

Australian Capital Territory

# Bookmaking Tax Rates Determination 2003 (No. 1)

## Disallowable instrument DI2003—30

made under the

*Race and Sports Bookmaking Act 2001*, section 65 Determination of tax rates etc.

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The Minister determines that determination No. 259 of 2001 is revoked and replaced by this determination.

1. This determination has effect from the date of notification in the Legislation Register.

### **Tax on race bookmaking**

2. For the purposes of subsection 64(1) of the Act, the rate of tax is 1% of the race bookmaker's turnover less the GST credit.
3. A race bookmaker must pay the tax to the ACT Gambling and Racing Commission by the 5<sup>th</sup> day of the second month following the expiry of the payment period except for the payment period ending 31 December when a race bookmaker must pay the tax to the ACT Gambling and Racing Commission by the 5<sup>th</sup> day of the third month following this payment period.

### **Tax on sports bookmaking**

4. For the purposes of subsection 64(2) of the Act the tax payable is the total of the following, less the GST credit, in each payment period of the licence:
  - (a) 0.25% of the bookmaker's turnover on fixed odds betting on events named in schedule 1;
  - (b) 0.50% of the bookmaker's turnover on fixed odds betting on events where the number of possible outcomes is 4 or less, other than those included in paragraph (a);
  - (c) 1.00% of the bookmaker's turnover on all fixed odds betting on events not included in paragraphs (a) or (b);

- (d) 6.75% of the bookmaker's turnover on spread betting transactions;
  - (e) 6.00% of the bookmaker's turnover on pari-mutuel sports betting transactions; and
  - (f) 0.25% of the bookmaker's turnover on tote odds betting transactions on events named in schedule 2.
5. A sports bookmaker must pay the tax to the ACT Gambling and Racing Commission by the 5<sup>th</sup> day of the second month following the expiry of the payment period except for the payment period ending 31 December when a sports bookmaker must pay the tax to the ACT Gambling and Racing Commission by the 5<sup>th</sup> day of the third month following this payment period.

### **The GST Credit**

6. The GST credit applies if a bookmaker was liable for a global GST amount (the GST paid) for a GST tax period that ended during a payment period.
7. If the GST paid in respect of the payment period is less than the bookmaker's gross tax payable for the payment period, the amount of tax for which the bookmaker is liable is reduced by the amount of the GST paid.
8. (a) If the GST paid in respect of the payment period is equal to or more than the bookmaker's gross tax payable for the payment period, the bookmaker is not liable for tax for the payment period; and
- (b) the remaining difference between the gross tax payable for the payment period and the GST paid may be added to the GST credit for the following payment period, as long as the following payment period is within the same financial year.

In this determination:

**GST Credit** is the global GST amount paid by a bookmaker under the GST provision on bets accepted by the bookmaker in the Australian Capital Territory during the relevant payment period.

**Global GST amount** – see GST provision.

**GST provision** means section 126-10 of *A New Tax System (Goods and Services Tax) Act 1999* (Commonwealth), which deals with tax on gambling revenues.

**payment period** means:

- (a) for race bookmakers - a period of 3 months ending on 31 March, 30 June, 30 September or 31 December;
- (b) for sports bookmakers who have obtained approval from the ACT Gambling and Racing Commission to pay sports bookmaking taxes

on a quarterly basis - a period of 3 months ending on 31 March, 30 June, 30 September or 31 December;

(c) for other bookmakers – a period of each individual month.

**gross tax payable for the payment period** means the amount of tax payable pursuant to sub-section 64(1) and 64(2) of the Act for the relevant payment period.

Ted Quinlan MLA

Minister for Economic Development, Business and Tourism, Sport, Racing and Gaming

21 March 2003

## SCHEDULE 1

This is schedule 1 of the Determination made under the *Race and Sports Bookmaking Act 2001* on the 21<sup>st</sup> day of March 2003.

- item (i) English Football Association cup matches and all finals;
- item (ii) Scottish Football Association cup matches and all finals;
- item (iii) Matches conducted by the English Football Association, including Premier League and divisions 1 to 3;
- item (iv) Matches conducted by the Scottish Football Association including Premier League and divisions 1 and 2;
- item (v) European Cup soccer matches and all finals;
- item (vi) European Club soccer matches and all finals;
- item (vii) World Cup soccer matches, including all finals;
- item (viii) Olympic Games Qualifying soccer matches;
- item (ix) any other FIFA sanctioned international soccer matches;
- Item (x) US National Football League matches;
- Item (xi) US National Basketball League matches;
- Item (xii) US National Baseball League matches; and
- Item (xiii) US National Hockey League matches.

Ted Quinlan MLA  
Minister Sport, Racing and Gaming

21 March 2003

## **SCHEDULE 2**

This is schedule 2 of the Determination made under the *Race and Sports Bookmaking Act 2001* on the 21<sup>st</sup> day of March 2003.

- item (i) North American Thoroughbred Horse Racing;
- item (ii) North American Greyhound Racing;
- item (iii) North American Harness Racing; and
- item (iv) North American Quarter Horse Racing.

Ted Quinlan MLA  
Minister for Economic Development, Business and Tourism, Sport, Racing and Gaming

21 March 2003