

## Gaming Machines Act 2001 No 127

Current version for 1 January 2014 to date (accessed 22 April 2014 at 12:19)

[Part 4](#) > [Division 3](#) > Section 45

<< page >>

### 45 Regulation of promotional prizes and player reward schemes

(1) In this section:

*player reward scheme* means a system, used in connection with the operation of approved gaming machines in a hotel or on the premises of a club, in which the players of such gaming machines accumulate bonus or reward points from playing the gaming machines.

*promotional prize* means any prize or reward (including bonus points) offered by a hotelier or club to the patrons of the hotel or the premises of the club in connection with a player reward scheme or any other marketing or promotional activity that involves approved gaming machines.

(2) A hotelier or club must not:

- (a) offer or present a promotional prize in the form of cash, or
- (b) offer or present a promotional prize that exceeds \$1,000 in value, or
- (c) permit a patron of the hotel or the premises of the club to exchange a promotional prize for cash, or
- (d) permit any bonus or reward points accumulated under a player reward scheme to be redeemed for cash.

Maximum penalty: 100 penalty units.

(3) Subsection (2) does not apply to or in respect of:

- (a) promotional prizes that form part of a jackpot prize under an authorised linked gaming system, or
- (b) such prizes as are prescribed by the regulations for the purposes of this section.

(4) If a hotelier or club conducts a player reward scheme, the hotelier or club must, in accordance with the regulations:

- (a) advise the participants in the scheme of the availability of player activity statements that relate to the playing of approved gaming machines under the scheme, and
- (b) provide each such participant with a player activity statement.

Maximum penalty: 100 penalty units.

- (5) The regulations may make provision for or with respect to player reward schemes and any matter concerning player activity statements (including the details to be included in player activity statements).
- (6) Subsection (4) does not apply to any player reward scheme conducted during the period of 6 months after the commencement of this section.

Top of page

## Gaming Machines Regulation 2010

Current version for 5 February 2014 to date (accessed 22 April 2014 at 12:20)

[Part 3](#) > [Division 4](#) > Clause 48

<< page >>

### 48 Provision of player activity statements under player reward schemes

- (1) Player activity statements are required to be provided by a hotelier or registered club under section 45 (4) of the Act only if the player reward scheme being conducted by the hotelier or club is one in which a participant's activity in relation to playing gaming machines is recorded by electronic means.

**Note.** Section 45 (4) of the Act provides that it is an offence (maximum penalty 100 units) for hoteliers and clubs that conduct player reward schemes not to provide player activity statements in accordance with the regulations.

- (2) For the purposes of section 45 (4) and (5) of the Act, player activity statements relating to the playing of approved gaming machines by the participants in a player reward scheme conducted by the hotelier or club must:
  - (a) be made available, on request by the participant to whom any such statement relates, on a monthly basis, and
  - (b) include, as a minimum, the information referred to in subclause (3).
- (3) The following information, provided in the form approved by the Authority, is the minimum information that must be included in a participant's player activity statement:
  - (a) the total amount of turnover by the participant during the monthly period covered by the statement,
  - (b) the total wins recorded during the monthly period,
  - (c) the net expenditure (ie turnover less wins) during the monthly period,
  - (d) the total points earned and redeemed during the monthly period as the result of playing gaming machines under the scheme,
  - (e) the total length of time over each 24-hour period during the monthly period when the participant's player card was inserted in gaming machines under the scheme (*the daily record*),
  - (f) the total length of time that the participant's player card was inserted in gaming machines under the scheme during the monthly period.
- (4) The daily record is required to be included in the player activity statement only in respect of those days that the participant's player card was used.

- (5) A player activity statement is to also include a note stating that the information detailed in the statement:
- (a) only relates to the occasions on which the participant used his or her player card under the player reward scheme to play a gaming machine, and
  - (b) does not necessarily relate to all of the participant's gaming machine activity during the monthly period, and
  - (c) may not include information about wins from playing gaming machines that are part of a linked gaming system within the meaning of Part 10 of the Act.
- (6) Information to the effect that player activity statements are available on request must:
- (a) be given to each participant at the time the participant joins the player reward scheme conducted by the hotelier or registered club, and
  - (b) be included in any promotional material relating to the player reward scheme.
- (7) A player activity statement must include a problem gambling notice as referred to in clause 25.
- (8) Player activity statements must be provided free of charge by the hotelier or registered club. However, if a participant requests a subsequent player activity statement to be provided in respect of a monthly period, the hotelier or club may charge for providing the subsequent statement in accordance with the scale of charges approved by the Authority.

Top of page



[Whole title](#) | [Parent Act](#) | [Historical versions](#) | [Historical notes](#) | [Search title](#) | [PDF](#)

## Gaming Machines Regulation 2010

Current version for 5 February 2014 to date (accessed 22 April 2014 at 12:21)

[Part 3](#) > [Division 4](#) > Clause 50

<< page >>

### 50 Requirement to keep record or copy of player activity statement

A hotelier or registered club must keep a record or copy of any player activity statement made available by the hotelier or club (whether or not provided under section 45 (4) of the Act).

Maximum penalty: 50 penalty units.

[Top of page](#)

## Gaming Machines Regulation 2010

Current version for 5 February 2014 to date (accessed 22 April 2014 at 12:21)

[Part 3](#) > [Division 4](#) > Clause 51

<< page >>

### 51 Disclosure of information in player activity statements

- (1) This clause applies in relation to a player activity statement that relates to the playing of approved gaming machines under a player reward scheme (within the meaning of section 45 of the Act) conducted by a hotelier or registered club regardless of whether the player activity statement is provided under section 45 (4) of the Act.
- (2) A hotelier or club must not disclose any information contained in a player activity statement to any person unless that person:
  - (a) is the person to whom the information relates, or
  - (b) is lawfully entitled to have access to the information.
- (3) A person who acquires any information contained in a player activity statement provided by a hotelier or registered club must not disclose the information to any person unless the person disclosing the information:
  - (a) is the person to whom the information relates, or
  - (b) is authorised or required to do so by law.

Maximum penalty: 100 penalty units.

Top of page

Whole title | Parent Act | Historical versions | Historical notes | Search title | PDF

## Gaming Machines Regulation 2010

Current version for 5 February 2014 to date (accessed 22 April 2014 at 12:21)

Part 6

<< page >>

### Part 6 Player cards and accounts

#### 94 Definitions

In this Part:

*account card* means a card:

- (a) issued by a hotelier or registered club to a person when the person opens up a player account with the hotelier or club, and
- (b) through which the person can access money held in the player account for the purposes of operating electronic payment gaming machines in the hotel or on the premises of the club.

*electronic payment gaming machine* means an approved gaming machine that can be operated by means of a player card.

*player account* means an account opened by a person with a hotelier or registered club for the purposes of operating electronic payment gaming machines in the hotel or on the premises of the club.

*player card* means:

- (a) an account card, or
- (b) a Smartcard.

*Smartcard* means a card:

- (a) issued by a hotelier or registered club, and
- (b) on which information and credit in relation to the operation of electronic payment gaming machines can be stored electronically.

#### 95 Compliance with requirements of this Part

A hotelier or registered club must comply with the requirements of this Part.

Maximum penalty: 50 penalty units.

#### 96 Issuing of player cards

- (1) A player card must not be issued to a person who is under the age of 18 years.
- (2) A player card must not be issued to a person unless the person provides a responsible person for the hotel or registered club with documentary proof of the person's identity.
- (3) Only one player card per person may be issued by a hotelier or registered club. However, this subclause does not prevent a hotelier or club from issuing a person with another player card as a replacement for one that has been lost, stolen or destroyed.
- (4) A hotelier or registered club must not issue a player card to a person unless the warning and information contained in the gambling warning notice and problem gambling notice under clause 25 is provided to the person.
- (5) A hotelier or registered club must not issue a player card to a person unless the Gambling Help Line referred to in clause 25 (7) appears on the card.

## 97 Participation in player reward schemes

- (1) If
  - (a) a hotelier or registered club conducts a player reward scheme within the meaning of section 45 of the Act, and
  - (b) any of the approved gaming machines used in connection with the player reward scheme are electronic payment gaming machines,

any person to whom the hotelier or club issues a player card must be given the option of choosing whether or not to participate in the player reward scheme.
- (2) The option must be made available at all times to the person.

## 98 Player accounts

- (1) A hotelier or registered club must not allow a person to open more than one player account with the hotelier or club at the one time.
- (2) The hotelier or registered club must not extend a cash advance or any other form of credit in respect of a player account.
- (3) The following information must be provided to a person in writing at the time the person opens a player account:

The security of money in player accounts is the responsibility of the both the \*hotelier/\*registered club (*\*delete whichever is inapplicable*) and the account holder. The government and its agencies take no responsibility for any losses that might occur from the account.

An account holder is solely responsible for ensuring that the account holder's personal identification number ("PIN") is kept confidential and that no other person has access to the account holder's player card. The account holder is liable for any losses that might arise from, or in connection with, the account holder's failure to comply with such responsibilities.

- (4) Player information (within the meaning of clause 22) must be provided to a person when the person opens a player account.



- (5) Any money that is held by a hotelier or registered club in a player account must:
- (a) be kept separate from any other funds or accounts held or maintained by the hotelier or registered club, and
  - (b) not be used by the hotelier or registered club for any purpose.

## **99 Maximum amount held in player accounts or stored on Smartcards**

- (1) The amount of money that can be held in a player account or stored on a Smartcard must not exceed \$200.
- (2) However, the Authority may, on application by a hotelier or registered club, increase the maximum amount of money that can be held in a player account or stored on a Smartcard to an amount exceeding \$200 (but not exceeding \$1,000) but only if the Authority is satisfied that the hotelier or club has in place a system, as approved by the Authority, for the safeguarding of the money held or stored.

## **100 Transaction records—player accounts**

- (1) A transaction record must be provided on each occasion any money is paid into or withdrawn from a player account.
- (2) The transaction record must include the following information:
- (a) the type of transaction completed,
  - (b) the amount of money involved,
  - (c) the time and date of the transaction,
  - (d) the current balance in the player account.
- (3) Subclause (2) does not limit the information that may be included in a transaction record.

## **101 Player activity statements—player accounts**

- (1) Information to the effect that player activity statements are available on request must:
- (a) be given to each person at the time the person is issued with a player card, and
  - (b) be included in any promotional material displayed in the hotel or registered club in relation to electronic payment gaming machines.
- (2) A player activity statement must, on the request of a person who has a player account with a hotelier or registered club, be provided by the hotelier or club on a monthly basis.
- (3) The following information, provided in the form approved by the Authority, is the minimum information that must be included in a player activity statement for the period covered by the statement:
- (a) the total amount of turnover by the player during the monthly period covered by the statement,
  - (b) the total wins recorded during the monthly period,
  - (c) the net expenditure (ie turnover less wins) during the monthly period,

- (d) the total length of time over each 24-hour period during the monthly period when the person's player card was inserted in electronic payment gaming machines in the hotel or on the premises of the club (*the daily record*),
  - (e) the total length of time that the person's player card was inserted in electronic payment gaming machines in the hotel or on the premises of the club during the monthly period.
- (4) In addition to subclause (3), the following information in relation to the period covered by a player activity statement must be kept by the hotelier or club and be provided to the player on request:
- (a) a list of each transaction involving the depositing of money into the player account at the cashier,
  - (b) a list of each transaction involving the paying of credits into the player account as a result of playing electronic payment gaming machines,
  - (c) a list of each transaction involving the withdrawal of money from the player account at the cashier.
- (5) The daily record is required to be included in the player activity statement only in respect of those days that the person's player card was used.
- (6) A player activity statement is to also include a note stating that the information detailed in the statement:
- (a) only relates to the occasions on which the player used his or her player account to play an electronic payment gaming machine, and
  - (b) does not necessarily relate to all of the player's gaming machine activity during the monthly period, and
  - (c) may not include information about wins from playing gaming machines that are part of a linked gaming system within the meaning of Part 10 of the Act.
- (7) A player activity statement, if requested to be provided, is to be available from the cashier or other appropriate outlet at the hotel or club concerned.
- (8) A player activity statement is to be provided in respect of a monthly period only if the player account has actually been used during that period.
- (9) Player activity statements must be provided free of charge by the hotelier or registered club. However, if a player requests a subsequent player activity statement to be provided in respect of a monthly period, the hotelier or club may charge for providing the subsequent statement in accordance with the scale of charges approved by the Authority.

## **102 Requirement to keep record or copy of player activity statement under this Part**

A hotelier or registered club must keep a record or copy of any player activity statement made available by the hotelier or club under this Part.

Maximum penalty: 50 penalty units.

## **103 Weekly account limits**

- (1) A person who opens a player account may, by written notice to the hotelier or registered club, set a limit on the amount of net expenditure (ie turnover less wins) per week from the account (*weekly*

*account limit*). The setting of a weekly account limit may also include arrangements for the deactivation of the account card.

- (2) The person is to be advised in writing at the time the player account is opened that a weekly account limit may be set.
- (3) If a weekly account limit is set, the person may alter the limit by written notice to the hotelier or registered club.
- (4) If the notice is to decrease the weekly account limit, the hotelier or registered club is to give effect to alteration as soon as practicable (but not later than 24 hours in any case).
- (5) If the notice is to increase the weekly account limit, the increase does not take effect until 48 hours after the notice is given to the hotelier or registered club.
- (6) Information about altering the weekly account limit is to be provided to the person in writing at the time the player account is opened.

#### **104 Disclosure of information in relation to players**

- (1) Any information obtained by a hotelier or registered club in relation to any person to whom the hotelier or club has issued a player card must not be disclosed except:
  - (a) with the consent of the person to whom the information relates, or
  - (b) for the purposes of law enforcement, or
  - (c) to any person (including an inspector) who is lawfully entitled to have access to the information.
- (2) Any person who acquires any information contained in a player activity statement under this Part must not disclose the information to any person unless the person disclosing the information:
  - (a) is the person to whom the information relates, or
  - (b) is authorised or required to do so by law.

Maximum penalty: 100 penalty units.

Top of page