



New South Wales

# Liquor Amendment (Central Monitoring System) Regulation 2000

under the

Liquor Act 1982

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Liquor Act 1982*.

J. RICHARD FACE, M.P.,

Minister for Gaming and Racing

## Explanatory note

The object of this Regulation is to amend the *Liquor Regulation 1996*:

- (a) to allow the CMS licensee (being TAB Limited) 14 days after the end of each instalment period, instead of 7 days, to issue a notice of duty to hoteliers who keep approved gaming devices that are connected to the authorised Central Monitoring System (*CMS*), and
- (b) to create new offences that:
  - (i) require a licensee, hotelier, registered club or other person who has possession or control of any device or equipment that forms part of an authorised CMS to keep the device or equipment safe in accordance with directions approved by the Minister for Gaming and Racing, and
  - (ii) prohibit disposing of the device or equipment otherwise than in accordance with such directions, and
- (c) to prescribe those new offences as penalty notice offences, and

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Explanatory note

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- (d) to prescribe as a condition of hoteliers' licences that the hotelier must, in order to enable approved gaming devices to be connected to the authorised CMS:
  - (i) permit the employees and agents of the CMS licensee access to the hotel premises, and
  - (ii) give reasonable assistance to the employees and agents of the CMS licensee, and
- (e) to provide, in accordance with section 200F (2) (c) of the *Liquor Act 1982*, that hotels at which approved gaming devices are kept, used or operated, being devices that were not connected to an authorised CMS on or before 1 January 2001, must, as a condition of the hotelier's licence, be connected to an authorised CMS by 1 July 2001.

This Regulation is made under the *Liquor Act 1982*, including sections 20 (conditions of licences), 145A (penalty notices), 200F (requirement for gaming devices to be connected to authorised CMS) and 156 (the general regulation-making power), and more specifically 156 (1A) (ta) (relating to the operation of authorised CMSs).

## **Liquor Amendment (Central Monitoring System) Regulation 2000**

### **1 Name of Regulation**

This Regulation is the *Liquor Amendment (Central Monitoring System) Regulation 2000*.

### **2 Commencement**

This Regulation commences on 1 January 2001.

### **3 Amendment of Liquor Regulation 1996**

The *Liquor Regulation 1996* is amended as set out in Schedule 1.

### **4 Notes**

The explanatory note does not form part of this Regulation.

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Schedule 1 Amendments

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### Schedule 1 Amendments

(Clause 3)

**[1] Clause 74B Functions of CMS licensee under section 86JC**

Omit “7 days” from clause 74B (1) (a). Insert instead “14 days”.

**[2] Clauses 74Z, 74ZA and 74ZB**

Insert after clause 74Y:

**74Z Disposing or failing to keep safe part of authorised CMS**

- (1) A licensee, hotelier, registered club or other person (other than the CMS licensee) who has possession or control of any device or equipment that forms part of an authorised CMS:
  - (a) must store, and keep safe, the device or equipment in accordance with the approved directions of the CMS licensee, and
  - (b) must not dispose of the device or equipment otherwise than in accordance with the approved directions of the CMS licensee.

Maximum penalty: 50 penalty units.

- (2) In this clause, *approved directions* of the CMS licensee means directions, approved by the Minister, relating to the storage, safety and disposal of devices or equipment that form part of an authorised CMS:
  - (a) to a licensee, hotelier, registered club or other person who has possession or control of any such device or equipment, or
  - (b) to a class of licensees, hoteliers, registered clubs or other persons who have possession or control of any such device or equipment.

**74ZA Condition on hoteliers licence—connecting to authorised CMS**

A hotelier's licence is subject to a condition that the hotelier must, to the extent reasonably necessary to enable any approved gaming device that is kept, used or operated on the hotel premises to be connected to an authorised CMS:

- (a) permit the employees and agents of the CMS licensee access to those premises, and
- (b) give assistance to the employees and agents of the CMS licensee.

**74ZB Requirement for gaming devices to be connected to authorised CMS**

For the purposes of section 200F (2) (c) of the Act:

- (a) hotels at which approved gaming devices to which that section applies are kept, used or operated, being devices that were not connected to an authorised CMS on or before 1 January 2001, are a prescribed class of hotels, and
- (b) 1 July 2001 is specified as the date by which approved gaming devices kept, used or operated at hotels of that class must be connected to an authorised CMS.

**[3] Schedule 3 Penalty notice offences**

Insert in appropriate order in Schedule 3:

Clause 74Z (1) (a)	Fail to store/keep safe part of CMS in accordance with directions	—
Clause 74Z (1) (b)	Dispose of part of CMS contrary to directions	—