

2004

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Mr Bill Stefaniak)

## **Gaming Machine Amendment Bill 2004 (No 2)**

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### **A Bill for**

An Act to amend the *Gaming Machine Act 1987*

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

**1 Name of Act**

This Act is the *Gaming Machine Amendment Act 2004 (No 2)*.

**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, s 75 (1)).

**3 Legislation amended**

This Act amends the *Gaming Machine Act 1987*.

**4 Conditions for issue of licences—gaming machines  
Section 18 (2) and (3)**

substitute

- (2) A licence must not be issued for premises to which a general licence or on licence applies except for class B gaming machines.
- (3) A licence must not be issued for premises to which a general licence applies—
- (a) if the premises contain at least 12 rooms that are for use as residential accommodation for lodgers—for more than 10 gaming machines; or
- (b) if the premises do not contain rooms that are for use as residential accommodation for lodgers, or contain less than 12 of those rooms—for more than 2 gaming machines.
- (4) A licence must not be issued for premises to which an on licence applies for more than 2 gaming machines.
- (5) A licence must not be issued for premises to which an on licence applies unless the on licence is stated to be for the primary purpose of running a tavern/bar.

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**5 New section 21A**

*in division 4.1, insert*

**21A Moving machines between licensed premises operated by same club**

- (1) If a club has a licence or licences for premises in different places, it may move gaming machines from 1 of the club's licensed premises to another and operate them there, subject to subsection (2).
- (2) A club may not operate a greater number of gaming machines in all its licensed premises than the total number of machines for which all the club's licensed premises are licensed.
- (3) This section applies even if operating the gaming machines at the licensed premises to which they are moved would result in the number of machines operated there exceeding the number otherwise authorised to be operated at the premises under the licence.

**Example**

Barbarians Football Club (*Barbarians*) has premises in north Canberra (*Barbarians North*) and south Canberra (*Barbarians South*). Barbarians has a licence for 20 gaming machines for its premises at Barbarians North, and another licence for 30 gaming machines for its premises at Barbarians South.

- 1 Barbarians wins the premiership and plans a big celebration at Barbarians North. Because most Barbarians supporters will be at Barbarians North for the celebration, the club decides to move 25 machines from Barbarians South to Barbarians North for the day, giving it a total of 45 machines at those premises. The number of machines at both locations at no time exceeds 50 so the move is permissible.
- 2 Barbarians plans major renovations at Barbarians North. The club decides to temporarily close the venue for 3 months and move all 20 of its gaming machines to Barbarians South, giving it a total of 50 machines at those premises. This move is also permissible.

*Note* An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

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## Endnotes

**1      Presentation speech**

Presentation speech made in the Legislative Assembly on      2004.

**2      Notification**

Notified under the Legislation Act on      2004.

**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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