

LIQUOR (AMUSEMENT DEVICES) AMENDMENT BILL 1988

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Registered Clubs (Amendment) Bill 1988.

The object of this Bill is to amend the Liquor Act 1982—

- (a) to require certain equipment designed for connection to an approved amusement device to be approved by the Board if the device is to continue as an approved device; and
- (b) to authorise the issue of a work permit pending the decision on an application for an amusement device seller's licence or technician's licence; and
- (c) to increase from 5 to 10 the maximum number of approved amusement devices that may be kept by a hotelier; and
- (d) to enable an amusement device to be kept and operated on a trial basis even if it is not an approved amusement device because it is connected to subsidiary equipment not yet approved by the Board; and
- (e) to increase certain penalties; and
- (f) to make other amendments of a minor, consequential or ancillary nature.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Clause 3 is a formal provision which gives effect to the Schedule of amendments to the Liquor Act 1982.

Clause 4 is a transitional provision.

SCHEDULE 1—AMENDMENTS

Schedule 1 (1) inserts definitions of "centralised cash control equipment" and "subsidiary equipment" and modifies the definition of approved amusement device to include subsidiary equipment.

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Schedule 1 (2)—

- (a) makes it clear that the amusement devices that may be sold by the holder of an amusement device dealer's licence are not limited to those made or assembled by the licensee; and
- (b) brings the authority conferred by an amusement device seller's licence into line with that conferred by the Registered Clubs Act 1976 on the holder of a poker machine seller's licence; and
- (c) excludes objections to an application for a dealer's licence, an amusement device seller's licence or an amusement device technician's licence if the applicant already holds—
 - (i) another licence relating to amusement devices; or
 - (ii) a poker machine dealer's licence, seller's licence, technician's licence or adviser's licence under the Registered Clubs Act 1976.

Schedule 1 (3) enables an applicant for an amusement device seller's licence or technician's licence to be issued with a work permit pending a decision on the application.

Schedule 1 (4) increases from 5 to 10 the number of approved amusement devices that may be kept by a hotelier.

Schedule 1 (5) enables an amusement device to be operated on a trial basis with the approval of the Board even though it is not an approved device because it is connected to subsidiary equipment.

Schedule 1 (6) removes certain restrictions as to the persons entitled to apply for an amusement device seller's licence.

Schedule 1 (7), (8) and (9) increase the maximum penalties for offences committed by minors.

Schedule 1 (10) makes it lawful for certain persons other than licensees to be in possession of an approved amusement device.

Schedule 1 (11) removes certain restrictions on the manufacture or assembly of an approved amusement device by using components taken from another.

Schedule 1 (12)—

- (a) enables a director or secretary of a corporation that holds an amusement device dealer's licence or seller's licence to exercise the authority conferred by the licence on the corporation; and
- (b) provides that it is not unlawful for an unlicensed person, as a trainee under supervision, to exercise a function reserved for the holder of an amusement device seller's licence.

Schedule 1 (13)—

- (a) removes certain restrictions relating to the servicing, repair or maintenance of an approved amusement device; and
- (b) imposes a penalty for a contravention of section 138D of the Principal Act (servicing, repair etc. of approved amusement devices).

Schedule 1 (14) prohibits a director or secretary of a corporation that holds an amusement device dealer's licence or seller's licence from selling an out-dated amusement device.

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**SCHEDULE 2—AMENDMENT RELATING TO LICENCE FEES FOR
APPROVED AMUSEMENT DEVICES**

This Schedule enables the licence fees for approved amusement devices to be prescribed by regulation.
