

Australian Capital Territory

Gaming Machine (Surrender Census Day) Determination 2024 (No 1)

Notifiable instrument NI2025–23

made under the

Gaming Machine Act 2004, section 10I (Definitions—div 2A.3)

EXPLANATORY STATEMENT

This instrument is the *Gaming Machine (Surrender Census Day) Determination 2024 (No 1)*.

The *Gaming Machine Act 2004*, division 2A.3, establishes a scheme providing for the compulsory surrender of gaming machine authorisations by gaming machine licensees to reduce the cap on authorisations in the ACT to a target of 3 500 authorisations by 1 July 2025.

The compulsory surrender obligation of each licensee is determined proportionally from the number of authorisations held for each authorised premises and the total number of surrendered authorisations required to achieve the target cap on authorisations. The compulsory surrender obligation of each licensee is determined based on the number of authorisations held for each authorised premises on a census day determined by the Minister under section 10I of the ACT.

By this instrument the Minister has determined the census day as 1 April 2024.

The scheme is supported by a government offer made to allow these licensees to surrender authorisations on a voluntary basis in exchange for a financial incentive. A compulsory surrender obligation of a licensee is reduced by the number of any authorisations voluntarily surrendered by the licensee.

The census day is intended to align generally with the opening of the government offer of a financial incentive in exchange for voluntary surrender of authorisations. This supports the intent of the scheme because authorisations surrendered on a compulsory scheme do not attract any financial compensation.

The Gaming Machine (Compulsory Surrender) Amendment Bill 2024, which inserted division 2A.3 into the ACT, was presented to the Legislative Assembly on 21 March 2024. However, it was not passed until 5 September 2024. The government opened its financial incentive offer on 21 March 2024. The census date of 1 April 2024 reflects the timing of routine publication of statistics about authorisation numbers. The government began receiving applications from licensees for the financial incentive after this census date.

The instrument commences on the day after its notification day.