



SCHEDULE 1

Regulation 5

APPLICATION TO PUBLISH OR USE VICTORIAN THOROUGHBRED RACE FIELDS

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

☒ **Victorian thoroughbred race fields**

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 – *required in accordance with section 2.5.19C(2)(c) of the Gambling Regulation Act (Vic) 2003*

As per attachment.

CERTIFICATION

Icertify that I am authorised to make the application on behalf
ofand that the information provided is true and correct.

Signature of authorised representative

Name of authorised representative

DATE: / /

Please complete, sign and return this form to Racing Victoria:

Post: Race Fields Administration, Racing Victoria Ltd, 400 Epsom Rd, Flemington, VIC, 3031 AUSTRALIA
Email: b.admin@racingvictoria.net.au Fax: +61 03 9258 4848

**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**

Business Considerations

1. Please provide a description of the Applicant’s business and the place(s) where the Applicant conducts its gambling operations.	
2. Please provide a description of the organisational structure of the Applicant, including major shareholders, Directors and senior office holders.	
3. Please provide details of how the Applicant currently, or intends to:	
a. Publish and use Victorian thoroughbred race fields e.g. via website (give details), via telephone to customers etc.	
b. Obtain the details of Victorian thoroughbred race fields	

Integrity Considerations

1.	Please provide details of your wagering licence.	
2.	Please provide details of the relevant jurisdiction’s regulatory arrangements including supervision of applicable laws of the Applicant’s gambling operations.	

3.	Is the Applicant prepared to be subject to the Australian Rules of Racing and to take all reasonable steps to prevent use of their wagering services on Victorian thoroughbred racing in breach of the Australian Rules of Racing?	
4.	Please provide a summary of any current or past regulatory body investigations made by racing authorities or governmental authorities into the conduct of the Applicant or the Applicant's customers since it commenced wagering on Victorian thoroughbred racing.	
5.	Has the applicant or its associates (in the case of a corporation, its directors and officers) been convicted of any criminal offence in the last 10 years? If so, provide details.	
6.	For betting on Victorian thoroughbred racing, please provide details of:	
(a)	Betting channels used (e.g. face-to-face, phone, internet, other);	
(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). Where "lay" bet types are offered 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 (b) and (c) above, for the purposes of detecting any suspect betting transactions and breaches of any applicable laws or Rules of Racing.	
7.	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?	
8.	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?	

9.	Does the Applicant record all bets made by the Applicant including cancelled bets?	
(a)	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.	
(b)	Please provide information regarding any privacy requirements in relation to the provision of information referred to in (a) above	
(c)	How does the Applicant intend to provide the information to RV referred to in (a) above and in what time frame can this information be supplied?	
10.	<p>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?</p> <p>(RV will provide a list of names to the Applicant)</p>	
11.	Does the Applicant agree to use its best endeavours to ensure that a customer will participate in, or cooperate with, RV Stewards inquiries or investigations properly conducted under the Rules of Racing?	
12.	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?	

13.	Does the Applicant agree that:	
(a)	Where a customer is warned-off, disqualified or otherwise excluded from race-courses under the Rules of Racing, or the equivalent rules of another racing jurisdiction; and	
(b)	RV has notified the Applicant of the identity of the customer; 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?	
14.	For what period of time is betting data stored for each channel and will the Applicant provide RV access to this data?	
15.	Where the Applicant provides wagering services via the 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?	
16.	Please provide details of the existence of any procedures and policies to ensure compliance with Victorian law including observance of restrictions on betting related communications and transactions.	

17.	<p>Where the Applicant is not licenced in Australia, please provide information in relation to the steps taken by the Applicant to ensure compliance with the laws of Victoria and each of the other States and Territories of Australia.</p> <p>RV's understanding is that an offence is created, under section 2.5.45 of the <i>Gambling Regulation Act (Vic) 2003</i>, where a resident of Victoria, Australia bets with wagering operators not authorised in Australia (extract attached).</p> <p>Accordingly, where the Applicant is not licenced in Australia, does the Applicant agree to prevent wagering accounts being opened by residents of Victoria Australia for the purpose of wagering on Victorian thoroughbred racing?</p> <p>If not, please provide details.</p>		
18.	Does the Applicant adhere to a responsible wagering code of practice? Please specify:		
(a)	Please specify whether the Applicant's wagering rules are readily accessible to all customers and explain how they are accessible.		
(b)	Is the Applicant committed to a responsible wagering code of practice to include, 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?		

19.	Please provide us with copies of your 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

20.	<p>RV's Economic Contribution Fee Policy provides for full credit (i.e. nil payable to RV) where the Applicant has a commercial agreement with the Victorian thoroughbred racing industry, or its agent (e.g. Sky Channel) which incorporates payment of a fee.</p> <p>Does the Applicant have such an arrangement with the Victorian thoroughbred racing industry or its agent?</p>	
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Authorisation

21. Signed and dated confirming that the information contained in the application is true and correct.

Division 7—Services relating to Betting

2.5.45 Offence to promote or advertise betting or offer or provide services relating to betting

- (1) If a course of conduct is being engaged in of unauthorised betting on one or more sporting events, a person must not, knowing such conduct is being engaged in—
- (a) distribute any document to the public promoting or advertising the unauthorised betting (including any document about betting accounts or services); or
 - (b) make any transaction relating to the unauthorised betting; or
 - (c) offer or provide accounting, administrative or other services relating to the unauthorised betting.

Penalty: For a first relevant offence, 100 penalty units or imprisonment for 3 months or both;

For a second relevant offence, 250 penalty units or imprisonment for 6 months or both;

For a third or subsequent relevant offence, 1000 penalty units or imprisonment for 2 years or both.

- (2) For the purposes of sub-section (1), it is irrelevant whether—
- (a) the unauthorised betting is being carried out in Victoria or elsewhere; or
 - (b) the sporting events are being conducted in Victoria or elsewhere.
- (3) In this section—

S. 2.5.45(3)
def. of
"relevant
offence"
amended by
No. 104/2004
s. 5(3).

"relevant offence" means an offence against this section or section 2.5.2(1), 2.5.8(4) or 2.6.1(1) or an offence against a law of another State or a Territory that would, if committed in Victoria, be an offence against this section;

"unauthorised betting" means betting that is not authorised by or under the law of Victoria or another State or Territory of the Commonwealth.