

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

Gaming Machine (Appropriate Premises) Amendment Bill 2003

EXPLANATORY MEMORANDUM

**Circulated by authority of
Kerrie Tucker MLA**

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Outline

The intention of the Bill is to create a basis for the Gambling and Racing Commission to take into account the aspects of social impact that must be considered in relation to licensed premises when it considers issuing a gaming machine licence to a club.

To achieve this, clause 5 rewrites section 20 of the Act so that the current requirements of 20(b) will also apply to applications in respect of clubs.

This will make it possible for the Commission to give effect in its licensing responsibility to the requirements in the *Gambling and Racing Control Act 1999* at Section 7, How the Commission must perform its functions:

The Commission must perform its functions in the way that best promotes the public interest, and in particular, as far as practicable—

- (a) promotes consumer protection; and
- (c) reduces the risks and costs, to the community and to the individuals concerned, of problem gambling.

Clauses

Clauses 1, 2 and 3

These are formal requirements, setting out the name of the Act, commencement provisions and the name of the Act amended. The bill will commence on the day after its notification date. On commencement it will affect all approval decisions, regardless of when the applications were given to the Gambling and Racing Commission.

Clause 4

Clause 4 is effectively a consequential amendment; it updates the reference at section 15 to all clauses within the Act that have an effect on the issue or refusal of licences to clubs.

Clause 5

Clause 5 proposes that for all gaming machine licence applications, they shall not be issued unless the installation and use on the premises of gaming machines are not likely to affect adversely the nature or character of the premises; or the general use of the premises or enjoyment of persons using the premises.

This requirement currently applies to applications from premises with on licences or general licences, but not to clubs. This will be useful for example when the premises in question are going to be used by people other than members of the club.