

Gaming and Racing Control (Code of Practice) Amendment Regulation 2026 (No 1)

Subordinate law SL2026–15

made under the

Gambling and Racing Control Act 1999, s 54 (Regulation-making power)

EXPLANATORY STATEMENT

This explanatory statement relates to the *Gaming and Racing Control (Code of Practice) Amendment Regulation 2026 (No 1)* (**the Regulation**) as made by the Executive. It has been prepared to assist the reader of the Regulation. It does not form part of the Regulation and has not been endorsed by the Legislative Assembly.

This statement must be read in conjunction with the Regulation. It is not, and is not meant to be, a comprehensive description of the Regulation. What is said about a provision is not taken as an authoritative guide to the meaning of a provision, this being a task for the courts.

BACKGROUND

In the ACT, a gaming machine licensee must not operate a gaming machine between 4am and 9am.

The purpose of this Regulation is to amend the *Gambling and Racing Control (Code of Practice) Regulation 2002* to extend the shutdown period in which licensees must not operate electronic gaming machines (EGMs) which will limit the availability and accessibility of gaming machines in the ACT.

The 2024 ACT Gambling Survey noted that comprehensive approaches to reducing harm from EGMs should incorporate evidence-based harm prevention and reduction policy, legislation and measures including, but not limited to, reducing the availability and accessibility of high-risk gambling products.

OVERVIEW OF THE REGULATION

The Regulation amends the *Gambling and Racing Control (Code of Practice) Regulation 2002* to extend the shutdown period in which licensees must not operate gaming machines which will limit the availability and accessibility of gaming machines in the ACT.

The amendments extend the EGM shutdown periods, so that there will be shorter hours of operation permitted during the week while retaining longer hours on Friday and Saturday and into Sunday morning. The revised EGM shutdown periods will be:

- i. 2am to 10am from Monday to Thursday;
- ii. 2am to 9am Friday;
- iii. 4am to 9am Saturday; and
- iv. 4am to 10am Sunday.

REGULATORY IMPACT STATEMENT

Section 34 of the *Legislation Act 2001* requires the preparation of a regulatory impact statement where a subordinate law is likely to impose appreciable costs on the community, or a part of the community.

As the Regulation reduces the operating hours of EGMs there will be a financial impact to licensees and the Territory. It is difficult to quantify an exact revenue impact to licensees and the Territory. A regulatory impact assessment has been prepared for this Amendment Regulation.

CLIMATE IMPACT

The Regulation will not have an impact on emissions production or abatement.

CONSISTENCY WITH HUMAN RIGHTS

The Regulation does not engage and limit any human rights set out in the *Human Rights Act 2004*.

CLAUSE NOTES

Clause 1 Name of regulation

Clause 1 names the Regulation as the *Gaming and Racing Control (Code of Practice) Amendment Regulation 2026 (No 1)*

Clause 2 Commencement

Clause 2 provides for the commencement of the Regulation 12 months after its notification day.

Clause 3 Legislation amended

Clause 3 provides that the Regulation amends the *Gambling and Racing Control (Code of Practice) Regulations 2002*.

Clause 4 Schedule 1, section 1.27B

Clause 4 sets out the times which licensees must not operate gaming machines. Table 1.27B provides gaming machine operating time restrictions and refers to hours in which licensees must not operate gaming machines in column 3 and the corresponding days of the week in column 2.