

# Gaming Machine (Applications for Payments Out of Diversification and Sustainability Support Fund) Guidelines 2021

Notifiable instrument NI2021–404

made under the

**Gaming Machine Act 2004, section 163J (Guidelines for applications for payments out of diversification and sustainability support fund)**

---

## 1 Name of instrument

This instrument is the *Gaming Machine (Applications for Payments Out of Diversification and Sustainability Support Fund) Guidelines 2021*.

## 2 Commencement

This instrument commences on the day after notification.

## 3 Applications for Payments Out of Diversification and Sustainability Support Fund Guidelines

I make the Applications for Payments Out of Diversification and Sustainability Support Fund Guidelines as provided in Schedule 1 of this instrument.

## 4 Expiry

This instrument expires three years after the day it commences.

## 5 Revocation

This instrument revokes the *Gaming Machine (Applications for Payments Out of Diversification and Sustainability Support Fund) Guidelines 2019* [NI2019-795].

Shane Rattenbury MLA  
Minister for Gaming

30 June 2021

## Schedule 1

### **APPLICATIONS FOR PAYMENTS OUT OF DIVERSIFICATION AND SUSTAINABILITY SUPPORT FUND GUIDELINES**

#### **Purposes of the Diversification and Sustainability Support Fund**

The Diversification and Sustainability Support Fund was established on 1 July 2019 to provide funding for activities and initiatives that seek to achieve the following purposes:

- (a) assisting clubs to diversify their income to sources other than gaming machines;
- (b) supporting the sustainability of clubs;
- (c) contributing to projects that help reduce regulatory costs or improve efficiency in administration and compliance for clubs; and
- (d) training and skills development for club workers, executives and members of club management committees and boards.

#### **Purpose of these Guidelines**

Section 163J of the *Gaming Machine Act 2004* (the Act) provides that the Minister may make guidelines for applications from entities seeking payments out of the diversification and sustainability support fund. The guidelines may include guidelines about the kinds of applications, or applicants, to be considered for payments out of the fund for a particular year or period.

#### **Applicants**

Applications for payments out of the Fund will be accepted for consideration by the Diversification and Sustainability Support Fund Advisory Board (the Advisory Board) from entities that can demonstrate that the funding sought will be applied towards meeting the Fund purposes.

For example, these entities may include:

- ACT clubs and club groups who operate gaming machines under a Class C licence;
- ACT club industry peak body representatives or representative groups;
- Trade unions representing ACT club workers;
- Australian state and territory Government organisations; and
- Club workers, executives and members of club management committees and boards.

#### **Who is not eligible to apply?**

Applications for payments out of the Fund will not be accepted for consideration by the Advisory Board from the following classes of applicants:

- Individual club venues within a club group (as defined under the Act); and
- ACT clubs and club groups who have not operated gaming machines under a Class C licence within five (5) years of the date on which they submit their application for payment out of the Fund for consideration by the Advisory Board.

**Funding priority**

Until 11 December 2022, the strategic funding priority for the Fund is small or medium clubs and small or medium club groups (as defined under the Act).

The strategic funding priority will be achieved through a two-tier funding model, as outlined in Table 1 of this Schedule.

**Applications by state and territory government**

Tier 1 and Tier 2 applications received from Australian state and territory government organisations may be considered by the Advisory Board at any time on an ongoing basis.

**Ineligible applications**

Payments out of the Fund are not to be made for the purpose of any gambling-related activity, such as improvements to gambling areas, gambling equipment or gambling facilities.

**Interaction with other funding programs**

The ACT Government recognises that applicants may participate in and submit applications for funding through other Australian Commonwealth, state and territory Government funding programs.

If a DSFF applicant submits a funding application to another Australian state or territory government program for the same funding activity and is found to be successful through both programs, the applicant can only receive funding from one program.

In this instance, it is up to the applicant to determine which fund is most suitable for its purposes, with respect to the eligibility criteria of each fund.

The DSSF Secretariat will work closely with its government counterparts to ensure adherence to program guidelines.

**TABLE 1**

<b>Tier</b>	<b>Maximum amount awarded</b>	<b>Eligible applicant</b>	<b>Notes for the Advisory Board</b>	<b>When applications are considered by the Advisory Board</b>
<b>1</b>	\$25,000	Small or medium clubs and small or medium club groups only.		On an ongoing basis.
<b>2</b>	\$250,000	Any club or other entity that can demonstrate that funding will be applied towards meeting the Fund purposes, except those who are ineligible as stated above.	When considering Tier 2 applications, the Advisory Board must have regard to whether a particular application will benefit a small or medium club or a small or medium club group.	Restricted to one or more rounds per financial year at the discretion of the Advisory Board. <sup>1</sup>
<b>**</b>	More than \$250,000	Any club or other entity that can demonstrate that funding will be applied towards meeting the Fund purposes, except those who are ineligible as stated above.	The Advisory Board may recommend the approval of Tier 2 applications for funding exceeding \$250,000 in exceptional circumstances. When considering whether to recommend the approval of an application for funding exceeding \$250,000, the Advisory Board may have regard to: <ul style="list-style-type: none"> <li>• whether the proposed activity has the potential to benefit the ACT clubs industry as a whole, rather than being for the sole benefit of the applicant;</li> <li>• the total level of available funds at the time of considering the application; and</li> <li>• any competing applications.</li> </ul>	When a Tier 2 funding round is held by the Board.  Tier 2 applications will be restricted to one or more rounds per financial year. The number of Tier 2 rounds held per financial year is at the discretion of the Advisory Board

<sup>1</sup> The restriction on Tier 2 applications to one or more rounds per financial year does not apply to Tier 2 applications by Australian state and territory government organisations, as these can be submitted at any time on an ongoing basis.