

One-off increase to maximum number of authorisations

What has changed?

To facilitate trading under Phase 1 of the new scheme, Class C licensees are able to make a one-off increase to the maximum number of authorisations under an authorisation certificate, without needing a Social Impact Assessment. A licensee with less than a maximum of 120 authorisations at the commencement of Phase 1 can increase their maximum number by up to 12. A licensee with a maximum of 120 or more authorisations at the commencement of Phase 1 can increase their maximum number by up to 10%, to a maximum of 20 additional authorisations.

The one-off increase:

- may only occur once during Phase 1;
- does not require a social impact assessment;
- is not available during Phase 2;
- is not available to class B licensees; and
- will not increase the overall number of authorisations or gaming machines in the Territory.

What does it mean for me?

A licensee can increase an individual venue's capacity for authorisations, which means they are able to acquire authorisations through the trading scheme. Authorisations can be acquired with a gaming machine, or on their own.

How do I increase my maximum number?

The licensee must notify the Commission about the proposed one-off increase on the appropriate form and with the relevant fee at least 10 business days before the one-off increase is to take effect.

The Commission will amend the authorisation certificate to reflect the increased maximum number if it is satisfied that the increase proposed is not more than the permitted number (12, or 10% of the current number or 20 authorisations), and that the size and layout of the premises is suitable for the operation of the proposed new maximum number of authorisations and gaming machines, whether the licensee intends to operate all of them or not.

The application must include scale plans clearly showing the location, boundaries and dimensions of the areas in the premises where gaming machines are proposed to be installed should the application be successful.

Frequently asked questions

When the new legislation commences why doesn't my maximum number of authorisations increase automatically?

Not all licensees will want to increase their maximum number, or may not want to increase it by the full amount allowed under the legislation. This may be for a range of business needs or because the

venue isn't suitable. The trading scheme will allow these licensees to trade authorisations and potentially exit the industry at a pace suitable to their business needs.

I want to increase my maximum number of authorisations by 12, but would like to see how 6 machines work in my venue first. Can I increase my maximum number by 6 authorisations now and another 6 authorisations later?

The one-off increase can only happen once and only during Phase 1. Any subsequent increase to your maximum number requires approval from the Commission and is subject to social impact assessment requirements (See *Fact Sheet 010 - Phase 2 - Increase Maximum Number*).

Once you have obtained the one-off increase, you are then free to acquire some of the authorisations now and acquire the others at a later date, as long as the maximum number of authorisations allowed is not exceeded. In this example, you can increase your maximum number to 12, and acquire six authorisations immediately afterwards and another six at some time in the future. You can then choose to operate all authorisations or some.

A licensee can hold an authorisation under an authorisation certificate without having a physical gaming machine attached to it. A licensee can also hold fewer authorisations than their maximum number (See *Fact Sheet 001 – The New Licensing Framework*).

If gaming machine venues are able to increase their maximum number of authorisations, how is it that the overall number of authorisations in the Territory won't be increased?

All of the authorisations for gaming machines in the ACT already exist. Increasing the maximum number on a licensee's authorisation certificate does not create more authorisations, it simply allows a licensee to acquire existing authorisations up to this maximum number. These authorisations must be sourced from another licensee.

I'm not ready to increase my maximum number yet. Can I do it later?

You can only seek the one-off increase maximum number amendment during Phase 1. However, you can apply to increase your maximum number of authorisations under an *increase maximum amendment* at any time during Phase 1 or Phase 2. These applications will be subject to social impact assessment requirements.

I hold a Class B Gaming Machine Licensee – Can I increase my maximum number of authorisations?

No. For information on Class B licences, see *Fact Sheet 007 - Class B Licences*.

Do I have to increase my maximum number?

No. There is no obligation to increase a maximum number if it doesn't suit your organisation's business needs.

References

Authorisation certificate amendment—increase maximum to not more than relevant number – s37A
Authorisation certificate amendment decision – increase maximum amendment – s37