



Gaming Machines Amendment (Hardship Applications) 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 26 of the *Gaming Machines Act 2001* provides for the making of an application for approval to keep an additional number of approved gaming machines to the number kept when the section commenced. Such an application is called a “hardship application”. Section 33, which applies to hardship applications in respect of a new hotel, requires an applicant to provide a social impact assessment in connection with the application. Clause 40 of the *Gaming Machines Regulation 2002* exempts hardship applications from certain hotels from the requirement to provide a social impact assessment, namely hotels in respect of which the licence under the *Liquor Act 1982* was or is removed after 26 July 2001 to other premises within the same neighbourhood as the previous premises.

The object of this Regulation is to include within that exemption hotels in respect of which the licence under the *Liquor Act 1982* was or is removed after 26 July 2001 to other premises within 1 kilometre of the previous premises.

This Regulation is made under the *Gaming Machines Act 2001*, in particular section 210 (4) which provides for the regulations to exempt persons from any requirements of the Act or the regulations.

2003 No 878

Clause 1 Gaming Machines Amendment (Hardship Applications) Regulation 2003

Gaming Machines Amendment (Hardship Applications) Regulation 2003

under the

Gaming Machines Act 2001

1 Name of Regulation

This Regulation is the *Gaming Machines Amendment (Hardship Applications) Regulation 2003*.

2 Amendment of Gaming Machines Regulation 2002

The *Gaming Machines Regulation 2002* is amended by omitting the definition of **relevant hotel** from clause 40 (1) and by inserting instead:

relevant hotel means a hotel in respect of which the licence under the *Liquor Act 1982* was or is removed after 26 July 2001 to other premises:

- (a) within the same neighbourhood as the previous premises, or
- (b) within one kilometre of the previous premises.

BY AUTHORITY