



**ACT**  
Government



# ACT Gambling and Racing Commission Annual Report 2020-21



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# ACT Gambling and Racing Commission

Annual Report  
2020-21



The 2020-21 ACT Gambling and Racing Commission Annual Report has been prepared by the ACT Gambling and Racing Commission in accordance with the ACT Chief Minister's *Annual Reports (Government Agencies) Directions 2021* issued on 18 June 2021.

#### **Feedback about this publication may be submitted to:**

ACT Gambling and Racing Commission

[GRCBoard@act.gov.au](mailto:GRCBoard@act.gov.au)

☎ (02) 6207 0704

#### **Postal address**

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CANBERRA ACT 2601

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<http://www.gamblingandracing.act.gov.au>

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There are many ways to get help and support for gambling harm, including self help options:

**Phone:** Gambling helpline 1800 858 858

**Financial:** Call 1800 007 007 if you would like help with your finances

**Online:** [gamblinghelponline.org.au](http://gamblinghelponline.org.au)

**Face to face:** Call 1800 858 858 to find out about face to face counselling

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# Transmittal Certificate

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**ACT**  
Government



Ms Tara Cheyne MLA  
Minister for Business and Better Regulation  
ACT Legislative Assembly  
London Circuit  
CANBERRA ACT 2601

Dear Minister

## **2020-21 ACT Gambling and Racing Commission Annual Report**

This report has been prepared in accordance with section 7(2) of the *Annual Reports (Government Agencies) Act 2004* and in accordance with the requirements under the *Annual Reports (Government Agencies) Directions 2021*.

It has been prepared in conformity with other legislation applicable to the preparation of the annual report by the ACT Gambling and Racing Commission.

We certify that the information in the attached annual report, and information provided for whole of government reporting, is an honest and accurate account and that all material information on the operations of the ACT Gambling and Racing Commission has been included for the period 1 July 2020 to 30 June 2021.

We hereby certify that fraud prevention has been managed in accordance with the *Public Sector Management Standards 2006 (repealed)*, Part 2.3 (see section 113, Public Sector Management Standards 2016).

Section 13 of the *Annual Reports (Government Agencies) Act 2004* requires that you present the Report to the Legislative Assembly within 15 weeks after the end of the reporting year. However, under section 14, the Chief Minister has granted an extension of the time when the report must be presented by you to the Legislative Assembly. The Chief Minister has granted an extension to the Legislative Assembly sitting day on 2 December 2021.

Yours sincerely

Mr Paul Baxter  
Chairperson  
3 November 2021

Ms Yu-Lan Chan  
Chief Executive Officer  
3 November 2021

Gambling & Racing Commission  
GPO Box 158, Canberra City ACT 2601

 [GRCBoard@act.gov.au](mailto:GRCBoard@act.gov.au)  
 [gamblingandracing.act.gov.au](http://gamblingandracing.act.gov.au)

# Compliance Statement

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The 2020-21 ACT Gambling and Racing Commission Annual Report must comply with the Annual Report Directions (the Directions) made under section 8 of the *Annual Reports (Government Agencies) Act 2004*. The Directions are found at the ACT Legislation Register: [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

The Compliance Statement indicates the subsections, under Parts 1 to 5 of the Directions, that are applicable to the ACT Gambling and Racing Commission and the location of information that satisfies these requirements:

## Part 1 Directions Overview

The requirements under Part 1 of the Directions relate to the purpose, timing and distribution, and records keeping of annual reports. The 2020-21 ACT Gambling and Racing Commission Annual Report complies with all subsections of Part 1 under the Directions.

To meet Section 15 Feedback, Part 1 of the Directions, contact details for the ACT Gambling and Racing Commission are provided within the 2020-21 ACT Gambling and Racing Commission Annual Report to provide readers with the opportunity to provide feedback.

## Part 2 Reporting entity Annual Report Requirements

The requirements within Part 2 of the Directions are mandatory for all reporting entities and the ACT Gambling and Racing Commission complies with all subsections. The information that satisfies the requirements of Part 2 is found in the 2020-21 ACT Gambling and Racing Commission Annual Report as follows:

- A. Transmittal Certificate, see page 2
- B. Organisational Overview and Performance, inclusive of all subsections, see pages 5-46
- C. Financial Management Reporting, inclusive of all subsections, see pages 47-99

## Part 3 Reporting by Exception

The ACT Gambling and Racing Commission has nil information to report by exception under Part 3 of the Directions for the 2020-21 reporting year.

## Part 4 Directorate and Public Sector Body Specific Annual Report Requirements

The following subsections of Part 4 of the 2021 Directions are applicable to the ACT Gambling and Racing Commission and can be found within the 2020-21 ACT Gambling and Racing Commission Annual Report:

- *Gambling and Racing Control Act 1999*, s46(2)
- *Gaming Machine Act 2004*, s54

The ACT Gambling and Racing Commission has nil information to report on Ministerial Directions.

## Part 5 Whole of Government Annual Reporting

All subsections of Part 5 of the Directions apply to the ACT Gambling and Racing Commission. Consistent with the Directions, the information satisfying these requirements is reported in the one place for all ACT Public Service directorates, as follows:



- Bushfire Risk Management - no information to report for 2020-21. Please refer to Bushfire Risk Management section on page 105 of this report
- Human Rights, see the annual report of the Justice and Community Safety Directorate
- Legal Services Directions, see the annual report of the Justice and Community Safety Directorate
- Public Sector Standards and Workforce Profile, see the annual State of the Service Report; and
- Territory Records, see the annual report of the Chief Minister, Treasury and Economic, Development Directorate.

ACT Public Service Directorate annual reports are found at the following web address:

[http://www.cmd.act.gov.au/open\\_government/report/annual\\_reports](http://www.cmd.act.gov.au/open_government/report/annual_reports)

# Organisational Overview and Performance

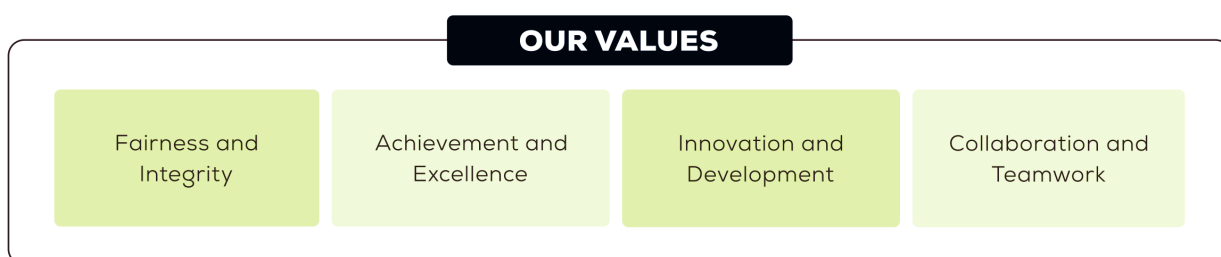
## Organisational Overview

The ACT Gambling and Racing Commission (the Commission) is an independent statutory authority responsible for ensuring the lawful conduct of gambling and racing in the ACT. The Commission is established under the *Gambling and Racing Control Act 1999* (the Control Act). A copy of the Control Act is available on the ACT Legislation Register (<http://www.legislation.act.gov.au>).

## Vision and Values

The vision of the Commission is to create an environment in which key stakeholders have the highest degree of confidence in the integrity of the Territory's approved gaming and wagering industries, and to minimise gambling harm.

The values of the Commission are:



## Role, Functions and Services



The functions of the Commission include:

- regulating the activities of the casino, gaming machines, lotteries, racing, betting and interactive gambling;
- approving gaming and racing activities;
- monitoring and researching the social effects of gambling and of gambling harm;
- reviewing legislation and policies relating to gaming and racing, and making recommendations to the Minister on those matters;
- providing education and counselling services;
- investigating and conducting inquiries into issues and activities of persons in relation to gaming and racing related matters;
- monitoring and researching activities relating to gaming and racing;
- engaging in community consultation, as appropriate; and
- collecting taxes, fees and charges imposed or authorised by or under gaming laws.

## WHO DO WE IMPACT AND WHO ARE OUR STAKEHOLDERS?

ACT  
community

ACT Government  
and ACT Legislative  
Assembly

Territory's licensed gaming  
and wagering providers and  
their customers

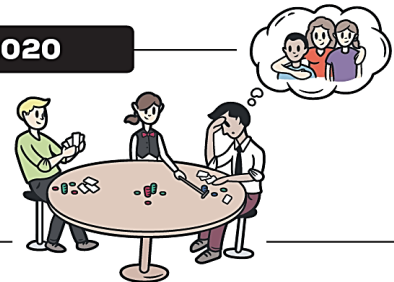
Other gaming  
regulators and  
jurisdictions

## KEY OBJECTIVES FOR 2018-2020

Harm  
Prevention

Engage, Educate  
and Enforce

Innovate,  
Collaborate,  
and Consult



## KEY OBJECTIVES FOR 2021-2022

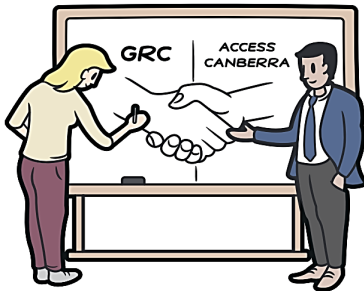
Public Health Approach to  
Gambling Harm Prevention

Engage, Educate and Enforce

Valuing our Partnerships



The Commission's Business Plan 2018-2020 and Strategic Plan 2021-2022 includes the following strategies to achieve objectives:



### SHARING ACCESS CANBERRA RESOURCES

The Gambling and Racing Commission has an MOU with the Chief Minister, Treasury and Economic Development Directorate. This details the services and functions undertaken by Access Canberra on behalf of the Commission in relation to the administration of gaming laws.

### PUBLIC HEALTH APPROACH TO GAMBLING HARM PREVENTION

We will implement the *Strategy for gambling harm prevention in the ACT: A public health approach 2019-2024* through:

- Recognising that gambling harm affects the whole community, not just individual gamblers
- Acknowledging all forms of gambling products and the associated harm both in-venues and online
- Develop and implement initiatives based on the strategy's public health principles, governed by annual work plans, and monitored on a quarterly and annual basis
- Initiate and complete projects through the Gambling Harm Prevention and Mitigation Fund including:



- Counselling and relapse prevention services
- Training for the gambling industry and the community sector
- Gambling harm awareness activities

## ENGAGE, EDUCATE AND ENFORCE

We will continue to engage with licensees and the gambling industry, directing resources where they are needed the most, using a risk-based approach to inform our regulatory and compliance activity.

We will detect, deter, and prevent non-compliance by:

- Ensuring industry understands regulatory obligations
- Scheduled, random, responsive and targeted inspections
- Robust decision making through data analytics, risk assessment and evaluation
- Taking proportionate enforcement action where necessary

We will maintain fairness and the integrity of the industry by:

- Minimising criminal/unethical activity
- Promoting consumer protection
- Minimising/Reducing the risk and cost, to the community and individuals, of harm from gambling



## INNOVATE, COLLABORATE AND CONSULT

We will collaborate and consult with stakeholders with a commitment to promoting continuous improvement particularly on areas relevant for the ACT Community:

- Community contribution scheme
- Social impact assessment requirements and their availability to the public
- Support the Government by providing independent advice on harm minimisation, consumer protection and gambling and racing regulation



## VALUING OUR PARTNERSHIPS



We will enhance the value of our partnerships through:

- Working with government (internally, interjurisdictionally and internationally), industry, the community sector, and the community to help prevent and reduce gambling harm in the ACT
- Collaboration and consultation with a commitment to innovative, continuous improvement and producing valued outcomes whilst approving and regulating gambling and racing activities
- Improving policy development and service delivery using data, analysis and research and providing independent advice on gambling harm prevention, consumer protection and gambling and racing regulations

## Organisational Structure

The Commission has a Memorandum of Understanding (MOU) with the Chief Minister, Treasury and Economic Development Directorate (Access Canberra) on the provision of services for the administration of the gaming laws including the control, supervision and regulation of gaming and racing in the ACT.

The MOU agreement provides for the Commission to perform its functions and obligations as specified in section 6 of the Control Act and as outlined in the Commission's Statement of Intent. The MOU is current until September 2023.

### Organisational Chart

The Commission's operational structure as at 30 June 2021 is identified in the following organisation chart:



- The Deputy Director-General of Access Canberra is accountable to the ACT Public Service Head of Service, and the Minister for Business and Better Regulation. The Deputy Director-General is responsible for the administration and business of Access Canberra including any work that Access Canberra undertakes on behalf of the Commission.
- The Director-General of the Justice and Community Safety Directorate is accountable to the Minister for Gaming and Special Minister of State. The Director-General is responsible for broad gaming and racing policy on a whole-of-government basis.
- The Chief Executive Officer of the Commission from 1 July 2020 to 20 January 2021 was also the Executive Group Manager, Regulatory Services within Access Canberra and was a member of the governing board.
- The Chief Executive Officer of the Commission from 21 January 2021 is also the Executive Branch Manager, Projects Governance and Support within Access Canberra and is a member of the governing board.

## Achievements in 2020-21

### Harm Prevention

A core objective of the Gambling and Racing Commission is the prevention and reduction of gambling harm. The Commission's *Strategy for gambling harm prevention in the ACT – A public health approach 2019-2024* guides activities under this key strategic objective. The priority areas pursued under the Strategy in 2020-21 were i) education and engagement, ii) research, and iii) support services.

Key achievements include:

- A peer support program established within the ACT's Gambling Support Service
- Review and redevelopment of the Commission's training courses for Gambling Contact Officers and the community sector and continued positive feedback from training participants on increased ability in initiating conversations with patrons and showing understanding, appropriately assisting patrons showing signs of gambling harm, choosing appropriate resources to assist patrons, and understanding of return to venue processes following the end of an exclusion
- Upgrading of the ACT Gamblers Exclusion Database
- Release of the Commission's Research Agenda and guidelines for the Gambling Harm Prevention and Mitigation Fund, and
- Provision of a digital and social media focused Gambling Harm Awareness Week in October 2020

### Engage, educate, and enforce

#### Gaming Operations

The gaming industry saw a significant impact as a result of the COVID-19 public health emergency. Gaming facilities in the territory were forced to cease gambling operations under the Public Health Directions beginning in March 2020. Among those affected were local clubs, Casino Canberra, and betting facilities.

This suspension of gambling operations continued into the 2020-21 reporting period until restrictions began to ease in August 2020. During this time, the Commission implemented a number of ACT Government COVID-19 stimulus measures aimed at providing an economic support for industry during this period. These measures included waivers of gaming related taxes and fees as well as incentivised surrender of gaming machine authorisations which continued into the 2020-21 reporting period.

The Gaming Machine Surrender Incentive Program was announced as part of the Economic Survival Package implemented to support local businesses and continue to provide economic stimulus during the COVID-19 restrictions. The intent of this voluntary program was to provide a cash payment for all gaming machine authorisations surrendered. All monies paid to participating gaming machine licensees were to be used solely for the employment of staff at the relevant venues

#### Compliance

During 2020-21, Access Canberra on behalf of the Commission continued to carry out compliance and investigation activities relating to the conduct and provision of gaming and racing services in the ACT to ensure compliance with ACT gaming laws.

A total of 368 gaming and racing related inspections were conducted. Where possible the regulatory burden on licensees was reduced by undertaking several coordinated joint inspection programs covering various pieces of legislation. Reducing regulatory burden ensures greater efficiencies in both time and costs which benefits licence holders.

Resources for compliance activities are allocated based upon their risk profile, which includes the analysis of any received intelligence. Additionally, compliance programs are rounded out by the inclusion of a small random sample of venues, regardless of the level of risk.

In 2020-21, four targeted compliance inspection programs were completed focussing on a range of obligations such as gaming machine community contributions, casino operations, gaming machine operations and racing events.

### Casino Operations

Throughout 2020 and 2021 there have been and are ongoing Inquiries, Investigations and Royal Commissions into the conduct of three of Australia's casino operators. The Commission undertakes an ongoing compliance and monitoring program in relation to Casino operations in the ACT and will review the outcomes of other jurisdictions' Inquiries.

### Innovate, Collaborate and Consult

#### Gambling and Racing Commission Advisory Committee

The Gambling and Racing Commission Advisory Committee (GRCAC) considers current and emerging issues related to the prevention and minimisation of gambling harm; public health approaches to gambling harm; and areas of research interest, bringing together individuals with expertise in these areas. Members provide views and opinions to support the Commission's legislative functions, with particular emphasis on the prevention and mitigation of gambling harm in the ACT.

Over the last 12 months advice has been sought from the GRCAC on development of a research agenda for the Commission to guide future research initiatives, and research proposals requesting funding from the Gambling Harm Prevention and Mitigation Fund. The GRCAC has also been consulted on events and communications for Gambling Harm Awareness Week 2020, and gambling harm activities undertaken by the Commission.

### Communications

The Commission provided information on their website and through direct communications about gambling during the COVID-19 restrictions and when gambling venues were closed. This included where the community could reach out for advice and support through a number of channels including the ACT Gambling Support Service, Gambling Help Online, the Don't Play it Down Page and the At Odds website. It also included advice and links to how to avoid the dangers of unregulated online gambling.

Targeted engagement with the club sector also occurred prior to clubs reopening after the COVID 19 restrictions on operations. The Commission provided club venues with gambling harm prevention resources, information, and advice to ensure venues continued to operate in accordance with their harm prevention obligations.

### Policy and Legislation

The Commission is responsible for implementing policy and legislative changes to gaming laws and its functions under the *Gambling and Racing Control Act 1999*. The Commission has continued to provide advice to the Justice and Community Safety Directorate to assist in the development and implementation of gambling reforms.



## Outlook for 2021-22

Strategic and operational issues to be pursued by the Commission in 2021-22 are outlined in the 2021-22 ACT Budget Statements

([www.treasury.act.gov.au/data/assets/pdf\\_file/0004/1870195/2021-22-ACT-Budget-Statement-B-Chief-Minister-Treasury-and-Economic-Development.pdf](http://www.treasury.act.gov.au/data/assets/pdf_file/0004/1870195/2021-22-ACT-Budget-Statement-B-Chief-Minister-Treasury-and-Economic-Development.pdf)) and include the following:

### Public health approach to gambling harm prevention

Under the *Strategy for Gambling Harm Prevention in the ACT – A public health approach 2019-2024*, the Commission has endorsed an Annual Work Plan for 2021-22. The four priority areas are: i) education and engagement; ii) research; iii) support services; and iv) monitoring and evaluation.

### Engage, educate, and enforce

The Commission will continue to engage, provide advice and education to the community, individuals, licensees and gambling and racing industry stakeholders through the course of its proactive and reactive compliance programs. The goal is to ensure that the Commission's stakeholders understand their rights, obligations and responsibilities under the ACT's gaming laws.

### Valuing our partnerships

The Commission will seek to build on the Government's reforms to gaming legislation to develop, implement and evaluate interventions to reduce harm caused by gambling. The Commission will do so with the input of gambling providers, academic experts, community organisations and people with lived experience of harm from gambling.



# Internal Accountability

## Membership of the Commission Board

Section 12 of the *Gambling and Racing Control Act 1999* provides that the Commission shall consist of five members. Section 79 of the *Financial Management Act 1996* (FMA) provides for the appointment of a chairperson and a deputy chairperson and section 80(4) of the FMA states that the Chief Executive Officer of an authority is a member of the governing board (the Board).

Under section 56 of the FMA the Board is responsible, under the responsible Minister, for the efficient and effective financial management of the authority. Section 77 of the FMA provides that a governing board has the following functions:

- setting the authority's policies and strategies;
- governing the authority consistently with the authority's establishing Act and other relevant legislation;
- ensuring, as far as practicable, that the authority operates in a proper, effective and efficient way; and
- ensuring, as far as practicable, that the authority complies with applicable governmental policies.

The Commission's Board consists of four non-executive members comprised of the Chairperson, Deputy Chairperson and two ordinary members. The Commission's Chief Executive Officer is also a member of the Board. Non-executive members' appointments are approved by the Minister for Gaming as the responsible Minister. The Standing Committee on Public Accounts is consulted on all non-executive member appointments in accordance with section 228 (Consultation with appropriate Assembly Committee) of the *Legislation Act 2001*. All appointed members are governed by the ACT Government Code of Conduct which outlines the standards of behaviour and ethical conduct expected of all people serving official appointments. In addition, to ensure the integrity of decisions made by the Board of the Commission, all Board Members are invited, at the beginning of every meeting, to declare any conflicts of interest.

The term of appointment for Commission members is three years. Members are eligible for re-appointment at the expiration of that term. The Chief Executive Officer remains as a member for the duration of their term of office.

As at 30 June 2021, the Commission's Board consisted of the following members:

*Chairperson:* Mr Paul Baxter

*Deputy Chairperson:* Vacant

*Members:* Ms Carmel Franklin

Mr Carl Buik

*Chief Executive Officer:* Ms Yu-Lan Chan

The *Gambling and Racing Control Act 1999* prescribes that of the four non-executive members of the Commission "one must have knowledge, experience or qualifications related to providing counselling services to problem gamblers". The appointment of Ms Franklin ensures compliance with this criterion.

### Paul Baxter (Chairperson)



Mr Baxter is a semi-retired professional business consultant who until mid-2011 was the public face of the ACT's electricity and water pricing regulator, the Independent Competition and Regulatory Commission, having been the inaugural Commissioner of that agency for nearly 16 years.

This role in the ACT partly overlapped with his nearly 25 years as a Director and Partner in PricewaterhouseCoopers, 16 years as a member of the Independent Audit Group of the Murray Darling Basin Commission, five years as the Associate Commissioner of the PNG Independent Consumer and Competition Commission, eight years as an Associate Commissioner of the ACCC, Chair of the National Water Accounting Standards Development Committee, and Chair of Anglicare Canberra/Goulburn.

### Alice Tay (Deputy Chairperson)

Ms Tay (LLB) is a lawyer, regulator, and non-executive director. After a career of 30 years with legal firm Meyer Vandenberg leading their Corporate Advisory and Commercial Division, Ms Tay now focuses on helping businesses grow, organisations prosper and communities flourish. She sits on the boards of the National Heart Foundation and mental health start-up The Fly Program. Ms Tay's term expired on the 16 June 2021. It should be noted that the Deputy Chairperson position was vacant from 17 June 2021 to 30 June 2021 during this reporting period.



### Carmel Franklin (Member)



Ms Franklin has been the Chief Executive Officer of Care Financial Counselling and Consumer Law Service since July 2008. She is a Consumer Director of the Australian Financial Complaints Authority and Chairperson of Financial Counselling Australia. Ms Franklin holds a Bachelor of Education and Diploma of Financial Counselling. Ms Franklin has the knowledge and experience related to providing counselling services to problem gamblers.

### Carl Buik (Member)

Mr Buik is a semi-retired consumer protection consultant who brings to the Commission extensive experience in all aspects of consumer protection including business compliance programs, consumer and business education, agency capacity building and investigations.

Mr Buik enjoyed a long career with the Australian Competition and Consumer Commission (ACCC). Since 2002 he has undertaken a range of consultancies involving both consumer protection and competition law issues for international organisations, national governments, and the private sector.



Mr Buik has qualifications in law (LLB, ANU) and economics (B.Ec, UNE & Grad Dip Economics for Competition Law, KCL).

### David Snowden (Chief Executive Officer and Member)



Mr Snowden was the Executive Group Manager, Regulatory Services within Access Canberra, and Chief Executive of the Gambling and Racing Commission. David has over 20 years of regulatory, enforcement and Executive management experience across multiple Commonwealth, Territory and New Zealand public sector agencies, including Transport, Customs, Competition and Consumer Protection.

Mr Snowden also held the statutory position of ACT Commissioner for Fair Trading. It should be noted that Mr Snowden was the Chief Executive Officer until 20 January 2021.

### Yu-Lan Chan (Chief Executive Officer and Member)

Ms Yu-Lan Chan is the Chief Executive of the Gambling and Racing Commission and Executive Branch Manager, Projects, Governance and Support within Access Canberra. Ms Chan's professional experience includes policy development and implementation, human resources, stakeholder engagement, organisational culture, and program management. She has held senior executive roles in multiple agencies across the ACT Government including Senior Executive with Responsibility for Business Integrity and Risk. She also has experience in the Australian Public Service, higher education sector, and overseas.



Ms Chan holds an Executive Masters of Public Administration from the Australia and New Zealand School of Government.

It should be noted that Ms Chan is the Chief Executive Officer of the Gambling and Racing Commission from 21 January 2021.

## Meetings of the Commission

The Commission conducts formal board meetings on a monthly basis where comprehensive briefing papers and recommendations regarding significant issues are prepared and presented to the Board.

Minutes of these meetings are documented, and decisions of the Commission are communicated in writing to relevant parties. These minutes are examined by the ACT Auditor-General's Office during their annual financial and performance audit of the Commission. The Commission members receive a monthly financial report at each meeting which incorporates monthly and year-to-date financial information and explanations of variances between budget and actual.

Access Canberra resources, personnel and expertise are made available to Board members to assist them to carry out their duties. Access to independent professional or legal advice is available as required. Legal advice in relation to Commission decisions is obtained from the ACT Government Solicitor.

The Commission has adopted the ACT Public Service Code of Ethics.

Table 1: Commission Members' Attendance at Meetings—July 2020 to June 2021

	Jul	Aug	Sep	Oct	Nov	Dec	Jan <sup>1</sup>	Feb	Mar	Apr	May	Jun
<b>Paul Baxter</b>	✓	✓	✓	✓	✓	✓	-	✓	✓	✓	✓	✓
<b>Alice Tay</b>	✓	✓	✓	✓	✓	✓	-	✓	✓	✓	✓	✓
<b>Carmel Franklin</b>	✓	✓	✓	✓	✓	✓	-	✓	✓	✓	✓	✓
<b>Carl Buik</b>	✓	✓	✓	✓	✓	✓	-	✓	✓	✓	✓	✓
<b>David Snowden<sup>2</sup></b>	✓	✓	✓	✓	✓	✓	-	N/A	N/A	N/A	N/A	N/A
<b>Yu Lan Chan<sup>3</sup></b>	N/A	N/A	N/A	N/A	N/A	N/A	-	✓	✓	✓	✓	✓

**Notes:**

1. A meeting was not held in January 2021.
2. Mr David Snowden was Chief Executive Officer until 20 January 2021.
3. Ms Yu Lan Chan commenced as Chief Executive Officer from 21 January 2021.

## Remuneration

During the 2020-21 financial year all board members were paid in accordance with the determinations of the ACT Remuneration Tribunal. Section 13 of the *ACT Remuneration Tribunal Act 1995* requires the ACT Remuneration Tribunal to make determinations about part time public office holders (which includes the ACT Gambling and Racing Commission Board) on an annual basis.

## Management Committees

Table 2: Name and role of management committees

Name of Committee	Role of Committee	Membership
<b>Internal Audit and Risk Committee (Further details are available on page 38)</b>	Oversees, on behalf of the Board, the Commission's governance, risk, compliance, and internal control environments and provides assurance as to their effectiveness.	Sub-Committee of the Commission's Board made up of members of the Commission.
<b>Gambling and Racing Commission Advisory Committee</b>	Provides views, opinions, and recommendations to support the Commission in undertaking its legislative functions, with particular emphasis on the prevention and mitigation of gambling harm in the ACT.	Advisory body with a maximum of ten members, to reflect a diverse range of skills, expertise, and backgrounds. Members are drawn from the gambling and racing industry, support services for those who experience gambling harm, community organisations seeking to address the effects of gambling harm, the health sector and ACT government directorates with a role to play in implementing a public health approach to gambling harm. The Chair is the Executive Branch Manager of the Projects, Governance and Support Branch of Access Canberra.

Both these committees report as required into the ACT Gambling and Racing Commission Board.

<b>Contact for further information:</b>	Senior Director, Finance and Budgets, Access Canberra, Phone: (02) 6207 0378.
	Senior Director, Policy and Coordination, Access Canberra, Phone: (02) 6207 0704.

# Performance Analysis

## Output Class 1: Gambling Regulation and Harm Minimisation

The Commission's objectives, deliverables and accountability indicators are published in the 2020-21 ACT Budget Statements

([https://www.treasury.act.gov.au/data/assets/pdf\\_file/0012/1698933/2020-21-Budget-Statements-B.pdf](https://www.treasury.act.gov.au/data/assets/pdf_file/0012/1698933/2020-21-Budget-Statements-B.pdf)) on the ACT Budget 2020-21 website. They are used to monitor and assess the Commission's performance.

### Output 1.1: Gambling Regulation and Harm Minimisation

The Commission purchases the following services from Access Canberra:

- administration of gaming laws;
- the control, supervision and regulation of gaming in the Territory;
- collection and verification of gambling taxes, levies, fees and charges; and
- the development and implementation of projects through the Gambling Harm Prevention and Mitigation Fund.

## Accountability Indicators

Table 3: Summary of operational performance against targets

	Original Target 2020 21	Actual Result 2020 21	% Variance from Original Target
<b>Undertake evidence (e.g. research and evaluation) informed activities to prevent and reduce gambling harm, including through the Gambling Harm Prevention and Mitigation Fund*</b>	12	13	8
<b>Percentage of customers satisfied with the Gambling and Racing Commission*</b>	90%	100%	11
<b>Percentage of the Canberra community satisfied with the ease of interacting with the Gambling and Racing Commission*</b>	95%	100%	5
<b>Compliance rate during targeted campaign inspections*</b>	90%	97%	8
<b>Average level of helpfulness after issuing a notice or before issuing a licence/authorisation*</b>	4.2 out of 5	5 out of 5	19

\*Further information including explanation of measures and variance is available in the Financial Management Reporting Section specifically under Statement of Performance.

## Strategic Objectives and Indicators

Table 4: Summary of results for Strategic Objectives and Indicators

<b><i>Strategic Objective 1: To take meaningful action to prevent gambling harm</i></b>
<p>Gambling harm is any negative consequence caused or made worse by gambling, that affects the health or wellbeing of an individual, their family or community. Gambling harm includes economic, social and health harms which extend between generations and to society. The 2019 ACT Gambling Survey found that 14 percent of Canberra adults experienced harm from their own or someone else's gambling in the 12 months preceding the survey.</p> <p>Of the five percent of adults who had experienced harm from another person's gambling, one in four reported financial difficulties. Emotional and relationship harms were more common than financial difficulties for people affected by another's gambling - with 59 per cent reporting feelings of stress or anxiety and 62 per cent reporting trust issues. Reducing the burden from the broad range of harms in the community requires a long-term commitment.</p> <p>The Commission must perform its functions in a way that prevents and reduces the burden of gambling harm on the community and individuals. The Commission monitors the social effects of gambling and gambling harm in the ACT, conducts research to understand gambling harm, and implements innovative evidence-based activities using a public health approach to prevent and reduce gambling harm.</p> <p>The public health approach acknowledges that focusing attention on only the small group of people who are experiencing extreme levels of harm will not in itself help to reduce the incidence or burden of gambling harm in the population.</p> <p>A combination of strategies have been developed, reviewed, updated and implemented to prevent and reduce gambling harm. These include:</p> <ul style="list-style-type: none"> <li>• enhanced collaboration for effective research, to contribute to the body of knowledge on how to prevent gambling harm;</li> <li>• strengthening community action to prevent gambling harm through supporting educative and gambling harm awareness resources for the entire Canberra community; and organising gambling harm awareness activities;</li> <li>• partnering with gambling venues to deliver safer settings such as: quality staff training to prevent harm, including delivery of consistent information about self-exclusion options and available support services for people at risk; public health messages, and safer gambling environments; and</li> <li>• strengthening community access to a range of resources and support services for people experiencing gambling harm including: funding of counselling and relapse prevention services; funding gambling harm awareness courses for non-gambling specific community sector workers.</li> </ul>
<b><i>Strategic Indicator 1: Prevent and reduce gambling harm in the ACT.</i></b>
<p>The Problem Gambling Severity Index (PGSI) is a widely used measure of clinical (or extreme) levels of problem gambling in the population. It ranks risk along a continuum as follows: score of less than 1 – non-problem gambling; 1-2 – low risk gambling; 3-7- moderate risk problem gambling; and 8 or more – problem gambling. It was used in the ACT surveys undertaken in 2009, 2014 and 2019. The prevalence of 'problem gambling' was 0.5, 0.4 and 0.8 per cent across this time period. The 2014 prevalence study used the PGSI as a proxy measure for gambling harm while other measures were being developed.</p> <p>One of these measures that has recently been developed and validated is the Short Gambling Harm Scale (SGHS) which was used in the 2019 ACT Gambling Survey. Developed and validated by Professor Matthew Browne and colleagues of Central Queensland University, this measure assesses the financial,</p>



emotional and relationship harms experienced by people who gamble. The SGHS has been used by most jurisdictions to assess the extent of gambling harm since it was released in 2016.

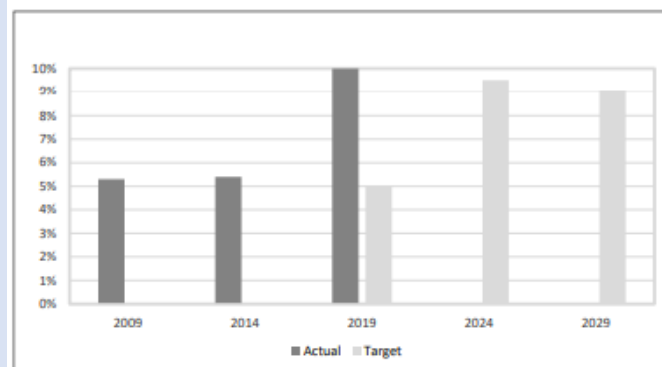
In the 2019 ACT Gambling Survey, 70 per cent of the survey participants were contacted via their mobile phone, whereas the previous surveys only contacted people using landline phones. The inclusion of mobile phone numbers was necessary given shifting preferences in the community from landline to mobile phones. However, it is likely to have influenced the prevalence rates. This is best illustrated by the finding that mobile phone respondents were almost twice as likely as landline respondents to be classified as problem gamblers.

This is demonstrated in Figure 2. The 2019 ACT Gambling Survey found that the proportion of the ACT adult population reporting one or more on the PGSI doubled from the results shown in the previous survey. This is a likely result of changes in the survey methodology from 2014 to 2019 which presented limitations in the ability to draw definitive conclusions about change over time in gambling activity, problems, harms, or service use.

In addition, the adoption of a public health approach means that in the short term, rates of gambling harm and service use are likely to increase along with greater community understanding, recognition, and responsive action to gambling harm embodied in the public health approach adopted by the Commission.

Further, the use of the SGHS in the 2019 ACT Gambling Survey is the first time the ACT has had an estimate of the nature and extent of gambling harm using a widely recognised and validated measure. The findings provide an invaluable benchmark and represent achieving a major and necessary milestone for assessing gambling harm prevention and reduction into the future. This is shown in Figure 3 where the SGHS found that 9.6 per cent of the adult population experienced harm from their own gambling in the last 12 months using the SGHS. This measure will continue to be used to demonstrate the extent to which public policies and Commission action has been successful in achieving prevention and reduction of gambling harm in the ACT.

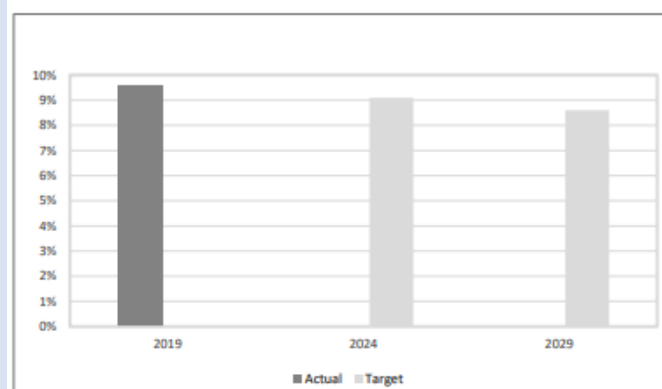
**Figure 2: Proportion of the ACT adult population reporting one or more on the Problem Gambling Severity Index (PGSI)**



**Note(s):**

1. An actual increase for 2019 was anticipated due to changes in the 2019 ACT Gambling Survey methodology and the adoption of a public health approach to gambling harm.

**Figure 3: Proportion of the ACT adult population experiencing harm from their own gambling in the previous 12 months on the Short Gambling Harm Scale (SGHS)**





## Result

The 2020-21 financial year was the second year of the Commission's *Strategy for gambling harm prevention in the ACT – A Public Health Approach 2019-2024*. The Strategy provides a road map for preventing and reducing gambling harm using a public health approach, guiding the development and delivery of effective, co-ordinated evidence-based activities over a five-year period.

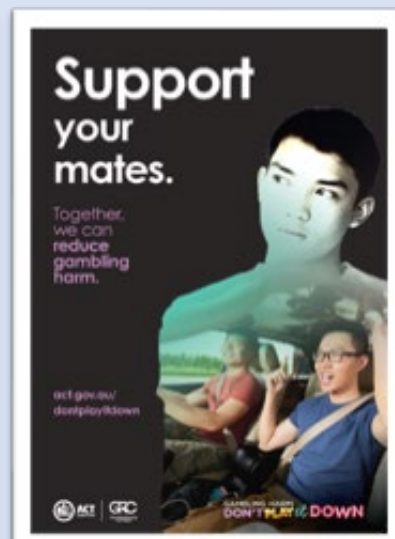
In 2020-21, harm prevention and reduction highlights include providing (i) a digital Gambling Harm Awareness Week, (ii) advanced training to gambling industry and community sector organisations, (iii) support for the ACT Gambling Support Service (AGSS).

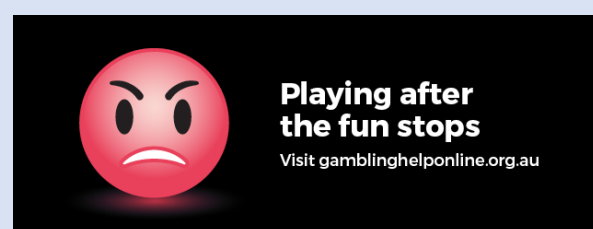
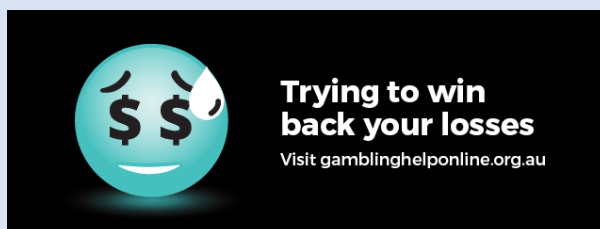
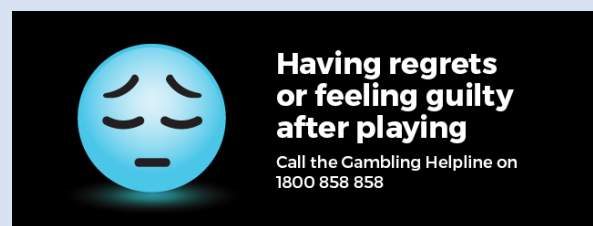
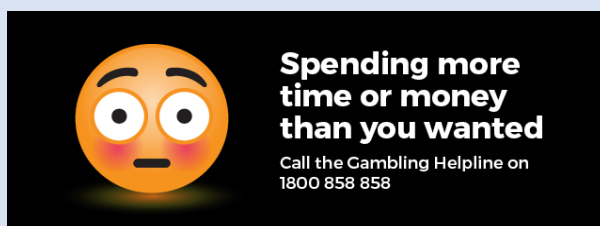
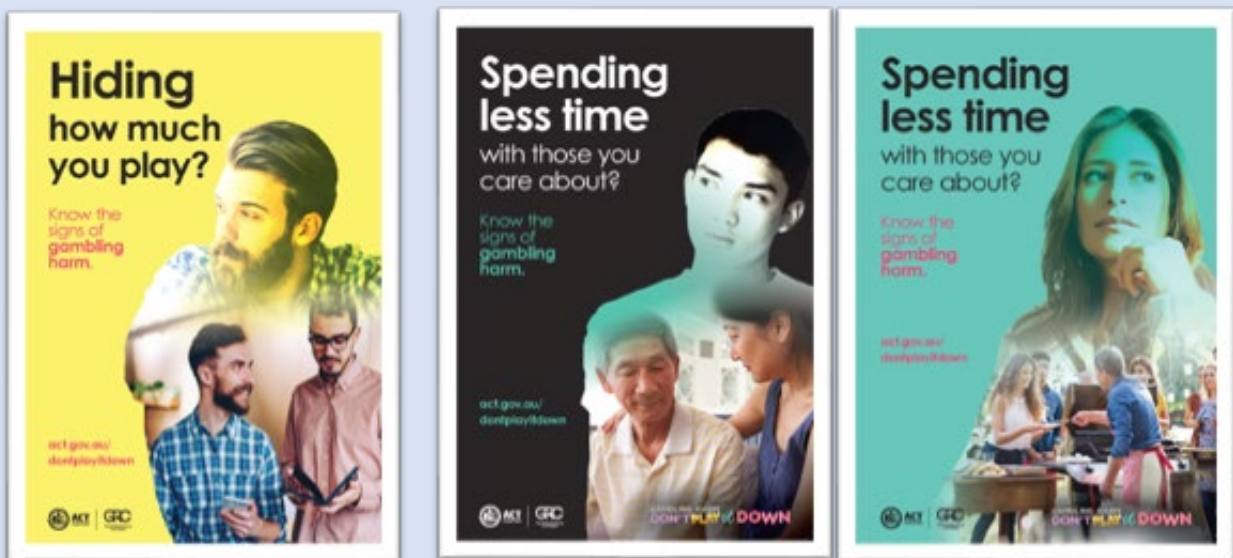
Gambling Harm Awareness Week (GHAW) is designated each year by the Commission to promote awareness within the community of gambling harm, research into gambling, and access to gambling help and support. GHAW 2020 was held from 19 to 25 October. As a result of the COVID-19 public health restrictions, the Commission did not hold in-person events. Similar to other jurisdictions in 2020, GHAW in the ACT was a communication led campaign focussing on knowing the signs of gambling harm and where to seek help.

Digital GHAW messaging material was provided to community clubs and TabCorp for use in venues, and the Gambling Harm webpage on the Commission's website was redesigned to make it more visually appealing and accessible. The webpage prominently featured video content designed to raise awareness about the nature of gambling harm, and graphics depicting the signs of gambling harm.

A social media communications campaign carried across Facebook, Twitter, and Instagram featured an animated video, and pictures displaying 'Know the Signs of Gambling Harm' messaging. The digital communications campaign generated significant media interest with a number of articles and interviews across print, radio, and television. Social media performed strongly, with 360,390 impressions, reach of 76,240, and 5,022 clicks. Overall, the GHAW campaign resulted in 2,077 new users visiting the website, with 3,506 views of the refreshed Gambling Harm webpage.

\*Communication materials used for GHAW 2020 included:





Another harm prevention and reduction highlight in 2020-21 was providing reviewed and approved training for both the gambling industry and community sectors through Gambling Contact Officer (GCO) Training Sessions and a Reducing Gambling Harm Workshop. While COVID-19 limited delivery opportunities and capacity, 157 GCOs attended 13 GCO training sessions across the financial year and 7 community sector representatives attended a Reducing Gambling Harm Workshop which was held in May.

The advanced GCO training sessions were designed to build skills in (i) understanding the needs of patrons at risk or experiencing gambling harm, (ii) connecting with patrons, and (iii) mitigating gambling related harm. At the end of the training, GCOs reported increased ability in initiating conversations with patrons and showing understanding, appropriately assisting patrons showing signs of gambling harm, choosing appropriate resources to assist patrons, and understanding of return to venue processes following the end of an exclusion (average increase approximately 0.5 on a 5-point scale).

The Reducing Gambling Harm Workshop was designed to educate people working in the community sector about the scope and impact of gambling in Australia and, more specifically, in the ACT. The workshop raised awareness about the diverse range of gambling harm as experienced by individuals, families, and communities. Ultimately, the training aimed to equip workers from a range of service settings to reduce potential and actual gambling harm among the people they support.

The Gambling Harm Prevention for Club Board Members Training was also reviewed and updated. All training sessions are being continued into 2021 based on high demand and their impact, as demonstrated in 2020-21.

The Commission continued to enable community access to support services for those affected by gambling in the ACT through funding the ACT Gambling Support Service, provided by Relationships Australia in partnership with Care Financial Counselling Services. The AGSS provides both general and financial counselling at no cost for individual or family members affected by gambling. The service also provides community education and engagement and has established a peer support worker network program.

### ***Strategic Objective 2: Ensure gambling operators' compliance with legislation***

On behalf of the Commission, Access Canberra conducts comprehensive programs to ensure that operators comply with relevant gaming and wagering legislation. Through this inspection program and its engagement and education approach to regulating operators, the Commission aims to increase compliance with the various gaming laws.

Access Canberra also receives returns from operators along with payments for gambling related taxes and levies. The returns will be reconciled against operators' activities for compliance, and variation advice issued if discrepancies are identified. The aim of this is to reduce the number of variations through engagement and education with operators in the ACT.

As a result of the enhanced engagement and education activities the Commission obtains information that is, within the risk and harm model, used to develop regulatory strategies in order to predict and prevent non-compliance.

### ***Strategic Indicator 2: Regulatory education and engagement activities result in a decreasing use of formal enforcement powers.***

An increase in successful engagement with, and education of, licensees is likely to reduce the need for formal enforcement powers as licensee behaviour demonstrates a higher level of regulatory compliance.

### **Result**

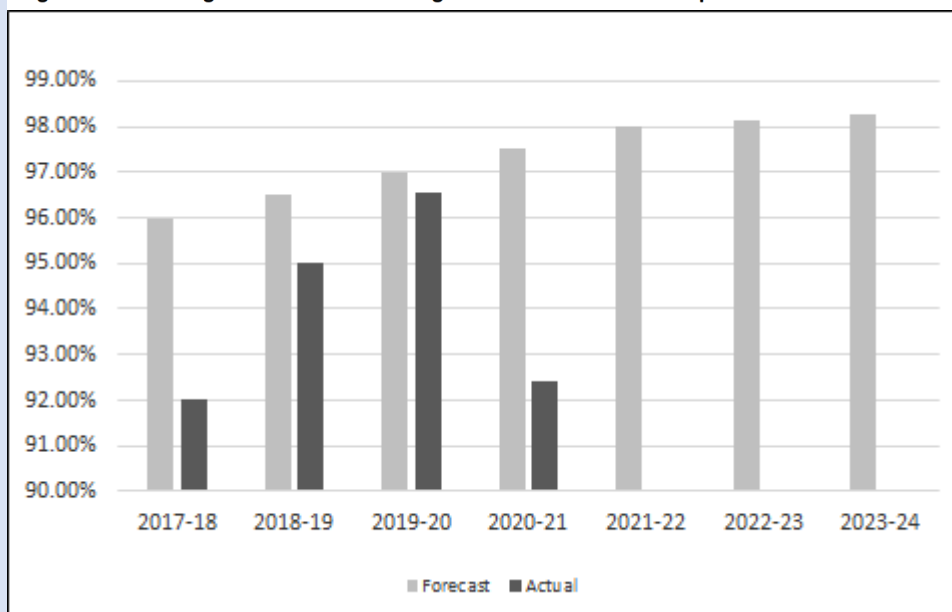
The approach of the Commission is to engage and educate through the conduct of compliance programs and when responding to enquiries or complaints. This approach supports the goal to support licensees achieve voluntary compliance.

Throughout 2020-21, the Commission has continued to take a proportionate enforcement response on matters where the risk, harm, or level of detriment to a party warrants action.

**Strategic Indicator 3:** *Increase the accuracy of gambling taxation returns.*

The increase in the accuracy percentage, as a proportion of returns, will indicate the success, or otherwise, of engagement and education with operators.

**Figure 4: Percentage of Accurate Gambling Taxation Returns as a Proportion of Returns.**



**Result**

During the reporting period, accuracy of gambling taxation returns decreased to 92.4 per cent compared to 96.5 per cent in 2019-20. Access Canberra, on behalf of the Commission, will continue its approach of engagement and education with licensees to increase the accuracy of returns.

**Contact for further information:**

Senior Director, Finance and Budgets, Access Canberra,  
Phone: (02) 6207 0378.

## Operational Performance Achievements

### Harm Prevention

Under the Strategy for Gambling Harm Prevention in the ACT and Annual Work Plan 2020-21, harm prevention activities and initiatives focused on education and awareness raising, training for gambling industry and community services staff, and expanding the research evidence base.

Operational achievements included:

- Collaborating with training provider experts in refreshing the Approved Gambling Contact Officer (GCO) Annual Training Session and training for Club board members to support the continued professional development of GCOs and facilitate proactive harm prevention culture in venues.
- continued roll-out and promotion of the *Don't Play It Down* in-venue gambling harm support kit (<https://www.gamblingandracing.act.gov.au/dontplayitdown/venue-support-kit>).
- Providing ongoing support to venues and the public via the exclusion telephone enquiry line and exclusion support email.
- Ongoing engagement and contract management of the ACT's Gambling Support service to ensure high quality service delivery.
- Upgrading the ACT's Gamblers Exclusion Database, which has streamlined the self-exclusion, revocation and incident reporting process for stakeholders.
- Liaising with communications experts in developing an extensive social media campaign for GHAW focused on knowing the signs of gambling harm. This successfully increased traffic to the *Gambling and Racing Commission* website.
- Conducting in-house reviews and research on emerging topics of interest. These inform policy development and harm prevention initiatives.
- Monitoring research projects published by other Australian jurisdictions as well as international publications particularly in North America, Europe, and the United Kingdom.
- Regularly liaising with university researchers as well as government representatives across Australia. Being aware of emerging research directions, priorities and projects in other jurisdictions has informed the development of the Commission's research agenda and harm prevention and reduction initiatives.

### Engage, educate, and enforce

The Commission's proactive compliance programs for the reporting period continued to reinforce the legislative obligations to individuals and licensees. The noticeable reduction in the use of formal enforcement powers is evidence of the benefit to the industry and the community of the engage and educate approach used by the Commission.

In the event of a breach of the legislation being identified by the Commission, an initial warning may be issued to the offending licensee and advice provided that any further breaches may result in formal disciplinary action being commenced. In instances of repeated offences or more serious breaches, the Commission may take disciplinary action against the licensee.

In accordance with section 58 of the *Gaming Machine Act 2004* disciplinary action may take the form of a reprimand, a monetary penalty or the suspension or cancellation of a gaming machine licence. Disciplinary action is only taken against a licensee after the licensee has been given the opportunity to show cause why the Commission should not take the disciplinary action it proposes.

The Commission did not initiate disciplinary action against any licensee for breaches of the legislation in 2020-21.

## Innovate, Collaborate and Consult

The Commission has continued with its innovative approach by collaborating and consulting with the community, the gambling industry, and the community sector. These are through both informal and informal channels including public communication campaigns about gambling harm prevention, through the Gambling and Racing Commission Advisory Committee and through licensees on their obligations under the relevant legislation.

The Commission also continued its support for the ANU Centre for Gambling Research. The Centre's purpose is to undertake and publish research on gambling, particularly gambling harm, to assist policy development into the social and economic effects of gambling in the ACT and other jurisdictions.

### Making interactions easier

The Commission has continued to implement the use of online forms to provide another means for clients to lodge a range of applications with Access Canberra. Access Canberra continues to review existing hard copy application forms to determine further streamlining and digitisation opportunities.

## Other relevant performance activities

### Casino

#### Casino Employee licensing

The licensing of persons employed in relation to gaming, security, finance, and other key areas of the casino ensures that these people meet the provisions of the *Casino Control Act 2006*. Employees in low-risk areas of the casino (e.g. food and beverage and cleaning) are not required to be licensed.

Table 5: Summary of casino licensing activities 2020-21

Licences Processed		Number
New Employees		34
Renewals		55
Variations		11
Cessations		93
Current Casino Employees		Number
Licensed		166
Unlicensed		37

#### Approval of Casino gaming equipment and chips

The approval of gaming equipment and chips by the Commission from approved suppliers ensures that:

- the gaming equipment is of a high standard and does not contain any bias; and
- the chips are not counterfeit and are not easily able to be counterfeited.

Approval for new gaming table layouts, new roulette balls and a software update to the multi terminal table game system was given by the Commission during 2020-21.

#### Approval of Casino rules of games

The approval of the rules of games by the Commission ensures that the casino games are conducted in a fair and equitable manner and that an appropriate return to players is provided.

No approvals of amendments to the rules of authorised games were given by the Commission during 2020-21. At the end of the last reporting period, the Commission was considering proposed amendments to the rules for Mini Baccarat but, after careful consideration of the matter, the proposed amendments were refused.

#### Approval of Casino control procedures

The control procedures cover the detailed operations of the casino and are an essential part of the regulatory scheme, ensuring that casino operations are conducted in an honest, accountable, and transparent manner. They ensure consistency across table games and strict adherence to reporting requirements. The Commission must approve changes to the casino's control procedures.

Approval for a number of job descriptions and organisation charts were given by the Commission during 2020-21 as result of changes in reporting lines and job titles.

Amendments to the control procedures for the Surveillance and Cash Desk Departments were approved by the Commission. Additionally, amended exclusion procedures were approved.

#### Review of Casino Patron Exclusion Notice

A casino official may exclude a person from entering or remaining in the casino by giving the person an exclusion notice orally or in writing. A person may appeal in writing to the Commission against the casino licensee's decision to give the person an exclusion notice. After considering submissions



from the person and the casino licensee, the Commission must confirm, change, or revoke the exclusion notice.

In 2020-21, the Commission did not receive any written appeals against an exclusion notice.

### Compliance Inspections of Casino

The Commission uses a risk-based inspection methodology to ensure the casino's compliance with the relevant legislation.

In 2020-21, a total of 90 inspections of casino operations were undertaken.

### Breaches Detected - Casino

There were 813 self-reported breaches of the approved rules and gaming control procedures in 2020-21. Examples include dealer errors (e.g. losing bet paid, incorrectly identifying the winning number on roulette) and where an excluded person has been identified (and subsequently asked to leave). These breaches are noted but no further action is taken by the Commission as they are rectified almost immediately.

During the 2019-20 period the Casino self-reported detection of several alleged breaches of the security control procedures by Casino security staff and the Commission subsequently investigated the alleged breaches. The Commission's investigation found that the Casino had breached section 77(1) of the *Casino Control Act 2006* (the Act) by failing to comply with the approved control procedures. On 29 July 2020 the Commission issued a direction to the casino pursuant to section 63(1) of the Act. This Direction places an obligation on the licensee in relation to staff training and monthly compliance auditing (and reporting) for a 12-month period from 1 September 2020.

### Disciplinary Action - Casino

In the event of a breach of the legislation being identified, an initial warning may be issued to the casino licensee and/or relevant employee and advice provided that any further breaches may result in formal disciplinary action being commenced. However, in instances of repeated offences or more serious breaches the Commission may take disciplinary action under section 37 of the Act.

In 2020-21 the Commission did not initiate disciplinary action against the casino licensee under section 37 of the Act.



## Gaming Machines

### Compliance Inspections of Gaming Machine Licensees

In 2020-21, a total of 222 inspections were undertaken relating to gaming machine venues to verify licensee compliance with the *Gaming Machine Act 2004*, *Gaming Machine Regulation 2004* and the *Gambling and Racing Control (Code of Practice) Regulation 2002* (the Code of Practice) and where applicable the *Lotteries Act 1964*.

### Breaches Detected - Gaming Machine Licensees

The Commission identified a total of 42 breaches of the legislation during the reporting period. This includes twenty-seven breaches of the *Gaming Machine Act 2004*, two breaches of the *Gaming Machine Regulation 2004* and thirteen breaches of the *Gambling and Racing Control (Code of Practice) Regulation 2002*. The twenty-seven breaches of the *Gaming Machine Act 2004* were:

- one instance of failing to keep a copy of the licence and authorisation certificate at the authorised premises;
- two instances of failing to operate a gaming machine at the correct percentage payout;
- nine instances of failing to display an approved gaming machine statement;
- three instances of failing to have all required operational details included in control procedures; and
- twelve instances of failing to display required linked-jackpot arrangement signage.

The two breaches of the *Gaming Machine Regulation 2004* were:

- one instance of failing to comply with a cashless gaming system requirement; and
- one instance of operating a high-denomination note acceptor.

The thirteen breaches of the *Gambling and Racing Control (Code of Practice) Regulation 2002* were:

- one instance of a licensee failing to advise of a change of gambling contact officer;
- three instances of failing to look at the exclusion register within three consecutive trading days of notification of a change;
- seven instances of failing to make required information available at the facility;
- one instance of failing to publish the contact details of an ACT approved gambling counselling service near gambling advertising; and
- one instance of failing to ensure that promotional material contains the rules and conditions of the promotion or where they can be found at the facility.

There were no breaches by gaming machine licensees identified in relation to the *Lotteries Act 1964*.

### Applications for Additional Authorisations – Gaming Machines

The Commission did not receive any applications during the reporting period.

### Licence Cancellations and Transfers – Gaming Machines

The Commission did not receive any requests for the cancellation or transfer of licences during the reporting period.

### Application for Initial Gaming Machine Licence – Gaming Machines

The Commission did not receive any applications for initial gaming machine licensees during the reporting period.

### Review of Gaming Machine Licensee Patron Exclusion Notice

A gaming machine licensee may exclude a person from gambling at the venue by giving the person an exclusion notice in writing. A person may appeal in writing to the Commission against the licensee's decision to give the person an exclusion notice.

After considering submissions from the person and the licensee, the Commission must confirm, change, or revoke the exclusion notice.

In 2020-21, the Commission did not receive any written appeals against an exclusion notice.

### Licence Amendments – Notifications and Approvals

Table 6: Summary of licence variation activity in 2020-21

Licence Variation Activity		Number
<b>Notifications</b>		
Number of gaming machines converted on application by licensees		775
Number of gaming machines replaced on application by licensees		283
One off increase in authorisations		0
<b>Approvals</b>		
Applications to operate a linked-jackpot arrangement		38
Applications to operate a multi-user linked-jackpot arrangement		0
Applications to disburse a linked-jackpot amount		14
Application for gaming area amendment		10
Application for premises relocation		0
Application for increase maximum authorisations (other than one-off)		0

<b>Contact for further information:</b>	Senior Director, Fair Trading and Compliance, Access Canberra Phone: (02) 6207 4412; or
	Senior Director, Licensing and Registrations, Access Canberra Phone: (02) 6205 8415.

## Trading Scheme

The Trading Scheme has been in effect since August 2015 requiring acquiring licensees to forfeit one authorisation for every four authorisations traded. Its primary purpose is to allow for licensed venues to better manage their gaming machine authorisation numbers to meet their business needs.

In total, through forfeitures imposed on trades, through surrendered authorisations and the Trading Scheme, has seen a combined reduction in authorisations from 5,022 to 3,864.

As of 30 June 2021, there was a total of:

- 31 licensees;
- 48 licensed venues;
- 3,864 gaming machine authorisations; and
- 3,636 gaming machines in operation.

Table 7: Summary of trading scheme figures at 30 June 2021

<b>LICENCES</b>	
Number of Licensees as at 31 August 2015	39
Licences Cancelled or Surrendered	8
Current Number of Gaming Machine Licensees - Clubs (Class C)	26
Current Number of Gaming Machine Licensees - Hotels/Taverns (Class B)	5
Current Number of Gaming Machine Licensees - Total	31
<b>AUTHORISATION CERTIFICATES (i.e. Venues)</b>	
Number of Authorisation Certificates as at 31 August 2015	58
Authorisation Certificates Cancelled or Surrendered	9
Authorisation Certificates Approved (Eastlake Gungahlin)	1
Current Number of Authorisation Certificates - Clubs (Class C)	43
Current Number of Authorisation Certificates - Hotels/Taverns (Class B)	5
Current Number of Authorisation Certificates - Total	48
<b>AUTHORISATIONS (To operate a gaming machine under an Authorisation Certificate)</b>	
Number of Authorisations as at 31 August 2015	5022
Authorisations Forfeited on Confirmation of Trade	99
Authorisations Surrendered	1059
Authorisations Cancelled	0
Current Number of Authorisations	3864
<b>GAMING MACHINES</b>	
Gaming Machines as at 31 August 2015	5022
Gaming Machines Forfeited with Trade	1158
Gaming Machines in Quarantine	0
Gaming Machines in Storage	123
Authorisations in Storage (without machine)	0
Authorisations in Quarantine (without machine)	0
Authorisations Without Machines (Unused Authorisations)	105
Current Number of Gaming Machines in Operation	3636

## Racing and Wagering

### Compliance Inspections of Racing and Wagering Licensees

In 2020-21, the Commission undertook 34 inspections of racing and wagering providers in the Territory to identify compliance with the *Race and Sports Bookmaking Act 2001*, the *Totalisator Act 2014*, the *Racing Act 1999* and the *Gambling and Racing Control (Code of Practice) Regulation 2002*.

### Breaches Detected – Racing and Wagering

In 2020-21 the Commission did not identify any breaches of the *Race and Sports Bookmaking Act 2001*, the *Totalisator Act 2014*, the *Racing Act 1999* and the *Gambling and Racing Control (Code of Practice) Regulation 2002* in relation to racing and wagering providers.

### Betting Disputes

Specific matters of dispute between sports bookmakers and their clients can be referred to the Commission as betting disputes pursuant to the *Race and Sports Bookmaking Act 2001*. This dispute process is separate to the general complaints' provisions under section 31 of the *Gambling and Racing Control Act 1999*.

In 2020-21, the Commission did not receive any betting disputes.

### Race Bookmaking Operations

Table 8: Summary of race bookmaking activities in 2020-21

Type of Commission Activity	Number
New Race Bookmaking Licence	0
Renewed Race Bookmaking Licence	0
New Race Bookmaker's Agents Licence	0
Renewed Race Bookmaker's Agents Licence	0
Total current Race Bookmaking Licences as at 30 June 2020	6
Total current Race Bookmaker's Agents Licences as at 30 June 2020	6

### Sports Bookmaking Operations

Table 9: Summary of sports bookmaking activities in 2020-21

Type of Commission Activity	Number
New Sports Bookmaking Licence	0
Renewed Sports Bookmaking Licence	0
Surrendered Sports Bookmaking Licence	0
New Sports Bookmaker's Agents Licence	0
Renewed Sports Bookmaker's Agents Licence	0
Total current Sports Bookmaking Licences as at 30 June 2020	1
Total current Sports Bookmaker's Agents Licences as at 30 June 2020	0

Contact for further information:	Senior Director, Fair Trading and Compliance, Access Canberra Phone: (02) 6207 4412; or
	Senior Director, Licensing and Registrations, Access Canberra Phone: (02) 6205 8415.

## Trade Promotion Lotteries, Raffles and other Lotteries

Table 10: Summary of lotteries permits issued in 2020-21

Type of Approval	Amount
Trade Promotion Lotteries	2118
Raffles	272
Housie	0
Other	2
Total	2,392

### Compliance Inspections of Lottery Providers

The Commission undertakes inspection programs that may include lotteries conducted in the Territory. In 2020-21, in addition to a review of lotteries conducted at gaming machine licensed venues, 18 further inspections were conducted on lottery providers.

### Breaches Detected - Lotteries

The Commission identified one breach of the *Lotteries Act 1964* which was the failure to comply with a condition of a lottery approval.

Contact for further information:	Senior Director, Fair Trading and Compliance, Access Canberra Phone: (02) 6207 4412; or
	Senior Director, Licensing and Registrations, Access Canberra Phone: (02) 6205 8415.

## Other Gaming Activities

### Charitable Gaming

The Commission received one application for charitable gaming during the reporting period.

### Conduct of Two-Up on Anzac Day

Part 4 of the *Unlawful Gambling Act 2009* provides for the conduct of exempt two-up games on Anzac Day, subject to prescribed conditions. In 2020-21 the Commission conducted four inspections of venues conducting two-up on Anzac Day and no breaches were identified.

### Interactive Gaming Regulation

In 2020-21, there were no interactive gaming service providers licensed in the Territory.

<b>Contact for further information:</b>	Senior Director, Fair Trading and Compliance, Access Canberra Phone: (02) 6207 4412; or
	Senior Director, Licensing and Registrations, Access Canberra Phone: (02) 6205 8415.

## Community Contributions

The community contributions scheme has been amended by changes made to the *Gaming Machine Act 2004* which commenced on 1 July 2019.

Clubs are responsible for directly contributing 8 per cent of their net gaming machine revenue to purposes that support the community.

In addition, clubs are required to provide 0.8 per cent of their net gaming machine revenue to the following funds:

- 0.4 per cent to the Gambling Harm Prevention and Mitigation Fund (previously known as the Problem Gambling Assistance Fund) to support gambling harm prevention and mitigation; and
- 0.4 per cent to the Chief Minister's Charitable Fund to support community charitable causes.

Non-club licensees are required to pay 0.8 per cent of their gaming machine revenue (after gaming machine tax) to these two funds to support gambling harm prevention and mitigation, and community charitable causes.

Clubs with Gross Gaming Machine Revenue (GGMR) of at least \$200,000 per annum across all venues operated under their licence must ensure that the club's community purpose contribution statement is audited by a qualified accountant. The statement must be included in the club's annual report, not provided as a separate document.

Clubs with less than \$200,000 GGMR must prepare a written statement of community purpose contributions, which is annexed to the club's income and expenditure statement for the year. An appropriate person at the club (e.g., a club's Chief Financial Officer) must certify that the statement is true.

This information must be prepared as soon as practicable, but no longer than 6 months, after the end of a club's reporting year. Clubs must then forward their annual report or certified income and expenditure statement, including information on community purpose contributions, to the Commission.

Within 10 working days after a club gives the Commission a copy of their audited financial statements or certified income and expenditure statement a club that prepares an annual report must:

- give the Commission an electronic copy of the club's annual report; and
- publish the annual report on a website of the club that can be accessed by the public free of charge (access must not be restricted to members only).

The Commission is required to publish certain information on its website including a summary of community purpose contributions made by the club industry, as well as individual clubs' annual reports (for clubs with GGMR of at least \$200,000) or written statements annexed to certified income and expenditure statements (for clubs with GGMR below \$200,000).

<b>Contact for further information:</b>	Senior Director, Fair Trading and Compliance, Access Canberra Phone: (02) 6207 4412; or
	Senior Director, Licensing and Registrations, Access Canberra Phone: (02) 6205 8415.

# Scrutiny

## Auditor-General

The Commission's Financial Report and Statement of Performance are independently audited by the ACT Auditor-General. The Auditor-General provided an unqualified audit opinion on the Commission's 2020-21 Financial Report and Statement of Performance with no significant matters identified during the process (see Financial Statements and Statement of Performance Sections).

The Auditor-General conducted the following audits with impact on the ACT Gambling and Racing Commission:

Table 11: Summary of outstanding Auditor-General report recommendations relevant to the Commission carried over from previous Annual Reports

<b>ACT Auditor General's Report</b> <b>ACT Government Strategic and Accountability Indicators</b> <b>Report No. 2/2018</b> <b>Government Response Tabled 5 June 2018</b>		
<b>Recommendation No. and Summary</b>	<b>Action</b>	<b>Status</b>
<b>Recommendation 4</b>  <b>Procedure for the review, selection and approval of strategic and accountability indicators</b>  <b>All Territory entities should document their procedure for the review, selection and approval of strategic and accountability indicators (the Transport Canberra and City Services Directorate and ACTION documented procedures could be used as a guide). The procedures should include:</b> <b>a) specifying a time (e.g. three years or when circumstances change) for reviewing and assessing all accountability indicators against performance indicators used by government agencies for similar services in other jurisdictions; and</b> <b>b) engaging with other Territory entities to identify better practices used in the Territory.</b>	<b>Agreed.</b>  The updated guidance material will include a requirement that entities document their procedures for the review, selection and approval of relevant indicators.  Entities will be required to specify a timeframe for the review and assessment of indicators, and appropriate procedures for engagement with other entities on identification of better practices.	<b>Complete.</b>

[http://www.audit.act.gov.au/data/assets/pdf\\_file/0010/1184896/Report-No-2-of-2018-ACT-Government-strategic-and-accountability-indicators.pdf](http://www.audit.act.gov.au/data/assets/pdf_file/0010/1184896/Report-No-2-of-2018-ACT-Government-strategic-and-accountability-indicators.pdf)



## Ombudsman

There were no reviews initiated by the ACT Ombudsman relevant to the Commission during the 2020-21 reporting period.

## Legislative Assembly Committees

There were no recommendations relevant to the Commission during the 2020-21 reporting period.

## Integrity Commission

There were no reviews initiated by the Integrity Commission relevant to the Commission during the 2020-21 reporting period.

## ACT Civil and Administrative Tribunal

Many of the Commission's decisions under the gaming laws, such as taking disciplinary action against a licensee or refusing to approve an application for a licence or equipment, are decisions reviewable by the ACT Civil and Administrative Tribunal (ACAT).

There were no matters that were referred to ACAT during the 2020-21 reporting period.

<b>Contact for further information:</b>	Senior Director, Policy and Coordination, Access Canberra, Phone: (02) 6207 0704;
	Senior Director, Fair Trading and Compliance, Access Canberra, Phone: (02) 6207 4412; or
	Senior Director, Licensing and Registrations, Access Canberra, Phone: (02) 6205 8415

## Risk Management

The Commission adopts the Chief Minister, Treasury and Economic Development Directorate's Risk Management Framework and maintains its own risk register. The Commission's risk register has been developed in accordance with the relevant standard (*AS/NZS ISO 31000:2009*) to include organisational risks, sources, impacts, responsibilities, treatments, and monitoring/review processes. The Commission's risk register is reviewed on a yearly basis and submitted for the approval of the Commission's Internal Audit and Risk Committee meetings. The Commission's Internal Audit and Risk Committee is responsible for monitoring and reporting on the implementation of risk mitigation strategies at each of its meetings.

The Commission's Statement of Intent identifies the risks and associated mitigation strategies in relation to the Commission meeting its corporate and business objectives. These risks are incorporated in the Commission's risk register.

The Commission has agreed to apply a risk-based compliance approach to ensure that resources are targeted to where the risks of harm, unsafe practices or misconduct are the greatest, thereby strengthening capacity to take action where the community, workers and the environment are most at risk.

The three fundamental steps used to ensure compliance are to engage, educate and enforce with the optimal outcome being voluntary compliance. Education has a key role to play in maximising compliance by proactively ensuring licensees are aware of legislated requirements. Enforcement action will be applied where conduct is in breach of legislation and is likely to cause harm.

<b>Contact for further information:</b>	Executive Branch Manager, Projects, Governance and Support, Access Canberra, Phone: (02) 6205 0319.
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## Internal Audit

The Commission has established an Internal Audit and Risk Committee (the Committee) as part of its responsibilities in relation to the corporate governance of the Commission. The objective of the Committee is to provide independent assurance to the Board on the Commission's risk, control and compliance framework, and its financial statement responsibilities.

The Internal Audit and Risk Committee met on three occasions in 2020-21.

Table 12: Summary of meetings attended by members and observers during 2020-21

Name of Member	Position	Meetings Attended
<b>Alice Tay</b>	Chair	1
<b>Carl Buik</b>	Member	2
<b>Paul Baxter</b>	Acting Chair	1
<b>Ron Leonard</b>	Senior Director/Observer	2
<b>Lalanka Amarasiri</b>	Director/Observer	1
<b>Bei Hu</b>	Director/Observer	1

The Committee Charter has been modelled on the Australian National Audit Office (ANAO) Better Practice Guides. The Board endorses the charter at its meetings and will continue to review them.

The Commission has an Internal Audit Program which has been developed after identifying areas of potential operational and financial risk. During 2020-21 the Committee undertook an extensive review of the Commission's risk register.

The Commission can utilise the ACT Government's Whole-of-Government Internal Audit Services Panel to select contractors to conduct in-depth internal audits in areas that includes performance, compliance, and information technology.

<b>Contact for further information:</b>	Executive Branch Manager, Projects, Governance and Support, Access Canberra, Phone: (02) 6205 0319.
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## Fraud Prevention

As required under the ACT Public Service (ACTPS) Integrity Policy, the Commission has in place a Fraud and Corruption Prevention Plan and a Fraud Risk Register. The objective of the Fraud and Corruption Prevention Plan is to provide the basis of the Commission's actions to control fraud and to identify those key activities performed by the Commission that require the implementation of additional controls to reduce the likelihood of fraud occurring. With the integration of Commission staff into Access Canberra, the Fraud and Corruption Prevention Plan of the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) now apply to all staff. Fraud awareness and ethics training is available to all CMTEDD staff and is part of the induction process for all new CMTEDD employees.

There were no reports or allegations of fraud or corruption received and investigated by the Commission during this reporting period.

<b>Contact for further information:</b>	Executive Branch Manager, Projects, Governance and Support, Access Canberra, Phone: (02) 6205 0319.
	Workforce Capability and Governance Division, CMTEDD, Phone: (02) 6207 6502 or <a href="mailto:psm@act.gov.au">psm@act.gov.au</a> .

## Freedom of Information

Information in relation to requests made under the *Freedom of Information Act 2016* in relation to the business of the ACT Gambling and Racing Commission can be sourced from the 2020-21 annual report of the Chief Minister, Treasury and Economic Development Directorate.

<b>Contact for further information:</b>	Senior Director/Information Officer, Information Access, Chief Minister, Treasury and Economic Development Directorate, Phone: (02) 6207 3153.
	ACT Ombudsman Phone: 13000 362 072 or email: <a href="mailto:actfoi@ombudsman.gov.au">actfoi@ombudsman.gov.au</a>

## Community Engagement and Support

The Commission engages with the community in several ways including through information on the Commission website and through interactions with members of the community through Access Canberra. In the 2020-21 financial year, the Commission continued raising awareness of gambling harm by updating its website, which included providing:

- (i) guidelines and an application form for the Gambling and Harm Prevention Mitigation Fund
- (ii) the Commission's Research Agenda and Strategic Plan
- (iii) revised fact sheets and forms for the self-exclusion scheme
- (iv) refreshed information about the ACT's Gambling Support Service, and
- (v) information about GRC board membership.

Ongoing improvements to the Gambling and Racing Commission website have been made to further enhance the user experience. The "Is it time to take a break" information leaflet about self-exclusion was also updated and made available for venues.

In October 2020, the Commission lead Gambling Harm Awareness Week in the ACT, comprising targeted social media communications around the theme of "Know the signs" to raise awareness of gambling harm in the community. Social media performed strongly, with 360,390 impressions, reach of 76,240, and 5,022 clicks. The best performer was the "Know the Signs" animated video.

In July, the Commission provided information and resources on gambling harm prevention measures to all Gambling Contact Officers and gambling venue board members. In August 2020, the COVID-19 restrictions on gambling venues started to ease and venues began to re-open.

The Commission also connected with stakeholders including Canberra Community Clubs, ClubsACT, the Queensland's Department of Justice and Attorney-General, SA Office of Problem Gambling, Liquor and Gaming NSW, ACT Gambling Support Services, TabCorp, Casino Canberra, the Gambling and Racing Commission Advisory Committee and the Victorian Responsible Gambling Foundation to collaboratively support gambling harm prevention initiatives.

## Community Engagement Activities

Table 13: Summary of Community Engagement Activities

Project	Summary
<b>Gambling Harm Awareness Week</b>	Gambling Harm Awareness Week was held from 19 to 25 October 2020. Due to Covid-19 public health restrictions, the week focused on a communication-led campaign to promote awareness in the community of gambling harm and where to seek gambling help and support.
<b>Gambling during Covid-19</b>	The Commission completed targeted engagement with the club sector prior to clubs reopening after the COVID 19 restrictions on operations. The Commission provided club venues with gambling harm prevention resources, information, and advice to ensure venues continued to operate in accordance with their harm prevention obligations.

## Community Support Initiatives: Grants and Sponsorship

No grants, assistance or sponsorship were provided to organisations by the Commission during the reporting period.

<b>Contact for further information:</b>	Senior Director, Policy and Coordination, Access Canberra, Phone: (02) 6207 0704.
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## Aboriginal and Torres Strait Islander Reporting

The Commission's work is governed by its enabling legislation. To the extent that it is relevant the Commission's work affects all residents of the Territory. During 2020-21, the Commission did not have any information or data suggesting that the ACT Aboriginal and Torres Strait Islander community would benefit from specific targeted programs or initiatives in relation to gaming and racing.

<b>Contact for further information:</b>	Senior Director, Policy and Coordination, Access Canberra, Phone: (02) 6207 0704;
	Senior Director, Fair Trading and Compliance, Access Canberra, Phone: (02) 6207 4412; or
	Senior Director, Licensing and Registrations, Access Canberra, Phone: (02) 6205 8415

## Work Health and Safety

As of 1 July 2016, as a result of Commission staff being integrated into Access Canberra, CMTEDD, workplace health and safety requirements for those staff were also transferred. CMTEDD aims to provide a safe and health work environment for all works, including contractors and volunteers while they are undertaking work for CMTEDD. CMTEDD's Work Health and Safety Management Policy mandates PeopleSafety as CMTEDD's Work Health and Safety management system. PeopleSafety applies to all CMTEDD activities and functions.

Work Health and Safety information for the ACT Gambling and Racing Commission can be sourced from the 2020-21 annual report of the CMTEDD.

<b>Contact for further information:</b>	Workplace Injury Performance, Workplace Safety and Industrial Relations, CMTEDD, Phone (02) 6207 8794.
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## Human Resources Management

As of 1 July 2016, as a result of Commission staff being integrated into Access Canberra, CMTEDD human resource management requirements for those staff were also transferred. This includes all facets of human resourcing including employment conditions, workplace behaviours, recruitment and employee health and wellbeing.

Human Resources Management information for the ACT Gambling and Racing Commission can be sourced from the 2020-21 annual report of the CMTEDD.

<b>Contact for further information:</b>	Workforce Capability and Governance Division, CMTEDD, Phone 6207 6502 or <a href="mailto:psm@act.gov.au">psm@act.gov.au</a> .
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## Ecologically Sustainable Development

The ACT Government is committed to sustainable development of the ACT and encourages directorates and public sector bodies to embed sustainability in their decision-making processes. The commitment was translated into a legislative responsibility for directorates and public sector bodies to develop policies and programs to promote ecologically sustainable development through the *Commissioner for Sustainability and the Environment (CSE) Act 1993*, *Climate Change and Greenhouse Gas Reduction Act 2010* and the *Environment Protection Act 1997* (the Environment Protection Act). Ecologically sustainable development means the effective integration of economic, social, and environmental considerations in decision-making processes.

From 1 July 2016, Commission staff were integrated into Access Canberra, CMTEDD and as a result, the Commission had no staff, accommodation, or motor vehicles in 2020-21.

Ecologically Sustainable Development information for the ACT Gambling and Racing Commission can be sourced from the 2020-21 annual report of CMTEDD.

<b>Contact for further information:</b>	Executive Group Manager, Corporate, Chief Minister, Treasury and Economic Development Directorate, Phone: (02) 6207 0569.
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# Financial Management Reporting

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## Financial Management Analysis

### Management Discussion and Analysis for the ACT Gambling and Racing Commission for the Financial Year Ended 30 June 2021

#### General Overview

##### Objectives

The objectives of the ACT Gambling and Racing Commission (the Commission) are to:

- effectively regulate gambling and racing activity for statutory compliance;
- ensure compliance with statutory payments of taxes and fees;
- keep informed about problem gambling issues and harm minimisation strategies;
- undertake measures designed to reduce the negative impact of gambling harm;
- review gaming legislation and policies and implement changes;
- keep informed about developments in gaming and regulatory practices; and
- effectively manage its resources.

#### Financial Performance

The following financial information is based on audited Financial Statements for 2019-20 and 2020-21.

In December 2014, it was announced that a number of regulatory functions across the ACT Government, including gambling regulation, would be brought together to create Access Canberra. In July 2017, an agreement between Access Canberra and the Commission on “*the provision of services for the administration of the gaming laws including the control, supervision and regulation of gaming and racing in the ACT*” (the Agreement) was executed. The agreement between Access Canberra and the Commission was later renewed in September 2020 for a period of three years.

The Agreement states that ‘Access Canberra acknowledges the responsibilities and obligations of the GRC as a statutory authority including those specified in the *Gambling and Racing Control Act 1999*, other Gaming Laws and Statement of Intent.

The Commission’s functions have remained consistent between 2019-20 and 2020-21.

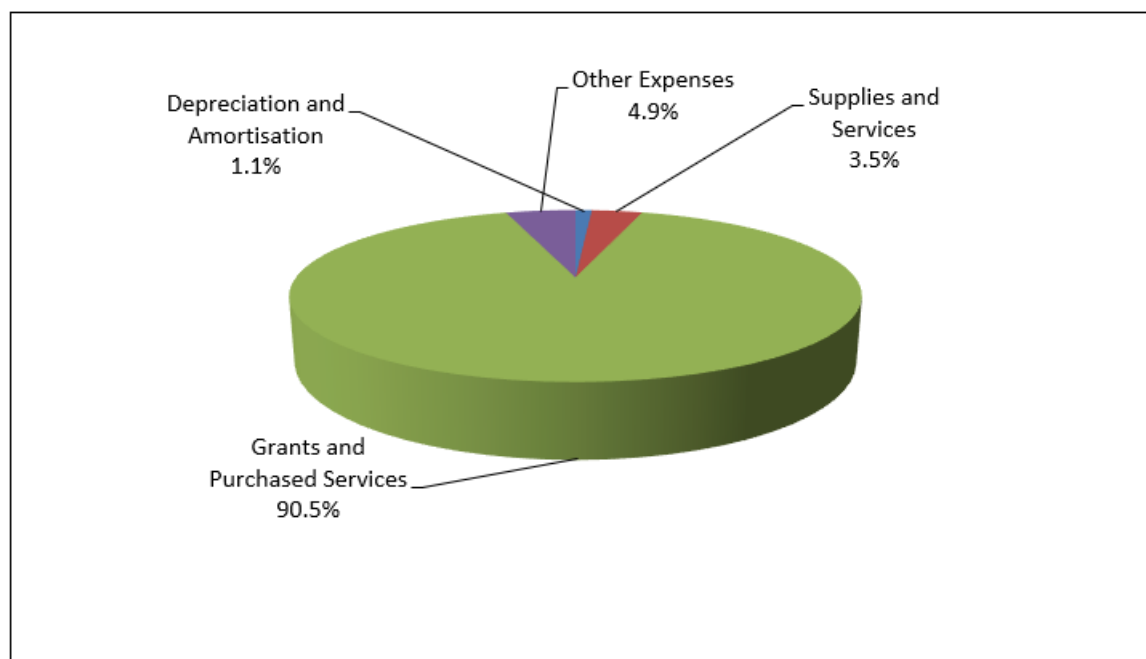
##### Total Expenditure

###### *1. Components of Expenditure*

Figure 1 indicates the components of the Commission’s expenditure for 2020-21 not including taxation revenue transferred to Government. As the Commission has entered into an agreement with Access Canberra for the provision of services for the administration of the gaming laws including the control, supervision and regulation of gaming and racing in the ACT, the main expenditure items during the year were purchased services, and supplies and services expenses. Supplies and services expenses includes Gambling Harm Prevention and Mitigation Fund expenditure for projects to reduce the impact of gambling harm.

The largest component of expenditure is grants and purchased services which represents **90.5 per cent** of ordinary activities or **\$6.427 million**.

Figure 1 - Components of Expenditure in 2020-21



## 2. Comparison to Budget

Total expenditure, not including taxation revenue transferred to Government, of **\$7.101 million** was **\$0.089 million** lower than the 2020-21 budget of **\$7.190 million**. This is materially consistent with the 2020-21 budget.

## 3. Comparison to 2019-20 Actual Expenditure

In comparison to 2019-20 expenditure of \$11.066 million, 2020-21 total expenditure, not including taxation revenue transferred to Government, was lower than 2019-20 by **\$3.965 million**, or **35.8 per cent**. This is mainly due to decreases in:

- Other Expenses (**\$3.511 million**) as a result of:
  - the decrease in waivers (**\$2.074 million**) due to the ACT Government waiving tax liabilities for March 2020 for club gaming machine licensees and Casino Canberra as part of the economic survival package resulting from the COVID-19 health emergency not occurring in 2020-21;
  - the decrease in Act of Grace Payments (**\$1.033 million**) due to the Treasurer authorising six one-off Act of Grace Payments in 2019-20 relating to the COVID-19 health emergency. No Act of Grace Payments were made in 2020-21; and
  - the decrease in the Diversification and Sustainability Support Fund expense (**\$0.404 million**) due to the Levy on gaming machine licensees reduced to zero for the tax period between 23 March 2020 and 8 April 2021 as a result of the COVID-19 health emergency. These funds are then passed onto the Diversification and Sustainability Support Fund, which is managed by the Justice and Community Safety Directorate.
- Supplies and Services (**\$0.715 million**) as a result of:
  - the decrease in payments from the Gambling Harm Prevention and Mitigation Fund (**\$0.248 million**) due to reduced activity from the fund; and
  - no other expenses (**\$0.446 million**) in 2020-21 due to the Commission not undertaking additional projects in 2020-21. Additional projects in 2019-20 were in addition to the funds provided to Access Canberra for the provision of services for the administration of gaming laws including the control, supervision and regulation of gaming and racing in the ACT.

## Total Income

Gambling revenue incorporates the following categories:

- gaming machine taxes, levies and fees;
- interstate lotteries taxes (New South Wales);
- minor lottery fees (promotions and raffles);
- casino tax and fees;
- totalisator licence fee;
- race bookmakers' licence fees; and
- sports bookmakers' turnover tax and licence fees.

The amount of gambling revenue received by the Commission depends directly on the level of gambling undertaken in the Territory. The Commission does not have the function of promoting or developing gambling activity in the Territory.

### *1. Components of Income*

Although the Commission collects and verifies revenue from gambling taxes, levies, fees and fines, all such revenue is immediately transferred to the Territory Banking Account through daily sweeps of the Commission's Taxation Account. Taxes and Levies are received in accordance with the respective legislation or agreements held with the Commission and are based on gross profit or the level of gambling activity depending on the requirements for each product. Regulatory Fees are paid in relation to gaming operations such as licensing applications, raffle and trade promotion permit applications and general gaming and racing approvals.

The revenue that the Commission uses to fund its operating activities is appropriated through Controlled Recurrent Payments and interest from its bank accounts. In 2020-21, appropriation payments from Government totalled **\$5.350 million**.

The Commission also receives a Gambling Harm Prevention and Mitigation Fund levy and contributions to the Chief Minister's Charitable Fund and the Diversification and Sustainability Support Fund.

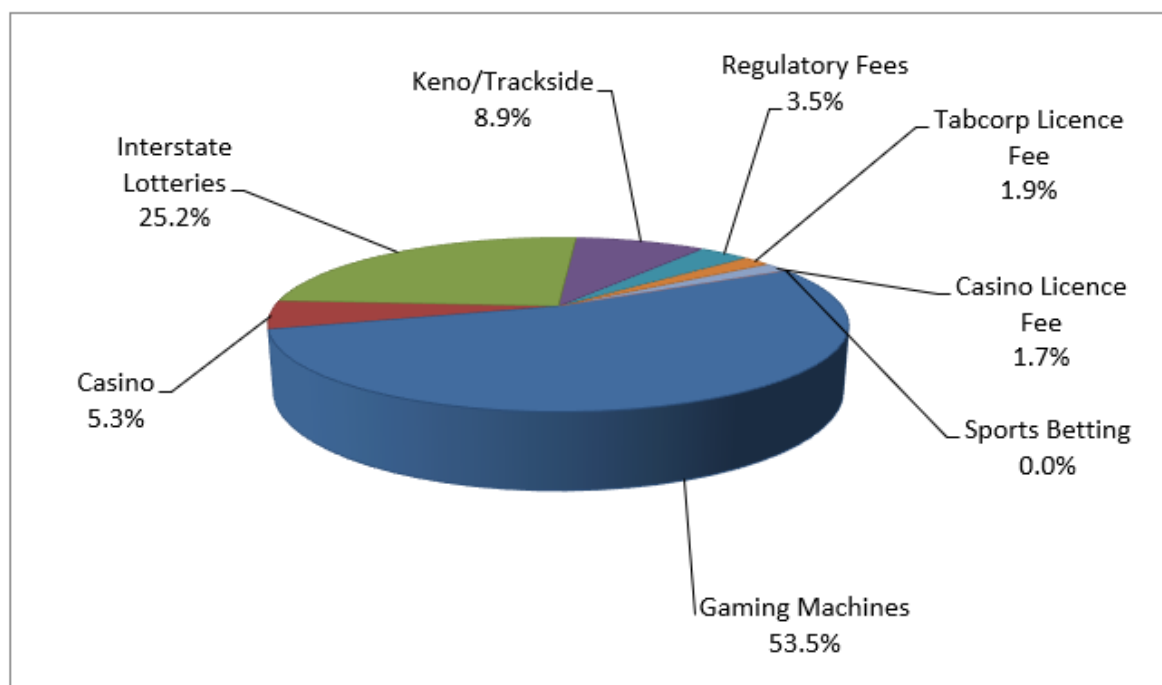
*Gambling Harm Prevention and Mitigation Fund* - Payments to the Gambling Harm Prevention and Mitigation Fund consists of a levy from gaming machine licensees as well as voluntary contributions from Tabcorp ACT and Casino Canberra. These funds are used to provide problem gambling support services to the ACT community as well as other projects to reduce the negative impact of problem gambling. In 2020-21, the total amount received by the Commission in the Gambling Harm Prevention and Mitigation Fund was **\$1.694 million**.

*Chief Minister's Charitable Fund* – Payment to the Chief Minister's Charitable Fund consists of a contribution from gaming machine licensees. These funds are collected by the Commission and transferred to the Chief Minister's Charitable Fund. In 2020-21, the total amount received by the Commission in the Chief Minister's Charitable Fund was **\$0.366 million**.

*Diversification and Sustainability Support Fund* – Payments to the Diversification and Sustainability Support Fund consists of a payment for each authorisation for gaming machines held by club gaming machine licensees. These funds are collected by the Commission and transferred to the Justice and Community Safety Directorate who manages the fund. In 2020-21, the total amount received by the Commission in the Diversification and Sustainability Support Fund was **\$0.344 million**.

Figure 2 below indicates that for the financial year ended 30 June 2021 the Commission received **\$30.622 million** or **53.5 per cent** of its total gambling revenue from gaming machine taxation.

Figure 2 - Components of Gambling Income in 2020-21



## 2. Comparison to Budget

For the year ending 30 June 2021 gambling revenue was **\$57.205 million** which was **\$1.315 million** higher than the 2020-21 budget of **\$55.890 million**. This was mainly due to higher:

- receipts for gaming machine taxation (**\$0.287 million**) and casino taxation (**\$0.291 million**) due to easing out of restrictions put in place in 2019-20 as a result of the COVID-19 health emergency;
- interstate lotteries revenue (**\$1.041 million**) from higher than expected ticket sales; and
- regulatory fees (**\$0.127 million**) due to the cessation of restrictions that were put in place in 2019-20 as a result of the COVID-19 health emergency.

These increases were partially off-set by lower keno/trackside revenue (**\$0.407 million**).

## 3. Comparison to 2019-20 Actual Income

### Revenue

Gambling revenue in 2020-21 was **\$9.266 million**, or **19.3 per cent**, higher than the 2019-20 actual result. This was mainly due to increases in:

- receipts for gaming machine taxation (**\$6.128 million**) and casino taxation (**\$1.029 million**) due to easing out of restrictions put in place in 2019-20 as a result of the COVID-19 health emergency; and
- keno/ trackside revenue (**\$2.440 million**) due to a higher gambling activity in 2020-21.



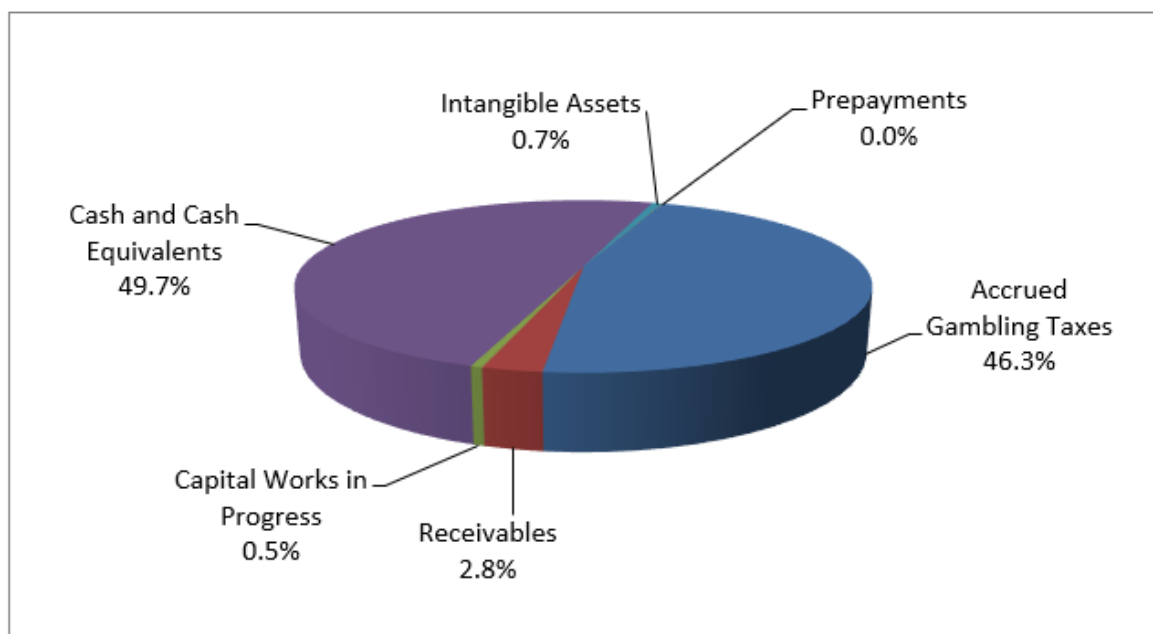
## Commission's Financial Position

### Total Assets

#### 1. Components of Total Assets

Figure 3 below indicates that for the financial year ended 30 June 2021, **46.2 per cent** of the Commission's assets are accrued gambling tax revenue and **49.7 per cent** are cash and cash equivalents.

Figure 3 – Total Assets as at 30 June 2021



#### 2. Comparison to Budget

The total asset position as at 30 June 2021 of **\$11.289 million** is **\$1.937 million** higher than the 2020-21 budget of **\$9.352 million**. The increase is mainly due to:

- higher cash and cash equivalents (**\$0.725 million**) resulting from reduced expenditure from the Gambling Harm Prevention and Mitigation Fund;
- higher accrued gambling tax receipts (**\$0.879 million**) due to higher than expected gambling activity upon easing out of restrictions put in place in 2019-20 as a result of the COVID-19 health emergency; and
- higher other receivables (**\$0.297 million**) mainly due to increased receipts for the Gambling Harm Prevention and Mitigation Fund Levy, Chief Minister's Charitable Fund Levy and Diversification and Sustainability Support Fund Levy due to higher than expected gambling activity upon easing out of restrictions put in place in 2019-20 as a result of the COVID-19 health emergency.

### 3. Comparison to 2019-20 Actuals

The Commission's total asset position increased by **\$2.078 million** from 2019-20 actual result of **\$9.211 million** mainly due to increases in:

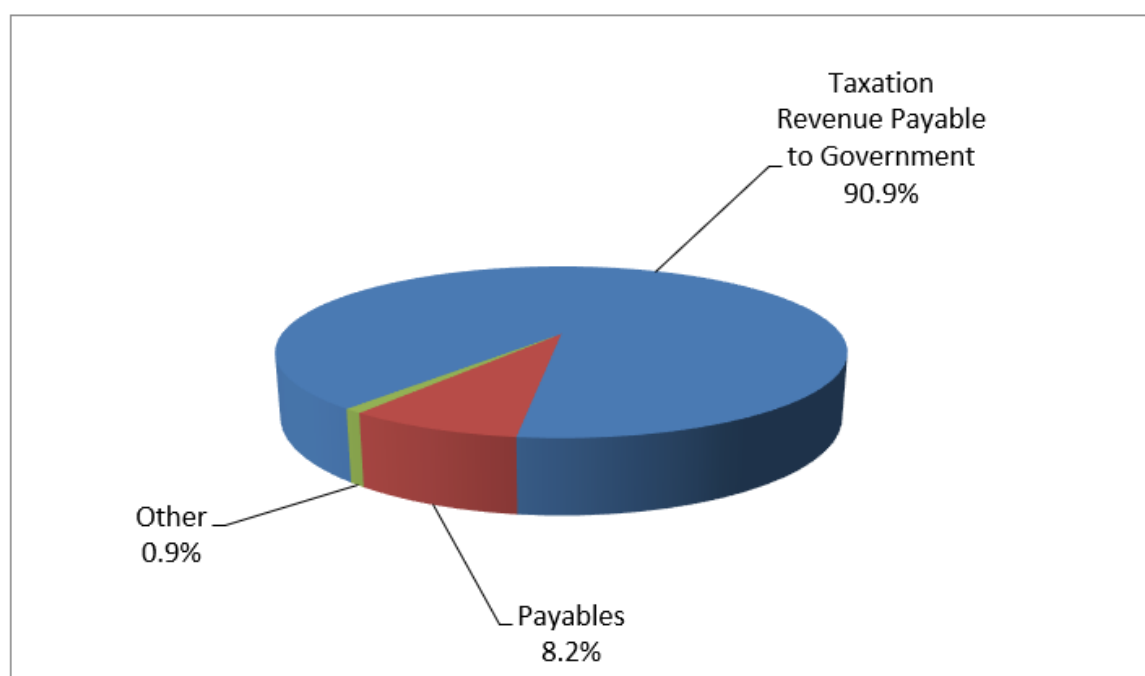
- accrued gambling taxes (**\$0.833 million**) mainly due to higher gambling activities after easing out of restrictions put in place in 2019-20 as a result of the COVID-19 health emergency;
- cash and cash equivalents (**\$0.913 million**) primarily due to reduced expenditure from the Gambling Harm Prevention and Mitigation Fund; and
- receivables (**\$0.303 million**) mainly due to increased receipts for the Gambling Harm Prevention and Mitigation Fund Levy, Chief Minister's Charitable Fund Levy and Diversification and Sustainability Support Fund Levy due to no receivables for these items in 2019-20 as gaming machine licensees were closed in June 2020 as part of the ACT health emergency associated with the COVID-19 pandemic.

## Total Liabilities

### 1. Components of Total Liabilities

Figure 4 below indicates that the majority of the Commission's liabilities as at 30 June 2021 relate to taxation revenue payable to Government (**90.9 per cent**).

Figure 4 – Total Liabilities as at 30 June 2021



### 2. Comparison to Budget

The Commission's liabilities for the year ended 30 June 2021 of **\$5.745 million** is **\$1.350 million** higher than the 2020-21 budget of **\$4.395 million**. This is mainly due to:

- higher taxation revenue payable to Government (**\$0.911 million**) mainly due to an increase in outstanding Accrued Gambling Taxes Receivable as at 30 June 2021. All taxes and levies received by the Commission are transferred on a daily basis to the ACT Government;
- levy payable to the Diversification and Sustainability Support Fund (**\$0.344 million**) due to the timing of payments received by the Gambling and Racing Commission and transferred to the fund; and
- levy payable to the Chief Minister's Charity Fund (**\$0.104 million**) due to the timing of payments received by the Gambling and Racing Commission and transferred to the fund.

### 3. Comparison to 2019-20 Actuals

Total liabilities increased by **\$1.353 million** from 2019-20 actual results of **\$4.392 million** due to:

- higher taxation revenue payable to Government (**\$0.911 million**) mainly due to an increase in outstanding Accrued Gambling Taxes Receivable as at 30 June 2021. All taxes and levies received by the Commission are transferred on a daily basis to the ACT Government;
- levy payable to the Diversification and Sustainability Support Fund (**\$0.344 million**) due to the timing of payments received by the Gambling and Racing Commission and transferred to the fund; and
- levy payable to the Chief Minister's Charity Fund (**\$0.104 million**) due to the timing of payments received by the Gambling and Racing Commission and transferred to the fund.

### Liquidity

'Liquidity' is the ability of the Commission to satisfy its short-term debts as they fall due. A common indicator for liquidity is the current ratio which compares the ability to fund short-term liabilities from short-term assets. A ratio of less than 1-to-1 may indicate a reliance on further funding from the ACT Government to meet short-term debts. *Table 14* indicates the liquidity position of the Commission.

Table 14: Current Ratio

Description	Prior Year Actual 2019-20 \$'000	Current Year Budget 2020-21 \$'000	Current Year Actual 2020-21 \$'000
Current Assets	9,050	9,243	11,149
Current Liabilities	4,392	4,395	5,745
<b>Current Ratio</b>	<b>2.06:1</b>	<b>2.10:1</b>	<b>1.94:1</b>

The Commission's current ratio for the financial year ended 30 June 2021 is **1.94 to 1** which is lower than the budgeted current ratio of **2.10 to 1**. The lower ratio reflects increased taxation revenue payable to Government (**\$0.911 million**) as a result of an increase in outstanding Accrued Gambling Taxes Receivable as at 30 June 2021 and accrued levies payable to the Diversification and Sustainability Support Fund (**\$0.344 million**) and the Chief Minister's Charity Fund (**\$0.104 million**) due to the timing of payments received by the Gambling and Racing Commission and transferred to the respective funds.

## INDEPENDENT AUDITOR'S REPORT

To the Members of the ACT Legislative Assembly

### Opinion

I have audited the financial statements of the ACT Gambling and Racing Commission (Commission) for the year ended 30 June 2021 which comprise the operating statement, balance sheet, statement of changes in equity, statement of cash flows, statement of appropriation and notes to the financial statements, including a summary of significant accounting policies and other explanatory information.

In my opinion, the financial statements:

- (i) present fairly, in all material respects, the Commission's financial position as at 30 June 2021, and its financial performance and cash flows for the year then ended; and
- (ii) are presented in accordance with the *Financial Management Act 1996* and comply with Australian Accounting Standards.

### Basis for opinion

I conducted the audit in accordance with the Australian Auditing Standards. My responsibilities under the standards are further described in the 'Auditor's responsibilities for the audit of the financial statements' section of this report.

I am independent of the Commission in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's *APES 110 Code of Ethics for Professional Accountants (including Independence Standards)* (Code). I have also fulfilled my other ethical responsibilities in accordance with the Code.

I believe that the audit evidence obtained is sufficient and appropriate to provide a basis for my opinion.

### Responsibilities of the Commission for the financial statements

The Governing Board of the Commission is responsible for:

- preparing and fairly presenting the financial statements in accordance with the *Financial Management Act 1996*, and relevant Australian Accounting Standards;
- determining the internal controls necessary for the preparation and fair presentation of the financial statements so that they are free from material misstatements, whether due to error or fraud; and
- assessing the ability of the Commission to continue as a going concern and disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting in preparing the financial statements.

### Auditor's responsibilities for the audit of the financial statements

Under the *Financial Management Act 1996*, the Auditor-General is responsible for issuing an audit report that includes an independent opinion on the financial statements of the Commission.

My objective is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control;
- obtain an understanding of internal controls relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for expressing an opinion on the effectiveness of the Commission's internal controls;
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Commission;
- conclude on the appropriateness of the Commission's use of the going concern basis of accounting and, based on audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Commission's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in this report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. I base my conclusions on the audit evidence obtained up to the date of this report. However, future events or conditions may cause the Commission to cease to continue as a going concern; and
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether they represent the underlying transactions and events in a manner that achieves fair presentation.

I communicated with the Governing Board of the Commission regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.



Ajay Sharma  
Assistant Auditor-General, Financial Audit  
13 September 2021

**ACT GAMBLING AND RACING COMMISSION**

**FINANCIAL STATEMENTS**

**FOR THE YEAR ENDED**

**30 June 2021**



**ACT**  
Government





### Statement of Responsibility

In my opinion, the financial statements are in agreement with the ACT Gambling and Racing Commission's (the Commission) accounts and records and fairly reflect the financial operations of the Commission for the year ended 30 June 2021 and the financial position of the Commission on that date.

Paul Baxter  
Chairperson  
ACT Gambling and Racing Commission  
8 September 2021



Gambling & Racing Commission  
GPO Box 158, Canberra City ACT 2601  
 [GRCBoard@act.gov.au](mailto:GRCBoard@act.gov.au)  
 [gamblingandracing.act.gov.au](http://gamblingandracing.act.gov.au)





**ACT**  
Government



### Statement by the Chief Executive Officer

In my opinion, the financial statements have been prepared in accordance with the Australian Accounting Standards and are in agreement with the ACT Gambling and Racing Commission's (the Commission) accounts and records and fairly reflect the financial operations of the Commission for the year ended 30 June 2021 and the financial position of the Commission on that date.

Yu-Lan Chan  
Chief Executive Officer  
ACT Gambling and Racing Commission  
9 September 2021



Gambling & Racing Commission  
GPO Box 158, Canberra City ACT 2601

 [GRCBoard@act.gov.au](mailto:GRCBoard@act.gov.au)  
 [gamblingandracing.act.gov.au](http://gamblingandracing.act.gov.au)





**ACT Gambling and Racing Commission**  
**Operating Statement**  
**For the Year Ended 30 June 2021**

	<b>Note No.</b>	<b>Actual 2021 \$'000</b>	<b>Original Budget 2021 \$'000</b>	<b>Actual 2020 \$'000</b>
<b>Income</b>				
<i>Revenue</i>				
Controlled Recurrent Payments	3	5,350	5,350	6,200
Taxation and Levies Collected on Behalf of the Territory	4	53,127	51,915	43,975
Regulatory Fees	5	4,078	3,975	3,954
Interest		60	112	84
Grants and Contributions	6	12	25	33
Other Revenue	7	2,404	1,841	2,273
<b>Total Revenue</b>		<b>65,031</b>	<b>63,218</b>	<b>56,519</b>
<i>Gains</i>				
Other Gains		-	-	54
<b>Total Gains</b>		<b>-</b>	<b>-</b>	<b>54</b>
<b>Total Income</b>		<b>65,031</b>	<b>63,218</b>	<b>56,573</b>
<b>Expenses</b>				
Supplies and Services	8	249	695	964
Grants and Purchased Services	9	6,427	6,433	6,111
Depreciation and Amortisation		81	62	136
Other Expenses	10	344	-	3,855
Taxation, Levies and Regulatory Fee Revenue Transferred to Government		57,205	55,890	45,856
<b>Total Expenses</b>		<b>64,306</b>	<b>63,080</b>	<b>56,922</b>
<b>Operating Surplus/(Deficit)</b>		<b>725</b>	<b>138</b>	<b>(349)</b>

The above Operating Statement should be read in conjunction with the accompanying notes.

The ACT Gambling and Racing Commission has only one output class, and as such, the above Operating Statement is also the Commission's Operating Statement for the Gambling Regulation and Harm Minimisation Output Class.

**ACT Gambling and Racing Commission**  
**Balance Sheet**  
**As at 30 June 2021**

		Actual	Original	Actual
	Note	2021	Budget	2020
	No.	\$'000	\$'000	\$'000
<b>Current Assets</b>				
Cash and Cash Equivalents	14	5,616	4,891	4,703
Receivables	15	5,530	4,349	4,344
Prepayments		3	3	3
<b>Total Current Assets</b>		<b>11,149</b>	<b>9,243</b>	<b>9,050</b>
<b>Non-Current Assets</b>				
Plant and Equipment		-	5	-
Intangible Assets	16	80	104	161
Capital Works in Progress	17	60	-	-
<b>Total Non-Current Assets</b>		<b>140</b>	<b>109</b>	<b>161</b>
<b>Total Assets</b>		<b>11,289</b>	<b>9,352</b>	<b>9,211</b>
<b>Current Liabilities</b>				
Payables	18	5,694	4,344	4,341
Other Liabilities		51	51	51
<b>Total Current Liabilities</b>		<b>5,745</b>	<b>4,395</b>	<b>4,392</b>
<b>Total Liabilities</b>		<b>5,745</b>	<b>4,395</b>	<b>4,392</b>
<b>Net Assets</b>		<b>5,544</b>	<b>4,957</b>	<b>4,819</b>
<b>Equity</b>				
Accumulated Funds		5,544	4,957	4,819
<b>Total Equity</b>		<b>5,544</b>	<b>4,957</b>	<b>4,819</b>

The above Balance Sheet should be read in conjunction with the accompanying notes.

**ACT Gambling and Racing Commission**  
**Statement of Changes in Equity**  
**For the Year Ended 30 June 2021**

**For the Year Ended 30 June 2021**

	Accumulated Funds Actual 2021 \$'000	Total Equity Actual 2021 \$'000	Original Budget 2021 \$'000
<b>Balance at 1 July 2020</b>	4,819	4,819	4,819
<b>Comprehensive Income</b>			
Operating Surplus	725	725	138
<b>Total Comprehensive Income</b>	725	725	138
<b>Balance at 30 June 2021</b>	5,544	5,544	4,957

**For the Year Ended 30 June 2020**

	Accumulated Funds Actual 2020 \$'000	Total Equity Actual 2020 \$'000
<b>Balance at 1 July 2019</b>	5,168	5,168
<b>Comprehensive Income</b>		
Operating Deficit	(349)	(349)
<b>Total Comprehensive Income</b>	(349)	(349)
<b>Balance at 30 June 2020</b>	4,819	4,819

The above Statement of Changes in Equity should be read in conjunction with the accompanying notes.

**ACT Gambling and Racing Commission**  
**Statement of Cash Flows**  
**For the Year Ended 30 June 2021**

	<b>Note No.</b>	<b>Actual 2021 \$'000</b>	<b>Original Budget 2021 \$'000</b>	<b>Actual 2020 \$'000</b>
<b>Cash Flows from Operating Activities</b>				
<b>Receipts</b>				
Controlled Recurrent Payments		5,350	5,350	6,200
Taxation and Levies Collected on Behalf of the Territory		52,207	51,915	43,368
Regulatory Fees		4,078	3,975	3,955
Interest Received		60	112	83
Goods and Services Tax Input Tax Credits from the Australian Taxation Office		102	119	113
Goods and Services Tax Collected from Customers		11	-	8
Other Receipts		2,115	1,841	2,384
<b>Total Receipts from Operating Activities</b>		<b>63,923</b>	<b>63,312</b>	<b>56,111</b>
<b>Payments</b>				
Supplies and Services		513	672	1,862
Grants and Purchased Services		6,061	6,443	6,112
Other		-	-	1,032
Taxation, Levies and Regulatory Fee Revenue Transferred to Government		56,285	55,890	47,323
Goods and Services Tax Remitted to the Australian Taxation Office		15	-	4
Goods and Services Tax Paid to Suppliers		104	119	116
<b>Total Payments from Operating Activities</b>		<b>62,978</b>	<b>63,114</b>	<b>56,449</b>
<b>Net Cash Inflows/(Outflows) from Operating Activities</b>	23	<b>945</b>	<b>198</b>	<b>(338)</b>
<b>Cash Flows from Investing Activities</b>				
<b>Payments</b>				
Purchase of Property, Plant and Equipment and Capital Works		-	10	-
Purchase of Intangibles		32	-	-
<b>Total Payments from Investing Activities</b>		<b>32</b>	<b>10</b>	<b>-</b>
<b>Net Cash (Outflows) from Investing Activities</b>		<b>(32)</b>	<b>(10)</b>	<b>-</b>

**ACT Gambling and Racing Commission**  
**Statement of Cash Flows**  
**For the Year Ended 30 June 2021**

	Note No.	Actual 2021 \$'000	Original Budget 2021 \$'000	Actual 2020 \$'000
<b>Net increase/(decrease) in Cash and Cash Equivalents</b>		913	188	(338)
Cash and Cash Equivalents at the Beginning of the Reporting Period		4,703	4,703	5,041
<b>Cash and Cash Equivalents at the End of the Reporting Period</b>	23	<b>5,616</b>	<b>4,891</b>	<b>4,703</b>

The above Statement of Cash Flows should be read in conjunction with the accompanying notes.

**ACT Gambling and Racing Commission**  
**Statement of Appropriation**  
**For the Year Ended 30 June 2021**

	Original Budget 2021 \$'000	Total Appropriated 2021 \$'000	Appropriation Drawn 2021 \$'000	Appropriation Drawn 2020 \$'000
<b>Controlled</b>				
Controlled Recurrent Payments	5,350	5,350	5,350	6,200
<b>Total Controlled Appropriation</b>	<b>5,350</b>	<b>5,350</b>	<b>5,350</b>	<b>6,200</b>

The above Statement of Appropriation should be read in conjunction with the accompanying notes.

**Column Heading Explanations**

The *Original Budget* column shows the amounts that appear in the Statement of Cash Flows in the ACT Gambling and Racing Commission's 2020-21 Statement of Intent. This amount also appears in the Statement of Cash Flows.

The *Total Appropriated* column is inclusive of all appropriation variations occurring after the Original Budget.

The *Appropriation Drawn* is the total amount of appropriation received by the ACT Gambling and Racing Commission during the year. This amount also appears in the Statement of Cash Flows.

**ACT Gambling and Racing Commission**  
**Note Index of the Financial Statements**  
**For the Year Ended 30 June 2021**

Note	1	Objectives of the ACT Gambling and Racing Commission
Note	2	Significant Accounting Policies
		Appendix A – Basis of Preparation of the Financial Statements
		Appendix B – Significant Accounting Policies

**Income Notes**

Note	3	Controlled Recurrent Payments
Note	4	Taxation and Levies Collected on Behalf of the Territory
Note	5	Regulatory Fees
Note	6	Grants and Contributions
Note	7	Other Revenue

**Expense Notes**

Note	8	Supplies and Services
Note	9	Grants and Purchased Services
Note	10	Other Expenses
Note	11	Waivers
Note	12	Act of Grace Payments
Note	13	Auditor's Remuneration

**Asset Notes**

Note	14	Cash and Cash Equivalents
Note	15	Receivables
Note	16	Intangible Assets
Note	17	Capital Works in Progress

**Liability Notes**

Note	18	Payables
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**Other Notes**

Note	19	Financial Instruments
Note	20	Related Party Disclosures
Note	21	Commitments
Note	22	Contingent Liabilities
Note	23	Cash Flow Reconciliation
Note	24	Budgetary Reporting

**ACT Gambling and Racing Commission**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2021**

**Note 1. Objectives of the ACT Gambling and Racing Commission**

The primary objectives of the ACT Gambling and Racing Commission (the Commission) are to:

- regulate gambling and racing activities in accordance with ACT gaming laws;
- ensure compliance by gaming organisations and persons with the payment of fee and tax liabilities;
- review gaming laws to ensure their continued relevance and appropriateness; and
- monitor and research the social effects of gambling and problem gambling in the ACT and provide counselling and education services.

The Commission also collects and verifies a number of different gambling related taxes, fees and fines on behalf of the ACT Government.

**Note 2. Significant Accounting Policies**

Refer to the following appendices for the notes comprising significant accounting policies and other explanatory information.

Appendix A - Basis of Preparation of the Financial Statements

Appendix B - Significant Accounting Policies



**ACT Gambling and Racing Commission**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2021**

**Note 3. Controlled Recurrent Payments**

Controlled Recurrent Payments (CRP) are revenue received from the ACT Government to fund the costs of delivering outputs.

	2021 \$'000	2020 \$'000
<b>Revenue from the ACT Government</b>		
Controlled Recurrent Payments <sup>1</sup>	5,350	6,200
<b>Total Controlled Recurrent Payments</b>	<b>5,350</b>	<b>6,200</b>

1. The decrease in Controlled Recurrent Payments is due to one-off funds provided for Act of Grace payments made by the Commission in 2019-20 (refer Note 12).

**Note 4. Taxation and Levies Collected on Behalf of the Territory**

Taxation and Levies are collected on behalf of the Territory from licensed gambling operators. Taxes and Levies are received on a monthly basis in accordance with the respective legislation or agreements held with the Commission and are based on gross profit or the level of gambling activity depending on the requirements for each product. All Taxes and Levies received by the Commission are transferred on a daily basis to the ACT Government.

Gaming Machines <sup>1</sup>	30,622	24,494
Interstate Lotteries <sup>2</sup>	14,383	14,828
Casino <sup>3</sup>	3,041	2,012
Keno and Trackside Levy <sup>4</sup>	5,081	2,641
<b>Total Taxation and Levies Collected on Behalf of the Territory</b>	<b>53,127</b>	<b>43,975</b>

1. The increase in Gaming Machine Taxation is due to the cessation of restrictions that were put in place in 2019-20 as a result of the COVID-19 health emergency.
2. The decrease in Interstate Lotteries Taxation is due to reduced ticket sales in 2020-21.
3. The increase in Casino Taxation is due to the cessation of restrictions that were put in place in 2019-20 as a result of the COVID-19 health emergency.
4. The increase in the Keno and Trackside Levy is due to increased gambling activity in 2020-21.

**ACT Gambling and Racing Commission**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2021**

**Note 5. Regulatory Fees**

Regulatory Fees Collected on behalf of the Territory are paid in relation to gaming operations such as licensing applications, raffle and trade promotion permit applications and general gaming and racing approvals. All regulatory fees received by the Commission are transferred on a daily basis to the ACT Government.

	<b>2021</b>	<b>2020</b>
	<b>\$'000</b>	<b>\$'000</b>
<b>Regulatory Fees</b>		
Gaming Machines	156	195
Lotteries <sup>1</sup>	1,814	1,675
Casino	990	982
Totalisator	1,101	1,087
Sports Bookmaking	16	15
Fees and Penalties	1	-
<b>Total Regulatory Fees</b>	<b>4,078</b>	<b>3,954</b>

1. The increase in Lotteries fees is due to the cessation of restrictions that were put in place in 2019-20 as a result of the COVID-19 health emergency.

**Note 6. Grants and Contributions**

**Resources Received Free of Charge from ACT Government Entities**

Legal Services <sup>1</sup>	12	33
<b>Total Resources Received Free of Charge</b>	<b>12</b>	<b>33</b>

1. The decrease in Legal Services received free of charge in 2020-21 is due to decreased engagement of ACT Government Solicitors Office services as result of the less legal advice requested.

**ACT Gambling and Racing Commission**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2021**

**Note 7. Other Revenue**

Other Revenue arises from the core activities of the Commission. Revenue from the Gambling Harm Prevention and Mitigation Fund consist of a levy on gaming machine licensees and voluntary contributions from Casino Canberra and Tabcorp ACT Ltd. The Commission also collects revenue from gaming machine licensees for payments to the Chief Minister's Charitable Fund and the Diversification Sustainability Support Fund.

	<b>2021</b>	<b>2020</b>
	<b>\$'000</b>	<b>\$'000</b>
<b>Revenue from Non-ACT Government Entities</b>		
Gambling Harm Prevention and Mitigation Fund <sup>1</sup>	1,694	1,251
Chief Minister's Charitable Fund <sup>2</sup>	366	269
Diversification Sustainability Support Fund <sup>3</sup>	344	753
<b>Total Other Revenue from Non-ACT Government Entities</b>	<b>2,404</b>	<b>2,273</b>
<b>Total Other Revenue</b>	<b>2,404</b>	<b>2,273</b>

1. The increase in revenue to the Gambling Harm Prevention and Mitigation Fund is due to the cessation of restrictions that were put in place in 2019-20 as a result of the COVID-19 health emergency.
2. The increase in revenue to Chief Minister's Charitable Fund is due to the cessation of restrictions on gaming machine venues put in place in 2019-20 as a result of the COVID-19 health emergency.
3. The decrease in revenue to the Diversification Sustainability Support Fund is due to the levy on gaming machine licensees reduced to zero for the period between 23 March 2020 and April 2021.

**ACT Gambling and Racing Commission**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2021**

**Note 8. Supplies and Services**

	<b>2021</b>	<b>2020</b>
	<b>\$'000</b>	<b>\$'000</b>
Legal Fees	12	33
Commission Members Remuneration	146	146
Payment from the Gambling Harm Prevention and Mitigation Fund <sup>1</sup>	91	339
Other <sup>2</sup>	-	446
<b>Total Supplies and Services</b>	<b>249</b>	<b>964</b>

1. The decrease in payments from the Gambling Harm Prevention and Mitigation Fund is due to reduced activity from the fund.
2. The decrease in Other Expenses is due to the Commission undertaking no additional projects in 2020-21 that were in addition to the funds provided to Access Canberra for the provision of services for the administration of gaming laws including the control, supervision and regulation of gaming and racing in the ACT compared to 2019-20.

**Note 9. Grants and Purchased Services**

Grants are amounts provided to ACT Government agencies and non-ACT Government agencies for general assistance or for a particular purpose. Grants may be for capital, current or recurrent purposes and the name or category reflects the use of the grant. The grants given are usually subject to terms and conditions set out in the contract, correspondence, or by legislation. Grants provided by the Commission are collected from gaming machine licensees and passed on to the Chief Minister's Charitable Fund.

Purchased services are amounts paid to obtain services from other ACT Government agencies and external parties.

Purchased Services - Problem Gambling Support Services	924	886
Purchased Services - Access Canberra <sup>1</sup>	5,137	4,956
Recurrent Grants – Chief Minister's Charitable Fund <sup>2</sup>	366	269
<b>Total Grants and Purchased Services</b>	<b>6,427</b>	<b>6,111</b>

1. The increase in Purchased Services – Access Canberra is due to indexation of costs for the provision of services for the administration of gaming laws including the control, supervision and regulation of gaming and racing in the ACT.
2. The increase in Recurrent Grants is due to the cessation of restrictions on gaming machine venues put in place in 2019-20 as a result of the COVID-19 health emergency. These grants are a levy on gaming machine licensees which are collected by the Commission, and the Commission remitting these funds to the Chief Minister's Charitable Fund.

**ACT Gambling and Racing Commission**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2021**

**Note 10. Other Expenses**

	2021 \$'000	2020 \$'000
Diversification and Sustainability Support Fund <sup>1</sup>	344	748
Waivers (see note 11)	-	2,074
Act of Grace Payments (see note 12)	-	1,033
<b>Total Other Expenses</b>	<b>344</b>	<b>3,855</b>

1. The decrease in the Diversification and Sustainability Support Fund expense is due to the levy on gaming machine licensees reduced to zero for the period between 23 March 2020 and 8 April 2021. These funds are then passed onto the Diversification and Sustainability Support Fund, which is managed by the Justice and Community Safety Directorate.

**Note 11. Waivers**

Under Section 131 of the *Financial Management Act 1996*, the Treasurer may in writing, waive the right to payment of an amount payable to the Territory.

The waivers listed below have occurred during the reporting period for the Commission.

	No.	2021 \$'000	No.	2020 \$'000
<b>Waivers</b>				
Stimulus Waivers <sup>1</sup>	-	-	32	2,074
<b>Total Waivers</b>	<b>-</b>	<b>-</b>	<b>32</b>	<b>2,074</b>

1. The decrease in waivers is due to the ACT Government waiving tax liabilities for March 2020 for club gaming machine licensees and Casino Canberra as part of the economical survival package resulting for the COVID-19 health emergency not occurring in 2020-21.

**ACT Gambling and Racing Commission**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2021**

**Note 12. Act of Grace Payments**

Under Section 130 of the *Financial Management Act 1996* the Treasurer may, in writing, authorise Act of Grace Payments be made by a directorate or a territory authority.

	2021 \$'000	2020 \$'000
<b>Act of Grace Payments</b>		
Payment relating to the COVID-19 health emergency	-	1,033
<b>Total Act of Grace Payments</b>	<b>-</b>	<b>1,033</b>

1. The decrease in Act of Grace Payments is due to the Treasurer authorising six Act of Grace Payments in 2019-20 relating to the COVID-19 health emergency. No Act of Grace Payments were made in 2020-21.

**Note 13. Auditor's Remuneration**

Auditor's remuneration consists of financial audit services provided to the Commission by the ACT Audit Office. No other services were provided by the ACT Audit Office. The Commission's Audit Fees are paid by Access Canberra and recorded in the Chief Minister, Treasury and Economic Development Directorate's financial statements.

**Audit Services**

Audit Fees - ACT Audit Office	51	51
<b>Total Audit Fees</b>	<b>51</b>	<b>51</b>

**ACT Gambling and Racing Commission**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2021**

**Note 14. Cash and Cash Equivalents**

The ACT Gambling and Racing Commission holds five bank accounts with the Westpac Bank as part of the whole-of-government banking arrangements that earned an average floating interest rate of 1.00% (2019-20 1.51%).

	<b>2021</b>	<b>2020</b>
	<b>\$'000</b>	<b>\$'000</b>
Cash at Bank <sup>1</sup>	5,616	4,703
<b>Total Cash and Cash Equivalents</b>	<b>5,616</b>	<b>4,703</b>

1. The increase in cash at bank primarily due to the reduced expenditure from the Gambling Harm Prevention and Mitigation Fund and the timing of transfers to the Chief Minister's Charitable Fund and Diversification and Sustainability Support Fund.

**Note 15. Receivables**

**Current Receivables**

**Accrued Gambling Taxes**

Gaming Machine Taxation <sup>1</sup>	2,767	-
Interstate Lotteries Duty <sup>2</sup>	2,172	4,312
Casino Taxation <sup>3</sup>	281	-
<b>Total Gambling Taxes</b>	<b>5,220</b>	<b>4,312</b>

**Other Receivables**

Other Trade Receivables	43	28
Accrued Gaming Harm Prevention and Mitigation Fund Levy <sup>4</sup>	144	-
Accrued Chief Minister's Charitable Fund Levy <sup>5</sup>	32	-
Accrued Diversification and Sustainability Support Fund Levy <sup>6</sup>	82	-
Net GST Receivable	9	4
<b>Total Other Receivables</b>	<b>310</b>	<b>32</b>
<b>Total Current Receivables</b>	<b>5,530</b>	<b>4,344</b>

1. The increase in Accrued Gaming Machine Taxation is due to licensees gaming machines being closed in June 2020 as part of the ACT health emergency associated with the COVID-19 pandemic.
2. The decrease in Accrued Interstate Lotteries Duty is due to the ACT Government's agreement to allow a six-month deferral of duties payable for amounts owing from 1 April 2020 to 30 June 2020. No such deferrals were provided in for 2020-21.
3. The increase in Accrued Casino Taxation is due to licensees gaming machines being closed in June 2020 as part of the ACT health emergency associated with COVID-19 pandemic.

**ACT Gambling and Racing Commission**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2021**

**Note 15. Receivables - Continued**

4. The increase in Gaming Harm Prevention and Mitigation Fund Levy is due to licensees gaming machines being closed in June 2020 as part of the ACT health emergency associated with COVID-19 pandemic.
5. The increase in Accrued Chief Minister's Charitable Fund Levy is due to no accrued revenue in prior year as licensees gaming machines were closed in June 2020 as part of the ACT health emergency associated with the COVID-19 pandemic.
6. The increase in Accrued Diversification and Sustainability Support Fund Levy is due to no accrued revenue in prior year as licensees gaming machines were closed in June 2020 as part of the ACT health emergency associated with the COVID-19 pandemic.

No receivables were overdue or impaired as at 30 June 2021 or as at 30 June 2020.

All receivables are with non-ACT Government entities.

**Note 16. Intangible Assets**

The Commission has externally purchased software consisting of a Gaming Machine Database and an ACT Gamblers' Exclusion Database.

	<b>2021</b>	<b>2020</b>
	<b>\$'000</b>	<b>\$'000</b>
Computer Software at Cost	961	907
Additions	-	54
Less: Accumulated Amortisation	(881)	(800)
<b>Total Intangible Assets</b>	<b>80</b>	<b>161</b>

**Reconciliation of Intangible Assets**

The following table shows the movement of each class of Intangible Assets in 2021 and 2020.

<b>2021</b>	<b>Externally Purchased Software \$'000</b>	<b>Total \$'000</b>
<b>Carrying Amount at the Beginning of the Reporting Period</b>	<b>161</b>	<b>161</b>
Additions	-	-
Amortisation	(81)	(81)
<b>Carrying Amount at the End of the Reporting Period</b>	<b>80</b>	<b>80</b>



**ACT Gambling and Racing Commission**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2021**

**Note 16. Intangible Assets - Continued**

<b>2020</b>	<b>Externally Purchased Software \$'000</b>	<b>Total \$'000</b>
<b>Carrying Amount at the Beginning of the Reporting Period</b>	<b>243</b>	<b>243</b>
Additions	54	54
Amortisation	(136)	(136)
<b>Carrying Amount at the End of the Reporting Period</b>	<b>161</b>	<b>161</b>

**Note 17. Capital Works In Progress**

Assets under construction include computer software.

	<b>2021 \$'000</b>	<b>2020 \$'000</b>
Software Works in Progress	60	-
<b>Total Capital Works in Progress</b>	<b>60</b>	<b>-</b>

The increase in Software Works in Progress is due to enhancements to the Gamblers Exclusion database commencing in the 2020-21 reporting period.

**Reconciliation of Capital Works in Progress**

The following table shows the movement of Capital Works in Progress during 2020-21.

	<b>Software Works in Progress \$'000</b>	<b>Total \$'000</b>
Carrying Amount at the Beginning of the Reporting Period	-	-
Additions	60	60
<b>Carrying Amount at the End of the Reporting Period</b>	<b>60</b>	<b>60</b>

**ACT Gambling and Racing Commission**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2021**

**Note 18. Payables**

	<b>2021</b>	<b>2020</b>
	<b>\$'000</b>	<b>\$'000</b>
<b>Current Payables</b>		
Accrued Expenses	23	29
Levy Payable to the Chief Minister's Charity Fund <sup>1</sup>	104	-
Levy Payable to the Diversification and Sustainability Support Fund <sup>2</sup>	344	-
Taxation and Levies Revenue Payable to Government <sup>3</sup>	5,223	4,312
<b>Total Current Payables</b>	<b>5,694</b>	<b>4,341</b>
<b>Total Payables</b>	<b>5,694</b>	<b>4,341</b>

1. The increase in Levy Payable to the Chief Minister's Charity Fund (CMCF) is due the timing of payments received by the Gambling and Racing Commission and transferred to the CMCF.
2. The increase in Levy Payable to the Diversification and Sustainability Support Fund (DSSF) is due to the timing of payments received by the Gambling and Racing Commission and transferred to the DSSF.
3. The increase in Taxation and Levies Payable to Government is mainly due to an increase in outstanding Accrued Gambling Taxes Receivable 30 June 2021. All taxes and levies received by the Commission are transferred on a daily basis to the ACT Government.

There are no payables overdue as at 30 June 2021 and 30 June 2020.

**Classification of ACT Government/Non-ACT Government Payables**

**Payables with ACT Government Entities**

Accrued Expenses	8	-
Levy Payable to the Diversification and Sustainability Support Fund	344	-
Taxation and Levies Revenue Payable to Government	5,223	4,312
<b>Total Payables with ACT Government Entities</b>	<b>5,575</b>	<b>4,312</b>

**Payables with Non-ACT Government Entities**

Accrued Expenses	15	29
Levy Payable to the Chief Minister's Charitable Fund	104	-
<b>Total Payables with Non-ACT Government Entities</b>	<b>119</b>	<b>29</b>
<b>Total Payables</b>	<b>5,694</b>	<b>4,341</b>

**ACT Gambling and Racing Commission**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2021**

**Note 19. Financial Instruments**

Details of the significant policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised with respect to each class of financial asset and financial liability are disclosed in Note 2 (see Appendix B) *Significant Accounting Policies*.

**Credit Risk**

Credit risk is the risk that one party to a financial instrument will fail to discharge an obligation and cause the other party to incur a financial loss. The Commission's credit risk is limited to the amount of the financial assets it holds net of any allowance for impairment. The Commission expects to collect all financial assets that are not past due or impaired.

Cash at bank is held with a high credit quality financial institution under Whole-of-Government banking arrangements. Cash at bank is held with the Westpac Bank.

The majority of the Commission's receivables are taxes payable by gaming licensees. The Commission reviews outstanding receivables on a monthly basis with the option of prosecution or disciplinary action being taken against gaming licensees with overdue or unpaid taxes. Unpaid outstanding balances are referred to the ACT Government Solicitors Office for legal action if all other options have been exhausted.

There have been no significant changes in the process for managing credit risk since the last reporting period.

Trade receivables are always measured at lifetime expected credit losses (the simplified approach).

**Liquidity Risk**

Liquidity risk is the risk that the Commission will encounter difficulties in meeting obligations associated with financial liabilities that are settled by delivering cash or another financial asset. To limit its exposure to liquidity risk the Commission ensures that it has a sufficient amount of current financial assets to meet its current financial liabilities. The main source of cash to pay these obligations is appropriation from the ACT Government which is paid to the Commission on a fortnightly basis throughout the year. The Commission manages its liquidity risk through forecasting appropriation drawdown requirements to enable payment of anticipated obligations. This ensures that the Commission has enough cash to meet its emerging financial liabilities. See the maturity analysis below for further details of when financial assets and liabilities mature.

The Commission's exposure to liquidity risk and the management of this liquidity risk has not changed since the previous reporting period.

**ACT Gambling and Racing Commission**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2021**

**Note 19. Financial Instruments – Continued**

**Carrying Amount and Fair Value of Financial Assets and Liabilities**

	<b>Note No</b>	<b>Carrying Amount 2021 \$'000</b>	<b>Fair Value Amount 2021 \$'000</b>	<b>Carrying Amount 2020 \$'000</b>	<b>Fair Value Amount 2020 \$'000</b>
<b>Financial Assets</b>					
Cash and Cash Equivalents	14	5,616	5,616	4,703	4,703
Receivables - Other Trade Receivables	15	43	43	28	28
<b>Total Financial Assets</b>		<b>5,659</b>	<b>5,659</b>	<b>4,731</b>	<b>4,731</b>
<b>Financial Liabilities</b>					
Payables	18	23	23	29	29
<b>Total Financial Liabilities</b>		<b>23</b>	<b>23</b>	<b>29</b>	<b>29</b>

Note: Assets and liabilities that are not contractual (such as those created as a result of statutory requirements imposed by governments) are not financial assets and liabilities. As such, non-contractual receivables and payables are not included in the financial instruments note.

**Fair Value Hierarchy**

All financial assets and liabilities are measured, subsequent to initial recognition, at amortised cost and as such no Fair Value Hierarchy disclosures have been made.

**ACT Gambling and Racing Commission**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2021**

**Note 19. Financial Instruments – Continued**

The following table sets out the Commission's maturity analysis for financial assets and liabilities as well as the exposure to interest rates, including the weighted average interest rates by maturity period as at 30 June 2021. Financial assets and liabilities which have a floating interest rate or are non-interest bearing will mature in 1 year or less. All amounts appearing in the following maturity analysis are shown on an undiscounted cash flow basis.

2021	Note No.	Weighted	Floating Interest Rate \$'000	Fixed Interest Maturing In:			Non-Interest Bearing \$'000	Total \$'000
		Average Interest Rate		1 Year or Less \$'000	Over 1 Year to 5 Years \$'000	Over 5 Years \$'000		
Financial Instruments								
Financial Assets								
Cash and Cash Equivalents	14	1.00%	5,616	-	-	-	-	5,616
Receivables	15		-	-	-	-	43	43
Total Financial Assets			5,616	-	-	-	43	5,659
Financial Liabilities								
Payables	18		-	-	-	-	23	23
Total Financial Liabilities			-	-	-	-	23	23
Net Financial Assets			5,616	-	-	-	20	5,636

**ACT Gambling and Racing Commission**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2021**

**Note 19. Financial Instruments – Continued**

The following table sets out the Commission's maturity analysis for financial assets and liabilities as well as the exposure to interest rates, including the weighted average interest rates by maturity period as at 30 June 2020. Financial assets and liabilities which have a floating interest rate or are non-interest bearing will mature in 1 year or less. All amounts appearing in the following maturity analysis are shown on an undiscounted cash flow basis.

2020	Note No.	Weighted	Floating Interest Rate \$'000	Fixed Interest Maturing In:			Non-Interest Bearing \$'000	Total \$'000
		Average Interest Rate		1 Year or Less \$'000	Over 1 Year to 5 Years \$'000	Over 5 Years \$'000		
Financial Instruments								
Financial Assets								
Cash and Cash Equivalents	14	1.51%	4,703	-	-	-	-	4,703
Receivables	15		-	-	-	-	28	28
Total Financial Assets			4,703	-	-	-	28	4,731
Financial Liabilities								
Payables	18		-	-	-	-	29	29
Total Financial Liabilities			-	-	-	-	29	29
Net Financial Assets/(Liabilities)			4,703	-	-	-	(1)	4,702

**ACT Gambling and Racing Commission**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2021**

**Note 19. Financial Instruments - Continued**

**Carrying Amount of Each Category of Financial Asset and Financial Liability**

	<b>2021</b>	<b>2020</b>
	<b>\$'000</b>	<b>\$'000</b>
<b>Financial Assets</b>		
Financial Assets Measured at Fair Value through the Profit and Loss	43	28
<b>Financial Liabilities</b>		
Financial Liabilities Measured at Amortised Cost	23	29

**Note 20. Related Party Disclosures**

A related party is a person that controls or has significant influence over the reporting entity, or is a member of the Key Management Personnel (KMP) of the reporting entity or its parent entity, and includes their close family members and entities in which the KMP and/or their close family members individually or jointly have controlling interests.

KMP are those persons having authority and responsibility for planning, directing and controlling the activities of the Commission, directly or indirectly.

KMP of the Commission are Members of the Governing Board. The members of the Governing Board during 2020-21 were:

Mr P Baxter	Chair
Ms A Tay	Deputy Chair until 16 June 2021
Ms C Franklin	Member
Mr C Buik	Member
Mr D Snowden	Chief Executive Officer until 19 January 2021
Ms Yu-Lan Chan	Chief Executive Officer from 20 January 2021

Two of the KMPs of the Commission are employees of Chief Minister, Treasury and Economic Development Directorate (CMTEDD) and are compensated by CMTEDD.

Compensation by the Commission to KMP is set out below:

	<b>2021</b>	<b>2020</b>
	<b>\$'000</b>	<b>\$'000</b>
Board Member fees	146	146
<b>Total Compensation by the Commission to KMP</b>	<b>146</b>	<b>146</b>

**ACT Gambling and Racing Commission**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2021**

**Note 20. Related Party Disclosures - Continued**

**Transactions with Key Management Personnel**

There were no transactions with KMP that were material to the financial statements of the Commission.

**Transactions with parties related to Key Management Personnel**

There were no transactions with parties related to KMP, including transactions with KMP's close family members or other related entities that were material to the financial statement of the Commission.

**Transactions with other ACT Government controlled entities**

All transactions with ACT Government controlled entities are disclosed on the relevant notes to the financial statements of the Commission.

**Note 21. Commitments**

**Other Commitments**

Other commitments consist of a contract with Relationships Australia Canberra and Region Inc. for the provision of Problem Gambling Support and a memorandum of understanding (MOU) with Access Canberra on the provision of services for the administration of gaming laws including the control, supervision and regulation of gaming and racing in the ACT. These amounts are reported as GST exclusive:

	<b>2021</b>	<b>2020</b>
	<b>\$'000</b>	<b>\$'000</b>
Within one year	6,218	924
Later than one year but not later than five years	5,353	-
<b>Total Other Commitments<sup>1</sup></b>	<b>11,571</b>	<b>924</b>

1. The increase in Other Commitments relates to the Commission entering into a new three-year memorandum of understanding with Access Canberra on the provision of services for the administration of gaming laws including the control, supervision and regulation of gaming and racing in the ACT expiring on 9 September 2023.



**ACT Gambling and Racing Commission**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2021**

**Note 22. Contingent Liabilities**

The Commission manages unclaimed prize monies relating to prizes which have remained unclaimed. The Commission's contingent liability amount on the potential claims is \$2,350,815 (2019-20 \$2,350,815).

**Note 23. Cash Flow Reconciliation**

**(a) Reconciliation of Cash and Cash Equivalents at the End of the Reporting Period in the Statement of Cash Flows to the Equivalent Items in the Balance Sheet**

	<b>2021</b>	<b>2020</b>
	<b>\$'000</b>	<b>\$'000</b>
Total Cash and Cash Equivalents Disclosed in the Balance Sheet	5,616	4,703
<b>Cash and Cash Equivalents at the End of the Reporting Period as Recorded in the Statement of Cash Flows</b>	<b>5,616</b>	<b>4,703</b>

**(b) Reconciliation of the Operating Surplus to the Net Cash Inflows/(Outflows) from Operating**

Operating Surplus/(Deficit)	725	(349)
<b>Add/(Less) Non-Cash Items</b>		
Depreciation and Amortisation	81	136
Asset Transferred from Access Canberra	-	(54)
Accrued Capital Works in Progress	(27)	-
<b>Cash Before Changes in Operating Assets and Liabilities</b>	<b>779</b>	<b>(267)</b>
<b>Changes in Operating Assets and Liabilities</b>		
(Increase)/Decrease in Receivables	(1,187)	1,595
Decrease in Other Assets	-	6
Increase/(Decrease) in Payables	442	(190)
Increase/(Decrease) in Taxation Revenue Payable	911	(1,482)
<b>Net Changes in Operating Assets and Liabilities</b>	<b>166</b>	<b>(71)</b>
<b>Net Cash Inflows/(Outflows) from Operating Activities</b>	<b>945</b>	<b>(338)</b>

# ACT Gambling and Racing Commission

## Notes to and Forming Part of the Financial Statements

### For the Year Ended 30 June 2021

#### Note 24. Budgetary Reporting

The following are brief explanations of major line item variances between budget estimates and actual outcomes. Variances are considered to be major variances if **both** of the following criteria are met:

- (a) The line item is a significant line item: where either the line item actual amount accounts for more than 10% of the relevant associated category (Income, Expenses and Equity totals) or more than 10% of sub-element (e.g. Current Liabilities and Receipts from Operating Activities totals) of the financial statements; and
- (b) The variances (original budget to actual) are greater than plus (+) or minus (-) 2.5% and \$500,000 of the budget for the financial statement line item.

	Actual 2021 \$'000	Original Budget <sup>a</sup> 2021 \$'000	Variance \$'000	Variance %	Variance Explanation
<b>Operating Statement line items</b>					
Other Revenue	2,404	1,841	563	30.6	Note 1
<b>Balance Sheet Line Items</b>					
Cash and Cash Equivalents	5,616	4,891	725	14.8	Note 2
Receivables	5,530	4,349	1,181	27.2	Note 3
Payables	5,694	4,344	1,350	31.1	Note 4

- a. Original Budget refers to the amounts presented to the Legislative Assembly in the original budgeted financial statements in respect of the reporting period (2020-21 Statement of Intent). These amounts have not been adjusted to reflect supplementary appropriation or appropriation instruments.

#### Notes

1. Other Revenues is higher than expected due to greater than expected revenue from gaming machine licensees following the lifting of COVID-19 restrictions in August 2020.
2. Cash and Cash Equivalents is higher than expected mainly due to the reduced expenditure from the Gambling Harm Prevention and Mitigation Fund and the timing of transfers to the Chief Minister's Charitable Fund and the Diversification Sustainability Support Fund.
3. Receivables were higher than anticipated due to the revenue of Interstate Lotteries Duty for May 2021 yet to be received as at 30 June 2021.
4. Payables were higher than expected due to an increase in Taxation and Levies Revenue Payable to Government as a result of Interstate Lotteries Duty for May 2020 not being received as at 30 June 2021. All taxes and levies received by the Commission are transferred on a daily basis to the ACT Government.

**Statement of Changes in Equity** – these line items are covered in other financial statements.

**Statement of Cash Flows** - no variances that met the criteria above were identified in the Statement of Cash Flows.

**ACT Gambling and Racing Commission**  
**Appendix A - Basis of Preparation of the Financial Statements**  
**Forming Part of Note 2 of The Financial Statements**  
**For the Year Ended 30 June 2021**

**Legislative Requirement**

The *Financial Management Act 1996* (FMA) requires the preparation of annual financial statements for ACT Government agencies. The FMA and the *Financial Management Guidelines* issued under the Act requires that the Commission's financial statements include:

- i. an Operating Statement for the reporting period;
- ii. a Balance Sheet at the end of the reporting period;
- iii. a Statement of Changes in Equity for the reporting period;
- iv. a Statement of Cash Flows for the reporting period;
- v. a Statement of Appropriation for the reporting period;
- vi. the significant accounting policies adopted for the reporting period; and
- vii. such other statements as are necessary to fairly reflect the financial operations of the agency during the reporting period and its financial position at the end of the reporting period.

These general-purpose financial statements have been prepared in accordance with:

- i. Australian Accounting Standards (as required by the FMA); and
- ii. ACT Accounting and Disclosure Policies.

**Accrual Accounting**

The financial statements have been prepared using the accrual basis of accounting. The financial statements have also been prepared according to the historical cost convention.

**Currency**

These financial statements are presented in Australian dollars.

**Individual Not-For-Profit Reporting Entity**

The Commission is an individual not-for-profit reporting entity.

**Reporting Period**

These financial statements state the financial performance, changes in equity and cash flows of the Commission for the year ended 30 June 2021 together with the financial position of the Commission as at 30 June 2021.

**ACT Gambling and Racing Commission**  
**Appendix A - Basis of Preparation of the Financial Statements**  
**Forming Part of Note 2 of The Financial Statements**  
**For the Year Ended 30 June 2021**

**Comparative Figures**

**Budget Figures**

The *Financial Management Act 1996* requires the financial statements to facilitate a comparison with the Commission's Statement of Intent. The budgeted numbers in the financial statements are the original budget numbers that appear in the Statement of Intent.

**Prior Year Comparatives**

Comparative information has been disclosed in respect of the previous reporting period for all amounts reported in the financial statements, except where an Australian Accounting Standard does not require comparative information to be disclosed.

Where the presentation or classification of items in the financial statements is amended the comparative amounts have been reclassified where practical. Where a reclassification has occurred, the nature, amount and reason for the reclassification is provided.

**Rounding**

All amounts in the financial statements have been rounded to the nearest thousand dollars (\$'000). Use of "-" represents zero amounts or amounts rounded down to zero.

**Going Concern**

The 2020-21 financial statements have been prepared on a going concern basis as the Commission has been funded in 2020-21 under section 7 of the *Financial Management Act 1996* pending funding in the 2021-22 Budget and the 2021-22 Budget paper including forward estimates for the Commission. The 2021-22 Budget will be presented to the Legislative Assembly subsequent to the signing of the Commission's 2020-21 financial statements.

**ACT Gambling and Racing Commission**  
**Appendix B - Significant Accounting Policies**  
**Forming Part of Note 2 of The Financial Statements**  
**For the Year Ended 30 June 2021**

**Significant Accounting Policies – Income**

**Revenue Recognition**

Revenue is recognised in accordance with AASB 15 Revenue from Contracts with Customers where the contract is enforceable and contains sufficiently specific performance obligations, otherwise revenue is in the scope of AASB 1058 Income of not-for-Profit Entities.

**AASB 15**

The core principle of AASB 15 is that revenue is recognised on a basis that reflects the transfer of promised goods or services to customers at an amount that reflects the consideration the entity expects to receive in exchange for those goods or services. Revenue is recognised by applying a five step model as follows:

1. identify the contract with the customer;
2. identify the performance obligations;
3. determine the transaction price;
4. allocate the transaction price; and
5. recognise revenue as or when control of the performance obligation is transferred to the customer.

Generally, the timing of the payment for sale of goods and rendering of services corresponds closely to the timing of satisfaction of the performance obligations, however where there is a difference, it will result in the recognition of a receivable, contract asset or contract liability.

None of the revenue streams of the Agency have any significant financing terms as there is less than 12 months between receipt of funds and satisfaction of performance obligations.

**AASB 1058**

Where revenue streams are in the scope of AASB 1058, the Commission recognises the asset received (generally cash or other financial asset) at fair value, recognises any related amount (e.g. liability or equity) in accordance with an accounting standard and recognises revenue as the residual between the fair value of the asset and the related amount on receipt of the asset.

**Note 3 – Controlled Recurrent Payments**

Controlled Recurrent Payments are recognised as revenue when the Commission gains control over the funding which is normally obtained upon the receipt of cash, given they do not contain enforceable and sufficiently specific performance obligations as defined by AASB 15.

**Notes 4 and 7 - Taxation and Levies Collected on Behalf of the Territory and Other Revenue**

Taxes and levies and other revenue are recognised as revenue in the period in which the payment relates. Fees are recognised as revenue at the time of payment. Fines are recognised as revenue on the issue of the relevant disciplinary notice.

Taxation, Levies and Regulatory Fee revenue are collected on behalf of the Territory.

**ACT Gambling and Racing Commission**  
**Appendix B - Significant Accounting Policies**  
**Forming Part of Note 2 of The Financial Statements**  
**For the Year Ended 30 June 2021**

**Note 6 – Grants and Contributions**

Resources received free of charge are recorded as a revenue and expense in the Operating Statement at fair value. The revenue is separately disclosed under resources received free of charge, with the expense being recorded in the line item to which it relates. Services that are received free of charge are only recorded in the Operating Statement if they can be reliably measured and would have been purchased if not provided to the Commission free of charge. Legal Services were received free of charge from the ACT Government Solicitor's Office.

**Significant Accounting Policies – Expenditure**

**Amortisation**

Amortisation is used in relation to intangible assets.

Amortisation for non-current assets is determined as follows:

<u>Class of Asset</u>	<u>Amortisation Method</u>	<u>Useful Life (Years)</u>
Externally Purchased Intangibles	Straight Line	Five years

The useful life of each major asset is reassessed on an annual basis.

**Note 12 – Waivers**

Waivers are expensed during the year in which the right to payment was waived.

**Significant Accounting Policies – Assets**

**Assets – Current and Non-Current**

Assets are classified as current where they are expected to be realised within 12 months after the reporting date. Assets which do not fall within the current classification are classified as non-current.

**Note 14 – Cash and Cash Equivalents**

Cash includes cash at bank.

Cash equivalents are short-term highly liquid investments that are readily converted to known amounts of cash which are subject to an insignificant risk of changes in value.

**ACT Gambling and Racing Commission**  
**Appendix B - Significant Accounting Policies**  
**Forming Part of Note 2 of The Financial Statements**  
**For The Year Ended 30 June 2021**

**Significant Accounting Policies – Assets - Continued**

**Note 15 – Receivables**

**Accounts Receivables**

Accounts receivable (including accrued gambling taxes and levies and other trade receivables) are measured at amortised cost with any adjustments to the carrying amount being recorded in the Operating Statement.

Accrued gambling taxes and levies arise in the normal course of gambling related activity. It is a statutory requirement that gambling taxes and levies for a particular month be paid in the following month.

**Impairment Loss – Receivables**

The allowance for expected credit losses represents the amount of trade receivables and other trade receivables the Commission estimates will not be repaid. The allowance for impairment losses is based on objective evidence and a review of overdue balances. The Commission measures expected credit losses of a financial instrument in a way that reflects:

- (a) an unbiased and probability-weighted amount that is determined by evaluating a range of possible outcomes;
- (b) the time value of money; and
- (c) reasonable and supportable information that is available without undue cost or effort at the reporting date about past events, current conditions and forecasts of future economic conditions.

**Note 16 – Intangible Assets**

The Commission's intangible assets are comprised of externally acquired software for internal use. Externally acquired software is recognised and capitalised when:

- (a) it is probable that the expected future economic benefits attributable to the software will flow to the Commission;
- (b) the cost of the software can be measured reliably; and
- (c) the acquisition cost is equal to or exceeds \$50,000.

Capitalised software has finite useful life. Software is amortised on a straight-line basis over its useful life, over a period not exceeding 5 years.

Intangible Assets are measured at amortised cost.

**ACT Gambling and Racing Commission**  
**Appendix B - Significant Accounting Policies**  
**Forming Part of Note 2 of The Financial Statements**  
**For The Year Ended 30 June 2021**

**Significant Accounting Policies – Liabilities**

**Liabilities – Current and Non-Current**

Liabilities are classified as current when they are due to be settled within 12 months after the reporting date or the Commission does not have an unconditional right to defer settlement of the liability for at least 12 months after the reporting date. Liabilities which do not fall within the current classification are classified as non-current.

**Note 18 – Payables**

Payables are initially recognised at fair value based on the transaction cost and subsequent to initial recognition at amortised cost, with any adjustments to the carrying amount being recorded in the Operating Statement. All amounts are normally settled within 30 days after the invoice date.

Payables incl



## Capital Works

The Commission had no projects included in the Capital Works Program for 2020-21.

## Asset Management

The only assets maintained by the Commission are its computer software. These databases are managed by Access Canberra through a Memorandum of Understanding. Access Canberra has in place policies for the management of these assets consistent with the ACT Asset Management Strategy. The carrying value of these assets at the end of the reporting period was \$81,121.

## Government Contracting

The Commission's procurement, selection and management process for all contractors including consultants complied with the *Government Procurement Act 2001* and *Government Procurement Regulation 2007* and subordinate guidelines and circulars.

Procurement processes above \$25,000 have been reviewed by Procurement ACT, and where applicable by the Government Procurement Board, consistent with the provisions of the *Government Procurement Regulation Act 2007*.

The Commission provided no exemptions from the secure local jobs code requirements under section 22G of the *Government Procurement Act 2001* during the reporting period.

Table 15: 2020-21 Contracts with suppliers of goods and services that exceed \$25,000

Contract No.	Contract Title	Procurement Methodology	Procurement Type	Exemption from Quotation and Tender Threshold Requirements	Contractor Name	Contract Amount (excl GST)	Execution Date	Expiry Date
31036.210	ACT Gambling Harm Support Service	Open tender	Community-based services	No	Relationships Australia Canberra and Region	\$1,873,525	22 May 2020	30 June 2022
No Number	Research into Gambling	Single select	Consultancy	No	ANU Centre for Gambling Research	\$1,100,000	April 2009	16 April 2024

<b>Contact for further information:</b>	Senior Director, Finance and Budgets, Access Canberra, Phone: (02) 6207 0378.
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# Statement of Performance



AUDITOR-GENERAL AND OFFICER  
OF THE ACT LEGISLATIVE ASSEMBLY 

## INDEPENDENT LIMITED ASSURANCE REPORT

To the Members of the ACT Legislative Assembly

### Conclusion

I have undertaken a limited assurance engagement on the statement of performance of the ACT Gambling and Racing Commission (Commission) for the year ended 30 June 2021.

Based on the procedures performed and evidence obtained, nothing has come to my attention to indicate the results of the accountability indicators reported in the statement of performance for the year ended 30 June 2021 are not in agreement with the Commission's records or do not fairly reflect, in all material respects, the performance of the Commission, in accordance with the *Financial Management Act 1996*.

### Basis for conclusion

I have conducted the engagement in accordance with the Standard on Assurance Engagements ASAE 3000 *Assurance Engagements Other than Audits or Reviews of Historical Financial Information*. My responsibilities under the standard and legislation are described in the 'Auditor-General's responsibilities' section of this report.

I have complied with the independence and other relevant ethical requirements relating to assurance engagements, and the ACT Audit Office applies Australian Auditing Standard ASQC 1 *Quality Control for Firms that Perform Audits and Reviews of Financial Reports and Other Financial Information, Other Assurance Engagements and Related Services Engagements*.

I believe that sufficient and appropriate evidence was obtained to provide a basis for my conclusion.

### Commission's responsibilities for the statement of performance

The Governing Board of the Commission is responsible for:

- preparing and fairly presenting the statement of performance in accordance with the *Financial Management Act 1996* and *Financial Management (Statement of Performance Scrutiny) Guidelines 2019*; and
- determining the internal controls necessary for the preparation and fair presentation of the statement of performance so that the results of accountability indicators and accompanying information are free from material misstatements, whether due to error or fraud.

### Auditor-General's responsibilities

Under the *Financial Management Act 1996* and *Financial Management (Statement of Performance Scrutiny) Guidelines 2019*, the Auditor-General is responsible for issuing a limited assurance report on the statement of performance of the Commission.

My objective is to provide limited assurance on whether anything has come to my attention that indicates the results of the accountability indicators reported in the statement of performance are not in agreement with the Commission's records or do not fairly reflect, in all material respects, the performance of the Commission, in accordance with the *Financial Management Act 1996*.

In a limited assurance engagement, I perform procedures such as making inquiries with representatives of the Commission, performing analytical review procedures and examining selected evidence supporting the results of accountability indicators. The procedures used depend on my judgement, including the assessment of the risks of material misstatement of the results reported for the accountability indicators.

#### Limitations on the scope

The procedures performed in a limited assurance engagement are less in extent than those required in a reasonable assurance engagement and consequently the level of assurance obtained is substantially lower than the assurance that would have been obtained had a reasonable assurance engagement been performed. Accordingly, I do not express a reasonable assurance opinion on the statement of performance.

This limited assurance engagement does not provide assurance on the:

- relevance or appropriateness of the accountability indicators reported in the statement of performance or the related performance targets;
- accuracy of explanations provided for variations between actual and targeted performance due to the often subjective nature of such explanations; or
- adequacy of controls implemented by the Commission.



Ajay Sharma  
Assistant Auditor-General, Financial Audit  
21 September 2021

# **ACT GAMBLING AND RACING COMMISSION**

## **STATEMENT OF PERFORMANCE**

**FOR THE YEAR ENDED 30 JUNE 2021**

**ACT Gambling and Racing Commission**  
**Statement of Performance**  
**For the Year Ended 30 June 2021**

**Statement of Responsibility**

In my opinion, the Statement of Performance is in agreement with the ACT Gambling and Racing Commission's records and fairly reflects the service performance of the ACT Gambling and Racing Commission for the year ended 30 June 2021 and also fairly reflects the judgements exercised in preparing it.



**Paul Baxter**  
Chairperson  
ACT Gambling and Racing Commission  
17 August 2021



Gambling & Racing Commission  
GPO Box 158, Canberra City ACT 2601

 [GRCBoard@act.gov.au](mailto:GRCBoard@act.gov.au)  
 [gamblingandracing.act.gov.au](http://gamblingandracing.act.gov.au)



**ACT Gambling and Racing Commission  
Statement of Performance  
For the Year Ended 30 June 2021**

**Description of Objectives**

The ACT Gambling and Racing Commission's major objectives include:

- undertaking strategies designed to prevent and reduce gambling harm through a public health approach, including effective research, gambling harm awareness activities and the provision of support for people at risk; and
- increasing gambling operators' compliance with legislation through the Commission's comprehensive inspection program and its continued education and liaison with operators.

**ACT Gambling and Racing Commission**  
**Statement of Performance**  
**For the Year Ended 30 June 2021**

**Output Class 1: Gambling Regulation and Harm Minimisation**

**Output 1.1: Gambling Regulation and Harm Minimisation**

	Original Target 2020-21	Actual Result 2020-21	Variance from Original Target %	Explanation for Material Variance
<b>Total cost<sup>1</sup></b>	<b>\$7,190,000</b>	<b>\$7,101,000</b>	(1)	
<b>Controlled Recurrent Payments</b>	<b>\$5,350,000</b>	<b>\$5,350,000</b>	0	
<b>Accountability Indicators</b>				
a Undertake evidence (e.g. research and evaluation) informed activities to prevent and reduce gambling harm, including through the Problem Gambling Assistance Fund	12	13	8	Note 1
b Percentage of customers satisfied with the Gambling and Racing Commission	90%	100%	11	Note 2
c Percentage of the Canberra community satisfied with the ease of interacting with the Gambling and Racing Commission	95%	100%	5	Note 3
d Compliance rate during targeted campaign inspections	90%	97%	8	Note 4
e Average level of helpfulness after issuing a notice or before issuing a licence/authorisation	4.2 out of 5	5 out of 5	19	Note 5

The above Statement of Performance should be read in conjunction with the accompanying notes.

The above Accountability Indicators were examined by the ACT Audit Office in accordance with the *Financial Management Act 1996*. The Total cost and Controlled Recurrent Payments measures were not examined by the ACT Audit Office in accordance with the *Financial Management (Statement of Performance Scrutiny) Guidelines 2019*.

1. Total cost include components of Commission expenditure excluding taxation revenue transferred to Government.

**ACT Gambling and Racing Commission**  
**Statement of Performance**  
**For the Year Ended 30 June 2021**

**Explanation of Material Variance**

1. The result reflects one additional activity aimed at preventing and reducing gambling harm, undertaken through the Gambling Harm Prevention and Mitigation Fund.
2. The result reflects a greater level of client awareness, attitudes, behaviours and customer satisfaction of/with the Commission's corporate identity, channels and services.
3. The result reflects a greater level of satisfaction with the ease of interacting with the Commission.
4. The result reflects that one gaming venue that was assessed against a predetermined set of criteria for targeted inspection campaigns was found to be non-compliant during the first visit and remained non-compliant following a subsequent audit.
5. The result reflects that industry rated the Commission as very helpful.

**Explanation of Accountability Indicators**

- a Undertake evidence (e.g. research and evaluation) informed activities to prevent and reduce gambling harm, including through the Problem Gambling Assistance Fund.
  - The Commission has:
    - Delivered Gambling Harm Awareness Week 2020. The Commission developed and delivered a digital and social media led communications campaign focused on knowing the signs of gambling harm and where to get help.
    - Developed, delivered, and published guidelines for funding applications made to the Gambling Harm Prevention and Mitigation Fund to facilitate, streamline, and improve the quality of applications for projects.
    - Development and release of the Commission's research agenda to ensure that funded research addresses the priorities of the Commission under the Strategy for Gambling Harm Prevention in the ACT.
    - Redeveloped and administered Gambling Contact Officer Annual Training Sessions.
    - Refreshed, promoted and administered Gambling Harm Prevention Club Board Member Training.
    - Refreshed, promoted and delivered the 'Reducing Gambling Harm Workshop' for community sector workers.
    - Completed upgrade of the existing ACT Gamblers Exclusion Database to address immediate issues with incident, exclusion, and revocation processes.
    - Approved development of a new Exclusion Database platform based on Salesforce CRM technology to enable greater system functionality.
    - Completed a 12-month extension agreement for the provision of the ACT Gambling Support Service.
    - Completed a collaborative review with Liquor and Gaming NSW of cross-border gambling trends.



**ACT Gambling and Racing Commission**  
**Statement of Performance**  
**For the Year Ended 30 June 2021**

**Explanation of Accountability Indicators - Continued**

- Completed targeted engagement with club sector prior to clubs reopening after the COVID 19 restrictions on operations. The Commission provided club venues with gambling harm prevention resources, information, and advice to ensure venues continued to operate in accordance with their harm prevention obligations.
  - Completed a review of NSW responsible gambling study and proposed reforms to gambling legislation, to inform the implementation of commitments under the Parliamentary and Governing Agreement.
  - Actively contributed to the development, design, procurement and ongoing management of research projects funded under the interjurisdictional Memorandum of Understanding establishing Gambling Research Australia.
- b Percentage of customers satisfied with the Gambling and Racing Commission
- This is an independent annual survey of licensees which measures client's awareness, attitudes, behaviour and customer satisfaction of/with the Commission's corporate identity, channels and services.
- c Percentage of the Canberra community satisfied with the ease of interacting with the Gambling and Racing Commission
- This is an independent annual survey of the satisfaction with ease of interacting with the Commission, which measures the awareness, attitudes, behaviour and customer satisfaction of/with the Commission's corporate identity, channels and services.
- d Compliance rate during targeted campaign inspections
- This is a rate of compliance assessed against a predetermined set of criteria for targeted inspection campaigns. Following the completion of the campaign compliance rates are again assessed to determine the percentage shift in compliance.
- e Average level of helpfulness after issuing a notice or before issuing a licence/authorisation
- This is an independent survey of randomly selected industry members that have had a regulatory interface with the Commission to identify the helpfulness of the Commission in achieving compliance.

# Annual Report Requirements - ACT Gambling and Racing Commission

## Summary of Complaints

Section 31 of the *Gambling and Racing Control Act 1999* (the Control Act) provides that a person may lodge a complaint with the Commission about compliance with a gaming law. Access Canberra on behalf of the Commission investigates each complaint received that relates to compliance with a gaming law including seeking information or comment from the relevant licensee or operator. The results of the Commission's investigations are provided to the complainant as well as the licensee or operator that was the subject of the complaint.

In 2020-21, all complaints were resolved to the satisfaction of the Commission.

Table 16: Summary of complaints received during 2020-21

Gambling Provider	Received	Substantiated	Not Substantiated	Ongoing	Incapable of Determination	Withdrawn
Casino						0
Gaming Machines	6	0	3	2	1	0
Lotteries	8	0	4	1	3	0
Racing and Wagering	3	0	1	1	1	0
Unlawful Games	0	0	0	0	0	0
<b>Total</b>	<b>20</b>	<b>0</b>	<b>10</b>	<b>5</b>	<b>5</b>	<b>0</b>

## Gambling Harm Prevention and Mitigation Fund

Under the *Gaming Machine Act 2004*, the Commission administers the Gambling Harm Prevention and Mitigation Fund (the Fund). The Fund supports projects and research into gambling harm and its wider effects within the community.

Revenue for the Fund is sourced from a 0.75 per cent levy on gaming machine licensees' Gross Gaming Machine Revenue and contributions from Tabcorp and Casino Canberra Limited. A further 0.4 per cent of gaming machine licensees Net Gaming Machine Revenue is paid into the Fund as a mandatory minimum community contribution.

Expenditure from the Fund is for the purpose of alleviating problem gambling or the disadvantages that arise from problem gambling and for providing or ascertaining information about problem gambling. Expenditure from the 0.4 percent of net gaming machine revenue paid into the fund as a mandatory minimum community contribution for the above purposes may only be made with the approval of the Minister.

In making decisions on projects under the Fund, the Commission's Board ensures that approved expenditure meets a range of short-term and long-term goals as well as representing a cross-section of applied and research projects. This ensures that some immediate benefits are achieved, and that work is undertaken to inform or improve knowledge about gambling issues.

Table 17: Gambling Harm Prevention and Mitigation Fund Receipts 2020-21

Licensee	Amount \$	Licensee	Amount \$
Ainslie Group		Eastlake Group	0
– Ainslie Football and Social Club	35,263	– Calwell Club	32,320
– Gungahlin Lakes Golf & Community Club	80,820	– Eastlake Football Club	37,718
Austrian Australian Club <sup>1</sup>	1,361	– Sports Club Kaleen	-
Belconnen Bowling Club <sup>1</sup>	3,052	– Eastlakes Gungahlin	32,060
Belconnen Soccer Group		Harmonie German Club	8,384
– Belconnen Soccer Club - Hawker	1,973	Hellenic Club Group	
– Belconnen Soccer Club - McKellar	20,747	– Hellenic Club in the City	12,310
Canberra Bowling Club <sup>1</sup>	450	– Hellenic Club of Canberra	116,515
Canberra Deakin Football Club	9,294	Magpies Sports Club	6,176
Canberra Highland Society & Burns Club	34,279	Mawson Club	44,344
Canberra Irish Club Limited	3,059	Murrumbidgee Country Club <sup>1</sup>	967
Canberra Labor Group		Spanish Australian Club <sup>1</sup>	118
– Canberra Labor Club	128,847	Tuggeranong Rugby Union Group	
– City Labor Club	30,530	– Chisholm Sports Club	40,773
– Ginninderra Labor Club	40,807	– Lanyon Valley Rugby Union & Amateur Sports Club	37,397
– Weston Creek Labor Club	12,037	– Town Centre Sports Club	64,563
RUC at Turner	8,726	– Tuggeranong Valley Rugby Union & Amateur Sports Club	85,517
Canberra Raiders Group		Yowani Country Club <sup>1</sup>	1,220
– Raiders Gungahlin	96,241	<b>Sub Total – Clubs</b>	<b>1,580,555</b>
– Raiders Belconnen	64,894		
– Raiders Weston	36,948	Civic Pub	1,193
Canberra Services Club		Kambah Inn	230
– Canberra Club (Manuka)	0	Kingston Hotel	1,074
– Canberra Club (Barton)	246	Mercure Canberra	-
Canberra Southern Cross Group		Statesman Hotel Motel	-
– Southern Cross Club - Woden	125,026	<b>Sub Total – Hotels/Taverns</b>	<b>2,497</b>
– Southern Cross Club - Jamison	42,516		
– Southern Cross Club – Tuggeranong	75,859	Casino Canberra	62,048
Canberra Tradesmen's Union Club	207,198	Tabcorp	49,353
		<b>Sub Total – Others</b>	<b>111,401</b>
		<b>TOTAL<sup>2</sup></b>	<b>1,694,453</b>

**Notes:**

1. Gambling Harm Prevention and Mitigation Fund Levy paid annually
2. Total Income to the Gambling Harm Prevention and Mitigation Fund does not include bank interest of \$25,004.

Table 18: Gambling Harm Prevention and Mitigation Fund – Projects and Funding as at 30 June 2021

Project Name	Outcomes	Status	Funds Spent in 2020 21 (excl GST)	Recipient of Funds
<b>ACT Gambling Counselling Support Service</b>	Access to professional gambling and financial counselling, and support for people experiencing problems with gambling, including families and friends. Gambling providers and other help services in the ACT have access to support in assisting gamblers believed to have problems with their gambling. Harm from problem gambling is reduced as a result of a proactive approach to community education and early intervention.	Relationships Australia Australia and Region delivered the Gambling Counselling Support Service in the 2020-2021 financial year. Relationships Australia Australia and Region will continue to provide this service in 2021-2022.	\$924,285	Relationships Australia Canberra and Region
<b>Gambling Harm Prevention Training Package Redevelopment: Reducing Gambling Harm Workshop</b>	Support and community sector client-facing workers and management in the ACT have increased skills to assist their clients or staff in gambling harm prevention and reduction.	The Gambling and Harm Prevention Team was responsible for administration and promotion of this training in 2020/21.	\$4,100* Payment made during 2021-22	Bell MHT Pty Ltd
<b>ACT Gamblers Exclusion Database</b>	The ACT Gamblers Exclusion Database enables an effective scheme to exclude individuals from gambling venues in the ACT.	All licensees have access to the database, which has been operational since June 2014. In 2016 the database expanded to	\$12,565	Hammond Street Developments (Support Agreement)

Project Name	Outcomes	Status	Funds Spent in 2020 21 (excl GST)	Recipient of Funds
	<p>In 20/21, the Commission engaged Hammond Street Developments with support from Digital Data and Technology Solutions team in CMTEDD (Shared Services) to complete system maintenance and upgrades.</p> <p>The Commission is exploring options for migrating the Exclusion Database to Salesforce. A Business Analysis has been completed outlining the development requirements.</p>	<p>include functionality for recording and tracking incidents and notable events.</p> <p>All development work was completed in the reporting period.</p> <p>It is expected that the new system would be completed in the 2021/22 financial year</p>	<p>\$32,391</p> <p>\$1,560</p> <p>\$12,521</p>	<p>Hammond Street Developments</p> <p>CMTEDD Shared Services</p> <p>CMTEDD (Shared Services)</p>
<b>Gambling Help Online</b>	Residents of the ACT have 24/7 access to online gambling counselling and support.	Ongoing - The Commission is party to a national MOU between Australian governments for the continuation of the service through 2017-2018. This was extended by agreement to June 2021.	\$8,034	Department of Customer Service ACT contribution to national MOU
<b>Gambling Research Australia</b>	Gambling Research Australia is a partnership between the Commonwealth, State and Territory Governments for the establishment and funding of	10 June 2020 MOU extension between the ACT and GRA, extending the agreement until 2023 with no funding	\$0	

Project Name	Outcomes	Status	Funds Spent in 2020 21 (excl GST)	Recipient of Funds
	national gambling research projects.	committed from 2020/21-2022/23.		
<b>Gambling Harm Awareness Week 2020</b>	Gambling Harm Awareness Week provides an opportunity for the ACT Gambling and Racing Commission to raise community awareness about range and extent of gambling harm in the ACT.	Gambling Harm Awareness Week 2020 ran from 19 – 25 October 2020. It featured an extensive communications campaign across a number of social media platforms.	\$10,057  \$1,095	Omnicom Media Group  CMTEDD
<b>Gambling Harm Prevention Training Package Redevelopment: Gambling Contact Officer Training</b>	This project is for professional development training for Gambling Contact Officers which was developed and delivered by Wisdom Learning in partnership with the Commission.	Redevelopment was completed in February 2021. 13 sessions were completed with 155 participants in 2020/21.  GCO branded pens were designed and distributed to GCOs at training	\$39,654  \$675	Wisdom Learning  Promotion Products
<b>TOTAL</b>			<b>\$1,046,937</b>	

<b>Contact for further information:</b>	Senior Director, Fair Trading and Compliance, Access Canberra, Phone: (02) 6207 2992.
	Senior Director, Policy and Coordination, Access Canberra, Phone: (02) 6207 0704.
	Senior Director, Finance and Budgets, Access Canberra, Phone: (02) 6207 0378.

# Whole of Government Annual Reporting

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## Bushfire Risk Management

The Commission has nothing to report under this division given that it is not required to prepare or approve bushfire operational plans for properties within Bushfire Prone Areas.

## Human Rights

On 1 July 2016 all the Commission's staff were integrated into Access Canberra, CMTEDD. Reporting under this division is incorporated into the reporting made by CMTEDD and can be sourced from the 2020-21 annual report of the Justice and Community Safety Directorate.

## Legal Services Directions

See the 2020-21 annual report of the Justice and Community Safety Directorate for reporting made by the Commission under this division.

## Territory Records

See the annual report of Chief Minister, Treasury and Economic, Development Directorate for reporting made by the Commission under this division.

# Attachments

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## Annual Report of the ACT Racing Appeals Tribunal

The Racing Appeals Tribunal (the Tribunal) is established by Part 5 of the *Racing Act 1999* (the Act). The Tribunal is an independent body responsible for hearing and determining appeals from persons aggrieved by a decision of a controlling body or another organisation conducting a race meeting being held for the purpose of betting in the ACT. The functions of the Tribunal are contained in section 39 of the Act.

### Contact

Registrar of the Racing Appeals Tribunal  
Senior Director, Projects, Governance and Support  
Access Canberra  
Phone: (02) 6207 0704

### Members

As at 30 June 2021, and at all times during the reporting period, the members of the Tribunal were:

- Mr John Kalokerinos (President)
- Mr Andrew Satsia (Deputy President)
- Ms Kay Barralet
- Mr Paul Barrett
- Ms Noor Blumer
- Ms Pam Burton
- Mr Desmond Gleeson (ACT Racing Assessor)

### Appeals lodged with the Tribunal

#### ***Mathew Cahill v Canberra Racing Club Inc***

On Thursday 6 August 2020, the Tribunal, constituted by the President, Mr John Kalokerinos, the Deputy President Mr Andrew Satsia and Member Ms Noor Blumer, heard the matter of *Mathew Cahill v The Canberra Racing Club Inc*.

This appeal was from a decision following an inquiry held by the Stewards on Friday 24 July 2020, in relation to race 6 on that day, at Thoroughbred Park in Canberra. Mr Cahill (the appellant) was the rider of the third placegetter, Bro, and was charged under Australian Racing Rule (ARR) 211(1), which provides “(1) A rider must ensure that his or her horse does not carry more than 0.5kg in a race over the weight that it is required to carry”. The appellant pleaded guilty to the charge and was penalised with a suspension of his licence to ride for 7 days.

On 28 July 2020, the appellant lodged a notice of appeal against the penalty. At the hearing the Tribunal considered the submissions made by both parties. The Tribunal also considered a range of decisions of stewards and racing appeals tribunals tendered by both parties on overweight cases from recent years and across several jurisdictions. The decisions tendered and the assistance of the Tribunal’s Assessor, Mr Desmond Gleeson, provided considerable assistance to the Tribunal in considering the range of penalties imposed by the stewards for breaches of this type.



In this case, no dishonesty or bad faith was identified. However, the appellant, by his own admission, was not as careful as he should have been, particularly given that he had weighed out at 56.4 kilograms, and given his 37 years of experience as a jockey. Taking all the circumstances into account, the Tribunal considered the matter to be finely balanced, and found that suspension was appropriate in this case, but for a shorter period. The appeal against the penalty of 7 days suspension made by the Stewards on 24 July 2020 was varied to a penalty of 5 days suspension.

#### ***Brodie Loy v Canberra Racing Club***

On 2 December 2020 a notice of appeal was lodged with the Tribunal on behalf of Mr Brodie Loy. Mr Loy was appealing a decision by Canberra Racing Club Stewards handed down on 27 November for a breach of rule 131(a) of the Australian Racing Rules, relating to careless riding.

On 16 December 2020 the Registrar of the Tribunal received an application from Mr Loy, seeking leave from the Tribunal to withdraw his appeal. The application was granted by the Tribunal on 18 December.

#### ***Jake Duffy v Canberra Racing Club***

On Monday 11 January 2021, the Tribunal, constituted by the President, Mr John Kalokerinos and Member Mr Paul Barrett, determined the matter of *Jake Duffy v Canberra Racing Club Inc.*

The appeal was from a decision following an inquiry held by the Stewards on 29 December 2020 in relation to race five on that day, at Thoroughbred Park in Canberra. Mr Duffy was the rider of Debonnaire Boy and was charged under the Australian Rules of Racing [AR 131(a)] which provides that “A rider must not, in the opinion of the Stewards: (a) engage in careless, reckless, improper, incompetent or foul riding.” The appellant pleaded guilty to the charge and was penalised with a suspension of his licence to ride for five race meetings. Subsequent to the inquiry, Racing Australia provided the Stewards with evidence supporting Mr Duffy’s submission and the penalty was amended to reflect a four meeting suspension.

On 30 December 2020, the appellant lodged a notice of appeal against the penalty. The Tribunal convened a hearing and considered the submissions provided by the Stewards, the testimony of both parties and video recording of the race. Taking all the circumstances into account, the Tribunal dismissed the appeal and the penalty of suspension for four race meetings was upheld.

<b>Contact for further information:</b>	Senior Director, Policy and Coordination, Access Canberra, Phone: (02) 6207 0704
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# List of Abbreviations and Acronyms

ACAT	ACT Civil and Administrative Tribunal
ACCC	Australian Competition and Consumer Commission
ACT	Australian Capital Territory
ACTPS	ACT Public Service
ANAO	Australian National Audit Office
ANU	Australian National University
AS	Australian Standard
CMTEDD	Chief Minister, Treasury and Economic Development Directorate
FMA	Financial Management Act 1996
FTE	Full Time Equivalent
GCO	Gambling Contact Officer
GGMR	Gross Gaming Machine Revenue
GHAW	Gambling Harm Awareness Week
GRA	Gambling Research Australia
GRC	Gambling and Racing Commission
CRP	Controlled Recurrent Payments
GHP&MF	Gambling Harm Prevention and Mitigation Fund
GRCAC	Gambling and Racing Commission Advisory Committee
GST	Goods and Services Tax
HR	Human Resources
IT	Information Technology
ISO	International Organisation for Standardisation
MoU	Memorandum of Understanding
NSW	New South Wales
NZS	New Zealand Standard

PGSI	Problem Gambling Severity Index
PNG	Papua New Guinea
RED	Respect, Equity and Diversity
RUC	Rugby Union Club
TRO	Territory Records Office

# Glossary of Technical Terms

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Class B gaming machine	A gaming machine that consists of the game of draw poker or games derived from it, what requires player interaction or intervention
Class C gaming machine	A gaming machine that consists of games other than those typically played in casinos
Commission	ACT Gambling and Racing Commission
Community contribution	expenditure by gaming machine licensees on eligible community contributions under the <i>Gaming Machine Act 2004</i>
Compliance inspections	inspections undertaken to identify a licensee's compliance with current gaming legislation
Disciplinary action	a notice of reprimand, monetary penalty or suspension or cancellation of a gaming licence.
Lottery	raffle, trade promotion, Keno, Housie etc under the <i>Lotteries Act 1964</i>
Race bookmaking	means the carrying on (whether regularly or on one or more occasions) of the business of receiving or negotiating bets on races
Sports bookmaking	means the carrying on (whether regularly or on one or more occasions) of the business of receiving or negotiating sports bets

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