

Property FAQs

HALL HIRE

NB: “Guides” refers to Guides NSW & ACT. The legal entity with a property interest in the Halls is called “The Girl Guides Association of New South Wales”.

Q: What is a Facility Hire Agreement (“FHA”)?

A: A Facility Hire Agreement is a licence agreement between the Guides and the Hirer which sets out the conditions and responsibilities of hire. There are four types of Facility Hire Agreements provided by the Guides:

- 1. ADM 53 - Third Party Hire (Privates/Hobby) Without Public Liability (if no Public Liability required)**
a national Insurer-approved form with strict conditions for private individuals and hobby groups that allows them to have the benefit of Guides national public liability insurance
- 2. Facility Hire Licence Agreement - Crown Land (Prop 5)**
for Halls on land owned by Crown, all Hirers need their own public liability insurance
- 3. Facility Hire Licence Agreement - Council or Other License (Prop 6)**
for Halls on land owned by Council and other Authorities like Sydney Water, Railcorp etc , all Hirers need their own public liability insurance
- 4. Facility Hire Licence Agreement - Freehold (Prop 7)**
For Guide Halls on land owned by Guides, all Hirers need their own public liability insurance

Please note these hire agreements **NOW REPLACE Prop 4 form and any prior Licence Deeds or Facility Hire Agreements** previously issued by Guides. Each form (except ADM.53- see How to Complete FHA below) has a “How to Fill In the form” page at the back to help you.

CASUAL HIRE OF HALLS

Q: How do I hire a Hall for a casual or one-off function?

A: Depends if hire is by Private Individuals/Hobby Groups or others.

(a). **Privates**

If you are a private individual (Guide or non-Guide) or private hobby group and wish to hire the Hall, Campsite or Guiding facility for a **one off private event** - fill out form **ADM 53** – Third Party Hire Without Public Liability. This form is Insurer-approved and the Hirer can gain the benefit of Guides’ national public liability insurance cover providing they comply with conditions, do not charge a fee to their guests/participants and the function is permitted. NB. Birthday parties between the ages of 18-25 years and other high-risk activities such as Flying Fox, Hi-Lo Ropes, Watercraft are prohibited.

Once you have filled out all the details on the form and obtained an appropriate security deposit and facility fee; have the Hirer (licensee) sign and date the agreement and have this witnessed. District/Support Leaders can sign on behalf of Guides. Send a copy of the agreement to Guide House, retain a copy for the district and hand over one to the hirer. Should you have any queries regarding definitions and meanings, please consult the “How to fill In the Form” link located at Properties Resources or email regionproperty@girlguides-nswact.org.au

(b). **All Other hirers**

All other non-private hirers should use Forms **Prop. 5 to 7** depending on the nature of the Hall ownership. Instructions on filling out are at the back of the form. Again, for one-off casual hire up to a school term, have District /Support Leaders sign the form and send one copy only to Guide House with evidence of their public liability insurance and any notation.

Q: What functions/events are allowed under casual hire?

A: Our public liability policy states that casual hire of Guide Halls, Campsites and Guiding facilities is allowed subject to the following conditions:

Use of campsites by **Guides, family and friends in a private capacity** (excludes use of flying fox, hi-lo ropes, watercraft unless supervised by a Guide Leader)

Overnight and casual accommodation by private individuals.

Private hobby groups eg scrapbook, art and philatelist groups on a casual but regular basis, providing they do not charge a fee and fulfil the criteria in ADM 53.

Casual hire by private individuals holding a **one-off function** such as: “**wedding receptions, anniversaries, birthday and other parties, christenings, reunions and reunions**”. Basically these are one-off events. NB No hire for 18-25 year old birthday parties.

Q: What one-off functions are excluded?

A: Excluded functions are generally those involving unlawful or high risk activities (check with us if unsure) or 18-25 year birthday parties where severe damage or destruction has been sustained to some Halls in the past.

No cover is provided for entertainers other than singers, bands.

No alcohol cover but subject to Guides’ consent, if no minors involved, the hirer can obtain their own licence to serve liquor if required.

There is also no insurance cover where there has been malpractice in administering first aid.

Other exclusions: Our national public liability insurance policy excludes use of Halls, campsites and facilities as follows:

by any known sex offenders.

for high risk activities such as hi-lo ropes, watercraft, flying fox (unless supervised by Guides Leaders qualified to run these activities).

for any air activities which are noted to include gliding /soaring like hot air ballooning, parasailing, indoor sky diving, cable hang gliding.

cave diving, potholing or white water rafting.

any motor related sports or events.

Q: Is a Refundable Security Deposit Now Required From all Hirers?

A: Yes, all hirers, short or long term, are required to provide a **refundable Bond or Security Deposit** of \$300.00 (there is District discretion as to amount and Leaders may compile an Exceptions list) made out to the District bank account name. This is returned after hire providing no damage done, windows or fixtures broken or items that need replacing as a result of hire.

Q: Why are you introducing this refundable Security Deposit?

A: We always had refundable Bonds for longer term hirers but not always for casual hirers who can tend to do more damage. This will make it a uniform amount that is refundable after the Hall is checked after hire and providing no damage is done. Often there are small items that are broken or need replacing - too small an amount to justify an insurance claim (below the \$400 insurance excess), so it used to come out of your District pocket.

Q: How do I hire a hall on a long term basis (e.g. weekly, monthly, by school term or annually)?

A: Private individuals are only eligible to hire Halls for overnight and casual accommodation usage or for a one-off function. For longer hire periods they would need to take out their own public liability insurance and use the appropriate form Prop 5-7 above.

Private hobby groups not charging a fee to members and who would not usually hold their own public liability insurance (eg art, craft or knitting group) are entitled to hire Halls on a regular albeit casual, long term basis and should use form **ADM 53—** Third Party Hire Without Public Liability.

District/Support Leaders can sign these forms on behalf of Guides if hire is up to a school term long (not annual). Refer to "How to Fill In the Form" section at the back.

If the Hirer is anyone other than a private individual running a no-fee casual hobby activity or a private no-fee hobby group using Halls for scrapbooking, stamp collecting, art and crafts, quilting etc (who should use form ADM.53), he/she will need to complete one of the following forms depending on who owns the land:

1. **Facility Hire Licence Agreement - Crown Land (Prop 5)**
2. **Facility Hire Licence Agreement - Council or Other License (Prop 6)**
3. **Facility Hire Licence Agreement - Freehold (Prop 7)**

Please note that in every case a current Certificate of Currency of Public Liability Insurance for no less than \$10 million will always need to be provided together with the FHA agreement, noting the interest of The Girl Guides Association of New South Wales and the relevant Lessor, whether Council, Crown or other Authority.

Q: Does that mean I now use just one form for my Hall whether casual or long term?

A: Yes, The Crown/Council/Freehold forms above now cater for one-off casual up to one year hire but if the Hirer is either a private individual hiring a Hall for a one-off event or casual accommodation or a private hobby group they must sign form ADM 53 instead.

Q: Can District Leaders sign the FHAs?

A: *Yes, for hires up to a school term long:*

District leaders can sign all FHAs on behalf of Guides for single use, weekends, fortnights, monthly and up to a school term duration. Although District/Support Leaders can sign off on these agreements, a copy of the agreement must be forwarded to Guide House for processing/recording.

No, if hire from a School term up to a year long:

For FHA agreements longer than a school term and up to a year in duration, three (3) copies of the FHA must be forwarded to Guide House for signing in-house and processing/recording (two copies will be returned for District and Hirer).

Q: How do I complete and sign the FHA?

A: How To Fill In The Form:

Ensure all the details are inserted on the FHA including name of hire (individual and business/company name, if relevant), hirer's ABN, email address and contact mobile/telephone.

Double check the hire commencement and expiry dates.

Ensure you have taken a security deposit and facility fee, the time at which it will be collected and the name of the District Account to be paid to.

Ensure the agreement is signed by all parties, witnessed and dated on the last page.

Check name of Hirer corresponds to the name on the Public Liability Policy and cover extends over hire period and our interest is noted on the policy.

The hirer should have available to them a copy of the Facility Guidelines, Girl Guides Australia Guide Lines and the Girl Guides Australia Public Liability Policy.

Ensure a copy of the Hirer's valid certificate of currency of public liability insurance (for not less than \$10 million) is attached to all three copies of the FHA (not for private individual ADM.53 form).

If hire is casual, one-off or up to one school term – ensure it is signed by both sides, keep one copy of FHA for District, hand one to Hirer and send one to Guide House.

If annual licence (for a period greater than a school term up to a year) – don't sign on behalf of Guides. Just have hirer sign (you can witness) and send ALL 3 COPIES to Guide House with the Certificate of Currency for public liability insurance noting Interested Parties.

Q: What halls and/or campsites can I hire overnight?

A: Some campsites available for overnight hire are listed online, go to www.girlguides-nswact.org.au and click on the properties tab.

NB Some properties are awaiting approval for overnight stay hire and may not be listed on the site until approval received.

There are further Region properties that can only be hired by Guides within their Region so please direct inquiries to your Region Leader.

PUBLIC LIABILITY INSURANCE AND CERTIFICATES OF CURRENCY

Q: What is a public liability policy?

A: It is an insurance policy that allows Guides to be compensated in the event that a third party (a member of the 'public') sues or wishes to make Girl Guides NSW & ACT liable or financially responsible for an act of negligence occurring at a Guide Hall or property. Such negligence must result in an injury being done to them or a loss to property.

Q: If I have an excluded activity that Guides wishes to conduct at a Guide Hall, that isn't illegal, can I apply to get it covered under Guides' national public liability policy?

A: Yes, it may be possible, provided you tell us at least four to six week's prior to the event so we can notify your request to Guides Australia and the Insurer.

Q: What is a Certificate of Currency?

A: This is a Certificate that is evidence there is a valid public liability insurance policy in place up to a certain nominated amount (ten or twenty million dollars) in respect of the organisation named on the policy as at that date. Often it will be endorsed with a special condition or refer to "Interested Parties" which will state any other organisations that may have an insurable interest eg Guides often has to note the relevant Council where a Guide Hall is situated.

Q: Why do I need to ask the Hirer for evidence of public liability insurance?

A: If they hire the Hall and are not insured and there is damage, we have no one to recoup our losses from. If they do have insurance, we or another insurer or Interested Party like the Council can pursue their Insurer directly for compensation and this simplifies the compensation process.

Q: What do I ask the Hirer to put on the Certificate of Currency? And why?

A: Firstly you will need to check who owns the Hall/Land. If it is our Hall on land owned by Council, Crown or another Authority, the hirer will need to note as them as an "Interested Party" or "Special Condition" on their policy, for example:

1. Council & Guides:- *"Randwick City Council and the Girl Guides Association of New South Wales"*

2. Crown & Guides:- *"The Minister Administering the Crown Lands Act 1989 and the Girl Guides Association of New South Wales"*.

3. Guides (land and hall owned by Guides):- *"The Girl Guides Association of New South Wales"*

By putting Guides as an interested party we can be directly reimbursed by their Insurer for property loss or damage or can join their Insurer in the event that there is litigation by another party who may have sustained injury/damage in our hall.

Q: Why does the Council/Crown need to be noted on the policy as well?

A: If we are all noted on the policy then each party can be directly reimbursed from their Insurer if necessary rather than having to chase compensation down the line. In some cases Guides owns the Hall but not the land – the land could be owned by Council or the Crown and they will need to be noted on the policy in case there is a claim made against them because they are the landlord.

Q: Do I need to ask for any other insurance other than Public Liability?

A: No, generally speaking only Public Liability Insurance is required by the Guides. However, if there are many windows at the premises that could be broken, you may ask the hirer to include a 'plate glass' insurance cover.

Q: What if I can't get the Certificate of Currency to Guide House before they want to occupy the Hall?

A: The simple rule to follow: NO Certificate of Currency noting our interest = NO OCCUPATION. Guides cannot be liable for such risk!

Q: What should we do if we are using an outside venue for a Guiding activity?

A: Ask for a copy of their public liability insurance to ensure it is valid even if you are just sighting it. In that case, it doesn't need to note us unless the venue requires it. Please note our public liability policy will cover us in *most* situations, however, not in all cases particularly when we are participating in authorised Guiding activities off site.

Q: Where do I get a copy of Guides Certificate of Currency of Insurance?

A: A copy of the Certificate of Currency of Public Liability Insurance can be obtained at our website under Properties Resources.

Q: Do I have to pay for public liability insurance in order to use the hall? If so, how much?

A: Yes, unless you are a private individual/hobby group. The Girl Guides public liability insurance policy only extends to cover the following:

Private/Hobby Groups who don't charge a fee to members. This can include casual accommodation by private people and regular private hobby group usage eg craft club.

Private individuals who hire for a one-off authorised function. **Thus a private individual wanting to hire a Hall on a regular or long term basis will need to take out public liability insurance to hire a Hall.**

Cost: All others who wish to hire a hall from Guides must have their own public liability cover from an accredited Insurer. A certificate of currency of public liability insurance must be attached to the Facility Hire Agreement for no less than \$10 million dollars. You can apply for public liability insurance with your own Insurer but if you are a **club, not-for-profit organisation or community group** you can apply for reduced premium insurance online: for a *quote on the cost* go to: <http://www.localcommunityinsurance.com.au/> through **LCIS** (Local Community Insurance Services) or contact **GIO** on nfpo@suncorp.com.au

Q: Do all Hirers need to get their own public liability insurance cover noting our interest? What if I am struggling to get a Certificate of Currency with the notation?

A: Yes, this is in order to manage the huge risk and potential costs of insurance, excess, applicable deductible limits and claims which the hire of halls to third parties exposes us to. Our existing policy has already been extended at cost to us, so we can assist those small private hobby groups and private one-off hirers who can't afford a high insurance premium.

All others including not-for-profits will have such a policy and can ask their broker to add "The Girl Guides Association of New South Wales" as Interested Party on the Certificate of Currency and we must sight this.

Although we stress the importance of getting that special interest noted on the Hirer's certificate of currency, we also appreciate the great difficulty that can sometimes be experienced in getting that

notation made by various insurers. In extreme circumstances we will accept a certificate of currency with a notation made that limits the scope to the use of the specific Guide Hall by that group. Discretion will be exercised in this instance as to whether it is acceptable.

All commercial operators (where a fee is paid) such as dance schools, fitness classes, singing and drama schools as well as community not-for-profit groups must all have their own public liability insurance noting our interest and that of any other related party like the Council or Crown, for example where the Hall is on Council land *“Randwick City Council and The Girl Guides Association of New South Wales”*.

Q: Why do I need to have Girl Guides Association of New South Wales as an “Interested Party” on the Certificate of Currency for public liability?

A: Our public liability policy is a national policy that only insures against claims arising out of authorised Guiding activities. Guides’ business includes “leisure and adventurous activities, fund raising, charity work, community service, property owners and occupiers”. This means we are not covered for yoga, dancing, kick boxing and a myriad of other community activities etc so we MUST ensure that we are noted on the hirer’s policy.

Being noted on their policy means that in the event a claim is made against Guides for injury or damage done at our Hall during an activity that was not an authorised Guiding activity - our Insurer ANSVAR can be compensated and claim directly from the hirer’s insurer and we won’t necessarily have to pay the excess.

USE OF TRADESMEN & VOLUNTEERS AT GUIDE HALLS

Q: Can I use Tradesmen/Odd Job’s People and Volunteer workers at my Guide Hall?

A: Yes but ALL tradesmen, electricians or people working on our Halls (even if they are volunteers) **MUST** be suitably qualified for the job they are undertaking and have their own public liability and personal accident insurance in place - qualifications will depend on their specific trade skills. It really depends on the nature of the work to be performed and tradesmen dealing in plumbing, electricity, roofing etc are in high risk jobs requiring suitable insurance cover. We suggest you sight this evidence of insurance and qualifications to satisfy yourself before they commence any work on Guide premises. You should also make sure that you are adhering to **relevant State and Local Building Codes** as applicable.

Q: What details on the Certificate of Currency for Public Liability must I sight for Skilled workers doing electrical, plumbing and trades work at Halls?

A: For these skilled workers who must have their own insurance, ensure you sight the current Certificate of Currency for their public liability and professional indemnity policy (for no less than 10 million, preferably twenty million) before they commence work on the Hall and/or grounds. Check the following: a) the period of insurance covers the date the work is to be done b) the name on the document is the same name as the organisation c) the business description covers the activities being performed.

Q: What kind of work CAN Volunteers do?

A: Work at Guide Halls may only include minor, unskilled work such as painting at standing height (not up a ladder), mowing, ground level tree trimming, fence repairs, replacement of light globes, replacement of tap washers, general repairs caused by vandalism, general cleaning, gardening, firewood preparation and rubbish removal. Our Insurer will not cover any other activities by Volunteers.

Q: What types of work must Volunteers NOT do?

A: Medium to high risk maintenance work at Guide Halls that involves electricity, gas, water or other utilities or requires specialist qualifications such as tagging of electrical appliances, checking fire extinguishers, roofing work or any work where the person is required to be at a height of over 1.8m. Unless the volunteer has the skills/qualifications and insurance to carry out the above work they should not do it. Instead, it is required to be completed by a skilled and/or qualified worker who should have their own public liability and professional indemnity insurances in place.

Q: What can my District/Division/Region do to ensure Volunteer workers at Guide Halls and Facilities are covered by our public liability insurance?

A: You should:

- 1) Minute the activity in the appropriate District/Support Group/Division or Region Meeting and have a list of activities that need to be completed around the Hall (and this has been approved by the District Leader as falling within the non-skilled and non-qualified requirements).
- 2) Maintain a register of all people on site for working bees or odd jobs including the dates they attend and jobs completed.
- 3) Ensure compliance with OH & S, fire safety or other requirements

Generally if these steps are undertaken then these Volunteer people will be protected where third parties sue them for damage to that third parties persons/property (Public Liability Insurance).

Please be aware that our Public Liability insurance does not protect against damage to the hall or to the person doing maintenance but rather against negligence by a Guide or Volunteer that causes damage /injury to property or a third party who would make the claim.

Q: Can you give me an example of a draft Minute?

A: Below is an example of a draft Minute. Please adapt to your own situation depending on Hall/Ground/Facility requirements.

DRAFT MINUTE

Members of the [District/Division/Region/Support Group or campsite committees] and helpers may participate in working bees or carry out non-regular unskilled maintenance throughout the year. This may include (but is not limited to) mowing, gardening, ground level tree trimming and painting, fence repairs, replacement of light globes, replacement of tap washers, general repairs caused by vandalism, general cleaning, firewood preparation, rubbish removal [add any other relevant unskilled tasks that are low risk]. A list of attendees and the duration of the working bee together with the details of any other Volunteers attending Guide Halls and facilities to do odd unskilled jobs or rectify property damage after vandalism (with start and finish times) will be maintained by the [relevant committee].

Normal risk management procedures should be carried out before the working bee activity, and OH&S advice should be given to all people attending the working bee.

PERSONAL ACCIDENT INSURANCE

Q: Up to what age does the Policy cover?

A: The policy covers paid up Guides and Trefoil Members up to the age of 95 years.

Q: What do I do if someone gets hurt at a Guide Hall during an authorised Guiding activity? Can I claim on the Guides' NSW & ACT Group Personal Accident Policy?

A: *If the person or girl injured is a Guide?*

1) Fill out the incident form **ADM.24** available on the website in Support Group Corner
Send to Guide House in TRIPLICATE (x3).

2) If there are significant medical expenses you may be eligible to make a claim for those Non-Medicare expenses up to \$5000 with a \$50 excess. The policy also provides cover up to \$1,000.00 for broken bones, a \$500 weekly (7day) excess for temporary disablement and \$100,000 if in the event of death or permanent disablement.

NB: Each claim is assessed on its merits so send us the **ADM.24** form and if you wish to make a claim we can provide you with an Insurer Claim Form to fill out and attach your receipts to but please note a doctor's certificate is a must. We will send this to the Insurer who will assess the claim and advise what expenses they will cover.

A: *If the person injured is a Non-Guide Volunteer (ie unpaid) including parents, friends and helpers who assist at Working Bees doing odd jobs etc?*

1) If the person is a qualified tradesman such as an electrician, plumber etc they should always have their own personal accident and public liability insurance.

2) However, if the person is a volunteer such as a parent or helper who is doing odd- jobs or working at a Guide Working Bee, they may be covered under either our personal accident or public liability policies:

PERSONAL ACCIDENT:

Covers 'Volunteer Workers' who sustain injury, broken bones etc (subject to some conditions up to the age of 95 years).

It will not cover the gap or the amount of any Medicare benefit but it may cover some medical bills and will allow for broken bone and other compensation up to a noted threshold with a \$50 excess payable.

Fill out ADM.24 (see forms on website) and send to Guide House. If you wish to claim then we will send you the appropriate insurance form to fill out and attach medical receipts to and return to us so the Insurer can assess the claim.

PUBLIC LIABILITY:

Is invoked where a negligent act by Guides or a Volunteer doing a low risk, unskilled job in the course of an authorised Guide activity eg Working Bee, causes physical injury to a third party or damage to property .

The injured person would claim in **negligence** against Guides and the policy steps in to protect Guides against that law suit. Ie it enables third parties to get compensation from our Insurer for the negligent act of say a Volunteer (or Guide).

There is no age restriction in this case.

The Insurer will differentiate between the level of skill and risk associated with the job undertaken by the Volunteer eg it will NOT protect you if you are doing roof repair, up a ladder painting or clearing gutters as these are considered high risk activities.

Fill out ADM.24 (see forms on website) and send to Guide House. If you wish to claim then we will send you the appropriate insurance form to fill out so the Insurer can assess the claim.

BUILDING INSURANCE

Q: How much do I pay for building/contents insurance?

A: Guide house pays insurance for buildings and contents, along with covering costs of account administration, valuation, legal and other costs. Guide House charges a property management charge of \$6 per \$1000 (inclusive of GST) of the replacement value of building and contents. For example, if your Hall is valued at \$100,000 (say \$80K building and \$20K contents) you will pay \$600.00 per year.

Q: What if the contents or building insurance is undervalued?

A: We have had a few instances of contents being undervalued and this is tricky where you hold other's belongings in your Hall. It would be best to ensure that any third parties who store items at the Hall take out their own contents insurance and notify us if you want your contents increased.

Be mindful at the moment you have to pay the first \$400 of any claim you make for loss/damage - this is the excess or deductible.

Q: What form do I fill out if I have bought more items recently and want to increase (or decrease) my Hall's contents insurance?

A: If you need to revalue contents fill out the handy form attached **F- 2006-8** (available from the website at Forms -Finance) which lists various Guiding items and send to the Business Operations Manager who will update your insurance: http://www.girlguides-nswact.org.au/library/admin_manual/forms/1finance/f_2006_8.xls

FIRE SAFETY AND COMPLIANCE

Q: How do I know what my Council's requirements are regarding fire safety and compliance issues?

A: Generally, the Building Maintenance Checklist which you can download from the website under Properties Resources has a list of items to check - https://www.girlguides-nswact.org.au/properties_resources. However, please note that requirements do vary between Councils. This may require the presence of regularly inspected fire extinguishers, smoke alarms, panic bars on exit doors, exit lights for fire safety – check with the local Council if unsure. It may also be necessary to consult the Region Property Administrator at Guide House as to what requirements may be listed in the lease agreement (if not Guide owned land).

Q: What are the minimum fire safety fittings/procedures required in NSW?

A: According to our fire expert Ken Shaw, Halls require the following:

One illuminated exit light (see local electrician)

Lever action door handles or panic bars as standard on exit doors (see local locksmith)

Approved smoke detector fitted if working kitchen or anyone sleeps over

Type 3.5 CO2 (red with black band) fire extinguishers and definitely not the dry chemical type (red with white band)

Fire blanket if working stove at venue

An Evacuation Procedure sign to be placed clearly near exit which outlines an assembly point, roll call system and procedure to follow in an emergency.

Q: What signage is required in Halls?

A: Signage is required in relation to:

Exits

Safe Working Load (SWL= weight of a person; approx 120 kilos)

Ultimate Working Load (UWL= ultimate load required to break the anchor)

Can be bought from ALL SAFE or similar safety signage companies

Hazard signs for dangerous chemicals, trip hazards, uneven ground, hot water

Q: How do I deal with Hazardous Chemicals?

A: Sometimes you need **POISON** or **HAZARD** signs if you store items like paint or gas bottles. You may wish to obtain an MSDS sheet (material safety data sheet) which details chemical components and level of hazard e.g. name, properties, health hazard and safety handling precautions, manufacturer's name/details etc . An MSDS provides leaders and volunteers with the necessary information to safely manage the risk from hazardous substance exposure.

It may also be necessary to consult the Region Property Administrator at Guide House as to what requirements may be listed in the lease agreement (if not Guide owned land).

You may be able to get an MSDS from individual manufacturer's websites for different products.

HALL MAINTENANCE AND WORKS

Q: When is my building maintenance check due?

A: It is recommended you check the building in January of every year and attend to any outstanding rectification issues so you can return the form to us by 1 April and have any compliance issues finalised by 30 June.

Q: How do I action maintenance items?

A: We suggest you create a timeline, for example, inspect late January & send the Building Maintenance Checklist to us at Guide House (GH) by 1 April and start to action items by 30 June. The district leader *must* inspect and send form to GH within deadline (even if work/repairs outstanding) so please deliver in time so we can help or advise you!

Q: Whose responsibility is it to action any remedial work?

A: It is the district leader's responsibility to arrange, delegate or police any rectification, repairs or compliance issues and confirm with GH when complete.

MISCELLANEOUS GUIDE QUESTIONS

Q: Who is considered to be a Guide?

A: A Guide is a paid up, current member of Guides Australia or immediate family member of that Member for the purposes of hire and having the benefit of the Guide rate of hire.

RAFFLES

Q: Are Local Guide Groups Allowed To Run Raffles in NSW and ACT?

A: Yes, they are. There are some restrictions on who can sell tickets eg Guides and children under 18 should not sell, promote or buy tickets with alcohol as prizes. We suggest tickets be sold through the usual appropriate channels, whether that is schools, sporting fixtures or at Guiding functions or open days etc.

The Office of Charities, Department of Gaming and Racing note that there are only basic guidelines around a charity running a raffle and pre-printed ticket books are not required. There are restrictions on the kind of prizes eg can't sell alcohol to under 18s or tobacco products – see Factsheet.

At the following links you can find relevant information on the subject of Raffles:

There is a NSW Fact Sheet at: http://www.olgr.nsw.gov.au/pdfs/gofc_fs_rraffles.pdf

There is an ACT Factsheet at:

<http://www.gamblingandracing.act.gov.au/Documents/raffleconditions.rtf>

NB If running a raffle in the ACT, requirements are stricter and you may need to obtain a permit and should check with the Region or email the ACT & South East Region office at gga.act@bigpond.net.au

Q: Can you provide a summary of the main considerations when running a raffle in NSW?

A: Raffles in NSW:

A raffle is a lottery held by a non-profit organisation for the purpose of raising funds and has a total prize value not exceeding \$25,000.

A minimum of 40% of gross proceeds must go to a not-for-profit organisation. (i.e. expenses inc prizes not to exceed 60% of the gross proceeds)

No permit is required for a raffle.

Tix can be sold for whatever price you want but must be sold for advertised value although you can discount tix if this disclosed to purchasers

If food sold as prize it must comply as per Health Regs (Food Act 2003)

Format of tix more specific if prizes exceed \$5000 otherwise provided they consist of a purchaser's portion and a ticket butt with same info or number that is OK

Tix and any advertising material used in conjunction with raffle must give a detailed description of the prizes. Eg if machinery then make, model, accessories; if travel then no, persons entitled etc

Raffle organiser can't publish advertising depicting children participating in a raffle (and see other restrictions on promotion)

Raffle must be conducted fairly, distributed on a random basis

You can't send books of raffle tix to people without getting their consent first

If selling raffle tix in a public place you may need Council consent first

Guides should not sell any raffle with alcohol prizes to kids under 18 years

You must notify prize winners within 2 days of the draw and try and bank proceeds within 2 days of receipt (unclaimed prizes must be retained for 3 months & can then be sold)

Keep proper records eg no. tix bought, sold etc but no need to do a financial return

The law governing raffles is the Lotteries and Art Unions Act 1901 and the Lotteries and Art Unions Regulation 2007. Online access to legislation is at: www.legislation.nsw.gov.au

Q: Does a raffle run in ACT need a permit and what conditions are there?

A: Yes it may need approval and a permit if it is advertised. Check with Factsheet at:

<http://www.gamblingandracing.act.gov.au/Documents/raffleconditions.rtf>

Or contact:

The Lotteries Officer at the Gambling and Racing Commission Tel: (02) 6207 0361 or fax (02) 6207 7390 or e-mail lotteries@act.gov.au