

Gaming Machine (Fees) Determination 2012 (No 2)

Disallowable Instrument DI2012–271

made under the

Gaming Machine Act 2004, section 177 (Determination of Fees)

EXPLANATORY STATEMENT

The *Gaming Machine Act 2004* (the Act) regulates the operation of gaming machines in the Territory.

Section 177 of the Act provides that the Minister may determine fees for the Act. This instrument provides for fees in relation to administrative tasks performed under the Act, including applications for licences, variations to those licences and to certificates and approvals issued by the Commission.

This instrument revokes the determination of fees made by Disallowable Instrument DI2012-117, notified on the Legislation Register on 18 June 2012.

This instrument introduces fees in accordance with the amendments made under the *Gaming Machine Amendment Act 2012* which commence on 1 January 2013. These fees relate to new types of applications that licensees and persons can make to the ACT Gambling and Racing Commission for decisions on licence amendments and in-principle approvals in respect of existing and proposed gaming machine licences.

The new fees have been determined on a cost recovery basis in assessing the various legislative requirements and deciding each application.

Previous fees where the legislative provision has been repealed or amended have been deleted from the revised determination.

Furthermore, the fees for the approval of a venue relocation application (under section 22(1)(d) of the Act), for the approval of a transfer of a gaming machine licence (under section 31 of the Act) and for the approval of a gaming machine and peripheral equipment (under section 69 of the Act) have been reassessed on a cost recovery basis and have been increased by this instrument to adequately reflect the work associated with assessing such applications.

Other fees under the Act and covered in the previous determination remain unaltered.

A comparative table indicating the previous (or equivalent) and revised fees is included as an attachment to this Explanatory Statement. Where a new fee has been introduced the 'Fee payable previously' column has been left blank.

Fees are exempt from GST under Division 81 of the
A New Tax System (Goods and Services Tax) Act 1999 (Cwlth).

A determination under section 177 is a disallowable instrument and must be tabled in the
Legislative Assembly.

**This is page 1 of 3 pages of the Attachment to the Explanatory Statement to the
Gaming Machine (Fees) Determination 2012 (No 2)**

Section of the Act (1)	Description of Matter for which Fee is Payable (2)	Fee payable previously \$ (3)	Fee payable from 1 January 2013 \$ (4)
11	Application for an initial gaming machine licence	1,987.00	1,987.00
22(1)(a)	Application for a gaming machine licence amendment to decrease the number of licensed gaming machines allowed under a licence (a <i>decrease machines amendment</i>).	33.00 per machine	33.00 per machine
22(1)(b)	Application for a gaming machine licence amendment to structurally change part of a gaming area at the licensed premises (a <i>structural change amendment</i>).	263.00	263.00
22(1)(c)	Application for a gaming machine licence amendment to enable the licensee to temporarily store gaming machines at other premises (a <i>temporary storage amendment</i>).		200.00
22(1)(d)	Application for a gaming machine licence amendment to enable the licensee to relocate to a new venue (a <i>venue relocation amendment</i>).	454.00	1500.00
22(1)(e)	Application for a gaming machine licence amendment to enable a licensee that is a club that holds more than one licence to decrease the number of gaming machines allowed under 1 or more licences by a total of not more than the relevant number of machines and increase the number of machines allowed under 1 other licence by the same number, to enable the licensee to relocate the gaming machines (a <i>small-scale machine relocation amendment</i>).		300.00
22(1)(f)	Application for a gaming machine licence amendment to enable a licensee that is a club that holds more than one licence to decrease the number of gaming machines allowed under one or more licences by a total of more than the relevant number of machines and increase the number of machines allowed under one other licence by the same number, to enable the licensee to relocate the gaming machines (a <i>large-scale machine relocation amendment</i>).		33.00 per machine
22(1)(g)	Application for a gaming machine licence amendment to enable a licensee that is a club to decrease the number of gaming machines allowed under one or more licences to enable the licensee to move the gaming machines to premises for which the licensee is applying for a licence (a <i>new venue amendment</i>).		1500.00

**This is page 2 of 3 pages of the Attachment to the Explanatory Statement to the
Gaming Machine (Fees) Determination 2012 (No 2)**

Section of the Act (1)	Description of Matter for which Fee is Payable (2)	Fee payable previously \$ (3)	Fee payable from 1 January 2013 \$ (4)
22(1)(h)	Application for a gaming machine licence amendment to make one or more of the following changes to a gaming machine operated under the licence (a <i>technical amendment</i>): <ul style="list-style-type: none"> • the percentage payout of the gaming machine; • the basic stake denomination of the gaming machine; • the kind of gaming machine; • any other detail mentioned in the schedule to the licence. 	33.00 per machine	33.00 per machine
31	Application for the transfer of a gaming machine licence	647.00	1500.00
38	Issue of a replacement copy of a gaming machine licence	67.00	67.00
38D(1)	Application by a person for an in-principle approval for a licence		1600.00
38D(2)	Application by a licensee for an in-principle approval for a venue relocation amendment or a new venue amendment		1200.00
38M(1)(a)	Application by an approval-holder to amend an in-principle approval by increasing or decreasing the number of gaming machines reserved under the in-principle approval		1200.00
38M(1)(b)	Application by an approval-holder to amend an in-principle approval by removing or changing a condition on the in-principle approval		200.00
38O	Application by an approval-holder to transfer the in-principle approval to someone else (the <i>proposed new approval-holder</i>)		600.00
38Q	Application by an approval-holder to extend the term of an in-principle approval		200.00
38T(1)(a)	Application by an approval-holder to have an in-principle approval for a licence converted into a licence		454.00
38T(1)(b)	Application by an approval-holder to have an in-principle approval for a venue relocation amendment converted into a venue relocation amendment		300.00
38T(1)(c)	Application by an approval-holder to have an in-principle approval for a new venue amendment converted into a new venue amendment		300.00

**This is page 3 of 3 pages of the Attachment to the Explanatory Statement to the
Gaming Machine (Fees) Determination 2012 (No 2)**

Section of the Act (1)	Description of Matter for which Fee is Payable (2)	Fee payable previously \$ (3)	Fee payable from 1 January 2013 \$ (4)
69	Application for approval of a gaming machine or peripheral equipment for a gaming machine	131.00	400.00
72	Application for approval as a supplier who is an individual	263.00	263.00
72	Application for approval as a supplier that is a corporation	646.00	646.00
73	Issue of a replacement copy of an Approved Supplier's Certificate	67.00	67.00
74	Application for approval as a Technician	131.00	131.00
78	Application for transfer of a Technician from one supplier to another	52.00	52.00
81	Issue of a replacement copy of a Technician's identity card or certificate	52.00	52.00
84	Application for renewal of a Technician's approval	131.00	131.00
85	Application for approval as an Attendant	131.00	131.00
89	Application for approval of an Attendant for another licensee or the transfer of the approval of the Attendant from 1 licensee to another	52.00	52.00
93	Issue of a replacement copy of an Attendant's certificate	52.00	52.00
96	Application for renewal of Attendant's approval	131.00	131.00
99	Application for approval to acquire a gaming machine	33.00 per machine	33.00 per machine
107	Application for approval to repossess a gaming machine	33.00 per machine	33.00 per machine
112	Application for approval to dispose of a gaming machine	33.00 per machine	33.00 per machine
134	Application to operate a single-user authorisation linked jackpot arrangement	131.00	131.00
135	Application to operate a multi-user permit linked jackpot arrangement	2,643.00	2,643.00
139	Application for amendment to the multi-user permit	664.00	664.00
140	Application for an amendment to the financial or operational aspects of a multi-user permit	664.00	664.00
141	Application for the transfer of a multi-user permit	646.00	646.00