

APPLICANT INFORMATION FORM

The particulars in this form that relate to an individual is personal information in terms of the Privacy Act 1993. The information is required so that the Gambling Commission can assess the suitability of an applicant for the purposes of determining whether to grant a renewal of a casino venue licence pursuant to section 137 of the Gambling Act 2003.

A. Identity of Applicant

A1. This form is completed on behalf of **(Applicant)**:

Entity name:

Trading as:

A2. List all other names that the Applicant has previously traded under:

A3. The registered offices of the Applicant are at:

Address	Postcode
Suburb	Country
City	

A4. The address for service of the Applicant is:

Address	Postcode
Suburb	Country
City	

A5. This form is completed on behalf of the Applicant by:

Surname	Suburb
First name	City
Occupation	Postcode
Address	

A6. The Applicant's nominated contact person in New Zealand is:

Surname	Suburb
First name	City
Occupation	Postcode
Address	

If the Applicant is an 'overseas company' (as defined in section 2(1) of the Companies Act 1993) that is incorporated outside of New Zealand, please answer A7 and A8 (otherwise leave these questions blank and go directly to B)

A7. Provide full details of overseas incorporation:

Date of incorporation

Company number (as shown on Certificate of Incorporation)

Place of incorporation

A8. Does the Applicant:

- ☐ have a wholly owned New Zealand subsidiary operating in New Zealand,
☐ have a branch operating in New Zealand, or
☐ operate in New Zealand under some other arrangement (give details of this arrangement below):

B. Applicant's solicitors

B1. Name of solicitor/legal advisor/lawyer:

B2. Solicitor address for communication:

Address

Suburb

Town/city

Postcode/zip

Country

Telephone ()

Email

C. Applicant's accountants

C1. Name of accountants:

C2. Accountant address for communication:

Address

Suburb

Town/city

Postcode/zip

Country

Telephone ()

Email

D. Applicant's auditors

D1. Name of auditor:

D2. Auditor address for communication:

Address

Suburb

Town/city

Postcode/zip

Country

Country

Telephone ()

Email

Telephone

E. Structure of Applicant

E1. Enclose separate diagrams or tables showing the following:

- a) The internal management structure of the Applicant. Identify the specific divisions, together with titles of management positions, including directors, executives and senior officers.
- b) The company corporate structure in which the Applicant exists.
- c) The relationship of any other persons or entities that have interests in the financial or management structure of the Applicant, or otherwise have significant influence on them.

Please enclose a copy of the Applicant's register of directors, managers and secretaries with this application.

F: Trusts

- F1. Provide the following information regarding the trust(s) which the Applicant is required to support or fund as a condition of its existing casino venue licence:
- a) the Trust Deed for the trust;
 - b) details of current trustees and any changes in the last 10 years;
 - c) for each of the last 10 years:
 - o the amount of funding or support provided by the Applicant to the trust(s)
 - o list of all persons granted funding from the trust(s) and the relevant amounts;
 - o list of all unsuccessful applicants for funding.

G. Litigation

- G1. Does the Applicant, or any holding or subsidiary company in New Zealand, Australia or elsewhere, have any legal or arbitration proceedings active, threatened or pending? If so, provide (below or on a separate sheet) the following details:
- a) claimant and other parties
 - b) amount in issues
 - c) nature of claim (eg. causes of action).
- G2. Has the Applicant, or any holding or subsidiary company of the Applicant, had a judgment entered against them in the last 5 years in respect of any civil proceedings? If so, provide (below or on a separate sheet) the following details:
- a) claimant and other parties
 - b) amount in issues
 - c) nature of claim (eg. causes of action).

H. Gambling Act Compliance

- H1. Has any action of any kind been taken against either the Applicant or the licenced operator of the casino located at the Applicant's venue (**Operator**) in respect of non-compliance with the Gambling Act or any regulation made under the Act? If so, provide (below or on a separate sheet) details of each instance.
- H2. Has any issue regarding noncompliance with the Gambling Act or any regulation under the Act been otherwise raised with the Applicant or the Operator by a regulator or representative? If so, provide (below or on a separate sheet) details of each instance.
- H3. Has the Applicant or the Operator detected any non-compliance with the Gambling Act, or any regulation made under the Act? If so, provide (below or on a separate sheet) details of each instance and the action taken.
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I. Other regulatory and disciplinary action

In the following questions, the term "the Parties" means:

- *the Applicant;*
- *the Operator; and*
- *a holding or subsidiary company of the Applicant.*

11. Have any of the Parties, or an employee of the Parties acting in that capacity, been found guilty of any offence, including but not limited to criminal or taxation offences (irrespective of whether a conviction was subsequently recorded)? If so, provide details (below or on a separate sheet), including the offence, the date of the offence, the relevant court or other authority, and any sanction imposed.
12. Have any of the Parties, or any employee of the Parties acting in that capacity, been subject to any other penalty imposed by statute, including a civil penalty? If so, provide details (below or on a separate sheet).
13. Have any of the Parties ever had any licence, certificate, authority or approval of any kind terminated, denied or suspended? If so, provide details (below or on a separate sheet).
14. Have any of the Parties been advised by a statutory regulator that they are in breach of any statutory obligation under the following Acts (or their predecessors):
 - Income Tax Act 2007
 - Goods and Services Act 1985
 - Commerce Act 1986
 - Financial Markets Conduct Act 2013 (previously Securities Act 1973)
 - Fair Trading Act 1986
 - Companies Act 1993
 - Credit Contracts and Consumer Finance Act 2003
 - Sale and Supply of Alcohol Act 2012

If so, provide details (below or on a separate sheet) of each instance.

15. Other than any instances already noted, have any of the Parties been investigated by the Stock Exchange? If so, provide details (below or on a separate sheet).
16. Have any of the Parties been the subject of an adverse finding by a professional body, irrespective of whether a penalty was imposed? If so, provide details (below or on a separate sheet).

J. Financial position

- J1. Provide copies of the following documents for the last 3 years:

- annual report
- statement of financial position (balance sheet)
- statement of financial performance (profit and loss)
- statement of cash-flows
- statement of movements in equity

- statement of accounting policies (applicable notes)
- accompanying notes to the financial statements
- list of creditors

Have these statements been audited? If so, provide the name of the auditor in each instance:

Have any audit reports been qualified? If so, attach copies of all qualified audit reports.

J2. Provide details (below or on a separate sheet) of any securities of charges over any of the assets shown in the balance sheet:

J3. Is the Applicant currently in default of any debt incurred solely or jointly in the Applicant's name? If so, provide details (below or on a separate sheet):

J4. Provide details (below or on a separate sheet) of any contingent liabilities of the Applicant.

J5. What is the date of the Applicant's last tax return and the place at which it was filed?

Please provide copies of the Applicant's tax returns and assessment notices for the last three years.

J6. Provide details (below or on a separate sheet) of any overseas bank accounts held by the Applicant, including the location and balance.

J7. Has the applicant ever entered into a compromise or arrangement with its creditors under the Companies Act 1993, or equivalent New Zealand or overseas legislation? If so, provide details (below or on a separate sheet).

J8. Has the applicant, or any holding or subsidiary company been placed into liquidation, or receivership under any insolvency administration? If so, provide details (below or on a separate sheet).

K. Qualification to hold licence

K1. Set out (below or on a separate sheet) the matters of qualification or experience that the Applicant considers support its ability to operate a casino.

L. Other Matters

L1. Provide details (below or on a separate sheet) of any other matters that the Applicant considers relevant to this application.

M. Authority

Authority for release of information by a company

Name of company

I,

Surname

First names

Position in Company / Occupation

of

Place of abode

1. Acknowledges that the Gambling Act 2003 authorises the Gambling Commission to cause to be made investigations about the applicant for the purposes of determining the applicant's suitability and compliance history for the purposes of the Gambling Act 2003;

2. Authorises any officer of the police service, law enforcement agency, or regulatory body in any jurisdiction to whom a copy of this authority is presented to release to the Gambling Commission any information or official record of any kind in written, electronic, or other form, where that information relates to the applicant and is held by the police service, agency or body, including information relating to the criminal history of the applicant. The provisions of the Criminal Records (Clean Slate) Act 2004 apply to this authorisation.

Signed

this day of

day month year

Checklist of documents to enclose:

1. Diagram/tables setting out the Applicant's management structure, corporate structure and other significant relationships of influence
2. Applicant's register of directors, managers and secretaries
3. Financial documents for the last 3 years:
 - annual report
 - statement of financial position (balance sheet)
 - statement of financial performance (profit and loss)
 - statement of cash-flows
 - statement of accounting policies (applicable notes)
 - accompanying notes to the financial statements
 - list of creditors
4. Tax returns and assessment notices for the last 3 years
5. Copies of any qualified audit reports.
6. The answers to any questions provided on a separate sheet.