

# Lotteries (Fees) Determination 2009 (No 1)

Disallowable Instrument DI2009 —98

made under the

Lotteries Act 1964, s18A (Determination of fees)

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- 1 Name of Instrument**  
This instrument is the *Lotteries (Fees) Determination 2009 (No 1)*.
- 2 Commencement**  
This instrument commences on 1 July 2009.
- 3 Determination of fees**  
I determine the fees set out in the schedule to this instrument to be the fees for the Act.
- 4 Payment of fee**  
A fee to which this determination applies is payable to the ACT Gambling and Racing Commission by the applicant for the matters to which the application relates.
- 5 Revocation**  
I revoke DI2008-117 that was made on 16 May 2008 and notified on the Legislation Register on 22 May 2008.

Malcolm Gray  
Chairperson  
ACT Gambling and Racing Commission

15 June 2009

## **Schedule**

### **1. A lottery that is not a trade promotion lottery**

- (a) The fee payable to the Commission by an applicant applying under section 7 of the Lotteries Act for approval to conduct a lottery that is not a trade promotion lottery is **the fee shown in Table A Column 2, that is in respect of the corresponding prize values listed in Column 1.**

<b>TABLE A</b>	
<b>Column 1</b>	<b>Column 2</b>
<b>TOTAL PRIZE VALUE</b>	<b>APPLICATION FEE</b>
Less than or equal to \$500	Nil
Greater than \$500 and less than or equal to \$1,000	\$56.00
Greater than \$1,000 and less than or equal to \$2,500	\$107.00
Greater than \$2,500 and less than or equal to \$5,000	\$161.00
Greater than \$5,000 and less than or equal to \$10,000	\$232.00
Greater than \$10,000 or less than or equal to \$50,000	\$448.00
Greater than \$50,000	\$642.00

- (b) If an application for approval to conduct a lottery that is not a trade promotion lottery is withdrawn prior to commencement of its assessment, the fee payable in this determination is refundable to the amount of that fee less \$46.
- (c) If an application for approval to conduct a lottery that is not a trade promotion lottery is withdrawn following the commencement of its assessment, the fees in this determination are not refundable.
- (d) If an application for approval to conduct a lottery that is not a trade promotion lottery is refused, the fees in this determination are not refundable.
- (e) If an application is made under section 7A of the Act to vary the approval to conduct a lottery that is not a trade promotion lottery, the fee is \$46.

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Lotteries (Fees) Determination 2009 (No 1)**

**2. A lottery that is a trade promotion lottery**

- (a) The fee payable to the Commission by an applicant applying under section 7 of the Act for approval to conduct a lottery that is a trade promotion lottery is **the fee shown in Table B Column 2 that is in respect of the corresponding prize values listed in Column 1.**

<b>TABLE B</b>	
<b>Column 1</b>	<b>Column 2</b>
<b>TOTAL PRIZE VALUE</b>	<b>APPLICATION FEE</b>
Less than or equal to \$1,000	\$56.00
Greater than \$1,000 and less than or equal to \$2,500	\$107.00
Greater than \$2,500 and less than or equal to \$5,000	\$161.00
Greater than \$5,000 and less than or equal to \$10,000	\$232.00
Greater than \$10,000 and less than or equal to \$50,000	\$448.00
Greater than \$50,000 and less than or equal to \$100,000	\$642.00
Greater than \$100,000 and less than or equal to \$200,000	\$1,278.00
Greater than \$200,000	\$2,563.00

- (b) If an application for approval to conduct a lottery that is a trade promotion lottery is withdrawn prior to commencement of its assessment, the fee payable in this determination is refundable to the amount of that fee less \$46.
- (c) If an application for approval to conduct a lottery that is a trade promotion lottery is withdrawn following the commencement of its assessment, the fees in this determination are not refundable.
- (d) If an application for approval to conduct a lottery that is a trade promotion lottery is refused, the fees in this determination are not refundable.
- (e) If a request is made to vary the application once the assessment of the application has commenced, the fee is **shown in Table C Column 2 that is in respect of the corresponding prize value of the lottery listed in Column 1.**
- (f) If an application is made under section 7A of the Act to vary the approval to conduct a lottery that is a trade promotion lottery, the fee is **shown in Table C Column 2 that is in respect of the corresponding prize value of the lottery listed in Column 1.**

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<b>TABLE C</b>	
<b>Column 1</b>	<b>Column 2</b>
<b>TOTAL PRIZE VALUE</b>	<b>APPLICATION FEE</b>
Less than or equal to \$5,000	\$46.00
Greater than \$5,000	\$91.00

**Notes:**

1. The **assessment of an application** means the consideration or analysis of an application to determine its eligibility under the Act, but does not include the registration or recording of the receipt of an application or its associated fee.
2. A **trade promotion lottery** is in general terms a promotion activity by a business enterprise that involves a lottery with prizewinners determined by any means that includes an element of chance or a mixture of chance and skill. A prize includes anything of value or benefit.