

Queensland



Subordinate Legislation 1997 No. 10

Jupiters Casino Agreement Act 1983

**JUPITERS CASINO AGREEMENT
VARIATION REGULATION 1997**

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PROPOSED FURTHER AGREEMENT

Short title

1. This regulation may be cited as the *Jupiters Casino Agreement Variation Regulation 1997*.

Approval of proposed further agreement—Act, s 4

2. The proposed further agreement set out in the schedule is approved.¹

¹ The Act, section 4 provides that the agreement may be varied by a further agreement between the Minister and the other parties to the agreement and that the Minister may make a further agreement only if the proposed further agreement has been approved by regulation.

SCHEDULE**PROPOSED FURTHER AGREEMENT**

section 2

THIS AGREEMENT is made on 1997

BETWEEN THE STATE OF QUEENSLAND (“**State**”)

AND JUPITERS CUSTODIAN PTY LTD ACN 067 888 680 a company duly incorporated and having its registered office at Level 9, Niecon Tower, 17 Victoria Avenue, Broadbeach, Queensland (“**Custodian**”)

AND JUPITERS LIMITED ACN 010 741 045 a company duly incorporated and having its registered office at Level 9, Niecon Tower, 17 Victoria Avenue, Broadbeach, Queensland (“**Jupiters**”)

RECITALS

A The parties are the parties to an agreement made on 21 April 1983 relating to the establishment and operation of a hotel/casino complex at Broadbeach in the State of Queensland which was authorised by the Act and as subsequently amended.

B Custodian has been appointed the trustee and the manager of Jupiters Trust.

SCHEDULE (continued)

- C The parties have agreed to amend the Jupiters Casino Agreement in the manner set out in this document.

OPERATIVE PROVISIONS**Definitions**

1. In this document—

“**Act**” means the Jupiters Casino Agreement Act 1983.

“**Jupiters Casino Agreement**” means the agreement referred to in Recital A.

“**Jupiters Gaming**” means Jupiters Gaming Pty Ltd ACN 071 366 446.

“**Jupiters Trust**” means the trust created pursuant to the deed of trust dated 21 April 1983 between Jupiters Management Limited and TEA (1983) Limited.

“**Keno**” means the game of chance known as “Keno” promoted and operated by Licensed Casinos from time to time and to be promoted and operated by Jupiters Gaming upon the grant of a licence pursuant to the Keno Act 1996.

“**Licensed Casino**” means a casino licensed under the Casino Control Act 1982.

Condition

- 2.1 This agreement is subject to and conditional upon Jupiters Gaming being granted by the State a licence to provide Keno throughout the State of Queensland.
- 2.2 If the condition outlined in clause 2.1 shall not have been satisfied on or before 30 September 1997 or such later date or dates as may be agreed upon in writing by the parties, this agreement shall automatically terminate at 5.00 pm on 30 September 1997 and shall thereafter cease to be of any effect whatsoever.

SCHEDULE (continued)

Amendment of Jupiters Casino Agreement

3. The parties agree that the Jupiters Casino Agreement is amended by inserting into clause 46(b) the words and symbols “(other than keno)” after the words and number “clause 45 hereof”.

Governing law

4. The interpretation and construction of this document shall be governed and determined in accordance with the law of Queensland and the parties submit to the non-exclusive jurisdiction of the courts of that State.

SCHEDULE (continued)

EXECUTED AS AN AGREEMENT.

SIGNED by the Treasurer of **THE**)
STATE OF QUEENSLAND for and)
on behalf of the State of Queensland in)
the presence of:)

.....
Witness

.....
Name of Witness (print)

THE COMMON SEAL of)
JUPITERS CUSTODIAN PTY)
LTD is affixed in accordance with its)
articles of association in the presence)
of:)

.....
Director

.....
Name of Director (print)

.....
Director/Secretary

.....
Name of Director/Secretary (print)

SCHEDULE (continued)

THE COMMON SEAL of)
JUPITERS LIMITED was)
hereunto affixed in accordance with)
its articles of association in the)
presence of:)

.....

Director

.....

Name of Director (print)

.....

Director/Secretary

.....

Name of Director/Secretary (print)

ENDNOTES

1. Made by the Governor in Council on 30 January 1997.
2. Notified in the gazette on 31 January 1997.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Treasury Department.