

Joker Poker

Joker Poker is a game consisting of a normal pack of 52 playing cards with one joker, placed face down on a board.

A person is chosen by a draw and given the opportunity to turn over one of the playing cards. If the joker comes up, the player usually wins a cash prize. If the card is not the joker, the selected card is then left face up and the cash pool jackpots to another date/draw where the process is repeated.

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Conducting Joker Poker as a trade promotion lottery

Joker Poker may **only** be conducted as a lottery to promote a trade or business. This means, it can only be conducted as a “trade promotion lottery” which must comply with requirements set out in the *Gambling Regulation Act 2003* and *Gambling Regulations 2015*. Read about [how to conduct trade promotion lotteries](#).

For Joker Poker to be conducted as a trade promotion lottery, entry must not require the entrant:

- or another person to pay more than \$1 per entry
- to have played a gaming machine
- to be a loyalty scheme participant that requires them to spend money playing a gaming machine
- to agree to receive any gaming machine advertising.

In addition:

- if entry requires the purchase of goods or services, their price must not be inflated to provide money for the prize pool (e.g. charging \$5 a pot of beer that normally sells at \$3.50)
- the trade or business being promoted must solely provide the initial prize pool
- the prize pool can jackpot each week but any additional money going into the pool must come from the trade or business.

Selling tickets for Joker Poker

It is against the law to sell tickets to participate in Joker Poker. The normal cost of entry restrictions that apply to trade promotion lotteries also apply to Joker Poker.

Rules for promoting Joker Poker

Information used to promote or induce a person to enter Joker Poker must include:

- the closing date and time for Joker Poker entries
 - the date, time and place of the Joker Poker draw
 - how winners of Joker Poker will be notified (including the name and date of the publication in which the winners will be published)
 - any other conditions of entry that must be met by entrants to be eligible to enter Joker Poker.
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Winners

Notifying winners

The winners must be advised in writing of the prize.

If the prize is over \$1,000 then it must be published by one of the following methods:

- in a newspaper circulating generally in Victoria
- on the internet, for a minimum of 28 days
- if Joker Poker was advertised solely through a trade journal, promotional magazine or similar publication, in that publication.

Substituting a winner via a second draw

The winner of a prize may only be substituted via a second draw if the conditions of entry allow it and if reasonable efforts were made to identify the winner, that were unsuccessful.

Entrants being present to win

An entrant is not required to attend the drawing of Joker Poker to be eligible to win a prize (unless the entry and the draw are to occur on the same day and in the same place).

If a participant cannot be present, the rules must allow the participant to nominate someone else to participate on their behalf.

Timeframes for paying the winner

The prize must be paid or transferred to the winner within 28 days after the draw.

Record keeping

Records must be kept for three years after finalisation of Joker Poker that provide:

- accurate financial accounting of Joker Poker
- accurate accounting for all entries
- accurate reporting of the distribution of prizes.

Use of entrant's information

If you intend to use any information relating to an entrant in Joker Poker for a purpose other than the conduct of Joker Poker, you must state each purpose in the conditions of entry.

Other conditions

Some other important matters to note:

- Joker Poker must be conducted in a manner that is not offensive and not contrary to the public interest
- while a permit to run Joker Poker as a trade promotion lottery is not required, all trade promotion lotteries conducted in Victoria must comply with the conditions in the *Gambling Regulation Act 2003* and *Gambling Regulations 2015*.

This information does not constitute legal advice and if there are further queries regarding Joker Poker and trade promotion lotteries you should seek independent legal advice.

Was this information helpful?

- ☐ Yes
- ☐ No