

Australian Capital Territory

# Race and Sports Bookmaking (Fees) Determination 2008 (No 1)

Disallowable Instrument DI2008–87

made under the

*Race and Sports Bookmaking Act 2001, section 97 (Determination of fees)*

## EXPLANATORY STATEMENT

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The *Race and Sports Bookmaking Act 2001* (the Act) regulates the activities of race and sports bookmakers within the ACT.

This instrument revokes the determination of fees made by Disallowable Instrument DI2007-122, notified on the Legislation Register on 12 June 2007.

Section 97 of the Act provides that the Minister may determine fees for the Act. This instrument provides for the fees for the licensing arrangements of race bookmakers, race bookmaker's agents, sports bookmakers and sports bookmaker's agents.

This instrument increases fees in accordance with the Wage Price Index estimates for 2008-09 of 4.25%. Appropriate rounding has occurred in relation to the increases. A comparative table indicating the previous and revised fees is included as an attachment to this Explanatory Statement.

Due to a change in licensing procedures the previous fee structure has been revised.

The revised Schedule of fees removes all references to the renewal of licences. Instead, all applications by current licensees for their licensed status to continue (previously known as 'renewals') will be assessed as a new application in accordance with the Act.

The revised fee structure reflects the cost recovery of the more detailed criminal history checks now undertaken through the Australian Federal Police to determine the suitability of applicants (whether a new applicant or re-applying for a licence due to its expiry).

The revised licensing procedures will provide a higher standard of suitability assessment for on-going licensees and will simplify and clarify the application process

as it will be more closely aligned with the legislation. The impact on licensees is expected to be minimal as race bookmakers have been issued licences for up to five years (to be revised to two years) and sports bookmakers are generally issued a licence for 15 years in accordance with section 30 of the Act.

The description of the fee under section 12(1) of the Act in relation to ‘additional race bookmaker’s agent licence’ has been amended to more accurately reflect the intention of the fee to apply to nominated persons holding an agent’s licence with more than one bookmaker.

The revised Schedule now includes fees made pursuant to section 80 of the Act that will cover the administrative costs of assessing the suitability of all incoming persons, incoming individuals and incoming corporations in relation to a corporation or syndicate that already holds a sports bookmaking licence. There were previously no fees covering these administrative tasks.

All 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 97 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  
Race and Sports Bookmaking (Fees) Determination 2008 (No 1)**

<b>Section of Race and Sports Bookmaking Act 2001 (1)</b>	<b>Description of Matter for which Fee is Payable  (2)</b>	<b>Fee payable previously \$  (3)</b>	<b>Fee payable from 1 July 2008 \$  (4)</b>
6(1)	<p>The fee payable under s6(1) of the Act to accompany an application to the Commission for approval of a race bookmaking licence</p> <p>The fee payable under s6(1) of the Act to accompany an application to the Commission for renewal of a race bookmaking licence</p>	166.00	173.00
		57.00	*
7(1)	The annual fee payable, commencing 1 July, or for any part of the year, under s7(1) of the Act, for a race bookmaking licence	73.00	76.00
12(1)	<p>The fee payable under s12(1) of the Act to accompany an application to the Commission for approval of a race bookmaker's agent licence</p> <p>The fee payable under s12(1) of the Act to accompany an application to the Commission for renewal of a race bookmaker's agent licence</p> <p>The fee payable under s12(1) of the Act to accompany an application to the Commission for approval of a race bookmaker's agent licence where the nominated person holds a similar licence with another bookmaker</p> <p>The fee payable under s12(1) of the Act to accompany an application to the Commission for the renewal of an additional or subsequent race bookmaker's agent licence</p>	166.00	173.00
		57.00	*
		26.00	27.00
		26.00	*
13(1)	The annual fee payable, commencing 1 July, or for any part of the year, under s13(1) of the Act, for a race bookmaker's agent licence	26.00	27.00

\* *Fee and application removed due to change in licensing procedures*

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<b>Section of Race and Sports Bookmaking Act 2001 (1)</b>	<b>Description of Matter for which Fee is Payable (2)</b>	<b>Fee payable previously \$ (3)</b>	<b>Fee payable from 1 July 2008 \$ (4)</b>
25(1)	The fee payable under s25(1)(a) of the Act to accompany an application to the Commission for approval of a sports bookmaking licence where the application is made by an individual	700.00	730.00
	The fee payable under s25(1)(b) of the Act to accompany an application to the Commission for approval of a sports bookmaking licence where the application is made by a syndicate	540.00	563.00
	The fee payable under s25(1)(b) of the Act to the Commission for each member of the syndicate making the application	166.00	173.00
	The fee payable under s25(1)(c) of the Act to accompany an application to the Commission for approval of a sports bookmaking licence where the application is made by a corporation	540.00	563.00
	The fee payable under s25(1)(c) of the Act to the Commission for each director of the corporation nominated in the application	166.00	173.00
	The fee payable under s25(1)(a) of the Act to the Commission at the time of applying for renewal of a sports bookmaking licence for an individual	57.00	*
	The fee payable under s25(1)(b) of the Act by each member of a syndicate to the Commission at the time of applying for renewal of a sports bookmaking licence	57.00	*
	The fee payable under s25(1)(c) of the Act by each director, and influential shareholder, of a corporation to the Commission at the time of applying for renewal of a sports bookmaking licence	57.00	*

\* *Fee and application removed due to change in licensing procedures*

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<b>Section of Race and Sports Bookmaking Act 2001 (1)</b>	<b>Description of Matter for which Fee is Payable (2)</b>	<b>Fee payable previously \$ (3)</b>	<b>Fee payable from 1 July 2008 \$ (4)</b>
25(5)	The fee payable under s25(5) of the Act to accompany an authorisation for an influential shareholder	166.00	173.00
26(1)	The annual fee payable, commencing 1 July or pro rata thereof, under s26(1) of the Act for issue of a sports bookmaking licence	10785.00	11243.00
34(1)	The fee payable under s34(1) of the Act to accompany an application to the Commission for a sports bookmaker's agent licence  The fee payable under s34(1) of the Act to accompany an application to the Commission for renewal of a sports bookmaker's agent licence	166.00  57.00	173.00  *
35(1)	The annual fee payable, commencing 1 July, or for any part of the year, under s35(1) of the Act, for a sports bookmaker's agent licence	26.00	27.00
44(1)	The fee payable under s44(1) of the Act to the Commission for the replacement of a licence	26.00	27.00
80(5)	The fee payable under s80(5) for the assessment of an incoming member of a syndicate or director of a corporation that holds a sports bookmaking licence	-	173.00 **
80(6)	The fee payable under s80(6) for an incoming individual who has become an influential shareholder of a corporation that holds a sports bookmaking licence	-	173.00 **
80(7)	The fee payable under s80(7) for each director of an incoming corporation that has become an influential shareholder in relation to a corporation that holds a sports bookmaking licence	-	173.00 **

\* *Fee and application removed due to change in licensing procedures*

\*\* *New fee*