

Gaming Machine Operators Guidelines

Gaming Machine Act 1995

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| Abbreviations | Full form |
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| Act | <i>Gaming Machine Act 1995</i> |
| Code | NT Code of Practice for Responsible Gambling 2022 |
| Directions | Directions to Gaming Machine Licensee |
| Director | Director of Gaming Machines |
| DTH | Department of Tourism and Hospitality |
| Inspector | Gaming Inspector appointed in accordance with section 20 of the Act |
| LNT | Licensing NT |
| Regulations | Gaming Machine Regulations 1995 |
| NTCAT | Northern Territory Civil and Administrative Tribunal |
| Rules | Gaming Machine Rules 2001 |

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1. Introduction

These guidelines are intended to assist licensees and machine managers to understand their obligations in the management and operation of a licensed gaming machine venue.

Licensees and machine managers should refer to the *Gaming Machine Act 1995* (the Act) as a whole, Gaming Machine Regulations 1995 (Regulations), Directions to Gaming Machine Licensee 2023 (Directions), Gaming Machine Rules 2001 (Rules) and the NT Code of Practice for Responsible Gambling 2022 (the Code) to familiarise themselves with their roles and responsibilities in the operation of gaming machines in the venue.

Where clarification of any of these guidelines are required, please contact a Gaming Inspector through the details provided in section 1.2.

1.1. Gaming Machine Legislation

[Gaming Machine Act 1995](#)

[Gaming Machine Regulations 1995](#)

[Gaming Machine Rules 2001](#)

[Directions to Gaming Machine Licensee 2023](#)

[NT Code of Practice for Responsible Gambling 2022](#)

1.2. Contact Details

Director of Gaming Machines
Level 3, NAB Building
71 Smith Street
PO Box 1154
Darwin NT 0800

Phone: 08 8999 1800

Email: GamingMachineAct.DTH@nt.gov.au

[Licensing NT website](#)

2. Regulatory Framework

2.1. Gaming Machine Act 1995

The Act governs the operation of gaming machines in clubs and hotels. Its stated objectives are:

- a) to promote probity and integrity in gaming;
- b) to maintain the probity and integrity of persons engaged in gaming in the Territory;
- c) to promote fairness, integrity and efficiency in the operations of persons engaged in gaming in the Territory;
- d) to reduce any adverse social impact of gaming; and

- e) to promote a balanced contribution by the gaming industry to general community benefit and amenity.

2.2. Director of Gaming Machines

The Director of Gaming Machines (Director) is appointed by the Minister responsible for the Act and is a statutory position held by a public servant.

The Director and LNT deal with all matters in relation to gaming machine operations, and report to the Minister as and when required.

The Director has responsibility for regulatory functions, including the power to issue directions to licensees.

2.2.1. Review of the Director's Decisions

Section 10 of the Act allows the Director to delegate all of their powers and functions, except for the power to review decisions, to a public servant employee.

A person affected by a decision of the Delegate of the Director may, pursuant to section 166C of the Act, apply to the Director to review the decision: e.g. an application for a Gaming Machine Manager's licence being refused.

Pursuant to section 166H of the Act, an affected person may apply to NTCAT for a review of the Director's decision.

2.3. Inspectors

Pursuant to section 20 of the Act, Inspectors are appointed by the Director and are responsible for monitoring all aspects of gaming machine operations on licensed premises. This involves on-site liaison, compliance audits, inspections and investigation of irregularities and complaints. Inspectors also provide advice, education, and assistance to licensees.

2.3.1. Requirement to Produce Identity Card

Pursuant to section 20(5) of the Act, an Inspector, on request of a person, must produce their identity card when they are exercising or performing any powers or functions under the Act.

It is recommended that venue staff ask to see the inspector's identity card before answering questions or producing any document to a person claiming to be an inspector.¹

2.3.2. Powers of Inspectors

Pursuant to section 162 of the Act, an Inspector may enter, be and remain on licensed premises and request, inspect, or retain any article, record or any other thing or kind, used or capable of being used in the conduct or operation of gaming.

¹ Section 20(8) provides that a person assisting an inspector has and may exercise all the powers of an inspector. This person will be accompanied by an inspector, have the powers of an inspector, but will not have an identity card.

2.3.3. Offences Relating to Inspectors

It is an offence under section 163 of the Act for a person, when requested by an Inspector, to fail to provide, without a lawful excuse, a document or answer questions.

Pursuant to section 163(a) of the Act, it is an offence to assault, obstruct, hinder, threaten, abuse, insult or intimidate an Inspector or person who is exercising or performing powers or functions under the Act.

Failure to comply may result in prosecution with a maximum penalty of 215 penalty units or 2 years imprisonment.

3. Gaming Machine Licence

A gaming machine licence allows the licensee to own and operate gaming machines at an approved venue. The licensee may be an incorporated association, a company or an individual that holds a club, tavern or hotel liquor licence.

Gaming machine licences are evergreen, which means that the licences may continue indefinitely until either cancelled or surrendered.

Hotels/Taverns can have a maximum of 20 gaming machines, and clubs a maximum of 55.

4. Conditions of Licence, Directions, Rules, and Code of Practice

The licensee, committee, company directors, and gaming machine managers, should all be familiar with the provisions of the Act, Regulations, Directions, Rules, and the Code. As and when required, licensees should seek clarification from an Inspector (or Director) on any matters where there maybe confusion, or assistance is required.

4.1. Licence Conditions

The standard conditions applicable to all gaming machine licences are set out in [Schedule 1 of the Regulations](#).

4.2. Directions

The Director may issue written directions to Licensees. Failure to comply with directions may result in prosecution with a maximum penalty of 85 penalty units or 2 years imprisonment.

Directions are available on the LNT [website](#).

4.3. Gaming Machine Rules

The gaming machine rules provide additional requirements for the conduct of gaming. The rules are available on the Northern Territory Legislation [website](#).

Gaming machine rules must be available and produced to a patron on request.

4.4. NT Code of Practice for Responsible Gambling 2022

The NT Code of Practice for Responsible Gambling 2022 reflects a partnership between the Northern Territory Government, licensees, and counselling services. It establishes an agreed set of practices and principles upon which licensees are expected to adopt to minimise the adverse effects of gambling.

The Code is issued under section 193A of the Act. Failure to comply with the Code may result in prosecution, with a maximum penalty of 85 penalty units or 2 years imprisonment.

The Code is available on the LNT [website](#).

5. Types of Licences under the Act

Pursuant to Part 4 of the Act, the following positions require a licence:

- a) A repairer's licence referred to in section 58;
- b) A service contractor's licence referred to in section 59;
- c) A monitoring provider's licence referred to in section 59A; or
- d) A machine manager's licence referred to in section 60.

When recruiting staff to any of the above positions, i.e. a Machine Manager, please consider [Schedule 2 of the Regulations](#) (specifically clause 8) as these are the matters that will be taken into account when assessing an application.

5.1. Repairer's Licence

Licensed repairers are individual persons licensed to carry out preventative and remedial maintenance on gaming machines. A licensed repairer is employed by, or contracted to, a licensed service contractor.

A person must not install, alter, adjust, maintain, or repair gaming equipment unless they hold a repairer's licence issued under section 58 of the Act.

Pursuant to section 167(1) of the Act, a licensed repairer shall not play a gaming machine installed on licensed premises except to such extent as is necessary for the repairer or contractor to alter, adjust, maintain, repair, or test the gaming machine.

5.2. Service Contractor's Licence

This licence is required by persons or companies who wish to enter into service contracts and employ licensed repairers to install, service and repair gaming machines.

All venues must have a current contract with licensed service contractor.

Pursuant to section 167(1) of the Act, licensed service contractors shall not play a gaming machine installed on licensed premises except to such extent as is necessary for the repairer or contractor to alter, adjust, maintain, repair, or test the gaming machine.

5.3. Monitoring Provider's Licence

This licence is required by a provider of monitoring services of community gaming machines. MAX (formerly MAX Gaming) is an example of a licensed monitoring provider.

The licensed monitoring provider shall provide a '*basic monitoring service*' which is set out in [Schedule 6 of the Regulations](#).

All venues must have a contract with the licensed monitoring provider.

5.4. Machine Manager's Licence

Machine managers have the responsibility of managing the licensees' gaming operations, including daily accounting functions.

The licence allows an individual to perform the functions of a machine manager throughout any licensed gaming machine venue in the Northern Territory, subject to being employed by that venue. (Please refer to subheading **6.1 Machine Managers**)

This licence confirms that the individual meets the probity requirements. It does not certify knowledge or industry experience.

5.4.1. Provisional Gaming Machine Manager's Licence

Pursuant to section 82 of the Act, a venue, upon employment of a person who has lodged a Machine Manager Licence application, may apply to the Director for a Provisional Machine Manager's Licence. This licence allows the applicant to work at a particular venue pending determination of their application.

5.4.2. Interim Gaming Machine Manager's Licence

If considered necessary for the continued operation of this Act for a short period, the Director, pursuant to section 82A, may issue an interim licence to a person without having received an application for a machine manager's licence.

6. Getting Started

6.1. Machine Managers

A machine manager must always be on duty when gaming machines are operating. A manager being off duty somewhere on the premises does not fulfil this requirement.

6.1.1. Prescribed Duties

Regulation 7 prescribes the duties of machine managers as:

- a) the management of employees of a licensee who are responsible for the conduct of gaming;
- b) the management of the access to the internal parts of gaming machines;
- c) the management and supervision of money clearances;
- d) the issuing of keys for the security of gaming machines to employees of a licensee;
- e) the supervision of entries in accounting records required to be kept and maintained under the Act;

- f) the arranging of remedial repairs to gaming equipment; and
- g) any other thing required by Part 6 (Regulations) to be done, or that a licensee is required by Part 6 to ensure is done, by a machine manager.

6.1.2. Machine Managers to Produce Licence

Regulation 13(1) provides that machine managers must produce their machine manager's licence on request to a person:

- a) who is affected by a decision of the machine manager; or
- b) who requests the licences production (e.g. Inspector, member of the Police Force).

6.1.3. Playing of Gaming Machines by Machine Managers

Pursuant to section 167(2) of the Act, a machine manager is prohibited from playing gaming machines at the premises of their employment. The prohibition extends for a period of 30 days after ceasing duties as a machine manager or employment at that venue.

Failure to comply may result in prosecution, with a maximum penalty of 85 penalty units or 2 years imprisonment.

7. Gaming Machines

7.1. Approved Manufacturer and Suppliers

Licensees can only acquire gaming machines from an approved manufacturer, supplier or from another licensee authorised to dispose of their machines.

A list of the approved gaming machine manufacturers and suppliers is available on the [LNT website](#).

7.2. Approved Finance Provider

Gaming machine licensees can only source finance for the acquisition of gaming machines from a financial institution approved, pursuant to section 129 of the Act, by the Director (Approved Finance Provider).

A list of the approved finance providers is available on the [LNT website](#).

7.3. Consignment or Movement of Gaming Machines

A recognised manufacture or supplier of gaming machines shall, pursuant to section 127(1) of the Act, advise the Director before gaming machines are moved to or from a premises approved under section 121(2) of the Act, or to a place in the NT from a location outside of the NT.

The advice shall be provided via email to GamingMachineAct.DTH@nt.gov.au

8. Approval from the Director

The following activities require the approval of the Director:

- a) Disposal of gaming machines (sold to an approved recipient, stored, or destroyed);
- b) A room used to store gaming machines;
- a) Modification of an approved gaming machine area; and
- b) Increase / decrease in the number of gaming machines.

Applications can be made by completing and lodging the [application form](#) to GamingMachineAct.DTH@nt.gov.au

8.1. Sell or Transfer Gaming Machines to Another Licensee

Pursuant to regulation 24A(1), and subject to approval from the Director, a licensee may sell or transfer their gaming machines to another licensee.

8.2. Gaming Machines to be Destroyed

Pursuant to Regulation 24A(1), and subject to approval from the Director, a licensee may destroy their gaming machines by taking the gaming machines to a waste management facility. As part of the process, the licensee must remove and return the NT compliance plate, and gaming media to the Director (the photo shows an example of the NT compliance plates and gaming media).



A licensed repairer may remove the NT compliance plates and gaming media from the gaming machine, however, the licensee is responsible for ensuring they are returned to the Director.

8.3. Storage of Gaming Machines

Pursuant to section 83(3) of the Act, and in accordance with section 83(2), a gaming machine licensee is authorised to store gaming machines on the licensed premises even if the total count of gaming machines exceeds the amount authorised for use.

Gaming machines must be stored in a room and in a manner approved by the Director. (Please refer to subheading **8.4 A Room Used to Store Gaming Machines**).

8.4. A Room Used to Store Gaming Machines

Pursuant to section 83(2) of the Act, a gaming machine licensee must not store a gaming machine or other prescribed gaming equipment except in a room approved by the Director for that purpose.

A licensee only needs to apply once for a room to be an approved storage room as the approval will be perpetual. However, should a licensee intend to store gaming machines in another location or in a manner different to the approval, a new application will need to be lodged.

The maximum penalty for storing a gaming machine or prescribed gaming equipment in a room or otherwise, without the Director's approval, is 500 penalty units or imprisonment for 6 months.

8.5. Increase or Decrease the Size of the Approved Gaming Area

Pursuant to section 43, the licensee must seek approval from the Director to increase / decrease the approved gaming machine area or relocate the gaming machine area to another part of the licensed premises.

The maximum penalty for failing to gain the Director's approval is 85 penalty units.

8.5.1. Interchange or Reposition Gaming Machines

Requests to interchange or reposition gaming machines within the approved gaming machine area are to be submitted directly to the Licensed Monitoring Operator; approval from the Director is not required.

8.6. Increase / Decrease the Number of Gaming Machines

Pursuant to section 41 of the Act, a licensee may apply to increase the number of gaming machines (to the maximum permitted by the licence type – see section 3 above) authorised for use under their licence.²

Pursuant to section 42(3) of the Act, a licensee may apply to decrease the number of gaming machines authorised for use under their licence.

9. Installing Gaming Machines

Pursuant to section 84(1) of the Act, the gaming machine licensee must ensure that gaming machines are only installed in approved gaming machine areas. Regulation 9 and Direction 4 provides that the installation must not restrict access to fire exits, must allow for proper cleaning, maintenance and use of safety and security measures on the premises.

Gaming equipment, including gaming machines and any jackpot equipment, displays, etc, must not be visible to external pedestrian traffic as per Direction 4(c).

Pursuant to Regulation 8(a), the gaming machine licensee shall ensure that the layout of the gaming machine area allows for continuous supervision of each gaming machine.

² Regulation 2AA provides that the maximum number of gaming machines licensed in the Northern Territory is 1,659; the cap has been met and therefore LNT is unable to accept applications from licensees for additional gaming machines.

Regulation 8(b) requires a clear passage of at least two metres between banks of machines. A bank of machines can be one stand-alone gaming machine, or multiple gaming machines positioned next to each other.

The intent of this regulation is to allow for easy maintenance and cash clearance of gaming machines and allow patrons to have unimpeded movement through the gaming machine area, particularly in the event of an evacuation.

10. Machine Specific Requirements

10.1. Bank Note Acceptors

Bank note acceptors, where available, will accept all Australian denomination notes.

The maximum credit balance, which may exist on a gaming machine beyond which a note acceptor is disabled, is \$1 000.

While the maximum '*loading amount*' is \$1 000, a machine will accept notes or coins if the balance is less than \$1 000.

10.2. Approved Game Types and Games

Gaming machines for operation in NT licensed premises, must be approved by the Director.

Licensees should contact their licensed monitoring provider in the first instance and if further clarification is required, the Gambling Systems team within LNT via email GamingMachineAct.DTH@nt.gov.au.

10.3. Maximum Bet Levels

The maximum possible bet per game on any approved gaming machine is \$5.

10.4. Return to Player Percentage

Pursuant to section 95(2) of the Act, and 12A(1) of the Regulations, gaming machines must have a Return to Player (RTP) of not less than 85%.

Regulation 12A(2) allows for a licensee, through the licensed monitoring provider, to vary the RTP. The RTP must stay within the range approved by the Director.

Pursuant to regulation 12A(3)(b), the RTP percentage can only be changed once in any 30-day period.

10.5. Jackpot

Pursuant to clause 6(a) of the Directions, the licensee must ensure that it is obvious to patrons which gaming machines are linked to a jackpot system.

Pursuant to clause 6(b) of the Directions, the gaming machine licensee must demonstrate the capacity to honour the jackpot prize liabilities offered.

Pursuant to clause 6(a) to 6(e) (inclusive) of the Directions, discontinued jackpots must be dispersed in accordance with Attachment A or Attachment B of the Directions.

11. Operation and Supervision of Gaming

11.1. Gaming Hours and Extensions to Gaming Hours

Pursuant to Regulation 10, gaming machines may only be operated between the hours of 10:00am and 04:00am (the following day), but not outside the hours stated on the licensees' liquor licence.

Pursuant to section 88(c) of the Act, and Regulation 10(a), gaming is prohibited on Christmas Day and Good Friday.³

Licensees seeking a variation to their gaming hours, must first apply for a variation, pursuant to section 110 of the [Liquor Act 2019](#), to their liquor licence conditions. The licensee should apply for a variation of their gaming hours at the same time, however, the gaming application will not be considered until the liquor application has been approved.

11.2. Supervision of Gaming

Pursuant to section 88(b) of the Act, a licensee shall not conduct gaming or allow gaming to be conducted when the licensee or an employee of the licensee is not in that part of the premises to supervise gaming.

Regulation 8(a) requires that the licensee, or an employee, to have continuous supervision of each gaming machine from a place, that the licensee or employee would normally be carrying out their duties, within the licensed premises.

The licensee may supervise gaming through live monitoring of their CCTV, or via clear line of sight from the bar, cashier, or administration office.

11.3. Marketing, Signage and Promotions

Pursuant to Regulation 39(1A), any marketing, signage or promotional material must not be an inducement to gamble. Regulation 39(4) provides examples of what is considered an inducement.

The facilities and gaming machines must be maintained in good order and not defaced, and the gaming equipment must not convey any offensive or misleading messages.

Pursuant to section 8 of the Code, gaming advertising and promotions must not dominate any external signage and advertising is to be delivered in an honest and responsible manner. Gaming advertising and promotions should only be promoted as an ancillary service offered by the premises.

³ A venue trading on Christmas Eve, or the Thursday before Good Friday, may continue through to their normal closing time even if this carries over to Christmas day or Good Friday.

11.4. Security of Gaming Machines Keys

Pursuant to section 98(1) of the Act and Regulation 15, gaming machine licensees and machine managers must ensure that all keys and other devices relating to the security of gaming machines are kept and stored in a secure place.

11.4.1. Key Register

Pursuant to Regulations 15(3) and 15(4), a gaming machine licensee must keep a record of each employee who has possession of the keys, for example:

- a) The gaming machine licensee;
- b) Machine manager;
- c) An employee who is employed to attend to gaming machines;
- d) An employee who is employed to assist in money clearances;
- e) A licensed repairer;
- f) A licensed service contractor; or
- g) An Inspector.

Refer Appendix A

11.5. Security Seals

The security seal protects the integrity of the gaming machine. It provides an audit trail of access to sensitive areas of the gaming machine.

It is best practice that each time the gaming machine is open, whether it be for end of day clearance, to clear a note jam or general maintenance of the gaming machine, the seals of the gaming machine are checked to see if they are intact.

Pursuant to Regulations 22(a) and 22(b), broken seals must be kept and accounted for, and the Director must be notified within 7 days after the end of the month in which the seal was broken.

Pursuant to section 136(2) of the Act, if the seal is broken or has been tampered with, the licensee shall not permit gaming on the gaming machine until the gaming machine has been inspected by an Inspector or authorised person.

Refer Appendix B

11.6. Minors

Pursuant to section 103 of the Act, a gaming machine licensee shall not employ a person in any capacity in relation to the operation of gaming machines, who has not attained the age of 18.

Pursuant to section 104 of the Act, persons who have not yet attained the age of 18 years are prohibited from playing gaming machines.

Section 2(c) of the Directions provides that a gaming machine licensee, machine manager or employee of a gaming machine licensee, must not allow a person under the age of 18 to enter or remain in an approved gaming area.

11.6.1. Seizure of ID Wrongly Used as Evidence of Age

If an individual attempts to use false identification as evidence of age for the intention of playing a gaming machine, the person being shown the false identification must, pursuant to section 108(1) of the Act, seize the identification and notify an Inspector or member of the Police Force as soon as practicable, or, at the latest, the next business day.

11.7. NT Code of Practice for Responsible Gambling 2022

Gaming machine licensees, machine managers and staff engaged in the provision of gaming have an obligation to provide a safe gaming environment, assist their patrons who are showing signs they are not in control of their gambling, and promote safer gambling practices.

Problem gambling is characterised by difficulties in limiting money and / or time spent on gambling which may lead to negative impacts on the gambler, others, or for the community.

Guidance and specific requirements related to harm minimisation, problem gambling and safer gambling are covered by the [NT Code of Practice for Responsible Gambling 2022 \(Code\)](#).

11.7.1. Staff Training

Pursuant to section 3 of the Code, all staff engaged in the provision of gaming (i.e. machine managers), must complete the nationally accredited unit of competency 'SITHGAM022 – Provide Responsible Gambling Services', within three months of commencing employment.

All machine managers must complete the [refresher course every 3 years](#).

Records of training should be maintained and provided to authorised inspectors on request.

11.7.2. Multi-venue Self-Exclusion

Pursuant to section 4 of the Code, gaming machine licensees must ensure their venue is registered for NT's multi-venue self-exclusion system, and ensure they have procedures in place to assist patrons wishing to self-exclude from gaming venues throughout the NT.

11.8. Credit for Gaming Activities

Pursuant to section 91 of the Act, the provision of credit or a loan of any form to a person on the licensed premises to facilitate gaming activities, is strictly prohibited.

Section 7(d) of the Code prohibits the withdrawal of cash from a credit card facility, whether it is through an ATM or EFTPOS machine, with the onus being on the gaming machine licensee to ensure this functionality is not enabled. It is not a defence to the licensee, should a third-party supplier install an ATM in a gaming machine venue that has the credit functionality enabled.

11.9. ATMs and EFTPOS Machines

Pursuant to section 3 of the Directions, and 7(b) of the Code, ATMs and EFTPOS machines must not be in gaming machine areas. Where safe and practicable, ATMs should not be located at the entrance to a gaming area or within sight of gaming machines.

Clause 3(a) of the Directions requires the position of an ATM to be approved by the Director. Applications to install or relocate an ATM can be emailed to GamingMachineAct.DTH@nt.gov.au.

Patrons should be able to access ATMs and EFTPOS machines without having to enter or walk through the gaming area of a venue.

11.10. Malfunction of Gaming Machines

Pursuant to section 96(1) of the Act, if there is an accumulation of credits that is not attributed to legitimate winnings (i.e. where the gaming machine failed to function in the way in which it was designed or programmed to function), the machine manager shall refuse payment of that accumulation of gaming credits.

If this occurs, the machine manager must immediately suspend playing of the faulty machine and advise the affected person that he or she may make a submission to the Director within 10 days of the refusal to pay the credit amount (Regulation 4(1)).

The affected person making a submission must do so in writing stating:

- a) their full name and address; and
- b) identify the licensed premises and the machine in question; and
- c) state the name of the machine manager who refused to make the payment; and
- d) state the time and date of the incident; and
- e) contain a description of events relevant to the refusal.

Pursuant to section 96(3)(b) of the Act, the machine manager must notify the Director before close of business the following day, that they have refused to make or allow payment. Notifications can be emailed to GamingMachineAct.DTH@nt.gov.au.

Pursuant to 96(3)(a) of the Act, the faulty gaming machine cannot be played until it is repaired and functioning as it was designed and programmed to operate.

12. Record Keeping and Reporting Requirements

12.1. Personnel Reporting Requirements

The Act places upon the gaming machine licensee, certain obligations for reporting various matters regarding executives and gaming personnel.

Entries for the following records must not be altered or destroyed. If correction to the record is necessary, a marginal note or footnote may be used detailing the correct particulars and the person making the correction, as well the date and time of the correction.

12.1.1. Machine Managers

Pursuant to section 102 of the Act, a gaming machine licensee [must notify the Director](#), within one day of the commencement or cessation of a machine manager employed at their venue. Notifications can be emailed to GamingMachineAct.DTH@nt.gov.au.

The maximum penalty for failing to advise the Director is 85 penalty units or imprisonment for 2 years.

12.1.2. Secretary or Executive Officer of Body Corporate

Pursuant to section 46 of the Act, a Body Corporate gaming machine licensee shall notify the Director within seven days of any change to the executive positions of a Body Corporate gaming machine licensee. Notifications can be made to GamingMachineAct.DTH@nt.gov.au.

The maximum penalty for failing to advise the Director is 85 penalty units or 2 years imprisonment.

12.2. Daily Money Clearances

Pursuant to section 142(1) of the Act, gaming machine licensees are required to carry out a daily money clearance of each gaming machine. The clearance can be completed by the licensee, the machine manager, or by another staff member under supervision of the machine manager.

Pursuant to section 99 of the Act, unlicensed staff assisting with money clearances, may only do so in the presence of the machine manager.

12.3. Manual Payments Register and Hopper Fills

Pursuant to Regulation 27(1), a Manual Payments Register must be kept and maintained.

Please refer to Regulation 27(2) for the particulars that must be included in the Manual Payments Register.

Pursuant to Regulation 27(3)(a) and section 8(b) of the Directions, a hopper fill can only take place when the hopper is empty.

Pursuant to section 8(c) of the Directions, the value of the refill must be \$160.

12.4. Gaming Machine Performance Record

Pursuant to Regulation 28(1), a gaming machine licensee shall keep a Gaming Performance Record for each gaming machine.

Although it is a requirement in the Regulations, the MAX portal can generate this report for any previous trading day. For this reason, LNT does not expect licensees to print and keep such a record.

12.5. Monthly Gaming Machine Reconciliation Report

The Monthly Gaming Machine Reconciliation Report is compiled utilising the Gaming Machine Performance Records of each machine. Its primary purpose is to calculate the venue's reported win, and to reconcile this information with the monthly statement provided by the licensed monitoring provider.

Pursuant to Regulation 31(2), the report is to be completed after the last day of each month.

As with 12.4 of these guidelines, the MAX portal generates this report, and therefore LNT does not expect licensees to print and keep such a record.

12.6. Financial Statements

Pursuant to section 146(2) of the Act, the gaming machine licensee is required to prepare an audited financial statement detailing its gaming operations within three months of the end of the financial year.

The financial statements (comprising of a statement of income and expenditure, a statement of financial position, and a statement of cash flow) must be in sufficient detail to enable the reader to be able to identify the receipts, payments and all accounts relating to gaming on the licensed premises for the year.

Provided the financial statement is sufficient to detail the gaming operation, the financial report can be the same as that produced for the gaming machine licensee's other financial reporting obligations.

Pursuant to section 147 of the Act, the financial statements must be kept by the licensee for a period of seven years.

12.7. Gaming Machine Repairers Records

Licensed Repairers should keep a record of maintenance conducted on a gaming machine. The record should identify the date, gaming machine serial number, the maintenance conducted, and the name and licence number of the person who conducted the maintenance.

This record may be required should a complaint or dispute be lodged regarding the performance of a gaming machine.

13. Unclaimed TITO, Banking and Gaming Machine Taxes

13.1. Unclaimed TITO

Pursuant to Direction 9(3)(c), (d), (e) and (f) of the Directions to Gaming Machine Licensees, licensees must run an unclaimed ticket / voucher (i.e. TITO) report through the MAX portal and submit to the Director, any funds that remain unclaimed for a period of 365 days.

The licensee will submit the unclaimed funds each quarter to the Director in accordance with the schedule below:

- a) 10 April
- b) 10 July
- c) 10 October
- d) 10 January

The licensee must still submit a reconciliation even if the amount is zero for any given month.

13.2. Designated Gaming Account

Pursuant to section 143(1) of the Act, gaming machine licensees shall keep and maintain such accounting records to correctly record and explain the licensee's financial operations in respect of, or connected with, gaming and the conduct of gaming.

It is best practice for gaming machine licensees to have a gaming machine specific banking account, into which all gaming machine deposits are made. This provides for easy identification of gaming machine deposits and avoids gaming machine deposits being mixed in with other banking.

The gaming machine account would have:

- a) facilities for payment of manual payments required to be made by cheque; and
- b) electronic funds transfer facilities for payment of taxes and levies.

13.3. Collection of Taxes

Pursuant to Regulation 32A, taxes and any community benefit levy are collected through an electronic funds transfer on the 15th day of each month, from an account nominated by the gaming machine licensee. The licensed monitoring provider provides advice of the amount of the tax and levy, and collects them on behalf of the NT.

The tax rates for gaming machines are calculated as a percentage of monthly gross profit, as is the community benefit levy.

Please refer to section 149(3) of the Act, and Regulations 33 and 34 for the applicable tax and levy rates.

Pursuant to Regulation 35, penalties apply for failure to have adequate funds in the relevant account for tax payable to the NT.