



HOUSE OF ASSEMBLY

SESSION OF 2021

(FIRST SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 20

WEDNESDAY, 27 OCTOBER 2021

- 1 The House met at Ten o'clock a.m.
- 2 ACKNOWLEDGEMENT OF TRADITIONAL PEOPLE. - The Speaker made a statement acknowledging the traditional people of the land.
- 3 PRAYERS AND REFLECTION. - The Speaker read Prayers.
- 4 QUESTIONS SEEKING INFORMATION. - In accordance with Standing Order No. 43, Questions without notice were asked.
- 5 PAPERS. - The Deputy Premier laid upon the Table of the House the following Papers:-
 - (1) Department of Communities Tasmania: Annual Report 2020-2021.
 - (2) Tasmanian Community Fund: Annual Report 2021.
- 6 PAPERS. - The Minister for Finance laid upon the Table of the House the following Paper:-

Tasmanian Economic Regulator: Annual Report 2020-21.
- 7 PAPERS. - The Attorney-General laid upon the Table of the House the following Papers:-
 - (1) Australian Criminal Intelligence Commission:
 - (a) Police Powers (Surveillance Devices) Act 2006 (Tas): Annual Reports 2020-21;
 - (b) Police Powers (Assumed Identities) Act 2006 (Tas): Annual Reports 2020-21;
 - (c) Police Powers (Controlled Operations) Act 2006 (Tas): Annual Reports 2020-21; and
 - (d) Police Powers (Surveillance Devices) Act 2006: Annual Report 2020-2021.
 - (2) Police Powers (Controlled Operations) Act 2006: Annual Report 2020-2021.
 - (3) Listening Devices Act 1991: Report of the Attorney-General 2020-2021.
 - (4) Guardianship and Administration Board: Annual Report 2020-21.
 - (5) Office of the Public Guardian Tasmania: Annual Report 2020-2021.
 - (6) Equal Opportunity Tasmania: Annual Report 2020-21.
 - (7) Police Powers (Assumed Identities) Act 2006: Annual Report 2020-2021.
- 8 PAPERS. - The Minister for Education laid upon the Table of the House the following Paper:-

Office of Tasmanian Assessment, Standards and Certification: Annual Report 2020-21.

9 PAPERS. – The Minister for Primary Industries and Water laid upon the Table of the House the following Papers:-

- (1) Inland Fisheries Service: Carp Management Program Annual Report 2020-21.
- (2) Department of Primary Industries, Parks, Water and Environment: Annual Report 2021.

10 PAPERS. – The Minister for State Growth laid upon the Table of the House the following Papers:-

- (1) Tasmania Development and Resources: Annual Report 2020-21.
- (2) Port Arthur Historic Site Management Authority: Annual Report 2020-21.

11 PAPERS. – The Minister for Police, Fire and Emergency Management laid upon the Table of the House the following Papers:-

- (1) Department of Police, Fire and Emergency Management: Annual Report 2020-21.
- (2) State Fire Commission: Annual Report 2020-21.
- (3) Royal Tasmanian Botanical Gardens: Annual Report 2020-21.

12 BILL NO. 53. – The Minister for Education presented -

“A Bill for an Act to amend the Education Act 2016, the Education and Care Services National Law (Application) Act 2011, the Office of Tasmanian Assessment, Standards and Certification Act 2003, the Teachers Registration Act 2000, the Training and Workforce Development Act 2013, the Vocational Education and Training (Commonwealth Powers) Act 2011 and associated statutory rules”.

And Ms *Courtney* having presented the said Bill, the same was read the First time and made an Order of the Day for tomorrow.

13 BILL NO. 55. – The Minister for Environment presented -

“A Bill for an Act to encourage the diversion of waste from landfill, increase the recovery of resources from waste, impose a levy on waste received at a landfill facility and provide for a rebate in relation to that levy in certain circumstances, provide for standards and guidelines to be made in relation to landfill and resource recovery facilities, establish the Tasmanian Waste and Resource Recovery Board, and for related purposes”.

And Mr *Jaensch* having presented the said Bill, the same was read the First time and made an Order of the Day for tomorrow.

14 LEAVE TO MAKE MOTION WITHOUT NOTICE. - *Ordered*, That the Minister for Infrastructure and Transport have leave to make a Motion without Notice. (The Minister for Infrastructure and Transport)

15 SITTING TIMES. - *Ordered*, That for this day's sitting the House not stand adjourned at Six o'clock and that the House continue to sit past Six o'clock and that the sitting be suspended from half-past Six o'clock until half-past Seven o'clock. (The Minister for Infrastructure and Transport)

16 MATTER OF PUBLIC IMPORTANCE: ROAD MAINTENANCE. – Dr *Broad* in accordance with Sessional Orders, moved - That the House take note of the following matter:

Road Maintenance.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

17 JOINT SELECT COMMITTEE ON 2021 ELECTIONS. – The House proceeded to take into consideration the following Resolution, communicated to it by the Legislative Council on 29 June 2021:-

MR SPEAKER,

The Legislative Council having this day agreed to the following Resolution now transmits the same to the House of Assembly and to request its concurrence therein:-

Resolved, That a Joint Select Committee be appointed with power to send for persons and papers, with leave to sit during any adjournment of either House and with leave to adjourn from place to place to inquire into and report upon –

- (1) All aspects of the conduct of the 2021 state election and 2021 Legislative Council elections and matters related thereto; and
- (2) That the number of Members to serve on the said Committee on the part of the Legislative Council be four.

Legislative Council, 29 June 2021.

R.J. FORREST, *Deputy President.*

A Motion being made and the Question being proposed – That the Resolution of the Legislative Council be agreed to. (Ms Johnston)

A debate arose thereupon.

Amendment proposed (Ms O'Connor)

That paragraph (3) be added to the resolution as follows:

- “(3) That the number of Members to serve on the said Committee on the part of the House of Assembly be four, being; one Government Member, one Member of the Opposition, one Green; and one Independent.”

And the Question being put - That the Amendment be agreed to;

The House divided.

AYES 12

NOES 12

Dr Broad

Ms Archer

Ms Butler

Mr Barnett

Ms Dow

Ms Courtney

Ms Haddad

Mr Ferguson

Ms Johnston

Mr Gutwein

Mr O'Byrne

Mr Jaensch

Ms O'Byrne

Ms Ogilvie

Ms O'Connor

Mrs Petrusma

Ms White

Mr Rockliff

Mr Winter

Mr Street

Dr Woodruff

Mr Tucker

Ms Finlay (Teller)

Mr Ellis (Teller)

SPEAKER GIVES CASTING VOTE. – The Speaker said: “The numbers being equal, I cast my vote with the Noes”.

So it passed in the Negative.

And the Main Question being put;

The House divided.

AYES 12

NOES 12

Dr Broad

Ms Archer

Ms Butler

Mr Barnett

Ms Dow

Ms Courtney

Ms Haddad

Mr Ferguson

Ms Johnston

Mr Gutwein

Mr O'Byrne

Mr Jaensch

Ms O'Byrne

Ms Ogilvie

Ms O'Connor

Mrs Petrusma

Ms White

Mr Rockliff

Mr Winter

Mr Street

Dr Woodruff

Mr Tucker

Ms Finlay (Teller)

Mr Ellis (Teller)

SPEAKER GIVES CASTING VOTE. – The Speaker said: “The numbers being equal, I cast my vote with the Noes”.

So it passed in the Negative.

18 JOINT SELECT COMMITTEE ON 2021 ELECTIONS. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly having taken into consideration the following Resolution, communicated to it by the Legislative Council on 29 June 2021:—

Resolved, That a Joint Select Committee be appointed with power to send for persons and papers, with leave to sit during any adjournment of either House and with leave to adjourn from place to place to inquire into and report upon –

- (1) All aspects of the conduct of the 2021 state election and 2021 Legislative Council elections and matters related thereto; and
- (2) That the number of Members to serve on the said Committee on the part of the Legislative Council be four.

has not agreed to the said Resolution.

House of Assembly, 27 October 2021.

MARK SHELTON, *Speaker*.

19 SUSPENSION OF SITTING. - At One o'clock the Speaker left the Chair.

At half-past Two o'clock the Speaker resumed the Chair.

20 BILL NO. 44. - The Order of the Day being read for the Second reading of the Forest Management Amendment (Minimum Sawlog Quota Repeal) Bill 2021.

And a Motion being made, and the Question being proposed - That the Bill be now read the Second time. (Ms O'Connor)

A Debate arose thereupon.

And the Question being put;

The House divided.

AYES 3

Ms Johnston

Ms O'Connor

Dr Woodruff (Teller)

NOES 21

Ms Archer

Mr Barnett

Dr Broad

Ms Butler

Ms Courtney

Ms Dow

Mr Ferguson

Ms Finlay

Mr Gutwein

Ms Haddad

Mr Jaensch

Mr O'Byrne

Ms O'Byrne

Ms Ogilvie

Mrs Petrusma

Mr Rockliff

Mr Street

Mr Tucker

Ms White

Mr Winter

Mr Ellis (Teller)

So it passed in the Negative.

21 CONSUMER AND BUILDING SECTOR PROTECTIONS, ESTABLISHMENT OF SELECT COMMITTEE. – A Motion being made and the Question being proposed—That:—

- (1) A Select Committee be appointed, with power to send for persons and papers and records, to inquire into and report upon Consumer and Building Sector Protections of the Tasmanian Building and Construction Industry, including:—
 - (a) how to provide better protection for Tasmanians building their homes, including Home Builder Mandatory Warranty Insurance;
 - (b) processes and practices for the identification and rectification of defects;
 - (c) the adequacy of current legislative and regulatory mechanisms to ensure building rectification in instances where standards have not been met;
 - (d) personal experiences that could inform consideration of any of the above; and
 - (e) other matters incidental thereto.

- (2) The Committee shall consist of 5 Members, being: 2 from the Government nominated by the Leader of the House; the Honourable Member for Lyons, Ms *Butler* MP, the Honourable Member for Braddon, Dr *Broad* MP; and the Honourable Member for Clark, Ms *Johnston* MP.
- (3) The Committee report by 16 September 2022. (Ms *Butler*)

A debate arose thereupon.

Amendment proposed (Dr *Woodruff*)

In paragraph 2, to leave out “Member for Braddon, Dr *Broad* MP” and insert instead “Member for Franklin, Dr *Woodruff*, MP.”

And the Question being put - That the Amendment be agreed to;

The House divided.

AYES 3

Ms *Johnston*
Ms *O'Connor*
Dr *Woodruff* (Teller)

NOES 21

Ms *Archer*
Mr *Barnett*
Dr *Broad*
Ms *Butler*
Ms *Courtney*
Ms *Dow*
Mr *Ferguson*
Ms *Finlay*
Mr *Gutwein*
Ms *Haddad*
Mr *Jaensch*
Mr *O'Byrne*
Ms *O'Byrne*
Ms *Ogilvie*
Mrs *Petrusma*
Mr *Rockliff*
Mr *Street*
Mr *Tucker*
Ms *White*
Mr *Winter*
Mr *Ellis* (Teller)

So it passed in the Negative.

And the Main Question being put;

The House divided.

AYES 12

NOES 12

Dr Broad

Ms Archer

Ms Butler

Mr Barnett

Ms Dow

Ms Courtney

Ms Finlay

Mr Ferguson

Ms Haddad

Mr Gutwein

Ms Johnston

Mr Jaensch

Mr O'Byrne

Ms Ogilvie

Ms O'Byrne

Mrs Petrusma

Ms O'Connor

Mr Rockliff

Ms White

Mr Street

Mr Winter

Mr Tucker

Dr Woodruff (Teller)

Mr Ellis (Teller)

SPEAKER GIVES CASTING VOTE. – The Speaker said: “The numbers being equal, I cast my vote with the Noes”.

So it passed in the Negative.

22 BILL NO. 34. - A Message from the Legislative Council -

MR SPEAKER,

The Legislative Council has agreed, without Amendment, to a Bill, intituled –

"A Bill for an Act to amend the Defamation Act 2005".

Legislative Council, 27 October 2021

C.M. FARRELL, President.

23 BILL NO. 28. - A Message from the Legislative Council. -

MR SPEAKER

The Legislative Council having this day agreed, with Amendments, to a Bill, intituled –

“A Bill for an Act to amend the Children, Young Persons and Their Families Act 1997”,

now returns the same to the House of Assembly, and requests its concurrence therein.

Legislative Council, 27 October 2021.

C.M. FARRELL, President.

Ordered, That the said Message be taken into consideration at a later hour. (The Minister for Infrastructure and Transport)

24 PRIVATE MEMBERS BUSINESS. – In accordance with Standing Order 42, *Ms Ogilvie* indicated that the Government Members Private Members Business for this day’s sitting would be waived.

25 BILL NO. 45. - The House, according to Order, again resolved itself into a Committee on the Gaming Control Amendment (Future Gaming Market) Bill 2021.

(In the Committee)

The Chair of Committees took the Chair.

New Clause C to follow Clause 75 was brought up by Ms *Johnston* and read the First time as follows:

C. New section 56B inserted

After section 56A of the Principal Act, the following section is inserted:

“56B. Training for responsible service of gaming

(1) The Commission may –

(a) approve a course of training, for persons who are to exercise or perform the functions of special employees, as to how a special employee is to responsibly provide gaming services; and

(b) approve one or more educational or training institutions to deliver a course of training approved under paragraph (a).

(2) A course of training may only be approved under subsection (1) (a) if the course includes training that will assist special employees to recognise and assist persons at risk of harm from gambling.”

Question put – That New Clause C be read the Second time and made part of the Bill to follow Clause 75;

The Committee divided.

AYES 12

NOES 12

Dr *Broad*

Ms *Archer*

Ms *Butler*

Mr *Barnett*

Ms *Dow*

Ms *Courtney*

Ms *Finlay*

Mr *Ellis*

Ms *Haddad*

Mr *Ferguson*

Mr *O’Byrne*

Mr *Gutwein*

Ms *O’Byrne*

Mr *Jaensch*

Ms *O’Connor*

Mrs *Petrusma*

Ms *White*

Mr *Rockliff*

Mr *Winter*

Mr *Shelton*

Dr *Woodruff*

Mr *Tucker*

Ms *Johnston* (Teller)

Ms *Ogilvie* (Teller)

CHAIR OF COMMITTEES GIVES CASTING VOTE. – The Chair of Committees said: “The numbers being equal, I cast my vote with the Noes”.

So it passed in the Negative.

Clauses 76 to 103 agreed to.

Clause 104 read.

Amendment proposed (Ms *O'Connor*)

Page 20, Clause 104.

Leave out all words after "Section 91".

Insert instead the following:

“of the Principal Act is amended as follows:

- (a) by inserting in subsection (1)(ga) “or the use of gaming tokens” after “cash”;
- (b) by inserting in subsection(1)(h) “that is prescribed for the purposes of this section as being” after “matter”;
- (c) by inserting after subsection (1) the following new subsection –
 - “(1A) The Commission may make rules for the manufacture, sale, supply, acquisition, ownership, possession, use, operation, transport, management, disposal and destruction of gaming equipment.”;
- (d) by inserting in subsection (3) “or (2)” after “subsection (1)”.

Question put - That the Amendment be agreed to;

It passed in the Negative.

Clause 104, as read, agreed to.

Clauses 105 to 107 agreed to.

New Clause D was brought up by Mr *Winter* and read a First time as follows:-

D. Sections 96A, 96B and 96C inserted

After section 96 of the Principal Act, the following sections are inserted:

“96A. Facial recognition system to be in place

(1) In this section –

"approved facial recognition system" means a facial recognition system that is approved under subsection (4);

"excluded person", in relation to the holder of a licence, means a person who is on a list of excluded persons provided under section 112IA to the holder of the licence;

"facial recognition system" means a system that enables the facial image, of a person who is about to enter a gaming area, to be recognised, identified and recorded;

"prescribed requirements" means requirements, in relation to a facial recognition system, that are prescribed for the purposes of this section.

- (2) It is a condition of a casino licence, a keno operator's licence and a venue licence that the holder of the licence –
 - (a) must, for the purpose of identifying whether an excluded person in relation to the holder of the licence is about to enter a gaming area to which the licence relates, operate an approved facial recognition system in accordance with the prescribed requirements; and
 - (b) must not allow a person to enter a gaming area to which the licence relates unless the holder of the licence has caused a record, in accordance with the prescribed requirements, of the person's facial image to be made by means of an approved facial recognition system operated in accordance with the prescribed requirements.
- (3) A person may apply to the Commission, on the approved form accompanied by the prescribed fee, for approval of a facial recognition system.
- (4) The Commission may, on the application of a person under subsection (3), approve a facial recognition system or refuse to approve a facial recognition system.
- (5) The Commission, after receiving from a person an application under subsection (3) –
 - (a) is to conduct an evaluation of the facial recognition system to which the application relates; and
 - (b) may require the person to provide any additional information or material that the Commission considers necessary for the purposes of evaluating the facial recognition system.
- (6) The Commission must not approve a facial recognition system under subsection (4) unless the system complies with the prescribed requirements.

96B. Card-based play systems to be in place by 1 July 2025

- (1) In this section –

"approved card-based play system" means a card-based play system that is approved under subsection (4);

"card-based play system" means a system for enabling a player to engage, by means of a card issued by the holder of a licence, in a game, gaming or a gaming activity, provided by the holder of the licence;

"licence" means a casino licence, a keno operator's licence and a venue licence;

"prescribed requirements" means requirements, in relation to a card-based play system, that are prescribed for the purposes of this section.

- (2) It is a condition of a casino licence, a keno operator's licence and a venue licence that, on and from 1 July 2025, each gaming machine, and each FATG machine, operated by the holder of the licence, will –
 - (a) enable a player to take part, by means of an approved card-based play system, in any game, gaming or gaming activity, delivered by means of the gaming machine or FATG machine; and
 - (b) operate the card-based play system in accordance with the prescribed requirements.

- (3) A person may apply to the Commission, on the approved form accompanied by the prescribed fee, for approval of a card-based play system.
- (4) The Commission may, on the application of a person under subsection (3), approve a card-based play system or refuse to approve a card-based play system.
- (5) The Commission, after receiving from a person an application under subsection (3) –
 - (a) is to conduct an evaluation of the card-based play system to which the application relates; and
 - (b) may require the person to provide any additional information or material that the Commission considers necessary for the purposes of evaluating the card-based play system.
- (6) The Commission must not approve a card-based play system under subsection (4) unless the system complies with the prescribed requirements.

96C. Licensees to ensure certain systems in place

- (1) It is a condition of a casino licence, a keno operator's licence and a venue licence that the holder of the licence has in place systems and processes to ensure the holder of the licence, and each person (a **supplier**) who supplies to the holder of the licence goods or services to which this Act relates, comply with the laws, relating to industrial relations or workplace safety, of any jurisdiction in Australia, to which the holder of the licence, or the supplier, respectively, are subject.
- (2) It is a condition of a casino licence, a keno operator's licence and a venue licence that the holder of the licence has in place systems and processes to ensure that each person who is engaged, or employed, by the licence holder or by a person (a **supplier**) who supplies to the licence holder goods or services to which this Act relates, is not subject to discrimination or harassment by the licence holder or supplier, or by a person engaged or employed by the licence holder or supplier, if the person provides information relating to –
 - (a) the compliance of the licence holder or the supplier with the requirements of this Act; or
 - (b) conduct of the applicant or the supplier.”

Question proposed - That New Clause D be read a Second time and made a part of the Bill to follow Clause 107;

SUSPENSION OF SITTING. - At half-past Six o'clock the Chair of Committees left the Chair.
At half-past Seven o'clock the Chair of Committees resumed the Chair.

New Clause D further considered.

Question put;

It passed in the Negative.

Clauses 108 to 113 agreed to.

Clause 114 read.

Amendments proposed (Ms O'Connor)

First Amendment

Page 168, proposed new section 101B, paragraph (a).

Leave out the paragraph.

Second Amendment

Page 168, proposed new section 101B, after paragraph (a).

Insert the following paragraph:

“(aa) the maximum number of gaming machine authorities in total that may be endorsed on venue licences in respect of a municipal area, within the meaning of the *Local Government Act 1993*, is an amount, if any, determined by the council, within the meaning of the *Local Government Act 1993*, in respect of that municipal area, by way of a by-law made by that council; and”

Question put - That the Amendments be agreed to;

The Committee divided.

AYES 3

Ms Johnston

Ms O'Connor

Dr Woodruff (Teller)

NOES 21

Ms Archer

Mr Barnett

Dr Broad

Ms Butler

Ms Courtney

Ms Dow

Mr Ellis

Mr Ferguson

Ms Finlay

Mr Gutwein

Mr Jaensch

Mr O'Byrne

Ms O'Byrne

Ms Ogilvie

Mrs Petrusma

Mr Rockliff

Mr Shelton

Mr Tucker

Ms White

Mr Winter

Ms Haddad (Teller)

So it passed in the Negative.

Clause 114, as read, agreed to.

Clause 115 read.

Question put – That the Clause, as read, stand part of the Bill;

The Committee divided.

AYES 21

Ms Archer
Mr Barnett
Dr Broad
Ms Butler
Ms Courtney
Ms Dow
Mr Ellis
Mr Ferguson
Ms Finlay
Mr Gutwein
Ms Haddad
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Mrs Petrusma
Mr Rockliff
Mr Shelton
Mr Tucker
Ms White
Mr Winter
Ms Ogilvie (Teller)

NOES 3

Ms Johnston
Ms O'Connor
Dr Woodruff (Teller)

It was resolved in the Affirmative.

Clause 116 read.

Question put - That the Clause, as read, stand part of the Bill;

The Committee divided.

AYES 21

NOES 3

Ms Archer

Ms O'Connor

Mr Barnett

Dr Woodruff

Dr Broad

Ms Johnston (Teller)

Ms Courtney

Ms Dow

Mr Ellis

Mr Ferguson

Ms Finlay

Mr Gutwein

Ms Haddad

Mr Jaensch

Mr O'Byrne

Ms O'Byrne

Ms Ogilvie

Mrs Petrusma

Mr Rockliff

Mr Shelton

Mr Tucker

Ms White

Mr Winter

Ms Butler (Teller)

It was resolved in the Affirmative.

Clauses 117 to 125 agreed to.

New Clause E to follow Clause 125 was brought up by *Ms Johnston* and read the First time as follows:

E. New section 121LA inserted

After section 121LA of the Principal Act, the following section is inserted:

“121LA Responsible gaming measures

(3) In this section –

"gaming machine advertising" means any form of advertising that contains any information, term, expression, symbol, or other matter, associated with gaming machines, but does not include any matter relating to the provision of services relating to problem gambling or technical information relating to the operation of a gaming machine;

"losses disguised as wins" means the winning of an amount on a wager that is less than the amount paid as the wager.

- (4) The holder of a casino licence, a venue licence or a keno licence must ensure that, in relation to each gaming machine operated by a player in premises to which the licence relates –
- (a) a single bet on the gaming machine must not be of an amount greater than \$1; and
 - (b) the time between the start and the end of a single activation of play on the gaming machine must not be less than 6 seconds; and
 - (c) the stand-alone jackpot prize offered on the gaming machine must not be more than \$1 000; and
 - (d) a linked jackpot prize on the gaming machine must not be more than \$2 000; and
 - (e) the pay-out table on the gaming machine must be set so that, across all gaming machines to which the licence relates, the return to players is not less than 95% of the total amounts wagered each calendar year on those gaming machines, after deduction of the sum of jackpot special prizes determined as prescribed and payable during that year; and
 - (f) if the net win or spin on the gaming machine is less than the total credit bet, the gaming machine must not –
 - (i) produce any audible sound to accompany any loss disguised as a win; or
 - (ii) produce any display of congratulatory messages to accompany any loss disguised as a win; and
 - (g) the gaming machine must not create false “near-misses” at a greater rate than would occur by chance alone; and
 - (h) if the gaming machine has reels, then, for each of the game reels in relation to a single line game, jackpot or winning symbols may not appear in their entirety adjacent to the payline more times than they would so appear by chance alone; and
 - (i) the gaming machine will automatically switch off for 5 minutes at 2-hour intervals and pay out any credit on the machine before so switching off; and
 - (j) the gaming machine will only operate between 12 noon on a day and 12 midnight.

Penalty: Fine not exceeding 100 penalty units.

- (5) The holder of a casino licence, a venue licence or a keno licence must ensure that any advertising arranged, or provided on behalf of, the holder of the licence –
- (a) contains the words “gamble responsibly” in clearly legible type of not less than 12 points in height; and
 - (b) is not published outside the gaming area of the premises to which the licence relates; and

- (c) does not contain any false, misleading or deceptive statement, including but not limited to such a statement that misrepresents the odds or probability of winning or prize or suggests that skill can influence the outcome of a game that is a game of chance; and
- (d) is not directed at, or provided to, a person who is on a list of excluded persons provided under section 1121A to the holder of the licence; and
- (e) is not directed at, or provided to, persons who may not fully understand the advertising and who the holder of the licence ought be expected to know will not fully understand the advertising; and
- (f) is not directed at persons under the age of 18 years or that encourages such persons to gamble; and
- (g) does not contain sounds associated with gaming machines.

Penalty: Fine not exceeding 100 penalty units.

- (6) The holder of a casino licence, a venue licence or a keno licence –
 - (a) must not offer a person a free voucher, token or the like, which may be used to enable the person to gamble; and
 - (b) must not, as an inducement or reward for gambling, offer a person free or reduced-price alcohol for consumption on the premises to which the licence relates or vouchers for the provision of free or reduced-price alcohol on such premises; and
 - (c) must not offer to a person a voucher, reward or other benefit as an incentive for the person –
 - (i) to open a betting account; or
 - (ii) to encourage another person to open a betting account; and
 - (d) must not offer, or provide, to employees of, or persons engaged by or on behalf of, the holder of the licence or the holder of another licence, a reward or incentive to encourage another person to gamble.

Penalty: Fine not exceeding 100 penalty units.”

Question put - That New Clause E stand part of the Bill to follow Clause 125;

The Committee divided.

AYES 3

Ms Johnston

Ms O'Connor

Dr Woodruff (Teller)

NOES 21

Ms Archer

Mr Barnett

Dr Broad

Ms Butler

Ms Courtney

Ms Dow

Mr Ellis

Mr Ferguson

Mr Gutwein

Ms Haddad

Mr Jaensch

Mr O'Byrne

Ms O'Byrne

Ms Ogilvie

Mrs Petrusma

Mr Rockliff

Mr Shelton

Mr Tucker

Ms White

Mr Winter

Ms Finlay (Teller)

So it passed in the Negative.

Clauses 126 to 128 agreed to,

Clause 129 read.

Amendments proposed (*Ms O'Connor*)

First Amendment

Page 182, proposed new section 112PA, subsection (1), after paragraph (a).

Insert the following paragraph –

“(aa) general personal information protection standards;”

Second Amendment

Page 182, proposed new section 112PA, after subsection (1).

Insert the following subsection –

“(1A) In preparing general personal information protection standards under subsection (1)(aa), the Commission is to have regard to the personal information protection principles contained in Schedule 1 to the *Personal Information Protection Act 2004*.”

Question proposed - That the Amendments be agreed to;

Mr *Ellis* took the Chair.

Question put;

It passed in the Negative.

Clause 129, as read, agreed to.

Clauses 130 to 135 agreed to.

Clause 136 read.

Question put - That the Clause, as read, stand part of the Bill;

The Committee divided.

AYES 12

Ms *Archer*
Mr *Barnett*
Ms *Courtney*
Mr *Ferguson*
Mr *Gutwein*
Mr *Jaensch*
Ms *Ogilvie*
Mrs *Petrusma*
Mr *Rockliff*
Mr *Shelton*
Mr *Tucker*
Mr *Street* (Teller)

NOES 12

Dr *Broad*
Ms *Butler*
Ms *Dow*
Ms *Finlay*
Ms *Haddad*
Ms *Johnston*
Mr *O'Byrne*
Ms *O'Byrne*
Ms *O'Connor*
Ms *White*
Mr *Winter*
Dr *Woodruff* (Teller)

CHAIR OF COMMITTEES GIVES CASTING VOTE. – The Chair of Committees said: “The numbers being equal, I cast my vote with the Ayes”.

It was resolved in the Affirmative.

Clause 137 agreed to.

Clause 138 read.

The Chair of Committees resumed the Chair.

Clause 138 further considered.

Question put - That the Clause, as read, stand part of the Bill.

The Committee divided.

AYES 21

NOES 3

Ms Archer

Ms Johnston

Mr Barnett

Ms O'Connor

Dr Broad

Dr Woodruff (Teller)

Ms Butler

Ms Courtney

Ms Dow

Mr Ferguson

Ms Finlay

Mr Gutwein

Ms Haddad

Mr Jaensch

Mr O'Byrne

Ms O'Byrne

Ms Ogilvie

Mrs Petrusma

Mr Rockliff

Mr Shelton

Mr Tucker

Ms White

Mr Winter

Mr Ellis (Teller)

It was resolved in the Affirmative.

Clauses 139 to 151 agreed to.

Clause 152 read.

Amendment proposed (*Mr Winter*)

Page 198, after paragraph (b).

Insert the following paragraph:

“(c) by omitting from subsection (2) “85%” and substituting “90%”. ”

Amendment, *by leave*, withdrawn.

Clause 152 further considered.

Amendments made (The Minister for Finance).

First Amendment

Page 198, paragraph (b).

Leave out “ ‘special’.”.

Insert instead “ ‘special’;”.

Second Amendment

Page 198, after paragraph (b).

Insert the following paragraph:

“(c) by omitting from subsection (2) “85%” and substituting “87%”. ”

Question put that the Clause, as amended, be agreed to;

It was resolved in the Affirmative.

Clauses 153 to 158 agreed to.

Clause 159 read.

Amendments proposed (Ms *O'Connor*)

First Amendment

Page 207, proposed new section 150AI, subsection (4).

Leave out “equivalent to 10.91%”.

Insert instead “equivalent to 30%”.

Second Amendment

Page 207, proposed new section 150AI, subsection (5).

Leave out the subsection.

Question proposed – That the Amendments be agreed to;

BILL NO. 45. - DECLARED URGENT. – The Minister for Finance declared the Gaming Control Amendment (Future Gaming Market) Bill 2021 to be an Urgent Bill.

And the Question being put – That the Bill be considered an Urgent Bill;

The Committee divided.

AYES 12

Ms Archer
Mr Barnett
Ms Courtney
Mr Ellis
Mr Ferguson
Mr Gutwein
Mr Jaensch
Mrs Petrusma
Mr Rockliff
Mr Shelton
Mr Tucker
Mr Ogilvie (Teller)

NOES 12

Dr Broad
Ms Dow
Ms Finlay
Ms Haddad
Ms Johnston
Mr O'Byrne
Ms O'Byrne
Ms O'Connor
Ms White
Mr Winter
Dr Woodruff
Ms Butler (Teller)

CHAIR OF COMMITTEES GIVES CASTING VOTE. – The Chair of Committees said: “The numbers being equal, I cast my vote with the Ayes”.

It was resolved in the Affirmative.

ALLOTMENT OF TIME. A Motion being made and the Question being proposed – That all remaining stages of the Bill be completed by twenty-six minutes past Eleven o'clock p.m. today. (The Minister for Finance)

A debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

Question again proposed - That the Amendments be agreed to;

The Committee resumed the Debate.

Question put;

AYES 3

Ms Johnston

Ms O'Connor

Dr Woodruff (Teller)

NOES 21

Ms Archer

Mr Barnett

Ms Butler

Ms Courtney

Ms Dow

Mr Ellis

Mr Ferguson

Ms Finlay

Mr Gutwein

Ms Haddad

Mr Jaensch

Mr O'Byrne

Ms O'Byrne

Ms Ogilvie

Mrs Petrusma

Mr Rockliff

Mr Shelton

Mr Tucker

Ms White

Mr Winter

Dr Broad (Teller)

So it passed in the Negative.

Question put – That the Clause, as read, stand part of the Bill;

The Committee divided.

AYES 21

NOES 3

Ms Archer

Ms Johnston

Mr Barnett

Ms O'Connor

Dr Broad

Dr Woodruff (Teller)

Ms Butler

Ms Courtney

Ms Dow

Mr Ellis

Mr Ferguson

Ms Finlay

Mr Gutwein

Ms Haddad

Mr Jaensch

Mr O'Byrne

Ms O'Byrne

Mrs Petrusma

Mr Rockliff

Mr Shelton

Mr Tucker

Ms White

Mr Winter

Ms Ogilvie (Teller)

It was resolved in the Affirmative.

Clause 160 agreed to.

Clause 161 read.

Amendments proposed (*Ms O'Connor*)

First Amendment

Page 210, proposed new section 151, subsection (2).

Leave out the subsection.

Insert instead the following subsection:

“(2) The community support levy is a sum equal to 8.33% of those monthly gross profits derived from gaming machine games.”

Second Amendment

Page 211, proposed new section 151A, subsection (4).

Leave out the subsection.

Insert instead the following subsection:

- “(4) The Minister must distribute the Community Support Fund for the provision of—
- (a) research into gambling; and
 - (b) services for the prevention of compulsive gambling; and
 - (c) treatment or rehabilitation of compulsive gamblers; and
 - (d) community education concerning gambling; and
 - (e) other health services.”

Question put - That the Amendments be agreed to;

The Committee divided.

AYES 3

Ms Johnston

Ms O'Connor

Dr Woodruff (Teller)

NOES 21

Ms Archer

Mr Barnett

Dr Broad

Ms Butler

Ms Courtney

Ms Dow

Mr Ellis

Mr Ferguson

Ms Finlay

Mr Gutwein

Mr Jaensch

Mr O'Byrne

Ms O'Byrne

Ms Ogilvie

Mrs Petrusma

Mr Rockliff

Mr Shelton

Mr Tucker

Ms White

Mr Winter

Ms Haddad (Teller)

So it passed in the Negative.

Clause 161, as read, agreed to.

Clauses 162 to 187 agreed to.

Title agreed to.

Bill to be reported with Amendment.

The House being resumed, Mr *Street* reported that the Committee had gone through the Bill, and made Amendments thereto.

Ordered, That so much of the Standing Orders be suspended as prevents the Bill being now read the Third time.
(The Minister for Finance)

Ordered, That the Bill, as amended in Committee, be now taken into consideration.
And the Amendments were, accordingly, read and agreed to.

And the Question being put – That the Bill be now read the Third time;

The House divided.

AYES 21

NOES 3

Ms Archer

Ms Johnston

Mr Barnett

Ms O'Connor

Dr Broad

Dr Woodruff (Teller)

Ms Butler

Ms Courtney

Ms Dow

Mr Ferguson

Ms Finlay

Mr Gutwein

Ms Haddad

Mr Jaensch

Mr O'Byrne

Ms O'Byrne

Ms Ogilvie

Mrs Petrusma

Mr Rockliff

Mr Street

Mr Tucker

Ms White

Mr Winter

Mr Ellis (Teller)

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Third time.

26 BILL NO. 45. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled "A Bill for an Act to amend the Gaming Control Act 1993 and the TT-Line Gaming Act 1993",

to which the House desires the concurrence of the Legislative Council.

House of Assembly, 27 October 2021.

MARK SHELTON, *Speaker.*

27 ADJOURNMENT. – A Motion being made - That the House do now adjourn (The Minister for Infrastructure and Transport)

The Speaker proposed – That the House do now adjourn and called for issues to be raised;

The House adjourned at twenty-nine minutes past Eleven o'clock.

SHANE DONNELLY, *Clerk of the House.*

MEMBERS. - All present during the day.