

NORTHERN TERRITORY OF AUSTRALIA

GAMING MACHINE REGULATIONS

As in force at 11 March 1998

Table of provisions

Part 1	Preliminary	
1	Citation	1
2	Interpretation	1
Part 2	Gaming machine licences	
2A	Prescribed liquor licence	3
3	Maximum number of gaming machines	3
4	Prescribed conditions of gaming machine licences	3
5	Director's obligations to licensees.....	3
Part 3	Licensing of repairers, service contractors and machine managers	
6	Installations, &c., not subject to section 58 of Act.....	4
7	Prescribed duties of machine managers	4
Part 4	Supervision and management of gaming	
8	Layout of licensed premises	5
9	Installation of gaming equipment.....	5
10	Hours of gaming	5
11	Rules ancillary to gaming.....	6
12	Calculation of player entitlement.....	6
13	Machine managers to produce licence or identification, &c.	6
14	Submissions in relation to payments refused	7
15	Security of keys	7
16	Day prescribed	9
17	Services for compulsive gamblers	9
Part 5	Control of gaming machines	
18	Approval of premises of manufacturers	9
19	Allocation of serial number	10
20	Identification plate to be affixed	10
21	Game board labels	11
22	Broken or removed seals to be forwarded to director	11
23	Restricted components.....	11
24	Code numbers for approved gaming equipment types and games.....	11

Part 6	Accounting procedures	
25	Functions to be carried out with monthly money reconciliations	12
26	Daily money clearances	12
27	Manual payments register and hopper fills	13
28	Gaming machine performance record	15
29	Alterations or obliterations to records	17
30	Installation, removal and alteration of gaming machines	17
31	Monthly gaming machine reconciliation report.....	18
Part 7	Taxes, levies and fees	
32	Day prescribed	18
33	Gaming machine tax.....	18
34	Gaming machine community benefit levy	19
35	Penalties for late payment of taxes and levies.....	19
36	Crediting of payments under section 153(1)(b) of act.....	19
37	Fees	19
38	Refund applications	19
Part 8	General	
39	Advertising.....	20
Schedule 1	Conditions to which gaming machine licence is subject	
Schedule 2	Director's obligations to licensee	
Schedule 3	rules ancillary to gaming	
Schedule 4	restricted components	
Schedule 5	fees	

ENDNOTES

NORTHERN TERRITORY OF AUSTRALIA

As in force at 11 March 1998

GAMING MACHINE REGULATIONS

Regulations under the *Gaming Machine Act*

Part 1 Preliminary

1 Citation

These Regulations may be cited as the *Gaming Machine Regulations*.

2 Interpretation

(1) In these Regulations, unless the contrary intention appears:

advertise means advertising about:

- (a) gaming;
- (b) the conduct of gaming; or
- (c) the manufacture, assembly, sale, supply, installation, alteration, obtaining, possession, operation, use, adjustment, maintenance or repair of gaming equipment.

cancelled credit means a payment, by a licensee to a player for gaming machine credits, that is not discharged out of the hopper.

game board means a processor board on which a game EPROM is installed.

game EPROM means any Erasable Programmable Read Only Memory or Programmable Read Only Memory or other computer program storage medium that is:

- (a) designed to be, or capable of being, installed on a processor board; and
- (b) programmed with programming for a game.

hopper means the container in a gaming machine from which gaming tokens may be discharged in order to pay for gaming machine credits or winnings.

hopper fill means the placing by a licensee of gaming tokens into a hopper.

jackpot payout means a payment by a licensee to a player for a winning result on a gaming machine:

- (a) that does not increase the credit meter of the gaming machine; and
- (b) that is not discharged out of the hopper.

machine identification number means the identification number issued for a gaming machine under section 135(1) of the Act.

manufacturer means a recognised manufacturer or supplier of gaming machines.

monthly money reconciliation means a money reconciliation mentioned in section 141 of the Act.

performance summary, in relation to a period covered by a Gaming Machine Performance Record, means a summary of the following expressed in monetary amounts:

- (a) the hopper contents at the end of the period;
- (b) the total of gaming tokens removed during money clearances for the period;
- (c) the total of short pay correction payouts during the period;
- (d) the total of hopper fills during the period;
- (e) the total of jackpot payouts during the period;
- (f) the total of cancelled credits during the period;
- (g) the hopper contents at the start of the period;
- (h) the amount calculated by subtracting from the total of the amounts mentioned in paragraphs (a) and (b), the total of the amounts mentioned in paragraphs (c), (d), (e), (f) and (g).

player means a person who plays a gaming machine.

processor board means an electronic circuit board that is designed to be, or is capable of being, used in a gaming machine.

RAM means Random Access Memory.

short pay correction payout means a payment (other than from the hopper) by a licensee to a player of an amount to which the player is entitled if the hopper fails to discharge that amount.

- (2) Licensed premises are categorised as follows:
- (a) Category 1:
 - (i) those premises for which a hotel liquor licence is in force at any particular time; or
 - (ii) those premises for which a liquor licence that is a prescribed liquor licence for the purposes of section 24(1)(c) of the Act is in force at any particular time;
 - (b) Category 2 – those premises for which a club liquor licence is in force at any particular time.

Part 2 Gaming machine licences

2A Prescribed liquor licence

For the purposes of section 24(1)(c) of the Act, liquor licence number 80303858 held by Jolcraft (NT) Pty Ltd in respect of premises at the Stuart Arms Hotel, Todd Mall, Alice Springs is a prescribed liquor licence.

3 Maximum number of gaming machines

For the purposes of sections 25(14) and 41(5) of the Act, the maximum number prescribed for Category 1 licensed premises is 6.

4 Prescribed conditions of gaming machine licences

For the purposes of section 33 of the Act, the prescribed conditions are set out in Schedule 1.

5 Director's obligations to licensees

For the purposes of section 194(2)(s) of the Act, the Director's obligations are set out in Schedule 2.

Part 3 Licensing of repairers, service contractors and machine managers

6 Installations, &c., not subject to section 58 of Act

For the purposes of section 58(3) of the Act, the following are prescribed:

- (a) the installation of an electronic monitoring system if the installation is by the Director;
- (b) the installation of a gaming machine if the gaming machine is to be examined by an inspector before play is allowed on the gaming machine;
- (c) installation, alteration, adjustment, maintenance or repair of those fuses, electric light globes, fluorescent tubes and fluoro starters of a gaming machine that are easily accessible;
- (d) installation, alteration, adjustment, maintenance or repair of hinges of gaming machine drop box doors;
- (e) adjustment of the device regulating the level of the contents of the hopper;
- (f) installation, alteration, adjustment, maintenance or repair of external switch covers or glass or perspex panels of a gaming machine;
- (g) repair by clearing coins jammed in a gaming machine;
- (h) repair by resetting minor fault conditions of a gaming machine.

7 Prescribed duties of machine managers

For the purposes of section 60(1) of the Act, the following duties are prescribed:

- (a) the management of employees of a licensee who are responsible for the conduct of gaming;
- (b) the management of the access to the internal parts of gaming machines;
- (c) the management and supervision of money clearances;
- (d) the issuing of keys for the security of gaming machines to employees of a licensee;

- (e) the supervision of entries in accounting records required to be kept and maintained under the Act;
- (f) the arranging of remedial repairs to gaming equipment;
- (g) any other thing required by Part 6 to be done, or that a licensee is required by Part 6 to ensure is done, by a machine manager.

Part 4 Supervision and management of gaming

8 Layout of licensed premises

A licensee shall ensure that the layout of the interior of the licensee's licensed premises allows:

- (a) the licensee, or an employee of the licensee, from a place in the licensed premises where the licensee or employee would normally be carrying out duties at the material time, to have continuous supervision of each gaming machine that is available for gaming; and
- (b) a clear passageway between banks of gaming machines of at least 2 metres unless the Director, under section 161 of the Act, directs that a greater distance be allowed.

Penalty: \$5,000.

9 Installation of gaming equipment

A licensee shall ensure that gaming equipment installed on the licensee's licensed premises is installed in a way that allows:

- (a) proper cleaning and maintenance of the equipment;
- (b) unrestricted access to fire exits; and
- (c) the proper use of safety and security features on the premises.

Penalty: \$5,000.

10 Hours of gaming

For the purposes of section 88(c) of the Act, the following periods are prescribed:

- (a) Christmas Day;
- (b) Good Friday;

- (c) between 4.00 am and 10.00 am of each day.

11 Rules ancillary to gaming

For the purposes of section 89 of the Act, the prescribed rules are set out in Schedule 3.

12 Calculation of player entitlement

- (1) For the purposes of section 95 of the Act, but subject to subregulation (2), the amount to which a person is entitled for gaming tokens inserted by, or on behalf of, the person into a gaming machine (so that gaming machine credits are registered by the gaming machine), is to be calculated by:
- (a) adding to the gaming machine credits – winnings (if any) payable for each result as determined in accordance with the game as approved by the Director for bets made by, or on behalf of, the person on the gaming machine; and
 - (b) deducting – gaming machine credits bet by, or on behalf of, the person on the gaming machine.
- (2) An entitlement under subregulation (1) includes gaming machine credits that are stolen before the licensee makes payment for the gaming machine credits only when:
- (a) the person exercises reasonable control over the credits; and
 - (b) the licensee, by act or omission, contributes to the stealing.

13 Machine managers to produce licence or identification, &c.

- (1) A machine manager shall produce his or her machine manager's licence that is in force, or his or her identification card provided under subregulation (2), to a person:
- (a) who is affected by a decision of the machine manager; and
 - (b) who requests the production.
- (2) A licensee shall provide to a person authorised by the licensee under section 60(4) or (6) of the Act an identification card showing in bold face print of a minimum letter height of 5 millimetres:
- (a) the person's name;
 - (b) the name of the licensed premises; and
 - (c) the words "Machine Manager".

- (3) The identification card shall bear the signature of the person.
- (4) A person to whom an identification card is provided under subregulation (2) shall return the card to the licensee on the day the person ceases to be authorised by the licensee under section 60(4) or (6) of the Act.

Penalty: \$5,000.

14 Submissions in relation to payments refused

- (1) A machine manager who refuses to make or allow payment under section 96 of the Act or clause 5 of Schedule 3 to a person shall advise the person that he or she may make a submission to the Director about the refusal within 10 days from the date of the refusal.
- (2) A submission mentioned in subregulation (1) shall:
 - (a) be in writing;
 - (b) state the full name and address of the person making the submission;
 - (c) identify the licensed premises and gaming machine in question;
 - (d) state the name of the machine manager who refused to make payment or allow payment to be made;
 - (e) state the time and date of the refusal; and
 - (f) contain a description of the events relevant to the refusal.
- (3) The Director may refuse to consider a submission mentioned in subregulation (2) that is not lodged within 10 days from the date of the refusal.

15 Security of keys

- (1) A licensee shall cause each key that is a key related to the security of gaming equipment on the licensee's licensed premises to be kept in a secure place on the licensed premises.
- (2) The licensee shall ensure that no person gains access to the secure place other than:
 - (a) the licensee or, where the licensee is a body corporate, 2 executive officers of the body corporate authorised in that behalf by the body corporate and acting jointly; or

- (b) a machine manager in relation to the licensed premises.
- (3) A licensee shall ensure that no person has possession of a key mentioned in subregulation (1) other than:
- (a) a person mentioned in subregulation (2);
 - (b) an employee of the licensee who is employed to attend to gaming machines;
 - (c) an employee of the licensee who is employed to assist in money clearances;
 - (d) a licensed repairer acting in that capacity; or
 - (e) an inspector in the performance of his or her functions or duties under the Act.
- (4) A licensee shall keep records of each possession mentioned in subregulation (3) in the form determined by the Director.
- (5) A person mentioned in subregulation (2)(b) or (3)(b), (c) or (d) shall have possession of a key mentioned in subregulation (1) only:
- (a) on the licensed premises; and
 - (b) for the time necessary for the performance of his or her duties.
- (6) A person who has possession of a key mentioned in subregulation (1) shall keep the key on his or her person.
- (7) A person who unlocks a door or opens a door of a gaming machine on licensed premises, shall cause the lock to be locked or, as the case may be, the door to be securely closed:
- (a) before leaving the gaming machine; and
 - (b) on completion of the purpose for which the lock was unlocked or the door was opened.
- (8) A person, other than a person mentioned in subregulation (3), shall not have possession of a key mentioned in subregulation (1).
- (9) Subject to section 162 of the Act, a record required to be kept under this section shall be retained by the licensee for not less than 7 years from the date of the latest entry in the record.

Penalty: \$5,000.

16 Day prescribed

For the purposes of section 101(2) of the Act, the prescribed day is the tenth day.

17 Services for compulsive gamblers

A licensee, at each place on the licensee's licensed premises where the sale or redemption of gaming tokens or any centralised credit transaction is carried out, shall clearly display a sign advertising services, if any, available to assist compulsive gamblers.

Penalty: \$5,000.

Part 5 Control of gaming machines**18 Approval of premises of manufacturers**

- (1) For the purposes of section 121(2) of the Act, an application for approval of premises shall:
 - (a) be written and signed by the manufacturer or a person authorised by the manufacturer; and
 - (b) contain the full name and business address of the manufacturer and the address of the premises.
- (2) An application under subregulation (1) shall be accompanied by:
 - (a) a plan that clearly shows the use to which each part of the premises is to be put;
 - (b) particulars of all security and surveillance facilities installed on the premises; and
 - (c) a narrative and diagrammatic representation of the systems to be used by the manufacturer:
 - (i) for the security, storage and recording of gaming machines and restricted components, with specific reference to game boards and game EPROMs; and
 - (ii) for the use and maintenance of security and surveillance facilities on the premises.

19 Allocation of serial number

- (1) A manufacturer shall allocate a manufacturer's serial number to each gaming machine:
 - (a) manufactured; or
 - (b) if the gaming machine does not already have an identification plate affixed in accordance with regulation 20 – obtained, by the manufacturer.
- (2) A manufacturer shall ensure that the serial number allocated under subregulation (1):
 - (a) is within a sequence of numbers approved by the Director for use by the manufacturer; and
 - (b) has not previously been allocated to another gaming machine manufactured or obtained by the manufacturer.

Penalty: \$5,000.

20 Identification plate to be affixed

- (1) A manufacturer shall affix an identification plate to each gaming machine:
 - (a) manufactured; or
 - (b) if the gaming machine does not already have an identification plate affixed in accordance with this section – obtained, by the manufacturer.
- (2) A manufacturer shall ensure that the identification plate:
 - (a) is securely affixed on a side of the gaming machine:
 - (i) during the process of manufacture of the gaming machine; or
 - (ii) as soon as the manufacturer obtains the gaming machine;
 - (b) is made of durable material; and
 - (c) clearly displays in the English language:
 - (i) the name of the manufacturer that affixed the identification plate;

- (ii) the year in which the gaming machine was manufactured or obtained; and
- (iii) the manufacturer's serial number allocated to the gaming machine under regulation 19.

Penalty: \$5,000.

21 Game board labels

A listed person shall, at the time the person installs a game EPROM on a game board, affix to the game board a label that clearly displays in the English language:

- (a) the gaming machine type for which the game board is designed or the code number of the gaming machine type allocated under regulation 24; and
- (b) the game for which the game EPROM is programmed or the code number of the game allocated under regulation 24.

Penalty: \$5,000.

22 Broken or removed seals to be forwarded to director

A licensed repairer who:

- (a) breaks a seal securing a computer cabinet; or
- (b) removes a seal affixed to gaming equipment to preserve the integrity of the gaming equipment,

shall forward the seal to the Director with the conversion report or repairer's report mentioned in section 138 of the Act.

Penalty: \$5,000.

23 Restricted components

For the purposes of the definition of *restricted component* in section 3 of the Act, the components set out in Schedule 4 are restricted components.

24 Code numbers for approved gaming equipment types and games

The Director may allocate a code number to each gaming equipment type and each game approved by the Director under section 130(1)(b) and (c) or 131(2) of the Act.

Part 6 Accounting procedures

25 Functions to be carried out with monthly money reconciliations

In carrying out a monthly money reconciliation in accordance with section 141 of the Act, a licensee shall:

- (a) ensure that no gaming machine credits are registered by the gaming machine;
- (b) ensure that no gaming tokens remain in the gaming machine, other than those gaming tokens that are in the hopper;
- (c) ensure that a record of the monetary value of the contents of the hopper is made in the Gaming Machine Performance Record mentioned in regulation 28; and
- (d) ensure a record is made in the Gaming Machine Performance Record mentioned in regulation 28 of the amounts displayed on the following electronic RAM meters of the gaming machine:
 - (i) the total of all coins to the drop box;
 - (ii) the total of coins won (non-progressive);
 - (iii) the total of all cancelled credits;
 - (iv) the total of all coins bet;
 - (v) the total of all hopper fills; and
 - (vi) if an appropriate meter is provided by the gaming machine – the total of wins (progressive).

26 Daily money clearances

- (1) A licensee shall ensure that a daily money clearance is carried out, or is personally supervised, by a machine manager.
- (2) A licensee shall keep, for each of the licensee's licensed premises, a Cash Clearance Report in the form determined by the Director.
- (3) A licensee shall ensure that a Cash Clearance Report:
 - (a) identifies, by name and licence number, the licensee and licensed premises to which it applies;

- (b) records for each money clearance:
 - (i) the date and time;
 - (ii) the machine identification number;
 - (iii) the licensee's identification number of the gaming machine; and
 - (iv) the amount removed; and
- (c) records for each day:
 - (i) the total amount removed during money clearances; and
 - (ii) the signature of every person who carried out, or supervised, money clearances certifying that the records made under this section are correct.

27 Manual payments register and hopper fills

- (1) A licensee shall keep a Manual Payments Register for each of the licensee's licensed premises in the form determined by the Director.
- (2) A licensee shall ensure that a Manual Payments Register:
 - (a) identifies, by name and licence number, the licensee and licensed premises to which it applies;
 - (b) records for each short pay correction payout, hopper fill, jackpot payout and cancelled credit made on the premises, the following particulars:
 - (i) the date and time;
 - (ii) the machine identification number;
 - (iii) the licensee's identification number of the gaming machine;
 - (iv) if it is a short pay correction payout, hopper fill, jackpot payout or cancelled credit;
 - (v) if it is a jackpot payout – the winning combination of symbols;
 - (vi) if it is a cancelled credit – the number of gaming machine credits displayed on the credit meter;
 - (vii) the amount;

- (viii) if it is a short pay correction payout, jackpot payout or cancelled credit, made for Category 1 licensed premises – the name and signature of the person to whom the payment was made;
 - (ix) if it is a short pay correction payout, jackpot payout or cancelled credit, made for Category 2 licensed premises:
 - (A) the name and signature of the person to whom the payment was made;
 - (B) whether the person is a member or visitor; and
 - (C) if the person is a member – the person's membership number;
 - (x) the name and signature (and licence number if applicable) of the person who made the payout or fill;
 - (xi) the name (and licence number, if applicable) of one other person, authorised in that behalf by the licensee, who, and the person's signature certifying that he or she, observed:
 - (A) if it is a cancelled credit – the number of gaming machine credits displayed on the credit meter;
 - (B) if it is a jackpot payout – the winning combination of symbols; or
 - (C) if it is a hopper fill – the hopper fill take place; and
 - (c) records after each transaction, a progressive monetary total of transactions entered in the register for each day.
- (3) A licensee shall ensure that:
- (a) a hopper fill is carried out only when a hopper is empty;
 - (b) when a hopper fill is carried out no more and no less than the number of tokens determined by the Director, are placed in the hopper; and
 - (c) the gaming tokens are of the gaming token denomination of the gaming machine in question.

- (4) A licensee shall ensure that:
- (a) at the end of the conduct of gaming for each day – immediately below the latest entry in the Manual Payments Register in use that day a notation is made that indicates the entry is the last for the day; and
 - (b) for a payment over \$500 – either the person mentioned in subregulation (2)(b)(x) or the person mentioned in subregulation (2)(b)(xi) is a machine manager in relation to the licensee's licensed premises.

28 Gaming machine performance record

- (1) A licensee shall keep in the form determined by the Director a Gaming Machine Performance Record for each gaming machine provided to the licensee.
- (2) A licensee shall ensure that the period covered by a Gaming Machine Performance Record:
- (a) starts on the day and at the time:
 - (i) the gaming machine is provided to the licensee;
 - (ii) of the completion of an alteration of the gaming machine to effect a change in the game or gaming token denomination of the gaming machine; or
 - (iii) of the completion of a monthly money clearance of the gaming machine; and
 - (b) ends on the day and at the time:
 - (i) of the removal of the gaming machine by the Director;
 - (ii) of the completion of an alteration of the gaming machine to effect a change in the game or gaming token denomination of the gaming machine; or
 - (iii) of the completion of the next monthly money clearance of the gaming machine after any act mentioned in paragraph (a).
- (3) A licensee shall ensure that each Gaming Machine Performance Record:
- (a) identifies, by name and licence number, the licensee and licensed premises to which it applies;

- (b) includes a record of:
- (i) the licensee's identification number of the gaming machine;
 - (ii) the machine identification number;
 - (iii) the manufacturer's serial number allocated to the gaming machine under regulation 19;
 - (iv) the gaming token denomination;
 - (v) the game;
 - (vi) the day and time of the start of the period covered by the record;
 - (vii) the day and time of the end of the period covered by the record;
 - (viii) for each day the following, expressed in monetary amounts:
 - (A) the total of gaming tokens removed during money clearances;
 - (B) the total of short pay correction payouts;
 - (C) the total of hopper fills;
 - (D) the total of jackpot payouts;
 - (E) the total of cancelled credits;
 - (ix) the money value of the contents of a hopper determined in accordance with regulation 25(c);
 - (x) meter readings taken for the purpose of regulations 25(d) and 30(2); and
 - (xi) the performance summary; and
- (c) is entered up daily.

Penalty: \$5,000.

29 Alterations or obliterations to records

- (1) Subject to subregulation (2), a person shall not alter or obliterate an entry in a Manual Payments Register, Cash Clearance Report or Gaming Machine Performance Record.

Penalty: \$5,000.

- (2) A person may make an alteration to an entry mentioned in subregulation (1) to correct an error in the entry.
- (3) The correction shall be made by means of a marginal note or footnote, on the same page, which correction shall record:
- (a) the identity of the person who made the correction;
 - (b) the date of the correction; and
 - (c) the correct particulars.

30 Installation, removal and alteration of gaming machines

- (1) A licensee shall ensure that a money clearance is carried out on a gaming machine provided to the licensee immediately before:
- (a) an alteration of the gaming machine to effect a change in the game or gaming token denomination of the gaming machine;
 - (b) the gaming machine is stored in a room mentioned in section 83(2) of the Act; or
 - (c) the removal of the gaming machine from the licensee's licensed premises.
- (2) A licensee shall ensure that on:
- (a) the installation of a gaming machine; or
 - (b) the alteration of a gaming machine provided to the licensee to effect a change in the game or gaming token denomination of the gaming machine,

a record is made in the Gaming Machine Performance Record of the amounts displayed on the meters mentioned in regulation 25(d).

Penalty: \$5,000.

31 Monthly gaming machine reconciliation report

- (1) A licensee shall ensure that a Monthly Gaming Machine Reconciliation Report:
 - (a) identifies, by name and licence number, the licensee and licensed premises to which it applies; and
 - (b) records the information mentioned in subregulations (2), (3) and (4).
- (2) The Monthly Gaming Machine Reconciliation Report is to record information from each Gaming Machine Performance Record for the licensed premises in question that covers any period between the second last and last monthly money clearance for the licensed premises.
- (3) The information that is to be recorded in the report is:
 - (a) the day and time of the start of the period covered by the record;
 - (b) the day and time of the end of the period covered by the record;
 - (c) the licensee's identification number of the gaming machine;
 - (d) the machine identification number of the gaming machine; and
 - (e) the performance summary.
- (4) If the report records an item mentioned in paragraphs (a) to (h) of the definition of **performance summary** under regulation 2(1), it shall also record the total of all the monetary amounts of the item recorded in the report.

Part 7 Taxes, levies and fees**32 Day prescribed**

For the purposes of sections 149(2), 150(2), 152(1), 153(1) and (2) of the Act, the prescribed day is the tenth day.

33 Gaming machine tax

For the purposes of section 149(3) of the Act, the prescribed percentage for both categories of licensed premises is 47%.

34 Gaming machine community benefit levy

For the purposes of section 150(3) of the Act, the prescribed percentage is:

- (a) for Category 1 licensed premises – 25%; and
- (b) for Category 2 licensed premises – nil.

35 Penalties for late payment of taxes and levies

For the purposes of section 153(1)(a) of the Act, the prescribed percentage is 5%.

36 Crediting of payments under section 153(1)(b) of act

For the purposes of section 153(1)(b) of the Act, the amount is to be credited in the following order of priority:

- (a) firstly – gaming machine taxes;
- (b) secondly – gaming machine community benefit levies;
- (c) thirdly – penalties under section 153(1)(a) of the Act.

37 Fees

- (1) The fee set out in Schedule 5 is the prescribed fee to be paid for the item set out in the Schedule opposite the fee.
- (2) The fee to be paid for the acceptance of gaming machine types and games for evaluation under section 131(1) of the Act is \$150 multiplied by the number of hours required to make the evaluation.

38 Refund applications

- (1) A written claim for refund of a fee, tax, levy or penalty may be given to the Director stating the amount and grounds of the claim.
- (2) The Director shall, within 90 days after receipt of the claim, allow or disallow the claim, in whole or in part.
- (3) If the claim is disallowed in whole or in part, the Director shall give written notice to the claimant stating the reasons for the disallowance.

Part 8 General

39 Advertising

(1) A person who advertises shall ensure that an advertisement:

- (a) is not indecent or offensive;
- (b) is based on fact; and
- (c) is not false, deceptive or misleading.

Penalty: \$5,000.

(1A) Subject to this regulation, a person who advertises shall ensure that the advertisement does not contain an inducement to engage in gaming or any material, determined by the Director, to be an inducement to engage in gaming.

Penalty: \$5,000.

(2) If so directed in writing by the Director, a person shall:

- (a) cease advertising; or
- (b) amend the advertisement as directed by the Director.

Penalty: \$5,000.

(3) The written direction mentioned in subregulation (2) is to include particulars of:

- (a) any failure to comply with subregulation (1); and
- (b) the directions of the Director.

(4) For the purposes of subregulation (1A), **inducement to engage in gaming** includes an offer of transport to licensed premises, whether or not a charge applies, an offer of free or concessional rates for accommodation, meals, refreshments, liquor or other amenities to a person who plays a gaming machine, an offer of gaming tokens to play a gaming machine and an offer of jackpots or other prizes or gifts that are not available to a person in the normal course of playing a gaming machine.

(5) Subregulation (1A) does not apply to an advertisement that:

- (a) is located on licensed premises and only able to be seen by a person in or on those premises;

- (b) is distributed only to the members of a club and relates only to gaming on the licensed premises of the club; or
 - (c) relates to gaming in a casino, within the meaning of the Gaming Control Act.
- (6) For the purposes of subregulation (1A), the Director may, from time to time, determine material that the Director considers to be an inducement to engage in gaming.

Schedule 1 Conditions to which gaming machine licence is subject

regulation 4

1. The licensee shall:
 - (a) care for all gaming machines (and ancillary or related property of the Territory), on the licensee's licensed premises, in the same way as a reasonable, careful and prudent owner would do;
 - (b) take all reasonable steps to protect gaming machines (and ancillary or related property of the Territory), on the licensee's licensed premises, from damage;
 - (c) ensure that all persons in the licensee's licensed premises behave in a way that will not cause damage to any gaming machine (and ancillary or related property of the Territory);
 - (d) repair, at the licensee's expense, any deliberate damage to a gaming machine (and ancillary or related property of the Territory) on the licensee's licensed premises;
 - (e) ensure that any component used in carrying out work the licensee is required to carry out under this Schedule is new and of equal quality, reliability and tolerance to the component it replaces when the last mentioned component was new;
 - (f) carry out as required, at the licensee's expense (unless the work is to be carried out under a manufacturer's warranty), the following works to ensure that gaming machines provided to the licensee are at all times in a proper state of repair:
 - (i) installation, alteration, adjustment, maintenance or repair of those fuses, electric light globes, fluorescent tubes and fluoro starters of a gaming machine that are easily accessible;
 - (ii) installation, alteration, adjustment, maintenance or repair of hinges of gaming machine drop box doors;
 - (iii) adjustment of the device regulating the level of the contents of the hopper;
 - (iv) installation, alteration, adjustment, maintenance or repair of external switch covers or glass or perspex panels of a gaming machine;

- (v) repair by clearing coins jammed in a gaming machine;
- (vi) repair by resetting minor fault conditions of a gaming machine; and
- (j) re-pay the Director the full cost of investigating and correcting errors or omissions in a Monthly Gaming Machine Reconciliation Report lodged by the licensee under section 144 of the Act;
- (k) re-pay the Director the full cost incurred by the Director of installing gaming machines and any electronic monitoring system on the licensee's licensed premises – if the licensee surrenders the licensee's gaming machine licence within 6 months after the issue of the licence;
- (m) provide insurance against all liability, arising out of gaming or the conduct of gaming on the licensee's licensed premises, which might attach to the licensee as a result of personal injury or damage suffered by a person, if the injury or damage is caused, or contributed to, by an act or omission of the licensee or the licensee's employees;
- (n) keep and maintain at the licensee's expense, all records, accounts, reports and other documentation required to be kept, by the licensee, under the Act or these Regulations;
- (p) pay for all postage and other fees associated with the submission, by the licensee, of reports or forms under the Act or this regulation;
- (q) not affix a sign or other similar thing on a gaming machine (and ancillary or related property of the Territory) except with the approval of the Director;
- (r) supply all electricity and other sundry requirements for the operation of gaming equipment on the licensee's licensed premises;
- (s) not interfere with any connection between a gaming machine provided to the licensee and any electronic monitoring system installed by the Director;
- (t) not move or relocate a gaming machine without the approval of the Director;
- (u) take all reasonable steps to ensure that all gaming machines provided to the licensee are:
 - (i) continuously provided with electricity; and

- (ii) switched on at all times;
 - (w) provide a licensed repairer access, at all reasonable times, to gaming equipment (including its internal components) on the licensee's licensed premises so that the repairer may carry out work under a service contract entered into by the Director.
- 2. The licensee shall remit to the Director, by electronic funds transfer, from an account held by the licensee for that purpose:
 - (a) all taxes, levies and fees payable under Part 8 of the Act; and
 - (b) any penalty payable under section 153 of the Act.
- 3. The licensee shall, as required by, and in a manner satisfactory to, the Director, dispose of all gaming machines held by the licensee under a permit granted under the *Gaming Control Act*.

Schedule 2 Director's obligations to licensee

regulation 5

The Director shall:

- (a) pay transport and installation costs for an act by the Director under section 40(1) of the Act; and
- (b) subject to Schedule 1, pay all costs for the repair and maintenance of gaming machines (and ancillary or related property of the Territory).

Schedule 3 rules ancillary to gaming

regulation 11

1. A person under the age of 18 years shall not play a gaming machine.
2. A machine manager may determine that one gaming machine only may be played by a person at the same time.
3. A gaming machine may be reserved by a person without play for a maximum period of 3 minutes.
4. No person, other than a person permitted under the Act, is to touch an internal part of a gaming machine.
5. A machine manager shall refuse to pay a cancelled credit or jackpot payout if he or she believes on reasonable grounds that:
 - (a) the gaming machine credits were not accumulated, or the winning combination was not obtained, during permitted hours of gaming under section 88 of the Act;
 - (b) the person claiming the cancelled credit or jackpot payout is not the person entitled to the payment or a person acting on behalf of that person; or
 - (c) the Act has been contravened by the person claiming the cancelled credit or jackpot payout.
6. If, under clause 5, a machine manager refuses to make a payment, the machine manager shall as soon as practicable submit a report to the Director.
7. A cancelled credit or jackpot payout over \$250 is to be paid by cheque:
 - (a) posted to the address of the player; or
 - (b) given to the player on the licensed premises,within 24 hours after the time the claim for payment is made.

Schedule 4 restricted components

regulation 23

Gaming machine cabinet

Gaming machine cabinet door

Gaming machine artwork and reel tape

Gaming machine reel mechanism

Gaming token mechanism designed for use on a gaming machine or an identifiable part of such a mechanism

Hopper or an identifiable part of a hopper

Computer cabinet

Game board

Process board circuit diagram

Game EPROM

Program or software for a game (irrespective of the medium or method of storage)

Identification plate referred to in regulation 20

Gaming machine seal

Schedule 5 fees

regulation 37

	Item	Fee
1.	Application for the grant of a gaming machine licence (section 24(3)(q) of the Act)	\$1000
2.	Copy of gaming machine licence (section 31(1) of the Act)	\$50
3.	Application for renewal of gaming machine licence (section 36(2)(b) of the Act)	\$500
4.	Application for approval to alter a gaming machine (section 40(2)(a) of the Act)	\$50
5.	Application for increase in number of gaming machines provided to a licensee (section 41(2)(f) of the Act)	\$100
6.	Application for the grant of a repairer's, service contractor's or machine manager's licence (section 62(1)(j) of the Act)	\$100
7.	Issue of copy of licence for repairer, service contractor or machine manager (section 67(1) of the Act)	\$20
8.	Application for renewal of repairer's, service contractor's or machine manager's licence (section 71(2)(c) of the Act)	\$50

ENDNOTES**1 KEY**

Key to abbreviations

amd = amended	od = order
app = appendix	om = omitted
bl = by-law	pt = Part
ch = Chapter	r = regulation/rule
cl = clause	rem = remainder
div = Division	renum = renumbered
exp = expires/expired	rep = repealed
f = forms	s = section
Gaz = Gazette	sch = Schedule
hdg = heading	sdiv = Subdivision
ins = inserted	SL = Subordinate Legislation
lt = long title	sub = substituted
nc = not commenced	

2 LIST OF LEGISLATION***Gaming Machine Regulations (SL No. 40, 1995)***

Notified	19 December 1995
Commenced	19 December 1995

Amendments of Gaming Machine Regulations (SL No. 25, 1996)

Notified	12 June 1996
Commenced	12 June 1996

Amendments of Gaming Machine Regulations (SL No. 7, 1998)

Notified	11 March 1998
Commenced	11 March 1998

3 LIST OF AMENDMENTS

r 2	amd No. 7, 1998, r 1
r 2A	ins No. 7, 1998, r 2
r 27	amd No. 25, 1996, r 1
r 39	amd No. 25, 1996, r 2
sch 1	amd No. 25, 1996, r 3