

2026

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Gaming Reform)

Gambling and Racing Control (Gambling Exclusion) Amendment Bill 2026

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THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Gaming Reform)

Gambling and Racing Control (Gambling Exclusion) Amendment Bill 2026

A Bill for

An Act to amend the *Gambling and Racing Control Act 1999* and the *Gambling and Racing Control (Code of Practice) Regulation 2002*, 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 *Gambling and Racing Control (Gambling Exclusion)*
4 *Amendment Act 2026*.

5 **2 Commencement**

6 (1) Sections 3 and 28 commence on the day after this Act's notification
7 day.

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

10 (2) The remaining provisions commence on a day fixed by the Minister
11 by written notice.

12 *Note 1* A single day or time may be fixed, or different days or times may be
13 fixed, for the commencement of different provisions (see [Legislation Act](#),
14 s 77 (1)).

15 *Note 2* If a provision has not commenced within 6 months beginning on the
16 notification day, it automatically commences on the first day after that
17 period (see [Legislation Act](#), s 79).

18 **3 Legislation amended**

19 This Act amends the legislation mentioned in parts 2 and 3 and
20 schedule 1.

Part 2 Gambling and Racing Control Act 1999

4 Dictionary Section 2, note 1

substitute

Note 1 The dictionary at the end of this Act defines certain terms used in this Act, and includes references (*signpost definitions*) to other terms defined elsewhere.

For example, the signpost definition ‘*casino gaming machine*, for part 6B (Licences, authorisation certificates and authorisations—register and replacement copies)—see the *Casino (Electronic Gaming) Act 2017*, dictionary.’ means that the term ‘casino gaming machine’ is defined in that dictionary and the definition applies to this Act, pt 6B.

5 New section 3A

insert

3A Offences against Act—application of Criminal Code etc

Other legislation applies in relation to offences against this Act.

Note 1 Criminal Code

The [Criminal Code](#), ch 2 applies to the following offences against this Act (see Code, pt 2.1):

- offences against div 3.3 (Monitoring and reducing risk of gambling harm)
- offences against div 3.4 (Gambling harm risk register)
- offences against div 3.5 (Exclusion from gambling).

The chapter sets out the general principles of criminal responsibility (including burdens of proof and general defences), and defines terms used for offences to which the Code applies (eg *conduct*, *intention*, *recklessness* and *strict liability*).

Section 6

1 *Note 2 Penalty units*
2 The [Legislation Act](#), s 133 deals with the meaning of offence penalties
3 that are expressed in penalty units.

4 **6 Functions of commission**
5 **New section 6 (2) (ca)**

6 *insert*
7 (ca) developing, implementing and maintaining programs and
8 strategies to reduce and prevent harm to people in relation to
9 gambling;

10 **7 Governing board members**
11 **Section 12 (1)**

12 *omit*
13 experiencing
14 *substitute*
15 in relation to whom there is a risk of

16 **8 Commission's staff**
17 **New section 14 (3)**

18 *after the note, insert*
19 (3) In this section:
20 *employ* does not include engage.

21 **9 New division 2.3 heading**

22 *after section 15, insert*

23 **Division 2.3 Role of commission in reducing**
24 **gambling harm**

10 Part 3 and division 3.1 headings*substitute***Part 3 Gambling harm****Division 3.1 Preliminary****11 Monitoring and research
Section 17***relocate to division 2.3 as section 16***12 New sections 17A to 17C***in division 3.1, insert***17A Definitions—pt 3**

In this part:

exclusion period—(a) in relation to a self-exclusion notice—see section 19I (2) (e);
and(b) in relation to a licensee exclusion notice—see
section 19J (3) (f); and(c) in relation to a gambling exclusion determination—see
section 19M (2) (a).***gambling activity*** means an activity the conduct of which requires a
licence, permit or approval (however described) under a gaming law.***gambling exclusion determination***, in relation to a person—see
section 19M (2) (a).

1 ***gambling exclusion notice***, in relation to a person, means the
2 following:

- 3 (a) a self-exclusion notice;
4 (b) a licensee exclusion notice.

5 ***gambling facility***, of a licensee, means each place used by the
6 licensee to conduct a gambling activity under the licence.

7 ***gambling harm risk register***—see section 19C (1).

8 ***licensee***, of a gambling activity—see section 17B.

9 ***licensee exclusion notice***, in relation to a person—see
10 section 19J (1).

11 ***risk of gambling harm***, in relation to a person—see section 17C.

12 ***self-exclusion notice***, in relation to a person—see section 19I (1).

13 ***sign of gambling harm risk***—see section 17C (1), definition of ***risk***
14 ***of gambling harm***, paragraph (a).

15 ***support person***, in relation to a person, means someone else acting on
16 behalf of the person with the person's consent.

17 ***trading day***, for a licensee, means a day when the gambling facility
18 of the licensee is open for business.

19 **17B Meaning of licensee—pt 3**

20 In this part:

21 ***licensee***, of a gambling activity, means the following:

- 22 (a) the holder of a licence under the *Gaming Machine Act 2004*;
23 (b) the holder of the casino licence under the *Casino Control*
24 *Act 2006*;
25 (c) a licensed provider under the *Interactive Gambling Act 1998*;

(d) the holder of a race bookmaking licence, a race bookmaker's agent licence, a sports bookmaking licence or a sports bookmaker's agent licence under the *Race and Sports Bookmaking Act 2001*;

(e) a licensee of a totalisator under the *Totalisator Act 2014*.

17C Meaning of *risk of gambling harm*—pt 3

(1) In this part:

risk of gambling harm, in relation to a person, means—

(a) the person engages in conduct involving any of the following (a ***sign of gambling harm risk***):

(i) obtaining cash using a cash facility at a gambling facility 2 or more times on the same trading day;

(ii) attempting to obtain cash using a cash facility at a gambling facility and the transaction is not approved for a reason other than an error;

(iii) obtaining, or attempting to obtain, money from other people to engage in a gambling activity;

Examples—obtaining or attempting to obtain money

begging, borrowing, scavenging, stealing

(iv) engaging in 1 or more gambling activities in any of the following ways:

(A) at unusual times for the person;

(B) continuously for long periods;

(C) with intense or quick movements;

(D) impatiently or impulsively;

(E) often alone;

- 1 (v) showing a noticeable decline in the person's wellbeing;
- 2 **Examples—noticeable decline in wellbeing**
- 3 • appears distressed or otherwise expresses negative emotions
- 4 about engaging in the gambling activity
- 5 • behaves rudely or impolitely to employees or other people at the
- 6 gambling facility
- 7 • a decline in personal presentation over time
- 8 (vi) avoiding employees or otherwise concealing the person's
- 9 presence at a gambling facility;
- 10 **Examples—concealing presence at gambling facility**
- 11 • hides from other people
- 12 • asks an employee to deny the person is present at the facility
- 13 (vii) anything else prescribed by regulation; or
- 14 (b) the person is experiencing, or is reasonably likely to experience,
- 15 a detrimental effect of their, or another person's, gambling,
- 16 including a detrimental social, emotional, physical or financial
- 17 effect.
- 18 **Examples—experiencing or reasonably likely to experience detrimental**
- 19 **effect of gambling**
- 20 • indicates their gambling is having a detrimental social, emotional,
- 21 physical or financial effect on themselves or another person
- 22 • asks for assistance or advice about harm from gambling in relation to
- 23 their gambling or another person's gambling
- 24 • expresses concern about harm from gambling to themselves or another
- 25 person
- 26 (2) In this section:
- 27 ***cash facility*** means—
- 28 (a) an automatic teller machine; or
- 29 (b) an EFTPOS facility.

13 Division 3.2 heading*substitute***Division 3.2 Codes of practice****14 New section 18A***in division 3.2, before section 18, insert***18A Meaning of licensee—div 3.2**

(1) In this division:

licensee, of a gambling activity, includes a lottery or pool betting licensee.

(2) In this section:

exempt lottery does not include the gambling activity housie (however described), unless the housie is exempt under the *Lotteries Act 1964*, section 6 (1) (a) (ii).*lottery or pool betting licensee* means anyone authorised to conduct a lottery, scheme or competition under the *Lotteries Act 1964* or the *Pool Betting Act 1964*, other than—

- (a) a calcutta sweepstake; or
- (b) a trade promotion, other than a trade promotion that involves gambling, in which participants are given free entry to a contest that promotes a trade or business and involves an element of chance in the allocation of the prize; or
- (c) a raffle; or
- (d) a progressive lottery or silver circle involving a number of draws on different days, including tipping competitions, in which regular or different prizes are drawn; or
- (e) an exempt lottery under the *Lotteries Act 1964*, section 6 (1).

Section 15

- 1 **15 Code of practice**
2 **Section 18 (1) (c)**
- 3 *omit*
4 a worker
5 *substitute*
6 an employee or any other worker
- 7 **16 Section 18 (2) (d)**
- 8 *omit*
- 9 **17 Section 18 (2) (e)**
- 10 *omit*
11 deal appropriately with people who are experiencing gambling harm
12 or are at risk
13 *substitute*
14 appropriately reduce the risk of gambling harm to people
- 15 **18 Section 18 (2) (f)**
- 16 *substitute*
17 (f) developing ways of reducing the risk of gambling harm to
18 people, including employees and other workers at a licensee's
19 premises;
- 20 **19 Section 18 (2) (h)**
- 21 *omit*
22 workers
23 *substitute*
24 employees and other workers
-

- 1 **20 Section 18 (4)**
- 2 *omit*
- 3 gambling
- 4 *insert*
- 5 a gambling activity
- 6 **21 Education and counselling**
- 7 **Section 19 (1) (a)**
- 8 *substitute*
- 9 (a) counselling for people in relation to whom there is a risk of
- 10 gambling harm;
- 11 **22 Section 19 (1) (b) (i)**
- 12 *omit*
- 13 for different kinds of gambling
- 14 *substitute*
- 15 about different gambling activities
- 16 **23 Section 19 (1) (b) (ii) and (iii)**
- 17 *substitute*
- 18 (ii) about the risk of gambling harm to people.
- 19 **24 Section 19 (as amended)**
- 20 *relocate to division 2.3 as section 16A*

25 New divisions 3.3 to 3.5*insert***Division 3.3 Monitoring and reducing risk of gambling harm****19A Licensees must monitor risk of gambling harm**

(1) A licensee must monitor the risk of gambling harm in relation to any person who—

(a) engages in 1 or more gambling activities conducted by the licensee; or

(b) is present at the licensee's premises, whether or not engaging in a gambling activity; or

(c) otherwise communicates with the licensee.

Example—otherwise communicates with licensee

person expresses concern about their gambling in an email or phone call to the licensee

Note The risk of gambling harm in relation to a person includes a person experiencing, or being reasonably likely to experience, a detrimental effect of another person's gambling (see s 17C (1), def *risk of gambling harm*, par (b)).

(2) A licensee commits an offence if the licensee fails to monitor the risk of gambling harm in relation to a person mentioned in subsection (1).

Maximum penalty: 30 penalty units.

(3) It is a defence to a prosecution for an offence against subsection (2) if the defendant proves they took all reasonable steps to monitor the risk of gambling harm in relation to the person.

Note The defendant has a legal burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 59).

1 **19B Licensees must take action to reduce risk of gambling**
2 **harm**

- 3 (1) A licensee must take action to reduce the risk of gambling harm in
4 relation to a person mentioned in section 19A (1).

5 **Examples—actions to reduce risk of gambling harm**

- 6 • talking with the person about the effects of their gambling
7 • giving the person information about support services
8 • telling the person about self-exclusion notices and how to give a notice
9 • giving a licensee exclusion notice to the person

- 10 (2) A licensee commits an offence if the licensee—

11 (a) possesses information that there is a risk of gambling harm in
12 relation to a person; and

13 (b) fails to take action to reduce the risk of gambling harm in
14 relation to the person.

15 Maximum penalty: 30 penalty units.

- 16 (3) It is a defence to a prosecution for an offence against subsection (2)
17 if the defendant proves they took all reasonable steps to reduce the
18 risk of gambling harm in relation to the person.

19 *Note* The defendant has a legal burden in relation to the matters mentioned in
20 s (3) (see [Criminal Code](#), s 59).

Division 3.4 Gambling harm risk register

19C Gambling harm risk register

- (1) The commission must keep a register (the *gambling harm risk register*) of gambling harm risk in relation to people engaging, or attempting to engage, in gambling activities.
- (2) A record must be kept in the register if 1 or more of the following happens in relation to a person:
- (a) a licensee possesses information relevant to the risk of gambling harm in relation to the person under section 19A;
 - (b) a licensee takes action, under section 19B, to reduce the risk of gambling harm in relation to the person;
 - (c) the person or their support person gives the commission a self-exclusion notice under section 19I (1) (a);
 - (d) a licensee tells the commission, under section 19K, about—
 - (i) a self-exclusion notice in relation to the person given to the licensee (other than a notice the licensee does not accept under section 19I (3)); or
 - (ii) a licensee exclusion notice given by the licensee in relation to the person;
 - (e) the commission makes a gambling exclusion determination in relation to the person under section 19M;
 - (f) anything else prescribed by regulation.
- (3) The record must include the following information about a matter mentioned in subsection (2):
- (a) the person's name;
 - (b) the person's date of birth;

1 (c) the person's home address or email address, and any other
2 contact details given by the person;

3 (d) if the commission or a licensee does not know or cannot
4 establish a person's identity—sufficient information to assist the
5 commission or a relevant licensee in identifying the person;

6 **Examples**

- 7 • a name and address given by the person
- 8 • an image of the person's face or a description of the person

9 (e) for subsection (2) (a)—

10 (i) each sign of gambling harm risk in relation to the person
11 observed by the licensee; and

12 (ii) any other information relevant to the risk of gambling
13 harm in relation to the person the licensee possesses;

14 (f) for subsection (2) (b)—

15 (i) the action taken by the licensee to reduce the risk; and

16 (ii) the names of the individuals who took the action; and

17 (iii) any related action taken by someone else of which the
18 licensee is aware;

19 **Examples—related action**

- 20 • police arrest and charge the person for an offence in relation to
21 the person's behaviour in the premises
- 22 • the person has been excluded from the same, or a different,
23 gambling activity by another licensee

24 (g) for subsection (2) (c) to (e)—

25 (i) each gambling activity from which the person is excluded;
26 and

27 (ii) the exclusion period for each gambling activity mentioned
28 in subparagraph (i); and

- 1 (iii) a copy of the self-exclusion notice, licensee exclusion
2 notice or gambling exclusion determination;
- 3 (h) if a deed of exclusion or notice of exclusion applied to the person
4 under the *Gambling and Racing Control (Code of Practice)*
5 *Regulation 2002*, schedule 1, section 1.13 (repealed) or
6 section 1.14 (repealed) in the 7 years before the day the matter
7 mentioned in subsection (2) happens—a copy of the deed or
8 notice;
- 9 (i) any other information the commission or a licensee possesses
10 that is relevant to—
- 11 (i) reducing the risk of gambling harm in relation to the
12 person; or
- 13 (ii) the exclusion of the person from a gambling activity;
- 14 (j) any other information prescribed by regulation.
- 15 (4) The register may be kept in any form, including electronically, that
16 the commission decides.
- 17 (5) The commission may correct an error or omission in the register.
- 18 (6) The commission may change information included in the register to
19 keep the register up-to-date.
- 20 **19D Offences—licensees not entering records in gambling**
21 **harm risk register**
- 22 (1) A licensee commits an offence if the licensee—
- 23 (a) possesses information in relation to a matter mentioned in
24 section 19C (2); and
- 25 (b) fails to enter a record of the information in the gambling harm
26 risk register.
- 27 Maximum penalty: 10 penalty units.

- 1 (2) A licensee commits an offence if the licensee—
- 2 (a) is required to enter a record in the gambling harm risk register
- 3 under subsection (1) in relation to a matter mentioned in
- 4 section 19C (2); and
- 5 (b) fails to enter a record of the information in the register within
- 6 3 trading days after the day the licensee—
- 7 (i) for information mentioned in section 19C (2) (a)—comes
- 8 into possession of the information; or
- 9 (ii) for information mentioned in section 19C (2) (b)—takes
- 10 action to reduce the risk of gambling harm in relation to
- 11 the person.

12 Maximum penalty: 10 penalty units.

- 13 (3) An offence against this section is a strict liability offence.

14 **19E Accessing etc the gambling harm risk register**

- 15 (1) The commission or an approved person is authorised to take 1 or more
- 16 of the following actions in relation to the gambling harm risk register:
- 17 (a) access the register;
- 18 (b) add a person's name to the register;
- 19 (c) remove a person's name from the register;
- 20 (d) amend information in relation to any of the following recorded
- 21 in the register:
- 22 (i) a person;
- 23 (ii) a gambling activity from which a person is excluded;
- 24 (iii) an exclusion period that applies to a person.

- 1 (2) Also, the commission or an approved person is authorised to use the
2 information kept in the register to exercise a function or comply with
3 an obligation under this Act.
- 4 (3) A person commits an offence if the person—
5 (a) takes 1 or more of the actions mentioned in subsection (1) or (2);
6 and
7 (b) is not authorised to take the action.
8 Maximum penalty: 10 penalty units.
- 9 (4) Strict liability applies to subsection (3) (b).
- 10 (5) In this section:
11 *approved person* means—
12 (a) a licensee; or
13 (b) someone else approved by the commission.
- 14 **19F Offence—licensees failing to review gambling harm risk**
15 **register information**
- 16 A licensee of a gambling activity commits an offence if the licensee—
17 (a) receives written notice of a record being added to, removed from
18 or amended in the gambling harm risk register; and
19 (b) fails to review the information relating to the notice in the
20 gambling harm risk register within 3 trading days after the day
21 the licensee receives the notice.
- 22 Maximum penalty: 10 penalty units.

1 **Division 3.5 Exclusion from gambling**

2 **Subdivision 3.5.1 Preliminary**

3 **19G Application—div 3.5**

4 This division, other than the following provisions, does not apply to
5 a licensed provider under the *Interactive Gambling Act 1998*:

- 6 (a) section 19J (Licensees giving people notice of gambling
7 exclusion);
- 8 (b) section 19O (Exclusion of people named in gambling exclusion
9 notice or gambling exclusion determination);
- 10 (c) subdivision 3.5.6 (Offences relating to people excluded from
11 gambling).

12 *Note* The *Interactive Gambling Act 1998* contains provisions about excluded
13 or disqualified people.

14 **19H Meaning of *internal reviewer*—div 3.5**

15 In this division:

16 *internal reviewer*—see section 19R (5).

17 **Subdivision 3.5.2 Gambling exclusion notices**

18 **19I People giving notice of self-exclusion**

- 19 (1) An eligible person, or their support person, may give written notice
20 of the person's intention to be excluded from 1 or more gambling
21 activities (a *self-exclusion notice*) to either or both of the following
22 entities:

- 23 (a) the commission;
- 24 (b) a licensee.

- 1 (2) A self-exclusion notice must include the following information in
2 relation to the eligible person:
- 3 (a) the person's name;
- 4 (b) the person's date of birth;
- 5 (c) the person's home address or email address, and any other
6 contact details given by the person;
- 7 (d) each gambling activity from which the person intends to be
8 excluded;
- 9 **Examples—gambling activity**
- 10 • all gaming machines at all gambling facilities of a licensee
- 11 • all gambling activities at ABC Club Gungahlin
- 12 • on-course betting at XYZ racecourse
- 13 (e) the period, of not less than 6 months and not more than 5 years
14 (the *exclusion period*), for which the person intends to be
15 excluded from each gambling activity mentioned in
16 paragraph (d);
- 17 (f) a statement that the person—
- 18 (i) intends to be excluded from each gambling activity stated
19 in the self-exclusion notice for the exclusion period; and
- 20 (ii) consents to information (including personal information)
21 in relation to the notice being shared with the commission,
22 relevant licensees and anyone else approved by the
23 commission; and
- 24 (iii) subject to section 19O (4), consents to being asked to stop
25 engaging in the gambling activity or to leave the area in
26 which the activity is conducted, and, if necessary, being
27 removed from or prevented from entering the area;
- 28 (g) anything else prescribed by regulation.

- 1 (3) A licensee must accept a self-exclusion notice given to the licensee
2 under subsection (1) in relation to an eligible person, unless—
- 3 (a) the notice does not comply with the requirements under
4 subsection (2); and
- 5 (b) the licensee—
- 6 (i) tells the person or their support person the licensee does
7 not accept the self-exclusion notice for the reason
8 mentioned in paragraph (a); and
- 9 (ii) gives the person or their support person information about
10 how to comply with the requirements; and
- 11 (iii) makes a record in the register of being given the
12 self-exclusion notice and the actions taken by the licensee.
- 13 (4) An eligible person or their support person may, but need not, give
14 more than 1 self-exclusion notice in relation to different gambling
15 activities, and may give a notice in the same, or different, terms if a
16 notice expires or is amended or revoked.
- 17 (5) An eligible person named in a self-exclusion notice must not engage
18 in the gambling activity to which the notice relates within the
19 exclusion period.
- 20 (6) In this section:
- 21 *eligible person* means—
- 22 (a) an adult; or
- 23 (b) a person who is at least 17 years old and intends to be excluded
24 from 1 or more gambling activities on and after reaching
25 18 years old.

- 1 **19J Licensees giving people notice of gambling exclusion**
- 2 (1) A licensee must give written notice to a person that the person is
- 3 excluded from a gambling activity conducted by the licensee
- 4 (a ***licensee exclusion notice***) if—
- 5 (a) the person engages in the activity, or attempts to engage in the
- 6 activity; and
- 7 (b) as a result of engaging in the activity there is a risk of gambling
- 8 harm in relation to a person.
- 9 (2) However, the licensee need not give a licensee exclusion notice to the
- 10 person if the person is already named in a gambling exclusion notice
- 11 or gambling exclusion determination in relation to the gambling
- 12 activity.
- 13 (3) A licensee exclusion notice must include the following information:
- 14 (a) the person's name;
- 15 (b) the person's date of birth;
- 16 (c) the person's home address or email address, and any other
- 17 contact details given by the person;
- 18 (d) if the licensee does not know or the person does not agree to give
- 19 any of the information mentioned in paragraphs (a) to (c)—
- 20 sufficient information to assist the commission or a relevant
- 21 licensee in identifying the person;
- 22 (e) each gambling activity conducted by the licensee from which
- 23 the person is excluded;
- 24 (f) the period, of not more than 5 years (the ***exclusion period***), for
- 25 which the person is excluded from each gambling activity
- 26 mentioned in paragraph (e);
- 27 (g) the reasons the licensee is giving the notice.

- 1 (4) A licensee commits an offence if the licensee—
- 2 (a) is required to give a licensee exclusion notice to a person in
- 3 accordance with subsections (1) and (3); and
- 4 (b) fails to give the notice to the person as soon as practicable, but
- 5 not later than 3 trading days after the day the requirement arises.
- 6 Maximum penalty: 30 penalty units.
- 7 (5) It is a defence to a prosecution for an offence against subsection (4)
- 8 if the defendant proves that—
- 9 (a) giving a licensee exclusion notice to the person was not
- 10 proportionate to the risk of gambling harm in relation to the
- 11 person at the time; and
- 12 (b) other, more proportionate, actions to reduce the risk of gambling
- 13 harm were reasonably available; and
- 14 (c) the defendant—
- 15 (i) considered the matters mentioned in paragraphs (a) and
- 16 (b); and
- 17 (ii) decided an action other than a licensee exclusion notice
- 18 was more appropriate in the circumstances; and
- 19 (iii) implemented the other action; and
- 20 (iv) made a record in the gambling harm risk register of the
- 21 matters the licensee took into account, their decision and
- 22 action taken.
- 23 *Note* The defendant has a legal burden in relation to the matters mentioned in
- 24 s (5) (see [Criminal Code](#), s 59).

- 1 **19K** **Licensees must tell commission about gambling**
2 **exclusion notices**
- 3 (1) A licensee must tell the commission, in writing, if either of the
4 following happen:
- 5 (a) the licensee is given a self-exclusion notice by a person or their
6 support person under section 19I (1) (other than a notice the
7 licensee does not accept under section 19I (3));
- 8 (b) the licensee gives a person a licensee exclusion notice under
9 section 19J (1).
- 10 (2) A licensee commits an offence if the licensee—
- 11 (a) is required to tell the commission about a self-exclusion notice
12 under subsection (1) (a); and
- 13 (b) fails to tell the commission about the notice within 3 trading
14 days after the day the person or their support person gives the
15 licensee the notice.
- 16 Maximum penalty: 10 penalty units.
- 17 (3) A licensee commits an offence if the licensee—
- 18 (a) is required to tell the commission about a licensee exclusion
19 notice under subsection (1) (b); and
- 20 (b) fails to tell the commission about the notice within 3 trading
21 days after the day the licensee gives the notice to the person.
- 22 Maximum penalty: 10 penalty units.
- 23 (4) An offence against this section is a strict liability offence.

1 **19L End of gambling exclusion notices**

2 A gambling exclusion notice in relation to a person ends on the
3 earliest of the following:

- 4 (a) if the commission decides to make a gambling exclusion
5 determination under section 19M (2) (a)—the day the
6 determination starts;
- 7 (b) if the commission decides not to make a gambling exclusion
8 determination under section 19M (3)—the day after the
9 commission tells the person or the licensee about the
10 commission’s decision under section 19M (4);
- 11 (c) at the end of the exclusion period stated in the notice.

12 **Subdivision 3.5.3 Gambling exclusion determinations**

13 **19M Commission must make gambling exclusion**
14 **determination**

15 (1) This section applies if—

- 16 (a) a person or their support person gives the commission a
17 self-exclusion notice in relation to the person under
18 section 19I (1) (a); or
- 19 (b) a licensee tells the commission, in accordance with
20 section 19K (1), about—
- 21 (i) a self-exclusion notice in relation to a person given to the
22 licensee (other than a notice the licensee does not accept
23 under section 19I (3)); or
- 24 (ii) a licensee exclusion notice given by the licensee in relation
25 to a person.

- 1 (2) The commission must, within 3 working days after the day the
2 commission is given or told about a gambling exclusion notice in
3 relation to a person—
- 4 (a) make a determination (a ***gambling exclusion determination***)
5 that the person named in the determination is excluded from 1 or
6 more stated gambling activities for a stated period (the
7 ***exclusion period***); and
- 8 (b) give the person—
- 9 (i) a copy of the determination; and
- 10 (ii) for a determination based on a licensee exclusion notice—
11 an internal review notice; and
- 12 *Note* The commission must also take reasonable steps to give an
13 internal review notice to any other person whose interests
14 are affected by the determination (see *ACT Civil and*
15 *Administrative Tribunal Act 2008*, s 67B).
- 16 (c) record the details of the determination in the gambling harm risk
17 register.
- 18 (3) However, the commission need not make a gambling exclusion
19 determination—
- 20 (a) if the commission is not satisfied—
- 21 (i) about the identity of the person named in the gambling
22 exclusion notice; or
- 23 (ii) for a licensee exclusion notice—in relation to 1 or more of
24 the matters mentioned in section 19J (3) (e) to (g); or
- 25 (b) until the commission receives any additional information
26 requested under subsection (6).

1 (4) If the commission decides not to make a gambling exclusion
2 determination in relation to a person in accordance with
3 subsection (3), the commission must tell the following, in writing,
4 about the commission's decision and the reasons for it:

5 (a) for a self-exclusion notice—the person named in the notice and
6 their support person (if any);

7 (b) for a licensee exclusion notice—the person named in the notice
8 and the licensee who gave the notice in relation to the person.

9 (5) The commission may satisfy itself about the identity of a person
10 named in a gambling exclusion notice in the way the commission
11 decides is appropriate.

12 **Examples**

- 13 • asking the person to show certain documents
14 • using an identity verification service

15 (6) The commission may ask the following, in writing, to give the
16 commission, within a stated period, any additional information it
17 reasonably needs to make a gambling exclusion determination:

18 (a) a person named in a gambling exclusion notice;

19 (b) a licensee of a gambling activity stated in a gambling exclusion
20 notice.

21 (7) A gambling exclusion determination made under subsection (2) (a)
22 starts on—

23 (a) if the determination states the day on which it starts—the stated
24 day; or

25 (b) in any other case—the day after the commission complies with
26 subsection (2) (b).

- 1 **19N End of gambling exclusion determinations**
- 2 A gambling exclusion determination ends on the earliest of the
- 3 following:
- 4 (a) for a determination based on a self-exclusion notice that is
- 5 revoked under section 19Q (4)—the day the revocation takes
- 6 effect;
- 7 (b) for a determination that is revoked under section 19S (1) (b) or
- 8 by the ACAT under section 19T—the day the revocation takes
- 9 effect;
- 10 (c) the end of the exclusion period stated in the determination,
- 11 including any amended exclusion period under section 19Q (4)
- 12 or section 19S (1) (b), or by the ACAT under section 19T.

13 **Subdivision 3.5.4 Exclusion of people from gambling**

14 **activities**

- 15 **19O Exclusion of people named in gambling exclusion notice**
- 16 **or gambling exclusion determination**
- 17 (1) A licensee commits an offence if—
- 18 (a) either of the following is in force in relation to a person:
- 19 (i) a gambling exclusion notice;
- 20 (ii) a gambling exclusion determination; and
- 21 (b) the notice or determination states a gambling activity of the
- 22 licensee from which the person named in the notice or
- 23 determination is excluded for the exclusion period; and
- 24 (c) within the exclusion period, the person engages in the gambling
- 25 activity at the licensee's premises; and

(d) the licensee fails to stop the person from engaging in the gambling activity at the licensee's premises.

Maximum penalty: 30 penalty units.

(2) Strict liability applies to subsection (1) (a) and (b).

(3) It is a defence to a prosecution for an offence against subsection (1) if the defendant proves they took all reasonable steps to stop the person from engaging in the gambling activity.

Note The defendant has a legal burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 59).

(4) The licensee of a gambling activity must not use more force, or subject anyone to greater indignity, than is necessary and reasonable to stop the person from engaging in the activity.

Note See s 19L and s 19N for when a gambling exclusion notice or gambling exclusion determination ends.

19P Exclusion procedures

(1) The licensee of a gambling activity must prepare written procedures about how any person named in a gambling exclusion notice or gambling exclusion determination is to be excluded from the activity (the *exclusion procedures*).

(2) A licensee of a gambling activity commits an offence if the licensee fails to comply with subsection (1) before the licensee conducts the gambling activity.

Maximum penalty: 10 penalty units.

(3) The licensee of a gambling activity must ensure that—

(a) the exclusion procedures are—

(i) written in a way that is easy to understand by people using them; and

(ii) made available to all employees; and

- 1 (b) employees whose functions include the exclusion of a person
2 under this division are trained and suitable to exercise the
3 function.
- 4 (4) The commission may give written directions—
- 5 (a) to the licensee of a gambling activity about matters to be
6 addressed in the exclusion procedures for the activity; and
- 7 (b) to the licensee, an employee or anyone else involved in the
8 exclusion of a person from the gambling activity under this
9 division, about the exclusion procedures to ensure compliance
10 with them.
- 11 (5) A person commits an offence if the person—
- 12 (a) is given a written direction under subsection (4); and
- 13 (b) fails to comply with the direction of the commission within any
14 period stated in the direction.
- 15 Maximum penalty: 10 penalty units.
- 16 (6) An offence against this section is a strict liability offence.

17 **Subdivision 3.5.5 Amending etc gambling exclusion**
18 **decisions**

19 **19Q Amending or revoking gambling exclusion determination**
20 **based on self-exclusion notice**

- 21 (1) This section applies if the commission makes a gambling exclusion
22 determination under section 19M in relation to a self-exclusion notice
23 given by a person or their support person.
- 24 (2) The person named in the determination may apply to the commission,
25 in writing, to amend or revoke the determination not earlier than
26 3 months after the day the commission makes the determination.

- 1 (3) An application must include sufficient details to allow the
2 commission to identify the determination.
- 3 (4) Not earlier than 5 working days after the day the commission receives
4 the application, the commission must—
- 5 (a) amend or revoke the determination; and
- 6 (b) give the person a copy of the amended determination or written
7 notice that the determination is revoked; and
- 8 (c) record the details of the amended determination or revocation in
9 the gambling harm risk register.
- 10 (5) The person may withdraw their application by giving the commission
11 written notice at any time within the period mentioned in
12 subsection (4).
- 13 (6) The amendment or revocation of the determination takes effect on—
- 14 (a) if the person's application states a day on which the amendment
15 or revocation will take effect—the stated day; or
- 16 (b) in any other case—the day after the commission complies with
17 subsection (4) (b).

18 **19R Application for internal review of gambling exclusion**
19 **decisions based on licensee exclusion notice**

- 20 (1) This section applies if the commission makes a decision under
21 section 19M in relation to a gambling exclusion determination based
22 on a licensee exclusion notice.
- 23 (2) A person named in, or a licensee of a gambling activity stated in, the
24 decision (the *applicant*) may apply, in writing, to the commission for
25 internal review of the decision.
- 26 (3) The application must—
- 27 (a) include sufficient details to allow the commission to identify the
28 applicant and the decision; and

- 1 (b) set out the applicant's reasons for making the application.
- 2 (4) The application must be given to the commission within—
- 3 (a) 28 days after the day the applicant is given the internal review
- 4 notice for the decision; or
- 5 (b) any longer period allowed by the commission before or after the
- 6 end of the 28-day period.
- 7 (5) If an application is made under subsection (2), the commission must
- 8 arrange for a member of the commission's staff who did not make the
- 9 decision (the *internal reviewer*) to review the decision.
- 10 (6) An application under subsection (2) does not stay a gambling
- 11 exclusion determination or otherwise prevent action being taken as a
- 12 result of a determination.

13 **19S Internal review of gambling exclusion decisions based on**

14 **licensee exclusion notice**

- 15 (1) Within 20 working days after the commission receives an application
- 16 for internal review of a decision under section 19R (2), the internal
- 17 reviewer must—
- 18 (a) reconsider the decision; and
- 19 (b) confirm, revoke or amend the decision.
- 20 (2) In reconsidering the decision, the internal reviewer must—
- 21 (a) if the applicant is a person named in the decision—
- 22 (i) give the licensee who gave the licensee exclusion notice a
- 23 written notice telling the licensee that they may, within
- 24 14 trading days starting on the day after the day they
- 25 receive the notice, give a written response to the internal
- 26 reviewer about the matters stated in the notice; and
- 27 (ii) consider any written response given by the licensee to the
- 28 internal reviewer; and

- 1 (b) if the applicant is a licensee of a gambling activity stated in the
2 decision—
- 3 (i) give the person named in the decision a written notice
4 telling the person that they may, within 14 days starting on
5 the day after the day they receive the notice, give a written
6 response to the internal reviewer about the matters stated
7 in the notice; and
- 8 (ii) consider any written response given by the person to the
9 internal reviewer; and
- 10 (c) take into account the matters mentioned in section 19J (5) (a)
11 and (b).
- 12 (3) The internal reviewer must give written notice of their decision in
13 relation to the application, in the form of a reviewable decision notice,
14 to the person and the licensee.
- 15 *Note* The internal reviewer must also take reasonable steps to give a reviewable
16 decision notice to any other person whose interests are affected by the
17 decision (see *ACT Civil and Administrative Tribunal Act 2008*, s 67A).
- 18 (4) If the internal reviewer does not confirm, revoke or amend the
19 decision within 20 working days after receiving the application under
20 section 19R (2), the internal reviewer is taken to have confirmed the
21 decision.
- 22 (5) A decision of the internal reviewer under this section takes effect
23 on—
- 24 (a) if the decision states the day on which it takes effect—the stated
25 day; or
- 26 (b) in any other case—the day after the internal reviewer complies
27 with subsection (3).
- 28 (6) In this section:
29 ***applicant***—see section 19R (2).

- 1 **19T Review by ACAT of gambling exclusion decisions based**
2 **on licensee exclusion notice**
- 3 A person named in, or a licensee of a gambling activity stated in, a
4 gambling exclusion decision based on a licensee exclusion notice
5 may apply to the ACAT for review of a decision by an internal
6 reviewer under section 19S.
- 7 **19U Licensees must comply with gambling exclusion decision**
8 **based on licensee exclusion notice**
- 9 (1) The commission may give a licensee a written direction to give effect
10 to a decision of—
- 11 (a) an internal reviewer under section 19S; or
- 12 (b) a decision or order of the ACAT in relation to an application for
13 review under section 19T.
- 14 (2) However, the commission must not give a licensee a direction under
15 subsection (1) (a) if the ACAT is considering an application for
16 review under section 19T.
- 17 (3) A licensee commits an offence if the licensee fails to comply with a
18 direction under subsection (1).
- 19 Maximum penalty: 10 penalty units.
- 20 (4) An offence against this section is a strict liability offence.
- 21 **Subdivision 3.5.6 Offences relating to people excluded**
22 **from gambling**
- 23 **19V Using accounts of people excluded from gambling**
- 24 (1) A licensee of a gambling activity commits an offence if—
- 25 (a) a person holds an account with the licensee in relation to the
26 gambling activity; and

(b) 1 or more of the following apply to the person in relation to engaging in the gambling activity:

(i) a self-exclusion notice;

(ii) a licensee exclusion notice;

(iii) a gambling exclusion determination; and

(c) the licensee allows someone else to use the person's account to engage in the gambling activity.

Maximum penalty: 10 penalty units.

(2) An offence against this section is a strict liability offence.

19W Sending promotional material to people excluded from gambling

(1) A licensee of a gambling activity commits an offence if—

(a) 1 or more of the following apply to a person in relation to engaging in the gambling activity:

(i) a self-exclusion notice;

(ii) a licensee exclusion notice;

(iii) a gambling exclusion determination; and

(b) the licensee gives information or promotional material in relation to the gambling activity directly to the person.

Maximum penalty: 10 penalty units.

Examples—information or promotional material given directly

- information or promotional material given by personally addressed mail or email
- information or promotional material given personally to the person or left with someone else to be given personally to the person

(2) An offence against this section is a strict liability offence.

26 Permitted disclosures to particular people
New section 37 (d) (iva)

insert

(iva) for the purpose of administering this Act, part 3 (Gambling harm)—the administrative unit responsible for this Act, the Minister, the commission or any other entity that exercises a function under that part;

Example—other entity exercising a function under pt 3

a licensee giving effect to a gambling exclusion determination

27 New section 53CB

insert

53CB Protection for licensees and others—gambling harm

(1) A licensee of a gambling activity or another person (other than an authorised officer) is not civilly liable for anything done or omitted to be done honestly and without recklessness—

(a) for the purpose of exercising or not exercising a function, or complying with a requirement, under this Act, part 3 (Gambling harm); or

(b) in the reasonable belief that the act or omission was for a purpose mentioned in paragraph (a).

(2) Subsection (1) does not apply if the licensee's or other person's act or omission contravenes another law applying in the ACT.

(3) In this section:

licensee, of a gambling activity—see section 17B.

28 New part 21
Part 21 Validation—deeds of exclusion
102 Validation of certain deeds of exclusion

(1) This section applies to a deed of exclusion that was a completed signed deed, or purported to be a completed signed deed, in accordance with the *Gambling and Racing Control (Code of Practice) Regulation 2002*, schedule 1, section 1.13 before the day the *Gambling and Racing Control (Gambling Exclusion) Amendment Act 2026*, section 28 commences.

(2) The completed signed deed is taken to have effect and continues in force according to its terms, and is not invalid as a deed of exclusion only because of a defect or irregularity in the deed or the execution of the deed.

(3) Without limiting subsection (2), anything done, or purported to have been done in relation to the deed of exclusion under this Act or another territory law is taken to be, and always to have been, validly done as if the deed, or the execution of the deed, was not defective or irregular.

Note A reference to an Act includes a reference to any regulation or statutory instrument made or in force under the Act (see [Legislation Act](#), s 104).

103 Expiry—pt 21

This part expires 5 years after the day the *Gambling and Racing Control (Gambling Exclusion) Amendment Act 2026*, section 29 commences.

Note If a law validates something, the validating effect of the law does not end only because of the repeal of the law (see [Legislation Act](#), s 88 (1)).

29 New part 22*insert***Part 22 Transitional—Gambling and
Racing Control (Gambling
Exclusion) Amendment Act 2026****104 Definitions—pt 22**

In this part:

commencement day means the day the *Gambling and Racing Control (Gambling Exclusion) Amendment Act 2026*, section 25 commences.*current document of exclusion* means—

(a) a deed of exclusion that—

(i) was in force immediately before the commencement day;
or

(ii) is mentioned in part 21 if—

(A) the exclusion period is stated to be indefinite; or

(B) in any other case—the commencement day is before
the end of the exclusion period stated in the deed; or(b) a notice of exclusion that was in force immediately before the
commencement day.*deed of exclusion*—see the *Gambling and Racing Control (Code of
Practice) Regulation 2002*, schedule 1, section 1.13 (1) (repealed).*exclusion period*—(a) for a deed of exclusion—see the *Gambling and Racing Control
(Code of Practice) Regulation 2002*, schedule 1,
section 1.13 (2) (b) (repealed); and

- 1 (b) for a notice of exclusion—the period of exclusion mentioned in
2 the *Gambling and Racing Control (Code of Practice)*
3 *Regulation 2002*, schedule 1, section 1.14 (2) (a) (iii)
4 (repealed).

5 *notice of exclusion*—see the *Gambling and Racing Control (Code of*
6 *Practice) Regulation 2002*, schedule 1, section 1.14 (2) (a)
7 (repealed).

8 **105 Continuation of current documents of exclusion**

- 9 (1) A current document of exclusion continues in force on and after the
10 commencement day until the end of—
11 (a) if the exclusion period is stated to be indefinite—5 years
12 beginning on the day after the commencement day; or
13 (b) in any other case—the exclusion period stated in the document.
14 (2) Part 3 applies to a current document of exclusion on and after the
15 commencement day as if the document were a gambling exclusion
16 determination made by the commission under section 19M.

17 **106 Exclusion records**

- 18 (1) This section applies to a licensee that holds, on the commencement
19 day, any of the following documents in relation to the exclusion of a
20 person from gambling at a gambling facility or facilities (*exclusion*
21 *records*):
22 (a) a current document of exclusion;
23 (b) a deed of exclusion, or a copy of a deed of exclusion, that was
24 in force at any time before the commencement day;
25 (c) a notice of exclusion, or a copy of a notice of exclusion, that was
26 in force at any time before the commencement day;

- 1 (d) any other documents kept in accordance with the *Gambling and*
2 *Racing Control (Code of Practice) Regulation 2002*, schedule 1,
3 section 1.18 (repealed);
- 4 (e) any other document in relation to an exclusion record mentioned
5 in paragraphs (a) to (d).
- 6 (2) The licensee must give the commission any exclusion record the
7 licensee holds—
- 8 (a) if the commission states a period, in writing, within which the
9 licensee must give the commission the record—within the stated
10 period; or
- 11 (b) not later than 6 months after the commencement day.
- 12 (3) Despite any other territory law, an exclusion record may be stored
13 electronically.

14 **107 Expiry—pt 22**

15 This part expires 5 years after the commencement day.

16 *Note* A transitional provision is repealed on its expiry but continues to have
17 effect after its repeal (see [Legislation Act](#), s 88).

18 **30 Dictionary, note 2**

19 *insert*

- 20 • document
21 • working day
22 • writing

31 Dictionary, new definitions

insert

employ includes engage.

exclusion period, for part 3 (Gambling harm)—

(a) in relation to a self-exclusion notice—see section 19I (2) (e);
and

(b) in relation to a licensee exclusion notice—see
section 19J (3) (f); and

(c) in relation to a gambling exclusion determination—see
section 19M (2) (a).

gambling activity, for part 3 (Gambling harm)—see section 17A.

gambling exclusion determination, in relation to a person, for part 3
(Gambling harm)—see section 19M (2) (a).

gambling exclusion notice, in relation to a person, for part 3
(Gambling harm)—see section 17A.

gambling facility, of a licensee, for part 3 (Gambling harm)—see
section 17A.

gambling harm risk register, for part 3 (Gambling harm)—see
section 19C (1).

internal reviewer, for division 3.5 (Exclusion from gambling)—see
section 19R (5).

licensee, of a gambling activity—

(a) for part 3 (Gambling harm) generally—see section 17B; and

(b) for division 3.2 (Codes of practice)—see section 18A.

licensee exclusion notice, in relation to a person, for part 3
(Gambling harm)—see section 19J (1).

- 1 ***risk of gambling harm***, in relation to a person, for part 3 (Gambling
2 harm)—see section 17C.
- 3 ***self-exclusion notice***, in relation to a person, for part 3 (Gambling
4 harm)—see section 19I (1).
- 5 ***sign of gambling harm risk***, for part 3 (Gambling harm)—see
6 section 17C (1), definition of ***risk of gambling harm***, paragraph (a).
- 7 ***support person***, in relation to a person, for part 3 (Gambling harm)—
8 see section 17A.
- 9 ***trading day***, for a licensee, for part 3 (Gambling harm)—see
10 section 17A.

Part 3

Gambling and Racing Control (Code of Practice) Regulation 2002

32 Dictionary Section 3, note 1

omit

For example, the signpost definition '*exempt lottery*—see the *Lotteries Act 1964*, dictionary.' means that the term '*exempt lottery*' is defined in that dictionary and the definition applies to this regulation.

substitute

For example, the signpost definition '*casino licensee*—see the *Casino Control Act 2006*, dictionary.' means that the term '*casino licensee*' is defined in that dictionary and the definition applies to this regulation.

33 Meaning of *licensee* Section 5

omit

34 Code of practice Section 6, new note

insert

Note *Licensee*—see the [Act](#), s 17B.

35 Offences under pt 2 Section 7

omit

section 5, definition of *licensee*, paragraph (f)

substitute

the [Act](#), section 18A (2), definition of *lottery or pool betting licensee*

Section 36

1	36	Section 7, note
2		<i>omit</i>
3		this definition
4		<i>substitute</i>
5		this section
6	37	Division 2.3 heading
7		<i>substitute</i>
8	Division 2.3	Gambling contact officers
9	38	Recording problem gambling incidents
10		Section 10
11		<i>omit</i>
12	39	Section 12 heading
13		<i>substitute</i>
14	12	Gambling contact officers to reduce risk of gambling
15		harm
16	40	Section 12 (1)
17		<i>omit</i>
18		problem gamblers
19		<i>substitute</i>
20		reducing the risk of gambling harm to people

1	41	Exclusion from gambling
2		Division 2.4
3		<i>omit</i>
4	42	Definitions—code of practice
5		Schedule 1, section 1.1A, new definition of <i>licensee</i>
6		<i>insert</i>
7		<i>licensee</i> —see the Act , section 17B.
8	43	Schedule 1, sections 1.1 and 1.2
9		<i>omit</i>
10	44	Licensees obligations generally
11		Schedule 1, section 1.3 (3) (a)
12		<i>omit</i>
13		potential for financial loss
14		<i>substitute</i>
15		risk of gambling harm
16	45	Schedule 1, section 1.4 heading
17		<i>substitute</i>
18	1.4	Employee care and training
19	46	Schedule 1, section 1.4
20		<i>omit</i>
21		staff member
22		<i>substitute</i>
23		employee

Section 47

1	47	Schedule 1, section 1.4
2		<i>omit</i>
3		staff members
4		<i>substitute</i>
5		employees
6	48	Schedule 1, section 1.4
7		<i>omit</i>
8		the member's
9		<i>substitute</i>
10		the employee's
11	49	Schedule 1, section 1.4
12		<i>omit</i>
13		staff member's
14		<i>substitute</i>
15		employee's
16	50	Schedule 1, section 1.4 (4)
17		<i>omit</i>
18		<i>staff member</i>
19		<i>substitute</i>
20		<i>employee</i>

1 **51 Training for responsible service of interactive wagering**
2 **and betting services**
3 **Schedule 1, section 1.5A (2)**

4 *omit*

5 relevant staff member

6 *substitute*

7 relevant employee

8 **52 Schedule 1, section 1.5A (2) (a)**

9 *omit*

10 a staff member

11 *substitute*

12 an employee

13 **53 Schedule 1, section 1.5A (5), definition of *relevant staff***
14 ***member***

15 *omit*

16 ***relevant staff member*** means a staff member

17 *substitute*

18 ***relevant employee*** means an employee

19 **54 Schedule 1, division 1.2.2 heading**

20 *substitute*

21 **Division 1.2.2 Gambling harm**

1	55	Schedule 1, sections 1.6 and 1.6A
2		<i>omit</i>
3	56	Schedule 1, section 1.8 heading
4		<i>substitute</i>
5	1.8	Help in relation to risk of gambling harm
6	57	Schedule 1, section 1.8
7		<i>omit</i>
8		problem gambling
9		<i>substitute</i>
10		the risk of gambling harm
11	58	Schedule 1, section 1.8, new note
12		<i>insert</i>
13	<i>Note</i>	A licensee must enter a record in the gambling harm risk register if there
14		is a risk of gambling harm in relation to a person and the action taken by
15		the licensee to reduce the risk (see Act , s 19D).
16	59	Gambling contact officers
17		Schedule 1, section 1.9 (7), definition of <i>approved GCO</i>
18		<i>training session</i>
19		<i>omit</i>
20		problem or responsible gambling
21		<i>substitute</i>
22		the risk of gambling harm to people

60 Gambling contact officers functions
Schedule 1, section 1.10 (1)

omit

problem gambling

substitute

the risk of gambling harm

61 Schedule 1, section 1.11 heading

substitute

1.11 Reducing risk of gambling harm

62 Schedule 1, section 1.11 (1) (a) and (b)

substitute

(a) the risk of gambling harm to any person—

(i) engaging in 1 or more gambling activities conducted by the licensee; or

(ii) present at the licensee's gambling facility, whether or not engaging in a gambling activity; or

(iii) otherwise communicating with the licensee; and

Example—otherwise communicating with licensee

an email or phone call where a person expresses concern about their gambling

(b) if the licensee has observed 1 or more signs of gambling harm risk in relation to the person—the signs observed; and

(c) any other information relevant to the risk of gambling harm in relation to the person.

Section 63

63 Schedule 1, section 1.11 (2) (b)

1 *omit*
2
3 details
4 *substitute*
5 information

64 Schedule 1, section 1.11 (2) (c) and (d)

6 *substitute*
7
8 (c) the name or a description of each person (other than someone
9 mentioned in subsection (1) (a)) in relation to whom the officer
10 has observed 1 or more signs of gambling harm risk; and
11 (d) any other information relevant to the risk of gambling harm in
12 relation to a person mentioned in paragraph (c).

65 Schedule 1, section 1.11 (3) (a)

13 *omit*
14
15 possible gambling problem
16 *substitute*
17 risk of gambling harm

66 Schedule 1, section 1.11 (3) (b) (ii)

18 *omit*
19
20 to sign a deed of exclusion to ensure the person's exclusion from
21 gambling at the facility
22 *substitute*
23 to give the licensee a self-exclusion notice to reduce the person's risk
24 of gambling harm

- 1 **67** **Exclusion from gambling generally**
2 **Schedule 1, division 1.2.3**
- 3 *omit*
- 4 **68** **No winnings for excluded or underage patrons**
5 **Schedule 1, section 1.23AA (1)**
- 6 *omit*
- 7 winnings
- 8 *substitute*
- 9 winnings from a gambling activity
- 10 **69** **Schedule 1, section 1.23AA (1) (a)**
- 11 *substitute*
- 12 (a) is excluded from a gambling activity under the [Act](#), division 3.5
13 (Exclusion from gambling); or
- 14 **70** **Availability of information**
15 **Schedule 1, section 1.25 (2)**
- 16 *omit*
- 17 readily
- 18 *substitute*
- 19 easily

- 1 **71 Schedule 1, section 1.25 (3) (a) (v) to (vii)**
- 2 *substitute*
- 3 (v) how the provisions of the [Act](#), part 3 (Gambling harm)
- 4 reduce the risk of gambling harm to a person, including
- 5 information about how a person can self-exclude from 1 or
- 6 more gambling activities and the effect of self-exclusion;
- 7 and
- 8 **72 Schedule 1, section 1.25 (3) (b) (i)**
- 9 *omit*
- 10 kind of gambling
- 11 *substitute*
- 12 gambling activity
- 13 **73 Schedule 1, section 1.25 (3) (b) (ii)**
- 14 *omit*
- 15 programs for
- 16 **74 Schedule 1, section 1.25 (3) (b) (v)**
- 17 *omit*
- 18 problem gamblers
- 19 *substitute*
- 20 people in relation to whom there is a risk of gambling harm

75 Dictionary, note 2*insert*

- employ
- gambling activity
- gambling facility
- licensee
- risk of gambling harm
- self-exclusion notice
- sign of gambling harm risk

76 Dictionary*omit the definitions of**deed of exclusion**exclusion register**exempt lottery**gambling facility**gambling problem**licensee**notice of exclusion**staff member**trading day*

- 1 **77 Further amendments, mentions of *an offence of strict***
2 ***liability***
- 3 *omit*
- 4 an offence of strict liability
- 5 *substitute*
- 6 a strict liability offence
- 7 *in*
- 8 • section 8
- 9 • sections 11 and 12
- 10 • sections 23 to 26
- 11 **78 Further amendments, mentions of section 1.1, definition**
12 ***of licensee, paragraph (f)***
- 13 *omit*
- 14 section 1.1, definition of *licensee*, paragraph (f)
- 15 *substitute*
- 16 the [Act](#), section 18A (2), definition of *lottery or pool betting licensee*
- 17 *in*
- 18 • schedule 1, section 1.4
- 19 • schedule 1, section 1.23A
- 20 • schedule 1, section 1.29
- 21 • schedule 1, section 1.30

Schedule 1 Consequential amendments

(see s 3)

Part 1.1 Casino Control Act 2006

[1.1] Section 6 (1)

omit

this Act and the

substitute

this Act, the Control Act and the

[1.2] Section 22

substitute

22 Licence conditions

A casino licence is subject to the following conditions:

(a) the licensee must comply with the [Control Act](#), part 3
(Gambling harm);

(b) any other condition the Minister puts on the licence when
granting the licence or by written notice given to the casino
licensee at any other time.

[1.3] Section 25

omit

the code of practice

substitute

a relevant code of practice

- 1 **[1.4] Section 25, note**
- 2 *substitute*
- 3 *Note* A failure to comply with a relevant code of practice is a ground for
- 4 disciplinary action (see s 33 (1) (e)).
- 5 **[1.5] Section 45 (2), note**
- 6 *omit*
- 7 s 50 (a) and (b)
- 8 *substitute*
- 9 s 50 (a), (b) or (ba)
- 10 **[1.6] Section 48 (5), note**
- 11 *omit*
- 12 s 50 (a) and (b)
- 13 *substitute*
- 14 s 50 (a), (b) or (ba)
- 15 **[1.7] New section 50 (ba)**
- 16 *insert*
- 17 (ba) the condition that the licence-holder must comply with the
- 18 [Control Act](#), part 3 (Gambling harm);
- 19 **[1.8] Section 51 (5)**
- 20 *omit*
- 21 section 50 (a) or (b)
- 22 *substitute*
- 23 section 50 (a), (b) or (ba)

[1.9] Section 82 (2), note

substitute

Note A person may also be excluded from the casino under the [Control Act](#), div 3.5 (Exclusion from gambling).

[1.10] Section 140 (2) (a) (iii)

omit

section 22

substitute

section 22 (b)

[1.11] Schedule 1, item 5

substitute

5	22 (b)	put condition on casino licence (other than when granting licence)	licensee
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Part 1.2 Gaming Machine Act 2004

[1.12] New section 51

insert

51 Licensee must comply with Control Act, pt 3

It is a condition of a licence that the licensee comply with the [Control Act](#), part 3 (Gambling harm).

[1.13] New section 57 (1) (ca)

insert

(ca) the licensee has contravened a condition of their licence;

- 1 **[1.14] Section 127K (2) (a)**
- 2 *omit*
- 3 problem gamblers
- 4 *substitute*
- 5 the risk of gambling harm to people

6 **Part 1.3 Gaming Machine Regulation 2004**

- 7 **[1.15] Section 33 (1) (a)**
- 8 *after*
- 9 for use
- 10 *insert*
- 11 for a gambling activity

- 12 **[1.16] Section 33 (1) (b)**
- 13 *omit*
- 14 gambling at the premises under the *Gambling and Racing Control*
- 15 *(Code of Practice) Regulation 2002*, schedule 1, division 1.2.3
- 16 (Exclusion from gambling generally)
- 17 *substitute*
- 18 the gambling activity under the [Control Act](#), division 3.5 (Exclusion
- 19 from gambling)

[1.17] Section 33 (2)

omit

gambling at the premises

substitute

the gambling activity

[1.18] New section 33 (3)

after the examples, insert

(3) In this section:

gambling activity—see the [Control Act](#), section 17A.

[1.19] New section 67 (4)

insert

(4) In this section:

gambling activity—see the [Control Act](#), section 17A.

**Part 1.4 Race and Sports Bookmaking
Act 2001**

[1.20] Section 8 (6)

substitute

(6) It is a condition of a race bookmaking licence that the licensee must comply with the following:

(a) any notice given to the licensee under section 91 (Amendment of security guarantee);

(b) the [Gambling and Racing Control Act 1999](#), part 3 (Gambling harm).

- 1 **[1.21] Section 14 (2)**
- 2 *after*
- 3 subject
- 4 *insert*
- 5 (other than the condition applying under subsection (7))
- 6 **[1.22] New section 14 (7)**
- 7 *insert*
- 8 (7) It is a condition of a race bookmaker's agent licence that the licensee
- 9 must comply with the *Gambling and Racing Control Act 1999*, part 3
- 10 (Gambling harm).
- 11 **[1.23] Section 27 (6)**
- 12 *substitute*
- 13 (6) It is a condition of a sports bookmaking licence that the licensee must
- 14 comply with the following:
- 15 (a) any notice given to the licensee under section 91 (Amendment
- 16 of security guarantee);
- 17 (b) the *Gambling and Racing Control Act 1999*, part 3 (Gambling
- 18 harm).
- 19 **[1.24] Section 36 (2), except note**
- 20 *after*
- 21 subject
- 22 *insert*
- 23 (other than the condition applying under subsection (7))

1 **[1.25] New section 36 (7)**

2 *insert*

- 3 (7) It is a condition of a sports bookmaker's agent licence that the
4 licensee must comply with the *Gambling and Racing Control*
5 *Act 1999*, part 3 (Gambling harm).

6 **Part 1.5 Racing Act 1999**

7 **[1.26] New section 3A**

8 *in part 1, insert*

9 **3A Offences against Act—application of Criminal Code etc**

10 Other legislation applies in relation to offences against this Act.

11 *Note 1 Criminal Code*

12 The *Criminal Code*, ch 2 applies to the following offences against this
13 Act (see Code, pt 2.1):

- 14 • s 8 (Offence—non-compliant conduct of race meetings)
15 • offences against div 5B.1 (Limits on use of race field information).

16 The chapter sets out the general principles of criminal responsibility
17 (including burdens of proof and general defences), and defines terms used
18 for offences to which the Code applies (eg *conduct*, *intention*,
19 *recklessness* and *strict liability*).

20 *Note 2 Penalty units*

21 The *Legislation Act*, s 133 deals with the meaning of offence penalties
22 that are expressed in penalty units.

[1.27] Section 8

substitute

8 Offence—non-compliant conduct of race meetings

A person commits an offence if—

- (a) the person conducts a race meeting; and
- (b) the person fails to comply with 1 or more of the following:
 - (i) this Act;
 - (ii) the *Gambling and Racing Control Act 1999*, division 3.5 (Exclusion from gambling);
 - (iii) any condition set under section 6 (3) or section 34 (3).

Maximum penalty: 50 penalty units.

[1.28] Section 61I (6), definition of *relevant offence*, paragraph (b)

substitute

- (b) section 8 (Offence—non-compliant conduct of race meetings);

Part 1.6 Racing Regulation 2010

[1.29] New section 7 (1) (e) (iii)

insert

- (iii) is named in a gambling exclusion notice or gambling exclusion determination under the *Gambling and Racing Control Act 1999*, division 3.5 (Exclusion from gambling);

Part 1.7 Totalisator Act 2014

[1.30] Section 16

substitute

16 Licence conditions

A licence is subject to the following conditions:

- (a) the licensee must comply with the [Control Act](#), part 3 (Gambling harm);
- (b) any other condition the Minister puts on the licence when issuing the licence or by written notice given to the licensee at any other time.

[1.31] Section 17 (1) (a)

omit

condition of the licence

substitute

condition of the licence, other than the condition mentioned in section 16 (a)

[1.32] Section 18 (1)

omit

condition of the licence

substitute

condition of the licence, other than the condition mentioned in section 16 (a)

[1.33] Section 53 (3)

substitute

(3) The temporary licence is subject to the following conditions:

- (a) the licensee must comply with the [Control Act](#), part 3 (Gambling harm);
- (b) any other condition the Minister puts on the licence when issuing the licence or by written notice given to the licensee at any other time.

[1.34] Schedule 1, item 2

substitute

2	16 (b)	put condition on licence	licensee
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Part 1.8 Unlawful Gambling Act 2009

[1.35] Section 12 (5)

substitute

(5) In this section:

gambling facility, of a licensee—see the [Control Act](#), section 17A.
licensee—see the [Control Act](#), section 17B.

[1.36] Section 15 (i)

substitute

(i) the organisation must comply with the following if they apply to the organisation:

- (i) the [Control Act](#), part 3 (Gambling harm);
- (ii) any code of practice prescribed under the Control Act;

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 16 September 2026.

2 Notification

Notified under the [Legislation Act](#) on 2026.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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