



New South Wales

Gaming Machines Amendment Regulation 2024

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*.

DAVID HARRIS, MP
Minister for Gaming and Racing

Explanatory note

The objects of this regulation are as follows—

- (a) to update the overall State cap on gaming machine entitlements,
- (b) to give the Secretary of the Department of Creative Industries, Tourism, Hospitality and Sport the power to vary, revoke or suspend an approval for a hotelier or registered club to locate a cash dispensing facility in certain locations,
- (c) to make further provision in relation to the number of responsible gambling officers required for hotels and registered clubs,
- (d) to further provide for the training and qualification requirements for certain employees and directors of hotels and registered clubs,
- (e) to make other minor amendments.

Gaming Machines Amendment Regulation 2024

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1 Name of regulation

This regulation is the *Gaming Machines Amendment Regulation 2024*.

2 Commencement

This regulation commences as follows—

- (a) for Schedule 1[14]—on 31 December 2024,
- (b) for Schedule 1[2] and [17]—on 1 January 2025,
- (c) for Schedule 1[15], [16] and [21]—on 30 June 2025,
- (d) 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 4A Prescribed overall State cap on gaming machine entitlements

Omit “95,994”. Insert instead “95,739”.

[2] Clause 28 Location and line of sight of cash dispensing facilities—the Act, s 47

Insert after clause 28(7)—

- (8) The Secretary may vary, revoke or suspend an approval under subclause (6) by giving written notice to the hotelier or registered club.

[3] Clause 50C Number of responsible gambling officers required to be on duty at all times

Insert “unless otherwise approved by the Secretary under clause 50E(1A),” after “1 officer,” in clause 50C(a).

[4] Clause 50C(2)

Insert at the end of the clause—

- (2) In this clause—
 gaming machine entitlement includes a permit.
 permit has the same meaning as it has for the Act, Part 3.

[5] Clause 50E Secretary’s approval for number of responsible gambling officers

Insert after clause 50E(1)—

- (1A) The Secretary may grant an approval in writing to a hotelier or registered club for the purposes of clause 50C(1)(a) if satisfied—
- (a) the number of gaming machine entitlements of the hotelier or registered club is at least 21 and less than 100, and
 - (b) the number of approved gaming machines connected to an authorised CMS is no more than 15, and
 - (c) the circumstances under paragraphs (a) and (b) will continue for more than 3 months after the date on which the approval is given.

[6] Clause 50G, heading

Omit the heading. Insert instead—

50G Duties of hotelier or registered club

[7] Clause 50G

Omit “A responsible gambling manager must, while on duty”.

Insert instead “A hotelier or registered club must”.

[8] Clause 50G

Insert at the end of the clause—

Maximum penalty—50 penalty units.

[9] Clause 50H Duties of hotelier or registered club

Omit the clause.

[10] Clause 50P Gaming plans of management

Omit “particularly by including procedures to ensure compliance with clause 50H,” from clause 50P(3)(b)(viii).

[11] Clause 50P(3)(b)(x)

Omit “Subdivision 1, and” from clause 50P(3)(b)(ix). Insert instead—

Subdivision 1,

(x) compliance with clause 50G, and

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

Omit “one of the following” from clause 53(1).

Insert instead “one or more of the following”.

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

Omit “current advanced RCG endorsement” wherever occurring in clause 57(1)–(4).

Insert instead “current RCG endorsement and a current advanced RCG endorsement”.

[14] Clause 57(4A)

Insert after clause 57(4)—

- (4A) A hotelier or registered club must not employ or continue to employ a person whose duties are concerned in the conduct of activities involving approved gaming machines in the hotel or on the club premises unless the person holds a recognised competency card with a current RCG endorsement.
Maximum penalty—50 penalty units.

[15] Clause 57(4B)–(4D)

Insert after clause 57(4A)—

- (4B) A director must—
- (a) have completed the following—
 - (i) an approved RCG training course,
 - (ii) an approved advanced RCG training course, and
 - (b) hold a recognised competency card with the following endorsements—
 - (i) a current RCG endorsement,
 - (ii) a current advanced RCG endorsement.
- Maximum penalty—50 penalty units.
- (4C) A director does not commit an offence under subclause (4B) in the 3 months after the day on which the director becomes a director.
- (4D) Subclause (4B) does not apply to a director who has completed responsible gambling board oversight training.

[16] Clause 57(5)

Insert in alphabetical order—

director means the following—

- (a) a director of a registered club that keeps approved gaming machines,

- (b) a director of a company that owns one or more hotels that keep approved gaming machines, if the director is involved in the business operations of any of the hotels.

[17] **Schedule 3 Fees**

Insert in appropriate order in clause 1(2), table—

Application under clause 28(4) for approval in relation to location of cash dispensing facilities	2.5
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[18] **Schedule 4 Penalty notice offences**

Insert in appropriate order in the table under the heading **Offences under this Regulation**—

Clause 50G	\$550
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[19] **Schedule 4, table**

Omit the matter relating to clause 50H.

[20] **Schedule 4, table**

Insert in appropriate order under the heading **Offences under this Regulation**—

Clause 50M	\$550
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[21] **Schedule 4, table**

Insert in appropriate order under the heading **Offences under this Regulation**—

Clause 57(4B)	\$550
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Schedule 2 Amendment of Gaming Machines and Liquor Amendment (Harm Minimisation Measures) Regulation 2024

Schedule 1 Amendment of Gaming Machines Regulation 2019

Omit Schedule 1[24] and [25].