

**House of Assembly—No 130**

As laid on the table and read a first time, 8 May 2008

South Australia

**Statutes Amendment (Gaming Machine  
Limitations) Bill 2008**

A BILL FOR

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

---

## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Amendment provisions

### Part 2—Amendment of *Casino Act 1997*

- 4 Amendment of section 37A—Authorisation of games by the Commissioner
- 5 Amendment of section 42B—Certain gaming machine facilities prohibited

### Part 3—Amendment of *Gaming Machines Act 1992*

- 6 Amendment of section 40—Approval of gaming machines and games
  - 7 Amendment of section 53A—Prohibition of certain gaming machine facilities
- 

## The Parliament of South Australia enacts as follows:

### Part 1—Preliminary

#### 1—Short title

This Act may be cited as the *Statutes Amendment (Gaming Machine Limitations) Act 2008*.

#### 5 2—Commencement

This Act will come into operation on the day on which it is assented to by the Governor.

#### 3—Amendment provisions

10 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 37A—Authorisation of games by the Commissioner

(1) Section 37A(1)—delete subsection (1)

(2) Section 37A—after subsection (2) insert:

15 (3) The Commissioner must have regard to any guidelines issued by the Authority for the purpose of assessing whether a game is likely to lead to an exacerbation of problem gambling and, if the game has 1 or more of the prescribed characteristics, it is to be taken to be likely to lead to an exacerbation of problem gambling unless there are other characteristics that the Commissioner is satisfied mitigate that  
20 likelihood.

(4) For the purposes of this section, the *prescribed characteristics* of a game are—

(a) **non-linear**

the statistical return to the player for the game changes depending on the amount bet;

(b) **illusion of control**

the player may be induced to believe that his or her level of skill will affect the outcome of the game when this is not the case;

(c) **win truncation**

there are circumstances in which a prize provided for by the rules of the game would, but for a provision that provided that prizes would be truncated to the maximum prize permitted by law, exceed the maximum prize permitted by law;

(d) **feature entry bet**

the game has a special feature that is only available if the player bets at or above a particular level;

(e) **paid-for feature game**

the game has a special feature that will only commence if a further bet or bets are made;

(f) **metamorphic**

the game will transform into a different game when certain game events (requiring further play) have occurred;

(g) **free spins**

the game has a special feature that includes free reel spins or bets provided on a random basis;

(h) **rate of play**

the reel spin interval of the game is less than 3.5 seconds or, in the case of a game which does not display reels, a bet can be placed more than 17 times per minute;

(i) **game screen meters**

the game does not display the value in money of the credit balance, bet and win, using a “\$” symbol and numerals of the same size and intensity as the display of the credit balance, bet and win;

(j) **near miss**

the game has a special feature giving the player an impression that a win is imminent when the game is performing precisely to specification, such as the existence of variable reel sizes with the game displaying, for example, the same symbol on the first four (short) reels but not on the fifth (longer) reel;

(k) **multiple lines**

the game allows the player to bet on lines that are only represented by symbols on the screen or are not otherwise represented by a reel that is clearly visible on the screen;

(l) **reel power**

the game has a special feature that allows a player to bet not only on each game or line, but on the outcome of symbols that become visible on the reels or on other outcomes.

### **5—Amendment of section 42B—Certain gaming machine facilities prohibited**

(1) Section 42B—after subsection (6) insert:

(6a) 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 that—

- (a) is capable of accepting a bet of more than \$1; or
- (b) is capable of playing more than 1 game, or more than 1 line of a game, at the same time unless immediately before the player using the machine chooses to play such a game or line a warning that the choice will greatly increase the size of the player's bet is prominently displayed on the machine for sufficient time to be read by that player.

(2) Section 42B(7), definition of *prescribed day*—delete "subsection (6)" and substitute:  
the subsection in which the expression appears

## **Part 3—Amendment of *Gaming Machines Act 1992***

### **6—Amendment of section 40—Approval of gaming machines and games**

(1) Section 40(2)—delete subsection (2)

(2) Section 40—after subsection (3) insert:

(4) The Commissioner must have regard to any guidelines issued by the Authority for the purpose of assessing whether a game is likely to lead to an exacerbation of problem gambling and, if the game has 1 or more of the prescribed characteristics, it is to be taken to be likely to lead to an exacerbation of problem gambling unless there are other characteristics that the Commissioner is satisfied mitigate that likelihood.

(5) For the purposes of this section, the *prescribed characteristics* of a game are—

(a) **non-linear**

the statistical return to the player for the game changes depending on the amount bet;

(b) **illusion of control**

the player may be induced to believe that his or her level of skill will affect the outcome of the game when this is not the case;

(c) **win truncation**

there are circumstances in which a prize provided for by the rules of the game would, but for a provision that provided that prizes would be truncated to the maximum prize permitted by law, exceed the maximum prize permitted by law;

(d) **feature entry bet**

the game has a special feature that is only available if the player bets at or above a particular level;

(e) **paid-for feature game**

the game has a special feature that will only commence if a further bet or bets are made;

(f) **metamorphic**

the game will transform into a different game when certain game events (requiring further play) have occurred;

(g) **free spins**

the game has a special feature that includes free reel spins or bets provided on a random basis;

(h) **rate of play**

the reel spin interval of the game is less than 3.5 seconds or, in the case of a game which does not display reels, a bet can be placed more than 17 times per minute;

(i) **game screen meters**

the game does not display the value in money of the credit balance, bet and win, using a “\$” symbol and numerals of the same size and intensity as the display of the credit balance, bet and win;

(j) **near miss**

the game has a special feature giving the player an impression that a win is imminent when the game is performing precisely to specification, such as the existence of variable reel sizes with the game displaying, for example, the same symbol on the first four (short) reels but not on the fifth (longer) reel;

(k) **multiple lines**

the game allows the player to bet on lines that are only represented by symbols on the screen or are not otherwise represented by a reel that is clearly visible on the screen;

(l) **reel power**

the game has a special feature that allows a player to bet not only on each game or line, but on the outcome of symbols that become visible on the reels or on other outcomes.

**7—Amendment of section 53A—Prohibition of certain gaming machine facilities**

(1) Section 53A—after subsection (6) insert:

(6a) The holder of a gaming machine licence must not, on or after the prescribed day, provide any gaming machine on the licensed premises that—

(a) is capable of accepting a bet of more than \$1;

(b) is capable of playing more than 1 game, or more than 1 line of a game, at the same time unless immediately before the player using the machine chooses to play such a game or line a warning that the choice will greatly increase the size of the player's bet is prominently displayed on the machine for sufficient time to be read by that player.

Maximum penalty: \$35 000.

(2) Section 53A(7), definition of *prescribed day*—delete "subsection (6)" and substitute:  
the subsection in which the expression appears