



Ms Sandra Lamber AM,  
Chair, ACT Remuneration Tribunal  
Email: [remtrib@act.gov.au](mailto:remtrib@act.gov.au)  
Attention: Lela Hopkins, Secretariat

9 February 2025

Dear Ms Lambert,



I write to you as the Chair of the Gambling and Racing Commission (GRC), on behalf of the independent members of the GRC Board, about the remuneration of independent members of the Board. Thank you for allowing me to provide this submission. I understand that the remuneration of the independent Board members has not been specifically considered by the Remuneration Tribunal for decades. This submission sets out reasons why the Tribunal should consider an increase in remuneration.

## Background

By way of brief background, the GRC is established under the *Gambling and Racing Control Act* 1999 (the Act) as an independent commission to effectively administer and regulate ACT gaming and racing laws and compliance by regulated entities and persons with these laws (refer to sections 6-7 of the Act). It operates in a manner that promotes the public interest including consumer protection, minimising criminal or unethical activity and reducing the risks and cost of gambling harm for the community and individuals (refer to section 7 of the Act).

Since 2014 the GRC has been administratively hosted by ACCESS Canberra (AC), which provides services under an MOU. The GRC employs no staff and AC provides no staff dedicated to GRC business. While there is an AC position which also has GRC CEO responsibilities, that position is not dedicated to GRC business.

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The Board's role is similar to a board of a corporation; indeed, each Board member has comparable duties to a company director. The Board must lead and govern the GRC which involves setting policies and strategies; ensuring as far as practicable that GRC operations and finances are proper, effective and efficient; and supporting and complying with government policy as far as practicable (sections 56, 77 *Financial Management Act 1996* (FMA)).

The landscape within which the GRC operates is dynamic and has transformed over the last 2 decades. These circumstances have increased the value of the work undertaken by the GRC and the Board, its workload, and introduced new levels of complexity to the work. For e.g., gambling income has increased, gambling has diversified, awareness of gambling harm has increased, and there have been various reports recommending significant change to better protect consumers from harm. Various royal commissions and reviews have demonstrated the risks presented by a gaming industry and the unique value of effective regulators. In such a dynamic environment, the GRC Board develops and oversees continuous improvement initiatives, some of which are outlined below.

The ACT government has been implementing a program of law reform for many years - gaming reform has been in past ACT Parliamentary Agreements and the current ACT government has a range of reforms it is committed to implementing in this term. The GRC promptly operationalises any law reforms, which is overseen by the Board.

### **Nature and scope of work:**

The Board administers and regulates 11 complex pieces of legislation and related regulations, codes, procedures, and standards. The Board itself is the decision-maker for many complex, significant, statutory decisions. Board and delegate decisions are often carefully scrutinised - by courts and tribunals, the media, a diverse community, and a diverse range of stakeholders. A Board member can be required to instruct in litigation or give evidence.

There has been a program of law reform over the past decade and the GRC operationalises these reforms. These reforms have increased the complexity and scope of the Board's

responsibilities. In particular, a statutory self-exclusion scheme commenced in the early 2000's and has been reformed and consolidated over time. The *Casino Control Act 2006* sets out a mandatory approach to self-exclusion for the Canberra Casino to follow. The Act and its Gambling and Racing Control (Code of Practice) Regulation 2002 similarly requires clubs and hotels to offer self-exclusion, and allows for involuntary, licensee exclusions based on welfare grounds. Administering, regulating, and monitoring the latter scheme is complex and has significantly increased the Board's workload.

The Board oversees a system for collecting significant taxes and ensuring compliance of regulated entities with gaming and racing laws. It also oversees programs to minimise criminal/unethical conduct and prevent/reduce gambling harm. The Board is pro-active and is continuously improving its strategies and monitoring systems, so that it can be effective in financial operations, compliance operations, and related programs.

The Board sets the GRC policies and strategies under the FMA. This involves the Board undertaking GRC-wide planning and also Board-level planning, and related risk analysis. The Board engages with AC teams to implement the plans. The Board leads critical change initiatives, for e.g. in 2019 it oversaw the development of the nation-leading 'Strategy for gambling harm prevention in the ACT - a public health approach'. The Board will oversee the evaluation of this Strategy and development of a further strategy in 2025.

The Board reviews the MOU with AC regularly to ensure it is fit for purpose and initiates and negotiates adjustments as required.

The Board has established various forums and conducts various events, for e.g. an advisory committee made up of external stakeholders, a 'Community of Practice' for community workers, Gambling Harm and Awareness Week and other events. The Board oversees these initiatives and individual Board members facilitate or attend these. The Chair delivers related speeches and undertakes related media interviews.

To be effective, the GRC must be informed by and engaged with the network of comparable gaming and racing regulators in Australia and internationally; in some cases the GRC relies

on interstate regulators for critical services and support. The Board takes an active role in relevant meetings of comparable regulators. The Chair also meets with her counterparts in other states from time to time about issues of mutual interest and concern, to inform GRC’s work.

The Board formally meets monthly on a set day, and on other days as required. As set out below, the Board is required to formally meet more frequently now than in past years, to undertake its workload in a timely manner. As outlined above and in more detail below, each Board member is involved with more than just the formal meetings, and does other GRC-related work. Each formal Board meeting and other meeting requires significant preparation by each Board member. The Chair works with the CEO to plan the meeting schedule and agendas, to ensure that related papers are in good order and all requirements are met including conflict of interest and related party disclosures.

**Indicators of increasing workload:**

High-level data about elements of the Board’s work that indicates the Board’s increased workload is set out below.

Regulation

- In 2023, 3 significant investigations undertaken, with 4 related notices issued;
- In 2024, 10 significant investigations undertaken, with 12 related notices issued.
- Comparable data prior to 2023 is not readily available. However, it can be noted that in some years prior to 2023 no notices related to an investigation were issued.
- At this stage, the trend of increasing significant regulation work will continue in 2025.

Licensing

<u>Transactions</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>
<u>Casino</u>	<u>197</u>	<u>216</u>	<u>502</u>
<u>Gaming Machine</u>	<u>1197</u>	<u>1839</u>	<u>1437</u>

<u>Race Bookmaking</u>	<u>4</u>	<u>0</u>	<u>14</u>
<u>Sport Bookmaking</u>	<u>0</u>	<u>0</u>	<u>1</u>
<u>Lotteries</u>	<u>2720</u>	<u>2896</u>	<u>3842</u>
<b><u>Total</u></b>	<b><u>4118</u></b>	<b><u>4951</u></b>	<b><u>5796</u></b>

### Gambling harm prevention initiatives

-The Board oversees the nation-leading 'Strategy for gambling harm prevention in the ACT a public health approach' which was initiated in 2019. The Board will oversee the evaluation of this strategy and development of a further strategy in 2025.

-A Community of Practice Forum was established in 2022 to support community workers involved with persons experiencing gambling harm. It is facilitated by a Board member, and is sometimes attended by other Board members. It met twice in 2022, twice in 2023, and three times in 2024. It is expected to meet three times in 2025.

-A 'Gambling & Racing Prevention Mitigation' fund was established in 2011-2012. To formalise arrangements for accessing this fund, in 2023 the Board established a grants program. The Board approved the first round of grants in 2024 and will approve the second round of grants in 2025. The total of grants varies each year, but it is in the order of \$280,000.

- A substantial training program was established in 2018, offering different tailored training that is developed and delivered by different providers: for gambling officers in regulated entities, community support workers, and board member of clubs. The Board oversees and approves the training program, including procurement of providers.

- A support service program was established in 2011, which is linked with national initiatives to prevent gambling harm. The Board oversees and approves the support service program, including procurement of providers.

### Finance

In 2023-2024 the Board managed income of \$78,582,000 (including taxes and regulatory fees collected), with an operational budget of \$9,750,000, which are significant increases since 2015. Under the FMA, the Board is accountable for the proper management of these funds.

The Board must meet many requirements that apply, and engage with and respond to specific review outcomes, including the annual audit. The Board established an Audit and Risk Committee to support the Board in meeting its accountabilities – it is chaired by the Board’s Deputy Chair, attended by one other Board member, meets at least 3 times/year, and reports to the Board each month.

<b><u>Finances</u></b>	<b>2015 -16</b>	<b>2016 -17</b>	<b>2017 -18</b>	<b>2018 -19</b>	<b>2019 -20</b>	<b>2020 -21</b>	<b>2021 -22</b>	<b>2022 -23</b>	<b>2023 -24</b>	<b>2025 Dec YTD</b>
	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
<b>Total actual income</b>	59,724	59,217	59,660	62,944	56,519	65,031	67,420	77,557	78,582	36,678
<b>Total operating expenses excluding transfer to government</b>	5,585	5,893	6,304	6,531	11,066	7,101	7,984	9,183	9,750	4,742

Board meetings

- For each calendar year since 2015, there was 11 half-day formal Board meetings.
- In 2024, there was 19 formal Board meetings, with 5 of these full-day meetings.
- In 2024 Board members attended other meetings and forums to respond to issues as they arose.
- At this stage, the trend in 2024 will continue in 2025.

Please let me know if I can provide any further information.

Yours sincerely,

Laura Beacroft  
Chair, GRC