

Lotteries (Fees) Determination 2016 (No 1)

Disallowable Instrument DI2016 — 79

made under the

Lotteries Act 1964, s18A (Determination of fees)

1 Name of Instrument

This instrument is the *Lotteries (Fees) Determination 2016 (No 1)*.

2 Commencement

This instrument commences on 1 July 2016.

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

This instrument revokes the Lotteries (Fees) Determination 2015 (No 2) - DI2015-300, notified on the Legislation Register on 4 November 2015.

John Haskins
Chairperson
ACT Gambling and Racing Commission

8 June 2016

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.**

Table A

Column 1	Column 2
Total Prize Value	Application Fee
Less than or equal to \$500	Nil
Greater than \$500 and less than or equal to \$1,000	\$70.00
Greater than \$1,000 and less than or equal to \$2,500	\$134.00
Greater than \$2,500 and less than or equal to \$5,000	\$199.00
Greater than \$5,000 and less than or equal to \$10,000	\$289.00
Greater than \$10,000 or less than or equal to \$50,000	\$556.00
Greater than \$50,000	\$795.00

- (b) If an application for approval to conduct a lottery that is not a trade promotion lottery is withdrawn prior to commencement of its assessment, the fee payable in this determination is refundable to the amount of that fee less \$59.
- (c) If an application for approval to conduct a lottery that is not a trade promotion lottery is withdrawn following the commencement of its assessment, the fees in this determination are not refundable.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 \$59.
- (f) The Commission may at its discretion, decide to waive or reduce the fee applying to a lottery that is not a trade promotion where the applicant is a charitable organisation or the activity being supported is for a charitable purpose and the Commission considers that it is in the public interest to waive or reduce the fee.

**This is page 2 of 3 pages of the Schedule to the
Lotteries (Fees) Determination 2016 (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.**

Table B

Column 1	Column 2
Total Prize Value	Application Fee
Greater than \$3,000 and less than or equal to \$5,000	\$199.00
Greater than \$5,000 and less than or equal to \$10,000	\$289.00
Greater than \$10,000 or less than or equal to \$50,000	\$556.00
Greater than \$50,000 and less than or equal to \$100,000	\$795.00
Greater than \$100,000 and less than or equal to \$200,000	\$1,585.00
Greater than \$200,000	\$3,178.00

- (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 \$59.
- (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.**
- (g) The Commission may at its discretion, decide to waive or reduce the fee applying to a lottery that is a trade promotion where the applicant is a charitable organisation or the activity being supported is for a charitable purpose and the Commission considers that it is in the public interest to waive or reduce the fee.

**This is page 3 of 3 pages of the Schedule to the
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Table C

Column 1	Column 2
Total Prize Value	Application Fee
Less than or equal to \$5,000	\$59.00
Greater than \$5,000	\$112.00

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.