

AUSTRALIAN CAPITAL TERRITORY

GAMING MACHINE REGULATIONS

ISSUED BY THE AUTHORITY OF THE MINISTER OF STATE FOR
TERRITORIES

EXPLANATORY MEMORANDUM

No. 7 of 1987

The Gaming Machine Ordinance 1987 (the “Principal Ordinance”) regulates the sale, supply and operation of gaming machines. Together with the Australian Capital Territory Gaming and Liquor Authority Ordinance 1987, it was introduced this year as part of an on-going programme to integrate and modernise the provisions of ACT gambling legislation.

The Gaming Machine Regulations provide that gaming machines commonly known as poker machines, slot machines and fruit machines are class C gaming machines. The Regulations also detail the formula for the percentage pay-out of class B gaming machines (generally single – or multi-coin machines designed so that winnings are payable by either the discharge of coins from the machine or the registration of a credit of coins on the machine), set out the manner in which ballots of members of clubs relating to the installation and use of gaming machines on club premises are to be conducted and set out the procedure to be adopted for the purchase of gaming machines.

The formula for “percentage pay-out” provided for in connection with class B gaming machines is required in the Regulations because of the skill factor involved with playing these machines. The formula provided is similar to that in the Ordinance for class A and C machines with the difference that it allows pay-outs which reflect the skill of the player whilst maintaining an overall percentage pay-out which is the same as for the class A and C machines. Class B gaming machines will allow skilful players a greater opportunity to win.

Details of the Regulations are provided in the accompanying attachment.

ATTACHMENT

GAMING MACHINE REGULATIONS

Section 1 provides that the Regulations may be cited as the Gaming Machine Regulations.

Section 2 provides that “the Ordinance” in the Regulations means the Gaming Machine Ordinance 1987.

Section 3 provides that for the purposes of the definition of “Class C machines” in section 4 of the Ordinance, the gaming machines commonly known as poker machines, slot machines and fruit machines are Class C gaming machines.

Section 4 provides a formula for the purposes of the definition of “percentage pay-out” in paragraph (b) of section 4 of the Ordinance. It provides that the pay-out shall equal $A + B$ where A equals the number of coins discharged by the machine divided by the number inserted into it during a period expressed as a percentage and B equals the payments made by the licensee in connection with the use of the machine divided by the value of the coins inserted into the machine during the same period as for A and again expressed as a percentage and in each case having regard to the strategies that may reasonably be expected to be adopted by persons displaying average skills in operating the machine.

Section 5 provides that ballots conducted for the purpose of sections 19 or 26 of the Ordinance shall be conducted in accordance with the procedure set out in Schedule 1.

Section 6 provides that ballots conducted for the purposes of the Ordinance shall be secret and prescribes a penalty of \$100 for disclosure or aiding the disclosure of the manner in which another person has voted in a ballot.

Section 7 provides that the procedure for the purchase of gaming machines are those set out in Schedule 2.

Schedule 1 firstly requires the Registrar, following a request by the Authority, to fix a time by instrument in writing for the issue and return of ballot papers. The Registrar is also required to notify each club member by post. The Registrar is directed to notify details of the ballot in a newspaper published and circulating in the Territory and to hold and determine the result of the ballot. A number of forms and rules relating to the validity of votes are also included.

Schedule 2 details the procedures for the purchase of gaming machines. The Registrar of Gaming Machines is required to invite tenders for the supply of machines by advertisements in one newspaper published and circulating in the Territory and another published and circulating in New South Wales. The Registrar is directed to provide tenderers with the form of tender and notice of general conditions of tender. The Authority is authorised to accept tenders in whole or in part.