



Casino Control and Other Legislation Amendment Bill 2022



Queensland

Casino Control and Other Legislation Amendment Bill 2022

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2022

A Bill

for

An Act to amend the *Casino Control Act 1982*, the *Casino Control Regulation 1999*, the *Charitable and Non-Profit Gaming Act 1999*, the *Collections Act 1966*, the *Gaming Machine Act 1991*, the *Interactive Gambling (Player Protection) Act 1998*, the *Keno Act 1996*, the *Lotteries Act 1997*, the *Wagering Act 1998* and the *Wagering Regulation 1999* for particular purposes

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Casino Control and Other
Legislation Amendment Act 2022.* 4
5

Clause 2 Commencement 6

The following provisions commence on a day to be fixed by
proclamation— 7
8

(a) sections 21 to 24; 9

(b) part 5; 10

(c) sections 100 to 103, 105, 112(1) and (2), 114 and 116. 11

**Part 2 Amendment of Casino Control
Act 1982** 12
13

Clause 3 Act amended 14

This part amends the *Casino Control Act 1982.* 15

Clause 4 Amendment of s 14 (Confidentiality of information) 16

Section 14(2)— 17

insert— 18

(d) the disclosure is to an external adviser for 19
the purpose of the adviser exercising the 20
adviser's function. 21

Clause 5	Insertion of new s 15A	1
	After section 15—	2
	<i>insert—</i>	3
	15A Chief executive may make guidelines	4
	(1) The chief executive may make guidelines to inform persons about—	5
	(a) the attitude the chief executive is likely to adopt on a particular matter; or	6
	(b) how the chief executive administers this Act.	7
	(2) The chief executive must publish the guidelines on the department’s website.	8
		9
		10
		11
		12
Clause 6	Amendment of s 21 (Hotel-casino complex owner or State as licensee)	13
	(1) Section 21(2)—	14
	<i>omit.</i>	15
	(2) Section 21(3)—	16
	<i>renumber</i> as section 21(2).	17
		18
Clause 7	Amendment of s 30 (Investigations concerning continued suitability of casino licensee etc.)	19
	(1) Section 30(1), after ‘satisfy the Governor in Council’—	20
	<i>insert—</i>	21
	or Minister	22
	(2) Section 30(2)—	23
	<i>omit, insert—</i>	24
	(2) Without limiting the matters the Minister may have regard to in undertaking an investigation under subsection (1), the Minister may have regard to any of the following findings or report—	25
		26
		27
		28
		29

[s 8]

(a)	the findings of an investigation undertaken by a State authority if the findings relate to an entity mentioned in subsection (1) or an associate of the entity;	1 2 3 4
(b)	the findings of an investigation conducted under a law of a State or the Commonwealth if the findings relate to an entity mentioned in subsection (1) or an associate of the entity;	5 6 7 8 9
(c)	a report prepared by an external adviser.	10
(2A)	For subsection (2), an entity is an associate for another entity if the first entity is an associated entity for the second entity under the Corporations Act, section 50AAA.	11 12 13 14
(3)	Section 30— <i>insert</i> —	15 16
(5)	In this section— <i>State authority</i> means—	17 18
(a)	a State or the Commonwealth; or	19
(b)	an entity established under a law of a State or the Commonwealth; or	20 21
(c)	another entity that represents a State or the Commonwealth.	22 23
(4)	Section 30(2A) to (5)— <i>renumber</i> as section 30(3) to (6).	24 25
Clause 8	Insertion of new ss 30A–30D	26
	After section 30—	27
	<i>insert</i> —	28
	30A Duty to cooperate	29
(1)	This section applies to each of the following entities—	30 31

-
- (a) a casino licensee; 1
- (b) a lessee under a casino lease; 2
- (c) a casino operator under a casino management agreement; 3
4
- (d) a person who is an associate of an entity mentioned in paragraph (a), (b) or (c). 5
6
- (2) A *duty to cooperate* is the duty of an entity to— 7
- (a) comply with all reasonable requests made of the entity— 8
9
- (i) by the Minister, the chief executive or an inspector; and 10
11
- (ii) for the purpose of the Minister, chief executive or inspector administering this Act; and 12
13
14
- (b) do everything necessary to ensure that the management and casino operations of the relevant casino operator are conducted in a manner that is fair and honest. 15
16
17
18
- (3) The entity must comply with the duty to cooperate. 19
20
- Maximum penalty—160 penalty units. 21
- (4) A person is an *associate* of an entity mentioned in subsection (1)(a), (b) or (c) if— 22
23
- (a) the person— 24
- (i) holds a financial interest, or is entitled to exercise a significant power (whether directly or on behalf of another person) in the business of the entity; and 25
26
27
28
29
- (ii) because of the financial interest or significant power, may exercise significant influence over the 30
31
32

[s 8]

management or operation of the business of the entity; or	1 2
(b) the person holds a significant position (whether directly or on behalf of another person) in the business of the entity.	3 4 5
(5) To remove any doubt, it is declared that the duty to cooperate does not require an entity to contravene this Act or another law.	6 7 8
(6) In this section—	9
<i>financial interest</i> , in relation to a business, means—	10 11
(a) a share in the capital of the business; or	12
(b) an entitlement to receive income derived from the business.	13 14
<i>significant position</i> , in relation to a business, means the position of director, manager, or another executive position or secretary of the business, however that position is designated.	15 16 17 18
<i>significant power</i> , in relation to a business, means a power, whether exercisable by voting or otherwise and whether exercisable alone or in association with others—	19 20 21 22
(a) to participate in a directorial, managerial, or executive decision; or	23 24
(b) to elect or appoint a person to a significant position for the business.	25 26
30B Notice of particular contraventions and breaches	27 28
(1) This section applies to each of the following entities—	29 30
(a) a casino licensee;	31
(b) a lessee under a casino lease;	32

-
- (c) a casino operator under a casino management agreement; 1
2
- (d) a person who is an associate of an entity mentioned in paragraph (a), (b) or (c). 3
4
- (2) Subsection (3) applies if the entity believes— 5
- (a) the entity has contravened— 6
- (i) a provision of this Act; or 7
- (ii) a provision of the agreement Act for the casino licence relevant to the entity; 8
9
or 10
- (iii) a direction given under this Act to the entity by the Minister or the chief executive; or 11
12
13
- (b) the entity has breached any of the following arrangements that apply to the entity— 14
15
- (i) an agreement mentioned in section 19; 16
- (ii) a casino management agreement; 17
- (iii) a lease, contract, agreement or arrangement approved under section 84(2). 18
19
20
- (3) The entity must give the chief executive written notice of the belief as soon as practicable after forming the belief, but no later than 5 days after forming the belief. 21
22
23
24
- Maximum penalty—160 penalty units. 25
- (4) A person is an *associate* of an entity mentioned in subsection (1)(a), (b) or (c) if— 26
27
- (a) the person— 28
- (i) holds a financial interest, or is entitled to exercise a significant power (whether directly or on behalf of another person) in the business of the entity; and 29
30
31
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[s 8]

- (ii) because of the financial interest or significant power, may exercise significant influence over the management or operation of the business of the entity; or 1
2
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5
 - (b) the person holds a significant position (whether directly or on behalf of another person) in the business of the entity. 6
7
8
- (5) In this section— 9
 - agreement Act*, for a casino licence, means the Act ratifying the agreement for the licence as mentioned in section 19(1). 10
11
12
 - financial interest*, in relation to a business, means— 13
14
 - (a) a share in the capital of the business; or 15
 - (b) an entitlement to receive income derived from the business. 16
17
 - significant position*, in relation to a business, means the position of director, manager, or another executive position or secretary of the business, however that position is designated. 18
19
20
21
 - significant power*, in relation to a business, means a power, whether exercisable by voting or otherwise and whether exercisable alone or in association with others— 22
23
24
25
 - (a) to participate in a directorial, managerial, or executive decision; or 26
27
 - (b) to elect or appoint a person to a significant position for the business. 28
29

30C Requiring information from particular entities 30

- (1) This section applies to an entity that may be investigated under section 30(1). 31
32
- (2) The Minister or chief executive may, by written 33

-
- notice (an *information requirement*) given to the entity, require the entity to—
- (a) give the Minister or chief executive stated information; or
 - (b) enable the Minister or chief executive to examine a document, take extracts from a document or copy a document.
- (3) However, subsection (2) is limited to information or documents the Minister or chief executive reasonably requires to administer this Act.
- (4) An entity given an information requirement must comply with the requirement, as stated in the requirement.
Maximum penalty—160 penalty units.
- (5) An entity is not excused from complying with an information requirement on the ground that the information is the subject of legal professional privilege.
- (6) Information does not cease to be the subject of legal professional privilege only because it is given to the Minister or chief executive in accordance with an information requirement.
- 30D Giving false or misleading information to the Minister or chief executive**
- (1) This section applies to each of the following entities—
- (a) a casino licensee;
 - (b) a lessee under a casino lease;
 - (c) a casino operator under a casino management agreement;
 - (d) another entity given an information requirement under section 30C(2).

[s 9]

- (2) The entity must not, in relation to the administration of this Act, give the Minister or chief executive information the entity knows, or ought reasonably to know, is false or misleading in a material particular. 1
2
3
4
5
Maximum penalty—160 penalty units. 6
- (3) Subsection (2) does not apply to an entity if the entity, when giving information in a document— 7
8
(a) tells the Minister or chief executive, to the best of the entity’s ability, how the document is false or misleading; and 9
10
11
(b) if the entity has, or can reasonably obtain, the correct information—gives the correct information. 12
13
14
- (4) To remove any doubt, it is declared that subsection (2) applies to information regardless of whether or not the information was given in response to the exercise of a power under this Act. 15
16
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18
- (5) This section does not apply to information to which section 107(b) or (c) or 110(f) apply. 19
20
- Note—* 21
Offences about giving false or misleading information in relation to information mentioned in subsection (5) are provided for in the provisions mentioned in that subsection. 22
23
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- Clause 9** **Amendment of s 31 (Cancellation or suspension of casino licences and letters of censure)** 26
27
- (1) Section 31, heading— 28
omit, insert— 29
 31 Disciplinary action 30
- (2) Section 31(1), from ‘for cancellation’ to ‘under the agreement’— 31
32
omit, insert— 33

for taking disciplinary action against a casino entity arises if the entity	1 2
(3) Section 31(1)(a) and (b)—	3
<i>omit, insert—</i>	4
(a) contravenes a provision of this Act; or	5
(b) is convicted of an indictable offence punishable by imprisonment for 12 months or more regardless of whether—	6 7 8
(i) the offence is also punishable by a fine, in addition to or as an alternative to the punishment by imprisonment; or	9 10 11
(ii) the conviction is recorded; or	12
(4) Section 31(1)(ba), (c) and (e), ‘the person’—	13
<i>omit, insert—</i>	14
the entity	15
(5) Section 31(1)(ba), (c) and (d), before ‘casino licence’—	16
<i>insert—</i>	17
relevant	18
(6) Section 31(1)(d) and (f), ‘the person’s’—	19
<i>omit, insert—</i>	20
the entity’s	21
(7) Section 31(1)—	22
<i>insert—</i>	23
(da) because of an investigation carried out under section 30(1), the Governor in Council or Minister is not satisfied that—	24 25 26
(i) the entity is a suitable person to be associated or connected with the management and operations of a hotel-casino complex or casino; or	27 28 29 30

[s 9]

- (ii) a person, associated or connected with the ownership, administration or management of the operations or business of the entity is a suitable person to be associated or connected with the management and operations of a hotel-casino complex or casino; or
- (8) Section 31(1)(ba) to (g)—
renumber as section 31(1)(c) to (i).
- (9) Section 31(2) to (13)—
omit, insert—
- (2) Also, a ground for taking disciplinary action against a casino licensee arises if the land used for the hotel-casino complex ceases to be held by the licensee in freehold or under a lease from the State, other than because of an assignment referred to in section 32.
- (3) If the Minister believes a ground has arisen for taking disciplinary action against a casino entity and the initiating incident is likely to be sufficiently addressed only by taking disciplinary action against the entity, the Minister must—
- (a) give a show cause notice to the casino entity and to each other casino entity for the same casino licence; and
- (b) give a copy of the show cause notice to any other person who, in the Minister's opinion, has an interest in the casino licence.
- (4) However, if the Minister is satisfied the initiating incident may be sufficiently addressed by a letter of censure, the Minister may give the casino entity a letter of censure censuring the entity for the incident without taking further action under this section.
- (5) A *show cause notice* for taking disciplinary

-
- action against a casino entity is a written notice that— 1
2
- (a) states each of the grounds giving rise to the disciplinary action; and 3
4
 - (b) describes the initiating incident for the disciplinary action; and 5
6
 - (c) states that the entity must show cause as to why the disciplinary action should not be taken (a *response*); and 7
8
9
 - (d) states that the response must be made in writing and given to the Minister; and 10
11
 - (e) states the last day, not earlier than 21 days after the notice is given to the entity, by which a response may be given to the Minister (a *response period*). 12
13
14
15
- (6) A person given a copy of a show cause notice under subsection (3)(b) may make a written submission to the Minister about the matters stated in the notice before the end of the response period for the notice. 16
17
18
19
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- (7) If the Minister gives a casino entity a show cause notice, the Minister— 21
22
- (a) must consider— 23
 - (i) all responses to the notice made before the end of the response period; and 24
25
 - (ii) if the Minister gives a person a copy of the notice under subsection (3)(b)—all submissions for the notice properly made under subsection (6); and 26
27
28
29
 - (b) may consider a response or submission mentioned in paragraph (a) that the Minister received after the end of the response period for the relevant show cause notice. 30
31
32
33
- (7A) The show cause process for taking disciplinary 34

[s 9]

- action against a casino entity for an initiating incident concludes if— 1
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- (a) the Minister finishes considering— 3
- (i) the responses and submissions the Minister must consider under subsection (7)(a); and 4
5
6
- (ii) the responses and submissions the Minister did consider under subsection (7)(b); or 7
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9
- (b) the Minister has not received any responses or submissions the Minister must consider under subsection (7)(a) and the Minister did not consider any other responses or submissions under subsection (7)(b). 10
11
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- (8) If, at the conclusion of the show cause process, the Minister considers taking disciplinary action against a casino entity for the relevant initiating incident is not warranted, the Minister must take no further action against the entity for the incident. 15
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- (9) If, at the conclusion of the show cause process, the Minister considers taking disciplinary action against a casino entity for the relevant initiating incident is warranted, the Minister must decide to— 21
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- (a) take 1 or more of the following actions— 26
- (i) give a letter of censure to the entity censuring the entity in relation to any matter connected with the incident; 27
28
29
- (ii) give the entity a written direction the Minister considers appropriate to ensure any matter connected with the incident is rectified within the period stated in the direction; 30
31
32
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34

-
- (iii) direct the entity to pay to the State a pecuniary penalty of not more than \$5m before a stated date; or 1
2
3
- (b) recommend to the Governor in Council that— 4
5
- (i) the relevant casino licence be cancelled or suspended; or 6
7
- (ii) the casino lease or casino management agreement for the relevant casino licence be terminated; or 8
9
10
- (iii) the entity pay to the State a pecuniary penalty of more than \$5m. 11
12
- (10) If the Minister makes a recommendation to the Governor in Council under subsection (9)(b), the Minister must give the Governor in Council— 13
14
15
- (a) a copy of each show cause notice relevant to the recommendation; and 16
17
- (b) all responses and submissions, relevant to the recommendation, that the Minister considered under subsection (7). 18
19
20
- (11) If the Minister makes a recommendation to the Governor in Council under subsection (9)(b) and gives the Governor in Council the documents required under subsection (10), the Governor in Council must consider the recommendation and the documents. 21
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23
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- (12) After considering a recommendation about taking disciplinary action against a casino entity for an initiating incident, and the documents required to be considered under subsection (11), the Governor in Council must decide to— 27
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31
- (a) take no further action against the entity for the incident; or 32
33
- (b) take 1 or more of the following actions— 34

[s 9]

- (i) cause a letter of censure to be given to the entity censuring the entity in relation to any matter connected with the incident; 1
2
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 - (ii) give, or cause to be given, to the entity a written direction that the Governor in Council considers appropriate to ensure that any matter connected with the incident is rectified within a period stated in the direction; 5
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7
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9
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 - (iii) unless a receiver and manager has been appointed pursuant to section 32, appoint an administrator subject to the terms and conditions decided by the Governor in Council; 11
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14
15
 - (iv) order the entity to pay to the State a pecuniary penalty of not more than \$50m before a stated date; 16
17
18
 - (v) take action under subsection (15), if the Governor in Council is satisfied of the circumstances mentioned in that subsection for the relevant casino licence, casino lease or casino management agreement. 19
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24
- (13) A letter of censure issued under this section— 25
- (a) becomes a permanent part of the records of the department about a casino entity; and 26
27
 - (b) may be published on the department’s website. 28
29
- (10) Section 31(14), ‘subsection (12)(d)’— 30
omit, insert— 31
subsection (12)(b)(iii) 32
- (11) Section 31— 33
insert— 34

-
- (22A) In fixing the amount of a pecuniary penalty to be imposed on a casino entity under this section the Governor in Council or Minister—
- (a) must consider the following matters—
- (i) the nature and extent of the initiating incident;
- (ii) whether the initiating incident undermines the objects of this Act;
- (iii) any loss or damage caused to the State or the public by the initiating incident;
- (iv) whether any disciplinary action has been taken against the entity before;
- (v) the seriousness of the grounds for taking the disciplinary action; and
- (b) may consider any other matter the Governor in Council or Minister considers relevant.
- (22B) The amount of a pecuniary penalty imposed on a casino entity under this section is a debt payable by the entity to the State.
- (22C) To remove any doubt, it is declared that the cancellation or suspension of a casino licence, or termination of a casino lease or casino management agreement, does not relieve a casino entity of an obligation to pay a pecuniary penalty imposed under this section.
- (12) Section 31(23), from ‘cancel’ to ‘agreement’—
omit, insert—
take disciplinary action against a casino entity under this section
- (13) Section 31—
insert—
(24A) In this section—
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[s 10]

- casino entity* means— 1
- (a) a casino licensee; 2
 - (b) the lessee under a casino lease; 3
 - (c) the casino operator under a casino management agreement. 4 5
- initiating incident*, in relation to disciplinary action, means the act or omission that forms the basis of the grounds for taking the disciplinary action. 6 7 8 9

Clause 10 Insertion of new s 31A 10

After section 31— 11

insert— 12

31A Costs for disciplinary action 13

- (1) This section applies if any of the following disciplinary action is taken against a casino entity under section 31— 14 15 16
 - (a) a letter of censure is issued to the entity under section 31(9)(a)(i) or (12)(b)(i) censuring the entity; 17 18 19
 - (b) the entity is given a direction under section 31(9)(a)(ii) or (12)(b)(ii); 20 21
 - (c) an administrator is appointed under section 31(12)(b)(iii); 22 23
 - (d) the casino licence for the entity is cancelled or suspended under section 31(15); 24 25
 - (e) the casino lease, or casino management agreement, for the entity is directed to be terminated under section 31(15); 26 27 28
 - (f) a pecuniary penalty is imposed under section 31(9)(a)(iii) or (12)(b)(iv). 29 30
- (2) The chief executive may recover from the casino 31

-
- entity the reasonable costs and expenses incurred 1
by the department in assisting the Minister or 2
Governor in Council doing any of the following 3
tasks as a debt payable by the entity to the State— 4
- (a) preparing for and taking the disciplinary 5
action against the entity, including, for 6
example— 7
- (i) investigating whether a ground for the 8
disciplinary action arose under section 9
31(1); or 10
- (ii) obtaining legal advice about a matter 11
relating to the disciplinary action; or 12
- (iii) engaging a suitably qualified person to 13
advise on a matter relating to the 14
disciplinary action; 15
- (b) considering responses and submissions 16
made under section 31 as part of a show 17
cause process; 18
- (c) considering responses and submissions 19
made about a recommendation of the 20
Minister under section 31. 21
- (3) Before recovering the reasonable costs and 22
expenses from a casino entity under subsection 23
(2), the chief executive must give the entity a 24
written notice stating— 25
- (a) the amount of the costs and expenses; and 26
- (b) how the amount was calculated; and 27
- (c) when the amount must be paid to the chief 28
executive. 29
- (4) If the casino entity does not comply with the 30
written notice given to the entity under subsection 31
(3) within the period required by the notice, the 32
Minister may recommend to the Governor in 33
Council that— 34

[s 10]

- (a) for a notice given to a casino licensee—the casino licence be suspended or cancelled; or 1
2
- (b) for a notice given to a lessee under a casino lease—the casino lease be terminated; or 3
4
- (c) for a notice given to a casino operator under a casino management agreement—the agreement be terminated. 5
6
7
- (5) However, if the Minister proposes to make a recommendation about a casino entity under subsection (4), the Minister must first give the entity written notice stating— 8
9
10
11
 - (a) the proposed recommendation; and 12
 - (b) the entity may make a submission to the Minister as to why the Minister should not make the proposed recommendation; and 13
14
15
 - (c) the date by which the entity must make a submission mentioned in paragraph (b). 16
17
- (6) The Minister must consider all submissions properly made about the proposed recommendation under subsection (5) and decide to either— 18
19
20
21
 - (a) take no further action about the recommendation; or 22
23
 - (b) make the recommendation to the Governor in Council. 24
25
- (7) The Governor in Council may, after considering the recommendation and all submissions properly made to the Minister about the recommendation, decide to— 26
27
28
29
 - (a) take no further action about the matter; or 30
 - (b) take action under section 31(15) as if the recommendation made by the Minister were a recommendation about taking disciplinary 31
32
33

action against a casino entity under section 31.	1 2
(8) For taking the action mentioned in subsection (7)(b)—	3 4
(a) the casino entity not complying with the written notice given to the entity under subsection (3) is taken to be circumstances so extraordinary that it is imperative in the public interest to take the action; and	5 6 7 8 9
(b) section 31(16) to (22), (22C) and (23) applies to taking the action.	10 11
(9) However, if the action taken under section 31(15) is the suspension of a casino licence, the suspension ends if the casino entity pays to the chief executive the costs and expenses as stated in the written notice given to the entity under subsection (3).	12 13 14 15 16 17
(10) In this section—	18
<i>casino entity</i> means any of the following—	19
(a) a casino licensee;	20
(b) a lessee under a casino lease;	21
(c) a casino operator under a casino management agreement.	22 23
Clause 11 Amendment of s 35 (Application for licence)	24
(1) Section 35(1)(c)—	25
<i>omit.</i>	26
(2) Section 35(1)(h) and (i)—	27
<i>omit, insert—</i>	28
(h) be accompanied by a certificate in the approved form certifying that the applicant has successfully completed a training course or is otherwise qualified by experience,	29 30 31 32

[s 12]

	stated in the certificate, appropriate to the type of work specified under paragraph (c).	1 2
(3)	Section 35(1)(d) to (h)— <i>renumber</i> as section 35(1)(c) to (g).	3 4
(4)	Section 35(2)— <i>omit</i> .	5 6
Clause 12	Amendment of s 37 (Consideration of application)	7
(1)	Section 37(1)(a)— <i>omit</i> .	8 9
(2)	Section 37(1)(b) and (c)— <i>renumber</i> as section 37(1)(a) and (b).	10 11
Clause 13	Amendment of s 38 (Decision on application)	12
	Section 38(3)— <i>omit, insert</i> —	13 14
(3)	If the chief executive decides to refuse to grant the application, the chief executive must immediately—	15 16 17
(a)	give an information notice for the decision to the applicant; and	18 19
(b)	give written notice of the decision to the relevant casino operator.	20 21
Clause 14	Amendment of s 39A (Form of licence)	22
(1)	Section 39A(2)(b)— <i>omit</i> .	23 24
(2)	Section 39A(2)(c) to (f)— <i>renumber</i> as section 39A(2)(b) to (e).	25 26

Clause 15	Omission of s 40 (Notice when certain employees begin employment with casino operator)	1 2
	Section 40—	3
	<i>omit.</i>	4
Clause 16	Amendment of s 44 (Grounds)	5
	Section 44(2), ‘section 37(1)(c)’—	6
	<i>omit, insert—</i>	7
	section 37(1)(b)	8
Clause 17	Replacement of s 47A (Destruction of fingerprints and palm prints of former licence holders)	9 10
	Section 47A—	11
	<i>omit, insert—</i>	12
	47A Destruction of fingerprints and palm prints of former licence holders	13 14
	(1) This section applies if—	15
	(a) the fingerprints or palm prints of a person were taken under former section 37(1)(a) for an application made by the person under section 35; and	16 17 18 19
	(b) a casino key employee licence or casino employee licence held by the person ceases to be in force.	20 21 22
	(2) The chief executive must, as soon as practicable after the licence ceases to be in force, cause the fingerprints and palm prints of the person to be destroyed.	23 24 25 26
	(3) In this section—	27
	<i>former section 37(1)(a)</i> means section 37(1)(a) as in force at any time before the amendment of that section by the <i>Casino Control and Other</i>	28 29 30

[s 18]

	<i>Legislation Amendment Act 2022.</i>	1
Clause 18	Amendment of s 62 (Gaming equipment and chips)	2
	(1) Section 62(4), ‘a gaming machine’—	3
	<i>omit, insert—</i>	4
	gaming equipment	5
	(2) Section 62(4)(a) and (b)—	6
	<i>omit, insert—</i>	7
	(a) any electronic payment methods to be used with the equipment, including the technology used for the electronic payment methods; and	8 9 10 11
	(b) if the gaming equipment is a gaming machine—	12 13
	(i) a machine game to be played on the machine; and	14 15
	(ii) the artwork for a machine game to be displayed as part of the machine.	16 17
Clause 19	Amendment of s 63 (Casino games)	18
	Section 63(3) and (3A)(a), ‘in the gazette’—	19
	<i>omit, insert—</i>	20
	on the department’s website	21
Clause 20	Amendment of s 65 (Obligations of casino operator in relation to conduct of games)	22 23
	(1) Section 65(2)—	24
	<i>insert—</i>	25
	(c) using another payment method approved by the chief executive.	26 27

-
- (2) Section 65(6A)— 1
omit, insert— 2
- (6A) However, if requested by the patron, the casino operator may at the operator’s discretion do either of the following things in lieu of paying some or all of the cash mentioned in subsection (6)(b)— 3
4
5
6
- (a) issue a cheque made payable to the patron and drawn on a bank account approved by the chief executive for that purpose; 7
8
9
- (b) pay the patron using another method approved by the chief executive. 10
11

Clause 21 Amendment of s 67 (Player accounts) 12

- (1) Section 67(2) to (2C)— 13
omit, insert— 14
- (2) The casino operator must not accept deposits to a person’s player account other than as authorised under this section. 15
16
17
Maximum penalty—40 penalty units. 18
- (2A) The casino operator may accept cash for deposit to a person’s player account. 19
20
- (2B) The casino operator may accept a deposit into a person’s player account by use of a debit card. 21
22
- (2C) The casino operator may accept a cheque for deposit to a person’s player account only if it is— 23
24
- (a) a traveller’s cheque; or 25
- (b) a bank cheque drawn in favour of the person and endorsed to the operator; or 26
27
- (c) a cheque drawn on a bank by the person, made payable to the operator and dated but not postdated; or 28
29
30

[s 21]

- (d) a cheque drawn in favour of the person and endorsed to the operator and—
 - (i) drawn on a bank by a casino licensee; or
 - (ii) drawn on a bank by the holder of a licence to operate a casino issued by another State under a law corresponding to this Act; or
 - (e) another cheque prescribed by regulation.
 - (2D) The casino operator may accept a deposit into a person's player account by a credit card transaction only if the deposit is made by a nonresident of Queensland visiting a casino under a junket agreement.
 - (2E) The casino operator may accept a deposit into a person's player account using a method approved by the chief executive.
- (2) Section 67(4)(b)—
omit, insert—
- (b) if requested by the person for whom the player account is established—
 - (i) issue, for the whole or part of the amount in the account, a cheque made payable to the person that is drawn on a bank account approved by the chief executive; or
 - (ii) pay the person, for the whole or part of the amount in the account, using another method approved by the chief executive.
- (3) Section 67(5)—
omit.
- (4) Section 67(2A) to (4)—

renumber as section 67(3) to (9).

1

Clause 22 Insertion of new s 67A

2

After section 67—

3

insert—

4

67A Exchange by casino operator of chip purchase voucher for approved payment method

5

6

(1) For the purpose of gaming by a person and in exchange for payment from the person, a casino operator may issue to the person a chip purchase voucher or chip purchase vouchers of a value equal to the amount of the payment.

7

8

9

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11

(2) The payment mentioned in subsection (1) must be made using a method approved by the chief executive.

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14

Maximum penalty—40 penalty units.

15

(3) Nothing in this section limits the ability of a casino operator to issue a chip purchase voucher or chip purchase vouchers under section 67(8) or 68(1).

16

17

18

19

Clause 23 Amendment of s 68 (Exchange by casino operator of chip purchase voucher for cheque)

20

21

Section 68(2), ‘section 67(2) in relation to that section’—

22

omit, insert—

23

section 67(5)(c)

24

Clause 24 Amendment of s 69 (Redemption of cheques)

25

(1) Section 69, ‘section 67(2) in relation to that section’—

26

omit, insert—

27

section 67(5)(c)

28

[s 25]

- (2) Section 69(e)— 1
omit, insert— 2
- (e) payment using a method approved by the 3
chief executive; 4
- (3) Section 69— 5
insert— 6
- (2) The redemption of a cheque under subsection (1) 7
may also be made in exchange for any 8
combination of the things mentioned in 9
subsection (1)(a) to (e). 10

Clause 25 Amendment of s 72 (Training courses for employees) 11
Section 72(2), ‘, with the chief executive’s approval,’— 12
omit. 13

Clause 26 Insertion of new s 72C 14
Part 6— 15
insert— 16

72C Harm minimisation measures 17

- (1) A regulation may prescribe measures (*harm 18
minimisation measures*) that have the purpose of 19
minimising potential harm from casino gambling, 20
including, for example, measures for any of the 21
following purposes— 22
- (a) delaying the start of a process in particular 23
circumstances; 24
- (b) interrupting a process in particular 25
circumstances; 26
- (c) using particular technology or software; 27

	(d) providing particular information to the chief executive or persons participating in casino gambling;	1 2 3
	(e) enabling a person to access a service that provides help with gambling problems.	4 5
	(2) The Minister may recommend the making of a regulation under subsection (1) only if satisfied—	6 7
	(a) the harm minimisation measure—	8
	(i) is necessary and appropriate to minimise potential harm from casino gambling; and	9 10 11
	(ii) is consistent with the objects of this Act; or	12 13
	(b) it is in the public interest to prescribe the harm minimisation measure.	14 15
	(3) A regulation made under subsection (1) may also prescribe the casino operators that must implement a harm minimisation measure.	16 17 18
	(4) A casino operator prescribed under subsection (3) must implement the harm minimisation measure as prescribed.	19 20 21
	Maximum penalty for subsection (4)—200 penalty units.	22 23
Clause 27	Amendment of s 73 (Casino operations to be conducted under approved control system)	24 25
	Section 73(2), penalty, ‘200’—	26
	<i>omit, insert—</i>	27
	400	28
Clause 28	Amendment of s 89 (Offences relating to inspectors)	29
	Section 89, penalty, ‘40’—	30

[s 29]

omit, insert— 1
160 2

Clause 29 Insertion of new ss 91AA and 91AB 3

Part 9, after section 91— 4

insert— 5

91AA Direction to appoint external adviser 6

(1) The Minister may, by written notice given to any 7
of the following entities (each a *casino entity*), 8
direct the entity to engage a suitably qualified 9
person as an external adviser by a stated date— 10

(a) a casino licensee; 11

(b) a lessee under a casino lease; 12

(c) a casino operator under a casino 13
management agreement. 14

(2) The functions of an external adviser are to 15
investigate and report to the Minister on any of the 16
following matters as required by the Minister 17
under the terms of the adviser's appointment— 18

(a) a matter related to the operation of a casino; 19

(b) the conduct of a casino entity; 20

(c) the suitability of a casino entity to be 21
associated or connected with the 22
management and operations of a 23
hotel-casino complex or casino; 24

(d) the suitability of a person, who the Minister 25
believes is associated or connected with the 26
ownership, administration or management 27
of the operations or business of a casino 28
entity, to be associated or connected with the 29
management and operations of a 30
hotel-casino complex or casino; 31

-
- (e) another matter relating to a casino entity and the administration of this Act. 1
2
- (3) The person engaged as an external adviser must be approved by the Minister for the engagement. 3
4
- (4) The terms and conditions of an external adviser's engagement must be approved by the Minister. 5
6
- (5) A casino entity given a direction under subsection (1) is liable for all costs and expenses associated with engaging an external adviser and the adviser exercising the adviser's functions. 7
8
9
10
- (6) A casino entity given a direction under subsection (1) must comply with the direction. 11
12
Maximum penalty—160 penalty units. 13
- (7) A casino entity must, if asked by the external adviser engaged by the entity, give the adviser all information the adviser reasonably requires to perform the adviser's functions. 14
15
16
17
Maximum penalty—160 penalty units. 18
- (8) A casino entity is not excused from complying with a request for information made under subsection (7) on the ground that the information is the subject of legal professional privilege. 19
20
21
22
- (9) Information does not cease to be the subject of legal professional privilege only because it is given to an external adviser in accordance with a request made under subsection (7). 23
24
25
26
- 91AB Power to require verification of information** 27
- (1) This section applies if, under this Act, a person must give information or a document to the Minister, the chief executive or an inspector. 28
29
30
- (2) The Minister, chief executive or inspector may— 31
- (a) require the information be given on oath; or 32

[s 30]

	(b) require the information or document to be verified by statutory declaration.	1 2
	(3) When making a requirement under subsection (2), the Minister, chief executive or inspector must warn the person it is an offence to fail to comply with the requirement, unless the person has a reasonable excuse.	3 4 5 6 7
	(4) For subsection (2)(a), the Minister, chief executive, inspector or other person appointed by the Minister may administer an oath.	8 9 10
	(5) If a requirement is made of the person under subsection (2), the person must comply with the requirement, unless the person has a reasonable excuse.	11 12 13 14
	Maximum penalty for subsection (5)—160 penalty units.	15 16
Clause 30	Omission of s 105 (Detention of persons by casino operator etc. in relation to offences under sections 103 and 104)	17 18 19
	Section 105— <i>omit.</i>	20 21
Clause 31	Omission of s 118 (Protection of officers etc.)	22
	Section 118— <i>omit.</i>	23 24
Clause 32	Insertion of new pt 11, div 11	25
	After section 151— <i>insert—</i>	26 27
	Division 11	28
	Transitional provision for Casino Control and Other	29

	Legislation Amendment Act 2022	1 2
	152 Changes to disciplinary action	3
	(1) Section 31, as amended by the <i>Casino Control and Other Legislation Amendment Act 2022</i> , applies in relation to initiating incidents that happened before or after the commencement.	4 5 6 7
	(2) Section 31A, as inserted by the <i>Casino Control and Other Legislation Amendment Act 2022</i> —	8 9
	(a) applies in relation to initiating incidents that happened before or after the commencement; but	10 11 12
	(b) does not apply to disciplinary action started before the commencement.	13 14
	(3) In this section— <i>initiating incident</i> see section 31(24A).	15 16
Clause 33	Amendment of schedule (Dictionary)	17
	Schedule—	18
	<i>insert</i> —	19
	<i>external adviser</i> means a person engaged as an external adviser under section 91AA.	20 21
Part 3	Amendment of Casino Control Regulation 1999	22 23
Clause 34	Regulation amended	24
	This part amends the <i>Casino Control Regulation 1999</i> .	25

[s 35]

Clause 35	Amendment of s 22 (Deposit advance accounts—Act, s 67)	1
		2
	Section 22, ‘section 67(2A)(d)’—	3
	<i>omit, insert—</i>	4
	section 67(5)(e)	5
Part 4	Amendment of Charitable and Non-Profit Gaming Act 1999	6
		7
Clause 36	Act amended	8
	This part amends the <i>Charitable and Non-Profit Gaming Act 1999</i> .	9
		10
Clause 37	Amendment of s 72 (General gaming rules)	11
	(1) Section 72(2) and (3)(a), ‘in the gazette’—	12
	<i>omit, insert—</i>	13
	on the department’s website	14
	(2) Section 72(4), ‘on the internet’—	15
	<i>omit.</i>	16
Clause 38	Amendment of s 100 (Deciding application)	17
	(1) Section 100(1)—	18
	<i>omit, insert—</i>	19
	(1) After considering the application, the chief executive must decide to—	20
		21
	(a) approve the equipment or modification; or	22
	(b) approve the equipment or modification with conditions; or	23
		24

-
- (c) refuse to approve the equipment or modification. 1
2
- (2) Section 100(4) and (5)— 3
omit, insert— 4
- (4) When the chief executive makes a decision under subsection (1), the chief executive must— 5
6
- (a) for a decision to approve equipment or a modification—immediately give the applicant written notice of the decision; or 7
8
9
- (b) for a decision to approve equipment or a modification with conditions—immediately give the applicant an information notice for the decision; or 10
11
12
13
- (c) for a decision to refuse to approve equipment or a modification—immediately give the applicant an information notice for the decision. 14
15
16
17

- Clause 39** **Insertion of new s 100AA** 18
- After section 100— 19
- insert—* 20
- 100AA Changes to conditions of approval of regulated general gaming equipment** 21
22
- (1) The chief executive may act under subsection (2) only if, having regard to the objects of this Act, the chief executive considers taking the action is— 23
24
25
26
- (a) necessary or appropriate for the proper conduct of general gaming; or 27
28
- (b) otherwise in the public interest. 29
- (2) At any time after granting an approval under section 100, the chief executive may decide to— 30
31

[s 40]

	(a) impose conditions on the approval, whether or not the approval is already subject to conditions; or	1 2 3
	(b) vary a condition of the approval; or	4
	(c) remove a condition of the approval.	5
	(3) When the chief executive makes a decision under subsection (2), the chief executive must—	6 7
	(a) for a decision to impose a condition on an approval—give the approval holder an information notice for the decision; or	8 9 10
	(b) for a decision to vary a condition of an approval—give the approval holder an information notice for the decision; or	11 12 13
	(c) for a decision to remove a condition of an approval—give the approval holder written notice of the decision.	14 15 16
Clause 40	Amendment of s 100B (Offences about using or modifying regulated general gaming equipment)	17 18
	(1) Section 100B—	19
	<i>insert—</i>	20
	(2A) A person must not use approved equipment in conducting a game unless the use is consistent with an approval of the equipment or a modification of the equipment under section 100, including any conditions of the approval.	21 22 23 24 25
	Maximum penalty—200 penalty units.	26
	(2) Section 100B(2A) and (3)—	27
	<i>renumber</i> as section 100B(3) and (4).	28
Clause 41	Insertion of new pt 5, division 10A	29
	Part 5—	30

insert—

**Division 10A Harm minimisation
measures**

102A Harm minimisation measures

- (1) A regulation may prescribe measures (*harm minimisation measures*) that have the purpose of minimising potential harm from general gaming, including, for example, measures for any of the following purposes—
- (a) delaying the start of a process in particular circumstances;
 - (b) interrupting a process in particular circumstances;
 - (c) using particular technology or software;
 - (d) providing particular information to the chief executive or persons participating in general gaming;
 - (e) enabling a person to access a service that provides help with gambling problems.
- (2) The Minister may recommend the making of a regulation under subsection (1) only if satisfied—
- (a) the harm minimisation measure—
 - (i) is necessary and appropriate to minimise potential harm from general gaming; and
 - (ii) is consistent with the objects of this Act; or
 - (b) it is in the public interest to prescribe the harm minimisation measure.
- (3) A regulation made under subsection (1) may also prescribe the persons involved in conducting

[s 42]

	games that must implement a harm minimisation measure.	1 2
	(4) A person prescribed under subsection (3) must implement the harm minimisation measure as prescribed.	3 4 5
	Maximum penalty for subsection (4)—200 penalty units.	6 7
Clause 42	Amendment of s 174 (Who may apply for review)	8
	Section 174(1)(h) and (i)—	9
	<i>omit, insert—</i>	10
	(h) approving regulated general gaming equipment or a modification of the equipment, with conditions; or	11 12 13
	(i) refusing to approve regulated general gaming equipment or a modification of the equipment; or	14 15 16
	(j) imposing a condition on an approval of regulated general gaming equipment or a modification of the equipment; or	17 18 19
	(k) varying a condition of an approval of regulated general gaming equipment or a modification of the equipment.	20 21 22
Clause 43	Amendment of s 186 (Regulation-making power)	23
	Section 186(2)—	24
	<i>insert—</i>	25
	(d) be about the methods of payment used—	26
	(i) with general gaming equipment; or	27
	(ii) to participate in a game; or	28
	(iii) for paying prizes or refunding a fee paid to enter a game.	29 30

Clause 44	Amendment of sch 2 (Dictionary)	1
	Schedule 2, definition <i>general gaming equipment</i> , ‘the conduct of’—	2
		3
	<i>omit, insert</i> —	4
	connection with	5
Part 5	Amendment of Collections Act 1966	6
		7
Clause 45	Act amended	8
	This part amends the <i>Collections Act 1966</i> .	9
Clause 46	Amendment of s 5 (Meaning of terms)	10
(1)	Section 5(1), ‘In this Act—’—	11
	<i>omit, insert</i> —	12
	The dictionary in schedule 2 defines particular terms used in this Act.	13
		14
(2)	Section 5(1), definition <i>charity</i> —	15
	<i>insert</i> —	16
	<i>Note</i> —	17
	See also section 23M in relation to deemed registrants.	18
(3)	Section 5(1), definition <i>constitution</i> , ‘or by-laws’—	19
	<i>omit, insert</i> —	20
	, by-laws or other governing documents	21
(4)	Section 5(1), all definitions—	22
	<i>relocate</i> to schedule 2, as inserted by this Act.	23
Clause 47	Amendment of s 6 (Application of this Act)	24
	Section 6—	25

[s 48]

insert—

1

Note—

2

See also section 23L in relation to deemed registrants.

3

Clause 48 Amendment of s 13 (Art union authorities to be treated as sanctions)

4

5

Section 13—

6

insert—

7

Note—

8

See, however, section 23N(3) in relation to deemed registrants.

9

10

Clause 49 Amendment of s 13A (Parent and citizens associations)

11

(1) Section 13A, heading, ‘Parent’—

12

omit, insert—

13

Parents

14

(2) Section 13A, ‘parent and citizens association under the *Education (General Provisions) Act 2006*’—

15

16

omit, insert—

17

parents and citizens association

18

Clause 50 Amendment of s 18 (Restriction on distribution of certain devices)

19

20

Section 18(1), ‘as such’—

21

omit.

22

Clause 51 Amendment of s 21 (Effect of, and claims and objections to, registration)

23

24

(1) Section 21, heading, ‘claims and objections to’—

25

omit, insert—

26

	applications to remove	1
(2)	Section 21(2), ‘lodge with the Minister an objection to its registration or may’—	2
	<i>omit.</i>	3
		4
(3)	Section 21(2), ‘objection or’—	5
	<i>omit.</i>	6
Clause 52	Insertion of new pt 6A	7
	After part 6—	8
	<i>insert—</i>	9
	Part 6A	10
	Registration of particular Commonwealth registered entities	11
		12
		13
	23A Application of part	14
(1)	This part applies to a Commonwealth registered entity other than an excluded entity.	15
		16
(2)	In this part, a reference to a Commonwealth registered entity is a reference to a Commonwealth registered entity to which this part applies under subsection (1).	17
		18
		19
		20
(3)	In this section—	21
	<i>excluded entity</i> means—	22
(a)	The Council of The Queensland Institute of Medical Research established under the <i>Queensland Institute of Medical Research Act 1945</i> ; or	23
		24
		25
		26
(b)	a foundation established under the <i>Hospital Foundations Act 2018</i> ; or	27
		28

[s 52]

- (c) a local ambulance committee established under the *Ambulance Service Act 1991*; or
- (d) a parents and citizens association; or
- (e) a religious denomination.

23B Commonwealth registered entity taken to be registered as charity

- (1) This section applies to a Commonwealth registered entity if—
 - (a) the Minister receives notification that appeals for support for the entity are intended to be made in Queensland; and
 - (b) the giving of the notification in relation to the entity is not prohibited under section 23J(4).
- (2) The Commonwealth registered entity is taken to be registered as a charity under this Act.
- (3) However, section 19(1) does not apply in relation to the Commonwealth registered entity.
- (4) Notification under subsection (1)(a) may be given in relation to a Commonwealth registered entity—
 - (a) by the entity by notice in the approved form; or
 - (b) by the ACNC commissioner acting on behalf of the entity in a way agreed between the commissioner and the Minister.

23C Duration of deemed registration

- (1) This section applies to a Commonwealth registered entity to which section 23B applies.
- (2) The Commonwealth registered entity's deemed registration takes effect on and from the day the

Minister receives the notification under section 23B(1)(a) in relation to the entity.	1 2
(3) The Commonwealth registered entity's deemed registration ends if—	3 4
(a) the Minister ends the entity's deemed registration under section 23I; or	5 6
(b) the entity's registration under the <i>Australian Charities and Not-for-profits Commission Act 2012</i> (Cwlth), part 2-1 is revoked; or	7 8 9
(c) the entity gives the Minister notice in the approved form that the entity wishes the entity's deemed registration to end.	10 11 12
23D Conditions of deemed registration	13
(1) The Minister may, by written notice to a deemed registrant, impose conditions on the registrant's deemed registration.	14 15 16
(2) A condition may be about—	17
(a) a particular appeal for support made for the deemed registrant; or	18 19
(b) all appeals for support made for the deemed registrant.	20 21
(3) The Minister may, by written notice to a deemed registrant, amend or revoke a condition of the registrant's deemed registration imposed, or taken to have been imposed, under this section.	22 23 24 25
<i>Note—</i>	26
See sections 23E(3) and 23F(3) for conditions that may be taken to have been imposed under this section.	27 28
23E Pre-existing registration	29
(1) This section applies if, immediately before a Commonwealth registered entity becomes a	30 31

[s 52]

- deemed registrant, the entity is registered as a charity under this Act. 1
2
- (2) On the Commonwealth registered entity becoming a deemed registrant— 3
4
- (a) the entity’s registration mentioned in subsection (1) (the *pre-existing registration*) ends; and 5
6
7
- (b) section 19(1) no longer applies in relation to the entity. 8
9
- (3) Any condition of the pre-existing registration imposed under section 19(12)(b) is taken to be imposed under section 23D as a condition of the Commonwealth registered entity’s deemed registration. 10
11
12
13
14
- (4) The Minister may reinstate the pre-existing registration for the Commonwealth registered entity if the entity’s deemed registration ends— 15
16
17
- (a) under section 23C(3)(b) in the circumstances that the entity’s registration under the *Australian Charities and Not-for-profits Commission Act 2012* (Cwlth), part 2-1 is revoked as a result of the entity requesting, under section 35-10(1)(e) of that Act, that the registration be revoked; or 18
19
20
21
22
23
24
25
- (b) under section 23C(3)(c). 26
- (5) A pre-existing registration reinstated under subsection (4)— 27
28
- (a) has the same effect as registration granted under section 19; and 29
30
- (b) is subject to the conditions (if any) mentioned in subsection (3). 31
32

23F Pre-existing sanction

- 1
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- (1) This section applies if, immediately before a Commonwealth registered entity becomes a deemed registrant, a sanction is in force under section 12(1) for the entity.
 - (2) On the Commonwealth registered entity becoming a deemed registrant, the sanction (the *pre-existing sanction*) is revoked.
 - (3) Any condition subject to which the pre-existing sanction was given under section 12 is taken to be imposed under section 23D as a condition of the Commonwealth registered entity's deemed registration.
 - (4) The Minister may reinstate the pre-existing sanction for the Commonwealth registered entity if the entity's deemed registration ends—
 - (a) under section 23C(3)(b) in the circumstances that the entity's registration under the *Australian Charities and Not-for-profits Commission Act 2012* (Cwlth), part 2-1 is revoked as a result of the entity requesting, under section 35-10(1)(e) of that Act, that the registration be revoked; or
 - (b) under section 23C(3)(c).
 - (5) A pre-existing sanction reinstated under subsection (4)—
 - (a) has the same effect as a sanction granted under section 12; and
 - (b) is subject to the conditions (if any) mentioned in subsection (3).

23G Application of particular pre-existing decisions by the Minister to deemed registrant

- 32
33
34
- (1) This section applies to a Commonwealth

[s 52]

- registered entity that, immediately before 1
becoming a deemed registrant, had— 2
- (a) pre-existing registration under section 23E; 3
or 4
- (b) a pre-existing sanction under section 23F. 5
- (2) Any decision of the Minister made in relation to 6
the Commonwealth registered entity’s 7
pre-existing registration or pre-existing sanction 8
is taken to have been made in relation to the 9
entity’s deemed registration. 10
- (3) Without limiting subsection (2), any of the 11
following decisions for the Commonwealth 12
registered entity’s pre-existing registration or 13
pre-existing sanction becomes a decision for the 14
entity’s deemed registration— 15
- (a) an assignment of a day by the Minister 16
under section 15(4)(c) to the entity; 17
- (b) an assignment of a day by the Minister 18
under section 16(4)(c) to the entity; 19
- (c) an approval by the Minister of a written 20
agreement between the entity and a person 21
allowing the person to make or assist in 22
making, an appeal for support for the entity 23
for commission or in expectation of reward; 24
- (d) for a pre-existing sanction—an approval by 25
the Minister under section 11(1)(b)(ii) of a 26
person as the promoter of an appeal for 27
support. 28
- 23H Particular applications deemed registrants 29
may not make 30**
- A deemed registrant may not apply— 31
- (a) for a sanction under section 12; or 32
- (b) for registration as a charity under section 19. 33

-
- 23I Minister may end deemed registration** 1
- (1) The Minister may, by written notice to a deemed 2
registrant, end the registrant’s deemed 3
registration if satisfied that— 4
- (a) the registrant has contravened a provision of 5
this Act; or 6
- (b) the proceeds of an appeal for support made 7
for the registrant in Queensland have been 8
mismanaged or misapplied; or 9
- (c) the registrant has contravened a condition of 10
the registrant’s deemed registration; or 11
- (d) other circumstances justify the ending of the 12
deemed registration. 13
- (2) Before ending a deemed registrant’s deemed 14
registration, the Minister must— 15
- (a) give the registrant’s governing body a 16
written notice— 17
- (i) stating that the Minister is considering 18
whether to end the registrant’s deemed 19
registration and the reasons the 20
Minister is considering doing so; and 21
- (ii) inviting the registrant to make a 22
submission on the proposed ending of 23
the deemed registration within the 24
period stated in the notice; and 25
- (b) consider any submission made by the 26
registrant within the stated time. 27
- (3) The Minister must not state in a notice given 28
under subsection (2)(a) a period of less than 14 29
days after the notice is given. 30

- 23J Effect of end of deemed registration** 31
- (1) This section applies if the Minister ends a 32
Commonwealth registered entity’s deemed 33

[s 52]

- registration under section 23I. 1
- (2) Within 1 month after the deemed registration 2
ends, the Commonwealth registered entity must 3
give the Minister records of all appeals for 4
support made for the entity in Queensland. 5
- (3) The Commonwealth registered entity must not, 6
without the Minister’s written consent, distribute 7
or deal with any asset obtained as a result of any 8
appeal for support made for the entity in 9
Queensland while its deemed registration was in 10
effect. 11
- (4) The Minister may prohibit the giving of 12
notification under section 23B(1)(a) in relation to 13
the Commonwealth registered entity— 14
- (a) for a period stated by the Minister; or 15
- (b) until the Minister advises that notification in 16
relation to the entity may be given under 17
section 23B(1)(a) by written notice to the 18
entity. 19
- (5) The Minister must give a copy of the notice given 20
under subsection (4)(b) to the ACNC 21
commissioner. 22
- 23K List of deemed registrants 23**
- (1) The chief executive may publish on the 24
department’s website a list of the names of 25
deemed registrants. 26
- (2) If a Commonwealth registered entity’s deemed 27
registration ends under section 23C(3) the chief 28
executive must update the list of names of deemed 29
registrants accordingly. 30
- 23L Application of Act to deemed registrants 31**
- (1) This Act, other than the excluded provisions, 32

applies in relation to a deemed registrant in the 1
same way the Act applies in relation to a charity 2
or a charity registered under this Act. 3

(2) For applying subsection (1), to the extent the 4
context permits— 5

(a) a reference to a charity is taken to include a 6
reference to a deemed registrant; and 7

(b) a reference to a charity registered under this 8
Act is taken to include a reference to a 9
deemed registrant; and 10

(c) a reference to registered, in relation to a 11
deemed registrant, is taken to be a reference 12
to registration under section 23B. 13

(3) In this section— 14

excluded provisions means— 15

(a) parts 5 and 6 and section 29; and 16

(b) a provision of a regulation made under this 17
Act declared by the regulation to be a 18
provision to which section 23L of this Act 19
does not apply. 20

23M Application of other Acts to deemed 21 registrants 22

To the extent the context permits, a reference in a 23
provision of another Act to a charity registered 24
under this Act is taken to include a reference to a 25
deemed registrant under this Act. 26

23N Special provision about conducting games 27

(1) A deemed registrant's deemed registration does 28
not confer an authorisation on the registrant to 29
conduct a game under the *Charitable and 30
Non-Profit Gaming Act 1999*. 31

[s 53]

	(2) Subsection (1) does not prevent the deemed registrant lawfully conducting a game under the <i>Charitable and Non-Profit Gaming Act 1999</i> .	1 2 3
	(3) Section 13 does not apply to an appeal for support for a deemed registrant that consists only of conducting a game under the <i>Charitable and Non-Profit Gaming Act 1999</i> .	4 5 6 7
Clause 53	Amendment of s 27 (Investigations)	8
	Section 27(1)(a), after ‘charity’—	9
	<i>insert—</i>	10
	registered under this Act	11
Clause 54	Amendment of s 35E (Disclosure of information to Commissioner of the ACNC)	12 13
	(1) Section 35E, heading, ‘Commissioner of the ACNC’—	14
	<i>omit, insert—</i>	15
	ACNC commissioner	16
	(2) Section 35E(1), before ‘commissioner’—	17
	<i>insert—</i>	18
	ACNC	19
	(3) Section 35E(1)(b), ‘an ACNC registered entity’—	20
	<i>omit, insert—</i>	21
	a Commonwealth registered entity	22
	(4) Section 35E(2)—	23
	<i>omit.</i>	24
Clause 55	Amendment of s 37 (Failure to comply with lawful requirements etc.)	25 26
	Section 37(2)—	27

insert—

- (c) for any entity, specifies that the entity has
deemed registration under this Act when the
entity is not so registered;

Clause 56 Amendment of s 47 (Regulations)

- (1) Section 47, heading—

omit, insert—

47 Regulation-making power

- (2) Section 47(3)(g), after ‘registration’—

insert—

under section 19(1) or 23B

- (3) Section 47(3)(za), from ‘established’ to ‘registered’—

omit, insert—

whose objects are taken to be sanctioned

- (4) Section 47(3)(zw), after ‘charity’—

insert—

registered under this Act

Clause 57 Numbering of schedule (Section 29(5) registered charities)

Schedule—

number as schedule 1.

Clause 58 Insertion of new sch 2

After schedule 1, as numbered by this Act—

insert—

Schedule 2 Dictionary

[s 59]

	section 5(1)	1
Clause 59	Amendment of sch 2 (Dictionary)	2
	Schedule 2, as inserted by this Act—	3
	<i>insert—</i>	4
	<i>ACNC commissioner</i> means the Commissioner of the Australian Charities and Not-for-profits Commission established under the <i>Australian Charities and Not-for-profits Commission Act 2012</i> (Cwlth).	5 6 7 8 9
	<i>Commonwealth registered entity</i> means an entity registered under the <i>Australian Charities and Not-for-profits Commission Act 2012</i> (Cwlth), part 2-1.	10 11 12 13
	<i>Note—</i>	14
	For part 6A, see also section 23A(2).	15
	<i>deemed registrant</i> means an entity with deemed registration.	16 17
	<i>deemed registration</i> means registration under section 23B.	18 19
	<i>parents and citizens association</i> see the <i>Education (General Provisions) Act 2006</i> , schedule 4.	20 21 22
Part 6	Amendment of Gaming Machine Act 1991	23 24
Clause 60	Act amended	25
	This part amends the <i>Gaming Machine Act 1991</i> .	26

Clause 61	Amendment of s 231 (Installation, operation and modification of gaming related systems)	1 2
	(1) Section 231, ‘an electronic monitoring system’—	3
	<i>omit, insert—</i>	4
	a gaming related system	5
	(2) Section 231—	6
	<i>insert—</i>	7
	(10) Changing the gaming tokens used with a gaming related system is taken to be a modification to which subsection (1)(b) or (3)(b) applies.	8 9 10
Clause 62	Amendment of s 235 (Hours of gaming)	11
	Section 235—	12
	<i>insert—</i>	13
	(3) However, if the hours of gaming fixed for licensed premises for the day that is New Year’s Eve would end before 2a.m. on New Year’s Day, the hours of gaming are extended until 2a.m. on New Year’s Day.	14 15 16 17 18
	(4) The extended hours of gaming for licensed premises under subsection (3) are taken to be part of the hours of gaming fixed for the licensed premises by the commissioner.	19 20 21 22
Clause 63	Amendment of s 239 (Gaming tokens)	23
	Section 239(1), ‘must only use gaming tokens.’—	24
	<i>omit, insert—</i>	25
	must only use—	26
	(a) Australian currency; or	27

[s 64]

	(b) a gaming token that forms part of a gaming related system approved under section 231(4); or	1 2 3
	(c) a gaming token approved by the commissioner under section 240A.	4 5
Clause 64	Amendment of s 240 (Gaming tokens that are not Australian currency)	6 7
	(1) Section 240(1)(a), from ‘centralised credit system’— <i>omit, insert—</i>	8 9
	gaming related system approved under section 231(4), other than a TITO system;	10 11
	(2) Section 240(3)— <i>omit, insert—</i>	12 13
	(3) A licensee in conducting gaming on the licensee’s licensed premises must not use, or allow the use of, a gaming token that is not in good condition. Maximum penalty—200 penalty units.	14 15 16 17
Clause 65	Insertion of new 240A	18
	After section 240— <i>insert—</i>	19 20
	240A Approval of gaming tokens that are not Australian currency	21 22
	(1) A licensee may apply to the commissioner for approval of gaming tokens for use on the licensee’s licensed premises, other than—	23 24 25
	(a) Australian currency; or	26
	(b) a gaming token that forms part of a gaming related system.	27 28
	(2) The commissioner must decide to approve, or to refuse to approve, the application.	29 30

-
- (3) The commissioner’s approval of a gaming token 1
for use on the licensee’s licensed premises 2
approves— 3
- (a) the gaming token for use on the premises for 4
the purpose of gaming; and 5
- (b) the value (in Australian currency) that the 6
gaming token represents for the purpose of 7
gaming on the premises; and 8
- (c) the physical characteristics of the gaming 9
token; and 10
- (d) the way in which the gaming token 11
displays— 12
- (i) the value the token represents; and 13
- (ii) the name of the licensee or a symbol 14
for the licensee; and 15
- (iii) the name of the licensed premises or a 16
symbol for the premises. 17
- (4) The commissioner may approve a symbol for a 18
gaming token only if— 19
- (a) for a symbol mentioned in subsection 20
(3)(d)(ii)—the symbol clearly identifies the 21
licensee from all other licensees; or 22
- (b) for a symbol mentioned in subsection 23
(3)(d)(iii)—the symbol clearly identifies the 24
licensed premises from all other licensed 25
premises. 26
- (5) If the commissioner decides to approve the 27
application, the commissioner must give the 28
applicant written notice of the decision. 29
- (6) If the commissioner decides to refuse to approve 30
the application, the commissioner must give the 31
applicant an information notice for the decision. 32

[s 66]

Clause 66	Insertion of new pt 6, div 11A	1
	Part 6—	2
	<i>insert—</i>	3
	Division 11A Harm minimisation measures	4
		5
	264AA Harm minimisation measures	6
	(1) A regulation may prescribe measures (<i>harm minimisation measures</i>) that have the purpose of minimising potential harm from gaming machine gambling, including, for example, measures for any of the following purposes—	7 8 9 10 11
	(a) delaying the start of a process in particular circumstances;	12 13
	(b) interrupting a process in particular circumstances;	14 15
	(c) using particular technology or software;	16
	(d) providing particular information to the chief executive or persons participating in gaming machine gambling;	17 18 19
	(e) enabling a person to access a service that provides help with gambling problems.	20 21
	(2) The Minister may recommend the making of a regulation under subsection (1) only if satisfied—	22 23
	(a) the harm minimisation measure—	24
	(i) is necessary and appropriate to minimise potential harm from gaming machine gambling; and	25 26 27
	(ii) is consistent with the objects of this Act; or	28 29
	(b) it is in the public interest to prescribe the harm minimisation measure.	30 31

	(3)	A regulation made under subsection (1) may also prescribe the licensees and licensed suppliers that must implement a harm minimisation measure.	1 2 3
	(4)	A licensee or licensed supplier prescribed under subsection (3) must implement the harm minimisation measure as prescribed.	4 5 6
		Maximum penalty for subsection (4)—200 penalty units.	7 8
Clause 67		Amendment of s 294 (Use of unauthorised gaming machines)	9 10
		Section 294(3)(a)(ii), ‘section 240(3)’—	11
		<i>omit, insert—</i>	12
		section 240A	13
Clause 68		Amendment of s 344 (Approvals and authorities under this Act)	14 15
		Section 344(2), after ‘gaming’—	16
		<i>insert—</i>	17
		, having regard to the objects of this Act	18
Clause 69		Amendment of sch 1 (Reviewable decisions)	19
		Schedule 1, part 1—	20
		<i>insert—</i>	21
		240A refusing to approve gaming tokens	22
Clause 70		Amendment of sch 2 (Dictionary)	23
	(1)	Schedule 2, definition <i>gaming equipment</i> , paragraph (a)(v)—	24
		<i>omit, insert—</i>	25

136A Harm minimisation measures

- 1
- (1) A regulation may prescribe measures (*harm* 2
minimisation measures) that have the purpose of 3
minimising potential harm from interactive 4
gambling, including, for example, measures for 5
any of the following purposes— 6
- (a) delaying the start of a process in particular 7
circumstances; 8
- (b) interrupting a process in particular 9
circumstances; 10
- (c) using particular technology or software; 11
- (d) providing particular information to the chief 12
executive or persons participating in 13
interactive gambling; 14
- (e) enabling a person to access a service that 15
provides help with gambling problems. 16
- (2) The Minister may recommend the making of a 17
regulation under subsection (1) only if satisfied— 18
- (a) the harm minimisation measure— 19
- (i) is necessary and appropriate to 20
minimise potential harm from 21
interactive gambling; and 22
- (ii) is consistent with the objects of this 23
Act; or 24
- (b) it is in the public interest to prescribe the 25
harm minimisation measure. 26
- (3) A regulation made under subsection (1) may also 27
prescribe the authorised providers and interactive 28
wagering operators that must implement a harm 29
minimisation measure. 30
- (4) An entity prescribed under subsection (3) must 31
implement the harm minimisation measure as 32
prescribed. 33

[s 74]

	Maximum penalty—200 penalty units.	1
	(5) In this section—	2
	<i>interactive wagering operator</i> see section 166A.	3
Clause 74	Amendment of s 162 (Approval of regulated interactive gambling equipment)	4
		5
	(1) Section 162—	6
	<i>insert—</i>	7
	(3A) After considering the application and any evaluation of equipment, the chief executive must decide to—	8
		9
	(a) grant the approval; or	10
	(b) grant the approval with conditions; or	11
	(c) refuse to grant the approval.	12
	(2) Section 162(4), ‘give’—	13
	<i>omit, insert—</i>	14
	grant	15
	(3) Section 162(5) and (6)—	16
	<i>omit, insert—</i>	17
	(5) When the chief executive makes a decision under subsection (4), the chief executive must—	18
		19
	(a) for a decision to grant an approval—immediately give the applicant written notice of the decision; or	20
		21
		22
		23
	(b) for a decision to grant an approval with conditions—immediately give the applicant an information notice for the decision; or	24
		25
		26
	(c) for a decision to refuse to grant an approval—immediately give the applicant an information notice for the decision.	27
		28
		29
	(4) Section 162(3A) to (5)—	30

-
- renumber* as section 162(4) to (6). 1
- (5) Section 162— 2
- insert*— 3
- (7) The chief executive may act under subsection (8) 4
only if, having regard to the objects of this Act, 5
the chief executive considers taking the action 6
is— 7
- (a) necessary or appropriate for the proper 8
conduct of interactive gambling; or 9
- (b) otherwise in the public interest. 10
- (8) At any time after granting an approval, the chief 11
executive may decide to— 12
- (a) impose conditions on the approval, whether 13
or not the approval is already subject to 14
conditions; or 15
- (b) vary a condition of the approval; or 16
- (c) remove a condition of the approval. 17
- (9) When the chief executive makes a decision under 18
subsection (8), the chief executive must— 19
- (a) for a decision to impose a condition on an 20
approval—give the licensed provider for the 21
approval an information notice for the 22
decision; or 23
- (b) for a decision to vary a condition of an 24
approval—give the licensed provider for the 25
approval an information notice for the 26
decision; or 27
- (c) for a decision to remove a condition of an 28
approval—give the licensed provider for the 29
approval written notice of the decision. 30

[s 75]

Clause 75	Amendment of s 163 (Use of regulated interactive gambling equipment)	1 2
	(1) Section 163(3), penalty, ‘for subsection (3)’— <i>omit.</i>	3 4
	(2) Section 163— <i>insert—</i>	5 6
	(4) A licensed provider or agent must not use approved interactive gambling equipment in conducting an authorised game unless the use is consistent with an approval for the equipment or a modification of the equipment under section 162, including any conditions of the approval. Maximum penalty—200 penalty units.	7 8 9 10 11 12 13
Clause 76	Insertion of new s 261D	14
	After section 261C— <i>insert—</i>	15 16
	261D Chief executive may make guidelines	17
	(1) The chief executive may make guidelines to inform persons about—	18 19
	(a) the attitude the chief executive is likely to adopt on a particular matter; or	20 21
	(b) how the chief executive administers this Act.	22 23
	(2) The chief executive must publish the guidelines on the department’s website.	24 25
Clause 77	Amendment of s 263 (Regulation-making power)	26
	Section 263(4)— <i>insert—</i>	27 28
	(e) provide for the methods of payment used—	29

	(i) with regulated interactive gambling equipment; or	1 2
	(ii) to participate in interactive gambling; or	3 4
	(iii) for paying prizes or refunding an amount wagered on an interactive game; or	5 6 7
	(iv) for making a deposit to, or a withdrawal from, a player's account.	8 9
Clause 78	Amendment of sch 2 (Decisions of chief executive subject to review)	10 11
	Schedule 2, part 1, entries for 162—	12
	<i>omit, insert—</i>	13
	162 Approving regulated interactive gambling equipment or a modification of the equipment, with conditions	14 15 16
	162 Refusing to approve regulated interactive gambling equipment or a modification of the equipment	17 18 19
	162 Imposing a condition on an approval for regulated interactive gambling equipment or a modification of the equipment	20 21 22
	162 Varying a condition of an approval for regulated interactive gambling equipment or a modification of the equipment	23 24 25
Clause 79	Amendment of sch 3 (Dictionary)	26
	Schedule 3, definition <i>interactive gambling equipment</i> , 'the conduct of'—	27 28
	<i>omit, insert—</i>	29
	connection with	30

[s 80]

Part 8 **Amendment of Keno Act 1996** 1

Clause 80	Act amended	2
	This part amends the <i>Keno Act 1996</i> .	3
Clause 81	Amendment of s 138 (Keno rules)	4
	Section 138(2) and (3)(a), ‘in the gazette’—	5
	<i>omit, insert—</i>	6
	on the department’s website	7
Clause 82	Amendment of s 145 (Approval of regulated keno equipment)	8
	(1) Section 145—	9
	<i>insert—</i>	10
	(3A) After considering the application and any	11
	evaluation of equipment, the chief executive must	12
	decide to—	13
	(a) grant the approval; or	14
	(b) grant the approval with conditions; or	15
	(c) refuse to grant the approval.	16
	(2) Section 145(4), ‘give’—	17
	<i>omit, insert—</i>	18
	grant	19
	(3) Section 145(5) and (6)—	20
	<i>omit, insert—</i>	21
	(5) When the chief executive makes a decision under	22
	subsection (4), the chief executive must—	23
		24

-
- (a) for a decision to grant an approval—immediately give the keno licensee written notice of the decision; or
- (b) for a decision to grant an approval with conditions—immediately give the keno licensee an information notice for the decision; or
- (c) for a decision to refuse to grant an approval—immediately give the keno licensee an information notice for the decision.
- (4) Section 145(3A) to (5)—
renumber as section 145(4) to (6).
- (5) Section 145—
insert—
- (7) The chief executive may act under subsection (8) only if, having regard to the objects of this Act, the chief executive considers taking the action is—
- (a) necessary or appropriate for the proper conduct of keno gaming; or
- (b) otherwise in the public interest.
- (8) At any time after granting an approval, the chief executive may decide to—
- (a) impose conditions on the approval, whether or not the approval is already subject to conditions; or
- (b) vary a condition of the approval; or
- (c) remove a condition of the approval.
- (9) When the chief executive makes a decision under subsection (8), the chief executive must—
- (a) for a decision to impose a condition on an approval—give the keno licensee for the

[s 83]

	approval an information notice for the decision; or	1 2
	(b) for a decision to vary a condition of an approval—give the keno licensee for the approval an information notice for the decision; or	3 4 5 6
	(c) for a decision to remove a condition of an approval—give the keno licensee for the approval written notice of the decision.	7 8 9
Clause 83	Amendment of s 146 (Use of regulated keno equipment)	10
	(1) Section 146—	11
	<i>insert—</i>	12
	(3A) A keno licensee or appointed agent must not use approved keno equipment in conducting a keno game unless the use is consistent with the approval for the equipment or a modification of the equipment under section 145, including any conditions of the approval.	13 14 15 16 17 18
	Maximum penalty—200 penalty units.	19
	(2) Section 146(3A) and (4)—	20
	<i>renumber</i> as section 146(4) and (5).	21
Clause 84	Amendment of s 147 (Player accounts)	22
	Section 147(2) and (3)—	23
	<i>omit, insert—</i>	24
	(2) The person may deposit amounts into the player account in advance of playing a keno game using any 1, or a combination, of the following payment methods—	25 26 27 28
	(a) cash;	29
	(b) a cheque;	30

	(c) a payment method approved by the chief executive.	1 2
	(3) The keno licensee may, up to the value of the amount for the time being standing to the person's credit in the player account, do any 1, or a combination, of the following things—	3 4 5 6
	(a) issue keno tickets to the person for keno games conducted by the licensee under the keno licence;	7 8 9
	(b) pay cash to the person;	10
	(c) pay the person using another payment method approved by the chief executive.	11 12
Clause 85	Insertion of new s 153	13
	After section 152—	14
	<i>insert—</i>	15
	153 Harm minimisation measures	16
	(1) A regulation may prescribe measures (<i>harm minimisation measures</i>) that have the purpose of minimising potential harm from keno gambling, including, for example, measures for any of the following purposes—	17 18 19 20 21
	(a) delaying the start of a process in particular circumstances;	22 23
	(b) interrupting a process in particular circumstances;	24 25
	(c) using particular technology or software;	26
	(d) providing particular information to the chief executive or persons participating in keno gambling;	27 28 29
	(e) enabling a person to access a service that provides help with gambling problems.	30 31

[s 86]

	(2) The Minister may recommend the making of a regulation under subsection (1) only if satisfied—	1 2
	(a) the harm minimisation measure—	3
	(i) is necessary and appropriate to minimise potential harm from keno gambling; and	4 5 6
	(ii) is consistent with the objects of this Act; or	7 8
	(b) it is in the public interest to prescribe the harm minimisation measure.	9 10
	(3) A regulation made under subsection (1) may also prescribe the keno licensees that must implement a harm minimisation measure.	11 12 13
	(4) A keno licensee prescribed under subsection (3) must implement the harm minimisation measure as prescribed.	14 15 16
	Maximum penalty for subsection (4)—200 penalty units.	17 18
Clause 86	Insertion of new s 241A	19
	After section 241—	20
	<i>insert—</i>	21
	241A Chief executive may make guidelines	22
	(1) The chief executive may make guidelines to inform persons about—	23 24
	(a) the attitude the chief executive is likely to adopt on a particular matter; or	25 26
	(b) how the chief executive administers this Act.	27 28
	(2) The chief executive must publish the guidelines on the department’s website.	29 30

Clause 87	Amendment of s 243 (Regulation-making power)	1
	Section 243(2)—	2
	<i>insert</i> —	3
	(d) be about the methods of payment used—	4
	(i) with regulated keno equipment; or	5
	(ii) to participate in a keno game; or	6
	(iii) for paying prizes or refunding an amount wagered on a keno game; or	7 8
	(iv) for making a deposit to, or a withdrawal from, a player account.	9 10
Clause 88	Amendment of sch 2 (Decisions of chief executive subject to appeal)	11 12
	Schedule 2, part 1, entries for 145—	13
	<i>omit, insert</i> —	14
	145 approving regulated keno equipment or a modification of the equipment, with conditions	15 16
	145 refusing to approve regulated keno equipment or a modification of the equipment	17 18
	145 imposing a condition on an approval for regulated keno equipment or a modification of the equipment	19 20 21
	145 varying a condition of an approval for regulated keno equipment or a modification of the equipment	22 23 24
Clause 89	Amendment of sch 4 (Dictionary)	25
	Schedule 4, definition <i>keno equipment</i> , ‘the conduct or playing of’—	26 27
	<i>omit, insert</i> —	28
	connection with	29

[s 90]

Part 9	Amendment of Lotteries Act 1997	1 2
Clause 90	Act amended	3
	This part amends the <i>Lotteries Act 1997</i> .	4
Clause 91	Amendment of s 121 (Rules)	5
	Section 121(2) and (2A)(a), ‘in the gazette’—	6
	<i>omit, insert—</i>	7
	on the department’s website	8
Clause 92	Insertion of new s 126	9
	After section 125A—	10
	<i>insert—</i>	11
	126 Harm minimisation measures	12
	(1) A regulation may prescribe measures (<i>harm minimisation measures</i>) that have the purpose of minimising potential harm from lotteries, including, for example, measures for any of the following purposes—	13 14 15 16 17
	(a) delaying the start of a process in particular circumstances;	18 19
	(b) interrupting a process in particular circumstances;	20 21
	(c) using particular technology or software;	22
	(d) providing particular information to the chief executive or persons participating in lotteries;	23 24 25
	(e) enabling a person to access a service that provides help with gambling problems.	26 27

	(2) The Minister may recommend the making of a regulation under subsection (1) only if satisfied—	1 2
	(a) the harm minimisation measure—	3
	(i) is necessary and appropriate to minimise potential harm from persons participating in lotteries; and	4 5 6
	(ii) is consistent with the objects of this Act; or	7 8
	(b) it is in the public interest to prescribe the harm minimisation measure.	9 10
	(3) A regulation made under subsection (1) may also prescribe the lottery operators that must implement a harm minimisation measure.	11 12 13
	(4) A lottery operator prescribed under subsection (3) must implement the harm minimisation measure as prescribed.	14 15 16
	Maximum penalty for subsection (4)—200 penalty units.	17 18
Clause 93	Amendment of s 133 (Approval of regulated lottery equipment)	19 20
	(1) Section 133—	21
	<i>insert—</i>	22
	(3A) After considering the application and any evaluation of equipment, the chief executive must decide to—	23 24 25
	(a) grant the approval; or	26
	(b) grant the approval with conditions; or	27
	(c) refuse to grant the approval.	28
	(2) Section 133(4), ‘give’—	29
	<i>omit, insert—</i>	30
	grant	31

[s 93]

- (3) Section 133(5) and (6)— 1
omit, insert— 2
- (5) When the chief executive makes a decision under subsection (4), the chief executive must— 3
4
- (a) for a decision to grant an approval—immediately give the lottery operator written notice of the decision; or 5
6
7
- (b) for a decision to grant an approval with conditions—immediately give the lottery operator an information notice for the decision; or 8
9
10
11
- (c) for a decision to refuse to grant an approval—immediately give the lottery operator an information notice for the decision. 12
13
14
15
- (4) Section 133(3A) to (5)— 16
renumber as section 133(4) to (6). 17
- (5) Section 133— 18
insert— 19
- (7) The chief executive may act under subsection (8) only if, having regard to the objects of this Act, the chief executive considers taking the action is— 20
21
22
23
- (a) necessary or appropriate for the proper conduct of lotteries; or 24
25
- (b) otherwise in the public interest. 26
- (8) At any time after granting an approval, the chief executive may decide to— 27
28
- (a) impose conditions on the approval, whether or not the approval is already subject to conditions; or 29
30
31
- (b) vary a condition of the approval; or 32

	(c) remove a condition of the approval.	1
(9)	When the chief executive makes a decision under subsection (8), the chief executive must—	2 3
	(a) for a decision to impose a condition on an approval—give the lottery operator for the approval an information notice for the decision; or	4 5 6 7
	(b) for a decision to vary a condition of an approval—give the lottery operator for the approval an information notice for the decision; or	8 9 10 11
	(c) for a decision to remove a condition of an approval—give the lottery operator for the approval written notice of the decision.	12 13 14
Clause 94	Amendment of s 134 (Use of regulated lottery equipment)	15
(1)	Section 134(3), penalty, ‘for subsection (3)’— <i>omit.</i>	16 17
(2)	Section 134— <i>insert—</i>	18 19
	(4) A lottery operator or agent must not use approved lottery equipment in conducting an approved lottery unless the use is consistent with an approval for the equipment or a modification of the equipment under section 133, including any conditions of the approval. Maximum penalty—200 penalty units.	20 21 22 23 24 25 26
Clause 95	Insertion of new s 226A	27
	After section 226— <i>insert—</i>	28 29

[s 96]

226A Chief executive may make guidelines 1

- (1) The chief executive may make guidelines to 2
inform persons about— 3
- (a) the attitude the chief executive is likely to 4
adopt on a particular matter; or 5
- (b) how the chief executive administers this 6
Act. 7
- (2) The chief executive must publish the guidelines 8
on the department’s website. 9

Clause 96 Amendment of s 228 (Regulation-making power) 10

Section 228(2)— 11

insert— 12

- (d) be about the methods of payment used— 13
- (i) with regulated lottery equipment; or 14
- (ii) to participate in a lottery; or 15
- (iii) for paying prizes or refunding an 16
amount wagered on a lottery; or 17
- (iv) for making a deposit to, or a 18
withdrawal from, a player account. 19

**Clause 97 Amendment of sch 2 (Decisions of chief executive 20
subject to appeal)** 21

Schedule 2, part 1, entries for 133— 22

omit, insert— 23

- 133 approving regulated lottery equipment or a 24
modification of the equipment, with conditions 25
- 133 refusing to approve regulated lottery equipment 26
or a modification of the equipment 27
- 133 imposing a condition on an approval for regulated 28
lottery equipment or a modification of the 29

	equipment	1
133	varying a condition of an approval for regulated lottery equipment or a modification of the equipment	2 3 4
Clause 98	Amendment of sch 3 (Dictionary)	5
	Schedule 3, definition <i>lottery equipment</i> , ‘the conduct of’—	6
	<i>omit, insert—</i>	7
	connection with	8
Part 10	Amendment of Wagering Act 1998	9 10
Clause 99	Act amended	11
	This part amends the <i>Wagering Act 1998</i> .	12
Clause 100	Amendment of s 7 (Meaning of <i>sports wagering licence</i>)	13
(1)	Section 7(a) and (b)—	14
	<i>omit, insert—</i>	15
	(a) a sporting event or sporting contingency (whether in Australia or elsewhere); or	16 17
	(b) a simulated event or simulated contingency approved by the Minister under section 57; or	18 19 20
	(c) a non-sporting event, or a contingency relating to a non-sporting event, approved by the Minister under section 57.	21 22 23
(2)	Section 7—	24
	<i>insert—</i>	25
	(2) However, a <i>sports wagering licence</i> does not	26

[s 101]

authorise the sports wagering licensee to conduct 1
wagering on an event or contingency for which 2
wagering is authorised to be conducted under a 3
race wagering licence. 4

Clause 101 Insertion of new s 33A 5

After section 33— 6

insert— 7

33A Amendment of wagering licence 8

- (1) The Minister may, with the written agreement of 9
the licensee, amend a wagering licence. 10
- (2) After receiving the wagering licence for 11
amendment, the Minister must— 12
 - (a) amend the licence as agreed and return the 13
amended licence to the licensee; or 14
 - (b) if the Minister is satisfied it is not 15
practicable to amend the licence to 16
incorporate the amendment—give the 17
licensee a replacement licence that 18
incorporates the amendment. 19
- (3) The amendment of the licence takes effect on the 20
day the Minister gives the licensee the amended 21
or replacement licence. 22

**Clause 102 Replacement of s 56 (Application for approval of events 23
or contingencies)** 24

Section 56— 25

omit, insert— 26

**56 Application for approval of particular events 27
and contingencies** 28

- (1) A sports wagering licensee may apply to the 29
Minister for approval to conduct wagering on— 30
 - (a) a simulated event; or 31

	(b) a simulated contingency; or	1
	(c) a non-sporting event; or	2
	(d) a contingency that relates to a non-sporting event.	3 4
(2)	The event or contingency may be in Australia or elsewhere.	5 6
(3)	The application may relate to a particular event or contingency or a class of event or contingency.	7 8
(4)	The application must—	9
	(a) be in writing; and	10
	(b) describe the event or contingency, or class of event or contingency, for which approval is sought.	11 12 13
Clause 103	Amendment of s 57 (Decision on application)	14
(1)	Section 57(2)—	15
	<i>omit, insert—</i>	16
(2)	However, the Minister must not grant an approval that relates to—	17 18
	(a) an event for which wagering is authorised to be conducted under a race wagering licence; or	19 20 21
	(b) a sporting event; or	22
	(c) a contingency that relates to an event mentioned in paragraphs (a) or (b); or	23 24
	(d) an event or contingency the Minister considers to be offensive or contrary to the public interest.	25 26 27
(2)	Section 57(3) and (4)—	28
	<i>omit.</i>	29

[s 104]

Clause 104	Amendment of s 198 (Making rules)	1
	Section 198(2) and (2A)(a), ‘in the gazette’—	2
	<i>omit, insert—</i>	3
	on the department’s website	4
Clause 105	Amendment of s 206 (Acceptance of wagers)	5
	Section 206—	6
	<i>insert—</i>	7
	(2) However, subsection (1) does not apply to wagers relating to a simulated event or simulated contingency.	8 9 10
	(3) A licence operator must not accept wagers, relating to a simulated event or simulated contingency, made by phone or another form of communication.	11 12 13 14
	Maximum penalty—200 penalty units.	15
	(4) A wagering agent must not accept wagers, relating to a simulated event or simulated contingency, made by phone or another form of communication.	16 17 18 19
	Maximum penalty—200 penalty units.	20
Clause 106	Amendment of s 207 (Use of regulated wagering equipment)	21 22
	Section 207—	23
	<i>insert—</i>	24
	(5) A general operator, totalisator supplier or designated operator must not use approved wagering equipment for the conduct of approved wagering unless the use is consistent with an approval of the equipment or a modification of the equipment under section 208, including any	25 26 27 28 29 30

	conditions of the approval.	1
	Maximum penalty—200 penalty units.	2
Clause 107	Amendment of s 208 (Approval of regulated wagering equipment)	3
		4
(1)	Section 208—	5
	<i>insert—</i>	6
	(4A) After considering the application and any evaluation of equipment, the chief executive must—	7
		8
		9
	(a) grant the approval; or	10
	(b) grant the approval with conditions; or	11
	(c) refuse to grant the approval.	12
(2)	Section 208(5), ‘give’—	13
	<i>omit, insert—</i>	14
	grant	15
(3)	Section 208(6) and (7)—	16
	<i>omit, insert—</i>	17
	(6) When the chief executive makes a decision under subsection (5), the chief executive must—	18
		19
	(a) for a decision to grant an approval—immediately give the authority operator written notice of the decision; or	20
		21
		22
	(b) for a decision to grant an approval with conditions—immediately give the authority operator an information notice for the decision; or	23
		24
		25
		26
	(c) for a decision to refuse to grant an approval—immediately give the authority operator an information notice for the decision.	27
		28
		29
		30

[s 107]

- | | | |
|------|---|----------------------|
| (4) | Section 208(4A) to (6)— | 1 |
| | <i>renumber</i> as section 208(5) to (7). | 2 |
| (5) | Section 208— | 3 |
| | <i>insert</i> — | 4 |
| (8) | The chief executive may act under subsection (9) only if, having regard to the objects of this Act, the chief executive considers taking the action is— | 5
6
7
8 |
| | (a) necessary or appropriate for the proper conduct of wagering; or | 9
10 |
| | (b) otherwise in the public interest. | 11 |
| (9) | At any time after granting an approval, the chief executive may decide to— | 12
13 |
| | (a) impose conditions on the approval, whether or not the approval is already subject to conditions; or | 14
15
16 |
| | (b) vary a condition of the approval; or | 17 |
| | (c) remove a condition of the approval. | 18 |
| (10) | When the chief executive makes a decision under subsection (9), the chief executive must— | 19
20 |
| | (a) for a decision to impose a condition on an approval—give the authority operator for the approval an information notice for the decision; or | 21
22
23
24 |
| | (b) for a decision to vary a condition of an approval—give the authority operator for the approval an information notice for the decision; or | 25
26
27
28 |
| | (c) for a decision to remove a condition of an approval—give the authority operator for the approval written notice of the decision. | 29
30
31 |

Clause 108	Insertion of new pt 11, div 6	1
	Part 11—	2
	<i>insert—</i>	3
	Division 6	4
	Harm minimisation measures	5
	228F Harm minimisation measures	6
	(1) A regulation may prescribe measures (<i>harm minimisation measures</i>) that have the purpose of minimising potential harm from wagering, including, for example, measures for any of the following purposes—	7 8 9 10 11
	(a) delaying the start of a process in particular circumstances;	12 13
	(b) interrupting a process in particular circumstances;	14 15
	(c) using particular technology or software;	16
	(d) providing particular information to the chief executive or persons participating in wagering;	17 18 19
	(e) enabling a person to access a service that provides help with gambling problems.	20 21
	(2) The Minister may recommend the making of a regulation under subsection (1) only if satisfied—	22 23
	(a) the harm minimisation measure—	24
	(i) is necessary and appropriate to minimise potential harm from wagering; and	25 26 27
	(ii) is consistent with the objects of this Act; or	28 29
	(b) it is in the public interest to prescribe the harm minimisation measure.	30 31

[s 109]

	(3) A regulation made under subsection (1) may prescribe the wagering licensees and permit holders that must implement a harm minimisation measure.	1 2 3 4
	(4) A wagering licensee or permit holder prescribed under subsection (3) must implement the harm minimisation measure as prescribed.	5 6 7
	Maximum penalty for subsection (4)—200 penalty units.	8 9
Clause 109	Amendment of s 291 (When authority operators may apply for review)	10 11
	Section 291—	12
	<i>insert—</i>	13
	• a decision under section 208 to approve regulated wagering equipment or a modification of the equipment, with conditions	14 15 16 17
	• a decision under section 208 to impose a condition on an approval for regulated wagering equipment or a modification of the equipment	18 19 20 21
	• a decision under section 208 to vary a condition of an approval for regulated wagering equipment or a modification of the equipment	22 23 24 25
Clause 110	Insertion of new s 310A	26
	After section 310—	27
	<i>insert—</i>	28
	310A Chief executive may make guidelines	29
	(1) The chief executive may make guidelines to inform persons about—	30 31

	(a) the attitude the chief executive is likely to adopt on a particular matter; or	1 2
	(b) how the chief executive administers this Act.	3 4
	(2) The chief executive must publish the guidelines on the department's website.	5 6
Clause 111	Amendment of s 312 (Regulation-making power)	7
	Section 312(2)—	8
	<i>insert—</i>	9
	(d) be about the methods of payment used—	10
	(i) with regulated wagering equipment; or	11
	(ii) for wagering; or	12
	(iii) for paying out a winning bet or refund; or	13 14
	(iv) for making deposits to, or withdrawals from, an account in the name of an investor with a licence operator.	15 16 17
Clause 112	Amendment of sch 2 (Dictionary)	18
	(1) Schedule 2, definitions <i>approved contingency</i> , <i>approved event</i> and <i>sporting event</i> —	19 20
	<i>omit.</i>	21
	(2) Schedule 2—	22
	<i>insert—</i>	23
	<i>non-sporting event</i> means any event other than—	24
	(a) an event for which wagering is authorised to be conducted under a race wagering licence; or	25 26 27
	(b) a sporting event; or	28

[s 113]

- (c) a simulated event. 1
simulated contingency means a contingency that 2
relates to a simulated event. 3
simulated event means the simulation of a race or 4
sporting event if— 5
- (a) the simulation is modelled by a computer; 6
and 7
- (b) the outcome of the simulation is solely 8
determined by a random number generator. 9
- sporting event* does not include an event that is— 10
- (a) thoroughbred, harness or greyhound racing; 11
or 12
- (b) a simulated event. 13
- (3) Schedule 2, definition *wagering equipment*, ‘the conduct 14
of’— 15
omit, insert— 16
connection with 17

Part 11 **Amendment of Wagering** 18 **Regulation 1999** 19

Clause 113 **Regulation amended** 20
This part amends the *Wagering Regulation 1999*. 21

Clause 114 **Amendment of s 3 (Definitions)** 22

(1) Section 3, definitions *event* and *race*— 23
omit. 24

(2) Section 3— 25
insert— 26

<i>event</i> means—	1
(a) for an event on which wagering is conducted by a licence operator under a race wagering licence—an event that—	2 3 4
(i) is, or relates to, thoroughbred, harness or greyhound racing; and	5 6
(ii) may be lawfully held in Queensland or elsewhere; or	7 8
(b) for an event on which wagering is conducted by a licence operator under a sports wagering licence—	9 10 11
(i) a sporting event or sporting contingency; or	12 13
(ii) a simulated event or simulated contingency approved for the licence under the Act, section 57; or	14 15 16
(iii) a non-sporting event, or a contingency relating to a non-sporting event, approved for the licence under the Act, section 57.	17 18 19 20
<i>race</i> —	21
(a) means an event that is, or relates to, a thoroughbred, harness or greyhound race; but	22 23 24
(b) does not include a simulated event.	25
<i>simulated event random number generator</i> means a device designed and used to select random numbers to determine the result for a simulated event.	26 27 28 29
Clause 115 Amendment of s 15E (Printed tickets)	30
Section 15E(1), ‘cash or a credit ticket,’—	31
<i>omit, insert</i> —	32

[s 116]

cash, a credit ticket or another payment method 1
approved by the chief executive, 2

Clause 116 Amendment of sch 2 (Regulated wagering equipment) 3

Schedule 2— 4

insert— 5

simulated event random number generator 6

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