



New South Wales

Gaming Machines Amendment (Poker Machine Permit Transfers) Regulation 2010

under the

Gaming Machines Act 2001

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Gaming Machines Act 2001*.

KEVIN GREENE, MP
Minister for Gaming and Racing

Explanatory note

The object of this Regulation is to modify a provision that allows a venue to apply to have its gaming machine threshold increased (ie the maximum number of gaming machines the venue can have) without being required to provide a local impact assessment (a *LIA*). The exemption currently operates if the threshold increase application is part of an application to acquire poker machine permits (ie permits issued under the former Liquor Act, but which may still be transferred under the administrative arrangements approved under that Act) from another venue in the same local government area. As a result of the proposed Regulation, the exemption will operate only if the venue acquiring the Liquor Act poker machine permits is situated in a local government area with a low poker machine density and the increase in the venue's gaming machine threshold over a period of 12 months is in the low-range (ie no more than 20 gaming machines). Acquiring Liquor Act poker machine permits from another venue in the same local government area will no longer necessarily exempt the venue from the requirement to provide a LIA.

This Regulation is made under the *Gaming Machines Act 2001*, including section 210 (the general regulation-making power).

2010 No 16

Clause 1

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1 Name of Regulation

This Regulation is the *Gaming Machines Amendment (Poker Machine Permit Transfers) Regulation 2010*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

3 Amendment of Gaming Machines Regulation 2002

Clause 40 LIA not required with certain threshold increase applications relating to Liquor Act poker machine permits

Omit clause 40 (1). Insert instead:

- (1) A threshold increase application is not required to be accompanied by a LIA if:
 - (a) the application is made together with an application under and in accordance with the arrangements referred to in clause 5 of Schedule 1 to the Act for the acquisition by the relevant venue of Liquor Act poker machine permits, and
 - (b) the relevant venue is situated in a Band 1 LGA and the threshold increase application, if approved, would not result in the gaming machine threshold for the venue being increased, over any period of 12 months, by a number that is more than the number corresponding to a low-range increase for the venue.