

THE NORTHERN TERRITORY OF AUSTRALIA



Gaming Machine Act 1995

DIRECTIONS TO GAMING MACHINE LICENSEE

I, PHILIP JOHN TIMNEY, Director of Gaming Machines, pursuant to section 161 of the *Gaming Machine Act 1995*, and with reference to section 43 of the *Interpretation Act 1978*, revoke the previous direction dated 8 June 2008 and contained in Schedule 2018GMA, and give notice to the Licensee of the directions contained in the attached Schedule titled “2023 Gaming Machines Directions, Directions to Licensees” in relation to the operation of gaming machines.

Dated 2 October 2023

A handwritten signature in black ink, appearing to read 'P. Timney'.

Director of Gaming Machines

SCHEDULE - 2023 GAMING MACHINE DIRECTIONS

DIRECTIONS

TO

GAMING MACHINE LICENSEES

FOUNDATION FOR DIRECTIONS

The basis for the Directions to the Gaming Machine Licensee is founded in the *Gaming Machine Act 1995*, specifically section 161 which states:

161 Directions to licensees

- (1) The Director may give written directions to a person about a matter connected with the administration or enforcement of this Act, including but not limited to directions to the following persons about the following matters:
 - (a) a licensee about the conduct of gaming or the administration of the licensee's licensed premises;
 - (b) a licensed monitoring provider about the conduct of gaming or the supply of a basic monitoring service;
 - (c) a recognised manufacturer or supplier of gaming machines about the manufacture, sale or supply of gaming machines;
 - (d) a licensed service contractor about the installation, alteration, adjustment, maintenance, repair or removal of gaming equipment;
 - (e) a licensed repairer about the installation, alteration, adjustment, maintenance, repair or removal of gaming equipment;
 - (f) a person authorised or approved under this Act about the person's functions or powers under this Act.
- (2) A person shall comply with and not contravene a direction given under subsection (1).
Maximum penalty: 85 penalty units or imprisonment for 2 years.
- (3) If a person who has been convicted of an offence against subsection (1) continues to fail to comply or continues to contravene the direction given under the subsection, the person is guilty of an offence.
Maximum penalty: 8 penalty units for each day during which the offence continues.

1. DEFINITIONS	5
2. EXCLUSION OF PERSONS UNDER THE AGE OF 18 YEARS FROM GAMING MACHINE AREAS.....	5
3. ATM AND EFTPOS FACILITIES	5
4. GAMING MACHINE PLACEMENT AND APPROVED GAMING MACHINE AREA.....	6
5. AUTOMATIC CHANGE MACHINES	6
6. JACKPOT SYSTEMS.....	6
7. THIRD PARTY PRODUCTS/VALUE ADDED SERVICES	7
8. HOPPER REFILLS	7
9. CASHLESS GAMING SYSTEMS	7
10. REDEMPTION OR CASHING OF CHEQUES FOR CANCELLED CREDIT PAYOUTS	9

1. DEFINITIONS

In these Directions, unless the contrary intention appears -

the Act means the *Gaming Machine Act 1995*;

cashless gaming system means a system that allows a player to play a gaming machine using credits that have been electronically transferred to the gaming machine via a card or ticket/voucher or by some other means;

cash redemption terminal means a standalone terminal by which a player may convert credits on a card or paper ticket/voucher into money;

accrued player contribution means the current value of the jackpot minus the seed money;

Director of Gaming Machines means the Director appointed under section 9 of the Act;

gaming machine means a device that is designed so that;

- a) it may be used for the purpose of playing a game of chance or a game of mixed chance and skill; and
- b) it may be operated, wholly or in part:
 - (i) by the insertion of a gaming token into the device;
 - (ii) by the use of gaming machine credits;
 - (iii) by the electronic transfer of credits of gaming tokens to the device; or
 - (iv) by the use of gaming tokens held, stored or accredited by the device or elsewhere; and
- c) because of making a bet on the device, winnings may become payable,

but does not include any device declared under section 171 of the Act not to be a gaming machine.

gaming machine area means a location on licensed premises where a licensee is permitted to install a gaming machine pursuant to section 25(16) of the Act;

jackpot means the combination of letters, numbers, symbols or representations required to be displayed on the reels or video screen of a gaming machine so that the maximum winnings in accordance with the prize payout scale displayed on the machine are payable;

licensee means the holder of an NT gaming machine licence;

seed money means the amount of money funded by the licensee upon the commencement of a jackpot.

2. EXCLUSION OF PERSONS UNDER THE AGE OF 18 YEARS FROM GAMING MACHINE AREAS

- a) A licensee shall ensure that approved gaming machine areas within licensed premises are clearly marked and separated from the general amenities;
- b) A licensee shall ensure that signage is placed in a prominent position at each entrance to the approved gaming area stating that persons under the age of 18 years are not permitted to enter the area; and
- c) A licensee, a gaming machine manager or employee of a licensee shall not allow a person under the age of 18 years to enter or remain in an approved gaming area.

3. ATM AND EFTPOS FACILITIES

The installation of an Automated Teller Machine (ATM) on a licensed premise is subject to the following conditions:

- a) ATMs should be located away from the approved gaming area. The position of an ATM in a venue is subject to the approval of the Director;
- b) cash withdrawals from credit accounts are prohibited. Withdrawals are to be restricted to savings or cheque accounts (i.e. debit accounts);

- c) patrons should be able to access ATMs and Electronic Funds Transfer at Point Of Sale (EFTPOS) machines without having to go through approved gaming areas; and
- d) advertising of ATM facilities will be restricted to advertisements as an amenity in common with other amenities, and advertising of an ATM in conjunction with gaming products will not be permitted e.g. 'Pokies, TAB, Keno, ATM'.

4. GAMING MACHINE PLACEMENT AND APPROVED GAMING MACHINE AREA

The placement of gaming machines must be within the approved gaming machine area and must not:

- a) interfere with any fire exits, safety or security features of the premises;
- b) take up the majority of the floor space of the premises;
- c) be visible to external pedestrian traffic;
- d) be in proximity of children's activities or entertainment; and
- e) be directly accessible from the street.

5. AUTOMATIC CHANGE MACHINES

1. An automatic change machine installed by the licensee shall not accept notes of a denomination greater than \$50.
2. Only one automatic change machine is permitted per approved gaming area unless otherwise authorised by the Director.

6. JACKPOT SYSTEMS

Where a jackpot system is approved for use:

- a) The licensee must ensure that it is obvious to patrons which gaming machines are participating in a jackpot; and
- b) The licensee must be able to demonstrate to the satisfaction of the Director upon request, their ability to honour jackpot prize liabilities.

Where the licensee discontinues a jackpot, the accrued player contributions must be dispersed in one of the following ways:

- a) accrued player contributions to be transferred to a new jackpot (refer to **Attachment A** for examples);
- b) accrued player contributions to be spread across existing venue jackpots (refer to **Attachment B** for examples);
- c) accrued player contributions to be returned to players via additional promotional activities where there is no cost to the players. The activity must be approved by the Director prior to action;
- d) If the licensee does not choose either options (a), (b) or (c), they are required to forward the accrued player contribution to the Director for contribution to the Community Benefit Fund established under the *Gaming Control Act 1993*; or
- e) In the case of the venue ceasing operations for whatever reason, whether voluntarily or involuntarily, the accrued player contributions of all jackpots offered by the venue must be forwarded to the Director for contribution to the Community Benefit Fund established under the *Gaming Control Act 1993*.

Under options (b), (c), (d) and (e), the licensee may retain the seed money however under option (a), it is acknowledged that while the licensee may also keep the seed money, it is possible that some or all of this money may be used as new seed money for the new jackpot.

7. THIRD PARTY PRODUCTS/VALUE ADDED SERVICES

- a) Any third party product or value added service (including player loyalty and player reward type products) which meets the definition of 'gaming equipment' as defined in the Act, must be approved by the Director and the vendor must be included on the roll of recognised suppliers and/or manufacturers; and
- b) It should be noted that approval of a product in another jurisdiction does not automatically guarantee approval in the Northern Territory.

8. HOPPER REFILLS

- a) All hopper fills are to be recorded and witnessed after each refill;
- b) A hopper must not be filled unless empty; and
- c) The amount of the refill must be \$160.

9. CASHLESS GAMING SYSTEMS

For the following section, cashless refers to a gaming machine that does not accept just coins but instead, allows the player to deposit funds into the machine via notes, a ticket or voucher, or by transferring credits via a card which is placed into the machine. Further, a cashless gaming machine will permit the payout to a player via a ticket or voucher, or through the transfer of credits to the player's card.

1. Approval from the Director is required to modify gaming machines to operate a cashless gaming system. The system may be card based, ticket/voucher based or by some other means approved by the Director.
2. Where the Director approves the modification of gaming machines to enable the operation of a cashless gaming system, the following applies:
 - a) the system must not prevent, or interfere with, the licensee carrying out any Australian Transaction Reports and Analysis Centre (AUSTRAC) reporting requirements;
 - b) the licensee shall ensure that suitable monitoring systems, such as Closed-Circuit Television (CCTV) and dedicated staff, are in place for gaming machines and any cash redemption terminals to address any possible money laundering concerns;
 - c) the licensee has suitable processes in place to ensure that a player is satisfactorily identified when presenting a card or ticket/voucher for cashing and requests a cheque payable to a third party;
 - d) the licensee will ensure that the maximum cash a player can receive from a cash redemption terminal or a cashier, upon presenting their card or ticket/voucher, does not exceed the current amount pursuant to Rule 6 of the Gaming Machine Rules;
 - e) the licensee will ensure that the system used does not allow:
 - (i) an amount in excess of \$1 000 to be transferred onto the gaming machine, whether this be by ticket/voucher or card; and
 - (ii) an amount in excess of \$9 999 be transferred out of the machine by way of ticket/voucher or direct transfer to a card.
 - f) the licensee has in place a suitable complaints resolution system to deal with matters arising from the use of a cashless gaming system; and
 - g) the licensee identifies the Director (or such other authority as determined and notified by the Director from time to time) as a body that players, unsatisfied with the licensee's handling of their complaint, can seek further redress.
3. Where the approved cashless gaming system utilises a ticket/voucher, the following applies in addition to Direction 9(2) of this Direction:
 - a) the complaints resolution system referred to at 9(2)(e) includes processes to deal with the degradation of tickets;

- b) tickets used must contain a responsible gambling message which, at a minimum, include a suitable reference to Gambling Help Online;
 - c) the licensee must run a report through the monitoring providers online portal at the start of every month for all unclaimed ticket/vouchers over 365 days from the date of the ticket;
 - d) the licensee must complete a reconciliation, obtained from the monitoring provider, for unclaimed ticket/vouchers and submit to Licensing NT via email to DITT.Licensingnt@nt.gov.au no later than the 10th day of every month;
 - e) the licensee must submit a reconciliation if the amount is zero for any given month; and
 - f) any funds associated with tickets that are unclaimed are to be forwarded to the Director after 365 days from the date of the ticket, unless otherwise instructed by the Director.
4. Where the approved cashless gaming system is card based, the following applies in addition to Direction 9(2) of this Direction:
- a) for registered cards:
 - (i) the system must be able to identify players and their transactions to satisfy any enquiry the Director may have;
 - (ii) the licensee must ensure suitable procedures are in place to ensure suitable identification checks are made when issuing a replacement card;
 - (iii) the licensee must ensure a card is not issued to a person under the age of 18 years;
 - (iv) there can only be one account per person per venue;
 - (v) the licensee, or the monitoring provider on behalf of the licensee, should make a concerted effort to return any residual amounts left on a players card after 365 days since the last time of play at the venue utilising their card; and
 - (vi) For any returned cheques or any other failure to return any residual amounts left on players' cards, the licensee, or the monitoring operator on behalf of the licensee, is not required to forward monies to the Director once a cheque becomes stale or due to any other failure to return any residual amounts left on a players' card. Instead, the monitoring operator will provide any residual funds it holds back to the relevant licensee. Should a player contact the licensee seeking payment for a closed card based cashless account the matter is between the licensee and the player (refer section 10).
 - b) the licensee may utilise anonymous cards and must have regard to 9(4)(a)(iii) and (iv) of this Direction:
 - (i) for visitors and guests of members, where access to the venue requires membership; and
 - (ii) for gaming in venues that do not require membership.
5. The system must have in place suitable security to prevent the unauthorised access to cardholder information and credit values by unauthorised persons;
6. The system must provide for a pre-commitment feature to allow a user to set a deposit limit or time limit or maximum card credit limit;
7. The system must provide for the printing and display of a user activity statement which, at a minimum, must provide a record of deposits and withdrawals made, in addition to gaming activity including wins, turnovers and spends; and
8. The system must allow for the display of a responsible gambling message.

10. REDEMPTION OR CASHING OF CHEQUES FOR CANCELLED CREDIT PAYOUTS

Where a licensee makes payment of a cancelled credit or jackpot pay-out by cheque, in part or in full, as provided by Rule 6 of the Gaming Machine Rules, the licensee shall not redeem that cheque for cash from the venue prior to the next 10am.

The *Cheques Act 1986 (Cth)*, establishes the period after which a cheque becomes stale after it is drawn (issued), being 15 months. A licensee is not required to forward monies to the Director once a cheque becomes stale.

Should a player contact the licensee seeking payment of a stale cheque, either via a cash payment, account transfer, or the issuing of a subsequent cheque, the handling of the matter is between the licensee and the player.

In the event that the licensee determines not to honour a stale cheque, the licensee shall inform the player that they may take civil action in a bid to obtain the unpaid monies.

Where the licensee elects not to honour a stale cheque the licensee must inform the Director as soon as practicable, in any event within 7 days of the action being taken.

ATTACHMENT A

Example of discontinued Jackpot Seed Money and Accrued Player Contributions distribution to new Jackpot

In the following scenarios the discontinued Jackpot of \$10,000 is made up of:

Seed Money	\$5,000
------------	---------

Accrued Player Contribution	\$5,000
-----------------------------	---------

Scenario One

If the New Jackpot Seed Money is the same (\$5,000) then the New Jackpot will be made up of:

New Seed Money	\$5,000
----------------	---------

Accrued Player Contribution	\$5,000
-----------------------------	---------

Total New Jackpot Starting Amount Required	\$10,000
--	----------

Scenario Two

If the New Jackpot Seed Money is increased from \$5,000 to \$10,000 then the New Jackpot will be calculated as follows:

New Seed Money	\$10,000
----------------	----------

Accrued Player Contribution	\$5,000
-----------------------------	---------

Total New Jackpot Starting Amount Required	\$15,000
--	----------

Scenario Three

If the New Jackpot Seed Money is decreased from \$5,000 to \$2,000 then the New Jackpot will be calculated as follows:

New Seed Money	\$2,000
----------------	---------

Accrued Player Contribution	\$5,000
-----------------------------	---------

Total New Jackpot Starting Amount Required	\$7,000
--	---------

ATTACHMENT B

Example of discontinued Jackpot Seed Money and Accrued Player Contributions distribution to new Jackpot.

In the following scenarios the discontinued Jackpot of \$10,000 is made up of:

Seed Money \$5,000

Accrued Player Contribution \$5,000

Under this scenario, the Seed Money can be kept by the licensee and the Accrued Players Contribution can be disbursed in a manner such as (but not limited to):

- (a) contribute the amount of \$1,000.00 to five other venue Jackpots;
- (b) contribute the amount of \$2,000.00 to a new Jackpot and distribute the remaining \$3,000.00 across other venue Jackpots; or
- (c) contribute \$5,000.00 to an existing venue Jackpot.