



Gaming Machines Amendment (Hardship Applications) Regulation 2002

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*.

J. RICHARD FACE, M.P.,

Minister for Gaming and Racing

Explanatory note

Sections 26 and 27 of the *Gaming Machines Act 2001* provide that certain hoteliers and prospective hoteliers were able to apply on or before 2 July 2002 for the approval of the Liquor Administration Board to keep an additional number of gaming machines (referred to in the Act as a *hardship application*). The object of this Regulation is to enable the Board to proceed to deal with hardship applications that were inadvertently made by persons other than hoteliers and prospective hoteliers.

This Regulation is made under the *Gaming Machines Act 2001*, including section 210 (the general regulation making power) and clause 1 of Schedule 1.

2002 No 567

Clause 1 Gaming Machines Amendment (Hardship Applications) Regulation 2002

Gaming Machines Amendment (Hardship Applications) Regulation 2002

under the

Gaming Machines Act 2001

1 Name of Regulation

This Regulation is the *Gaming Machines Amendment (Hardship Applications) Regulation 2002*.

2 Amendment of Gaming Machines Regulation 2002

The *Gaming Machines Regulation 2002* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 2)

Clause 136A

Insert after clause 136:

136A Transitional provision—hardship applications (hotels)

The Board may proceed to deal with a hardship application (as referred to in section 26 of the Act) that has been made by a person other than a hotelier or prospective hotelier if the Board is satisfied that:

- (a) the person:
 - (i) has a financial interest in the hotel to which the application relates, or
 - (ii) made the application on behalf of a hotelier or prospective hotelier, and
- (b) the application would, had it been made by a hotelier or prospective hotelier, have been an application made in accordance with sections 26 and 27 of the Act.