

TASMANIA

**GAMING CONTROL AMENDMENT
REGULATIONS 2023**

STATUTORY RULES 2023, No. 20

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GAMING CONTROL AMENDMENT REGULATIONS 2023

I, the Lieutenant-Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Gaming Control Act 1993*.

Dated 8 May 2023.

A. M. BLOW
Lieutenant-Governor

By His Excellency's Command,

MICHAEL DARREL JOSEPH FERGUSON
Treasurer

1. Short title

These regulations may be cited as the *Gaming Control Amendment Regulations 2023*.

2. Commencement

These regulations take effect on the day on which their making is notified in the *Gazette*.

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3. Principal Regulations

In these regulations, the *Gaming Control Regulations 2022** are referred to as the Principal Regulations.

4. Regulation 3A inserted

After regulation 3 of the Principal Regulations, the following regulation is inserted:

3A. Ancillary gaming services

For the purposes of the definition of *ancillary gaming services* in section 3(1) of the Act, the provision of gaming equipment maintenance and repair services to a prescribed licence holder under a contract for services between a person, other than a licensed technician, and the prescribed licence holder is prescribed as an ancillary gaming service.

5. Regulation 9 amended (Annual fee for gaming machine authorities endorsed on venue licence)

Regulation 9(2) of the Principal Regulations is amended as follows:

- (a) by omitting from paragraph (a) “564” and substituting “561.79”;

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- (b) by omitting from paragraph (b) “734” and substituting “730.33”;
- (c) by omitting from paragraph (c) “903” and substituting “898.87”;
- (d) by omitting from paragraph (d) “1 073” and substituting “1 067.41”;
- (e) by omitting from paragraph (e) “1 242” and substituting “1 235.95”;
- (f) by omitting from paragraph (f) “1 412” and substituting “1 404.49”.

6. Regulations 18A and 18B inserted

After regulation 18 of the Principal Regulations, the following regulations are inserted:

18A. Transitional regulation for gaming operator

- (1) In this regulation –

former electronic monitoring system means the electronic monitoring system that was operated by a gaming operator under the old legislative scheme;

gaming operator means a person who, immediately before the commencement of these regulations, held a gaming operator’s licence under the old legislative scheme;

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jackpot increment amount means the amount by which a gaming machine's progressive jackpot prize has been increased from its initial jackpot prize amount by the accumulation of contributions from credits played on the gaming machine;

old legislative scheme means the provisions of the *Gaming Control Act 1993* as in force before 1 July 2023;

reporting period means the period commencing on 1 July 2016 and ending on 30 June 2023 (both days inclusive);

source data, for a gaming machine, includes the following data for that machine:

- (a) data relating to credits played and credits won that is recorded in the electronic meter of that gaming machine;
- (b) data relating to the jackpot increment amount for that machine that is recorded in the electronic meter of that machine or in a device to which that machine is linked.

- (2) A gaming operator must, before 1 August 2023, provide the Commission with a copy of –
- (a) all data relating to the conduct of gaming stored in the former electronic monitoring system as at 12:00am on 1 July 2023; and
 - (b) a copy of records of gaming machine source data that were made by the gaming operator for the reporting period.

Penalty: Fine not exceeding 200 penalty units.

18B. Transitional regulation for monitoring operator

- (1) In this regulation –

gaming operator has the same meaning as in regulation 18A;

jackpot increment amount has the same meaning as in regulation 18A;

source data has the same meaning as in regulation 18A;

transitional gaming machine means a gaming machine that was, as at 1 July 2023, installed in licensed premises.

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- (2) A monitoring operator must not permit the use of a transitional gaming machine for the conduct of gaming unless the monitoring operator has completed an audit of that gaming machine in accordance with subregulation (3).
- (3) To complete an audit of a transitional gaming machine, the monitoring operator must –
 - (a) collect the source data for the gaming machine and ensure that it is correctly recorded in the electronic monitoring system; and
 - (b) compare the source data collected under paragraph (a) against the data provided to the monitoring operator under subregulation (5); and
 - (c) in the case where there is a discrepancy between the source data collected under paragraph (a) and the data provided under subregulation (5), take a photograph of the source data for that gaming machine.
- (4) The monitoring operator must provide the Commission with a copy of any photograph taken for the purposes of subregulation (3) as soon as reasonably practicable after taking the photograph.

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- (5) The Commission must provide the monitoring operator with data relating to credits played and credits won on, and jackpot increment amounts for, transitional gaming machines as soon as reasonably practicable after having received that data from the gaming operator under regulation 13 of the *Gaming Control Regulations 2014*.

7. Schedule 1 amended (Fees)

Part 1 of Schedule 1 to the Principal Regulations is amended as follows:

- (a) by omitting item 21 and substituting the following:

21.	Monthly licence fee under section 146 of the Act for holder of general casino licence.	48 764.04
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- (b) by omitting item 22 and substituting the following:

22.	Monthly licence fee under section 147 of the Act for holder of high-roller casino licence.	9 362.92
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- (c) by omitting item 23 and substituting the following:

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23.	Monthly licence fee under section 147A of the Act for holder of keno operator's licence.	23 408.24
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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 17 May 2023.

These regulations are administered in the Department of Treasury and Finance.

EXPLANATORY NOTE

(This note is not part of the regulations)

These regulations amend the *Gaming Control Regulations 2022* by –

- (a) defining ancillary gaming services for the purposes of the *Gaming Control Act 1993*; and
- (b) amending the licence fees payable by the holders of venue licences, casino licences and keno operator licences under that Act; and
- (c) requiring the former gaming operator to provide data to the Commission from the electronic monitoring system of the gaming operator; and
- (d) requiring the monitoring operator to conduct an audit of certain gaming machines before permitting their operation.