

GAMBLING LEGISLATION AMENDMENT BILL 2005

Explanatory Notes

General Outline

Policy Objectives

The Bill will amend the seven main gambling Acts, principally to enhance the processes used by gaming machine licensees to fulfil their obligation to monitor and manage their own gaming compliance, further enhance the consistency of regulation across various Acts and to clarify a number of technical and drafting matters.

Reasons for the Bill

The Bill is intended to assist gaming machine licence holders to incorporate compliance activities into their day-to-day business operations. It does this by including provisions which emphasise that licensees are responsible for their own gaming-related regulatory compliance.

The seven principal Acts regulating gambling activity in Queensland were developed and amended at different times and consequently there are some minor inconsistencies across the Acts in relation to provisions with identical objectives. The process of amending the Acts to enhance consistency is ongoing and this Bill progresses it further.

The Bill also extends the maximum period for installing and operating gaming machines after a gaming machine licence is granted, and clarifies a number of relatively minor technical matters.

Achievement of the Objectives

The Bill enhances the processes used by gaming machine licensees to fulfil their obligation to monitor and manage their own gaming compliance by the following amendments to the *Gaming Machine Act 1991*.

- Providing that applicants for a gaming machine licence must provide details of a compliance program that will be used by gaming machine licence holders to ensure compliance with the Act and monitor their compliance.

- Providing that applicants for a gaming nominee licence and licensed gaming nominees provide evidence of having successfully completed an approved training course. These changes will ensure that nominees have the competencies needed to ensure the conduct of gaming is in accordance with the authority conferred by the licensee's gaming machine licence.
- Requiring gaming machine licensees to complete a monthly self-assessment to assist licensees to monitor and manage their compliance with the various provisions of the Act and regulation. If the gaming machine licensee is a corporation, the monthly self-assessment will need to be considered by the licensee's Management Committee Board.

The Bill provides for greater consistency across the provisions of the *Casino Control Act 1982*, the *Gaming Machine Act 1991*, the *Interactive Gambling (Player Protection) Act 1998*, the *Keno Act 1996*, the *Lotteries Act 1997*, the *Charitable and Non-Profit Gaming Act 1999* and the *Wagering Act 1998*. In particular, the amendments address consistency relating to the appointment of inspectors, control system requirements, regulation making powers and delegation of powers.

An amendment is also made to the *Gaming Machine Act 1991* to extend the maximum period for installing and operating gaming machines after a gaming machine licence is granted by an extra year from the existing maximum of two years. The extension for an extra year would only be granted by the Queensland Gaming Commission where the licensee was able to demonstrate that exceptional circumstances had arisen which prevented the commencement of gaming.

The Bill also clarifies reporting requirements regarding the exclusions regime for people experiencing problems controlling their gambling behaviour. While gambling providers will be required to maintain copies of exclusion notices, orders, directions and revocations, they will not have to provide them to the chief executive. Instead, the Bill provides that the chief executive will be able to seek a summary report of that information on a regular basis.

Estimated Cost for Government Implementation

It is anticipated that the enhancements provided by the Bill to the processes used by gaming machine licensees to manage and monitor their gaming compliance will facilitate the efficient use of resources and ensure that

activities are appropriately regulated according to their risk of non-compliance.

Consistency with Fundamental Legislative Principles

The Bill was drafted with regard to fundamental legislative principles.

Consultation

Government consultation was undertaken with the Departments of the Premier and Cabinet; Tourism, Fair Trading and Wine Industry Development; State Development and Innovation; Employment and Training; Housing (Racing Directorate); Local Government, Planning, Sport and Recreation; Primary Industries and Fisheries; Justice and Attorney-General; Communities and Child Safety.

Consultation was also conducted with affected industry stakeholders about relevant provisions. These stakeholders included the Queensland casinos, Clubs Queensland, Queensland Hotels Association, Queensland Clubs Alliance, the Club Managers' Association, UNiTAB Limited, the Golden Casket Lottery Corporation Limited, Jupiters Gaming and the Queensland Gaming Commission. In addition, the Exclusions Implementation Working Party of the Responsible Gambling Advisory Committee was consulted on the amendments regarding the removal of the obligation for gambling providers to provide copies of exclusion notices, orders and directions to the chief executive.

Notes on Provisions

Part 1 Preliminary

Short title

Clause 1 sets out the short title of the Act as the *Gambling Legislation Amendment Act 2005*.

Commencement

Clause 2 provides that the amendments to the *Gambling Legislation Amendment Act 2004* will commence on assent, the amendments to the *Gaming Machine Act 1991* relating to encouraging licensees to monitor and manage their own compliance will commence on 1 July 2005 and the remaining provisions will commence on 1 May 2005.

Part 2 Amendment of *Casino Control Act 1982*

Clause 3 provides that Part 2 of the Bill amends the *Casino Control Act 1982*.

Clause 4 omits sections 6 to 12 to allow for the new divisions on appointment of inspectors inserted by clause 6.

Clause 5 replaces sections 73 to 75 with new sections relating to approved control systems, control system submissions and control system (change) submissions. Control systems are systems of internal controls and procedures that are used to ensure the operation of gambling activities meets the objectives and requirements of the relevant legislation. In general, control systems may include: procedures, systems and standards for administration, accounting operations, maintenance and security; computer software; and standard forms and letters. All control systems, and changes to control systems, must be assessed to determine whether the casino operator has demonstrated that the control systems provide satisfactory and effective control of operations, and all control systems must be approved by the chief executive before they are implemented. Failure to operate in accordance with an approved control system is viewed as a serious matter. While the objectives of the current provisions have been retained the new sections ensure consistency across the provisions of the gambling Acts relating to control system requirement.

Clause 6 inserts a new division about inspectors. The division modernises the provisions dealing with the appointment of inspectors and makes them consistent with the other gambling Acts as part of the ongoing consistency improvements across the Acts. The new sections deal with the appointment and qualifications of inspectors, conditions and limits on powers, and the issue and display of identity cards. They also cover when an inspector ceases to hold office or resigns, and the return of an inspector's identity card. The provisions also allow the chief executive to approve an

audit program for investigating inspectors, and under that program investigate an inspector to help decide whether the inspector is a suitable person to be an inspector. The chief executive may also ask the commissioner of the police service for a written report on a person's criminal history, to help decide whether the person is a suitable person to be an inspector.

Clause 7 omits section 95 to remove the obligation for the casino operator to provide copies to the chief executive of directions excluding people from a casino for reasons other than those related to problem gambling. This change is consistent with amendments in Part 4 regarding the reporting of exclusions of problem gamblers. Copies of directions must still be retained by the operator and must be made available to inspectors.

Clause 8 amends section 127 to revise the provisions on regulation-making power. While the objectives of the current provisions have been retained, the drafting style has been updated to ensure consistency and avoid duplication across similar provisions of the gambling Acts relating to regulation-making power.

Clause 9 inserts a new divisional heading 'Division 5 Transitional provisions for *Gambling Legislation Amendment Act 2005*'. The new division provides that a system of internal controls and administrative and accounting procedures for a casino that was, immediately before the commencement, the system of controls and procedures for the operation of the casino approved by the chief executive under section 75 of this Act, is taken to be the approved control system for the casino. This eliminates the need for casino operators to have to seek approval for existing approved control systems and face being in breach of the legislation prior to their approval. The new division also provides that current inspectors will continue to be inspectors after the commencement of the amendments in clause 6.

Clause 10 amends the Dictionary by inserting definitions of approved control system, control system, control system (change) submission, control system submission, commencement and post-amended Act and replacing the definition of audit program to facilitate the amendments in clauses 5 and 6.

Part 3 Amendment of *Charitable and Non-Profit Gaming Act 1999*

Clause 11 provides that Part 3 of the Bill amends the *Charitable and Non-Profit Gaming Act 1999*.

Clause 12 replaces part 6, division 1 with a new division on inspectors. The new division modernises the provisions dealing with the appointment of inspectors and makes them consistent with the other gambling Acts. In this regard, it achieves the same result as the changes in clause 6.

Clause 13 amends section 183 to make the section consistent with the provisions regarding confidential information in other gambling Acts. It achieves this by providing for the disclosure of confidential information to an 'entity' prescribed under a regulation instead of a 'person'.

Clause 14 amends section 184 to revise the provisions on delegation of powers. While the objectives of the provisions have been retained, the drafting style has been updated to ensure consistency and avoid duplication across similar provisions of the gambling Acts relating to the delegation of powers.

Clause 15 inserts a new division for the transitional provisions associated with clause 12.

Clause 16 amends the Dictionary by inserting definitions of commencement and post-amended Act to facilitate the changes made by clause 15.

Part 4 Amendment of *Gambling Legislation Amendment Act 2004*

Clause 17 provides that Part 4 of the Bill amends the *Gambling Legislation Amendment Act 2004*.

Clause 18 amends section 5 to make the provision consistent with amendments relating to approved control systems for casinos.

Clause 19 omits section 6 to allow for the amendments relating to approved control systems for casinos.

Clause 20 amends section 10 to remove the obligation for casino operators to provide the chief executive with copies of self-exclusion orders, self-exclusion notices and notices of revocation of self-exclusions relating to problem gamblers. However, casino operators will still be required to keep that information. A related clause 23 inserts a requirement for casino operators to provide the chief executive with summarised information on exclusions.

Clause 21 omits section 13 to remove the obligation for the casino operator or commissioner of the police service to provide copies to the chief executive of directions excluding a person from a casino for reasons other than those relating to problem gambling. This change is consistent with the amendments regarding the reporting of exclusions of problem gamblers. Copies of directions will still need to be retained and will continue to be available at the casinos to inspectors.

Clause 22 amends section 14 to remove the obligation for the casino operator or commissioner of the police service to provide copies to the chief executive of notices of revocation of directions excluding people from a casino for reasons other than those relating to problem gambling. The change is consistent with amendments made by clauses 20 and 23 regarding the reporting of revocation of exclusions of problem gamblers. Copies of notices will still need to be retained and will continue to be available at the casinos to inspectors.

Clause 23 amends section 15 to remove the obligation to give the chief executive a copy of a revocation notice when the casino operator decides to revoke an exclusion direction related to problem gambling. The obligation to give the chief executive notice of an attempt to contravene a self-exclusion order or exclusion direction is also removed. However, casino operators will be responsible for recording that information. Importantly, the clause inserts a provision that requires a casino operator to provide information about the prohibition of persons from entering or remaining in the casino under a self-exclusion order or an exclusion direction, as prescribed by a regulation. It is intended that operators will need to provide reports to the chief executive every six months which summarises information regarding the use of the exclusions regime. This will assist in assessing the impact of the regime.

Clause 24 amends section 18 to make the definition of *revocation notice* consistent with the amendments in clause 23.

Clause 25 amends section 50 to remove the obligation for gaming machine licensees to provide copies to the chief executive of self-exclusion orders and notices, exclusion directions and notices of revocation of exclusions

related to problem gambling. The obligation to give the chief executive notice of an attempt to contravene a self-exclusion order or exclusion direction is also removed. Notably, gaming machine licensees will need to continue to record that information. However, rather than provide copies of documents on an ad hoc basis, the clause inserts a requirement for licensees to provide the chief executive with information relevant to the exclusions scheme on a regular (biannual) basis. This change will ensure that licensees take responsibility for keeping copies of self-exclusion orders, exclusion directions, revocation notices and attempts to contravene orders or directions. It would also assist assessments of the scheme through the provision of summary information. These changes are similar to those for casinos, interactive gambling, keno and wagering.

Clause 26 amends section 60 by updating the section reference in the definition of *revocation notice* to make it consistent with the changes in clause 25.

Clause 27 amends section 66 in a manner similar to clauses 25, 29 and 31 so that the chief executive will receive regular summary information about exclusions relating to interactive gambling.

Clause 28 amends section 73 by updating the section reference in the definition of *revocation notice* to make it consistent with the changes in clause 27.

Clause 29 amends section 80 in a manner similar to clauses 25, 27 and 31 so that the chief executive will receive regular summary information about exclusions relating to keno.

Clause 30 amends section 87 by updating the section reference in the definition of *revocation notice* to make it consistent with the changes in clause 29.

Clause 31 amends section 115 by inserting a definition of general operator for this division so that wagering permit holders are not included in the provisions for the exclusion of problem gamblers. It is not intended that the exclusions regime should apply to race meetings that are held infrequently and have minor prize pools under an on-course wagering permit. The clause also amends section 115 in a manner similar to clauses 25, 27 and 29 so that the chief executive will receive regular summary information about exclusions relating to wagering.

Clause 32 amends section 122 by updating the section reference in the definition of *revocation notice* to make it consistent with the changes in clause 31.

Part 5 Amendment of *Gaming Machine Act 1991*

Clause 33 provides that Part 5 of the Bill amends the *Gaming Machine Act 1991*.

Clause 34 omits sections 39 to 47 to allow for the division inserted by clause 45 consistent with amendments to other gambling Acts in relation to the appointment of inspectors.

Clause 35 omits sections 50 to 52 which relate to delegations of powers of the chief executive, the commission and the Minister and replaces them with a new section 50. The objective of the current provisions has been retained, however, the structure and language has been modified in accordance with changes to the other gambling Acts. This will ensure consistency of wording across the gambling Acts relating to the delegation of powers.

Clause 36 amends section 53 by removing the reference to investigations of inspectors, as this requirement is provided in the new Part 10 relating to the appointment of inspectors inserted by clause 49.

Clause 37 inserts a new provision to allow the chief executive to make standards about matters of a technical nature. It is intended that licensees will be required to comply with such standards as one of the conditions of continuing to hold a licence. The standards will be able to provide details on technical matters with which licensees will need to comply regarding matters such as appropriate internet and email services.

Clause 38 inserts a new subsection 56(5)(ka) to provide that applicants for a gaming machine licence must provide details of a compliance program that is to be put in place when gaming commences. The compliance program will need to be documented and the Queensland Office of Gaming Regulation will provide information about matters which will need to form part of the compliance program. In addition, it is intended that a condition will be added to all licences so that existing holders of a gaming machine licence will be required to have a compliance program in place by 1 July 2005. Clause 51 also operates with this clause to ensure existing applicants for gaming machine licences provide the Queensland Office of Gaming Regulation with a documented form of their intended compliance program. It is expected that compliance programs will assist licensees to adopt compliance as part of a good business practice rather than as an externally imposed requirement.

This clause also inserts a new subsection 56(5)(kb) to ensure that licensees have the competencies needed to conduct gaming in accordance with the authority conferred by the licensee's gaming machine licence. In this regard, the clause requires that an application by an individual who is not required to have a nominee for the licensed premises (e.g. the individual is the licensee and there is not required to be a nominee for the liquor licence for the premises) must be accompanied by evidence that the applicant has successfully completed an approved training course or has made arrangements to complete an approved training course. Clauses 41 and 42 also insert requirements regarding competency training.

Clause 39 amends section 80A to give the Queensland Gaming Commission, following receipt of an application, the ability to extend the maximum period for installing and operating gaming machines by an extra year from the existing maximum of two years. To be granted this extension, the licensee must satisfy the Queensland Gaming Commission that there are exceptional circumstances under which the extension is necessary, such as a combination of complex approval processes, unusual shortage of materials or skilled labour or abnormal weather patterns. This change will provide for circumstances, in the case of very large or complex developments, where the existing extension of one year in the period for installing and operating gaming machines proves to be insufficient. It is expected that such an extension would only be granted on rare occasions, and would not be available to the majority of licensees who would be expected to adhere to the timeframes already provided.

Clause 40 amends section 166 relating to dealing with submissions about control systems by altering the drafting style to be consistent with a more standardised approach to control system requirements, whilst retaining the objective of the provision. This change ensures consistency across the provisions of the gambling Acts relating to control system requirements.

Clause 41 inserts a new provision in section 196 requiring applications by a licensed gaming employee for a gaming nominee licence to be accompanied by evidence to show that the applicant has successfully completed an approved training course. The course will be aimed at training gaming nominees in the skills and competencies needed to achieve and maintain a high level of compliance regarding the conduct of machine gaming. This change recognises that gaming nominees play a critical role and have significant responsibilities in relation to the conduct of gaming.

Clause 42 amends section 198 to require that applicants for a gaming nominee licence have to prove they have completed an approved training course. This is the third amendment in the package to ensure that those

responsible for the day-to-day conduct of machine gaming have the necessary skills to ensure that gaming is managed competently in accordance with the Act. Clause 51 also operates with this clause and clauses 38 and 41 to ensure that all existing nominees and applicants must successfully complete training before 31 December 2005, and provide advice of that success before 31 December 2005.

Clause 43 inserts a new divisional heading “Division 12 Reports about matters relating to compliance with Act”. The new division provides that all gaming machine licensees must ensure that a compliance self-assessment is completed each month. The monthly compliance self-assessment is aimed at assisting licensees to monitor and manage their compliance with the *Gaming Machine Act 1991* and regulations. It works with other amendments to encourage licensees to view compliance as part of good business practice that needs regular monitoring. This view will be emphasised for those licensees who are a body corporate. Such licensees will need to ensure that the compliance assessment is considered by the licensee’s management committee or board. Licensees will also need to keep a copy of a compliance self-assessment for 5 years and must keep it available for inspection at the licensed premises. The maximum penalty for failing to do so is 100 penalty units. The clause also enables a regulation to specify that licensees must provide a biannual report to Queensland Office of Gaming Regulation about the changes effected by licensees to correct issues of non-compliance identified through the monthly self-assessment process. The maximum penalty for failing to do so is 40 penalty units.

Clause 44 amends section 290 to extend to site controllers the existing requirements regarding the fixing of seals on gaming machines. These changes will enhance the integrity of gaming by requiring that seals are placed on the equipment used to communicate between gaming machines and licensed monitoring operators to safeguard the equipment from tampering.

Clause 45 operates in conjunction with clauses 44 and 46 to enhance the protection of sensitive areas of gaming equipment. It will achieve this through amending section 292 to require that a seal (and any identification plate or label) on the site controller be unbroken and easily identifiable and accessible. The clause also extends the existing section to include a prohibition on a person removing, replacing or interfering with the operation of a site controller or anything within the site controller. The provision also requires that a licensed repairer who breaks a seal securing a site controller of a gaming machine must ensure that gaming machines connected to the site controller are not played other than for testing

purposes, until the site controller is secured with a seal. The maximum penalty for failure to do so is 200 penalty units.

Clause 46 inserts a new section 292A that requires site controllers of gaming machines be identified as such by a label securely fixed to the site controller, and to be readily accessible to inspectors. The maximum penalty for failing to do so is 200 penalty units. The intention of these changes is for an inspector to be able to see the seal (and any identification plate or label) on the site controller without having to move the controller or other equipment.

Clause 47 amends section 296 to clarify that gaming machine licensees must perform a money clearance complying with section 297 at least four times a month and at intervals of no greater than 10 days with the clearance required under section 295 to be counted as one of the four clearances. This change rectifies a situation where a licensee may be required to perform a monthly money clearance under section 295 sometimes as soon as one day after the last weekly money clearance required by section 296.

Clause 48 amends section 308 to require that accounting records, for at least one year, must be immediately available for inspection during business hours by inspectors. This change will ensure that an inspector making an unannounced visit to audit a licensed premises will have access to the most recent accounting records. The maximum penalty for failing to have the records immediately available is 100 penalty units.

Clause 49 inserts a new division on inspectors. The division modernises the provisions dealing with the appointment of inspectors and makes them consistent with the other gambling Acts. In this regard, it achieves the same result as clauses 6 and 12.

Clause 50 amends section 366 to ensure consistency and avoid duplication across the provisions of the gambling Acts relating to regulation-making power. The provision retains its objective however the drafting style has been amended to ensure a standardised approach to regulation-making powers.

Clause 51 inserts a new division for the transitional provisions associated with this Bill.

New section 436 provides that for applications for a gaming machine licence that were given to the chief executive, and not decided before the commencement of the provision, the applicant must give the Queensland Gaming Commission a copy of their compliance program document and the required statement about the program. Further, if the applicant licensee is an individual person who does not need to have a gaming

nominee, the licensee must complete a training course for nominees before 31 December 2005 and show evidence of satisfactory completion to the chief executive before that date.

New section 437 requires that applicants for a gaming nominee licence who have not had their application decided before commencement of the section and are subsequently successful in their application must complete a training course before 31 December 2005. The nominees must also prove satisfactory completion to the chief executive before 31 December 2005.

The new sections 438 and 439 complete the requirements for all new and existing gaming nominees (and individual licensees) to have successfully completed training regarding matters essential to the proper conduct of gaming. In this regard the sections give existing nominees and existing individual licensees who are not required to have nominees until 31 December 2005 to successfully complete a training course and show evidence of that completion to Queensland Office of Gaming Regulation. Moreover, the sections provide recognition for training recently undertaken by existing nominees and individual person licensees. Consequently, those persons who have been nominees or individual person licensees for at least one year prior to commencement and who have successfully completed the nominated units of nationally recognised hospitality training courses in the past three years will not have to complete further training. The exemption only applies if those nominees and individual person licensees provide evidence to Queensland Office of Gaming Regulation before 31 December 2005 that they have successfully completed the nominated training units.

Clause 52 amends the Schedule (Dictionary) by inserting definitions relating to approved training courses, ANTA, article, compliance programs, compliance program documents and self-assessments, records and site controllers.

Part 6 Amendment of *Interactive Gambling (Player Protection) Act 1998*

Clause 53 provides that Part 6 of the Bill amends the *Interactive Gambling (Player Protection) Act 1998*.

Clause 54 amends section 130 relating to dealing with submissions about control systems by altering the drafting style to be consistent with a more standardised approach to control system requirements, whilst retaining the

objective of the provision. This change ensures consistency across the provisions of the gambling Acts relating to control system requirements.

Clause 55 inserts a new subdivision on inspectors. The subdivision modernises the provisions dealing with the appointment of inspectors and makes them consistent with the other gambling Acts. In this regard, it achieves consistency with amendments achieved by clauses 6, 12, and 49.

Clause 56 amends section 261 to revise the provision that sets out that the Minister may delegate the Minister's powers under the Act to the chief executive or an appropriately qualified appointed inspector or an appropriately qualified officer of the department. The provision also provides a definition for 'appropriately qualified'. This amendment makes the provision consistent with those about delegation of power in other gambling Acts.

Clause 57 inserts a new division for the transitional provisions associated with clause 56.

Clause 58 amends Schedule 3 Dictionary by inserting definitions of appointed inspector and external inspector to facilitate the amendments in Part 6.

Part 7 Amendment of *Keno Act 1996*

Clause 59 provides that Part 7 of the Bill amends the *Keno Act 1996*.

Clause 60 inserts a new section 120 relating to dealings with submissions about control systems by altering the drafting style to be consistent with a more standardised approach to control system requirements, whilst retaining the objective of the provision. This change ensures consistency across the provisions of the gambling Acts relating to control system requirements.

Clause 61 makes minor amendments to section 167 relating to the appointment and qualifications of inspectors to ensure consistency and avoid duplication across the provisions of the gambling Acts relating to the appointment of inspectors.

Clause 62 removes part 9, division 1, subdivision 2 (section 168) which provided for inspectors appointed under other gambling Acts to automatically be an inspector under the *Keno Act 1996*. While the cross-appointment of inspectors may reduce the need for duplication of

appointment across the gambling Acts, it is considered that such provisions may result in officers with limited experience or training in Keno operations exercising inspectorial powers under the *Keno Act 1996*. It is intended that inspectors will be appointed under the Keno Act before commencement of the section and consequently transitional provisions to ensure the continuation of any inspectors appointed under the cross-appointment provisions will not be required.

Clause 63 omits section 171 which relates to identity cards for inspectors to ensure the provision is consistent with other gambling Acts in relation to inspectors.

Clause 64 amends section 171B relating to when an inspector ceases to hold office to ensure consistency across the provisions of the gambling Acts relating to inspectors and reflects the changes arising from the deletion of section 168.

Clause 65 amends section 171D relating to the return of identity cards to ensure consistency across the provisions of the gambling Acts relating to inspectors.

Clause 66 amends section 171E relating to audit programs for inspectors to ensure consistency across the provisions of the gambling Acts relating to inspectors.

Clause 67 omits section 241(1) and replaces it with a new section that provides for the delegation of the Minister's powers under the Act. This amendment makes the provision consistent with those about delegation of powers in other gambling Acts.

Clause 68 amends section 243 to ensure consistency and avoid duplication across the provisions of the gambling Acts relating to regulation-making power. The provision retains its objective however the drafting style has been amended to ensure a standardised approach to regulation-making powers.

Clause 69 amends the Schedule 4 Dictionary by replacing the definitions of inspector and appointed inspector with a new definition of inspector, to facilitate the amendments in Part 7.

Part 8 Amendment of *Lotteries Act 1997*

Clause 70 provides that Part 8 of the Bill amends the *Lotteries Act 1997*.

Clause 71 inserts a new section 103 relating to dealings with submissions about control systems by altering the drafting style to be consistent with a more standardised approach to control system requirements, whilst retaining the objective of the provision. This change ensures consistency across the provisions of the gambling Acts relating to control system requirements.

Clause 72 makes minor amendments to section 153 relating to the appointment and qualifications of inspectors to ensure consistency and avoid duplication across the provisions of the gambling Acts relating to the appointment of inspectors.

Clause 73 removes part 8, division 1, subdivision 2 (section 154) which provided for inspectors appointed under other gambling Acts to automatically be an inspector under the *Lotteries Act 1997*. While the cross-appointment of inspectors may reduce the need for duplication of appointment across the gambling Acts, it is considered that such provisions may result in officers with limited experience or training in Lottery operations exercising inspectorial powers. It is intended that inspectors will be appointed under the Lotteries Act before commencement of the section and consequently transitional provisions to ensure the continuation of any inspectors appointed under the cross-appointment provisions will not be required.

Clause 74 omits section 157 which relates to identity cards for inspectors to ensure the provision is consistent with other gambling Acts in relation to inspectors.

Clause 75 amends section 157B relating to when an inspector ceases to hold office to ensure consistency across the provisions of the gambling Acts relating to inspectors.

Clause 76 amends section 157D relating to the return of identity cards to ensure the provision is consistent across the provisions of the gambling Acts relating to inspectors.

Clause 77 amends section 157E relating to audit programs to ensure the provision is consistent with other gambling Acts in relation to inspectors.

Clause 78 omits section 226(1) and replaces it with a new section that sets out that the Minister may delegate the Minister's powers under the Act to the chief executive or an appropriately qualified inspector or an appropriately qualified officer of the department. This amendment makes the provision consistent with those about delegation of powers in other gambling Acts.

Clause 79 amends section 228 to ensure consistency and avoid duplication across the provisions of the gambling Acts relating to regulation-making power. The provision retains its objective however the drafting style has been amended to ensure a standardised approach to regulation-making powers.

Clause 80 amends the Schedule 3 Dictionary by replacing the definitions of inspector and appointed inspector with a new definition of inspector, to facilitate the amendments in Part 8.

Part 9 Amendment of *Wagering Act 1998*

Clause 81 provides that Part 9 of the Bill amends the *Wagering Act 1998*.

Clause 82 amends section 176 relating to dealings with submissions about control systems by altering the drafting style to be consistent with a more standardised approach to control system requirements, whilst retaining the objective of the provision. This change ensures consistency across the provisions of the gambling Acts relating to control system requirements.

Clause 83 inserts a new division about inspectors. The division modernises the provisions dealing with the appointment of inspectors and makes them consistent with the other gambling Acts. In this regard, it achieves the same outcome as clauses 6, 12, 49 and 55.

Clause 84 amends section 309 to provide that the Minister may delegate the Minister's powers under the Act to the chief executive or an appropriately qualified inspector or an appropriately qualified officer of the department. This amendment makes the provision consistent with those about delegation of powers in other gambling Acts.

Clause 85 amends section 312 to ensure consistency and avoid duplication across the provisions of the gambling Acts relating to regulation-making power. The provision retains its objective however the drafting style has been amended to ensure a standardised approach to regulation-making powers.

Clause 86 inserts a new division for the transitional provisions associated with clause 83.

Clause 87 amends the Schedule 2 Dictionary to insert definitions of commencement and pre-amended Act to facilitate the amendments made in Part 9.

Part 10 Amendment of Acts

Clause 88 provides for minor technical amendments to the *Casino Control Act 1982*, the *Charitable and Non-Profit Gaming Act 1999*, the *Gambling Legislation Amendment Act 2004*, the *Gaming Machine Act 1991*, the *Interactive Gambling (Player Protection) Act 1998*, the *Keno Act 1996*, the *Lotteries Act 1997* and the *Wagering Act 1998*.