

NORTHERN TERRITORY OF AUSTRALIA

GAMING MACHINE AMENDMENT (ANTI-PROLIFERATION) ACT 2008

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Act No. 29 of 2008

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# NORTHERN TERRITORY OF AUSTRALIA

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Act No. 29 of 2008

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An Act to amend the *Gaming Machine Act* and *Gaming Machine Regulations*

[Assented to 21 November 2008]  
[Second reading 17 September 2008]

The Legislative Assembly of the Northern Territory enacts as follows:

## **Part 1**                    **Preliminary matters**

### **1**                    **Short title**

This Act may be cited as the *Gaming Machine Amendment (Anti-Proliferation) Act 2008*.

### **2**                    **Commencement**

- (1) This Act (other than section 10) is taken to have commenced on 18 July 2008.
- (2) Section 10 commences on the date fixed by the Administrator by *Gazette* notice.

## **Part 2**                    **Amendment of Gaming Machine Act**

### **3**                    **Act amended**

This Part amends the *Gaming Machine Act*.

**4 New Part 2A**

After section 22A

*insert*

**Part 2A Restrictions on gaming machine numbers****22B Power to restrict gaming machine numbers**

- (1) Restrictions may be imposed by regulation on gaming machine numbers.
- (2) In particular, the regulations may:
  - (a) restrict the aggregate number of gaming machines authorised for use under gaming machine licences in the Territory to a maximum number fixed in, or determined in accordance with, the regulations; or
  - (b) restrict the aggregate number of gaming machines authorised for use under gaming machine licences in a particular part of the Territory to a maximum number fixed in, or determined in accordance with, the regulations; or
  - (c) impose a restriction of any other kind on gaming machine numbers; or
  - (d) impose any combination of restrictions on gaming machine numbers.
- (3) The first regulations to be made under this section may operate retrospectively from the date this section is taken to have commenced.

**22C Certain applications to be summarily rejected**

Despite any other provision of this Act, if the grant of an application for a gaming machine licence, or for an increase in the number of gaming machines authorised for use under a gaming machine licence, would result in contravention of a restriction imposed under this Part, the Commission must reject the application without further inquiry.

**5 Amendment of section 25 (Consideration of application)**

Section 25(14)(b)

*omit, substitute*

(b) is not to result in contravention of a restriction imposed under Part 2A.

**6 Amendment of section 149 (Gaming machine tax)**

Section 149(4)

*omit, substitute*

(4) The percentage prescribed for subsection (3) may vary according to the amount of the gross monthly profit and different percentages may be prescribed for different components of the gross monthly profit.

**7 Amendment of section 194 (Regulations)**

Section 194(3)

*omit***Part 3 Amendment of Gaming Machine Regulations****8 Regulations amended**

This Part amends the *Gaming Machine Regulations*.

**9 New Part 1A**

After regulation 2

*insert***Part 1A Restrictions on gaming machine numbers****2AA Restrictions under section 22B of Act**

The aggregate number of gaming machines authorised for use under gaming machine licences in the Territory is restricted to a maximum of 1 190.

**10 Repeal and substitution of regulation 33**

Regulation 33

*repeal, substitute***33 Gaming machine tax (section 149(3) of Act)**

For section 149(3) of the Act, a component of the gross monthly profit of licensed premises of category 1 or category 2 is liable to tax at the percentage rate specified in the following table:

<b>Component of Gross Monthly Profit (\$)</b>	<b>Percentage (%)</b>
Up to \$10 000	12.91%
\$10 001 to \$100 000	22.91%
\$100 001 to \$200 000	32.91%
\$200 001 and above	42.91%

*Example*

*If the gross monthly profit is \$250 000, the first \$10 000 will be taxed at 12.91%, the next \$90 000 will be taxed at 22.91%, the next \$100 000 will be taxed at 32.91% and the remaining \$50 000 will be taxed at 42.91%.*