

Queensland



*Keno Act 1996*

# **KENO REGULATION 1997**

**Reprinted as in force on 17 July 1997  
(Regulation not amended up to this date)**

**Reprint No. 1**

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**See endnotes for information about when provisions commenced.**

Queensland



**KENO REGULATION 1997**

**TABLE OF PROVISIONS**

Section	Page
1 Short title .....	3
2 Definitions .....	3
3 Persons with whom keno licensee may enter into agency agreements—Act, s 85 .....	5
4 Day for giving monthly gross revenue return—Act, s 111 .....	5
5 Proportions of keno tax and licence fee to be paid to certain funds—Act, s 113 .....	5
6 Percentages for penalties for late payment—Act, s 114 .....	5
7 Approved places of operation for appointed agents—Act, s 142 .....	6
8 Prohibited periods for keno games for keno licensees—Act, s 143(1) . . .	6
9 Prohibited periods for keno games for appointed agents—Act, s 143(2) . .	6
10 Requests to resolve claims for payment—Act, s 152 .....	7
11 Requests to review decisions about claims for payment—Act, s 152 .....	8
12 Entities to whom information may be disclosed—Act, s 240 .....	9
13 Regulated keno equipment—Act, sch 4 .....	10
14 Fees .....	10
<b>SCHEDULE 1 .....</b>	
<b>PRESCRIBED ENTITIES</b>	
<b>SCHEDULE 2 .....</b>	
<b>REGULATED KENO EQUIPMENT</b>	
<b>SCHEDULE 3 .....</b>	
<b>FEEES</b>	

**ENDNOTES**

1	Index to endnotes .....	15
2	Date to which amendments incorporated .....	15
3	Key .....	15
4	List of legislation .....	16

# KENO REGULATION 1997

[reprinted as in force on 17 July 1997]

## Short title

1. This regulation may be cited as the *Keno Regulation 1997*.

## Definitions

2. In this regulation—

“**body corporate**” see *Gaming Machine Act 1991*, section 3.<sup>1</sup>

“**casino licence**” see *Casino Control Act 1982*, section 4.

“**casino licensee**” see *Casino Control Act 1982*, section 4.<sup>2</sup>

“**casino operator**” see *Casino Control Act 1982*, section 4.

“**club licence**” means a club licence under the *Liquor Act 1992*.

“**general licence**” means a general licence under the *Liquor Act 1992*.

“**keno ball drawing device**” means a device—

- (a) containing 80 balls numbered 1 to 80; and

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<sup>1</sup> *Gaming Machine Act 1991*, section 3—

“**body corporate**” means—

- (a) a corporation as defined in the Corporations Law; or
- (b) an incorporated association as defined in the *Associations Incorporation Act 1981*; or
- (c) any other body incorporated under any other Act or law.

<sup>2</sup> *Casino Control Act 1982*, section 4—

“**casino licence**” means a licence granted by the Governor in Council on the recommendation of the Minister authorising the conduct and playing in a casino of such games as may in the particular case be authorised by the Minister.

“**casino licensee**” means the holder for the time being of a casino licence, and includes a person referred to in this Act as a casino licensee who, whilst not at the material time the holder of a casino licence, is a person to whom it is proposed to grant a casino licence under and in accordance with an agreement as referred to in section 19.

*Keno Regulation 1997*

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(b) designed and used to select, at random and 1 at a time, 20 balls.

**“keno computer system”** means a computer system used for the conduct of keno games by a keno licensee under a keno licence.

**“keno draw controller”** means a device—

- (a) electronically linked to a keno computer system; and
- (b) used to activate a keno ball drawing device or keno random number generator.

**“keno network controller”** means a device that electronically links a keno computer system to keno terminals.

**“keno random number generator”** means an electronic device designed and used to select, at random, 20 numbers from the numbers 1 to 80.

**“keno result display system”** means a system—

- (a) connected to a keno computer system and keno terminals; and
- (b) used to display the winning numbers for a keno game.

**“keno terminal”** means a device that accepts information about a person’s wager for a keno game for validation by a keno computer system.

**“prescribed liquor licence”** means a liquor licence mentioned in the *Gaming Machine Regulation 1991*, section 47.<sup>3</sup>

**“totalisator”** see *Racing and Betting Act 1980*, section 5.<sup>4</sup>

**“Totalisator Administration Board”** means the Totalisator Administration Board of Queensland, established under the *Racing and Betting Act 1980*, section 175.

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<sup>3</sup> *Gaming Machine Regulation 1991*, section 47 (Prescribed liquor licences—Act, s 3)

<sup>4</sup> *Racing and Betting Act 1980*, section 5—

**“totalisator”** means a scheme or system by means of which investments are accepted and aggregated and dividends are calculated, declared and paid on a proportional basis dependent upon the result of any sporting contingency or series of sporting contingencies in accordance with prescribed formulae, and includes any device, instrument, machine, computer or other thing used to effect the aggregation and distribution of investments and the place where such a scheme is operated.

**Persons with whom keno licensee may enter into agency agreements—Act, s 85**

3. For section 85(1)<sup>5</sup> of the Act, each of the following persons is prescribed as a person eligible to be a keno agent—

- (a) a body corporate that holds a club licence;
- (b) the holder of a general licence;
- (c) the holder of a prescribed liquor licence;
- (d) a casino licensee;
- (e) a casino operator;
- (f) the Totalisator Administration Board.

**Day for giving monthly gross revenue return—Act, s 111**

4. For section 111(2)(b)<sup>6</sup> of the Act, the day prescribed is the 10th day after the end of the month to which the monthly gross revenue return relates.

**Proportions of keno tax and licence fee to be paid to certain funds—Act, s 113**

5. For section 113<sup>7</sup> of the Act, the proportion prescribed is—

- (a) for the fund mentioned in section 113(1)(a) of the Act—10%; and
- (b) for the fund mentioned in section 113(1)(b) of the Act—6%.

**Percentages for penalties for late payment—Act, s 114**

6.(1) For section 114(2)<sup>8</sup> of the Act, the percentage prescribed is 5%.

(2) For section 114(4) of the Act, the percentage prescribed is 5%.

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<sup>5</sup> Section 85 (Conditions for entering into agency agreement)

<sup>6</sup> Section 111 (Monthly gross revenue return)

<sup>7</sup> Section 113 (Application of keno tax and licence fee)

<sup>8</sup> Section 114 (Penalty for late payment)

**Approved places of operation for appointed agents—Act, s 142**

**7.(1)** This section prescribes, for section 142(2)(a)<sup>9</sup> of the Act, each of the places that is an approved place for an appointed agent.

**(2)** If the appointed agent is the holder of a club licence, general licence or prescribed liquor licence, the approved place is the part of the premises to which the licence relates where the sale and consumption of liquor is authorised under the licence.

**(3)** If the appointed agent is a casino licensee or casino operator, the approved place is the casino to which the relevant casino licence relates.

**(4)** If the appointed agent is the Totalisator Administration Board, the approved place is each place where a totalisator is operated by or for the board.

**Prohibited periods for keno games for keno licensees—Act, s 143(1)**

**8.** For section 143(1)<sup>10</sup> of the Act, the following periods are prescribed—

- (a) Anzac Day—between 3 a.m. and 1 p.m.;
- (b) Good Friday and Christmas Day—between 3 a.m. and midnight.

**Prohibited periods for keno games for appointed agents—Act, s 143(2)**

**9.(1)** This section prescribes periods for section 143(2) of the Act.

**(2)** If the appointed agent is the holder of a club licence, general licence or prescribed liquor licence, the periods prescribed are any periods that are not periods during which the consumption of liquor on the premises to which the licence relates is authorised under the licence.

**(3)** If the appointed agent is a casino licensee or casino operator, the periods prescribed are any periods that are not periods approved by the chief executive as periods during which the casino to which the relevant casino licence relates is required to be operated.

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<sup>9</sup> Section 142 (Places of operation)

<sup>10</sup> Section 143 (Times of conduct of approved keno games)

(4) If the appointed agent is the Totalisator Administration Board, the periods prescribed are any periods that are not periods during which a totalisator may be operated by or for the board.

### **Requests to resolve claims for payment—Act, s 152**

**10.(1)** This section prescribes, for section 152(4)<sup>11</sup> of the Act, the way in which the chief executive must deal with a request, made by a person (the “**claimant**”) under section 152(2)(a) of the Act, to resolve a claim for payment of a prize for an approved keno game.

(2) The chief executive must ask the authorised keno operator to immediately try to resolve the claim.

(3) If, within 14 days of making the request under subsection (2), the chief executive is not advised of the resolution of the claim by the authorised keno operator or claimant, the chief executive must by written notice given to the operator invite the operator, and by written notice given to the claimant invite the claimant, to make a written submission to the chief executive about the claim within 1 month after receiving the notice (the “**submission period**”).

(4) The chief executive may—

- (a) cause an investigation to be made about any matter the chief executive considers is relevant to the claim; and
- (b) request a report of the investigation to be given to the chief executive.

(5) As soon as practicable after the end of the submission period, the chief executive must—

- (a) consider all written submissions made in the submission period by the authorised keno operator and claimant; and
- (b) consider any report given to the chief executive under subsection (4); and
- (c) make a decision about the claim; and
- (d) give the authorised keno operator and claimant a written notice

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<sup>11</sup> Section 152 (Claims for payment)

stating the decision and the reasons for the decision.

(6) However, the chief executive is not required to take or complete action under subsection (5) if the chief executive is advised of the resolution of the claim by the authorised keno operator or claimant.

(7) Nothing in this section affects or prejudices any other right or remedy of an authorised keno operator or participant in a keno game.

### **Requests to review decisions about claims for payment—Act, s 152**

**11.(1)** This section prescribes, for section 152(4)<sup>12</sup> of the Act, the way in which the chief executive must deal with a request, made by a person (the “**claimant**”) under section 152(2)(b) of the Act, to review a decision of an authorised keno operator (the “**operator’s decision**”).

(2) The chief executive must either review, or refuse to review, the operator’s decision.

(3) The chief executive may refuse to review the operator’s decision only if—

- (a) the request was not made within 10 days after the claimant received the claim result notice for the decision; or
- (b) the chief executive considers the request was not made in good faith or is frivolous.

(4) If the chief executive decides to refuse to review the operator’s decision, the chief executive must—

- (a) give written notice of the chief executive’s decision to the authorised keno operator and claimant; and
- (b) give the claimant a written notice stating the reasons for the chief executive’s decision.

(5) If the chief executive decides to review the operator’s decision, the chief executive must—

- (a) give the authorised keno operator a copy of the claimant’s request; and

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<sup>12</sup> Section 152 (Claims for payment)

*Keno Regulation 1997*

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(b) by written notice given to the operator invite the operator, and by written notice given to the claimant invite the claimant, to make a written submission to the chief executive about the operator's decision within 1 month after receiving the notice (the “**submission period**”).

(6) The chief executive may—

(a) cause an investigation to be made about any matter the chief executive considers is relevant to the review; and

(b) request a report of the investigation to be given to the chief executive.

(7) As soon as practicable after the end of the submission period, the chief executive must—

(a) consider all written submissions made in the submission period by the authorised keno operator and claimant; and

(b) consider any report given to the chief executive under subsection (6); and

(c) make a decision about the review; and

(d) give the authorised keno operator and claimant a written notice stating the decision and the reasons for the decision.

(8) Nothing in this section affects or prejudices any other right or remedy of an authorised keno operator or participant in a keno game.

**Entities to whom information may be disclosed—Act, s 240**

**12.** The entities prescribed for section 240(3)(a)<sup>13</sup> of the Act are set out in schedule 1.

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<sup>13</sup> Section 240 (Confidentiality of information)

**Regulated keno equipment—Act, sch 4**

**13.** For the definition “**regulated keno equipment**” in schedule 4<sup>14</sup> of the Act, the keno equipment specified in schedule 2 is regulated keno equipment.

**Fees**

**14.** The fees payable under the Act are in schedule 3.

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<sup>14</sup> Schedule 4 (Dictionary)

**SCHEDULE 1****PRESCRIBED ENTITIES**

section 12

Alberta (Canada) Gaming Commission  
Australian Bureau of Criminal Intelligence  
Australian Capital Territory Casino Surveillance Authority  
Australian Capital Territory Gaming and Liquor Authority  
Australian Capital Territory Police  
Australian Federal Police  
Australian Security Intelligence Organisation  
Australian Taxation Office  
British Columbia (Canada) Public Gaming Branch  
Colorado State Police  
Colorado (USA) Division of Gaming  
Criminal Justice Commission  
Gaming Board of Great Britain  
Gaming Board of the Commonwealth of the Bahamas  
Interpol  
Lotteries Commission of South Australia  
National Crime Authority  
Nevada (USA) Gaming Commission  
Nevada (USA) Gaming Control Board  
New Jersey (USA) Casino Control Commission  
New Jersey (USA) Division of Gaming Enforcement

## SCHEDULE 1 (continued)

New South Wales Casino Control Authority  
New South Wales Department of Gaming and Racing  
New South Wales Liquor Administration Board  
New South Wales State Police  
New Zealand Casino Control Authority  
New Zealand Department of Internal Affairs  
New Zealand Police  
Northern Territory Police  
Northern Territory Racing and Gaming Authority  
Office of Consumer Affairs, Queensland  
Queensland Liquor Licensing Division  
Queensland Police Service  
South Australian Casino Supervisory Authority  
South Australian State Police  
Tasmanian Racing and Gaming Commission  
Tasmanian State Police  
Victorian Casino and Gaming Authority  
Victorian State Police  
Western Australian Gaming Commission  
Western Australian Office of Racing and Gaming  
Western Australian State Police

## **SCHEDULE 2**

### **REGULATED KENO EQUIPMENT**

section 13

keno ball drawing device

keno computer system (hardware and software)

keno draw controller

keno network controller

keno random number generator

keno result display system

keno terminal

**SCHEDULE 3****FEES**

	section 14
	\$
1. Application for keno employee licence (s 49(2)(c) of the Act) .....	250.00
2. Issue of replacement keno employee licence (s 59(4) of the Act) .....	12.50
3. Evaluation of regulated keno equipment (s 145(3) of the Act)—for each hour, or part of an hour, involved in carrying out the evaluation .....	90.00

## ENDNOTES

### 1 Index to endnotes

		Page
2	Date to which amendments made .....	15
3	Key .....	15
4	List of legislation .....	16

### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Keno Regulation 1997 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
om	=	omitted	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered
prev	=	previous			

## **4 List of legislation**

### **Keno Regulation 1997 SL No. 149**

notfd gaz 16 June 1997 pp 779–80

commenced on date of notification