

AUSTRALIAN CAPITAL TERRITORY

BOOKMAKERS ACT 1985

DETERMINATION OF FEES

INSTRUMENT NO. 67 OF 2001

Under Section 55 of the *Bookmakers Act 1985* (the Act), I REVOKE determination No 207 of 2000, published in the Australian Capital Territory Gazette No 26 of 29 June 2000.

I DETERMINE that the fee for the purposes of section 39K of the Act for a sports betting licence is calculated as follows:

Fee = annual base fee + ([percentile fee – GST credit] paid periodically)

The **Annual Base Fee** is calculated as follows:

1. (1) an amount equal to \$5,000 in the case of an individual bookmaker or \$10,000 in the case of a syndicate or company in respect of each year from the 15th day of July to the next occurring 14th day of July (inclusive of both dates);

EXCEPT:

where a licence commences during such a year the amount is equal to a pro-rata amount in respect of the period from the date of commencement to the next occurring 14th day of July (inclusive of both dates); or

where a licence expires during such a year the amount is equal to a pro-rata amount in respect of the period from the last occurring 15th day of July to the date of the expiry of the licence (inclusive of both dates);

1. (2) This fee must be paid by the 15th day of July of the year for which the licence is given.

The **Percentile Fee** is calculated as follows:

2. (1) An amount equal to the total of the following, in each payment period of the licence:
 - (a) 0.25% of the licensee's turnover on fixed odds sports betting contingencies relating to the items in the Schedule;
 - (b) 0.5% of the licensee's turnover on fixed odds sports betting relating to bets on contingencies where the number of possible outcomes is 4 or less, other than those included in paragraph (a);
 - (c) 1.00% of the licensee's turnover on all fixed odds sports betting not included in paragraphs (a) or (b);
 - (d) 6.75% of the licensee's turnover on spread betting transactions; and
 - (e) 6.00% of the commission from parimutuel sports wagering.
2. (2) This fee must be paid by the 28th day of the month following the expiry of the payment period.

The **GST Credit** is calculated as follows:

- 3.(1) The GST Credit applies if a licensee was liable for a global GST amount (the GST paid) for a GST tax period that ended during a payment period.
3. (2) If the GST paid is less than the licensee's gross fee for the payment period, the amount of the fee for which the licensee is liable is reduced by the GST paid.
3. (3) If the GST paid is equal to or more than the licensee's gross fee for the payment period the licensee is not liable for a fee for the payment period, and may add the remaining difference between the gross fee and the GST paid to the GST Credit for the following payment period, providing that the following payment period is within the same financial year.

In this determination:

commission, in respect of a period, means the gross amount deducted from the parimutuel betting pools conducted by the licensee during that period;

fee means the fee under section 39K of the Act;

financial year means the period from 1 July in one year to 30 June in the following year;

gross fee, for a licensee, is the amount of fee for which the licensee would, apart from this provision, be liable.

global GST amount – see the GST provision

GST provision means section 126-10 of the *A New Tax System (Goods and Services Tax) Act 1999 (Cwlth)*, which deals with tax on gambling revenues;

payment period means:

- (a) for licensees who have obtained approval from the Gambling and Racing Commission to pay sports betting license fees on a quarterly basis – a period of 3 months ending on 31 March, 30 June, 30 September or 31 December, and
- (b) for other licenses – a period of each individual month; and

turnover, in respect of a period, means the total amount of money or stake promised or pledged to a licensee in respect of all bets that are completed during that period, less any amount refunded in accordance with the rules of sports betting determined under section 39C(1) of the Act in respect of bets completed during that period.

Dated this 10th day of April 2001

Gary Humphries
Treasurer

SCHEDULE

This is the Schedule of the Determination made under the *Bookmakers Act 1985* on the 10th day of April 2001.

Item (i) UK Football Association, UK Premier League, UK Division 1 to 4 premierships, Scottish Football Association, Scottish Premier League and Division 1 and 2 and UK First Division, European Cup and European Club and World Cup soccer matches;

Item (ii) US National Football League matches;

Item (iii) US National Basketball League matches;

Item (iv) US National Baseball League matches; and

Item (v) US National Hockey League Matches.