

Gaming Machine (Payment from Gambling Harm Prevention and Mitigation Fund—Minimum Community Contributions) Guidelines 2022 (No 1)

Disallowable instrument DI2022-87

made under the

Gaming Machine Act 2004, section 163D (3) (Payment from gambling harm prevention and mitigation fund – minimum community contributions)

1 Name of instrument

This instrument is the *Gaming Machine (Payment from Gambling Harm Prevention and Mitigation Fund—Minimum Community Contributions) Guidelines 2022 (No 1)*.

2 Commencement

This instrument commences on the day after it is notified.

3 Payment from gambling harm prevention and mitigation fund – minimum community contribution guidelines

I make the *Payment from Gambling Harm Prevention and Mitigation Fund—Minimum Community Contributions Guidelines* as provided in Schedule 1 of this instrument.

4 Expiry

This instrument expires on 31 August 2024.

Shane Rattenbury MLA
Minister for Gaming
13 June 2022

SCHEDULE 1

PAYMENT FROM GAMBLING HARM PREVENTION AND MITIGATION FUND – MINIMUM COMMUNITY CONTRIBUTIONS GUIDELINES

Purposes of the Gambling Harm Prevention and Mitigation Fund

The Gambling Harm Prevention and Mitigation Fund (the Fund) is established under the *Gaming Machine Act 2004* (the Act), division 11.2.

Scope of these Guidelines

These Guidelines relate only to allocation of money which has been paid into the Fund as minimum community contributions, including:

- 0.4 percent of the net gaming machine revenue of a licensee that is a club, for each authorised premises for the tax period (section 167(2)(b) of the Act); and
- 0.4 percent of the gross gaming machine revenue (minus gaming machine tax) for each licensee that is not a club for the tax period (section 168(1)(b) of the Act).

Purpose of these Guidelines

The Act, section 163D(3), provides that the Minister may make Guidelines about gambling harm prevention and mitigation.

The Act, section 163D(2), allows the Commission to make a payment of an amount out of the Fund only for a purpose set out in these Guidelines and with written approval of the Minister. These Guidelines outline the purposes for which the Commission may make payments out of the Fund under section 163D.

Proposal for Payments from the Fund

The ACT Government may submit to the Commission proposals for payments from the Fund under the Act, section 163D.

The Commission may consider proposals from non-government entities provided the proposal complies with these Guidelines.

Proposals must comply with the mandatory criteria and funding purposes outlined in Table 1 below.

Ineligible Proposals

Payments out of the Fund cannot be made for proposals that in the opinion of the Commission may contribute to gambling harm.

Proposals will not be accepted by individual club venues within a club group (as defined under the Act).

Funding Priority

The funding priority for payments made under the Act, section 163D, is projects which support implementation of one or more of the government commitments in the *Parliamentary and Governing Agreement for the 10th Legislative Assembly*. Appendix 1E.

In a public health context, gambling harm prevention and mitigation occurs from the collective impact of a range of different initiatives which have different purposes and are targeted towards different groups. The Commission may consider proposals in a strategic context to obtain the best possible outcomes of preventing and mitigating gambling harm in the ACT community.

Role of the Commission

The Commission will consider proposals and make recommendations to the Minister about payments from the Fund. Payments may only be made as set out in these Guidelines and with the written approval from the Minister.

Table 1: Purposes for which payment can be made from the Fund – Gambling harm prevention and mitigation

No.	Mandatory criteria / funding purpose
1.	The proposal must have a purpose of gambling harm prevention and mitigation, which while not required to be the primary or dominant purpose must in the opinion of the Commission be a material purpose.
2.	The proposal must be actionable in the ACT and directly or indirectly benefit the ACT community or a group within it.
3.	The proposal demonstrates value for money or has a clear return on investment.
Additional criteria / funding purposes which support the application	
4.	The proposal would support the implementation of one or more of the gaming commitments under Part E (Reducing harm from gaming while supporting sustainable clubs) of the <i>Parliamentary and Governing Agreement for the 10th Legislative Assembly</i> and align with government policy to meet the commitment