

Keno Amendment Regulation (No. 1) 2016

Explanatory notes for SL 2016 No. 171

Made under the

Keno Act 1996

General Outline

Short Title

Keno Amendment Regulation (No. 1) 2016

Authorising law

Sections 143(2) and 243 of the *Keno Act 1996*.

Policy objectives and the reasons for them

The policy objective of the *Keno Amendment Regulation (No. 1) 2016* (Amendment Regulation) is to amend the allowable hours during which appointed agents that hold a commercial hotel licence, community club licence or prescribed liquor licence (relevant liquor licence) can conduct keno operations. The Amendment Regulation provides that keno can be conducted two hours after liquor service ends, or for a later period being the same period of time as the grandfathered hours (see below) for gaming machines at the relevant licensed premises.

Previously, where an appointed agent held a relevant liquor licence, keno operations could only occur on the licensed premises during the times at which liquor was permitted to be consumed on the premises; that is, until 30 minutes after the sale of liquor was required to cease.

On 4 March 2016, the *Tackling Alcohol-Fuelled Violence Legislation Amendment Act 2016* (Amendment Act) received assent, introducing a new liquor service hours regime. On 1 July 2016, available late-night liquor trading hours were reduced to 2am state-wide (or 3am in safe night precincts).

The Amendment Act also removed the link between gaming machine hours and liquor consumption hours under the *Gaming Machine Act 1991*. The Commissioner for Liquor and Gaming (Commissioner) is now able to approve gaming machine hours for up to two hours after the time liquor sales must cease on the premises.

Further, gaming machine hours that were held prior to 1 July 2016 have been “grandfathered”, meaning that licensees have retained their previously held gaming machine hours, and will do so for the duration of the approval.

The Amendment Regulation provides for appointed keno agents that hold a relevant liquor licence to conduct keno operations for two hours after permanently approved liquor sales cease, or for a later period being the same period as the hours of gaming that were retained after 1 July 2016 under the grandfathering provisions of the Amendment Act.

Achievement of policy objectives

The policy objective is achieved by amending section 10 of the *Keno Regulation 2007*, to provide that, where an appointed agent holds a relevant liquor licence, they cannot conduct keno during any periods that are not:

- within a trading period for the premises; or
- if the holder of the liquor licence also holds a gaming machine licence for the premises and the hours of gaming fixed for the premises extend beyond the trading period for the premises—within the hours of gaming fixed for the premises under the gaming machine licence.

The Amendment Regulation defines the *trading period* as two hours following the liquor service hours that are permanently approved for the licensed premises.

In effect, this amendment will allow these appointed agents to conduct keno operations during the hours of permanently approved liquor service and for up to two hours after the permanently approved sale of liquor must cease at the premises or, where later gaming machine hours for the premises have been “grandfathered”, the same duration as these gaming machine hours.

The amendment is consistent with the Government’s *Tackling Alcohol-Fuelled Violence Policy*, which seeks to encourage a diverse and vibrant late-night environment that allows for offerings and services other than liquor to be provided at licensed premises after the sale of liquor ceases.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the policy objective of the Keno Act, which is to ensure that, on balance, the State and the community as a whole benefit from keno gambling.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is consistent with the policy objectives of other legislation.

Benefits and costs of implementation

There are no significant costs associated with the amendment.

Consistency with fundamental legislative principles

The Amendment Regulation is consistent with fundamental legislative principles.

Consultation

Consultation has been undertaken with Tabcorp Holdings Ltd (Tabcorp), the owner of the keno licensee, Keno (QLD) Pty Ltd. Tabcorp indicated that it would support a change to allow keno operations to be conducted after the sale of liquor is required to cease.

The Department of the Premier and Cabinet and Queensland Treasury were consulted and support the amendments.

The Office of Best Practice Regulation has been consulted in relation to the amendment, and has advised that a Regulatory Impact Statement is not required.