



Andrew Wilkie MP
INDEPENDENT MEMBER FOR DENISON

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COMMONWEALTH HAS THE POWER TO LEGISLATE POKIES

The Independent Member for Denison, Andrew Wilkie, has welcomed confirmation that the Commonwealth has the power to legislate to introduce measures to reduce problem gambling on poker machines.

Mr Wilkie's agreement with the Prime Minister, Julia Gillard, requires a mandatory pre-commitment scheme on poker machines to start in 2014, requiring players to set a limit on how much they are prepared to lose before they start gambling.

The Wilkie-Gillard Agreement also required the Federal Government to "commission and receive legal advice no later than February 1 2011" on the Commonwealth's power to legislate poker machines.

The Minister for Families, Jenny Macklin, today released that legal advice from the Australian Government Solicitor, which found the Commonwealth had "extensive power to legislate for the regulation of relevant classes of persons and entities in relation to these matters".

The legal advice concluded the Commonwealth could use the corporations power under the Constitution to directly regulate poker machines, use a taxation-based regulatory scheme, or a combination of both.

Mr Wilkie said he was pleased the Government had met the deadline for receiving legal advice.

"It's another heartening demonstration of the Gillard Government's commitment to honouring its agreement with me," Mr Wilkie said.

The Wilkie-Gillard Agreement gives state and territory governments until May 31 to say whether they will voluntarily sign up to the reforms.

Mr Wilkie urged the governments and industry to get on board.

"I'm heartened that last weekend the Tasmanian Government supported a national pre-commitment system to help minimise the harm caused by problem gambling and I urge the other states and territories to follow suit," he said.

"It's time to accept that the Commonwealth does have the power to legislate and this reform is going to happen.

"They'd be better to sign on now and help influence the outcome, rather than bury their heads in the sand and try to resist the inevitable."

The Wilkie-Gillard Agreement states the Federal Government will legislate before May 2012

if the states and territories do not sign on voluntarily to the reforms that also include a \$250 daily limit for ATMs in pokies venues and dynamic-warning and cost-of-play displays on poker machines.

Mr Wilkie said a mandatory pre-commitment scheme was a key recommendation of the Productivity Commission, which last year concluded it was a ``strong, practicable and ultimately cost-effective option for harm minimisation”.

``The industry has to accept that it’s not OK to continue to profit from the misery and addiction of some of Australia’s most vulnerable people,” he said.

``Some venues have a relatively low level of problem gambling and they have nothing to fear from these reforms.

``They are designed to combat problem gambling and problem gambling only.”

Mr Wilkie is chair of the Joint Select Committee on Gambling Reform, which is touring the country this week consulting and inquiring into the design and implementation of full pre-commitment scheme.

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