

## APPLICATION TO PUBLISH OR USE VICTORIAN RACE FIELDS

### INSTRUCTIONS FOR APPLICANT

#### 1. Who is Racing Victoria?

Racing Victoria (RV) is the appropriate controlling body under the *Gambling Regulation Act 2003* (Vic) (**Act**) responsible for approving wagering service providers to publish and use Victorian thoroughbred race fields, and to impose any conditions and fees on such publication and use.

#### 2. Structure of form

This form is in **TWO** parts:

- the first part relates to the prescribed application form pursuant to section 4.2.3C of the Act and regulation 56 of the *Gambling Regulations 2015* (Vic) (**Regulations**);
- the second part relates to additional information that RV requires when assessing race fields applications.

You must complete **BOTH** sections of the form. Incomplete applications may be refused.

#### 3. How do I submit an application?

If your organisation is a “wagering service provider” for the purposes of the Act, and wishes to use and/or publish Victorian thoroughbred race fields, please complete, sign, and return this form to Racing Victoria:

(a) via email to: [racefields@racingvictoria.net.au](mailto:racefields@racingvictoria.net.au);

(b) via post to: Race Fields Administration, Racing Victoria Ltd 400 Epsom Road, Flemington, VIC 3031

#### 4. Timing for processing applications

RV is bound by the legislative timeframes in the Act and Regulations when processing applications. However, in practice, RV generally processes complete applications in approximately 3 to 6 weeks. It is not possible for RV to consider, process and approve complete applications in a matter of days, regardless of how urgent the application is.

#### 5. Term of approval

If RV grants approval, it will be for a period of up to 12 months starting on the date specified in the notice of approval. Please note that RV has power to vary the conditions that attach to any approval and/or revoke the approval at any time where it is permitted to do so under the Act.

## 6. Details of application process

More details about how RV assess applications can be found in RV's Race Fields Policy which is accessible from <https://www.racingvictoria.com.au/wagering/race-fields-policy>.

## APPLICATION TO PUBLISH OR USE VICTORIAN RACE FIELDS

I apply for approval to publish and use the following race fields information:

Victorian horse racing race fields

Is the following application a new or renewal application?

New

Renewal

### DETAILS OF APPLICANT

Name of Applicant:	
Address of Applicant:	
Applicant's contact details:	
State, Territory or Country where Applicant is licensed to operate:	
Trading names used by Applicant:	
Applicant's ACN or ABN:	

### ADDITIONAL INFORMATION

All applicants must also complete the "Attachment to Application to Publish and Use Victorian Thoroughbred Race Fields."

### CERTIFICATION

I \_\_\_\_\_ certify that I am authorised to make the application on behalf of \_\_\_\_\_ and that the information provided is true and correct.

*Name of person signing*

*Signature*

*Date*

# ATTACHMENT TO APPLICATION TO PUBLISH AND USE VICTORIAN THOROUGHBRED RACE FIELDS

Please provide the following additional information for your application.

Date: \_\_\_\_\_

Application by \_\_\_\_\_ (“Applicant”)  
 For approval to publish and use Victorian thoroughbred race fields

## DETAILS ABOUT YOUR BUSINESS

<b>1.</b>	<b>The Applicant should only answer whichever of the following applies:</b>	
	(a)	If the Applicant is a sole trader, please specify your date of birth:
	(b)	If the Applicant is a company, please specify the date of incorporation:
	(c)	If the Applicant is a partnership, please specify when the partnership deed was signed:
	(d)	If the Applicant does not fit into (a), (b), or (c) please specify the kind of corporate structure:

<b>2.</b>	<b>The Applicant must provide the following details:</b>	
	(a)	A description of the place(s) where the Applicant conducts its gambling operations.
	(b)	A description of the organisational structure of the Applicant (as applicable), including details of all associates, as defined in the Annexure to this application form ( <b>Associates</b> ).
	(c)	Details of any equity arrangements, investments, options, or derivatives that the Applicant holds in any related bodies corporate or any Associates that conduct or

	facilitate wagering on Victorian thoroughbreds.	
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**INTEGRITY CONSIDERATIONS ABOUT APPLICANT**

<b>3.</b>	<b>The Applicant must provide the following details:</b>	
	(a)	Is the Applicant the holder of a wagering or bookmakers' licence? If so, please provide details of your licence.
	(b)	Where the Applicant holds a licence, please provide a copy of the licence (including all conditions), and also details of the relevant jurisdiction's regulatory arrangements including the supervision of applicable laws of the Applicant's gambling operations.
	(c)	Is the Applicant prepared to be subject to the Australian Rules of Racing and to take all reasonable steps to prevent use of its wagering services in breach of the Australian Rules of Racing?
	(d)	We request a summary of any past, current, pending or threatened regulatory body investigations or prosecutions by racing authorities or governmental authorities into the conduct of the Applicant or and its Associates for the period of the last 5 years or since it commenced wagering on Victorian thoroughbred racing (whichever is greater).
	(e)	Has the Applicant or its Associates been found guilty of an offence punishable by fine or imprisonment either in Victoria or elsewhere?  If so, please provide details including but not limited to the nature of the offence, the date of the offence and the penalty imposed.

	Please include any offence(s) committed under a former name of the Applicant or the Associate.	
(f)	Has the Applicant or its Associates ever been subject to disciplinary action in relation to any legislation, the Australian Rules of Racing, or any rules of betting?  If so, please provide details.	
(g)	Has the Applicant or its Associates ever been disqualified from managing a corporation under the <i>Corporations Act 2001</i> (Cth) or any comparable law in a non-Australian jurisdiction?	
(h)	Has the Applicant or its Associates ever: <ul style="list-style-type: none"> <li>• Committed an act of bankruptcy;</li> <li>• Become insolvent;</li> <li>• Assigned any of its property for the benefit of creditors or any class of them;</li> <li>• Appointed a receiver, receiver and manager, administrator, controller, provisional liquidator or liquidator; or</li> <li>• Entered into a scheme or arrangement with its creditors.</li> </ul> If so, please provide details.	

## BETTING ON VICTORIAN THOROUGHBRED RACING

4.	Which of the following wagering types are you licensed to offer?	
	(a) Fixed Odds	<input type="checkbox"/>
	(b) Totalisator	<input type="checkbox"/>
	(c) Betting Exchange	<input type="checkbox"/>
(d) Other - please provide details:	<input type="checkbox"/>	

5.	For betting on Victorian thoroughbred racing, please provide details of:		
	(a) Betting channels used	Face-to-face	<input type="checkbox"/>
		Phone	<input type="checkbox"/>
		Internet - please provide details of all websites:	<input type="checkbox"/>
		Mobile applications:	<input type="checkbox"/> Android <input type="checkbox"/> iOS
Other - please specify:		<input type="checkbox"/>	
(b) Bet types offered (i.e., win, place, trifecta etc.);			
(c) Bet types that allow profit from the poor performance of a horse (e.g., "lay" bets, field versus favourite, head-to-head, spread betting).  If offering these bet types, please provide details of any regulatory controls and integrity management measures			

		the Applicant uses for these bet types.	
	(d)	Please provide details of any regulatory controls and integrity management measures the Applicant uses for the bet types referred to in 5(b) and 5(c) above, for the purposes of detecting any suspect betting transactions and breaches of any applicable laws or Rules of Racing.	

<b>6.</b>	<b>Please provide details of your betting system:</b>		
	(a)	Internet betting (websites and mobile betting)	<input type="checkbox"/> Please provide details:
	(b)	Telephone betting	<input type="checkbox"/> Please provide details:
	(c)	If the Applicant has selected a third-party provider in (a) or (b), please provide version number.	

**BETTING INTEGRITY**

<b>7.</b>	<b>Please provide the following information:</b>		
	(a)	Does the Applicant record all bets made by the Applicant including bets-back and cancelled bets?	
	(b)	Does the Applicant agree to provide information of betting transactions on Victorian thoroughbred racing to RV on request, including the personal	



		details of account holders? Please provide information regarding any privacy requirements.	
	(c)	Please provide information regarding any privacy requirements in relation to the provision of information referred to in 7(b) above.	
	(d)	How does the Applicant intend to provide the information to RV referred to in 7(b) above and in what time frame can this information be supplied?	
	(e)	For what period of time is betting data stored for each channel and will the Applicant provide RV access to this data?	
	(f)	Where the Applicant provides wagering services via telephone:	
		a) Are telephone calls recorded?	
		b) Is access available to the recordings and for what period?	
		c) Will the Applicant provide RV with access to telephone wagering transactions?	
	(g)	Has the applicant read and agreed to be subject to RV's <i>'Guide to the Provision of Information'</i> (found at <a href="#">RV's website</a> and amended from time to time)? This document relates to the reporting requirements under an Approval.	

## COMPLIANCE

8.	<b>Please provide the following information:</b>	
(a)	Is the Applicant prepared to introduce a protocol whereby the Applicant undertakes to report any reasonable suspicion of improper activity regarding betting on Victorian racing to RV?	
(b)	What processes does the Applicant have in place (such as know your customer procedures) to verify the identity of account customers and compliance with anti-money laundering requirements?	
(c)	When did the Applicant last have an external independent review undertaken of its AML/CTF program?	
(d)	Is the Applicant prepared to run periodic betting account checks upon the request of RV on RV licenced persons for the detection of breaches of the Rules of Racing and RV's Codes of Conduct? (RV will provide a list of names to the Applicant and will update this periodically).	
(e)	Does the Applicant agree to use its best endeavours to ensure that an Associate and a customer will participate in, or cooperate with, RV Stewards' inquiries or investigations properly conducted under the Rules of Racing?	
(f)	Does the Applicant agree to consider, on a case-by-case basis, whether it is appropriate to suspend the activity of a particular customer in circumstances where that customer has unreasonably	

	refused to co-operate with a request by RV Stewards in relation to an inquiry or investigation properly conducted under the Rules of Racing?	
(g)	<p>Does the Applicant agree that:</p> <p>a) Where a customer is warned-off, disqualified or otherwise excluded from racecourses under the Rules of Racing, or the equivalent rules of another racing jurisdiction; and</p> <p>b) RV has notified the Applicant of the identity of the customer,</p> <p>the Applicant will, where it is reasonable to do so, take all necessary measures to prevent the said customer entering a betting transaction with the Applicant on Victorian races?</p>	
(h)	Please provide details of the existence of any procedures and policies to ensure compliance with all applicable laws (including Commonwealth of Australia, State and Territory) including observance of restrictions on betting related communications and transactions.	
(i)	Where the Applicant is not licenced in Australia, please provide information in relation to the steps taken by the Applicant to ensure compliance with Commonwealth of Australia, State and Territory laws.	

## INTERNAL PROCESSES

9.	<b>Please complete the following:</b>	
(a)	Please confirm that the Applicant's Terms & Conditions and betting rules comply with all applicable laws.	
(b)	Does the Applicant adhere to a responsible wagering code of practice?	
(c)	Please specify whether the Applicant's Terms & Conditions and betting rules are readily accessible to all customers and explain how they are accessible.	
(d)	Is the Applicant committed to a responsible wagering code of practice including, but not limited to:	
(i)	a complaint and dispute resolution process for customers;	
(ii)	direction and assistance for customers experiencing wagering related difficulties;	
(iii)	self-exclusion capabilities;	
(iv)	responsible advertising;	
(v)	accredited staff training programmes; and	
(vi)	the procedures for identifying, preventing, and discouraging minors from betting?	
(e)	Please provide us with copies of your Terms & Conditions and betting rules and any other internal documents that may help us understand the	

	integrity protection associated with your wagering activity.	
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**ECONOMIC CONTRIBUTION**

10.	<b>Please complete the following:</b>	
	(a)	<p>Please find accessible RV's Economic Contribution Fee Policy in Schedule 1 of the Standard Conditions of Approval (available at on the <a href="#">Racing Victoria website</a>, as amended from time to time).</p> <p>Subject to question 10(c), does the Applicant propose to pay RV in accordance with the policy? Please provide details.</p>
	(b)	<p>If the Applicant has in place a commercial agreement with the Victorian thoroughbred racing industry or its agent which incorporates payment of a fee, please describe what this is.</p> <p><b>(Note: International applicants only)</b></p>
	(c)	<p>Does the Applicant expect that its turnover on Victorian thoroughbred racing will be less than \$5m per annum?</p>
	(d)	<p>Please provide details of when the Applicant commenced the publication and use of Victorian thoroughbred race fields.</p>
	(e)	<p>Subject to question 10(c), where required, does the Applicant agree to provide Racing Victoria with payments in accordance with the Economic Contribution Fee Policy for any period where the applicant was publishing or using Victorian</p>

	thoroughbred race fields without approval?	
(f)	Please answer the following:	
(i)	Will every bet placed in every country on any horse participating in a Victorian thoroughbred race be included in the calculation of Bets Taken? Please detail any exceptions (including bets back with other operators).	
(ii)	Does the Applicant conduct any wagering on Victorian thoroughbred races at any time that would be excluded from the calculation? Please detail any exceptions.	
(iii)	Does the applicant allow wagering on Victorian thoroughbred racing by parties related to the applicant (including, but not limited to, on account of the applicant, the directors, subsidiary entities, shareholders, or employees)?  If so, please provide details of any arrangements where wagering on Victorian thoroughbred racing conducted by related parties could reduce the amounts payable to Victorian thoroughbred racing	
(g)	From where does the Applicant propose to source the Victorian thoroughbred racing information that will be published by the Applicant?	

	(h)	Does the Applicant currently have an agreement in place, or are in discussions, with Racing Australia Limited?	
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## CONTACTS

Please provide appropriate contacts for the following:

1.	Race Fields	Name: Email: Phone:
2.	Integrity / Bet-Monitoring	Name: Email: Phone:
3.	Finance	Name: Email: Phone:
4.	Marketing	Name: Email: Phone:



## PRIVACY COLLECTION STATEMENT

Racing Victoria Limited (ACN 096 917 930) (RV) is the Principal Racing Authority governing thoroughbred racing in Victoria. A part of Racing Victoria's function is to provide approvals to Wagering Service Providers to publish and use Victorian thoroughbred race fields in accordance with the Gambling Regulation Act 2003 (Vic).

Through this form (which includes the Attachment to Application to Publish Use Victorian Thoroughbred Race Fields) and any accompanying attachments you provide to this form, RV is collecting your personal information, including your name, address, and employment details. We may also be collecting personal information about you which may be considered sensitive or protected under applicable laws (such information may include your criminal record (including pending civil or criminal proceedings or charges)) that you may provide in this form or under your ongoing disclosure obligations.

You may also provide personal information about other individuals to Racing Victoria (e.g. an Associate's disciplinary or criminal record or customer wagering information from time to time). You should have:

- obtained consent from those individuals for us to collect their information;
- informed those individuals that you are providing their information to Racing Victoria and the purposes for which you are providing that information; and
- advised them of the matters in this privacy collection statement and Racing Victoria's Privacy Policy.

For example, we would recommend including the following in your Privacy Policy or information collection statement:

*The [Approved WSP] may also disclose your personal information to Racing Victoria Limited (ACN 096 917 930) (Racing Victoria). Racing Victoria is the Principal Racing Authority responsible for governing thoroughbred racing in Victoria which includes administering and ensuring the integrity of the industry and supervising bookmakers, licensed and registered persons, its employees, and betting transactions generally. The [Approved WSP] is subject to the Publication and Use of Victorian Thoroughbred Race Fields: Standard Conditions of Approval (available at <https://www.racingvictoria.com.au/wagering/race-fields-policy>) and the Rules of Racing (available at <https://www.racingvictoria.com.au/the-sport/racing/rules-of-racing>) (as amended from time to time) (**Rules**) and may disclose your personal information to Racing Victoria for the purpose of it fulfilling its regulatory functions such as monitoring, investigating and enforcing the Rules. Racing Victoria will handle your personal information in accordance with its own privacy policy available at <https://www.racingvictoria.com.au/privacy-policy>. Please note that Racing Victoria may provide your personal information and/or betting records to a third-party service provider of Racing Victoria for the strict purpose of assisting Racing Victoria fulfill its regulatory functions (described above).*

The purpose of collecting your personal information is for our legitimate interests, including as required under the *Gambling Regulation Act 2003* (Vic), which requires RV to collect information about wagering service providers in order to make determinations in relation to your application for approval and notify of you of that decision. Further, the

collection of your personal information allows RV to perform its regulatory functions, including to meet its regulatory responsibilities in relation to you as a wagering service provider.

If your personal information is not collected, either on this form or otherwise when requested by RV as part of its approval and regulatory activities, we may not be able to process your application (and therefore refuse to grant or renew your application, as the case may be).

RV may also obtain personal (including sensitive) information about you from, or disclose your personal information to, third parties in accordance with the Publication and Use of Victorian Thoroughbred Race Fields: Standard Conditions of Approval (available at <https://www.racingvictoria.com.au/wagering/race-fields-policy>, as amended from time to time) such as:

- enforcement bodies (as defined in section 6 of the *Privacy Act 1988* (Cth));
- Federal or state government authorities (for example, the Victorian Commission for Gambling and Liquor Regulation);
- racing control bodies (such as other PRA's and their equivalents in Greyhound and Harness) in the States and Territories of Australia and overseas;
- racing clubs;
- approved system providers, contractors and/or other service providers;
- wagering service providers; and
- the Victorian Bookmakers' Association Ltd.

Other than where described in this Privacy Collection Statement, RV's Privacy Policy or required by law, RV will keep your personal (including sensitive) information confidential. We otherwise use, disclose, and handle your personal information in accordance with our Privacy Policy available at <https://www.racingvictoria.com.au/privacy-policy>. If you are concerned about a possible interference with your privacy, please contact RV's Privacy Officer at [privacyofficer@racingvictoria.net.au](mailto:privacyofficer@racingvictoria.net.au). Privacy complaints to RV must be made in writing.

## DECLARATION

- I am authorised to make this declaration and confirm that the information provided above is true and correct and is not misleading.
- I acknowledge that I have read and understood and agree to be subject to and bound by the Publication and use of Victorian Thoroughbred Race Fields: Standard Conditions of Approval (available at <https://www.racingvictoria.com.au/wagering.race-fields-policy> as amended from time to time).
- I am not aware of any matters which may render the information supplied to be incomplete or inaccurate.
- In my opinion, the Applicant is solvent and there are reasonable grounds to believe that the Applicant will be able to pay its debts as and when they become due and payable.
- I acknowledge that I have read this application in full, including the Privacy Collection Statement.

*Signature of Applicant or authorised representative (as applicable)*

*Name of Applicant or authorised representative (as applicable)*

*Date*

# ANNEXURE

## Meaning of Associate

For the purposes of this application, the following key term is defined:

**“Associate”** means—

- (a) a person who holds or will hold any relevant financial interest, or is or will be entitled to exercise any relevant power (whether in right of the person or on behalf of any other person) in the Applicant’s business, and by virtue of that interest or power, is able or will be able to exercise a significant influence over or with respect to the management or operation of that business; or
- (b) a person who is or will be an executive officer, whether in right of the person or on behalf of any other person, of the Applicant’s business; or
- (c) if the Applicant is a natural person, a person who is a relative of the Applicant.

The terms “executive officer”, “relative”, “relevant financial interest” and “relevant power” have the following meanings:

**“executive officer”**, in relation to an incorporated entity, means—

- (a) a director, secretary, or other officer (by whatever name called); or
- (b) any other person who is concerned with, or takes part in, the management of the entity, whether or not the person’s position is given the name of executive officer;

**“relative”**, in relation to a person, means—

- (a) the spouse or domestic partner of the person;
- (b) the mother or father of the person; or
- (c) a son or daughter of that person who has attained the age of 18 years;

**“relevant financial interest”**, in relation to the Applicant, means—

- (a) any share in the capital of the Applicant; or
- (b) any entitlement to receive any income derived from the Applicant’s business; or
- (c) any entitlement to receive any payment as a result of money advanced; and

**“relevant power”** means any power, whether exercisable by voting or otherwise and whether exercisable alone or in association with others—

- (a) to participate in any directorial, managerial, or executive decision; or
- (b) to elect or appoint any person as an executive officer.

Where an Applicant or its ultimate parent company is listed on the Australian Securities Exchange or another similar exchange, the term “relevant financial interest” will not, unless Racing Victoria determines otherwise, apply to any shareholder of the Applicant or its ultimate parent company (as applicable), or any other person, unless the relevant financial interest is such that it is equivalent to a

10% or greater shareholding in the capital of the Applicant or its ultimate parent company (as applicable)

Version	Nature of Change	Reviewing Party	Approval Date
1.1	Annual Review	Sam Prendergast	22/05/2023
1.2	Annual Review	Sam Prendergast	30/05/2024