

Proclamation No. 2 – Casino Control and Other Legislation Amendment Act 2022

Explanatory notes for SL 2024 No. 176

Made under the

Casino Control and Other Legislation Amendment Act 2022

General Outline

Short Title

Proclamation No. 2 – Casino Control and Other Legislation Amendment Act 2022

Authorising law

Section 2(c) of the *Casino Control and Other Legislation Amendment Act 2022*

Policy objectives and the reasons for them

The *Casino Control and Other Legislation Amendment Act 2022* (Amendment Act), which received assent on 21 October 2022, contains amendments to the *Wagering Act 1998* (Wagering Act) and *Wagering Regulation 1999* to provide the State's exclusive sports wagering licensee under the Wagering Act with the ability to conduct wagering on approved simulated sport and racing events and contingencies (virtual event wagering).

The amendments also provide a framework for Ministerial consideration and approval of virtual events and contingencies, and for the chief executive's evaluation and approval of equipment associated with virtual event wagering.

Section 2(c) of the Amendment Act provides that the provisions relating to virtual event wagering are to commence on a day to be fixed by proclamation, specifically:

- sections 100 to 103;
- section 105;
- sections 112(1) and (2);
- section 114; and
- section 116

Automatic commencement of the provisions, which would ordinarily have occurred 12 months from assent (i.e. 22 October 2023), was postponed by the *Casino Control and Other Legislation (Postponement) Regulation 2023*, to allow the finalisation of implementation arrangements being negotiated between the Government and the State's exclusive sports wagering licensee.

The objective of this Proclamation is to commence these provisions on 30 August 2024.

Achievement of policy objectives

The policy objective is achieved by fixing the commencement date of 30 August 2024 for the provisions of the Amendment Act relating to virtual wagering.

Consistency with policy objectives of authorising law

The Proclamation is consistent with the policy objectives of the Wagering Act.

Inconsistency with policy objectives of other legislation

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

Alternative ways of achieving policy objectives

There are no alternative means to achieve the policy objectives

Benefits and costs of implementation

Costs associated with consideration of applications for virtual wagering will be absorbed within the existing departmental budget. Evaluation and approval of regulated wagering equipment required to generate and host virtual wagering (e.g. the simulated event random number generator) will be levied on a cost-recovery basis, in accordance with existing fee structures for the evaluation of regulated wagering equipment.

The provisions limit the risk of gambling harm by restricting virtual wagering to the exclusive sports wagering licensee's agencies and outlets, with a maximum penalty of 200 penalty units for a licence operator or wagering agent who accepts a wager by phone or other form of communication. The same harm minimisation measures that apply to terrestrial wagering on traditional sports and racing events will therefore apply to virtual wagering, including a ban on the use of credit and the ability for customers to self-exclude from venues. In addition, the provisions maintain safeguards allowing the Government to withdraw an approval for virtual wagering to ensure appropriate action can be taken should harm be identified.

Consistency with fundamental legislative principles

The Proclamation is consistent with fundamental legislative principles.

Consultation

Queensland's exclusive sports wagering licensee was consulted on the Proclamation. The Office of Best Practice Regulation was notified of the proposal. A Summary Impact Analysis Statement has been completed, which identifies that the proclamation is not subject to regulatory impact assessment requirements under the *Queensland Government Better Regulation Policy*, as it is machinery in nature.