



New South Wales

Casino Control Amendment (Miscellaneous) Regulation 2000

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

The objects of this Regulation are:

- (a) to provide for penalty notices for certain offences under the *Casino Control Act 1992*, and
- (b) to modify certain provisions of the *Liquor Act 1982* as they apply to the casino.

The provisions of the *Liquor Act 1982* that are modified relate to the use of licensed premises, the supply of liquor-related or gaming-related services and the posting of notices on internet sites from which liquor is offered for sale. These provisions refer to matters that are prescribed by regulations under the *Liquor Act 1982*. This Regulation prescribes those matters for the purpose of applying the *Liquor Act 1982* provisions to the casino.

This Regulation is made under the *Casino Control Act 1992*, including section 170 (the general regulation-making power) and section 89.

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Clause 1 Casino Control Amendment (Miscellaneous) Regulation 2000

**Casino Control Amendment (Miscellaneous)
Regulation 2000**

1 Name of Regulation

This Regulation is the *Casino Control Amendment (Miscellaneous) Regulation 2000*.

2 Commencement

This Regulation commences on 1 January 2001.

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

Insert in alphabetical order in clause 3:

Infringement Processing Bureau means the Infringement Processing Bureau within the Police Service.

IPB Code for an offence means the code allocated to the offence by the Infringement Processing Bureau.

[2] Clauses 30 and 31

Insert after clause 29:

30 Penalty notice offences

For the purposes of section 168A of the Act:

- (a) each offence created by a provision specified in Column 1 of Schedule 6 is prescribed, and
- (b) the prescribed amount of penalty for such an offence if dealt with under that section is the amount specified opposite the offence in Column 4 of Schedule 6.

31 Short descriptions

- (1) For the purposes of section 145B of the *Justices Act 1902*, the prescribed expression for an offence created by a provision specified in Column 1 of Schedule 6 consists of:
 - (a) if one or more IPB codes are set out in relation to the offence in Column 3 of Schedule 6, any of those IPB codes together with:
 - (i) the text set out in relation to the offence in Column 2 of Schedule 6, or
 - (ii) if a choice of words is indicated in that text, the words remaining after the omission of the words irrelevant to the offence, or

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Schedule 1

Amendments

- (b) if no IPB code is set out in relation to the offence in Column 3 of Schedule 6:
 - (i) the text set out in relation to the offence in Column 2 of Schedule 6, or
 - (ii) if a choice of words is indicated in that text, the words remaining after the omission of the words irrelevant to the offence.
- (2) For the purposes of any proceedings for an offence created by a provision specified in Column 1 of Schedule 6, the prescribed expression for the offence is taken to relate to the offence created by the provision, as the provision was in force when the offence is alleged to have been committed.
- (3) The amendment or repeal of a prescribed expression does not affect the validity of any information, complaint, summons, warrant, notice, order or other document in which the expression is used.
- (4) Subclause (3) applies to any information, complaint, summons, warrant, notice, order or other document (whether issued, given or made before or after the amendment or repeal) that relates to an offence alleged to have been committed before the amendment or repeal.

[3] Schedule 4 Application of Liquor Act 1982 to the casino

Omit section 101 (4) of the *Liquor Act 1982* from Part C. Insert instead:

- (4) In this section:
 - gaming machine*** means a device that is designed:
 - (a) for the playing of a game of chance or a game that is partly a game of chance and partly a game requiring skill, and
 - (b) for paying out money or tokens or for registering a right to an amount of money or money's worth to be paid.
 - gaming or liquor-related services*** means the following services:
 - (a) services that promote the use of gaming machines or of services or facilities relating to gaming machines,

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- (b) services that promote activities, services or facilities of which gaming machines, or services or facilities relating to gaming machines, form part,
 - (c) consultancy or advisory services that include advice on the management or operation of gaming machines or of services or facilities relating to gaming machines,
 - (d) services for the management or supervision of gaming machines or of services or facilities relating to gaming machines,
 - (e) services that promote the sale or supply of liquor,
 - (f) consultancy or advisory services that include advice on the sale or supply of liquor,
 - (g) services for the management or supervision of the sale or supply of liquor.

[4] Schedule 4, Part C

Omit section 116C (3D) of the *Liquor Act 1982*. Insert instead:

- (3D) A licensee who offers liquor for sale through an internet site is guilty of an offence against this Act unless the notice set out below is displayed on the site at all times while it is accessible. The words contained in the notice must be big enough to ensure that a person accessing the internet site would reasonably be expected to be alerted to the contents of the notice.

Maximum penalty: 20 penalty units.

LIQUOR ACT 1982

**IT IS AN OFFENCE TO SELL OR SUPPLY TO OR
TO OBTAIN LIQUOR ON BEHALF OF A PERSON
UNDER THE AGE OF 18 YEARS**

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Schedule 1 Amendments

[5] Schedule 6

Insert after Schedule 5:

Schedule 6 Penalty notice offences

(Clauses 30 and 31)

Column 1	Column 2	Column 3	Column 4
Provision of the Act	Short description	IPB Code	Penalty
Section 86 (2)	employee gamble/solicit/accept benefit in casino	1203, 6123	\$220
Section 86 (3)	former key official gamble in casino	1289, 6124	\$220
Section 87 (1)	cheat in casino	1291, 6127	\$660
Section 87 (1A)	dishonestly retain benefit in casino	1292, 6128	\$220
Section 87 (2)	use card counting device in casino	1299, 6129	\$550
Section 87 (3)	use/ possess cheating equipment in casino	1301, 6580	\$550

BY AUTHORITY