

Fact Sheet

Gaming Control (Infringement Notices)

Regulations 2011

- The *Gaming Control (Infringement Notices) Regulations 2011* make regulations under section 172A of the *Gaming Control Act 1993* (the Act). The regulations commenced on 27 April 2011.
 - The intent of these regulations is to allow Tasmania Police to issue infringement notices to persons that commit certain offences under the Act and to prescribe penalties that correspond to the level of infringement notice. The offences and prescribed penalties are detailed in Schedule 1 of the regulations.
 - Prior to the commencement of these regulations, Tasmania Police were only able to prosecute persons that committed an offence. This was an unlikely event given the less serious nature of the offences.
 - These regulations allow for offences committed under the Act to be more appropriately dealt with by Tasmania Police.
- Similar regulations were implemented in 2008 under the *Liquor Licensing Act 1990*, which provide for the issuing of infringement notices as an alternative to court imposed penalties.

Infringement notices can now be issued on the following offences:

Offence	Section of Act	Penalty (penalty units)
The use of a prohibited device in a casino. A prohibited device is a device:		
a) used or intended to be used for interfering with the normal operation of gaming equipment; or	112(1)	5
b) used or intended to be used for the purpose of enabling a person to count or otherwise record cards dealt in the course of gaming in a casino.		
Failure of a specified licence holder to comply with a direction from the Commissioner of Police to exclude a person from a gaming premises (in order to suppress crime and disorderly conduct). A specified licence holder means the holder of the following licences:	112G(2)	5
a) a casino licence; or		
b) a licensed premises gaming licence; or		
c) a Tasmanian gaming licence.		
A specified licence holder or prescribed special employee must not permit a person who has a self-exclusion notice or order in place to contravene that self-exclusion notice or order by allowing that person to:		
a) wager or participate in any game or gaming activity that contravenes that notice or order; or	112J(2)(a)	15
b) enter or remain on the premises.	112J(2)(b)	5

Infringement notices can now be issued on the following offences (continued):

Offence	Section of Act	Penalty (penalty units)
Failure of a person-in-charge of a gaming premises to remove an excluded person when they know or have been notified that the excluded person has contravened their self-exclusion notice by: a) being on or attempting to enter the excluded premises; or b) is, or attempting to wager or participate in gaming or gaming activity on gaming premises.	112K(3)	5
Failure of a venue operator to prevent a minor from: a) entering a restricted gaming area; or b) remaining in a restricted gaming area; or c) participating in gaming or wagering activities in an approved venue.	117(1), (2) and (3)	15
Failure of a special employee allowing a minor to enter or remain in a restricted gaming area.	117A(2)	5
A prescribed licence holder must not accept from a minor a wager on, or allow them to participate in any gaming, game, gaming activity or foreign game. A foreign game means a lottery or game in which tickets may be sold in Tasmania under a foreign games permit.	118(1)	15
A person must not place or otherwise facilitate the wagering on or participation in gambling activities on behalf of a minor.	118A(1)	5
If a person doesn't comply with a request to state their correct age, name and address and if they fail to produce identification as evidence of its correctness (when requested by a venue operator, special employee, inspector or police officer who suspects that the person is a minor).	119(2)	1
Failure by venue operators to erect prominent warning notices, with regard to minimum age, at each entrance to each restricted gaming area and on each gaming machine.	121(3)	5
A person must not assault, obstruct, hinder, threaten, abuse, insult or intimidate an inspector or police officer or the failure of any person to comply with a direction given by an inspector or police officer in the exercise of their functions under the Gaming Control Act.	135(1)	15
Failure of a person, on prescribed premises, to state his or her full name and residential address to an inspector or a police officer when required or to state a name or address that is false.	135(2)	1

The dollar value of one penalty unit is \$163¹ (as at 1 July 2018).

LIQUOR AND GAMING CONTACT DETAILS

Salamanca Building Parliament Square
4 Salamanca Place HOBART TAS 7000
Telephone: (03) 6166 4040 Facsimile: (03) 6173 0218

Level 3 Henty House 1 Civic Square LAUNCESTON TAS 7250
Telephone: (03) 6777 2777 Facsimile: (03) 6173 0218

GPO Box 1374 HOBART TAS 7001 Australia
Email: gaming@treasury.tas.gov.au Web: www.gaming.tas.gov.au

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¹ The dollar value of a penalty unit increases each year (based on the consumer price index) and is published on the Department of Justice website at www.justice.tas.gov.au/about/legislation/value_of_indexed_units_in_legislation.