



New South Wales

Casino Control Amendment (Junkets) Regulation 1996

under the

Casino Control Act 1992

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Casino Control Act 1992*.

J. RICHARD FACE, M.P.,

Minister for Gaming and Racing

Explanatory note

At present, the *Casino Control Regulation 1995* prohibits an operator of a casino and employees of the casino from organising, promoting or conducting “junkets” (as defined in section 76 of the *Casino Control Act 1992*) involving the casino. The object of this Regulation is to amend the *Casino Control Regulation 1995* so as to remove that prohibition. However, casino employees’ involvement in junkets will be limited to junkets organised, promoted or conducted by the casino operator, and the employees will be permitted to be involved in those junkets only in their capacity as casino employees. (Neither a casino operator nor a casino employee is permitted to act as a representative of another person organising, promoting or conducting a junket involving the casino.)

This Regulation also allows the Casino Control Authority to exempt particular junkets (or junkets of a particular class) from the requirements that participants in junkets be accompanied in the casino by a representative of the promoter, and that the casino operator provide the Authority and the Director of Casino Surveillance with written reports on junkets. Further, the

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casino operator will be obliged to provide the Authority and the Director with a list of participants in a proposed junket (a current requirement) only if the Authority requests that information. The provision specifying the time by which advance notice of junkets must be given to the Authority (clause 17 (2)) is amended for the purposes of clarification.

This Regulation is made under the *Casino Control Act 1992*, and, in particular, sections 76 (Junkets and inducements) and 170 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Casino Control Amendment (Junkets) Regulation 1996*.

2 Commencement

This Regulation commences on 1 December 1996.

3 Amendment of Casino Control Regulation 1995

The *Casino Control Regulation 1995* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 3 Definitions

Omit the definitions of *promoter* and *representative*. Insert instead:

promoter means a person who organises, promotes or conducts a junket, but does not include a casino operator or a casino employee.

representative means a person who is authorised by a promoter to act on the promoter's behalf in the Organisation, promotion or conduct of a junket.

[2] Clauses 13 and 13A

Omit clause 13. Insert instead:

13 Casino operator's involvement with junkets

- (1) A casino operator must not act as a representative of a promoter of a junket involving the casino.

Maximum penalty: 100 penalty units.

- (2) However, a casino operator may organise, promote and conduct such a junket on his or her own behalf.

- (3) The junket may be organised, promoted and conducted by the casino operator personally or by a casino employee at the direction of, and on behalf of, the operator.

13A Casino employee's involvement with junkets

A casino employee must not take part in the organisation, promotion or conduct of a junket involving the casino unless:

- (a) the junket concerned is being organised, promoted or conducted by the casino operator, and
- (b) the employee takes part only in his or her capacity as a casino employee.

Maximum penalty: 100 penalty units.

[3] Clause 17 Advance notice of junkets

Omit “within such shorter period” from clause 17 (2).
Insert instead “by such later time”.

[4] Clause 17 (3)

Omit the subclause. Insert instead:

- (3) However, if the Authority (by notice under subclause (1) or by a subsequent notice) requests the casino operator to provide a list of participants in a proposed junket, the casino operator must provide the list to the Authority and the Director as soon as practicable after receiving the notice.
- (3A) A request under this clause may relate to junkets generally, to a particular junket or to junkets of a particular class.

[5] Clause 18

Omit the clause. Insert instead:

18 Participants in junket to be accompanied

- (1) The promoter of a junket must ensure that the participants in the junket are accompanied, while in the casino, by the promoter or by his or her representative.

Maximum penalty: 50 penalty units.

- (2) The casino operator must ensure that the participants in a junket organised, promoted or conducted by the casino operator are accompanied, while in the casino, by the casino operator or by a casino employee on behalf of the operator.

Maximum penalty: 50 penalty units.

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Schedule 1 Amendments

- (3) However, the Authority may notify the casino operator in writing that participants in a particular junket (or in junkets of a particular class) need not be accompanied while in the casino. The requirements of this clause do not apply to a junket the subject of such a notification.

[6] Clause 19 Report on completion of junket

Insert after clause 19 (4):

- (4A) However, the Authority may notify the casino operator in writing that a report is not required in respect of a particular junket (or in respect of junkets of a particular class). The requirements of this clause do not apply to a junket the subject of such a notification.