

South Australia

Independent Gambling Authority Act 1995

An Act to establish the Independent Gambling Authority and to provide for its powers and functions; and for other purposes.

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Legislative history

The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Independent Gambling Authority Act 1995*.

3—Interpretation

In this Act—

Authority means the Independent Gambling Authority established under this Act;

Commissioner means the person for the time being holding or acting in the office of the Liquor and Gambling Commissioner under the *Liquor Licensing Act 1997* (or the Commissioner's delegate);

prescribed Act means—

- (a) the *Casino Act 1997*; or
- (b) the *Gaming Machines Act 1992*; or
- (c) any other Act that assigns functions to the Authority;

proceedings means proceedings on an inquiry, review, reconsideration (under section 15H) or appeal.

Part 2—The Authority

4—Establishment of Authority

- (1) The *Independent Gambling Authority* is established.
- (2) The Authority is an instrumentality of the Crown but is not subject to Ministerial control or direction except as provided by this or any other Act.
- (3) The Authority—
 - (a) is a body corporate with perpetual succession and a common seal; and
 - (b) is capable of suing and being sued in its corporate name; and
 - (c) is capable of acquiring, holding or dealing with real or personal property in its corporate name; and
 - (d) has the functions and powers assigned or conferred under this or any other Act.

5—Constitution of Authority

- (1) The Authority is constituted of the following members, appointed by the Governor on the nomination of the Minister:
 - (a) a legal practitioner of at least 10 years' standing or a person who has held judicial office as a member of a superior court of this State or of any other State or Territory of the Commonwealth or of the Commonwealth; and
 - (b) 6 other persons who together have, in the Minister's opinion, the abilities and experience required for the effective performance of the Authority's functions.
- (2) At least 2 members must be women and 2 must be men.
- (3) A person who, without the approval of the Minister, has a direct or indirect pecuniary or personal interest in a licensee, or a business conducted by a licensee, under a prescribed Act is not eligible for appointment to the Authority.
- (4) The person appointed under subsection (1)(a) will be the presiding member of the Authority.
- (5) The Governor may appoint a suitable person to be the deputy of a member of the Authority and the deputy may act as a member of the Authority in that member's absence.
- (6) A person appointed as the deputy of the presiding member—
 - (a) must have the same qualifications for appointment as the presiding member; and
 - (b) may (but need not) be a person who is, apart from the appointment as the presiding member's deputy, a member of the Authority.
- (7) On the office of a member becoming vacant, a person must be appointed under this section to the vacant office.

6—Conditions of membership

- (1) A member will be appointed for a term, not exceeding three years, specified in the instrument of appointment and is, at the expiration of a term of office, eligible for reappointment.
- (2) The Governor may remove a member of the Authority from office on the ground of—
 - (a) mental or physical incapacity to carry out official duties satisfactorily; or
 - (b) neglect of duty; or
 - (c) dishonourable conduct; or
 - (d) any other ground that the Executive Council considers sufficient.
- (3) The office of a member of the Authority becomes vacant if the member—
 - (a) dies; or
 - (b) completes a term of office and is not reappointed; or
 - (c) resigns by notice in writing addressed to the Minister; or
 - (d) is removed from office under subsection (2).

7—Allowances and expenses

A member of the Authority is entitled to allowances and expenses determined by the Governor.

8—Validity of acts of Authority

- (1) An act or proceeding of the Authority is not invalid by reason only of a vacancy in its membership or a defect in the appointment of a member.

10—Staff

- (1) The Authority's staff consists of Public Service employees assigned to assist the Authority in the exercise of its functions.
- (2) While a Public Service employee is assigned to the Authority, directions given to the employee by the Authority in respect of the exercise of its functions prevail over directions given to the employee by the chief executive of the administrative unit of the Public Service in which the employee is employed to the extent of any inconsistency.

11—Functions and powers of Authority

- (1) The functions of the Authority are—
 - (aa) to develop and promote strategies for reducing the incidence of problem gambling and for preventing or minimising the harm caused by gambling; and
 - (aab) to undertake, assist in or co-ordinate ongoing research into matters relevant to the Authority's functions, including research into—
 - (i) the social and economic costs and benefits to the community of gambling and the gambling industry; and
 - (ii) the likely impact, both negative and positive, on the community of any new gambling product or gambling activity that might be introduced by any section of the gambling industry; and
 - (iii) strategies for reducing the incidence of problem gambling and preventing or minimising the harm caused by gambling; and
 - (iv) any other matter directed by the Minister; and
 - (a) to ensure that an effective and efficient system of supervision is established and maintained over the operations of licensees under prescribed Acts; and
 - (ab) to publish advertisements directed at reducing the incidence of problem gambling and for preventing or minimising the harm caused by gambling; and
 - (b) to advise, and make recommendations to, the Minister on matters relating to the operations of licensees under prescribed Acts or on any aspect of the operation, administration or enforcement of prescribed Acts; and
 - (c) to perform other functions assigned to the Authority under this Act or a prescribed Act or by the Minister.
- (2) The Authority has power to do anything that is necessary for, or incidental to, the performance of its functions.

- (2a) In performing its functions and exercising its powers under this Act or a prescribed Act, the Authority must have regard to the following objects:
 - (a) the fostering of responsibility in gambling and, in particular, the minimising of harm caused by gambling, recognising the positive and negative impacts of gambling on communities; and
 - (b) the maintenance of an economically viable and socially responsible gambling industry (including an economically viable and socially responsible club and hotel gaming machine industry) in this State.
- (3) The Authority may require the Commissioner to furnish the Authority with a report on any matter relating to—
 - (a) the operations of a licensee under a prescribed Act; or
 - (b) the operation, administration or enforcement of a prescribed Act.
- (4) The Authority may give the Commissioner directions in relation to the discharge by the Commissioner of his or her responsibility to the Authority under a prescribed Act, but is not empowered to direct or in any way influence the Commissioner in the exercise by the Commissioner of a discretion under a prescribed Act.

11A—Committees

- (1) The Authority may establish such committees as the Authority thinks fit to assist it in the performance of its functions.
- (2) The membership of a committee will be determined by the Authority and may, but need not, consist of or include members of the Authority.
- (3) The procedures to be observed by a committee in relation to the conduct of its business will be—
 - (a) as determined by the Authority;
 - (b) insofar as a procedure is not determined under paragraph (a)—as determined by the committee.

11B—Delegation

- (1) The Authority may, by instrument in writing, delegate to a person or body (including a person for the time being holding or acting in a particular position) any of the powers or functions of the Authority under this Act or a prescribed Act other than—
 - (a) the conduct of an inquiry by the Authority; or
 - (b) a reconsideration by the Authority of a decision that was made by the Authority; or
 - (c) a review or appeal that is to be conducted by the Authority, other than—
 - (i) a review under section 15G; or
 - (ii) a review of a decision made under section 45 of the *Casino Act 1997*.
- (2) Nothing in subsection (1) prevents the Authority from delegating the power to issue a summons under section 14.
- (3) A delegation under this section—
 - (a) may be unconditional or subject to conditions specified by the delegator; and

- (b) does not derogate from the power of the delegator to act personally in any matter; and
- (c) is revocable at will by the delegator; and
- (d) may, if the instrument of delegation so provides, be further delegated.

Part 3—Proceedings

12—Proceedings of Authority

- (1) Subject to subsection (1a), the presiding member (or his or her deputy) and 3 other members of the Authority constitute a quorum of the Authority.
- (1a) For the purpose of conducting an inquiry, a reconsideration of a decision by the Authority or a review or appeal under this Act or a prescribed Act, the presiding member (or his or her deputy) and 1 other member of the Authority constitutes a quorum of the Authority.
- (2) The presiding member, or in his or her absence the deputy of the presiding member, must preside at meetings of the Authority or proceedings before the Authority.
- (3) A unanimous or majority decision of the members present at a meeting of the Authority or hearing proceedings before the Authority is a decision of the Authority.
- (4) The Authority may—
 - (a) hold meetings and conduct proceedings by telephone or other electronic means;
 - (b) allow a person to participate in meetings or proceedings by telephone or other electronic means.

13—Inquiries by Authority

- (1) The Authority—
 - (a) may hold an inquiry whenever it considers it necessary or desirable to do so for the purpose of carrying out its functions; and
 - (b) must, if requested to do so by the Minister, hold an inquiry into any matter relating to—
 - (i) the operations of a licensee under a prescribed Act; or
 - (ii) the operation, administration or enforcement of a prescribed Act.
- (2) On completing an inquiry under this section, the Authority must submit to the Minister a report of the inquiry and the findings of the Authority on the inquiry, and any such report may include recommendations for action to be taken.
- (3) Unless the Authority recommends that the report should remain confidential, the Minister must, within six sitting days of receiving a report under subsection (2), cause a copy of the report to be laid before each House of Parliament.

14—Powers and procedures of Authority

- (1) If the Authority thinks it reasonably necessary for the purpose of performing its functions (whether under this Act or any other Act), the Authority may—
 - (a) by summons, require the attendance before the Authority of any person; or
 - (b) by summons, require the production of any equipment or other item, or any books, papers or documents; or
 - (c) inspect any equipment or other item, or any books, papers or documents produced before it and retain them for such reasonable period as it thinks fit, and, in the case of books, papers or documents, make copies of any of them, or of any of their contents; or
 - (d) require any person to make oath or affirmation that he or she will truly answer all questions put to him or her by the Authority relating to any matter being inquired into or that is before the Authority; or
 - (e) require any person appearing before the Authority to answer any relevant questions put to him or her by any member of the Authority or by any person appearing before the Authority.
- (2) If a person—
 - (a) who has been served with a summons to appear before the Authority, fails without reasonable excuse (proof of which lies on the person) to attend in obedience to the summons; or
 - (b) who has been served with a summons to produce equipment or any other items, or books, papers or documents, fails without reasonable excuse (proof of which lies upon the person) to comply with the summons; or
 - (c) misbehaves before the Authority, wilfully insults the Authority or any member of the Authority or interrupts the proceedings of the Authority; or
 - (d) refuses to be sworn or to affirm or to answer any relevant question when required to do so by the Authority,

the person is guilty of an offence.

Maximum penalty: \$10 000 or imprisonment for 6 months.

- (3) A person is not excused from answering a question or from producing books, papers or documents under this section—
 - (a) on the ground that the answer to the question or the contents of the books, papers or documents would tend to incriminate the person; or
 - (b) on the ground of legal professional privilege,

but if the person objects to answering a question on the ground that the answer would tend to incriminate him or her, the answer will not be admissible against him or her in criminal proceedings (except in proceedings for perjury) or, if the person objects to answering a question on the ground of legal professional privilege, the answer will not be admissible in civil or criminal proceedings against the person who would, but for this subsection, have the benefit of the legal professional privilege.

- (4) The Authority may, if requested to do so by a person who has been required to answer a question by the Authority or who has produced books, papers or documents to the Authority, by order prohibit the publication in any newspaper or by radio or television of the name of the person, any answer given by him or her in proceedings before the Authority or the contents of any book, paper or document produced by him or her to the Authority.
- (5) A person who contravenes an order under subsection (4) is guilty of an offence.
Maximum penalty: \$10 000.
- (6) The Authority may sit at any time and in any place (including a place outside this State) and may adjourn its sittings from time to time and from place to place.
- (7) In the course of any proceedings, the Authority may—
 - (a) receive in evidence any transcript of evidence in proceedings before a court or tribunal and draw any conclusions of fact from the transcript that it thinks proper; or
 - (b) adopt, as in its discretion it considers proper, any findings, decision or judgment of a court or tribunal that may be relevant to the matter before the Authority.

15—Representation before Authority

- (1) A person appearing before the Authority may appear—
 - (a) personally;
 - (b) by counsel;
 - (c) if a body corporate—by an officer or employee of the body corporate who has obtained leave of the Authority to appear on behalf of the body corporate;
 - (d) if the party is a member of a genuine association formed to promote or protect the interests of a section of the liquor industry or the gaming machine industry or of employees in those industries—by an officer or employee of that association.
- (2) The Commissioner of Police may be represented before the Authority—
 - (a) by a member of the police force; or
 - (b) by counsel.

Part 4—Barring orders

15B—Interpretation

In this Part—

authorised person, in relation to a place, means each of the following:

- (a) a police officer;
- (b) a person of a class prescribed by regulation (either generally or in relation to that place);
- (c) in relation to premises of a gambling provider—an agent or employee of the gambling provider;

- (d) in relation to a place at which operations of a kind authorised under the *Authorised Betting Operations Act 2000* are being conducted—an authorised officer under that Act;
- (e) in relation to the gaming area, or areas, of premises to which a gaming machine licence relates—an authorised person within the meaning of the *Gaming Machines Act 1992*;

barred person means a person who is the subject of a barring order under this Part;

barring order means an order doing any 1 or more of the following:

- (a) barring a person from taking part in specified gambling activities or gambling activities of a specified class;
- (b) barring a person from entering or remaining in the whole or a part of—
 - (i) specified premises; or
 - (ii) a specified class of premises,
 where gambling activities are or may be undertaken;
- (c) barring a person from a prescribed place or a place of a prescribed class or from engaging in a prescribed activity or an activity of a prescribed class;

gambling provider means each of the following:

- (a) the holder of a licence or authorisation under the *Authorised Betting Operations Act 2000*;
- (b) the holder of the casino licence;
- (c) the holder of a gaming machine licence;
- (d) the Lotteries Commission of South Australia.

15C—Barring orders

- (1) The Authority may make a barring order in relation to a person—
 - (a) at the request of that person; or
 - (b) if—
 - (i) there is a reasonable apprehension that the person may suffer harm, or may cause serious harm to family members, because of problem gambling; and
 - (ii) the Authority is satisfied that the making of the order is appropriate in the circumstances.
- (2) A gambling provider may make a barring order in relation to a person—
 - (a) at the request of that person; or
 - (b) if—
 - (i) there is a reasonable apprehension that the person may suffer harm, or may cause serious harm to family members, because of problem gambling; and
 - (ii) the gambling provider is satisfied that the making of the order is appropriate in the circumstances.

- (3) A barring order made by a gambling provider may only relate to premises of, or the business conducted by, that gambling provider.
- (4) If no decision is made within 14 days after the making of a request by a person under subsection (1)(a) or (2)(a), 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.
- (5) For the avoidance of doubt, a barring order made in relation to premises may relate to parts of the premises where gambling activities are not undertaken (provided that the order also relates to parts of the premises where gambling activities are or may be undertaken).
- (6) A barring order made under this section—
 - (a) must be in writing in a form determined by the Authority; and
 - (b) subject to this Part, remains in force during the period specified in the order, being—
 - (i) in the case of an order made by the Authority—a period of not more than 3 years from the date on which the order is made; or
 - (ii) in any other case—a period of 3 months from the date on which the order is made.
- (7) A barring order made by the Authority at the request of the barred person may specify a minimum period (being not greater than 6 months) during which the order must remain in force.
- (8) If a gambling provider makes 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 and containing the particulars required by the Authority; and
 - (b) within 7 days after making the order or making a decision to refuse the request, notify the Authority of the order or decision (in a manner, and containing the particulars, required by the Authority).

Maximum penalty: \$2 500.

15D—Variation or revocation of barring order

- (1) The Authority may make an order varying or revoking a barring order under this Part at any time (provided that, in a case where the order was made by the Authority at the request of the barred person, the order may not be revoked, or be varied so as to limit in any way its application, unless it has been in force for the prescribed minimum period).
- (2) An order made under this section must be in writing in a form determined by the Authority.
- (3) In this section—

prescribed minimum period, in relation to a barring order made by the Authority at the request of the barred person, means—

 - (a) if a minimum period is specified in the order—that period;
 - (b) in any other case—6 months.

15E—Notice of barring order etc

- (1) A barred person must be given notice of a barring order, or an order varying or revoking a barring order, under this Part.
- (2) A notice required to be given under subsection (1) must include any particulars prescribed by the regulations.
- (3) A barring order, or an order varying a barring order, is of no effect unless notice of the order has been given to the barred person in accordance with this section.
- (4) The Authority must give written notice of a barring order made by the Authority under this Part, and of any variation or revocation of the order, to the owner or occupier of each place to which the order relates.
- (5) If the Authority obtains a photograph of the barred person, the Authority may also give a copy of that photograph to the owner or occupier of each place to which the order relates.

15F—Contravention of barring order

- (1) A barred person who contravenes or fails to comply with a barring order is guilty of an offence.
Maximum penalty: \$2 500.
- (2) A gambling provider, or another person of a class prescribed by the regulations, who suffers or permits a contravention of a barring order is guilty of an offence.
Maximum penalty: \$10 000.
- (3) It is a defence to a charge of an offence against subsection (2) for the defendant to prove that he or she took reasonable steps to prevent the commission of the offence.
- (4) For the purposes of disciplinary or enforcement action under a relevant Act, it will be taken to be a condition of the licence or authorisation issued to a gambling provider under the relevant Act that the provider must not suffer or permit a contravention of a barring order (subject to the defence specified in subsection (3)).
- (5) In this section—
disciplinary or enforcement action means—
 - (a) in relation to the *Authorised Betting Operations Act 2000*—an exercise of powers under Part 6 of that Act;
 - (b) in relation to the *Casino Act 1997*—an exercise of powers under Part 7 of that Act;
 - (c) in relation to the *Gaming Machines Act 1992*—action taken under Part 3 Division 7 of that Act;
relevant Act means—
 - (a) the *Authorised Betting Operations Act 2000*;
 - (b) the *Casino Act 1997*;
 - (c) the *Gaming Machines Act 1992*.

15G—Review of barring order by gambling provider

- (1) When the Authority is notified of a decision by a gambling provider to make, or to refuse to make, a barring order under this Part, the Authority must, as soon as is reasonably practicable, undertake a review of the decision.
- (2) On a review under this section, the Authority—
 - (a) may undertake consultation (in such manner as the Authority thinks fit) with any person involved with, or affected by, the making of the decision under review; and
 - (b) may confirm, vary, revoke or reverse the decision under review; and
 - (c) may make any recommendations to persons involved with, or affected by, the making of the decision under review that the Authority thinks appropriate in the circumstances.
- (3) The conduct of a review in relation to a barring order—
 - (a) does not affect the operation of that order while the review is being undertaken; and
 - (b) does not prevent the making of another barring order in relation to the barred person.

15H—Reconsideration of barring order by Authority

- (1) A gambling provider who is dissatisfied with a decision by the Authority to refuse to make a barring order under this Part, or any other person who is affected by a decision by the Authority to make, or refuse to make a barring order under this Part, may apply to the Authority to undertake a reconsideration of its decision.
- (2) An application to the Authority under this section must—
 - (a) be made in a manner, and contain the particulars, required by the Authority; and
 - (b) be lodged with the Authority within 14 days after the date of the decision (or such longer period as the Authority may allow in the circumstances).
- (3) On reconsidering a decision under this section, the Authority—
 - (a) may undertake consultation (in such manner as the Authority thinks fit) with any person involved with, or affected by, the making of the decision; and
 - (b) may confirm, vary, revoke or reverse the decision; and
 - (c) may make any recommendations to persons involved with, or affected by, the making of the decision that the Authority thinks appropriate in the circumstances.
- (4) If the Authority has not completed reconsidering a decision within 8 weeks after the day on which the application under this section was made, the Authority will be taken to have confirmed the decision.
- (5) The reconsideration of a decision in relation to a barring order under this section—
 - (a) does not affect the operation of the barring order while the reconsideration is being undertaken; and

- (b) does not prevent the making of another barring order in relation to the barred person.

15I—Powers to remove etc

- (1) If a person who is an authorised person in relation to a place suspects on reasonable grounds that a person who is in, or who is entering or about to enter, that place is barred from that place or barred from taking part in specified gambling activities that are engaged in at that place by order under this Part, the authorised person may require the person to leave the place.
- (2) If a person refuses or fails to comply with a requirement under subsection (1), an authorised person may remove the person from the place.
- (3) The regulations may prescribe procedures to be observed by authorised persons (other than police officers) in or in connection with the exercise of powers under this section.
- (4) An authorised person must comply with the procedures (if any) prescribed under subsection (3).

Maximum penalty: \$2 500.

15J—Liability

A decision of a gambling provider or an authorised person to exercise or not to exercise powers under this Part, or a failure of a gambling provider or an authorised person to exercise such powers, does not give rise to any liability of the gambling provider or authorised person to pay damages or compensation to any person.

15K—Delegation

- (1) A gambling provider may delegate a power or function under this Part to an employee or agent of the gambling provider.
- (2) A delegation—
 - (a) must be by instrument in writing; and
 - (b) may be unconditional or subject to conditions; and
 - (c) does not derogate from the power of the gambling provider to act personally in any matter; and
 - (d) may be revoked at any time by the gambling provider.

15L—Service

- (1) A notice or document required to be given to a person under this Part may—
 - (a) be served on the person personally; or
 - (b) be posted in an envelope addressed to the person's last known address; or
 - (c) be transmitted by fax or email to the person's fax number or email address (in which case the notice or document will be taken to have been given or served at the time of transmission).

- (2) If, under any Act or law, a gambling provider is a party to an arrangement, or is subject to a requirement, that the gambling provider be given notices or documents by the Authority in a manner not specified in subsection (1), a notice or document required to be given to the gambling provider by the Authority under this Part may be given in that manner (or may be given in a manner specified in subsection (1)).

15M—Register

- (1) The Authority must maintain a register containing—
- (a) the prescribed particulars of—
 - (i) barring orders; and
 - (ii) requests for barring orders that are refused; and
 - (iii) problem gambling family protection orders referred to in section 13(3) of the *Problem Gambling Family Protection Orders Act 2004*; and
 - (b) any information required to be included in the register under another Act; and
 - (c) any other information that, in the opinion of the Authority, is relevant to barring or exclusion of persons from gambling activities or venues (on welfare or any other grounds).
- (2) Information referred to in subsection (1) will be regarded as confidential information for the purposes of this Act.

15N—Winnings still to be paid

Contravention of, or failure to comply with, a barring order does not constitute grounds for refusing to pay any winnings to a person.

Part 5—Miscellaneous

16—Participation in gambling

A member of the Authority or the Commissioner must not engage in a gambling activity to which the Authority's statutory responsibilities extend.

Maximum penalty: \$10 000.

17—Confidentiality

- (1) A member or former member of the Authority or of a committee established by the Authority, the Commissioner or a former Commissioner or any officer or employee engaged or formerly engaged in administration or enforcement of this Act or a prescribed Act must not disclose confidential information obtained in the course of carrying out official functions except—
- (a) to another person who has official functions under this Act or a prescribed Act, to the Commissioner of Police or as may otherwise be required for carrying out such official functions; or
 - (b) as required by law; or
 - (c) as permitted by the person in whose favour the duty of confidentiality exists; or

- (d) to a reciprocating authority, or an officer or employee of a reciprocating authority.

Maximum penalty: \$10 000.

- (2) An authority, officer or person responsible for the administration or enforcement of laws relating to the supervision or control of gambling in another jurisdiction is a *reciprocating authority* if—
- (a) the other jurisdiction is the Commonwealth, a State or Territory of the Commonwealth, or New Zealand; or
- (b) there is an arrangement in force between the South Australian government and the government of the relevant jurisdiction for the exchange of information relevant to the administration or enforcement of laws for the supervision or control of gambling.
- (3) An authorised person under this Act or a prescribed Act must not disclose confidential information obtained in the course of exercising powers or carrying out functions or duties under this Act or a prescribed Act except—
- (a) to another authorised person; or
- (b) to the Commissioner or the Authority; or
- (c) as permitted by the person in whose favour the duty of confidentiality exists; or
- (d) as is otherwise necessary for the proper administration of this Act or a prescribed Act; or
- (e) as required by law.

Maximum penalty: \$10 000.

18—Ombudsman's jurisdiction

The Ombudsman's jurisdiction does not extend to acts of the Authority.

19—Annual report

- (1) The Authority must, on or before 30 September in each year, prepare and submit to the Minister a report on the performance of its functions under this Act during the preceding financial year.
- (2) However, the Authority is not required to include in the report any material that is included in an annual report furnished by the Authority under some other Act.
- (3) The Authority's report under this section must include—
- (a) particulars of research undertaken by the Authority, or in which the Authority has participated, during the year; and
- (b) a summary of any findings arising out of those research activities.
- (4) The Minister must, within 12 sitting days after receiving the Authority's report, have copies of the report laid before both Houses of Parliament.

20—Regulations

The Governor may make such regulations as are contemplated by, or necessary or expedient for the purposes of, this Act.

Legislative history

Notes

- Amendments of this version that are uncommenced are not incorporated into the text.
- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of this Act (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Formerly

Gaming Supervisory Authority Act 1995

Principal Act and amendments

New entries appear in bold.

Year	No	Title	Assent	Commencement
1995	12	<i>Gaming Supervisory Authority Act 1995</i>	23.3.1995	1.7.1995 (<i>Gazette</i> 29.6.1995 p2972)
1997	32	<i>Gaming Supervisory Authority (Administrative Restructuring) Amendment Act 1997</i>	19.6.1997	24.7.1997 (<i>Gazette</i> 24.7.1997 p174) except ss 3 & 5—11.9.1997 (<i>Gazette</i> 11.9.1997 p703)
2000	59	<i>Racing (Controlling Authorities) Amendment Act 2000</i>	27.7.2000	1.10.2000 (<i>Gazette</i> 28.9.2000 p2221)
2000	90	<i>Racing (Proprietary Business Licensing) Act 2000</i>	21.12.2000	18.1.2001 (<i>Gazette</i> 18.1.2001 p68)
2000	95	<i>Authorised Betting Operations Act 2000</i>	21.12.2000	Sch 2 (cl 2)—deleted by 44/2003 without coming into operation
2001	18	<i>Statutes Amendment (Gambling Regulation) Act 2001</i>	31.5.2001	Pt 5 (ss 30—41)—1.10.2001 (<i>Gazette</i> 13.9.2001 p4116)
2003	44	<i>Statute Law Revision Act 2003</i>	23.10.2003	Sch 1—24.11.2003 (<i>Gazette</i> 13.11.2003 p4048)
2004	46	<i>Gaming Machines (Miscellaneous) Amendment Act 2004</i>	9.12.2004	Sch 1 (cll 1 & 2)—1.2.2005 (<i>Gazette</i> 13.1.2005 p68)
2009	84	<i>Statutes Amendment (Public Sector Consequential Amendments) Act 2009</i>	10.12.2009	Pt 80 (ss 190—192)—1.2.2010 (<i>Gazette</i> 28.1.2010 p320)
2010	28	<i>Gaming Machines (Miscellaneous) Amendment Act 2010</i>	9.12.2010	Sch 1 (cl 2)—1.1.2011 (<i>Gazette</i> 16.12.2010 p5695)
2013	37	<i>Statutes Amendment (Gambling Reform) Act 2013</i>	8.8.2013	Pt 5 (ss 125, 127, 129—134 & 136—138)—31.8.2013; s 128—1.1.2014; ss 126, 135, 139 & 140—1.7.2014 (<i>Gazette</i> 29.8.2013 p3648)

2015 22	<i>Statutes Amendment (Gambling Measures) Act 2015</i>	1.10.2015	Pt 3 (ss 11—16)—1.1.2016 (<i>Gazette 17.12.2015 p5266</i>)
2018 35	<i>Statutes Amendment and Repeal (Budget Measures) Act 2018</i>	22.11.2018	Pt 6 (ss 85 to 106)—1.12.2018 (<i>Gazette 29.11.2018 p4058</i>)

Provisions amended

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
Long title	amended by 22/2015 s 11	1.1.2016
Pt 1		
heading	inserted by 37/2013 s 125	31.8.2013
s 1	amended by 18/2001 s 30	1.10.2001
s 2	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>1.2.2005</i>
s 3	amended by 32/1997 s 3	11.9.1997
	amended by 59/2000 Sch para (a)	1.10.2000
	substituted by 90/2000 Sch 2 cl 1(a)	18.1.2001
Authority	amended by 18/2001 s 31(a)	1.10.2001
Commissioner	amended by 18/2001 s 31(b)	1.10.2001
proceedings	amended by 37/2013 s 126	1.7.2014
Pt 2		
heading	inserted by 37/2013 s 127	31.8.2013
s 4		
s 4(1)	s 4 redesignated as s 4(1) by 90/2000 Sch 2 cl 1(b)	18.1.2001
	amended by 18/2001 s 32(a)	1.10.2001
s 4(2)	inserted by 90/2000 Sch 2 cl 1(b)	18.1.2001
s 4(3)	inserted by 18/2001 s 32(b)	1.10.2001
s 5		
s 5(1)	amended by 18/2001 s 33(a)	1.10.2001
s 5(2)	substituted by 18/2001 s 33(b)	1.10.2001
s 5(3)	substituted by 90/2000 Sch 2 cl 1(c)	18.1.2001
s 5(6)	substituted by 32/1997 s 4	24.7.1997
s 8		
s 8(2) and (3)	<i>deleted by 84/2009 s 190</i>	<i>1.2.2010</i>
s 9 before deletion by 84/2009		
s 9(1)	amended by 32/1997 s 6(a)	24.7.1997
s 9	<i>deleted by 84/2009 s 191</i>	<i>1.2.2010</i>
s 10 before substitution by 22/2015		
s 10(2)	amended by 18/2001 s 34	1.10.2001

Independent Gambling Authority Act 1995—1.1.2016 to 30.11.2018

Legislative history

	<i>substituted by 84/2009 s 192</i>	1.2.2010
s 10	substituted by 22/2015 s 12	1.1.2016
s 11	amended by 59/2000 Sch paras (b)—(e)	1.10.2000
	substituted by 90/2000 Sch 2 cl 1(d)	18.1.2001
s 11(1)	amended by 18/2001 s 35(a)	1.10.2001
	amended by 37/2013 s 128	1.1.2014
s 11(2a)	inserted by 18/2001 s 35(b)	1.10.2001
	amended by 46/2004 Sch 1 cl 1	1.2.2005
s 11A	inserted by 18/2001 s 36	1.10.2001
s 11B	inserted by 37/2013 s 129	31.8.2013
s 11B(1)	amended by 22/2015 s 13(1)	1.1.2016
s 11B(2)	amended by 22/2015 s 13(2)	1.1.2016
s 11B(3)	amended by 22/2015 s 13(3)	1.1.2016
Pt 3		
heading	inserted by 37/2013 s 130	31.8.2013
s 12		
s 12(1)	amended by 18/2001 s 37	1.10.2001
	amended by 37/2013 s 131(1)	31.8.2013
s 12(1a)	inserted by 37/2013 s 131(2)	31.8.2013
s 12(2)	substituted by 90/2000 Sch 2 cl 1(e)	18.1.2001
s 12(3) and (4)	inserted by 90/2000 Sch 2 cl 1(e)	18.1.2001
s 13		
s 13(1)	amended by 59/2000 Sch paras (f), (g)	1.10.2000
	substituted by 90/2000 Sch 2 cl 1(f)	18.1.2001
s 14		
s 14(1)	amended by 90/2000 Sch 2 cl 1(g)	18.1.2001
	amended by 37/2013 s 132	31.8.2013
	amended by 22/2015 s 14	1.1.2016
s 14(2)	amended by 32/1997 s 6(b)	24.7.1997
s 14(5)	amended by 32/1997 s 6(c)	24.7.1997
s 15		
s 15(1)	amended by 90/2000 Sch 2 cl 1(h)	18.1.2001
s 15(2)	amended by 90/2000 Sch 2 cl 1(i)	18.1.2001
<i>s 15A before deletion by 37/2013</i>	<i>inserted by 90/2000 Sch cl 1(j)</i>	<i>18.1.2001</i>
<i>s 15A(1)</i>	<i>amended by 18/2001 s 38</i>	<i>1.10.2001</i>
<i>s 15A</i>	<i>deleted by 37/2013 s 133</i>	<i>31.8.2013</i>
Pt 4		
heading	inserted by 37/2013 s 134	31.8.2013
<i>s 15B before substitution by 37/2013</i>	<i>inserted by 18/2001 s 39</i>	<i>1.10.2001</i>
<i>s 15B(1)</i>	<i>amended by 28/2010 Sch 1 cl 2</i>	<i>1.1.2011</i>
s 15B	substituted by 37/2013 s 135	1.7.2014

ss 15C—15H	inserted by 37/2013 s 135	1.7.2014
s 15I	inserted by 37/2013 s 135	1.7.2014
s 15I(1)	amended by 22/2015 s 15	1.1.2016
ss 15J—15N	inserted by 37/2013 s 135	1.7.2014
Pt 5		
heading	inserted by 37/2013 s 136	31.8.2013
s 16	inserted by 32/1997 s 5	11.9.1997
	amended by 90/2000 Sch 2 cl 1(k)	18.1.2001
s 17	inserted by 32/1997 s 5	11.9.1997
s 17(1)	substituted by 90/2000 Sch 2 cl 1(l)	18.1.2001
	amended by 18/2001 s 40	1.10.2001
s 17(3)	deleted by 46/2004 Sch 1 cl 2	1.2.2005
	inserted by 22/2015 s 16	1.1.2016
s 18	inserted by 32/1997 s 5	11.9.1997
s 19	inserted by 18/2001 s 41	1.10.2001
s 19(1)	amended by 37/2013 s 137	31.8.2013
s 20	inserted by 37/2013 s 138	31.8.2013

Transitional etc provisions associated with Act or amendments

Statutes Amendment (Gambling Reform) Act 2013

139—Transitional provision—existing voluntary barring orders

A person who, immediately before the commencement of section 135, is barred from entering or remaining in a place by order under section 15B of the *Independent Gambling Authority Act 1995* is, on the commencement of section 135, taken to be so barred under section 15C of the *Independent Gambling Authority Act 1995* (as enacted by section 135)—

- (a) for a period of 3 years; or
 - (b) until a review of the order is completed under section 140,
- whichever occurs first.

140—Transitional provision—review of existing barring orders

- (1) The Independent Gambling Authority must, within 3 years after the commencement of this section, undertake a review of relevant barring orders.
- (2) In this section—

relevant barring order means an order, made under an Act amended by this Act, that is, by virtue of transitional provisions contained in this Act, taken to be a barring order under section 15C of the *Independent Gambling Authority Act 1995* (as enacted by section 135).

Historical versions

Reprint No 1—24.7.1997

Reprint No 2—11.9.1997

Reprint No 3—1.10.2000

Reprint No 4—18.1.2001

Reprint No 5—1.10.2001

1.2.2005

1.2.2010

1.1.2011

31.8.2013

1.1.2014

1.7.2014