

# Queensland



## Subordinate Legislation 2003 No. 127

### *Gaming Machine Act 1991*

# GAMING MACHINE AMENDMENT REGULATION (No. 1) 2003

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## **1 Short title**

This regulation may be cited as the *Gaming Machine Amendment Regulation (No. 1) 2003*.

## **2 Commencement**

This regulation commences on 1 July 2003.

## **3 Regulation amended**

This regulation amends the *Gaming Machine Regulation 2002*.

## **4 Insertion of new pt 3A**

After section 10—

*insert—*

### **‘PART 3A—OPERATING AUTHORITIES FOR CATEGORY 1 LICENSED PREMISES**

#### *‘Division 1—General matters for operating authorities*

#### **‘10A Maximum number of operating authorities—Act, s 109A**

‘For section 109A(1)<sup>1</sup> of the Act, the prescribed number is 18 843.

#### **‘10B Amount to be paid into community investment fund—Act, s 109E**

‘For section 109E(4)<sup>2</sup> of the Act, the prescribed percentage is—

- (a) for operating authorities sold in relation to a decrease proposal that is an application—33%; and
- (b) for operating authorities sold in relation to a surrender of a gaming machine licence—50%.

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1 Section 109A (Limit on number of operating authorities) of the Act

2 Section 109E (Dealing with amounts received on sale of licensee’s operating authority) of the Act

**‘10C Working out amount to be paid to licensee—Act, s 109E**

‘(1) This section provides for how the balance to be paid to a licensee, under section 109E(2)(b) of the Act, is to be worked out.

‘(2) The selling entity for the sale must work out an average sale price (the **“average price”**) for each operating authority sold by dividing the total amount received for all the operating authorities sold by the total number of operating authorities sold.

‘(3) For each operating authority sold for a licensee at the sale, the licensee must be paid an amount equal to the average price less the amount payable under section 109E(2)(a) of the Act into the community investment fund for the sale of the operating authority.

**‘10D Amount of payment—Act, s 322**

‘For section 322(3A)<sup>3</sup> of the Act, the prescribed amount is \$2.50.

**‘10E Authority regions—Act, schedule**

‘(1) For the schedule of the Act, definition “authority region”, each of the following is an authority region—

- (a) the coastal region;
- (b) the south-east region;
- (c) the western region.

‘(2) In this section—

**“classification document”** means the 2001 edition of the Australian Standard Geographical Classification (Cat. No. 1216.0) published by the Australian Bureau of Statistics.

**“coastal region”** means the area of the Far North, Fitzroy, Mackay, Northern and Wide Bay-Burnett statistical divisions defined in the classification document.

**“south-east region”** means the area of the Brisbane and Moreton statistical divisions defined in the classification document.

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3 Section 322 (Disposition of fees etc.) of the Act

“**western region**” means the area of the Central West, Darling Downs, North West and South West statistical divisions defined in the classification document.

*‘Division 2—Matters relating to transitional provisions for Gaming Machine and Other Legislation Amendment Act 2003*

**‘10F Application to tribunal—Act, s 416**

‘For section 416(1)<sup>4</sup> of the Act, the prescribed period is the period starting on 1 July 2003 and ending 4 months after that day.’

**5 Amendment of s 29 (Approval of premises of licensed major dealer or licensed monitoring operator—Act, ss 266 and 267)**

Section 29, heading, ‘**ss 266 and 267**’—

*omit, insert—*

‘**s 266 or 267**’.

**6 Amendment of s 36 (Payments out of approved trust account—Act, s 287)**

(1) Section 36(b)—

*renumber* as section 36(d).

(2) Section 36—

*insert—*

(b) amounts, other than multiple site jackpot increments, paid into the account by the operator to ensure the account has enough funds for jackpot payouts for a winning result; and

(c) fees payable by the operator to the financial institution, with which the account is established, for keeping the account; and’.

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4 Section 416 (Application to tribunal) of the Act

**7 Amendment of s 58 (Approved financiers)****(1)** Section 58(c) and (d)—*renumber* as section 58(d) and (e).**(2)** Section 58(a) and (b)—*omit, insert—*

‘(a) Club Gaming Financial Services Limited ACN 096 223 497;

(b) Equico Corporate Finance Group Pty Limited ACN 085 834 331;

(c) Golden Casket Lottery Corporation Limited ACN 078 785 449;’.

**8 Amendment of sch 1 (Prescribed entities)**

Schedule 1—

*insert—*‘Commercial and Consumer Tribunal established under the *Commercial and Consumer Tribunal Act 2003*’.**9 Amendment of sch 5 (Fees)****(1)** Schedule 5—*insert—*

<b>8A.</b> Application to increase approved number of gaming machines by less than 10 gaming machines for a category 1 licensed premises (s 81(2)(h) of the Act) . . .	106.00
plus—for each additional machine . . . . .	10.00
<b>8B.</b> Application to increase approved number of gaming machines by 10 or more gaming machines for a category 1 licensed premises (s 81(2)(h) of the Act) . . .	531.00
plus—for each additional machine . . . . .	10.00
<b>11A.</b> Application to decrease approved number of gaming machines (s 86(1) of the Act) . . . . .	52.00
<b>11B.</b> Replacement gaming machine licence (s 88B(2)(b) of the Act) . . . . .	54.00
<b>12A.</b> Replacement gaming machine licence (s 109I(2)(b) of the Act) . . . . .	54.00

<b>45.</b>	Mediation fee (s 416(2) of the Act) . . . . .	330.00
<b>46.</b>	Proceeding fee (s 418(2) of the Act) . . . . .	2 700.00’.
	(2) Schedule 5, items 8A to 46— <i>renumber</i> as items 9 to 51.	

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## ENDNOTES

1. Made by the Governor in Council on 26 June 2003.
2. Notified in the gazette on 27 June 2003.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Treasury Department.