

## Guide to execution of documents for the allocation of gaming machine entitlements

This guide is provided for information only.

Each document returned to the Department of Justice and Regulation or the Minister for Consumer Affairs, Gaming and Liquor Regulation must be signed correctly, in order for the document to be effective and legally binding.

**Table A** below sets out how correspondence in relation to the allocation of entitlements, such as requests for a price review or review of the number of entitlements to be allocated, should be signed.

**Table B** below sets out how the Entitlement Offer Deed Poll and the Entitlement-Related Agreement for Payment should be executed. For each entity type, methods (i) and (ii) are the State's preferred method of execution.

The correct way to execute will depend on an entity's particular circumstances. If you are unsure how to execute a document, you should seek legal advice.

**Table A**

Signing of allocation-related correspondence (e.g. price review request)		
How incorporated?	Document may be signed by	Other execution requirements
<b>1. Under the <i>Corporations Act 2001</i> (Cth)</b>	An authorised representative of the company	<p>Company must ensure the signatory is authorised to sign the document on behalf of the company.</p> <p>The name of the signatory and his or her position in the company (e.g. director, CEO) should be clearly stated.</p>
<b>2. Under the <i>Associations Incorporation Reform Act 2012</i> (Vic)</b>	An authorised representative of the association	<p>Association must ensure the signatory is authorised to sign the document on behalf of the association.</p> <p>The name of the signatory and his or her position in the association (e.g. committee member, secretary) should be clearly stated.</p>

**Table B**

<b>Table B - Execution of Entitlement Offer Deed Poll and Entitlement-Related Agreement for Payment</b>			
<b>How incorporated?</b>	<b>Method</b>	<b>Document may be signed by</b>	<b>Other execution requirements</b>
<b>1. Under the Corporations Act 2001 (Cth)</b>	(i) Without common seal	Either: <ul style="list-style-type: none"> <li>two directors, or</li> <li>a director and the company secretary</li> </ul> (must have two signatures)	Nil
	(ii) With common seal	Either: <ul style="list-style-type: none"> <li>two directors, or</li> <li>a director and the company secretary</li> </ul> (must have two signatures)	Execute the document under the common seal of the legal entity.
	(iii) Power of attorney	The duly appointed attorney plus a witness (must have two signatures)	Company must provide evidence of the authority of the attorney (such evidence must include a copy of the power of attorney appointing the attorney)
<b>2. Under the Associations Incorporation Reform Act 2012 (Vic)</b>	(i) Without common seal	Subject to any restrictions in the Rules of the association, either: <ul style="list-style-type: none"> <li>two committee members, or</li> <li>a committee member and the secretary of the association, if the secretary of the association is not a member of the committee</li> </ul> (must have two signatures)	Association must provide evidence of the authority of the signatories (such evidence must include the association's Rules and applicable resolutions of the committee).
	(ii) With common seal	As required under the Rules of the association. If the association has adopted the Model Rules, this will be: <ul style="list-style-type: none"> <li>two committee members</li> </ul> (must have two signatures)	Execute the document under the common seal of the association.  Association must provide evidence of the authority of the signatories and the affixing of the seal (such evidence must include the association's Rules and applicable resolutions of the committee).
	(iii) Power of attorney	The duly appointed attorney plus a witness (must have two signatures)	Association must provide evidence of the authority of the attorney (such evidence must include a copy of the power of attorney appointing the attorney, the association's Rules and applicable resolutions of the committee)