

Surrender or cancellation of licences, authorisation certificates and authorisations

What has changed?

Surrendering a licence now has implications for authorisation certificates and authorisations. If a licence is surrendered for whatever reason, all authorisation certificates under that licence will be cancelled, and all authorisations will be forfeited.

Likewise, if a licence is cancelled by the Commission, all authorisation certificates will be cancelled and all authorisations will also be forfeited. If the authorisation certificate for a particular venue is cancelled, all authorisations under that certificate will be forfeited.

What does it mean for me?

In the event that a licence is surrendered, all authorisation certificates held under the licence will be cancelled, and all authorisations held under the authorisation certificate will be forfeited. The Commission will issue a storage permit for an interim purpose for any physical gaming machine the licensee holds to allow time for the disposal of the machines.

If a licensee holds multiple authorisation certificates under the licence they may choose to surrender one or more authorisation certificates. This may be decided for reasons such as selling the premises or no longer wanting to operate gaming machines. For a club, a ballot must be held in relation to surrendering the certificate. All authorisations held under the certificate will be forfeited.

The licensee may also choose to surrender one or more authorisations. For a club, this also requires a ballot of members. If an authorisation is surrendered it is forfeited to the Territory.

If your licence or authorisation certificate is cancelled, interim storage permits will be issued for the physical gaming machines you hold. You must dispose of the gaming machines as the Commission directs.

How do I surrender a licence, authorisation certificate or authorisation?

To surrender a licence, an authorisation certificate or authorisation, the licensee must notify the Commission and return the licence, certificate or authorisation to the Commission. A club must also show evidence that a majority of voting members voted for the surrender of the licence, certificate or authorisation (if such a vote is practical).

The surrender can't happen until 10 days (or 20 days in the first three months after commencement of the new legislation) after the Commission receives the notification, unless the Commission allows it to happen earlier. The Commission can also request additional information from the licensee, in which case the cancellation can't happen until the Commission has told the licensee that it is satisfied with the additional information.

If a licence is surrendered, the Commission will cancel all authorisation certificates held by the licensee and give the licensee an interim storage permit for each gaming machine under the cancelled certificates.

At the time of surrendering a licence, authorisation certificate or authorisation the licensee must take the meter readings from each gaming machine to be surrendered and immediately make the machines inoperable. The meter readings must then be given to the Commission within 10 business days of the surrender and any outstanding amounts owing in relation to the operation of the gaming machines must be paid.

Frequently asked questions

If I surrender my licence or authorisation certificate, can I still trade my authorisations?

No. If you want to trade your authorisations, you need to do before you surrender your licence or authorisation certificate (See *Fact Sheet 003 - The Trading Scheme*).

What if I can't hold a ballot of members?

You need to give the Commission an explanation of why you can't hold a ballot or why it would be impractical, for example, if all memberships to the club have expired and you don't propose to continue operating.

How can my licence or authorisation certificated be cancelled?

Your licence or authorisation certificate can be cancelled as part of disciplinary action taken by the Commission, or if your general and/or on licence is cancelled.

References

Maximum number of authorisations for gaming machine allowed in the ACT – s10

Surrender of licences, authorisation certificates and authorisations – s37F

Disciplinary action - Part 4

Cancellation of licences because of a cancellation etc of general and on licences – s64

Return of licence and authorisation certificate on cancellation – s65

Cancellation of licences and authorisation certificates – disposal of gaming machines – s65A