

LEGISLATIVE COUNCIL

GAMBLING REGULATION AMENDMENT (LICENSING) BILL 2009

(Amendments to be moved by Mr KAVANAGH in substitution for Amendments previously circulated)

1. Clause 4, after line 14 insert—

"gaming machine limit, for a person wishing to play a game on a gaming machine, means a combination of the following limits set by the person—

- (a) the number of days every week (which can be zero or the whole week), or the days of the week, on which the person can play games on gaming machines operated in the State;
- (b) the net amount of money (which may be zero) that the person can lose playing games on gaming machines operated in the State during each day set under paragraph (a);
- (c) the net amount of money (which may be zero but in no case greater than seven times the daily limit set under paragraph (b)) that the person can lose playing games on gaming machines operated in the State during a week;

gaming machine pre-commitment access device means a device that—

- (a) is designed to operate a gaming machine in order to enable a person to play a game on the machine; and
- (b) records and stores—
 - (i) details of a person's identity; and
 - (ii) a person's gaming machine limits; and
 - (iii) the unique characteristics of a person; and
- (c) prevents the playing of a game on a gaming machine by a person other than the person whose identity and unique characteristics are stored on that device;

gaming machine pre-commitment system means a system, and arrangements and procedures, that—

- (a) require a person who wishes play a game on a gaming machine—
 - (i) to be 18 years or older to play a game on a gaming machine; and
 - (ii) to have set a gaming machine limit before the person can play a game on a gaming machine; and

(iii) to activate the operation of a gaming machine by means of a gaming machine pre-commitment access device in order to play a game on the gaming machine; and

(b) only allow a person to activate the operation of a gaming machine by means of a gaming machine pre-commitment access device that has that person's details recorded and stored on it; and

(c) prevent a person playing a game on a gaming machine when that person's gaming machine limit is reached, and until after the limit no longer applies; and

(d) do not allow a person to change his or her gaming machine limit for a period after 24 hours of last setting that limit;

gaming machine pre-commitment system compliance date means 1 July 2012;".

2. Clause 10, page 8, after line 8 insert—

"club gaming machine entitlement means a gaming machine entitlement that is subject to a venue condition that authorises the conduct of gaming in an approved venue in respect of which a club licence or a racing club licence is in force;".

3. Clause 10, page 12, line 27, after "entitlements" insert "or club gaming machine entitlements."

4. Clause 10, page 13, after line 11 insert—

() An entitlement holder holds a prohibited number of club gaming machine entitlements if—

(a) the entitlement holder holds more than 420 club gaming machine entitlements; or

(b) the sum of the club gaming machine entitlements held by an entitlement holder (the ***first entitlement holder***) and one or more other entitlement holders that have a prescribed connection with the first entitlement holder equates to more than 420 club gaming machine entitlements."

5. Clause 27, page 83, lines 6 to 8, omit all words and expressions on these lines.

NEW CLAUSE

6. Insert the following New Clause and Division Heading to follow clause 78—

'Division 6—Gaming machine pre-commitment systems and gaming machine operation restrictions

A New sections 3.4.12D to 3.4.12F inserted

After section 3.4.12C of the Principal Act **insert—**

"3.4.12D Minister must specify gaming machine pre-commitment system to be operated by venue operators

The Minister must, by notice published in the Government Gazette, specify a gaming machine pre-commitment system to be operated by venue operators on and after the gaming machine pre-commitment system compliance date.

3.4.12E Venue operator must not conduct gaming at an approved venue without a operating a gaming machine pre-commitment system

On and after the gaming machine pre-commitment system compliance date, a venue operator must not permit a person to play a game on a gaming machine at an approved venue operated by that venue operator unless the venue operator operates a gaming machine pre-commitment system in relation to that gaming machine that has been specified by the Minister under section 3.4.12D.

3.4.12F Venue operator must not conduct gaming at a venue with certain machines

- (1) On and after the gaming machine pre-commitment system compliance date, a venue operator must not conduct gaming by means of a gaming machine that has a play rate faster than 1 game per 2 seconds.
- (2) On and after the gaming machine pre-commitment system compliance date, a venue operator must not conduct gaming by means of a gaming machine that permits a game to be played on the machine on payment of money that is not cash."!