

NOTIFYING WINNERS

Team Gadens, we'd like to know if there are any rules when it comes to notifying winners of trade promotion competitions. Can you help?



Of course we can!
The rules are these: for games of skill there are no specific rules, but for games of chance, unfortunately there are. Each of the gaming authorities has different requirements when it comes to contacting winners.
We've set them out below for your handy reference!



In writing, e.g. email, letter, text

VIC

SA

In writing within 14 days of win (unless instant win or prize delivered at time of draw)

Personally, e.g. phone, email, face to face within 2 days of draw

NSW

ACT

In writing (email, mail, fax or SMS) within 21 days of win

Gaming authorities' rules for notifying winners

There are no specific requirements in:

REMEMBER

These rules apply to all games of chance, whether or not a permit is required.

Don't get caught out!

QLD

WA

TAS

NT

Did you know...

Publication of winners' details online or in a newspaper (legally required in some cases) is considered a form of notification, however it should not be the only form of notification.

WARNING

Emails could go directly into a winner's "spam" or "trash" folder...

So if you're emailing a winner, it's a good idea to follow them up with a phone call.



What about Games of Skill?

How you notify winners is flexible because you aren't bound by the gaming regulations, yay!

Publication of winners' details online or in a newspaper is not legally required, double yay!

Handy tip

How you notify a winner should reflect the entry mechanic e.g. if entry is via SMS send the winner an SMS, or if entry is on Facebook post the winner's name to the brand's Facebook page (as well as contacting them directly)

TOP TIPS

#1

When notifying a winner, be sure to tell them first that they are a provisional winner and must be validated as a legitimate winner before they receive the prize.

#2

If you have an SA permit you may also need to send the winners' details to the SA authority, depending on your competition.

#3

Requirements to publish winners' details also differ in each state/territory which we'll cover off in a future update.



David Smith
Partner, Melbourne
T 03 9252 2563
E david.smith@gadens.com