



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

Mr Peter Cain MLA (Chair), Dr Marisa Paterson (Deputy Chair), Mr Andrew Braddock MLA

## Submission Cover Sheet

### Inquiry into Gaming Machine Amendment Bill 2023

**Submission Number: 001**

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# Gaming Machine Amendment Bill 2023

Rod Pitcher

Submission to The Inquiry Into Gaming Machine Amendment Bill 2023  
Standing Committee on Justice and Community Safety

Rod Pitcher

[REDACTED]

[REDACTED]

I [REDACTED] approve publication of my submission, [REDACTED]  
[REDACTED] on the Committee's and any other website as required, and would appreciate  
being notified of it.

## Gaming Machine Amendment Bill 2023

Rod Pitcher

In this Submission I consider some of the Amendments of the *Gaming Machine Act 2004*, as proposed in the Bill. While I agree fairly well with the intent of the Amendments, I suggest that in some cases, the Amendments be strengthened or modified to better protect the people of the ACT from the temptations and deleterious side-effects of gambling.

[Quotes from the **Gaming Machine Amendment Bill 2023** are shown in *bold italics*. My comments and discussion are shown in plain text.]

My main contention with this Amendment Bill is the New Sections to be inserted in the *Gaming Machine Act 2004*, in a number of places.  
For example, the New section 33 (3)]

***‘permitted area’ means an area other than—  
(a) Molonglo Valley; or  
(b) an undeveloped area.***

The New Section 23 (2A) related to the issue of an Authorisation Certificate for class C gaming machines.

***the commission must not issue an authorisation certificate to the applicant if the premises for which the authorisation certificate is sought are located in—  
(a) Molonglo Valley; or  
(b) an undeveloped area.***

I must ask why the Molonglo Valley and underdeveloped areas are to be separated out for special treatment and rules?

Surely, these Amendments, if worthy of inclusion to improve the original *Gaming Machine Act 2004*, must be applied to ALL areas of the ACT. They must replace the *Gaming Machine Act 2004* in all gambling places, old and newly established, or to be established in the future

Having listened to Dr Paterson’s speech in the Assembly, I think she made an excellent and important presentation supporting her Amendments.

Further, I think that her arguments support the suggestion (mine not hers) that the Amendments, and the resulting Act, should be applied to all areas of the ACT.

As I see it, Dr Paterson’s data applies to all gambling places and gamblers in the ACT and elsewhere. In which case, all residents of the ACT are entitled to the extra protection to be provided by the Amended Act.

Why should the rules for some areas be different from others? The same rules should apply everywhere and to everyone. To not do so, might be construed as discrimination, because there seems to be no logical or valid reason why gambling places already established should be allowed more freedom to damage any gamblers, habitual, addicted, casual, or otherwise, than any newly established place.

The above would then make unnecessary the following New Definitions, as they would no longer be needed to differentiate between old and new establishments.

**21 Dictionary, new definitions**

***Molonglo Valley means the district with the distinguishing name of Molonglo Valley determined under the Districts Act 2002, 21 section 5 (3) rural lease—see the Planning and Development Act 2007, 23 section 234.***

**23 Dictionary, new definition of undeveloped area**

***undeveloped area means an area of land that is, on the day the Gaming Machine Amendment Act 2023, section 10 commences***  
***(a) unleased territory land; or***  
***(b) described in a rural lease.***

Another section that puzzles me is the New Section 56 (2) 18.

***This subsection and the following provisions expire 4 years after the day the Gaming Machine Amendment Act 2023, section 13 commences:***

Why should the provisions no longer apply after 4 years? Unless they prove unnecessary or unworkable, there seems to be reason to remove them or replace them with something new.

The New Section 33 (1) (b) regarding a certificate amendment to

***enable the licensee to relocate all gaming machine operations allowed under the authorisation certificate to new premises***

This should only be allowed for very special reasons, not just because it is good for business. Once a gambling place has become established in a particular area, hopefully not causing too much trouble to local residents, allowing it to be moved into a new location where it may have deleterious effects should be very carefully considered before being allowed.

Or it would be better to not allow the re-location at all, with a Section in the Bill to make sure it can't.

If it is important and necessary to protect people in certain areas of the ACT from the perils of gambling, why not protect all the people in the ACT?

Why not carry paternalism to its logical and most worthwhile conclusion and make the ACT gaming-machine-free?

Such an embargo would be of great benefit to all the people of the ACT.