

# Gaming Machine Amendment Regulation 2024

## Human Rights Certificate

### Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019*, I, Yvette D'Ath MP, Attorney General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence provide this human rights certificate with respect to the *Gaming Machine Amendment Regulation 2024* (Amendment Regulation) made under the *Gaming Machine Act 1991* (Gaming Machine Act).

In my opinion, the Amendment Regulation, as tabled in the Legislative Assembly, is compatible with the human rights protected by the *Human Rights Act 2019*. I base my opinion on the reasons outlined in this statement.

## Overview of the Subordinate Legislation

The Amendment Regulation extends the trial period for the temporary reduction of the proportion of proceeds from the sale of category 1 (hotel) licensed premises gaming operating authorities that must be paid into the consolidated fund.

Hotel licensees with relevant prerequisite approvals are able to buy and sell operating authorities only via an authorised sale process administered by the Public Trustee of Queensland. The sale is conducted by a competitive tender process. Section 109E of the *Gaming Machine Act 1991* (Gaming Machine Act) provides that a percentage of the amount received from the sale of authorities is paid into the consolidated fund, with the remainder paid to the licensees whose authorities have been sold. Ordinarily, section 10B of the Gaming Machine Regulation sets the prescribed percentage at 33 percent. In effect, hotel licensees who are successful in selling authorities via the authorised sale process receive, for each authority sold, the average sale price paid by successful purchasers, less 33 percent.

The Amendment Regulation seeks to extend an existing trial which has, since 30 June 2022, reduced the prescribed percentage on a temporary basis to 15 percent. Extending the trial by one year, to 30 June 2025, will provide additional time and data by which to evaluate the effectiveness of the trial and the extent to which the reduced percentage has invigorated the authorised sale process.

## Human Rights Issues

### Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 *Human Rights Act 2019*)

No human rights under the *Human Right Act 2019* are engaged or affected.

## Conclusion

I consider that the *Gaming Machine Amendment Regulation 2024* is compatible with the *Human Rights Act 2019* because it does not raise a human rights issue.

**YVETTE D'ATH MP**  
Attorney-General and Minister for Justice  
Minister for the Prevention of Domestic and Family Violence

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