



Queensland

# Gaming Legislation Amendment Regulation (No. 1) 2014

## Subordinate Legislation 2014 No. 131

made under the

*Casino Control Act 1982*

*Charitable and Non-Profit Gaming Act 1999*

*Gaming Machine Act 1991*

*Interactive Gambling (Player Protection) Act 1998*

*Lotteries Act 1997*

*Wagering Act 1998*

## Contents

---

		Page
<b>Part 1</b>	<b>Preliminary</b>	
1	Short title . . . . .	3
2	Commencement . . . . .	3
<b>Part 2</b>	<b>Amendment of Casino Control Regulation 1999</b>	
3	Regulation amended . . . . .	3
4	Omission of s 18 (List of licensees—Act, s 42) . . . . .	3
5	Amendment of pt 4, hdg (Casino tax and Casino Community Benefit Fund) . . . . .	3
6	Omission of s 19C (Casino Community Benefit Fund— Act, s 52(8)) . . . . .	4
<b>Part 3</b>	<b>Amendment of Charitable and Non-profit Gaming Regulation 1999</b>	
7	Regulation amended . . . . .	4
8	Insertion of new s 2B . . . . .	4
	2B Prescribed gross proceeds amounts for category 1, 2, and 3 games . . . . .	4
9	Amendment of sch 2 (Fees) . . . . .	5

Contents

---

<b>Part 4</b>	<b>Amendment of Gaming Machine Regulation 2002</b>	
10	Regulation amended . . . . .	5
11	Amendment of s 9 (Maximum number of gaming machines—Act, ss 60, 64 and 85) . . . . .	5
12	Omission of s 10L (Entitlement regions—Act, sch 2, definition entitlement region) . . . . .	6
<b>Part 5</b>	<b>Amendment of Interactive Gambling (Player Protection) Regulation 1998</b>	
13	Regulation amended . . . . .	6
14	Amendment of s 3 (Definitions) . . . . .	6
15	Amendment of s 21 (Fees) . . . . .	6
16	Insertion of new ss 22 and 23 . . . . .	6
	22 Investigation fee for particular investigations . . . . .	7
	23 How investigation fee must be paid . . . . .	7
<b>Part 6</b>	<b>Minor amendments</b>	
17	Regulations amended . . . . .	9
<b>Schedule 1</b>	<b>Minor amendments</b> . . . . .	10
	Lotteries Regulation 2007 . . . . .	10
	Wagering Regulation 1999 . . . . .	10

---

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Gaming Legislation Amendment Regulation (No. 1) 2014*.

### 2 Commencement

- (1) The following provisions commence on 1 July 2014—
  - (a) part 3;
  - (b) parts 4 and 5.
- (2) Sections 5 and 6 commence on 24 August 2014.
- (3) Section 9 commences immediately after the commencement of the *Justice Legislation (Fees) Amendment and Repeal Regulation (No. 1) 2014*.

## Part 2 Amendment of Casino Control Regulation 1999

### 3 Regulation amended

This part amends the *Casino Control Regulation 1999*.

### 4 Omission of s 18 (List of licensees—Act, s 42)

Section 18—

*omit.*

### 5 Amendment of pt 4, hdg (Casino tax and Casino Community Benefit Fund)

Part 4, heading, ‘and Casino Community Benefit Fund’—

[s 6]

---

*omit.*

**6 Omission of s 19C (Casino Community Benefit Fund—  
Act, s 52(8))**

Section 19C—

*omit.*

**Part 3 Amendment of Charitable and  
Non-profit Gaming Regulation  
1999**

**7 Regulation amended**

This part amends the *Charitable and Non-Profit Gaming  
Regulation 1999*.

**8 Insertion of new s 2B**

After section 2A—

*insert—*

**2B Prescribed gross proceeds amounts for  
category 1, 2, and 3 games**

- (1) For the Act, section 14(1)(b), the prescribed amount is \$2000.
- (2) For the Act, section 15(1)(c), the prescribed amounts are \$2000 and \$50000.
- (3) For the Act, section 16(1)(a), the prescribed amount is \$50000.

---

**9 Amendment of sch 2 (Fees)**

Schedule 2, items 5 to 8, 'more than \$20000 but not more than \$100000'—

*omit, insert—*

more than \$50000 but not more than \$100000

**Part 4 Amendment of Gaming Machine Regulation 2002**

**10 Regulation amended**

This part amends the *Gaming Machine Regulation 2002*.

**11 Amendment of s 9 (Maximum number of gaming machines—Act, ss 60, 64 and 85)**

(1) Section 9, '(5)(b), 64(4)(b) and 85(3) and (4)'—

*omit, insert—*

(5)(b)(i), 64(4)(b)(i) and 85(3) and (4)(a)

(2) Section 9—

*insert—*

(2) For sections 60(5)(b)(ii), 64(4)(b)(ii) and 85(4)(b) of the Act, the maximum number in total is—

(a) if the licensee has one additional premises—450; or

(b) if the licensee has two or more additional premises—500.

[s 12]

---

**12 Omission of s 10L (Entitlement regions—Act, sch 2, definition *entitlement region*)**

Section 10L—

*omit.*

**Part 5 Amendment of Interactive Gambling (Player Protection) Regulation 1998**

**13 Regulation amended**

This part amends the *Interactive Gambling (Player Protection) Regulation 1998*.

**14 Amendment of s 3 (Definitions)**

Section 3—

*insert—*

*investigation fee* see section 22.

**15 Amendment of s 21 (Fees)**

Section 21(1), after ‘stated in’—

*insert—*

section 22 and

**16 Insertion of new ss 22 and 23**

After section 21—

*insert—*

---

## 22 Investigation fee for particular investigations

- (1) This section applies to a person who is a business or executive associate of a licensed provider for whom the chief executive may undertake an investigation under the Act, section 56(2).
- (2) The person must pay to the chief executive the reasonable costs of conducting the investigation (the *investigation fee*).

*Example of costs of conducting the investigation—*

- costs of outsourcing professional services, for example, legal or accounting services
- internal costs, including staff costs
- travel and accommodation costs incurred inside or outside the State or overseas

## 23 How investigation fee must be paid

- (1) This section applies in relation to an investigation fee payable by a person (the *relevant person*) for an investigation.
- (2) The chief executive may require, in writing, the relevant person to pay all or part of the investigation fee in advance.
- (3) The chief executive may make the requirement before the investigation starts, or at any time during the investigation.
- (4) If the requirement is made before the investigation starts, the chief executive may decide not to start the investigation until the investigation fee or part of the fee is paid.
- (5) If the requirement is made during the investigation, the relevant person must pay the investigation fee or part of the fee within 28 days after the requirement is made.
- (6) The investigation fee or part of the fee payable in advance must be—

[s 16]

---

- (a) an amount not more than the chief executive's estimate or latest estimate of the investigation fee; and
  - (b) reduced by the amount, if any, already paid by the relevant person to the chief executive under this section in relation to the investigation.
- (7) As soon as reasonably practicable after the investigation is finished the chief executive must—
  - (a) give the relevant person a written itemised account of the costs comprising the investigation fee; and
  - (b) either—
    - (i) refund any overpayment to the relevant person; or
    - (ii) require, in writing, the relevant person to pay to the chief executive, within 28 days after the requirement is made, the amount of any shortfall between the amount already paid by the relevant person under this section and the amount of the investigation fee.
- (8) For subsection (7), an investigation is finished in relation to a relevant person if—
  - (a) both of the following apply—
    - (i) the chief executive considers the relevant person has failed to comply with a requirement made by the chief executive under the Act, section 57 in relation to the investigation;
    - (ii) the chief executive considers the investigation is finished; or
  - (b) the chief executive considers the investigation has been completed for the

chief executive's purposes under the Act, section 56(2).

- (9) A relevant person given a requirement under subsection (2) or (7)(b)(ii) must comply with the requirement.
- (10) A failure by the chief executive to comply with subsection (7)(a) or (b) as soon as reasonably practicable after the investigation does not affect the recovery of the amount of any shortfall mentioned in subsection (7)(b)(ii).
- (11) In a proceeding to recover the amount of a shortfall mentioned in subsection (7)(b)(ii), a written itemised account of the costs given to the relevant person for the investigation under subsection (7)(a) is evidence of costs.

## **Part 6                      Minor amendments**

### **17        Regulations amended**

Schedule 1 amends the regulations it mentions.

## Schedule 1      Minor amendments

section 17

### Lotteries Regulation 2007

- 1      **Sections 17AA(1), 17AB(1)(a), 17AC(a) and (b), 17AE(2)(c), 17AH(1)(b), 17AL(b), 17AM(3), 17AR(2)(c) and schedule 4, definition *authorised limit*, ‘approved control system’—**

*omit, insert—*

control system

### Wagering Regulation 1999

- 1      **Section 15F(1), 15G(1)(a), 15H(a) and (b), 15J and 15L(b), ‘approved’—**

*omit.*

---

#### ENDNOTES

- 1      Made by the Governor in Council on 26 June 2014.
- 2      Notified on the Queensland legislation website on 27 June 2014.
- 3      The administering agency is the Department of Justice and Attorney-General.

© State of Queensland 2014

Authorised by the Parliamentary Counsel