



New South Wales

Gaming Machines Amendment (RCG Courses and Certification) Regulation 2016

under the

Gaming Machines Act 2001

His Excellency the 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 amend the *Gaming Machines Regulation 2010* as follows:

- (a) to allow certain courses of training with respect to the responsible conduct of gambling to be provided by or on behalf of the Secretary of the Department of Justice,
- (b) to allow for the issue of recognised competency cards and interim RCG certificates in electronic form,
- (c) to make it clear that it is an offence to fail (as well as refuse) to produce a recognised competency card or interim RCG certificate when required to do so by a police officer or an inspector,
- (d) to make it clear that hoteliers and secretaries of registered clubs are required to hold current recognised RCG certification (rather than RCG certification that may have expired) to keep approved gaming machines, or for the Independent Liquor and Gaming Authority to grant an application with respect to the keeping of approved gaming machines,
- (e) to remove redundant provisions and references to existing RCG certificates consequentially on the expiry of the last of those certificates on 30 June 2016.

This Regulation is made under the *Gaming Machines Act 2001*, including sections 47 and 210 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Gaming Machines Amendment (RCG Courses and Certification) Regulation 2016*.

2 Commencement

- (1) This Regulation commences on the day on which it is published on the NSW legislation website, except as provided by subclause (2).
- (2) Schedule 1 [3], [6], [10] and [11] commence on 1 July 2016.

Schedule 1 Amendment of Gaming Machines Regulation 2010

[1] Clause 58A Definitions

Omit the definitions of *approved RCG training course* and *interim RCG certificate* from clause 58A (1).

Insert in alphabetical order:

approved RCG training course means a course of training with respect to the responsible conduct of gambling that is provided:

- (a) by an approved training provider approved by the Secretary under this Division in relation to the course, or
- (b) by or on behalf of the Secretary.

interim RCG certificate means a certificate (in hard copy or electronic form) granted to a person by the Secretary, or by an approved training provider on behalf of the Secretary, following the person's successful completion of an approved RCG training course, for use by the person in obtaining a recognised competency card.

[2] Clause 58A (1), definition of "approved training provider"

Omit ", and includes a training provider who was an approved training provider under clause 60 immediately before 22 August 2011".

[3] Clause 58A (1), definitions of "existing RCG certificate" and "recognised RCG certification"

Omit the definitions. Insert in alphabetical order:

recognised RCG certification means an interim RCG certificate or a recognised competency card.

[4] Clause 58B Issue of recognised competency card

Insert "(in hard copy or electronic form)" after "is a card" in clause 58B (1).

[5] Clause 58B (1) (a)

Omit "with respect to the responsible conduct of gambling".

[6] Clauses 58C, 58D (2) and 61

Omit the clauses and subclause.

[7] Clause 58D Expiry and renewal of recognised RCG certifications

Omit clause 58D (3). Insert instead:

- (3) A new recognised competency card or interim RCG certificate may be issued or granted to a person following the expiry of a recognised competency card or interim RCG certificate held by the person if the person:
 - (a) successfully completes, within 28 days of the expiry, an approved RCG training course, and
 - (b) if that course is provided by or on behalf of the Secretary—pays the Secretary a fee of \$35.
- (4) A person is not liable to pay a fee of more than \$35 for a new recognised competency card even if the card also certifies the successful completion of an approved RSA training course (within the meaning of clause 58B).

- (5) Despite clause 58B (1) (b), a new recognised competency card issued to a person following the expiry of a recognised competency card or interim RCG certificate held by the person is to provide for its expiry on the 5th anniversary of the date of expiry of the expired recognised competency card or interim RCG certificate.

[8] Clause 58E Inspection of recognised RCG certification

Omit “refuse” from clause 58E (2). Insert instead “fail”.

[9] Clause 59 Training of hoteliers, club secretaries and employees associated with gaming machine activities

Insert “current” before “recognised RCG certification” wherever occurring in clause 59 (1)–(3).

[10] Clause 59 (4) (a)

Omit “or existing RCG certificate”.

[11] Clause 60 Approval of training providers

Omit clause 60 (6) (b). Insert instead:

- (b) the approved training provider must pay the Secretary a fee of \$30 for each interim RCG certificate issued by it on behalf of the Secretary,