REPORT ON
THE FIVE-YEAR STATUTORY REVIEW
OF THE
GAMING MACHINES ACT 2001

DECEMBER 2007
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STATEMENT BY
THE MINISTER FOR GAMING AND RACING

This report details the results of a review of the *Gaming Machines Act 2001* undertaken by the NSW Office of Liquor, Gaming and Racing, Department of the Arts, Sport and Recreation. The review is required by section 216 of the Act.

The Act requires me to review the Act after five years, to determine whether the policy objectives of the Act remain valid, and whether the terms of the Act remain appropriate for securing those objectives.

The principal objectives of the Act are the minimisation of harm associated with the misuse and abuse of gambling activities and fostering the responsible conduct of gambling in venues. All those with functions under the Act are required to have due regard to the need for gambling harm minimisation and the fostering of responsible conduct in relation to gambling when exercising those functions.

A total of 66 external submissions were received on the review.

The review found that, overall, the Act’s policy objectives remain valid, and the effectiveness of the Act in achieving those objectives has been confirmed.

However, certain provisions contained in the Act require amendment to ensure the appropriate level of control and compliance with the Act.

Graham West MP
Minister for Gaming and Racing
1 INTRODUCTION

1.1 Background

The principal law regulating gaming machines in New South Wales is the *Gaming Machines Act 2001*.

The Gaming Machines Bill was introduced into Parliament on 30 November 2001, and the Act was assented to by the Governor on 19 December 2001. The majority of the Act commenced on 2 April 2002, in conjunction with the *Gaming Machines Regulation 2002*, which contains many of the procedural matters necessary for the efficient operation of the Act.

The Act requires the Minister for Gaming and Racing to review the Act after five years, to determine whether the policy objectives of the Act remain valid, and whether the terms of the Act remain appropriate for securing those objectives.

The Office of Liquor, Gaming and Racing (OLGR) has undertaken the review on behalf of the Minister, and has developed the proposals contained in the report for the consideration of Government.

Under the Act this report on the outcome of the review is to be tabled in Parliament prior to 19 December 2007.

1.2 The Review Process

In December 2006, the NSW Office of Liquor, Gaming and Racing commenced a review of the Act on behalf of the Minister for Gaming and Racing.

As the legislation impacts significantly on industry and other stakeholders, a detailed discussion paper was released in June 2007, seeking the views of the industry and community on the validity of the policy objectives, and the ability of the terms of the Act to meet these objectives.

Advertisements were published in *The Sydney Morning Herald* and the *Daily Telegraph* on 20 June 2007 calling for submissions to the review.

Interested parties were able to make a submission until 31 July 2007.

The discussion paper and call for submissions were also advertised on the OLGR website at www.olgr.nsw.gov.au.

A total of 66 external submissions were received from industry participants, community groups, problem gambling counselling services and individuals. In addition to the formal submissions, the review also considered the submissions of individuals that had written to the Minister for Gaming and Racing on issues relating to gaming machines.
The review also considered the issues raised in the context of a review of machinery provisions that were moved unchanged from the *Liquor Act 1982* and the *Registered Clubs Act 1976* when the Act was enacted in 2001.

Some participants in the review process requested their submissions be kept confidential. The remainder are published on the OLGR website.

The submissions canvassed a broad range of topics, with many making suggestions for changes to the legislation.
2 OVERVIEW

The Act was created in 2001 to consolidate the gaming machine provisions contained in the Registered Clubs Act 1976 and the Liquor Act 1982. It also introduced a new regulatory framework that provides for schemes such as gaming machine entitlements and social impact assessments.

As a result the Act, although clearer in its terms than earlier regulations, can be complicated and difficult for stakeholders and the community to comprehend. This view was borne out in the submissions, some of which indicated that work needs to be done to reduce the red tape arising from the Act.

In general, the review found that the policy objectives of the Act remain valid. That is, the twin objectives of reducing the harm that can be associated with gambling on gaming machines and the enforcement of the responsible conduct of gambling across the industry remain appropriate objectives to the Act.

The review supports the NSW Government State Plan. Firstly, the review committed itself to a reduction in red tape and unnecessary regulation. The review has highlighted areas of regulation that may be unnecessary, and has suggested changes that aim to minimise excessive regulation.

In reducing unnecessary regulation, the Act will provide much greater certainty for businesses wishing to participate in the gaming machine industry. The regulations under which businesses must operate will become clearer, and more effective decisions by business will be possible.

The review also committed itself to ensure that members of the community that are more vulnerable to harm or distress are suitably supported. It is recognised that some people are negatively affected by excessive gambling on gaming machines, and the review found that the provisions in the Act provide protection for those members of the community.

Those people affected by problem gambling are supported through counselling services funded by the Responsible Gambling Fund and measures contained in the Act such as self-exclusion schemes. Other measures include general and targeted awareness campaigns, designed to raise awareness of problem gambling issues and to encourage help-seeking behaviour in those that are most vulnerable.

These measures are supported by the NSW Government supporting the National Framework on Problem Gambling, which sets out strategies to address problem gambling.

As part of the review process, recommendations arising from the NSW Government’s Small Business Regulation Review Taskforce Review of NSW Government Red Tape and the Independent Pricing and Regulatory Tribunal’s (NSW) investigation into The Burden of Regulation in NSW and Improving Regulatory Efficiency were also considered.

The review had to strike a proper balance between the need to impose regulatory burden on business, and the need to ensure the Government’s policy objective of minimising
gambling harm in the community. For example, the proposed changes to the social impact assessment (SIA) process aim to reduce the time, cost and complexity of the assessment process while retaining the necessary restrictions on gaming machine numbers.

Overall, the review found that, whilst the policy objectives of the Act are valid, the means of achieving the policy objectives of the Act requires some action to ensure the appropriate level of control and compliance with the Act.
3  OUTCOMES OF THE REVIEW

3.1 Provisions of the Act

This section examines the provisions contained in the Act, and the submissions received commenting on those provisions. It follows a similar format as the discussion paper. It is noted that some submissions relate to functions of other decision-makers and agencies. If amendments are proposed that affect other Government entities, consultation with those entities will take place prior to the finalisation of any future action.

The report has been prepared assuming that readers will have a general knowledge of the gaming machine industry and the operation of the Act.

3.2 Part 1 – Preliminary

Part 1 (sections 1 to 9) contains the preliminary provisions, dealing with:

- The name of the Act and its commencement
- The primary object of the Act
- Definitions for the purposes of the Act
- The meaning of “close associate”
- The primary purpose test for hotels
- The lawful keeping of gaming machines
- Gaming machines that are not used for the purpose of gambling
- The calculation of gaming machine numbers.

3.2.1 Primary objects

Submissions

Several submissions were received requesting changes to the primary objects of the Act, in particular by including reference to the economic viability or stability of the industry. Calls were also made to change the term “harm minimisation” to “responsible gambling”.

Response

It is important that gambling in NSW is conducted responsibly, and that measures are in place to protect players from unacceptable practices. Central to this are the primary objects of the Act which ensure decisions under the Act are made against a backdrop of harm minimisation and responsible conduct of gambling.
However, it is also important that the regulation of industry allows for the proper and balanced development of new technology and allows for effective industries.

It is proposed to maintain the current primary objects of harm minimisation and responsible gambling, and to include reference to the balanced development and integrity of the industry. (Proposal 1)

3.2.2 Definitions

Submissions

A number of submissions requested clarification of the definition of “approved gaming machine”, including the distinction between gaming machines and subsidiary equipment.

Response

Currently, all equipment that connects to a gaming machine is classed as subsidiary equipment, and must therefore be approved by the proposed Casino, Liquor and Gaming Control Authority. In some instances, this equipment has no impact on the operation of the gaming machine. The approval of subsidiary equipment can be resource intensive for industry, and in the absence of any impact on the operation of the gaming machine, this cost cannot be justified.

It is proposed to provide clarification to industry as to what is defined as subsidiary equipment, what is part of the gaming machine, and what needs to be approved. (Proposal 2)

3.2.3 Primary purpose test

Submissions

Some submissions sought changes to the primary purpose test for hotels, to expand the reference to gaming to include all gaming activities. One submission sought the extension of the primary purpose test to include registered clubs.

Response

The primary purpose test states that the primary purpose of the business of a hotel must be the sale of liquor by retail.

The comments requesting changes to the primary purpose test to include other forms of gambling are noted, however, these fall outside the control of the Act, and it is not proposed to proceed with the suggested changes.

It is also not proposed to proceed with a request to expand the primary purpose test to include registered clubs. Registered clubs as not-for-profit entities distribute a proportion of their income from gaming machines to benefit the community. Nevertheless, the Government will continue to support club industry initiatives to diversify club revenue away from reliance on gaming machine revenue.
3.2.4 Lawful keeping of gaming machines

Submissions

One submission sought an amendment to the legislation to allow race clubs that are not registered clubs to access gaming machines.

Response

It is not proposed to allow race clubs to access gaming machines without first becoming a registered club. Registered clubs must operate within the governance and accountability requirements of the Registered Clubs Act in order to obtain the privilege of operating gaming machines. It is not appropriate to extend the privilege of operate gaming machines to other clubs that are not required to operate within the same governance and accountability requirements imposed on registered clubs.

3.2.5 Gaming machines not used for gambling

Submissions

Submissions called for changes to the regulation of gaming machines not used for the purpose of gambling, such as those exhibited at trade shows and exhibitions.

Response

The proposed Casino, Liquor and Gaming Control Authority approve requests to exhibit at trade shows on a case-by-case basis.

It is proposed to allow a general provision for the proposed Authority to approve the display of gaming machines at trade shows and exhibitions, without the need for individual applications. (Proposal 3)

3.3 Part 2—Limitations on gaming machine numbers

Part 2 (sections 10 to 13) sets the cap on gaming machine numbers for the State (set at 104,000), provides for state-wide caps on gaming machine numbers in hotels (25,980) and registered clubs (78,020), and also imposes venue-level caps on gaming machine numbers (30 for hotels and 450 for most registered clubs).

These sections of the Act continue the freeze on gaming machine numbers in NSW, by ensuring that the overall number of gaming machines in NSW remains below 2001 levels.

Submissions

Four submissions requested local or regional caps on the number of gaming machines. One submission also requested an increase in the hotel cap to 40 machines. Several submissions indicated that the state-wide cap is not supported, whereas others strongly supported the continuation of the cap, and even a tightening of the cap, and further reductions in gaming machine numbers.
One analysis suggests that removing the cap entirely and allowing unfettered access to gaming machines would more likely result in differential harm levels in various communities, with those communities that are least able to withstand further harm bearing the brunt of any increase in harm levels.

Response

It is not proposed to impose regional or local caps on gaming machine numbers. However, other proposed mechanisms aim to restrict the inappropriate movement of gaming machines into areas that may be regarded as over supplied (refer 3.5.1).

Increases to venue-level caps are not supported. Information presented in a number of SIA applications submitted to date, as well as in the submissions to this review, indicates that venues with more gaming machines are more profitable per machine than venues with fewer machines. Therefore, it is not proposed to increase venue-level caps.

Given the reduction over time in the overall number of gaming machines in NSW, it is proposed that the state-wide cap be reduced to the current level of entitlements. It is also proposed to introduce a mechanism that would automatically reduce the state-wide cap over time. (Proposal 4)

Reducing the state-wide cap is one method of reducing the potential for harm arising from gaming machines, and reaffirms the Government’s commitment to harm reduction strategies.

3.4 Part 3 – Poker machine entitlements and hardship gaming machines

3.4.1 Allocation of entitlements (sections 14 to 18)

The first group of provisions in Part 3 provide for the allocation of poker machine entitlements in accordance with the approved arrangements.

A poker machine entitlement was initially allocated for each gaming machine held by a registered club or hotel. Provision was also made for a mandatory reduction in the number of gaming machines held by the 18 large-scale clubs that had over 450 gaming machines at the commencement of the Act.

These provisions contain the administrative framework for the poker machine entitlement scheme, and provide the basis for the more detailed provisions (such as the forfeiture provisions and the SIA provisions) discussed at 3.4.2 and 3.5.1 below.

Submissions

Several submissions commented on the provision that allows new and small registered clubs to access “free” entitlements. Submissions proposed that this be extended to hotels, either by a free allocation for hotels in greenfield sites, or by release of the “pool” of entitlements forfeited to the Government.
Several submissions requested minor amendments to the free entitlements scheme for registered clubs, to allow all clubs with less than 10 entitlements to access free entitlements. One submission also requested that the number of free entitlements accessible by registered clubs be increased from 10 to 20. Some submissions also called for the reversal of the large-scale club reductions.

Response

The request for new hotels to be able to access free entitlements is not supported. Free entitlements for registered clubs recognised their not-for-profit status and the role they play in providing community facilities and services. The ability to apply for free entitlements was implemented to assist new and small clubs facing changes to the operating environment following the introduction of the Act.

However, given the broad policy of reducing gaming machine numbers over time, it is proposed to remove access by registered clubs to free entitlements (Proposal 5). By allocating free entitlements to clubs, the potential for a reduction in gaming machine numbers is diminished. In addition, by issuing free entitlements, extra entitlements are placed in areas where large numbers of gaming machines may already be installed.

Other mechanisms to assist new clubs (particularly in greenfield areas) and small clubs will be developed in consultation with the club industry (Proposal 6).

It is not proposed to reverse the large-scale club reductions. As outlined previously (refer 3.3), available information indicates that venues with more gaming machines are more profitable per machine than venues with fewer machines. It is not appropriate to reverse mechanisms designed to reduce harm to vulnerable members of the community.

3.4.2 Transfer of entitlements (sections 19 to 25A) and Miscellaneous provisions (sections 31A to 31C)

The second group of provisions in Part 3 governs the transfer of entitlements from one venue to another, that is from hotel to hotel or from club to club, and include:

- The requirements for the relevant consent required when hoteliers transfer entitlements
- The requirement to forfeit one entitlement for each transfer block (generally one entitlement in every three transferred)
- The differing requirements for country hotels with respect to transfer blocks and forfeitures
- Restrictions on the number of transfer blocks that can be transferred between country and metropolitan hotels
- Different forfeiture requirements for metropolitan and country clubs
- Special provisions relating to large-scale clubs
- The exchange of approved amusement devices (AADs) for poker machine entitlements
• The requirements when a hotel licence or club certificate of registration is surrendered, cancelled, removed or when a club permanently ceases to trade.

Overall, these requirements are complex, difficult to easily follow and need simplification.

A total of 3,860 entitlements have been forfeited since the commencement of the Act in April 2002.

3.4.2.1 Requirements for hotel transfers

Submissions

Submissions were made regarding the relevant consents required for hoteliers to transfer entitlements, in particular the requirement for all relevant signatures in circumstances where the hotel is leased. Submissions sought an amendment to the legislation to ensure that entitlements cannot be transferred without the consent of the "licence owner", "business owner" and "premises owner".

Response

It is not appropriate to amend the legislation to automatically require the consent of the "licence owner", "business owner" and "premises owner" when entitlements are to be transferred from a hotel, as it is not applicable in all circumstances for all of these parties to be involved in the process. It is proposed to amend the legislation to ensure that the licence owner, as notified to the OLGR, will be able to object to the transfer of entitlements from a leased hotel. (Proposal 7)

3.4.2.2 Forfeiture requirements

Submissions

Submissions called for an extension of time in relation to the transfer of entitlements when club certificates of registration are cancelled or surrendered. Submissions also requested the removal of the forfeiture requirements for clubs seeking to relocate premises, or where the transfer of entitlements is between separate premises of related clubs.

Response

It is proposed to allow venues extra time beyond 12 months to transfer entitlements in situations where an hoteliers licence or certificate of registration is cancelled or surrendered. However, in recognition of venues that do transfer the entitlements within that the 12 months, it is also proposed to place a levy on late transfers; to be paid into the Community Development Fund created under section 15B of the Act. (Proposal 8)

Current provisions exempt registered clubs from the forfeiture provisions when they transfer to a related club premises within one kilometre for metropolitan regions, and within 50 kilometres for non-metropolitan regions. It is proposed to amend this exemption, to simply allow the transfer of entitlements between related club premises without forfeiture, if both premises are within the same local government area.
However, it is important to ensure that the overall number of gaming machines does not increase with the local government area without appropriate assessment. Therefore, if the transferee premises (premises receiving the entitlements) has to increase its current gaming machine threshold (i.e. the maximum number of gaming machines able to be kept on its premises), the transferor premises’ threshold will be reduced by the number of entitlements transferred. If the transferee premises does not have to increase its threshold, the transferor premises may maintain its existing threshold. (Proposal 9)

While it is not considered appropriate to remove the forfeiture requirements for registered clubs entirely, recognition should also be given to related club premises that are not located in the same local government area.

Therefore, it is proposed to amend the forfeiture requirements for related club premises, to indicate that forfeiture of one entitlement in every six transferred is required, instead of the current requirement for one entitlement in every three transferred. If a club wishes to take advantage of this lower forfeiture rate, it is proposed to decrease the number of gaming machines able to be held by the transferring club. (Proposal 10)

3.4.2.3 Country hotels

Submissions

Submissions were generally supportive of the restrictions placed on transfers of entitlements between country and metropolitan hotels (that is, of one transfer block per year), and some suggested the restrictions could be strengthened.

Response

There has been some community concern about the removal of entitlements from non-metropolitan regions to metropolitan regions, however, there is in fact a lower density of gaming machines in the metropolitan regions (13.17 gaming machines per 1,000 people) than in non-metropolitan regions (17.37 gaming machines per 1,000 people).

These statistics do not reflect situations where entitlements are lost from one remaining hotel or club in small rural communities. In these situations, that hotel or club is often a major part of the community, and its loss may be significant for that community. It is proposed to introduce a mechanism whereby a local community in this situation will be able to object to the removal of all of the entitlements from the venue. (Proposal 11)

3.4.2.4 Restrictions on transfers

Submissions

Some submissions supported the current separation of club and hotel entitlements “pools”, whereas others called for the pools to be merged. Other submissions sought changes to the transfer system for clubs seeking to relocate, and other changes to make it easier for clubs to move premises. One submission requested the conversion of remaining AADs to poker machine entitlements on a 1 to 1 basis, rather than the current 3 to 1 or 2 to 1 basis.
Some submissions supported the restrictions on the transfer of other entitlements, such as hardship gaming machines, AADs and free entitlements. One submission suggested that the transfer of entitlements should not be allowed at all.

Response

The support for separate hotel and club entitlement “pools” is noted. However, there is no “pool” of entitlements available for reallocation. Once entitlements are forfeited to the Government, they are removed from circulation. Requests for the “pools” to be merged are in fact requests for amendment to permit the transfer of entitlements between hotels and clubs. This request is not supported, as to do so would unnecessarily increase the cost of entitlements for registered clubs.

Proposed changes to the forfeiture scheme (refer 3.4.2.2) will assist related clubs in managing their gaming machine holdings. Changes to the social impact assessment process (refer 3.5.1) will also assist venues seeking to relocate. It is not proposed to further amend the legislation in terms of easing restrictions on transfers.

The support for the restrictions on the transfer of other entitlements such as hardship gaming machines, free entitlements, and AADs are noted.

Analysis of OLGR data indicates that currently 99 AAD entitlements exist, with 58 AADs authorised to operate in 41 venues. Recent amendments to the Gaming Machines Regulation removed the ability for new AADs to be approved. These devices are now approved as approved poker machines.

It is proposed to introduce a requirement that venues will be required to convert remaining AADs to poker machine entitlements. Conversion will be at the current rate of 3 to 1 or 2 to 1. (Proposal 12) Venues will be given three years to convert the machines or risk forfeiting those devices.

3.4.2.5 Other comments – leasing arrangements

Submissions

Several submissions requested the legislation be amended to allow venues to offer entitlements for lease, as an alternative to sale, and one submission sought advice as to whether Liquor Act poker machine permits (available to hotels) could be leased, as well as sold.

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1 Liquor Act Poker Machine Permit: A permit sold by the Government in 1998 under the Liquor Act 1982 to allow a hotelier to operate an approved poker machine. These permits allowed a hotelier to operate more than 15 approved poker machines in their venue, a limit that was in place at the time. These permits were sold before the commencement of the Gaming Machines Act 2001 and remain separate from poker machine entitlements.
Response

The leasing of entitlements is not practical for several reasons. The requirement to forfeit one entitlement in every transfer block would still apply. This would mean that the venue wishing to release one block of three entitlements would need to forfeit one entitlement when the entitlements are transferred to the lessee premises (the lessee premises would receive two entitlements) and a further entitlement would be forfeited at the end of the lease, leaving only one entitlement to be returned to the lessor premises out of the original block of three.

In addition, each party to the arrangement would need to obtain legal advice to protect their interests in the event of a dispute. It is also noted that for a transfer of entitlements to be approved, both the transferor and transferee must either hold an hoteliers licence or a club certificate of registration.

Whilst the leasing of permits does not attract the same practical difficulties in terms of the forfeiture requirements, the leasing of permits is not supported as it is only possible to regulate industry participants, and there are difficulties in attempting to regulate those that are peripheral to the industry.

3.4.3 Hardship gaming machines (sections 26 to 31)

The third group of provisions in Part 3 deals with the allocation of hardship gaming machines, and the allocation of poker machine entitlements for hardship gaming machines. A total of 1561 hardship gaming machines were granted under the hardship provisions, with 1425 in hotels and 136 in registered clubs.

Submissions

Submissions generally sought the re-establishment of the hardship scheme, by allowing further applications for hardship gaming machines under the current rules.

One submission also sought to introduce a hardship fund for other industries affected by poker machines, such as live music and other entertainment industries.

Another submission requested that all remaining hardship gaming machines be converted to poker machine entitlements, regardless of whether conditions were placed on the allocation of those hardship gaming machines.

Response

It is not considered appropriate to re-establish the hardship scheme. The scheme was not designed as an ongoing assistance mechanism for venues. The scheme was intended to assist venues facing difficulties resulting from the snap introduction of the freeze on poker machine numbers.

The changes to the legislation foreshadowed in this report will not have the same impact on venues as when the freeze on poker machine numbers legislation commenced. It is therefore proposed to repeal the hardship sections of the Act. (Proposal 13)
It is not appropriate for the Act to legislate for industries other than the gaming machine industry. Therefore, it is not proposed to introduce a hardship assistance mechanism for other industries.

A hardship gaming machine granted under the Act can be converted, upon application, to a poker machine entitlement three years after the issue of the machine. It is noted that the majority of hardship gaming machines were issued more than three years ago, and these can be converted if all relevant conditions have been met.

It is not considered appropriate to automatically convert those hardship gaming machines granted on a conditional basis to poker machine entitlements without first ascertaining whether the conditions imposed have been satisfied. However, venues with hardship gaming machines granted unconditionally will be encouraged to convert those machines to poker machine entitlements. The OLGR has commenced a process to resolve these issues.

3.5 Part 4 – Gambling harm minimisation measures

3.5.1 Social impact assessments (sections 32 to 37A)

The first group of provisions contained in Part 4 requires a hotelier or registered club seeking additional gaming machines or seeking to install gaming machines in a new hotel or new club, to submit a social impact assessment in connection with the application. The assessment must be approved before the application for additional machines may be granted.

These provisions deal with the procedures relating to the assessment of the social impact of gaming machines, including the classes of social impact assessment (SIA), the requirements for SIAs and the approval of SIAs. These provisions are supported by clauses 33 to 40B of the Regulation, which provide the detail for the SIA process.

The legislation provides for two classes of social impact assessment. Generally speaking, a class 1 SIA is required for increases in gaming machine numbers of 10 over a 10 year period, or if a venue relocates within one kilometre. A class 2 SIA is generally required for all other applications.

Submissions

Of the 66 submissions received, 25 criticised the social impact assessment process and raised the following issues:

- most related to the class 2 SIA process, especially because of the time and expense of its preparation
- the uncertainty of the outcome
- the timeliness of the decision-making process
- the efficacy of the process
• some queried the class I process because there is no opportunity for the community to influence decision-making
• some submissions raised particular issues that some venues face — for example, the process required to transfer entitlements within a club group.

Response

In light of the general criticism of the SIA process, it is proposed to significantly amend the legislation (Proposal 14). Although the majority of the details of the amendments proposed below will be contained in the Regulation, it is appropriate to outline the changes in this report, in light of the considerable impact the changes will have on industry.

A flow chart of the current Social Impact Assessment process and the proposed process is at Annexure A.

The changes listed below are expected to reduce the time and complexity of the assessment process, while retaining important restrictions on potential increases in gaming machine numbers in certain areas. It is in the public interest to make it simpler for venues to undertake, as it increases business certainty, and if the application is successful, the overall number of gaming machines in the State will fall.

The first change proposed is to remove the reference to social impact assessment, which will be replaced by the expression ‘local impact assessment’. The term ‘social impact assessment’ has various meanings in different situations, with a whole branch of academic research and opinion attached to the discipline.

It is important to recognise that the process necessary to determine the impact of gaming machines is not a social impact assessment in the traditional sense. By calling the process ‘social impact assessment’ an unreasonable expectation has been placed on the process that occurs in practice.

While a number of submissions were received that were critical of the SIA process, it remains necessary to continue to assess the impact of additional gaming machines on a community. Available research indicates that lower socio-economic areas tend to spend more proportionately on gaming machines than higher socio-economic areas.

The changes proposed reflect the view that any impact should be primarily assessed against the characteristics of the locality, not primarily assessed against the characteristics of the individual venue.

It is proposed that a ranking be developed for each local government area (as determined by the Australian Bureau of Statistics). This ranking will be used to determine the information needs of a local impact assessment (LIA) application, and will be based on characteristics of the local area, such as gaming machine density, expenditure data, and SEIFA\(^2\) data. The rankings will be updated periodically as data becomes available.

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\(^2\) *Socio-Economic Indexes for Areas*, published by the Australian Bureau of Statistics.
Once ranked, each local government area (LGA) will be grouped into bands, as follows:

- **Band 1** - LGAs with low numbers of gaming machines, low expenditure on gaming machines and high SEIFA rankings;
- **Band 2** - LGAs with moderate numbers of gaming machines, moderate expenditure on those machines and moderate SEIFA rankings;
- **Band 3** - LGAs with high numbers of gaming machines, high expenditure on those machines and low SEIFA rankings.

It may be appropriate for the decision maker to treat certain LGAs differently, particularly in tourist regions or recognised CBD areas, as population data is based on resident populations, and does not take into account transient populations such as tourists or CBD workforces.

No LIA will be required for venues transferring entitlements within a LGA. However, to ensure that the overall number of gaming machines falls in the LGA, the number of gaming machines able to be kept in the selling premises will be reduced by the number transferred.

No LIA will be required for a venue locating (or seeking to locate, in the case of new venues) in a LGA that is within Band 1. There will be a limit on the number of additional gaming machines of 20 per venue in one year that can be accessed through this process. LGAs in Band 1 may move into Band 2 over time, as gaming machine density increases. A venue in Band 1 that seeks more than 20 machines will be required to submit a LIA application. The decision-maker will then have the discretion to determine which class (class 1 or class 2) of LIA will be required for additional machines.

A venue located (or seeking to locate) in a LGA that is within Band 2 will be required to submit a LIA application. The decision-maker will be given the discretion to determine which class of LIA will be required. Guidelines will be provided to applicants outlining what factors would be considered in such a determination. Relevant factors may include the number of additional machines sought, the characteristics of the LGA or the local area surrounding the venue, and usage of problem gambling counselling services.

A venue located (or seeking to locate) in a LGA that is within Band 3 will be required to submit a class 2 LIA. There will be minor amendments to the current class 2 SIA requirements to ensure appropriate data is submitted, but the process will remain relatively unchanged. The OLGR will provide statistical information packages to prospective applicants to assist in the preparation of class 2 LIA. However, the class 2 LIA process will remain a complex investigation of the issues surrounding increases in gaming machine numbers in those areas, as they already have high densities of gaming machines and high levels of expenditure on those machines.

In these circumstances, it is likely to be extremely difficult for venues located within a Band 3 LGA to obtain additional gaming machines.
Venues seeking to increase their gaming machine numbers significantly may be required to enter into a community contract to provide for amenities required by the local community, such as sporting, educational or cultural facilities.

Guidelines will be prepared on the basis for assessment of a class 2 LIA. While the basis for assessment will not be significantly different to the current process, it is expected that guidelines will assist applicants in preparing the LIA. In addition, forms will be developed to ensure the presentation of information is consistent, and to assist applicants in ensuring that all relevant information is provided.

Guidelines and forms will also be prepared to assist local councils and other stakeholders in making a submission to the class 2 LIA process. It is expected that this will encourage interested parties to provide information to the decision-making process that would not otherwise be available.

It is expected that these amendments will more accurately assess areas of harm and the placement of additional gaming machines in a responsible, suitable manner, with proper controls to reduce or limit the impact of additional gaming machines. It is also expected the proposed changes will provide industry participants with a greater level of certainty with respect to the decision to request additional gaming machines.

3.5.2 Mandatory shutting down of gaming machines (sections 38 to 42)

The second group of provisions contained in Part 4 detail the requirements for the shutdown of gaming machines between 4.00 am and 10.00 am on each day of the week. There is also provision for variations to this general 6-hour shutdown period, where a venue can apply for reduced shutdown hours. All venues must shutdown their gaming machines for at least three hours each day.

Submissions

Several submissions questioned the validity of the shutdown, with respect to whether it reduces problem gambling. Other submissions strongly supported the shutdown requirements, with some seeking to extend the shutdown period further. Further submissions sought increased flexibility in the provisions that allow for the variation to shutdown periods.

Response

An independent study has been commissioned into the shutdown provisions in recognition of the diverse views expressed by stakeholders. It is expected that the results of the study will be available in the first half of 2008. Until the outcome of the study is known, it is not proposed to amend the current requirements.

3.5.3 General harm minimisation measures (sections 43 to 49)

The third group of provisions contained in Part 4 outlines various measures designed to minimise the harm that can be associated with excessive gambling, and to ensure that venues conduct gambling in a fair and responsible manner. These measures include:
• A prohibition on gaming machine advertising and gambling-related signage outside a venue (refer to 3.5.3.1)

• Regulation of promotional prizes and player reward schemes (refer to 3.5.3.2)

• A requirement that venues establish and maintain links with an approved gambling counselling service (refer to 3.5.3.3)

• Allowance for regulations to be made in relation to a range of responsible gambling measures (refer to 3.5.3.4)

• The requirement for all prize-winning cheques to be paid through the winner's financial institution (refer to 3.5.3.5)

• Allowance for the Minister to formally approve codes of practice that have been developed by peak industry bodies for the promotion of responsible practices and conduct in relation to gaming machines (refer to 3.5.3.6)

• The requirement for venues to enter into an arrangement with an approved body to conduct a self-exclusion scheme. (refer to 3.5.3.7)

3.5.3.1 Advertising and signage

Submissions

Several submissions requested amendments to the legislation to remove the offence provision in circumstances where patrons remove internal advertising (such as flyers) from the venue. Other submissions also requested changes to allow members to receive, on request, gaming machine promotional material via mail or other external communication mechanisms.

Several submissions commented on the general restrictions on advertising, with some calling for a relaxation of the restrictions, whereas others sought a strengthening of the restrictions.

Response

It is proposed to amend the legislation to remove the offence provision in circumstances where patrons remove promotional material intended for internal promotions. In these circumstances, the venue should not be liable for the actions of patrons. (Proposal 15)

It is also proposed to permit venues to send gaming machine promotional material to members via mail or other electronic communication mechanisms, on an 'opt-in' basis. (Proposal 16)

It is not proposed to proceed with the other suggestions to relax the advertising restrictions. To do so would significantly weaken the intent of the advertising restrictions.
3.5.3.2 Promotional prizes and player reward schemes

Submissions

Several submissions requested amendment to the rules surrounding promotional prizes, specifically that cash prizes be permitted. Others supported the current restrictions on promotional prizes and player reward schemes. One submission indicated that research should be done into whether promotional prizes and player reward schemes contribute to problem gambling.

Several suggestions were received on ways to encourage patrons to access player activity statements, which must be available in connection with player reward schemes. It was suggested that venues be required to mail one player activity statement each year to patrons, or that signs be placed on ATMs and player terminals, advising players that statements are available. Other submissions suggested patrons be able to track expenditure through the player reward membership card itself.

Response

It is not appropriate, in the absence of research, to significantly amend the provisions relating to promotional prizes and reward schemes.

The Government’s prevalence study conducted in 2006 in NSW indicated that 37% of respondents owned a loyalty or reward card issued by a gaming machine venue. Of those, 43% stated that they often or always used the card when playing a gaming machine. However, there appeared to be no difference between problem gamblers and non-problem gamblers who owned or used a card. This research was not specific to player reward schemes.

Gambling Research Australia has proposed research into the influence of venue characteristics on player behaviour, which aims to provide guidance on the impact of player reward schemes and other promotions on player gambling behaviour.

A comprehensive review of gaming signage is underway. The review is in response to the 2004 IPART review into problem gambling measures. A final report on the outcome of the review has been completed, and consultation with stakeholders will now occur.

IPART noted that gaming machines players did not generally request their player activity statements. The signage review has considered other means by which the availability of the statements might be publicised to encourage more people to request them.

The signage review recommends that the availability of statements be promoted on signage near ATMs and player reward card machines. The signage review also showed that players were in favour of statements being sent to a player’s home address to be reviewed away from the venue.
3.5.3.3 Counselling services

Submissions

Submissions were generally supportive of the requirement for venues to maintain links with gambling counselling services, and some submissions made suggestions aimed at strengthening those links, such as introducing a requirement for venues to establish links with all relevant services, including local services, RGF funded services and services catering for culturally diverse patrons.

Several submissions recommended the Government adopt a public health approach to problem gambling issues, and that harm reduction policies such as treatment, early intervention, health promotion and community education, should sit within the Department of Health.

Some submissions called for changes to the Responsible Gambling Levy, in particular to increase the levy and to impose the levy on all venues, not just the casino.

Response

Through the Responsible Gambling Fund, the Government is providing $31 million over the next four years for a State-wide network of 50-plus counselling and support services. These services include the G-line telephone counselling service, one state-wide service and four Sydney services catering for culturally and linguistically diverse patrons, and services for people with intellectual disabilities, young people, people with gambling-related legal problems, homeless people and those in prisons.

Almost $2 million from the Fund has been set aside to launch a community awareness campaign to encourage young adults to seek professional help if they have a gambling problem. This follows a Government commissioned prevalence study released in May 2007 that showed young adult males are more likely than others to develop a gambling problem.

The Government considered the role of the Department of Health in gambling policy in its response to the IPART inquiry into responsible gambling measures. It concluded that the gaming and health portfolios should institute an arrangement to optimise the program for problem gamblers.

An arrangement, along the lines of a memorandum of understanding, is being prepared to ensure appropriate collaboration and consultative mechanisms. The Mental Health and Drug and Alcohol Office at NSW Health and the OLGR have discussed a range of issues relating to gambling.

The Responsible Gambling Levy is regulated under the Casino Control Act 1992. It is calculated by reference to the gaming revenue of the casino operator. The Levy arrangements have been recently reviewed in consultation with the casino operator. It is not proposed to alter those arrangements.
3.5.3.4 Responsible gambling measures in the Regulation

Submissions

Some submissions made reference to requirements in the Regulation with respect to responsible gambling initiatives. In particular, submissions called for the removal of Automatic Teller Machines (ATMs) from gambling venues.

Other submissions called for changes to the mandatory responsible conduct of gambling training course.

Response

In its review of responsible gambling measures in NSW, IPART recommended research into ATMs in gaming venues because concerns continue to exist around ATMs in gambling venues. The Government agreed to this recommendation, and in view of the multi-jurisdictional relevance of the issue, proposed a national approach.

It is understood that Gambling Research Australia may include ATM research in its investigation of pre-commitment strategies. Independent of this proposed GRA research, consideration is being given to a State-based research project commencing in 2008 to look at what should be the minimum distance, if any, an ATM should be from a gaming area.

Credit prohibition provisions exist in the Liquor Act and the Registered Clubs Act. However, recent Court decisions indicate that this does not cover the provision of credit via ATMs in gambling venues. Therefore, it is proposed to amend the legislation to ensure that ATMs in gambling venues do not give cash from credit card transactions. (Proposal 17)

The 2006 study into the prevalence of problem gambling in the community indicated that the majority of users of ATMs in venues used them as a generally convenient way to access cash, and for purposes unrelated to gambling in venues.

It is appropriate that the responsible conduct of gambling (RCG) training course content be reviewed in light of proposed changes to the legislation, and any outcomes from the current IPART review of the club industry that may relate to training requirements. Research has recently been released that indicates that the identification of problem gamblers is theoretically possible. The results of this research will inform the review of the RCG course.

3.5.3.5 Prize-winning cheques

Submissions

Submissions generally supported the restrictions on the acceptance of prize-winning cheques. One submission requested that prize-winning cheques be clearly marked as such, to ensure that there is no doubt that the cheque is the result of a prize being won, and must therefore not be cashed other than at a financial institution.
Response

It is proposed that the legislation be amended to require prize-winning cheques to be clearly marked as such, to avoid doubt over the origin of the cheque. This will indicate clearly to anyone accepting a cheque that it is a prize-winning cheque, and must therefore only be cashed at a financial institution. (Proposal 18)

3.5.3.6 Codes of practice

Submissions

Comments were made that the industry codes of practice need to be updated to reflect changes to the legislation and the operating environment of gaming venues. One submission requested that the codes of practice be strengthened by the insertion of sanctions for non-compliance:

Response

The current industry codes of practice are over seven years old, and predates the current responsible gambling legislation. Many of the items in the codes are currently reflected in the legislation. It is appropriate that the codes of practice be updated to reflect advances in responsible gambling initiatives. The Government will work with industry to update the codes of practice. (Proposal 19)

3.5.3.7 Self-exclusion

Submissions

Several submissions were received on self-exclusion schemes. In general, submissions were supportive of measures that are designed to simplify the system. Submissions suggested using one ‘plain English’ deed or form. They also called for self-exclusion to be possible for multiple venues (including from hotels and clubs at the same time) and the centralisation of the processing of self-exclusion requests and the collection and maintenance of data and records.

There were also calls for the introduction of involuntary (or third-party) exclusions. One submission suggested that a list of venues without gaming machines should be made publicly available to allow patrons that have been self-excluded from venues to access other venue facilities (such as bar and entertainment facilities).

The Government’s Self-Exclusion Advisory Group (SEAG), set up in 2005 in response to the IPART report into responsible gambling measures, evaluated opportunities for improving the operation and effectiveness of self-exclusion schemes conducted by registered clubs, hotels and the Sydney casino.

This evaluation included changes to the self-exclusion regulatory framework. The group comprised representatives of operators of schemes, counselling services, community groups and industry.
The SEAG group could not reach consensus on most of the key matters that IPART indicated should be considered. Most notable were widely varying views on the desirability and practicality of multi-venue exclusions, the timing of the processing of self-exclusion requests and the role of counselling or other treatment interventions.

Response

It is proposed that, as a first step to improving the current self-exclusion regulatory framework, the Government will work with key industry and counselling stakeholders to develop one ‘plain English’ deed that allows gamblers to self-exclude from multiple venues, including both hotels and clubs. (Proposal 20)

Investigations are also underway to look at how technology can be used to centralise records and data collection and streamline the administrative process for venues.

Consideration may be given to trialling the proposed common deed, together with any proposed technology to maintain records and data. Additional measures, such as involuntary exclusion, would be best considered once these proposed changes have been implemented and tested.

It is proposed to amend the legislation to simply require a registered club or hotel with gaming machines to conduct, operate or make available to patrons a self-exclusion scheme in accordance with the Regulations. This will allow appropriate flexibility in the detail of the schemes that will be approved, whilst still maintaining a requirement to operate a self-exclusion scheme for those persons wanting to control, or stop, their gambling.

3.5.4 Specific provisions relating to minors (sections 50 to 55)

The final group of provisions in Part 4 relate specifically to the operation of gaming machines by minors and the presence of minors in gaming machine areas. A minor can only enter a gaming machine area if they are walking through the area to another part of the venue, and they are in the company of a responsible adult. If a minor operates a gaming machine in a hotel or club (which is an offence by the minor) the hotelier or club also commits an offence.

Submissions

Several submissions were received on the provisions relating to minors. Some submissions called for the introduction of further measures to restrict minors’ access to gaming machines. Other submissions supported the continuation of existing provisions.

Response

It is not necessary to introduce further measures to restrict minors’ access to gaming machines. The legislation already provides clear and strict guidelines for the placement of gaming machines and their accessibility to minors, as well as sufficient penalties for any breaches.
3.6 Part 5 – Administrative controls in relation to gaming machines

3.6.1 Authorisations for gaming machines (sections 56 to 59A)

The first group of provisions contained in Part 5 provides the framework for the authorisation of gaming machines in venues. These provisions were largely moved unchanged from the previous legislation (that is, the Liquor Act 1982 and the Registered Clubs Act 1976 and the accompanying regulations).

Submissions

One submission was received on who can countersign a venue application using the QuickChange facility.

Response

This issue will be resolved in the context of amendments proposed to the gaming-related licence provisions (refer to 3.8).

3.6.2 Retail shopping centres (sections 60 and 60A)

These provisions contain restrictions on gaming machines in venues located in or adjoining retail shopping centres. The Gaming Machines Regulation identifies what is, and is not, a shopping centre (specifically, clauses 138 to 138C).

Generally speaking, no new hotel or club venue in a retail shopping centre can operate gaming machines, and those that were in a retail shopping centre before the commencement of the legislation in 2002 may not increase their gaming machine numbers.

Submissions

Several submissions supported the continuation of the shopping centre provisions, and some stated that the provisions should not be weakened. One submission sought further restrictions to ensure new development of venues were not located in close proximity to retail shopping centres.

Some submissions opposed legislation allowing clubs to undertake adjoining developments that include aged care facilities, indicating that the ageing population is an “at risk” group for problem gambling. Concerns were also raised about recent amendments that allow a club premises to be integrated into retail shopping centres.

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3 QuickChange is an Internet authorisations system designed to provide an efficient, on-line means of applying for installations, disposals and configuration changes to gaming machines. There is also a paper-based system operated by the OLGR alternative. The QuickChange system is operated by Max Gaming Pty Ltd under contract.
Several submissions proposed amendments to the legislation, seeking to remove some (or all, in the case of one submission) of the restrictions placed on venues in retail shopping centres.

Response

The current restrictions, in general, remain appropriate and it is not proposed to significantly amend them. However, it is proposed to clarify the current provisions relating to gaming machines in venues located in retail shopping centres.

The provisions are complicated, and will be simplified by removing the reference to the Retail Leases Act 1994, and simply require that venues with gaming machines do not have an entrance into the shopping centre, and that any gaming machines kept on the premises cannot be seen from public areas, or from within the shopping centre. (Proposal 21) These changes will apply to all venues seeking to locate within or adjoining a retail shopping centre.

3.6.3 Multi-terminal gaming machines (section 61)

Section 61 operates to restrict the keeping of multi-terminal gaming machines (MTGMs) to registered clubs. This provision carries forward a similar restriction previously contained in the Registered Clubs Act 1976, when MTGMs were first introduced in NSW in 1997.

Submissions

Some submissions stated that MTGMs should also be made available to hotels. One submission supported the current limitation of MTGMs to registered clubs. Other submissions called for MTGMs to be part of a separate entitlement category.

Response

It is not considered appropriate to make MTGMs available to hotels as they would detract from the primary purpose of the hotel, which is the sale of liquor by retail. It is also not considered appropriate to create a separate entitlement category for MTGMs. MTGMs are a type of approved gaming machine, and as such, should be included in the calculation of overall gaming machine numbers within a venue.

An analysis of gaming data by OLGR has shown that some clubs with MTGMs derive a substantial proportion of their gaming revenue from MTGMs installed in the premises.

Given the casino-game style of these machines, the $100 bet limits and the potential for $500,000 prizes to be awarded, there is a danger of clubs with MTGMs becoming virtual casinos. At present, a number of clubs have almost 40% of their poker machine entitlements as MTGMs.

It is therefore proposed to limit the number of MTGMs (as a proportion of overall gaming machines) a club may install to no more than 15% of total gaming machine numbers. A process will be developed in consultation with relevant stakeholders to reduce the number of MTGMs over time. (Proposal 22)
3.6.4 Approval of gaming machines (sections 62A to 67)

The final group of provisions in Part 5 provides for the administrative and procedural details of the approval of gaming machines, including the technical standards.

These provisions ensure the integrity of the gaming machine through a process that must be followed for a gaming machine to be approved for sale.

The majority of these provisions were brought forward from the Liquor Act 1982 and Registered Clubs Act 1976 relatively unchanged. This was to ensure consistency between decisions made under those Acts and the Gaming Machines Act 2001.

3.6.4.1 Approval process

Submissions

Several submissions maintained that responsibility for granting final approval of new gaming machines and technology should rest with licensed Gaming Machine Testing Facilities (GMTFs) rather than the current Liquor Administration Board.

Response

Although GMTFs possess considerable technical expertise and ability, there are a range of issues beyond technological integrity that need to be considered before final approval of a gaming machine is granted. Therefore, it is not considered appropriate that this responsibility be transferred to GMTFs. The role of the Government in these circumstances is not to stop innovation and development of gaming devices, but to ensure the integrity of the product prior to approval.

3.6.4.2 Technical Standards

Submissions

Several submissions criticised the current approach to the technical standards and game design approval process as being overly prescriptive and sought the introduction of a broader framework with clear objectives to support the development of new types of gaming machines and technology.

Several submissions also sought changes to the current bet and prize limits. Some submissions sought an increase to the limits, particularly for new gaming machines and technology that exhibited responsible gambling characteristics, while other submissions sought to decrease limits to reduce gambling harm.

Response

Concerns raised about technical standards will be discussed with industry in the context of any future review that is undertaken. It is considered that the current game design approval process is objective and provides adequate guidance to manufacturers as to what is likely to be deemed as ‘acceptable’ or ‘unacceptable’.
The *NSW Game Design Harm Minimisation Register* is a guide for manufacturers in considering harm minimisation criteria and is not intended as an exhaustive list of unacceptable game design criteria. It is appropriate that the name of the register be changed to better reflect its intention. (Proposal 23)

Proposals to increase or reduce bet limits are not supported at this stage, particularly in the absence of any significant research on bet and prize limits and problem gambling. The claim that the real value of fixed dollar amount limits can be deflated by around 15 percent every five years through inflation is noted and may be considered in the future in light of applicable research.

There is a need to review the technical standards to ensure that different technologies and game developments can be more easily facilitated, subject to satisfactory integrity of the product and the ability of the product to be monitored effectively.

### 3.7 Part 6 - Miscellaneous offences

Part 6 (sections 68 to 81) outlines a range of miscellaneous gaming-related offences and includes the requirement for gaming rooms in certain hotels and reference to the financial arrangements that a venue may enter into when purchasing gaming machines.

#### 3.7.1 Consignment or movement of gaming machines

*Submissions*

Some submissions called for greater protection in the trade of gaming machines, particularly in relation to the trade of second hand parts and the protection of intellectual property. One submission called for greater accountability when a gaming-related licensee moves machines inter or intra-state.

*Response*

The Government will develop mechanisms to more effectively track the movement of gaming machines within NSW, with a view to enhancing the current requirements to ensure the integrity of machine gaming is protected, while improving efficiencies and increasing compliance.

Intellectual property rights and legislation is a matter for the Australian Government, and appropriate protections for intellectual property exist within Commonwealth legislation dealing with the issue.

#### 3.7.2 Gaming machine integrity

*Submissions*

There are calls to clarify and expand existing offences concerning the sale, supply, installation and possession of unapproved gaming machines and components. Submissions
also called for clarifying gaming machine-related integrity issues, including defective gaming machines, machine seals, compliance plates and machine modifications.

Offence provisions designed to strengthen and clarify matters of integrity concerning gaming machines and machine-related matters have also been raised as issues requiring amendment.

*Response*

It is proposed to introduce amendments to clarify certain definitions in relation to supplying and installing unapproved gaming machines and components, as well as gaming machine integrity. The issue of gaming machine integrity will also be resolved in the context of amendments proposed to effectively track gaming machine movements, and by clarifying offence provisions relating to the operation of gaming machines. (Proposals 24)

Discussions are also underway to streamline the current system of notification and tracking of machine movements, and how electronic applications may be more effectively used for this purpose.

### 3.7.3 Payment of gaming machine prizes

*Submissions*

One submission raised the need for clarity concerning the awarding and payment of prizes, and also the need for an offence against persons claiming prizes they are not entitled to.

*Response*

It is proposed to clarify the provisions relating to the payment of gaming machine prizes to ensure there is no confusion. It is also proposed to provide additional measures to ensure gaming machine prizes are paid to those that are entitled to receive the prize. (Proposal 25)

### 3.7.4 Financing of gaming machines

*Submissions*

Some submissions called for significant changes to the current approved financial arrangements for the acquisition of gaming machines.

One submission supports the extension of the current three year time limit for financing of gaming machines to five years.

*Response*

Wholesale changes to the current approved financial arrangements associated with the acquisition of gaming machines are not supported. Arrangements for the financing of gaming machine purchases will be approved by the proposed Casino, Liquor and Gaming Control Authority. While the extension of time for purchasing gaming machines from three
to five years is not opposed by Government, this is a matter for the proposed Authority to consider.

3.7.5 Other comments

Submissions

Some submissions called for greater accountability, and clarification of certain provisions, for persons participating in the gaming machine industry.

Submissions also requested the extension of the gaming room provisions in hotels to club premises, to ensure gaming machines are not visible from public areas, in particular from the street.

Response

It is proposed to strengthen particular offence provisions to ensure increased awareness of responsibilities by industry participants and, in turn, increase compliance. (Proposal 26)

It is proposed that gaming machines must not be visible from outside a venue, and consideration will be given to the most appropriate and efficient means by which this can occur. It is not considered appropriate for the gaming room provisions to apply to registered clubs, but other mechanisms will be considered to ensure gaming machines are not visible from public areas. (Proposal 27)

3.8 Part 7 - Gaming-related licences

Part 7 (sections 82 to 126) details the licensing scheme for gaming-related licences (that is, dealer’s licences, seller’s licences, technician’s licences, adviser’s licences and testing facility licences).

This group of provisions also contain controls over key officials. Key officials are certain officers of the OLGR and NSW Police Force whose roles may impact on the regulatory regime. They have statutory obligations that restrict and control secondary employment and business and financial relationships with the gaming industry.

3.8.1 Licence types

Submissions

Several submissions were received regarding gaming-related licences. Some submissions called for a review of probity requirements, including allowing investigations of close associates and other interested parties after the grant of a licence. Other submissions requested a review of the different types of licences, including creating new licence types, or consolidating different licence categories.
Response

It is proposed to consolidate the different types of gaming-related licence, to better reflect the convergence of roles within the gaming machine industry. (Proposal 28)

It is proposed to amend the legislation to provide for three licence types only, a gaming machine (dealer's) licence, a gaming machine (testing facility) licence, and a gaming machine (general) licence.

A gaming machine (dealer’s) licence would remain predominantly as it is, with dealers being able to manufacture and assemble gaming machines, sell, service and repair gaming machines and to act as a gaming machine adviser. Only corporations would be entitled to apply for this licence.

A gaming machine (testing facility) licence would also remain predominantly as it is, with these licensees being able to test gaming machines against legislative requirements. Only corporations would be entitled to apply for this licence.

A gaming machine (general) licence would consolidate the remaining licence types (that is, a seller’s licence, a technician’s licence and an adviser’s licence) into one licence category. It is proposed to offer both ‘corporate’ and ‘individual’ licences under this category, in recognition of the current industry structure.

Part of this consolidation of licence types will involve an investigation of the appropriate probity requirements for each licence category.

3.8.2 Compliance plates

Submissions

Submissions requested consideration be given to changing the requirements for gaming machines to have compliance plates, preferring instead a compliance certificate system. Other submissions indicated that compliance plates should reflect the type of machine, including the plate being updated if the machine is upgraded.

Response

It is appropriate that a compliance plate reflects the type of gaming machine it is attached to. It is proposed to amend the legislation to allow for changes to compliance plates to reflect this change. It is considered appropriate that compliance plates be a permanent fixture on gaming machines, and therefore it is not proposed to change the current requirement from a compliance plate to a compliance certificate. (Proposal 29)

3.8.3 Gaming-related licence offences

Submissions

Submissions called for amending offences and new offences against licensed technicians to strengthen their accountability and integrity. An example includes increasing the
accountability of technicians where it is apparent that a detected breach against a venue has been caused by the action of a technician.

In addition, it is currently an offence for a person to be in possession of an unapproved poker machine. One submission called for the introduction of a new offence against the supplier/seller of the unapproved machine(s).

Response

It is appropriate to strengthen the provisions relating to the accountability of gaming-related licensees to require licensees to be responsible for the work they undertake. This will ensure the integrity of the gaming machine industry is maintained. (Proposal 30)

3.8.4 Key officials

Submissions

The OLGR is aware of several issues surrounding the key officials provisions, including the reach of the provisions within the Department of the Arts, Sport and Recreation.

Response

Following machinery of Government changes to the structure of the regulatory body, the former Department of Gaming and Racing is now part of the Department of the Arts, Sport and Recreation. This has led to governance issues and the key officials provisions will be reviewed to ensure they remain appropriate and effective. (Proposal 31)

3.9 Part 8 – Complaints and disciplinary action

The provisions of Part 8 (sections 127 to 131) detail the power of the Director of Liquor and Gaming, the Commissioner of Police and the Licensing Court to take action against hoteliers, registered clubs and gaming-related licensees when a breach of the legislation has been discovered.

Submissions

Submissions have suggested minor amendments to the legislation to strengthen and clarify the powers of the Director, Police and Court to take action where required. In particular, submissions called for clarification as to when action could be taken, and when investigation of licensees and incidents could be undertaken.

Response

It is appropriate that these amendments proceed. Further information will be provided to industry participants prior to any amendments taking effect. (Proposal 32)
3.10 Part 9 – Authorised CMS

The provisions contained in Part 9 (sections 132 to 140) detail the requirements with respect to the connection of gaming machines to the Centralised Monitoring System (CMS).

All approved gaming machines must be connected to the CMS to allow gaming machines to be monitored for regulatory and taxation purposes.

The current CMS allows for communication from the gaming machine to the CMS host. The Government is currently in discussions with industry stakeholders regarding possible changes to the NSW standard that would enable two-way communication by gaming machines, to allow for information to be passed from the host to the gaming machine, as well as from the gaming machine to the host.

Submissions

Submissions commented that the data collected by the CMS should be sufficient to satisfy certain record-keeping requirements in the legislation. Submissions also commented on the cost of the CMS, and the technology used by the CMS.

Several submissions supported a new communication protocol that would allow for two-way communication between gaming machines and host.

Response

An analysis of data received by the CMS shows that information the CMS can provide should be sufficient to satisfy current requirements with respect to meter readings and similar records. It is proposed to modify those sections to allow for the use of CMS to record those readings. (Proposal 33) This should reduce the cost of compliance for industry, as the requirement for manual meter reads will largely be removed from the legislation.

The Government is currently working towards the development of a new communication protocol that will allow for technological advances in monitoring and game design. This process is separate to the review of the Act, and any necessary legislation will be introduced after extensive consultation with affected stakeholders.

3.11 Part 10 – Linked gaming systems

Part 10 (sections 141 to 158) detail the requirements with respect to linked gaming systems for hotels and registered clubs.

There are two links licences, an inter-hotel links licence, and an inter-club links licence. The Act permits the grant of an exclusive licence period of 15 years, which allows for an appropriate return on investment for the original licensee.

The exclusive licence period for the inter-club links licence operates until 17 October 2017, and the exclusive licence period for the inter-hotel links licence operates until 7 October 2019.
Submissions

Submissions were received raising concern about the display of jackpot signs, and the announcement of prizes won in a venue, indicating that they may be inducements to gamble. Submissions were also received requesting changes to the legislation to ensure that machines connected to a link are clearly identified, and that the jackpot signs are clearly visible from each machine connected to the link.

Amendments were also requested regarding the dispersal of jackpot prizes, in circumstances where the jackpot pool is no longer offered to players. Minor amendments were also requested to update the regulation of linked gaming systems in light of technological advances.

Response

Given the concerns raised regarding player awareness of jackpot links and the number and type of jackpots that a machine is connected to, it is appropriate to modify the requirements surrounding jackpot displays. It is proposed to require all machines connected to a link to clearly display information regarding which jackpot links the machine is connected to and whether the link is or is not active. (Proposal 34)

It is also proposed to make minor amendments to the legislation to update the control of linked gaming systems in light of technological advances. (Proposal 35)

3.12 Part 11 - Investment licences

Part 11 (sections 159 to 165) originally allowed for investment licences to be issued; however, this Part was repealed in December 2004.

Submissions

No submissions were received on this Part.

Response

As this part was repealed in December 2004, no further action is proposed.

3.13 Part 12 - General provisions relating to CMS and links licences

The provisions contained in Part 12 (sections 166 to 177) provide the administrative basis for the CMS and links licences.

Submissions

No submissions were received in relation to this Part.
Response

It is not proposed to make amendment to Part 12, as no suggestions for amendment were made, and it is considered that the Part is operating effectively and meets the objectives of the Act.

3.14 Part 13 – Investigation and enforcement powers

Part 13 (sections 178 to 186) contains the powers of entry, inspection and seizure in relation to gaming machines and certain premises, and empowers special inspectors to require hoteliers and registered clubs to comply with directions given by the inspectors.

Submissions

One submission sought the development of a memorandum of understanding between the OLGR and the NSW Police Force setting out each agency’s respective enforcement responsibilities and where these responsibilities may overlap and potentially cause different interpretations of the law.

Response

The OLGR communicates with the NSW Police Force and has recently strengthened this partnership through the provision of regular training and conferences to increase police knowledge and understanding of the legislation, to ensure it is interpreted and applied consistently.

It is appropriate that the respective roles of the OLGR and the NSW Police Force be clarified. It is proposed to amend the legislation to provide that the responsibility for enforcement action for matters of a technical nature relating to the operation of approved gaming devices will only be able to be dealt with by OLGR special inspectors. (Proposal 36)

3.15 Part 14 – Legal proceedings and related matters

Part 14 (sections 187 to 203) provides the legal basis for taking action against hotels, registered clubs and gaming-related licensees when a breach of the Act or Regulation has occurred, and allows for appeals against certain decisions.

Submissions

Several submissions highlighted the disparity that exists between certain enforcement provisions within the Gaming Machines Act and similar provisions within the Liquor and Registered Clubs Acts. Some submissions opposed the current Board’s authority in relation to regulating the gaming machine industry and suggested establishment of a specialised independent authority.
Response

It is appropriate that a further review of the enforcement provisions be conducted in light of the proposed Liquor Bill as any proposed changes within that Bill may impact upon the operation of the Gaming Machines Act.

Similarly, it is appropriate that the authority conferred by these provisions also be considered in light of the proposed Liquor Bill. However, it is anticipated that a few minor amendments will be sought to strengthen the OLGR’s ability to undertake legal proceedings.

3.16 Part 15 – Miscellaneous provisions

Part 15 (sections 204 to 216) contains miscellaneous provisions relating to the administration of the Act. These provisions provide for the efficient administration of the Act by:

- Removing liability from the Crown and its employees
- Allowing the Minister to provide directions to the current Board
- Allowing research trials to be conducted
- Restricting the dissemination of information
- Allowing for the delegation of certain functions
- Clarifying the relationship with other Acts
- Providing a Regulation-making power for the effective administration of the Act
- Allowing for savings and transitional provisions
- Requiring a review of the Act.

3.16.1 Restricting the dissemination of information

Submissions

Submissions have sought greater access to gaming machine data and more timely availability of data. There have also been calls for greater access to ‘ranking’ information for all gaming venues, and other gaming-related information.

One submission called for the expansion of the secrecy provisions to allow greater disclosure of information for law enforcement purposes.

Response

The release of general gaming-related data is supported where that information does not breach confidentiality and privacy. However, requests for specific gaming-related data, which is very limited in use, to be publicly available is resource intensive and costly to compile and is not supported.
A wide range of gaming machine data is currently available from the OLGR. Standard data sets are available periodically, while other ad-hoc data requests are made available on a cost recovery basis.

Expanding the available range of standard gaming machine data is supported. Data requests from academic institutions for research purposes are supported, and will be provided at a nominal fee on the understanding that such information is not to be further released by the institution. In such circumstances, a copy of the research will be sought to assist Government in developing policies based on research outcomes.

Law enforcement agencies (such as the Independent Commission Against Corruption and the Ombudsman) are generally exempt from the secrecy provisions of the Act. It is proposed to expand the exemptions to include the NSW Police Force, as well as national and international gaming regulatory agencies. (Proposal 37)

### 3.17 Schedule 1 – Savings, transitional and other provisions

These provisions contain the machinery and operational provisions of the Act. There is no policy objective behind these provisions, beyond ensuring the Act operates in an efficient manner and with clarity.

**Submissions**

No submissions were received relating to Schedule 1.

**Response**

It is not proposed to amend Schedule 1. It is considered that the Schedule is necessary to ensure the Act operates in an efficient manner.

### 3.18 Other matters raised in the submissions

Several submissions raised issues that are not dealt with under specific provisions described above, as follows:

#### 3.18.1 Research requests

**Submissions**

Several submissions were received requesting research be done in various areas, ranging from a review of specific provisions in the legislation such as the shutdown of gaming machines or signage requirements, to the impact of promotions to venue characteristics that encourage or discourage problem gambling.
Response

Many of the research projects requested in submissions have been completed, either in NSW or elsewhere in Australia. The Government will consider incorporating other suggestions for research in its current research program. (Proposal 38)

A useful resource for those wishing to access a list of completed research is the Gambling Research Australia website (www.gamblingresearch.org.au), which provides a list of government and non-government funded research completed in Australia with information on how to obtain copies of the research.

3.18.2 Gaming machine technology

Submissions

Submissions called for legislation that allows for the proper and balanced development of new technology including: server-based gaming technology; that new technology should be available to both hotels and clubs equally; and should be phased in over time.

Response

It is appropriate that the legislation takes into account advances in technology, and attempts to cater for as-yet unknown technological advances. The OLGR has regular discussions with industry participants about technological advances, and these discussions are the appropriate forum for technology changes to be discussed and considered. (Proposal 39)

3.18.3 Funding for the Arts

Submissions

Several submissions were received calling for a fund to be established from gaming machine revenue, with the purpose of funding the performing arts. Calls were also made to extend the CDSE guidelines to include cultural activities and visual/performing arts, and a similar scheme to be set up for hotels.

Response

It is not appropriate for the gaming machines legislation to legislate in areas other than the regulation of gaming machines. The CDSE scheme is administered through the Gaming Machine Tax Act 2001, and that similar submissions were received to a review of that legislation. The guidelines for the CDSE scheme were recently updated and now include the ability for category 2 CDSE expenditure to be provided for non-profit cultural activities or non-profit visual and performing art activities and programs.
3.18.4 Planning approval for gaming machines

Submissions

Several submissions sought amendments to environmental planning legislation to require applications for additional poker machines in venues to go through the planning approval process.

Response

It is not appropriate for this Act to consider planning approval processes; it is a matter for the planning legislation to deal with. It is understood that similar requests have been made to the Department of Planning.

3.18.5 Gaming Machines in outdoor areas

Submissions

Several submissions were received requesting changes to the definition of 'outdoor', to ensure gaming machines were not able to be placed in areas within a venue where smoking is permitted. One submission indicated that gaming machines in outdoor areas were appropriate.

Responses

The submissions raise issues relating to reducing smoking related harm, rather than gambling related harm.

The NSW Government has formalised its commitment to the prevention and reduction of tobacco-related harm in New South Wales through ongoing Tobacco Action Plans since 1995. The NSW Tobacco Action Plan 2005-2009 which indicates a number of activities aimed at managing environmental tobacco smoke (ETS). One of the key outcomes is a decrease in the public’s exposure to ETS in hospitality industry settings. Accordingly, further consideration of this issue should occur through the Tobacco Action Plan, rather than through the Gaming Machine Act.

Nevertheless, changes proposed at section 3.7.5 will reduce the visibility of gaming machines from public places, and therefore reduce the impact of outdoor gaming on members of the public.

3.18.6 Club amalgamations

Submissions

Several submissions were received regarding incentives for clubs to amalgamate, including tax incentives and the relaxation of certain restrictions within the Act. It was submitted that regulatory restrictions impact on the expansion of a venue’s trading capability, hinder the orderly restructure of the industry and restrict the ability of venues to establish in new growth areas.
Response

Changes to the SIA process (refer 3.5.1) and the forfeiture system (refer 3.4.2.2) will assist the viability of the club industry, and may encourage venues to consider amalgamations to ensure the viability of less successful clubs.

3.18.7 Unclaimed tickets, jackpots and jackpot dispersals

Submissions

The OLGR is aware of several issues surrounding unclaimed tickets, jackpots and the dispersal of jackpot prizes.

Recent approval of ticket-in, ticket-out (TITO) technology by the current Board will have the potential to increase the number of unclaimed gaming machine tickets. Current legislation places onerous requirements on venues with respect to unclaimed tickets.

Several incidents have also been reported where a jackpot prize has been won, but no-one has claimed the prize. The legislation is unclear as to what should be done with these prizes.

Further, in instances where jackpots cease to exist, the funds contained in the contribution pool are currently manually dispersed to other jackpots if no replacement system is available.

Response

It is proposed to amend the legislation to require that gaming machine tickets be presented for payment within 12 months of issue, as is the case in other forms of gambling, such as TAB betting.

Once the tickets have expired and no claim against them has been made, it is proposed that monies outstanding will be payable by the venue into the Community Development Fund. (Proposal 40) The unclaimed prize is not the money of the venue, but money owing to a person who is unable to be identified or located. It is appropriate that such monies be applied for the benefit of the community as a whole if it is not possible to find the prize winner.

Those monies may then be applied to various community benefits, such as the creation or maintenance of community facilities that may not otherwise be provided.

It is proposed to require the payment of unclaimed jackpot prizes into the Community Development Fund. (Proposal 41)

In cases where a jackpot ceases to exist, if no replacement jackpot system is available, it is appropriate for the moneys to be dispersed electronically to another jackpot, rather than the current manual system.
3.18.8 Education strategies

Submissions

Several submissions called for problem gambling awareness campaigns to occur, both at the general community level and targeted strategies for particular groups in the community.

Response

The Government is developing a major State-wide problem gambling awareness campaign based on the results its 2006 prevalence study. (Proposal 42) A key focus of the awareness campaign will be educating young men about the risks of gambling after the study found problem gamblers were most likely to be males aged 18 to 24 years of age.

Other targeted awareness campaigns will be undertaken in future, in addition to general awareness activities such as the publication of the G-Line number (1800 633 635) in multiple locations throughout venues and in conjunction with other gambling activities.

The Responsible Gambling Fund is currently considering a number of education strategies that could be implemented in the future, including resource kits for school counsellors and health workers to raise awareness of problem gambling issues.

The Government provides funding to counselling services, providing $31 million over the next four years for a State-wide network of counselling and support services through the Responsible Gambling Fund. Part of the role of these services is to undertake general awareness activities in their local areas.
4 CONCLUSION AND PROPOSALS

Overall, the review found that, whilst the policy objectives of the Act are valid, the means of achieving the policy objectives of the Act requires some action to ensure the appropriate level of control and compliance with the Act and its provisions, without unnecessary red tape and over-regulation.

The follow actions are proposed:

1. Amend the primary objects of the Act to also include reference to the balanced development and integrity of the industry (refer 3.2.1)
2. Provide clarification regarding subsidiary equipment (refer 3.2.2)
3. Amend the legislation to allow the proposed Casino, Liquor and Gaming Control Authority to give blanket approval for the display of gaming machines at trade shows and exhibitions (refer 3.2.5)
4. Amend the legislation to reduce the state-wide cap, and to provide a mechanism for the automatic reduction of the cap over time (refer 3.3)
5. Remove access by registered clubs to free entitlements (refer 3.4.1)
6. Develop mechanisms to assist new clubs (particularly in greenfield areas) and small clubs, in consultation with the club industry (refer 3.4.1)
7. Amend the legislation to ensure that the licence owner will be able to object to the transfer of entitlements from a leased hotel (refer 3.4.2.1)
8. Amend the legislation to permit extra time to transfer entitlements, upon payment of a levy to the Community Development Fund (refer 3.4.2.2)
9. Amend the legislation to allow the transfer of entitlements between related club premises without forfeiture, if both premises are within the same LGA (refer 3.4.2.2)
10. Amend the legislation to permit related clubs to forfeit one entitlement in every six transferred to another premises outside the LGA, if the club agrees to a decrease in the number of machines able to be held by the transferring club (refer 3.4.2.2)
11. Introduce a mechanism whereby a local community will be able to object to the removal of all of the entitlements from the last remaining venue in a country location (refer 3.4.2.3)
12. Require venues to convert remaining AADs to poker machine entitlements (refer 3.4.2.4)
13. Repeal the hardship provisions contained in the Act (refer 3.4.3)
14. Significant changes to the social impact assessment process, involving changing the name to Local Impact Assessment, and changing the threshold that determines which class of statement will be required before an increase in gaming machine numbers will be permitted (refer 3.5.1)
15. Removal of offence provisions in circumstances where patrons remove promotional material intended for internal promotions (refer 3.5.3.1)
16. Permit venues to send gaming machine promotional material to members on an opt-in basis (refer 3.5.3.1)
17. Prohibit ATMs in venues from offering cash from credit card transactions (refer 3.5.3.4)
18. Require that prize-winning cheques be clearly marked as prize-winning cheques (refer 3.5.3.5)
19. Update the codes of practice in consultation with industry (refer 3.5.3.6)
20. Changes to the self-exclusion process, including requiring the use of a simple ‘plain English’ deed, and allowing venues to operate their own a self-exclusion scheme provided it is conducted in accordance with the Regulations (refer 3.5.3.7)
21. Provide clarification regarding the current provisions relating to gaming machines in venues located in retail shopping centres (refer 3.6.2)
22. Limit the number of MTGMs (as a proportion of overall gaming machines) a club may install — a process will be developed in consultation with relevant stakeholders to reduce the number of MTGMs over time (refer 3.6.3)
23. Change the name of the NSW Game Design Harm Minimisation register to better reflect its intention (refer 3.6.4.2)
24. Develop mechanisms to more effectively track the movement of gaming machines within NSW and provide clarification of definitions relating to supplying and installing unapproved gaming machines and components (refer 3.7.2)
25. Clarify the requirements for the payment of gaming machine prizes (refer 3.7.3)
26. To strengthen particular offence provisions to ensure increased awareness of responsibilities by industry participants (refer 3.7.5)
27. Develop mechanisms designed to ensure that gaming machines are not visible from outside a gaming venue, in particular in public areas such as the street (refer 3.7.5)
28. Amend the gaming-related licence categories to reduce complexity, including a review of appropriate probity requirements for each new licence category (refer 3.8.1)
29. Amend the requirements for compliance plates on gaming machines (refer 3.8.2)
30. Strengthen the provisions relating to the accountability of gaming-related licensees (refer 3.8.3)
31. Review the key official provisions to ensure they remain appropriate and effective (refer 3.8.4)
32. Provide clarification of the powers of the Director, Police and the Court to take action where required (refer 3.9)
33. Modify the legislation to allow for the use of CMS data to satisfy requirements for meter readings and other similar records (refer 3.10)
34. Amend the legislation to require all machines connected to a link to clearly display information as to which links the machine is connected to (refer 3.11)
35. Update the control of linked gaming systems in light of technological advances (refer 3.11).
36. Amend the legislation to provide that the responsibility for enforcement action for matters of a technical nature relating to the operation of approved gaming devices will only be able to be dealt with by OLGR special inspectors (refer 3.14)
37. Expand the provisions relating to the release of information, to allow information to be released to NSW Police as well as national and international gaming regulatory agencies (refer 3.16.1)

38. Research projects at both a State and National level will continue to be funded through the Responsible Gambling Fund (refer 3.18.1)

39. Discussions with industry regarding advances in the technology of gaming machines will continue as required (refer 3.18.2)

40. Require gaming machine tickets be presented for payment within 12 months of issue. Monies outstanding will be paid by venues into the Community Development Fund (refer 3.18.7)

41. Unclaimed jackpot prizes will also be paid into the Community Development Fund (refer 3.18.7)

42. Major State-wide awareness campaigns are being developed to educate various sectors of the community about the impact of problem gambling and the help that is available for those having difficulty with their gambling (refer 3.18.8)
Annexure A — Flow Chart of proposed Local Impact Assessment process

Gaming machine venue seeks to increase the number of gaming machines

YES

Are the gaming machines coming from within the LGA

BAND 1
Low gaming machine density and expenditure, and high SEIFA

Is the number of machines sought over 20 machines per year

YES

BAND 2
Moderate gaming machine density and expenditure, and mid-level SEIFA

Discretion of decision-maker

NO

BAND 3
High gaming machine density and expenditure, and low SEIFA

LIA not required

Class 1 LIA required

Class 2 LIA required

Bands will be determined on a periodical basis.
Each LGA will be ranked in accordance with:
- gaming machine density
- gaming machine expenditure
- SEIFA data.
and then grouped into one of three Bands.
Gaming machine venue seeks to increase the number of or move gaming machines

Is the venue within a retail shopping centre

Class 2 SIA

Some venues within a retail shopping centre are unable to increase gaming machine numbers.

Is venue seeking to move its premises within 1 km of the original premises

Is the venue seeking to increase the number of gaming machines by moving gaming machines from another venue within 1 km

Is the venue a registered club

Is the club proposing to move gaming machines to its other premises or to a proposed new premises

Are these premises within 50 km of each other and in a non-metropolitan area

Proviso: the child premises obtains no more gaming machines than it had prior to the de-amalgamation

Does the club have two adjoining premises that are seeking to become single premises

Is the venue seeking to increase the number of gaming machines by no more than 10 machines over a 10 year period

Class 2 SIA

Class 1 SIA
Annexure B — List of Submissions

Submissions were received from:

1. Aristocrat Technologies
2. Atkin, Mr
3. Australasian Gaming Machines Manufacturers Association (AGMMA)
4. Australia Street Company
5. Australian Hotels Association (AHA NSW)
6. Back Schwartz Vaughan obo Maycott Pty Ltd t/a One world Sport Parramatta
7. Back Schwartz Vaughan obo Winners Circle Group
8. BMM Australia Pty Ltd (BMM Test Labs)
9. Booth, Mr
10. Brolga Hotel Motel, Coleambally
11. Brown, Mr
12. Bytecraft Systems Pty Ltd
13. Camden Council
14. Canterbury Leagues Club t/a Bulldogs
15. CMP Lawler obo Kellyville County Club
16. CMP Lawler obo Woonana Bulli RSL Memorial Club Ltd
17. Community Dimensions Pty Ltd
18. CompuRep Pty Ltd
19. Council of Social Service of NSW (NCOS)
20. Cutlan, Mr
21. Evans, Tinning & Roberts
22. Gambling Impact Society
23. Griffith, Mr
24. Hall, Mr
25. Hill, Mr
26. Independent Liquor Group Co-operative Distribution Ltd
27. Judith Stubbs and Associates
28. Keay, Mr
29. LAS Lawyers & Consultants obo Westmead Tavern
30. Leagues Clubs Association of NSW
31. Lee Rhiannon MLC
32. Leitch Hasson Dent obo Camden Sports Club
33. LifeLine Central West obo Western/Riverina – Murray Gambling Forum
34. Liquor Administration Board
35. Liquor, Hospitality and Miscellaneous Union
36. Marrickville Council
37. Marrickville District Lawn Tennis Club Ltd
38. Masters, Mr
39. Maxgaming NSW Pty Ltd
40. Media, Entertainment & Arts Alliance
41. Mingara Recreation Club Ltd
42. North Ryde Golf Club
43. Northern NSW Gambling Counsellors Forum
44. O'Brien, Ms
45. Paltronics Australasia Pty Ltd
46. Paul Symond Consultancy/BetSafe
47. Phil Bennett Consulting
48. Responsible Gambling Fund
49. Royal Oak Hotel, Lidcombe and Ocean Beach Hotel, Shellharbour
50. RSL & Services Clubs Association Ltd
51. RSL & Services Clubs Association Ltd obo Woonana Bulli Memorial Club Ltd
52. SmokeFree Australia Coalition
53. Strategic Business Solutions
54. Sydney Metropolitan Problem Gambling Forum
55. Sydney Turf Club
56. Tattersalls Hotel, Emmaville
57. The Railway Hotel, Temora and The Royal Hotel, Berrigan
58. The Registered Clubs Association of NSW (ClubsNSW)
59. Thomas, Mr
60. Thomson Playford
61. Unknown Resident, Ashfield
62. Wade Hotel, Leeton and Yanco Hotel, Yanco
63. Wardle, Mr
64. Wesley Community Legal Service
65. Wests Ashfield Leagues Club Ltd
66. Zirwanda, Mr & Ms