

Queensland



*Gaming Machine Act 1991*

# **GAMING MACHINE REGULATION 1991**

**Reprinted as in force on 12 June 2002  
(includes amendments up to SL No. 128 of 2002)**

**Reprint No. 7E**

**This reprint is prepared by  
the Office of the Queensland Parliamentary Counsel  
Warning—This reprint is not an authorised copy**

# Information about this reprint

This regulation is reprinted as at 12 June 2002. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

# Queensland



## GAMING MACHINE REGULATION 1991

### TABLE OF PROVISIONS

Section		Page
<b>PART 1—PRELIMINARY</b>		
1	Short title . . . . .	5
2	Definitions . . . . .	5
3	Meaning of “category 1 body corporate” . . . . .	8
<b>PART 2—ADMINISTRATION</b>		
4	Meetings of commission . . . . .	8
5	Arrangements for taking fingerprints—Act, 366(2)(a) . . . . .	9
6	Secrecy . . . . .	9
<b>PART 3—GAMING MACHINE LICENCES</b>		
6A	Significant number of gaming machines—Act, s 55A(1)(c) . . . . .	9
7	Maximum number of gaming machines . . . . .	9
8	Prescribed conditions of gaming machine licences. . . . .	10
<b>PART 4—LICENSING OF REPAIRERS, SERVICE CONTRACTORS, GAMING NOMINEES, GAMING EMPLOYEES AND KEY MONITORING EMPLOYEES</b>		
9	Installations etc. not subject to s 187 of the Act . . . . .	10
10	Gaming duties . . . . .	11
<b>PART 5—SUPERVISION AND MANAGEMENT OF GAMING</b>		
11	Layout of licensed premises . . . . .	11
12	Installation of gaming equipment . . . . .	12
13	Periods when gaming must not be conducted . . . . .	12
14	Rules ancillary to gaming . . . . .	12
15	Calculation of player entitlement . . . . .	13
16	Sharing of jackpot payout . . . . .	13
17	Requirements for identity cards . . . . .	14

*Gaming Machine Regulation 1991*


---

18	Submissions in relation to payments refused . . . . .	15
19	Way in which submissions under s 18 to be dealt with. . . . .	15
19A	Designated departmental account for unclaimed payments—Act, s 242A(5) . . . . .	17
20	Review of review decisions or payout refusal decisions—Act, s 248(4) . . .	17
21	Way in which requests to review decisions to be dealt with—Act, s 248(4)(b) . . . . .	18
22	Way in which requests to review payout refusal decisions to be dealt with—Act, s 248(4)(b) . . . . .	19
23	Security of keys . . . . .	21
24	Services for problem gamblers . . . . .	21
<b>PART 6—CONTROL OF GAMING MACHINES</b>		
25	Approval of premises of licensed major dealers or licensed monitoring operators . . . . .	22
26	Allocation of serial number . . . . .	22
27	Identification plate to be affixed . . . . .	23
28	Disconnection by licensed repairer of gaming machine from electronic monitoring system . . . . .	24
29	Restricted components—Act, s 2 . . . . .	24
30	Code numbers for approved gaming machine types and games . . . . .	24
31	Changes to percentage return to player—Act, s 283(3) . . . . .	24
32	Payments out of approved trust account—Act, s 287(7)(b) . . . . .	25
<b>PART 7—ACCOUNTING PROCEDURES</b>		
33	Functions to be carried out with money clearances. . . . .	25
34	Money clearances . . . . .	26
35	Manual payments register . . . . .	27
36	Gaming machine performance record . . . . .	29
37	Alterations or obliterations to records . . . . .	31
38	Installation, removal and alteration of gaming machines . . . . .	31
39	Day prescribed—Act, s 299(1) . . . . .	31
39A	Number of gaming machines for which community benefit statement is required—Act, s 305 . . . . .	32
40	Monthly gaming machine reconciliation report . . . . .	32
41	Meaning of “monthly gaming deposit” . . . . .	33
42	Periodic gaming deposits. . . . .	33

*Gaming Machine Regulation 1991*


---

43	Monthly variances record . . . . .	35
<b>PART 8—TAXES, LEVIES AND FEES</b>		
44	Day prescribed. . . . .	37
45	Gaming machine tax . . . . .	37
46	Percentage of gaming machine tax payable into community investment fund—Act, s 314 . . . . .	38
46A	Percentage of major facilities levy—Act, s 316B(3). . . . .	38
47	Penalty for late payment—Act, s 319(1)(a) . . . . .	38
48	Crediting of payments—Act, s 319(1)(b) . . . . .	38
49	Fees . . . . .	39
50	Refund applications. . . . .	39
<b>PART 9—GENERAL</b>		
51	Prescribed liquor licences—Act, s 2 . . . . .	39
52	Approved financiers. . . . .	40
53	Evaluation by chief executive . . . . .	40
<b>SCHEDULE 1</b> . . . . .		41
<b>ENTITIES</b>		
<b>SCHEDULE 2</b> . . . . .		43
<b>CONDITIONS TO WHICH A GAMING MACHINE LICENCE IS SUBJECT</b>		
<b>SCHEDULE 3</b> . . . . .		46
<b>RULES ANCILLARY TO GAMING</b>		
<b>SCHEDULE 4</b> . . . . .		47
<b>RESTRICTED COMPONENTS</b>		
<b>SCHEDULE 5</b> . . . . .		48
<b>FEES</b>		
<b>SCHEDULE 6</b> . . . . .		52
<b>PRESCRIBED LIQUOR LICENCES</b>		
<b>ENDNOTES</b>		
1	Index to endnotes. . . . .	53
2	Date to which amendments incorporated. . . . .	53
3	Key . . . . .	53

4	Table of earlier reprints . . . . .	54
5	Tables in earlier reprints. . . . .	54
6	List of legislation . . . . .	54
7	List of annotations . . . . .	57
8	Table of renumbered provisions. . . . .	63

# GAMING MACHINE REGULATION 1991

[as amended by all amendments that commenced on or before 12 June 2002]

## PART 1—PRELIMINARY

### 1 Short title

This regulation may be cited as the *Gaming Machine Regulation 1991*.

### 2 Definitions

In this regulation—

“**accounting period**” means the period covered by a monthly gaming machine reconciliation report for the licensed premises.

“**advanced evaluation**” means an evaluation of any of the following things relating to a gaming related system, gaming machine type or game or linked jackpot arrangement—

- (a) communications protocols;
- (b) monitoring systems;
- (c) random number generators.

“**basic evaluation**” means an evaluation of any of the following things relating to a gaming related system, gaming machine type or game or linked jackpot arrangement—

- (a) artwork;
- (b) cabinet design;
- (c) documentation, including for example, operational manuals.

“**cancelled credit**” means a payment, by a licensee to a player for gaming machine credits, that is not discharged out of the hopper.

“**category 1 body corporate**” see section 3.

“**category 2 body corporate**” means a body corporate that is not a category 1 body corporate.

*Gaming Machine Regulation 1991*

---

**“game processor board”** means an electronic circuit board that is designed to be used in a gaming machine.

**“hand-paid jackpot payout”** means a jackpot payout not payable under the Act from an approved trust account.

**“hopper”** means the container in a gaming machine from which gaming tokens may be discharged in order to pay for gaming machine credits or winnings.

**“hopper fill”** means the placing by a licensee of gaming tokens into a hopper.

**“intermediate evaluation”** means an evaluation of any of the following things relating to a gaming related system, gaming machine type or game or linked jackpot arrangement—

- (a) hardware, other than hardware subject to basic evaluation;
- (b) software, other than software subject to advanced evaluation;
- (c) the mathematical treatise of the derivation of the theoretical return to a player.

**“machine identification number”** means the identification number issued for a gaming machine under section 289(1) of the Act.

**“monthly deposit account”** see section 42.

**“monthly gaming cheques”** means the total monetary amount of cancelled credits and jackpot payouts made by cheque drawn on a licensee’s monthly deposit account for an accounting period.

**“monthly gaming deposit”** see section 41.

**“monthly money clearance”** means a money clearance mentioned in section 295(1) of the Act.

**“non-resident”** means a person who is not ordinarily resident in Australia.

**“performance summary”**, in relation to a period covered by a gaming machine performance record, means a summary of the following expressed in monetary amounts—

- (a) the hopper contents at the end of the period;
- (b) the total of gaming tokens removed during money clearances for the period;
- (c) the total of short pay correction payouts during the period;
- (d) the total of hopper fills during the period;



*Gaming Machine Regulation 1991*

---

- (e) the total of hand-paid jackpot payouts during the period;
- (f) the total of cancelled credits during the period;
- (g) the hopper contents at the start of the period;
- (h) the amount calculated by subtracting from the total of the amounts mentioned in paragraphs (a) and (b), the total of the amounts mentioned in paragraphs (c) to (g).

**“periodic gaming deposit”** see section 42.

**“player”** means a person who plays a gaming machine.

**“RAM”** means Random Access Memory.

**“related body corporate”** has the same meaning as in section 9<sup>1</sup> of the Corporations Act.

**“reported win”** means the total of all amounts mentioned in the definition “performance summary”, paragraph (h), recorded in a monthly gaming machine reconciliation report for an accounting period.

**“short pay correction payout”** means a payment by a licensee to a player of an amount to which the player is entitled if the gaming machine fails to discharge, or register gaming machine credits for, the amount.

---

1 Corporations Act, section 9—

**“related body corporate”**, in relation to a body corporate, means a body corporate that is related to the first-mentioned body by virtue of section 50.

Corporations Act, section 50—

**Related bodies corporate**

Where a body corporate is:

- (a) a holding company of another body corporate;
- (b) a subsidiary of another body corporate; or
- (c) a subsidiary of a holding company of another body corporate;

the first-mentioned body and the other body are related to each other.

“**voting share**” has the same meaning as in section 9<sup>2</sup> of the Corporations Act.

### **3 Meaning of “category 1 body corporate”**

For this regulation, a body corporate is a “**category 1 body corporate**” if—

- (a) not more than 5% of its voting shares are held, directly or indirectly, by non-residents; and
- (b) either—
  - (i) the body corporate is unrelated to any other body corporate and its net tangible assets amount to less than \$1 000 000; or
  - (ii) the combined net tangible assets of the body corporate and all other bodies corporate related to it amount to less than \$1 000 000.

## **PART 2—ADMINISTRATION**

### **4 Meetings of commission**

The commission is to meet at least once a month in Brisbane.

---

2 Corporations Act, section 9—

“**voting share**” in a body corporate means an issued share in the body that carries any voting rights beyond the following:

- (a) a right to vote while a dividend (or part of a dividend) in respect of the share is unpaid;
- (b) a right to vote on a proposal to reduce the body’s share capital;
- (c) a right to vote on a resolution to approve the terms of a buy-back agreement;
- (d) a right to vote on a proposal that affects the rights attached to the share;
- (e) a right to vote on a proposal to wind the body up;
- (f) a right to vote on a proposal for the disposal of the whole of the body’s property, business and undertaking;
- (g) a right to vote during the body’s winding up.

## **5 Arrangements for taking fingerprints—Act, 366(2)(a)**

(1) This section applies to an applicant for a gaming machine, service contractor's, repairer's, gaming nominee's, gaming employee's or key monitoring employee's licence.

(2) The chief executive may, for section 57(4) or 200(6)<sup>3</sup> of the Act—

- (a) arrange with a police officer to have fingerprints of the applicant taken on terms agreed between the chief executive and the police officer; and
- (b) cause fingerprints to be taken on the agreed terms.

## **6 Secrecy**

For section 54(6)(a)<sup>4</sup> of the Act, the entities are stated in schedule 1.

# **PART 3—GAMING MACHINE LICENCES**

## **6A Significant number of gaming machines—Act, s 55A(1)(c)**

For section 55A(1)(c)<sup>5</sup> of the Act, a significant number for an increase in gaming machines is—

- (a) for category 1 licensed premises—10 or more; and
- (b) for category 2 licensed premises—20 or more.

## **7 Maximum number of gaming machines**

For sections 60(4)(b) and (5)(b), 64(4)(b) and 85(3) and (4) of the Act, the maximum number is—

---

3 Section 57 (Recommendation by chief executive about application for gaming machine licence) or 200 (Recommendation by chief executive about applications) of the Act

4 Section 54 (Secrecy) of the Act

5 Section 55A (Applications of significant community impact) of the Act

- (a) for category 1 licensed premises—40; and
- (b) for category 2 licensed premises—280.

## **8 Prescribed conditions of gaming machine licences**

For the purposes of section 73(1)(a) of the Act, the prescribed conditions are set out in schedule 2.

# **PART 4—LICENSING OF REPAIRERS, SERVICE CONTRACTORS, GAMING NOMINEES, GAMING EMPLOYEES AND KEY MONITORING EMPLOYEES**

## **9 Installations etc. not subject to s 187 of the Act**

For the purposes of section 187(3)<sup>6</sup> of the Act, the following are prescribed—

- (a) the installation of an electronic monitoring system if the installation is by the chief executive or a licensed monitoring operator;
- (b) the installation of a gaming machine if the gaming machine is to be examined by an inspector before play is allowed on the gaming machine;
- (c) installation, alteration, adjustment, maintenance or repair of those fuses, electric light globes, fluorescent tubes and fluoro starters of a gaming machine that are easily accessible;
- (d) installation, alteration, adjustment, maintenance or repair of locks of gaming machine cabinets or console doors;
- (e) installation, alteration, adjustment, maintenance or repair of hinges of gaming machine console doors;
- (f) adjustment of the device regulating the level of the contents of the hopper;

---

<sup>6</sup> Section 187 (Unlicensed persons not to install etc. gaming equipment) of the Act

*Gaming Machine Regulation 1991*

---

- (g) installation, alteration, adjustment, maintenance or repair of external switch covers or glass or perspex panels of a gaming machine;
- (h) repair by clearing gaming tokens jammed in a gaming machine;
- (i) repair by resetting minor fault conditions of a gaming machine.

**10 Gaming duties**

For section 2 of the Act, definition “gaming duties”, the duties are the following—

- (a) the supervision of employees of a licensee who are responsible for the conduct of gaming;
- (b) the supervision of the access to the internal parts of gaming machines;
- (c) the supervision of money clearances;
- (d) the issuing of keys for the security of gaming machines to employees of a licensee;
- (e) the supervision of entries in accounting records required to be kept and maintained under the Act;
- (f) the arranging of remedial repairs to gaming equipment;
- (g) any other thing required by part 7 to be done, or that a licensee is required by part 7 to ensure is done, by a gaming employee.

**PART 5—SUPERVISION AND MANAGEMENT OF GAMING****11 Layout of licensed premises**

A licensee must ensure that the layout of the interior of the licensee’s licensed premises allows—

- (a) the licensee, or an employee of the licensee, from a place in the licensed premises where the licensee or employee would normally be carrying out duties at the material time, to have

continuous supervision of each gaming machine that is available for gaming; and

- (b) a clear passageway between banks of gaming machines of at least 2 m unless the chief executive, under section 327 of the Act, directs that a greater distance be allowed.

Maximum penalty—20 penalty units.

## **12 Installation of gaming equipment**

A licensee must ensure that gaming equipment installed on the licensee's licensed premises is installed in a way that allows—

- (a) proper cleaning and maintenance of the equipment; and
- (b) unrestricted access to fire exits in a way that complies with the *Fire and Rescue Authority Act 1990*, the *Building Act 1975* and the Building Code of Australia; and
- (c) the proper use of things provided on the premises for safety and security.

Maximum penalty—20 penalty units.

## **13 Periods when gaming must not be conducted**

The following periods are prescribed for the purposes of section 235<sup>7</sup> of the Act—

- (a) Anzac day before 1 p.m.;
- (b) Good Friday;
- (c) Christmas Day.

## **14 Rules ancillary to gaming**

For the purposes of section 236(2) of the Act, the prescribed rules are set out in schedule 3.

---

7 Section 235 (Hours of gaming) of the Act

## **15 Calculation of player entitlement**

(1) For the purposes of section 241(2)(a)<sup>8</sup> of the Act, but subject to subsection (2) of this section, the amount to which a person is entitled for gaming tokens inserted by, or on behalf of, the person into a gaming machine (so that gaming machine credits are registered by the gaming machine), is to be calculated by—

- (a) adding to the gaming machine credits—winnings (if any) payable for each result as determined in accordance with the game as approved by the chief executive for bets made by, or on behalf of, the person on the gaming machine; and
- (b) deducting—gaming machine credits bet by, or on behalf of, the person on the gaming machine.

(2) An entitlement under subsection (1) includes gaming machine credits that are stolen before the licensee makes payment for the gaming machine credits only when—

- (a) the person exercises reasonable control over the credits; and
- (b) the licensee, by act or omission, contributes to the stealing.

## **16 Sharing of jackpot payout**

(1) This section applies to players of gaming machines linked with other gaming machines under a linked jackpot arrangement if 2 or more of the players are eligible to receive payment of the amount displayed on the progressive jackpot prize meter for the arrangement.

(2) Players are eligible to receive payment of the amount displayed on the progressive jackpot prize meter for the arrangement if—

- (a) the players obtain the winning result at the same time; or
- (b) one or more players obtain the winning result but—
  - (i) the linked jackpot arrangement allows other players, playing on other gaming machines linked under the arrangement, to complete bets made before, or at the same time as, the winning result is obtained; and
  - (ii) the other players complete bets mentioned in subparagraph (i) and obtain a winning result as a result of

---

8 Section 241 (Entitlement of players to winnings) of the Act

the bets before the amount displayed on the progressive jackpot prize meter for the arrangement changes to a lesser amount.

(3) Each player eligible to receive payment of the amount displayed on the progressive jackpot prize meter for the arrangement has the right to receive payment of the shared jackpot amount.

(4) In this section—

“**shared jackpot amount**” means the amount calculated as follows—

$$S + \frac{(D - S)}{N}$$

where—

“**D**” means the amount displayed on the progressive jackpot prize meter for the arrangement.

“**N**” means the number of players eligible to receive payment of the amount displayed on the progressive jackpot prize meter for the arrangement.

“**S**” means the smallest jackpot payout payable under a linked jackpot arrangement.

## 17 Requirements for identity cards

For sections 189(12) and 194(2)<sup>9</sup> of the Act, an identity card must—

- (a) state the name of the person to whom the card is given; and
- (b) for an identity card given under section 189(10) of the Act—identify the person as—
  - (i) an applicant for a gaming employee’s licence employed under section 189(4) or (6) of the Act; or
  - (ii) an applicant for a gaming nominee’s licence employed under section 189(4) of the Act; or
  - (iii) a person employed under section 189(9) of the Act; and

---

<sup>9</sup> Sections 189 (Licensing requirements for carrying out gaming duties on licensed premises) and 194 (Identity cards for certain nominees) of the Act



- (c) for an identity card given under section 194(1) of the Act—identify the person as a nominee of a licensee for premises under section 193(3) or (4)<sup>10</sup> of the Act; and
- (d) identify the relevant licensed premises; and
- (e) be easily legible; and
- (f) be signed by the person.

### **18 Submissions in relation to payments refused**

(1) A gaming employee who refuses to make a payment under schedule 3, section 5 to a person must advise the person that he or she may make a submission to the chief executive about the refusal within 10 days from the date of the refusal.

(2) A submission mentioned in subsection (1) must—

- (a) be in writing; and
- (b) state the full name and address of the person making the submission; and
- (c) identify the licensed premises and gaming machine in question; and
- (d) state the name of the gaming employee who refused to make payment or allow payment to be made; and
- (e) state the time and date of the refusal; and
- (f) contain a description of the events relevant to the refusal.

### **19 Way in which submissions under s 18 to be dealt with**

(1) This section states the way in which the chief executive must deal with a submission, made by a person (the “**claimant**”) under section 18, about a refusal by a gaming employee to make a payment under schedule 3, section 5 (the “**original decision**”).

(2) The chief executive must either review, or refuse to review, the original decision.

---

10 Section 193 (Meaning of nominee) of the Act

(3) The chief executive may refuse to review the original decision only if—

- (a) the submission was not made within 10 days after the original decision; or
- (b) the chief executive considers the submission was not made in good faith or is frivolous.

(4) If the chief executive decides to refuse to review the original decision, the chief executive must—

- (a) give written notice of the chief executive's decision to—
  - (i) the licensee (the **“involved licensee”**) of the licensed premises at which the original decision was made; and
  - (ii) the claimant; and
- (b) give the claimant a written notice stating the reasons for the chief executive's decision.

(5) If the chief executive decides to review the original decision, the chief executive must—

- (a) give the involved licensee a copy of the claimant's submission; and
- (b) by written notice given to the involved licensee invite the involved licensee, and by written notice given to the claimant invite the claimant, to make a written submission to the chief executive about the original decision within 1 month after receiving the notice (the **“submission period”**).

(6) The chief executive may—

- (a) cause an investigation to be made about any matter the chief executive considers is relevant to the review; and
- (b) ask for a report of the investigation to be given to the chief executive.

(7) As soon as practicable after the end of the submission period, the chief executive must—

- (a) consider all written submissions made in the submission period by the involved licensee and claimant; and
- (b) consider any report given to the chief executive under subsection (6); and

- (c) make a decision about the review; and
- (d) give the involved licensee and claimant a written notice stating the decision and the reasons for the decision.

**(8)** Nothing in section 18 or this section affects or prejudices any other right or remedy of a person affected by a refusal by a gaming employee to make or allow a payment under schedule 3, section 5.

**19A Designated departmental account for unclaimed payments—Act, s 242A(5)**

For section 242A(5)<sup>11</sup> of the Act, the designated departmental account is the Treasurer's Unclaimed Moneys Fund.

**20 Review of review decisions or payout refusal decisions—Act, s 248(4)**

- (1)** For section 248(4)(a) of the Act, a request must be made—
- (a) if section 248 applies because of section 248(1)(a)—within 10 days after the claimant receives the notice; or
  - (b) if section 248 applies because of section 248(1)(b)—within 10 days after the day that is 1 month after the claimant asked for a review of the decision under section 246.
- (2)** A request under section 248(2) or (3) must—
- (a) be in writing; and
  - (b) state the full name and address of the claimant; and
  - (c) for a request made—
    - (i) under section 248(2)—identify the licensed premises at which the relevant payout refusal decision was made; or
    - (ii) under section 248(3)—identify the licensed premises at which the payout refusal decision was made; and
  - (d) identify the gaming machine in relation to which the decision was made; and

---

<sup>11</sup> Section 242A (Unclaimed payments) of the Act

- (e) state the date and time of the decision; and
- (f) state the grounds for seeking a review of the review decision.

**21 Way in which requests to review decisions to be dealt with—Act, s 248(4)(b)**

(1) This section prescribes, for section 248(4)(b) of the Act, the way in which the chief executive must deal with a request, made by a claimant under section 248(2) of the Act, to review a review decision of an involved licensed monitoring operator.

(2) The chief executive must either review, or refuse to review, the review decision.

(3) The chief executive may refuse to review the review decision only if—

- (a) the request was not made within the time stated in section 20(1)(a); or
- (b) the chief executive considers the request was not made in good faith or is frivolous.

(4) If the chief executive decides to refuse to review the review decision, the chief executive must—

- (a) give written notice of the chief executive's decision to the involved licensed monitoring operator and claimant; and
- (b) give the claimant a written notice stating the reasons for the chief executive's decision.

(5) If the chief executive decides to review the review decision, the chief executive must—

- (a) give the involved licensed monitoring operator a copy of the claimant's request; and
- (b) by written notice given to the involved licensed monitoring operator invite the involved licensed monitoring operator, and by written notice given to the claimant invite the claimant, to make a written submission to the chief executive about the involved licensed monitoring operator's decision within 1 month after receiving the notice (the "**submission period**").

(6) The chief executive may—

- (a) cause an investigation to be made about any matter the chief executive considers is relevant to the review; and
- (b) ask for a report of the investigation to be given to the chief executive.

(7) As soon as practicable after the end of the submission period, the chief executive must—

- (a) consider all written submissions made in the submission period by the involved licensed monitoring operator and claimant; and
- (b) consider any report given to the chief executive under subsection (6); and
- (c) make a decision about the review; and
- (d) give a written notice stating the decision and the reasons for the decision to—
  - (i) the licensee of the licensed premises at which the relevant payout refusal decision was made; and
  - (ii) the involved licensed monitoring operator; and
  - (iii) the claimant.

## **22 Way in which requests to review payout refusal decisions to be dealt with—Act, s 248(4)(b)**

(1) This section prescribes, for section 248(4)(b) of the Act, the way in which the chief executive must deal with a request, made by a claimant under section 248(3) of the Act, to review a payout refusal decision of a gaming employee.

(2) The chief executive must either review, or refuse to review, the payout refusal decision.

(3) The chief executive may refuse to review the payout refusal decision only if—

- (a) the request was not made within the time stated in section 20(1)(b); or
- (b) the chief executive considers the request was not made in good faith or is frivolous.

(4) If the chief executive decides to refuse to review the payout refusal decision, the chief executive must—

*Gaming Machine Regulation 1991*

---

- (a) give written notice of the chief executive's decision to—
    - (i) the involved licensed monitoring operator (the “**operator**”) for the payout refusal decision; and
    - (ii) the claimant; and
  - (b) give the claimant a written notice stating the reasons for the chief executive's decision.
- (5) If the chief executive decides to review the payout refusal decision, the chief executive must—
- (a) give the operator a copy of the claimant's request; and
  - (b) by written notice given to the operator invite the operator, and by written notice given to the claimant invite the claimant, to make a written submission to the chief executive about the gaming employee's decision within 1 month after receiving the notice (the “**submission period**”).
- (6) The chief executive may—
- (a) cause an investigation to be made about any matter the chief executive considers is relevant to the review; and
  - (b) ask for a report of the investigation to be given to the chief executive.
- (7) As soon as practicable after the end of the submission period, the chief executive must—
- (a) consider all written submissions made in the submission period by the operator and claimant; and
  - (b) consider any report given to the chief executive under subsection (6); and
  - (c) make a decision about the review; and
  - (d) give a written notice stating the decision and the reasons for the decision to—
    - (i) the licensee of the licensed premises at which the payout refusal decision was made; and
    - (ii) the operator; and
    - (iii) the claimant.

### **23 Security of keys**

(1) A licensee must ensure that a person (other than a person mentioned in section 252<sup>12</sup> of the Act) does not have possession of a key related to the security of gaming equipment on the licensee's licensed premises.

(2) A person who is not an inspector may have possession of a key mentioned in subsection (1) only—

- (a) if the possession is—
  - (i) on the licensed premises; and
  - (ii) for the time necessary for the performance of his or her duties; or
- (b) with the approval of the chief executive.

(3) A person who has possession of a key mentioned in subsection (1) must keep the key on his or her person.

(4) A person who unlocks a lock or opens a door of a gaming machine on licensed premises, must cause the lock to be locked or, as the case may be, the door to be securely closed—

- (a) before leaving the gaming machine; and
- (b) upon completion of the purpose for which the lock was unlocked or the door was opened.

Maximum penalty—20 penalty units.

### **24 Services for problem gamblers**

A licensee, at each place on the licensee's licensed premises where the sale or redemption of gaming tokens or any centralised credit transaction is carried out, must clearly display a sign advertising services available to assist problem gamblers.

Maximum penalty—20 penalty units.

---

12 Section 252 (Certain persons only to have access etc. to gaming machines) of the Act

## **PART 6—CONTROL OF GAMING MACHINES**

### **25 Approval of premises of licensed major dealers or licensed monitoring operators**

(1) For section 266(2) or 267(2A)<sup>13</sup> of the Act, an application for approval of premises must—

- (a) be written and signed by the licensed major dealer or licensed monitoring operator or a person authorised by the licensed major dealer or licensed monitoring operator; and
- (b) contain the full name and business address of the licensed major dealer or licensed monitoring operator and the address of the premises.

(2) An application under subsection (1) must be accompanied by—

- (a) a plan that clearly shows the use to which each part of the premises is to be put; and
- (b) particulars of all security and surveillance facilities installed on the premises; and
- (c) a narrative and diagrammatic representation of the systems to be used by the licensed major dealer or licensed monitoring operator—
  - (i) for the security, storage and recording of gaming machines and restricted components; and
  - (ii) for the use and maintenance of security and surveillance facilities on the premises.

### **26 Allocation of serial number**

(1) A licensed major dealer must allocate a licensed major dealer's serial number to each gaming machine—

- (a) manufactured; or

---

13 Section 266 (Possession of gaming equipment and other property by licensed monitoring operators) or 267 (Possession etc. of gaming machines and restricted components by licensed major dealers) of the Act



*Gaming Machine Regulation 1991*

---

- (b) if the gaming machine does not already have an identification plate affixed in accordance with section 27—obtained;

by the licensed major dealer.

(2) A licensed major dealer must ensure that the serial number allocated under subsection (1)—

- (a) is within a sequence of numbers approved by the chief executive for use by the licensed major dealer; and
- (b) has not previously been allocated to another gaming machine manufactured or obtained by the licensed major dealer.

Maximum penalty—20 penalty units.

## **27 Identification plate to be affixed**

(1) A licensed major dealer must affix an identification plate to each gaming machine—

- (a) manufactured; or
- (b) if the gaming machine does not already have an identification plate affixed in accordance with this section—obtained;

by the licensed major dealer.

(2) A licensed major dealer must ensure that the identification plate—

- (a) is securely affixed on a side of the gaming machine—
  - (i) during the process of manufacture of the gaming machine; or
  - (ii) as soon as the licensed major dealer obtains the gaming machine; and
- (b) is made of durable material; and
- (c) clearly displays in the English language—
  - (i) the name of the licensed major dealer that affixed the identification plate; and
  - (ii) the year in which the gaming machine was manufactured or obtained; and

- (iii) the licensed major dealer's serial number allocated to the gaming machine under section 26.

Maximum penalty—20 penalty units.

### **28 Disconnection by licensed repairer of gaming machine from electronic monitoring system**

(1) This section applies to a licensed repairer who disconnects a gaming machine, that has a progressive jackpot prize meter, from an electronic monitoring system.

(2) The repairer must, in the approved form, give the chief executive details of the amounts displayed on the meter within 14 days after the machine is disconnected.

Maximum penalty—20 penalty units.

### **29 Restricted components—Act, s 2**

For the definition “restricted component” in section 2<sup>14</sup> of the Act, the components stated in schedule 4 are restricted components.

### **30 Code numbers for approved gaming machine types and games**

The chief executive may allocate a code number to each gaming machine type and each game approved by the chief executive under section 281(8)<sup>15</sup> of the Act.

### **31 Changes to percentage return to player—Act, s 283(3)**

(1) For section 283(3) of the Act, the period prescribed is—

- (a) the period of 1 month starting when the percentage return to player is last changed under section 283(1) of the Act; or
- (b) for a particular game—a period less than 1 month approved in writing by the chief executive.

---

14 Section 2 (Definitions) of the Act

15 Section 281 (Approval and rejection of gaming machines and games) of the Act

(2) When the period mentioned in subsection (1)(b) expires, the period prescribed is the period mentioned in subsection (1)(a).

### **32 Payments out of approved trust account—Act, s 287(7)(b)**

For section 287(7)(b)<sup>16</sup> of the Act, the amounts to be paid out of the approved trust account are—

- (a) jackpot payouts, if the gaming machine on which the winning result is obtained is linked with other gaming machines under a multiple site linked jackpot arrangement; and
- (b) interest accrued on, and paid into, the account, if the payment is approved by the chief executive.

## **PART 7—ACCOUNTING PROCEDURES**

### **33 Functions to be carried out with money clearances**

(1) For the purposes of section 295(4)<sup>17</sup> of the Act, the functions are—

- (a) to ensure that no gaming machine credits are registered by the gaming machine; and
- (b) to ensure a record of the monetary value of the contents of the hopper is made in the gaming machine performance record mentioned in section 36; and
- (c) to ensure a record is made in the gaming machine performance record mentioned in section 36 of the amounts displayed on the following electronic RAM meters for the gaming machine—
  - (i) the total number of games played (stroke);
  - (ii) the total of all coins to the cash box;
  - (iii) the total of coins won (total wins);
  - (iv) the total of all cancelled credits;

---

16 Section 287 (Requirements for approvals for linked jackpot arrangements) of the Act

17 Section 295 (Monthly money clearances) of the Act

- (v) the total of all coins bet (turnover);
  - (vi) the total of all hopper fills;
  - (vii) if the gaming machine has a progressive jackpot prize meter—the total of jackpot payouts.
- (2) For the purposes of section 296(2)<sup>18</sup> of the Act, the functions are—
- (a) to ensure that no gaming machine credits are registered by the gaming machine; and
  - (b) for a category 2 licensee who, under section 42, makes a periodic gaming deposit worked out using the win periodic method—to ensure a record of the monetary value of the contents of the hopper is made in the gaming machine performance record mentioned in section 36.

### **34 Money clearances**

(1) A licensee must ensure that a money clearance is carried out, or is personally supervised, by a gaming employee.

(2) A licensee must keep, for each of the licensee's licensed premises, a cash clearances report in the approved form.

(3) The approved form must provide for—

- (a) the identification, by name and licence number, of the licensee and licensed premises to which it applies; and
- (b) the recording, for each money clearance, of—
  - (i) the date and time; and
  - (ii) the machine identification number; and
  - (iii) the licensee's identification number of the gaming machine; and
  - (iv) the amount removed; and
- (c) the recording, for each day, of—
  - (i) the total amount removed during money clearances; and

---

18 Section 296 (Weekly money clearances) of the Act

*Gaming Machine Regulation 1991*

---

- (ii) the signature of every person who carried out, or supervised, money clearances certifying that the records made under this section are correct; and
- (d) the recording, for each gaming machine, of the total amount removed during the period covered by the gaming machine performance record mentioned in section 36.

(4) The licensee must ensure the cash clearances report is completed immediately after each money clearance.

Maximum penalty—20 penalty units.

### **35 Manual payments register**

(1) A licensee must keep a manual payments register for each of the licensee's licensed premises in the approved form.

(2) The approved form must provide for—

- (a) the identification, by name and licence number, of the licensee and licensed premises to which it applies; and
- (b) the recording, for each short pay correction payout, hopper fill, hand-paid jackpot payout and cancelled credit made on the premises, of the following particulars—
  - (i) the date and time;
  - (ii) the machine identification number;
  - (iii) the licensee's identification number of the gaming machine;
  - (iv) the betting unit;
  - (v) if it is a short pay correction payout, hopper fill, hand-paid jackpot payout or cancelled credit;
  - (vi) if it is a hand-paid jackpot payout—the winning combination of symbols;
  - (vii) if it is a cancelled credit—the number of gaming machine credits displayed on the credit meter;
  - (viii) the amount;
  - (ix) if it is a short pay correction payout, hand-paid jackpot payout or cancelled credit, made for category 1 licensed premises—the name and signature of the person to whom the payment was made;

*Gaming Machine Regulation 1991*

---

- (x) if it is a short pay correction payout, hand-paid jackpot payout or cancelled credit, made for category 2 licensed premises—
    - (A) the name and signature of the person to whom the payment was made; and
    - (B) whether the person is a member or visitor; and
    - (C) if the person is a member—the person’s membership number;
  - (xi) the name and signature (and licence number if applicable) of the person who made the payout or fill;
  - (xii) the name (and licence number if applicable) of 1 other person who, and the person’s signature certifying that he or she, observed—
    - (A) if it is a cancelled credit—the number of gaming machine credits displayed on the credit meter; or
    - (B) if it is a hand-paid jackpot payout—the winning combination of symbols; or
    - (C) if it is a hopper fill—the hopper fill take place; or
    - (D) if it is a short pay correction payout—the short pay correction payout take place; and
  - (c) the recording, after each transaction, of a progressive monetary total of transactions entered in the register for each day.
- (3)** A licensee must ensure that—
- (a) a hopper fill is performed only when a hopper is empty; and
  - (b) when a hopper fill is performed, the exact number of gaming tokens decided by the chief executive for the game of the gaming machine are placed in the hopper; and
  - (c) the gaming tokens are of the denomination or type displayed on the gaming machine as a gaming token to be used to operate or gain credit on the gaming machine.
- (4)** A licensee must ensure that—
- (a) at the end of the operation of gaming machines for each day—immediately below the latest entry in the manual payments register in use that day a notation is made that indicates the entry is the last for the day; and

*Gaming Machine Regulation 1991*

---

- (b) for a payment over \$500—either the person mentioned in subsection (2)(b)(xi) or the person mentioned in subsection (2)(b)(xii) is a gaming employee in relation to the licensee’s licensed premises.

(5) A licensee must ensure records made for subsection (2)(b) or (c) are made immediately each short pay correction payout, hopper fill, hand-paid jackpot payout or cancelled credit is performed.

Maximum penalty—20 penalty units.

### **36 Gaming machine performance record**

(1) A licensee must keep in the approved form a gaming machine performance record for each gaming machine connected to an electronic monitoring system.

(2) A licensee must ensure that the period covered by a gaming machine performance record—

- (a) starts on the day and at the time—
  - (i) the gaming machine is provided to the licensee; or
  - (ii) of the completion of an alteration of the gaming machine to effect a change in the game, gaming token denomination or betting unit of the gaming machine; or
  - (iii) of the completion of a monthly money clearance of the gaming machine; and
- (b) ends on the day and at the time—
  - (i) of the removal of the gaming machine by the chief executive; or
  - (ii) of the completion of an alteration of the gaming machine to effect a change in the game, gaming token denomination or betting unit of the gaming machine; or
  - (iii) of the completion of the next monthly money clearance of the gaming machine after any act mentioned in paragraph (a).

(3) The approved form must provide for—

- (a) the identification, by name and licence number, of the licensee and licensed premises to which it applies; and

*Gaming Machine Regulation 1991*

---

- (b) the recording of—
- (i) the licensee's identification number of the gaming machine; and
  - (ii) the machine identification number; and
  - (iii) the licensed major dealer's serial number allocated to the gaming machine under section 26; and
  - (iv) the gaming token denomination and betting unit; and
  - (v) the game; and
  - (vi) the day and time of the start of the period covered by the record; and
  - (vii) the day and time of the end of the period covered by the record; and
  - (viii) for each day the following, expressed in monetary amounts—
    - (A) the total of gaming tokens removed during money clearances;
    - (B) the total of short pay correction payouts;
    - (C) the total of hopper fills;
    - (D) the total of hand-paid jackpot payouts;
    - (E) the total of cancelled credits; and
  - (ix) the monetary value of the contents of the hopper at the start and end of the period covered by the record; and
  - (x) meter readings taken for the purpose of sections 33(1)(c)<sup>19</sup> and 38(2); and
  - (xi) the performance summary; and

**(4)** A licensee must complete a gaming machine performance record, for a gaming machine provided to the licensee, immediately after undertaking a money clearance of the machine.

Maximum penalty—20 penalty units.

---

19 Section 33 (Functions to be carried out with money clearances)



**37 Alterations or obliterations to records**

(1) Subject to subsection (2), a person must not alter or obliterate an entry in a manual payments register or cash clearances report.

Maximum penalty—20 penalty units.

(2) A person may make an alteration to an entry mentioned in subsection (1) to correct an error in the entry.

(3) The correction must be made by means of a marginal note or footnote, on the same page, which correction must record—

- (a) the identity of the person who made the correction; and
- (b) the date of the correction; and
- (c) the correct particulars.

**38 Installation, removal and alteration of gaming machines**

(1) A licensee must ensure that a money clearance is carried out on a gaming machine provided to the licensee immediately before—

- (a) an alteration of the gaming machine to effect a change in the game, gaming token denomination or betting unit of the gaming machine; or
- (b) the gaming machine is stored on premises approved under section 225(2)(a) of the Act; or
- (c) the removal of the gaming machine from the licensee's licensed premises.

(2) A licensee must ensure that on—

- (a) the installation of a gaming machine; or
- (b) the alteration of a gaming machine provided to the licensee to effect a change in the game, gaming token denomination or betting unit of the gaming machine;

a record is made in the gaming machine performance record of the amounts displayed on the meters mentioned in section 33(1)(c).

Maximum penalty—20 penalty units.

**39 Day prescribed—Act, s 299(1)**

For section 299(1)<sup>20</sup> of the Act, the day prescribed is—

- (a) for category 1 licensed premises—the fourth day; and
- (b) for category 2 licensed premises—the sixth day.

**39A Number of gaming machines for which community benefit statement is required—Act, s 305**

For section 305(1)(e)<sup>21</sup> of the Act, the number of gaming machines is 50.

**40 Monthly gaming machine reconciliation report**

(1) A licensee must ensure that a monthly gaming machine reconciliation report—

- (a) identifies, by name and licence number, the licensee and licensed premises to which it applies; and
- (b) records the information mentioned in subsections (2) to (4).

(2) The monthly gaming machine reconciliation report is to record information from each gaming machine performance record for the licensed premises in question that covers any period between the second last and last monthly money clearance for the licensed premises.

(3) The information that is to be recorded in the report is—

- (a) the day and time of the start of the period covered by the record; and
- (b) the day and time of the end of the period covered by the record; and
- (c) the licensee's identification number of the gaming machine; and
- (d) the machine identification number of the gaming machine; and
- (e) the performance summary; and
- (f) for category 2 licensed premises—

---

20 Section 299 (Monthly gaming machine reconciliation reports) of the Act

21 Section 305 (Community benefit statement and other associated documents for audit report for category 2 licensee) of the Act

- (i) the amount of the monthly gaming deposit worked out under section 41; and
- (ii) the amount of the monthly gaming cheques.

(4) If the report records an item mentioned in section 2, definition “performance summary”, paragraphs (a) to (h), it must also record the total of all the monetary amounts of the item recorded in the report.

#### **41 Meaning of “monthly gaming deposit”**

(1) The “**monthly gaming deposit**” for a licensee of category 2 licensed premises for an accounting period is the amount worked out under either the standard method or win method.

(2) Under the standard method, the amount of the “**monthly gaming deposit**” is the amount worked out using the following formula—

$$D = TC - NMP.$$

(3) Under the win method, the amount of the “**monthly gaming deposit**” is the amount worked out using the following formula—

$$D = RW + MGC.$$

(4) In the formulas in subsections (2) and (3)—

“**D**” means the monthly gaming deposit in dollars.

“**MGC**” means the monthly gaming cheques for the relevant accounting period.

“**NMP**” (non-cheque manual payments), for an accounting period for a licensee, means the total monetary amount of all cancelled credits, hand-paid jackpot payouts, hopper fills and short pay correction payouts recorded in the monthly gaming machine reconciliation report for the accounting period for the licensee’s licensed premises that were not made by cheque drawn on the licensee’s monthly deposit account.

“**RW**” means the reported win for the relevant accounting period.

“**TC**” (total clearances), for an accounting period for a licensee, means the total monetary amount of gaming tokens recorded in the monthly gaming machine reconciliation report for the accounting period for the licensee’s licensed premises as being removed during money clearances.

**42 Periodic gaming deposits**

(1) A category 2 licensee must, as required by this section, for each clearance period, make a deposit (a “**periodic gaming deposit**”) into an account (the “**monthly deposit account**”) kept by the licensee for the purpose at a financial institution.

Maximum penalty—20 penalty units.

(2) The periodic gaming deposit must be made within—

- (a) if paragraph (b) does not apply—2 business days after the end of the clearance period; or
- (b) if the chief executive has specified, either generally or for the particular licensee, a later time—the later time.

(3) The chief executive may specify a time under subsection (2)(b) for a particular licensee only if the chief executive considers it is appropriate to take the action having regard to—

- (a) the remote location of the licensee’s licensed premises; or
- (b) the lack of appropriate facilities, in the vicinity of the licensee’s licensed premises, for making periodic gaming deposits; or
- (c) other relevant circumstances.

(4) The licensee must establish and maintain a float to enable the periodic gaming deposit to be made.

Maximum penalty—20 penalty units.

(5) The licensee must ensure funds deposited into the monthly deposit account are not withdrawn and redeposited into the account to make a periodic gaming deposit.

Maximum penalty—20 penalty units.

(6) The amount of the periodic gaming deposit must be worked out under either the standard periodic method or win periodic method.

(7) Under the standard periodic method, the amount of the periodic gaming deposit is worked out using the following formula—

$$D = TC - NMP.$$

(8) Under the win periodic method, the amount of the periodic gaming deposit is worked out using the following formula—

$$D = PRW + PGC.$$

(9) In the formulas in subsections (7) and (8)—

“**D**” means the periodic gaming deposit in dollars.

“**NMP**” (non-cheque manual payments), for a clearance period for a licensee, means the total monetary amount of all cancelled credits, hand-paid jackpot payouts, hopper fills and short pay correction payouts recorded in all gaming machine performance records for the clearance period for the licensee’s licensed premises that were not made by cheque drawn on the licensee’s monthly deposit account.

“**PGC**” (periodic gaming cheques), for a clearance period for a licensee, means the total monetary amount of cancelled credits and hand-paid jackpot payouts made by cheque drawn on the licensee’s monthly deposit account for the clearance period.

“**PRW**” (periodic reported win), for a clearance period for a licensee, means the total of all amounts mentioned in section 2, definition “performance summary”, paragraph (h), recorded in all gaming machine performance records for the clearance period for the licensee’s licensed premises.

“**TC**” (total clearances), for a clearance period for a licensee, means the total monetary amount of gaming tokens recorded in all gaming machine performance records for the licensee’s licensed premises as being removed at the money clearance ending the clearance period.

(10) In this section—

“**clearance period**”, for a licensee, means a period—

- (a) starting at a money clearance for the gaming machines on the licensee’s licensed premises; and
- (b) ending at the next money clearance for the gaming machines.

### **43 Monthly variances record**

(1) A nominee of a category 2 licensee must, for each accounting period, complete a monthly variances record for the premises within 7 days after the end of the period.

Maximum penalty—20 penalty units.

(2) The nominee must take all reasonable steps to facilitate the consideration of the monthly variances record at the next meeting, held after completion of the record, of the body responsible for managing the licensee’s operations.

Maximum penalty—20 penalty units.

(3) In this section—

**“metered cancelled credits”** means the total monetary amount of cancelled credits, for the accounting period, shown on the cancelled credits meters for the licensee’s gaming machines.

**“metered cash clearances”** means the total monetary amount of gaming tokens shown on the cash box, or bank note acceptor, meters for the licensee’s gaming machines as being cleared from the gaming machines during the accounting period.

**“metered progressive jackpots”** means the total hand-paid jackpot payouts for the accounting period shown on the progressive jackpot prize meter for the gaming machines on the licensed premises.

**“monthly variances record”**, for an accounting period for a licensee, means a record, in the approved form, setting out the following details for the accounting period for the licensee’s licensed premises—

- (a) the reported win;
- (b) the metered win;
- (c) any variance between the reported win and metered win;
- (d) the reported cash clearances;
- (e) the metered cash clearances;
- (f) any variance between the reported cash clearances and metered cash clearances;
- (g) the reported cancelled credits;
- (h) the metered cancelled credits;
- (i) any variance between the reported cancelled credits and metered cancelled credits;
- (j) the reported progressive jackpots;
- (k) the metered progressive jackpots;
- (l) any variance between the reported progressive jackpots and metered progressive jackpots;
- (m) the total (the **“total actual deposit”**) of the amounts paid into the monthly deposit account as representing the periodic gaming deposits;

- (n) the amount of the monthly gaming deposit;
- (o) any variance between the total actual deposit and monthly gaming deposit;
- (p) for a variance mentioned in paragraph (c), (f), (i), (l) or (o) of more than 0.5% (\$5 for each \$1 000)—the reasons for the variance.

**“reported cancelled credits”** means the total of all amounts paid for cancelled credits.

**“reported cash clearances”** means the total monetary amount of gaming tokens cleared from gaming machines.

**“reported progressive jackpots”** means the total of all amounts paid as hand-paid jackpot payouts.

## **PART 8—TAXES, LEVIES AND FEES**

### **44 Day prescribed**

For the purposes of sections 312(2), 316B(2), 317(1), 319(1) and (2) and 323(a)<sup>22</sup> of the Act, the prescribed day is the tenth day.

### **45 Gaming machine tax**

(1) This section prescribes percentages for section 312(3) and (4) of the Act.

(2) For category 1 licensed premises, the percentage is 35.91%.

(3) For category 2 licensed premises, the percentages are as follows—

- (a) for the first \$9 500 of monthly taxable metered win—nil;
- (b) for the amount of the monthly taxable metered win that is more than \$9 500 but not more than \$75 000—17.91%;

---

22 Sections 312 (Gaming machine tax), 317 (Payment of taxes etc.), 319 (Penalty for late payment) and 323 (Adjustment of assessment in certain circumstances) of the Act

- (c) for the amount of the monthly taxable metered win that is more than \$75 000 but not more than \$150 000—20.91%;
- (d) for the amount of the monthly taxable metered win that is more than \$150 000 but not more than \$300 000—23.91%;
- (e) for the amount of the monthly taxable metered win that is more than \$300 000 but not more than \$1 400 000—25.91%;
- (f) for the amount of the monthly taxable metered win that is more than \$1 400 000—35.91%.

#### **46 Percentage of gaming machine tax payable into community investment fund—Act, s 314**

For section 314(4)<sup>23</sup> of the Act, the percentage is 8.5%.

#### **46A Percentage of major facilities levy—Act, s 316B(3)**

(1) This section prescribes percentages for section 316B(3) of the Act.

(2) The percentages are as follows—

- (a) for the first \$100 000 of monthly taxable metered win—nil;
- (b) for the amount of the monthly taxable metered win that is more than \$100 000 but not more than \$140 000—3.5%;
- (c) for the amount of the monthly taxable metered win that is more than \$140 000 but not more than \$180 000—5.5%;
- (d) for the amount of the monthly taxable metered win that is more than \$180 000 but not more than \$220 000—7.5%;
- (e) for the amount of the monthly taxable metered win that is more than \$220 000 but not more than \$260 000—13.5%;
- (f) for the amount of the monthly taxable metered win that is more than \$260 000—20%.

#### **47 Penalty for late payment—Act, s 319(1)(a)**

For the purposes of section 319(1)(a) of the Act, the prescribed percentage is 5%.

---

<sup>23</sup> Section 314 (Community investment fund) of the Act



**48 Crediting of payments—Act, s 319(1)(b)**

(1) For section 319(1)(b) of the Act, the amount is to be credited in the following order—

- (a) subject to subsection (2), in payment of any outstanding gaming machine taxes and major facilities levies, payable by the licensee under section 312 or 316B of the Act;
- (b) in payment of any outstanding penalty payable by the licensee under section 319(1)(a) of the Act.

(2) If the licensee is liable for payment of gaming machine tax and major facilities levy, any amount received from the licensee must be apportioned between the amount owing for gaming machine tax and the amount owing for major facilities levy in the same ratio the amount owing for gaming machine tax bears to the amount owing for major facilities levy.

*Example of subsection (2)—*

If a licensee owes \$10 000 for gaming machine tax and \$5 000 for major facilities levy and pays \$3 000, the gaming machine tax debt must be credited with \$2 000 and the major facilities levy debt must be credited with \$1 000.

**49 Fees**

The fees set out in schedule 5 are the prescribed fees to be paid for the items set out in the schedule.

**50 Refund applications**

(1) A written claim for refund of any fee, tax or penalty may be given to the chief executive stating the amount and grounds of the claim.

(2) The chief executive must, within 90 days after receipt of the claim, allow or disallow the claim, in whole or in part.

(3) If the claim is disallowed in whole or in part, the chief executive must give written notice to the claimant stating the reasons for the disallowance.

## **PART 9—GENERAL**

### **51 Prescribed liquor licences—Act, s 2**

The following liquor licences are prescribed for section 2 of the Act, definition “prescribed liquor licence”—

- (a) each licence mentioned in schedule 6;
- (b) a licence that is taken to be a special facility licence under the *Liquor Act 1992*, section 247(2);
- (c) a special facility licence for an activity, facility or presentation that—
  - (i) forms part of the tourist development of the State; and
  - (ii) provides residential accommodation.

### **52 Approved financiers**

The following entities are prescribed for section 2 of the Act, definition “approved financier”, paragraph (c)—

- (a) Golden Casket Lottery Corporation Limited ACN 078 785 449;
- (b) Equico Corporate Finance Group Pty Limited ACN 085 834 331.

### **53 Evaluation by chief executive**

For sections 232(2)(a), 281(3)(a) and 288(2)(a) of the Act, an evaluation carried out by the chief executive may include 1 or more of the following types of evaluation—

- (a) basic evaluation;
- (b) intermediate evaluation;
- (c) advanced evaluation.

**SCHEDULE 1****ENTITIES**

section 6

Alberta Gaming and Liquor Commission, Canada  
Australian Bureau of Criminal Intelligence  
Australian Capital Territory Gambling and Racing Commission  
Australian Customs Service  
Australian Federal Police  
Australian Securities and Investments Commission  
Australian Security Intelligence Organisation  
Australian Taxation Office  
British Columbia Gaming Commission, Canada  
Casino Control Authority, New Zealand  
Colorado Division of Gaming, USA  
Colorado State Police, USA  
Criminal Justice Commission, Queensland  
Department of Gaming and Racing, New South Wales  
Department of Industries and Business, Northern Territory  
Department of Internal Affairs, New Zealand  
Department of Treasury and Finance, South Australia  
Federal Airports Corporation  
Gaming Board for Great Britain  
Gaming Board of the Commonwealth of the Bahamas  
Gaming Supervisory Authority, South Australia  
Interpol  
Liquor Licensing Division, Queensland

## SCHEDULE 1 (continued)

Lotteries Commission of South Australia  
Lotteries Commission of Western Australia  
National Crime Authority  
Nevada Gaming Commission, USA  
Nevada Gaming Control Board, USA  
New Jersey Casino Control Commission, USA  
New Jersey Division of Gaming Enforcement, USA  
New South Wales Casino Control Authority  
New South Wales Crime Commission  
New South Wales Police Service  
New Zealand Police  
Northern Territory Police  
Office of Fair Trading, Queensland  
Office of Racing, Gaming and Liquor, Western Australia  
Office of the Liquor and Gaming Commissioner, South Australia  
Queensland Crime Commission  
Queensland Police Service  
Racing Services Tasmania  
South Australia Police  
Tasmania Police  
Tasmanian Gaming Commission  
Victoria Police  
Victorian Casino and Gaming Authority  
Western Australian Gaming Commission  
Western Australian Police Service

**SCHEDULE 2****CONDITIONS TO WHICH A GAMING MACHINE  
LICENCE IS SUBJECT**

section 8

**1. The licensee must—**

- (a) care for all gaming machines (and ancillary or related property), on the licensee's licensed premises, in the way a reasonable, careful and prudent owner would; and
- (b) take all reasonable steps to protect gaming machines (and ancillary or related property), on the licensee's licensed premises, from damage; and
- (c) ensure that all persons in the licensee's licensed premises behave in a way that will not cause damage to any gaming machine (and ancillary or related property); and
- (d) provide, at the licensee's expense, locks of a type approved by the chief executive to secure the gaming machine cabinet, banknote receptacle, cage housing the receptacle and console door for each gaming machine provided to the licensee; and
- (e) ensure a common key to the locks securing the gaming machine cabinets, for all gaming machines provided to the licensee, is exclusive to the locks; and
- (f) ensure a common key to the locks securing the banknote receptacles, cages housing the receptacles and console doors, for all gaming machines provided to the licensee, is exclusive to the locks; and
- (h) ensure that any component used in carrying out work the licensee is required to carry out under this schedule is new and of equal quality, reliability and tolerance to the component it replaces when the last mentioned component was new; and
- (i) carry out as required, at the licensee's expense (unless the work is to be carried out under a licensed major dealer's warranty), the

## SCHEDULE 2 (continued)

following works to ensure that gaming machines provided to the licensee are at all times in a proper state of repair—

- (i) installation, alteration, adjustment, maintenance or repair of those fuses, electric light globes, fluorescent tubes and fluoro starters of a gaming machine that are easily accessible;
  - (ii) installation, alteration, adjustment, maintenance or repair of locks of gaming machine cabinets or console doors;
  - (iii) installation, alteration, adjustment, maintenance or repair of hinges of gaming machine console doors;
  - (iv) adjustment of the device regulating the level of the contents of the hopper;
  - (v) installation, alteration, adjustment, maintenance or repair of external switch covers or glass or perspex panels of a gaming machine;
  - (vi) repair by clearing gaming tokens jammed in a gaming machine;
  - (vii) repair by resetting minor fault conditions of a gaming machine; and
- (j) repay the chief executive the full cost—
- (i) of any work carried out by the chief executive because the licensee has failed to comply with this schedule; and
  - (ii) of investigating and correcting errors or omissions in, or the preparation of, a monthly gaming machine reconciliation report prepared by the licensee under section 299 of the Act; and
- (k) provide insurance against all liability, arising out of gaming or the conduct of gaming on the licensee's licensed premises, which might attach to the licensee as a result of personal injury or damage suffered by a person, if the injury or damage is caused, or contributed to, by an act or omission of the licensee or the licensee's employees; and
- (l) keep and maintain at the licensee's expense, all records, accounts, reports and other documentation required to be kept, by the licensee, under the Act or this regulation; and

## SCHEDULE 2 (continued)

- (m) pay for all postage and other fees associated with the submission, by the licensee, of reports or forms under the Act or this regulation; and
  - (o) supply all electricity and other sundry requirements for the operation of gaming equipment on the licensee's licensed premises; and
  - (p) not interfere with any connection between a gaming machine provided to the licensee and any electronic monitoring system installed by a licensed monitoring operator; and
  - (q) take all reasonable steps to ensure that all gaming machines provided to the licensee are—
    - (i) continuously provided with electricity; and
    - (ii) switched on at all times; and
  - (r) provide a licensed repairer access, at all reasonable times, to gaming equipment (including its internal components) on the licensee's licensed premises so that the repairer may carry out work under a service contract entered into by the chief executive.
- 2.** A licensee must remit to the chief executive, by electronic funds transfer, from an account held by the licensee for that purpose—
- (a) all taxes payable under part 9 of the Act; and
  - (b) any penalty payable under section 319 of the Act.

**SCHEDULE 3****RULES ANCILLARY TO GAMING**

sections 14 and 19

1. A person under the age of 18 years must not play a gaming machine.
2. A gaming employee may determine that 1 gaming machine only may be played by a person at the same time.
3. A gaming machine may be reserved by a person without play for a maximum period of 3 minutes.
4. No person, other than a person permitted under the Act, is to touch an internal part of a gaming machine.
5. A gaming employee must refuse to pay a cancelled credit or jackpot payout if he or she believes on reasonable grounds that—
  - (a) the gaming machine credits were not accumulated, or the winning combination was not obtained, during permitted hours of gaming under section 235 of the Act; or
  - (b) the person claiming the cancelled credit or jackpot payout is not the person entitled to the payment or a person acting on behalf of that person; or
  - (c) the Act has been contravened by the person claiming the cancelled credit or jackpot payout.
6. If, under section 5, a gaming employee refuses to make a payment, the gaming employee must as soon as practicable submit a report to the chief executive.
7. A cancelled credit or jackpot payout over \$250 is to be paid by cheque—
  - (a) posted to the address of the player; or
  - (b) given to the player on the licensed premises;within 24 hours after the time the claim for payment is made.



**SCHEDULE 4****RESTRICTED COMPONENTS**

section 29

1. Gaming machine cabinet.
2. Game processor board.
3. Programming or software for a game (irrespective of the medium or method of storage).
4. Identification plate referred to in section 27 of the regulation.

## SCHEDULE 5

### FEES

	section 49
	\$
1. Appeal to Minister (s 29(2)(c) of the Act) . . . . .	258.00
2. Application for gaming machine licence for premises that are not licensed premises (s 56(5)(n) of the Act) . .	3 914.00
3. Application for gaming machine licence for premises that are licensed premises (s 56(5)(n) of the Act) . . . . .	1 854.00
4. Application for approval of additional licensed premises (s 61(3)(g)(ii) of the Act) . . . . .	1 854.00
5. Copy of gaming machine licence (s 71(1) of the Act) . .	52.00
6. Fresh gaming machine licence (s 71(3)(a) of the Act) .	52.00
7. Application for renewal of gaming machine licence (s 76(2)(b) of the Act)—	
(a) by a category 1 licensee . . . . .	309.00
(b) by a category 2 licensee—for each premises . . . . .	309.00
8. Application to increase approved number of gaming machines by less than 20 gaming machines for a category 2 licensed premises (s 81(2)(h) of the Act) . . . . .	103.00
plus—for each additional machine . . . . .	10.00
9. Application to increase approved number of gaming machines by 20 or more gaming machines for a category 2 licensed premises (s 81(2)(h) of the Act) . . . . .	515.00
plus—for each additional machine . . . . .	10.00
10. Application to increase approved hours of gaming (s 85A(1) of the Act) . . . . .	21.00
11. Application for approval to relocate a gaming machine area (s 91 of the Act)—for each machine . . . . .	21.00
12. Application for operator's licence (s 115(3)(e) of the Act) . . . . .	10 300.00
13. Operator's licence fee (s 122(7) of the Act) . . . . .	247 200.00

## SCHEDULE 5 (continued)

	\$
<b>14.</b> Application for major dealer's licence (s 115(3)(e) of the Act) . . . . .	10 300.00
<b>15.</b> Major dealer's licence fee (s 122(7) of the Act) . . . . .	123 600.00
<b>16.</b> Application for secondary dealer's licence (s 115(3)(e) of the Act) . . . . .	1 030.00
<b>17.</b> Secondary dealer's licence fee (s 122(7) of the Act) . . . . .	4 120.00
<b>18.</b> Application for replacement of supplier's licence (s 132(2)(a) of the Act) . . . . .	52.00
<b>19.</b> Application for renewal of operator's licence (s 130(3)(c) of the Act) . . . . .	10 300.00
<b>20.</b> Operator's licence renewal fee (s 131(2) of the Act) . . . . .	247 200.00
<b>21.</b> Application for renewal of major dealer's licence (s 130(3)(c) of the Act) . . . . .	10 300.00
<b>22.</b> Major dealer's licence renewal fee (s 131(2) of the Act) . . . . .	123 600.00
<b>23.</b> Application for renewal of secondary dealer's licence (s 130(3)(c) of the Act) . . . . .	1 030.00
<b>24.</b> Secondary dealer's licence renewal fee (s 131(2) of the Act) . . . . .	4 120.00
<b>25.</b> Application for service contractor's licence (s 198(4)(l) of the Act)—	
(a) by an individual . . . . .	309.00
(b) by a category 1 body corporate . . . . .	618.00
(c) by a category 2 body corporate . . . . .	5 150.00
<b>26.</b> Application for renewal of service contractor's licence (s 207(2)(c) of the Act)—	
(a) by an individual . . . . .	309.00
(b) by a category 1 body corporate . . . . .	618.00
(c) by a category 2 body corporate . . . . .	5 150.00
<b>27.</b> Copy of service contractor's licence (s 203(1) of the Act) . . . . .	52.00
<b>28.</b> Fresh service contractor's licence (s 203(3)(a) of the Act) . . . . .	52.00
<b>29.</b> Application for gaming nominee's licence by licensed gaming employee (s 196(2)(d) of the Act) . . . . .	309.00

## SCHEDULE 5 (continued)

	\$
<b>30.</b> Application for gaming nominee's or key monitoring employee's licence (s 198(4)(l) of the Act) . . . . .	309.00
<b>31.</b> Application for renewal of gaming nominee's or key monitoring employee's licence (s 207(2)(c) of the Act)	155.00
<b>32.</b> Application for gaming employee's licence by a licensed gaming nominee (s 197(2)(c) of the Act) . . . .	155.00
<b>33.</b> Application for gaming employee's or repairer's licence (s 198(4)(l) of the Act). . . . .	155.00
<b>34.</b> Application for renewal of gaming employee's or repairer's licence (s 207(2)(c) of the Act) . . . . .	155.00
<b>35.</b> Copy of gaming nominee's, gaming employee's, key monitoring employee's or repairer's licence (s 203(1) of the Act) . . . . .	21.00
<b>36.</b> Issue of fresh gaming nominee's, gaming employee's, key monitoring employee's or repairer's licence (s 203(3)(a) of the Act) . . . . .	21.00
<b>37.</b> Application for approval to buy or otherwise acquire a gaming machine (s 265(2)(a) of the Act)—for each machine . . . . .	21.00
<b>38.</b> Evaluation of a gaming related system (s 232(3)(a) of the Act)—for each hour, or part of an hour, involved in the following—	
(a) carrying out—	
(i) basic evaluation . . . . .	132.00
(ii) intermediate evaluation . . . . .	165.00
(iii) advanced evaluation. . . . .	198.00
(iv) administration for an evaluation . . . . .	99.00
(b) giving advice for an evaluation . . . . .	99.00
(c) holding meetings for an evaluation . . . . .	99.00
<b>39.</b> Evaluation of a gaming machine type or game (s 281(7)(a) of the Act)—for each hour, or part of an hour, involved in the following—	
(a) carrying out—	
(i) basic evaluation . . . . .	132.00
(ii) intermediate evaluation . . . . .	165.00
(iii) advanced evaluation. . . . .	198.00

## SCHEDULE 5 (continued)

	\$
(iv) administration for an evaluation .....	99.00
(b) giving advice for an evaluation .....	99.00
(c) holding meetings for an evaluation .....	99.00
<b>40.</b> Evaluation of a linked jackpot arrangement (s 288(3)(a) of the Act)—for each hour, or part of an hour, involved in the following—	
(a) carrying out—	
(i) basic evaluation .....	132.00
(ii) intermediate evaluation .....	165.00
(iii) advanced evaluation .....	198.00
(iv) administration for an evaluation .....	99.00
(b) giving advice for an evaluation .....	99.00
(c) holding meetings for an evaluation .....	99.00
<b>41.</b> Application for repossession of a gaming machine (s 274(3)(b) of the Act) .....	21.00
<b>42.</b> Application for approval to change the percentage return to player less than 1 month before it was last changed (s 31(1)(b) of this regulation)—for each machine .....	21.00

**SCHEDULE 6****PRESCRIBED LIQUOR LICENCES**

section 51

- 1.** The special facility licence held by the Surfers Paradise Bowls Club Incorporated, 4 Ferny Avenue, Surfers Paradise.
- 4.** The special facility licence held by Nifsan Pty Ltd, Carrara Golf Course, Nerang-Broadbeach Road, Nerang.
- 7.** The special facility licence held by Diamead Pty Ltd, Tallai Country Golf Course, 94 Worongary Road, Tallai.
- 8.** The special facility licence held by Innes Park Country Club Tavern Pty Ltd ACN 082 223 747, Innes Park Road, Innes Park.
- 10.** The special facility licence held by Pacific Shores Pty Ltd ACN 010 902 342, Pebble Beach Drive, Innes Park.

**ENDNOTES****1 Index to endnotes**

	Page
2 Date to which amendments incorporated . . . . .	53
3 Key . . . . .	53
4 Table of earlier reprints . . . . .	54
5 Tables in earlier reprints . . . . .	54
6 List of legislation . . . . .	54
7 List of annotations . . . . .	57
8 Table of renumbered provisions . . . . .	63

**2 Date to which amendments incorporated**

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 12 June 2002. Future amendments of the Gaming Machine Regulation 1991 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

**3 Key****Key to abbreviations in list of legislation and annotations**

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	prev	= previous
amd	= amended	(prev)	= previously
amdt	= amendment	proc	= proclamation
ch	= chapter	prov	= provision
def	= definition	pt	= part
div	= division	pubd	= published
exp	= expires/expired	R[X]	= Reprint No.[X]
gaz	= gazette	RA	= Reprints Act 1992
hdg	= heading	reloc	= relocated
ins	= inserted	renum	= renumbered
lap	= lapsed	rep	= repealed
notfd	= notified	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 1992
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered

## 4 Table of earlier reprints

### TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	to SL No. 121 of 1993	29 April 1993
2	to SL No. 418 of 1993	17 December 1993
3	to SL No. 193 of 1994	15 July 1994
4	to SL No. 407 of 1994	23 December 1994
5	to SL No. 267 of 1995	25 September 1995
5A	to SL No. 75 of 1997	14 April 1997
5B	to SL No. 115 of 1997	21 May 1997
5C	to SL No. 217 of 1997	23 October 1997
5D	to SL No. 401 of 1997	8 December 1997
6	to SL No. 211 of 1998	4 August 1998
6A	to SL No. 279 of 1998	30 October 1998
6B	to SL No. 196 of 1999	12 October 1999
6C	to SL No. 232 of 1999	28 October 1999
7	to SL No. 137 of 2000	7 July 2000
7A	to SL No. 260 of 2000	20 October 2000
7B	to SL No. 286 of 2000	8 December 2000
7C	to SL No. 126 of 2001	14 August 2001
7D	to SL No. 270 of 2001	4 January 2002

## 5 Tables in earlier reprints

### TABLES IN EARLIER REPRINTS

Name of table	Reprint No.
Corrected minor errors	5
Renumbered provisions	4, 7

## 6 List of legislation

### **Gaming Machine Regulation 1991 SL No. 154**

made by the Governor in Council on 5 December 1991

pubd gaz 7 December 1991 pp 1685–723

commenced 9 December 1991 (see s 2)

exp 1 September 2002 (see SIA s 54)

amending legislation—



**Gaming Machine Amendment Regulation 1992 SL No. 185 (this regulation is amended, see amending legislation below)**

pubd gaz 26 June 1992 pp 2082–8

ss 1–2 commenced on date of publication

ss 8, 11 commenced 1 November 1992 (see s 2(2))

remaining provisions commenced 1 July 1992 (see s 2(1))

amending legislation—

**Gaming Machine Amendment Regulation (No. 2) 1992 SL No. 297 pts 1, 3 (amends 1992 SL No. 185 above)**

notfd gaz 16 October 1992 pp 672–5

commenced on date of notification

**Gaming Machine Amendment Regulation (No. 2) 1992 SL No. 297 pts 1–2**

notfd gaz 16 October 1992 pp 672–5

ss 5–6 commenced 1 November 1992 (see s 2)

remaining provisions commenced on date of notification

**Gaming Machine Amendment Regulation (No. 1) 1993 SL No. 121**

notfd gaz 23 April 1993 pp 1954–5

commenced on date of notification

**Gaming Machine Amendment Regulation (No. 2) 1993 SL No. 418**

notfd gaz 26 November 1993 pp 1483–6

ss 1–2 commenced on date of notification

remaining provisions commenced 1 December 1993 (see s 2)

**Gaming Machine Amendment Regulation (No. 1) 1994 SL No. 193**

notfd gaz 10 June 1994 pp 896–8

commenced on date of notification

**Gaming Machine Amendment Regulation (No. 2) 1994 SL No. 407**

notfd gaz 2 December 1994 pp 1435–7

commenced on date of notification

**Gaming Machine Amendment Regulation (No. 1) 1995 SL No. 230**

notfd gaz 18 August 1995 pp 2084–6

commenced on date of notification

**Gaming Machine Amendment Regulation (No. 2) 1995 SL No. 267**

notfd gaz 22 September 1995 pp 413–16

commenced on date of notification

**Gaming Machine Amendment Regulation (No. 1) 1997 SL No. 75**

notfd gaz 27 March 1997 pp 1333–6

commenced on date of notification

**Gaming Machine Amendment Regulation (No. 2) 1997 SL No. 115**

notfd gaz 16 May 1997 pp 242–4

commenced on date of notification

**Gaming Machine Amendment Regulation (No. 3) 1997 SL No. 217**

notfd gaz 18 July 1997 pp 1351–2

commenced on date of notification

**Gaming Machine Amendment Regulation (No. 4) 1997 SL No. 401**

notfd gaz 28 November 1997 pp 1408–10  
commenced on date of notification

**Gaming Machine Amendment Regulation (No. 1) 1998 SL No. 84**

notfd gaz 17 April 1998 pp 1616–18  
pt 3 commenced 1 July 1998 (see s 2 and 1998 SL No. 82)  
remaining provisions commenced on date of notification

**Gaming Machine Amendment Regulation (No. 2) 1998 SL No. 211**

notfd gaz 24 July 1998 pp 1491–2  
commenced on date of notification

**Gaming Machine Amendment Regulation (No. 3) 1998 SL No. 279**

notfd gaz 16 October 1998 pp 577–8  
commenced on date of notification

**Gaming Machine Amendment Regulation (No. 1) 1999 SL No. 102**

notfd gaz 11 June 1999 pp 675–8  
commenced on date of notification

**Gaming Machine Amendment Regulation (No. 2) 1999 SL No. 180**

notfd gaz 6 August 1999 pp 1983–4  
commenced on date of notification

**Gaming Machine Amendment Regulation (No. 3) 1999 SL No. 196**

notfd gaz 10 September 1999 pp 180–3  
commenced on date of notification

**Gaming Machine Amendment Regulation (No. 4) 1999 SL No. 232**

notfd gaz 15 October 1999 pp 630–1  
commenced on date of notification

**Gaming Legislation Amendment Regulation (No. 2) 2000 SL No. 136 pts 1, 4 s 50 sch**

notfd gaz 30 June 2000 pp 736–48  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2000 (see s 2)

**Treasury Legislation Amendment Regulation (No. 1) 2000 SL No. 137 pts 1, 4**

notfd gaz 30 June 2000 pp 736–48  
ss 1–2 commenced on date of notification  
remaining provisions commenced on 1 July 2000 (see s 2)

**Gaming Machine Amendment Regulation (No. 1) 2000 SL No. 260**

notfd gaz 6 October 2000 pp 478–9  
commenced on date of notification

**Gambling Legislation Amendment Regulation (No. 1) 2000 SL No. 286 pts 1–2**

notfd gaz 17 November 2000 pp 1093–5  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 December 2000 (see s 2)

**Gaming Machine Amendment Regulation (No. 1) 2001 SL No. 126**

notfd gaz 3 August 2001 pp 1297–9  
commenced on date of notification

**Gambling Legislation Amendment Regulation (No. 1) 2001 SL No. 270 s 1, pt 4**  
 notfd gaz 21 December 2001 pp 1482–8  
 commenced on date of notification

**Gambling Legislation Amendment Regulation (No. 1) 2002 SL No. 128 pts 1, 4**  
 notfd gaz 7 June 2002 pp 575–8  
 commenced on date of notification

## 7 List of annotations

This reprint has been renumbered—see table of renumbered provisions in endnote 8.

### Definitions

**prov hdg** sub 1995 SL No. 230 s 3  
**s 2** prev s 2 om R5 (see RA s 37)  
 pres s 2 amd 1992 SL No. 185 s 3(2); 1993 SL No. 418 s 4; 1994 SL No. 407  
 s 3(2); 1997 SL No. 217 s 3  
 def “**accounting period**” ins 1995 SL No. 230 s 3  
 def “**advanced evaluation**” ins 2002 SL No. 128 s 10  
 def “**basic evaluation**” ins 2002 SL No. 128 s 10  
 def “**advertise**” om 2000 SL No. 136 s 9(1)  
 def “**category 1 body corporate**” ins 2000 SL No. 136 s 9(2)  
 def “**category 2 body corporate**” ins 2000 SL No. 136 s 9(2)  
 def “**category 1 licensed premises**” ins 1994 SL No. 407 s 3(1)  
 om 2000 SL No. 136 s 9(1)  
 def “**category 2 licensed premises**” ins 1994 SL No. 407 s 3(1)  
 om 2000 SL No. 136 s 9(1)  
 def “**game board**” om 2000 SL No. 136 s 9(1)  
 def “**game EPROM**” om 2000 SL No. 136 s 9(1)  
 def “**game processor board**” ins 2000 SL No. 136 s 9(2)  
 def “**gaming cheques**” ins 1995 SL No. 230 s 3  
 om 1997 SL No. 217 s 3(1)  
 def “**hand-paid jackpot payout**” ins 2000 SL No. 136 s 9(2)  
 def “**intermediate evaluation**” ins 2002 SL No. 128 s 10  
 def “**jackpot payout**” om 1998 SL No. 84 s 10  
 def “**maintenance service fee**” ins 1997 SL No. 217 s 3(2)  
 om 2000 SL No. 136 s 9(1)  
 def “**manufacturer**” om 2000 SL No. 136 s 9(1)  
 def “**metered net return**” ins 1995 SL No. 230 s 3  
 om 1997 SL No. 217 s 3(1)  
 def “**metered turnover**” ins 1995 SL No. 230 s 3  
 om 1997 SL No. 217 s 3(1)  
 def “**monitoring fee**” ins 1997 SL No. 217 s 3(2)  
 om 2000 SL No. 136 s 9(1)  
 def “**monthly deposit account**” ins 1997 SL No. 217 s 3(2)  
 def “**monthly gaming cheques**” ins 1997 SL No. 217 s 3(2)  
 def “**monthly gaming deposit**” ins 1995 SL No. 230 s 3  
 sub 1997 SL No. 217 s 3

- def “**monthly rental fee**” ins 1997 SL No. 217 s 3(2)  
om 2000 SL No. 136 s 9(1)
- def “**net return variance**” ins 1995 SL No. 230 s 3  
om 1997 SL No. 217 s 3(1)
- def “**non-resident**” ins 2000 SL No. 286 s 4
- def “**performance summary**” amd 2000 SL No. 136 s 9(4)
- def “**periodic gaming deposit**” ins 1997 SL No. 217 s 3(2)
- def “**processor board**” om 2000 SL No. 136 s 9(1)
- def “**related body corporate**” ins 2000 SL No. 136 s 9(2)  
amd 2001 SL No. 126 s 3
- def “**reported/banking variance**” ins 1995 SL No. 230 s 3  
om 1997 SL No. 217 s 3(1)
- def “**reported net return**” ins 1995 SL No. 230 s 3  
om 1997 SL No. 217 s 3(1)
- def “**reported win**” ins 1997 SL No. 217 s 3(2)  
amd 2000 SL No. 136 s 9(3)
- def “**short pay correction payout**” sub 1992 SL No. 185 s 3(1)
- def “**voting share**” ins 2000 SL No. 136 s 9(2)  
amd 2001 SL No. 126 s 3

**Meaning of “category 1 body corporate”**

- s 3 prev s 3 om R1 (see RA s 40)  
pres s 3 ins 2000 SL No. 136 s 10  
amd 2000 SL No. 286 s 5

**Arrangements for taking fingerprints—Act, s 366(2)(a)**

- prov hdg sub 2000 SL No. 136 s 12(1)
- s 5 ins 1998 SL No. 84 s 4  
amd 2000 SL No. 136 s 12(2)–(4); 2000 SL No. 286 s 6

**Arrangements for police officers rendering assistance—Act, s 34(1)(a)**

- s 5A ins 1998 SL No. 84 s 4  
om 2000 SL No. 136 s 11

**Arrangements for supplying information—Act, s 34(1)(b)**

- s 5B ins 1998 SL No. 84 s 4  
om 2000 SL No. 136 s 11

**Secrecy**

- s 6 sub 2000 SL No. 136 s 13

**Significant number of gaming machines—Act, s 55A(1)(c)**

- s 6A ins 2000 SL No. 286 s 7

**Maximum number of gaming machines**

- s 7 sub 1995 SL No. 267 s 3  
amd 1997 SL No. 217 s 4; 2000 SL No. 136 s 14; 2001 SL No. 126 s 4

**PART 4—LICENSING OF REPAIRERS, SERVICE CONTRACTORS, GAMING NOMINEES, GAMING EMPLOYEES AND KEY MONITORING EMPLOYEES**

- pt hdg sub 1997 SL No. 217 s 5  
amd 2000 SL No. 136 s 16

**Installations etc. not subject to s 187 of the Act**

- prov hdg** prev prov hdg amd 1997 SL No. 217 s 2 sch; 1998 SL No. 279 s 3  
**s 9** prev s 9 amd 1997 SL No. 217 s 2 sch  
 sub 1998 SL No. 84 s 5  
 om 2000 SL No. 136 s 15  
 pres s 9 amd 1997 SL No. 217 s 6; 2000 SL No. 136 s 17

**Gaming duties**

- prov hdg** sub 2000 SL No. 136 s 18(1)  
**s 10** amd 2000 SL No. 136 s 18(2)–(5)

**Layout of licensed premises**

- s 11** amd 1997 SL No. 217 s 2 sch

**Installation of gaming equipment**

- s 12** amd 1992 SL No. 185 s 4; 1993 SL No. 418 s 5; 1998 SL No. 84 s 6

**Periods when gaming must not be conducted**

- s 13** ins 1993 SL No. 121 s 3

**Calculation of player entitlement**

- s 15** amd 1997 SL No. 217 s 2 sch; 2000 SL No. 136 s 19

**Sharing of jackpot payout**

- s 16** ins 1998 SL No. 84 s 11  
 amd 2000 SL No. 136 s 20

**Requirements for identity cards**

- s 17** amd 1993 SL No. 418 s 6  
 sub 2000 SL No. 136 s 21

**Submissions in relation to payments refused**

- s 18** amd 1997 SL No. 217 s 2 sch; 2000 SL No. 136 s 22

**Way in which submissions under s 18 to be dealt with**

- s 19** prev s 19 om 2000 SL No. 136 s 24  
 pres s 19 ins 2000 SL No. 136 s 23

**Designated departmental account for unclaimed payments—Act, s 242A(5)**

- s 19A** ins 2000 SL No. 286 s 8

**Review of review decisions or payout refusal decisions—Act, s 248(4)**

- s 20** ins 2000 SL No. 136 s 23

**Way in which requests to review decisions to be dealt with—Act, s 248(4)(b)**

- s 21** ins 2000 SL No. 136 s 23

**Way in which requests to review payout refusal decisions to be dealt with—Act, s 248(4)(b)**

- s 22** ins 2000 SL No. 136 s 23

**Security of keys**

- s 23** amd 1992 SL No. 185 s 5; 1992 SL No. 297 s 4; 1997 SL No. 217 s 2 sch

**Services for problem gamblers**

- s 24** prev s 24 om 2000 SL No. 136 s 29  
 pres s 24 amd 2000 SL No. 136 s 25

**Approval of premises of licensed major dealers or licensed monitoring operators****prov hdg** amd 2000 SL No. 136 s 26(1)**s 25** amd 2000 SL No. 136 s 26(2)–(4); 2000 SL No. 286 s 9**Allocation of serial number****s 26** amd 1997 SL No. 217 s 2 sch; 2000 SL No. 136 s 27**Identification plate to be affixed****s 27** amd 2000 SL No. 136 s 28**Disconnection by licensed repairer of gaming machine from electronic monitoring system****s 28** amd 1997 SL No. 217 s 2 sch

sub 2000 SL No. 136 s 30

**Restricted components—Act, s 2****s 29** sub 1998 SL No. 84 s 7**Code numbers for approved gaming machine types and games****s 30** amd 1997 SL No. 217 s 2 sch

sub 2000 SL No. 286 s 10

**Changes to percentage return to player—Act, s 283(3)****prov hdg** amd 2000 SL No. 136 s 31(1)**s 31** ins 1998 SL No. 84 s 12

amd 2000 SL No. 136 s 31(2)–(3)

**Payments out of approved trust account—Act, s 287(7)(b)****s 32** ins 1998 SL No. 84 s 12**Functions to be carried out with money clearances****s 33** amd 1992 SL No. 185 s 6; 1994 SL No. 407 s 4; 2000 SL No. 136 s 32**Money clearances****s 34** amd 1993 SL No. 418 s 7; 1994 SL No. 407 s 5; 1997 SL No. 217 s 2 sch;

2000 SL No. 136 s 33

**Licensee prescribed—Act, s 161****s 34A** ins 1998 SL No. 84 s 13

om 2000 SL No. 136 s 38

**Manual payments register****s 35** amd 1992 SL No. 185 s 7; 1993 SL No. 418 s 8; 1994 SL No. 193 s 3; 1994

SL No. 407 s 6; 1997 SL No. 217 s 2 sch; 1998 SL No. 279 s 4; 2000 SL

No. 136 s 34

**Gaming machine performance record****s 36** prev s 36 sub 1997 SL No. 217 s 9

amd 1998 SL No. 84 s 8

om 2000 SL No. 136 s 42

pres s 36 amd 1993 SL No. 418 s 9; 1997 SL No. 217 s 2 sch; 2000 SL

No. 136 s 35; 2000 SL No. 286 s 11; 2001 SL No. 126 s 5

**Alterations or obliterations to records****s 37** prev s 37 amd 1993 SL No. 418 s 14; 1995 SL No. 230 s 8; 1995 SL No. 267

s 3; 1997 SL No. 75 s 3

om 2000 SL No. 136 s 42  
pres s 37 amd 1993 SL No. 418 s 10; 2000 SL No. 136 s 36

**Installation, removal and alteration of gaming machines**

s 38 amd 1993 SL No. 418 s 11; 2000 SL No. 136 s 37

**Day prescribed—Act, s 299(1)**

s 39 sub 1995 SL No. 230 s 4

**Number of gaming machines for which community benefit statement is required—Act, s 305**

s 39A ins 2000 SL No. 286 s 12

**Monthly gaming machine reconciliation report**

s 40 prev s 40 amd 1997 SL No. 75 s 5  
om 1997 SL No. 217 s 12  
pres s 40 amd 1993 SL No. 121 s 4; 1995 SL No. 230 s 5; 1997 SL No. 217 s 7

**Meaning of “monthly gaming deposit”**

s 41 prev s 41 amd 1993 SL No. 418 s 16; 1997 SL No. 75 s 6  
om 1997 SL No. 217 s 12  
pres s 41 ins 1992 SL No. 185 s 8  
amd 1992 SL No. 297 s 5; 1993 SL No. 418 s 12  
sub 1994 SL No. 407 s 7  
amd 1995 SL No. 230 s 6  
sub 1997 SL No. 217 s 8  
amd 2000 SL No. 136 s 39

**Periodic gaming deposits**

prov hdg amd 1992 SL No. 297 s 6(1)  
s 42 ins 1992 SL No. 185 s 8  
amd 1992 SL No. 297 s 6(2)–(3); 1993 SL No. 418 s 13; 1994 SL No. 407 s 8;  
1995 SL No. 230 s 7  
sub 1997 SL No. 217 s 8  
amd 2000 SL No. 136 s 40

**Monthly variances record**

s 43 ins 1997 SL No. 217 s 8  
amd 1998 SL No. 84 s 14; 2000 SL No. 136 s 41

**Day prescribed**

s 44 amd 1993 SL No. 418 s 15; 1997 SL No. 217 s 10; 2000 SL No. 136 s 43;  
2001 SL No. 126 s 6

**Gaming machine tax**

s 45 sub 1997 SL No. 75 s 4; 1997 SL No. 217 s 11  
amd 1998 SL No. 211 s 3  
sub 2000 SL No. 137 s 8  
amd 2001 SL No. 126 s 7

**Percentage of gaming machine tax payable into community investment fund—Act, s 314**

s 46 prev s 46 amd 1997 SL No. 217 s 2 sch  
om 2000 SL No. 136 s 47

pres s 46 ins 1993 SL No. 418 s 17  
sub 1997 SL No. 217 s 13; 2000 SL No. 286 s 13

**Percentage of major facilities levy—Act, s 316B(3)**

s 46A ins 2001 SL No. 126 s 8

**Penalty for late payment—Act, s 319(1)(a)**

s 47 prov hdg amd 2000 SL No. 136 s 44  
sub 2001 SL No. 126 s 9

**Crediting of payments—Act, s 319(1)(b)**

s 48 amd 1993 SL No. 418 s 18; 1997 SL No. 217 s 14  
sub 2000 SL No. 136 s 45  
amd 2001 SL No. 126 s 10

**Numbering and renumbering of regulation**

s 49 prev s 49 ins 2000 SL No. 136 s 48  
om R7 (see RA s 37)

**Refund applications**

s 50 amd 1997 SL No. 217 s 2 sch; 2000 SL No. 136 s 46

**Prescribed liquor licences—Act, s 2**

s 51 ins 1992 SL No. 185 s 9  
sub 1994 SL No. 193 s 5; 1995 SL No. 230 s 9

**Approved financiers**

s 52 ins 1999 SL No. 232 s 3  
sub 2000 SL No. 260 s 3

**Evaluation by chief executive**

s 53 ins 2002 SL No. 128 s 11

**SCHEDULE 1—ENTITIES**

amd 1992 SL No. 185 s 10; 1993 SL No. 418 s 19; 1995 SL No. 230 s 10  
sub 2000 SL No. 136 s 49

**SCHEDULE 2—CONDITIONS TO WHICH A GAMING MACHINE LICENCE IS SUBJECT**

amd 1992 SL No. 297 s 7; 1993 SL No. 121 s 5; 1993 SL No. 418 s 20; 1994 SL No. 407 s 9; 1997 SL No. 217 ss 15, 2 sch; 1998 SL No. 84 s 9; 2000 SL No. 136 s 50 sch; 2000 SL No. 286 s 14; 2001 SL No. 126 s 11

**SCHEDULE 3—RULES ANCILLARY TO GAMING**

sch hdg prev sch hdg amd 1997 SL No. 217 s 2 sch  
sch amd 1992 SL No. 185 s 11 (om 1992 SL No. 297 s 11); 1992 SL No. 297 s 8; 1993 SL No. 121 s 6; 1993 SL No. 418 s 21; 1997 SL No. 217 s 2 sch  
prev sch 3 om 2000 SL No. 136 s 51  
pres sch 3 amd 1993 SL No. 121 s 7; 1997 SL No. 217 s 2 sch; 2000 SL No. 136 s 52

**SCHEDULE 4—RESTRICTED COMPONENTS**

amd 2000 SL No. 136 s 53

**SCHEDULE 5—FEES**

sub 1997 SL No. 217 s 16



amd 1998 SL No. 84 s 15; 2000 SL No. 137 s 9  
 sub 2000 SL No. 136 s 54  
 amd 2000 SL No. 286 s 15; 2001 SL No. 126 s 12  
 sub 2001 SL No. 270 s 8  
 amd 2002 SL No. 128 s 12

#### **SCHEDULE 6—PRESCRIBED LIQUOR LICENCES**

ins 1994 SL No. 193 s 6  
 amd 1994 SL No. 407 s 10; 1995 SL No. 230 s 11; 1997 SL No. 115 s 3; 1997  
 SL No. 401 s 3; 1998 SL No. 279 s 5; 1999 SL No. 102 s 3; 1999 SL  
 No. 180 s 3; 1999 SL No. 196 s 3; 2000 SL No. 136 s 55; 2000 SL No. 137  
 s 9; 2000 SL No. 286 s 16; 2001 SL No. 126 s 13

## **8 Table of renumbered provisions**

### TABLE OF RENUMBERED PROVISIONS [Reprint No. 7]

under the Reprints Act 1992 s 43 as required by the Gaming Machine Regulation 1991  
 s 49

Previous	Renumbered as
4	2
4A	3
5	4
5C	5
10	9
11	10
12	11
13	12
13A	13
15A	16
15A(4)	16(3)
15A(5)	16(4)
16	17
17	18
17A	19
17B	20
17C	21
17D	22
18	23
20	24
21	25
22	26
23	27
25	28
26	29
27	30
27A	31
27B	32

*Gaming Machine Regulation 1991*

Previous	Renumbered as
28.....	33
28(1)(c).....	33(1)(b)
28(1)(d).....	33(1)(c)
28(2)(c).....	33(2)(b)
29.....	34
30.....	35
30(2)(b)(iiia).....	35(2)(b)(iv)
30(2)(b)(iv).....	35(2)(b)(v)
30(2)(b)(v).....	35(2)(b)(vi)
30(2)(b)(vi).....	35(2)(b)(vii)
30(2)(b)(vii).....	35(2)(b)(viii)
30(2)(b)(viii).....	35(2)(b)(ix)
30(2)(b)(ix).....	35(2)(b)(x)
30(2)(b)(x).....	35(2)(b)(xi)
30(2)(b)(xi).....	35(2)(b)(xii)
31.....	36
32.....	37
33.....	38
34.....	39
35.....	40
35A.....	41
35B.....	42
35B(3A).....	42(4)
35B(4).....	42(5)
35B(5).....	42(6)
35B(6).....	42(7)
35B(7).....	42(8)
35B(8).....	42(9)
35B(9).....	42(10)
35C.....	43
38.....	44
39.....	45
41A.....	46
42.....	47
43.....	48
44.....	49
45.....	50
47.....	51
48.....	52
sch 2	
1(aa).....	1(a)
1(ea).....	1(f)
1(f).....	1(g)
1(g).....	1(h)
1(h).....	1(i)
1(i).....	1(j)
1(i)(iv).....	1(j)(i)
1(i)(vi).....	1(j)(ii)

*Gaming Machine Regulation 1991*

---

Previous	Renumbered as
1(l).....	1(k)
1(m).....	1(l)
1(n).....	1(m)
1(o).....	1(n)
1(q).....	1(o)
1(r).....	1(p)
1(t).....	1(q)
1(u).....	1(r)
sch 4.....	sch 3
sch 5.....	sch 4
sch 6.....	sch 5
sch 7.....	sch 6