



Queensland

# Gambling Legislation Amendment Regulation (No. 3) 2005

## Subordinate Legislation 2005 No. 115

made under the

*Casino Control Act 1982*

*Charitable and Non-Profit Gaming Act 1999*

*Gaming Machine Act 1991*

*Interactive Gambling (Player Protection) Act 1998*

*Keno Act 1996*

*Lotteries Act 1997*

*Wagering Act 1998*

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### Part 1 Preliminary

#### 1 Short title

This regulation may be cited as the *Gambling Legislation Amendment Regulation (No. 3) 2005*.

#### 2 Commencement

This regulation commences on 1 July 2005.

### Part 2 Amendment of Casino Control Regulation 1999

#### 3 Regulation amended in pt 2

This part amends the *Casino Control Regulation 1999*.

#### 4 Replacement of s 44 (Report about prohibition under order or direction—Act, s 100D)

Section 44—

*omit, insert—*

#### ‘44 Report about prohibition under order or direction—Act, s 100D

(1) A casino operator must give the chief executive a report about the prohibition of persons from entering or remaining in the casino under a self-exclusion order or an exclusion direction—

(a) within 14 days after 31 December in each year; and

- (b) within 14 days after—
- (i) 30 June 2006; and
  - (ii) 30 June in each later year.
- ‘(2) Subsection (3) applies if a person enters or remains in a casino in contravention of a self-exclusion order or an exclusion direction.
- ‘(3) The casino operator must, within 7 days after the contravention, give a report to the chief executive about the prohibition of the person from entering or remaining in the casino under the self-exclusion order or exclusion direction.’.

## 5 Replacement of sch 4 (Fees)

Schedule 4—

*omit, insert—*

### ‘Schedule 4 Fees

	section 46
	\$
1 Application for casino employee licence (s 35(1)(b) of the Act) . . . . .	345.00
2 Application for casino key employee licence (s 35(1)(b) of the Act)—	
(a) if the applicant holds a casino employee licence	345.00
(b) if the applicant does not hold a casino employee licence . . . . .	659.00
3 Application for a replacement casino key employee licence or casino employee licence (s 39E(2) of the Act) . . . . .	25.00
4 Casino licence fee (s 50 of the Act) (for each quarter) . . . . .	164 900.00
5 Fee under section 37(5) or 38(5) for assessment . . .	659.00



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2	Application for renewal of bingo centre licence (Act, s 43)	206.00
3	Application for lucky envelope printer licence (Act, s 43)	2 868.00
4	Application for renewal of lucky envelope printer licence (Act, s 43) . . . . .	2 868.00
5	Application for category 3 gaming licence (Act, s 43) under which the applicant intends to conduct only 1 game if the highest estimated gross proceeds for the game are—	
	• more than \$20000 but not more than \$100000 . . . . .	287.00
	• more than \$100000 but not more than \$500000 . . . . .	574.00
	• more than \$500000 . . . . .	1 147.00
6	Application for category 3 gaming licence (Act, s 43) under which the applicant intends to conduct more than 1 game if the highest estimated gross proceeds for 1 game are—	
	• more than \$20000 but not more than \$100000 . . . . .	574.00
	• more than \$100000 but not more than \$500000 . . . . .	1 147.00
	• more than \$500000 . . . . .	2 294.00
7	Application for renewal of category 3 gaming licence (Act, s 43) under which the applicant intends to conduct only 1 game if the highest estimated gross proceeds for the game are—	
	• more than \$20000 but not more than \$100000 . . . . .	287.00
	• more than \$100000 but not more than \$500000 . . . . .	574.00
	• more than \$500000 . . . . .	1 147.00
8	Application for renewal of category 3 gaming licence (Act, s 43) under which the applicant intends to conduct more than 1 game if the highest estimated gross proceeds for 1 game are—	
	• more than \$20000 but not more than \$100000 . . . . .	574.00
	• more than \$100000 but not more than \$500000 . . . . .	1 147.00
	• more than \$500000 . . . . .	2 294.00
9	Evaluation of regulated general gaming equipment (Act, s 99), for each hour, or part of an hour, involved in the following—	
	(a) carrying out—	
	(i) basic evaluation . . . . .	143.00
	(ii) intermediate evaluation . . . . .	178.00



- (i) 30 June 2006; and
  - (ii) 30 June in each later year.
- ‘(2) Subsection (3) applies if a person enters or remains in a licensee’s licensed premises or a gaming machine area on the licensed premises in contravention of a self-exclusion order or an exclusion direction.
- ‘(3) The licensee must, within 7 days after the contravention, give a report to the chief executive about the prohibition of the person from entering or remaining in the licensed premises, or a gaming machine area on the licensed premises, under the self-exclusion order or exclusion direction.’

## **11 Amendment of s 41 (Manual payments register)**

- (1) Section 41(4)(d)—  
*omit.*
- (2) Section 41(4)(e)—  
*renumber* as section 41(4)(d).

## **12 Replacement of sch 2 (Prescribed conditions of gaming machine licence)**

Schedule 2—  
*omit, insert—*

### **‘Schedule 2 Prescribed conditions of gaming machine licence**

section 10

## **‘Part 1 General conditions**

### **‘1 Compliance program**

‘The licensee must have a compliance program for the licence.

## **‘2 Keeping documents**

- ‘(1) The licensee must keep the following documents available for inspection at each of the licensed premises under the licence—
- (a) a statement in the approved form about the compliance program for the licence;
  - (b) a compliance program document for the licence.
- ‘(2) The licensee must keep, at the licensee’s expense, all records, accounts, reports and other documentation required to be kept by the licensee under the Act or this regulation.

## **‘3 Licensee to ensure particular persons have adequate skills**

‘The licensee must ensure that a person employed by the licensee to perform a function relating to the conduct of the licensee’s gaming operations has adequate skills to perform the function in a way that ensures the licensee complies with the Act in the conduct of the gaming operations.

## **‘4 Licensee to make arrangement with chief executive**

‘The licensee must make an arrangement with the chief executive to allow the chief executive to withdraw the following, by direct debit, from an account held by the licensee for the purpose—

- (a) all taxes and levies payable under part 9 of the Act;
- (b) any penalty payable under section 319<sup>1</sup> of the Act.

## **‘5 Licensee to repay costs**

‘The licensee must repay the chief executive the full cost of—

- (a) work performed by the chief executive because the licensee has contravened a condition of the licence; and

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<sup>1</sup> Part 9 (Taxes, levies and fees), section 319 (Penalty for late payment) of the Act

- (b) investigating and correcting errors or omissions in, or the preparation of, a monthly gaming machine reconciliation report prepared by the licensee under section 299<sup>2</sup> of the Act.

## ‘Part 2                      Condition about prescribed standards

### ‘6            Licensee to comply with prescribed standards

‘(1) The licensee must conduct the licensee’s gaming operations under the licence in compliance with each prescribed standard.

‘(2) Subsection (1) applies—

- (a) to a new licensee on and from the day that is 4 months after the day the licensee starts to conduct gaming on the licensed premises under the licence; and
- (b) to a licensee other than a new licensee on and from—
- (i) the day that is 4 months after the second time a relevant event for the licensee happens; or
  - (ii) if, within 4 months after the second time a relevant event for the licensee happens, the chief executive gives the licensee a written notice stating a day later than the day mentioned in subparagraph (i)—the later day.

‘(3) In this section—

*new licensee* means a licensee who applied for the grant of the licence on or after 1 July 2005.

*prescribed standard* means a standard made under section 54B of the Act about the minimum requirements for the following in the conduct of gaming operations—

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2      Section 299 (Monthly gaming machine reconciliation reports) of the Act



**‘9 Signage or promotions**

‘The licensee must ensure that gaming does not dominate external signage on the licensee’s licensed premises or marketing or promotional activity for the licensed premises.

**‘Part 4 Conditions about gaming machines and related equipment**

**‘10 Maintenance of gaming machines and certain related equipment**

‘(1) The licensee must—

- (a) care for all gaming machines, and ancillary or related equipment, including, for example, consoles, fibre optic cable, progressive displays and site controllers, on the licensee’s licensed premises, in the way a reasonable, careful and prudent owner would; and
- (b) provide, at the licensee’s expense, locks of a type approved by the chief executive to secure the gaming machine cabinet, banknote receptacle, cage housing the receptacle and console door for each gaming machine; and
- (c) ensure a key to the locks securing the gaming machine cabinets for all gaming machines is exclusive to the locks; and
- (d) ensure a key to the locks securing the banknote receptacles, cages housing the receptacles and console doors for all gaming machines is exclusive to the locks; and
- (e) fix gaming machines to consoles in a way approved by the chief executive; and

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- (f) take all reasonable steps to ensure all gaming machines are—
  - (i) continuously provided with electricity; and
  - (ii) switched on at all times.
- ‘(2) The licensee must carry out, as required, at the licensee’s expense (unless the work is carried out under a licensed major dealer’s warranty), the following works to ensure gaming machines are at all times in a proper state of repair and safe for use—
  - (a) installation, alteration, adjustment, maintenance or repair of fuses, electric light globes, fluorescent tubes and fluoro starters of a gaming machine that are easily accessible;
  - (b) installation, alteration, adjustment, maintenance or repair of locks of gaming machine cabinets or console doors;
  - (c) installation, alteration, adjustment, maintenance or repair of hinges of gaming machine console doors;
  - (d) adjustment of the device regulating the level of the contents of the hopper;
  - (e) installation, alteration, adjustment, maintenance or repair of external switch covers or glass or perspex panels of a gaming machine;
  - (f) repair by clearing gaming tokens jammed in a gaming machine;
  - (g) repair by resetting minor fault conditions of a gaming machine;
  - (h) regular inspection, testing and tagging of electrical equipment of a gaming machine and ancillary or related equipment.
- ‘(3) A licensee must not interfere with a connection between a gaming machine and an electronic monitoring system installed by a licensed monitoring operator.’

## 13 Replacement of sch 5 (Fees)

Schedule 5—

*omit, insert—*

### 'Schedule 5 Fees

section 56

		\$
1	Appeal to Minister (s 29(2)(c) of the Act) . . . . .	287.00
2	Filing a notice of appeal with the registrar of the commission (s 33(2)(a) of the Act) . . . . .	287.00
3	Application for gaming machine licence for premises that are not licensed premises (s 56(5)(q) of the Act) . . . . .	4 358.00
4	Application for gaming machine licence for premises that are licensed premises (s 56(5)(q) of the Act) . . . . .	2 064.00
5	Application for approval of additional licensed premises (s 61(3)(g)(ii) of the Act) . . . . .	2 064.00
6	Copy of gaming machine licence (s 71(1) of the Act) . . . . .	57.00
7	Fresh gaming machine licence (s 71(3)(a) of the Act) . . . . .	57.00
8	Replacement gaming machine licence (s 71A(2)(b) of the Act) . . . . .	57.00
9	Replacement gaming machine licence (s 71A(4)(b) of the Act) . . . . .	57.00
10	Application for renewal of gaming machine licence (s 76(2)(b) of the Act)—	
	(a) by a category 1 licensee . . . . .	345.00
	(b) by a category 2 licensee—for each premises . . . . .	345.00
11	Application to increase approved number of gaming machines by less than 10 gaming machines for a category 1 licensed premises (s 81(2)(h) of the Act) . . . . .	115.00
	plus—for each additional machine . . . . .	11.00
12	Application to increase approved number of gaming machines by 10 or more gaming machines for a category 1 licensed premises (s 81(2)(h) of the Act) . . . . .	574.00
	plus—for each additional machine . . . . .	11.00

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		\$
13	Application to increase approved number of gaming machines by less than 20 gaming machines for a category 2 licensed premises (s 81(2)(h) of the Act) . . .	115.00
	plus—for each additional machine . . . . .	11.00
14	Application to increase approved number of gaming machines by 20 or more gaming machines for a category 2 licensed premises (s 81(2)(h) of the Act) . . .	574.00
	plus—for each additional machine . . . . .	11.00
15	Application to increase approved hours of gaming (s 85A(1) of the Act) . . . . .	25.00
16	Application to decrease approved number of gaming machines (s 86(1) of the Act) . . . . .	57.00
17	Application for approval to relocate a gaming machine area (s 91(2) of the Act)—for each machine . . . . .	25.00
18	Replacement gaming machine licence (s 109I(2)(b) of the Act) . . . . .	57.00
19	Application for monitoring operator’s licence (s 115(3)(e) of the Act) . . . . .	11 470.00
20	Monitoring operator’s licence fee (s 122(7) of the Act)	275 263.00
21	Application for major dealer’s licence (s 115(3)(e) of the Act) . . . . .	11 470.00
22	Major dealer’s licence fee (s 122(7) of the Act) . . . . .	137 633.00
23	Application for secondary dealer’s licence (s 115(3)(e) of the Act) . . . . .	1 147.00
24	Secondary dealer’s licence fee (s 122(7) of the Act) . . .	4 588.00
25	Application for renewal of monitoring operator’s licence (s 130(3)(c) of the Act) . . . . .	11 470.00
26	Monitoring operator’s licence renewal fee (s 131(2) of the Act) . . . . .	275 263.00
27	Application for renewal of major dealer’s licence (s 130(3)(c) of the Act) . . . . .	11 470.00
28	Major dealer’s licence renewal fee (s 131(2) of the Act)	137 633.00
29	Application for renewal of secondary dealer’s licence (s 130(3)(c) of the Act) . . . . .	1 147.00
30	Secondary dealer’s licence renewal fee (s 131(2) of the Act) . . . . .	4 588.00

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	\$
31 Application for replacement of supplier's licence (s 132(2)(a) of the Act) . . . . .	57.00
32 Application for service contractor's licence (s 198(4)(1) of the Act)—	
(a) by an individual. . . . .	345.00
(b) by a category 1 body corporate. . . . .	687.00
(c) by a category 2 body corporate. . . . .	5 734.00
33 Application for renewal of service contractor's licence (s 207(2)(c) of the Act)—	
(a) by an individual. . . . .	345.00
(b) by a category 1 body corporate. . . . .	687.00
(c) by a category 2 body corporate. . . . .	5 734.00
34 Copy of service contractor's licence (s 203(1) of the Act) . . . . .	57.00
35 Fresh service contractor's licence (s 203(3)(a) of the Act) . . . . .	57.00
36 Application for gaming nominee's licence by licensed gaming employee (s 196(2)(d) of the Act) . . . . .	345.00
37 Application for gaming nominee's or key monitoring employee's licence (s 198(4)(1) of the Act). . . . .	345.00
38 Application for renewal of gaming nominee's or key monitoring employee's licence (s 207(2)(c) of the Act)	172.00
39 Application for gaming employee's licence by a licensed gaming nominee (s 197(2)(c) of the Act) . . . .	172.00
40 Application for gaming employee's or repairer's licence (s 198(4)(1) of the Act) . . . . .	172.00
41 Application for renewal of gaming employee's or repairer's licence (s 207(2)(c) of the Act) . . . . .	172.00
42 Copy of gaming nominee's, gaming employee's, key monitoring employee's or repairer's licence (s 203(1) of the Act) . . . . .	25.00
43 Fresh gaming nominee's, gaming employee's, key monitoring employee's or repairer's licence (s 203(3)(a) of the Act) . . . . .	25.00
44 Evaluation of a gaming related system (s 232(3)(a) of the Act)—for each hour, or part of an hour, involved in the following—	

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	\$
(a) carrying out—	
(i) basic evaluation . . . . .	143.00
(ii) intermediate evaluation . . . . .	178.00
(iii) advanced evaluation . . . . .	213.00
(iv) administration for an evaluation . . . . .	108.00
(b) giving advice for an evaluation . . . . .	108.00
(c) holding meetings for an evaluation . . . . .	108.00
45 Application for approval under section 265(2) of the Act (s 265(4)(b) of the Act)—for each machine . . . . .	25.00
46 Application for repossession of a gaming machine (s 274(3)(b) of the Act) . . . . .	25.00
47 Evaluation of a gaming machine type or game (s 281(7)(a) of the Act)—for each hour, or part of an hour, involved in the following—	
(a) carrying out—	
(i) basic evaluation . . . . .	143.00
(ii) intermediate evaluation . . . . .	178.00
(iii) advanced evaluation . . . . .	213.00
(iv) administration for an evaluation . . . . .	108.00
(b) giving advice for an evaluation . . . . .	108.00
(c) holding meetings for an evaluation . . . . .	108.00
48 Evaluation of a linked jackpot arrangement (s 288(3)(a) of the Act)—for each hour, or part of an hour, involved in the following—	
(a) carrying out—	
(i) basic evaluation . . . . .	143.00
(ii) intermediate evaluation . . . . .	178.00
(iii) advanced evaluation . . . . .	213.00
(iv) administration for an evaluation . . . . .	108.00
(b) giving advice for an evaluation . . . . .	108.00
(c) holding meetings for an evaluation . . . . .	108.00
49 Application for approval to change the percentage return to players less than 1 month before it was last changed (s 35(b) of this regulation)—for each machine	25.00



- ‘(3) The licensed provider must, within 7 days after the contravention, give a report to the chief executive about the prohibition of the person from participating as a player in authorised games conducted by the provider under the self-exclusion order or exclusion direction.’

## 16 Replacement of sch 3 (Fees)

Schedule 3—

*omit, insert—*

### ‘Schedule 3 Fees

section 21

\$

1	Application for interactive gambling licence (s 30(2) of the Act)—	
	(a) if the applicant is a person authorised to conduct an art union under the <i>Charitable and Non-Profit Gaming Act 1999</i> and the application relates to an art union under that Act. . . . .	1 197.00
	(b) if paragraph (a) does not apply . . . . .	11 982.00
2	Application for key person licence (s 65(2)(c) of the Act) . . . . .	345.00
3	Issue of replacement key person licence (s 75(4) of the Act) . . . . .	25.00
4	Evaluation of regulated interactive gambling equipment (s 162(3)(a) of the Act), for each hour, or part of an hour, involved in the following—	
	(a) carrying out—	
	(i) basic evaluation. . . . .	143.00
	(ii) intermediate evaluation. . . . .	178.00
	(iii) advanced evaluation . . . . .	213.00
	(iv) administration for an evaluation . . . . .	108.00

		\$
	(b) giving advice for an evaluation . . . . .	108.00
	(c) holding meetings for an evaluation . . . . .	108.00
5	Filing a notice of appeal (s 254(2)(a) of the Act) . .	287.00’.

## **Part 6                      Amendment of Keno Regulation 1997**

### **17      Regulation amended in pt 6**

This part amends the *Keno Regulation 1997*.

### **18      Replacement of s 11A (Report about prohibition under order or direction—Act, s 154L)**

Section 11A—

*omit, insert—*

#### **‘11A    Report about prohibition under order or direction—Act, s 154L**

- ‘(1) An appointed agent must give the chief executive a report about the prohibition of persons from taking part in keno gaming at, or entering or remaining in, the agent’s approved place of operation under a self-exclusion order or an exclusion direction—
- (a) within 14 days after 31 December in each year; and
  - (b) within 14 days after—
    - (i) 30 June 2006; and
    - (ii) 30 June in each later year.
- ‘(2) Subsection (3) applies if a person takes part in keno gaming at, or enters or remains in, an appointed agent’s approved place of operation in contravention of a self-exclusion order or an exclusion direction.

- ‘(3) The appointed agent must, within 7 days after the contravention, give a report to the chief executive about the prohibition of the person from taking part in keno gaming at, or entering or remaining in, the agent’s approved place of operation under the self-exclusion order or exclusion direction.’.

## 19 Replacement of sch 3 (Fees)

Schedule 3—

*omit, insert—*

### ‘Schedule 3 Fees

section 14

		\$
1	Application for keno employee licence (s 49(2)(c) of the Act) . . . . .	345.00
2	Issue of replacement keno employee licence (s 59(4) of the Act) . . . . .	25.00
3	Evaluation of regulated keno equipment (s 145(3)(a) of the Act), for each hour, or part of an hour, involved in the following—	
	(a) carrying out—	
	(i) basic evaluation . . . . .	143.00
	(ii) intermediate evaluation . . . . .	178.00
	(iii) advanced evaluation . . . . .	213.00
	(iv) administration for an evaluation . . . . .	108.00
	(b) giving advice for an evaluation . . . . .	108.00
	(c) holding meetings for an evaluation . . . . .	108.00
4	Filing a notice of appeal (s 235(2)(a) of the Act) . .	287.00’.

## **Part 7                      Amendment of Lotteries Regulation 1997**

### **20            Regulation amended in pt 7**

This part amends the *Lotteries Regulation 1997*.

### **21            Replacement of sch 3 (Fees)**

Schedule 3—

*omit, insert—*

### **‘Schedule 3            Fees**

section 15

		\$
1	Application for lottery licence (s 9(2) of the Act) . . . . .	11 982.00
2	Application for key person licence (s 47(2)(c) of the Act) . . . . .	345.00
3	Issue of replacement key person licence (s 57(4) of the Act) . . . . .	25.00
4	Evaluation of regulated lottery equipment (s 133(3)(a) of the Act), for each hour, or part of an hour, involved in the following—	
	(a) carrying out—	
	(i) basic evaluation . . . . .	143.00
	(ii) intermediate evaluation . . . . .	178.00
	(iii) advanced evaluation . . . . .	213.00
	(iv) administration for an evaluation . . . . .	108.00
	(b) giving advice for an evaluation . . . . .	108.00
	(c) holding meetings for an evaluation . . . . .	108.00
5	Filing a notice of appeal (s 220(2)(a) of the Act) . . . . .	287.00’.



## 24 Replacement of sch 3 (Fees)

Schedule 3—

*omit, insert—*

### 'Schedule 3 Fees

section 17

		\$
1	Application for race wagering licence or sports wagering licence (s 19(c) of the Act) . . . . .	11 982.00
2	Application for key person licence (s 102(2)(c) of the Act) . . . . .	345.00
3	Issuing replacement key person licence (s 116(4) of the Act) . . . . .	25.00
4	Evaluation of regulated wagering equipment (s 208(4)(a) of the Act), for each hour, or part of an hour, involved in the following—	
	(a) carrying out—	
	(i) basic evaluation . . . . .	143.00
	(ii) intermediate evaluation . . . . .	178.00
	(iii) advanced evaluation . . . . .	213.00
	(iv) administration for an evaluation . . . . .	108.00
	(b) giving advice for an evaluation . . . . .	108.00
	(c) holding meetings for an evaluation . . . . .	108.00
5	Filing a notice of appeal (s 297(2)(a) of the Act) . .	287.00'

ENDNOTES

- 1 Made by the Governor in Council on 16 June 2005.
- 2 Notified in the gazette on 17 June 2005.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Treasury Department.