

Fact sheet

Social housie

This fact sheet outlines the applicable requirements and best practice of social housie.

What is social housie?

Social housie is a game played with tickets or cards bearing numbered squares or symbols; a number or symbol is marked or covered on the ticket or card when an announcer calls that number or symbol which is selected at random by a device; a win is constituted if the player is able to mark or cover certain squares on the ticket or card. Housie includes housie-housie, bingo and games of a similar kind such as alphy and hoi.

For what purpose may social housie be conducted?

Social entertainment version

Social housie may be conducted as a form of social entertainment. In such cases, all money invested by players (subject to deduction for proper expenses) must be applied towards prizes.

Fundraising version

Social housie may be conducted as part social entertainment and part for the purpose of raising funds for a not-for-profit organisation (an organisation not formed or conducted for private gain including charities, social clubs, etc.).

This is different to housie games which are organised for the purpose of raising funds for a charity. For more information refer to the 'Charity Housie' fact sheet at fairtrading.nsw.gov.au.

Who may conduct social housie?

Anyone may conduct social housie.

Is there any restriction as to where the game may be conducted?

The game cannot be conducted on licensed premises under the *Liquor Act 1982* or on the premises of a club registered under the *Registered Clubs Act 1976*.

Is a permit required?

No. The game may be conducted without a permit. However, you must comply with the requirements of the *Lotteries and Art Unions Act 1901*.

If social housie is conducted for raising funds for a charity, an authority under the *Charitable Fundraising Act 1991* may be required. If you are unsure, please contact NSW Fair Trading on lottery.enquiries@finance.nsw.gov.au.

When may the game be conducted?

There is no restriction as to the hours of the day when games can be played. There is no restriction as to how long a session of games may be conducted.

What is a session of games?

A session of games means a number of games of housie held in succession on the one occasion and at the same place.

There is no limit to the number of games conducted in a session of games or how many sessions may be conducted.

What is the maximum value of prizes?

The total amount or value of prizes in a game cannot be more than \$40.

The total amount or value of jackpot prizes in a session of games cannot be more than \$200.

Quick facts

- ▲ Conducted for a social entertainment and/or to raise funds for a not-for-profit organisation.
- ▲ Cannot be conducted on the premises of a registered club or on licensed premises.
- ▲ Total value of ordinary prizes in a game cannot exceed \$40.
- ▲ Total value of jackpot prizes in a session of games cannot exceed \$200.
- ▲ No salary, wage, fee, commission, percentage or benefit can be paid.
- ▲ No payment or other benefit can be sought for the right to enter the place where the game is conducted.

What types of prizes may be offered?

Prizes may consist of or include anything except a prohibited prize. Prizes can be goods, wares, merchandise, services, vouchers for goods or services that are not redeemable for money, tickets for admission to any entertainment and tickets (with any spending money) for tours or journeys. Spending money can be given as part of a tour or journey provided the total value does not exceed 20% of the total value of the travel prize.

What types of prizes are prohibited?

The following are prohibited prizes:

- ▲ tobacco products
- ▲ firearms or ammunition
- ▲ prohibited weapons
- ▲ cosmetic surgery or other procedure to improve personal appearance

- ▲ liquor prizes - more than 20 litres of liquor with an alcohol content not exceeding 20% by volume or more than 5 litres of liquor with an alcohol content exceeding 20% by volume.

What expenses may be incurred?

You may incur proper and reasonable expenses for conducting the game. However, you cannot pay any commissions or other benefits.

Can I pay any commissions or other benefits?

No salary, wage, fee, commission, percentage or other benefit (other than a prize) can be paid or given to, or taken by, any person in connection with the conduct of the game.

Can I organise the game to raise funds?

Yes. The game can be conducted to raise funds for a not-for-profit organisation. In such cases, the game must be conducted or authorised by that not-for-profit organisation.

If social housie is conducted to raise funds for a charity, an authority under the *Charitable Fundraising Act 1991* may be required. Contact NSW Fair Trading for more information.

How much should the benefiting organisation receive?

There is no stipulated amount or percentage that must be provided to a benefiting organisation if the game is conducted for raising funds for that organisation.

As far as practicable any advertising or promotion of the game should identify the amount or percentage of the gross proceeds to be returned to the benefiting organisation.

Health regulations

The offer of perishable items such as green groceries, meat and fish as prizes is regulated under the *Food Act 2003*.

Such prizes must satisfy the same requirements that apply to food sold through normal retail outlets.

These include:

- ▲ the manner of handling and packaging the food
- ▲ the manner of labelling packages of food
- ▲ the temperature at which food must be kept.

Contact NSW Health for more information.

Fish prizes must also comply with the *Fisheries Management Act 1994* and the *Fisheries Act 1935*.

A special permit is required.

Contact the NSW Department of Primary Industries for more information.

Is there a maximum price per ticket?

Yes. The maximum charge for each ticket or card conferring the right to participate in a game of housie is 40 cents.

The selling price should be consistently applied to all the tickets sold. No ticket should be disposed of except for the advertised value of the ticket or for some other consideration equivalent to the value.

Is there a maximum number of tickets that may be sold?

No.

What is required of the ticket?

There is no stipulated format for tickets or cards used in connection with the game.

Reusable tickets or cards may be used to save costs. Tickets or cards with large type may be used so that persons with poor eye sight can read the numbers. In

addition, other devices may be used such as playing cards.

When the game is conducted for the purpose of raising funds for a charity, the tickets should be consecutively numbered in the one series.

How should ticket sales be managed?

Tickets or cards can be sold or distributed only at the place where it is conducted.

You must ensure that there is adequate control over the issue of tickets to selling agents, the receipt of monies and the receipt of unsold tickets.

It is recommended that a register of tickets be maintained which details the purchase and issue of tickets.

Tickets with liquor prizes

Tickets for liquor prizes cannot be sold by or to a person under 18. Also a person under 18 cannot give or collect a liquor prize.

Can I charge a fee other than the purchase price of the ticket?

Except the charge for the purchase of tickets or cards:

- ▲ no payment or other benefit is to be given or sought for the right to enter any place where the game is to be played
- ▲ no payment or other benefit is to be given or sought for the right to participate in a game.

Are children able to play?

The law does not forbid a person under 16 from playing or assisting in the conduct of a game. This is a matter for the organisers and the patrons of the game to determine, and is required to be included in the House Rules.

How should I advertise social housie?

When advertising social housie, you should make the following information available to purchasers:

- ▲ the price of the ticket
- ▲ if applicable, the name of the organisation for whose benefit the game is being conducted
- ▲ details of the prizes
- ▲ the place, time and date of the game.

Are there any advertising restrictions?

Yes. You must not publish, or cause to be published, any lottery advertising that:

- ▲ encourages a breach of the law, or
- ▲ depicts children participating in a lottery activity, or
- ▲ is false, misleading or deceptive, or
- ▲ suggests that winning will be a definite outcome of entering or participating in the lottery activity, or
- ▲ suggests that entering or participating in the lottery activity will definitely improve a person's financial prospects, or
- ▲ is not conducted in accordance with decency, dignity and good taste.

You must not enter into or extend the duration of a contract or arrangement for the publication of any lottery advertising that does any of these things.

In this context, 'publish' includes disseminate in any way, whether by oral, visual, written or other means (for example, dissemination by means of cinema, video, radio, television or the Internet).

You must not state or imply in any information or publicity that the lottery is authorised or approved by the Government or by any government agency.

How should the game be conducted?

All numbers drawn must be clearly announced to all the players present.

Any method may be used to allow players to win a game of housie. A game may be won, for example, by a person being the first to complete one or two lines, or a full house, a person completing a "racetrack" (all outside numbers) or completing numbers on the

diagonal, or the first person to cover five numbers ending in seven. Before a game starts, a clear announcement should be made of the particular arrangement of numbers to be obtained in order to win.

Games may be played as ordinary or jackpot games. The jackpot prize should be paid only if the game is won within the number of calls announced immediately before the game.

House Rules

You must develop House Rules. The House Rules must include:

- ▲ the conditions of entry into the game, including the age of the persons allowed to participate
- ▲ the cost of tickets and how discounting works, if any charge is made
- ▲ the manner in which any prizes, including jackpot prizes, are calculated, determined and awarded
- ▲ a description of the particular arrangement of number or symbols required to be covered or marked in order to win
- ▲ the course of action to be adopted by the organiser of the game if an incorrect call is made by the caller
- ▲ the method for claiming prizes, including the action to be taken when a player overlooks the calling of housie
- ▲ the manner of disputes concerning the conduct of the game or the claiming of prizes are to be resolved
- ▲ the manner in which numbers or symbols appearing on a winning ticket will be verified by an independent person and called back to players.

The House Rules must be conspicuously displayed at the place where the tickets are sold. This requirement is satisfied by the use of a notice board or similar type of display.

The rules cannot be inconsistent with the provisions of the Act and the Regulation.

Persons conducting housie

Generally, there is no restriction on persons conducting or assisting in the conduct of the session purchasing tickets, participating as a player, or winning prizes.

However, organisers, spotters and callers should be mindful that if they and their families participate in a game, complaints may arise about them often winning prizes to the concern of other patrons. Such issues affect the integrity of the game because of the perception of wrongdoing.

It is suggested that if organisers, spotters and callers and family members of such persons participate as players there should be proper disclosure of the relationship and the maintenance of appropriate records.

What records do you need to keep?

Non-fundraising games

There is no requirement to keep records where the game:

- ▲ is organised on the basis that the gross proceeds from the sale of tickets, less costs and expenses incurred in connection with the conduct of the game, are wholly returned to players in the form of prizes, or
- ▲ there is no charge for persons to play the game.

However, it is recommended that records be maintained as far as practicable. This will assist you to manage the game properly.

Fundraising games

Where the game is organised to raise funds, you are generally required to keep all records or receipts, invoices and other records concerning costs and outgoings, and payments received.

If the game is conducted to raise funds for a charity, any record keeping requirement imposed by the *Charitable Fundraising Act 1991* is in addition to those required to be kept by the *Lotteries and Art Unions Act 1901*.

You are specifically required to keep the following records:

- ▲ the gross proceeds of the game (if the charge for tickets or cards is not more than five cents, the gross proceeds may be calculated by adding together the total value of the prizes awarded, any costs and expenses, and the total amount of proceeds paid to the benefiting organisation)
- ▲ the details of the prizes
- ▲ any costs and expenses (itemised as to payee, amount and date of payment, and documented by receipts and invoices)
- ▲ the total amount of the proceeds of the game paid to the benefiting not-for-profit organisation, and details of any receipts from that organisation in respect of that amount.

These particulars may relate to a session of games rather than to each of the games that are part of the session.

Banking of proceeds

You must place all money received into an account at a bank, building society or credit union being an account belonging to the benefiting organisation as soon as practicable, preferably within two days. All payments should be made from that account.

How long are records required to be kept?

You must retain all records, all unsold tickets or cards and all accounts and other documents, and all computer records relating to the game for seven years. Unsold tickets or cards belonging to a series must be retained for at least three months after the series was last used. Other unsold tickets or cards must be retained for at least three months after the conclusion of the game for which they were produced.

Are financial statements or returns required?

No. You are not required to submit a return to us, unless specifically requested. However, the

organisation in whose benefit the game is conducted must ensure that the organisation's financial statements detail the gross proceeds and expenses of the game.

Who is responsible?

The promoter or organisers are jointly and individually responsible for the proper management and conduct of the game.

A subcommittee may be elected from within the benefiting organisation to be the organising committee. Alternatively, the benefiting organisation may authorise persons outside the organisation to conduct the game on its behalf. In such cases the management committee of the benefiting organisation should satisfy itself as to the good standing and competence of the persons organising the game.

The benefiting organisation should introduce adequate controls to oversight the organisers, including:

- ▲ insisting on reports
- ▲ ratifying all expenses and prizes awarded
- ▲ having full access to records and registers
- ▲ ensuring financial records are audited
- ▲ exercising proper internal controls over the purchase, sale and safekeeping of tickets including unsold tickets.

Are the records subject to inspection?

Yes. All records are subject to inspection by our authorised officers or police.

Are there any penalties?

Yes. There is a range of penalties for conducting a game contrary to requirements, including:

- ▲ failing to award the winner the prize
- ▲ conducting the game fraudulently
- ▲ misappropriating funds or prizes
- ▲ making false statements
- ▲ failing to keep books and records

- ▲ awarding prohibited prizes
- ▲ unlawful advertising
- ▲ hindering or obstructing authorised officers or police.

For further information

This guide is designed to provide accurate and authoritative information in regard to the subject matter covered, and with the understanding that NSW Fair Trading, part of NSW Department of Finance, Services and Innovation is not passing legal opinion or other professional advice. If you require a more detailed understanding of the legislation, it is recommended that you contact a specialist adviser.

The law governing the conduct of this lottery or game of chance is the *Lotteries and Art Unions Act 1901* and the *Lotteries and Art Unions Regulation 2014*. Online access to the legislation is available at legislation.nsw.gov.au