

2013

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

GAMING MACHINE AMENDMENT BILL 2013 (No 2)

EXPLANATORY STATEMENT

**Presented by
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Minister for Racing and Gaming**

Overview

This explanatory statement relates to the Gaming Machine Amendment Bill 2013 (No 2), as introduced in the ACT Legislative Assembly.

Sections 28 and 29 of the *Gaming Machine Amendment Act 2012* (GMAA) provide for a withdrawal limit of \$250 per card per day for Automatic Teller Machines (ATMs) located at gaming machine premises, subject to a number of identified exemptions. These sections are presently scheduled to commence no later than 12 months after notification (i.e. 6 September 2013). A 12 month automatic commencement period, rather than the standard 6 month period provided for under section 79 of the *Legislation Act 2001*, was intended to allow alignment with the (then) potential Commonwealth provisions.

The Commonwealth Government passed the *National Gambling Reform Act 2012* (Cth) (NGRA) in November 2012, and its ATM withdrawal limit provisions will take effect on 1 February 2014. It is now clear that there are some inconsistencies between the Territory's provisions and the final Commonwealth provisions, particularly in relation to the exemptions provided for under the GMAA.

To allow additional time to address these inconsistencies and to align with the commencement of the Commonwealth provisions, the Gaming Machine Amendment Bill 2013 (No 2) will delay the commencement of sections 28 and 29 of the GMAA until 1 February 2014.

The amendment will only affect the commencement of the ATM withdrawal limit provisions, not the remainder of the GMAA which has already commenced.

Outline of Amendment

Clause 1 Name of Act

This clause provides that the name of the Act is the Gaming Machine Amendment Act 2013 (No 2).

Clause 2 Commencement

This clause provides that the Act commences on the day after its notification day.

Clause 3 Legislation amended

This clause establishes that the legislation to be amended is the *Gaming Machine Amendment Act 2012*.

Clause 4 Commencement Sections 2 (2) to (4) and Notes

This clause replaces the current 12 month automatic commencement period for sections 28 and 29 of the *Gaming Machine Amendment Act 2012*, and the ability for the Minister to commence these sections by notice within that time, with a provision which commences sections 28 and 29 on 1 February 2014.