



New South Wales

# Gaming Machines and Liquor Amendment (Harm Minimisation Measures) Regulation 2024

Her Excellency the Governor, with the advice of the Executive Council, has made the following regulation under the following Acts—

- (a) *Gaming Machines Act 2001*,
- (b) *Liquor Act 2007*.

DAVID HARRIS, MP  
Minister for Gaming and Racing

## Explanatory note

The objects of this regulation are as follows—

- (a) to amend the *Gaming Machines Regulation 2019* as follows—
  - (i) to require the adoption of additional responsible practices for harm minimisation measures in relation to approved gaming machines, including appointing responsible gambling officers and keeping gambling incident registers and gaming plans of management,
  - (ii) to prohibit the location of and signage for cash dispensing facilities at certain distances from gaming machines and to prohibit advertising for gaming machines on or visible from cash dispensing facilities,
  - (iii) to add requirements about the location of approved gaming machines kept in hotels,
  - (iv) to increase the responsible conduct of gambling training requirements for hoteliers, club secretaries and employees,
  - (v) to extend the term of approvals for training providers for responsible conduct of gambling from 1 year to 5 years,
  - (vi) to delay the payment of cash prizes above \$5,000 using electronic funds transfer,
  - (vii) to clarify that special provisions for clubs establishing adjacent to new development areas apply to newly registered clubs,
  - (viii) to set new time frames for the notification and making of applications for gaming machine threshold increases,
  - (ix) to update certain fees and include penalty infringement notices for new offences,
  - (x) to make other minor and consequential amendments,
- (b) to amend the *Liquor Regulation 2018* as follows—
  - (i) to set 30 June as the expiry date for approvals to provide training courses,

- (ii) to provide transitional arrangements for licences in relation to the additional responsible practices for harm minimisation measures under this regulation.

## Gaming Machines and Liquor Amendment (Harm Minimisation Measures) Regulation 2024

### 1 Name of regulation

This regulation is the *Gaming Machines and Liquor Amendment (Harm Minimisation Measures) Regulation 2024*.

### 2 Commencement

This regulation commences as follows—

- (a) for Schedules 1[2], [6], [8], [17], [23], [26], [32], [34], [35] and [39] and 2[2]—on 1 July 2024,
- (b) for Schedule 1[3], [18], [19] and [40]—on 1 September 2024,
- (c) for Schedule 1[21], [22], [27] and [41]—on 1 October 2024,
- (d) for Schedule 1[4], [20], [24], [28] and [42]—on 31 December 2024,
- (e) for Schedule 1[11] and [37]—on 1 January 2025,
- (f) for Schedule 1[25]—on 30 June 2025,
- (g) otherwise—on the day on which the regulation is published on the NSW legislation website.

## Schedule 1 Amendment of Gaming Machines Regulation 2019

### [1] Clause 3 Definitions

Insert in alphabetical order in clause 3(1)—

*authorised progressive system* means a progressive system that the Authority has authorised a hotelier or registered club to operate in the hotel or on the club premises.

*cash dispensing facility*, for Part 3, Division 2—see clause 25A.

*gaming area*, for Part 3, Division 2—see clause 25A.

*progressive system*—

- (a) means 2 or more approved gaming machines that—
  - (i) are linked electronically to contribute a percentage of the money wagered on them to a separate progressive jackpot pool, and
  - (ii) comply with the guidelines for linked progressive systems of approved gaming machines issued by the Authority, and
  - (iii) are specially approved by the Authority for the purposes of Part 5, or are within a class of linked progressive systems of approved gaming machines specially approved by the Authority for the purposes of Part 5, and
  - (iv) have not been declared by the Authority as having ceased to be a progressive system, but
- (b) does not include an authorised linked gaming system.

### [2] Clause 3(1)

Insert in alphabetical order—

*employee*, for Part 3, Division 4A—see clause 50A.

*gambling harm*, for Part 3—see clause 18A.

*gambling incident register*, for Part 3—see clause 18A.

*reportable gambling incidents*, for Part 3—see clause 18A.

*responsible gambling manager*, for Part 3—see clause 18A.

*responsible gambling officer*, for Part 3—see clause 18A.

### [3] Clause 3(1)

Insert in alphabetical order—

*gaming plan of management*, for Part 3, Division 4B, Subdivision 2—see clause 50O.

### [4] Clause 3(1)

Insert in alphabetical order—

*responsible gambling board oversight training*, for Part 3, Division 5—see clause 51(1).

### [5] Clause 8 Hotel gaming rooms

Insert after clause 8(2)(h)—

- (i) the gaming room must not be a room, or in a location, that has access to another licensed premises,

- (j) any approved gaming machine in the gaming room must be situated so it cannot be seen from within another licensed premises.

**[6] Part 3 Responsible gambling practices and other harm minimisation measures**

Insert before Division 1—

**Division 1A Preliminary**

**18A Definitions**

In this part—

**gambling harm** means harm caused by, or associated with, gambling.

**gambling incident register**—see clause 50K(2)(a).

**reportable gambling incidents**—see clause 50K(3).

**responsible gambling manager** means a person employed or contracted by a hotelier or registered club who, when on duty—

- (a) supervises the responsible gambling officers for the hotel or club who are on duty at the time, or
- (b) is the person to whom a responsible gambling officer for the hotel or club reports.

**responsible gambling officer**, for a hotel or registered club, means a person appointed as a responsible gambling officer for the hotel or registered club under clause 50B.

**[7] Clause 19 Approval of player information brochures in English and other languages**

Omit clause 19(1), definition of **player information**, paragraph (c). Insert instead—

- (c) the GambleAware helpline funded by the Responsible Gambling Fund under the *Casino Control Act 1992*.

**[8] Clauses 22, 24 and 41**

Omit “problem gambling” wherever occurring. Insert instead “gambling harm”.

**[9] Clause 25A**

Insert before clause 25—

**25A Definitions**

In this division—

**cash dispensing facility**—

- (a) means a facility for the withdrawal or transfer of money from a bank or authorised deposit-taking institution, including an ATM or EFTPOS terminal, but
- (b) does not include an EFTPOS terminal that is not used for the withdrawal of cash.

**gaming area** means—

- (a) for a hotel—any of the following areas—
  - (i) if the hotel is required to have a gaming room under the Act, section 68—the gaming room,
  - (ii) another area or room in which approved gaming machines are located, or

- (b) for a registered club—an area or room in which approved gaming machines are located.

**[10] Clause 26 Payment of prize money by cheque or electronic funds transfer**

Omit clause 26(1)(b). Insert instead—

- (b) by means of electronic funds transfer, if available to the hotelier or registered club, but not earlier than 24 hours after the total prize money becomes payable.

**[11] Clause 28**

Omit the clause. Insert instead—

**28 Location and line of sight of cash dispensing facilities—the Act, s 47**

- (1) A hotelier or registered club must not permit a cash dispensing facility to be visible—
  - (a) from an approved gaming machine in the hotel or registered club, or
  - (b) from within, or from an entrance to or exit from, a gaming area in the hotel or registered club.Maximum penalty—50 penalty units.
- (2) A hotelier or registered club must not permit the following to be visible from a cash dispensing facility—
  - (a) an approved gaming machine or part of an approved gaming machine,
  - (b) a monitor used to display the jackpot prize from an authorised progressive system,
  - (c) an entrance to, or exit from, a gaming area.Maximum penalty—50 penalty units.
- (3) If a cash dispensing facility is located in a hotel or on club premises, the hotelier or registered club must locate the cash dispensing facility—
  - (a) unless the Secretary has granted the hotelier or registered club an approval under subclause (6)—in a location outside a 5m radius of any entrance to, or exit from, a gaming area in the hotel or club, or
  - (b) if the Secretary has granted the hotelier or registered club an approval under subclause (6)—in the location specified in the approval.Maximum penalty—50 penalty units.
- (4) A hotelier or registered club may apply to the Secretary for approval to locate a cash dispensing facility other than in accordance with subclause (3)(a) if it is not possible for the hotelier or registered club to comply with subclause (3)(a) because to do so would result in the hotelier or registered club contravening—
  - (a) the *Environmental Planning and Assessment Act 1979*, the regulations under that Act or an environmental planning instrument, or
  - (b) the *Work Health and Safety Act 2011* or the regulations under that Act.
- (5) An application for an approval under subclause (4) must be in the form approved by the Secretary.
- (6) The Secretary may grant a hotelier or registered club an approval to locate a cash dispensing facility in a location other than in accordance with subclause (3)(a) only if the Secretary is satisfied—
  - (a) it is not possible for the hotelier or registered club to comply with subclause (3)(a) because to do so would result in the hotelier or

- registered club contravening a law or instrument referred to in subclause (4)(a) or (b), and
- (b) the proposed location is the furthest possible location accessible to patrons from—
- (i) the nearest approved gaming machine, and
  - (ii) the nearest entrance to, or exit from, a gaming area in the hotel or club.
- (7) If the Secretary grants an approval under subclause (6), the Secretary must give the hotelier or registered club written notice of the approval that specifies the location in which the cash dispensing facility must be located.

**[12] Clauses 28A and 28B**

Insert after clause 28—

**28A Location of signage for cash dispensing facilities away from gaming machines—the Act, s 47**

A hotelier or registered club must not permit signage in the hotel or on club premises advertising or giving directions to a cash dispensing facility that is visible from any of the following—

- (a) an approved gaming machine,
- (b) any part of a gaming area in the hotel or registered club.

Maximum penalty—50 penalty units.

**28B Advertising of gaming machines not permitted on or near cash dispensing facilities—the Act, s 47**

- (1) A hotelier or registered club must not permit signage or advertising about gaming machines in the hotel or on club premises that is—
- (a) located on, or part of, a cash dispensing facility, including on a digital display of a cash dispensing facility, or
  - (b) visible from a cash dispensing facility.
- Maximum penalty—50 penalty units.
- (2) A hotelier or registered club does not contravene subclause (1) if the signage or advertising is a notice for the purposes of, and in accordance with, clause 24.

**[13] Clause 36 Special provision for clubs establishing adjacent to new development areas**

Insert in alphabetical order in clause 36(1)—

*newly registered club* means a registered club that has been granted a club licence within the last 12 months.

**[14] Clause 36(2)**

Insert “newly” before “registered club”.

**[15] Clause 37 Consultation and notice requirements**

Omit “2 working days” from clause 37(4). Insert instead “7 days”.

**[16] Clause 40 Time within which threshold increase applications to be dealt with**

Omit clause 40(1). Insert instead—

- (1) The Authority must determine a threshold increase application—
  - (a) for an application not required to be accompanied by an LIA—within 60 days after the application is made, or
  - (b) otherwise—within 120 days after the last day for the making of submissions on the application.

**[17] Part 3, Divisions 4A and 4B**

Insert after Division 4—

**Division 4A Responsible gambling officers—the Act, s 47**

**50A Definition**

In this division—

*employee*, of a hotelier or registered club, means a person carrying out work for the hotelier or registered club as—

- (a) an employee, or
- (b) a contractor or subcontractor, or
- (c) an employee of a contractor or subcontractor, or
- (d) an employee of a labour hire company who has been assigned to work in the hotel or registered club.

**50B Appointment of responsible gambling officers for hotels and registered clubs**

- (1) A hotelier or registered club may appoint an employee of the hotelier or registered club as a responsible gambling officer for the hotel or registered club.
- (2) A hotelier or registered club must ensure a sufficient number of responsible gambling officers are appointed to ensure compliance with the requirements of this division.
- (3) Before appointing an employee as a responsible gambling officer, the hotelier or registered club must—
  - (a) inform the employee about the duties of a responsible gambling officer, and
  - (b) ensure the employee understands the duties of a responsible gambling officer, and
  - (c) ensure the employee has the opportunity to raise issues about the duties of a responsible gambling officer.

**50C Number of responsible gambling officers required to be on duty at all times**

A hotelier or registered club must have the following number of responsible gambling officers on duty at the hotel or club premises at all times when approved gaming machines are operating at the hotel or club premises—

- (a) for a hotel or registered club with 21–99 gaming machine entitlements—1 officer,
- (b) for a hotel or registered club with 100–299 gaming machine entitlements—
  - (i) 2 officers, or
  - (ii) 1 officer if approved by the Secretary under clause 50E(1)(a)(i),



- (c) for a hotel or registered club with 300 or more gaming machine entitlements—
  - (i) 3 officers, or
  - (ii) 2 officers if approved by the Secretary under clause 50E(1)(a)(ii), or
  - (iii) 1 officer if approved by the Secretary under clause 50E(1)(a)(i).Maximum penalty—50 penalty units.

**50D Midnight to 8am requirement for on-duty responsible gambling officers**

- (1) A hotelier or registered club must have the following number of responsible gambling officers on duty who, between midnight and 8am, maintain visibility of the approved gaming machines in operation—
  - (a) if, under clause 50C, 1 or 2 officers are required to be on duty at that time—1 of the officers required to be on duty under clause 50C,
  - (b) if, under clause 50C, 3 officers are required to be on duty at that time—2 of the officers required to be on duty under clause 50C.Maximum penalty—50 penalty units.
- (2) A hotelier or registered club does not commit an offence under subclause (1) if the responsible gambling officer carries out other duties required under an Act or law.

**50E Secretary's approval for number of responsible gambling officers**

- (1) The Secretary may grant an approval in writing to a hotelier or registered club for the purposes of clause 50C if satisfied—
  - (a) the number of approved gaming machines of the hotelier or registered club that are connected to an authorised CMS is—
    - (i) for approval of only 1 officer under clause 50C(b)(ii) or 50C(c)(iii)—no more than 75, or
    - (ii) for approval of only 2 officers under clause 50C(c)(ii)—no more than 224, and
  - (b) the circumstances under paragraph (a) will continue for more than 3 months after the date on which the approval is given.
- (2) The Secretary's approval for the hotelier or registered club is taken to be revoked on the earlier of the following dates—
  - (a) the date that is 12 months after the date on which the approval is granted, or
  - (b) the first date on which the number of approved gaming machines of the hotelier or registered club that are connected to the authorised CMS is—
    - (i) for approval of only 1 officer under clause 50C(b)(ii) or 50C(c)(iii)—more than 75, or
    - (ii) for an approval of only 2 officers under clause 50C(c)(ii)—more than 224.

**50F Duties of responsible gambling officers**

- (1) A responsible gambling officer has the following duties—
  - (a) to identify patrons who are, or are at risk of, experiencing gambling harm,
  - (b) to identify patrons who are displaying behaviour related to gambling harm,

- (c) to make inquiries with a patron if the officer suspects the patron is, or is at risk of, experiencing gambling harm,
  - (d) to notify senior management of serious instances of patrons who are, or are at risk of, experiencing gambling harm for the purposes of enabling senior management to intervene,
  - (e) to facilitate requests by patrons for information about, or to participate in, self-exclusion schemes conducted by the hotelier or registered club,
  - (f) to record, in the hotel's or registered club's gambling incident register, incidents observed by the officer relating to persons who are, or are at risk of, experiencing gambling harm or who are displaying behaviour related to gambling harm,
  - (g) to assist staff and management in ensuring the hotel or registered club meets its harm minimisation obligations under the Act and this regulation,
  - (h) to promote harm minimisation measures within the hotel or registered club.
- (2) A responsible gambling officer may perform other duties—
- (a) that do not prevent the officer from carrying out the duties of a responsible gambling officer, or
  - (b) in an emergency situation.
- (3) A responsible gambling officer's duties as a responsible gambling officer cannot be transferred to another person.
- (4) A responsible gambling officer may, in carrying out the responsible gambling officer's duties, seek the assistance of another employee of the hotel or registered club.
- (5) Each responsible gambling officer, when on duty, has the duties of a responsible gambling officer even if another responsible gambling officer is also on duty.
- (6) This clause applies despite any inconsistency with—
- (a) the responsible gambling officer's contract of employment, or
  - (b) another kind of arrangement relating to the employment or engagement of the responsible gambling officer with or by the hotel or registered club.

#### **50G Duties of responsible gambling managers**

A responsible gambling manager must, while on duty—

- (a) take reasonable steps to ensure the responsible gambling officers for the hotel or registered club who are on duty carry out the duties of a responsible gambling officer, and
- (b) ensure work health and safety procedures and policies are followed to support the responsible gambling officers for the hotel or registered club who are on duty in carrying out the officers' duties, and
- (c) ensure the responsible gambling officers for the hotel or registered club who are on duty have the opportunity to raise issues about the duties of responsible gambling officers, and
- (d) ensure any issues raised by the responsible gambling officers under paragraph (c) are addressed, and

- (e) ensure the responsible gambling officers for the hotel or registered club who are on duty are not impeded by hotel or club staff in carrying out the officers' duties, and
- (f) inform the responsible gambling officers for the hotel or registered club who are on duty of any patrons who are reasonably suspected to be experiencing, or at risk of experiencing, gambling harm, and
- (g) assist patrons who are at risk of experiencing gambling harm or who are displaying behaviour related to gambling harm.

**50H Duties of hotelier or registered club**

A hotelier or registered club must ensure a responsible gambling manager carries out the responsible gambling manager's duties under clause 50G.  
Maximum penalty—50 penalty units.

**50I Hotelier or registered club directing or encouraging contraventions**

- (1) A hotelier or registered club must not direct or encourage a responsible gambling officer appointed by the hotelier or registered club to contravene the Act or this regulation.  
Maximum penalty—50 penalty units.
- (2) In this clause—  
*encourage* includes request or assist.

**50J Responsible gambling officers—making complaints or inquiries**

- (1) An affected responsible gambling officer may make a complaint or inquiry to the following persons about the affected responsible gambling officer carrying out the duties of a responsible gambling officer, including impediments to the duties—
  - (a) the Secretary,
  - (b) the hotelier or registered club,
  - (c) the responsible gambling manager.
- (2) An affected responsible gambling officer may make a complaint or inquiry to the Secretary about the following circumstances if the affected responsible gambling officer reasonably believes the circumstances exist—
  - (a) the affected responsible gambling officer is being, or has been, impeded in carrying out the duties of a responsible gambling officer by the following—
    - (i) the hotelier or registered club,
    - (ii) the responsible gambling manager,
  - (b) the following persons have taken, or may take, adverse action against the affected responsible gambling officer in relation to the affected responsible gambling officer carrying out the duties of a responsible gambling officer—
    - (i) the hotelier or registered club,
    - (ii) the responsible gambling manager.
- (3) This clause applies despite an inconsistency with—
  - (a) the affected responsible gambling officer's contract of employment, or

- (b) another kind of arrangement relating to the employment or engagement of the affected responsible gambling officer with or by the hotel or registered club.
- (4) In this clause—
  - adverse action* includes adverse action within the meaning of the *Fair Work Act 2009* of the Commonwealth.
  - affected responsible gambling officer* means a person who—
    - (a) is a responsible gambling officer, or
    - (b) was a responsible gambling officer.

## **Division 4B Gambling incident registers—the Act, s 47**

### **Subdivision 1 Gambling incident registers**

#### **50K Gambling incident registers**

- (1) This clause applies to a hotelier or registered club if—
  - (a) the hotelier or registered club holds a gaming machine entitlement or permit, and
  - (b) approved gaming machines operate at the hotel or club premises.
- (2) The hotelier or registered club must—
  - (a) keep a register (a *gambling incident register*) in a form approved by the Secretary for the purposes of this division, and
  - (b) ensure information about reportable gambling incidents is recorded in the gambling incident register in accordance with this division.

Maximum penalty—50 penalty units.
- (3) The following incidents (*reportable gambling incidents*) that occur at the hotel or registered club must be recorded in the gambling incident register as soon as practicable but no later than 24 hours after the incident occurs—
  - (a) a patron displaying behaviour that indicates the patron is experiencing, or at risk of experiencing, gambling harm,
  - (b) a patron, or a person who identifies themselves as a family member of the patron, asking for information about a self-exclusion scheme or some form of intervention for the patron,
  - (c) a breach or attempted breach of a self-exclusion scheme,
  - (d) an offence, alleged offence or incident involving a minor.
- (4) Details of action taken in response to an incident referred to in subclause (3) must be recorded in the gambling incident register as soon as practicable but no later than 24 hours after the incident occurs.
- (5) The register may be kept—
  - (a) in written or electronic form, and
  - (b) as part of an incident register under the *Liquor Act 2007*, section 56.

#### **50L Gambling incident registers—duty of employees to record**

- (1) An employee of a hotel or registered club who has responsibilities for the conduct of gaming must, as soon as practicable but no later than 24 hours after observing a reportable gambling incident, record the following details in the hotel's or registered club's gambling incident register—

- (a) details of the incident the employee observed, and
  - (b) details of any action taken by the employee.
- (2) However, an employee is not required to record details of the incident if the details have been recorded in the register by another employee who observed the incident.

**50M Gambling incident registers—inspection**

A hotelier or registered club must, if asked to do so by a police officer or inspector—

- (a) make the gambling incident register for the hotel or club premises available for inspection by a police officer or inspector, and
- (b) allow a police officer or inspector to—
  - (i) take copies of the register or a part of the register, or
  - (ii) remove the register, or a part of the register, from the hotel or club premises.

Maximum penalty—50 penalty units.

**50N Gambling incident registers—review**

A hotelier or registered club must—

- (a) conduct monthly reviews of the entries in the hotel's or registered club's gambling incident register for the purposes of identifying trends in gambling incidents, and
- (b) consider what action, if any, the hotelier or registered club should take to address, mitigate or minimise the number or kinds of gambling incidents.

**[18] Part 3, Division 4B, heading**

Omit the heading. Insert instead—

**Division 4B Gambling incident registers and gaming plans of management—the Act, s 47**

**[19] Part 3, Division 4B, Subdivision 2**

Insert after Subdivision 1—

**Subdivision 2 Gaming plans of management**

**50O Definition**

In this subdivision—

*gaming plan of management*—see clause 50P(2).

**50P Gaming plans of management**

- (1) This clause applies to a hotelier or registered club if—
  - (a) the hotelier or registered club holds a gaming machine entitlement or permit, and
  - (b) approved gaming machines operate at the hotel or club premises.
- (2) The hotelier or registered club must have a plan (a *gaming plan of management*) relating to the management of gaming for the hotel or club premises that complies with subclauses (3) and (4).

Maximum penalty—50 penalty units.

- (3) The gaming plan of management must—
- (a) be in the form approved by the Secretary, and
  - (b) address how the hotelier or registered club will comply with the Act and this regulation in relation to the following—
    - (i) the provision of signage and information about help for gambling harm and player information,
    - (ii) the provision of assistance to players in relation to harm minimisation measures under the Act and this regulation, including information about self-exclusion schemes and counselling services for gambling harm,
    - (iii) the prevention of minors from using gaming machines,
    - (iv) the payment of prizes and cashing of cheques,
    - (v) the management of player reward schemes and player accounts, including the provision of player activity statements,
    - (vi) RCG and advanced RCG certification and refresher training for venue staff,
    - (vii) the appointment, implementation and management of responsible gambling officers,
    - (viii) the duties of responsible gambling managers in relation to the responsible gambling officers for the hotel or club, particularly by including procedures to ensure compliance with clause 50H,
    - (ix) the implementation and management of gambling incident registers, particularly by including procedures to ensure compliance with Subdivision 1, and
  - (b) include a plan of the venue that identifies the location of gaming machine areas, approved gaming machines and cash dispensing facilities, and
  - (c) include the procedures, and individuals responsible, for maintaining and updating the plan.
- (4) The gaming plan of management may include other matters the hotelier or registered club considers relevant.

**50Q Gaming plans of management—access and training for employees**

A hotelier or registered club must—

- (a) make the gaming plan of management for the hotel or club premises accessible to employees, and
- (b) give employees training about the gaming plan of management.

Maximum penalty—50 penalty units.

**50R Gaming plans of management—inspections**

A hotelier or registered club must, if asked to do so by a police officer or inspector—

- (a) immediately make the gaming plan of management for the hotel or club premises available for inspection by a police officer or inspector, and
- (b) allow a police officer or inspector to—
  - (i) take copies of the plan or a part of the plan, or

- (ii) remove the plan, or a part of the plan, from the hotel or club premises.

Maximum penalty—50 penalty units.

**50S Gaming plans of management—review**

A hotelier or registered club must review and, if necessary, update the gaming plan of management—

- (a) every 12 months after the gaming plan of management is prepared, and
- (b) every time there is a change in any of the following—
  - (i) the number of gaming machine entitlements or permits held by the hotelier or registered club,
  - (ii) the number of approved gaming machines operated at the hotel or club premises,
  - (iii) the size or layout of the hotel or club premises.

**[20] Clause 51 Definitions**

Insert in alphabetical order in clause 51(1)—

*responsible gambling board oversight training* means training about the role and responsibilities of board members and directors in providing appropriate oversight in relation to the responsible conduct of gambling provided—

- (a) by an approved training provider, or
- (b) by or on behalf of the Secretary.

**[21] Clause 57 Training of hoteliers, club secretaries and employees associated with gaming machine activities**

Insert “advanced” after “current” in clause 57(1).

**[22] Clause 57(2)–(3A)**

Omit clause 57(2) and (3). Insert instead—

- (2) If a hotelier keeps approved gaming machines at the hotel, the following persons must hold a recognised competency card with a current advanced RCG endorsement—
  - (a) the hotelier,
  - (b) the approved manager of the hotel.Maximum penalty—50 penalty units.
- (3) If a registered club keeps approved gaming machines on the club premises, the secretary of the registered club must hold a recognised competency card with a current advanced RCG endorsement.  
Maximum penalty—50 penalty units.
- (3A) A registered club commits an offence if—
  - (a) the registered club keeps approved gaming machines, and
  - (b) the secretary of the registered club does not hold a recognised competency card with a current advanced RCG endorsement.Maximum penalty—50 penalty units.

**[23] Clause 57(4)**

Omit the subclause. Insert instead—

- (4) A hotelier or registered club must not employ or continue to employ a person whose duties include the following unless the person holds a recognised competency card with a current advanced RCG endorsement—
- (a) the duties of a responsible gambling manager, or
  - (b) the duties of a responsible gambling officer for the hotel or club.
- Maximum penalty—50 penalty units.

**[24] Clause 57(4A) and (4B)**

Insert after clause 57(4)—

- (4A) The following persons must have completed an approved RCG training course and hold a recognised competency card with a current RCG endorsement—
- (a) a director of a registered club, unless the director has completed responsible gambling board oversight training,
  - (b) a director of a company that owns one or more hotels if the director is involved in the business operations of any of the hotels.
- Maximum penalty—50 penalty units.
- (4B) A person does not commit an offence under subclause (4A) in the 3 months after the day on which the person became a director of the registered club or company.

**[25] Clause 57(4A)**

Omit the subclause. Insert instead—

- (4A) The following persons must have completed an approved advanced RCG training course and hold a recognised competency card with a current advanced RCG endorsement—
- (a) a director of a registered club, unless the director has completed responsible gambling board oversight training,
  - (b) a director of a company that owns one or more hotels if the director is involved in the business operations of any of the hotels.
- Maximum penalty—50 penalty units.

**[26] Clause 57(5)**

Insert after clause 57(4)—

- (5) In this clause—  
*employ* includes contract and engage.

**[27] Clause 57(5)**

Insert in alphabetical order—

*approved manager* has the same meaning as in the *Liquor Act 2007*, section 116I(2)(i).

**[28] Clause 58 Approval of training providers**

Insert after clause 58(1)(c)—

- (d) responsible gambling board oversight training.

**[29] Clause 58(14)**

Omit the subclause. Insert instead—



- (14) Unless sooner cancelled or renewed, an approval under this clause ceases to have effect on 30 June after 5 years from the date on which the approval is granted or renewed.

**[30] Clause 76 Definitions**

Omit the definitions of *authorised progressive system* and *progressive system*.

**[31] Clause 104 Records of gaming machine tickets issued**

Omit clause 104(2)(b). Insert instead—

- (b) a warning about gambling and advice for getting help with problem gambling.

**[32] Part 9, Division 1, heading**

Insert before clause 138—

**Division 1      General**

**[33] Clause 151 Remedial orders**

Omit clause 151(a)–(k). Insert instead—

- (a) clause 18,
- (b) clause 20,
- (c) clause 21,
- (d) clause 22,
- (e) clause 23,
- (f) clause 24,
- (g) clause 25,
- (h) clause 26,
- (i) clause 28,
- (j) clause 28A,
- (k) clause 28B,
- (l) clause 47,
- (m) clause 50.

**[34] Part 9, Division 2, heading**

Insert before clause 152—

**Division 2      Savings and transitional provisions**

**[35] Clause 155**

Insert after clause 154—

**155 Transitional—Gaming Machines and Liquor Amendment (Harm Minimisation Measures) Regulation 2024—RCG training providers**

- (1) This clause applies to an approval for an RCG training provider under clause 58(1) that—
- (a) was renewed on 30 June 2024, or
  - (b) ceased to have effect on 30 June 2024.

- (2) For the first renewal of an approval after its renewal on 30 June 2024, the Secretary may grant the renewal to the RCG training provider without an application or the payment of a fee as required under clause 58.
- (3) For an approval that ceased to have effect on 30 June 2024, the Secretary may grant an approval to the same RCG training provider for the same courses under the same terms as the ceased approval without an application or the payment of a fee as required under clause 58.

**[36] Schedule 3 Fees**

Omit clause 1(2). Insert instead—

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

<b>Matter for which fee payable</b>	<b>Fee (in fee units)</b>
Issue of replacement recognised competency card under clause 53(4)	0.4
Renewal of RCG endorsement under clause 55	0.4
Application under clause 58(1) for approval to conduct approved training course	15.3
Issue of interim RCG certificate under clause 58(6)(b)	0.4
Application under clause 58(13) for renewal of approval to conduct training courses	8.44

**[37] Schedule 4 Penalty notice offences**

Omit the matter relating to clause 28 from the table. Insert in appropriate order—

Clause 28(1)	\$550
Clause 28(2)	\$550
Clause 28(3)	\$550

**[38] Schedule 4, table**

Insert in appropriate order—

Clause 28A	\$550
Clause 28B	\$550

**[39] Schedule 4, table**

Omit the matter relating to clause 57(4). Insert in appropriate order—

Clause 50C	\$550
Clause 50D(1)	\$550
Clause 50H	\$550
Clause 50I(1)	\$550
Clause 50K(2)	\$550
Clause 57(4)	\$550

**[40] Schedule 4, table**

Insert in appropriate order—

Clause 50P(2)	\$550
Clause 50Q	\$550
Clause 50R	\$550

**[41] Schedule 4, table**

Omit the matter relating to clause 57(2) and (3). Insert in appropriate order—

Clause 57(2)	\$550
Clause 57(3)	\$550
Clause 57(3A)	\$550

**[42] Schedule 4, table**

Insert in appropriate order—

Clause 57(4A)	\$550
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## Schedule 2 Amendment of Liquor Regulation 2018

### [1] Clause 81 Term of approval to provide training courses

Omit clause 81(1). Insert instead—

- (1) Unless sooner cancelled or renewed, an approval under this division to provide an approved training course ceases to have effect on 30 June after 5 years from the date on which the approval is granted or renewed.

### [2] Clause 135

Insert after clause 134—

#### 135 Transitional provision consequent on Gaming Machines and Liquor Amendment (Harm Minimisation Measures) Regulation 2024—the Act, s 159(4)

- (1) This clause applies in relation to a hotelier or registered club whose hotel licence or club licence is, at the commencement of this clause, subject to one or more of the following conditions—
  - (a) a responsible gambling officer condition,
  - (b) a gambling incident register condition,
  - (c) a gaming plan of management condition.
- (2) If one of the following provisions of the *Gaming Machines Regulation 2019* applies to the hotelier or registered club, the corresponding condition of the licence is taken not to apply for the purposes of the Act—
  - (a) clause 50B—a responsible gambling officer condition,
  - (b) clause 50K—a gambling incident register condition,
  - (c) clause 50P—a gaming plan of management condition.
- (3) If an inconsistency between an existing licence condition and one of the following provisions of the *Gaming Machines Regulation 2019* exists, the provision of the *Gaming Machines Regulation 2019* prevails to the extent of the inconsistency—
  - (a) clause 50B,
  - (b) clause 50K,
  - (c) clause 50P.
- (4) In this clause—

**existing licence condition** means a condition of a licence in force at the commencement of this clause.

**gambling incident register condition** means a condition requiring a licensee to have a gambling incident register of a kind referred to in the *Gaming Machines Regulation 2019*, clause 50K and includes a condition imposing duties and responsibilities in relation to the gambling incident register.

**gaming plan of management condition** means a condition requiring a licensee to have a gaming plan of management of a kind referred to in the *Gaming Machines Regulation 2019*, clause 50P and includes a condition imposing duties and responsibilities in relation to the gaming plan of management.

**responsible gambling officer condition** means a condition requiring a licensee to have responsible gambling officers of a kind referred to in the *Gaming Machines Regulation 2019*, clause 50B and includes a condition

imposing duties and responsibilities in relation to the responsible gambling officers.

- (5) This clause is repealed 2 years after the date on which the clause commences.