

## COMPANY INFORMATION FORM

The particulars in this form that relate to an individual's personal information in terms of the Privacy Act 1993. The information is required so that the Gambling Commission can assess the suitability of a corporate person to have significant influence in the operation of a casino 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 Company

A1. This form is completed on behalf of the following corporate person with a significant influence (Company):

Entity name:

Trading as:

Company number:

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

A3. This form is provided in support of the following application for renewal of a casino venue licence:

Licence renewal applicant:

Trading As:

A4. The registered offices of the Company are at:

Address

Postcode

Suburb

Country

City

A5. The address for service of the Company is:

Address

Postcode

Suburb

Country

City

A6. This form is completed on behalf of the Company by:

Surname

Suburb

First name

City

Occupation

Postcode

Address

A7. The Company's nominated contact person in New Zealand is:

Surname

Suburb

First name

City

Occupation

Postcode

Address

A8. Describe the role that the Company plays in the operation of the casino referred to in question A3.

If the Company is an 'overseas company' (as defined in section 2(1) of the Companies Act 1993) that is incorporated outside of New Zealand, please answer A9 and A10 (otherwise leave these questions blank and go directly to B).

**A9. Provide full details of overseas incorporation:**

Date of incorporation

Company number (as shown on Certificate of Incorporation)

Place of incorporation

**A10. Does the Company:**

- ☐ have a wholly owned New Zealand subsidiary company 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. Solicitors**

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**B1. Name of Company's solicitor/legal advisor/lawyer:****B2. Solicitor address for communication:**

Address

Suburb

Country

Town/city

Telephone ( )

Postcode/zip

Email

**C. Accountants**

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**C1. Name of Company's accountants:****C2. Accountant address for communication:**

Address

Suburb

Country

Town/city

Telephone ( )

Postcode/zip

Email

**D. Auditors**

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**D1. Name of Company's auditor:****D2. Auditor address for communication:**

Address

Suburb

Country

Town/city

Telephone ( )

Postcode/zip

Email

Telephone

## **E. Structure of Company**

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- E1. Enclose separate diagrams or tables showing the following:
- (a) The internal management structure of the Company. Identify the specific divisions, together with titles of management positions, including directors, executives and senior officers.
  - (b) The company corporate structure in which the Company exists.
  - (c) The relationship of any other persons or entities that have interests in the financial or management structure of the Company, or otherwise have significant influence on them.

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

## **F. Litigation**

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- F1. Does the Company, or any holding or subsidiary of the Company, have any legal or arbitration proceedings active, threatened or pending? If so, provide the following details (below or on a separate sheet):
- (a) claimant and other parties
  - (b) amount in issues
  - (c) nature of claim (eg. causes of action).
- F2. Has the Company, or any holding or subsidiary company of the Company, had a judgment entered against them in the last 5 years in respect of any civil proceedings? If so, provide the following details (below or on a separate sheet):
- (a) claimant and other parties
  - (b) amount in issues
  - (c) nature of claim (eg. causes of action).

## **G. Gambling Act Compliance**

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- G1. Has any action of any kind been taken against the Company, or a holding or subsidiary of the Company in respect of non-compliance with the Gambling Act or regulation made under the Act? If so, provide details (below or on a separate sheet) of each instance.

*Answer questions G2-G3 ONLY if the Company is the holder of a licence to operate a casino.*

- G2. Has any issue regarding noncompliance with the Gambling Act or any regulation under the Act been raised with the Company by a regulator or representative? If so, provide details (below or on a separate sheet) of each instance.
- G3. Has the Company detected any non-compliance with the Gambling Act, or any regulation made under the Act? If so, provide details (below or on a separate sheet) of each instance and the action taken.

## **H. Other regulatory and disciplinary action**

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- H1. Has the Company, a holding company or a subsidiary of the Company, or an employee 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.
- H2. Has the Company, a holding company or subsidiary of the Company, or an employee 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).
- H3. Has the Company ever made an application under the Gambling Act, including under s 149, that has been declined? If so, provide details (below or on a separate sheet).
- H4. Has the Company, or any holding or subsidiary of the Company, otherwise 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).
- H5. Has the Company, or any holding company or subsidiary of the Company, been advised by a statutory regulator that it is 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)
  - Financial Reporting Act 1993
  - 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.

- H6. Other than any instances already noted, has the Company, or any holding company or subsidiary of the Company, been investigated by the Stock Exchange? If so, provide details (below or on a separate sheet).
- H7. Has the Company, or any holding company or subsidiary of the Company, 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).

## **I. Financial position**

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11. 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.

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

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

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

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

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

Has the company been subjected to any tax audits, tax investigations, or prosecutions or been required to undertake any remedial action regarding its tax liability?

16. Has the Company 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).

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

## **J. Qualifications**

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J1. Set out (below or on a separate sheet) the matters of qualification or experience that the Company considers demonstrate its suitability to have significant influence in the operation of a casino.

## K. Other Matters

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K1. Provide details (below or on a separate sheet) of any other matters that the Company considers relevant to this application.

## L. Authority

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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 Company for the purposes of determining the Company'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 Company and is held by the police service, agency or body, including information relating to the criminal history of the Company. The provisions of the Criminal Records (Clean Slate) Act 2004 apply to this authorisation.

Signature

Date

### Checklist of documents to enclose:

1. Diagram/tables setting out the Company's management structure, corporate structure and other significant relationships of influence
2. Company'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. Company's tax returns and assessment notices for the last 3 years.
5. Copies of any qualified audit reports.
6. The answers to any question provided on a separate sheet.