

Gaming Machine (Emergency Community Purpose Contribution—Local Live Performance Industry) Declaration 2020

Disallowable Instrument DI2020—252

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 – Local Live Performance Industry) Declaration 2020*.

2 Commencement

This instrument commences on the day after its notification day.

3 Emergency community purpose contributions—declaration

- (1) I declare that a contribution of money or in kind by a licensee that is a club is a community purpose contribution for the Act, section 166 (1), definition of *community purpose*, paragraph (d) if the contribution is made to, or for the benefit of, a member of the local live performance industry for the purpose of providing music or other live entertainment (other than sport) for club members and patrons.

Note 1 Other than a licensee that is a small or medium club or a club in a small or medium club group, a minimum percentage of the licensee's net revenue must be a contribution of money (see the *Gaming Machine Act 2004*, s 167 (3) and (8)).

Note 2 For working out the value and timing of community purpose contributions, see the *Gaming Machine Regulation 2004*, s 69I (Charging fees for activities or events), s 69J (When community purpose contribution is made) and s 69K (Working out value of in-kind community purpose contributions).

- (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, for the local live performance industry.
- (3) The licensee must keep a record of any amount paid, or the value of any in-kind contribution made, to, or for the benefit of, a member of the local live performance industry that is claimed as a community purpose contribution.

(4) In this section:

local live performance industry means those people in the community who—

- (a) perform music or other live entertainment (other than sport) before an audience; or
- (b) are employed in 1 or more of the following areas in relation to the performance of music or other live entertainment (other than sport):
 - (i) producing, including pre-production and post-production;
 - (ii) staging;
 - (iii) lighting;
 - (iv) crewing;
 - (v) providing audio or audiovisual equipment;
 - (vi) administering;
 - (vii) programming;
 - (viii) manufacturing sets or props;
 - (ix) otherwise assisting with the performance of music or other live entertainment (other than sport).

member of the local live performance industry means a person performing or working in the local live performance industry.

Note 1 ***Community***, for a community purpose contribution, includes the people living in the ACT or surrounding region (see the *Gaming Machine Act 2004*, s 165 (Meaning of *community* etc—pt 12).

Note 2 ***Employ*** includes engage (see the *Gaming Machine Act 2004*, dict).

4 Expiry

This instrument expires on 31 August 2021.

Gordon Ramsay MLA
Attorney-General
26 August 2020