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ABN 77 237 576 146

16 June, 2006

Mr. Robert Chappell
Director
Independent Gambling Authority
Level 4, 45 Grenfell Street
ADELAIDE SA 5000

Dear Robert

The following is in response to a proposition raised at the recent Independent Gambling Authority's hearings into Codes of Practice that gaming rooms should be made 'dry zones' within the Licensed Hotel or Club .

Our response to the issue of the service of alcohol and gambling is covered in great detail in our submission of 1 May, 2006.

Specifically, responding to this suggestion we say that when the Gaming Machines Act 1992 was passed in May 1992, Parliament deemed that it was not appropriate to permit gaming operations to be conducted in facilities **other than** specified premises licensed to sell liquor. The following extract identifies that those licensed premises would be Hotels, Clubs or similar type facilities.

Gaming Machines Act 1992

15 - Eligibility criteria

1. The following persons only are eligible to hold a gaming machine licence:
 - (a) the holder of a hotel licence (whether temporary or otherwise);
 - (b) the holder of a club licence, or two or more holders of separate club licences, jointly;
 - (c) the holder of a special circumstances licence (whether temporary or otherwise) if:
 - (i) - the special circumstances licence was granted on the surrender of a hotel licence or a club licence; and
 - the nature of the undertaking carried out under the licence is substantially similar to that of a licensed hotel or club; or
 - (ii) the premises to which the special circumstances licence relates constitute;
 - a major sporting venue; or
 - the headquarters in this State for any particular sporting code
- and the nature of the undertaking carried out under the licence is substantially similar to that of a licensed club.

The Liquor Licensing Act 1997 authorises the sale and supply of liquor in all parts of the licensed premises. It follows that Parliament must have intended that liquor be served in gaming rooms. We would say that Parliament has had many opportunities since 1992 to review this position and has not. In fact the provision of gaming machines in all Australian jurisdictions is restricted to premises that are licensed under the liquor acts of those states.

That said any such prohibition would have to be incorporated into the Liquor Licensing Act through an amendment by the Parliament. We would respectfully suggest that such prohibition is beyond the power of the IGA.

Please don't hesitate to contact the writer if we can be of further assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ian Horne', written in a cursive style.

IAN HORNE
General Manager