



New South Wales

Gaming Machines Amendment (Hardship Gaming Machines) Regulation 2015

under the

Gaming Machines Act 2001

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Gaming Machines Act 2001*.

TROY GRANT, MP
Minister for Racing

Explanatory note

The object of this Regulation is to enable the approval to keep a hardship gaming machine in a hotel (being an approval in force as at 30 March 2012 and for which a gaming machine entitlement has not already been allocated) to be converted to a gaming machine entitlement under the *Gaming Machines Act 2001*.

This Regulation is made under the *Gaming Machines Act 2001*, including section 210 (4) and clause 1 of Schedule 1.

Gaming Machines Amendment (Hardship Gaming Machines) Regulation 2015

under the

Gaming Machines Act 2001

1 Name of Regulation

This Regulation is the *Gaming Machines Amendment (Hardship Gaming Machines) Regulation 2015*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

3 Amendment of Gaming Machines Regulation 2010

Clause 149A

Insert after clause 149:

149A Expiry of hardship gaming machines approvals—exemption for certain hoteliers

- (1) Clause 52 of Schedule 1 to the Act does not apply in relation to a hotelier if:
 - (a) a poker machine entitlement had not, on or before 30 March 2012, been allocated for each hardship gaming machine approved to be kept in the hotel as at that date, and
 - (b) the conditions imposed on the approval to keep each such hardship gaming machine had been satisfied as at that date.
- (2) Subclause (1) is taken to have commenced on 30 March 2012. Accordingly, the approval of the keeping of any such hardship gaming machine in the hotel is taken not to have expired as provided by clause 52 of Schedule 1 to the Act.
- (3) On the commencement of this subclause, the Authority is:
 - (a) to allocate, in respect of the hotel licence concerned, one gaming machine entitlement for each hardship gaming machine approved to be kept in the hotel as at 30 March 2012, and
 - (b) to increase the gaming machine threshold for the hotel by the number of gaming machine entitlements allocated under this subclause.
- (4) Subclause (3) does not require the allocation of a gaming machine entitlement for any such hardship gaming machine if an entitlement for the gaming machine has been allocated before the commencement of that subclause.

- (5) On the allocation of a gaming machine entitlement under subclause (3) for a hardship gaming machine, the approval to keep the hardship gaming machine expires.