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Market Conduct Division  
The Treasury  
Langton Crescent  
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Via email: [mbcomms@treasury.gov.au](mailto:mbcomms@treasury.gov.au)

To whom it may concern

Australian Payments Network (AusPayNet) welcomes the opportunity to respond to the Treasury consultation, *Modernising Business Communications: Improving the Technology Neutrality of Treasury Portfolio Laws*.

Our response builds on submissions that we have previously made to the Deregulation Taskforce and principally refers to the section **Payment Methods**. AusPayNet's summary position follows (further detail is contained in our responses to the consultation questions below):

- In some cases Australian legislation continues to refer to cheques. This is out-of-step with the Australian community and business, who have moved and continue to move away from cheques over the past two decades towards digital payments.
- Payment by cheque is significantly more expensive than comparable alternatives and modern digital payments can easily replicate the functions of cheques (for example, including a message with the payment or paying to a name rather than account/BSB).
- Technology neutrality would provide greater flexibility for end-users to choose the payment method that best suits their needs, speed up transaction times and position Government to best take advantage of emerging digital technologies and Australia's advanced payments system.
- Should policymakers wish to reflect a function of a specific payment method in legislation, then the function itself should be explicitly called out. For example, if policymakers wish to support "pay to name" then that could be stated as a required function of the payment.
- AusPayNet is happy to assist Government departments in understanding their payment opportunities and explore options for migrating towards digital payments.

## Responses to Consultation Questions

- (1) Do the business communication requirements in Treasury laws create a burden on business?
- a. If so, what categories of communication (as outlined in this paper) or legislative provisions are creating a burden and should be prioritised for reform?
  - b. Are there non-regulatory requirements that inhibit businesses, consumers or regulators from using their preferred method of communication? If so, please provide examples.

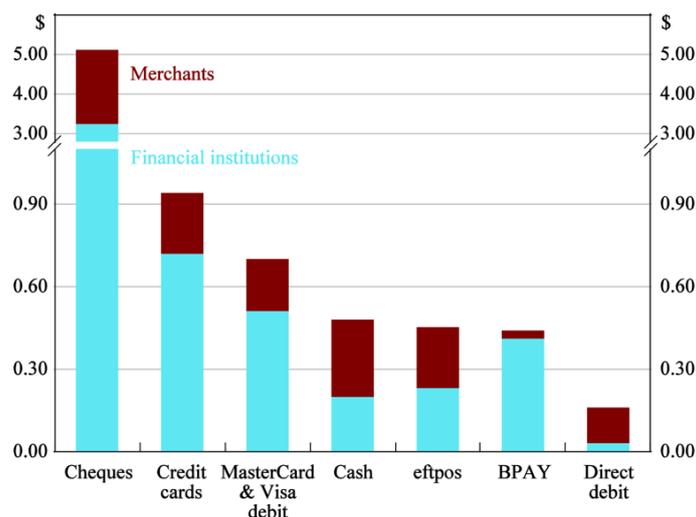
As AusPayNet has noted in previous submissions, some Australian legislation continues to mandate or encourage payment by a specific method (see **Appendix 1** for a non-exhaustive list of examples). This is out-of-step with the Australian community and business, which have largely moved away from cheques. The practical effect is to lock users into older, more expensive and less efficient methods that do not meet contemporary payment needs.

Between 2002 and 2019, the number of cheques used in Australia fell by 91% and now account for only 0.2% of consumer payments.<sup>1</sup> The decline is accelerating: figures for the year-to November 2018 and November 2019 indicate a rough 20% decline, compared to 26% for the year-to November 2020.<sup>2</sup>

The decline of cheque use has been led by consumers and merchants, who have been attracted to other payment methods by the greater convenience and lower costs. **Appendix 2** provides an overview of existing practical alternatives to cheques for a range of common payment types.

- (2) What is the cost of complying with the current regulations? Please provide a breakdown of costs and an indication of the frequency at which these communications occur.
- a. Would these costs be reduced if the law was technology neutral? Please provide a breakdown of any anticipated savings and any non-monetary benefits.

The most recent Australian research on the cost of different payment methods was undertaken in 2014 by the RBA.<sup>3</sup> The figures below (extracted from page 3 of the aforementioned research) outline the direct resource costs for an average transaction:



<sup>1</sup> RBA (accessed 2 Feb 2021), *Payments Data: Table C5.1* ([link](#)); and RBA (Sep 2020), *Consumer Payment Behaviour in Australia: Evidence from the 2019 Consumer Payments Survey* ([link](#))

<sup>2</sup> RBA (accessed 2 Feb 2021), *Payments Data: Table C5.1* ([link](#))

<sup>3</sup> RBA (Dec 2014), *Research Discussion Paper: The Evolution of Payment Costs in Australia* ([link](#))

The average direct resource cost of a cheque payment was estimated to be \$5.12 per transaction, almost five times the next highest option. Even this likely understates their impact, as it only takes into account **direct resource costs** to the payment system, and does not consider additional benefits of modern digital payments (for example, automated accounting or back-office functions). The fixed-costs of maintaining the cheque system mean that the average resource cost per cheque will likely increase as cheques continue to decline in use. Finally, the figures do not show where that cost is ultimately borne. For example, Government and merchants often surcharge for card payments, while they may not do so for cheques.

Technology neutrality in legislation would assist in allaying these costs, by providing flexibility to end-users to choose the payment method that best suits their needs.

There are several non-monetary benefits. For example, AusPayNet notes the Government’s policy positions in favour of speeding up B2B and Government payments.<sup>4</sup> As the Prime Minister has noted, Australia has “the most advanced real-time payments system in the world”.<sup>5</sup> Given the pace of technological change within payments, technology neutrality would provide Government agencies with the flexibility to adopt new payment methods as they became available.

- (3) Do you agree with the categories of communication outlined in the consultation paper?
- a. Are there other types of business communication that should be considered?
  - b. Do you agree with the proposed principles outlined in the consultation paper or are there additional or alternative principles that should be considered?
  - c. What, if any, barriers would restrict implementation of the proposed principles?

AusPayNet offers three additional areas for consideration:

- **Digital Identity.** We reiterate our position that the Taskforce should consider further amendments to the *Electronic Transactions Act* to support the development of a digital identity ecosystem:
  - *allow for the electronic provision of verified credentials (whether or not the credentials were originally contained in a physical document), rather than just the electronic provision of the physical document;*
  - *allow for the electronic form of the document to be provided in a manner other than by electronic communication (for example, sighting a digital driver’s licence); and*
  - *remove the requirement for it to be reasonable to expect that the information contained in the electronic form of the document would be readily accessible so as to be useable for subsequent reference.*
- **E-invoicing.** A key driver of the Government’s recent consultation, *Options for Mandatory Adoption of Electronic Invoicing for Business* is to speed up payment times,<sup>6</sup> which is in line with the broader suggestions outlined in this submission.
- **eSIGN.** AusPayNet notes the ATO’s efforts to develop the electronic Statutory Information and Garnishee Notices (eSIGN) initiative. This initiative would improve processes for banks in responding to notices from Law Enforcement, other regulators and agencies as well as deliver efficiencies to law enforcement and

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<sup>4</sup> For example, see: Prime Minister Scott Morrison (Nov 2018), *Media Release: Paying Small Business on Time* ([link](#))

<sup>5</sup> Prime Minister Scott Morrison and Treasurer Josh Frydenberg (Sep 2020), *Press Conference* ([link](#))

<sup>6</sup> Treasury (Nov 2020), *Options for Mandatory Adoption of Electronic Invoicing for Business* ([link](#)), p17-19

regulators. The current time-consuming, resource-intensive process could be replaced by an automated process which would deliver consistent, quicker information.

(4) How could stakeholders (such as consumers and investors) benefit or be disadvantaged from greater technology neutrality in Treasury laws? Please provide any relevant data, if available.

As evidenced by the continuing fall in cheque payments (see answer to **Question 1**), Australian businesses and the broader community have already largely adopted digital payments.

The RBA's most recent 2019 *Consumer Payments Survey* identified that some Australians continue to use cheques for some payments.<sup>7</sup> Importantly, however, cheque usage continues to rapidly diminish across all demographic groups. The 2019 *Consumer Payments Survey* noted that the number of Australians over the age of 65 who reported making a payment by cheque in a given week fell from over 2% in 2007 to under 1% in 2019.<sup>8</sup> For Australians aged between 50-64, the same proportion fell from 1.5% to almost 0%.<sup>9</sup>

Technology neutrality would provide greater flexibility in adopting newer payment methods. Where policymakers wished to preserve a particular feature of a certain payment method, this could be explicitly spelt out. For example, the ability to "pay to name" (rather than BSB/account number) was a traditional feature of cheques. While it was not replicated in older digital payments, this feature can now be met by PayID. Therefore, if policymakers wished to preserve "pay to name", this requirement could be explicitly spelt out – allowing multiple payment methods to meet the same goal. Another example could be gaming legislation, which may have specific needs for payment methodologies.

Industry is already proactively working to assist those Australians who continue to use cheques during the customer-led transition away from cheques. AusPayNet is well-advanced with a program to better understand the remaining use-cases, identify alternatives to cheques and undertake community and market education to raise awareness of and support customer adoption of alternatives. We would be happy to work with Government agencies to help them understand options for migrating towards digital payments.

(5) Which of the options identified on page 3 do you consider would provide the biggest benefits while appropriately managing risk?

Given that there are multiple instances of payment specificity across several pieces of legislation, AusPayNet believes that **Option II (a)** will be the most effective:

- *Identify and prioritise the changes to provisions in Treasury portfolio legislation required to give effect to these principles.*

There are several ways to effect these legislative changes. For example, legislation could remove references to cheques as discussed above. Alternatively, legislation could list additional payment methods alongside cheques. AusPayNet suggests that appropriate principles should be:

- End-users should be provided with flexibility to choose the method that best suits their needs;
- A payee should not be given the option to oblige the payer to pay by an outdated, expensive method such as cheque; and
- Where policymakers wish to preserve a particular feature of a certain payment method, this should be explicitly spelt out.

<sup>7</sup> RBA (June 2020), *Cash Use in Australia: Results from the 2019 Consumer Payments Survey* ([link](#))

<sup>8</sup> RBA (June 2020), *Cash Use in Australia: Results from the 2019 Consumer Payments Survey* ([link](#)), p33

<sup>9</sup> RBA (June 2020), *Cash Use in Australia: Results from the 2019 Consumer Payments Survey* ([link](#)), p33

(6) If technology neutral reforms are introduced, what should businesses do to manage the impact of these changes, to ensure that benefits are realised and disadvantages overcome?

As business and consumers have already largely moved to digital payment methods and away from cheques, it is unlikely that there would be any significant business impact. Rather, Government would be aligning with existing practice.

(7) What transitional issues do you foresee for businesses, consumers and regulators in moving to technology neutral communication methods? a. What are the key implementation risks and their likelihood of occurring? How can we mitigate these risks? Please provide examples.

AusPayNet recognises that there are some Australians who continue to use cheques and has offered some suggestions under our response to **Question 4**.

AusPayNet would welcome the opportunity to work with Treasury on the issues we have raised directly and on any further relevant issues as this inquiry progresses. AusPayNet is happy to assist Government departments in understanding their payment opportunities and exploring options for migrating away from cheques and towards digital payments.

If you have any further questions in relation to this submission, please contact Luke Wilson, Chief Operating Officer ([lwilson@auspaynet.com.au](mailto:lwilson@auspaynet.com.au)).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Andy White', with a horizontal line underneath.

Andy White

**CEO, AusPayNet**

## Appendix 1: Examples of Legislation Referring to Payment by Cheque

Instrument	Extract of Text
<b>Commonwealth</b>	
<p>(1) <a href="#">Dental Benefits Act 2008 (Cth), section 14</a></p>	<p><b>14 Payment of dental benefits to dental providers if a request is made</b></p> <p><i>Scope</i></p> <p>(1) This section applies if:</p> <p>(a) dental benefit is payable under section 11 to a person in respect of a dental service; and</p> <p>(b) the person has not paid the dental expenses that the person incurred in respect of the dental service.</p> <p><i>Dental benefit not to be paid to the person</i></p> <p>(2) Dental benefit is not to be paid to the person.</p> <p><i>Dental benefit to be paid to the dental provider if a request is made</i></p> <p>(3) The person may request the Chief Executive Medicare to:</p> <p>(a) give the person personally; or</p> <p>(b) send by post to the address specified by the person;</p> <p>a <b>cheque</b> for the amount of dental benefit payable in respect of the dental service in lieu of a payment to the person under section 11 in respect of the dental service.</p> <p>(4) The Chief Executive Medicare must comply with a request under subsection (3).</p> <p>(5) A <b>cheque</b> given or sent as requested under subsection (3) must be drawn in favour of the dental provider by whom, or on whose behalf, the dental service was rendered.</p>
<p>(2) <a href="#">Defence Service Homes Act 1918 (Cth) Schedule 1</a></p>	<p><b>Schedule 1 - Agreement between the Commonwealth of Australia and Westpac Banking Corporation</b></p> <p>7. Application/Review - General</p> <p><i>7.4 Nominated Payee</i></p> <p>The Bank agrees that where it is specified in the Certificate of Entitlement that payment is to be made to a nominated payee, the Bank shall draw a bank <b>cheque</b> in favour of that nominated payee and make available same to the Borrower.</p> <p><i>9.4 Loan Interest Offset Arrangement</i></p> <p>If the Bank provides a loan interest offset arrangement then:</p> <p>9.4.4 the Bank will permit the Borrower to withdraw funds at any time by way of cheque.</p> <p><b>Schedule 1A</b></p> <p>3.5 Unit Fee</p> <p>Payment shall be made by depositing a cheque for the relevant amount with the Receiver of Public Monies, Department of Veterans' Affairs, Sydney, New South Wales or in such other manner as the Commonwealth may from time to time advise.</p>
<p>(3) <a href="#">Superannuation (Government Co-contribution for Low Income Earners) Act 2003 (Cth) section 23</a></p>	<p><b>23 Small underpayments</b></p> <p>If:</p> <p>(a) the Commissioner makes a determination under section 19 in relation to a Government cocontribution in respect of a person for an income year; and</p> <p>(b) the underpaid amount is less than \$5; and</p> <p>(c) the underpaid amount is to be paid by <b>cheque</b> to:</p>

Instrument	Extract of Text
	<p>(i) the person; or  (ii) the person's legal personal representative;</p> <p>the amount of the cocontribution is increased by the difference between \$5 and the underpaid amount.</p>
<b>New South Wales</b>	
<p>(4) <a href="#">Water Management Act 2000 (NSW) s 189</a></p>	<p><b>189 Banking of money</b></p> <p>(1) All money received by or on account of a private irrigation board must be paid into a bank or authorised deposit-taking institution chosen by the board.  (2) Every payment of \$2.00 or more by or on behalf of a private irrigation board must be by <b>cheque</b> on the bank or authorised deposit-taking institution drawn and countersigned as prescribed by the regulations.  (3) Payments of less than \$2.00 may be made out of a petty cash fund, replenished from time to time by <b>cheque</b> drawn and countersigned as prescribed by the regulations.</p>
<p>(5) <a href="#">Casino Control Regulation 2009 (NSW) s 29</a></p>	<p><b>29 Payment of prize money by cheque</b></p> <p>If the total prize money payable to a person exceeds \$2,000, the casino operator must:  (a) notify the person, verbally or by the use of signs or other similar means, that the person may request the total prize money (or part of it) be paid by means of crossed <b>cheque</b>, and  (b) if the person makes any such request, pay the amount requested by means of a crossed <b>cheque</b> payable to the person.  Maximum penalty: 50 penalty units.</p>
<p>(6) <a href="#">Casino Control Act 1992 (NSW) s 70(2)</a></p>	<p><b>70 Conduct of gaming</b></p> <p>(2) The requirements for the exchange and redemption of chips (other than chips issued for use in a tournament or for training purposes) and chip purchase vouchers are as follows:  (a) chip purchase vouchers are to be exchanged for chips at the request of the patron,  (b) chips are to be exchanged for other chips at the request of the patron,  (c) chips or chip purchase vouchers (other than complimentary chip purchase vouchers) are to be redeemed for a <b>cheque</b> at the request of the patron (if the patron requests a cheque), or wholly or partly for money (with a cheque for any balance) if the patron so requests and the casino operator concurs,  (c1) a complimentary chip purchase voucher must not be wholly or partly redeemed for money or a cheque,  (d) a <b>cheque</b> in payment for redeemed chips or chip purchase vouchers must be made payable to the patron and drawn on a bank, building society or credit union approved by the Authority,  (e) any exchange or redemption of chips or chip purchase vouchers is to be for their full value without any deduction.</p>
<p>(7) <a href="#">Independent Commission Against Corruption Regulation 2017 (NSW) section 18</a></p>	<p><b>18 Gifts presented to the Minister as an act of goodwill</b></p> <p>(1) If the offer of a gift is an act of goodwill towards the people of New South Wales and offence might possibly be given by its rejection, the Minister may accept the gift.  (2) If such a gift has a market value of more than \$500, the Minister must elect either to:  (a) retain the gift and pay to the State the difference between \$500 and the value of the gift, or  (b) hand the gift to the State.  (3) If the Minister elects to retain the gift under subclause (2) (a), the Minister must provide the Secretary of the Department of Premier and Cabinet with a written declaration signed by the Minister:</p>

Instrument	Extract of Text
	<p>(a) identifying the giver of the gift, and            (b) stating that the Minister wishes to retain the gift, and            (c) stating the estimated value of the gift (attaching a valuation or details as to the methodology by which the value was estimated), and            (d) attaching a cheque payable to the NSW Treasury for the relevant amount.</p>
<p>(8) <a href="#">Gaming Machine Regulations 2019 (NSW)</a></p>	<p><b>26 Payment of prize money by cheque or electronic funds transfer</b></p> <p>(1) A hotelier or registered club must pay so much of the total prize money payable to a person as exceeds \$5,000—            (a) by means of a crossed <b>cheque</b> payable to the person, or            (b) if the person so requests, by means of electronic funds transfer (if those means are available to the hotelier or club) to an account nominated by the person.            Maximum penalty—50 penalty units.</p> <p>(2) If the total prize money payable to a person exceeds \$5,000, a hotelier or registered club must, if the person so requests, pay the whole of the total prize money in the same manner as is required under subclause (1).            Maximum penalty—50 penalty units.</p> <p>(3) In this clause—            account means an account with a financial institution.            crossed <b>cheque</b> means a <b>cheque</b> crossed as referred to in section 53 of the Cheques Act 1986 of the Commonwealth.            total prize money means the total monetary value of credits displayed on an approved gaming machine at the end of a session of play on that machine. To avoid doubt, the total monetary value of credits is not subject to any deduction for the value of money inserted into the machine by the player.</p>
<b>Queensland</b>	
<p>(9) <a href="#">Gaming Machine Act 1991 (Qld) s 242</a></p>	<p><b>242 Payments for gaming</b></p> <p>(1) This section applies to a licensee or licensed monitoring operator who is required to make a payment for—            (a) an amount for winnings, or gaming machine credits, that is not made by a gaming machine; or            (b) the redemption of gaming tokens.</p> <p>(2) The licensee or licensed monitoring operator must make the payment—            (a) if paragraph (b) does not apply—with Australian currency; or            (b) if, under a regulation or the ancillary rules, the payment is required to be made in a way prescribed under the regulation or stated in the rules—in the way prescribed or stated.            Maximum penalty—200 penalty units.</p> <p>(3) Subsection (2) does not apply to a licensee or licensed monitoring operator for a payment that, apart from this subsection, would be required to be made with Australian currency if, at the request of the person entitled to receive the payment, the licensee or operator makes the payment by—            (a) gaming tokens (other than Australian currency); or            (b) a <b>cheque</b>; or            (c) a combination of Australian currency, gaming tokens (other than Australian currency) and a cheque.</p>

Instrument	Extract of Text
(10) <a href="#">Gaming Machine Regulation 2002 (Qld) schedule 3</a>	<p><b>Schedule 3 Rules ancillary to gaming</b></p> <p>7(1)For section 242(2)(b) of the Act, a licensee required to make a payment to a player, for a cancelled credit or jackpot payout, that is more than the cash limit for the licensed premises in which the player became entitled to the payment must make the payment in one of the following ways—</p> <p>(a)an amount equal to the cash limit in Australian currency and the balance of the payment by <b>cheque</b>;</p> <p>(b)if requested by the player—</p> <p>(i)an amount less than the cash limit in Australian currency and the balance of the payment by Previous <b>cheque</b>; or</p> <p>(ii)the entire payment by <b>cheque</b>.</p> <p>(2)For subitem (1), the cash limit for the licensed premises is the amount, of not more than \$5,000, stated by the licensee in a document that is displayed adjacent to, and in the same way as, the rules ancillary to gaming for the licensed premises.</p> <p>(3)For making a payment under subitem (1)—</p> <p>(a)if part of the payment is in Australian currency—the licensee must pay the Australian currency when the player claims payment; and</p> <p>(b)the licensee must give a cheque to the player or post it to the player’s address, within 24 hours after the player claims payment.</p>
(11) <a href="#">First Home Owner Grant Regulation 2010 (Qld) s 5</a>	<p><b>5 Methods of payment</b></p> <p>An amount payable to the Commissioner under the Act must be paid by bank draft, cash or cheque.</p>
(12) <a href="#">Keno Regulation 2007 (Qld) section 15I</a>	<p><b>15I Unpaid prize money</b></p> <p>(1) Unpaid prize money must be paid by <b>cheque</b> to the chief executive as soon as practicable after becoming unpaid prize money.</p> <p>(2) In this section—</p> <p><b>unpaid prize money</b> means the prize money for a winning wager not paid to, or to the order of, the prize winner within—</p> <p>(a) if the chief executive approves a period—the approved period; or</p> <p>(b) if the chief executive does not approve a period—5 years after the day on which the wager was made.</p> <p><b>winning wager</b> see section 15J.</p> <p><b>15K Unredeemed keno dollars</b></p> <p>(1) Unredeemed keno dollars must be paid by <b>cheque</b> to the chief executive as soon as practicable after becoming unredeemed keno dollars.</p> <p>(2) In this section –</p> <p><b>Keno dollars</b> means a voucher for use at a keno terminal in place of money to make a wager, give change from a wager or pay winnings.</p> <p><b>Unredeemed keno dollars</b> means keno dollars not used or redeemed for cash within –</p> <p>(a) if the chief executive approves a period – the approved period; or</p> <p>(b) if the chief executive does not approve a period – 5 years after the day they were issued.</p>
<b>Victoria</b>	
(13) <a href="#">Forestry Pulp and Paper Company's Afforestation Contract Act 1949 (Vic) section 17</a>	<p><b>17. Payment of dividends</b></p> <p>Unless otherwise directed any dividend may be paid by <b>cheque</b> or warrant sent through the post to the registered address of the member or person entitled or in the case of joint holders to the registered address of that one whose name stands first on the register in respect of the joint holders; and every <b>cheque</b> or warrant so sent shall be made payable to the order of the person to whom it is sent.</p>

Instrument	Extract of Text
(14) <a href="#">Accident Compensation Act 1985 (Vic) section 92C(4)</a>	<p><b>92C Payment of weekly pensions</b></p> <p>(4) A payment of a weekly pension may be made by post by properly addressing, prepaying and posting to the person entitled to the weekly pension a letter containing a <b>cheque</b> for the amount.</p> <p><b>134AB Actions for damages</b></p> <p>(36A) If judgment is obtained, or a compromise or a settlement is made, in respect of proceedings referred to in subsection (1) and the worker was, at the date of the judgment, compromise or settlement, still in receipt of compensation in the form of weekly payments, where pecuniary loss damages are awarded against the Authority, employer or self-insurer, the Authority, employer or self-insurer must, until the date on which a cheque is drawn for the purpose of payment of the judgment, compromise or settlement, pay to the worker a weekly amount equal to the net weekly amount that, but for subsection (36), would have been payable to the worker as compensation in the form of weekly payments in respect of the injury.</p> <p><b>135A Actions for damages</b></p> <p>(18AA) If judgment is obtained, or a compromise or a settlement is made, in respect of proceedings referred to in subsection (1) and the worker was, at the date of the judgment, compromise or settlement, still in receipt of compensation in the form of weekly payments, where pecuniary loss damages are awarded against the Authority, employer or self-insurer, the Authority, employer or self-insurer must, until the date on which a cheque is drawn for the purpose of payment of the judgment, compromise or settlement, pay to the worker a weekly amount equal to the net weekly amount that, but for subsection (18), would have been payable to the worker as compensation in the form of weekly payments in respect of the injury.</p>
(15) <a href="#">Local Government Act 1989 (Vic) s 5(1)(d)</a>	<p><b>5 Nomination form</b></p> <p>(1) A candidate for election must—</p> <ul style="list-style-type: none"> <li>(a) complete a nomination form containing the details required by the regulations; and</li> <li>(b) sign the nomination form; and</li> <li>(c) make a declaration in writing containing the details required by the regulations; and</li> <li>(d) pay to the Victorian Electoral Commission the nomination fee of \$250 or such higher amount as is prescribed in cash or by <b>cheque</b> drawn on account of an authorised deposit-taking institution.</li> </ul>
(16) <a href="#">Electoral Act 2002 (Vic) s 69(4)</a>	<p><b>69 Nomination of candidates</b></p> <p>(4) There must be delivered with a nomination form referred to in subsection (2) or (3) the sum of \$350 paid in cash or by <b>cheque</b> drawn on account of an authorised deposit-taking institution within the meaning of the Commonwealth Banking Act 1959.</p>
(17) <a href="#">Casino Control Act 1991 (Vic) section 81AAB10</a>	<p><b>81AAB Payment of winnings and cashing of cheques</b></p> <p>(1) A casino operator must not pay out, or allow another person to pay out, winnings or accumulated credits exceeding \$2000 from a gaming machine to a person except by <b>cheque</b>. Penalty: 50 penalty units.</p> <p>(2) Subsection (1) does not apply to a game played on a gaming machine located in an area</p>

<sup>10</sup> Note that there are other sections in this act where reference is made to payments by cheque but they have not been included in this table because the reference in question already offers an alternative (ie, payment by cheque or cash).

Instrument	Extract of Text
	<p>specified by notice of the Commission published in the Government Gazette if the casino operator complies with the conditions, if any, specified in the notice.</p> <p>(3) A casino operator must, at the request of a person, pay out any winnings or accumulated credits from a gaming machine to the person by <b>cheque</b>. Penalty: 50 penalty units.</p> <p>(4) A casino operator must not, at the casino, give, or allow another person to give, a person cash or gaming tokens in exchange for a <b>cheque</b> drawn on an account of the casino operator to enable that person to play a gaming machine in the casino. Penalty: 50 penalty units.</p>
<b>Western Australia</b>	
(18) <a href="#">Classification (Publications, Films and Computer Games) Enforcement Regulations 1996 (WA) Schedule 2 – Forms</a>	<p style="text-align: center;">Form 1 - Infringement notice</p> <p style="text-align: center;">Paying the modified penalty</p> <p style="text-align: center;">You may pay the modified penalty —</p> <p style="text-align: center;">1. BY POSTING a <b>cheque</b> or money order made payable to [details to be inserted here];</p> <p style="text-align: center;">OR</p> <p style="text-align: center;">2. IN PERSON to [details to be inserted here].</p>
(19) <a href="#">Cat Regulation 2012 (WA) Schedule 1 - Forms</a>	<p><b>Form 6 - Infringement notice</b></p> <p><b>How to pay</b></p> <p><b>By post</b> Send a <b>cheque</b> or money order (payable to ‘CEO [Relevant local government] — Cat Act 2011’) to — CEO [Relevant local government and address]</p> <p><b>In person</b> Pay the cashier at — [Relevant local government and address]</p>
(20) <a href="#">Casino Control Regulations 1999 (WA) Schedule 1 – Prescribed form</a>	<p><b>Form 1 - Infringement notice</b></p> <p>5. Payment may be made by completing item 6 and either —</p> <p>(a) posting this form and a <b>cheque</b>, money order or postal note for the amount of the modified penalty specified in item 2, to the Gaming and Wagering Commission, P.O. Box 6119, East Perth, W.A. 6892; or</p> <p>(b) delivering this form and paying the amount to the Gaming and Wagering Commission, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth, W.A. 6000.</p>
(21) <a href="#">Caravan Parks and Camping Grounds Regulations 1997 (WA) Schedule 1 - Forms</a>	<p><b>Form 3. Infringement Notice</b></p> <p>1. You may dispose of this matter within 28 days after the service of this notice by paying the modified penalty —</p> <p>(a) BY POSTING a <b>cheque</b> or money order made payable to .....; or</p> <p>(b) IN PERSON AT (address of local government offices) .....</p> <p>.....</p>
<b>Northern Territory</b>	
(22) <a href="#">Electoral Act 2004 (NT) s 32(1)</a>	<p><b>32 Nomination form</b></p> <p>(1) The nomination must:</p>

Instrument	Extract of Text
	<p>(a) be in the approved form; and  (b) state the name, residential address and occupation of the nominee; and  (c) if the nomination is made by 6 electors entitled to vote at the election – state whether the word "Independent" is to be printed on the ballot paper; and  (d) contain a statement that the nominee consents to be nominated under this Division and to act as an MLA if elected; and  (e) contain a declaration signed by the nominee that the nominee is qualified in accordance with Part III, Division 2 of the Self-Government Act to be a candidate for election as an MLA; and  (f) be accompanied by a photograph of the nominee complying with the requirements prescribed by the Regulations; and  (g) be accompanied by a deposit of \$200 (the nomination deposit) in <b>cash</b> or an ADI <b>cheque</b>; and  (h) be signed by the nominee and the nominator or each nominator.</p>
(23) <a href="#">Long Service Leave Act 1981 (NT) s 11(8)</a>	<p><b>11 Payment for long service leave</b></p> <p>(8) An employer and an employee may agree that:  (a) where they have made an agreement under section 8(6) to postpone the grant of long service leave or a part of it, the pay payable in respect of that postponed leave is to be at the employee's rate of pay on the date of the agreement, and payment in respect of that postponed leave is to be made accordingly; or  (b) payment of the employee's pay in respect of long service leave he or she is to take is to be paid at a time other than a day referred to in subsection (6) and that payment be made by <b>cheque</b>, posted to a specified address or otherwise, and payment in respect of that leave is to be made accordingly.</p>
(24) <a href="#">Agents Licensing Act 1979 (NT) section 52 (3)</a>	<p><b>52 Operation of trust account</b></p> <p>(3) A licensed agent shall not pay money out of a trust account maintained by him or her except by means of a <b>cheque</b> made payable to a specified person, being a <b>cheque</b> that is crossed and marked "not negotiable".</p> <p><b>94 Establishment of Fund</b></p> <p>(7) Subject to the determinations, if any, made by the Minister under subsection (6), the Fund shall:  (c) ensure that each cheque of the Fund is signed by the Registrar and another member of the Fund or, in the absence of the Registrar, by the 2 other members of the Fund.</p>
<b>Tasmania</b>	
(1) <a href="#">Residential Tenancy Act 1997 (Tas) s 21</a>	<p><b>21 Receipt for rent paid</b></p> <p>On receiving rent in cash or by <b>cheque</b> from a tenant, an owner is to give the tenant a receipt stating –  (a) the date on which it was received; and  (b) the name of the tenant; and  (c) the residential premises in respect of which the rent is paid; and  (d) the amount of rent paid; and  (e) the period to which the payment relates.</p>

## Appendix 2: Payment Alternatives

# There is a wide range of practical alternatives in use



- NPP: 5.4 mill PayIDs registered
- Nearly two-thirds of all consumer payments are now made with cards

- Superstream: mandated electronic payment of employee super contributions
- PEXA e-conveyancing in use across Australia means electronic payment in place of bank cheque