

Attachment A

Licence Conditions

Gaming Machines Act 1992

Schedule 1

Effective 3 December 2020

A gaming machine licence is subject to the following mandatory licence conditions pursuant to Schedule 1 of the *Gaming Machines Act 1992*

1. Licence conditions

- (a) The licensee will use only approved gaming machines, approved games and prescribed gaming machine components in the gaming operations conducted pursuant to the licence.
- (b) *Deleted*
- (c) The licensee will conduct the gaming operations only within the area, or areas, designated in the licence as the gaming area, or areas, for the premises.
- (ca) The licensee will not have in the licensee's possession more gaming machines than the number of gaming machine entitlements held in respect of the licensed premises.
- (d) The licensee will not have in any gaming area on the licensed premises a greater number of gaming machines than the number fixed by the Commissioner as the maximum for that area.
- (e) *Deleted*
- (f) The licensee will not make any structural or other alterations within a gaming area on the licensed premises except with the approval of the Commissioner.
- (g) The licensee will not conduct the gaming operations outside the hours specified in the licence.
- (h) The licensee will not conduct gaming operations pursuant to the licence unless the licensee has entered into a responsible gambling agreement.
- (i) The licensee must, on the request of the Commissioner for the purposes of gambling research, provide to the Commissioner information recorded by a system approved under section 40A of the *Gaming Machines Act 1992* in a manner and form, and within a time specified by the Commissioner in the request.
- (j) The licensee will not engage any person other than the holder of a gaming machine service licence to install, service or repair a game, gaming machine or gaming machine component.

Conditions continue..

- (k) The licensee will not commence to conduct gaming operations pursuant to the licence until—
 - (i) he or she has entered into an arrangement, the terms of which have been approved by the Commissioner, for the monitoring by computer of the operation of all gaming machines on the licensed premises and that arrangement has been implemented; and
 - (ii) each gaming machine has been inspected and sealed by an inspector or approved gaming machine technician; and
 - (iii) *deleted*.
- (ka) In the case of a licence authorising the operation of 30 or more gaming machines, any 1 of which may be operated by the insertion of a banknote —
 - (i) the licensee must, for the purposes of identifying barred persons who are about to enter a gaming area, operate a facial recognition system approved under section 40D of the *Gaming Machines Act 1992* in accordance with any requirements prescribed by the *Gaming Machines Regulations 2020*; and
 - (ii) the licensee must not allow a person to enter a gaming area unless the licensee has caused a record of the person's facial image to be made by means of a facial recognition system approved under section 40D of the *Gaming Machines Act 1992* in accordance with any requirements prescribed by the *Gaming Machines Regulations 2020*.
- (l) The licensee will not purchase for use, or use, in gaming machines, any tokens other than approved gaming tokens that bear unique identification approved by the Commissioner.
- (m) The licensee will not purchase gaming tokens from a person other than an approved manufacturer of gaming tokens.
- (ma) The licensee will (in a manner and form to be determined by the Commissioner)—
 - (i) notify the Commissioner of the appointment of a person as a gaming manager or gaming employee; and
 - (ii) keep a record of the appointment of each gaming manager and gaming employee; and
 - (iii) within 14 days of a person ceasing to be appointed as a gaming manager or gaming employee, or of a person so appointed ceasing to be in his or her employment, notify the Commissioner of that fact.
- (mb) The licensee will ensure that gaming managers and gaming employees have undertaken approved training courses in accordance with any requirements under the relevant responsible gambling codes of practice.
- (n) *Deleted*
- (na) *Deleted*
- (nb) *Deleted*
- (nc) *Deleted*
- (nd) The licensee will not conduct the gaming operations on the licensed premises between the hours of 2am and 8am unless measures are in place that prevent machines designed to change a monetary note into coins (and located on the licensed premises) from being operated between the hours of 2am and 8am.

End of conditions

2. Offence of breach of licence conditions

- (1) Under section 46 of the *Gaming Machines Act 1992*, the holder of a gaming machine licence must not contravene or fail to comply with a condition of the licence.
- (2) A contravention of, or failure to comply with, a licence condition specified in Schedule 1 is a category A offence (*Maximum penalty: \$20 000*).

3. Licence conditions not required to be displayed

Licensees are not required to display these licence conditions, but must at the request of a person, make available a copy or direct the person to a website maintained by the Commissioner where these licence conditions may be viewed.

Guidance notes

The following notes are provided to guide licensees with achieving compliance with these licence conditions:

- (1) For the purposes of condition (ma), a licensee shall notify and keep a record of each appointment by using the Barring and Online Employee Notification System ('BOEN').
- (2) The notification and recording of the initial appointment of each gaming manager and gaming employee on BOEN will require a licensee to upload the following mandatory documents—
 - (a) a colour photograph of the notified person of a similar size to a driver's licence / passport size photograph; and
 - (b) a copy of the signed BOEN Employee Declaration and Consent Form; and
 - (c) a scanned image of a proof of identity document with photo identification (i.e. drivers licence, proof of age card, passport etc.).
- (3) Section 50A of the Act, requires that a gaming manager or gaming employee while carrying out his or her duties on the licensed premises, must wear an identification badge in the form approved by the Commissioner.
- (4) For the purposes of section 50A of the Act, the form of identification to be displayed will be a badge issued by the Barring and Online Notification System ('BOEN') which must be printed on a white background and depict as a minimum:
 - (a) the preferred first name of the staff member; and
 - (b) the unique identification number allocated by Consumer and Business Services or the BOEN system; and
 - (c) a colour photograph of the notified person of a similar size to a driver's licence / passport size photograph; and
 - (d) the name of the licensed premises; and
 - (e) endorsements to clearly identify employees who have been notified under the *Gaming Machines Act 1992* or both the *Gaming Machines Act 1992* and approved as a 'Responsible Person' under the *Liquor Licensing Act 1997*.