

3-HOUR SHUTDOWN PERIOD GUIDELINES
(Saturdays, Sundays and public holidays)
issued under section 40 of the Gaming Machines Act 2001

Section 39 of the Gaming Machines Act 2001 provides that, on and from 1 May 2003, a hotelier or registered club must ensure that each approved gaming machine that is kept in the hotel or club is not operated for the purposes of gambling between 4 am and 10 am on each day of the week (**the general shutdown period**).

However, section 40 of the Gaming Machines Act 2001 provides that the Casino, Liquor and Gaming Control Authority may, on application by a hotelier or registered club, approve of the hotel or club having a shutdown period of between 6 am and 9 am on each day that is a Saturday, Sunday or public holiday (**the 3-hour shutdown period**).

The Authority's approval of a hotel or registered club having the 3-hour shutdown period may be given only if the Authority has taken into consideration the following guidelines as approved by the Minister.

1. CIRCUMSTANCES UNDER WHICH AUTHORITY APPROVAL MAY BE GIVEN

Authority approval may be given if the Authority is satisfied that:

- 1.1 The venue falls within an area that usually attracts tourists; or
- 1.2 The venue falls within an area where other hospitality and entertainment venues are open to 6 am on Saturdays or Sundays or public holidays; or
- 1.3 Prior to 2 April 2002, the venue had a history of remaining open past 4am on Saturdays or Sundays or public holidays.

2. CIRCUMSTANCES TO BE COMPLIED WITH FOR AUTHORITY APPROVAL TO BE GIVEN

Authority approval is only to be given if the Authority is satisfied that:

- 2.1 The applicant has adopted and can demonstrate that all harm minimisation measures required by the Gaming Machines Act 2001, the Gaming Machines Regulation 2010, the Liquor Act 2007 and the Liquor Regulation 2008 have been implemented; and
- 2.2 The applicant can demonstrate its participation in any relevant local liquor accord and (in respect of an applicable registered club) any CDSE Local Committee.
- 2.3 The applicant can indicate that the venue for which exemption is sought will usually be trading during the hours for which an exemption is sought.

3. OTHER CIRCUMSTANCES

The Authority may approve applications or refuse to approve applications in circumstances other than those outlined in Section 2, having taken into consideration those matters listed under Section 1, or any other pertinent matters raised by the hotel or club.

The Authority may impose conditions on any approval it grants. The Authority may revoke any approval by notice in writing if it is satisfied that any conditions have not been complied with.

The Authority may grant an approval for ongoing limited periods of time such as for part of a weekend (eg. Sat night only) or on a seasonal basis.

4. ADMINISTRATIVE PROCEDURES

The Authority may refuse to consider an application until the applicant has paid a lodgement fee.

The Authority is to consider applications in a timely and efficient manner.