

# **INTERACTIVE GAMBLING (PLAYER PROTECTION) AMENDMENT BILL 1999**

## **EXPLANATORY NOTES**

### **Short Title**

Interactive Gambling (Player Protection) Amendment Bill 1999.

### **Objectives of the Legislation**

The Bill amends the *Interactive Gambling (Player Protection) Act 1998* to provide the legislative framework for ensuring that community expectations are being met in relation to the involvement of elected officials and associated persons with interactive gambling licensees.

### **Reasons for the Legislation**

The changes to the *Interactive Gambling (Player Protection) Act 1998* incorporated in the Interactive Gambling (Player Protection) Amendment Bill provide legislative support in establishing a mechanism to ensure the utmost public confidence is maintained in the integrity, not only of any interactive gambling licensee, but in those elected officials and associated persons, directly or indirectly, associated with such licensees.

The Bill contains two parts. Firstly, it contains provisions to revoke the licence of GOCORP Limited if Navari Pty Ltd, Topki Holdings Pty Ltd or disqualified persons continue to have an interest in GOCORP Limited and provides that no benefit is to be received in disposing of that interest. Secondly, it introduces a Regulation making power to prevent disqualified persons from having an interest, directly or indirectly, in interactive gambling licensees.

**Estimated Cost for Government Implementation**

There are no significant additional costs anticipated from the implementation of this legislation although the State may incur some minor costs in arranging for the disposal of interests forfeited under the Regulation making power. The Bill will enable the regulatory role of the Queensland Office of Gaming Regulation to be clarified in relation to the involvement of elected officials with interactive gambling licensees.

**Assessment of Bill's Consistency with Fundamental Legislative Principles**

The Bill has been prepared taking into consideration fundamental legislative principles. A deviation from these principles has occurred firstly in relation to the removal of the rights of certain elected officials, their families and other persons from any beneficial association with interactive gambling licence holders. Secondly, the Bill removes the right of an association between GOCORP and Navari Pty Ltd and Topki Holdings Pty Ltd. Thirdly, the Bill provides the ability to revoke the existing GOCORP licence if an association with Navari Pty Ltd, Topki Holdings Pty Ltd or disqualified persons continues.

However, these provisions are absolutely necessary in the public interest to ensure integrity in the ownership and control of the interactive gambling licence of GOCORP and future licences.

**Consultation**

The Bill has been drafted to reflect the significant community concern regarding the relationship between elected officials and interactive gambling licence holders.

## NOTES ON PROVISIONS

*Clause 1* sets out the Short Title of the Act.

*Clause 2* identifies the *Interactive Gambling (Player Protection) Act 1998* as the Act to be amended.

*Clause 3* amends section 44(1) to provide an additional ground for suspending or cancelling an interactive gambling licence.

*Clause 4* inserts sections 261A, 261B and 261C. Section 261A states that the interactive gambling licence of GOCORP Limited is cancelled 30 days after the commencement of the section unless Navari Pty Ltd, Topki Holdings Pty Ltd and disqualified persons no longer retain a beneficial interest in or association with GOCORP and the chief executive notifies that GOCORP has satisfied the chief executive that such interests have ceased.

Section 261B prevents prohibited persons or relevant companies from profiting from any transaction, directly or indirectly, before or after the commencement of the section, where the transaction is related to a beneficial interest in GOCORP. Any consideration received from the disposal of the interest that is in excess of the consideration given in acquiring the interest is forfeited to the State. The section applies whether the consideration was received before or after commencement of the section or will be received at anytime in the future. Section 261B has effect despite anything in Corporations Law.

Section 261C provides that the State is not civilly liable for actions done under sections 261A or 261B.

*Clause 5* inserts sub-sections (2) through (9) in section 263 to provide a Regulation making power to prevent disqualified persons from having an interest, directly or indirectly, in interactive gambling licensees.

*Clause 6* amends the dictionary in Schedule 3 to include further definitions relating to the amendments.