

2014

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

GAMING MACHINE (RED TAPE REDUCTION) AMENDMENT BILL 2014

GOVERNMENT AMENDMENT

SUPPLEMENTARY EXPLANATORY STATEMENT

**Presented by
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Minister for Racing and Gaming**

GAMING MACHINE (RED TAPE REDUCTION) AMENDMENT BILL 2014

Overview

This Supplementary Explanatory Statement complements the existing Explanatory Statement that was tabled with the Gaming Machine (Red Tape Reduction) Bill 2014 (the Bill).

This Supplementary Explanatory Statement outlines the proposed Government amendment to the Bill introduced in the ACT Legislative Assembly. This Supplementary Explanatory Statement clarifies the Government amendment to new section 163AA and the application of the entire section 163AA previously provided in the Explanatory Statement.

Outline of Amendment

Amendment 1 Proposed new section 163AA (2), Page 7, line 11

The Government amendment is to make it clear that the annual payment option may apply where the Commission determines that a licensee's liability is on average less than \$300 per month and not \$100 per month. Accordingly, the subsequent explanatory information applies to the proposed new section 163AA (as amended).

This clause inserts a new provision in the Act that will allow licensees, on meeting certain criteria, to pay their liability to the problem gambling assistance fund on an annual basis. This will enable licensees to make one payment a year in arrears. The provision has been designed to allow a licensee to 'opt-in' to the ability to pay in arrears, however once that election is made and the new financial year commences the licensee will be bound by that election for that financial year.

New subsection 163AA(1) makes it clear that the Commission must by 1 May each year assess a licensee's liability to pay into the problem gambling assistance fund (PGAF). The assessment period is the period beginning on 1 July in the previous year and ending on 31 March in the year the assessment is made. Subsection 163AA(2) provides that if the Commission determines that a licensee's liability is an average of less than \$300.00 for each month of the assessment period, the Commission may give the licensee written notice that the licensee is eligible to pay the licensee's liability in the following financial year (the ***next financial year***) as an annual payment payable at the end of that next financial year.

Subsection 163AA(3) provides that a licensee may elect to make an annual payment for the next financial year to the PGAF in place of making monthly payments as required under 163A(5). Subsection 163AA(4) requires that the licensee must make an election in writing to the Commission before the commencement of the next financial year. If an election is made then under subsection 163AA(5) a licensee will not be able to make a monthly payment for any month during that financial year.

Subsection 163AA(6) provides that at the end of each financial year, the Commission must give to a licensee that elects to make an annual payment a written notice of reconciliation advising the amount of the licensee's liability for the financial year. Under subsection 163AA(7) the licensee must pay the financial year liability within 7 days after receiving the notice of reconciliation.