

[LEGAL NOTICE NO. 87]

GAMING (FORMS AND FEES) REGULATIONS 2009

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GAMING DECREE 2009
(DECREE NO. 34 OF 2009)

Gaming (Forms and Fees) Regulations 2009

In exercise of powers conferred upon me by section 50 of the Gaming Decree 2009, I make the following Regulations –

Citation and commencement

1.—(1) These Regulations may be cited as the Gaming (Forms and Fees) Regulations 2009.

(2) These Regulations are deemed to have come into force on 1st day December, 2009.

Application for a gaming licence

2.—(1) An applicant for a gaming licence for a Class 1 must fill the approved application form as set out in Schedule 1 Form No. 1, and pay the appropriate prescribed fee mentioned in Schedule 2.

(2) An applicant for a gaming licence for Class 2 must fill the approved application form as mentioned in Schedule 1 Form No. 2, and pay the appropriate prescribed fee mentioned in Schedule 2.

(3) Any person applying for a gaming licence must submit, wherever applicable, the details of any other information or document as the licensing authority may require in writing.

Issue of gaming licence by licensing authority

(3).—(1) The licensing authority before issuing a gaming licence must be satisfied that the applicant meets the prerequisite and conditions set out in the Decree.

(2) The licensing authority must issue a gaming licence in accordance with the form set out in Schedule 1 Form No. 3.

(3) The licensing authority may annex to the gaming licence issued, special terms and conditions pertaining to each licensee's operation.

Waive or vary of gaming licence fees

4. The Attorney General may waive or vary the gaming licence fee mentioned in Schedule 2, but such decision must be based on reasonable grounds.

Dated this 12th day of November 2009.

A. SAYED-KHAIYUM
Attorney General and Minister for
Justice, Public Enterprises, Industry,
Tourism, Trade and Communications

**Schedule 1
FORM NO. 1**



GAMING DECREE 2009
Section 10(2)
CLASS 1 GAMING LICENSE
APPLICATION FORM

Lottery Licensing Section
Solicitor General/Divisional Commissioner (Central/Eastern/Western/Northern)
(Where the total value of prizes offered in the lottery exceeds \$100 but does not exceed \$5000, the application is to be made to the relevant Divisional Commissioner in which the lottery/games will be played. Where the total value of prizes exceeds \$5000, the application is to be made to the Solicitor General at Floor 7, Suvavou House, Suva).

If you are completing this form by hand, please write legibly in block capitals using ink.

Section A – Details of SOCIETY/CLUB applying for License.

1. Name of Society /Club.
2. Address of head office.
3. Telephone number of society /club.
4. Please state the purpose(s) for which the society or club is established and conducted.
5. If society or club is a registered charity please give the charity registration number.
6. Has the society, or club held and operating license under Gaming Act (Cap 274) or Gaming Decree 2009 ending with the date of this application? Yes No
7. If the answer is yes to question 6, has the operating license been revoked in the period of 5 years ending with the date of this application? Yes No
8. If the answer is yes to question 7, please state the reasons for revocation and enclose a copy of the notice or revocation if one is available.
9. Has the society/club applied for and been refused a gaming license in the period of five years ending with the date of this application? Yes No.

Section B - General Information about person applying on behalf of society/club.

- 10. Name
- 11. Capacity
- 12. Address
- 13. Daytime telephone number

Section C - Contact details for correspondence associated with this application

14. Please tick one box appropriate to indicate address for correspondence in relation to this application.

Address in section A Address in section B Address below
 Address (Including post code)

Telephone Number

Section D - Use of Net Proceeds

What will the money raised from this event be used for? (Attach separate sheet if necessary)

- (a) (b)
- (c) (d)

Section E - Games of Chance and License Fee

GAMES	NUMBER	Will admission tickets be sold? Y/N	
Blackjack tables		Will there be a raffle? Y/N	
Wheels of fortune: list names			
(a)			
(b)			
(c)			
Total Number of tables and wheels		License fee rate	Sub-total License fee
		x \$10	= \$
Raffle prize full retail value (incl. taxes, etc.)	\$	x 3%	= \$
TOTAL LICENSE FEE			\$

Section F - Declaration

15. Please complete the following declaration and checklist.

I, (Full Name)

- (a) Make this application on behalf of the society /club referred to in section A and have Authority to act on behalf of that society/club
- (b) Enclose payment of(relevant license fee calculated in accordance with Section E above). (Cheque should be made payable to office of relevant licensing authority)
- (c) Certify that the statements and particulars contained herein and all matters accompanying this form are true and correct in every detail and fully disclose the information required to complete this application form.

Signature

Date

Capacity

Note to Clubs and Societies applying for registration:

The application will be refused if in the period of five years ending with the date of application

- a) an operating license held by the society /club has been revoked under section 39 of the Gaming Decree 2009 or
- b) an application for an operating license made by the society has been refused

The application may be refused if Licensing authority thinks that:

- a) the society is not a non- commercial society
- b) a person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence , or
- c) information provided in or with application is false or misleading

FORM NO. 2



GAMING DECREE 2009
Section 11 (2)
CLASS 2 GAMING LICENSE
APPLICATION FORM

If you are completing this form by hand, please write legibly in block capitals using ink.

SECTION 1**DETAILS OF APPLICANT**(a) ***“Applicant”***

Legal person	Registered Office/Address	
<i>(Please provide copy of Certificate of Incorporation if Company)</i>		
Contact Person	Phone	Facsimile

(b) ***“Partnership or Sole Proprietor Applicant”***

Name of each Person	Address	
Contact Person	Phone	Facsimile

SECTION 2**DETAILS OF PROPOSED PREMISES**

Trading Name	Business/Premises Address	
<i>(If Incorporated please provide copy of Certificate of Business Name Registration)</i>		
Contact Person	Phone	Facsimile

SECTION 3**CORPORATE APPLICANT TO PROVIDE DETAILS OF EACH DIRECTOR**

Name	Date of birth	Address	Position on Board

SECTION 4	DOCUMENTS & INFORMATION THAT MUST ACCOMPANY THIS APPLICATION
	Audited financial statements for the applicant for the previous 3 financial years
	Contractual arrangements (including proposed arrangements) relating to the proposed premises (eg. a lease)
	Expected revenue and expenditure for the next year (relating to gaming activities)
	Declaration (if a corporate applicant) that the corporation is not and has not been the subject of a winding-up order or had a controller or administrator appointed in the last 3 years
	Contractual arrangements (including proposed arrangements) relating to engagement of other entities for facilitation of the playing of applicant's gaming activities.

SECTION 5	OTHER INFORMATION
	What type of game are you applying for?
	Has the business entity been refused an application for a license in other jurisdictions? Yes/ No
	Has the business entity or any intermediary business ever been party to a lawsuit, either as plaintiff or defendant?
	What business apart from gaming does the company carry out?
	Has the licensee ever engaged or is currently engaged in gaming activities?
	If answer to above is yes, what was the licensee's annual gross turnover which is attributed to gaming activities in the past 2 years?
	Does the licensee propose to work in conjunction with any other entity in carrying out its gaming activities?
	If so, name the entities and describe the aspect(s) of the Licensee's gaming activities which the other entities will be conducting or facilitating for the Licensee.
	How does the applicant propose to distribute gaming proceeds if granted a license? Exact percentages will need to be specified as this will become incorporated into your license if one is granted.

SECTION 6	TO BE COMPLETED BY THE APPLICANT
	I, on behalf of do hereby (Print full name)
	apply for a Class 2 Gaming License. I hereby declare that the information on this application form and the accompanying documentation is true and correct.
	Signed..... Date.....
	(Affix Common Seal)

THIS SECTION FOR OFFICE USE ONLY - GAMING SECTION

APPLICATION FEE OF.....PAID.....	YES	NO
APPLICATION APPROVED	YES	NO
DATE OF APPROVAL/REJECTION		
REASON(S) FOR REJECTION:		

FORM NO. 3



GAMING DECREE 2009

CLASS GAMING LICENSE

In exercise of powers conferred upon me by section 10 of the Gaming Decree 2009, I hereby grant to the Licensee

(NAME OF LICENSEE)

a Class Gaming License to undertake the following Gaming activities subject to the Gaming Decree 2009 and any other law that may affect the conduct of the gaming activities authorised by this License (and also to the terms and conditions specified in the Special Conditions attached to this License).

Authorised Class Gaming Activities: (all authorised activities to be listed)

- (i)
- (ii); and
- (iii)

Dated this.....day of 20.....

.....
**ATTORNEY GENERAL/SOLICITOR GENERAL/DIVISIONAL COMMISSIONER
(CENTRAL/EASTERN/WESTERN/NORTHERN)

Note: (1) The bracketed portion of this form is to be deleted if there are no special conditions added to the license.
(2) **The relevant licensing authority is to delete the inapplicable portion from the license issued.

SCHEDULE 2

GAMING LICENSE FEES

TYPE OF GAMING LICENSE	FEES PAYABLE
Class 1 Gaming License	<p>(a) \$10 per table, wheel or other apparatus used for the game;</p> <p>(b) 3% of total value of prize where it is a lottery.</p>
Class 2 Gaming License	<p>Annual fee of 1% of annual gross turnover earned from gaming proceeds from the 2nd year of operation.</p> <p>For the 1st year, the license fee will be 1% of the estimated annual gross turnover for that year as decided by the licensing authority after consideration of applicant's submission on the point.</p>