

FACT SHEET

GAMING CONTROL AMENDMENT BILL (NO. 2) 2009

- The Gaming Control Amendment Bill (No. 2) introduces amendments to the *Gaming Control Act 1993* to implement a range of measures the Government announced in March this year to further address problem gambling; and to improve the efficiency and effectiveness of the regulation of gambling in Tasmania.
- The amendments in the Bill:
 - enhance restrictions on access to gambling by minors by creating a new offence if a special employee allows a minor to enter or remain in a restricted gaming area;
 - increase a range of penalties consistent with the *Liquor Licensing Act 1990*;
 - strengthen the gaming exclusions regime for excluded gamblers by simplifying the types of exclusions and introducing a minimum period of 6 months before it can be revoked;
 - expand the TGC’s rule making powers to include rules in relation to access to cash in gaming and wagering venues;
 - establish the requirement for the Commission to introduce a mandatory code, or codes of practice;
 - include as grounds for disciplinary action, failure to comply with a code of practice;
 - clarify that the Tasmanian Gaming Commission’s functions includes fostering responsible gambling and harm minimisation practices;
 - require the account of an excluded person to be immediately frozen. Funds may be remitted to the player in accordance with written instructions given to the operator by the Commission;
 - increase the maximum penalty from 50 penalty units (\$6 000) to 500 penalty units (\$60 000) in respect of a breach of the Act by a licensed premises gaming licence holder;
 - enable the Commission to take action against a former licensee as appropriate;
 - replace the “good repute” test with a “fit and proper” test in the Commission’s assessment of the suitability of a person or persons to be granted or continue to hold a licence;

- introduce a prescribed annual listing fee (to be prescribed in regulations) to be listed on the Roll of manufacturers, suppliers and testers of gaming equipment;
- enable the Commission to provide an exemption to a licensed provider betting with itself in limited circumstances approved by the Commission;
- replace the minor gaming fee, currently determined by the Commission, with prescribed fees for differing classes of minor gaming;
- enable a gaming operator to have access to the list of excluded persons;
- prohibit a licensed premises gaming licence holder, casino licence holder, Tasmanian gaming licence holder, and gaming operator from distributing material to promote gambling to excluded persons;
- enable the Commission to retrospectively approve an emergency modification to a control system or gaming equipment;
- enable a minor gaming permit to be issued for a period determined by the Commission, but not exceeding 5 years;
- enable directions from the Commission to be issued to all licence and permit holders, authorised manufacturers, suppliers and testers of gaming equipment;
- include as grounds for disciplinary action, failure to comply with a direction by the Commission;
- broaden a limitation to supplying information where it is only to another State or Territory to include anywhere outside of Australia; and
- repeal a number of redundant provisions and clarify the intent of the Act.