

Australian Capital Territory

# Race and Sports Bookmaking (Fees) Determination 2021

**Disallowable Instrument DI2021-179**

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 DI2020-156, the *Race and Sports Bookmaking (Fees) Determination 2020*.

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

The new determination sets the fees that will apply beginning on 1 July 2021 and repeals the *Race and Sports Bookmaking (Fees) Determination 2020* DI2020-156. It provides for fee increases in line with annual adjustments to the Wages Price Index (WPI) of 1.75%, rounded down to the nearest dollar for most fees, with the exception of fees that have been consecutively rounded down in previous years by more than \$1.00 in which case have been rounded up to the nearest dollar. This approach also aligns with the 2021 Treasury Guidelines for Fees and Charges. Explanatory notes in the attachment list the fees previously determined to enable comparison.

The determination includes new fees for the renewal of licences for race bookmakers and race bookmaker's agents under sections 10A (Race bookmaking licence – application for renewal) and 16A (Race bookmaker's agent licence – application for renewal) of the Act. A new framework to renew a race bookmaking licence and a race bookmaker's agent licence was introduced under the *Gaming and Racing (Red Tape Reduction) Legislation Amendment Act 2016*.

The *Gaming and Racing (Red Tape Reduction) Legislation Amendment Act 2016* inserted new sections 10A and 16A into the Act. The sections concern applications for the renewal of a race bookmaking licence and a race bookmaker's agent licence

respectively. The intent of the reform was to facilitate the implementation of streamlined licence renewal processes in response to industry concerns.

Part of the intended red tape reduction was to remove the requirement for an Australian Federal Police (AFP) fingerprint check as part of renewal process. This requirement was a key concern for industry and was noted as an overly bureaucratic requirement for a low-risk approval, particularly for individuals that have previously been granted a licence. The intended approach for renewals is to instead request the applicant obtain an Australian Federal Police name check at their own cost and submit the resulting check to the ACT Gambling and Racing Commission (GRC).

The list of items for which fees are set in this instrument is identical to the list of items in the Disallowable Instrument DI2020-156 aside from the renewal fees described above.

A determination under section 97 of the Act is a disallowable instrument and must be tabled in the Legislative Assembly.

### **Commencement dates**

The provisions of the determination relating to the renewal fees under sections 10A and 16A of the Act will commence on the day after notification,

### **Regulatory Impact Statement (RIS)**

A RIS is not required for this fee determination. Section 36(1)(k) of the *Legislation Act 2001* provides that it is not necessary to provide a RIS for an amendment of a fee consistent with announced government policy.

### **Human Rights**

The terms of reference of the Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) require consideration of the human rights impacts of bills and subordinate legislation, among other matters. There are no human rights impacts arising from the new determination.

**This is page 1 of 2 pages of the Attachment to the Explanatory Statement to the  
Race and Sports Bookmaking (Fees) Determination 2021**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Relevant Section of Act</b>	<b>Description of Matter for which Fee is Payable</b>	<b>Previous Fee (GST exempt)</b>	<b>Fee on and after 1 July 2021 (GST exempt)</b>
6(1)	Application for approval of a race bookmaking licence	243.00	247.00
7	Annual fee for a race bookmaking licence, commencing 1 July, or for any part of a year for which the licence is issued	110.00	111.00
10A	Application for renewal of a race bookmaking licence	N/A	104.00
12(1)	Application for a race bookmaker's agent licence	243.00	247.00
	Application for a race bookmaker's agent licence where the nominated person holds a similar licence with another bookmaker	36.00	37.00
13	Annual fee payable for a race bookmaker's agent licence, commencing 1 July, or for any part of a year for which the licence is issued	36.00	37.00
16A	Application for renewal of a race bookmaker's agent licence	N/A	104.00
25(1)(a)	Application for a sports bookmaking licence where the application is made by an individual	1,036.00	1,054.00
25(1)(b)	Application for a sports bookmaking licence where the application is made by a syndicate	799.00	812.00
	Fee payable for each member of the syndicate making the application	243.00	247.00
25(1)(c)	Application for a sports bookmaking licence where the application is made by a corporation	799.00	812.00
	Fee payable for each director of the corporation nominated in the application	243.00	247.00

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<b>Relevant Section of Act</b>	<b>Description of Matter for which Fee is Payable</b>	<b>Previous Fee (GST exempt)</b>	<b>Fee payable on and after 1 July 2021 (GST exempt)</b>
25(5)	Fee payable where an authorisation is required to make inquiries about an influential shareholder	243.00	247.00
26(1)	Annual fee payable for a sports bookmaking licence, commencing 1 July, or pro rata thereof	15,999.00	16,278.00
34(1)	Application to the Commission for a sports bookmaker's agent licence	243.00	247.00
35(1)	Annual fee payable for a sports bookmaker's agent licence, commencing 1 July, or for any part of a year for which the licence is issued	36.00	37.00
44(1)	Replacement of a licence	36.00	37.00
80(5)	The fee payable where an authorisation is required to make inquiries about from an incoming member of a syndicate or director of a corporation that holds a sports bookmaking licence	243.00	247.00
80(6)	The fee payable where an authorisation is required to make inquiries about an incoming individual who has become an influential shareholder of a corporation that holds a sports bookmaking licence	243.00	247.00
80(7)	The fee payable where an authorisation is required to make inquiries about each director of an incoming corporation that has become an influential shareholder in relation to a corporation that holds a sports bookmaking licence	243.00	247.00