

# Gaming Machine Amendment Regulation 2025

## Human Rights Certificate

### Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019*, I, the Honourable Deb Frecklington MP, Attorney-General and Minister for Justice and Minister for Integrity provide this human rights certificate with respect to the *Gaming Machine Amendment Regulation 2025* (Amendment Regulation) made under the *Gaming Machine Act 1991* (Gaming Machine Act).

In my opinion, the Amendment Regulation, as tabled in the Legislative Assembly, is compatible with the human rights protected by the *Human Rights Act 2019*. I base my opinion on the reasons outlined in this statement.

### Overview of the Subordinate Legislation

The Amendment Regulation extends an existing trial period relating to the transfer of gaming machine operating authorities (authorities) among category 1 (hotel) licensed premises under the Gaming Machine Act.

Hotel licensees who successfully sell authorities through an authorised sale process receive, for each authority sold, the average sale price paid by successful purchasers, less a prescribed percentage of the average sale price that must be paid into the consolidated fund pursuant to section 109E of the Gaming Machine Act. Ordinarily, the prescribed percentage (at section 10B of the *Gaming Machine Regulation 2002*) is 33 percent.

The Amendment Regulation seeks to extend an existing trial which has, since 30 June 2022, reduced the prescribed percentage on a temporary basis to 15 percent. Extending the trial by three years, to 30 June 2028, will provide for further evaluation of the trial and indicate the extent to which the reduced percentage has invigorated the authorised sale process. The extension of the trial is not expected to substantially increase gambling harm and does not change the number of gaming machines operable by hotels within the State-wide cap.

### Human Rights Issues

#### Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 *Human Rights Act 2019*)

No human rights under the *Human Right Act 2019* are engaged or affected.

### Conclusion

I consider that the *Gaming Machine Amendment Regulation 2025* is compatible with the *Human Rights Act 2019* because it does not raise a human rights issue.

**Deb Frecklington MP**  
Attorney-General and Minister for Justice  
Minister for Integrity