2023

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Marisa Paterson)

Gaming Machine Amendment Bill 2023

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Gaming Machine Amendment Bill 2023

A Bill for

An Act to amend the [Gaming Machine Act 2004](http://www.legislation.act.gov.au/a/2004-34%22%20%5Co%20%22A2004-34)

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

1 Name of Act

This Act is the *Gaming Machine Amendment Act 2023*.

2 Commencement

This Act commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), s 75 (1)).

3 Legislation amended

This Act amends the [Gaming Machine Act 2004](http://www.legislation.act.gov.au/a/2004-34).

4 Eligibility for individuals
Section 6 (2) (d) (i), note

omit

5 No applications for, or transfers of, authorisation certificates etc for certain licensees
Section 10G (2) (c)

omit

6 Meaning of social impact assessment
Section 12 (1) (c)

omit

7 Section 12 (1), note, paragraph (c)

omit

8 Social impact assessment—publication
Section 13 (1) (c)

omit

9 Section 13 (4) and (5)

substitute

 (4) The applicant must—

 (a) on or before the day the public notice is given, place a sign (the information sign) containing information about the application in a prominent position outside each public entrance to the premises to which the application relates; and

 (b) ensure that the sign remains in the position for the comment period.

10 Authorisation certificate for class C gaming machines—decision on application
New section 23 (2A)

insert

 (2A) However, the commission must not issue an authorisation certificate to the applicant if the premises for which the authorisation certificate is sought are located in—

 (a) Molonglo Valley; or

 (b) an undeveloped area.

11 Authorisation certificate amendment—application
Section 33 (1) (b)

substitute

 (b) enable the licensee to relocate all gaming machine operations allowed under the authorisation certificate to new premises located in a permitted area (a premises relocation amendment); or

12 New section 33 (3)

insert

 (3) In this section:

permitted area means an area other than—

 (a) Molonglo Valley; or

 (b) an undeveloped area.

13 In-principle authorisation certificates
Part 2C

omit

14 Definitions—pt 4
Section 56, definition of licence

substitute

licence includes an in-principle approval for an authorisation certificate issued under section 38D as in force immediately before the Gaming Machine Amendment Act 2023, section 13 commences.

15 Section 56, note 1

omit

16 New section 56 (2)

insert

 (2) This subsection and the following provisions expire 4 years after the day the Gaming Machine Amendment Act 2023, section 13 commences:

 (a) subsection (1), definition of licence;

 (b) dictionary, definition of licence, paragraph (b).

Note A transitional provision is repealed on its expiry but continues to have effect after its repeal (see [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), s 88).

17 Grounds for disciplinary action
New section 57 (5)

insert

 (5) In this section:

approval-holder means a person who holds an in-principle approval for an authorisation certificate issued under section 38D as in force immediately before the Gaming Machine Amendment Act 2023, section 13 commences.

18 Reviewable decisions
Schedule 1, items 14 to 17

omit

19 Dictionary, note 2

insert

 territory land

20 Dictionary, definitions of approval-holder and in-principle authorisation certificate

omit

21 Dictionary, new definitions

insert

Molonglo Valley means the district with the distinguishing name of Molonglo Valley determined under the [Districts Act 2002](http://www.legislation.act.gov.au/a/2002-39), section 5 (3).

rural lease—see the [Planning and Development Act 2007](http://www.legislation.act.gov.au/a/2007-24), section 234.

22 Dictionary, definition of social impact assessment

substitute

social impact assessment, for an authorisation certificate application or authorisation certificate amendment application—see section 12 (1).

23 Dictionary, new definition of undeveloped area

insert

undeveloped area means an area of land that is, on the day the Gaming Machine Amendment Act 2023, section 10 commences—

 (a) unleased territory land; or

 (b) described in a rural lease.

Endnotes

1 Presentation speech

 Presentation speech made in the Legislative Assembly on 31 August 2023.

2 Notification

 Notified under the [Legislation Act](http://www.legislation.act.gov.au/a/2001-14) on 2023.

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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