

Queensland



Subordinate Legislation 2000 No. 286

Gaming Machine Act 1991

Interactive Gambling (Player Protection) Act 1998

Keno Act 1996

Lotteries Act 1997

Wagering Act 1998

**GAMBLING LEGISLATION AMENDMENT
REGULATION (No. 1) 2000**

TABLE OF PROVISIONS

Section		Page
PART 1—PRELIMINARY		
1	Short title	4
2	Commencement	4
PART 2—AMENDMENT OF GAMING MACHINE REGULATION 1991		
3	Regulation amended in pt 2	4
4	Amendment of s 2 (Definitions)	4
5	Amendment of s 3 (Meaning of “category 1 body corporate”)	4
6	Amendment of s 5 (Arrangements for taking fingerprints—Act, s 366(2)(a))	5
7	Insertion of new s 6A	5
	6A Significant number of gaming machines—Act, s 55A(1)(c)	5
8	Insertion of new s 19A	6
	19A Designated departmental account for unclaimed payments—Act, s 242A(5)	6

9	Amendment of s 25 (Approval of premises of licensed major dealers or licensed monitoring operators)	6
10	Replacement of s 30 (Code numbers for approved gaming machine types and games)	6
	30 Code numbers for approved gaming machine types and games . . .	7
11	Amendment of s 36 (Gaming machine performance record)	7
12	Insertion of new s 39A	7
	39A Number of gaming machines for which community benefit statement is required—Act, s 305	7
13	Replacement of s 46 (Percentage of gaming machine tax payable into community benefit fund)	7
	46 Percentage of gaming machine tax payable into community investment fund—Act, s 314	8
14	Amendment of sch 2 (Conditions to which a gaming machine licence is subject)	8
15	Amendment of sch 5 (Fees)	8
16	Amendment of sch 6 (Prescribed liquor licences)	8
	PART 3—AMENDMENT OF INTERACTIVE GAMBLING (PLAYER PROTECTION) REGULATION 1998	
17	Regulation amended in pt 3	9
18	Replacement of s 9 (Proportion of tax for community benefit etc.—Act, s 116(2))	9
	9 Percentage of tax for community investment fund—Act, s 116(4)	9
	PART 4—AMENDMENT OF KENO REGULATION 1997	
19	Regulation amended in pt 4	9
20	Replacement of s 5 (Proportions of keno tax and licence fee to be paid to certain funds—Act, s 113)	10
	5 Percentage of keno tax and licence fee for community investment fund—Act, s 113(3)	10
	PART 5—AMENDMENT OF LOTTERIES REGULATION 1997	
21	Regulation amended in pt 5	10
22	Insertion of new s 9A	10
	9A Percentage of lottery tax for community investment fund—Act, s 99A(3)	10

PART 6—AMENDMENT OF WAGERING REGULATION 1999

23	Regulation amended in pt 6	11
24	Replacement of s 9 (Application of wagering tax—Act, s 169)	11
9	Percentage of wagering tax for community investment fund—Act, s 169(3)	11

PART 1—PRELIMINARY

Short title

1. This regulation may be cited as the *Gambling Legislation Amendment Regulation (No. 1) 2000*.

Commencement

2. This regulation commences on 1 December 2000.

PART 2—AMENDMENT OF GAMING MACHINE REGULATION 1991

Regulation amended in pt 2

3. This part amends the *Gaming Machine Regulation 1991*.

Amendment of s 2 (Definitions)

4. Section 2—

insert—

‘ “**non-resident**” means a person who is not ordinarily resident in Australia.’.

Amendment of s 3 (Meaning of “category 1 body corporate”)

5. Section 3(a) and (b)—

omit, insert—

‘(a) not more than 5% of its voting shares are held, directly or indirectly, by non-residents; and

(b) either—

- (i) the body corporate is unrelated to any other body corporate and its net tangible assets amount to less than \$1 000 000; or
- (ii) the combined net tangible assets of the body corporate and all other bodies corporate related to it amount to less than \$1 000 000.’.

Amendment of s 5 (Arrangements for taking fingerprints—Act, s 366(2)(a))

6. Section 5(2) and (3)—

omit, insert—

‘(2) The chief executive may, for section 57(4) or 200(6)¹ of the Act—

- (a) arrange with a police officer to have fingerprints of the applicant taken on terms agreed between the chief executive and the police officer; and
- (b) cause fingerprints to be taken on the agreed terms.’.

Insertion of new s 6A

7. Part 3—

insert—

‘Significant number of gaming machines—Act, s 55A(1)(c)

‘**6A.** For section 55A(1)(c)² of the Act, a significant number for an increase in gaming machines is—

- (a) for category 1 licensed premises—10 or more; and
- (b) for category 2 licensed premises—20 or more.’.

¹ Section 57 (Recommendation by chief executive about application for gaming machine licence) or 200 (Recommendation by chief executive about applications) of the Act

² Section 55A (Applications of significant community impact) of the Act

Insertion of new s 19A

8. After section 19—

insert—

‘Designated departmental account for unclaimed payments—Act, s 242A(5)

‘19A. For section 242A(5)³ of the Act, the designated departmental account is the Treasurer’s Unclaimed Moneys Fund.’.

Amendment of s 25 (Approval of premises of licensed major dealers or licensed monitoring operators)

9. Section 25(1)—

omit, insert—

‘25.(1) For section 266(2) or 267(2A)⁴ of the Act, an application for approval of premises must—

- (a) be written and signed by the licensed major dealer or licensed monitoring operator or a person authorised by the licensed major dealer or licensed monitoring operator; and
- (b) contain the full name and business address of the licensed major dealer or licensed monitoring operator and the address of the premises.’.

Replacement of s 30 (Code numbers for approved gaming machine types and games)

10. Section 30—

omit, insert—

³ Section 242A (Unclaimed payments) of the Act

⁴ Section 266 (Possession of gaming equipment and other property by licensed monitoring operators) or 267 (Possession etc. of gaming machines and restricted components by licensed major dealers) of the Act

‘Code numbers for approved gaming machine types and games

‘**30.** The chief executive may allocate a code number to each gaming machine type and each game approved by the chief executive under section 281(8)⁵ of the Act.’.

Amendment of s 36 (Gaming machine performance record)

11.(1) Section 36(1)—

omit, insert—

‘**36.(1)** A licensee must keep in the approved form a gaming machine performance record for each gaming machine connected to an electronic monitoring system.’.

(2) Section 36(3)(b)(ix)—

omit.

Insertion of new s 39A

12. After section 39—

insert—

‘Number of gaming machines for which community benefit statement is required—Act, s 305

‘**39A.** For section 305(1)(e)⁶ of the Act, the number of gaming machines is 50.’.

Replacement of s 46 (Percentage of gaming machine tax payable into community benefit fund)

13. Section 46—

omit, insert—

⁵ Section 281 (Approval and rejection of gaming machines and games) of the Act

⁶ Section 305 (Community benefit statement and other associated documents for audit report for category 2 licensee) of the Act

‘Percentage of gaming machine tax payable into community investment fund—Act, s 314

‘46. For section 314(4)⁷ of the Act, the percentage is 8.5%.’

Amendment of sch 2 (Conditions to which a gaming machine licence is subject)

14.(1) Schedule 2, item 1(g) and (n)—

omit.

(2) Schedule 2, item 2—

omit.

Amendment of sch 5 (Fees)

15.(1) Schedule 5, item 36, ‘purchase a gaming machine (s 265(2) of the Act)’—

omit, insert—

‘buy or otherwise acquire a gaming machine (s 265(2)(a) of the Act)’.

(2) Schedule 5, item 42—

omit, insert—

‘42. Application to increase approved hours of gaming
(s 85A(1) of the Act) 20.00’.

Amendment of sch 6 (Prescribed liquor licences)

16.(1) Schedule 6, item 1—

omit, insert—

‘1. The special facility licence held by the Surfers Paradise Bowls Club Incorporated, 4 Ferny Avenue, Surfers Paradise.’

(2) Schedule 6, item 8—

omit, insert—

⁷ Section 314 (Community investment fund) of the Act

‘8. The special facility licence held by Innes Park Country Club Tavern Pty Ltd ACN 082 223 747, Innes Park Road, Innes Park.’.

PART 3—AMENDMENT OF INTERACTIVE GAMBLING (PLAYER PROTECTION) REGULATION 1998

Regulation amended in pt 3

17. This part amends the *Interactive Gambling (Player Protection) Regulation 1998*.

Replacement of s 9 (Proportion of tax for community benefit etc.—Act, s 116(2))

18. Section 9—

omit, insert—

‘Percentage of tax for community investment fund—Act, s 116(4)

‘9. For section 116(4)⁸ of the Act, the percentage is 8.5%.’.

PART 4—AMENDMENT OF KENO REGULATION 1997

Regulation amended in pt 4

19. This part amends the *Keno Regulation 1997*.

⁸ Section 116 (Payment of tax for community benefit) of the Act

Replacement of s 5 (Proportions of keno tax and licence fee to be paid to certain funds—Act, s 113)

20. Section 5—

omit, insert—

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

‘5. For section 113(3)⁹ of the Act, the percentage is 8.5%.’.

**PART 5—AMENDMENT OF LOTTERIES
REGULATION 1997****Regulation amended in pt 5**

21. This part amends the *Lotteries Regulation 1997*.

Insertion of new s 9A

22. After section 9—

insert—

‘Percentage of lottery tax for community investment fund—Act, s 99A(3)

‘9A. For section 99A(3)¹⁰ of the Act, the percentage is 8.5%.’.

⁹ Section 113 (Application of keno tax and licence fee) of the Act

¹⁰ Section 99A (Application of lottery tax) of the Act

PART 6—AMENDMENT OF WAGERING REGULATION 1999

Regulation amended in pt 6

23. This part amends the *Wagering Regulation 1999*.

Replacement of s 9 (Application of wagering tax—Act, s 169)

24. Section 9—

omit, insert—

‘Percentage of wagering tax for community investment fund—Act, s 169(3)

‘9. For section 169(3)¹¹ of the Act, the percentage is 8.5%.’.

ENDNOTES

1. Made by the Governor in Council on 16 November 2000.
2. Notified in the gazette on 17 November 2000.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Treasury Department.

© State of Queensland 2000

¹¹ Section 169 (Application of wagering tax, authority fee and authority administration fee) of the Act