

Proclamation – Casino Control and Other Legislation Amendment Act 2024

Human Rights Certificate

Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019* (Human Rights Act), I, Yvette D’Ath MP, Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence provide this human rights certificate with respect to the *Proclamation – Casino Control and Other Legislation Amendment Act 2024* (Proclamation) made under the *Casino Control and Other Legislation Amendment Act 2024* (Amendment Act).

In my opinion, the Proclamation, as tabled in the Legislative Assembly, is compatible with the human rights protected by the Human Rights Act. I base my opinion on the reasons outlined in this statement.

Overview of the Subordinate Legislation

The Amendment Act, which received assent on 28 March 2024, contains amendments to the *Casino Control Act 1982* (Casino Control Act) and *Casino Control Regulation 1999* (Casino Control Regulation) to repeal the quarterly casino licence fee (fee) currently payable by casino licensees, and provide for an annual supervision levy (levy) as recommended by the *External Review of the Queensland Operations of The Star Entertainment Group Limited*.

The purpose of the levy is to fund the regulation and oversight of casinos and the conduct of programs aimed at reducing harm from gambling in Queensland. The Amendment Act provides for the Minister to fix the total amount of the levy which all Queensland casino licensees must contribute to for a financial year, having regard to the amount needed to achieve the levy’s purpose. The Amendment Act further provides for the liability for the levy to be apportioned between casino licensees in accordance with the percentages prescribed in a regulation.

Levy payments are required to be remitted to the chief executive under the Casino Control Act, and are controlled receipts for the purpose of the *Financial Accountability Act 2009*. The Amendment Act also requires that the Minister ensure the operation of the levy legislation, including the framework used by the Minister to fix the total levy amount for each financial year, is periodically reviewed (within three years of commencement, and subsequently at intervals of no more than five years).

Section 2 of the Amendment Act provides that the provisions relating to the levy and the repeal of the fee are to commence on a day to be fixed by proclamation.

The purpose of the Proclamation is to fix 21 June 2024 for the commencement of the following sections of the Amendment Act relating to the levy and the repeal of the fee:

- sections 15 to 23;
- section 85, to the extent it is not in force;
- section 86(2), to the extent it inserts a new definition of ‘supervision levy’; and
- section 100.

Human Rights Issues

Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 *Human Rights Act 2019*)

The Proclamation does not affect or engage a human right as it is machinery in nature.

Conclusion

I consider that the Proclamation is compatible with the Human Rights Act because it does not raise a human rights issue.

YVETTE D'ATH MP
Attorney-General and Minister for Justice
Minister for the Prevention of Domestic and Family Violence

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