2010-2011-2012

The Parliament of the Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

## **National Gambling Reform Bill 2012**

No. , 2012

(Families, Housing, Community Services and Indigenous Affairs)

A Bill for an Act to provide for national gambling reform in relation to gaming machines, and for related purposes

## Contents

Chapter 1–	–Pre	liminary	1
Part 1—Preli	imina	ry	1
	1	Short title	1
	2	Commencement	2
	3	Guide to this Act	2
	4	Object of this Act	4
	5	Definitions	4
	6	Meaning of gaming machine	13
	7	References to premises	14
	8	Persons who engage in conduct alone or together with others	14
	9	Meaning of small gaming machine premises	
	10	Act binds the Crown	
	11	Concurrent operation with State and Territory laws	15
	12	Constitutional limitations	15
Part 2—App	licatio	on of this Act	16
	13	Application of precommitment system and dynamic warning requirements	16
	14	Application of automatic teller machine requirements	17
	15	Application of manufacturing and importing requirements	17
	16	Application of supervisory levy	17
	17	Application of gaming machine regulation levy	18
	18	Performance of functions etc. after commencement	19
Chapter 2–	–Nat	ional gambling reforms	20
Part 1—Guio	de to t	his Chapter	20
	19	Guide to this Chapter	20
Part 2—Prec	ommi	itment systems	22
Division 1	l—Reg	gistration through precommitment system for	
	use	er who chooses to register	22
	20	When a gaming machine is not compliant	22
	21	Precommitment system to provide for registration and cancellation	22
	22	Registration process for user who chooses to register	23
	23	Identification requirements during registration for user who chooses to register	
	24	Exclusion from system—setting a loss limit of \$0	

	25	Requirements for limit periods for user who chooses to register	25
	26	Changing, revoking and setting loss limits and limit periods after initial registration	
	27	When changes to loss limits or limit periods may take effect	26
Division		ecommitment system requirements if a person	
		ooses to use a gaming machine as a registered	
	us		28
	28	Registration of registered user to comply with requirements	
	29	Identification of registered user	28
	30	Monitoring and transmitting expenditure and winnings for registered user	29
	31	Precommitment information for registered user	
	32	No use of gaming machine by registered user after loss limit reached	
Division	n 3—Ot	her requirements for precommitment systems	33
	33	Capability requirement for precommitment systems	33
	34	Transaction statement for registered user	33
	35	Additional requirements for precommitment systems in regulations	34
	36	No national database of protected information from precommitment systems	
Part 3—Dy	namic	warnings	35
_	37	When a gaming machine is not compliant	35
	38	Dynamic warnings	35
Part 4—A	ΓM wit	hdrawal limit for gaming machine premises	
(ot	ther tha	an casinos)	36
·	39	ATM withdrawal limit for gaming machine premises (other than casinos)	24
	40	Indexation.	
	40	Anti-avoidance—determination of gaming machine premises	
	• •		
Part 5—Pr	ovision	s related to national gambling reforms	38
Division	n 1—Ex	emptions from ATM withdrawal limit	38
	42	Exemptions from ATM withdrawal limit—regulations	38
	43	Exemptions from ATM withdrawal limit—application to Regulator	38
	44	Process for deciding exemptions	
	45	Effect of exemptions on State or Territory law	39

Division	2—Ар	provals and licences for precommitment systems	40
Subd	ivision	A—Approving precommitment systems	4(
	46	Applications for approvals	40
	47	Form of applications	40
	48	Requiring further information	40
	49	Amendment and withdrawal of applications	41
	50	Testing precommitment systems	41
	51	Approving precommitment systems and variations to approved terms and conditions	42
	52	Notification of approvals	43
	53	Changes to precommitment requirements	43
	54	Revocation of approvals	4
	55	Civil penalty for failing to provide precommitment system in accordance with approved terms and conditions	44
Subd	ivision	B—Licences for providing etc. precommitment systems	44
	56	Regulations may provide in relation to licensing persons who provide etc. precommitment systems	44
	nor	n-compliance with national gambling	
	refe	orms	46
Part 1—Gui			46 46
Part 1—Gui			46
	<b>de to 1</b>	this Chapter	46
Part 2—Gan	de to 1 57 ning n	this Chapter Guide to this Chapter nachines that do not comply with itment and dynamic warning requirements	46 46
Part 2—Gan	de to 1 57 ning n	this Chapter Guide to this Chapter nachines that do not comply with	46 46
Part 2—Gan prec Part 3—Aut	de to 1 57 ning n comm 58 omatic	this Chapter Guide to this Chapter nachines that do not comply with itment and dynamic warning requirements Making non-compliant gaming machine available for use c teller machines that do not comply with	46 46
Part 2—Gan prec Part 3—Aut	de to 1 57 ning n comm 58 omatic	this Chapter Guide to this Chapter  nachines that do not comply with itment and dynamic warning requirements  Making non-compliant gaming machine available for use	46 46
Part 2—Gan prec Part 3—Auto with	de to 1 57 ning n comm 58 omati	this Chapter Guide to this Chapter nachines that do not comply with itment and dynamic warning requirements Making non-compliant gaming machine available for use c teller machines that do not comply with	46 46
pred Part 3—Auto with	de to 1 57 ning n comm 58 omati	this Chapter Guide to this Chapter  machines that do not comply with itment and dynamic warning requirements  Making non-compliant gaming machine available for use  c teller machines that do not comply with al limit requirements	46 46 47 47
Part 2—Gan prec Part 3—Auto with	de to 1 57 ning n comm 58 omatindraw	this Chapter Guide to this Chapter  machines that do not comply with itment and dynamic warning requirements  Making non-compliant gaming machine available for use  c teller machines that do not comply with al limit requirements  nstitutional provisions  Application of this Part	46 47 47 50 50
Part 2—Gan prec Part 3—Auto with	de to 1 57 ning m comm 58 omatindraw 1—Co 59	this Chapter Guide to this Chapter nachines that do not comply with itment and dynamic warning requirements Making non-compliant gaming machine available for use c teller machines that do not comply with al limit requirements nstitutional provisions Application of this Part	46 47 47 50 50
Part 2—Gan prec Part 3—Aut with Division	de to 1 57 ning n comm 58 omati ndraw 1—Co 59 60 61	this Chapter Guide to this Chapter  machines that do not comply with itment and dynamic warning requirements  Making non-compliant gaming machine available for use  c teller machines that do not comply with al limit requirements  nstitutional provisions  Application of this Part	46 47 47 50 50
Part 2—Gan prec Part 3—Aut with Division	de to 1 57 ning n comm 58 omati ndraw 1—Co 59 60 61	this Chapter Guide to this Chapter	440 477 500 500 500 500 500 500 500 500 500 5