

## Office of Liquor and Gaming Regulation

# Guide to category 3 games

## Gross proceeds more than \$50 000 (total ticket sales)

The *Charitable and Non-Profit Gaming Act 1999* provides for category 3 games.

### What is a game?

A “game” is a game, scheme or arrangement offering prizes, whether or not tickets are sold or distributed, in which the winners are decided:

1. entirely or partly by chance or
2. by a competition or other activity having an outcome depending on chance, for example, a guessing competition.

Examples of “category 3 games”:

1. art union
2. Calcutta sweep.

### What is a category 3 game?

A “**category 3 game**” is a game, **other than bingo**, the gross proceeds of which are more than:

1. \$50 000 or
2. if the game is conducted under a special category 3 gaming licence—\$5000.

### Who can conduct a category 3 game?

An incorporated eligible association can conduct a category 3 game.

### Who can conduct a special category 3 game?

An applicant for a special category 3 gaming licence must be a person intending to conduct a single art union for the welfare or benefit of:

1. individuals who need help because of a disaster or
2. a disadvantaged individual.

### What is an eligible association?

An “**eligible association**” is:

1. an association formed and operated principally for a charitable, community, educational, patriotic, religious or sporting purpose or a similar purpose prescribed under a regulation or
2. a parents and citizens association formed under the *Education (General Provisions) Act 1989* or
3. a registered political party under the *Electoral Act 1992*.

### Do I need a licence to conduct a category 3 game?

Yes.



## Licence periods

- Category 3 gaming licence—one year
- Special category 3 gaming licence—four months.

## Fees?

Current fees can be viewed on OLGR's website at [www.olgr.qld.gov.au](http://www.olgr.qld.gov.au) under 'Gaming'.

## Art unions—Gross proceeds more than \$50 000 (total ticket sales)

### What is an art union?

An "art union" is a game other than bingo, Calcutta sweep, lucky envelopes and a promotional game.

### Length of time for conducting category 3 art unions

A category 3 art union must be drawn on the day not more than one year after the day tickets in the art union start to be sold, stated on the tickets for the art union.

### Prohibited prizes

Prohibited prizes in a category 3 art union are:

- more than \$100 000 in cash
- surgery
- a tobacco product
- a weapon or ammunition
- any other item the sale or acquisition
- of which is restricted by legislation of the State or Commonwealth
- a ticket or chance in a game that is not approved under a gaming act.

Also, for a game other than a promotional game, alcohol must not be offered as a prize unless the alcohol has a retail value of \$1000 or less.

### What if a prize in a category 3 art union is land?

If a prize in a category 3 art union is land, the prize winner must be given the following documents:

- a current valuation for the land from a registered valuer and
- a copy of the certificate of title for the land and
- a certificate from the local government for the area in which the land is located certifying:
  1. that all rates for the land have been paid and
  2. the purposes for which the land may be used and
- a certificate from the commissioner of land tax certifying that there is no land tax charge on the land and
- if a dwelling or other building or structure is on the land, a certificate from a registered professional engineer, a licensed builder or an architect about the structural soundness and condition of the dwelling, building or structure and the estimated cost of repairing any defects and
- if the dwelling, building or structure is not new—a written undertaking from the licence holder conducting the art union that any defects of which the winner gives the licence holder written notice within three months after the prize is delivered to the winner will be rectified as soon as practicable.

### Prizes—antiques, gems, memorabilia and art

If a prize in a category 3 art union is an antique, a gem, memorabilia or a work of art the prize winner must be given a current written market valuation from an appropriate valuer for the antique, gem, memorabilia or work of art.

### Prizes—animals

If a prize in a category 3 art union is an animal, the prize winner must be given:

- a current written market valuation from an appropriate valuer for the animal and
- a certificate from a veterinary surgeon about the distinguishing characteristics and markings, health and physical condition of the animal.

### **Prizes—second hand motor vehicles**

If a prize in a category 3 art union is a second hand motor vehicle, the prize winner must be given the following documents for the motor vehicle:

- a current certificate of road worthiness and
- a current written market valuation from an appropriate valuer and
- a warranty for a period of three months after the day it is delivered to the winner and
- a security interest certificate under the *Motor Vehicles Securities Act 1986*.

### **Prizes—other second hand goods**

If a prize in a category 3 art union is a thing, other than a motor vehicle, that is second hand, the prize winner must be given a current written market valuation from an appropriate valuer for the prize.

### **Insurance for certain prizes**

An existing prize with a value of more than \$5000 must be insured against loss or damage for an amount equal to its current valuation for the period from when tickets for the art union go on sale to the day the prize is delivered to the winner.

### **Participation by minors**

An incorporated eligible association involved in the conduct of a category 3 art union must not sell a ticket in an art union to a minor if a prize for the art union includes alcohol or a gaming product.

“**Gaming product**” means—

1. a voucher or other acknowledgement for playing—
  - (a) a game under the *Casino Control Act 1982* or
  - (b) a gaming machine under the *Gaming Machine Act 1991* or
  - (c) an approved keno game under the *Keno Act 1996*

(d) a ticket in a game of lucky envelopes or a promotional game that is scratched to reveal numbers, letters or symbols that may entitle the player of the game to a prize or

2. a lottery ticket under the *Lotteries Act 1997* or
3. a ticket or other acknowledgement for a bet under the *Wagering Act 1998*.

### **Prize value**

The total value of prizes must be at least 20% of the estimated gross proceeds of the art union.

### **Are there any prescribed percentages for expenses or net profit?**

No. However, the amount of the estimated gross proceeds of an art union that may be paid towards the cost of conducting the art union, other than the cost of prizes, must be reasonable in relation to:

1. the estimated gross proceeds of the art union and
2. the nature of the art union.

### **Advertisements**

An advertisement for a category 3 art union must include the following information:

- the closing and drawing dates
- the ticket price
- the order prizes are to be drawn (if not drawn in descending order of value)
- details of how prize winners will be notified
- the name of the incorporated eligible association conducting it
- the licence number
- a description and the retail value of each of the prizes. The retail value may also include a bonus cash prize if offered.

A bonus cash prize for a game means a cash prize offered in addition to the predetermined prize of category 3 art union. The bonus cash prize must be:

1. based on a formula that is approved by the chief executive and advertised to entrants in the game and

2. the value of the bonus cash prize must be calculated using approved general gaming equipment and
3. must be calculated in real time, displayed at point of sale and provided to entrants at time of purchase.

### **Ticket requirements**

A “**ticket**” means a document or thing that evidences, or is intended to evidence, a person’s right to participate in the category 3 art union.

All tickets in a category 3 art union must be sold at the same price.

However, tickets may be sold as a bundle (e.g. one for \$1.00 or three for \$2.00). If bundled tickets can be purchased at the time of sale then the same discount for bundled tickets must be offered to all ticket buyers.

A ticket may only be issued to an entrant if the entrant has paid the correct price for the ticket.

Tickets must not be sold after the closing of the art union.

However, if the art union has a series of draws over a period of time, a ticket may be issued if the player has paid the amount that is sufficient to be entitled to be entered in the next draw for the art union.

### **Tickets must not be sent or delivered to a person unless:**

1. the person has paid for the ticket before it is sent or delivered or
2. the person is the association’s agent or ticket seller.

### **Each ticket in a category 3 art union must be numbered consecutively.**

Each ticket in a category 3 art union must include the following information:

- have the name and either the address or telephone number of the entrant legibly written on the ticket butt, or legibly recorded in another way that enables each prize winner to be identified
- the name of the incorporated eligible association conducting the art union
- the closing and drawing dates
- the way in which prize winners will be notified
- the ticket price
- the order prizes are to be drawn (if not drawn in descending order of value)
- the ticket number
  - the licence number
  - a description and the retail value of each of the prizes. The retail value may also include a bonus cash prize if offered.

A bonus cash prize for a game means a cash prize offered in addition to the predetermined prize of category 3 art union. The bonus cash prize must be:

1. based on a formula that is approved by the chief executive and advertised to entrants in the game and
2. the value of the bonus cash prize must be calculated using approved general gaming equipment and
3. must be calculated in real time, displayed at point of sale and provided to entrants at time of purchase.

### **Ineligibility to enter**

A person is not eligible to enter a category 3 art union if the person is:

1. a member of the management committee of the incorporated eligible association conducting the art union or
2. directly engaged in conducting the draw of the art union or
3. the incorporated eligible association conducting the art union or
4. a member of the immediate family of a person mentioned in paragraph 1 or 2.

**“Immediate family”**, for a person, means the person’s spouse and family members residing at the same premises as the person.

### **Extension of drawing date**

An incorporated eligible association may extend the day on which a category 3 art union was originally intended to be drawn to a day not more than one year after the day tickets in the art union start to be sold.

The incorporated eligible association must take reasonable steps to notify the extension to the ticket purchasers and ensure all remaining unsold tickets include the new closing and drawing dates.

### **Drawing of art union**

Each person who is issued with a ticket for a category 3 art union must have a fair and equal chance of winning the major prize in the art union at the time of drawing of the art union.

Usually, a marble draw is used to determine the winner. However, if using ticket butts, every sold ticket butt must be included in the draw.

Where an approved electronic raffle drawing machine is being used it must be ensured that the full range of tickets sold are covered by the draw (i.e. all tickets from lowest sold to highest sold are included). If an unsold ticket number is drawn, another ticket number must be drawn to determine the winner of the prize.

If an electronic device is used, the incorporated eligible association conducting the category 3 art union needs to ensure that the winners are selected at random thereby allowing all ticket holders a fair and equal chance of winning.

### **Order in which prizes to be drawn**

If more than one prize is being offered in a category 3 art union, the major prize must be drawn first and the other prizes then drawn in descending order of number and value.

However, prizes may be drawn in an alternate order provided that the alternate order is clearly advertised at the time tickets in the art union are sold. If a minor prize is drawn before the major prize the ticket held by the winner of the minor prize must be returned to the pool and be eligible to win the major prize.

### **Delivery of prizes**

For a category 3 art union the incorporated eligible association conducting the art union must deliver the prizes to the winners in the art union within one month after winners are decided.

The above does not apply if:

- the prize winner agrees in writing that the prize may be delivered more than one month after the winners are decided or
- after making all reasonable efforts, the association conducting the art union can not locate the winner of the prize.

### **Substitution of prizes**

Another prize may be substituted for a prize offered in a category 3 art union only if:

- the incorporated eligible association conducting the art union and the prize winner have agreed in writing to the prize being substituted and
- the substituted prize is similar to and of the same or greater value than the original prize.

Within seven days of entering into the agreement mentioned above, the association conducting the art union must give the chief executive details of the substitution and a copy of the agreement.

### **Locating prize winners**

The incorporated eligible association must make every reasonable effort to:

- locate the prize winners for the art union and
- deliver the prizes to the winners.

If the incorporated eligible association is unable to locate a prize winner, the incorporated eligible association must give written notice to the chief executive of the inability to locate the winner and the efforts made to locate the winner. The notice must be given within seven days of becoming aware of the inability to locate the winner.

### **Claim periods for prizes**

The period for claiming a prize in a category 3 art union—three years from the day the prize winner is decided.

### **Period for which unclaimed prizes to be kept**

For a category 3 art union the prize must be kept for one year from the day the prize winner is decided.

If the prize is not claimed within one year the incorporated eligible association may apply the prize or its sale proceeds to the association's purposes.

### **Advertising results**

The results of a category 3 art union must be published in the way advertised by the incorporated eligible association conducting the art union when tickets for the art union are sold.

If the incorporated eligible association has not provided information about the way in which the results will be published, prize winners must be given notice by mail within 28 days of the art union being drawn.

### **Keeping general gaming records**

The incorporated eligible association must keep records ("**general gaming records**") about the conduct of the art union.

These records must be kept at the eligible association's principal place of business in Queensland, the registered office in Queensland or another place approved by the chief executive.

### **Keeping accounting records**

The incorporated eligible association must:

- keep accounting records correctly recording and explaining the financial transactions for the art union and
- keep the accounting records in a way that allows:
  1. true and fair financial statements to be prepared when necessary and
  2. the financial statements and accounts to be conveniently and properly audited.

### **Retention of records**

General gaming records shall be kept for a period of five years unless a shorter period is approved by the chief executive.

### **Preparing financial statements and accounts**

The incorporated eligible association must prepare financial statements and accounts giving a true and fair view of the association's financial operations for the art unions.

The financial statements and accounts must include the following for each financial year the association conducts art unions:

- trading accounts, if applicable
- profit and loss accounts
- a balance sheet as at the end of the financial year
- other information prescribed under a regulation.

### **Financial institution account**

The incorporated eligible association must keep a financial institution account for use for banking and similar transactions for the association's general gaming operations.

### **Submitting returns for category 3 art unions**

The incorporated eligible association must give the chief executive a return about each art union conducted under the licence, as directed by the chief executive.

## **Audit**

The incorporated eligible association must, as soon as practicable after the end of each financial year in which the association conducts the art union, ensure the association's financial accounts, records and statements for the association's general gaming operations for the art union are audited by an accountant.

The accountant conducting the audit must finish the audit within three months after the end of the financial year to which the audit relates.

The accountant **must**, immediately after finishing the audit, give a copy of the audit report to the association conducting the art union.

The association given the audited report **must** immediately give the chief executive a copy of the report.

## **Special category 3 art unions—gross proceeds more than \$5000**

### **What is an art union?**

An “**art union**” is a game other than bingo, Calcutta sweep, lucky envelopes and a promotional game.

### **Length of time for conducting a special category 3 art Union**

A special category 3 art union must be drawn within the time stated on the tickets for the art union but within the term of the licence (i.e. four months).

### **Who may apply for a special category 3 art union licence?**

An applicant for a special category 3 gaming licence must be a person intending to conduct a single art union for the welfare or benefit of:

1. individuals who need help because of a disaster or

2. a disadvantaged individual.

## **Prohibited prizes**

Prohibited prizes in a special category 3 art union are:

- more than \$100 000 in cash
- surgery
- a tobacco product
- a weapon or ammunition
- any other item the sale or acquisition of which is restricted by legislation of the State or Commonwealth
- a ticket or other chance in a game that is not approved under a gaming act.

Also, for a game other than a promotional game, alcohol must not be offered as a prize unless the alcohol has a retail value of \$1000 or less.

## **What if a prize in a special category 3 art union is land?**

If a prize in a special category 3 art union is land, the prize winner must be given the following documents:

- a current valuation for the land from a registered valuer and
- a copy of the certificate of title for the land and
- a certificate from the local government for the area in which the land is located certifying:
  1. that all rates for the land have been paid and
  2. the purposes for which the land may be used and
- a certificate from the commissioner of land tax certifying that there is no land tax charge on the land and
- if a dwelling or other building or structure is on the land, a certificate from a registered professional engineer, a licensed builder or an architect about the structural soundness and condition of the dwelling, building or structure and the estimated cost of repairing any defects and

- if the dwelling, building or structure is not new - a written undertaking from the licence holder conducting the art union that any defects of which the winner gives the licence holder written notice within three months after the prize is delivered to the winner will be rectified as soon as practicable.

### **Prizes—antiques, gems, memorabilia and art**

If a prize in a special category 3 art union is an antique, a gem, memorabilia or a work of art the prize winner must be given a current written market valuation from an appropriate valuer for the antique, gem, memorabilia or work of art.

### **Prizes—animals**

If a prize in a special category 3 art union is an animal, the prize winner must be given:

- a current written market valuation from an appropriate valuer for the animal and
- a certificate from a veterinary surgeon about the distinguishing characteristics and markings, health and physical condition of the animal.

### **Prizes—second hand motor vehicles**

If a prize in a special category 3 art union is a second hand motor vehicle, the prize winner must be given the following documents for the motor vehicle:

- a current certificate of road worthiness and
- a current written market valuation from an appropriate valuer and
- a warranty for a period of three months after the day it is delivered to the winner and
- a security interest certificate under the *Motor Vehicles Securities Act 1986*.

### **Prizes—other second hand goods**

If a prize in a special category 3 art union is a thing, other than a motor vehicle, that is second hand, the prize winner must be given a current written market valuation from an appropriate valuer for the prize.

### **Insurance for certain prizes**

An existing prize with a value of more than \$5000 must be insured against loss or damage for an amount equal to its current valuation for the period from when tickets for the art union go on sale to the day the prize is delivered to the winner.

### **Participation by minors**

A person involved in the conduct of a special category 3 art union must not sell a ticket in an art union to a minor if a prize for the art union includes alcohol or a gaming product. See page 2 for the definition of a “**gaming product**”.

### **Prize value**

The total value of prizes must be at least 20 per cent of the estimated gross proceeds of the art union.

### **Are there any prescribed percentages for expenses or net profit?**

No. However, the amount of the estimated gross proceeds of an art union that may be paid towards the cost of conducting the art union, other than the cost of prizes, must be reasonable in relation to:

1. the estimated gross proceeds of the art union and
2. the nature of the art union.

### **Advertisements**

An advertisement for a special category 3 art union must include the following information:

- the closing and drawing dates
- the ticket price
- the order prizes are to be drawn (if not drawn in descending order of value)
- details of how prize winners will be notified
- the licence number
- a description and the retail value of each of the prizes. The retail value may also include a bonus cash prize if offered.

A bonus cash prize for a game means a cash prize offered in addition to the predetermined prize of category 3 art union.



The bonus cash prize must be:

1. based on a formula that is approved by the chief executive and advertised to entrants in the game and
2. the value of the bonus cash prize must be calculated using approved general gaming equipment and
3. must be calculated in real time, displayed at point of sale and provided to entrants at time of purchase.

### **Ticket requirements**

A “**ticket**” means a document or thing that evidences, or is intended to evidence, a person’s right to participate in the special category 3 art union.

All tickets in a special category 3 art union must be sold at the same price.

However, tickets may be sold as a bundle (e.g. one for \$1.00 or three for \$2.00). If bundled tickets can be purchased at the time of sale then the same discount for bundled tickets must be offered to all ticket buyers.

A ticket may only be issued to an entrant if the entrant has paid the correct price for the ticket.

Tickets must not be sold after the closing of the art union.

However, if the art union has a series of draws over a period of time, a ticket may be issued if the player has paid the amount that is sufficient to be entitled to be entered in the next draw for the art union.

Tickets must not be sent or delivered to a person unless:

1. the person has paid for the ticket before it is sent or delivered or
2. the person is the association’s agent or ticket seller.

Each ticket in a special category 3 art union must be numbered consecutively.

Each ticket in a special category 3 art union must include the following information:

- the name of the licensee
- the closing and drawing dates
- the way in which prize winners will be notified
- the ticket price
- the order prizes are to be drawn (if not drawn in descending order of value)
- the ticket number
- the licence number
- a description and the retail value of each of the prizes. The retail value may also include a bonus cash prize if offered.

A bonus cash prize for a game means a cash prize offered in addition to the predetermined prize of category 3 art union. The bonus cash prize must be:

1. based on a formula that is approved by the chief executive and advertised to entrants in the game and
2. the value of the bonus cash prize must be calculated using approved general gaming equipment and
3. must be calculate din real time, displayed at point of sale and provided to entrants at time of purchase.

### **Ineligibility to enter**

A person is not eligible to enter a special category 3 art union if the person is:

1. a member of the management committee of the association conducting the art union or
2. directly engaged in conducting the draw of the art union or
3. the association conducting the art union or
4. a member of the immediate family of a person mentioned in paragraph 1 or 2.

“**Immediate family**”, for a person, means the person’s spouse and family members residing at the same premises as the person.

### **Drawing of art union**

Each person who is issued with a ticket for a special category 3 art union must have a fair and equal chance of winning the major prize in the art union at the time of drawing of the art union.

Usually, a marble draw is used to determine the winner. However, if using ticket butts, every sold ticket butt must be included in the draw.

Where an approved electronic raffle drawing machine is being used it must be ensured that the full range of tickets sold are covered by the draw (i.e. all tickets from lowest sold to highest sold are included). If an unsold ticket number is drawn, another ticket number must be drawn to determine the winner of the prize.

If an electronic device is used, the association conducting the special category 3 art union needs to ensure that the winners are selected at random thereby allowing all ticket holders a fair and equal chance of winning.

### **Order in which prizes to be drawn**

If more than one prize is being offered in a special category 3 art union, the major prize must be drawn first and the other prizes then drawn in descending order of number and value.

However, prizes may be drawn in an alternate order provided that the alternate order is clearly advertised at the time tickets in the art union are sold. If a minor prize is drawn before the major prize the ticket held by the winner of the minor prize must be returned to the pool and be eligible to win the major prize.

### **Delivery of prizes**

For a special category 3 art union the person conducting the art union must deliver the prizes to the winners of the art union within one month after the winners are decided.

The above does not apply if:

- the prize winner agrees in writing that the prize may be delivered more than one month after the winners are decided or
- after making all reasonable efforts, the person conducting the art union can not locate the prize winner.

### **Substitution of prizes**

Another prize may be substituted for a prize offered in a special category 3 art union only if:

- the person conducting the art union and the winner of the prize have agreed in writing to the prize being substituted and
- the substituted prize is similar to and of the same or greater value than the original prize and
- within seven days of entering into the agreement the person conducting the art union gives the chief executive details of the substitution and a copy of the agreement.

### **Locating prize winners**

The person conducting a special category 3 art union must make every reasonable effort to:

- locate the prize winners for the art union and
- deliver the prizes to the winners.

If the person conducting a special category 3 art union is unable to locate a prize winner the person must give written notice to the chief executive of the inability to locate the winner and the efforts made to locate the winner.

The notice must be given within seven days of becoming aware of the inability to locate the winner.

### **Claim periods for prizes**

The period for claiming a prize in a special category 3 art union—three years from the day the prize winner is decided.

### **Period for which unclaimed prizes to be kept**

For a special category 3 art union the prize must be kept for one year from the day the prize winner is decided.

### **Advertising results**

The results of a special category 3 art union must be published in the way advertised by the person conducting the art union when tickets for the art union are sold.

If the person has not provided information about the way in which the results will be published, prize winners must be given notice by mail within 28 days of the art union being drawn.

### **Keeping general gaming records**

The incorporated eligible association must keep records (“**general gaming records**”) about the conduct of the art union.

These records must be kept at the eligible association’s principal place of business in Queensland, the registered office in Queensland or another place approved by the chief executive.

### **Keeping accounting records**

The person conducting a special category 3 art union must:

- keep accounting records correctly recording and explaining the financial transactions for the art union and
- keep the accounting records in a way that allows:
  1. true and fair financial statements to be prepared when necessary and
  2. the financial statements and accounts to be conveniently and properly audited.

### **Retention of records**

General gaming records shall be kept for a period of five years unless a shorter period is approved by the chief executive.

### **Financial institution account**

The person holding a special category 3 gaming licence must keep a financial institution account for use for banking and similar transactions for the person’s general gaming operations.

### **Lodgement of returns**

The person holding a special category 3 gaming licence must give the chief executive a return about the art union in the approved form within two months after the art union is drawn.

## **Category 3 Calcutta sweep— gross proceeds more than \$50 000 (total ticket sales)**

### **What is a Calcutta sweep?**

A “**Calcutta sweep**” is a game conducted on a horse race held at a racing venue, or an event approved by the chief executive, in which, before the race or event starts:

1. each player buys a ticket for a chance to be allocated, by lot, a participant in race or event and
2. an auction takes place at which anyone present, whether or not the person holds a ticket, is entitled to bid for each participant in the race or event.

The winners in a Calcutta sweep are decided entirely or partly by chance, according to the result of the race or event.

### **Length of time for conducting category 3 Calcutta sweep**

The result of the event in a category 3 Calcutta sweep must be finalised within three months of the day tickets for the Calcutta sweep start to be sold.

### **Ticket requirements**

A “ticket” means a document or thing that evidences, or is intended to evidence, a person’s right to participate in the category 3 Calcutta sweep.

All tickets in a category 3 Calcutta sweep must be sold at the same price.

However, tickets may be sold as a bundle (one for \$1.00 or three for \$2.00). If bundled tickets can be purchased at the time of sale then the same discount for bundled tickets must be offered to all ticket buyers.

A ticket may only be issued to a player if the player has paid the correct price for the ticket.

Tickets in a category 3 Calcutta sweep must be numbered consecutively.

If the draw of a category 3 Calcutta sweep is not to occur on the day on which tickets in the sweep are sold, the tickets must include the following information for the sweep:

- the name of the event on which it is conducted
- the closing date
- the time, day and place it is to be drawn and the auction is to be held
- the name of the association conducting it
- the ticket price
- the ticket number
- the name and address of the entrant
- licence number.

### **Ineligibility to enter**

A person is not eligible to enter a category 3 Calcutta sweep if the person is:

- directly engaged in the conduct of the drawing of the Calcutta sweep or
- a member of the “immediate family” of a person mentioned above.

Also, a person is not eligible to enter a category 3 Calcutta sweep if the person is:

- a member of the management committee of the incorporated eligible association conducting the Calcutta sweep or
- a member of the immediate family of a person mentioned above.

“**Immediate family**”, for a person, means the person’s spouse and family members residing at the same premises as the person.

### **Advertisements**

An advertisement for a category 3 Calcutta sweep must contain the following:

- the date and name of the event on which it is to be conducted
- the closing date for the sale of tickets
- details of how prize winners will be notified
- the name of the association conducting it
- the time, date and place of the drawing of the sweep and the conduct of the auction
- licence number.

### **Drawing a category 3 Calcutta sweep**

Each person who buys a ticket in a category 3 Calcutta sweep must have a fair and equal chance of drawing a participant in the race or event.

### **Results**

The incorporated eligible association conducting a category 3 Calcutta sweep must give information about the way in which the results will be published or made available.

The prize winners must be notified in the way mentioned above.

### **Distribution of prize pool**

The respective prize payout percentage for a Calcutta sweep must be notified to players before the sweep is drawn and the auction is conducted.

### **Are there any prescribed percentages for prizes, expenses and net profit?**

No. However, the amount of the estimated gross proceeds of the Calcutta sweep that may be paid towards the cost of conducting the Calcutta sweep, other than the cost of prizes, must be reasonable in relation to:

1. the estimated gross proceeds of the Calcutta sweep and
2. the nature of the Calcutta sweep.

### **Delivery of prizes**

For a category 3 Calcutta sweep the incorporated eligible association conducting the Calcutta sweep must deliver the prizes to the winners in the Calcutta sweep within one month of the conduct of the event.

The above does not apply if:

- the prize winner agrees in writing that the prize may be delivered more than 1 month after the conduct of the category 3 Calcutta sweep or
- after making all reasonable efforts, the incorporated eligible association conducting the category 3 Calcutta sweep can not locate the prize winner.

### Keeping general gaming records

An incorporated eligible association must keep records (“general gaming records”) about the conduct of the Calcutta sweep.

These records must be kept at the associations registered office in Queensland.

### Keeping accounting records

The incorporated eligible association must:

- keep accounting records correctly recording and explaining the financial transactions for the Calcutta sweep game and
- keep the accounting records in a way that allows:
  - (a) true and fair financial statements to be prepared when necessary and
  - (b) the financial statements and
  - (c) accounts to be conveniently and
  - (d) properly audited.

### Submitting returns for category 3 Calcutta sweeps

The incorporated eligible association must give the chief executive a return about each Calcutta sweep conducted under the licence, as directed by the chief executive.

### Audit

The incorporated eligible association must, as soon as practicable after the end of each financial year in which the association conducts the Calcutta sweep, ensure the association’s financial accounts, records and statements for the association’s general gaming operations for the Calcutta sweep are audited by an accountant.

The accountant conducting the audit **must** finish the audit within three months after the end of the financial year to which the audit relates.

The accountant **must**, immediately after finishing the audit, give a copy of the audit report to the association conducting the Calcutta sweep.

The association given the audit report must immediately give the chief executive a copy of the report.

### Penalties

The *Charitable and Non-Profit Gaming Act 1999* prescribes heavy penalties for associations/individuals who fail to comply with the various provisions designed to ensure that the integrity of charitable gaming is maintained.

### Want to know more

Please contact OLGR’s client service area on 13 QGOV (13 74 68) or toll free on 1800 064 848 (outside Brisbane) or by mail to:

Office of Liquor and Gaming Regulation  
Locked Bag 180  
City East Qld 4002.

This guide has been prepared to provide associations/individuals conducting games with basic information regarding the conduct of those games.

Associations/individuals conducting games should familiarise themselves with the provisions of the *Charitable and Non-Profit Gaming Act 1999* together with the *Charitable and Non-Profit Gaming Regulation 1999* and the *Charitable and Non-Profit Gaming Rules 2010*.