

Australian Capital Territory

Gaming Machine (Fees) Determination 2021

Disallowable Instrument DI2021–151

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.

This instrument revokes the previous determination of fees made by Disallowable Instrument DI2020-129.

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 and notifications for approvals, licences, authorisation certificates, storage permits, permits for linked jackpot arrangements and amendments to those licences, certificates, schedules and permits issued by the ACT Gambling and Racing Commission.

DI2020-129 included fees that were listed as ‘Nil’ where the matter for which the fee was payable was undertaken as a result of the surrender of a gaming machine authorisation to receive an incentive payment under the ACT Government’s COVID-19 Economic Survival Package (ESP). This arrangement was put in place to support community clubs and Casino Canberra in the early days of the COVID-19 pandemic. This arrangement has now concluded.

The new determination sets the fees that will apply beginning on 1 July 2021 and repeals the *Gaming Machine (Fees) Determination 2020* DI2020-129. It provides for fee increases in line with annual adjustments to the Wages Price Index (WPI) of 1.75%, rounded down to the nearest dollar for most fees, with the exception of fees that have been consecutively rounded down in previous years by more than \$1.00 in which case have been rounded up to the nearest dollar. This approach also aligns with the 2021 Treasury Guidelines for Fees and Charges.

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

Regulatory Impact Statement (RIS)

A RIS is not required for this fee determination. Section 36(1)(k) of the *Legislation Act 2001* provides that it is not necessary to provide a RIS for an amendment of a fee consistent with announced government policy.

Human Rights

The terms of reference of the Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) require consideration of the human rights impacts of bills and subordinate legislation, among other matters. There are no human rights impacts arising from the new determination.

25 June 2021