



Queensland

Keno Act 1996

Keno Regulation 1997

Reprinted as in force on 1 December 2004
(includes commenced amendments up to 2004 SL No. 253)

Reprint No. 3C

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Information about this reprint

This regulation is reprinted as at 1 December 2004. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

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

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

Also see endnotes for information about—

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

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.



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Keno Regulation 1997

[as amended by all amendments that commenced on or before 1 December 2004]

1 Short title

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

2 Definitions

In this regulation—

advanced evaluation means an evaluation of any of the following things relating to regulated keno equipment—

- (a) communications protocols;
- (b) monitoring systems;
- (c) random number generators.

basic evaluation means an evaluation of any of the following things relating to regulated keno equipment—

- (a) artwork;
- (b) cabinet design;
- (c) documentation, including for example, operational manuals.

body corporate means—

- (a) a corporation as defined in the Corporations Act; 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.

casino licence see the *Casino Control Act 1982*, schedule.

casino licensee see the *Casino Control Act 1982*, schedule.¹

casino operator see the *Casino Control Act 1982*, schedule.

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

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

intermediate evaluation means an evaluation of any of the following things relating to regulated keno 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.

keno ball drawing device means a device—

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

1 *Casino Control Act 1982*, schedule (Dictionary)—

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 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 2002*, section 57.²

subsidiary operator see the *Gaming Machine Act 1991*, section 2.

totalisator see *Wagering Act 1998*, section 8.³

wagering licensee, see the *Wagering Act 1998*, schedule 2.⁴

2 *Gaming Machine Regulation 2002*, section 57 (Prescribed liquor licences—Act, schedule)

3 *Wagering Act 1998*, section 8—

8 Meaning of *totalisator*

(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.

4 *Wagering Act 1998*, schedule 2 (Dictionary)—

wagering licensee means a person who holds a wagering licence.

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

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) a wagering licensee;
- (g) a subsidiary operator.

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

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.

5 Percentage of keno tax for community investment fund—Act, s 113(3)

For section 113(3)⁷ of the Act, the percentage is 8.5%.

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

- (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%.

5 Section 85 (Conditions for entering into agency agreement) of the Act

6 Section 111 (Monthly gross revenue return) of the Act

7 Section 113 (Application of keno tax) of the Act

8 Section 114 (Penalty for late payment) of the Act

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

- (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 a wagering licensee, the approved place is each place where a totalisator is operated by or for the licensee.

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

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.

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

- (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

⁹ Section 142 (Places of operation) of the Act

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

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 a wagering licensee, the periods prescribed are any periods that are not periods during which a totalisator may be operated by or for the licensee.

10 Requests to resolve claims for payment—Act, s 152

- (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 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

11 Section 152 (Claims for payment) of the Act

- (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.

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

- (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 *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

12 Section 152 (Claims for payment) of the Act

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- (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.

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

The entities prescribed for section 240(3)(a)¹³ of the Act are set out in schedule 1.

13 Regulated keno equipment—Act, sch 4

For the definition *regulated keno equipment* in schedule 4¹⁴ of the Act, the keno equipment specified in schedule 2 is regulated keno equipment.

13A Evaluation of regulated keno equipment—Act, s 145

For section 145(2)(a) of the Act, 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.

14 Fees

The fees payable under the Act are in schedule 3.

13 Section 240 (Confidentiality of information) of the Act

14 Schedule 4 (Dictionary) of the Act

Schedule 1 Entities

section 12

Alberta Gaming and Liquor Commission, Canada
Australian Bureau of Criminal Intelligence
Australian Capital Territory Gambling and Racing
Commission
Australian Crime Commission
Australian Federal Police
Australian Securities and Investments Commission
Australian Security Intelligence Organisation
Australian Taxation Office
British Columbia Gaming Commission, Canada
Colorado Division of Gaming, USA
Colorado State Police, USA
Crime and Misconduct Commission
Department of Gaming and Racing, New South Wales
Department of Internal Affairs, New Zealand
Department of Racing, Gaming and Liquor, Western Australia
Department of Treasury and Finance, South Australia
Gambling Commission, New Zealand
Gaming and Censorship Regulation Group, New Zealand
Gaming and Wagering Commission of Western Australia
Gaming Board for Great Britain
Gaming Board of the Commonwealth of the Bahamas
Independent Gambling Authority, South Australia
Interpol
Liquor Licensing Division, Queensland

Schedule 1 (continued)

Lotteries Commission of South Australia
Lotterywest
Nevada Gaming Commission, USA
Nevada Gaming Control Board, USA
New Jersey Casino Control Commission, USA
New Jersey Division of Gaming Enforcement, USA
New South Wales Casino Control Authority
New South Wales Crime Commission
New South Wales Liquor Administration Board
New South Wales Police Service
New Zealand Police
Northern Territory Licensing Commission
Northern Territory Police
Office of Fair Trading, Queensland
Office of the Liquor and Gaming Commissioner, South
Australia
Queensland Police Service
Racing, Gaming and Liquor Division, Northern Territory
Racing Services Tasmania
South Australia Police
Tasmanian Gaming Commission
Tasmania Police
Victorian Commission for Gambling Regulation
Victoria Police
Western Australian Police Service

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)	336.00
2 Issue of replacement keno employee licence (s 59(4) of the Act)	24.00
3 Evaluation of regulated keno equipment (s 145(3)(a) of the Act), for each hour or part of an hour, involved in the following—	
(a) carrying out—	
(i) basic evaluation	139.00
(ii) intermediate evaluation	173.00
(iii) advanced evaluation	208.00
(iv) administration for an evaluation	105.00
(b) giving advice for an evaluation	105.00
(c) holding meetings for an evaluation	105.00
4 Filing a notice of appeal (s 235(2)(a) of the Act) . .	280.00

Endnotes

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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 1 December 2004. 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

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Reprint date
1	none	16 June 1997	17 July 1997
1A	to 1997 SL No. 332	10 October 1997	5 January 1998
1B	to 1999 SL No. 242	29 October 1999	8 November 1999
1C	to 2000 SL No. 13	4 February 2000	18 February 2000
2	to 2000 SL No. 137	1 July 2000	7 July 2000
2A	to 2000 SL No. 286	1 December 2000	15 December 2000
2B	to 2001 SL No. 270	21 December 2001	4 January 2002
2C	to 2002 SL No. 128	7 June 2002	13 June 2002
2D	to 2002 SL No. 138	14 June 2002	21 June 2002 (Column discontinued) Notes
2E	to 2002 SL No. 244	1 October 2002	
2F	to 2002 SL No. 320	6 December 2002	R2F withdrawn, see R3
3	to 2002 SL No. 320	6 December 2002	
3A	to 2003 SL No. 219	1 October 2003	
3B	to 2004 SL No. 194	1 October 2004	
3C	to 2004 SL No. 253	1 December 2004	

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)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

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

Gaming Legislation Amendment Regulation (No. 1) 2000 SL No. 13 pts 1, 4

notfd gaz 4 February 2000 pp 371–4

commenced on date of notification

- Gaming Legislation Amendment Regulation (No. 2) 2000 SL No. 136 pts 1, 6**
notfd gaz 30 June 2000 pp 736–48
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2000 (see s 2)
- Treasury Legislation Amendment Regulation (No. 1) 2000 SL No. 137 pts 1, 6**
notfd gaz 30 June 2000 pp 736–48
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2000 (see s 2)
- Gambling Legislation Amendment Regulation (No. 1) 2000 SL No. 286 pts 1, 4**
notfd gaz 17 November 2000 pp 1093–5
ss 1–2 commenced on date of notification
remaining provisions commenced 1 December 2000 (see s 2)
- Gambling Legislation Amendment Regulation (No. 1) 2001 SL No. 270 s 1, pt 6**
notfd gaz 21 December 2001 pp 1482–8
commenced on date of notification
- Gambling Legislation Amendment Regulation (No. 1) 2002 SL No. 128 pts 1, 6**
notfd gaz 7 June 2002 pp 575–8
commenced on date of notification
- Gambling Legislation Amendment Regulation (No. 2) 2002 SL No. 138 pts 1, 7**
notfd gaz 14 June 2002 pp 697–700
commenced on date of notification
- Gambling Legislation Amendment Regulation (No. 3) 2002 SL No. 244 ss 1, 2(2) pt 6**
notfd gaz 27 September 2002 pp 340–4
ss 1–2 commenced on date of notification
remaining provisions commenced 1 October 2002 (see s 2(2))
- Keno Amendment Regulation (No. 1) 2002 SL No. 320**
notfd gaz 6 December 2002 pp 1162–6
commenced on date of notification
- Gambling Legislation Amendment Regulation (No. 1) 2003 SL No. 219 ss 1, 2(2), pt 6**
notfd gaz 19 September 2003 pp 219–21
ss 1–2 commenced on date of notification
remaining provisions commenced 1 October 2003 (see s 2(2))
- Gambling Legislation Amendment Regulation (No. 1) 2004 SL No. 194 ss 1, 2(2), pt 6**
notfd gaz 24 September 2004 pp 322–4
ss 1–2 commenced on date of notification
remaining provisions commenced 1 October 2004 (see s 2(2))
- Gambling Legislation Amendment Regulation (No. 2) 2004 SL No. 253 pts 1, 6**
notfd gaz 26 November 2004 pp 1040–2
ss 1–2 commenced on date of notification
remaining provisions commenced 1 December 2004 (see s 2)

6 List of annotations

Definitions

- s 2** def “**advanced evaluation**” ins 2002 SL No. 128 s 18
 def “**basic evaluation**” ins 2002 SL No. 128 s 18
 def “**body corporate**” amd 2001 SL No. 270 s 12(1); 2002 SL No. 138 s 36(3)
 sub 2003 SL No. 219 s 20(1)
 def “**casino licence**” amd 2002 SL No. 138 s 36(3); 2003 SL No. 219 s 20(2)
 def “**casino licensee**” amd 2002 SL No. 138 s 36(3); 2003 SL No. 219 s 20(2)
 def “**casino operator**” amd 2002 SL No. 138 s 36(3); 2003 SL No. 219 s 20(2)
 def “**intermediate evaluation**” ins 2002 SL No. 128 s 18
 def “**prescribed liquor licence**” amd 2001 SL No. 270 s 12(2); 2003 SL No. 219 s 20(3)
 def “**subsidiary operator**” ins 1999 SL No. 242 s 3
 sub 2002 SL No. 138 s 36
 def “**totalisator**” sub 2000 SL No. 13 s 9
 def “**Totalisator Administration Board**” om 2002 SL No. 138 s 36(1)
 def “**wagering licensee**” ins 2002 SL No. 138 s 36(2)

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

- s 3** amd 1999 SL No. 242 s 4; 2002 SL No. 138 s 37; 2002 SL No. 244 s 13

Percentage of keno tax for community investment fund—Act, s 113(3)

- prov hdg** amd 2002 SL No. 320 s 3

- s 5** sub 2000 SL No. 286 s 20

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

- s 7** amd 2002 SL No. 138 s 38

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

- s 9** amd 2002 SL No. 138 s 39

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

Evaluation of regulated keno equipment—Act, s 145

- s 13A** ins 2002 SL No. 128 s 19

SCHEDULE 1—ENTITIES

- sub 2000 SL No. 136 s 60

- amd 2002 SL No. 138 s 40; 2003 SL No. 219 s 21; 2004 SL No. 253 s 16

SCHEDULE 3—FEES

sub 1997 SL No. 332 s 5
amd 2000 SL No. 136 s 61; 2000 SL No. 137 s 14
sub 2001 SL No. 270 s 13
amd 2002 SL No. 128 s 20; 2002 SL No. 244 s 14
sub 2003 SL No. 219 s 22; 2004 SL No. 194 s 13