

JUPITERS CASINO AGREEMENT AMENDMENT BILL 2000

EXPLANATORY NOTES

GENERAL OUTLINE

Policy Objectives of the Bill and the Way in Which They Will be Achieved

The objective of the Bill is to remove the Henry VIII provision in the *Jupiters Casino Agreement Act 1983* and to give approval to the proposed amendments to the Jupiters Casino Agreement (“Agreement”) on the terms as contained in “SCHEDULE 2” of the Bill. The proposed amendments to the Agreement will facilitate the further development of the Jupiters Hotel Casino Complex and also update and simplify the Agreement. The Henry VIII provision will be removed by omitting section 4(2) of the *Jupiters Casino Agreement Act 1983*.

Administrative Cost to the Government

There are no administrative costs to the Government in relation to the Bill.

Fundamental Legislative Principles

The removal of the Henry VIII provision through the Bill is consistent with fundamental legislative principles.

The approval of the proposed amendments to the Agreement as contained in the Bill will operate to restrict the application of the *Judicial Review Act 1991* and the *Integrated Planning Act 1997* to certain decisions in relation to the further development. Specifically, those Acts will not apply to decisions concerning a material change of use, reconfiguring of a lot and operational works in relation to the further development of the Jupiters Hotel Casino Complex. Generally, the exclusion of judicial review is consistent with the approach adopted for other casino developments. The *Integrated Planning Act 1997* will not apply to the extent that a new scheme that specifically

addresses Regulated Development of the Jupiters Limited island is to be put in place. The *Integrated Planning Act 1997* will continue to apply to all building works and plumbing and drainage works.

Consultation

Representatives of Jupiters Limited, Treasury, the Department of Communication and Information, Local Government and Planning, Department of Premier and Cabinet, Department of State Development and the Department of Justice and Attorney-General were consulted in relation to the Bill.

NOTES ON PROVISIONS

Clause 1 states the short title of the Act being the *Jupiters Casino Agreement Amendment Act 2000*.

Clause 2 provides that the Act amends the *Jupiters Casino Agreement Act 1983*.

Clause 3 amends section 2(1) of the Act by omitting the words ‘the Schedule’ and inserting the words ‘schedule 1’.

Clause 4(1) amends section 4(1) of the Act to authorise the making of a further agreement which will amend the Agreement on the terms contained in schedule 2.

Clause 4(2) omits section 4(2) of the Act.

Clause 4(3) renumbers section 4(3) as section 4(2).

Clause 5 omits the heading ‘Schedule’ and inserts the heading ‘SCHEDULE 1’.

Clause 6 provides for the insertion of ‘SCHEDULE 2’ which contains the proposed further agreement. The proposed further agreement will update the Agreement and provide for further development of the Jupiters Hotel Casino Complex.