

South Australia

**Statutes Amendment (Gaming Area Prohibitions
and Barring Orders) Bill 2016**

A BILL FOR

An Act to amend the *Casino Act 1997*; the *Gaming Machines Act 1992* and the
Independent Gambling Authority Act 1995.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

- 5 This Act may be cited as the *Statutes Amendment (Gaming Area Prohibitions and Barring Orders) Act 2016*.

2—Commencement

- (1) Subject to subsections (2) and (3), this Act will come into operation 1 month after it is assented to by the Governor.
- (2) Section 4 will come into operation—
 - 10 (a) on 1 January 2017 immediately after section 42B(7) of the *Casino Act 1997* (to be inserted into that Act by section 40 of the *Statutes Amendment (Gambling Reform) Act 2013*) comes into operation; or
 - (b) 1 month after the day on which this Act is assented to by the Governor, whichever occurs later.
- 15 (3) Section 7 will come into operation—
 - (a) on 1 January 2017 immediately after section 53A(4) of the *Gaming Machines Act 1992* (to be inserted into that Act by section 96 of the *Statutes Amendment (Gambling Reform) Act 2013*) comes into operation; or

(b) 1 month after the day on which this Act is assented to by the Governor,
whichever occurs later.

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*

4—Amendment of section 42B—Provisions relating to gaming machines and automated table games

Section 42B(7)—delete "\$5" and substitute:

\$1

Part 3—Amendment of *Gaming Machines Act 1992*

5—Amendment of section 51A—Cash facilities not to be provided within gaming areas

Section 51A(1)—delete "other than an EFTPOS facility"

6—Insertion of section 51C

After section 51B insert:

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

The holder of a gaming machine licence must not provide, or allow
another person to provide, a machine designed to change a monetary
note into coins on the licensed premises.

Maximum penalty: \$35 000.

7—Amendment of section 53A—Prohibition of certain gaming machines

Section 53A(4)—delete "\$5" and substitute:

\$1

8—Amendment of Schedule 1—Gaming machine licence conditions

Schedule 1, paragraph (nd)—delete paragraph (nd)

Part 4—Amendment of *Independent Gambling Authority Act 1995*

9—Amendment of section 15C—Barring orders

(1) Section 15C(1)—after paragraph (a) insert:

(ab) at the request of a gambling provider if the gambling provider
satisfies the Authority that the provider has a reasonable
apprehension that the person may suffer harm, or may cause serious
harm to family members, because of problem gambling; or

(2) Section 15C(2)(b)—delete paragraph (b) and substitute:

- (b) if there is a reasonable apprehension that the person may suffer harm, or may cause serious harm to family members, because of problem gambling.

5 (3) Section 15C(4)—delete subsection (4) and substitute:

(4) If no decision is made within 14 days after the making of a request—

(a) by a person under subsection (1)(a) or (2)(a); or

(b) by a gambling provider under subsection (1)(ab),

10 the Authority or the gambling provider (as the case may be) will be taken, for the purposes of this Part, to have made a decision to refuse the request.

(4) Section 15C(8)—delete subsection (8) and substitute:

15 (8) If a gambling provider makes or requests the making of a barring order, or receives a request to make a barring order, the provider must—

(a) make a record of the order or request in a manner required by the Authority and containing the particulars required by subsection (9); and

20 (b) within 7 days after making an order, or making a decision to refuse a request to make a barring order, notify the Authority of the order or decision (in a manner, and containing the particulars, required by the Authority).

25 (9) A record under subsection (8)(a) in respect of a gambling provider making or requesting the making of a barring order must contain the following particulars:

(a) the reason for making or requesting the barring order;

30 (b) any observations by the gambling provider as to behaviour exhibited by the barred person or proposed barred person that indicated to the provider the reasonable apprehension that the person may have suffered harm, or may have caused serious harm to family members, because of problem gambling;

35 (c) the number of times the barred person, or proposed barred person, was observed by the gambling provider, or an agent or employee of the gambling provider, making multiple cash withdrawals from a cash facility on premises where gambling activities are undertaken;

(d) any other particulars as required by the Authority.

10—Amendment of section 15I—Powers to remove etc

Section 15I—after subsection (2) insert:

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- (2a) If an authorised person requires a person to leave a place under section 15I(1), the authorised person must make a record of that fact in a form required by the Authority.
 - (2b) A gambling provider must, on or before 30 September in each year, provide any records made under subsection (2a) to the Authority in respect of that year.

11—Amendment of section 19—Annual report

10 Section 19(3)—after paragraph (b) insert:

and

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- (c) in relation to barring orders under Part 4—
 - (i) the number of requests received by the Authority for the making of a barring order under sections 15C(1)(a) and 15C(ab); and
 - (ii) the number of barring orders made by the Authority and whether the order was made pursuant to section 15C(1)(a), 15C(1)(ab) or 15C(1)(b); and
 - (iii) the number of barring orders made by a gambling provider under section 15C(2).
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