

South Australia

**Statutes Amendment (Gambling Regulation)
Bill 2007**

A BILL FOR

An Act to amend the *Casino Act 1997* and the *Gaming Machines Act 1992*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Statutes Amendment (Gambling Regulation) Act 2007*.

2—Commencement

- 5 This Act will come into operation 1 month after the day on which it is assented to by the Governor.

3—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Casino Act 1997*

5 4—Amendment of section 38—Approval of management systems etc

Section 38—after subsection (2) insert:

- (3) It is a condition of the casino licence—
- (a) that surveillance tapes (or other electromagnetic records) made in accordance with the approved systems and procedures be retained for at least 1 month and made available to an authorised officer on request;
 - (b) that signs approved by the Commissioner stating that an entry or area is subject to surveillance be prominently displayed at each entrance and area subject to surveillance.

15 5—Insertion of section 41E

Before section 42 insert:

41E—Limitation of gambling hours for gaming machines

It is a condition of the casino licence that the licensee must not operate or permit the operation of gaming machines on the premises of the casino before 12 noon on any day.

6—Amendment of section 42A—Cash facilities withdrawal limit

Section 42A—after subsection (4) insert:

- (5) This section expires on the prescribed day within the meaning of section 42AB.

25 7—Insertion of sections 42AB to 42AF

After section 42A—insert:

42AB—Limitations on cash facilities

- (1) It is a condition of the casino licence that the licensee must not, on or after the prescribed day, provide or allow another person to provide, cash facilities on the premises of the casino that allow a person to obtain cash by means of those facilities.
- (2) For the purposes of subsection (1), an EFTPOS facility will not be taken to allow a person to obtain cash by means of the facility if a sign is prominently displayed to persons accessing the facility prohibiting any person obtaining cash by means of the facility.

(3) It is a condition of the casino licence that the licensee must not, on or after the prescribed day, provide or allow another person to provide, cash to a person by means of an EFTPOS facility on the premises of the casino.

(4) In this section—

cash facility means—

- (a) an automatic teller machine; or
- (b) an EFTPOS facility; or
- (c) any other facility, prescribed by the regulations, that enables a person to gain access to his or her funds or to credit;

prescribed day means the day falling 1 month after the commencement of this section.

42AC—Coin machines not to be provided

(1) It is a condition of the casino licence that the licensee must not, on or after the prescribed day, provide, or allow another person to provide, a machine on the premises of the casino that dispenses coins in exchange for bank notes or other coins.

(2) In this section—

prescribed day means the day falling 1 month after the commencement of this section.

42AD—Offence to provide certain cash facilities or coin machines within Railway Building on same level as entrance to casino

(1) A person who, on or after the prescribed day, provides, or allows another person to provide, on the prescribed premises—

- (a) cash facilities that allow a person to obtain cash by means of those facilities; or
- (b) a machine that dispenses coins in exchange for bank notes or other coins,

is guilty of an offence.

Maximum penalty: \$35 000.

(2) In this section—

prescribed day means the day falling 1 month after the commencement of this section;

prescribed premises means the floor of the building on which the main public entrance to the casino is located.

42AE—Inducements to play gaming machines prohibited

It is a condition of the casino licence that the licensee must not offer to provide or provide a person with any of the following as an inducement to bet, or to continue to bet, on a gaming machine in the casino:

- (a) free cash, or free vouchers or gambling chips that can be used for the purposes of gambling in the casino or that can be exchanged for cash;
- (b) free points or credits on any game or machine played in the casino;
- (c) membership (whether on payment of a fee or not) of a jackpot or other gambling club;
- (d) free, or discounted, food or drink;
- (e) free entry in any lottery;
- (f) gifts or rewards of any other kind.

42AF—Promotional material

It is a condition of the casino licence that the licensee must not cause or permit promotional material of any kind relating to the casino, loyalty cards that may be used in connection with the casino, or gambling to be given or sent to a person barred from the casino or from taking part in gambling activities under this or any other Act.

8—Amendment of section 42B—Certain gaming machine facilities prohibited

Section 42B—delete subsection (7) and substitute:

- (7) It is a condition of the casino licence that the licensee must not, on or after the prescribed day, provide any gaming machine in the casino unless the tray or container into which coins are delivered on a winning bet on the machine, and any associated slide, tube or delivery mechanism, are lined with felt or treated in some other way designed to reduce the sound of the delivery of the coins.

- (8) In this section—

prescribed day means the day falling 3 months after the commencement of the subsection in which the expression appears.

Part 3—Amendment of *Gaming Machines Act 1992*

9—Amendment of section 27—Conditions

Section 27(7)—delete subsection (7)

10—Amendment of section 51B—Cash facilities withdrawal limit

Section 51B—after subsection (4) insert:

- (5) This section expires on the prescribed day within the meaning of section 51C.

11—Insertion of sections 51C and 51D

After section 51B—insert:

51C—Limitations on cash facilities within licensed premises

- 5 (1) The holder of a gaming machine licence must not, on or after the prescribed day, provide or allow another person to provide, cash facilities on the licensed premises that allow a person to obtain cash by means of those facilities.

Maximum penalty: \$35 000.

- 10 (2) For the purposes of subsection (1), an EFTPOS facility will not be taken to allow a person to obtain cash by means of the facility if a sign is prominently displayed to persons accessing the facility prohibiting any person obtaining cash by means of the facility.

- 15 (3) The holder of a gaming machine licence is guilty of an offence if, on or after the prescribed day, cash is provided to a person by means of an EFTPOS facility on the licensed premises.

Maximum penalty: \$35 000.

- (4) The Minister may, if there are no other cash facilities within a 3 kilometre radius of the licensed premises, exempt a licensee (conditionally or unconditionally) from the operation of this section.

- 20 (5) A licensee who contravenes a condition of an exemption granted under subsection (4) is guilty of an offence.

Maximum penalty: \$35 000.

- (6) This section does not apply to cash facilities in gaming areas (see section 51A).

- 25 (7) In this section—

prescribed day means the day falling 1 month after the commencement of this section.

51D—Coin machines not to be provided on licensed premises

- 30 (1) The holder of a gaming machine licence must not, on or after the prescribed day, provide, or allow another person to provide, a machine on the licensed premises that dispenses coins in exchange for bank notes or other coins.

Maximum penalty: \$35 000.

- (2) In this section—

35 *prescribed day* means the day falling 1 month after the commencement of this section.

12—Insertion of sections 52A to 52C

After section 52 insert:

52A—Inducements to bet on gaming machines prohibited

5 The holder of a gaming machine licence must not offer to provide or provide a person with any of the following as an inducement to bet, or to continue to bet, on a gaming machine in the licensed premises:

- 10 (a) free cash, or free vouchers or tokens of any kind that can be used for the purposes of making bets on a gaming machine or that can be exchanged for cash;
- (b) free points or credits on any gaming machine;
- (c) membership (whether on a payment of a fee or not) of a jackpot or other gambling club;
- (d) free, or discounted, food or drink;
- (e) free entry in any lottery;
- 15 (f) gifts or rewards of any other kind.

Maximum penalty: \$35 000 or imprisonment for 2 years.

52B—Promotional material

20 The holder of a gaming machine licence must not cause or permit promotional material of any kind relating to loyalty cards that may be used in connection with gaming machines or to gambling to be given or sent to a person barred from the gaming machine area or from taking part in gambling activities under this or any other Act.

Maximum penalty: \$35 000 or imprisonment for 2 years.

52C—Surveillance equipment

- 25 (1) The holder of a gaming machine licence must not, on or after the prescribed day, conduct the gaming operations within a gaming area unless—
 - 30 (a) entry to the gaming area and the gaming machines within the area are subject to surveillance of a kind approved by the Commissioner; and
 - (b) surveillance tapes (or other electromagnetic records) made in accordance with the approval are retained for at least 1 month and made available to an authorised officer on request; and
 - 35 (c) signs approved by the Commissioner stating that the entrance and gaming area are subject to surveillance are prominently displayed at each entrance and area subject to surveillance.

Maximum penalty: \$35 000.

(2) In this section—

prescribed day means the day falling 12 months after the commencement of this section.

13—Amendment of section 53A—Prohibition of certain gaming machine facilities

Section 53A—delete subsection (7) and substitute:

(7) The holder of a gaming machine licence must not, on or after the prescribed day, provide any gaming machine on the licensed premises unless the tray or container into which coins are delivered on a winning bet on the machine, and any associated slide, tube or delivery mechanism, are lined with felt or treated in some other way designed to reduce the sound of the delivery of the coins.

Maximum penalty: \$35 000.

(8) In this section—

prescribed day means the day falling 3 months after the commencement of the subsection in which the expression appears.

14—Amendment of Schedule 1—Gaming machine licence conditions

Paragraph (g)—delete the paragraph and substitute:

(g) that the licensee will not conduct the gaming operations—

(i) on Christmas Day or Good Friday; or

(ii) on any other day—

(A) before 12 noon; or

(B) during a period (after 12 noon) when the licensed premises are not authorised to be open for the sale of liquor; or

(C) during any other period that falls outside the hours specified in the licence for the conduct of gaming operations; and

Schedule 1—Transitional provision

The amendment to Schedule 1 of the *Gaming Machines Act 1992* effected by section 15 applies in relation to a licence under that Act whether granted before or after the commencement of that section.