



Gaming Machines Amendment (Retail Shopping Centres) Regulation 2003

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

Under section 60 of the *Gaming Machines Act 2001*, gaming machines cannot be authorised to be kept in a hotel or registered club that is part of a retail shopping centre if the authorisation would result in an increase in the number of gaming machines to be kept in the hotel or club concerned. That section also provides that the authorisation to keep gaming machines in a hotel or club ceases when the hotel or club premises are moved or extended to a retail shopping centre.

Clause 138A of the *Gaming Machines Regulation 2002* currently excludes small retail shopping centres (ie those that comprise less than 40 shops) from the operation of section 60 of the Act if they contain a hotel. The object of this Regulation is to extend that exclusion to small retail shopping centres which contain a registered club.

This Regulation is made under the *Gaming Machines Act 2001*, including sections 60 (gaming machines not permitted in retail shopping centres) and 210 (the general regulation-making power).

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Clause 1 Gaming Machines Amendment (Retail Shopping Centres) Regulation 2003

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1 Name of Regulation

This Regulation is the *Gaming Machines Amendment (Retail Shopping Centres) Regulation 2003*.

2 Amendment of Gaming Machines Regulation 2002

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

Schedule 1 Amendments

(Clause 2)

[1] Clause 138A Exclusion of retail shopping centres with less than 40 shops

Omit clause 138A (1) (b). Insert instead:

- (b) the retail shopping centre contains or adjoins no more than one hotel or one registered club (or no more than one of each), and
- (c) any such hotel or registered club:
 - (i) was part of (or was adjoining) the retail shopping centre as at 18 October 2002, or
 - (ii) has become part of (or has become adjoined to) the retail shopping centre as a result of the granting of an application under the *Liquor Act 1982* or the *Registered Clubs Act 1976* (being an application that was made on or before 28 March 2000 but not determined by that date).

[2] Clause 138A (2)

Insert “or registered club” after “hotel”.