



TASMANIA

# LEGISLATIVE COUNCIL

SESSION OF 2021

(FIRST SESSION OF THE FIFTIETH PARLIAMENT)

## VOTES AND PROCEEDINGS

No. 29

TUESDAY, 23 NOVEMBER 2021

- 1 COUNCIL MEETS.**— The Council met at 10.00 o'clock in the forenoon.
- 2 ACKNOWLEDGEMENT OF TRADITIONAL PEOPLE.**— The President said:  
“We meet today on Tasmanian Aboriginal land. We acknowledge and pay respect to the Tasmanian Aboriginal people and elders, past and present. We recognise them as the traditional and original owners and the continuing custodians of this land.”
- 3 PRAYERS.**— The President read Prayers.
- 4 PAPERS.**— The Clerk of the Council laid upon the Table the following Papers:—
  - (1) Legislature-General: Annual Report 2020-2021.
  - (2) The Commissioner for Children & Young People: Annual Report 2020-2021.
  - (3) National Heavy Vehicle Regulator: Annual Report 2020-2021.
  - (4) Office of the Custodial Inspector Tasmania: Capacity Utilisation Review 2021.
  - (5) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 96.2m<sup>2</sup>, 393.0m<sup>2</sup> and 2720.0m<sup>2</sup> situate in Railton Road – Shoulder Widening, Municipal area of Latrobe.
  - (6) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 917.0m<sup>2</sup> situate in Railton Road – Shoulder Widening, Municipal area of Latrobe.
  - (7) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 946.0m<sup>2</sup> and 121.0m<sup>2</sup> situate in Railton Road – Shoulder Widening, Municipal area of Latrobe.
  - (8) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 250.0m<sup>2</sup> and 626m<sup>2</sup> situate in Railton Road – Shoulder Widening, Municipal of area Latrobe.
  - (9) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 963.0m<sup>2</sup> and 558.0m<sup>2</sup> situate in Railton Road – Shoulder Widening, Municipal of area Latrobe.
  - (10) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 716.0m<sup>2</sup> situate in Bass Highway – Wynyard to Marrawah. Municipal area of Waratah-Wynyard.
  - (11) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 334.0m<sup>2</sup> situate in Bass Highway – Wynyard to Marrawah. Municipal area of Waratah-Wynyard.

- (12) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 1429.0m<sup>2</sup> situate in Bass Highway – Wynyard to Marrawah. Municipal area of Waratah-Wynyard.
- (13) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 1674.0m<sup>2</sup> situate in Bass Highway – Wynyard to Marrawah. Municipal area of Waratah-Wynyard.
- (14) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 2384.0m<sup>2</sup> and 1366.0m<sup>2</sup> situate in Bass Highway – Wynyard to Marrawah. Municipal area of Waratah-Wynyard.
- (15) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 3712.0m<sup>2</sup> situate in Bass Highway – Wynyard to Marrawah. Municipal area of Waratah-Wynyard.
- (16) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 928.0m<sup>2</sup> and 972.0m<sup>2</sup> situate in Bass Highway – Wynyard to Marrawah. Municipal area of Waratah-Wynyard.
- (17) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 3814.0m<sup>2</sup>, 8744.0m<sup>2</sup> and 4102.0m<sup>2</sup> situate in Bass Highway – East of Tollymore Road Realignment, Togari Safety improvements and Morris Road realignment. Municipal area of Waratah-Wynyard.
- (18) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 1508.0m<sup>2</sup> situate in Bass Highway – East of Tollymore Road Realignment, Togari Safety improvements and Morris Road realignment. Municipal area of Waratah-Wynyard.
- (19) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 532.0m<sup>2</sup> situate in Bass Highway – East of Tollymore Road Realignment, Togari Safety improvements and Morris Road realignment. Municipal area of Waratah-Wynyard.
- (20) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 207.0m<sup>2</sup> situate in Bass Highway – East of Tollymore Road Realignment, Togari Safety improvements and Morris Road realignment. Municipal area of Waratah-Wynyard.
- (21) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 1135.0m<sup>2</sup> and 253.0m<sup>2</sup> situate in Bass Highway – East of Tollymore Road Realignment, Togari Safety improvements and Morris Road realignment. Municipal area of Waratah-Wynyard.
- (22) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 178.0m<sup>2</sup> situate in Bass Highway – East of Tollymore Road Realignment, Togari Safety improvements and Morris Road realignment. Municipal area of Waratah-Wynyard.
- (23) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 1070.0m<sup>2</sup> situate in Bass Highway – East of Tollymore Road Realignment, Togari Safety improvements and Morris Road realignment. Municipal area of Waratah-Wynyard.
- (24) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 4281.0m<sup>2</sup> and 27.0m<sup>2</sup> situate in Bass Highway – East of Tollymore Road Realignment, Togari Safety improvements and Morris Road realignment. Municipal area of Waratah-Wynyard.

- (25) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 652.0m2 situate in Bass Highway – East of Tollymore Road Realignment, Togari Safety improvements and Morris Road realignment. Municipal area of Waratah-Wynyard.
- (26) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 2553.0m2 situate in Bass Highway – East of Tollymore Road Realignment, Togari Safety improvements and Morris Road realignment. Municipal area of Waratah-Wynyard.
- (27) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 4062.0m2 situate in Bass Highway – East of Tollymore Road Realignment, Togari Safety improvements and Morris Road realignment. Municipal area of Waratah-Wynyard.
- (28) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 5907.0m2, 2650.0m2 and 2452.0m2 situate in Bass Highway – East of Tollymore Road Realignment, Togari Safety improvements and Morris Road realignment. Municipal area of Waratah-Wynyard.
- (29) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 49.8m2 situate in Bass Highway – East of Tollymore Road Realignment, Togari Safety improvements and Morris Road realignment. Municipal area of Waratah-Wynyard.
- (30) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 802.0m2, 2583.0m2, 247.0m2 and 1183.0m2 situate in Bass Highway – East of Tollymore Road Realignment, Togari Safety improvements and Morris Road realignment. Municipal area of Waratah-Wynyard.

**5 SPECIAL INTEREST MATTERS.**— The President advised the Chamber of five Members who had indicated their desire to speak and of the order in which they were to speak as follows —

- (1) Ms *Webb* – Taroona Volunteer Fire Brigade 75th Anniversary;
- (2) Dr *Seidel* – Parliamentary Friends of Dementia;
- (3) Ms *Forrest* – Burnie Surf Club 100 Year Anniversary;
- (4) Ms *Armitage* – The Late Aboriginal Elder, Aunty Phyllis Pitchford; and
- (5) Ms *Rattray* – Bowmans Store Flinders Island

At the conclusion of Special Interest Matters the Council proceeded to Orders of the Day.

**6 MOTION WITHOUT NOTICE.**— *Ordered*, That Mrs *Hiscutt* have leave to move a Motion without Notice.

**7 LEAVE OF ABSENCE.**— *Ordered*, That the Honourable Member for Pembroke, (Ms *Siejka*) be granted leave of absence from the service of the Council for this day's sitting. (Mrs *Hiscutt*)

**8 LEGISLATIVE COUNCIL SELECT COMMITTEE ON TRAFFIC CONGESTION IN THE GREATER HOBART AREA.**— A Motion was made (Mr *Valentine*) and the Question was proposed, That the Report of the Legislative Council Select Committee on traffic congestion in the Greater Hobart area be considered and noted.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

**9 BILL NO. 45.**— The Order of the Day was read for further consideration in Committee of the Gaming Control Amendment (Future Gaming Market) Bill 2021.

And the President having left the Chair, the Council again resolved itself into the said Committee.

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(In the Committee)

Ms *Forrest* in the Chair.

**New Clause B [Section 127 amended (Minister may give Commission directions) inserted]** brought up (Ms *Webb*) and read the First time as follows:—

**B. Section 127 amended (Minister may give Commission directions)**

Section 127 of the Principal Act is amended by inserting after subsection (2) the following subsections:

- (2A) Before giving the Commission a direction under subsection (1), the Minister must provide a draft of the proposed direction to the Commission.
- (2B) Within 10 working days of receiving the draft direction under subsection (2A), the Commission is to provide the Minister with written comments on the draft direction.
- (2C) If the Minister gives a direction under subsection (1) that is not supported by the comments of the Commission provided under subsection (2B), the Minister is to publish those comments in the *Gazette* with notice of the direction under subsection (6).

Question put, That the new Clause B be now read the Second time.

Committee divided.

AYES 5

Ms *Armitage*  
Mr *Gaffney* (Teller)  
Dr *Seidel*  
Mr *Valentine*  
Ms *Webb*

Pair: Ms *Rattray*

NOES 6

Mr *Duigan* (Teller)  
Mrs *Hiscutt*  
Ms *Howlett*  
Ms *Lovell*  
Ms *Palmer*  
Mr *Willie*

Pair: Ms *Siejka*

So it passed in the Negative.

**New Clause B [Section 127 AB Direction to be given in relation to gambling-related data and publication]** brought up (Ms *Webb*) and read the First time as follows:—

**B. Section 127AB inserted**

After section 127A of the Principal Act, the following section is inserted in Part 7:

**127AB. Direction to be given in relation to gambling-related data and publication**

- (1) In this section –  
"gambling data" means data relating to gambling losses, gambling revenue and the participation in gambling.
- (2) Within 30 days after the day on which the *Gaming Control Amendment (Future Gaming Market) Act 2021* receives the Royal Assent, the Minister must give to the Commission a direction under section 127.

- (3) The direction given in accordance with subsection (2) is to direct the Commission –
  - (a) to carry out, in relation to the relevant matters, an investigation in relation to the collection, publication and use of gambling data in Tasmania; and
  - (b) to provide to the Minister, before 31 December 2022, a report in relation to the results of the investigation.
- (4) The investigation in relation to the relevant matters is to be an investigation –
  - (a) for each form of gambling product or activity, into what gambling data is collected and by whom; and
  - (b) into the methods and frequency of public and non-public gambling data reporting; and
  - (c) into gambling data collection and reporting requirements in other jurisdictions; and
  - (d) into the current and potential publication and use of gambling data; and
  - (e) into options for a framework for gambling data collection, publication and use; and
  - (f) into a timeframe for the implementation of a framework for gambling data collection, publication and use.
- (5) The investigation under this section is to include consultation with such persons involved in the gambling industry, and such persons with an interest in the gambling industry, as the Commission thinks fit.
- (6) Without limiting the matters that may be contained in the report by the Commission in relation to the investigation, the report is to include –
  - (a) the Commission’s recommendations as to the most effective framework for the collection, publication and use of gambling data; and
  - (b) the steps that the Commission proposes to take to implement those recommendations as soon as reasonably practicable.

**10 SITTING SUSPENDED.**— It being 1.00 o'clock p.m. the Sitting of the Council was suspended.

The Council resumed the Sitting at 2.30 o'clock p.m.

**11 QUESTION TIME.**— The President called for Questions without Notice. There were two Questions asked.

**12 BILL NO. 45.**— The Council again Resolved itself into a Committee on the Gaming Control Amendment (Future Gaming Market) Bill 2021.

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(In the Committee)

Ms *Forrest* in the Chair.

New Clause B [Section 127 AB Direction to be given in relation to gambling-related data and publication].

Question put, That New Clause B be now read the Second time.

Committee divided.

AYES 4

Mr *Gaffney*  
Dr *Seidel*  
Mr *Valentine*  
Ms *Webb* (Teller)

NOES 8

Ms *Armitage*  
Mr *Duigan*  
Mrs *Hiscutt*  
Ms *Howlett*  
Ms *Lovell*  
Ms *Palmer*  
Ms *Rattray* (Teller)  
Mr *Willie*

So it passed in the Negative.

**New Clause B [Section 127AC Directions to be given in relation to simulated racing events and FATG machines]** brought up (Ms *Webb*) and read the First time as follows:—

**B. Section 127AC inserted**

After section 127A of the Principal Act, the following section is inserted in Part 7:

**127AC. Directions to be given in relation to simulated racing events and FATG machines**

- (1) The Minister must, 12 months after the day on which the *Gaming Control Amendment (Future Gaming Market) Act 2021* receives the Royal Assent, give to the Commission a direction under section 127.
- (2) The direction given in accordance with subsection (1) is to direct the Commission –
  - (a) to carry out, in relation to the relevant matters, an investigation into the introduction of gaming on simulated racing events at and from approved locations and approved outlets under the authority of Tasmanian gaming licences; and
  - (b) to provide to the Minister, within 6 months of the direction being given, a report in relation to the results of the investigation.
- (3) The investigation under subsection (2) in relation to the relevant matters is to be an investigation –
  - (a) into the impact of gambling on simulated racing events on total gambling losses and the level of gambling harm in the community in Tasmania; and
  - (b) into the impact of gambling on simulated racing events on participation in, and engagement with, other forms of gambling; and
  - (c) into the impact of the introduction of simulated racing events on employment in the gambling industry in Tasmania.
- (4) Without limiting the matters that may be contained in the report by the Commission in relation to the investigation under subsection (2), the report is to include –

- (a) the Commission's recommendations on policy considerations, harm minimisation measures and regulatory considerations in relation to the conduct of simulated racing events and their implementation; and
  - (b) the steps that the Commission proposes to take to implement those recommendations as soon as reasonably practicable.
- (5) The Minister must, 12 months after the day on which Part 4 of the *Gaming Control Amendment (Future Gaming Market) Act 2021* commences, give to the Commission a direction under section 127.
- (6) The direction given in accordance with subsection (5) is to direct the Commission –
  - (a) to carry out, in relation to the relevant matters, an investigation into the introduction of fully-automated table game machines (FATG machines) in casinos in Tasmania; and
  - (b) to provide to the Minister, within 6 months of the direction, a report in relation to the results of the investigation.
- (7) The investigation under subsection (6) in relation to the relevant matters is to be an investigation –
  - (a) into the impact of gambling on FATG machines on total gambling losses and the level of gambling harm in the community in Tasmania; and
  - (b) into the impact of gambling on FATG machines on participation in, and engagement with, other forms of gambling; and
  - (c) into the impact of the introduction of FATG machines on employment in the gambling industry in Tasmania.
- (8) Without limiting the matters that may be contained in the report by the Commission in relation to the investigation under subsection (6), the report is to include –
  - (a) the Commission's recommendations on policy considerations, harm minimisation measures and regulatory considerations in relation to the introduction of FATG machines in casinos and their implementation; and
  - (b) the steps that the Commission proposes to take to implement those recommendations as soon as reasonably practicable.
- (9) An investigation under this section is to include consultation with such persons involved in the gambling industry, and such persons with an interest in the gambling industry, as the Commission thinks fit.

Question put, That New Clause B be now read the Second time.

It was resolved in the Affirmative.

Read the Second time and made part of the Bill (to follow Clause 21).

**New Clause C [Section 152A Review of penalties inserted]** brought up (Ms Webb) and read the First time as follows:—

**Section 152A inserted**

C. Before section 153 of the Principal Act, the following section is inserted in Division 2:

**152A. Review of penalties**

- (1) The Commission must –
- (a) before 1 July 2022, conduct a review of the penalties in this Act; and
  - (b) cause a report of the outcome of the review under paragraph (a) to be tabled in each House of Parliament within 20 sitting-days of that House after the completion of the review.
- (2) A report under subsection (1)(b) is to include such recommendations for changes to penalty units for offences in this Act as the Commission considers necessary or desirable.

Question put, That New Clause C be now read the Second time.

Committee divided.

AYES 4

Mr *Gaffney* (Teller)  
Dr *Seidel*  
Mr *Valentine*  
Ms *Webb*

NOES 9

Ms *Armitage*  
Mr *Duigan*  
Ms *Forrest*  
Mrs *Hiscutt*  
Ms *Howlett*  
Ms *Lovell*  
Ms *Palmer*  
Ms *Rattray* (Teller)  
Mr *Willie*

So it passed in the Negative.

**New Clause C [Section 38 further amended (Matters to be considered in determining application inserted)]** brought up (Mr *Gaffney*) and read the First time as follows:—

**A. C. Section 38 further amended (Matters to be considered in determining application)**  
Section 38(2) of the Principal Act is amended by inserting after paragraph (e) the following paragraphs:

- (ea) the applicant has a history of not complying with a law of any jurisdiction in Australia relating to industrial relations or workplace safety; and
- (eb) the applicant will have appropriate systems and processes in place to ensure that each person who is engaged, or employed, by the applicant, is not subject to discrimination, harassment or other adverse action by the applicant, or by a person engaged or employed by the applicant, if the person provides information relating to –
  - (i) the compliance of the applicant with the requirements of this Act; or
  - (ii) conduct of the applicant; and

Read the Second time and made part of the Bill (to follow Clause 60).



**New Clause D [Section 90B Conduct of keno in licenced premises inserted]** brought up (Ms Webb) and read the First time as follows:—

**D. Section 90B inserted**

After section 90 of the Principal Act, the following section is to be inserted in Division 1:

**90B. Conduct of keno in licensed premises**

The holder of a venue licence for licensed premises must not conduct, or permit the conduct of, a game of keno in the licensed premises unless the game of keno –

- (a) is not readily visible to minors or from areas in the licensed premises where food may be served to minors; and
- (b) occurs in an area of the licensed premises that minors are not permitted to enter.

Penalty: Fine not exceeding 1 000 penalty units.

Question put, New Clause D be now read the Second time.

Committee divided.

AYES 4

Mr *Gaffney* (Teller)  
Dr *Seidel*  
Mr *Valentine*  
Ms *Webb*

NOES 8

Ms *Armitage*  
Mr *Duigan* (Teller)  
Mrs *Hiscutt*  
Ms *Howlett*  
Ms *Lovell*  
Ms *Palmer*  
Ms *Rattray*  
Mr *Willie*

So it passed in the Negative.

**New Clause D [Section 95A Warning signs to be displayed on gaming machines inserted]** brought up (Ms Webb) and read the First time as follows:—

**D. Section 95A inserted**

After section 95 of the Principal Act, the following section is inserted in Division 1:

**95A. Warning signs to be displayed on gaming machines**

- (1) A casino operator or venue operator must cause a sign, in a form approved by the Commission, to be displayed prominently on each gaming machine in the relevant casino or licensed premises

Penalty: Fine not exceeding 100 penalty units.

- (2) A sign approved by the Commission for the purposes of subsection (1) must contain the following information:
  - (a) a public health warning, in wording determined by the Commission, to the effect that gaming machines can be addictive;
  - (b) such other information as the Commission may determine.

Question put, That New Clause D be now read the Second time.

Committee divided.

AYES 6

Ms *Armitage*  
Ms *Forrest*  
Mr *Gaffney* (Teller)  
Dr *Seidel*  
Mr *Valentine*  
Ms *Webb*

Pair: Ms *Rattray*

NOES 6

Mr *Duigan*  
Mrs *Hiscutt*  
Ms *Howlett*  
Ms *Lovell*  
Ms *Palmer*  
Mr *Willie* (Teller)

Pair: Ms *Siejka*

The Votes being equal it passed in the Negative.

To report progress and seek leave to sit again.

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The Council being resumed Ms *Forrest* reported that the Committee had made progress in the Bill, and that she was directed to move that the Committee may have leave to sit again.

*Resolved*, That the Council will, at a later hour, again resolve itself into the said Committee.

**13 SITTING SUSPENDED.**—*Resolved*, That the Sitting of the Council be suspended until the ringing of the Division bells. (Mrs *Hiscutt*)

The Sitting was suspended at 4.47 o'clock p.m. and resumed at 5.02 o'clock p.m.

**14 BILL NO. 45.**—The Council, according to order, again resolved itself into a Committee on the Gaming Control Amendment (Future Gaming Market) Bill 2021.

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(In the Committee)

Ms *Forrest* in the Chair.

**New Clause D [Section 96A Gaming machine requirements]** brought up (Ms *Webb*) and read the First time as follows:—

**D. Section 96A inserted**

After section 96 of the Principal Act, the following section is inserted in Division 1:

**96A. Gaming machine requirements**

- (1) Unless authorised under subsection (2), the holder of a casino licence or a venue licence must not permit gaming on a gaming machine in the relevant casino or licensed premises –
  - (a) if the maximum amount that may be wagered on any one bet on the gaming machine is more than \$1; or
  - (b) if the time between the start and the end of a single activation of play on the gaming machine is less than 6 seconds.

Penalty: Fine not exceeding 1 000 penalty units.

- (2) The Commission may grant an authorisation to the holder of a casino licence or a venue licence to operate gaming machines that do not comply with the requirements specified in subsection (1).

- (3) An authorisation under subsection (2) –
- (a) is to be in writing; and
  - (b) may be granted subject to such conditions as the Commission thinks fit; and
  - (c) is to be in force for such period, not exceeding 12 months, as the Commission specifies in the authorisation.

Question put, That New Clause D be now read the Second time.

Committee divided.

AYES 6

*Ms Armitage*  
*Ms Forrest*  
*Mr Gaffney*  
*Dr Seidel* (Teller)  
*Mr Valentine*  
*Ms Webb*

Pair: *Ms Rattray*

NOES 6

*Mr Duigan*  
*Mrs Hiscutt*  
*Ms Howlett* (Teller)  
*Ms Lovell*  
*Ms Palmer*  
*Mr Willie*

Pair: *Ms Siejka*

The Votes being equal, it passed in the Negative.

To report progress and seek leave to sit again.

---

The Council being resumed *Ms Forrest* reported that the Committee had made progress in the Bill, and that she was directed to move that the Committee may have leave to sit again.

*Resolved*, That the Council will, at a later hour, again resolve itself into the said Committee.

**15 SITTING SUSPENDED.**—*Resolved*, That the Sitting of the Council be suspended until the ringing of the Division bells. (*Mrs Hiscutt*)

The Sitting was suspended at 6.45 o'clock p.m. and resumed at 7.49 o'clock p.m.

**16 BILL NO. 45.**—The Council, according to order, again resolved itself into a Committee on the Gaming Control Amendment (Future Gaming Market) Bill 2021.

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(In the Committee)

*Ms Forrest* in the Chair.

**New Clause D [Section 98A Display of winning keno numbers]** brought up (*Ms Webb*) and read the First time as follows:—

**D. Section 98A inserted**

After section 98 of the Principal Act, the following section is inserted in Division 1:

**98A. Display of winning keno numbers**

(1) In this section –

**"keno result display system"** means a system used to display the winning numbers for a game of keno.

- (2) A licensed operator who is conducting keno at an approved venue must not permit numbers to be displayed on the keno result display system at that venue in such a way as to indicate the frequency with which numbers are drawn in games of keno.

Penalty: Fine not exceeding 1 000 penalty units.

Question put, That New Clause D be now read the Second time.

Committee divided.

AYES 4

NOES 7

Mr *Gaffney*  
Dr *Seidel* (Teller)  
Mr *Valentine*  
Ms *Webb*

Ms *Armitage*  
Mr *Duigan*  
Mrs *Hiscutt*  
Ms *Howlett*  
Ms *Lovell*  
Ms *Palmer*  
Mr *Willie* (Teller)

Pair: Ms *Ratray*

Pair: Ms *Siejka*

So it passed in the Negative.

**New Clause D [Section 107 Requirements for FATG machines]** brought up (Ms *Webb*) and read the First time as follows:—

**D. Section 107 inserted**

Before section 112 of the Principal Act, the following section is inserted in Division 2:

**107. Requirements for FATG machines**

The holder of a general casino licence must not allow a FATG machine to be played in the casino if –

- (a) the FATG machine does not have a minimum speed of operation of at least one minute between each game; and
- (b) the maximum amount that may be wagered on any one bet on that FATG machine is more than \$5.

Penalty: Fine not exceeding 1 000 penalty units.

Question put, That new Clause D be now read the Second time.

Committee divided.

AYES 4

NOES 8

Mr *Gaffney* (Teller)  
Dr *Seidel*  
Mr *Valentine*  
Ms *Webb*

Ms *Armitage*  
Mr *Duigan*  
Mrs *Hiscutt*  
Ms *Howlett*  
Ms *Lovell*  
Ms *Palmer*  
Ms *Ratray* (Teller)  
Mr *Willie*

So it passed in the Negative.

**New Clause D [Section 112L amended (Commission to establish codes of practice) inserted]** brought up (Ms *Webb*) and read the First time as follows:—

**D. Section 112L amended (Commission to establish codes of practice)**

Section 112L(14) of the Principal Act is amended by inserting the following paragraphs after paragraph (f) in the definition of *relevant matter*:

- (fa) the determination of betting limits on gaming machines;
- (fb) requirements relating to game features that are associated with increased risk of harm to users of gaming machines;
- (fc) shutdown periods for gaming machines;

Ms *Ratray* in the Chair.

Question put, That New Clause D be now read the Second time.

Committee divided.

AYES 6

Ms *Armitage*  
Ms *Forrest*  
Mr *Gaffney* (Teller)  
Dr *Seidel*  
Mr *Valentine*  
Ms *Webb*

NOES 6

Mr *Duigan*  
Mrs *Hiscutt*  
Ms *Howlett* (Teller)  
Ms *Lovell*  
Ms *Palmer*  
Mr *Willie*

The Votes being equal it passed in the Negative.

**New Clause D [Section 112L amended (Commission to establish codes of practice) inserted]** brought up (Ms *Forrest*) and read the First time as follows:—

**D. Section 112L amended (Commission to establish codes of practice)**

Section 112L(14) of the Principal Act is amended by inserting the following paragraph after paragraph (g) in the definition of *relevant matter*:

- (ga) the functions and design features of gaming machines that increase the risk of addiction to gaming machines and are likely to harm or increase the risk of harm to users of gaming machines;

Mr *Valentine* in the Chair

Question put, That the New Clause D be now read the Second time.

Committee divided.

AYES 6

Ms *Forrest*  
Mr *Gaffney* (Teller)  
Ms *Ratray*  
Dr *Seidel*  
Mr *Valentine*  
Ms *Webb*

Pair: Ms *Armitage*

NOES 6

Mr *Duigan*  
Mrs *Hiscutt*  
Ms *Howlett*  
Ms *Lovell* (Teller)  
Ms *Palmer*  
Mr *Willie*

Pair: Ms *Siejka*

The Votes being equal, it passed in the Negative.

Ms *Forrest* in the Chair

**New Clause D [Section 112LA Gambling services not to be provided to person experiencing gambling harm inserted]** brought up (Ms *Webb*) and read the First time as follows:—

**D. Sections 112LA inserted**

After section 112L of the Principal Act, the following section is inserted in Division 4:

**112LC. Gambling services not to be provided to person experiencing gambling harm**

- (1) The Commission is to prepare and publish, on a website maintained by or on behalf of the Commission, guidelines for identifying gambling harm.
- (2) An employee of a casino operator or of a venue operator must not permit a person experiencing gambling harm to wager in the relevant casino or licensed premises.

Penalty: Fine not exceeding 20 penalty units.

- (3) A casino operator or a venue operator is guilty of an offence if an employee of that operator permits a person experiencing gambling harm to wager in the relevant casino or licensed premises.

Penalty: Fine not exceeding 20 penalty units.

Question put, That New Clause D be now read the Second time.

It passed in the Negative.

**New Clause D [Section 112RA Opening hours for restricted gaming areas in licensed premises]** brought up (Ms *Webb*) and read the First time as follows:—

**Section 112RA inserted**

After section 112R of the Principal Act, the following section is inserted in Division 5:

**112RA. Opening hours for restricted gaming areas in licensed premises**

The holder of a venue licence for licensed premises must not, on any day, permit gaming to occur in a restricted gaming area in the licensed premises unless that gaming occurs on that day during the 12-hour period commencing at –

- (a) 12 noon; or
- (b) if the Commission has given written authorisation for the gaming in the restricted area to commence at a different time of day, that time.

Penalty: Fine not exceeding 1 000 penalty units.

Question put, That New Clause D be now read the Second time.

Committee divided.

AYES 4

Mr *Gaffney*  
Dr *Seidel*  
Mr *Valentine* (Teller)  
Ms *Webb*

NOES 8

Ms *Armitage*  
Mr *Duigan*  
Mrs *Hiscutt*  
Ms *Howlett*  
Ms *Lovell* (Teller)  
Ms *Palmer*  
Ms *Rattray*  
Mr *Willie*

So it passed in the Negative.

Title agreed to.

Bill to be reported with Amendments.

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The Council being resumed, Ms *Forrest* reported that the Committee had gone through the Bill, and directed her to report the same to the Council with Amendments.

*Ordered*, That the consideration of the Bill as amended in Committee be made an Order of the Day for tomorrow. (Mrs *Hiscutt*)

**17 BILL NO. 58.**— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled — ‘A Bill for an Act to amend the *Living Marine Resources Management Act 1995*’,

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

*House of Assembly, 23 November 2021*

MARK SHELTON, *Speaker*

The Bill was read the First time.

*Ordered*, That the Second reading of the Bill be made an Order of the Day for Tuesday next. (Mrs *Hiscutt*)

**18 ADJOURNMENT.**— *Ordered*, That the Council will at its rising adjourn until 10.00 o’clock am on Wednesday, 24 November 2021. (Mrs *Hiscutt*)

*Resolved*, That the Council do now adjourn. (Mrs *Hiscutt*)

The Council adjourned at 10.27 o’clock p.m.

D.T. PEARCE, *Clerk of the Council*.