

Gaming Machine (Applications for Payments Out of Diversification and Sustainability Support Fund) Guidelines 2022

Notifiable instrument NI2022–461

made under the

Gaming Machine Act 2004, section 163J (Guidelines for applications for payments out of diversification and sustainability support fund)

1 Name of instrument

This instrument is the *Gaming Machine (Applications for Payments Out of Diversification and Sustainability Support Fund) Guidelines 2022*.

2 Commencement

This instrument commences on the day after notification.

3 Applications for Payments Out of Diversification and Sustainability Support Fund Guidelines

I make the Applications for Payments Out of Diversification and Sustainability Support Fund Guidelines as provided in Schedule 1 of this instrument.

4 Expiry

This instrument expires three years after the day it commences.

5 Revocation

This instrument revokes the *Gaming Machine (Applications for Payments Out of Diversification and Sustainability Support Fund) Guidelines 2021* [NI2021–404].

Shane Rattenbury MLA
Minister for Gaming

18 September 2022

Schedule 1

APPLICATIONS FOR PAYMENTS OUT OF DIVERSIFICATION AND SUSTAINABILITY SUPPORT FUND GUIDELINES

Purposes of the Diversification and Sustainability Support Fund

The Diversification and Sustainability Support Fund was established on 1 July 2019 to provide funding for activities and initiatives that seek to achieve the following purposes:

- (a) assisting clubs to diversify their income to sources other than gaming machines;
- (b) supporting the sustainability of clubs;
- (c) contributing to projects that help reduce regulatory costs or improve efficiency in administration and compliance for clubs; and
- (d) training and skills development for club workers, executives and members of club management committees and boards.

Purpose of these Guidelines

Section 163J of the *Gaming Machine Act 2004* (the Act) provides that the Minister may make guidelines for applications from entities seeking payments out of the diversification and sustainability support fund. The guidelines may include guidelines about the kinds of applications, or applicants, to be considered for payments out of the fund for a particular year or period.

Applicants

Applications for payments out of the Fund will be accepted for consideration by the Diversification and Sustainability Support Fund Advisory Board (the Advisory Board) from entities that can demonstrate that the funding sought will be applied towards meeting the Fund purposes.

For example, these entities may include:

- ACT clubs and club groups who operate gaming machines under a Class C licence;
- ACT club industry peak body representatives or representative groups;
- Trade unions representing ACT club workers;
- Australian state and territory Government organisations; and
- Club workers, executives and members of club management committees and boards.

Who is not eligible to apply?

Applications for payments out of the Fund will not be accepted for consideration by the Advisory Board from the following classes of applicants:

- Individual club venues within a club group (as defined under the Act) unless it is for Tier One funding to run the ACT Clubs Industry Training Program; and
- ACT clubs and club groups which have not operated gaming machines under a Class C licence within five (5) years of the date on which they submit their application for payment out of the Fund for consideration by the Advisory Board.

Funding priority

The strategic funding priority for the Fund is small or medium clubs and small or medium club groups (as defined under the Act).

The strategic funding priority will be achieved through a two-tier funding model, as outlined in Table 1 of this Schedule.

Applications by state and territory government

Tier 1 and Tier 2 applications received from Australian state and territory government organisations may be considered by the Advisory Board at any time on an ongoing basis.

Activities ancillary to diversification

The Board may recommend payments be made for activities which are ancillary to a project, provided that these ancillary activities assist clubs to diversify income to sources other than gaming machines. To fulfill this requirement, the activity must be *directly linked* to a project that seeks to diversify club income to sources other than gaming machines.

Ineligible applications

Payments out of the Fund are not to be made for the purpose of any gambling-related activity, such as improvements to gambling areas, gambling equipment or gambling facilities.

Interaction with other funding programs

The ACT Government recognises that applicants may participate in and submit applications for funding through other Australian Commonwealth, state and territory Government funding programs.

If a DSFF applicant submits a funding application to another Australian state or territory government program for the same funding activity and is found to be successful through both programs, the applicant can only receive funding from one program.

In this instance, it is up to the applicant to determine which fund is most suitable for its purposes, with respect to the eligibility criteria of each fund.

The DSSF Secretariat will work closely with its government counterparts to ensure adherence to program guidelines.

TABLE 1

Tier	Maximum amount awarded	Eligible applicant	Notes for the Advisory Board	When applications are considered by the Advisory Board
1	\$25,000	Any club, club group, or club industry peak body is eligible to apply for Tier 1 training funding to facilitate delivery of the ACT Club Industry Training program.	In considering applications to access funding for the ACT Clubs Industry Training Program, the Advisory Board will have regard to: <ul style="list-style-type: none">• the type of training activity being applied for;• whether the club has venue capacity to deliver the training;• whether the club has executive staff/directors that are able to facilitate the training modules; and• whether quotes have been provided in support of the application.	On an ongoing basis.
1	\$25,000	Small or medium clubs and small or medium club groups only are eligible to apply for Tier 1 funding that meets the Fund purposes outlined in the Guidelines	When considering Tier 1 applications that are not for the ACT Clubs Industry Training Program, the Advisory Board must have regard to whether the entity has demonstrated that the funding sought will be applied towards meeting the Fund purposes in section 163F(2) of the <i>Gaming Machine Act 2004</i> .	On an ongoing basis.
2	\$250,000	Any club or other entity that can demonstrate that funding will be applied towards meeting the Fund purposes, except those who are ineligible as stated above.	When considering Tier 2 applications, the Advisory Board must have regard to whether a particular application will benefit a small or medium club or a small or medium club group.	Restricted to one or more rounds per financial year at the

Tier	Maximum amount awarded	Eligible applicant	Notes for the Advisory Board	When applications are considered by the Advisory Board
**	More than \$250,000	Any club or other entity that can demonstrate that funding will be applied towards meeting the Fund purposes, except those who are ineligible as stated above.	<p>The Advisory Board may recommend the approval of Tier 2 applications for funding exceeding \$250,000 in exceptional circumstances. When considering whether to recommend the approval of an application for funding exceeding \$250,000, the Advisory Board may have regard to:</p> <ul style="list-style-type: none"> • whether the proposed activity has the potential to benefit the ACT clubs industry as a whole, rather than being for the sole benefit of the applicant; • the total level of available funds at the time of considering the application; and • any competing applications. 	<p>discretion of the Advisory Board.¹</p> <p>When a Tier 2 funding round is held by the Board.</p> <p>Tier 2 applications will be restricted to one or more rounds per financial year. The number of Tier 2 rounds held per financial year is at the discretion of the Advisory Board</p>

¹ The restriction on Tier 2 applications to one or more rounds per financial year does not apply to Tier 2 applications by Australian state and territory government organisations, as these can be submitted at any time on an ongoing basis.