



Australian Capital Territory

Casino (Electronic Gaming) Regulation 2018

SL2018-8

made under the

Casino (Electronic Gaming) Act 2017

Republication No 1

Effective: 15 June 2018

Republication date: 15 June 2018

Regulation not amended

About this republication

The republished law

This is a republication of the *Casino (Electronic Gaming) Regulation 2018*, made under the *Casino (Electronic Gaming) Act 2017* (including any amendment made under the [Legislation Act 2001](#), part 11.3 (Editorial changes)) as in force on 15 June 2018. It also includes any commencement, repeal or expiry affecting this republished law.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the [Legislation Act 2001](#) applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial amendments

The [Legislation Act 2001](#), part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see [Legislation Act 2001](#), s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register (www.legislation.act.gov.au). For more information, see the home page for this law on the register.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the [Legislation Act 2001](#), section 95.

Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$150 for an individual and \$750 for a corporation (see [Legislation Act 2001](#), s 133).



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Australian Capital Territory

Casino (Electronic Gaming) Regulation 2018

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Casino (Electronic Gaming) Act 2017

Part 1 Preliminary

1 Name of regulation

This regulation is the *Casino (Electronic Gaming) Regulation 2018*.

2 Dictionary

The dictionary at the end of this regulation is part of this regulation.

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

For example, the signpost definition ‘*local community*, for part 2 (Social impact assessments)—see section 4.’ means that the term ‘local community’ is defined in that section for part 2.

Note 2 A definition in the dictionary (including a signpost definition) applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](#), s 155 and s 156 (1)).

3 Notes

A note included in this regulation is explanatory and is not part of this regulation.

Note See the [Legislation Act](#), s 127 (1), (4) and (5) for the legal status of notes.

Part 2 Social impact assessments

4 Definitions—pt 2

In this part:

casino electronic gaming proposal, for a social impact assessment—see section 5 (2).

local community, for a social impact assessment, means the community within 3km of the casino.

relevant casino electronic gaming application means an application for—

- (a) a casino gaming machine authorisation certificate; or
- (b) a casino FATG authorisation certificate.

5 Requirements for social impact assessment—Act, s 8 (2) (a)

- (1) A social impact assessment for a relevant casino electronic gaming application must satisfy the requirements of this section.
- (2) The assessment must provide an objective analysis of the likely economic and social impact of the operation of casino gaming machines or casino FATG terminals under the proposed authorisation certificate (the *casino electronic gaming proposal*).
- (3) The assessment must identify, and provide an analysis of, the positive aspects or benefits of the casino electronic gaming proposal as well as the negative aspects or detriments of the proposal.
- (4) All statements or material included in the assessment must be—
 - (a) objective rather than subjective or speculative; and
 - (b) based on identifiable factual information.

- (5) The sources of the information must be clearly and specifically identified.

Examples—sources of information

- an Australian Bureau of Statistics publication
- a commission report

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (6) The assessment must identify—
- (a) the entities and institutions (the *affected entities and institutions*) in both the local community and the broader Canberra community that may be affected by the casino electronic gaming proposal; and
 - (b) on a map of the local community included in the assessment, the location of affected entities and institutions in the local community; and
 - (c) the likely impact (both positive and negative) on affected entities and institutions in both the local community and the broader Canberra community.

Examples—affected entities and institutions

- nearby residences, shops and other business
- other gambling venues
- schools
- sporting and community facilities
- places of worship

**6 Matters to be addressed by social impact assessment—
Act, s 8 (2) (b)**

- (1) A social impact assessment for a relevant casino electronic gaming application must address the following matters:
- (a) the existing level of gaming activity currently being conducted in the local community and the broader Canberra community;
 - (b) the population profile of people living in the local community and the broader Canberra community, including an analysis of—
 - (i) age and average income; and
 - (ii) projected population, and projected growth rate, of the local community and the broader Canberra community;
 - (c) available relevant information about patrons in relation to the relevant premises;

Examples—relevant information

- where patrons live
- spending patterns of patrons
- time spent at the premises by patrons
- current and anticipated patronage

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (d) the positive aspects or benefits of the casino electronic gaming proposal for—
 - (i) the local community; and
 - (ii) the broader Canberra community;

- (e) the negative aspects or detriments of the casino electronic gaming proposal for—
 - (i) the local community; and
 - (ii) the broader Canberra community;
 - (f) the gambling harm minimisation measures proposed to be taken in relation to the casino electronic gaming proposal;
 - (g) the likely overall net economic and social impact of the casino electronic gaming proposal.
- (2) This section does not limit the matters that may be addressed.

**7 Information to be given in social impact assessment—
Act, s 8 (2) (c)**

- (1) To the extent that the information is available to the applicant, the following information must be given in a social impact assessment for a relevant casino electronic gaming application:
- (a) the number and location of existing gambling outlets in the local community and the broader Canberra community;
 - (b) details of the population of the local community and the broader Canberra community, including the number of adults and average incomes;
 - (c) expected casino gaming machine revenue or casino FATG terminal revenue of the applicant for the next 3 years if the application is approved;
 - (d) expected table gaming revenue of the applicant for the next 3 years if the application is approved;

- (e) expected community benefit for the next 3 years if the application is approved;
 - (f) expected contributions to assist in gambling harm prevention for the next 3 years if the application is approved;
 - (g) details of the proposed redevelopment of the casino and the casino precinct.
- (2) This section does not limit the information that may be given in a social impact assessment.

Part 3 Miscellaneous

8 Not casino gaming machines—Act, dict, def *casino gaming machine*, par (b)

Each of the following devices is not a casino gaming machine:

- (a) a device for playing a game of skill only;
- (b) an amusement device that usually involves an element of skill and is played for entertainment only;

Example

a pinball machine

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (c) a device that—
 - (i) is ordinarily found at fairs, fetes or shows; and
 - (ii) usually involves an element of skill; and
 - (iii) is played mainly for entertainment, whether or not a prize is offered or given.

Example—par (c)

‘laughing clowns’ amusement machine

Dictionary

(see s 2)

Note 1 The [Legislation Act](#) contains definitions and other provisions relevant to this regulation.

Note 2 For example, the [Legislation Act](#), dict, pt 1 defines the following terms:

- ACT
- Legislation Act
- may (see s 146)
- must (see s 146)
- penalty unit (see s 133)
- public notice
- under.

Note 3 Terms used in this regulation have the same meaning that they have in the [Casino \(Electronic Gaming\) Act 2017](#) (see [Legislation Act](#), s 148). For example, the following terms are defined in the [Casino \(Electronic Gaming\) Act 2017](#), dict:

- authorisation
- authorisation certificate
- casino FATG authorisation certificate
- casino FATG terminal
- casino FATG terminal authorisation
- casino gaming machine
- casino gaming machine authorisation
- casino gaming machine authorisation certificate
- FATG
- FATG terminal
- social impact statement (see s 8).

casino electronic gaming proposal, for a social impact assessment, for part 2 (Social impact assessments)—see section 5 (2).

local community, for a social impact assessment, for part 2 (Social impact assessments)—see section 4.

relevant casino electronic gaming application, for part 2 (Social impact assessments)—see section 4.

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

Endnotes

3 Legislation history

3 Legislation history

This regulation was made as part of the *Casino and Other Gaming Legislation Amendment Act 2018* (see A2018-21 s 23) and is taken to have been made under the *Casino (Electronic Gaming) Act 2017* A2017-42 (see s 54A (1) as ins by A2018-21 s 21).

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taken to have been notified LR 14 June 2018 (A2017-42 s 54A (3) (a) as ins by A2018-21 s 21)

s 1 commenced 14 June 2018 (LA s 75 (1))

remainder taken to have commenced 15 June 2018 (A2017-42 s 54A (3) (b) as ins by A2018-21 s 21)

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