

## **Australian Churches Gambling Taskforce**

**Question 1** concerned the availability of ATMs outside clubs in small communities. This information is not immediately available the Taskforce and the Taskforce does not have the resources to investigate this issue. But by way on information, please find attached the Ministerial Direction issued by the Victorian Minister for Gaming on allowing venues to apply for an exemption from the ban of ATMs in EGM venues. This could serve as a model at the Federal level.

**Question 2** goes to the intent of the legislation. The Australian Churches Gambling Taskforce sought legal advice from constitutional lawyer, Professor George Williams and we are confident that [the](#) architecture of the Bill will deliver mandatory pre commitment on machines 'at the flick of a switch' (ie: one simple legislative amendment) should a future government choose to strengthen public policy measures to reduce the harm caused by poker machines in Australia.

We understand that the intention of the Federal Government is that State regulators would implement the Federal legislation and only in circumstances where the State regulator refuses to implement the legislation would a Commonwealth regulator be established and become involved.



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## Gambling Regulation Act 2003

### MINISTERIAL DIRECTION

Matters to be taken into account by the Victorian Commission for Gambling Regulation in determining whether to grant an approval to provide an automatic teller machine in a gaming venue.

I, Hon. Michael O'Brien MP, Minister for Gaming, under section 3.5.33G(1) of the **Gambling Regulation Act 2003** (the Act), direct the Victorian Commission for Gambling Regulation (the Commission) for the purposes of section 3.5.33F(2)(b) of the Act, to take the following matters into account:

1. whether the venue operator who has made an application under section 3.5.33E (applicant) has demonstrated to the satisfaction of the Commission that members of the community who are dependent on public transport, or have limited physical mobility, would not be able to reasonably access alternative cash facilities if the approval was refused and would suffer hardship as a result, particularly having regard to the distance to be travelled to access alternative cash facilities
2. whether the applicant has demonstrated to the satisfaction of the Commission that local businesses will be adversely affected if the approval was refused and that the community would suffer hardship as a result
3. whether the applicant has demonstrated to the satisfaction of the Commission that it has consulted the community and that the community's views about the application have been adequately reflected in the evidence provided by the applicant.

Dated 7 March 2011

HON. MICHAEL O'BRIEN MP  
Minister for Gaming

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**SPECIAL**

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