



Gaming Machines Amendment (Transitional and Other Matters) Regulation 2012

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*.

GEORGE SOURIS, MP
Minister for Tourism, Major Events, Hospitality and Racing

Explanatory note

The objects of this Regulation are as follows:

- (a) to require the payment of fees for applications relating to gaming machine threshold increases, the approval of different periods for shutting down gaming machines and the reinstatement of cancelled gaming-related licences,
- (b) to enable certain references in the *Gaming Machines Act 2001* to gaming machine entitlements to be read as references to poker machine entitlements until all references to the latter are replaced in the near future.

This Regulation is made under the *Gaming Machines Act 2001*, including sections 110 (3) and 210 (2) (z1) and clause 1 (1) of Schedule 1.

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Clause 1

Gaming Machines Amendment (Transitional and Other Matters) Regulation
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1 Name of Regulation

This Regulation is the *Gaming Machines Amendment (Transitional and
Other Matters) Regulation 2012*.

2 Commencement

This Regulation commences on 20 January 2012 and is required to be
published on the NSW legislation website.

Schedule 1 Amendment of Gaming Machines Regulation 2010

[1] Clause 146A

Insert after clause 146:

146A Application fee for reinstatement of cancelled gaming-related licence or work permit

An application under section 110 (1) of the Act for the reinstatement of a gaming-related licence or work permit cancelled by the operation of section 109 of the Act (Cancellation for late payment of periodic licence fee) must be accompanied by a fee of \$110.

Note. Any such application must also be accompanied by payment of the unpaid licence fee concerned—see section 110 (2) of the Act.

[2] Clauses 147A and 147B

Insert after clause 147:

147A Application fee to increase gaming machine threshold

A threshold increase application under section 34 of the Act must be accompanied by a fee of \$550.

147B Application fees relating to approval of certain shutdown periods

The following must be accompanied by a fee of \$550:

- (a) an application under section 40 of the Act (Approval of 3-hour shutdown period on weekends and public holidays),
- (b) an application under section 40A of the Act (Approval of limited shutdown period on hardship grounds).

[3] Clause 162A

Insert after clause 162:

162A Transitional provision—construction of certain references relating to poker machine entitlements

- (1) A reference in section 21 (3) of the Act (as inserted by the *Clubs, Liquor and Gaming Machines Legislation Amendment Act 2011*) to gaming machine entitlements is to be construed as a reference to poker machine entitlements until such time as the relevant amendment commences.

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Schedule 1

Amendment of Gaming Machines Regulation 2010

- (2) For the purposes of subclause (1), the *relevant amendment* is the amendment made by Schedule 3 [6] to the *Clubs, Liquor and Gaming Machines Legislation Amendment Act 2011* that replaces the definition of *poker machine entitlement* in section 4 of the Act with the definition of *gaming machine entitlement*.