

Queen's Wharf Brisbane Regulation 2016

Explanatory Notes for SL 2016 No. 62

made under the

Casino Control Act 1982
Queen's Wharf Brisbane Act 2016
Sustainable Planning Act 2009

General outline

Short title

Queen's Wharf Brisbane Regulation 2016

Authorising law

Section 22(2)(f), 70 and 127 of the *Casino Control Act 1982*
Sections 27(1) & (3), 29 and 65 of the *Queen's Wharf Brisbane Act 2016*
Sections 3, 9, 232(2) of the *Sustainable Planning Act 2009*

Policy objectives and the reasons for them

The *Queen's Wharf Brisbane Regulation 2016* (QWB Regulation) will prescribe certain information requirements about a person's voting interests in the casino licensee, or other nominated related entities, in order for investigations to be undertaken to ensure such persons are suitable to be associated or connected with the ownership, administration or management of the casino.

The regulation allows exemptions to be afforded to individuals from having to obtain approvals for their voting power or holdings of interests, or other securities, if there is minimal regulatory reason to obtain that approval. Exemptions may also be applied for the provision of prescribed information if a person has been exempted from seeking approval for their voting power or other interests in the casino licensee or other nominated related entities.

The regulation also amends the *Casino Control Regulation 1999* (Casino Control Regulation) to prescribe additional particulars that are to be included on the Queen's Wharf Casino licence and also extends the time a casino operator has to bank cheques drawn on Australian bank accounts in relation to non-Queensland resident junket participants to align with the timeframe already provided for cheques drawn on foreign bank accounts.

The regulation also makes a number of consequential amendments to the *Sustainable Planning Regulation 2009* to ensure consistency with the amendments to the *Economic Development Act 2012* in relation to PDA-associated development.

Achievement of policy objectives

The policy objectives are achieved by:

- prescribing certain information that must be given to a nominated relevant entity about a person's holdings of voting interests in a specified relevant entity;
- prescribing certain circumstances by which a person, or a class of persons, may be exempt from the requirement to obtain the written approval of the Minister or Governor in Council (as the case may be) to hold voting power in excess of prescribed limits and from the obligation to give notice about their holdings of voting power or other interests in nominated relevant entities;
- amending section 23 of the Casino Control Regulation so that the 30 day timeframe in subsection 23(b) applies to non-Queensland resident junket participants;
- inserting a new section 14A into the Casino Control Regulation to prescribe the following additional licence particulars for the Queen's Wharf Casino licence: name of the integrated resort; types of games; and maximum number (if applicable) of each gaming product that may be operated in the casino;
- amending the definition of 'PDA-related development' in schedule 26 to include 'PDA-associated development' under the *Economic Development Act 2012* and making other related amendments in schedules 3 and 4.

All provisions of the regulation will commence on 27 May 2016.

Consistency with policy objectives of authorising law

The QWB Regulation is consistent with the policy objectives of the authorising laws.

Inconsistency with policy objectives of other legislation

The QWB Regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

There are no significant implementation costs associated with the regulation.

Consistency with fundamental legislative principles

The regulation is consistent with fundamental legislative principles.

Consultation

The Department of the Premier and Cabinet; Queensland Treasury; Department of Infrastructure, Local Government and Planning; Department of State Development; and the Destination Brisbane Consortium have been consulted and are supportive of the regulation.

The Office of Best Practice Regulation has been consulted and has advised that the proposals assessed were excluded from the Regulatory Impact Statement system as they are considered consequential in nature.