Gambling Regulation Amendment Regulations  
2012  
S.R. No. 80/2012  

**TABLE OF PROVISIONS**

<table>
<thead>
<tr>
<th>Regulation</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Objective</td>
</tr>
<tr>
<td>2</td>
<td>Authorising provision</td>
</tr>
<tr>
<td>3</td>
<td>Commencement</td>
</tr>
<tr>
<td>4</td>
<td>Principal Regulations</td>
</tr>
<tr>
<td>5</td>
<td>Definitions</td>
</tr>
<tr>
<td>6</td>
<td>Regulation 8 revoked—Venue operator to notify gaming operator about time displays</td>
</tr>
<tr>
<td>7</td>
<td>Regulation 9 substituted</td>
</tr>
<tr>
<td>8</td>
<td>Regulation 16 amended—Posters</td>
</tr>
<tr>
<td>9</td>
<td>Regulation 17 amended—Talkers</td>
</tr>
<tr>
<td>10</td>
<td>Regulation 18 amended—Brochures</td>
</tr>
<tr>
<td>11</td>
<td>Regulation 19 amended—Commission to provide information to the casino operator</td>
</tr>
<tr>
<td>12</td>
<td>Regulations 20 and 21 substituted</td>
</tr>
<tr>
<td>20</td>
<td>Commission to provide sufficient copies of player information</td>
</tr>
<tr>
<td>20A</td>
<td>Offence to alter player information</td>
</tr>
<tr>
<td>21</td>
<td>Change in Player Information Standards</td>
</tr>
<tr>
<td>13</td>
<td>Regulations 23(2), 25(2) and 26 revoked</td>
</tr>
<tr>
<td>14</td>
<td>Regulation 27 substituted</td>
</tr>
<tr>
<td>27</td>
<td>Venue operator not to allow gaming on gaming machine without electronic information display</td>
</tr>
<tr>
<td>15</td>
<td>Regulation 28 amended—Casino operator not to allow gaming without electronic information display</td>
</tr>
<tr>
<td>16</td>
<td>Regulation 29(2) revoked—Jackpot information</td>
</tr>
<tr>
<td>17</td>
<td>Regulation 31 amended—Jackpot information talkers</td>
</tr>
<tr>
<td>18</td>
<td>Regulation 34 revoked—Venue operator to notify gaming operator if electronic jackpot information fails</td>
</tr>
<tr>
<td>19</td>
<td>Regulation 35 substituted</td>
</tr>
<tr>
<td>35</td>
<td>Venue operator not to allow gaming on gaming machine without electronic jackpot information display</td>
</tr>
<tr>
<td>20</td>
<td>Regulation 36 amended—Gaming not permitted on gaming machine without electronic jackpot information display</td>
</tr>
</tbody>
</table>
Regulation

Page

21 Regulation 37 amended—Information to be contained in a written statement 10
22 Note in Regulation 38 amended—Information to be contained in player activity statement 11
23 Regulations 39 and 40 substituted 11
39 Restricted gaming components 11
40 Restricted monitoring component 12
24 Regulation 43 substituted 13
43 Responsible gambling sign 13
43AA Determining the sum of amounts for net cash balance and revenue 14
43AB Notification of determination 15
25 Regulation 43A revoked—Exception to gaming machine advertising prohibitions—venue operators 15
26 Regulation 44 substituted 15
44 Definition 15
27 Regulation 56 amended—Prescribed conditions of a permit to conduct a trade promotion lottery 15
28 Regulation 58 amended—Prescribed conditions to conduct a trade promotion lottery 16
29 Part 6 revoked—Club Keno 17
30 Regulation 85 amended—Disposal of unclaimed prizes 17
31 Part 8—substituted 17

PART 8—DUTIES OF GAMING INDUSTRY EMPLOYEES 17

86 Duties of a gaming industry employee 17
87 Functions of a gaming industry employee in a bingo centre 18
88 Other duties of a gaming industry employee 19
32 Regulation 107 revoked—Disclosure of protected information 19
33 Regulation 108 substituted—Performance of Commission's functions 19
34 Schedule 2A revoked—Venue operators prescribed terms 19
35 Schedule 4 inserted 20
SCHEDULE 4 20
36 Schedule 5 revoked—Authorities and persons to whom protected information may be disclosed 20

ENDNOTES 21
Gambling Regulation Amendment Regulations 2012

The Governor in Council makes the following Regulations:
Dated: 24 July 2012
Responsible Minister:
MICHAEL O’BRIEN
Minister for Gaming

MATTHEW McBEATH
Clerk of the Executive Council

1 Objective
The objective of these Regulations is to amend the Gambling Regulation Regulations 2005 to reflect and provide for the new industry arrangements for the ownership and operation of gaming machines and to make miscellaneous amendments to those Regulations.

2 Authorising provision
These Regulations are made under section 11.2.1 of the Gambling Regulation Act 2003.

3 Commencement
These Regulations come into operation on 16 August 2012.
4 Principal Regulations

In these Regulations, the Gambling Regulation Regulations 2005\(^1\) are called the Principal Regulations.

5 Definitions

(1) In regulation 5(1) of the Principal Regulations insert the following definitions—

"logic area in relation to a gaming machine, means the area in a gaming machine that is a locked cabinet area (with its own locked door) that houses electronic components that have the potential to significantly influence the operation of the gaming machine, including components involved in the operation and calculation of game play and components involved in the operation and calculation of game result determination;

player information standards means the standards for printed information for players of gaming machines as published by the Minister on the Commission's website from time to time;".

(2) In regulation 5(1) of the Principal Regulations—

(a) for the definition of betting office substitute—

"betting office means any place at which the wagering and betting licensee or operator or an agent of the wagering and betting licensee or operator accepts bets;";
(b) for the definition of *bracket number* substitute—

"bracket number" means the number given to a bracket by the wagering and betting licensee or operator;";

(c) for the definition of *cash outlet* substitute—

"cash outlet" means any place at which the wagering and betting licensee or operator or an agent of the wagering and betting licensee or operator accepts bets in cash from investors;";

(d) for the definition of *list number* substitute—

"list number" means the number given to a selection by the wagering and betting licensee or operator and includes bracket numbers;";

(e) for the definition of *selection* substitute—

"selection" means a person, team, animal, object, event or contingency or a combination of 2 or more of those things nominated by the wagering and betting licensee or operator on which the wagering and betting licensee or operator is willing to accept a bet;".

(3) In regulation 5(1) of the Principal Regulations, the definitions of *bingo permit*, *match*, *Minister's specifications*, *new game* and *spot* are revoked.
6 Regulation 8 revoked—Venue operator to notify gaming operator about time displays

Regulation 8 of the Principal Regulations is revoked.

7 Regulation 9 substituted

For regulation 9 of the Principal Regulations substitute—

"9 Venue operator not to allow gaming on gaming machine without time display

A venue operator must not permit a gaming machine that is owned or operated by the venue operator or by any other person on behalf of the venue operator to be played if the venue operator knows, or could reasonably be expected to know, that the gaming machine does not display the time of day in accordance with regulation 7.

Penalty: 20 penalty units."

8 Regulation 16 amended—Posters

(1) In regulation 16(1) of the Principal Regulations, for "Minister's specifications" substitute "player information standards".

(2) After regulation 16(6) of the Principal Regulations insert—

"(7) It is a defence to a charge under subregulation (2) if a venue operator has requested copies of player information posters in accordance with subregulation 20(2) and the Commission has not provided sufficient copies.".
9 Regulation 17 amended—Talkers

(1) In regulation 17(1)(a) and (4) (including the Example) of the Principal Regulations, for "Minister's specifications" (wherever occurring) substitute "player information standards".

(2) After regulation 17(5) of the Principal Regulations insert—

"(6) It is a defence to a charge under subregulation (2) if a venue operator has requested copies of player information talkers in accordance with subregulation 20(2) and the Commission has not provided sufficient copies.".

10 Regulation 18 amended—Brochures

(1) In regulation 18(1) of the Principal Regulations, for "Minister's specifications" substitute "player information standards".

(2) After regulation 18(6) of the Principal Regulations insert—

"(7) It is a defence to a charge under subregulation (2) if a venue operator has requested copies of player information brochures in accordance with subregulation 20(2) and the Commission has not provided sufficient copies.".

11 Regulation 19 amended—Commission to provide information to the casino operator

(1) In the heading to regulation 19 of the Principal Regulations omit "gaming operators and".

(2) In regulation 19 of the Principal Regulations, omit "gaming operator and".
12 Regulations 20 and 21 substituted

For regulations 20 and 21 of the Principal Regulations substitute—

"20 Commission to provide sufficient copies of player information

(1) The Commission must provide to each venue operator—

(a) player information posters; and
(b) player information talkers; and
(c) player information brochures—

in sufficient numbers to enable the venue operator to comply with regulations 16, 17 and 18.

(2) On written request by a venue operator, the Commission must, within 14 days of the request, provide the venue operator with any further player information posters, player information talkers and player information brochures that the venue operator needs to enable the venue operator to comply with regulations 16, 17 and 18.

(3) This regulation does not apply to a venue operator who is a casino operator.

20A Offence to alter player information

A venue operator or casino operator must not alter the form of or information contained on or in a player information poster, player information talker or player information brochure unless the alteration is made to comply with an amendment to the player information standards.

Penalty: 20 penalty units.
21 Change in Player Information Standards

(1) Within 14 days after an amendment of the player information standards, the Commission must—

(a) notify each venue operator and casino operator of the amendment; and

(b) if the amendment requires the amendment of any player information poster, player information talker or player information brochure, provide a copy of the amended poster, talker or brochure to the casino operator in a form allowing it to be copied.

(2) Within 3 months after an amendment is made to the player information standards under subregulation (1), the Commission must provide to each venue operator (other than a venue operator who is a casino operator) copies of the amended poster, talker or brochure in sufficient numbers to enable the venue operator to comply with regulation 16, 17 or 18 (as the case requires).

(3) If the player information standards are amended in relation to the form of, or information to be contained in, a player information poster, player information talker or player information brochure, it is sufficient compliance with regulation 16(2) or 16(3), 17(2) or 17(3) or 18(2) or 18(4) (as the case requires) for a period of 4 months immediately following the amendment, if the poster, talker or brochure complies with the player information standards as in force immediately before the amendment."
13  Regulations 23(2), 25(2) and 26 revoked

Regulations 23(2), 25(2) and 26 of the Principal Regulations are revoked.

14  Regulation 27 substituted

For regulation 27 of the Principal Regulations substitute—

"27  Venue operator not to allow gaming on gaming machine without electronic information display

A venue operator must not permit a gaming machine that is owned or operated by that venue operator or by any other person on behalf of the venue operator to be played if the venue operator knows, or could reasonably be expected to know, that the gaming machine does not, or is not able to, generate or display electronic information in accordance with regulations 23 and 25.

Penalty: 20 penalty units.".

15  Regulation 28 amended—Casino operator not to allow gaming without electronic information display

In regulation 28 of the Principal Regulations, after "permit a gaming machine" insert "provided by or on behalf of the casino operator".

16  Regulation 29(2) revoked—Jackpot information

Regulation 29(2) of the Principal Regulations is revoked.
17 Regulation 31 amended—Jackpot information talkers

(1) For regulation 31(2) of the Principal Regulations substitute—

"(2) The Commission must provide a sufficient number of talkers to comply with regulation 30(a) to each venue operator that operates gaming machines that are part of a linked jackpot arrangement.".

(2) For regulation 31(4) of the Principal Regulations substitute—

"(4) On written request by a venue operator, the Commission must, within 14 days of the request, provide the venue operator with any further talkers that the venue operator needs to enable the venue operator to comply with subregulation (3).".

(3) After regulation 31(7) of the Principal Regulations insert—

"(8) It is a defence to a charge under subregulation (3) if a venue operator has requested copies of jackpot information talkers in accordance with subregulation 32(4) and the Commission has not provided sufficient copies.".

18 Regulation 34 revoked—Venue operator to notify gaming operator if electronic jackpot information fails

Regulation 34 of the Principal Regulations is revoked.
19 **Regulation 35 substituted**

For regulation 35 of the Principal Regulations substitute—

"35 **Venue operator not to allow gaming on gaming machine without electronic jackpot information display**

A venue operator must not permit a gaming machine that is owned or operated by the venue operator or by any other person on behalf of the venue operator and that is part of a linked jackpot arrangement to be played if the venue operator knows, or could reasonably be expected to know, that the gaming machine does not, or is not able to, generate or display jackpot information in accordance with regulation 33.

Penalty: 20 penalty units."

20 **Regulation 36 amended—Gaming not permitted on gaming machine without electronic jackpot information display**

In regulation 36 of the Principal Regulations, after "permit a gaming machine" insert "provided by or on behalf of the casino operator".

21 **Regulation 37 amended—Information to be contained in a written statement**

In Regulation 37(a) of the Principal Regulations, for "Minister's specifications" substitute "player information standards".
22 Note in Regulation 38 amended—Information to be contained in player activity statement

In Example 1 and 2 at the foot of regulation 38 of the Principal Regulations, for—

"You can contact the loyalty scheme provider—

* by writing to the gaming operator at 123 Street, Suburb, Vic; or

* at the gaming venue.

Excessive gambling may cause financial problems for some people. Assistance for problem gamblers may be obtained by calling the Gamblers Help Line 1 800 156 789."

substitute—

"You can contact the loyalty scheme provider—

* at the gaming venue.

Excessive gambling may cause financial problems for some people. Assistance for problem gamblers may be obtained by calling the Gamblers Help Line 1800 858 858."

23 Regulations 39 and 40 substituted

For Regulations 39 and 40 of the Principal Regulations substitute—

"39 Restricted gaming components

The following components are restricted gaming components for the purposes of the definition of restricted gaming component in section 1.3(1) of the Act—

(a) software, software modules, or memory modules designed specifically to enable game play on a gaming machine;

(b) a software storage medium designed specifically for a gaming machine;
(c) a memory module designed specifically for a gaming machine;

(d) an electronic module (including, but not limited to, a circuit board, but not including a repeater, signal amplifier or line isolation device) designed specifically for a game or a gaming machine;

(e) any component that participates in determination of the result of game play or downloading of software that participates in determination of the result of game play.

40 Restricted monitoring component

The following components are restricted monitoring components for the purposes of the definition of restricted monitoring component in section 1.3(1) of the Act—

(a) software designed specifically for an electronic monitoring system;

(b) a software storage medium designed specifically for an electronic monitoring system;

(c) a memory module designed specifically for an electronic monitoring system;

(d) an electronic module (including, but not limited to, a circuit board, but not including a repeater, signal amplifier or line isolation device) designed specifically for an electronic monitoring system."
24 Regulation 43 substituted

For Regulation 43 of the Principal Regulations substitute—

"43 Responsible gambling sign

(1) For the purposes of paragraph (b) of the definition of responsible gambling sign in section 1.3(1) of the Act, a prescribed responsible gambling sign is a sign in the form and containing the information set out in the player information standards.

(2) Responsible gambling signs must be displayed as follows—

(a) at least 1 sign outside each entrance to the gaming machine area of the approved venue; and

(b) in such a manner that the information contained in them is clearly visible to a person entering the gaming machine area.

(3) The Commission must provide to each venue operator responsible gambling signs in sufficient numbers to enable the venue operator to comply with this regulation.

Note

Section 3.5.35A(1) of the Act provides that it is an offence for a venue operator to fail to display a responsible gambling sign outside every entrance to a gaming machine area of an approved venue.

(4) On written request by the venue operator the Commission must, within 14 days of the request, provide the venue operator with any further responsible gambling signs that the venue operator needs to enable the venue operator to comply with this regulation.
(5) Within 3 months after an amendment is made to the player information standards under regulation 21, the Commission must provide to each venue operator copies of the amended responsible gambling sign in sufficient numbers to enable the venue operator to comply with this regulation.

(6) If the player information standards are amended in relation to the form of, or information to be contained in, a responsible gambling sign it is sufficient compliance with this regulation for a period of 4 months immediately following the amendment, if the responsible gambling sign complies with the Player Information Standards as in force immediately before the amendment.

43AA Determining the sum of amounts for net cash balance and revenue

(1) For the purposes of the definition of daily net cash balance in section 3.6.2 of the Act, the amount to be deducted from the total amount wagered in relation to a gaming machine for payment to a jackpot special prize pool is determined in the case of a gaming machine of a venue operator of an approved venue by multiplying the total amount wagered by not more than 0·04 as determined by the Commission from time to time.

(2) For the purposes of the definition of revenue in sections 3.6.6A and 3.6.6B of the Act, the amount to be deducted from the total amount earned from bets in relation to a gaming machine for payment to a jackpot special prize pool is determined, in the case of a gaming machine of a venue operator of an approved venue, by multiplying the total
amount bet by not more than 0·04 as determined by the Commission from time to time.

43AB Notification of determination

(1) The Commission, immediately after making a determination under regulation 43AA, must serve notice in writing of the determination on the venue operator affected by the determination.

(2) A determination under regulation 43AA takes effect on the day specified in the notice."

25 Regulation 43A revoked—Exception to gaming machine advertising prohibitions—venue operators

Regulation 43A of the Principal Regulations is revoked.

26 Regulation 44 substituted

For regulation 44 of the Principal Regulations substitute—

"44 Definition

In this Part, operator means the wagering and betting licensee or the wagering and betting operator."

27 Regulation 56 amended—Prescribed conditions of a permit to conduct a trade promotion lottery

(1) In Regulation 56(2) of the Principal Regulations, after "the application" insert "for the permit".

(2) For Regulation 56(3)(f) of the Principal Regulations substitute—

"(f) the details of the website or publication in which the names of winners will be published; and"
(3) For Regulation 56(5) of thePrincipal Regulations substitute—

"(5) A permit holder must cause—

(a) the names of winners of prizes worth more than $1000 in a trade promotion lottery to be published—

(i) in a newspaper circulating generally in Victoria; or

(ii) on a website for a minimum period of 28 days; or

(iii) if the trade promotion lottery was advertised solely through a trade journal, promotional magazine or a similar publication, that publication; and

(b) the winners to be advised in writing.".

28 Regulation 58 amended—Prescribed conditions to conduct a trade promotion lottery

In Regulation 58(2) the Principal Regulations—

(a) for paragraph (d) substitute—

"(d) must cause the names of winners of all prizes worth more than $1000 to be published—

(i) in a newspaper circulating generally in Victoria; or

(ii) on a website, for a minimum period of 28 days; or

(iii) if the lottery was advertised solely through a trade journal, promotional magazine or similar publication, in that publication; and";
(b) for paragraph (f) substitute—

"(f) must ensure that records are kept for a period of 3 years after finalisation of the lottery that provide—

(i) an accurate financial accounting of the trade promotion lottery; and

(ii) an accurate accounting for all entries; and

(iii) an accurate reporting of the distribution of the prizes.".

29 Part 6 revoked—Club Keno

Part 6 of the Principal Regulations is revoked.

30 Regulation 85 amended—Disposal of unclaimed prizes

In Regulation 85(1)(c) of the Principal Regulations, for "12 months" substitute "3 months".

31 Part 8—substituted

For Part 8 of the Principal Regulations substitute—

"PART 8—DUTIES OF GAMING INDUSTRY EMPLOYEES

86 Duties of a gaming industry employee

For the purposes of section 9A.1.2(1)(a) of the Act, the prescribed duties of a gaming industry employee employed by or working for a venue operator, the monitoring licensee or a gaming machine services provider are—

(a) to perform any task that requires the person to access the logic area of a gaming machine at the premises of an approved venue;
(b) to possess, or issue to other persons holding a gaming industry employee's licence, keys that unlock the logic area of a gaming machine at the premises of an approved venue;

(c) to perform any task that requires the person to access a prescribed restricted monitoring component at the premises of an approved venue, set out in Schedule 4 of these regulations;

(d) to supervise persons carrying out any of the duties referred to in paragraphs (a) to (c) at the premises of an approved venue.

87 Functions of a gaming industry employee in a bingo centre

For the purposes of section 9A.1.2(1)(b) of the Act, the prescribed functions of a gaming industry employee in a bingo centre are—

(a) to perform, as a sole employee, any of the functions in relation to the operation or administration of a bingo game, including—

(i) selling bingo tickets;

(ii) writing up running sheets;

(iii) checking back numbers on bingo tickets;

(iv) paying prizes;

(b) to supervise persons carrying out any of the functions referred to in paragraph (a).
88 Other duties of a gaming industry employee

For the purposes of section 9A.1.2(1)(g) of the Act, the prescribed duties of a gaming industry employee are—

(a) to install gaming equipment at the premises of an approved venue;

(b) to connect gaming equipment to an electronic monitoring system at the premises of the monitoring licensee or an approved venue;

(c) to supervise persons carrying out any of the duties referred to in paragraphs (a) and (b).

32 Regulation 107 revoked—Disclosure of protected information

Regulation 107 of the Principal Regulations is revoked.

33 Regulation 108 substituted—Performance of Commission's functions

In Regulation 108 of the Principal Regulations for "the Executive Commissioner" substitute "any commissioner".

34 Schedule 2A revoked—Venue operators prescribed terms

Schedule 2A to the Principal Regulations is revoked.
35 Schedule 4 inserted

After Schedule 3 of the Principal Regulations insert—

"SCHEDULE 4

Regulation 86

Prescribed restricted monitoring components located outside the logic area of a gaming machine at the premises of an approved venue are:

A Jackpot Interface Board
A Slot Machine Interface Board.

__________________".

36 Schedule 5 revoked—Authorities and persons to whom protected information may be disclosed

Schedule 5 to the Principal Regulations is revoked.
ENDNOTES


Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter is included in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2004.

<table>
<thead>
<tr>
<th>Statutory rule provision</th>
<th>Title of applied, adopted or incorporated document</th>
<th>Matter in applied, adopted or incorporated document</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regulations 5(1), 16(1), 17(1), 18(1), 37(a) and 43(6) of the Principal Regulations as amended or substituted by these Regulations</td>
<td>Player Information Standards for printed information for players of gaming machines as published by the Minister on the Commission's website from time to time</td>
<td>The whole of the Player Information Standards</td>
</tr>
</tbody>
</table>