

Approvals and Notifications

What has changed?

As part of the government's red tape reduction measures, a number of approvals have been replaced with notifications. This means that instead of seeking approval to take an action, the licensee simply notifies the Commission. For example, a licensee may notify the Commission about their intention to acquire an authorisation or gaming machine, to trade authorisations for stored machines, or to make a technical change to an authorisation schedule.

Changes to storage requirements are also being made so that Class C licensees are able to store authorisations and gaming machines according to their business needs. For more information on storage and quarantine permits see *Fact Sheet 009 – Storage of Gaming Machines* and *Fact Sheet 014 – Phase 1 – Quarantine of gaming machines*.

What does it mean for me?

Some amendments require you to obtain the Commission's approval prior to the changes being made. However, other changes require you to notify the Commission that the changes are occurring.

Notifications must be given to the Commission in writing, at least 10 business days before the day the licensee makes the changes or takes the action. This allows the Commission to seek further information regarding the changes if necessary, and also allows the licensee time to amend or cancel the notification if necessary. If after the required number of business days no further information has been requested, the notification is deemed to take effect.

The actions that require approval are:

- Repossession of a gaming machine;
- Certain amendments to an authorisation certificate;
- Declaration of an associated entity;
- Replacement of a licence, certificate or schedule; and
- Conversion, extension, or transfer of an in-principle authorisation certificate.

Actions that must be notified to the Commission are:

- The acquisition of authorisations and/or gaming machines;
- The disposal of gaming machines;
- A one-off increase to the maximum number of authorisations;
- Quarantine permit and extension;
- The sale of a Class B authorisation;
- Surrender of a licence, authorisation certificate or authorisation;
- Replacement or conversion of a gaming machine (a Technical Amendment);
- Amendment of a permit; and
- The transfer of an authorisation certificate.

In the first three months after commencement of the legislation, for certain actions the notification must be received by the Commission at least 20 business days before the action takes place. These are:

- Technical amendment to an authorisation certificate;
- Transferring an authorisation certificate;
- Surrender of licences, authorisation certificates and authorisations; and
- Disposal of gaming machines

How do I apply to or notify the Commission?

Notifications must be in writing and be given to the Commission at least 10 (or 20) days before the licensee undertakes the action. If there is an approved form for the notification, a licensee must use that form. The number of business days until the action can happen will begin when the Commission receives the properly completed form and the determined fee.

Applications must also be made on the approved form and be properly completed. Applications will not be considered unless the appropriate fee has been paid.

Frequently asked questions

Will lodging an application or notification cost me anything?

There are fees associated with lodging an application or notification. All current fees can be viewed on the Commission's website at www.gamblingandracing.act.gov.au.

Can I amend a notification?

A licensee can amend the notification in writing to the Commission any time before the action takes effect. After this time, a new notification must be submitted.

An *amended* notifiable action takes effect 10 (or 20) business days after the Commission receives written notice of the amendment, not after the *initial* notification was submitted. Essentially, the clock restarts.

What if I can't take the action?

A licensee can cancel the notification any time before the notifiable action takes effect. The cancellation takes effect when the Commission receives written notice of it.

If a notification is cancelled before the action takes effect the fee is not refundable.

To cancel the notification after it takes effect a new notification with the appropriate fee will need to be submitted.

References

Authorisation certificate amendment—increase maximum to not more than relevant number – s37A

Authorisation certificate amendment—technical amendment – s37B

Transferring an authorisation certificate – s37E

Surrender of licences, authorisation certificates and authorisations – s37F

Acquisition of authorisations and gaming machines—notification - s99
Disposal of gaming machines—notifiable action - s113A
Selling class B authorisations - s127C
Quarantine permits—notification and issue - s127Q
Quarantine permits—extension – s127R
Permit amendment—notification - s127X
Notifiable actions - Part 13A
Approval for repossession—application - s107
Authorisation certificate amendment—application - s33
Licences, authorisation certificates and authorisation schedules—replacement copies - s37I
In-principle authorisation certificate—application to transfer - s38H
In-principle authorisation certificate—application for extension - s38J
Conversion of in-principle authorisation certificate to authorisation certificate—application - s38M
Gaming Legislation Amendment Regulation 2015 – s70B – prescribed number of days – Act s173D(5)