

2004

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

GAMING MACHINE BILL 2004

Government Amendments

**SUPPLEMENTARY
EXPLANATORY STATEMENT**

Circulated by the authority of
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Minister for Sport, Racing and Gaming

BACKGROUND

The Gaming Machine Bill 2004 was developed following a comprehensive review of the existing *Gaming Machine Act 1987* by the ACT Gambling and Racing Commission. The Government announced in October 2003 its policy position on the significant issues that would be addressed by this Bill.

Following the tabling of the Bill on 14 May 2004, a small number of minor amendments to correct or clarify some provisions have been identified. These adjustments do not change the policy or intent of any of the provisions but merely ensure that the wording is correct and clear.

Revenue/Cost Implications

The minor amendments do not have any additional cost implications.

Notes on Specific Provisions

1 Clause 11(1)(e)

This amendment provides for the omission of “type” of gaming machine and the substitution of “kind” of gaming machine (page 7, line 10).

The description of a “type” of gaming machine is no longer used. The correct description is the “kind” of gaming machine, which refers to the actual game that is played on the machine. This terminology is consistently used throughout the Bill, such as in section 15(1).

2 Clause 18(2)(b)

This amendment provides for the omission of “assessed or” in reference to matters contained in a social impact assessment (page 15, line 27).

This amendment clarifies the requirements of a social impact assessment.

3 Clause 54(b)

This amendment provides for the omission of clause 54(b) and the substitution of a new clause (page 37, line 18).

The new clause refers to “remuneration” given to a person rather than just “salary” to broaden its reference to ensure that there is adequate disclosure. The intent is to cover the total package available to persons and not just salaries paid.

Also, the wording regarding the amount that may be prescribed under the regulations has been clarified to refer to “amounts equal to or above” rather than just the “amount”.

An example has been included to ensure clarity.

4 Clause 67(1)

This amendment provides for the omission of “establishment” of a Centralised Monitoring System and the substitution of “approval” of the system (page 46, line 14).

To ensure that the regulations have the authority to provide for the approval of the Centralised Monitoring System the wording of the clause has been amended to reflect this. The establishment of the system can be covered under its approval and operation.

5 Dictionary, new definition of *commission*

This amendment provides for the addition of a definition of “commission” to ensure that there is no doubt that references in the Bill are to the ACT Gambling and Racing Commission (page 124, line 16).

The definition refers to section 3 of the *Gambling and Racing Control Act 1999*. This Act establishes the commission and outlines its functions and powers.

6 Dictionary, definition of *permit-holder*

This amendment provides for the omission of the existing definition of “permit-holder” in relation to linked jackpot arrangements and substitutes a new definition to ensure that its meaning is consistent and clear (page 129, line 18).

The new definition refers to the holder of a “multi-user permit” which is consistent with the terminology used in Part 8 of the Bill in relation to linked jackpot arrangements.