



Gaming Machines Amendment (Advertising Exclusions) 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*.

GRANT McBRIDE, M.P.,

Minister for Gaming and Racing

Explanatory note

Section 43 of the *Gaming Machines Act 2001* prohibits the publication of any gaming machine advertising, which is defined to mean any form of advertising that gives publicity to, or otherwise promotes or is intended to promote, the playing of approved gaming machines in a hotel or registered club, or the supply, sale or manufacture of an approved gaming machine. The regulations may exclude advertising from the operation of the section.

Clause 41 (1) (e) of the *Gaming Machines Regulation 2002* provides that any gaming machine advertising that appears as an accidental or incidental accompaniment to advertising of other matter is excluded from the operation of section 43.

The object of this Regulation is to exclude from the operation of section 43 any gaming machine advertising that appears:

- (a) as an accidental or incidental accompaniment to the publishing of other matter, provided that the person publishing the other matter does not receive any direct or indirect benefit for publishing the gaming machine advertising (in addition to any direct or indirect benefit that the person receives for publishing the other matter), or
- (b) in a publication advertising a public exhibition held at a State-owned museum or similar public institution, or
- (c) in a publication advertising a certain touring public exhibition of gaming machines conducted by the Powerhouse Museum.

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Explanatory note

This Regulation is made under the *Gaming Machines Act 2001*, including sections 43 and 210 (the general regulation-making power).

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Gaming Machines Act 2001

1 Name of Regulation

This Regulation is the *Gaming Machines Amendment (Advertising Exclusions) Regulation 2003*.

2 Amendment of Gaming Machines Regulation 2002

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

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Schedule 1 Amendment

Schedule 1 Amendment

(Clause 2)

Clause 41 Gaming machine advertising and signs—exclusions

Omit clause 41 (1) (e). Insert instead:

- (e) as an accidental or incidental accompaniment to publishing of other matter and for which the person publishing the other matter does not receive any direct or indirect benefit (whether financial or not) for publishing the gaming machine advertising (in addition to any direct or indirect benefit that the person received for publishing the other matter), or
- (f) in a publication advertising a public exhibition held at a State-owned museum or similar public institution, or
- (g) in a publication advertising a touring public exhibition of gaming machines entitled “Gambling in Australia: thrills, spills and social ills” conducted by the Powerhouse Museum,

BY AUTHORITY
