

1989

THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

GAMING MACHINE (AMENDMENT) BILL 1989

EXPLANATORY MEMORANDUM

Circulated by authority of the Chief Minister

Ms Rosemary Follett

GAMING MACHINE (AMENDMENT) BILL 1989

The *Gaming Machine Act 1987* (the Principal Act) provides for the licensing of gaming machine operators and regulates the operation of gaming machines.

The Gaming Machine (Amendment) Bill 1989 (the Bill) amends section 57 of the Principal Act so as to facilitate the determination of a scale of prescribed percentages for the purpose of establishing the amount of revenue which must be set aside by a licensee.

The Bill is part of the Government's strategy as announced in the Budget.

The Bill inserts a new definition of "prescribed percentage" in the Principal Act which specifies 12.5 per cent as the percentage of the amount that a club, when it is a licensee under the legislation, must set aside under subsection 57(1) to pay to the ACT Gaming and Liquor Authority. This percentage is the amount which presently applies by determination under the Act.

It also inserts a new provision which allows different percentages to be set in respect of differing portions of the total revenue to be raised from the operation of gaming machines. This provision enables higher percentages to be applied as clubs generate greater revenue and will bring ACT gaming machine turnover taxes into line with those in New South Wales.

The financial implications of this amendment are that it will increase the revenue raised from gaming machines by an estimated \$700,000 in 1989/1990 and its implementation will not require any additional resources.

Details of the Bill are included in the Attachment.

ATTACHMENT

Gaming Machine (Amendment) Bill 1989

Clause 1 states that the Bill, when enacted, will be known as the *Gaming Machine (Amendment) Act 1989*.

Clause 2 states that the term "Principal Act" refers to the *Gaming Machine Act 1987*.

Clause 3 amends section 57 of the Principal Act by altering the definition of 'prescribed percentage' in subsection 57(4) and adding new subsections 57(5) and (6).

Subclause 3(a) omits the existing definition of 'prescribed percentage' from subsection 57(4) and inserts a new definition which states that a 'prescribed percentage' in relation to a licensee shall be 12.5 per cent where the licensee is a club and 30 per cent where the licensee is not a club or, in either case, such percentage as the Minister determines by instrument.

Subclause 3(b) adds a new subsection 57(5) which provides that any determination by the Minister as to the 'prescribed percentage' in subsection (4) may set different percentages in respect differing amounts of revenue raised from the operation of gaming machines in a given month.

Subclause 3(c) adds a new subsection 57(6) which provides that any determination by the Minister as to the 'prescribed percentage' in subsection 57(4) is a disallowable instrument for the purposes of section 10 of the *Subordinate Laws Act 1989*. This means that the ACT Legislative Assembly may disallow the determination.