



AUSTRALIAN CAPITAL TERRITORY

## Gaming Machine (Amendment) Act 1997

No. 13 of 1997

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### **An Act to amend the *Gaming Machine Act 1987***

*[Notified in ACT Gazette S134: 19 May 1997]*

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

#### **Short title**

1. This Act may be cited as the *Gaming Machine (Amendment) Act 1997*.

#### **Commencement**

2. This Act commences on the day on which it is notified in the *Gazette*.

#### **Principal Act**

3. In this Act, “Principal Act” means the *Gaming Machine Act 1987*.<sup>1</sup>

### **Interpretation**

4. Section 4 of the Principal Act is amended by inserting the following definition:

“ ‘unlawful game’ has the same meaning as in the *Unlawful Games Act 1984*.”.

### **Grant or refusal of licences—clubs**

5. Section 14A of the Principal Act is amended by inserting “, subject to section 15A,” after “shall”.

### **Grant or refusal of licences—General Licensees and On Licensees**

6. Section 15 of the Principal Act is amended—

- (a) by inserting in subsection (1) “15A,” after “sections”; and
- (b) by omitting from paragraphs (1) (d) and (e) “or is not of good fame and character”.

### **Insertion**

7. After section 15 of the Principal Act the following section is inserted:

#### **Grant or refusal of licences—offences**

“15A. (1) This section applies—

- (a) in the case of a club—to a relevant influential person; and
- (b) in the case of the holder of a General Licence or On Licence (not being a club)—
  - (i) where the holder is a natural person—to that person; or
  - (ii) where the holder is a body corporate—to any of the directors of the body corporate.

“(2) The Commissioner may refuse to grant a licence where a person to whom this section applies has, during the period of 5 years preceding the date of the application for a licence, been convicted of an offence—

- (a) involving fraud or dishonesty, whether in the Territory or elsewhere;
- (b) involving unlawful gaming;
- (c) against a tax law; or
- (d) against this Act.”.

**Suspension and cancellation of licences—general**

**8.** Section 24 of the Principal Act is amended—

- (a) by inserting in paragraph (1) (f) “or, in the case of a club, a relevant influential person” after “licensee”;
- (b) by omitting from paragraph (1) (fa) “or”;
- (c) by adding at the end of paragraph (1) (g) “or”;
- (d) by adding at the end of subsection (1) the following paragraph:
  - “(h) the licensee or, in the case of a club, a relevant influential person is a person to whom subsection (1A) applies.”;

and

(e) by inserting after subsection (1) the following subsection:

“(1A) This subsection applies to a person who has, after the commencement of the *Gaming Machine (Amendment) Act 1997*, been convicted of an offence—

- (a) involving fraud or dishonesty, whether in the Territory or elsewhere;
- (b) involving unlawful gaming; or
- (c) against a tax law.”.

**Notice of reviewable decisions**

**9.** Section 52 of the Principal Act is amended by omitting from paragraph (1) (a) “or 15” and substituting “, 15 or 15A”.

*Gaming Machine (Amendment) No. 13, 1997*

**NOTE**

**Principal Act**

1. Reprinted as at 31 January 1995. See also Acts Nos. 19 and 39, 1995.

*[Presentation speech made in Assembly on 8 May 1997]*

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