

Queensland

Casino Control Act 1982

Casino Control Regulation 1999

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Casino Control Regulation 1999

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Casino Control Regulation 1999

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Casino Control Regulation 1999*.

2 Commencement

This regulation commences on 1 July 1999.

3 Definitions

In this regulation—

advanced evaluation, of gaming equipment, means evaluation of any of the following things relating to the equipment—

(a) communications protocols;

(b) monitoring systems;

(c) random number generators.

basic evaluation, of gaming equipment, means evaluation of any of the following things relating to the equipment—

(a) artwork;

(b) cabinet design;

(c) documentation, including for example, operational manuals.

casino principal means—

(a) a casino licensee; or

(b) a lessee under a casino lease; or

(c) a proposed lessee; or

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(d) a casino operator under a casino management agreement; or

(e) a proposed casino operator.

entity means a body corporate, partnership, trustee, association, firm or business.

intermediate evaluation, of gaming equipment, means evaluation of any of the following things relating to the equipment—

(a) hardware, other than hardware subject to basic evaluation;

(b) software, other than software subject to advanced evaluation;

(c) the mathematical treatise of the derivation of the theoretical return to a player.

investigated person means a person of whom the Minister may make requirements under section 6.

linked jackpot equipment means any meter, payout display, linking equipment, computer equipment, programming or other device (other than a gaming machine) forming, or capable of forming, part of a progressive jackpot link arrangement.

progressive jackpot link arrangement means an arrangement under which 2 or more gaming machines are linked to a device recording a winning result or other event resulting in an amount, part of an amount, or something else, being won by a player.

progressive jackpot meter means a device for recording and displaying an amount that, if won by a player, would be—

(a) payable to the player by a casino operator as a jackpot; or

(b) credited to the credit meter of the player's gaming machine.

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promoter's representative means a person performing, for the promoter, the duties of the promoter under a junket agreement.

proposed casino operator means a person with whom a casino licensee, or a lessee under a casino lease, proposes to enter into a casino management agreement under section 25 of the Act.

proposed lessee means a person to whom a casino licensee proposes to lease the casino licensee's hotel-casino complex or casino under section 24 of the Act.

rule means a rule made under the *Casino Control Act 1982*, section 63.

tournament means a tournament based on the playing of a game provided for in the rule.

4 Class or category of persons not required to be licensed—Act, sch

For the Act, schedule, definition *casino employee*, paragraph (b), the following are the classes or categories of persons—

(a) persons serving, dispensing or mixing intoxicating liquor or looking after the contents of a cellar in which intoxicating liquor is stored;

(b) persons waiting upon tables to serve food or drinks;

(c) persons employed in cleaning work;

(d) persons employed on building maintenance work, including carpenters, painters, plumbers, electrical workers, fitters, and other maintenance tradespersons, and their assistants;

(e) persons employed as entertainers or as entertainment support staff including directors, producers, musicians, stage hands, maintenance workers and all others associated with the entertainment.

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5 Disclosure of information

The entities prescribed for section 14(3)(a) of the Act are in schedule 1.

Part 2 Casino licences

6 Requirements generally

(1) The Minister may make requirements under this section of any of the following persons, to assist in undertaking investigations to satisfy the Governor in Council that the person is a suitable person to be associated or connected with the management and operations of a hotel-casino complex or casino—

(a) for section 20 of the Act—a casino licensee or associated person;

(b) for section 26 of the Act—a proposed lessee under a casino lease, proposed casino operator or associated person;

(c) for section 30 of the Act—a casino licensee, lessee under a casino lease, casino operator or associated person.

(2) The Minister may require an investigated person to give to the Minister—

(a) if the investigated person is an individual—the information and other items mentioned in section 7; and

(b) if the investigated person is an entity—the information and other items mentioned in section 10.

(3) If the investigated person is a trustee of a trust estate, the Minister may make a requirement of the person under either or both of sections 7 and 10, and if the Minister does so—

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(a) any requirement under section 7 relates to the person as an individual; and

(b) any requirement under section 10 relates to the person as trustee, or to the trust estate, or both, as the Minister considers appropriate.

(4) This section does not restrict the Minister in taking any other action the Minister considers appropriate to fulfil the Minister's duty under section 20, 26 or 30 of the Act.

(5) In this section—

associated person, for a casino principal, means a person associated or connected, or to be associated or connected, in the opinion of the Minister, with the ownership, administration or management of the operations or business of the casino principal.

7 Requirements of individuals

(1) The Minister may require an investigated person who is an individual to give to the Minister any or all of the following—

(a) information regarding some or all of the matters mentioned in schedule 2;

(b) an authority under section 12;

(c) a recent photograph of the individual.

(2) If the Minister does not require an individual to provide information regarding any of the matters mentioned in schedule 2, part B, the Minister may require the individual to give to the Minister a certificate under section 9.

(3) A request made of an individual under this section to give to the Minister information about another person is a request to do so to the best of the individual's knowledge.

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9 Certificate of financial stability

(1) The Minister may, under section 7(2), require an investigated person who is an individual to give to the Minister a certificate—

(a) signed by an accountant; and

(b) containing the accountant's name and address; and

(c) stating that the accountant—

(i) has examined the individual's financial affairs; and

(ii) is of the opinion that the individual is of sound and stable financial background.

(2) In this section—

accountant means—

(a) a member of the Institute of Chartered Accountants in Australia who holds a current certificate of public practice issued by the institute; or

(b) a member of the Australian Society of Certified Practising Accountants who holds a current public practice certificate issued by the society; or

(c) a member of the Institute of Public Accountants who holds a current public practice certificate issued by the institute; or

(d) a person approved by the chief executive as having the necessary experience or qualifications to certify a certificate of financial stability.

10 Requirements of entities

(1) The Minister may require an investigated person that is an entity to give to the Minister any or all of the following—

(a) information regarding some or all of the matters set out in schedule 3;

(b) an authority under section 12;

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(c) copies of any documents that relate to the entity lodged in the offices of the National Companies and Securities Commission, the Australian Securities Commission or any other similar body in a country other than Australia;

(d) copies of any trust deed or partnership agreement that relates to the entity;

(e) copies of the entity's audited and published financial statements;

(f) copies of any related body corporate's audited and published financial statements.

(2) In this section—

related body corporate has the meaning given by the Corporations Act, section 9.

11 Criteria for requiring information etc.

In deciding the requirements to make of an investigated person under section 7 or 10, the Minister is to consider, but is not limited to, the nature and level of involvement proposed for the person in the management and operations of the hotel-casino complex or casino.

12 Authority to release information

(1) The Minister may require an investigated person to give the Minister an authority that authorises the addressee of the authority to release documents to—

(a) an inspector; or

(b) a member of the police service.

(2) In subsection (1)—

documents means all, or specified, records, correspondence and other documents, in the possession of or under the control of the addressee, that relate to the investigated person.

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13 Failure to provide information etc. not an offence

Subject to section 14, a person who fails to comply with a requirement made under this part does not commit an offence.

14 Providing false or misleading information an offence

A person who is required to provide information under this part commits an offence if the person—

(a) provides false or misleading information; or

(b) for an investigation under section 26 or 30 of the Act—does not provide the information within the time stated in the requirement.

Maximum penalty—20 penalty units.

14A Particulars for casino licence for Queen's Wharf casino—Act, s 22(2)(f)

(1) This section applies to a casino licence relating to the Queen's Wharf casino agreement.

(2) For section 22(2)(f) of the Act, the following particulars are prescribed—

(a) the name of the integrated resort within the meaning of the Queen's Wharf casino agreement;

Note—

See clause 1.1 of the Queen's Wharf casino agreement for the definition *integrated resort*.

(b) the types of games that may be conducted in the casino;

(c) the maximum number (if applicable) of the following that may be operated in the casino—

(i) gaming machines;

(ii) games played at a table;

(iii) fully-automated table game machines within the meaning of section 19 and any other electronic derivation (in whole or in part) of a game played at

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a table that is permitted under the Act or a gaming Act;

(d) the casino's operating hours.

(3) In this section—

Queen's Wharf casino agreement means the casino agreement under the *Queen's Wharf Brisbane Act 2016*.

Part 3 Licensing of employees of casinos

15 List of types of work for casino key employees—Act, s 35

For section 35(1)(d) of the Act, the following list is prescribed—

(a) administrative management;

(b) cash and accounting management;

(c) casino executive management;

(d) casino management;

(e) casino marketing management;

(f) gaming management;

(g) gaming equipment maintenance and repair management;

(h) information technology management;

(i) internal audit management;

(j) junket operations management;

(k) security management;

(l) surveillance management.

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16 List of types of work for casino employees—Act, s 35

For section 35(1)(d) of the Act, the following list is prescribed—

(a) administrative operations;

(b) cash and accounting operations;

(c) casino marketing operations;

(d) information technology gaming operations;

(e) junket operations;

(f) gaming supervision;

(g) gaming operations;

(h) gaming equipment maintenance and repair;

(i) internal audit operations;

(j) security operations;

(k) surveillance operations.

17 Display of identification—Act, s 41

(1) For section 41(1) of the Act, the form of identification is a card or other substantial material containing a photograph of the employee's face at least 30mm square and stating in letters or numbers at least 8mm high the employee's licence number and access code.

(2) A distinguishing background colour must be used for photographs of casino key employees.

(3) A different distinguishing background colour must be used for photographs of casino employees.

(4) All forms of identification must be provided by the casino operator.

(5) The casino operator must not give a form of identification to a casino key employee or a casino employee unless the form of identification has been approved by the chief executive.

Maximum penalty for subsection (5)—20 penalty units.

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(6) In this section—

access code means the code, consisting of letters or numbers, that identifies a person who is authorised to have access to a non-public area to which entry is restricted.

Part 4 Casino tax

19 Percentage determined for casino gross revenue—Act, s 51(4)

(1) For the Act, section 51(4), the percentage determined for casino gross revenue for an associated agreement for a casino licence is—

(a) for the casino licence relating to the agreement made under the *Jupiters Casino Agreement Act 1983*—

(i) for gaming machine revenue—30%; or

(ii) for fully-automated table game revenue—20%; or

(iii) for other revenue—20%; or

(b) for the casino licence relating to the agreement made under the *Breakwater Island Casino Agreement Act 1984*—

(i) for gaming machine revenue—20%; or

(ii) for fully-automated table game revenue—10%; or

(iii) for other revenue—10%; or

(c) for the casino licence relating to the agreement made under the *Cairns Casino Agreement Act 1993*—

(i) for gaming machine revenue—20%; or

(ii) for fully-automated table game revenue—10%; or

(iii) for other revenue—10%.

(2) In this section—

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fully-automated table game machine means a gaming machine that allows more than 1 person to play a game that—

(a) imitates a type of game played at a table (a ***table game***), whether or not the table game is played in the casino where the machine is located; and

(b) can be played—

(i) from different terminals; and

(ii) without a casino employee or casino key employee conducting the game.

fully-automated table game revenue means the part of casino gross revenue derived from the operation of fully-automated table game machines.

gaming machine revenue means the part of casino gross revenue derived from the operation of gaming machines, other than fully-automated table game machines.

other revenue means casino gross revenue, other than gaming machine revenue and fully-automated table game revenue.

19A Percentage determined for premium junket revenue—Act, s 51(4)

For the Act, section 51(4), the percentage determined for premium junket revenue for an associated agreement for a casino licence is 10%.

Part 5 Casino operation

20 Marking of chips—Act, s 62

(1) For section 62(5)(b) of the Act, the other matters are—

(a) for chips of a specified denomination, known as ***value chips***—the value of the chips, with each denomination

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being a separate distinguishing colour and having markings indicating the value of the chips; and

(b) for chips not of a specified denomination, known as ***non-value chips***, and used in a game that permits their use—

(i) the name of the game; and

(ii) a design, insert or symbol that identifies the chips used at different tables for the game.

(2) A casino operator must ensure the following are clearly distinguishable by the casino's closed circuit television system—

(a) the colour of value chips, and the markings indicating the value of the chips;

(b) the design, insert or symbol on non-value chips.

Maximum penalty—20 penalty units.

21 Release or discharge of debts—Act, s 66

For section 66(1)(f) of the Act, the information and material is as follows—

(a) the name and address of the debtor;

(b) the gaming history of the debtor;

(c) the financial history of the debtor;

(d) the date or dates the debt was incurred;

(e) the circumstances surrounding the transaction or transactions leading to the debt being incurred;

(f) full information about the cheque or cheques involved in the transaction including the following—

(i) the cheque number;

(ii) the drawer;

(iii) the bank on which the cheque was drawn;

(iv) the signatory or signatories;

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(v) the date the cheque was drawn;

(vi) the date the cheque was deposited;

(vii) the payee's name;

(viii) the date the cheque was returned by the bank;

(ix) the amount of the cheque;

(x) the banker's endorsement;

(g) the name of the person who authorised the transaction;

(h) the total amount of the original debt;

(i) the details of any amount recovered;

(j) the balance of the debt outstanding;

(k) the details of action taken, or available, to recover the debt including debt collection agencies or legal proceedings;

(l) the charges incurred or costs involved in respect of the debt;

(m) details of whether the casino operator or the casino operator's agent or employee adhered to relevant accounting procedures;

(n) the amount of debt proposed to be released or discharged;

(o) detailed reasons for the release or discharge of the whole or part of the debt;

(p) the date and content of the casino operator's resolution or other authorisation to release or discharge the whole or part of the debt.

22 Deposit advance accounts—Act, s 67

For section 67(5)(e) of the Act, the following cheques are prescribed—

(a) a bank cheque drawn in favour of the casino operator;

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(b) a cheque drawn by 1 of the following in favour of the person and endorsed to the casino operator—

(i) a wagering licensee under the *Wagering Act 1998*;

(ii) a keno licensee under the *Keno Act 1996*;

(iii) a person who holds a licence to operate a casino in a place outside Australia.

23 Depositing of cheques—Act, s 70

(1) For section 70 of the Act, the prescribed time is—

(a) if the cheque is drawn on an account held with a bank in Australia by a person other than a nonresident junket participant—5 working days; and

(b) if paragraph (a) does not apply—30 working days.

(2) In this section—

nonresident junket participant means a nonresident of Queensland visiting a casino under a junket agreement within the meaning of section 85A of the Act.

24 Unclaimed winnings and prizes—Act, s 71A

For the definition *designated departmental account* in section 71A(5) of the Act, the Treasurer's unclaimed moneys fund kept under the *Financial Administration and Audit Act 1977* is designated as the account at the department to which the payments mentioned in the definition are to be made.

Note—

Financial Administration and Audit Act 1977—see the *Financial Accountability Act 2009*, section 93.

25 Casino patron claims

(1) This section applies if a casino operator, or an employee or agent of a casino operator, receives a claim for payment, related to a gaming transaction, from a casino patron.

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(2) The casino operator must immediately attempt to resolve the claim.

(3) If the casino operator can not resolve the claim, the operator must immediately give the casino patron a written notice stating—

(a) the casino operator can not resolve the claim (the ***decision***); and

(b) that the casino patron may ask the chief executive to review the decision if the patron makes the request using the approved form within 10 days after receiving the written notice.

(4) The following provisions apply to the chief executive's review of a casino operator's decision—

(a) a request for review must be made on the approved form;

(b) the chief executive must not review the casino operator's decision if the request to review is received after the 10 days mentioned in subsection (3);

(c) the chief executive must advise the casino operator and the casino patron as soon as practicable after receiving the request whether the chief executive intends to review the operator's decision;

(d) if the chief executive intends to review the casino operator's decision, the chief executive must—

(i) give the casino operator a copy of the approved form completed by the casino patron; and

(ii) notify the casino operator and the casino patron that each of them may, within 1 month after the date of the notice, give a written submission to the chief executive about the claim;

(e) after the time for making submissions has ended, the chief executive may cause the investigations the chief executive considers appropriate to be made and the results of the investigations to be reported to the chief executive;

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(f) the chief executive must, as soon as practicable, consider the submissions and reports, and notify the casino operator and the casino patron in writing of the chief executive's decision, stating the reasons for the decision.

26 Training courses for employees

A casino operator must, for each casino key employee or casino employee, keep a record of—

(a) each training course, relating to the playing of games, the conduct of games and associated activities in connection with casino operations, completed by the employee; and

(b) the dates and times the employee attended each course; and

(c) the date the employee completed each course.

Note—

See section 72 of the Act.

Maximum penalty—20 penalty units.

27 Times for submission of reports—Act, s 81

For section 81(1) of the Act, the following times are prescribed—

(a) for a casino daily report—not later than 72 hours after the end of the daily gaming period reported on;

(b) for a casino monthly report—not later than 10 days after the end of the month reported on;

(c) for a casino quarterly report—not later than 1 month after the end of the quarter reported on;

(d) for a casino annual report—not later than 4 months after the end of the financial year reported on.

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28 Conducting tournaments

(1) The rules for conducting and playing a game in a tournament are the rules for the game in the rule, as varied by the Minister in a written notice given to the casino operator proposing to conduct the tournament.

(2) However, the provisions of the rule about conducting and playing a game may be varied only to the extent reasonably necessary to conduct the tournament.

(3) The chief executive must approve conditions for conducting the tournament, including, for example—

(a) the entry form to be used; and

(b) the entry fee to be paid.

(4) The casino operator must ensure—

(a) a game in the tournament is conducted and played under the rules applying to the game; and

(b) the conditions for conducting the tournament are complied with.

29 Entry fees for tournament

(1) All entry fees received by the casino operator must be included in a prize pool for distribution to the winning players.

(2) An entry fee or part of a fee must not be refunded unless permitted under the conditions for conducting the tournament.

29A Names of table games and wagers

A casino operator may, with the chief executive's approval, use any name the casino operator considers appropriate for—

(a) a game played at a table mentioned in the rule for the game; or

(b) a wager under the rule.

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29B Permissible wagers

(1) If a wager for an amount that is not within the permissible minimum and maximum wagers for a game is inadvertently made and accepted by a casino operator or a casino operator's employee or agent, the wager—

(a) if it is less than the permissible minimum—is valid; and

(b) if it is more than the permissible maximum—is void only to the extent of the amount more than the permissible maximum.

Note—

A casino patron may make arrangements with a casino operator about permissible minimum and maximum wages—see the Act, section 64A.

(2) The casino operator may require wagers to be made in increments of a stated amount that is not more than the permissible minimum wager for the table for the game.

(3) The amount of the increment must be displayed at the table on the same sign on which the minimum permissible wager is displayed.

(4) The letters and numbers on the sign showing the permissible minimum and maximum wagers for a table must be at least 8mm high.

(5) In this section—

void, for a wager, means the wager neither wins nor loses but is a stand off.

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Part 6 Junkets

Division 1 Junket agreements

30 Amounts prescribed for special junket agreements—Act, s 85D

(1) For section 85D(1)(b) of the Act, the amount prescribed is $10,000.

(2) For section 85D(2)(b) of the Act, the amount prescribed is $250,000.

31 Agreement to be in writing

A casino operator must not enter into a junket agreement unless the agreement is in writing and contains the following information—

(a) the name of the promoter;

(b) a sequential junket number given by the casino operator to the group of participants;

(c) the name of each participant;

(d) the period when participants are expected to visit the casino;

(e) the amount agreed to be committed under the agreement by the participants;

(f) the complimentary services proposed to be supplied to the participants by the casino operator;

(g) the commission proposed to be paid to the promoter by the casino operator.

Maximum penalty—20 penalty units.

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32 Junket agreement to provide for 1 group only

A casino operator must not enter into a junket agreement if the agreement provides for more than 1 group of participants.

Maximum penalty—20 penalty units.

33 Copy of agreement to be given to chief executive

A casino operator who enters into a junket agreement must give a signed copy of the agreement to the chief executive before any participant under the agreement starts play as a participant.

Maximum penalty—20 penalty units.

34 Copy of certain passports to be given to chief executive

(1) This section applies to a casino operator if—

(a) the casino operator enters into a junket agreement; and

(b) a participant who is neither an Australian resident nor an Australian citizen visits the casino under the agreement; and

(c) the casino operator has not already complied with this section on a previous visit of the participant to the casino.

(2) The casino operator must, within 8 hours after the participant's arrival at the casino, give a photocopy of the relevant parts of the participant's passport to the chief executive, unless the operator has a reasonable excuse for not giving the copy.

Maximum penalty—20 penalty units.

(3) The relevant parts of the passport are the parts showing—

(a) the country of issue of the passport; and

(b) the number of the passport; and

(c) the participant's date of birth; and

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(d) a photograph of the participant.

Division 2 Notices and reports

35 Application of division

This division applies to a casino operator who has entered into a junket agreement.

36 Notices and reports

A notice or report required to be given by the casino operator under this division must be given, in writing, to the chief executive.

37 Notice about promoter

(1) The casino operator must give a notice under this section about a promoter with whom the casino operator has entered into a junket agreement.

Maximum penalty—20 penalty units.

(2) Subsection (1) applies to the casino operator only if—

(a) notice about the promoter has not previously been given—

(i) under this section; or

(ii) under section 38, when the promoter was a promoter's representative; and

(b) the junket agreement is not a sole participant agreement; and

(c) the promoter is not a casino key employee.

(3) The casino operator must give the notice to the chief executive before the promoter starts to perform obligations under the junket agreement.

Maximum penalty—20 penalty units.

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(4) The purpose of the notice is to allow the chief executive to assess the suitability of the promoter for involvement in future junket agreements.

(5) The notice must be in the form approved by the chief executive, and be accompanied by the fee prescribed, for the assessment.

(6) The notice must be given even if the promoter is acting through a promoter's representative.

(7) The chief executive must comply with a reasonable request from the casino operator for information about whether, for subsection (2)(a), notice about the promoter has previously been given.

38 Notice about promoter's representative

(1) The casino operator must give a notice under this section about a promoter's representative.

Maximum penalty—20 penalty units.

(2) Subsection (1) applies to the casino operator only if—

(a) notice about the promoter's representative has not previously been given—

(i) under section 37, when the promoter's representative was a promoter; or

(ii) under this section; and

(b) the junket agreement is not a sole participant agreement; and

(c) the promoter's representative is not a casino key employee.

(3) The casino operator must give the notice to the chief executive before the promoter's representative starts to perform obligations under the junket agreement.

Maximum penalty—20 penalty units.

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(4) The purpose of the notice is to allow the chief executive to assess the suitability of the promoter's representative for involvement in future junket agreements.

(5) The notice must be in the form approved by the chief executive, and be accompanied by the fee prescribed, for the assessment.

(6) The chief executive must comply with a reasonable request from the casino operator for information about whether, for subsection (2)(a), notice about the promoter's representative has previously been given.

39 Monthly report

(1) The casino operator must, for each month, give a report under this section about visits to the casino during the month by participants under junket agreements.

Maximum penalty—20 penalty units.

(2) The report must be given to the chief executive within 14 days after the end of the month.

(3) The report must contain the particulars decided by the chief executive.

(4) The chief executive may decide only particulars relevant to allowing the chief executive to find out whether junket agreements are being complied with, including, for example, particulars of—

(a) the amount deposited with the casino operator by each group of participants; and

(b) the total amount wagered by each group of participants; and

(c) the total amount won or lost by each group of participants; and

(d) the amount of commission paid to the promoter; and

(e) the complimentary services provided to each group of participants.

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Part 7 Gaming machines and machine games

40 Arrangement for progressive jackpot link

(1) A casino operator may link 2 or more gaming machines together to form a progressive jackpot link arrangement.

(2) However, the operator must not link gaming machines together to form a progressive jackpot link arrangement unless the arrangement includes a progressive jackpot meter.

Maximum penalty—20 penalty units.

(3) The operator must not link gaming machines together to form a progressive jackpot link arrangement without the chief executive's approval.

Maximum penalty—20 penalty units.

(4) The chief executive's approval may include any matter that the chief executive considers appropriate including the following—

(a) the number of gaming machines;

(b) the machine games played on the machines;

(c) the minimum and maximum amounts of the jackpot.

(5) The chief executive may approve an arrangement that consists of more than 1 type of jackpot.

41 Sharing jackpots

(1) This section applies to players of gaming machines linked in a progressive jackpot link arrangement.

(2) If 2 or more players are eligible for payment of the amount displayed on the progressive jackpot meter for the arrangement, the amount of the progressive jackpot is to be shared equally among the winning players.

(3) Two or more players are eligible for the amount of the progressive jackpot if—

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(a) the players obtain the winning combination at the same time; or

(b) a player obtained the winning combination but—

(i) the progressive jackpot link arrangement allows other players playing gaming machines in the arrangement to complete a wager made before, or at the same time as, the winning combination was or is obtained; and

(ii) in completing the wager before further play is prevented, another player obtains, or other players obtain, the winning combination as a result of the wager.

(4) Subject to subsection (2), a player of a gaming machine may not claim payment of an amount, or a share of an amount, that was displayed on the progressive jackpot meter if the amount of the progressive jackpot has transferred from the progressive jackpot meter to a gaming machine played by another player.

42 Meaning of terms used on artwork for draw card machine game

The terms used in the artwork on a gaming machine that has been programmed to play a machine game based on a deck of 52 cards and known as 'draw card' have the following meanings—

flush means any 5 cards of the same suit, but not running consecutively in face value.

four of a kind means any 4 cards with the same face value.

full house means 3 cards with the same face value and another 2 cards with the same face value.

jacks or better means a pair of jacks, queens, kings or aces.

odd card, in relation to another card or cards, means a card with a different face value to the other card or cards.

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royal flush means ten, jack, queen, king and ace of the same suit.

straight means 5 cards of more than 1 suit running consecutively in face value.

straight flush means any 5 cards of the same suit running consecutively in face value other than a royal flush.

three of a kind means any 3 cards with the same face value.

two pairs means 2 cards with the same face value, another 2 cards with the same face value (other than the face value of the first 2 cards) and 1 odd card.

43 Malfunctioning of gaming machines etc.

(1) A casino operator may refuse to pay a player for a wager made by the player on a gaming machine if the operator believes, on reasonable grounds, that—

(a) the gaming machine has malfunctioned; or

(b) the machine game installed on the gaming machine has malfunctioned; or

(c) the electronic monitoring system for the gaming machine or its associated equipment has malfunctioned.

(2) If the casino operator refuses to pay a player under subsection (1), the operator must not allow any person to use or deal with the gaming machine until an inspector has examined the machine and investigated the reason for the malfunction.

Maximum penalty—10 penalty units.

(2A) Also, if the casino operator refuses to pay a player under subsection (1), section 25 applies to the operator for the player's claim for payment.

(3) This section applies regardless of the reason for the malfunction.

(4) A gaming machine, machine game or the electronic monitoring system for a gaming machine or its associated

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equipment malfunctions if it does not function in the way it was designed and programmed to function.

(5) In this section—

associated equipment, for a gaming machine, means—

(a) any linked jackpot equipment; or

(b) any centralised credit system; or

(c) any part of, or replacement part for, any such equipment or system.

centralised credit system means any electronic or computer system or device designed to be used for, or adapted to enable, the transfer of credits of gaming tokens to or from a gaming machine.

electronic monitoring system, for a gaming machine or its associated equipment, means any electronic or computer system or device designed to be used, or adapted, to send or receive data from the machine or equipment in relation to the security, accounting or operation of the machine or equipment.

Part 8 General

43A Prescribed persons for appointment as inspectors—Act, s 85E(2)(a)(ii)

For section 85E(2)(a)(ii) of the Act, a police officer is a prescribed person.

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

(1) A casino operator must give the chief executive a report about the prohibition of persons from entering or remaining in the

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casino under a self-exclusion order or an exclusion direction—

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

(b) within 14 days after—

(i) 30 June 2006; and

(ii) 30 June in each later year.

(2) Subsection (3) applies if a person enters or remains in a casino in contravention of a self-exclusion order or an exclusion direction.

(3) The casino operator must, within 7 days after the contravention, give a report to the chief executive about the prohibition of the person from entering or remaining in the casino under the self-exclusion order or exclusion direction.

45 Register of licences

(1) The chief executive must keep a register of all licences granted under the Act.

(2) The register must include any information of which the chief executive is aware about matters affecting or that may affect the licence.

46 Fees

The fees payable under the Act are stated in section 46A and schedule 4.

46AA Rounding of amounts expressed as numbers of fee units

(1) This section applies for working out the amount of a fee expressed in this regulation as a number of fee units.

(2) For the purpose of the *Acts Interpretation Act 1954*, section 48C(3), the amount is to be rounded—

(a) if the result is not more than $100—to the nearest multiple of 5 cents (rounding one-half upwards); or

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(b) if the result is more than $100 but not more than $1,000—to the nearest multiple of 10 cents (rounding one-half upwards); or

(c) if the result is more than $1,000 but not more than $5,000—to the nearest dollar (rounding one-half upwards); or

(d) if the result is more than $5,000 but not more than $100,000—to the nearest multiple of 10 dollars (rounding one-half upwards); or

(e) if the result is more than $100,000—to the nearest multiple of 100 dollars (rounding one-half upwards).

Example for paragraph (a)—

If a fee were 35 fee units and the value of a fee unit were $1.015, the number of dollars obtained by multiplying 35 by $1.015 would be $35.525. Because $35.525 is halfway between $35.50 and $35.55, it is rounded upwards, so the amount of the fee would be $35.55.

46A Fee for investigations of suitability

(1) This section applies if the Minister undertakes, or proposes to undertake, an investigation under section 20(1), 26(1) or 30(1) of the Act into—

(a) a casino principal; or

(b) a person who, in the opinion of the Minister, is associated or connected, or to be associated or connected, with the ownership, administration or management of the operations or business of a casino principal.

(2) The casino principal must pay a fee for the investigation to the chief executive.

(3) The amount of the fee is the reasonable cost, decided by the chief executive, of conducting the investigation.

Examples of costs that may be incurred as part of the reasonable cost of conducting the investigation—

- costs of professional services, for example, legal or accounting services

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- internal costs, including staff costs
- travel and accommodation costs incurred inside or outside the State or overseas

46B Chief executive may require payment of fee by notice

(1) The chief executive may give a casino principal a notice requiring payment of an amount towards the fee payable under section 46A for an investigation.

(2) The notice—

(a) may be given—

(i) before the investigation starts; or

(ii) at any time during the investigation; and

(b) may require the payment of an amount for a cost of conducting the investigation before the cost is incurred; and

(c) may require the payment of an amount for all or part of the estimated reasonable cost of conducting the investigation.

(3) If the notice is given before the investigation starts, the chief executive may decide not to start the investigation until the amount stated in the notice is paid.

(4) The amount stated in the notice must be paid within 28 days after the notice is given.

(5) The amount stated in the notice must be—

(a) not more than the chief executive's estimate or latest estimate of the fee payable under section 46A; and

(b) reduced by the amount, if any, already paid by the casino principal to the chief executive for the investigation.

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46BA Finalising fees

As soon as reasonably practicable after an investigation undertaken under section 20(1), 26(1) or 30(1) of the Act ends, the chief executive must—

(a) give a written itemised account of the costs included in the fee payable under section 46A for the investigation to the casino principal who is liable to pay the fee; and

(b) if the casino principal has overpaid the amount of the fee—refund the amount of the overpayment to the casino principal.

46BB Recovering underpaid amounts

(1) This section applies if there is a shortfall between the amount paid by a casino principal under section 46B for an investigation, and the fee payable by the casino principal under section 46A for the investigation.

(2) The chief executive may give the casino principal a notice requiring the amount of the shortfall to be paid to the chief executive.

(3) The chief executive may recover the amount of the shortfall regardless of whether the chief executive complies with section 46BA(a) for the investigation.

(4) In a proceeding to recover the amount, a written itemised account of the costs for the investigation given to the casino principal under section 46BA(a) is evidence of the costs.

46C Declaration of approved evaluators

Each entity mentioned in schedule 5 is declared to be an approved evaluator for section 14A of the Act.

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46D Proportion of total amount of supervision levy for casino licensee—Act, s 50B

(1) This section prescribes for section 50B(3) of the Act the proportion of the total levy amount for which a casino licensee is liable for a financial year.

(2) The proportion of the total levy amount for which the casino licensee is liable is stated in the table, column 2 opposite the casino, the subject of the licensee's casino licence, mentioned in column 1 of the table—

Table—Proportion of total levy amount for each financial year	
Column 1	**Column 2**
Casino	**Proportion**
Cairns Casino	7.66%
Gold Coast casino	42.05%
Queen's Wharf casino	42.74%
Townsville casino	7.55%

(3) In this section—

Cairns Casino see the *Cairns Casino Agreement Act 1993*, section 2.

Gold Coast casino means the casino to which the agreement mentioned in the *Jupiters Casino Agreement Act 1983*, section 2, relates.

Queen's Wharf casino see the *Queen's Wharf Brisbane Act 2016*, schedule 2.

Townsville casino means the casino to which the agreement mentioned in the *Breakwater Island Casino Agreement Act 1984*, section 2, relates.

47 Approval of gaming equipment—Act, s 62

(1) For deciding whether to approve gaming equipment under section 62(3)(a) of the Act, the chief executive may—

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(a) carry out an evaluation of the equipment; or

(b) inform the person asking for the approval (the ***applicant***) that the applicant may—

(i) have the equipment evaluated by an approved evaluator; and

(ii) give the chief executive the evaluator's written report about the evaluation.

(2) An evaluation carried out by the chief executive may include 1 or more of the following types of evaluation—

(a) basic evaluation;

(b) intermediate evaluation;

(c) advanced evaluation.

(3) In deciding whether to approve gaming equipment, the chief executive must have regard to—

(a) if the chief executive carries out an evaluation of the equipment—the evaluation; or

(b) if an approved evaluator evaluates the equipment—the evaluator's report about the evaluation.

(4) If the chief executive carries out an evaluation, the person asking for approval of gaming equipment must pay the fee stated in schedule 4 for the evaluation.

(5) A fee stated in schedule 4, item 6 may consist of, or include, an amount for part of an hour that is the equivalent of the relevant proportion of the hourly rate, stated in the schedule, worked out using 15-minute periods (wholly or partly completed).

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Part 9 Transitional provision for Gaming Legislation Amendment Regulation (No. 3) 2022

48 Fees for existing investigations

(1) This section applies if—

(a) before the commencement, an investigation under section 20(1), 26(1) or 30(1) of the Act had started; and

(b) immediately before the commencement, the full amount of the fee payable under former section 46A for the investigation had not been paid to the chief executive.

(2) Former sections 46A and 46B continue to apply in relation to the fee as if the *Gaming Legislation Amendment Regulation (No. 3) 2022* had not been made.

(3) In this section—

former, for a provision of this regulation, means the provision as in force immediately before the commencement.

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Schedule 1 Entities

section 5

Alberta Gaming, Liquor and Cannabis Commission, Canada

Alcohol and Gaming Commission of Ontario, Canada

Australian Border Force

Australian Communications and Media Authority (ACMA)

Australian Competition and Consumer Commission

Australian Crime Commission (commonly known as Australian Criminal Intelligence Commission)

Australian Federal Police

Australian Securities and Investments Commission

Australian Security Intelligence Organisation

Australian Taxation Office

Australian Transaction Reports and Analysis Centre (AUSTRAC)

Bureau of Gambling Control, Department of Justice, California

Casino Control Commission, New Jersey

Centrelink

Commissioner, Consumer and Business Services, South Australia

Commissioner for Fair Trading, Queensland

Commissioner of State Revenue, Queensland

Commissioner, Tasmanian Liquor and Gaming Commission

Crime and Corruption Commission, Queensland

Department of Home Affairs

Department of Industry, Tourism and Trade (Liquor, Racing and Gaming), NT

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Department of Internal Affairs, New Zealand

Department of Justice and Community Safety, Victoria

Department of Local Government, Sport and Cultural Industries (Racing, Gaming & Liquor), Western Australia

Department of Safety and Homeland Security, Delaware

Department of Service Nova Scotia and Internal Services (Alcohol, Gaming, Fuel and Tobacco Division), Canada

Department of Treasury and Finance, South Australia

Department of Treasury and Finance, Tasmania

Division of Gaming, Colorado

Division of Gaming Enforcement, New Jersey

Gambling and Racing Commission, ACT

Gambling Commission, New Zealand

Gambling Commission, UK

Gambling Regulatory Authority of Singapore

Gaming and Wagering Commission, Western Australia

Gaming Board for the Bahamas

Gaming Policy and Enforcement Branch, British Columbia

Independent Liquor and Gaming Authority, NSW

Indiana Gaming Commission, USA

Japan Casino Regulatory Commission

Liquor & Gaming NSW

Lotteries Commission, South Australia

Lotteries Commission, Western Australia

Louisiana State Police Gaming Enforcement Division, USA

Mississippi Gaming Commission, USA

Missouri Gaming Commission, USA

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Missouri State Highway Patrol, USA

Mpumalanga Economic Regulator, South Africa

National Indian Gaming Commission, USA

Nevada Gaming Commission, USA

Nevada Gaming Control Board, USA

New South Wales Crime Commission

New South Wales Independent Casino Commission

New South Wales Police Force

New York State Police

New Zealand Police

Northern Territory Police Force

Office of Racing Integrity, Tasmania

Pueblo of Isleta Gaming Regulatory Agency, USA

QCAT

Queensland Police Service

South Australia Police

South Dakota Commission on Gaming, USA

Tasmania Police

The International Criminal Police Organization—Interpol

Victorian Gambling and Casino Control Commission

Victoria Police

Western Australia Police Force

Western Cape Gambling and Racing Board, South Africa

WorkCover Queensland

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Schedule 2 Matters in respect of which information may be required of investigated persons (individuals)

section 7

Part A

1 the individual's full name and any other names (such as aliases, nicknames, previous surnames) under which the individual is or has been known

2 the individual's present and past addresses and telephone numbers

3 the individual's date and place of birth

4 the individual's gender

5 the individual's physical description

6 any charges made against the individual of which the individual was found guilty, whether or not a conviction was recorded

7 any civil action—

(a) to which the individual has been or is currently a party; or

(b) that the individual is aware may be pending and that involves the individual

8 the individual's citizenship

9 the individual's enrolment or non-enrolment (as the case may be) under a State electoral roll

10 the individual's driver's licence

11 the individual's present and past marriages and spouses

12 the individual's father, mother, brothers, sisters and children

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13 any charges made against any of the persons mentioned in item 12 of which the person was found guilty, whether or not a conviction was recorded

14 the individual's education

15 the individual's service in the armed forces

16 the individual's passport

17 the individual's travel out of Australia during the 3 years immediately before the date of the application

18 any repossession of any of the individual's assets by a finance company

19 the individual's work history, including former employers and any dismissals of the individual

20 any body corporate, trust, partnership, joint venture or business in which the individual has participated by way of management or operation

21 any involvement of the individual in bookmaking operations or any other aspect of the racing industry

22 any present or past involvement of the individual in the casino industry

23 any application by the individual or the individual's spouse for a firearm licence

Part B

24 whether the individual has ever been bankrupt or taken advantage of the laws relating to bankruptcy or insolvency

25 the individual's assets and liabilities

26 the present and past sources of the individual's income and the individual's spouse's income

27 the individual's current and intended future investment in the hotel-casino complex

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Schedule 3 Matters in respect of which information may be required of investigated persons (entities)

section 10

1 the name of the entity

2 the entity's present and past addresses, telephone numbers, facsimile numbers and places of business

3 the incorporation of the entity

4 the registration of the entity with the Australian Securities Commission

5 the entity's present and past activities

6 any business names previously or currently registered by the entity

7 any related bodies corporate

8 the entity's present and past capital, including—

(a) issues of share capital; and

(b) annual profits or losses; and

(c) revaluation of capital; and

(d) dividends; and

(e) capital losses

9 any prosecutions of the entity

10 any other legal action—

(a) taken by or against the entity; or

(b) pending by or against the entity

11 the entity's present and past chief executives, secretaries, principal executive officers, senior management personnel and auditors

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12 the names of any legal advisers or other consultants previously engaged by the entity

13 ownership of the entity

14 the entity's accounts at financial institutions

15 the entity's investments

16 the entity's present and past financial situation generally

17 the estimated cost of the casino project and the proposed method of financing the project

18 the entity's investment in the casino

19 any previous association with the ownership, administration or management of the casino by the entity's management, chief executives and other officers

20 the entity's present or past association with any other person involved with the ownership, administration or management of a casino

21 agents appointed by the entity

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Schedule 4 Fees

section 46

		Fee units
1	Application for casino employee licence (Act, s 35(1)(b))	566.10
2	Application for casino key employee licence (Act, s 35(1)(b))—	
	(a) if the applicant holds a casino employee licence	566.10
	(b) if the applicant does not hold a casino employee licence	1,080.00
3	Application for a replacement casino key employee licence or casino employee licence (Act, s 39E(2))	41.65
5	Fee under section 37(5) or 38(5) for an assessment mentioned in section 37(4) or 38(4)	1,080.00
6	Fee under section 47(4) for an evaluation by the chief executive of gaming equipment, for each hour, or part of an hour, involved in the following—	
	(a) carrying out—	
	(i) a basic evaluation	234.30
	(ii) an intermediate evaluation	292.80
	(iii) an advanced evaluation	344.80
	(iv) administration for an evaluation	175.60
	(b) giving advice for an evaluation	175.60
	(c) holding a meeting for an evaluation	175.60
	Note—	
	See section 47(5) in relation to a fee for part of an hour.	

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Schedule 5 Approved evaluators

section 46C

BMM Australia Pty Ltd ACN 084 016 044

ENEX Pty Ltd ACN 096 299 099

GTA Pty Ltd ACN 082 989 446

QALAB Pty Ltd ACN 136 553 832

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