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Gambling Regulation Act 2003

MINISTERIAL DIRECTION

I, John Pandazopoulos MP, Minister for Gaming, under section 3.2.3(1) of the **Gambling Regulation Act 2003** (the Act), revoke all previous directions to the Victorian Commission for Gambling Regulation (the Commission) and, in substitution, direct the Commission –

- (a) that, under 3.2.3(1)(a), the maximum number of gaming machines permitted to be available for gaming in all approved venues under the Act, other than the Melbourne Casino, is 27,500; and
- (b) that, under section 3.2.3(1)(b), in respect of the 27,500 gaming machines permitted to be available for gaming in all approved venues under the Act, other than the Melbourne Casino, the maximum permissible number of gaming machines to be placed in any approved venue in the State is 105; and
- (c) that, under section 3.2.3(1)(c), in respect of the 27,500 gaming machines permitted to be available for gaming in all approved venues under the Act, other than the Melbourne Casino, the proportion of gaming machines to be located outside the Melbourne Statistical Division is not less than 20 per cent; and
- (d) that, under section 3.2.3(1)(d), in respect of the 27,500 gaming machines permitted to be available for gaming in all approved venues under the Act, other than the Melbourne Casino –
 - (i) prior to 1 January 2008, a bet limit of \$10 will apply to gaming machine games approved on or after 1 January 2003 (unless the games are being played on a gaming machine operating in a mode where spin rate, bet limit, autoplay and note acceptors are unrestricted and which is located in an area specified by notice under section 3.5.29(3) or 3.5.30(2) of the Act); and
 - (ii) on or after 1 January 2008, a bet limit of \$10 will apply to all gaming machine games (unless the games are being played on a gaming machine operating in a mode where spin rate, bet limit, autoplay and note acceptors are unrestricted and which is located in an area specified by notice under section 3.5.29(3) or 3.5.30(2) of the Act); and
- (e) that, under section 3.2.3(1)(e), in respect of the 27,500 gaming machines permitted to be available for gaming in all approved venues under the Act, other than the Melbourne Casino, the proportion to be placed in premises is –
 - (i) in the case of premises in respect of which a general licence under section 8 of the **Liquor Control Reform Act 1998** is in force, 50 per cent; and
 - (ii) in the case of premises in which –
 - (A) a full club licence under section 10 of the **Liquor Control Reform Act 1998** is in force; or
 - (B) a restricted club licence under section 10 of the **Liquor Control Reform Act 1998** is in force; or
 - (C) a licence under Part 1 of the **Racing Act 1958** is in force, 50 per cent; and
- (f) that, under section 3.2.3(1)(f), in respect of the 27,500 gaming machines permitted to be available for gaming in all approved venues under the Act, other than the Melbourne Casino, the proportion of gaming machines which each gaming operator is permitted to operate is 50 per cent; and

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- (g) that, under section 3.2.3(1)(g), the Commission must apply the following criteria in determining whether to specify an area by notice under section 3.5.29(3) or 3.5.30(2) of the Act (area or areas):
- (i) the specified area must be within an approved venue under the Act;
 - (ii) the proportion of gaming machines in all specified areas of the approved venue must not exceed 20 per cent of the total number of gaming machines in the approved venue;
 - (iii) the total number of gaming machines which are operating at any time in a mode where spin rate, bet limit, autoplay and note acceptors are unrestricted operated by each gaming operator located in all specified areas must not exceed 1,000;
 - (iv) the proportion of gaming machines located in all specified areas in all approved venues under the Act, other than the Melbourne Casino, must not exceed:
 - (A) in the case of premises in respect of which a general licence under section 8 of the **Liquor Control Reform Act 1998** is in force, 50 per cent;
 - (B) in the case of premises in respect of which a full club licence under section 10 of the **Liquor Control Reform Act 1998** is in force; or a restricted club licence under section 10 of the **Liquor Control Reform Act 1998** is in force; or a licence under Part 1 of the **Racing Act 1958** is in force, 50 per cent; and
 - (v) the area must not be within an approved venue located –
 - (A) outside the Melbourne Statistical Division; or
 - (B) in a region determined pursuant to section 3.2.4 of the Act; and
- (h) that, under section 3.2.3(1)(h), the conditions that the Commission must specify in a notice under section 3.2.3(1)(g) are:
- (i) the total of –
 - (A) the total number of gaming machines which are operating at any time in a mode where spin rate, bet limit, autoplay and note acceptors are unrestricted in all areas specified by notice under section 62AB(4) or 62AC(2) of the **Casino Control Act 1991**; plus
 - (B) the total number of gaming machines from which winnings or accumulated credits in excess of \$2,000 may be paid out in cash in all areas specified by notice under section 81AAB(2) of the **Casino Control Act 1991**; minus
 - (C) the total number of gaming machines which are both operating in the mode referred to in sub paragraph (A) and from which winnings or accumulated credits in excess of \$2,000 may be paid out in cash as referred to in sub paragraph (B),must not exceed 1,000.
 - (ii) a gaming machine located in an area specified by a notice under section 3.2.3(1)(g) may only operate in a mode where spin rate, bet limit, autoplay and note acceptors are unrestricted if that gaming machine may only be played in that mode by means of a card, Personal Identification Number (PIN) or similar technology which requires the player to nominate limits on time and net loss before play can commence; and

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- (iii) the payment of winnings or accumulated credits in excess of \$2,000 may only be paid by cash if the winnings or credits are from one of the up to 1,000 machines specified in condition (i)(B). This provision regarding the payment of winnings by cash applies to the up to 1,000 machines specified in condition (i)(B) regardless of whether or not the machine:
 - (A) was also a machine capable of operating in a mode described in condition (i)(A); and
 - (B) was actually being played in exempt mode by means of card, PIN or similar technology at the time of the accumulation or payment of winnings as described in condition (ii).

The above directions will take effect on 1 November 2006.

Dated 10 October 2006

JOHN PANDAZOPOULOS MP
Minister for Gaming

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