

TASMANIA

**GAMING CONTROL (COMMUNITY SUPPORT
FUND) REGULATIONS 2023**

STATUTORY RULES 2023, No. 10

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**GAMING CONTROL (COMMUNITY SUPPORT
FUND) REGULATIONS 2023**

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Gaming Control Act 1993*.

Dated 27 March 2023.

B. BAKER
Governor

By Her Excellency's Command,

MICHAEL DARREL JOSEPH FERGUSON
Treasurer

1. Short title

These regulations may be cited as the *Gaming Control (Community Support Fund) Regulations 2023*.

2. Commencement

These regulations take effect on 1 July 2023.

3. Interpretation

In these regulations –

Act means the *Gaming Control Act 1993*;

Fund means the Community Support Fund established under section 151A of the Act;

organisation includes any body of persons, corporate or unincorporate.

4. Distribution of Fund to community sport and recreation division

- (1) The Department is to distribute 25% of the community support levy, payable under section 151 of the Act, to –
 - (a) the division, of the Department of State Growth, known as Sport and Recreation;
or
 - (b) if the division specified in paragraph (a) ceases to exist, such other division, of a State Service Agency, as the Minister determines, whose primary purpose is the support of community sport and recreation clubs.
- (2) Nothing in subregulation (1) prevents the further distribution under regulation 6 of money from the Fund to a State Service Agency referred to in subregulation (1)(a) or (b).

5. Discretionary distribution of Fund

In addition to money otherwise payable out of the Fund under these regulations, money may be paid out of the Fund in accordance with regulation 6 for any of the following purposes:

- (a) gambling harm prevention and harm minimisation programs or initiatives;
- (b) direct support programs, services, or initiatives, aimed at the minimisation, or prevention, of gambling harm, or both;
- (c) research activities relating to the minimisation, or prevention, of gambling harm, or both;
- (d) community capacity building, and community development projects, programs or initiatives, aimed at the minimisation, or prevention, of gambling harm, or both;
- (e) community sporting and recreation activities aimed at personal health, well-being or social inclusion.

6. Approval for discretionary distribution of Fund

- (1) The Department may request that the Minister approve the distribution of money from the Fund to a State Service Agency specified in the request.

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- (2) The Department may only make a request under subregulation (1) in relation to a State Service Agency if –
 - (a) the money is to be distributed to the State Service Agency for a purpose specified in regulation 5; and
 - (b) the distribution of the money satisfies one or more of the criteria specified in regulation 7; and
 - (c) the Commission has advised the Department that, in the opinion of the Commission, the distribution of the money would be consistent with these regulations.
- (3) The Minister may, after receiving a request under subregulation (1), approve the distribution of money from the Fund to the State Service Agency specified in the request.
- (4) An approval under subregulation (3) may be subject to such terms and conditions as the Minister specifies in the approval.
- (5) Without limiting subregulation (4), the terms and conditions that the Minister specifies in an approval in relation to a State Service Agency may include a requirement that the Department impose, on the distribution of money from the Fund to the State Service Agency, a condition under subregulation (7) that all or part of the money be provided by the State Service Agency to the organisations specified in the approval.

- (6) The Department, with the approval of the Minister under subregulation (3), may distribute money from the Fund to a State Service Agency in accordance with any terms and conditions specified in the approval.

7. Criteria for distribution from Fund

The distribution of money from the Fund under regulation 6 must satisfy one or more of the following criteria:

- (a) there is a link between the location of gambling losses and the location where the money to be distributed is to be spent;
- (b) the money is to be distributed to support partnership and collaboration, between the State Service Agency to which the money is to be distributed and one or more other organisations, aimed at maximising the reach and delivery of initiatives that support the prevention of, early intervention for, and specialised support for, gambling harm;
- (c) the money is to be distributed to support long-term programs aimed at reducing gambling harm;
- (d) the money is to be distributed as a one-off distribution for a major initiative aimed at reducing gambling harm;

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- (e) the money is to be distributed for the provision of specialist support for people impacted by gambling;
- (f) the money is to be distributed for investment in programs, infrastructure, and activities, that act as protective factors against gambling harm, including community engagement and health and well-being initiatives;
- (g) the money is to be distributed for the support of funding for research into, and the evaluation of, gambling prevalence, risk factors, attitudes, behaviours and impacts.

8. Ministerial guidelines

- (1) The Minister may issue written guidelines to State Service Agencies in respect of the administration and management of money distributed to those State Service Agencies from the Fund.
- (2) It is a condition of any distribution of money from the Fund to a State Service Agency that the State Service Agency complies with any guidelines issued under subregulation (1).

9. Ministerial review

- (1) The Minister is to –

- (a) cause a review of the efficacy of the distributed Fund to be carried out every 5 years; and
 - (b) cause the findings of each such review (or a report of those findings) to be published on a website available to the public that is operated by, or on behalf of, the Department.
- (2) The costs and expenses incurred in the conduct of a review under subregulation (1) may be paid out of the Fund.
- (3) Money payable out of the Fund under subregulation (2) may only be paid with the approval of the Minister.

10. Expiry of regulations

These regulations expire on 1 July 2029.

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 5 April 2023.

These regulations are administered in the Department of Treasury and Finance.

EXPLANATORY NOTE

(This note is not part of the regulations)

These regulations provide for the distribution of money from the Community Support Fund.