



Australian Capital Territory

Gaming Machine (Cash Facilities) Amendment Act 2017

A2017-25

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Australian Capital Territory

Gaming Machine (Cash Facilities) Amendment Act 2017

A2017-25

An Act to amend the *Gaming Machine Act 2004*, and for other purposes

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Part 1 Preliminary

1 Name of Act

This Act is the *Gaming Machine (Cash Facilities) Amendment Act 2017*.

2 Commencement

This Act commences on 1 September 2017.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

3 Legislation amended

This Act amends the *Gaming Machine Act 2004* and the *Gaming Machine Regulation 2004*.

Part 2 Gaming Machine Act 2004

4 **Cash facilities** **Section 153 (4)**

omit

5 **Offence—ATM allowing withdrawals exceeding \$250** **Section 153A (2) (b) and (c)**

substitute

- (b) authorised premises if the authorisation certificate for the premises authorises the operation of not more than 20 gaming machines at the premises.

6 **Regulation-making power** **New section 178 (2) (c)**

insert

- (c) the operation (including the restriction of the operation) of a cash facility at authorised premises.

7 **Dictionary, new definition of *cash facility***

insert

cash facility—

- (a) means—
- (i) an automatic teller machine; or
 - (ii) an EFTPOS facility; or
 - (iii) any other facility for gaining access to cash or credit; but
- (b) does not include a facility where cash is exchanged for other denominations of cash, tokens, tickets or cards for the purpose of playing machines.

Part 3 Gaming Machine Regulation 2004

8 New part 8A

insert

Part 8A Restrictions on cash facilities— Act, s 178 (2) (c)

Note For other restrictions on cash facilities, see the [Act](#), s 153 and s 153A.

62A Limits on EFTPOS facility at authorised premises

- (1) This section applies to authorised premises if the authorisation certificate for the premises authorises the operation of more than 20 gaming machines at the premises.
- (2) A licensee must have not more than 1 EFTPOS facility that allows a person to withdraw cash at the licensee's authorised premises.
Maximum penalty: 10 penalty units.
- (3) A person may only withdraw cash from an EFTPOS facility at authorised premises if—
 - (a) the cash withdrawal does not exceed \$200; and
 - (b) the person operating the EFTPOS facility is a trained staff member of the premises; and
 - (c) the trained staff member confirms the amount of cash to be withdrawn with the person making the withdrawal before the cash is withdrawn; and
 - (d) the trained staff member hands the cash withdrawn directly to the person making the withdrawal.

- (4) A licensee commits an offence if—
- (a) a person withdraws cash from an EFTPOS facility at the licensee's authorised premises; and
 - (b) a requirement for withdrawing cash mentioned in subsection (3) is contravened.

Maximum penalty: 10 penalty units.

- (5) An offence against this section is a strict liability offence.
- (6) In this section:

approved training program means a training program about the responsible provision of gambling services approved under the [Gambling and Racing Control \(Code of Practice\) Regulation 2002](#), section 9.

trained staff member, of authorised premises, means a staff member of the premises who has successfully completed an approved training program within the previous 3 years.

9 Dictionary, note 3

insert

- cash facility

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 3 August 2017.

2 Notification

Notified under the [Legislation Act](#) on 31 August 2017.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

I certify that the above is a true copy of the Gaming Machine (Cash Facilities) Amendment Bill 2017, which was passed by the Legislative Assembly on 22 August 2017.

Clerk of the Legislative Assembly

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