

AUSTRALIAN CAPITAL TERRITORY

RACE AND SPORTS BOOKMAKING ACT 2001

DETERMINATION OF FEES

INSTRUMENT NO. 260 OF 2001

EXPLANATORY STATEMENT

The *Race and Sports Bookmaking Act 2001* (the Act) provides for the regulation of bookmaking on races and other sports events, including the licensing of persons engaged in the conduct of bookmaking, and for other purposes.

Subsection 97(1) of the Act provides for the Minister to determine, in writing, fees for the Act. Subsection 97(2) specifies that such a determination is a disallowable instrument.

The Instrument determines the fees to be paid to the ACT Gambling and Racing Commission (the Commission), by whom and when the fees are to be paid in relation to:

- a) an application for a licence;
- b) an application for the renewal of a licence;
- c) the replacement of a lost, damaged or accidentally destroyed licence; and
- d) the period for which the licence is granted.

Race Bookmaking licence

The fees determined for an application for a Race Bookmaking licence under section 6 of the Act are \$150 for an initial licence application and \$50 for an application to renew a licence. The \$150 fee is primarily to cover the costs associated with establishing the applicant's identity and the conduct of inquiries concerning probity. In the case of a licence renewal application, the fee is to cover the cost of obtaining current criminal records information.

On issue of the licence, a fee of \$65 per annum or part thereof, is determined under subsection 7(1). A licence may be issued for a period of up to 5 years from 1 July in the year in which the licence is issued. The fee is to offset the cost of ongoing regulation by the Commission.

Race Bookmaker's agent licence

The fees determined for an application for a Race Bookmaker's agent licence under section 12 of the Act are \$150 for an initial licence application and \$50 for an application to renew a licence. In the case of more than one bookmaker wanting to nominate the same person as an agent, due to the part time nature of the work, the application fee is \$20. In such a case, the second and any subsequent application can only be issued for a period that expires no later than the agent's initial licence period for which the first applicant bookmaker met the burden of probity costs.

The \$150 fee is primarily to cover the costs associated with establishing the nominated person's identity and the conduct of inquiries concerning probity. In the case of a licence renewal application, the fee is to cover the cost of obtaining current criminal records information.

On issue of the licence, a fee of \$20 per annum or part thereof, is determined under subsection 13(1). The fee is for the initial licence only and does not apply to a second or subsequent licence. A licence may be issued for a period of up to 5 years from 1 July in the year in which the licence is issued. The fee is to offset the cost of ongoing regulation by the Commission.

Sports Bookmaking licence

The fees determined for an application for a Sports Bookmaking licence under subsection 25(1) of the Act are:

- a) \$650 for an initial licence application by an individual;
- b) \$500 plus \$150 for each member of a syndicate for an initial licence application by a syndicate; and
- c) \$500 plus \$150 for each director of the corporation for an application by a corporation.

In regard to an application by a corporation, the corporation is also required to pay a fee of \$150 for each person named in a notice issued by the Commission to the corporation, pursuant to subsection 25(5) of the Act. A person named in the notice would be an influential shareholder, such as a director of a parent corporation of the applicant.

The fees are primarily to cover the costs associated with assessing the content and completeness of the application, of establishing the identity of each person and the conduct of probity inquiries.

Where a sports bookmaking licensee applies for a renewal of the licence, a fee of \$50 in respect of each individual mentioned above is required. The fees are to cover the cost of obtaining current criminal records information.

On issue of the licence, a fee, being a pro rata amount of \$10,000 to 14 July next, is payable and thereafter, an annual fee of \$10,000 is payable by 15 July. The fee is to offset the cost of ongoing regulation by the Commission.

Sports Bookmaker's agent licence

The fees determined for an application for a Sports Bookmaker's agent licence under section 34 of the Act are \$150 for an initial licence application and \$50 for an application to renew a licence. The \$150 fee is primarily to cover the costs associated with establishing the nominated person's identity and the conduct of inquiries concerning probity. In the case of a licence renewal application, the fee is to cover the cost of obtaining current criminal records information.

On issue of the licence, a fee of \$20 per annum or part thereof, is determined under subsection 35(1). A licence may be issued for a period of up to 5 years from 1 July in the year in which the licence is issued. The fee is to offset the cost of ongoing regulation by the Commission.

Replacement licence

The determined fee for the replacement of a lost, stolen, damaged or destroyed licence is \$20.