

28 July 2014

Levy on gaming machines – Tabcorp applies for special leave to appeal to the High Court of Australia

Tabcorp has today applied for special leave to appeal to the High Court of Australia in respect of the judgment of the Court of Appeal of the Supreme Court of Victoria handed down on 1 July 2014. The judgment relates to the Health Benefit Levy (“HBL”).

The Victorian Government had applied the HBL on Tabcorp’s former gaming machine operations for the 2013 financial year without regard to the fact that Tabcorp ceased to operate gaming machines on 15 August 2012. Tabcorp brought proceedings against the Victorian Government in May 2013. In that proceeding the Supreme Court decided that the Victorian Government did have a discretion under the *Gambling Regulation Act 2003* (Vic) to calculate the HBL on a pro-rata basis. However, on 1 July 2014 the Court of Appeal ruled in favour of the Victorian Government on its appeal, reinstating the Victorian Government’s original determination in respect of the HBL.

As previously announced, the reinstatement of that determination will impact Tabcorp’s FY14 earnings by an estimated \$19 million after tax and will be disclosed as Discontinued Operations in Tabcorp’s financial statements.

If special leave is granted, Tabcorp will seek to have the Supreme Court of Victoria’s earlier decision reinstated.

For more information:

Financial analysts: Lachlan Fitt, GM Investor Relations and Strategy, 02 9218 1414

Media: Nicholas Tzaferis, GM Corporate Affairs, 03 9868 2529