



Queensland

Keno Regulation 2007

Subordinate Legislation 2007 No. 211

made under the
Keno Act 1996

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1 Short title

This regulation may be cited as the *Keno Regulation 2007*.

2 Commencement

This regulation commences on 1 September 2007.

3 Definitions

The dictionary in schedule 4 defines particular words used in this regulation.

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

For section 85(1) 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.

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

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

6 Percentage of keno tax for community investment fund—Act, s 113

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

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

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

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

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

9 Prohibited periods for keno games for keno licensees—Act, s 143

For section 143(1) of the Act, the following periods are prescribed—

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

10 Prohibited periods for keno games for appointed agents—Act, s 143

- (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 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.

11 Evaluation of regulated keno equipment—Act, s 145

For section 145 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.

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

- (1) This section prescribes, for section 152(6) of the Act, how 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) Subsection (4) applies if, within 14 days of making the request under subsection (2), the chief executive is not advised by the authorised keno operator or claimant that the claim has been resolved.
- (4) The chief executive must give written notice to the operator and the claimant inviting the operator and claimant to make a written submission to the chief executive about the claim within 1 month after receiving the notice (the *submission period*).
- (5) 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.
- (6) 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 or claimant; and
 - (b) consider the outcome of any investigation under subsection (5); 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.
- (7) However, the chief executive is not required to take or complete action under subsection (6) if the chief executive is advised of the resolution of the claim by the authorised keno operator or claimant.

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

- (1) This section prescribes, for section 152(6) of the Act, how 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 give—
 - (a) the authorised keno operator written notice of the chief executive's decision; and
 - (b) the claimant a written notice—
 - (i) of the chief executive's decision; and
 - (ii) 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 give—
 - (a) the authorised keno operator—
 - (i) a copy of the claimant's request; and
 - (ii) written notice inviting the operator to make a written submission to the chief executive about the operator's decision within 1 month after receiving the notice (the *submission period*); and
 - (b) the claimant written notice inviting the claimant to make a written submission to the chief executive about the operator's decision within 1 month after receiving the notice (also 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 or claimant; and
 - (b) consider the outcome of any investigation 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.

14 Report about prohibition under order or direction—Act, s 154L

- (1) An appointed agent must give the chief executive a report about the prohibition of persons from taking part in keno gaming at, or entering or remaining in, the agent's approved place of operation under a self-exclusion order or an exclusion direction
- (2) For subsection (1) the report must be given to the chief executive within 14 days after 30 June and 31 December in each year.
- (3) If a person takes part in keno gaming at, or enters or remains in, an appointed agent's approved place of operation in contravention of a self-exclusion order or an exclusion direction, the appointed agent must, within 7 days, give a report to the chief executive about the contravention.

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

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

16 Regulated keno equipment—Act, sch 4

For schedule 4 of the Act, definition *regulated keno equipment*, the keno equipment stated in schedule 2 is declared to be regulated keno equipment.

17 Fees

The fees payable under the Act are in schedule 3.

18 Repeal

The Keno Regulation 1997 No. 149 is repealed.

Schedule 1 Entities

section 15

Alberta Gaming and Liquor Commission, Canada
Alcohol and Gaming Division Nova Scotia, Canada
Alcohol and Gaming Commission of Ontario, Canada
Australian Bureau of Criminal Intelligence
Australian Capital Territory Gambling and Racing
Commission
Australian Competition and Consumer Commission
Australian Crime Commission
Australian Customs Service
Australian Federal Police
Australian Securities and Investments Commission
Australian Security Intelligence Organisation
Australian Taxation Office
Australian Transaction Reports and Analysis Centre
(AUSTRAC)
British Columbia Gaming Policy and Enforcement Branch,
Canada
Casino Regulation Division, Ministry of Home Affairs,
Singapore
Centrelink
Colorado Division of Gaming, USA
Colorado State Patrol, USA
Crime and Misconduct Commission, Queensland
Department of Immigration and Citizenship
Department of Internal Affairs, New Zealand
Department of Racing, Gaming and Liquor, Western Australia

Schedule 1 (continued)

Department of Treasury and Finance, Revenue, Gaming and
Licensing Division, Tasmania

Department of Treasury and Finance, South Australia

Gambling Commission, Great Britain

Gambling Commission, New Zealand

Gaming and Wagering Commission of Western Australia

Gaming Board of the Commonwealth of the Bahamas

Independent Gambling Authority, South Australia

Interpol

Liquor Licensing Division, Queensland

Lotteries Commission of South Australia

Lotterywest, Western Australia

Louisiana State Police, USA

Missouri State Highway Patrol, USA

Mpumalanga Gaming Board, South Africa

National Indian Gaming Commission, USA

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 Office of Liquor, Gaming and Racing

New South Wales Police Service

New Zealand Police

Northern Territory Licensing Commission

Northern Territory Police

Schedule 1 (continued)

Office of Fair Trading, Queensland
Office of State Revenue, Queensland
Office of the Liquor and Gambling Commissioner, South
Australia
Pueblo of Isleta Gaming Regulatory Agency, USA
Queensland Police Service
Racing, Gaming and Licensing Division, Northern Territory
Racing Services Tasmania
South Australia Police
South Dakota Commission on Gaming, USA
Tasmanian Gaming Commission
Tasmania Police
The Mississippi Gaming Commission, USA
Victorian Commission for Gambling Regulation
Victoria Police
Western Australia Police Service
Western Cape Gambling and Racing Board, South Africa
WorkCover Queensland

Schedule 2 Regulated keno equipment

section 16

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 17

	\$
1 Application for keno employee licence (s 49(2)(c) of the Act)	365.00
2 Issue of replacement keno employee licence (s 59(4) of the Act)	27.00
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	151.00
(ii) intermediate evaluation	188.00
(iii) advanced evaluation	225.00
(iv) administration for an evaluation	114.00
(b) giving advice for an evaluation	114.00
(c) holding meetings for an evaluation	114.00
4 Filing a notice of appeal (s 235(2)(a) of the Act) . .	304.00

Schedule 4 Dictionary

section 3

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) a body incorporated under another Act or law.

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

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

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;

Schedule 4 (continued)

- (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.

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.

subsidiary operator see the *Gaming Machine Act 1991*, schedule.

Schedule 4 (continued)

totalisator see *Wagering Act 1998*, section 8.

wagering licensee, see the *Wagering Act 1998*, schedule 2.

ENDNOTES

- 1 Made by the Governor in Council on 23 August 2007.
- 2 Notified in the gazette on 24 August 2007.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Treasury Department.