



New South Wales

# Gaming Machines Amendment Bill 2005

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to amend the *Gaming Machines Act 2001* (*the Principal Act*) as follows:

- (a) to provide for the allocation of poker machine entitlements to certain hotels and registered clubs that have not been allocated entitlements under the existing arrangements,
- (b) to make it an offence for a hotelier or registered club not to enter into arrangements for making problem gambling counselling services available to patrons,
- (c) to make it an offence for a hotelier or registered club not to enter into arrangements for establishing self-exclusion schemes for patrons or to publicise the availability of such schemes,
- (d) to make it an offence to supply or install unapproved gaming machine software and to create other offences in relation to the regulation of gaming machines,
- (e) to require gaming machine technicians to ensure that hotel or club gaming machines are connected to an authorised centralised monitoring system,

- (f) to make it clear that the Liquor Administration Board may cancel a hotelier's or registered club's authorisation to keep gaming machines if the hotel or club fails to pay gaming machine tax or the CMS monitoring fee,
- (g) to enable special inspectors to require hoteliers, registered clubs and holders of gaming-related licences, by notice in writing, to provide information and documents in relation to their businesses,
- (h) to extend the authority to publish information in relation to gaming machines,
- (i) to make other miscellaneous amendments of a minor or consequential nature.

This Bill also amends the *Casino Control Act 1992* as follows:

- (a) to make it an offence for the casino operator not to enter into arrangements for making problem gambling counselling services available to casino patrons,
- (b) to require the casino operator to pay a responsible gambling levy to the Casino Control Authority (which will replace the existing casino community benefit levy) and to provide for the payment of the levy into a Responsible Gambling Fund,
- (c) to enable the Minister to pay money out of the Responsible Gambling Fund for any purpose that is consistent with the provisions of the trust deed set up to administer the expenditure of the money in the Fund.

## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

**Clause 3** is a formal provision that gives effect to the amendments to the *Gaming Machines Act 2001* set out in Schedule 1.

**Clause 4** is a formal provision that gives effect to the amendments to the *Casino Control Act 1992* set out in Schedule 2.

## **Schedule 1      Amendment of Gaming Machines Act 2001**

**Schedule 1 [1]** enables the Board, subject to the regulations, to allocate poker machine entitlements to hotels and registered clubs that did not receive their initial allocation of entitlements under section 15 of the Principal Act. The criteria for determining a venue's eligibility to be allocated entitlements will be specified in the regulations.

**Schedule 1 [2] and [20]** correct typographical errors.

**Schedule 1 [3]** makes it clear that the amalgamation of a registered club with another club does not in itself result in the transfer, to the "parent" club, of the poker machine entitlements allocated to the premises of the former club.

**Schedule 1 [4]** makes it clear that the transfer of registered club's poker machine entitlements is not required if the club has temporarily ceased to trade.

**Schedule 1 [5]** makes it clear that the requirement for a registered club to transfer its poker machine entitlements within 12 months from when it permanently ceases to trade does not apply if the club has only one set of premises. **Schedule 1 [6]** is a consequential amendment.

**Schedule 1 [7]** provides that the current requirement under section 46 of the Principal Act for a hotelier or registered club to arrange for the provision of problem gambling counselling services will be an offence with a maximum penalty of 100 penalty units.

**Schedule 1 [8]** makes the same amendment in relation to the existing requirement for hoteliers and registered clubs to arrange for self-exclusion schemes to be available for patrons.

**Schedule 1 [9]** makes it clear that the Board may cancel or suspend a hotelier's or registered club's authorisation to keep gaming machines if the hotel or club fails to pay gaming machine tax or the CMS monitoring fee.

**Schedule 1 [10]** provides for the Director of Liquor and Gaming, instead of the Board, to approve of technical standards for gaming machines. **Schedule 1 [25]** is a consequential amendment.

**Schedule 1 [11]** provides for the payment, in connection with an application to the Board for the declaration of a device as an approved gaming machine, of the cost of ensuring the device's compatibility with an authorised CMS.

**Schedule 1 [12]** makes it an offence for a person to sell or install a gaming machine component (eg any software) unless it has been approved as part of the approved gaming machine to which it relates.

**Schedule 1 [13]** requires hoteliers and registered clubs to ensure that gaming machine security seals are replaced if they are broken by technicians or other authorised persons. **Schedule 1 [14]** is a consequential amendment.

**Schedule 1 [15] and [16]** make it clear that gaming-related licences are, at present, subject to conditions imposed under the Principal Act and that those conditions cannot be varied or revoked by the Licensing Court.

**Schedule 1 [17]** makes it an offence for a person to sell a gaming machine or component that is subject to an alteration order by the Board (known as a "retrofit" order) unless the required alteration has been made.

**Schedule 1 [18]** enables the CMS licensee to request a hotelier or registered club to take action to ensure that their gaming machines are connected to the CMS and makes it an offence for the hotelier or club to fail to take the appropriate action. **Schedule 1 [18]** also makes it an offence for a technician who carries out any work on a gaming machine in a hotel or club to fail to connect the machine to the CMS before it is used. If the gaming machine cannot be connected, the technician will be

required to certify why it cannot be connected and who has the responsibility for ensuring its connection.

**Schedule 1 [19]** makes it clear that an unpaid CMS monitoring fee is recoverable from the person (including a former hotelier) who is or was liable to pay the fee.

**Schedule 1 [21]** makes it clear that an inter-club linked gaming system may include a linked gaming system between the different sets of premises of the same club.

**Schedule 1 [22]** makes it clear that an application for a links licence is made under and in accordance with the provisions of Part 12 of the Principal Act.

**Schedule 1 [23]** makes it clear that subsidiary equipment used in connection with a linked gaming system that has been approved by the Minister is taken to be subsidiary equipment approved by the Board.

**Schedule 1 [24]** enables special inspectors, who are presently empowered to require the provision of information or the production of documents while present in a hotel or registered club or on the premises of a gaming-related licensee, to require a hotelier, club or gaming-related licensee, by notice in writing, to provide or produce business information or documents to the inspector. It will be an offence to fail to comply with any such requirement.

**Schedule 1 [26]** enables the Minister to vary or suspend the operation of specified provisions of the Principal Act for the purposes of enabling gambling-related research to be carried out, or for the trialling of programs relating to gambling.

**Schedule 1 [27] and [28]** extend the authority to publish information arising under the Principal Act or about gaming machine activities and operations generally.

**Schedule 1 [29]** enables regulations of a savings or transitional nature to be made as a consequence of the proposed Act. **Schedule 1 [30]** contains certain transitional provisions (including validating, in light of the decision of the Supreme Court in *Mellor v Liquor Administration Board*, any decision of the Board in relation to the allocation of poker machine entitlements under section 15 of the Principal Act).

## **Schedule 2      Amendment of Casino Control Act 1992**

At present under section 72A of the *Casino Control Act 1992 (the CCA)*, it is a condition of the casino licence that the casino operator is required to enter into arrangements for the provision of problem gambling counselling services to casino patrons. **Schedule 2 [1]** provides that this requirement will be enforced as an offence (with a maximum penalty of 100 penalty units) instead of as a condition of the licence (where a contravention is enforced by the taking of non-criminal disciplinary action against the licensee).

At present under section 115 of the CCA, a casino community benefit levy is payable by the casino operator to the Casino Control Authority. Any such levy is then paid into the Casino Community Benefit Fund to be applied, subject to the relevant trust deed set up to administer the money in the Fund, for the benefit of the community.

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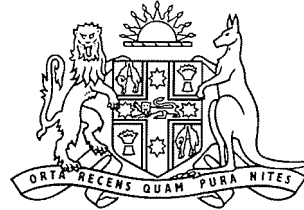
**Schedule 2 [2]–[5]** change the name of the levy to the responsible gambling levy, and the name of the Fund to the Responsible Gambling Fund, and also provide for the money to be applied for purposes relating to responsible gambling. **Schedule 2 [6]** enables the Minister to pay money out of the Responsible Gambling Fund for any purpose that is consistent with the provisions of the trust deed set up to administer the expenditure of the money in the Fund (but only after consulting with the trustees).

**Schedule 2 [7]** enables regulations of a savings or transitional nature to be made as a consequence of the proposed amendments to the Act. **Schedule 2 [8]** provides for the continuation of the existing Casino Community Benefit Fund as the new Responsible Gambling Fund.

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# Gaming Machines Amendment Bill 2005

No. , 2005

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## A Bill for

An Act to amend the *Gaming Machines Act 2001* to make further provision with respect to the allocation and transfer of poker machine entitlements, the regulation of gaming machines in hotels and registered clubs and other administrative matters; to amend the *Casino Control Act 1992* to restructure the casino community benefit levy and fund; and for other purposes.

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<b>The Legislature of New South Wales enacts:</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>Gaming Machines Amendment Act 2005</i> .	3
<b>2 Commencement</b>	4
This Act commences on a day or days to be appointed by proclamation.	5
<b>3 Amendment of Gaming Machines Act 2001 No 127</b>	6
The <i>Gaming Machines Act 2001</i> is amended as set out in Schedule 1.	7
<b>4 Amendment of Casino Control Act 1992 No 15</b>	8
The <i>Casino Control Act 1992</i> is amended as set out in Schedule 2.	9

<b>Schedule 1</b>	<b>Amendment of Gaming Machines Act 2001</b>	1
		2
	(Section 3)	3
<b>[1] Section 15AA</b>		4
	Insert before section 15A:	5
<b>15AA</b>	<b>Special allocation of poker machine entitlements</b>	6
	(1) The Board may allocate poker machine entitlements in respect of a hotelier’s licence or the premises of a registered club if poker machine entitlements have not been allocated, or have only been partially allocated, under section 15 in respect of that licence or those premises.	7 8 9 10 11
	(2) The allocation of a poker machine entitlement under this section is subject to the regulations.	12 13
	(3) Without limiting subsection (2), the regulations may make provision for or with respect to the following:	14 15
	(a) the criteria for determining the hotels and registered clubs that are eligible to be allocated poker machine entitlements under this section,	16 17 18
	(b) the matters to be taken into consideration by the Board in determining whether to allocate any such entitlements,	19 20
	(c) specifying the period in which an eligible hotel or registered club may apply to the Board for the allocation of any such entitlements,	21 22 23
	(d) in the case of a hotel or registered club that is approved to keep hardship gaming machines—authorising the Board to convert any such approval into a poker machine entitlement allocated by the Board under this section and to revoke the approval accordingly.	24 25 26 27 28
	(4) For the avoidance of doubt, a poker machine entitlement allocated under this section may be transferred in accordance with this Division.	29 30 31
<b>[2] Section 20</b>	<b>General requirements relating to transfer of poker machine entitlements</b>	32 33
	Omit “Subjection” from section 20 (6). Insert instead “Subsection”.	34

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<b>[3] Section 21 Other provisions relating to transfer of poker machine entitlements</b>	1 2
Omit section 21 (6). Insert instead:	3
(6) If a registered club ( <i>the former club</i> ) amalgamates with another registered club under the <i>Registered Clubs Act 1976</i> , any poker machine entitlements allocated in respect of any of the premises of the former club are taken to be transferred to those same premises without the forfeiture of any entitlement to the Board.	4 5 6 7 8
<b>Note.</b> As a result of such an amalgamation, the former club is dissolved and it falls under the certificate of registration of the “parent” club. But the amalgamation in itself does not result in the transfer of poker machine entitlements to the premises of the parent club.	9 10 11 12
<b>[4] Section 24 Transfer of poker machine entitlements when club registration surrendered or cancelled</b>	13 14
Omit section 24 (3) (b). Insert instead:	15
(b) merely because:	16
(i) the certificate of registration of the club, or its authorisation under Part 5 to keep approved gaming machines, is suspended, or	17 18 19
(ii) the club has temporarily ceased to trade on the premises concerned.	20 21
<b>[5] Section 24A Transfer of poker machine entitlements when club permanently ceases to trade</b>	22 23
Omit “If a registered club ceases” from section 24A (1).	24
Insert instead “If, in the case of a registered club that has more than one set of premises, the club permanently ceases”.	25 26
<b>[6] Section 24A (2)</b>	27
Insert “permanently” before “ceased”.	28
<b>[7] Section 46 Provision of problem gambling counselling services</b>	29
Omit section 46 (1). Insert instead:	30
(1) A hotelier or registered club must, in accordance with the regulations, enter into arrangements for problem gambling counselling services to be made available to the patrons of the hotel or club.	31 32 33 34
Maximum penalty: 100 penalty units.	35

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<b>[8] Section 49 Self-exclusion of patrons from hotels and clubs</b>	1
Omit section 49 (3). Insert instead:	2
(3) A hotelier or registered club must:	3
(a) enter into arrangements, with such persons or bodies as are approved by the Minister, for the establishment and conduct of self-exclusion schemes in the hotel or club, and	4 5 6
(b) publicise the availability of self-exclusion schemes and information about how they operate to the patrons of the hotel or club.	7 8 9
Maximum penalty: 100 penalty units.	10
<b>[9] Section 58 Cancellation of authorisations</b>	11
Insert after section 58 (1A):	12
(1B) Without limiting subsection (1), the Board may suspend or cancel a hotelier's or registered club's authorisation to keep an approved gaming machine if the hotelier or registered club:	13 14 15
(a) fails to pay a monitoring fee in accordance with section 134, or	16 17
(b) fails to pay tax within the meaning of the <i>Gaming Machine Tax Act 2001</i> , or an instalment of any such tax, within the time allowed by or under that Act, or fails to pay a penalty or interest due for late payment of any such tax or instalment.	18 19 20 21 22
<b>[10] Section 62 Director may approve of technical standards</b>	23
Omit "Board" from section 62 (1). Insert instead "Director".	24
<b>[11] Section 63 Application for declaration of device as approved gaming machine</b>	25 26
Insert after section 63 (2):	27
(2A) The cost of the investigation may include any fee imposed by the Board in connection with testing or evaluating the device's compatibility and compliance with an authorised CMS.	28 29 30

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<b>[12] Section 69A</b>	1
Insert after section 69:	2
<b>69A Supplying or installing unapproved gaming machine components</b>	3
(1) In this section:	4
<i>component</i> means any component of a poker machine or of a device that is, or is in the nature of, an approved amusement device.	5 6 7
<i>relevant device</i> , in relation to a component, means the poker machine or other device to which the component has been, or is intended to be, added.	8 9 10
(2) A person who is authorised by a gaming-related licence to sell approved gaming machines must not supply a component to any person unless the relevant device is, with the addition of the component, declared by the Board under section 64 as an approved gaming machine.	11 12 13 14 15
Maximum penalty: 100 penalty units.	16
(3) The holder of a dealer’s licence or technician’s licence must not install any component unless the relevant device is, with the addition of the component, declared by the Board under section 64 as an approved gaming machine.	17 18 19 20
Maximum penalty: 100 penalty units.	21
<b>[13] Section 77 Protection of sensitive areas of gaming machines</b>	22
Insert after section 77 (2):	23
(2A) If an authorised person, in doing anything referred to in subsection (1), breaks any seal on or in relation to an approved gaming machine kept in a hotel or on the premises of a registered club, the hotelier or registered club must ensure that the seal is replaced by the authorised person in accordance with subsection (2).	24 25 26 27 28 29
Maximum penalty: 10 penalty units.	30
(2B) The hotelier or registered club does not commit an offence under subsection (2A) if the authorised person has, before the gaming machine is operated for the purposes of gambling:	31 32 33
(a) certified, in the form approved by the Director, that the seal has been replaced by the person, and	34 35
(b) given a copy of the certificate to the hotelier or club.	36

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(2C)	If a copy of any such certificate is given to the hotelier or registered club, the hotelier or club must:	1
(a)	keep the copy in the hotel or club, and	2
(b)	if requested to do so by a special inspector, produce the copy for inspection by the inspector.	3
	Maximum penalty: 10 penalty units.	4
(2D)	An authorised person must not make any statement in a certificate under subsection (2B) that the person knows is false or misleading.	5
	Maximum penalty: 100 penalty units.	6
<b>[14]</b>	<b>Section 77 (5)</b>	7
	Omit “another provision of this section”.	8
	Insert instead “subsection (1) or (3)”.	9
<b>[15]</b>	<b>Section 104 Conditions of gaming-related licences</b>	10
	Insert “imposed by this Act or” after “conditions” in section 104 (2) (a).	11
<b>[16]</b>	<b>Section 104 (4)</b>	12
	Insert “imposed by this Act or” after “other than a condition”.	13
<b>[17]</b>	<b>Section 106 Board may require dealers to alter certain gaming machines</b>	14
	Insert after section 106 (3):	15
(4)	If a specified alteration is required to be made to an approved gaming machine under this section, a person who is authorised by a gaming-related licence to sell approved gaming machines must not supply the gaming machine or component to which the requirement relates to any hotel or registered club unless the specified alteration has been made.	16
	Maximum penalty: 50 penalty units.	17
<b>[18]</b>	<b>Sections 133 and 133A</b>	18
	Omit section 133. Insert instead:	19
<b>133</b>	<b>Hoteliers and clubs required to connect gaming machines to authorised CMS</b>	20
(1)	A hotelier or registered club must ensure that each approved gaming machine that is kept in the hotel or club is connected to an authorised CMS.	21
	Maximum penalty: 100 penalty units.	22

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(2)	A hotelier or registered club must, to the extent necessary to enable approved gaming machines kept in the hotel or club to be connected to an authorised CMS:	1 2 3
(a)	permit the employees and agents of the CMS licensee to have access to those gaming machines, and	4 5
(b)	give assistance to the employees and agents of the CMS licensee.	6 7
	Maximum penalty: 100 penalty units.	8
(3)	The CMS licensee may, if satisfied that an approved gaming machine kept in a hotel or registered club is not connected to an authorised CMS, request the hotelier or club to take action to ensure that the gaming machine is connected to the CMS.	9 10 11 12
(4)	The hotelier or registered club must, within 2 working days of receiving any such request by the CMS licensee, take appropriate action to comply with the request.	13 14 15
	Maximum penalty: 100 penalty units.	16
<b>133A</b>	<b>Technicians required to connect gaming machines to authorised CMS</b>	17 18
(1)	A technician who carries out any work on an approved gaming machine in a hotel or registered club must ensure that the gaming machine is connected to an authorised CMS before the gaming machine is operated for the purposes of gambling.	19 20 21 22
	Maximum penalty: 100 penalty units.	23
(2)	A technician does not commit an offence under subsection (1) if:	24
(a)	it is not practicable in the circumstances for the approved gaming machine to be connected to an authorised CMS, and	25 26 27
(b)	the technician records the following details in a certificate (referred to as a <b>CMS connectivity certificate</b> ) that is in the form approved by the Director:	28 29 30
(i)	the gaming machine concerned,	31
(ii)	the reason why it cannot be connected for the time being to an authorised CMS,	32 33
(iii)	the person who has the responsibility for ensuring its connection to an authorised CMS.	34 35
(3)	If any such details are recorded in a CMS connectivity certificate by a technician in relation to an approved gaming machine in a hotel or registered club, the hotelier or club must:	36 37 38
(a)	keep a copy of the certificate in the hotel or club, and	39



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	(b) if requested to do so by a special inspector, produce the copy for inspection by the inspector.	1 2
	Maximum penalty: 10 penalty units.	3
	(4) A technician must not record any details in a CMS connectivity certificate if the technician does so knowing that those details are false or misleading.	4 5 6
	Maximum penalty: 100 penalty units.	7
	(5) In this section:	8
	<i>technician</i> means the holder of a technician's licence.	9
<b>[19]</b>	<b>Section 134 Monitoring fee payable by hoteliers and registered clubs to CMS licensee</b>	10 11
	Insert "from the person (including a former hotelier) who is or was liable to pay that fee" after "debt" in section 134 (4).	12 13
<b>[20]</b>	<b>Section 141 Definitions</b>	14
	Omit "devices" from the definition of <i>linked gaming system</i> .	15
	Insert instead "machines".	16
<b>[21]</b>	<b>Section 148 Linked gaming systems to which Division applies</b>	17
	Insert "or, in the case of a club that has more than one set of premises, on any of its other premises" after "another registered club".	18 19
<b>[22]</b>	<b>Section 153 Granting of links licences</b>	20
	Insert "under Part 12" after "an application" in section 153 (1).	21
<b>[23]</b>	<b>Section 153 (2A)</b>	22
	Insert after section 153 (2):	23
	(2A) Any subsidiary equipment to be used in connection with a linked gaming system that has, under the terms of the links licence, been approved by the Minister is taken to be subsidiary equipment approved by the Board for that purpose.	24 25 26 27
<b>[24]</b>	<b>Section 182A</b>	28
	Insert after section 182:	29
	<b>182A Power to require information and documents</b>	30
	(1) A special inspector may, by notice in writing, require a hotelier, registered club or licensee to provide the inspector, in accordance with directions in the notice, with such information and	31 32 33

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	documents as are specified in the notice and that relate to the business of the hotelier, club or licensee.	1 2
(2)	A hotelier, registered club or licensee who fails to comply with a requirement of a notice under this section is guilty of an offence. Maximum penalty: 100 penalty units.	3 4 5
	<b>Note.</b> The provision of false or misleading information or documents is an offence under Division 3 of Part 5 of the <i>Crimes Act 1900</i> .	6 7
(3)	If any document is provided under this section, the special inspector to whom the document is provided may retain possession of it for such period as may reasonably be necessary to permit examination of the document, the taking of extracts from the document and the making of copies of the document.	8 9 10 11 12
(4)	A special inspector must permit inspection of any such document, at any reasonable time during which it is retained under this section, by a person who would be entitled to inspect the document were it not in the possession of a special inspector.	13 14 15 16
(5)	A person who complies with a requirement of a notice under this section does not on that account incur a liability to another person.	17 18 19
<b>[25]</b>	<b>Section 205 Directions by Minister and additional functions of Board</b>	20
	Omit section 205 (1) (c).	21
<b>[26]</b>	<b>Section 205A</b>	22
	Insert after section 205:	23
<b>205A</b>	<b>Minister may vary or suspend operation of Act for research or trial purposes</b>	24 25
(1)	For the purposes of enabling the carrying out of gambling-related research or the trialling of gambling-related programs, the Minister may, by order published in the Gazette, vary or suspend the operation of any specified provision of this Act or the regulations for a specified period and in relation to either or both of the following:	26 27 28 29 30 31
	(a) a specified area,	32
	(b) a specified person or specified class of persons.	33
(2)	Any such variation or suspension is subject to such conditions as may be specified in the order.	34 35

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<b>[27] Section 206 Secrecy</b>	1
Insert after section 206 (5):	2
(5A) This section does not apply to the publishing of any information if, in the opinion of the Minister, it is in the public interest to do so.	3 4 5
<b>[28] Section 206AA</b>	6
Insert before section 206A:	7
<b>206AA Authority to publish certain other information</b>	8
The Director-General may, despite any other Act or law, publish any information relating to gaming machine activities or operations in this State if, in the opinion of the Minister, it is in the public interest to do so.	9 10 11 12
<b>[29] Schedule 1 Savings, transitional and other provisions</b>	13
Insert at the end of clause 1 (1):	14
<i>Gaming Machines Amendment Act 2005</i>	15
<b>[30] Schedule 1, Part 8</b>	16
Insert after Part 7:	17
<b>Part 8 Provisions consequent on enactment of Gaming Machines Amendment Act 2005</b>	18 19
<b>30 Definition</b>	20
In this Part:	21
<i>amending Act</i> means the <i>Gaming Machines Amendment Act 2005</i> .	22 23
<b>31 Validation of initial allocation by Board of poker machine entitlements under section 15</b>	24 25
Anything done by the Board before 14 February 2003 in relation to the allocation of poker machine entitlements under section 15 has effect despite the decision of the Supreme Court in <i>Mellor v Liquor Administration Board</i> [2003] NSWSC 38 and is not invalidated merely because of that decision.	26 27 28 29 30

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Schedule 1      Amendment of Gaming Machines Act 2001

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**32    Approved technical standards**

Any technical standards approved by the Board under section 62  
and in force immediately before the amendment to that section by  
the amending Act are taken to have been approved by the  
Director under that section as so amended.

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<b>Schedule 2</b>	<b>Amendment of Casino Control Act 1992</b>	1
	(Section 4)	2
<b>[1]</b>	<b>Section 72A Provision of problem gambling counselling services</b>	3
	Omit section 72A (1). Insert instead:	4
	(1) A casino operator must, in accordance with the regulations, enter into arrangements for problem gambling counselling services to be made available to the patrons of the casino.	5
	Maximum penalty: 100 penalty units.	6
<b>[2]</b>	<b>Part 8, heading</b>	9
	Omit “community benefit”. Insert instead “responsible gambling”.	10
<b>[3]</b>	<b>Sections 115 (1), 117 and 119 (1) and (4)</b>	11
	Omit “casino community benefit levy” wherever occurring.	12
	Insert instead “responsible gambling levy”.	13
<b>[4]</b>	<b>Section 115 Responsible gambling levy and fund</b>	14
	Omit “Casino Community Benefit Fund” from section 115 (4).	15
	Insert instead “Responsible Gambling Fund”.	16
<b>[5]</b>	<b>Section 115 (5)–(7)</b>	17
	Omit “the benefit of the community” wherever occurring.	18
	Insert instead “purposes relating to responsible gambling”.	19
<b>[6]</b>	<b>Section 115 (8)</b>	20
	Insert after section 115 (7):	21
	(8) The Minister may also pay money out of the Fund for any purpose that is consistent with the provisions of the trust deed but only after consulting with the trustees on the proposed expenditure.	22
		23
		24
		25
<b>[7]</b>	<b>Schedule 4 Savings and transitional provisions</b>	26
	Insert at the end of clause 1 (1):	27
	<i>Gaming Machines Amendment Act 2005</i> , to the extent that it amends this Act	28
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<b>[8]    Schedule 4, Part 7</b>	1
Insert after Part 6:	2
<b>    Part 7    Provisions consequent on enactment of               Gaming Machines Amendment Act 2005</b>	3 4
<b>    22    Responsible Gambling Fund</b>	5
The Responsible Gambling Fund referred to in section 115 (4) (as amended by Schedule 2 [4] to the <i>Gaming Machines Amendment         Act 2005</i> ) is a continuation of the Casino Community Benefit Fund operating under that section immediately before the commencement of that Schedule.	6 7 8 9 10