

AUSTRALIAN CAPITAL TERRITORY

INTERACTIVE GAMBLING ACT 1998

INSTRUMENT NO. 226 OF 1998

EXPLANATORY STATEMENT

The *Interactive Gambling Act 1998* provides for a licensing system and regulatory structure for interactive home gambling products. Section 145 empowers the Minister to determine certain fees for the purposes of the Act.

This instrument determines fees in respect of -

- an application for an interactive gambling licence;
- an application for a key person licence;
- the replacement of a lost, stolen or destroyed key person licence; and
- an application for the approval of regulated interactive gambling equipment.

Interactive gambling licence fees

Subsection 26 (2) of the Act stipulates that an interactive gambling licence application is to be accompanied by the determined application fee.

In this Determination, a three-tier application fee structure has been provided, which recognises three categories of applicants. The fee in each tier comprises a fixed amount and a variable amount.

The fixed amount of the fee is:

- \$1,000.00 for an application by an entity which is a charitable organisation;
- \$5,000.00 for an application by an entity which holds a licence under another ACT Gaming Act or in another participating jurisdiction; and
- \$10,000.00 for an application by any other entity.

The variable amount of the fee, at the rate of \$220.00 per hour, is to cover the costs of evaluating the application. As security for the evaluation costs, the application in each of the above categories is to be accompanied by a refundable deposit of \$10,000.00.

The entire security deposit will be refunded to the applicant upon payment by the applicant of the application evaluation costs. The security deposit will be applied to the payment of any unpaid balance of the evaluation costs.

Key person licence fees

The fee of \$305.00 set for the processing of a key person licence is consistent with that similarly imposed under the *Casino Control Act 1988*.

The fee of \$35.00 set for the replacement of a key person licence is also consistent with that under the *Casino Control Act 1988*.

Regulated interactive gambling equipment approval and evaluation fees

Subsection 125(1) of the Act provides for an application to be made to the Commissioner for the approval of a licensed provider's regulated interactive gambling equipment or of modifications to the licensed regulated interactive gambling equipment. A determined fee is to accompany the application.

A three-tier fee structure has also been set for the processing and consideration by the Commissioner of an application for approval of regulated interactive gambling equipment or of modifications to regulated interactive gambling equipment.

In addition, subsection 125 (2) of the Act provides that if the Commissioner believes that, in order to give the application under subsection 125 (1) proper consideration, it is necessary for the interactive gambling equipment in question to be evaluated, then the licensed provider is to pay a determined evaluation fee.

The evaluation fee is at the rate of \$220.00 per hour, and is intended to cover the costs of evaluating the technical soundness of the licensed provider's equipment and proposed games.

As security for the evaluation costs, the licensed provider is required to provide, together with the application, a refundable deposit of \$10,000.00.

The entire security deposit will be refunded to the licensed provider upon payment by the licensed provider of the equipment evaluation costs. The security deposit will be applied to the payment of any unpaid balance of the evaluation costs.

Authorised by the Treasurer

Kate Carnell MLA