

2023

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Marisa Paterson)

# Gaming Machine Amendment Bill 2023

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## Gaming Machine Amendment Bill 2023

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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	<b>1</b>	<b>Name of Act</b>
2		This Act is the <i>Gaming Machine Amendment Act 2023</i> .
3	<b>2</b>	<b>Commencement</b>
4		This Act commences on the day after its notification day.
5	<i>Note</i>	The naming and commencement provisions automatically commence on
6		the notification day (see <a href="#">Legislation Act</a> , s 75 (1)).
7	<b>3</b>	<b>Legislation amended</b>
8		This Act amends the <a href="#">Gaming Machine Act 2004</a> .
9	<b>4</b>	<b>Eligibility for individuals</b>
10		<b>Section 6 (2) (d) (i), note</b>
11		<i>omit</i>
12	<b>5</b>	<b>No applications for, or transfers of, authorisation</b>
13		<b>certificates etc for certain licensees</b>
14		<b>Section 10G (2) (c)</b>
15		<i>omit</i>
16	<b>6</b>	<b>Meaning of <i>social impact assessment</i></b>
17		<b>Section 12 (1) (c)</b>
18		<i>omit</i>
19	<b>7</b>	<b>Section 12 (1), note, paragraph (c)</b>
20		<i>omit</i>
21	<b>8</b>	<b>Social impact assessment—publication</b>
22		<b>Section 13 (1) (c)</b>
23		<i>omit</i>

**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](#), 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*, section 5 (3).

***rural lease***—see the *Planning and Development Act 2007*, 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](#) 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).