



New South Wales

Gaming Machines Amendment (Responsible Conduct of Gambling Training) Regulation 2022

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*.

KEVIN ANDERSON, MP
Minister for Hospitality and Racing

Explanatory note

This Regulation amends the *Gaming Machines Regulation 2019* to—

- (a) enable tiered Responsible Conduct of Gambling (RCG) training courses, including by recognising an advanced RCG training course, and
- (b) strengthen the RCG course assessment framework by including a new online assessment, and
- (c) enable an individual to renew their RCG endorsement by completing the RCG training course, an advanced RCG training course or a refresher RCG training course as appropriate, and
- (d) introduce a fee structure for fees relating to the RCG endorsement framework that is consistent with existing fee units in the Regulation, and
- (e) provide for other minor and miscellaneous matters relating to the RCG endorsement framework, including matters of a transitional nature.

This Regulation is made under the *Gaming Machines Act 2001*, including sections 34(3), 49A, 49B and section 210(1), the general regulation-making power.

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1 Name of Regulation

This Regulation is the *Gaming Machines Amendment (Responsible Conduct of Gambling Training) Regulation 2022*.

2 Commencement

This Regulation commences on 1 February 2023.

Schedule 1 Amendment of Gaming Machines Regulation 2019

[1] **Clause 37 heading**

Omit “advertising”. Insert instead “notice”.

[2] **Clause 37(1)**

Omit “2 working days”. Insert instead “7 days”.

[3] **Clause 37(4)(a)**

Omit the paragraph. Insert instead—

- (a) publish a notice in a way the applicant considers appropriate to bring the notice to the attention of members of the public in the area in which the relevant venue is situated, and

[4] **Clause 37(5)**

Omit “advertisement and notice”. Insert instead “notices”.

[5] **Clause 51 Definitions**

Omit clause 51(1), definition of *approved RCG training course*, *approved training provider*, *interim RCG certificate* and *recognised competency card*.

[6] **Clause 51(1)**

Insert in alphabetical order—

- advanced RCG endorsement*—see clause 53(1)(c).
- refresher RCG endorsement*—see clause 53(1)(b).
- standard RCG endorsement*—see clause 53(1)(a).

[7] **Clause 52 Interim RCG certificates**

Omit clause 52(1). Insert instead—

- (1) As soon as practicable after a person successfully completes an approved RCG training course, the Secretary must issue the person with an interim RCG certificate—
 - (a) certifying that the person has successfully completed the course, and
 - (b) specifying the type of approved RCG training course successfully completed by the person.

[8] **Clause 53 Issue and replacement of recognised competency card with RCG endorsement**

Omit clause 53(1). Insert instead—

- (1) The Secretary may, on the basis of an interim RCG certificate or interim RCG certificates, issue a person a recognised competency card, in hard copy or electronic form, with one of the following notations (each an *RCG endorsement*)—
 - (a) that the person has completed an RCG training course within the previous 5 years (a *standard RCG endorsement*),
 - (b) that the person has completed an RCG training course earlier than within the previous 5 years and has completed an RCG refresher course within the previous 5 years (a *refresher RCG endorsement*),

- (c) that the person has completed an advanced RCG training course within the previous 5 years (an *advanced RCG endorsement*).

[9] Clause 55 Renewal of RCG endorsement

Omit clause 55(1). Insert instead—

- (1) A person's RCG endorsement may be renewed if—
 - (a) for a standard RCG endorsement—the person completes an RCG training course or RCG refresher course before, or within 28 days after, its expiry, or
 - (b) for an advanced RCG endorsement—the person completes an advanced RCG training course before, or within 28 days after, its expiry.

[10] Clause 58 Approval of training providers

Omit clause 58(1). Insert instead—

- (1) A registered training provider may apply to the Secretary to be an approved RCG training provider in relation to 1 or more of the following courses of training with respect to the responsible conduct of gambling—
 - (a) an RCG training course,
 - (b) an RCG refresher training course,
 - (c) an advanced RCG training course.

[11] Clause 58(5)

Omit paragraph (b). Insert instead—

- (b) have at least the following experience, or have other experience that the Secretary considers to be equivalent—
 - (i) if the person is conducting an advanced RCG training course—at least 5 years experience as the holder of a managerial position in a hotel or registered club, being a position with duties in relation to the conduct of gaming machine activities,
 - (ii) otherwise—at least 3 years experience as the holder of a managerial or supervisory position in a hotel or registered club, being a position with duties in relation to the conduct of gaming machine activities.

[12] Clause 58(6)

Omit clause 58(6)(a) and (b). Insert instead—

- (a) the approved training provider must assess the competency of each person who completes an approved RCG training course conducted by the approved training provider using an online assessment tool approved by the Secretary,
- (b) the approved training provider must pay the Secretary the relevant fee specified in Schedule 3 for each interim RCG certificate issued by the Secretary to a person who completes an approved RCG training course conducted by the approved training provider,

[13] Clause 58(6)

Omit clause 58(6)(c)(iv). Insert instead—

- (iv) an email address or mobile phone number, or both, specified by the person as an email address or mobile phone number at which the person may be contacted,
- (v) any other information that the Secretary may require from time to time to assist in ascertaining whether or not the person has successfully completed the course.

[14] Clause 58(6)

Insert at the end of clause 58(6)—

- (d) the approved training provider must not grant an interim RCG certificate on behalf of the Secretary to a person without the written approval of the Secretary.

[15] Clause 63

Omit the clause. Insert instead—

63 Notice of applications by dealers to be published

- (1) The applicant for a dealer's licence must publish notice of the application in a way the applicant considers appropriate to bring the notice to the attention of members of the public in the area in which the premises to which the application relates are located.
- (2) The notice must—
 - (a) be published within 7 days of the date on which the application was made, and
 - (b) be in the form approved by the Authority.

[16] Clause 154

Insert after clause 153—

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- (1) This clause applies in relation to a registered training provider that is, at the commencement of this clause, an approved training provider.
- (2) From the commencement of this clause, the approved training provider is taken to be an approved training provider in relation to an RCG training course.

[17] Schedule 3 Fees

Omit Schedule 3, clause 1(2). Insert instead—

- (2) The following fees are payable under this Regulation—

Matter for which fee payable	Fee (in fee units)
Issue of replacement recognised competency card under clause 53(4)	0.42
Renewal of RCG endorsement under clause 55	0.42
Application under clause 58(1) for approval to conduct an approved training course	15.3
Issue of an interim RCG certificate under clause 58(6)(b)	0.42

Matter for which fee payable	Fee (in fee units)
Application under clause 58(13) for renewal of approval to conduct training courses	8.44
