

1993

THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

GAMING MACHINE ACT 1987  
GAMING MACHINE REGULATIONS (AMENDMENT)

EXPLANATORY MEMORANDUM

Circulated by authority of the Acting Chief Minister and  
Treasurer

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## GAMING MACHINE REGULATIONS (AMENDMENT)

### Outline

The Gaming Machine (Amendment) Act 1993 provides for a number of amendments to the Gaming Machine Act 1987 which require supporting regulations. In particular these provisions:

- (a) allow ACT licensees to introduce machines capable of accepting 50 coins in a single bet up to maximum of \$10 per bet; and
- (b) make it the responsibility of an applicant club to conduct member ballots prior to the grant or cancellation of a gaming machine licence.

The Gaming Machine Regulations (Amendment) proposes to amend the Gaming Machine Regulations to provide for regulations which will:

- (a) set a maximum \$10 bet limit; and
- (c) specify the procedures a club must follow for the conduct of a ballot.

Additional regulations are also proposed which are of a housekeeping nature and update the use of terms in line with the Gaming Machine (Amendment) Act 1993.

The Gaming Machine (Amendment) Act 1993 requires further regulations dealing with linked jackpot arrangements. However these are subject to ongoing consultation with the licensed club industry and will be drafted when agreement on their form and content are reached.

### Revenue/Cost implications

These Regulations amendments have no revenue or cost implications.

### Formal clauses

Clauses 1 and 2 are formal requirements. They refer to the commencement and definition of the Principal Regulations. The amending Regulations commence on 1 November 1993.

### Part heading

Clause 3 inserts before regulation 1 of the Principal Regulations the heading:-

**"PART 1 - PRELIMINARY"**

### Insertion

Clause 4 inserts after regulation 2 of the Principal Regulations the heading -

**"PART II - PRESCRIBED GAMING MACHINES AND STAKE VALUES"**

and new regulation 2A, which prescribes that, Class B gaming machines for the purposes of section 4 of the Gaming Machine Act 1987 (the Act), are, draw poker machines and keno machines.

### Substitution

Clause 5 repeals regulations 3 and 4 of the Principal Regulations and substitutes:

Regulation 3 which prescribes that, the gaming machines which are to be Class C gaming machines for the purpose of section 4 of the Act, are poker machines, slot machines and fruit machines.

Regulation 4 which prescribes that, for the purposes of section 4A of the Act the maximum stake value for each play on a multi-stake machine is \$10 and single-stake machine is \$2.

### Insertion

Clause 6 inserts after regulation 4A of the Principal Regulations a new regulation 4B titled, "Licence conditions - basic stake denomination", which prescribes that, for the purposes of section 18 of the Act, the basic stake denomination is 20 cents.

**"PART III - BALLOTS"**

### Substitution

Clause 7 repeals regulations 7 and 8 of the Principal Regulations and substitutes new regulations 7 and 8.

### **Interference with ballots**

Subregulation 7(1) makes it an offence for a person to unlock a ballot-box, break, or otherwise tamper with, a seal on a ballot-box or remove an envelope from a ballot-box except in accordance with the regulations, and prescribes a penalty on conviction, of up to \$500;

Subregulation 7(2) provides that where the Commissioner for ACT Revenue is satisfied, on reasonable grounds, that a breach of subregulation (1) has occurred, then the Commissioner may, by notice in writing to the secretary, declare the ballot to be void.

### **Retention of voting-papers**

Regulation 8 requires that the Commissioner retain the voting-papers for a period of not less than 12 months after the date on which the result of a ballot is ascertained.

### **Schedule 1**

Clause 8 amends Schedule 1 of the Principal Regulations in order to specify the requirements to be met by a club for conducting ballots in accordance with sections 19 and 26 of the Act.

For example, the secretary of a club is now responsible for the printing of ballot papers, the notification and advertising of the period for the ballot, date and time of closing of the ballot and the provision of accommodation for the counting of ballot papers. It still remains the duty of the Commissioner for ACT Revenue to set the time and date for the ballot, provide the locked and sealed ballot box and provide delegated officers to count and ensure the validity of the ballot papers.

### **Repeal**

Clause 9 repeals schedule 2 to the Principal Regulations which dealt with the procedural aspects of purchasing gaming machines. These requirements are now provided for in Division 2 of Part V of the Act.