

GAMBLING LEGISLATION AMENDMENT BILL 2004

AMENDMENTS AGREED TO IN COMMITTEE

1 Clause 2—

Page 16, at line 7, after ‘Act’—

insert—

‘, other than sections 4A, 4B, 5A and 18(4) to (7),’.

2 After clause 4—

At page 17, after line 26—

insert—

‘4A Insertion of new s 29A

After section 29—

insert—

‘29A Notice of particular change under casino management agreement

‘(1) This section applies if, under a casino management agreement, a person who is, or may be, the casino operator under the agreement may, from time to time—

- (a) stop being the casino operator; or
- (b) become the casino operator.

‘(2) At least 60 days before the person is to stop being or is to become the casino operator, the relevant person for the casino management agreement must give written notice of the proposed change to the chief executive.

Maximum penalty—40 penalty units.

‘(3) In this section—

“relevant person” means—

- (a) for a casino management agreement entered into by a casino licensee, or a casino licensee and a lessee under a casino lease—the casino licensee; or
- (b) for another casino management agreement—the lessee under a casino lease who entered into the agreement.’.

‘4B Amendment of s 31 (Cancellation or suspension of casino licences and letters of censure)

Section 31(1), from ‘who has entered’ to ‘lease’—

omit, insert—

‘under the agreement’.’.

3 After clause 5—

At page 24, after line 4—

insert—

‘5A Amendment of s 57 (Liability for fees, taxes and levies)

(1) Section 57(2), ‘Where’—

omit, insert—

‘If’.

(2) Section 57(3)—

omit, insert—

‘(3) If—

- (a) the casino operator is not the casino licensee or a lessee under a casino lease and there is no casino lease, the casino operator and the casino licensee; or
- (b) the casino operator is not the casino licensee or a lessee under a casino lease and there is a casino lease, the casino operator, casino licensee and lessee under the lease;

are jointly and severally liable for all fees, taxes and levies payable in accordance with this part.’.’.

4 Clause 18—

At page 39, after line 31—

insert—

‘(4) Schedule, definition “casino management agreement”, ‘the other’—

omit, insert—

‘another’.

(5) Schedule, definition “casino operator”, paragraphs (a) and (b), ‘where’—

omit, insert—

‘if’.

(6) Schedule, definition “casino operator”, paragraph (c)—

omit, insert—

‘(c) if there is a casino management agreement—

(i) for any period in which a person is, for the time being under the agreement, responsible for the management of the casino—that person; or

(ii) for another period—

(A) if there is no casino lease, or there is a casino lease and the lessee under the lease has not entered into the agreement—the casino licensee who entered into the agreement; or

(B) if there is a casino lease and the lessee under the lease has entered into the agreement—the lessee;’.

(7) Schedule, definition “casino operator”, paragraph (f), after ‘licensee’, second mention—

insert—

‘, but does not include the person during any period after the grant of the licence in which the person is not responsible for the management of the casino’.