

Australian Capital Territory

Gaming Machine (Maximum Number of Gaming Machines) Declaration 2011 (No 1)

Disallowable instrument DI2011–206

made under the

***Gaming Machine Act 2004*, Section 35 (Maximum number of gaming machines allowed).**

EXPLANATORY STATEMENT

The *Gaming Machine Act 2004* (the Act) regulates the operation of gaming machines in the Territory.

Under section 35 of the Act, the Minister may declare the maximum number of gaming machines allowed on all licensed premises in the ACT. Section 36 stipulates that the Minister may only make a recommendation if the Minister has taken into account the written recommendation of the Gambling and Racing Commission (the Commission) about the maximum number of gaming machines in the ACT.

In February 2010, the Commission recommended to the Minister that there was scope to reduce the maximum number of gaming machines permitted in the Territory below the then legislated level of 5,200. The Minister by Disallowable Instrument DI2010-294 notified on 8 December 2010 reduced the maximum number of allowable gaming machines to 5,057.

The Minister has again taken the Commission's recommendation into account in declaring by this instrument a revised maximum number of gaming machines allowed on all licensed premises in the ACT of 5,024. The previous instrument is revoked by this new declaration upon its commencement.

As outlined in section 35(4) of the Act, the declaration will commence on the day after the sixth sitting day from when the declaration is presented. However, if a motion to disallow the declaration is made and the motion is defeated, the declaration will commence on the following day.

A declaration under section 35 is a disallowable instrument that must be notified and presented to the Legislative Assembly.