

Queensland



Subordinate Legislation 2002 No. 138

Casino Control Act 1982
Charitable and Non-Profit Gaming Act 1999
Gaming Machine Act 1991
Interactive Gambling (Player Protection) Act 1998
Keno Act 1996
Lotteries Act 1997
Wagering Act 1998

**GAMBLING LEGISLATION AMENDMENT
REGULATION (No. 2) 2002**

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PART 1—PRELIMINARY

1 Short title

This regulation may be cited as the *Gambling Legislation Amendment Regulation (No. 2) 2002*.

PART 2—AMENDMENT OF CASINO CONTROL REGULATION 1999

2 Regulation amended in pt 2

This part amends the *Casino Control Regulation 1999*.

3 Amendment of s 3 (Definitions)

Section 3—

insert—

- ‘ **“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.’.

4 Amendment of s 17 (Display of identification—Act, s 41)

(1) Section 17(4), from ‘and approved’ to ‘employees’—

omit.

(2) Section 17(5)—

renumber as section 17(6).

(3) Section 17—

insert—

‘(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)—10 penalty units.’.

5 Amendment of s 20 (Marking of chips—Act, s 62)

(1) Section 20(1)(a), after ‘colour’—

insert—

‘and having markings indicating the value of the chips’.

(2) Section 20(2)—

omit, insert—

‘(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—10 penalty units.’.

6 Amendment of s 26 (Training courses for employees)

Section 26—

insert—

‘Maximum penalty—10 penalty units.’.

7 Amendment of s 37 (Notice about promoter)

Section 37(3)—

omit, insert—

‘(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—10 penalty units.’.

8 Amendment of s 38 (Notice about promoter's representative)

Section 38(3)—

omit, insert—

‘(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—10 penalty units.’.

9 Amendment of s 39 (Monthly report)

(1) Section 39(1), ‘calendar’—

omit.

(2) Section 39(2), ‘within 14 days of’—

omit, insert—

‘to the chief executive within 14 days after’.

10 Amendment of s 40 (Arrangement for progressive jackpot link)

(1) Section 40(2)—

omit, insert—

‘(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—10 penalty units.’.

(2) Section 40(3)—

insert—

‘Maximum penalty—10 penalty units.’.

11 Amendment of s 43 (Malfunctioning of gaming machines etc.)

Section 43(2)—

omit, insert—

‘(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 25¹ applies to the operator for the player’s claim for payment.’.

12 Amendment of sch 1 (Entities)

(1) Schedule 1, ‘Criminal Justice Commission, Queensland’, ‘Queensland Crime Commission’ and ‘South Australian Gaming Supervisory Authority’—

omit.

(2) Schedule 1—

insert—

‘Crime and Misconduct Commission

Independent Gambling Authority, South Australia

Office of Gambling Regulation, Victoria’.

PART 3—AMENDMENT OF CHARITABLE AND NON-PROFIT GAMING REGULATION 1999

13 Regulation amended in pt 3

This part amends the *Charitable and Non-Profit Gaming Regulation 1999*.

¹ Section 25 (Casino patron claims)

14 Amendment of sch 1 (Entities)

(1) Schedule 1, ‘Criminal Justice Commission, Queensland’ and ‘Queensland Crime Commission’—

omit.

(2) Schedule 1—

insert—

‘Crime and Misconduct Commission
Independent Gambling Authority, South Australia
Office of Gambling Regulation, Victoria’.

15 Amendment of sch 2 (Fees)

Schedule 2, item 4, ‘Application for’—

omit, insert—

‘Renewal of’.

PART 4—AMENDMENT OF GAMING MACHINE REGULATION 1991

16 Regulation amended in pt 4

This part amends the *Gaming Machine Regulation 1991*.

17 Amendment of s 2 (Definitions)

Section 2—

insert—

‘**“clearance period”**, for a licensee, means a period—

- (a) starting at a money clearance for the gaming machines on the licensee’s licensed premises; and
- (b) ending at the next money clearance for the gaming machines.

“jackpot credit” means an amount that is won by a player and recorded on the progressive jackpot prize meter, and credited to the credit meter, of the player’s gaming machine.

“wide area jackpot” means a jackpot payout paid by a licensed monitoring operator to a player for a winning result or promotions on a gaming machine that is part of a multiple site linked jackpot arrangement operated by the licensed monitoring operator.’.

18 Amendment of s 12 (Installation of gaming equipment)

Section 12(b), ‘*Authority*’—

omit, insert—

‘*Service*’.

19 Amendment of s 24 (Services for problem gamblers)

Section 24, ‘clearly display’—

omit, insert—

‘display in a conspicuous position’.

20 Amendment of s 33 (Functions to be carried out with money clearances)

(1) Section 33(1)(b), ‘monetary’—

omit.

(2) Section 33(1)(c)(i)—

omit, insert—

‘(i) the total value of banknotes in the banknote acceptor;’.

(3) Section 33(1)(c)(ii), ‘of all’—

omit, insert—

‘value of’.

(4) Section 33(1)(c)(iii), ‘of coins won’—

omit, insert—

‘monetary value of wins’.

(5) Section 33(1)(c)(iv), ‘of all’—

omit, insert—

‘monetary value of’.

(6) Section 33(1)(c)(v), ‘of all coins bet’—

omit, insert—

‘monetary value of bets’.

(7) Section 33(1)(c)(vi)—

omit, insert—

‘(vi) the total monetary value of wide area jackpots;’.

(8) Section 33(1)(c)(vii), after ‘total’—

insert—

‘monetary value’.

(9) Section 33(1)(c)—

insert—

‘(viii) the total monetary value of cashless in;

(ix) the total monetary value of cashless out;

(x) the total monetary value of jackpot credits.’.

(10) Section 33(2)(b), ‘monetary’—

omit.

(11) Section 33(2)—

insert—

‘(c) for a licensee who has a centralised credit system installed on the licensee’s licensed premises—to ensure a record is made of the amounts displayed on the following electronic RAM meters for the centralised credit system—

(i) the total monetary value of cashless in;

(ii) the total monetary value of cashless out;

(iii) the total monetary value of jackpot credits.’.

21 Amendment of s 34 (Money clearances)

(1) Section 34, heading—

omit, insert—

‘34 Requirements for money clearances’.

(2) Section 34(3)(a)—

omit, insert—

‘(a) the licensee’s licence number and the name of the licensed premises to which the form applies; and’.

(3) Section 34(3)(c)(ii)—

omit, insert—

‘(ii) for each person who carried out or supervised money clearances—the person’s signature certifying that the records made under this section are correct, and the person’s licence number or, if the person is unlicensed, the person’s name; and’.

(4) Section 34(4), ‘cash clearances report is completed’—

omit, insert—

‘information mentioned in subsection (3)(a) to (c) is recorded in the cash clearances report’.

22

Insertion of new s 34A

After section 34—

insert—

‘34A Requirement for money clearances of centralised credit systems

‘(1) For section 297(3) of the Act, the amount to be deducted by a licensee for a money clearance of a centralised credit system installed on the licensee’s licensed premises, is the amount (the “**net cashless amount**”) worked out using the formula—

$$\text{NCA} = \text{TCI} - \text{TCO} - \text{TJC}$$

‘(2) In this section—

“NCA” means the net cashless amount for a clearance period.

“TCI” means the total monetary amount of gaming machine credits, for the clearance period, shown on the cashless in meters for the licensee’s gaming machines.

“TCO” means the total monetary amount of gaming machine credits, for the clearance period, shown on the cashless out meters for the licensee’s gaming machines.

“TJC” means the total monetary amount of gaming machine credits, for the clearance period, shown on the jackpot credit meters for the licensee’s gaming machines.’.

23 Amendment of s 35 (Manual payments register)

(1) Section 35(2)(a)—

omit, insert—

‘(a) the licensee’s licence number and the name of the licensed premises to which the form applies; and’.

(2) Section 35(2)(b)(iv) and (x)—

omit.

(3) Section 35(2)(b)(vii), before ‘the number’—

insert—

‘the betting unit and’.

(4) Section 35(2)(b)(ix), from ‘credit’ to ‘premises’—

omit, insert—

‘credit’.

(5) Section 35(2)(b)(xi)—

omit, insert—

‘(xi) the licence number and signature of the person who made the payout or fill, or if the person is unlicensed, the person’s name and signature;’

(6) Section 35(2)(b)(xii), from ‘the name’ to ‘observed’—

omit, insert—

‘the licence number and signature of 1 other person, or if the other person is unlicensed, the person’s name and signature, certifying that he or she observed’.

(7) Section 35—

insert—

‘(2A) Subsection (2)(b)(xii) does not apply to a payout of \$500 or less if equipment ancillary to the electronic monitoring system for the licensed premises dispenses a print-out for the payout, stating the matters mentioned in subsection (2)(b)(i) to (iii), (v), (vii) and (viii).’.

24 Amendment of s 36 (Gaming machine performance record)

(1) Section 36(3)(a)—

omit, insert—

‘(a) the licensee’s licence number and the name of the licensed premises to which the form applies; and’.

(2) Section 36(3)(b)(ix), ‘monetary’—

omit.

(3) Section 36(3)(b)(x) and (xi)—

renumber as section 36(3)(b)(xi) and (xii).

(4) Section 36(3)(b)—

insert—

‘(x) for a category 2 licensee who, under section 42, makes a periodic gaming deposit worked out using the win periodic method—the value of the contents of the hopper when a money clearance is carried out under section 296(1) of the Act; and’.

(5) Section 36(3)(b)(xi) as renumbered, after ‘sections 33(1)(c)’—

insert—

‘and (2)(c)’.

25 Amendment of s 40 (Monthly gaming machine reconciliation report)

Section 40(1)(a)—

omit, insert—

- ‘(a) states the licensee’s licence number and the name of the licensed premises to which the report applies; and’.

26 Amendment of s 42 (Periodic gaming deposits)

Section 42(10)—

omit.

27 Amendment of s 43 (Monthly variances record)

(1) Section 43(1), after ‘complete’—

insert—

‘and sign’.

(2) Section 43(3), definitions “metered cash clearances” and “reported cash clearances”—

omit.

(3) Section 43(3)—

insert—

‘**“metered cash clearances”** means the total of—

- (a) the total monetary amount of gaming tokens shown on the cash box, or banknote acceptor, meters for the licensee’s gaming machines as being cleared from the gaming machines during the accounting period; and
- (b) the total net cashless amount for the accounting period.

“reported cash clearances” means the total of—

- (a) the total monetary amount of gaming tokens cleared from gaming machines; and
- (b) the total amount deducted by the licensee in relation to the total net cashless amount.

“total net cashless amount” means the total net monetary amount of gaming machine credits received by the licensee during the accounting period worked out using the formula—

$$\text{TNCA} = \text{TCI} - \text{TCO} - \text{TJC}$$

(4) Section 43—

insert—

‘(4) In this section—

“TNCA” means the total net cashless amount for an accounting period.

“TCI” means the total monetary amount of gaming machine credits, for the accounting period, shown on the cashless in meters for the licensee’s gaming machines.

“TCO” means the total monetary amount of gaming machine credits, for the accounting period, shown on the cashless out meters for the licensee’s gaming machines.

“TJC” means the total monetary amount of gaming machine credits, for the accounting period, shown on the jackpot credit meters for the licensee’s gaming machines.’.

28 Amendment of s 52 (Approved financiers)

Section 52—

insert—

‘(c) RentWorks Limited ACN 003 421 136.’.

29 Amendment of sch 1 (Entities)

(1) Schedule 1, ‘Criminal Justice Commission, Queensland’, ‘Gaming Supervisory Authority, South Australia’ and ‘Queensland Crime Commission’—

omit.

(2) Schedule 1—

insert—

‘Crime and Misconduct Commission

Independent Gambling Authority, South Australia
Office of Gambling Regulation, Victoria’.

30 Amendment of sch 3 (Rules ancillary to gaming)

Schedule 3, section 7—

omit, insert—

‘**7.(1)** For section 242(2)(b) of the Act, a licensee required to make a payment to a player for a cancelled credit or jackpot payout of more than \$250 must make the payment in 1 of the following ways—

- (a) \$250 of the payment in Australian currency and the balance of the payment by cheque;
- (b) if requested by the player—
 - (i) an amount less than \$250 of the payment in Australian currency and the balance of the payment by cheque; or
 - (ii) the entire payment by cheque.

‘**(2)** For making a payment under subsection (1)—

- (a) if part of the payment is in Australian currency—the licensee must pay the Australian currency when the player claims payment; and
- (b) the licensee must give a cheque to the player or post it to the player’s address, within 24 hours after the player claims payment.’.

PART 5—AMENDMENT OF INTERACTIVE GAMBLING (PLAYER PROTECTION—DISQUALIFIED PERSONS) REGULATION 1999

31 Regulation amended in pt 5

This part amends the *Interactive Gambling (Player Protection—Disqualified Persons) Regulation 1999*.

32 Amendment of s 19 (What is a beneficial interest)

Section 19(5), definition “managed investment scheme”—
omit, insert—

‘“**managed investment scheme**” see the Corporations Act, section 9.²’.

PART 6—AMENDMENT OF INTERACTIVE GAMBLING (PLAYER PROTECTION) REGULATION 1998

33 Regulation amended in pt 6

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

34 Amendment of sch 1 (Entities)

(1) Schedule 1, ‘Criminal Justice Commission, Queensland’, ‘Queensland Crime Commission’ and ‘South Australian Gaming Supervisory Authority’—

omit.

(2) Schedule 1—

insert—

‘Crime and Misconduct Commission

Independent Gambling Authority, South Australia

Office of Gambling Regulation, Victoria’.

2 Corporations Act, section 9 (Dictionary)

PART 7—AMENDMENT OF KENO REGULATION 1997

35 Regulation amended in pt 7

This part amends the *Keno Regulation 1997*.

36 Amendment of s 2 (Definitions)

(1) Section 2, definitions “subsidiary operator” and “Totalisator Administration Board”—

omit.

(2) Section 2—

insert—

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

“wagering licensee”, see the *Wagering Act 1998*, schedule 2.³.

(3) Section 2, definitions “body corporate”, “casino licence”, “casino licensee” and “casino operator”, after ‘see’—

insert—

‘the’.

37 Amendment of s 3 (Persons with whom keno licensee may enter into agency agreements—Act, s 85)

Section 3(f)—

omit, insert—

‘a wagering licensee;’.

38 Amendment of s 7 (Approved places for operation for appointed agents—Act, s 142)

Section 7(4)—

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

“wagering licensee” means a person who holds a wagering licence.

omit, insert—

‘(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.’.

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

Section 9(4)—

omit, insert—

‘(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.’.

40 Amendment of sch 1 (Entities)

(1) Schedule 1, ‘Criminal Justice Commission, Queensland’, ‘Gaming Supervisory Authority, South Australia’ and ‘Queensland Crime Commission’—

omit.

(2) Schedule 1—

insert—

‘Crime and Misconduct Commission

Independent Gambling Authority, South Australia

Office of Gambling Regulation, Victoria’.

PART 8—AMENDMENT OF LOTTERIES REGULATION 1997

41 Regulation amended in pt 8

This part amends the *Lotteries Regulation 1997*.

42 Amendment of sch 1 (Entities)

(1) Schedule 1, ‘Criminal Justice Commission, Queensland’, ‘Gaming Supervisory Authority, South Australia’ and ‘Queensland Crime Commission’—

omit.

(2) Schedule 1—

insert—

‘Crime and Misconduct Commission

Independent Gambling Authority, South Australia

Office of Gambling Regulation, Victoria’.

PART 9—AMENDMENT OF WAGERING REGULATION 1999

43 Regulation amended in pt 9

This part amends the *Wagering Regulation 1999*.

44 Amendment of s 3 (Definitions)

Section 3—

insert—

‘**“relevant chief executive”** means the chief executive of the department in which the *Liquor Act 1992* is administered.

“special facility liquor licence” means a licence mentioned in the *Liquor Act 1992*, section 58(1)(f).⁴

“special facility premises” means premises to which a special facility liquor licence relates.

“subsidiary operator” means—

⁴ *Liquor Act 1992*, section 58 (Available licences)

- (a) an individual or body corporate to which the holder of a special facility liquor licence has, with the approval of the relevant chief executive—
 - (i) let or sublet part of the special facility premises; and
 - (ii) let or sublet the right to sell liquor; or
- (b) an individual or body corporate with which the holder of a special facility liquor licence has, with the approval of the relevant chief executive—
 - (i) entered into a franchise or management agreement for part of the special facility premises; and
 - (ii) let or sublet the right to sell liquor.’.

45 Amendment of s 8 (Returns for calculation of wagering tax—Act, s 167)

Section 8(c)—

omit, insert—

- ‘(c) for wagering conducted by an authority holder by means of a totalisator, state—
 - (i) the commissions deducted, under section 163(1)⁵ of the Act, for the month to which the return relates by the designated person for the authority holder; and
 - (ii) the amounts retained, under section 213(2)⁶ of the Act, for the month to which the return relates by the designated person.’.

46 Amendment of s 11 (Places of operation for wagering agents—Act, s, 205)

(1) Section 11(b)(i), from ‘retail’ to ‘commercial premises’—

omit, insert—

‘the part of retail shopping or other commercial premises.’.

5 Section 163 (Commission) of the Act

6 Section 213 (Claims for payment of winning bets) of the Act

(2) Section 11—

insert—

- (g) for a subsidiary operator who does not hold a gaming machine licence under the *Gaming Machine Act 1991*—part of the special facility premises, approved by the chief executive, that the subsidiary operator has leased or subleased or for which the subsidiary operator has entered into a franchise or management agreement;
- (h) for a subsidiary operator who holds a gaming machine licence under the *Gaming Machine Act 1991*—part of the special facility premises that the subsidiary operator has leased or subleased or for which the subsidiary operator has entered into a franchise or management agreement.’.

47 Amendment of sch 1 (Entities)

(1) Schedule 1, ‘Criminal Justice Commission, Queensland’, ‘Gaming Supervisory Authority, South Australia’ and ‘Queensland Crime Commission’—

omit.

(2) Schedule 1—

insert—

‘Crime and Misconduct Commission
Independent Gambling Authority, South Australia
Office of Gambling Regulation, Victoria’.

ENDNOTES

1. Made by the Governor in Council on 13 June 2002.
2. Notified in the gazette on 14 June 2002.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Treasury Department.