



AUSTRALIAN CAPITAL TERRITORY

## **Gaming Machine (Amendment) Act (No. 3) 1997**

**No. 103 of 1997**

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### **An Act to amend the *Gaming Machine Act 1987***

*[Notified in ACT Gazette S420: 24 December 1997]*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

#### **Short title**

**1.** This Act may be cited as the *Gaming Machine (Amendment) Act (No. 3) 1997*.

#### **Commencement**

**2. (1)** Sections 1, 2 and 3 commence on the day on which this Act is notified in the *Gazette*.

**(2)** Sections 4 and 5 commence on a day fixed by the Minister by notice in the *Gazette*.

(3) If sections 4 and 5 have not commenced before the end of the period of 6 months commencing on the day on which this Act is notified in the *Gazette*, those sections, by force of this subsection, commence on the first day after the end of that period.

### **Principal Act**

3. In this Act, “Principal Act” means the *Gaming Machine Act 1987*.<sup>1</sup>

### **Interpretation**

4. Section 4 of the Principal Act is amended by omitting the definition of “licensee” and substituting the following definition:

“ ‘licensee’ means—

- (a) in relation to a licence—the holder of the licence; and
- (b) in relation to licensed premises—the holder of the licence in force in respect of those premises;”.

### **Insertion**

5. After Part V of the Principal Act the following Part is inserted:

## **“PART VA—GAMING AREAS**

### **Interpretation**

“51A. In this Part—

‘gaming area’, in relation to licensed premises, means a room or other area within the premises in which gaming machines are installed.

### **Warning notices**

“51B. (1) A licensee shall ensure that a warning notice is displayed in a prominent position—

- (a) on each gaming machine installed on the licensed premises; and
- (b) at or near the entrance to each gaming area within the licensed premises.

“(2) A licensee shall not, without reasonable excuse, contravene subsection (1).

Penalty:

- (a) in the case of a natural person—5 penalty units or imprisonment for 6 months, or both;
- (b) in the case of a body corporate—25 penalty units.

“(3) Subsections (1) and (2) do not apply unless an instrument under subsection (4) has effect.

“(4) The Minister may, by instrument, determine—

- (a) the form and minimum dimensions of a warning notice; and
- (b) the text of a warning notice, being information about—
  - (i) risks associated with gambling; and
  - (ii) counselling or other support services available in relation to addictive or excessive gambling.

“(5) An instrument under subsection (4) is a disallowable instrument for the purposes of section 10 of the *Subordinate Laws Act 1989*.

“(6) An instrument under subsection (4) takes effect—

- (a) on the date specified for the purpose in the instrument; or
- (b) 14 days after the end of the period within which the instrument may cease to have effect by force of the *Subordinate Laws Act 1989*;

whichever is the later.

“(7) In subsection (1)—

‘warning notice’ means a warning notice that, as regards its form, dimensions and text, is in accordance with a determination under subsection (4).

### **Cash facilities**

“51C. (1) A licensee shall not provide, or permit the provision of, a cash facility in a gaming area within the licensed premises.

Penalty:

- (a) in the case of a natural person—50 penalty units or imprisonment for 6 months, or both;
- (b) in the case of a body corporate—250 penalty units.

“(2) In subsection (1)—

‘cash facility’ means—

- (a) an automatic teller machine;
- (b) an EFTPOS facility; or
- (c) any other facility for gaining access to cash or credit.

**Lending or extending credit**

“51D. (1) A licensee or licensee’s employee shall not—

- (a) lend or offer to lend money to a person who is in, or appears to be about to enter, a gaming area within the licensed premises; or
- (b) extend or offer to extend credit to a person for the purpose of enabling the person to play a gaming machine on the licensed premises.

Penalty:

- (a) in the case of a natural person—50 penalty units or imprisonment for 6 months, or both;
- (b) in the case of a body corporate—250 penalty units.”.

**NOTES**

**Principal Act**

1. Reprinted as at 31 January 1995. See also Acts Nos. 19 and 39, 1995; Nos. 13 and 49, 1997.

**Penalty units**

See section 33AA of the *Interpretation Act 1967*.

*[Presentation speech made in Assembly on 11 December 1996]*