

Queensland



# **CASINO CONTROL AMENDMENT ACT 1995**

**Act No. 6 of 1995**

# Queensland



## CASINO CONTROL AMENDMENT ACT 1995

### TABLE OF PROVISIONS

Section		Page
1	Short title .....	4
2	Act amended .....	4
3	Amendment of s 4 (Interpretation) .....	4
4	Replacement of Pt 2 (Administration) .....	5
	<b>PART 2—ADMINISTRATION</b>	
6	Appointment of inspectors .....	6
7	Minister may approve program to audit suitability of inspectors ...	6
8	Chief executive must consider suitability of proposed inspectors and inspectors .....	6
9	Identity cards for inspectors .....	7
10	Production or display of identity card .....	8
11	Powers .....	8
12	Appointment conditions .....	8
13	Protection from liability .....	9
14	Secrecy .....	9
15	Power of delegation .....	10
16	Approval of forms .....	10
5	Amendment of s 21 (Hotel–casino complex owner as licensee) .....	10
6	Insertion of new s 43A .....	11
	43A Investigations about casino key employees or casino employees ..	11
	43B Minister may approve audit program to investigate casino key employees and casino employees .....	12
7	Amendment of s 60 (Variation of casino layout) .....	12
8	Amendment of s 61 (Hours of operation) .....	12

---

9	Amendment of s 62 (Gaming equipment and chips) . . . . .	13
10	Insertion of new s 62A . . . . .	14
	62A Gaming equipment outside of casino . . . . .	14
11	Replacement of s 64 (Assistance to patrons in relation to rules of games) . . . . .	14
	64 Help for patrons about rules of games . . . . .	15
	64A Wagers other than permissible minimum and maximum wagers . . . . .	15
12	Amendment of s 65 (Obligation of casino operator in relation to conduct of games) . . . . .	16
13	Insertion of new ss 65A–65C . . . . .	17
	65A Chief executive may approve gaming documents . . . . .	17
	65B Repairers of gaming machines . . . . .	17
	65C Liquor served at tables etc. . . . .	18
14	Replacement of s 77 (Keeping of bank accounts) . . . . .	18
	77 Keeping of bank accounts . . . . .	18
15	Amendment of s 102 (Provisions relating to minors in respect of casinos) . . . . .	18
16	Insertion of new ss 102A and 102B . . . . .	20
	102A Minors employed by casino operator . . . . .	20
	102B Minors on heritage tour of a hotel-casino complex . . . . .	20
17	Amendment of s 103 (Cheating) . . . . .	20
18	Amendment of s 112 (Officers of the Division not to gamble etc.) . . . . .	21
19	Insertion of new ss 129–134 . . . . .	22
	129 Existing inspectors . . . . .	22
	130 Identity cards . . . . .	23
	131 Existing approvals etc. . . . .	23
	132 Prescribed forms to continue as approved forms . . . . .	24
	133 References in statutory instruments to Director . . . . .	24
	134 Certain officers taken to be directed officers . . . . .	24
	<b>SCHEDULE</b> . . . . .	25
	<b>AMENDMENTS</b>	

Queensland



## **Casino Control Amendment Act 1995**

### **Act No. 6 of 1995**

---

**An Act to amend the *Casino Control Act 1982***

***[Assented to 29 March 1995]***

**The Parliament of Queensland enacts—****Short title**

1. This Act may be cited as the *Casino Control Amendment Act 1995*.

**Act amended**

2. This Act amends the *Casino Control Act 1982*.

**Amendment of s 4 (Interpretation)**

3.(1) Section 4, definitions “casino”, “Casino Control Division”, “Division”, “the Deputy Director”, “the Director”, “game” and “inspector”—

*omit.*

(2) Section 4—

*insert—*

“**approved form**” means a form approved by the chief executive.

“**audit program**” means—

- (a) for an inspector—a program approved under section 7(1);<sup>1</sup> or
- (b) for a casino key employee or casino employee—a program approved under section 43B(1).<sup>2</sup>

“**casino**” means the areas of a hotel-casino complex identified in the casino licence as the areas of the casino, and includes, for example, if identified in the licence, not only the areas for the conduct and playing of games but also areas for money counting, surveillance, accounting, storage and other activities related to the operation and functioning of the casino.

---

<sup>1</sup> Section 7 (Minister may approve program to audit suitability of inspectors).

<sup>2</sup> Section 43B (Minister may approve audit program to investigate casino key employees and casino employees).

“**criminal history**” of a person means the person’s criminal history within the meaning of the *Criminal Law (Rehabilitation of Offenders) Act 1986*, and—

- (a) despite section 6 of that Act, includes a conviction of the person to which the section applies; and
- (b) despite section 5 of that Act, includes a charge made against the person for an offence.

“**directed officer**” see section 112.<sup>3</sup>

“**game**” means a game that may be conducted or played in a casino under a casino licence or a machine game.

“**inspector**” means a person who is appointed as an inspector.

“**officer**” of the department includes an employee of the department.

“**supervising inspector**”, for a casino, means the inspector nominated by the chief executive as the supervising inspector for the casino.’

## Replacement of Pt 2 (Administration)

### 4. Part 2—

*omit, insert—*

### ‘Exercise of power on conditions

‘**5.(1)** This section applies to the Minister, the chief executive or an inspector (an “**authorised person**”) when the authorised person has the power to allow someone else to do something.

‘**(2)** The authorised person may allow the other person to do the thing on conditions the authorised person considers appropriate.

*Example—*

If a casino operator may sell liquor at a gaming table only if the chief executive approves the sale, the chief executive may approve the sale of liquor during certain hours and at certain gaming tables.

‘**(3)** This section applies whether or not the section mentioning the authorised person’s power states the power may be exercised on conditions.

---

<sup>3</sup> Section 112 (Certain officers of the department not to gamble etc.).

## **PART 2—ADMINISTRATION**

### **Appointment of inspectors**

**6.(1)** The chief executive may appoint as inspectors—

- (a) officers and employees of the public service; and
- (b) other persons prescribed under a regulation.

**6.(2)** The chief executive may appoint a person as an inspector only if—

- (a) in the chief executive's opinion, the person has the necessary expertise or experience to be an inspector; or
- (b) the person has satisfactorily finished training approved by the chief executive.

**6.(3)** Also, the chief executive may appoint a person as an inspector only if the person is a suitable person to perform the duties of an inspector.

**6.(4)** Subsections (2) and (3) do not limit the issues the chief executive may consider when deciding whether to appoint a person as an inspector.

### **Minister may approve program to audit suitability of inspectors**

**7.(1)** The Minister may approve a program under which the chief executive may reconsider the suitability of an inspector to perform the duties of an inspector.

**7.(2)** The suitability of an inspector to perform the duties of an inspector may be reconsidered under the audit program only once every 4 years.

### **Chief executive must consider suitability of proposed inspectors and inspectors**

**8.(1)** This section applies when the chief executive intends to appoint a person as an inspector.

**8.(2)** This section also applies when the chief executive decides, under the audit program, to reconsider the suitability of an inspector to perform the duties of an inspector.

**8.(3)** In considering the suitability of the person to perform the duties of

an inspector, the chief executive must have regard to, and may make inquiries about, the person's character and standing, financial position and business and training experience.

*Example—*

The chief executive's inquiries about an individual's character and standing may include asking the Commissioner of the Police Service for a written report about the person's criminal history.

'(4) If asked by the chief executive, the Commissioner of the Police Service must give the chief executive a written report about the criminal history of the person.

'(5) Subsection (4) applies to the criminal history in the Commissioner's possession or to which the Commissioner has access.

'(6) Subsections (3) and (4) do not limit the issues to which the chief executive may have regard in considering the suitability of a person to perform the duties of an inspector.

### **'Identity cards for inspectors**

'9.(1) The chief executive must give each inspector an identity card.

'(2) The identity card must—

- (a) contain a recent photograph of the inspector; and
- (b) be signed by the inspector; and
- (c) identify the person as an inspector; and
- (d) state an expiry date.

'(3) A person who ceases to be an inspector must return the identity card to the chief executive as soon as practicable (but within 21 days) after the person ceases to be an inspector, unless the person has a reasonable excuse.

Maximum penalty—40 penalty units.

'(4) This section does not prevent the giving of a single identity card to a person for this Act and other Acts.

**‘Production or display of identity card**

**‘10.(1)** An inspector may exercise a power in relation to a person only if the inspector—

- (a) first produces the inspector’s identity card for the person’s inspection; or
- (b) has the inspector’s identity card displayed so it is clearly visible to the person.

**‘(2)** However, if for any reason it is not practicable to comply with subsection (1) before exercising the power, the inspector must produce the identity card as soon as it is practicable.

**‘Powers**

**‘11.(1)** An inspector—

- (a) has the powers given under this or another Act; and
- (b) is subject to the directions of the chief executive in exercising the powers.

**‘(2)** An inspector’s powers may be limited—

- (a) under a regulation; or
- (b) under a condition of appointment; or
- (c) by written notice given by the chief executive to the inspector.

**‘Appointment conditions**

**‘12.(1)** An inspector holds office on the conditions stated in the instrument of appointment.

**‘(2)** An inspector—

- (a) if the appointment provides for a term of appointment—ceases holding office at the end of the term; and
- (b) if the conditions of appointment provide—ceases holding office on ceasing to hold another office stated in the appointment conditions; and
- (c) may resign by signed notice given to the chief executive.

**‘Protection from liability**

**‘13.(1)** This section applies to—

- (a) an inspector; and
- (b) a person acting under the direction of an inspector.

**‘(2)** A person does not incur civil liability for an act done, or omission made, honestly and without negligence under this Act.

**‘(3)** If subsection (2) prevents a civil liability attaching to a person, the liability attaches instead to the State.

**‘Secrecy**

**‘14.(1)** This section applies to a person who, at any time, is or was an inspector or officer of the department.

**‘(2)** A person—

- (a) must keep, and help in keeping, secrecy for all information that comes to the person’s knowledge in performing functions under this Act; and
- (b) must not disclose information mentioned in paragraph (a) except—
  - (i) in exercising powers or performing functions under this Act; or
  - (ii) with a lawful excuse; or
  - (iii) if approved under this section.

Maximum penalty—200 penalty units or imprisonment for 1 year.

**‘(3)** If the chief executive approves, a person may disclose information mentioned in subsection (2) to an entity prescribed under a regulation, or to an officer, employee or member of the entity.

**‘(4)** An entity or person to whom information is disclosed under subsection (3), and a person or employee under the control of the entity or person, is, in relation to the information, subject to the same rights and liabilities under this section as if the entity or person were a person to whom this section applies.

‘(5) If the chief executive approves, a person may also disclose information mentioned in subsection (2) to a specified department, entity or person.

‘(6) Before giving an approval under subsection (5), the chief executive must—

- (a) advise any person who the chief executive considers is likely to be adversely affected by a disclosure because of the proposed approval; and
- (b) give the person the opportunity of making a submission about the proposed approval within the time stated in the notice (of not less than 14 days).

### **‘Power of delegation**

‘15. The chief executive may delegate the chief executive’s powers under this Act to an inspector or officer of the department.

### **‘Approval of forms**

‘16. The chief executive may approve forms under this Act.’.

### **Amendment of s 21 (Hotel–casino complex owner as licensee)**

5.(1) Section 21, section heading—

*omit, insert—*

### **‘Hotel–casino complex owner or State lessee as licensee’.**

(2) Section 21(1)—

*omit, insert—*

‘21.(1) A casino licence may be granted to a person only if the person is the owner of the freehold, or the lessee from the State, of the land used for the particular hotel-casino complex.’.

(3) Section 21(2), ‘as aforesaid’—

*omit, insert—*

‘or lessee as mentioned in subsection (1)’.

**Insertion of new s 43A**

6. After section 43—

*insert—*

**‘Investigations about casino key employees or casino employees**

‘**43A.(1)** This section applies to a casino key employee or casino employee while the employee’s licence remains in force.

‘**(2)** The chief executive may investigate the employee, including by assessing—

- (a) the employee’s integrity, responsibility, personal background and financial stability; and
- (b) the general reputation of the employee having regard to character, honesty and integrity; and
- (c) the suitability of the employee to perform the duties of a casino key employee or casino employee.

‘**(3)** The chief executive may exercise the powers under subsection (2) only if—

- (a) the chief executive believes the investigation is necessary because of changed circumstances of the particular employee; or
- (b) the investigation is made under an audit program for casino key employees or casino employees.

‘**(4)** The chief executive may, by written notice, ask a person to whom an investigation relates to give information or material the chief executive considers is necessary for the investigation.

‘**(5)** The person must comply with the chief executive’s notice unless the person has a reasonable excuse.

Maximum penalty—200 penalty units or imprisonment for 1 year.

‘**(6)** It is a reasonable excuse for the person not to comply with the notice if complying with the request might tend to incriminate the person.

‘**(7)** The person does not commit an offence against this section if the information sought by the chief executive is not in fact relevant to the investigation.

**‘Minister may approve audit program to investigate casino key employees and casino employees**

‘**43B.(1)** The Minister may approve a program under which the chief executive may investigate casino key employees or casino employees, including assessing the issues mentioned in section 43A(2).<sup>4</sup>

‘**(2)** A person may be investigated and assessed under the audit program only once every 4 years.’.

**Amendment of s 60 (Variation of casino layout)**

**7.(1)** Section 60(1), ‘Director for the Director’s’—

*omit, insert—*

‘chief executive for the chief executive’s’.

**(2)** Section 60(2)—

*omit, insert—*

‘**(2)** A casino operator must not vary a thing as mentioned in subsection (1) unless the chief executive has approved the variation in writing.

Maximum penalty—40 penalty units.’.

**(3)** Section 60—

*insert—*

‘**(3)** However, the casino operator may vary the closed-circuit television system on a temporary basis to evaluate new camera positions, if the supervising inspector for the casino approves the variation in writing.

‘**(4)** A variation under subsection (3) must not continue for more than 14 days.’.

**Amendment of s 61 (Hours of operation)**

**8.** Section 61(8)—

*omit, insert—*

---

<sup>4</sup> Section 43A (Investigations about casino key employees or casino employees).

‘**(8)** A casino operator must not allow gaming in the casino at the following times—

- (a) on Christmas Day or Good Friday—between the hours of 3 a.m. and midnight;
- (b) on Anzac Day—between the hours of 3 a.m. and 1.30 p.m.

Maximum penalty—40 penalty units.’

### **Amendment of s 62 (Gaming equipment and chips)**

**9.(1)** Section 62(3A)—

*omit, insert—*

‘**(3A)** The chief executive’s approval of a gaming machine under subsection (3)(a) must include approval of—

- (a) the machine game to be played on the machine; and
- (b) the artwork for the machine game to be displayed as part of the machine.

‘**(3B)** The chief executive may approve the artwork for a game only if the chief executive is satisfied the artwork includes rules of the game.’

**(2)** Section 62(4C), ‘officers of the Division’—

*omit, insert—*

‘the inspectors at the particular casino’.

**(3)** Section 62(9) and (10)—

*omit, insert—*

‘**(9)** A casino operator must not, without the chief executive’s consent—

- (a) destroy gaming equipment or chips; or
- (b) permanently part with the physical possession of gaming equipment or chips.

Maximum penalty—200 penalty units.

‘**(10)** A casino operator must not permit a person to repair or maintain gaming equipment unless the chief executive has approved of the person for

the purpose of repairing gaming equipment.

Maximum penalty—40 penalty units.’.

### **Insertion of new s 62A**

**10.** After section 62—

*insert—*

#### **‘Gaming equipment outside of casino**

**‘62A.(1)** A casino operator may operate gaming equipment outside of a casino despite section 62(2).<sup>5</sup>

**‘(2)** However, the casino operator may operate the gaming equipment outside of the casino only if—

- (a) for equipment operated in the hotel-casino complex—the supervising inspector for the casino has given written approval for the operation; or
- (b) for all other places—the chief executive has given written approval for the operation.

**‘(3)** A supervising inspector or the chief executive may approve the operation of gaming equipment only if he or she is satisfied the operation is for 1 or more of the following purposes—

- (a) teaching adults the rules of a game;
- (b) exhibiting gaming equipment;
- (c) promoting a casino.

**‘(4)** A casino operator must not use, or allow the use of, cash or chips in the operation of gaming equipment under this section.

Maximum penalty—200 penalty units.’.

### **Replacement of s 64 (Assistance to patrons in relation to rules of games)**

**11.** Section 64—

---

<sup>5</sup> Section 62 (Gaming equipment and chips).

*omit, insert—*

**‘Help for patrons about rules of games**

**‘64.(1)** A casino operator must—

- (a) when asked by a casino patron for a copy of the rules for the playing of a game—give the patron a copy of the rules for the playing of the particular game to look at; and
- (b) prominently display in the casino advice or information about gaming rules, wagers, pay-out odds for a wager, and other advice or information directed by the chief executive; and
- (c) provide, for casino patrons, summaries of the rules in accordance with texts approved by the chief executive; and
- (d) display at each gaming table or location for the playing of a game a sign showing the permissible minimum and maximum wagers for the game played at the table or location.

*Examples of ways in which summaries may be provided to a casino patron—*

1. Brochures.
2. Videos.
3. Computer based learning programs.

**‘(2)** A casino operator must ensure the permissible minimum wager displayed for a game at a table or location where gaming is taking place is not changed to a higher permissible minimum wager unless—

- (a) a sign showing the new minimum, and the proposed time of change, is displayed at the table or location for at least 20 minutes before the time of the proposed change; or
- (b) all players at the table or location agree to the change.

**‘Wagers other than permissible minimum and maximum wagers**

**‘64A.(1)** A casino patron may make arrangements with a casino operator for the patron to make wagers that—

- (a) are less than the permissible minimum wager for a table or location; or
- (b) are more than the maximum wager for a table or location.

‘(2) If a casino operator makes an arrangement mentioned in subsection (1), the operator must give to the patron a document (the “**patron’s document**”) about the arrangement and tell the patron about using the document.

‘(3) The patron’s document must be in the approved form.

‘(4) When a patron makes a wager less than the permissible minimum wager, or more than the permissible maximum wager, for a table or location, the casino employee at the table or location—

- (a) must be satisfied that the wager is allowed by the arrangement; and
- (b) must ensure the patron’s document is placed on the table, or at the location in front of the patron, so it is clearly visible to the employee.’.

### **Amendment of s 65 (Obligation of casino operator in relation to conduct of games)**

**12.(1)** Section 65(1)—

*omit, insert—*

‘**65.(1)** In a game in which playing cards are used, a casino operator must ensure the cards are at all times dealt from an item of gaming equipment specifically designed for the purpose.

*Example—*

1. A card shoe.
2. An automatic card shuffling device.’.

**(2)** Section 65(6A), ‘Minister’—

*omit, insert—*

‘chief executive’.

**(3)** Section 65(9) and (10)—

*omit, insert—*

‘**(9)** A casino key employee, or casino employee, for a casino must not—

- (a) in the particular casino—gamble on a game or machine; or
- (b) accept or solicit a tip, gratuity, consideration or other benefit from a player or patron.

‘(10) Subsection (9)(b) applies to an acceptance or solicitation involving the licensee’s role in the casino even though it takes place outside of the casino.’.

### **Insertion of new ss 65A–65C**

**13.** After section 65—

*insert—*

#### **‘Chief executive may approve gaming documents**

‘**65A.(1)** The chief executive may approve a casino operator giving or selling to a person a document (a “**gaming document**”)—

- (a) for making wagers on a game; or
- (b) for paying a winning wager; or
- (c) for use in a machine, whether to make wagers, to pay winning wagers or otherwise.

‘(2) If the chief executive has approved a gaming document for a purpose, the document may be used for the purpose despite section 65(3) or (5).<sup>6</sup>

#### **‘Repairers of gaming machines**

‘**65B.(1)** A person employed to repair gaming machines may play a gaming machine while repairing it.

‘(2) Subsection (1) applies despite section 65(9).

‘(3) To remove any doubt, it is declared that if the person causes a winning combination to appear on a gaming machine while repairing it, no amount is payable to the person despite the winning combination.

‘(4) In this section—

---

<sup>6</sup> Section 65 (Obligation of casino operator in relation to conduct of games).

**“repairing”** a gaming machine includes adjusting, altering, carrying out maintenance and testing the machine.

**‘Liquor served at tables etc.**

**‘65C.** A casino operator may sell, give or distribute liquor to a person at a gaming table, or at another playing area within a casino, only if the chief executive has approved the sale, giving or distribution at the table or other area.’.

**Replacement of s 77 (Keeping of bank accounts)**

**14.** Section 77—

*omit, insert—*

**‘Keeping of bank accounts**

**‘77.(1)** A casino operator must keep a bank account, or bank accounts, approved by the chief executive for use for all banking transactions about the operations of the hotel-casino complex or the casino.

Maximum penalty—40 penalty units.

**‘(2)** The operator must not use an account approved under subsection (1) for other purposes.

Maximum penalty—40 penalty units.’.

**Amendment of s 102 (Provisions relating to minors in respect of casinos)**

**15.(1)** Section 102(2), penalty—

*omit, insert—*

‘Maximum penalty—10 penalty units.’.

**(2)** Section 102—

*insert—*

**‘(2A)** To remove any doubt, it is declared that if a minor gambles in a casino and—

- (a) wins—no amount is payable to the minor or anyone else on the minor’s behalf; and
- (b) loses—the wagers remain the property of the casino operator and are not recoverable by the minor or anyone else on the minor’s behalf.

‘**(2B)** If a minor has gambled on a gaming machine and wins a jackpot, the casino operator must promptly notify an inspector about the gaming and, with the inspector’s approval, return the amount of the jackpot to the jackpot pool for the machine as soon as is practicable.’.

**(3)** Section 102(3), penalty—

*omit, insert—*

‘Maximum penalty—20 penalty units.’.

**(4)** Section 102(4A)—

*omit, insert—*

‘**(4A)** A person is guilty of an offence if the person, on being asked to give acceptable evidence of age—

- (a) does not give acceptable evidence and further attempts to enter the casino; or
- (b) does not give acceptable evidence and does not immediately leave the casino voluntarily; or
- (c) gives acceptable evidence of age that is false or misleading in a material particular.

Maximum penalty—20 penalty units.’.

**(5)** Section 102—

*insert—*

‘**(6)** In this section—

“**acceptable evidence of age**” means a document that is acceptable evidence of age under the *Liquor Act 1992*.’.

**Insertion of new ss 102A and 102B**

**16.** After section 102—

*insert—*

**‘Minors employed by casino operator**

**‘102A.(1)** Section 102 does not apply to a minor employed by the casino operator for a purpose, and in circumstances, approved by the chief executive.

**‘(2)** The chief executive may approve of a minor being in a casino as part of a training or work experience arrangement if the chief executive believes that it is part of the minor’s duties to be in the casino.

*Example—*

If an electrician is employed by a casino operator to repair its gaming equipment, the electrician’s minor apprentice may be approved by the chief executive to be in the casino on conditions, including, for example, only when the apprentice is with the electrician while the electrician or apprentice is repairing a machine.

**‘Minors on heritage tour of a hotel-casino complex**

**‘102B.(1)** Section 102 does not apply to minors taking part in a guided heritage tour of a hotel-casino complex under an arrangement approved by the chief executive.

**‘(2)** The chief executive may approve an arrangement for guided heritage tours of a hotel-casino complex only if the tours do not involve areas of the complex where gaming is taking place when a minor is taking part in the tour.’.

**Amendment of s 103 (Cheating)**

**17.(1)** Section 103(b)—

*omit, insert—*

**‘(b)** by any fraudulent act, practice or scheme; or’.

**(2)** Section 103, penalty—

*omit, insert—*

*‘Example of a fraudulent act—*

A person who, knowing chips are not the person’s chips, claims them or takes possession of them.

*‘Maximum penalty—200 penalty units or imprisonment for 2 years.’*

**Amendment of s 112 (Officers of the Division not to gamble etc.)**

**18.(1)** Section 112, section heading—

*omit, insert—*

**‘Certain officers of the department not to gamble etc.’**

**(2)** Section 112(1)—

*omit, insert—*

**‘112.(1)** If the chief executive of the department directs, an officer of the department (the **“directed officer”**) must not gamble in a casino except to the extent necessary for the officer to perform the officer’s duties as an officer of the department.

*‘Maximum penalty—40 penalty units.*

**‘(1A)** A directed officer must not—

- (a) accept or solicit employment from a licensee under this Act; or
- (b) be an employee, in any capacity, of a licensee under this Act; or
- (c) knowingly have, directly or indirectly, a business or financial association with, or a business or financial interest in something together with, a licensee under this Act.

*‘Maximum penalty—40 penalty units.*

**‘(1B)** A person who was a directed officer must not, for 1 year after the person ceases to be a directed officer, without the chief executive’s approval—

- (a) accept or solicit employment from a licensee under this Act; or
- (b) be an employee, in any capacity, of a licensee under this Act; or
- (c) knowingly have, directly or indirectly, a business or financial association with, or a business or financial interest in something together with, a licensee under this Act.

‘Maximum penalty—40 penalty units.’.

(3) Section 112(2), ‘an officer of the Division’—

*omit, insert—*

‘a directed officer’.

(4) Section 112(2)—

*insert—*

‘Maximum penalty—40 penalty units.’.

(5) Section 112(3), ‘An officer of the Division’—

*omit, insert—*

‘A directed officer’.

(6) Section 112(3)(c) and (d), ‘Minister’—

*omit, insert—*

‘chief executive’.

(7) Section 112(3)—

*insert—*

‘Maximum penalty—40 penalty units.’.

### **Insertion of new ss 129–134**

**19.** After section 128—

*insert—*

#### **‘Existing inspectors**

‘**129.(1)** A person who was an inspector before the commencement is taken to be appointed under section 6<sup>7</sup> even though the person may not be able to be appointed under the section.

‘**(2)** This section expires 6 months after it commences.

---

<sup>7</sup> Section 6 (Appointment of inspectors).

**‘Identity cards**

‘**130.(1)** The chief executive must give each inspector an identity card under section 9<sup>8</sup> as soon as is practicable after the commencement.

‘**(2)** However, the reference to an identity card in section 10<sup>9</sup> includes an identification card given to an inspector under section 17<sup>10</sup> before the commencement.

‘**(3)** This section expires 6 months after it commences.

**‘Existing approvals etc.**

‘**131.(1)** This section applies to—

- (a) the exercise of a power by the Minister, the Director or the Deputy Director that continues to have effect immediately before the commencement; but
- (b) the provision conferring the power provides that the power may be exercised by the chief executive.

‘**(2)** The exercise of the power has effect as an exercise of the same power by the chief executive.

*Example—*

An approval of a person by the Minister under section 82(1)(b) (Audit provisions) that, at the commencement, has not expired or been revoked continues to have effect as an approval of the chief executive, and may be revoked or amended by the chief executive.

‘**(3)** Subsections (1) and (2) are laws to which the *Acts Interpretation Act 1954*, section 20A applies.

‘**(4)** This section expires 6 months after it commences.

---

<sup>8</sup> Section 9 (Identity cards for inspectors)

<sup>9</sup> Section 10 (Production or display of inspector’s identity card).

<sup>10</sup> Section 17 of this Act before commencement dealt with the identification of inspectors.

**‘Prescribed forms to continue as approved forms**

‘132.(1) If, at the commencement, a provision of this Act required a form to be prescribed for a purpose and a form was prescribed, the form as prescribed is taken to be an approved form for the provision.

‘(2) This section expires 6 months after it commences or, if an earlier day is prescribed under a regulation, that day.

**‘References in statutory instruments to Director**

‘133.(1) A reference to the Director in subordinate legislation, and other statutory instruments, made under this Act before the commencement must be taken to be references to the chief executive.

‘(2) This section expires 1 year after it commences.

**‘Certain officers taken to be directed officers**

‘134.(1) An officer of the department who, at the commencement, was an officer of the Casino Control Division is taken to be a directed officer.<sup>11</sup>

‘(2) This section expires 1 year after it commences.’

---

<sup>11</sup> A directed officer is mentioned in section 112 (Certain officers of the department not to gamble etc.).

## SCHEDULE

### AMENDMENTS

section 3 of the Act

**1. Section 2(1), ‘for and on behalf of Her Majesty’—**

*omit.*

**2. Section 4(1), definition “casino key employee”, paragraph (a), ‘any person employed or working in a casino’—**

*omit, insert—*

‘a person employed by, or working for, a casino’.

**3. Section 4, definition “chips”, ‘Director’—**

*omit, insert—*

‘chief executive’.

**4. Section 4, definition “financial year”, ‘Director’—**

*omit, insert—*

‘chief executive’.

**5. Section 4, definition “machine game”, ‘by the Director’—**

*omit.*

**6. Section 22(1)—**

*omit, insert—*

## SCHEDULE (continued)

‘**22.(1)** A casino licence, in the approved form, must be issued and signed by the Minister.’.

**7. Section 24(2)—**

*omit, insert—*

‘**(2)** An application to lease must be made, in the approved form, by the casino licensee to the Minister and must be accompanied by—

- (a) a draft of the proposed lease; and
- (b) full details of the proposed lessee; and
- (c) other particulars prescribed under a regulation.’.

**8. Section 25(2)—**

*omit, insert—*

‘**(2)** An application to enter into an agreement must be made, in the approved form, by the casino licensee or the lessee under the casino lease to the Minister and must be accompanied by—

- (a) a draft of the proposed agreement; and
- (b) full details of the other party to the proposed agreement; and
- (c) other particulars prescribed under a regulation.’.

**9. Section 31(1)(e) and (f)—**

*omit, insert—*

‘**(e)** fails to comply with a written direction given to the person by the Minister or chief executive under this Act and—

- (i) the person is required under this Act to comply with the direction; and
- (ii) the Minister believes the failure to comply with direction may jeopardise the integrity of the operation of the casino or

## SCHEDULE (continued)

adversely affect the interests of the public; or

- (f) is required under this Act to give information to the Minister, the chief executive or an inspector and gives information that is, to the person's knowledge, false or incorrect; or'.

**10. Section 31(5)—**

*omit, insert—*

'(5) The notice must be in the approved form.'

**11. Section 31(13), 'Casino Control Division in relation to'—**

*omit, insert—*

'department about'.

**12. Section 34, penalty—**

*omit.*

**13. Section 34(1)—**

*insert—*

'Maximum penalty—50 penalty units or imprisonment for 1 year.'

**14. Section 34(2)—**

*insert—*

'Maximum penalty—50 penalty units or imprisonment for 1 year.'

**15. Section 34(3)—**

*insert—*

'Maximum penalty—50 penalty units or imprisonment for 1 year.'

## SCHEDULE (continued)

**16. Section 35(1)(a) and (b)—***omit, insert—*

(a) be in the approved form; and

(b) be accompanied by the fee prescribed under a regulation; and’.

**17. Section 35(1)(g) and (h), ‘Director’—***omit, insert—*

‘chief executive’

**18. Section 35(1)(i), ‘prescribed form’—***omit, insert—*

‘approved form’.

**19. Section 35(1A), ‘Director’—***omit, insert—*

‘chief executive’.

**20. Section 36(1), ‘Where the Minister is of the opinion that’—***omit, insert—*

‘If the chief executive believes that’.

**21. Section 36(1)(b), ‘determined by the Minister’—***omit, insert—*

‘prescribed under a regulation’.

## SCHEDULE (continued)

**22. Section 36(1), ‘the Minister shall’ to ‘accordingly’—**

*omit, insert—*

‘the chief executive must, by written notice, ask the person to apply for a casino key employee licence within 7 days of receiving the notice’.

**23. Section 36(1), penalty—**

*omit.*

**24. Section 36—**

*insert—*

‘(1A) A person to whom a notice is given under subsection (1) must apply for a casino key employee licence within 7 days of receiving the notice, unless the person has a reasonable excuse.

‘Maximum penalty—100 penalty units or imprisonment for 1 year.’.

**25. Section 36(2) and (3), ‘Minister shall’—**

*omit, insert—*

‘chief executive must’.

**26. Section 36(3)—**

*insert—*

‘Maximum penalty—100 penalty units or imprisonment for 1 year.’.

**27. Section 36(4), ‘Where the Minister’—**

*omit, insert—*

‘If the chief executive’.

## SCHEDULE (continued)

**28. Section 36(4), penalty—***omit, insert—*

‘Maximum penalty—100 penalty units or imprisonment for 1 year.’.

**29. Section 38(2)—***omit, insert—*

‘(2) The chief executive must notify the applicant, in the approved form, of the Minister’s decision.’.

**30. Section 39(2)—***omit, insert—*

‘(2) A licence must be in the approved form and must include—

- (a) the name, and a photograph, of the licensee; and
- (b) the authority given to the licensee by the licence, including the type of work the licensee may perform; and
- (c) other particulars prescribed under a regulation.’.

**31. Section 40—***omit, insert—***‘Notice when certain employees begin employment with casino operator**

‘40. Within 7 days after a casino key employee or casino employee begins employment with a casino operator, the operator must notify the chief executive, in the approved form, about the employee beginning employment.

Maximum penalty—40 penalty units.’.

## SCHEDULE (continued)

**32. Section 45(3)—**

*omit, insert—*

‘(3) The letter of censure becomes part of the records of the department about the person censured.’.

**33. Section 46, ‘by notice in writing to the Minister’—**

*omit, insert—*

‘by written notice to the chief executive’.

**34. Section 47(1), ‘shall notify the Director in the prescribed form’—**

*omit, insert—*

‘must notify the chief executive in the approved form’.

**35. Section 48(3)—**

*omit, insert—*

‘(3) If the Minister grants a provisional licence, the chief executive must issue the licence in the approved form and sign it.’.

**36. Section 52—**

*insert—*

‘(10) A regulation may prescribe changes to the way this section applies in relation to a casino licence if a person is—

- (a) for the casino licence—the casino licensee, the casino operator or the lessee under the casino lease; and
- (b) for another casino licence—the casino licensee, the casino operator or the lessee under the casino lease.

## SCHEDULE (continued)

*Example of relevant changes—*

A regulation may provide for 1 trust deed for all the relevant casino licences and for 1 separate account to be kept for all levies for the relevant casino licences.’.

**37. Part 5 heading—**

*omit, insert—*

**‘PART 5—FEES, TAXES AND LEVIES’.**

**38. Section 59(1)(b), ‘Director’—**

*omit, insert—*

‘chief executive’.

**39. Section 59(1)(d)—**

*omit.*

**40. Section 59(1)—**

*insert—*

‘Maximum penalty—40 penalty units.’.

**41. Section 59(2), ‘Director’—**

*omit, insert—*

‘chief executive’.

**42. Section 59(2)—**

*insert—*

‘Maximum penalty—40 penalty units.’.

## SCHEDULE (continued)

**43. Section 61(1), (3), (4), (6) and (7), ‘Minister’—***omit, insert—*

‘chief executive’.

**44. Section 61(2)—***insert—*

‘Maximum penalty—40 penalty units.’.

**45. Section 61(5), ‘shall submit to the Minister for the Minister’s approval’—***omit, insert—*

‘must give to the chief executive for the chief executive’s approval’.

**46. Section 62(3)—***insert—*

‘Maximum penalty—40 penalty units.’.

**47. Section 62(3), (4F), (6) and (7)(a), ‘Director’—***omit, insert—*

‘chief executive’.

**48. Section 62(4), ‘tokens’—***omit, insert—*

‘chips’.

## SCHEDULE (continued)

**49. Section 63(1) to (3)—**

*omit, insert—*

**‘63.(1)** The Minister may make rules for the playing of games in casinos.

**‘(2)** The games included in the rules may be conducted or played in a casino under a casino licence.

**‘(3)** The rules are subordinate legislation.’.

**50. Section 63(10)—**

*omit.*

**51. Section 72(3), ‘Minister’—**

*omit, insert—*

‘chief executive’.

**52. Section 73(1), ‘A casino operator’ to ‘the approval of the Minister’—**

*omit, insert—*

‘A casino operator must give the chief executive for the chief executive’s approval’.

**53. Section 73(1)(b) and (2), ‘Minister’—**

*omit, insert—*

‘chief executive’.

**54. Section 74, ‘shall contain both narrative and diagrammatic representation of’—**

## SCHEDULE (continued)

*omit, insert—*

‘must explain’.

**55. Section 75, section heading—**

*omit, insert—*

‘Chief executive’s approval’.

**56. Section 75(1), ‘The Director’ to ‘the Minister’—**

*omit, insert—*

‘The chief executive must review each submission received by the chief executive under section 73 and consider’.

**57. Section 75(2), ‘If the Director’—**

*omit, insert—*

‘If the chief executive’.

**58. Section 75(2), ‘Director shall, before advising the Minister’—**

*omit, insert—*

‘chief executive must, before finally deciding about the approval’.

**59. Section 75(3)—**

*omit, insert—*

‘(3) For the casino operator’s submission to proceed, the operator must take the steps specified by the chief executive’.

## SCHEDULE (continued)

**60. Section 75(4), ‘Where the Director advises the Minister that’—***omit, insert—*

‘If the chief executive decides’.

**61. Section 75(4), (5), (6)(a)(i) and (6)(b), ‘Minister’—***omit, insert—*

‘chief executive’.

**62. Section 76(3), ‘7’—***omit, insert—*

‘5’.

**63. Section 80, section heading—***omit, insert—*

‘Chief executive may approve financial year period’.

**64. Section 80, ‘Director’—***omit, insert—*

‘chief executive’.

**65. Section 82(1)(b), ‘Minister’—***omit, insert—*

‘chief executive’.

**66. Section 86(2), penalty—***omit, insert—*

## SCHEDULE (continued)

‘Maximum penalty—100 penalty units.’.

**67. Section 86(3), ‘and shall be’ to ‘such offence accordingly’—**

*omit, insert—*

‘and are liable to a penalty of 10 penalty units for each offence’.

**68. Section 87(a) and (b)—**

*omit, insert—*

- ‘(a) viewing the operations of gaming and other activities associated with the operation of the casino; and
- (b) viewing a video recording of operations or activities mentioned in paragraph (a); and’.

**69. Section 88(3), ‘in the prescribed form’—**

*omit, insert—*

‘, in the approved form’.

**70. Section 88(7)—**

*omit.*

**71. After section 88—**

*insert—*

**‘Privilege against self incrimination**

‘**88A.** An individual is not required under this Act to answer a question, or give information, that might tend to incriminate the individual.’.

## SCHEDULE (continued)

**72. Section 90(2)—**

*omit, insert—*

‘(2) An inspector may only make a written requirement under subsection (1) if the chief executive approved the inspector making the requirement.’.

**73. Section 91(1), ‘Director or any other officer of the Division’—**

*omit, insert—*

‘chief executive or other officer of the department’.

**74. Sections 91(2), ‘Director’—**

*omit, insert—*

‘chief executive’.

**75. Section 91(3), ‘Director has as an inspector’—**

*omit, insert—*

‘chief executive has’.

**76. Section 92—**

*insert—*

‘(2A) If the casino operator operates more than 1 casino, the direction may relate to a particular casino, or all casinos, operated by the casino operator.’.

**77. Section 99, penalty—**

*omit, insert—*

‘Maximum penalty—40 penalty units.’.

## SCHEDULE (continued)

**78. Section 100, penalty—***omit, insert—*

‘Maximum penalty—40 penalty units.’.

**79. Sections 104 and 107, penalty—***omit, insert—*

‘Maximum penalty—200 penalty units or imprisonment for 2 years.’.

**80. Section 108, penalty—***omit, insert—*

‘Maximum penalty—100 penalty units or imprisonment for 1 year.’.

**81. Section 109, penalty—***omit, insert—*

‘Maximum penalty—200 penalty units or imprisonment for 2 years.’.

**82. Section 110(d)—***omit, insert—*

‘(d) falsely represents himself or herself to be an inspector, or an officer of the department involved with the administration of this Act; or’.

**83. Section 110, penalty—***omit, insert—*

‘Maximum penalty—100 penalty units or imprisonment for 1 year.’.

## SCHEDULE (continued)

**84. Section 111, section heading—***omit, insert—***‘Bribery of officers’.****85. Section 111(1), ‘Any officer of the Division’—***omit, insert—***‘An officer of the department’.****86. Section 111(1)(a) and (b), ‘as an officer of the Division’—***omit, insert—***‘under this Act; or’.****87. Section 111(1)(c), after ‘an offence’—***insert—***‘under this Act’.****88. Section 111(1), penalty—***omit, insert—***‘Maximum penalty—200 penalty units or imprisonment for 2 years.’.****89. Section 111(2), ‘upon or for any officer of the Division’—***omit, insert—***‘on or for an officer of the department involved with the administration of this Act’.**

## SCHEDULE (continued)

**90. Section 111(2)(a) and (b), ‘as an officer of the Division’—***omit, insert—*

‘under this Act; or’.

**91. Section 111(2)(c), after ‘offence’—***insert—*

‘under this Act’.

**92. Section 111(2), penalty—***omit, insert—*

‘Maximum penalty—200 penalty units or imprisonment for 2 years.’.

**93. Section 114(2) and (3), penalty—***omit, insert—*

‘Maximum penalty—20 penalty units.’.

**94. Section 116(b), ‘Casino Control Division’—***omit, insert—*

‘department’.

**95. Section 118(1)—***omit.***96. Section 119—***omit.*

## SCHEDULE (continued)

**97. Section 121, section heading—***omit, insert—***‘Power to arrest includes power to proceed by complaint and summons’.****98. Section 121(1) and (2)—***omit.***99. Section 124, ‘Her Majesty’—***omit, insert—***‘the State’.****100. Section 126(a), ‘Casino Control Division’—***omit, insert—***‘department’.****101. Section 127(1), ‘for the purposes of’—***omit, insert—***‘under’.****102. Section 127(2), ‘A regulation’ to ‘following matters’—***omit, insert—***‘Without limiting subsection (1), a regulation may be made about the following’.**

## SCHEDULE (continued)

**103. Section 127(2)(c)—**

*omit.*

**104. Before section 128—**

*insert—*

**‘PART 11—TRANSITIONAL AND SAVINGS’.****105. Sections 41(1), 47(1) and (2), 63(9), 66(1), 67(2), 68(2), 70, 71, 76(1), 78, 79, 82(2), 84(2) and 89—**

*insert—*

‘Maximum penalty—40 penalty units.’

**106. Sections 31(18), 37, 38(1), 39(1) and (5), 41(2) and (3), 42(1), 44(2) and (3), 47(2), 50(1), 51(1), 52(1), 55(4), 72, 76, 81, 82(2), 93(3) and (4), 95, 97(2), 107 and 126(a) and (e), ‘Director’—**

*omit, insert—*

‘chief executive’.