

28 April 2022

The Hon Melissa Horne MP
Minister for Consumer Affairs, Gaming and Liquor Regulation
Level 22, 1 Spring Street, Melbourne, VIC 3000

RE: GAMBLING AND LIQUOR LEGISLATION AMENDMENT BILL 2022

Dear Minister,

I write concerning proposed amendments to the Victorian Gambling and Liquor Legislation currently before the Parliament of Victoria.

Fundraising Institute Australia (FIA) is the national peak body for professional fundraising, representing over 3,000 members of the fundraising community including hundreds of charities that fundraise for some or all of their income. Many use charitable gaming mechanisms in their fundraising efforts.

FIA welcomes the proposed change to the community and charitable gambling regulations which increases the threshold for raffles prizes that require a minor gaming permit from \$5,000 to \$20,000.

However, we believe the prohibition of online community and charitable gambling is unjustified and will harm many smaller charitable and community organisations which, especially since COVID, have been forced to shift a whole range of their activities to online platforms in order to carry on.

Significant harm to small fundraisers:

FIA disagrees with the rationale offered in the explanatory memorandum to the Bill concerning the risk of gambling related harm. FIA is of the view that charitable gaming does not pose any risks to the community, particularly in relation to minor forms of gaming, and does not contribute to problem gambling. Moreover, any potential risk of harm is mitigated by the new Responsible Gambling Code of Conduct, which covers commercial raffle operators providing services to charities and NFPs.

Problem gamblers simply do not turn to community and charitable raffles to get the ‘instant hit’ they seek, due to their addiction. Therefore, the ban on provision of online raffles, etc... represents regulatory overkill.

Importance of online platforms for fundraising:

Online platforms are becoming increasingly important for charities and non-profits of all sizes, not just because of the impacts of COVID, but due to the advance of technology and changing community behaviours as people conduct more and more everyday transactions on digital devices instead of paper or face-to-face. Even governments are increasingly providing services to the community online. Prohibiting such activity for charities and non-profits flies in the face of this fundamental societal trend.

Estimate of charities and NFPs impacted:

ACNC data shows that approximately 12,000 registered charities operate in Victoria, including many smaller to medium sized organisations. Two thirds of small to medium charities rely on donations and about a third of their total revenue from comes from donations. Many are becoming increasingly reliant on online approaches. By eliminating this channel for raffles, the government is depriving the sector of millions of dollars in revenue that goes to support their mission, forcing beneficiaries to look to other sources, including governments, for assistance.

Compliance burden

The explanatory memorandum advances the argument that the “increased risk of gambling-related harm... would require appropriate standards and requirements that would impose a significant burden on charitable organisations.” However, charitable organisations that engage in online gaming for fundraising typically use a professional supplier as an intermediary. These suppliers are able to manage the additional regulatory requirements imposed by regulation, therefore there is no increased regulatory burden on the charity or NFP itself. Meanwhile, larger charities and NFPs have dedicated resources to deal with state and Commonwealth compliance obligations more broadly, so there is minimal additional cost or red tape burden on them in respect of compliance with Victorian regulations.

Lack of adequate consultation:

We note the legislation was introduced to the Parliament in early March and gained second reading by 24 March, however FIA was not party to any effort by your department to consult with stakeholders impacted by the changes and we were not given an opportunity to respond. FIA members directly impacted by this legislation have told us they too, were unaware of its passage through the Parliament and were not consulted prior to its introduction.

Request for meeting:

Given our concerns and the lack of consultation to date, we respectfully request an urgent meeting with your officials to discuss these impacts further and how they might be mitigated

before the changes become law. We would further seek a delay in passage of the Bill through the upper house until our concerns are heard and addressed.

Yours sincerely,



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