



Birkenhead United AFC

Fundraising and Gambling Act 2003 Compliance Policy

Policy Statement

Birkenhead United AFC is dedicated to conducting all fundraising activities—including those involving gambling, in accordance with the highest standards of integrity, transparency, and in strict compliance with the New Zealand Gambling Act 2003 and its associated regulations. This policy exists to guarantee that all fundraising efforts are for the benefit of the club and its authorised purposes, while also preventing harm associated with gambling and safeguarding the club's reputation within the community.

Purpose

The purpose of this policy is to outline the procedures and responsibilities for all individuals involved in fundraising activities for Birkenhead United AFC. Specifically, it ensures:

- **Legality:** All gambling-related fundraising activities are conducted legally and ethically.
- **Authorised Purpose:** Funds raised are solely used for the recognised purposes of Birkenhead United AFC as a non-commercial sporting society, supporting the club and the wider community.
- **Transparency:** Clear, accurate information is provided to participants regarding the nature of the gambling, prizes, and use of funds.
- **Harm Minimisation:** Measures are in place to minimise any potential harm related to gambling activities.
- **Accountability:** Clear roles and responsibilities are established for the planning, execution, and oversight of fundraising activities.

Scope

This policy applies to all members, volunteers, committees, and any representatives of Birkenhead United AFC who organise or participate in fundraising activities that fall within the definition of "gambling" as set out in the Gambling Act 2003. Covered activities include, but are not limited to, raffles, lotteries, and games of chance.

Key Principles and Requirements

Understanding the Gambling Act 2003

- All individuals involved in fundraising must familiarise themselves with key provisions of the Gambling Act 2003 and related regulations or game rules.
- The Department of Internal Affairs (DIA) is the primary regulator for gambling in New Zealand; their guidelines must be strictly followed.

Classes of Gambling

Class 1 Gambling:

- Total prizes and turnover do not exceed \$500 per session.
- No licence is required.
- All proceeds (minus costs) must be paid out as prizes.
- Only one session may be held per day.

Class 2 Gambling:

- Total prizes exceed \$500 but do not exceed \$5,000 per session.

- Potential turnover exceeds \$500 but does not exceed \$25,000 per session.
- No licence is required, but the activity must be conducted by a "society" (Birkenhead United AFC qualifies as an incorporated society).
- No commission or remuneration can be offered or paid for conducting the gambling, except to an authorised representative of the society.

Class 3 Gambling:

- Total prizes exceed \$5,000 per session.
- A Class 3 Gambling Licence from the DIA is required.
- Strict rules apply regarding authorised purposes, prize limits, and financial reporting.
- Selling tickets online for Class 3 gambling generally requires a licence.

Prohibited Gambling

Remote interactive gambling (such as online gambling where participants use a communication device) is prohibited in New Zealand, unless specifically authorised by the Gambling Act (e.g., NZ Lotteries Commission, TAB). Birkenhead United AFC must not participate in remote interactive gambling.

Prohibited Activities

Gambling or fundraising activities that do not directly support or benefit Birkenhead United AFC are strictly prohibited on club premises, unless prior written approval has been granted by the Board. This is intended to safeguard the integrity of the club environment and to prevent any form of illegal gambling or unauthorised fundraising.

Authorised Purposes

All funds raised through gambling activities must exclusively support "authorised purposes" as defined by the Gambling Act 2003. For Birkenhead United AFC, these include:

- Promoting and developing football at all levels within the club.
- Funding club operations, equipment, facilities, and team travel.
- Supporting player development and participation.

No member or associated person may derive personal pecuniary profit from club activities, except for reasonable, arms-length payments for services rendered.

Prizes

- Prohibited Prizes: Firearms, liquor, and tobacco products must not be offered as prizes in any club fundraising activity, as per the Gambling Act Regulations.
- Non-cash prizes must be valued at their usual retail price.
- Prize values must align with the applicable gambling class limits.

Conduct of Gambling Activities

- All gambling activities must be conducted fairly, with outcomes determined randomly or wholly by chance, ensuring equal opportunity for all participants.
- Rules of the game, including how winners are determined, must be clearly explained and accessible to all participants.
- The time and location of draws for lotteries/raffles must be clearly communicated.
- Organiser contact details must appear on all tickets.
- No commission/remuneration can be paid or received for conducting Class 1 and Class 2 gambling, except to an authorised representative for Class 2 gambling.
- Accurate records of ticket sales, prize distribution, and all related financial transactions must be kept.

Online Promotion and Sales

- Promoting fundraising activities on social media is permitted.
- Selling tickets for raffles/lotteries online (where payment is made through a communication device) generally constitutes "remote interactive gambling," which is prohibited for non-licensed organisations.
- Ticket sales for Class 1 and Class 2 activities must typically occur in person. If online sales or payments are considered, explicit guidance from the DIA must be sought for compliance.

Financial Management

- All gambling-related funds must be deposited into Birkenhead United AFC club accounts.
- Funds must be used strictly for the authorised purposes outlined in the club constitution and this policy.
- Strong financial controls and transparent reporting mechanisms are required to ensure accountability in the use of funds.

Responsibilities

Birkenhead United AFC Board:

- Overall responsibility for the club's compliance with the Gambling Act 2003.
- Approval of all significant fundraising initiatives involving gambling.
- Ensuring appropriate training and awareness for members involved in fundraising.
- Appointing a designated Fundraising Coordinator(s) or committee.

Fundraising Coordinator(s)/Committee:

- Planning, organising, and overseeing all fundraising activities.
- Ensuring adherence to this policy and the Gambling Act 2003.
- Seeking advice from the DIA or legal counsel when unsure about compliance.
- Maintaining accurate records of all fundraising activities.
- All Members and Volunteers:
 - Familiarise themselves with this policy.
 - Report any concerns regarding non-compliance to the Fundraising Coordinator or Executive Committee.
 - Conduct themselves in a manner that upholds the club's integrity and complies with the law.

Breach of Policy

Any breach of this policy may result in disciplinary action by Birkenhead United AFC, as well as potential legal penalties under the Gambling Act 2003. The maximum penalties for non-compliance may include fines of up to \$50,000 for organisations and up to \$10,000 for individuals.

Review

This policy will be reviewed annually by the Birkenhead United AFC Executive Committee, or as required by changes to the Gambling Act 2003 or other relevant legislation.

Date of Adoption: 29th July 2025

Next Review Date: 29th July 2026