

Gaming Machine (Emergency Community Purpose Contribution—Club Employees) Declaration 2020

Disallowable Instrument DI2020—139

made under the

Gaming Machine Act 2004, s166A (Emergency community purpose contribution declaration)

1 Name of instrument

This instrument is the *Gaming Machine (Emergency Community Purpose Contribution – Club Employees) Declaration 2020*.

2 Commencement

This instrument commences on the day after its notification day.

3 Emergency community purpose contributions—declaration

- (1) I declare that each of the following contributions made after 23 March 2020 by a licensee that is a club is a community purpose contribution for the purpose of section 166 (1) (d) of the *Gaming Machine Act 2004*:
 - (a) wages or salary, including any relevant allowances, paid to a club employee, but only if the wages or salary results in the club employee receiving an amount equal to, or more than, the minimum wage, including any relevant allowances, assigned to the club employee's classification under the *Registered and Licensed Clubs Award 2010*;
 - (b) a payment made to an emergency-affected club employee, but only if the payment results in the club employee receiving an amount equal to, or more than, the minimum hourly wage including any relevant allowances, assigned to the club employee's classification under the *Registered and Licensed Clubs Award 2010*.
- (2) The licensee must reduce the amount of a contribution claimed under subsection (1) by the amount of any other assistance or relief the licensee has received from the Commonwealth or the Territory, however described, to support the club employee or the emergency-affected club employee.
- (3) The licensee must keep a record of any amount paid to a club employee, or to an emergency-affected club employee that is claimed as a community purpose contribution.

(4) In this section:

club employee means a person, other than an influential person for a licensee, who is employed by a licensee that is a club.

emergency-affected club employee means a person, other than an influential person for a licensee, who was employed by a licensee that is a club on 23 March 2020 and who has been stood down or has had their hours of work reduced (including being reduced to 0 hours) as a result of a COVID-19 emergency.

Registered and Licensed Clubs Award 2010 means the *Registered and Licensed Clubs Award 2010* made under the *Fair Work Act 2009* (Cwlth), as in force from time to time.

Note The Fair Work Commission publishes up-to-date industrial awards, including the *Registered and Licensed Clubs Award 2010*. The Award is available at: https://www.fwc.gov.au/documents/documents/modern_awards/award/ma000058/default.htm.

4 Disapplication of Legislation Act, s 47 (6)

The [Legislation Act](#), section 47 (6) does not apply to the *Registered and Licensed Clubs Award 2010* under this instrument.

Note The *Registered and Licensed Clubs Award 2010* does not need to be notified under the Legislation Act because s 47 (6) does not apply (see Legislation Act, s 47 (7)). The Award is available at the website noted above.

5 Expiry

This instrument expires on 23 March 2021.

Gordon Ramsay MLA
Attorney-General
10 June 2020