

Gaming Legislation Amendment Regulation (No. 2) 2014

Explanatory notes for SL 2014 No. 229

made under the

Casino Control Act 1982
Charitable and Non-Profit Gaming Act 1999
Keno Act 1996
Lotteries Act 1997
Wagering Act 1998

General Outline

Short title

Gaming Legislation Amendment Regulation (No. 2) 2014

Authorising law

Section 14A of the *Casino Control Act 1982*
Section 100A of the *Charitable and Non-Profit Gaming Act 1999*
Section 146A of the *Keno Act 1996*
Section 134A of the *Lotteries Act 1997*
Section 208A of the *Wagering Act 1998*

Policy objectives and the reasons for them

On 3 February 2013, the Attorney-General and Minister for Justice approved the use of approved third parties to evaluate 'regulated' wagering and lotteries equipment.

The Office of Liquor and Gaming Regulation (OLGR) has nominated four third party entities to be recommended to the Governor in Council for declaration as approved evaluators. These comprise BMM Australia Pty Ltd, ENEX Pty Ltd, GTA Pty Ltd and QALAB Pty Ltd. These four entities are already licensed as Licensed Testing Facility Operators under the *Gaming Machine Act 1991*.

The entities were proposed following assessment under OLGR's *Criteria and Framework for Approved Evaluators v1.0*. The criteria applied include National Association for Testing Authorities accreditation for compliance with ISO/IEC 17025 standards, and demonstrated experience of performing evaluations of gaming products in other Australian jurisdictions. Probity checks were also undertaken on these entities by the

OLGR in relation to company structure, shareholdings and financial information/data. The outcomes of these probity checks were also found to be acceptable.

OLGR will maintain oversight over the approval process given that it must grant permission for a licensee to use an approved evaluator and OLGR must make the final decision about any recommendation for approval.

A legislative amendment is required to the respective regulations to prescribe the third parties as approved evaluators.

Achievement of policy objectives

The policy objectives are achieved by inserting a new Schedule 1A into the *Casino Control Regulation 1999*, *Charitable and Non-Profit Gaming Regulation 1999*, *Keno Regulation 2007*, *Lotteries Regulation 2007* and *Wagering Regulation 1999* to declare the following entities as approved evaluators:

- BMM Australia Pty Ltd;
- ENEX Pty Ltd;
- GTA Pty Ltd; and
- QALAB Pty Ltd.

Consistency with policy objectives of authorising law

The subordinate legislation is consistent with the objectives of the authorising laws.

Inconsistency with policy objectives of other legislation

The subordinate legislation is consistent with the policy objectives of other legislation.

Benefits and costs of implementation

The proposal is in line with the Government's commitment to red tape reduction, in the form of reduced turn around times and improved client service through access to private sector approved evaluators in addition to Government testing facilities.

Consistency with fundamental legislative principles

The subordinate legislation is consistent with fundamental legislative principles.

Consultation

The Office of Best Practice Regulation was consulted in relation to the need for a Regulatory Impact Statement (RIS) and advised that as it appeared unlikely the proposal would have significant adverse impacts, no RIS was required.

The Department of the Premier and Cabinet and Queensland Treasury and Trade have been consulted and have not indicated any concerns with the proposal.