation's name _____

Trading name of proposed beneficiary (if different to legal name) _____

ABN _____ ACN _____

Charitable fundraising authority number (if applicable) _____

Phone (daytime) _____ Phone (mobile) _____

Fax _____ Email address _____

Web address _____

Business address

Street no. _____ Street name _____

Town/city _____ State _____ Postcode _____

PART C

NOMINATED CONTACT PERSON

The nominated contact person is a person within the benefitting organisation

Title	Surname
Given name	Middle name
Phone (daytime)	Phone (mobile)
Fax	
Email address	

Postal address (if different from business address) a PO Box if one exists, otherwise a 'physical' street address

Street no.	Street name		
Town/city		State	Postcode

PART D

PROMOTER DETAILS

Title	Surname
Given name	Middle name
Phone (daytime)	Phone (mobile)
Fax	
Email address	

Postal address (if different from business address) a PO Box if one exists, otherwise a 'physical' street address

Street no.	Street name		
Town/city		State	Postcode

PART E

MANAGER DETAILS

Title	Surname
Given name	Middle name
Phone (daytime)	Phone (mobile)
Fax	
Email address	

Postal address (if different from business address) a PO Box if one exists, otherwise a 'physical' street address

Street no.	Street name		
Town/city		State	Postcode

PART F

DRAW CONDUCTOR DETAILS

The draw conductor is the person nominated to perform the draw. This person cannot be associated with the management or conduct of the art union, or be associated with the benefitting organisation.

Title	Surname
Given name	Middle name
Phone (daytime)	Phone (mobile)
Email address	

Postal address

Street no.	Street name		
Town/city		State	Postcode
Employer name (if applicable)			
Position with employer			

Signature of draw conductor

Date

I consent to my nomination to conduct the draw for the art union

PART G

PRIZE DETAILS

Prize category ¹ (tick any of the category boxes that apply. Bracketed number refers to checklist item on page 6)

<input type="checkbox"/> travel (L.3)	<input type="checkbox"/> motor vehicle, machinery, electrical (L.4)	<input type="checkbox"/> real estate (L.5)
<input type="checkbox"/> liquor/alcohol (L.6)	<input type="checkbox"/> money (L.6)	
<input type="checkbox"/> other (please specify) _____		

Total value of prizes (\$) _____

Applicants must attach:

- full particulars of the prizes to be awarded. This must include the following for each prize to be awarded:
 - prize description
 - retail value (\$) and
 - actual cost prize (\$).
- invoice for each prize that describes or specifies the nature of the prize. Each invoice must include:
 - description of the prize
 - normal retail value (\$)
 - purchase cost/or a statement that the prize is donated
 - if any rebate, a statement to that effect and to whom it is to be paid; and
 - be signed by the trader supplying the prize

1. The tickets and any advertisement, notice or information in connection with the art union must provide a clear and unambiguous description of the prizes. Some prizes are prohibited. Refer to checklist L.6

PART H

ENTRY DETAILS

Method used to promote ticket sales (tick any of the category boxes that apply)

face-to-face telephone
 mail internet
 other (please specify) _____

Method used to sell tickets (tick at least one)

face-to-face telephone
 mail internet
 other (please specify) _____

Is the organisation using a third party trader to promote the sale of tickets? Yes No

If **Yes**, attach a copy of the agreement(s). Refer to checklist L.1 and L.9 on pages 6 and 7 for additional requirements

Last date for receipt of entries (dd mm yyyy) _____

PART I

DRAW DETAILS

Method of selecting winning entries (tick at least one)

barrel draw computer generated selection²
 other (please specify) _____

Date of draw (dd mm yyyy) _____

Time of draw (am/pm) _____

Place of draw³

Building name _____

Street no. _____ Street name _____

Town/city _____ State _____ Postcode _____

Method of notifying winners _____

Winners published in which newspaper _____

Date of publication (dd mm yyyy) _____

2. Refer to checklist L.8 on page 7
3. Draw must be conducted in Australia

PART J	FINANCIAL INFORMATION	
	In NSW	Nationally (if applicable)
Number of tickets to be sold		
Cost of each ticket		
Estimated gross income (\$)		
Estimated expense (\$)		
Estimated gross profit (\$ and %)		

PART K	APPLICANT'S DECLARATION
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- I declare that I am 18 years or older and I am authorised to make this application on behalf of the benefiting organisation.
- I declare that the contents of this application including any attachments are true, correct and complete.
- I acknowledge that under section 307A of the Crimes Act 1900 it is an offence to provide false, misleading or deficient information in this application.
- I acknowledge that failure to provide all required information may result in refusal of the application.
- I understand that specific details I have supplied in this application may be 'personal information' under the Privacy and Personal Information Protection Act 1998. Personal information is any information or opinion that identifies an individual, or enables someone to identify an individual.
- I acknowledge that NSW Fair Trading is collecting personal information to enable processing of the application. I also understand that this agency will use the information for its intended purpose only, store the information securely, and allow me to access and update the information. I also acknowledge that this agency, when processing this application, may need to disclose personal information to other Government agencies.
- I declare I will personally conduct, or ensure that the art union is conducted, in accordance with the information in this application, the Lotteries and Art Unions Act 1901, the Lotteries and Art Unions Regulation 2007, and the conditions attached to the permit (if granted).

Signature of nominated contact person

Date

Need more information?

Visit www.fairtrading.nsw.gov.au, or call 13 32 20

PART L

CHECKLIST

L.1. Specimen ticket

Have you included this information with your application?

- a specimen ticket.

Does the purchaser's portion of the ticket include the following information?

- the name of the art union
- the name of the benefiting organisation
- the price of the ticket
- details of the prizes and their value
- the place, time and date of the draw
- details of the way in which the results of the draw will be publicised
- the number of tickets in the art union
- the name and address of the promoter
- the number of the permit issued in respect of the art union
- the serial number of the ticket
- a disclosure as required by charitable fundraising authority conditions when a trader/agent is used.

In respect of the ticket-butts and drawing docket:

- are they numbered consecutively in the same series as the ticket
- is there space for the name and address of the purchaser to be written.

L.2. Prize invoices (Part G – Prize details)

Have you attached to the application an invoice for each prize that describes or specifies the nature of the prize. Each invoice must contain:

- a description or specification of the prize
- the normal retail value
- the purchase cost/or a statement that the prize is donated
- if any rebate, a statement to that effect and to whom it is to be paid
- the signature of the trader supplying the prize.

L.3. Travel prizes

Have you communicated the following information to prospective purchasers in the terms and conditions of entry, and included this information with your application?

- value of the prizes
- number of people able to take the travel prize destination
- class of airfare: eg. first class
- level of accommodation: eg. four star and name, location of hotel
- whether meals are included
- whether transfers are included
- whether other transport is included
- whether travel insurance is included
- whether airport departure tax is included
- spending money, if any (limited to 20% of value of travel prize)
- restrictions including: duration of travel prize, when travel prize must be taken (validity, non-peak periods, availability).

L.4. Motor vehicle, machinery and electrical appliance prizes

Have you communicated the following information to prospective purchasers via the terms and conditions of entry, and included this information with your application?

- value of prizes
- make
- model
- accessories
- restrictions
- whether motor vehicle insurance is included (road vehicles only)
- whether registration and on-road costs included (road vehicles only).

L.5. Real estate prizes

Have you communicated the following information to prospective purchasers via the terms and conditions of entry, and included this information with your application?

- valuation
- type of dwelling
- location (lot number etc)
- what is included - eg. furniture
- property restrictions.

Have you included with your application the following information?

- independent written valuation by a licensed valuer
- details of any covenants, easements, etc. affecting the title to the land
- a statement that all legal expenses, stamp duty, fees, etc., are to be met from the funds of the art union.

The following additional information must be submitted where the prize is a house:

- pro forma invoices for any furnishings, fittings, etc., not included in the valuation, setting out both the normal retail value and the actual net cost
- a building certificate under the *Environmental Planning and Assessment Act 1979*
- a certificate under section 131(a) of the *Home Building Act 1989*.

Where the house is not complete at the time approval is sought:

- plans and specifications of the house and any other improvements.
- copy of the contract with the builder.
- Note 1: the house and any other improvements must be completed not less than four weeks before the draw to enable an inspection to be carried out, if necessary.
- Note 2: a permit may be granted for the conduct of the art union, but no tickets are to be sold until a Certificate of Title, showing full and unencumbered title is held in the name of the organisation, has been produced and approval has been given for the sale of the tickets.

L.6. Prohibited prizes

Have you ensured that:

- the total quantity of liquor prizes does not exceed 20 litres
- the total value of cash (money) prizes does exceed \$25,000
- the total value of spending money as part of tour or journey does not exceed 20% of the total value of the travel prize
- there are no tobacco product prizes
- there are no cosmetic surgery prizes
- there are no weapons, firearms and ammunition as prizes.

L.7. Advertising

Have you included a copy of any proposed advertising, notice or promotional material that will be communicated to prospective participants?

Have you checked that the proposed advertising:

- does not encourage a breach of the law
- does not depict children participating in a lottery activity
- is not false, misleading or deceptive
- does not suggest that entering the lottery will definitely improve a person's financial prospects
- complies with the relevant industry code of practice (eg. the Commercial Television Industry Code of Practice).

L.8. Computerised and similar draw systems (Part I Draw details)

- refer to page 5 of the Art Union Fact Sheet under the heading 'I want to use a computerised system, what do I need to do?' and the adjacent box application for approval of computerised device for more information.
- if the computerised or similar system has been previously approved by the Office, have you provided a copy of that approval notice.
- if the draw procedure using the computerised or similar system has been previously approved, have you provided a copy of that approval notice.

If you believe the computerised or similar system has been approved, but do not have a copy of the approval notice, have you:

- advised the name of the device, and the name of the manufacturer
- provided a Draw Procedure Report.

If the computerised or similar system has not been previously approved, have you provided:

- an Appraisal Report from a qualified independent person
- Draw Procedure Report.

L.9. Financial (Part J Financial information)

Have you included a financial budget showing:

- estimated expenses (tickets, wages, commissions, rent, prizes, advertising, etc.)
- anticipated gross income from ticket sales
- the net profit after deducting expenses.

Have you included:

- a description of any proposed payments of any wage, bonus, commission, or other remuneration, and expenses payable to the promoter, the manager or other person/s involved in the conduct of the art union, including traders, such as telemarketing providers
- a copy of the contract between that person and the benefiting organisation.