

2004

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Ms Roslyn Dundas)

Gaming Machine Amendment Bill 2004 (No 3)

A Bill for

An Act to amend the *Gaming Machine Act 1987*

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

1 Name of Act

This Act is the *Gaming Machine Amendment Act 2004 (No 3)*.

2 Commencement

This Act commences on 1 January 2005.

3 Legislation amended

This Act amends the *Gaming Machine Act 1987*.

4 Section 51C

omit

5 New section 61A

insert

61A Cash facilities on licensed premises

- (1) A licensee commits an offence if the licensee provides any of the following things in a gaming area in the licensed premises:
- (a) an automatic teller machine;
 - (b) an EFTPOS facility;
 - (c) any other facility for gaining access to cash or credit.

Maximum penalty: 50 penalty units.

Note The *Criminal Code 2002*, pt 2.4 (Extensions of criminal responsibility) extends this offence to cover situations where the licensee does not personally provide a cash facility but allows the provision of one by someone else.

- (2) A licensee commits an offence if the licensee provides an automatic teller machine in the licensed premises in a place other than a gaming area.

Maximum penalty: 50 penalty units.

6 New part 9

insert

Part 9 Transitional

68 Existing automatic teller machines in licensed premises

- (1) This section applies if, immediately before 1 January 2005—
- (a) there was an automatic teller machine in licensed premises; and
 - (b) the automatic teller machine was not in a gaming area.
- (2) The commission may, in writing, exempt the licensee from the operation of section 61A (2) (which makes it an offence to provide an automatic teller machine in licensed premises) in relation to the automatic teller machine for the period stated in the exemption.
- (3) However, the commission may exempt a licensee only for the period the commission considers is reasonable to allow the licensee to remove the automatic teller machine.
- (4) An exemption is a notifiable instrument.

Note A notifiable instrument must be notified under the Legislation Act.

69 Expiry of pt 9

This part expires on 1 January 2008.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 2004.

2 Notification

Notified under the Legislation Act on 2004.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.
