

Australian Capital Territory

Gaming Machine (Fees—Authorisation Surrender Waiver) Determination 2024 (No 1)

Disallowable instrument DI2024–43

made under the

Gaming Machine Act 2004, section 177 (Determination of Fees)

EXPLANATORY STATEMENT

This instrument is the *Gaming Machine (Fees—Authorisation Surrender Waiver) Determination 2024 (No 1)*.

The *Gaming Machine Act 2004* (the Gaming Machine Act) regulates the operation of gaming machines in the Territory.

Section 37F of the Gaming Machine Act provides that a licensee may surrender a licence, an authorisation certificate or an authorisation. A gaming machine licensee (licensee) must hold a gaming machine authorisation for each gaming machine they operate in the Australian Capital Territory.

Section 177 of the Gaming Machine Act provides that the Minister may determine fees for the Act. The *Gaming Machine (Fees) Determination 2023* [DI2023-184] provides for fees in relation to administrative tasks performed under the Act, including applications and notifications for approvals, licences, authorisation certificates, storage permits, permits for linked jackpot arrangements and amendments to those licences, certificates, schedules and permits issued by the ACT Gambling and Racing Commission.

On 19 March 2024 the ACT Government announced the Gaming Machine Voluntary Authorisation Surrender Scheme which provides an incentive payment to gaming machine licensees for the surrender of gaming machine authorisations for applications received until 1 May 2025, at the following amounts:

- \$15,000 per gaming machine authorisation surrendered; or
- \$20,000 per gaming machine authorisation surrendered if an applicant surrenders all the authorisations within a venue and surrenders their authorisation certificate.

The ACT Government also announced the waiver of fees and charges related to the surrender of authorisations and disposal of gaming machines made under the Gaming Machine Voluntary Authorisation Surrender Scheme 2024. This instrument gives effect to the waiver of those fees and charges.

This instrument should be read with section 56 of the *Legislation Act 2001* (Legislation Act). Section 56 (5) (g) of the Legislation Act allows the Minister for Gaming to make provision about waiving, postponing or refunding fees (completely or partly) determined under the Gaming Machine Act.

A determination under section 177 is a disallowable instrument and must be tabled in the Legislative Assembly.

This instrument will expire on 31 December 2025. This is to allow time after the closure of the voluntary surrender scheme on 1 May 2025 for additional administrative matters of the scheme to be finalised, for example, invoicing and settling payments.