

NSW FAIR TRADING

GUIDELINES

CARD JACKPOT GAMES AND SIMILAR GAMES CONDUCTED IN CONJUNCTION WITH A RAFFLE

- ❑ Please read these **GUIDELINES**
- ❑ Complete the standard [TERMS AND CONDITIONS OF ENTRY \[A\]](#)
- ❑ Complete the [RAFFLE - TERMS AND CONDITIONS OF ENTRY \(if applicable\) \[B\]](#)
- ❑ Provide a copy of **THE TERMS AND CONDITIONS OF ENTRY** you propose to display to patrons.
- ❑ Sign and date the [DECLARATION \[C\]](#)
- ❑ **THESE FORMS MUST ACCOMPANY YOUR APPLICATION FOR A LICENCE TO CONDUCT A TRADE PROMOTION LOTTERY, (WHICH IS A SEPARATE DOCUMENT) ONLY WHEN IT IS CONDUCTED IN CONJUNCTION WITH A RAFFLE**

A card jackpot game usually involves a pack of 52 cards plus a joker lying face down on a board. Qualifying participants are provided the opportunity to turn over one of the cards for the chance to win the prize. If the joker card is not drawn, the prize jackpots and the draw is repeated on another occasion. The two main card jackpot games are commonly called “Jokers Wild” and “Wild Card” or something similar.

There are variations on this theme involving the use of different devices and methods (eg, keys) of determining the winner. Many are linked to participants having to purchase a ticket in a fundraising raffle for a not-for-profit organisation.

TERMS AND CONDITIONS OF ENTRY

Terms and conditions of entry into the game **must** be developed and published and **must always be** conspicuously displayed at the place where the proposed card jackpot game is to be conducted (for example, on a notice board or similar type of display). The terms and conditions of entry must contain particulars similar to the attached standard terms and conditions of entry.

You can use the attached form [labelled A] or our interactive form (visit our web site at www.fairtrading.nsw.gov.au or telephone 13 32 20 to request the form). Alternatively, you can create your own document provided the content is similar.

Please ensure you include a copy of the terms and conditions of entry when you lodge your completed application for a permit to conduct a trade promotion lottery, a separate document. The application form is available from the NSW Fair Trading website or by telephoning 13 32 20.

Please note that the terms and conditions of entry cannot be altered or amended unless prior written approval is given by NSW Fair Trading.

ADDITIONAL TERMS AND CONDITIONS OF ENTRY

Where entry into the proposed game is linked to the purchase of a ticket in a fundraising raffle, additional terms and conditions of entry into the raffle must be developed, published and displayed. Similar to the above, you can use the attached form [labelled B], the interactive form or you can create your own. Please ensure you include a copy of the raffle terms and conditions of entry when you lodge your completed application for a permit to conduct a trade promotion lottery. The application must also be accompanied by a Declaration [labelled C], which acknowledges that none of the proceeds of the raffle will be given or distributed, directly or indirectly, to the trade or business.

Please note that there must be at least one other means of entry **not linked** to the fundraising raffle.

INSTRUCTIONS

Part 3 When completing Part 3 of the standard terms and conditions of entry [labelled A], the method of entry must be at least one of the following methods (you need to include any specific requirements)

- making a bar purchase purchasing a meal entering the hotel other

Optional additional method — in addition to at least one of the above means of entry:

- purchasing a ticket to the value of \$_____ in a fundraising raffle that has been authorised to be conducted for the purpose of raising funds for the benefit of (*name of not-for-profit organisation*)

Note 1: The raffle ticket butts or corresponding computer-generated documents cannot be reused in the card jackpot game. A separate ticket must be issued in respect of the card jackpot game. No part of the proceeds from the sale of raffle tickets may be used or applied to the provision of prizes or otherwise in the card jackpot game.

Part 4 When completing Part 4 of the standard terms and conditions of entry, you need to describe what the patron needs to do after receiving their ticket in the trade promotion lottery. For example:

- the patron records their name on the entry ticket, places it into the clearly marked receptacle and awaits the manual draw
- the patron detaches the drawing docket from the entry ticket, places the drawing docket into the clearly marked receptacle and awaits the manual draw
- the patron retains the entry ticket and awaits the electronic draw.

Part 10 Refers to a standard card jackpot game—if you are to conduct a similar game (use of keys or other devices) you will need to describe the manner in which the game will be conducted. The principles should be similar to that expressed in the standard terms and conditions of entry.

Part 11 Refers to a standard card jackpot game—if you are to conduct a similar game, please describe what happens when a prize is carried over from a previous draw. The principles should be similar to that expressed in the standard terms and conditions of entry.

Part 14 Refers to a standard card jackpot game—if you are to conduct a similar game, please describe how the game material will be secured in a manner similar to that expressed in the standard terms and conditions of entry.

Part 15 The name of the promoter would usually be the name of the hotel.

Fundraising raffles

Where a fundraising raffle is to be conducted in conjunction with the proposed trade promotion lottery (game) no part of the proceeds from the sale of raffle tickets may be used or applied to the provision of prizes or otherwise in the card jackpot game.

The attached raffle terms and conditions of entry [labelled B] **must** be completed and **must always be** prominently displayed at the place where the proposed raffle is to be conducted.

When you lodge your completed application for a permit to conduct a trade promotion lottery you must ensure that you include a copy of these raffle terms and conditions of entry. The application must also be accompanied by a Declaration [labelled C], which acknowledges that none of the proceeds of the raffle will be given or distributed, directly or indirectly, to the trade or business.

Part 5 Give a clear and unambiguous description of the prizes including their retail value. Prize restrictions: liquor prizes (if any) are restricted to not more than 20 litres; a money prize (if any) is restricted to not more than \$25,000; the total value of prizes is restricted to not more than \$30,000; no prize will be a prohibited prize (tobacco, firearm, ammunition, or a weapon, or cosmetic surgery).

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TERMS AND CONDITIONS OF ENTRY

1. The name of the game is
2. The game starts on and ends on
3. Entry into the game is gained by patrons:
4. Subject to satisfying the entry requirement, a patron will receive a ticket in the game. The patron:
5. Entries must be received before the time the draw is conducted.
6. The draw will be conducted each day at am/ pm.
7. The place where the draw will be undertaken is
8. The winning name or number of the successful entrant will be audibly and clearly announced so that all patrons who have a ticket in the draw have the opportunity of hearing the announcement.
9. If the successful entrant fails to present himself or herself to the person who conducted the draw within 4 minutes of the announcement, a further draw will take place and the process continue until a successful entrant presents himself or herself.
10. The successful entrant will have the opportunity to select from a deck of cards (no more than 52 cards plus the joker is used), which are turned face down on a board. The prize is won if the successful entrant selects the joker card. If the joker is not selected the prize jackpots to the following draw. If the joker is not selected the person conducting the game will turn over the joker in the presence of patrons.
11. When a prize is carried over from the previous draw, the draw is to be from the previous draw's total number of cards with the non-winning card removed. Non-winning game cards will not be placed back on the game board. The position of the cards on the game board will be reshuffled. The joker will always be part of the set of cards on the game board.
12. On the final date of the game, the prize must be won. A draw will be conducted of entrants continuously until a successful entrant wins the prize.
13. The start-up amount for the prize is \$. If not won, the prize jackpots by \$ for the following draw.
14. The board containing the game cards will be secured (*secured means a locked cupboard, behind a screen*) and under the custody of (*name of person*)
15. The promoter is
16. Authorised under NSW Permit No. LTPS _____/_____.

THIS FORM MUST ACCOMPANY YOUR APPLICATION FOR A LICENCE TO CONDUCT A TRADE PROMOTION LOTTERY, WHICH IS A SEPARATE DOCUMENT.

RAFFLE — TERMS AND CONDITIONS

1. The name of benefiting not-for-profit organisation is
2. Raffle tickets will be sold on the following day(s)
3. The price of a raffle ticket is
4. The raffle will be drawn on at (am / pm)
5. Prizes will be
6. Winners do not need to be present at the draw to win the prize.
7. Prizes will not jackpot from week to week.
8. The prizewinner will receive the prize he or she has won.

DECLARATION

CARD JACKPOT GAMES AND SIMILAR TRADE PROMOTIONS LINKED TO A FUNDRAISING RAFFLE

DECLARATION BY REPRESENTATIVE OF BENEFITING BUSINESS

I, _____ a representative of _____ (name of business)

declare:

- (a) that the fundraising raffle conducted in conjunction with the trade promotion lottery entitled _____ will be conducted in accordance with the attached terms and conditions of entry [labelled A and B], and
- (b) that the attached terms and conditions of entry [labelled A and B] will not be altered or amended unless prior written approval is given by the NSW Fair Trading, and
- (c) that no financial benefit, either directly or indirectly, will be taken or sought from the non-profit organisation in whose benefit the raffle is conducted and as named herein, and
- (d) that no part of the proceeds from the sale of raffle tickets may be used or applied to the provision of prizes or otherwise in the card jackpot game.

Signed _____ Date _____

DECLARATION BY REPRESENTATIVE OF BENEFITING NON-PROFIT ORGANISATION

I, _____ a representative of _____ (name of not-for-profit organisation)

declare:

- (a) that the raffle is to be conducted at _____ (name of venue) drawn on _____ at _____ (am / pm) will be conducted in accordance with the provisions of the *Lotteries and Art Unions Act 1901*, including
 - that proper accounts and records in accordance with the Act will be maintained to account for ticket sales, gross income, expenses, and profit,
 - that all tickets-butts or corresponding computer-generated documents will be retained for at least 3 months after the date of the draw,
 - that the gross proceeds will be banked into the account of the benefiting organisation as soon as practicable after receiving the money in relation to the raffle,
 - that only reasonable and proper expenses (in addition to prizes) will be deducted from the gross proceeds.
 - that the net proceeds to the benefiting not-for-profit organisation is to be at least 40% of the gross proceeds, and
- (b) that no payment or other benefit is to be given or distributed, either directly or indirectly, to the organiser of the raffle or to the management of the _____ (name of venue).

Signed _____ Date _____

THIS FORM MUST ACCOMPANY YOUR APPLICATION FOR A LICENCE TO CONDUCT A TRADE PROMOTION LOTTERY, WHICH IS A SEPARATE DOCUMENT.