



Department  
of Industry

Liquor & Gaming

# *Review of the Lotteries and Art Unions Act 1901*

Final Report September 2017

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# 1. Background and approach

Community gaming activities and trade promotions in NSW are administered under the *Lotteries and Art Unions Act 1901* (the Act). On 13 October 2014, the NSW Government entered into a Memorandum of Understanding (MoU) with ClubsNSW. The MoU commits the parties to, among other things, “*open consultation for a root and branch modernisation of the Act to ensure clubs, charities and church groups have a flexible and contemporary regulatory framework*”.

The principal object of the Act is to ensure that, on balance, the State and the community as a whole benefit from community gaming activities and trade promotions. ‘Community gaming activities’ refer to a range of lotteries, raffles and games of chance operated by, or on behalf of, charities and not-for-profit organisations for fundraising purposes. This excludes commercial lotteries conducted by Lotteries NSW. ‘Trade promotions’ refer to activities operated by businesses that are free to enter and conducted for promotional purposes.

The Act itself seeks to meet its community benefit objective by:

- ▲ restricting who may conduct and benefit from these activities;
- ▲ ensuring their integrity and fairness;
- ▲ ensuring the probity of those involved; and
- ▲ minimising the potential for harm.

## 1.1 Reviewing the Act to ensure its relevance

Over time, provisions authorising new activities have been added to the Act and the Regulation. As a result the Act lacks clarity and logical flow in terms of the activities that are permitted, and in what context. This creates significant confusion for organisations wishing to conduct community gaming activities and trade promotions.

In addition, permits often contain additional conditions that organisations must comply with.

The review was initiated to address the complexity of the Act by making it more flexible and easier to understand for community organisations and businesses that are required to comply with it. To achieve this, the following issues were considered:

- ▲ whether community gaming and trade promotions should continue to be regulated, and if so, the best approach for regulating these activities;
- ▲ whether the regulatory objects of the Act remain valid, and if so, whether the existing regulatory framework adequately meets those objectives;
- ▲ the appropriate balance between facilitating these activities, and minimising the risk of associated harm;
- ▲ best practice and arrangements in place in other jurisdictions for regulating these activities;
- ▲ potential opportunities to reduce the regulatory burden on providers of community gaming and lottery activities, while ensuring the integrity and probity of those activities;
- ▲ government initiatives designed to enhance the regulation of trade and commercial activities; and
- ▲ the way in which the regulatory approach can best facilitate a level playing field for the provision of community gaming activities by charity-based providers and registered clubs.

This report outlines the approach used for the review, findings and recommendations.

## 1.2 Review approach

In developing the recommended model, a robust evidence base was developed based on:

- ▲ an internal assessment of the existing regulatory model;
- ▲ a comparative analysis of other jurisdictions; and
- ▲ engagement with stakeholders regarding the appropriate form of regulation.

The first two components resulted in a Discussion Paper which was released in August 2016. It included:

- ▲ an overview of current regulation;
- ▲ key facts and figures on the sector;
- ▲ a review of approaches to regulation in other jurisdictions (Queensland, Victoria and New Zealand); and
- ▲ a proposed regulatory framework for comment.

The Discussion Paper sought feedback from stakeholders on the existing regulatory model and a proposed revised framework. This feedback has informed the model recommended in this report.

## 2. Recommended model

The feedback and evidence gathered through the review demonstrate that the objects of the Act continue to reflect the Government's policy and community expectations on community gaming and trade promotions.

However, the review found that the existing regulatory framework could meet these objects in a more efficient manner. Specifically, while these activities are generally low risk with relatively few compliance concerns, the regulatory obligations placed on operators are significant. As a result, the review found that the existing framework does not adequately support a system that safeguards the integrity of these activities but is sufficiently flexible to encourage growth and innovation.

### 2.1 Developing a new regulatory model

The review found general stakeholder support for community gaming and trade promotions to continue to be regulated in order to maintain fairness, integrity and public confidence.

Feedback from stakeholders on the appropriate approach to regulation and whether NSW should adopt the approach used in other jurisdictions was sought. While there were a range of stakeholder views on the specific model that should be implemented, there was broad agreement that the existing model was too rigid and rules-focused. Submissions noted that the model should be more principles-based and reflective of the risks associated with these activities.

The recommended regulatory model is based on a set of guiding principles aimed at facilitating community gaming activities and trade promotions without compromising their integrity. These principles are:

- ▲ only high risk activities will require a permit;
- ▲ persons conducting community gaming under the Act must ensure the games are conducted in the public interest and operated with fairness and integrity, regardless of whether a permit is required to conduct the activity; and
- ▲ individuals must not receive any personal benefit from conducting community gaming activities.

**Table 1** outlines the new model. The key changes are:

- ▲ a significant reduction in the number of activities requiring a permit, to reduce the regulatory burden on operators of low risk activities;
- ▲ a more flexible enforcement regime including the implementation of civil penalties, to ensure integrity given the reduced involvement of the regulator;
- ▲ redrafting of the Act and the Regulation for clarity, consistency with best practice legislation, improved transparency of operator obligations, and to provide greater flexibility to adapt to changing conditions; and
- ▲ development of refreshed guidance materials, greater support to operators and more access to online tools, to support operator compliance.

**Table 2** summarises the main differences between the existing model and the recommended model, and the impact of the changes. The following sections of this chapter discuss these changes in greater detail.

Table 1: Recommended regulatory model

	Category 1 - Community Gaming	Category 2 - Trade Promotions
Activities described in the Regulations	<ul style="list-style-type: none"> <li>▪ Art unions</li> <li>▪ Chocolate wheels</li> <li>▪ Club bingo</li> <li>▪ Football doubles and variations</li> <li>▪ Gaming nights (casino nights)</li> <li>▪ Gratuitous lotteries</li> <li>▪ Guessing competitions</li> <li>▪ Housie (charity and social)</li> <li>▪ Lucky envelopes</li> <li>▪ Mini-numbers lotteries</li> <li>▪ No-draw lotteries (scratch, break-open lottery)</li> <li>▪ Progressive lotteries (including tipping competitions)</li> <li>▪ Promotional raffles</li> <li>▪ Raffles (fundraising)</li> <li>▪ Sweeps and calcuttas</li> </ul>	A free entry draw conducted to promote goods and services, with the winner determined by chance (may be linked to a purchase, provided the base price is not inflated)
Authorised operators	Association or corporation or individual (on behalf of an association or corporation)	
Threshold for licence or permit	Total retail prize value, offered in NSW only, more than \$30,000 per session or draw	Total retail prize value, offered in NSW only, more than \$10,000 in any one promotion
Fees	Nil	No change recommended at this time.
Reporting	<ul style="list-style-type: none"> <li>▪ Operators will be required to provide a website address to their terms and conditions in their marketing material</li> <li>▪ Other reporting, such as draw results and proceeds, will no longer need to be provided to</li> </ul>	

	<p>the regulator at the conclusion of the promotion but will be subject to spot audit and submission at the time of a new permit application only</p> <ul style="list-style-type: none"> <li>▪ The requirement to display financial statements at the premises where the session is conducted will be replaced with a requirement to provide public access to information if requested</li> <li>▪ The regulator will obtain charity information, through the ACNC Charity Register, rather than from registered charities directly</li> </ul>
Requirements	<ul style="list-style-type: none"> <li>▪ Must conduct the activity in the public interest and with fairness and integrity</li> <li>▪ Must comply with requirements in the Act, Regulations and relevant rules</li> </ul>
Application process	<ul style="list-style-type: none"> <li>▪ The regulator will investigate the scope for applicants to lodge and track new / renewal applications online via OneGov (including auto-complete of applications, using data from previous permits, and electronic notification of approval)</li> </ul>

Table 2: Key changes from the existing model

Change	Description of the change	Impact of the change
Need for a permit	<p>The types of activities that can be offered without a permit has been expanded.</p> <p>For other types of activities, the threshold for requiring a permit has been increased, so fewer activities will require a permit.</p>	<p>The following activities will no longer require a permit:</p> <ul style="list-style-type: none"> <li>• Chocolate wheels</li> <li>• Lucky envelopes</li> <li>• Charity housie with total prize value less than \$30,000 (previously permits were always required)</li> <li>• Progressive lotteries with total prize value less than \$30,000 (previous threshold: total sales less than \$25,000)</li> <li>• Sweeps and calcuttas with total prize value less than \$30,000 (previous threshold: total sales less than \$20,000)</li> </ul> <p>Trade promotions with total prize value less than \$10,000 (previously permits were always</p>

		required).
Civil penalties regime	A civil penalties regime will be introduced alongside the existing criminal penalties regime.	<p>A civil penalties regime will:</p> <ul style="list-style-type: none"> <li>• increase the flexibility of the compliance framework;</li> <li>• provide more practical penalties for compliance breaches to facilitate robust enforcement; and</li> <li>• improve incentives for operators to ensure compliance.</li> </ul> <p>As the proposed model will reduce the number of activities requiring permits, a robust and flexible compliance framework is critical to ensuring the integrity of community gaming and trade promotions.</p>
Guidance materials	<p>New guidance materials will be developed to support stakeholders meet their obligations.</p> <p>These materials will include contact information for support staff.</p>	<p>Proposed support will include:</p> <ul style="list-style-type: none"> <li>• education initiatives for key operators;</li> <li>• updated guidance material for each activity; and</li> <li>• improved access to staff supporting community gaming and trade promotions.</li> </ul>
Legislative wording	The legislation will be rewritten to incorporate the proposed model and to ensure it is consistent with modern drafting conventions.	The updated legislation will be easier to understand for stakeholders and operators of community gaming activities and trade promotions.

## 2.2 Changing permit requirements

Stakeholder feedback indicated that the existing regulatory model was overly prescriptive compared to the risks associated with community gaming and trade promotions, particularly when compared with other jurisdictions. Compliance issues are typically infrequent and usually reflect relatively minor issues, such as disagreements on the distribution of prizes or compliance with game rules. This demonstrates the relatively low risk associated with these activities.

The regulatory obligations placed on operators are regarded by stakeholders to be significant, which may impact the extent to which these products are offered. For instance, even very small trade promotions require a permit attracting an application fee. In addition, operators are required to submit information to the regulator at the conclusion of these activities that is only reviewed where necessary for compliance purposes. Feedback from businesses in particular indicated that the existing model has reduced their willingness to operate trade promotions in NSW.

The recommended model reduces the regulatory burden for low-risk community gaming and trade promotion activities by removing the need for a permit. By only requiring permits for higher risk activities, the recommended model better balances the need to ensure integrity and the need for a regulatory environment that supports these activities.

While the requirement for permits is reduced, all community gaming and trade promotions activities must still comply with the Act, regulations and relevant rules and conditions regardless of the need for a permit. Participants in these activities will continue to have the same protections and avenues of recourse under the Act and Australian Consumer Law. Operators will still need to retain records, provide access to terms and conditions, and operate community games and promotions with integrity. Participants will be able to raise any concerns with the regulator, who will have the ability to enforce these requirements.

In addition, game specific restrictions on prizes will remain, so that there is no immediate increase in the risk profile of these activities. For instance, chocolate wheels will still be limited to a maximum prize value of \$500 irrespective of the permit threshold for community games.

Total retail prize value has been identified as a measure of risk for these activities and is used in the recommended model to identify high risk activities that require permits. This measure has been chosen as:

- ▲ this information is already collected by operators and is available to the regulator, so the regulatory impact of gathering the information is small; and
- ▲ larger activities may be more complex and the larger monetary value of prizes warrants greater safeguards for consumers and operators.

All community gaming activities with a total prize value of less than \$30,000 per session or draw and all trade promotions with a total prize value of more than \$10,000 in any one promotion will not require a permit.

Stakeholder feedback was sought in determining the threshold above which permits are required. For trade promotions, feedback was sought on the \$10,000 limit the response from stakeholders was that the proposed limit represented a reasonable threshold.

For community gaming, feedback was sought on a threshold of \$25,000 in gross proceeds. Some stakeholders were not supportive of this approach, noting that gross proceeds are more difficult to measure than prize value and that this could increase the number of activities requiring a permit. Given the key objective of the review, to reduce the burden of regulation, the proposed threshold was amended to a total prize value of less than \$30,000 per session or draw. This threshold provides consistency with community games while ensuring that no operator should face an increase in the number of permits required.

**2.3 Introducing a civil penalty regime**

The current regulatory framework provides for criminal sanctions only. This presents a barrier for the regulator to take action against operators that commit less serious offences, resulting in a tendency to only pursue penalties for more serious offences.

The existing penalty regime is therefore less useful in enforcing minor infractions than intended. However, compliance issues identified in the community gaming and trade promotions sector are usually minor, often involving disagreements associated with the distribution of prizes. As a result, the existing penalty regime is not well suited to ensuring the integrity of these activities, a key objective of the Act.

There is a risk that the issues associated with the current penalties regime could worsen under the recommended model as the removal of permit requirements will give the regulator less oversight over these activities. This may lead to an increase in compliance issues if an effective enforcement model is not implemented.

The enforcement framework should accordingly provide the regulator with flexibility to actively ensure operator compliance. A civil penalties regime, which would facilitate penalties commensurate with the level of wrongdoing and would only require a civil standard of proof ('on the balance of probabilities'), would provide this flexibility.

Stakeholder feedback was sought on a civil penalties regime (see **Table 3**). Support for a civil penalties regime was limited, with some stakeholders seeing such a regime as additional and unnecessary regulation. Stakeholders that did support a civil penalties regime acknowledged that it would facilitate positive compliance outcomes. Stakeholder support for the reduced level of oversight in the recommended model was clear. Given the risks associated with reducing the level of oversight and maintaining the existing penalties regime, the recommended model includes a civil penalties regime.

Table 3: Characteristics of criminal and civil penalty regimes

Criminal penalty regime	Civil penalty regime
<ul style="list-style-type: none"> <li>▪ Aims to deter fraudulent or negligent activities, ensure proper records are kept, protect minors from harm, and conduct activities in line with community expectations</li> <li>▪ Criminal standard of proof ('beyond all reasonable doubt')</li> <li>▪ Useful for deliberate or repeated breaches</li> </ul>	<ul style="list-style-type: none"> <li>▪ Act as a deterrent for non-compliance and provide affected parties and the community with restitution for the breach</li> <li>▪ Alternative punitive sanctions with a civil standard of proof ('on the balance of probabilities')</li> <li>▪ May include show cause notices, compliance notices, monetary penalties, injunctions, banning orders, licence or</li> </ul>

	<p>permit revocations, and orders of reparation and compensation</p> <ul style="list-style-type: none"> <li>▪ Allows penalties imposed with financial burden commensurate with level of wrongdoing</li> <li>▪ Allows concurrent disciplinary and compensatory orders</li> <li>▪ Allows regulator and third parties to seek damages in civil proceedings</li> <li>• Supported by sector training and community information</li> </ul>
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**2.4 Changing the Act and the Regulation**

Changes to the Act and to the Regulation will be necessary to implement key features of the recommended regulatory model. Additional changes will be necessary to ensure clarity.

The Act and Regulation have been in place a long time and do not incorporate modern drafting conventions aimed at making legislation accessible to users. They have also been amended to accommodate new activities, which have added further complexity.

Stakeholder feedback confirmed that users found the Act confusing. In addition, the Act has failed to keep up with advances in technology and businesses operating across state and territory borders. Therefore, it is proposed the Act and the Regulation be redrafted to reflect modern legislation drafting standards.

At present, definitions of the different types of community games are contained within the Act. This makes the Act harder to understand and also makes it more difficult to make changes, such as amendments to game rules, that reflect innovation or the introduction of new game types.

While this review has not sought to change the definition or rules of community games, this may be warranted in the future. To ensure that the Act and the Regulation are sufficiently flexible to accommodate these changes, the new Act should include broad definitions of community gaming and trade promotions, with each game defined in the Regulation.

It should be noted that some stakeholders sought amendments to individual game rules as part of this review (see the Stakeholder Feedback section). No recommendations have been made with respect to these changes, given that feedback on these issues was limited. It should be noted that the review has proposed a post-implementation review of the new regulatory model 12 months after implementation (see Implementation section). This review could consider whether changes associated with game-specific rules are warranted.

**2.5 Supporting compliance through guidance tools**

A key theme of stakeholder feedback was the quality of government support provided to operators. This feedback ranged from the service levels associated with permits, the availability and usefulness of online guidance tools and the difficulty engaging with the regulator. In particular, some smaller stakeholders, who may be less well-resourced than larger operators, were concerned about changes away from a system that while complicated, they were familiar with.

Given the less intrusive regulatory approach in the recommended model, it is important that operators have sufficient support to ensure they are able to comply with their obligations. As a result, it is recommended that improvements be implemented to support compliance with the new regulatory model and to further reduce the regulatory burden on operators.

Specifically it is recommended that the regulator:

- ▲ explore the feasibility of increased use of online channels to engage with the regulatory system, including a potential expansion of the end-to-end online permit process to all community gaming and trade promotions permits;
- ▲ explore the feasibility of using data from previous permits to facilitate the completion of renewals;
- ▲ consider implementing a guarantee of service for community gaming and trade promotions permit processing times or updating existing guidance to be more reflective of actual service times;
- ▲ reduce the reporting requirements for permit holders, with reference to competition terms and conditions, financial statements and charities' information;
- ▲ engage with operators to explain the changes to the regulatory model, including the conduct of sector training sessions and delivery of a community information campaign; and
- ▲ develop new guidelines and fact sheets to reflect the changes to the Act and the Regulation.

## **2.6 Implementing & reviewing the recommended model**

The review recommends a staged implementation of the model to allow the sector time to prepare for the changes. Stakeholder feedback to the review indicated the importance of allowing time for the sector to adjust processes and to properly support the sector through education campaigns.

As part of any change in legislation, a post implementation review would be useful to identify any transitional issues and to identify potential solutions to improve the model in line with the intent of the original reform. It is recommended that a post-implementation review be conducted 12 months after the regulatory model has been fully implemented.

### 3. Impacts of the recommended model

The recommended model will reduce the regulatory burden on operators and provide a more flexible and practical framework for the regulation of community games and trade promotions.

#### 3.1 Permit numbers

**Table 4** shows the number of permit applications received in the past three financial years for each type of community gaming activity and trade promotion. Based on the permit thresholds in the recommended model the number of Art Union permits is expected to remain unchanged given the high prize value. However, there is not expected to be any need for permits for the following community gaming activities, given their low total prize value:

- ▲ chocolate wheels;
- ▲ lucky envelopes;
- ▲ progressive lotteries;
- ▲ sweeps / calcuttas; and
- ▲ minor, major and super housie.

Based on permit applications in the 2016 financial year, this would suggest a reduction in the overall number of permit applications for community gaming activities of almost 80%.

For trade promotions, the need for a permit will depend on the total prize value of the promotion. Historically, a significant proportion of promotions had a prize value less than \$10,000, around 70% of all single trade promotion permits. These promotions would not require a permit under the recommended model.

The impact on multiple trade promotions is less certain, as information on the value of prizes for each individual promotion was not available. However, these permits are typically used by businesses seeking to operate a large number of promotions with relatively small prize values. Under the recommended model, those multiple trade promotions that have total prize values of \$10,000 or less per promotion will no longer require a permit.

Therefore, the number of this permit type is expected to decline. However, this permit type will continue to be available for operators that wish to run multiple promotions for higher value prizes.

Table 4: Number of permit applications by permit type (FY14 - FY16)

Permit type	2013/14	2014/15	2015/16
Art union	109	118	111
Chocolate wheel	69	73	81
Lucky envelope	11	12	8
Progressive lottery	0	0	2
Sweep / Calcutta	2	1	9
Minor housie	16	11	9

Major housie	203	236	254
Super housie	23	22	23
Single trade promotion	10,503	10,267	10,530
Multiple trade promotion	1,378	1,358	1,362
<b>Total</b>	<b>12,314</b>	<b>12,098</b>	<b>12,389</b>

### 3.2 Operator savings from the recommended model

As part of the recommended model, 70% of single trade promotions will not require a permit. In addition, some multiple trade promotion permits and most community gaming permits (apart from art unions) will no longer be required. As a result, operators will no longer face costs associated with the completing and submitting application permits.

Single trade promotions with a prize value lower than \$10,000 fees incur an \$80 fee for online permit applications and a \$138 fee for offline applications. These permits are not required under the recommended model. Operators will also realise savings associated with completing these applications and with reduced reporting requirements, which some stakeholders argued were significant.

In addition, some stakeholders indicated that the permit process and permit fees act as a disincentive to conduct small trade promotions, therefore total savings to operators will be larger if the reduced costs increase the overall number of promotions conducted.

For multiple trade promotions, permit costs are based on the total prize value across all promotions. If the relevant operators do not run any individual promotions with prizes less than \$10,000, it is likely that they would no longer apply for a permit, which would save at least \$320 per year in addition to any costs of submitting applications.

Community games that require permits at present do not attract an application fee. However, operators of community games would still be expected to realise savings associated with completing these applications, and with reduced reporting requirements.

## 4. Stakeholder feedback

In response to the Discussion Paper, submissions were received from community groups, charities, not-for-profit organisations, peak bodies, clubs, legal firms, marketing and promotion operators, and gambling operators (**Appendix 1**). Submissions have been published at [www.liquorandgaming.nsw.gov.au](http://www.liquorandgaming.nsw.gov.au)

### 4.1 Areas of stakeholder agreement

A number of broad themes were identified from the submissions. These key themes were reasonably consistent across a number of stakeholders:

- ▲ strong agreement that the objects of the Act remain valid;
- ▲ general support for greater consistency with other jurisdictions;
- ▲ agreement that the proposed model adequately addresses the risk of harm to the community;
- ▲ strong support for reduced red tape;
- ▲ agreement that regulation should be risk-based;
- ▲ disagreement on requiring a percentage of proceeds to be returned to players; and
- ▲ disagreement about the introduction of a civil penalty regime.

Overall, there was broad agreement that the existing scope of regulation was heavy handed and that the proposed model was an improvement. This was supported by a variety of stakeholders, including not-for-profit operators of community games, such as Multiple Sclerosis Limited,<sup>1</sup> as well as large corporate operators of trade promotions such Asahi Beverages.<sup>2</sup>

In addition, many stakeholders also agreed that the Act was difficult to interpret and understand. For example, the Australian Hotels Association NSW noted that “the present framework for regulating community gaming activities and competition is unnecessarily complex and difficult to interpret”.<sup>3</sup> The recommended model seeks to address these concerns through the redrafting of the Act and the Regulation to make it easier to understand, in line with modern drafting principles. The redrafting of the Act and the Regulation will also provide greater flexibility to amend game rules and definitions in the future, which was a theme of submissions provided by ClubsNSW<sup>4</sup> and BSG Australia.<sup>5</sup>

Two key elements of the proposed regulatory framework were removed from the Review’s final recommendations on the basis of stakeholder feedback. These were:

- ▲ a requirement that ‘20% of gross proceeds be returned to players, as part of the total value of prizes’; and
- ▲ a decision to use gross proceeds to determine the thresholds for community gaming activities requiring a permit.

Under the existing model, a number of charities and not-for-profit organisations partner with third parties to deliver their fundraising activities. A number of these organisations, including

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<sup>1</sup> Multiple Sclerosis Limited submission p 1.

<sup>2</sup> Asahi Beverages submission p 2.

<sup>3</sup> Australian Hotels Association NSW submission p 2.

<sup>4</sup> ClubsNSW submission pp 1-2.

<sup>5</sup> BSG Australia Pty Ltd submission p 2.

the NSW Rural Fire Service Association Incorporated<sup>6</sup> and NSW SES Volunteers Association (SESVA),<sup>7</sup> argued that requiring a minimum return to players would place undue stress on their existing operating models and would reduce the revenues available to charities and not-for-profits from community games. One stakeholder indicated that existing prize pools are usually well below the 20% threshold proposed in the Discussion Paper.

Stakeholders also raised concerns with the proposed permit threshold for community gaming of \$25,000 of gross proceeds. Stakeholders noted that the proposal would increase the obligations of organisations operating large raffles given that they do not currently require a permit unless the total prize value is greater than \$30,000. In addition, stakeholders mentioned the difficulty of estimating proceeds prior to the finalisation of a raffle. In response to this feedback, the proposed model was amended to rely on total prize value rather than gross proceeds.

#### **4.2 Areas of stakeholder disagreement**

There were some issues raised in submissions where stakeholder views diverged. A number of these varying views related to the specifics of the model and the appropriate threshold above which permits should be required. These issues include:

- ▲ whether a permit is, or is not, required and for which activities;
- ▲ what the dollar limit should be before a permit is required and how these limits should be calculated; and
- ▲ what information is required for licensing and reporting.

There was some disagreement among stakeholders regarding the permit requirements and the placement of thresholds. For instance McDonalds Australia Ltd suggested that there should be no need for permits at any prize level,<sup>8</sup> while TelAds Pty Ltd suggested that the existing regimes protections are important.<sup>9</sup>

The recommended model has sought to balance these views. However the post-implementation review should provide a clearer picture of whether the recommendations meet the objectives of the review. It is also noted that the success of the new regulatory model may rely on the transitional arrangements implemented by the Government, including the extent of stakeholder education and support.

#### **4.3 Ease of doing business**

A number of stakeholders also provided ideas for reducing regulatory burden beyond the proposed model, through other initiatives to reduce the costs of complying with regulation. These include:

- ▲ standard licence or permit turnaround timeframes;
- ▲ application reviews before lodgement;
- ▲ application tracking;
- ▲ downloadable approvals, guidelines, fact sheets and flow charts;
- ▲ template Terms and Conditions;
- ▲ improved customer service and advice; and

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<sup>6</sup> NSW Rural Fire Service Association Incorporated submission p 3.

<sup>7</sup> NSW SES Volunteers Association submission p 2.

<sup>8</sup> McDonalds Australia Ltd submission p 2.

<sup>9</sup> TelAds Pty Ltd submission p 2.

▲ 12-month staged implementation and 12-month review of the model.

A number of stakeholders, including the SESVA argued that the existing support provided to operators was insufficient. This is particularly important given the proposed reduction in regulatory oversight. As a result, the Review has made a number of recommendations for initiatives that could support operators meet their obligations.

# Appendix 1 – List of submissions

Table 5 – List of submissions to the Review

Organisation	Submission/Survey
Appealing Images	Survey
Aqua Vitae Day Spa	Survey
Asahi Beverages	Submission
Aspire Non Profit Consulting	Submission
Australian Charities and Not-For-Profits Commission	Submission
Australian Grand Prix	Survey
Australian Grand Prix Corporation	Survey
Australian Hotels Association NSW	Submission
M Bloor (individual)	Submission
Bluerock	Survey
BSG Australia	Submission
Capricorn Society Ltd	Submission
Castle Hill RSL	Survey
ClubsNSW	Submission
Commercial Radio Australia	Submission
Contact Centres Australia	Submission
Deniliquin RSL	Survey
Derham Marketing Research Pty Ltd	Survey
Diageo Australia	Submission
Federation of Parents and Citizens Associations of NSW	Submission
Fundraising Institute Australia	Submission
A Fung (individual)	Survey
Generic Publications	Survey

V Harrington (individual)	Submission
M Hewson (individual)	Survey
iSocialize	Survey
JLL	Survey
Justice Connect	Submission
Kids With Cancer	Submission
Lake Haven Centre	Survey
Lake Macquarie Yacht Club	Survey
Learning Links	Submission
Lithgow Men's Shed	Survey
Lonergan Research	Survey
L McGrath (individual)	Survey
MarketPlace	Survey
McDonalds Australia Ltd	Submission
Michael Hill	Survey
Multiple Sclerosis Ltd	Submission
Nambucca Heads Shire Council	Survey
NSW SES Volunteers Association	Submission
OrigamiGlobe	Survey
Ourimbah RSL	Survey
L Ozzale (individual)	Survey
PromoVeritas Ltd	Submission
Ronald McDonald House Charities Australia	Submission
Rural Fire Service Association Inc	Submission
Russell Vale Golf & Social Club	Survey
SAM Sales and Marketing	Survey

