



New South Wales

Casino Control Amendment Bill 2009

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Casino Control Act 1992* as follows:

- (a) to extend the casino licence review period from 3 to 5 years,
- (b) to extend the period that casino employee licences remain in force from 3 to 5 years,
- (c) to require the Casino, Liquor and Gaming Control Authority (*the Authority*) to publish on its website, rather than in the Gazette, orders approving the games that may be played in the casino and the rules for those games,
- (d) to make other miscellaneous amendments of a minor or consequential nature.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 Amendment of Casino Control Act 1992 No 15

Schedule 1 [1] makes it clear that the definition of *chips* covers not only tokens in a physical form but also tokens that are depicted in an electronic form.

Schedule 1 [2] and [3] provide that the Authority is not to redefine the boundaries of the casino on its own initiative without giving the casino operator at least 14 days' notice and the opportunity to make submissions on the proposed change.

Schedule 1 [4] provides that the review by the Authority as to the casino operator's suitability, and whether it is in the public interest for the casino licence to continue, is to be conducted every 5 years instead of every 3 years.

Schedule 1 [5] provides that a person who is employed in the casino to operate, maintain, construct or repair gaming equipment is required to be licensed as a special employee under the Act only if the gaming equipment that the person is working on is gaming equipment approved by the Authority.

Schedule 1 [6] extends (from 3 to 5 years) the period for which casino employee licences remain in force.

Schedule 1 [7] extends (from 7 to 14 days) the period in which the casino operator is required to notify the Authority when licensed employees start or cease to exercise functions in the casino.

Schedule 1 [8] provides that the plans, diagrams and specifications that the Authority may approve in relation to the layout of the casino no longer need to specifically indicate the manner in which closed circuit television systems operate in the casino or the position or description of catwalk surveillance systems in the casino.

Schedule 1 [9] enables the casino operator to apply to the Authority for the Authority to amend its approval of the casino's layout.

Schedule 1 [10] provides that any order by the Authority approving the games that may be played in the casino (and the rules for those games) must be published on the Authority's website rather than in the Gazette (as is currently the case).

Schedule 1 [11] provides that summaries of the rules of games played in the casino can be provided to casino patrons by the casino operator in a form other than by way of a brochure.

Schedule 1 [12] provides that cheques accepted by the casino operator from overseas accounts must be banked by the casino operator within 30 days (rather than 20 days) after they are accepted.

Schedule 1 [13] increases the penalty, from 10 to 20 penalty units, for offences relating to minors entering the casino or using false evidence of age in order to enter the casino.

Schedule 1 [14] removes a provision specifying the content of the system of internal controls and administrative and accounting procedures for the casino that is approved by the Authority.

Schedule 1 [15] modifies the existing requirements relating to the casino operator's banking arrangements. Rather than requiring the casino operator to hold accounts, as approved by the Authority, at a bank in New South Wales in relation to its casino operations, the proposed amendment will require the casino operator to provide the Authority with the details of its bank accounts (including those kept outside Australia) in relation to its casino operations. The requirement for the casino operator to provide the Authority with access to those accounts is retained. **Schedule 1 [16]** is a consequential amendment.

Schedule 1 [17] provides that the Authority does not have the function of directly supervising the operations of the casino or the conduct of gaming in the casino.

Schedule 1 [18] enables regulations of a savings or transitional nature to be made as a consequence of the proposed Act.

Schedule 1 [19] inserts savings and transitional provisions as a consequence of the proposed Act.

First print



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Casino Control Amendment Bill 2009

No. , 2009

A Bill for

An Act to amend the *Casino Control Act 1992* to make further provision with respect to the casino established under that Act and the control of its operations; and for other purposes.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Casino Control Amendment Act 2009</i> .	3
2 Commencement	4
This Act commences on the date of assent to this Act.	5

Schedule 1	Amendment of Casino Control Act 1992	1
	No 15	2
[1]	Section 3 Definitions	3
	Insert “(including tokens depicted in an electronic form)” after “tokens” in the definition of <i>chips</i> in section 3 (1).	4 5
[2]	Section 19 Authority to define casino premises	6
	Omit “and may be redefined by the Authority from time to time as the Authority thinks fit” from section 19 (1).	7 8
[3]	Section 19 (2) and (2A)	9
	Omit section 19 (2). Insert instead:	10
	(2) The boundaries of a casino may be redefined by the Authority:	11
	(a) on its own initiative, or	12
	(b) on the application of the casino operator.	13
	(2A) The Authority is not to redefine the boundaries of a casino on its own initiative unless it:	14
	(a) notifies the casino operator in writing of the proposed change and gives the casino operator at least 14 days to make submissions to the Authority on the proposal, and	15 16 17 18
	(b) takes any such submissions into consideration before deciding whether to redefine the boundaries.	19 20
[4]	Section 31 Regular investigation of operator’s suitability etc	21
	Omit “not exceeding 3 years” from section 31 (1).	22
	Insert instead “not exceeding 5 years”.	23
[5]	Section 43 Definitions	24
	Insert “approved by the Authority under section 68” after “gaming equipment” in the fifth dot point of paragraph (b) of the definition of <i>special employee</i> in section 43 (1).	25 26 27
[6]	Section 55 Duration of licence	28
	Omit “3 years” from section 55 (e). Insert instead “5 years”.	29
[7]	Section 62 Information relating to licensees to be provided	30
	Omit “7 days” from section 62 (1) (a) and (c) wherever occurring.	31
	Insert instead “14 days”.	32

[8] Section 65 Casino layout to be as approved by Authority	1
Omit section 65 (2). Insert instead:	2
(2) The Authority may approve plans, diagrams and specifications indicating the following:	3
(a) the situation within the casino of gaming facilities, counting rooms, cages and other facilities provided for operations in the casino,	4
(b) the facilities provided for persons conducting monitoring operations and surveillance operations in the casino.	5
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[9] Section 65 (3)	10
Insert “on the application of the casino operator or” after “this section”.	11
[10] Section 66 Approval of games and rules for games	12
Omit section 66 (1). Insert instead:	13
(1) The Authority may, by order in writing, approve the games that may be played in a casino and the rules for those games.	14
	15
(1A) Any such order as in force for the time being must be made publicly available on the Authority’s website.	16
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[11] Section 72 Assistance to patrons	18
Omit “a brochure summarising” from section 72 (1) (c).	19
Insert instead “a summary of”.	20
[12] Section 75 Cheques and deposit accounts	21
Omit “20” from section 75 (6A) (a). Insert instead “30”.	22
[13] Sections 93 and 97	23
Omit “10 penalty units” wherever occurring. Insert instead “20 penalty units”.	24
[14] Section 125 Content of approved system	25
Omit the section.	26
[15] Section 126 Access to bank accounts	27
Omit section 126 (1). Insert instead:	28
(1) It is a condition of a casino licence that the casino operator must:	29
(a) provide the Authority with the details of each bank or other financial institution (whether located in or outside Australia) at which an account is held by the casino	30
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	operator for use in connection with its operations under this Act, and	1
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	(b) provide the Authority, as required, and in a form approved by the Authority, with a written authority addressed to any such bank or other financial institution authorising the bank or financial institution to comply with any requirements of an inspector exercising the powers conferred by this section.	3
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[16]	Section 126 (2)	9
	Omit “that bank, building society or credit union”.	10
	Insert instead “any such bank or other financial institution”.	11
[17]	Section 141 Functions of Authority under this Act	12
	Omit “directly supervise and” from section 141 (2) (j).	13
[18]	Schedule 4 Savings and transitional provisions	14
	Insert at the end of clause 1 (1):	15
	<i>Casino Control Amendment Act 2009</i>	16
[19]	Schedule 4, Part 9	17
	Insert after Part 8:	18
	Part 9 Provisions consequent on enactment of Casino Control Amendment Act 2009	19
		20
	29 Casino licence review period	21
	Section 31, as amended by the <i>Casino Control Amendment Act 2009</i> , extends to a casino licence in force immediately before the commencement of that amendment.	22
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	30 Duration of licences of casino employees	25
	Section 55 (e), as amended by the <i>Casino Control Amendment Act 2009</i> , extends to a licence in force under Part 4 of this Act immediately before the commencement of that amendment.	26
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	31 Approval of casino layout	29
	An approval in force under section 65 immediately before the amendment to that section by the <i>Casino Control Amendment Act 2009</i> is, on the commencement of that amendment, taken to be an approval in force under that section as so amended.	30
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32 Approval of games and rules for games

An order in force under section 66 immediately before the amendment to that section by the *Casino Control Amendment Act 2009* is, on the commencement of that amendment, taken to be an order in force under that section as so amended.

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