

Queensland



Keno Act 1996

KENO REGULATION 1997

**Reprinted as in force on 8 November 1999
(includes amendments up to SL No. 242 of 1999)**

Reprint No. 1B

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Information about this reprint

This regulation is reprinted as at 8 November. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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KENO REGULATION 1997

[as amended by all amendments that commenced on or before 8 November 1999]

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 3.¹

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

“**casino licensee**” see *Casino Control Act 1982*, section 4.²

“**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

¹ *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.

² *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.

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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 47.³

“subsidiary operator” has the meaning given by the *Gaming Machine Act 1991*, section 39(6).

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

“totalisator” see *Racing and Betting Act 1980*, section 5.4

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

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

3. For section 85(1)⁵ 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;
- (g) a subsidiary operator.

⁴ *Racing and Betting Act 1980*, section 5—
“totalisator” see the *Wagering Act 1998*, section 8.

Wagering Act 1998, section 8 reads as follows—

‘Meaning of “totalisator”

8.(1) A **“totalisator”** is a system used—

- (a) to enable persons to invest money on events or contingencies with a view to successfully predicting specified outcomes of the events or contingencies; and
- (b) to enable the totalisator pool to be divided and distributed among the persons who successfully predict the outcomes.

(2) A **“totalisator”** also includes an instrument, machine or device under which the system mentioned in subsection (1) is operated.

(3) In subsection (1)(b), a reference to the totalisator pool is a reference to the amount left from the investments after—

- (a) making allowances for refunds of investments; and
- (b) deducting any amount payable by way of commission for the conduct of the totalisator.’

⁵ Section 85 (Conditions for entering into agency agreement)

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

4. For section 111(2)(b)⁶ 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 113⁷ 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)⁸ of the Act, the percentage prescribed is 5%.

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

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

7.(1) This section prescribes, for section 142(2)(a)⁹ 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

⁶ Section 111 (Monthly gross revenue return)

⁷ Section 113 (Application of keno tax and licence fee)

⁸ Section 114 (Penalty for late payment)

⁹ Section 142 (Places of operation)

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)¹⁰ 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.

(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(6)¹¹ of the Act, the way in which the chief executive must deal with a request, made by a person (the “**claimant**”) under section 152(4)(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

¹⁰ Section 143 (Times of conduct of approved keno games)

¹¹ Section 152 (Claims for payment)

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 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(6)¹² of the Act, the way in which the chief executive must deal with a request, made by a person (the

¹² Section 152 (Claims for payment)

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“**claimant**”) under section 152(4)(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
- (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)¹³ of the Act are set out in schedule 1.

Regulated keno equipment—Act, sch 4

13. For the definition “**regulated keno equipment**” in schedule 4¹⁴ 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.

¹³ Section 240 (Confidentiality of information)

¹⁴ 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)	275.00
2. Issue of replacement keno employee licence (s 59(4) of the Act)	13.75
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

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 8 November 1999. 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	=	previous
amd	=	amended	(prev)	=	previously
amdt	=	amendment	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
o in c	=	order in council	sch	=	schedule
om	=	omitted	sdiv	=	subdivision
orig	=	original	SIA	=	Statutory Instruments Act 1992
p	=	page	SL	=	subordinate legislation
para	=	paragraph	sub	=	substituted
prec	=	preceding	unnum	=	unnumbered
pres	=	present			

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	none	17 July 1997
1A	to SL No. 332 of 1997	5 January 1998

5 List of legislation

Keno Regulation 1997 SL No. 149

made by the Governor in Council on 16 June 1997

notfd gaz 16 June 1997 pp 779–80

commenced on date of notification

exp 1 September 2007 (see SIA s 54)

as amended by—

Gaming Laws Amendment Regulation (No. 1) 1997 SL No. 332 pts 1, 3

notfd gaz 10 October 1997 pp 586–7

commenced on date of notification

Keno Amendment Regulation (No. 1) 1999 SL No. 242

notfd gaz 29 October 1999 pp 814–7
commenced on date of notification

6 List of annotations**Definitions**

s 2 def “**subsidiary operator**” ins 1999 SL No. 242 s 3

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

s 3 amd 1999 SL No. 242 s 4

Requests to resolve claims for payment—Act, s 152

s 10 amd 1999 SL No. 242 s 5

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

s 11 amd 1999 SL No. 242 s 6

SCHEDULE 3—FEES

sub 1997 SL No. 332 s 5