

2022

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Minister for Gaming)

# Gaming Machine (Club Refuge) Amendment Bill 2022

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## A Bill for

An Act to amend the *Gaming Machine Act 2004* and the *Gaming Machine Regulation 2004*

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

1 **Part 1 Preliminary**

2 **1 Name of Act**

3 This Act is the *Gaming Machine (Club Refuge) Amendment Act 2022*.

4 **2 Commencement**

5 This Act commences on a day fixed by the Minister by written notice.

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

8 *Note 2* A single day or time may be fixed, or different days or times may be  
9 fixed, for the commencement of different provisions (see [Legislation Act](#),  
10 s 77 (1)).

11 *Note 3* If a provision has not commenced within 6 months beginning on the  
12 notification day, it automatically commences on the first day after that  
13 period (see [Legislation Act](#), s 79).

14 **3 Legislation amended**

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

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## Part 2 Gaming Machine Act 2004

### 4 Conditions about guests and temporary membership New section 54A (1A)

*insert*

- (1A) Subsection (1) does not apply if a person attends a club while a club refuge declaration is in force for the club.

### 5 Meaning of *community purpose* etc—pt 12 Section 166 (1), definition of *community purpose*, new paragraph (ca)

*insert*

- (ca) providing relief or assistance to the community by allowing access to a club for refuge while a club refuge declaration is in force for the club; or

### 6 New section 166B

*insert*

#### 166B Club refuge declaration

- (1) The Minister may, if the Minister considers it is necessary or desirable for a club to be used as a refuge in relation to an emergency or other hazard, declare the club to be a refuge (a ***club refuge declaration***).
- (2) In making a club refuge declaration, the Minister must take into account any advice of the emergency services commissioner.
- (3) A club refuge declaration—
- (a) has effect for the period stated in the declaration; and
  - (b) may be subject to any conditions declared by the Minister.
- (4) A club refuge declaration is a disallowable instrument.

1 (5) In this section:  
2 *emergency*—see the *Emergencies Act 2004*, dictionary.

3 *hazard*—see the *Emergencies Act 2004*, dictionary.

4 **7 Dictionary, new definition of *club refuge declaration***

5 *insert*

6 *club refuge declaration*—see section 166B (1).

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## 1 Part 3 Gaming Machine Regulation 2004

### 2 8 New section 66A

3 *in division 9.2, insert*

#### 4 66A Club declared as refuge

5 If a club refuge declaration is in force under the Act, section 166B in  
6 relation to a club, the following contributions are community purpose  
7 contributions:

- 8 (a) the cost of providing anyone accessing the club with free  
9 non-alcoholic drinks;
- 10 (b) the cost of the membership fee of a person who is given access  
11 to the club without paying the membership fee.

### 12 9 Club's business activities—Act, s 166 (2) (c) 13 New section 67 (3)

14 *insert*

- 15 (3) If a club refuge declaration is in force under the Act, section 166B in  
16 relation to a club, subsection (1) (f) does not apply to the provision of  
17 free non-alcoholic drinks to anyone accessing the club as a refuge.

### 18 10 Dictionary, note 3

19 *insert*

- 20 • club refuge declaration (see s 166B (1))

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## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 1 December 2022.

**2 Notification**

Notified under the [Legislation Act](#) on 2022.

**3 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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