

2017

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

---

(As presented)

(Attorney-General)

# Gaming Machine (Cash Facilities) Amendment Bill 2017

## Contents

---

	Page
<b>Part 1</b>	<b>Preliminary</b>
1	Name of Act 2
2	Commencement 2
3	Legislation amended 2
<b>Part 2</b>	<b>Gaming Machine Act 2004</b>
4	Cash facilities Section 153 (4) 3
5	Offence—ATM allowing withdrawals exceeding \$250 Section 153A (2) (b) and (c) 3

---

J2017-331

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

Contents

---

	Page	
6	Regulation-making power	
	New section 178 (2) (c)	3
7	Dictionary, new definition of <i>cash facility</i>	3
<b>Part 3</b>	<b>Gaming Machine Regulation 2004</b>	
8	New part 8A	4
9	Dictionary, note 3	5

2017

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

---

(As presented)

(Attorney-General)

## **Gaming Machine (Cash Facilities) Amendment Bill 2017**

---

### **A Bill for**

An Act to amend the *Gaming Machine Act 2004*, and for other purposes

---

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

1 **Part 1 Preliminary**

2 **1 Name of Act**

3 This Act is the *Gaming Machine (Cash Facilities) Amendment Act*  
4 *2017*.

5 **2 Commencement**

6 This Act commences on 1 September 2017.

7 *Note* The naming and commencement provisions automatically commence on  
8 the notification day (see [Legislation Act](#), s 75 (1)).

9 **3 Legislation amended**

10 This Act amends the *Gaming Machine Act 2004* and the *Gaming*  
11 *Machine Regulation 2004*.

---

1 **Part 2** **Gaming Machine Act 2004**

2 **4** **Cash facilities**  
3 **Section 153 (4)**

4 *omit*

5 **5** **Offence—ATM allowing withdrawals exceeding \$250**  
6 **Section 153A (2) (b) and (c)**

7 *substitute*

- 8 (b) authorised premises if the authorisation certificate for the  
9 premises authorises the operation of not more than 20 gaming  
10 machines at the premises.

11 **6** **Regulation-making power**  
12 **New section 178 (2) (c)**

13 *insert*

- 14 (c) the operation (including the restriction of the operation) of a  
15 cash facility at authorised premises.

16 **7** **Dictionary, new definition of *cash facility***

17 *insert*

18 ***cash facility***—

19 (a) means—

20 (i) an automatic teller machine; or

21 (ii) an EFTPOS facility; or

22 (iii) any other facility for gaining access to cash or credit; but

23 (b) does not include a facility where cash is exchanged for other  
24 denominations of cash, tokens, tickets or cards for the purpose  
25 of playing machines.

1 **Part 3 Gaming Machine Regulation 2004**

2 **8 New part 8A**

3 *insert*

4 **Part 8A Restrictions on cash facilities—**  
5 **Act, s 178 (2) (c)**

6 *Note* For other restrictions on cash facilities, see the [Act](#), s 153 and s 153A.

7 **62A Limits on EFTPOS facility at authorised premises**

- 8 (1) This section applies to authorised premises if the authorisation  
9 certificate for the premises authorises the operation of more than 20  
10 gaming machines at the premises.
- 11 (2) A licensee must have not more than 1 EFTPOS facility that allows a  
12 person to withdraw cash at the licensee's authorised premises.  
13 Maximum penalty: 10 penalty units.
- 14 (3) A person may only withdraw cash from an EFTPOS facility at  
15 authorised premises if—
- 16 (a) the cash withdrawal does not exceed \$200; and  
17 (b) the person operating the EFTPOS facility is a trained staff  
18 member of the premises; and  
19 (c) the trained staff member confirms the amount of cash to be  
20 withdrawn with the person making the withdrawal before the  
21 cash is withdrawn; and  
22 (d) the trained staff member hands the cash withdrawn directly to  
23 the person making the withdrawal.

- 1 (4) A licensee commits an offence if—  
2 (a) a person withdraws cash from an EFTPOS facility at the  
3 licensee's authorised premises; and  
4 (b) a requirement for withdrawing cash mentioned in  
5 subsection (3) is contravened.

6 Maximum penalty: 10 penalty units.

- 7 (5) An offence against this section is a strict liability offence.

- 8 (6) In this section:

9 *approved training program* means a training program about the  
10 responsible provision of gambling services approved under the  
11 [Gambling and Racing Control \(Code of Practice\) Regulation 2002](#),  
12 section 9.

13 *trained staff member*, of authorised premises, means a staff member  
14 of the premises who has successfully completed an approved  
15 training program within the previous 3 years.

## 16 **9 Dictionary, note 3**

17 *insert*

- 18
  - cash facility

---

## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 3 August 2017.

**2 Notification**

Notified under the [Legislation Act](#) on 2017.

**3 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

---

© Australian Capital Territory 2017