Gaming Control Amendment (Future Gaming Market) Bill 2021 (No 45):

Legislative Council Debate November 2021 *(check against Hansard)*

Summary:

- Approx **50** amendments were proposed and debated *(noting in some cases multiple consequential amendments were debated simultaneously*).
- **8** – Number of amendments successfully made to the Bill.
- **13** - Number of amendments defeated by Labor voting with government (all independents and Mr Seidel MLC voting for amendments) – Labor did not speak on these amendments despite those amendments potentially passing had they voted against the government.
- **36** - Total number of times Labor (excluding Mr Seidel MLC) did not speak on the amendments they voted against, failing to place on the public record their justification.
  - **72%** - of amendments that Labor voted against without addressing.
- Labor also voted against two attempts to refer the Bill to stand alone dedicated Parliamentary Committees of Inquiry - neither time did they speak to place on the record their reasoning for voting to defeat these moves.
  - **73% -** combined amendments + two attempts to refer to Committee Inquiries that Labor voted against without speaking upon.
- Labor did not speak on third reading vote.

Second Reading Vote

Thursday 11 November 2021

Yes: 10	No: 3
Armitage Duigan Forrest Hiscutt Howlett Lovell Palmer Rattray Seidel Willie	Webb, Gaffney, Valentine.

Tuesday 16 November 2021

Intent	Vote Result	Who Supported?	Labor Spoke?
Valentine moved to refer the *Gaming Control Amendment (Future Gaming Market) Bill 2021* to the Legislative Council Government Administration Committee 'A'	**Defeated Noes: 10 vs Yes 4**	Webb, Gaffney, Valentine, Seidel.	No

Intent	Vote Result	Who Supported?	Labor Spoke?
Gaffney moved to refer the *Gaming Control Amendment (Future Gaming Market) Bill 2021* to the Joint House Public Accounts Committee	A Webb amendment to the motion was supported and passed without division **Amended motion** **Defeated Noes: 8 vs Yes 6** (Libs + Lab + Armitage)	Webb, Gaffney, Valentine, Seidel, Forrest Rattray	No

Consideration in Committee of the Whole Council

Tracking who voted how on Amendments

Tuesday 16 November 2021

Clause No.	Intent	Vote Result	Who Supported?	Labor Spoke?
C. 2	**Webb** amendment.	**Defeated 9 vs 4** (Lib + Lab+ Armitage +Rattray)	Webb, Gaffney, Valentine, Seidel.	Yes
C. 4	**Webb** amendment Insert new *"fully-automated table game machine"* definitions	**Defeated 9 vs 4** (Lib + Lab+ Armitage +Rattray)	Webb, Gaffney, Valentine, Seidel,	No
C. 21	**Webb** amendment (group of 9)	**Defeated 7vs 7** **(Lib + Lab only)** *Passed in the negative*	Webb, Gaffney, Valentine, Seidel, Armitage Rattray Forrest	No

Wednesday 17 November 2021

Clause No.	Intent	Vote Result	Who Supported?	Labor Spoke?
C. 23	**Webb** amendment. Clause 23 Request proposed That the House of Assembly be requested to amend paragraph (e) of Clause 23 By increasing 15% in proposed new subsection (6B) to 20.31%	**Defeated No 9 vs Yes 4** (Lib + Lab+ Armitage +Rattray)	Webb, Gaffney, Valentine, Seidel.	No
C. 26	**Webb** amendment	**Defeated No 7 vs Yes 6** **(Lib + Lab only)** *Forrest in Chair did not speak or vote.*	Webb, Gaffney, Valentine, Seidel, Armitage Rattray	No
C. 29	**Webb** amendment (2 together)	**Defeated No 9 vs Yes 4** (Lib + Lab+ Armitage +Rattray)	Webb, Gaffney, Valentine, Seidel.	No
C. 29	**Webb** amendments (further 2 together)	**Defeated No 9 vs Yes 4** (Lib + Lab+ Armitage +Rattray)	Webb, Gaffney, Valentine, Seidel.	No
C. 33	**Webb** amendments (2 together)	**withdrawn**		
C. 33	**Forrest** amendment Insert 'take a public health and consumer protection approach to' before 'protect people'.	**Passed on the voices without division called**		No
C. 39	**Forrest** amendments x2	**Noes 8 vs Yes 5** (Lib + Lab + Seidel)	Webb, Gaffney,	No

	Seeking to address Tasmanians excluded from local high roller casinos		Valentine, Forrest, Armitage.	
C. 39	**Webb** amendment Insert FATG games	**Amendment agreed to on the voices** (no division called)		No
C. 44	**Lovell** amendment Workplace harassment provisions	**Amendment agreed to on the voices** (no division called)		Yes
C. 50	**Webb** amendments x2 Parliamentary disallowance motions for general casino licence must be	**Defeated No 9 vs Yes 4** (Lib + Lab+ Armitage +Rattray)	Webb, Gaffney, Valentine, Seidel.	No
C. 65	**Webb** amendment Re licencing & licencing period set for period of 20 years for venue licence	**Amendment agreed to on the voices** (no division called)		No
C. 68	**Webb** amendment Licence renewal if renewed commences day due to expire	**Amendment agreed to on the voices** (no division called)	.	Yes Lovell in support

Thursday 18 November 2021

Clause No.	Intent	Vote Result	Who Supported?	Labor Spoke?
C. 69	**Webb** Amend: Commission must consider community interest re applications for additional EGMs	**Defeated No 6 vs Yes 5** **(Lib + Lab only)** *(Rattray provided Pair for Siejka)*	Webb, Gaffney, Valentine, Seidel, Armitage	No
C 72	**Webb** 1st Amend: also relates to community interest to be considered by Commission if EGM licensee wants to move EGS between premises	**Defeated No 8 vs Yes 5** (Lib & Lab + Rattray + Armitage) *No Pair in place*	Webb, Gaffney, Valentine, Seidel, Forrest	No
	2nd Amend: also relates to community interest to be considered by Commission	**No 6 vs Yes6** **(Lib + Lab only)** *(Rattray provided Pair for Siejka)* *Lost: passed in negative*	Webb, Gaffney, Valentine, Seidel, Forrest Armitage	No
C. 75	**Webb** 1st Amend: technical to ensure 2nd amend is consistent.	***Cognate amendments moved together (so only one vote occurred).***	Webb, Gaffney, Valentine, Seidel	No
	2nd Amend: reinserts specific requirements that Special Employees (those proposed to intervene if pokies players are exhibiting gaming problem behaviour) must have a certificate of competence (government's Bill allows a lower bar)	**Defeated No 8 vs Yes 4** (Lib & Lab + Rattray + Armitage) No Pair in place *Forrest in chair, didn't vote.*		
C. 117	**Webb** Group of 5 amendments moved together: intent is to reduce maximum allowable number of gaming machines per owner from the Bill's limit of 587 (25% of	***Cognate amendments moved together (so only one vote occurred).*** **Defeated No 9 vs Yes3**	Webb, , Valentine, Seidel	No

	state total) to approx. 15% of state maximum - in order to avoid all machines being owned by 4 big players/owners.	(Lib & Lab + Rattray + Armitage + Gaffney) No Pair in place *Forrest in chair, didn't vote.*		
C. 137	*Not an amendment per se:* **Webb** invites MLCs to vote against the current clause in the Bill which seeks to remove the current Act's requirement regarding signage in venues.	**No 7 vs Yes 5** (Lib + Lab + Forrest) Pair Provided (JS & TR) *Vote against clause failed – clause remains in Bill.*	Webb, Gaffney, Valentine, Seidel, Armitage	Lovell in support of Bill's provision.
C. 139	*Not an amendment per se:* **Webb** invites MLCs to vote against clause in Bill which provides additional unfettered Ministerial powers to determine community interest over that of the expert & independent Commission.	*Progress reported at 6:42pm* *Debate resumed at approx. 7:48pm.* **No 7 vs Yes 5** (Lib + Lab + Armitage) *(Rattray provided Pair for Siejka*)	Webb, Gaffney, Valentine, Seidel, Forrest	No
C. 153	**Webb** Amend: Set player rates @ 92% rate of return to player (less intense than Bill's proposed 87% up from current 85%)	**No 8 vs Yes 4** (Lib + Lab + Armitage + Rattray) No Pair this time *Forrest in Chair – no vote.*	Webb, Gaffney, Valentine, Seidel	No
C 155	**Forrest** 'Request to Amend': When a message is sent to Assembly asking them to consider clause that deals with Casino, and venue license fees (constitutionally non-government MPs cannot move $ Bills/amendments)	**8 No vs Yes 5** (Lib + Lab + Armitage + Rattray) *No Pair this time*	Webb, Gaffney, Valentine, Seidel Forrest	No
Monday 22 November 2021				
C. 160	**Webb** 'Request to Amend' To have taxation levels uniform form pokies across venues	**No 7 vs Yes 7** (Lib + Lab only) *Passes in the negative.*	Webb, Gaffney, Valentine, Seidel, Armitage Rattray Forrest	No
	Webb 'Request to Amend' Further investigation of Bill's proposed varied taxation rates on gaming activity in different venues raising pokies tax in casinos	**No 7 vs Yes 7** (Lib + Lab only) *Passes in the negative.*	Webb, Gaffney, Valentine, Seidel, Armitage Rattray Forrest	No
	Webb 'Request to Amend' increase FATG tax rates review	**No 7 vs Yes 7** (Lib + Lab only) *Passes in the negative*.	Webb, Gaffney, Valentine, Seidel, Armitage Rattray Forrest	No
C. 162	**Forrest** 'Request to Amend' re Community support levy rates	**No 7 vs Yes 7** (Lib + Lab only) *Passes in the negative.* (*Rattray in Chair as it was Forrest's amendment*)	Webb, Gaffney, Valentine, Seidel, Armitage Rattray	No

			Forrest	
C. 162	**Webb** amend: CSL Fund to be administered by Communities Tasmania (instead of Treasury as per the Bill)	**No 9 vs Yes 4** Lib + Lab + Armitage + Forrest)	Webb, Gaffney, Valentine, Seidel	No
New Clause A	**Webb** new clause 90A: simulated racing & visibility to minors in hotels etc.	**No 8 vs Yes 6** (Lib + Lab + Armitage)	Webb, Gaffney, Valentine, Seidel, Rattray Forrest	No
New Clause A	**Webb** new clause S 124 amended: Commission membership	**No 8 vs Yes 5** (Lib + Lab + Rattray) *(Forrest in chair & didn't speak or vote)*	Webb, Gaffney, Valentine, Seidel, Armitage	No
New Clause A	**Webb** new clause S 125 amended: Commission functions to include one that specifically relates to the impact of gambling harm in Tasmania.	Yes. Govt and Labor agree , so amendment passed on the voices - without division.		Yes – flagged conditional support- based on proposed amend to New Clause A
	Lovell amend to Webb New Clause A amend – to delete the word 'advocate', and instead to replace with 'promote'	Govt agreed with Labor, so amendment passed on the voices - without division.		Yes – proposed to amend New Clause A
Tuesday 23 November 2021				
New Clause B	**Webb** New Clause: Process surrounding draft directives from Minister to Commission, including requirement for publication in Gazette if Commission disagrees with some or all draft directives.	**No 6 vs Yes 5** (Lib + Lab only) (Forrest in chair & didn't speak or vote) *(Rattray stated support but provided Pair for Siejka so didn't vote)*	Webb, Gaffney, Valentine, Seidel, Armitage	No
New Clause B	**Webb** New Clause: 127AB of Principal Act-new clause inserted Definition of gambling data & Minister to provide Commission a direction to investigate into collection of public and non-public gaming data collection & publication and use.	**No 8 vs Yes 4** (Lib + Lab + Armitage + Rattray) (Forrest in chair & didn't speak or vote)	Webb, Gaffney, Valentine, Seidel.	No.
New Clause B	**Webb** New Clause: 127AC of Principal Act-new clause inserted Minister to provide direction to Commission to investigate 2 new gaming products: Fully Automated Table gaming (FATG) & simulated racing – within 12 months of introduction	As proposed new clause **supported by majority on the voices** no division called: those who spoke and indicated support: Labor, Gaffney, Valentine, Rattray		Yes – Lovell stated support for proposed Webb new clause
New Clause C	**Webb** New Clause: 152A of Principal Act-new clause inserted Penalties in the Act to be reviewed by Commission & reported to Parl.	**No 9 vs Yes 4** (Lib + Lab + Armitage + Rattray + Forrest)	Webb, Gaffney, Valentine, Seidel	No

New Clause C	**Gaffney** New Clause: Section 38 Principal Act Addressing consistency with industrial relations approaches	**supported by majority on the voices** on grounds of consistency with earlier successful amendments (Govt 'will not oppose')	*No division called*	Yes – Lovell stated support for proposed Gaffney new clause
New Clause D	**Webb** New Clause: Section 90B inserted Principal Act Seeks to ensure Keno games are not visible to minors in venues.	**No 8 vs Yes 4** (Lib + Lab + Armitage + Rattray) *Forrest in Chair didn't speak or vote*	Webb, Gaffney, Valentine, Seidel	No
New Clause D	**Webb** New Clause: new Section 95A inserted into Principal Act Warning signs to be displayed on gaming machines in casinos and licenced premises: including public health warnings pokies can be addictive	**No 6 vs Yes 6** (Lib + Lab) *(Rattray provided Pair for Siejka*)	Webb, Gaffney, Valentine, Seidel, Armitage, Forrest	No
New Clause D	**Webb** New Clause: new Section 96A inserted into Principal Act Gaming machines operating in venues not to exceed more than $1 bets and six second spin speeds. Rattray flagged an amendment to Webb's amendment of replacing $1 with $2 bet limit.	**No 6 vs Yes 6** (Lib + Lab) (*Rattray spoke supportively of amendment but due to Pair did not vote.)*	Webb, Gaffney, Valentine, Seidel, Armitage, Forrest	No
New Clause D	**Webb** New Clause: new Section 98A inserted into Principal Act Providing harm minimisation and consumer protection around Keno.	**No 7 vs Yes 4** (Lib + Lab + Armitage) *(Rattray provided Pair for Siejka*)	Webb, Gaffney, Valentine, Seidel.	No.
New Clause D	**Webb** New Clause: new Section 107 inserted into Principal Act Introducing FATG machine bet and spin time limits in casinos	**No 8 vs Yes 4** (Lib + Lab + Armitage + Rattray)	Webb, Gaffney, Valentine, Seidel.	No.
New Clause D	**Webb** New Clause: new Section 112L inserted into Principal Act Expansion of 'relevant matters' which the Commission can include in the Mandatory Code (to allow inclusion of bet limits and game features)	**No 6 vs Yes 6** (Lib + Lab) Question passes in the negative. (*Rattray in Chair & didn't vote)*	Webb, Gaffney, Valentine, Seidel, Armitage, Forrest	No
New Clause D	**Forrest** New Clause: new Section 112L inserted into Principal Act Expansion of 'relevant matters' which the Commission can include in the Mandatory Code (to allow inclusion of game features)	**No 6 vs Yes 6** (Lib + Lab) *Question passes in the negative.* (*Armitage as Pair for Siejka)*	Webb, Gaffney, Valentine, Seidel, Rattray, Forrest	No
New Clause D	**Webb** New Clause: new Section 112LA inserted into Principal Act Gambling services not to be provided to person experiencing gambling harm	Defeated on the voices - No division called		No
New Clause D	**Webb** New Clause:	**No 8 vs Yes 4** (Lib + Lab + Armitage + Rattray)	Webb, Gaffney,	No

	new Section 112RA inserted into Principal Act Opening hours for restricted gaming areas on licensed premises		Valentine, Seidel	
Debate on 2R finished Tuesday 23 November 2021, approx. 10:24pm.				

Third Reading Vote

Wednesday 24 November 2021

Vote Result	In Support	Against	Labor Spoke?
Yes 8 vs No 5	(Lib + Lab + Armitage + Rattray)	Webb Forrest Valentine Gaffney Seidel	No