

2000

THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY

GOODS AND SERVICES TAX (TEMPORARY TRANSITIONAL PROVISIONS) ACT
2000

GOODS AND SERVICES TAX CONSEQUENTIAL REGULATIONS 2000

Subordinate Law No. 34 of 2000

EXPLANATORY STATEMENT

The *Goods and Services Tax (Temporary Transitional Provisions) Act 2000* allows regulations to be made to modify Acts, where necessary, to deal with matters arising from the introduction of the GST.

Under the Intergovernmental Agreement on the Reform of Commonwealth-State Financial Relations (IGA), in order to take account of the GST impacts on gambling operators by allowing gambling operators to claim a non-refundable credit (ie. credit up to the extent of the gaming tax liability), the GST must have already been paid on their margins in order to claim against their ACT gambling tax liability.

Due to timing and other issues, however, the current effect of the Act would be that licensees could, in fact, make adjustments to the ACT gaming machine tax liability to account for the GST without in fact having first paid their GST liability for the month. This is not the outcome the legislation intended.

This regulation will modify subsection 58A(1) of the *Gaming Machine Act 1987* to correct the timing issue with regard to the adjustment of gaming machine taxes to account for the GST.

Clause 1 provides for the name of the regulations to be the *Goods and Services Tax Consequential Regulations 2000*.

Clause 2 provides that the regulations are taken to have commenced on 1 July 2000.

Sub-clause 3(1) indicates that the purpose of the regulations is to modify the *Gaming Machine Act 1987*.

Sub-clause 3(2) modifies subsection 58A(1) of the *Gaming Machine Act 1987* by omitting the words "was liable for a global GST amount (the **GST paid**) for a GST tax period that ended during a month" and substituting the words "paid to the Commonwealth, during a month, an amount in respect of the licensee's liability for a global GST amount (the **GST paid**)".

Authorised by the Treasurer