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Rani John/Mark Elvy  
 Ashurst

**Your reference**

**Our reference**

JWE/JWE/433107/1  
 AUM/1224271882.1

28 July 2021

**By Email :** [REDACTED]  
 [REDACTED]

Dear Ms John and Mr Elvy

**PROPOSED UNDERTAKING TO THE VICTORIAN COMMISSION FOR  
 GAMBLING AND LIQUOR REGULATION**

We refer to your letter dated 26 July 2021.

Your letter sets out the undertakings that your client proposes to give to the Victorian Commission for Gambling and Liquor Regulation (**VCGLR**). The proposed undertakings are in terms broadly consistent with those agreed in principle with the Independent Liquor and Gaming Authority of NSW.

The purpose of this letter is to inform you that the VCGLR has formed the opinion that your client has engaged in conduct that is unacceptable for a person who is concerned in or associated with the ownership, management or operation of the business of the casino operator. The VCGLR has formed this view on the basis of your client's involvement in the matters described in the VCGLR's Final China Investigation Report.<sup>1</sup>

In these circumstances, the VCGLR intends to require your client to provide a suitable undertaking pursuant to section 28A(4A)(b) of the *Casino Control Act 1991* (Vic) (**CC Act**). The VCGLR is presently considering the terms of your client's proposed form of undertaking and we will revert with the VCGLR's position in relation to the form of the undertaking it requires.

In the meantime, please confirm as a matter of priority and by no later than **4.00pm on 29 July 2021**:

- the basis on which your client considers it appropriate for its proposed undertaking to expire on 1 October 2026; and
- whether your client objects to the VCGLR exercising its power pursuant to section 28A(4A)(b) of the CC Act and, if so, the basis for your client's objection.

<sup>1</sup> Exhibit RC0003 tendered in the RCCOL 17 May 2021



The VCGLR intends to provide the solicitors assisting the RCCOL with a copy of this letter and reserves the right to refer to correspondence concerning this matter in its written submissions.

We look forward to hearing from you.

Yours faithfully



**JOHN FOGARTY**  
**Partner**  
**DLA PIPER AUSTRALIA**

