



New South Wales

Casino Control Amendment (RSA Course Certification) Regulation 2011

under the

Casino Control Act 1992

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

GEORGE SOURIS, MP
Minister for Tourism, Major Events, Hospitality and Racing
and Minister for the Arts

Explanatory note

The object of this Regulation is to make amendments to the *Casino Control Regulation 2009* that are consequential on the amendments made to the *Liquor Regulation 2008* by the *Liquor Amendment (RSA Courses and Certification) Regulation 2011*.

This Regulation is made under the *Casino Control Act 1992*, including sections 89, 170 (the general regulation-making power) and Schedule 3.

2011 No 429

Clause 1 Casino Control Amendment (RSA Course Certification) Regulation 2011

Casino Control Amendment (RSA Course Certification) Regulation 2011

under the

Casino Control Act 1992

1 Name of Regulation

This Regulation is the *Casino Control Amendment (RSA Course Certification) Regulation 2011*.

2 Commencement

This Regulation commences on 22 August 2011 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Casino Control Regulation 2009

[1] Clause 39 Definitions

Omit the definition of *recognised RSA certificate*.

Insert in alphabetical order:

former casino RSA certificate means any recognised RSA certificate within the meaning of Part 4A of the *Casino Control Regulation 2001* (before its substitution by the *Casino Control Amendment (Liquor) Regulation 2008*) and in force immediately before 1 July 2008.

recognised RSA certification means a recognised RSA certification within the meaning of Division 1 of Part 5 of the *Liquor Regulation 2008*, and includes a former casino RSA certificate.

[2] Clause 39 (2) and (3)

Insert at the end of clause 39:

- (2) For the purposes of this Part, a recognised RSA certification or other certificate is *current* if it has not yet expired.
- (3) All former casino RSA certificates expire at the end of the day specified under clause 39C (2) of the *Liquor Regulation 2008* for the expiry of all existing RSA certificates within the meaning of Division 1 of Part 5 of that Regulation.

[3] Clauses 40, 41 and 42 (2)

Omit “recognised RSA certificate” wherever occurring.

Insert instead “current recognised RSA certification”.

[4] Clause 40 Obligations of licensee as to responsible service of alcohol

Omit “Maximum penalty: 50 penalty units.”. Insert instead:

Maximum penalty:

- (a) in the case where the staff member concerned holds an expired recognised RSA certification—25 penalty units, or
- (b) in any other case—50 penalty units.

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[5] Clause 42 Obligations in relation to persons carrying on certain security activities

Omit clause 42 (1). Insert instead:

- (1) A person (including the licensee of licensed premises) must not employ or engage a person to carry on activities as a crowd controller or bouncer on or about licensed premises unless the person holds a current recognised RSA certification.

Maximum penalty: 50 penalty units.

[6] Clause 44 Licensee to keep register of RSA certificates

Omit “the recognised RSA certificate” from clause 44 (1) (a).

Insert instead “any current existing RSA certificate”.

[7] Clause 44 (1) (b) and (c)

Omit “the recognised RSA certificate for each” wherever occurring.

Insert instead “any current existing RSA certificate for a”.

[8] Clause 44 (3)

Insert after clause 44 (2):

- (3) In this clause:

existing RSA certificate means any of the following:

- (a) an existing RSA certificate within the meaning of Division 1 of Part 5 of the *Liquor Regulation 2008*,
- (b) a former casino RSA certificate.

[9] Clause 44A

Insert after clause 44:

44A Inspection of recognised RSA certification

- (1) A police officer or inspector may require any of the following persons to produce their recognised competency card or interim RSA certificate to the officer or inspector for inspection:
 - (a) a licensee of licensed premises,
 - (b) a staff member of licensed premises who is involved in the sale, supply or service of liquor by retail on the premises,
 - (c) a person employed or engaged to carry out activities as a crowd controller or bouncer on or about licensed premises.

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- (2) A person must not, without reasonable excuse, refuse to comply with a requirement of a police officer or inspector under subclause (1).

Maximum penalty: 5 penalty units.

- (3) In this clause:
recognised competency card and *interim RSA certificate* have the same meaning as they have in Division 1 of Part 5 of the *Liquor Regulation 2008*.

[10] Clause 54 Penalty notice offences

Insert after clause 54 (2):

- (3) If the reference to a provision in Column 1 of Part 1, 2 or 3 of Schedule 7 is qualified by words that restrict its operation to specified kinds of offences or circumstances, an offence created by the provision is a prescribed offence only if it is an offence of a kind so specified or committed in the circumstances so specified.

[11] Schedule 7 Penalty notice offences

Omit the matter relating to clause 40 of the *Casino Control Regulation 2009*.

Insert instead:

Clause 40:

- | | | |
|-----|--|---------|
| (a) | in the case where the staff member concerned holds an expired recognised RSA certification, or | \$550 |
| (b) | in any other case. | \$1,100 |

[12] Schedule 7

Insert after the matter relating to clause 42 (2) of the *Casino Control Regulation 2009*:

Clause 44A (2)	\$55
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