

2014

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Minister for Racing and Gaming)

# Gaming Machine (Red Tape Reduction) Amendment Bill 2014

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## A Bill for

An Act to amend the *Gaming Machine Act 2004*

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

- 1     **1       Name of Act**
- 2               This Act is the *Gaming Machine (Red Tape Reduction) Amendment*
- 3               *Act 2014*.
- 4     **2       Commencement**
- 5               (1) This Act (other than section 18 and section 19) commences on the
- 6               day after its notification day.
- 7               *Note*       The naming and commencement provisions automatically commence on
- 8               the notification day (see [Legislation Act](#), s 75 (1)).
- 9               (2) Section 18 and section 19 commence on 1 March 2015.
- 10    **3       Legislation amended**
- 11               This Act amends the [Gaming Machine Act 2004](#).
- 12    **4       Initial licence applications—contents**
- 13               **Section 11 (2) (c), example 3**
- 14               *omit*
- 15    **5       Additional mandatory requirements for issue of licence**
- 16               **Section 13 (2)**
- 17               *omit everything after*
- 18               consider
- 19               *substitute*
- 20               harm minimisation strategies for patrons.

1	<b>6</b>	<b>Eligibility of individuals</b>
2		<b>Section 20 (3) (d) (vii) and (viii)</b>
3		<i>omit</i>
4	<b>7</b>	<b>Licence amendment—applications</b>
5		<b>New section 22 (1A)</b>
6		<i>after the notes, insert</i>
7	(1A)	To remove any doubt, a licensee does not need to apply for a
8		structural change amendment, or any other licence amendment, to
9		move a gaming machine from one part of a gaming area to another
10		part of the gaming area.
11	<i>Note</i>	<b>Gaming area</b> —see s 15 (1) (b).
12	<b>8</b>	<b>Licence amendment decision—structural change</b>
13		<b>amendment</b>
14		<b>Section 25 (3)</b>
15		<i>omit everything after</i>
16		consider
17		<i>substitute</i>
18		harm minimisation strategies for patrons.
19	<b>9</b>	<b>Transfer of licence</b>
20		<b>Section 32 (3) (b)</b>
21		<i>omit</i>
22		machine
23		<i>substitute</i>
24		computer cabinet

1	<b>10</b>	<b>Current licensees obligations on proposed transfer of</b>
2		<b>licence</b>
3		<b>Section 33 (b)</b>
4		<i>omit</i>
5		machine
6		<i>substitute</i>
7		computer cabinet
8	<b>11</b>	<b>Condition about club's constitution—amendment if</b>
9		<b>inconsistent with gaming laws</b>
10		<b>Section 53B (1)</b>
11		<i>substitute</i>
12	(1)	It is a condition of a licence for a club that the club's constitution
13		provides that, if the commission directs the club, under section 148B
14		(Club constitution—consistency with gaming laws), to amend its
15		constitution to remove an inconsistency with a gaming law, the club
16		must amend its constitution, with or without an election of its voting
17		members.
18	<b>12</b>	<b>Part 6 heading</b>
19		<i>substitute</i>
20	<b>Part 6</b>	<b>Approval of gaming machines,</b>
21		<b>peripherals, suppliers and</b>
22		<b>technicians</b>

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**13 Section 71***substitute***71 Computer cabinet access register**

- (1) A licensee must keep a register for licensed gaming machines on licensed premises (the ***computer cabinet access register***).

*Note* If a form is approved under the [Control Act](#), s 53D for a register, the form must be used.

- (2) If an approved supplier, approved technician or authorised officer opens or replaces the computer cabinet in a gaming machine on the licensed premises, the person must enter the following details in the computer cabinet access register:

- (a) information that clearly identifies the machine, including the machine's serial number;
- (b) the date when the computer cabinet was opened or replaced;
- (c) a description of why the computer cabinet was opened or replaced;
- (d) the new computer cabinet seal number that was applied;
- (e) if the person who opens the computer cabinet is an approved supplier or approved technician—the person's name and signature;
- (f) if the person who opens the computer cabinet is an authorised officer—the person's name and signature;
- (g) the licensee's name and signature;
- (h) any other information prescribed by regulation.

- 1 **14 Approval of technicians**  
2 **Section 75 (2)**
- 3 *omit*  
4 2 years  
5 *substitute*  
6 3 years
- 7 **15 Approved attendants**  
8 **Division 6.4**
- 9 *omit*
- 10 **16 Sealing computer cabinet**  
11 **Section 123 (1) (a)**
- 12 *after*  
13 installation  
14 *insert*  
15 or operation
- 16 **17 Machine access generally**  
17 **Section 128 (1) and (2)**
- 18 *omit*
- 19 **18 Required payment to problem gambling assistance fund**  
20 **New section 163A (6)**
- 21 *after the note, insert*  
22 (6) Subsection (5) is subject to section 163AA.



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**19 New section 163AA***insert***163AA Problem gambling assistance fund—annual payment option**

- (1) Before 1 May each year, the commission must assess each licensee's liability to pay the required percentage under section 163A (the *licensee's liability*) for the period beginning on 1 July in the previous year and ending on 31 March in the year the assessment is made (the *assessment period*).
- (2) If the commission assesses that a licensee's liability is an average of less than \$100 for each month of the assessment period, the commission may give the licensee written notice that the licensee is eligible to pay the licensee's liability in the following financial year (the *next financial year*) as an annual payment payable at the end of the next financial year.
- (3) A licensee (a *participating licensee*) may elect, as an alternative to making monthly payments under section 163A (5), to make an annual payment to the problem gambling assistance fund for the next financial year.
- (4) The election must be made by giving the commission written notice before the commencement of the next financial year.
- (5) If a participating licensee makes an election under subsection (3) for a financial year, the licensee may not make a payment under section 163A (5) for any month during that financial year.
- (6) At the end of each financial year, the commission must give each participating licensee written notice of a reconciliation of the licensee's liability for the financial year.
- (7) The participating licensee must pay the licensee's liability for the financial year within 7 days after receiving notice of the reconciliation.

- 1 **20 Annual reporting about problem gambling assistance**  
2 **fund**  
3 **New section 163C (ba)**
- 4 *insert*
- 5 (ba) who elected to pay an amount under section 163AA (Problem  
6 gambling assistance fund—annual payment option);
- 7 **21 Reviewable decisions**  
8 **Schedule 1, items 42 to 46**
- 9 *omit*
- 10 **22 Dictionary, definition of *approval certificate***
- 11 *substitute*
- 12 *approval certificate*, for an approved technician—see  
13 section 80 (2) (a).
- 14 **23 Dictionary, definition of *approved attendant***
- 15 *omit*
- 16 **24 Dictionary, new definition of *computer cabinet access***  
17 ***register***
- 18 *insert*
- 19 *computer cabinet access register*—see section 71.
- 20 **25 Dictionary, definition of *machine access register***
- 21 *omit*
- 22 **26 Dictionary, definition of *short-term approval***
- 23 *substitute*
- 24 *short-term approval*, for a technician—see section 76 (3).

## Endnotes

## 1 Presentation speech

Presentation speech made in the Legislative Assembly on 30 October 2014.

## 2 Notification

Notified under the [Legislation Act](#) on 2014.

### 3 Republications of amended laws

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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