



New South Wales

Casino Control Amendment Bill 2018

Explanatory note

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

This Bill is cognate with the *Liquor and Gaming Legislation Amendment Bill 2018*.

Overview of Bill

The object of this Bill is to amend the *Casino Control Act 1992* for the following purposes:

- (a) to defer the required 5-yearly review of a casino licence until the first review of the restricted gaming licence relating to the Barangaroo restricted gaming facility (which will be required within 3 years after gaming commences under the restricted gaming licence),
- (b) to allow the regulations to prescribe a contract or class of contracts as exempt from the “controlled contract” provisions that apply to contracts relating to the supply or servicing of gaming equipment,
- (c) to require identification worn by casino special employees to be in accordance with casino internal controls approved by the Independent Liquor and Gaming Authority (instead of the existing requirement for the identification to be approved by the Authority),
- (d) to require the fee for a casino special employee licence to be prescribed by the regulations instead of being approved by the Authority,
- (e) to authorise the issue and renewal of a casino special employee licence to the holder of a security industry licence without a suitability assessment of the applicant,
- (f) to require the Authority to notify the Commissioner of Police of any disciplinary action taken against the holder of a casino special employee licence who also holds a security industry licence,
- (g) to remove cessation of casino employment as a ground for automatic cancellation of a casino special employee licence,

- (h) to extend the term of a casino special employee licence from 5 to 7 years,
- (i) to provide that the Authority is not required to give reasons for a decision to take disciplinary action against the holder of a casino special employee licence,
- (j) to standardise between the casino and the Barangaroo restricted gaming facility the requirements for the approval of facilities and equipment for monitoring and surveillance operations,
- (k) to repeal a provision that currently allows the Authority to give directions as to the particular games that are or are not to be available to be played in a casino,
- (l) to authorise the provision of complimentary chip purchase vouchers to premium players,
- (m) to repeal the provision that allows the Authority to direct when a casino is to be open or closed to the public for gaming,
- (n) to remove the requirement that a summary of game rules to be provided to a casino patron be approved by the Authority,
- (o) to change the requirement for the notice to be given of a change to a higher minimum wager at a gaming table or location,
- (p) to allow a participant in a premium player arrangement or junket to purchase chips using a debit card,
- (q) to allow a casino operator to release or discharge a debt,
- (r) to allow the provision of credit to a person not ordinarily resident in Australia to enable the person to participate in a premium player arrangement or a junket approved by the Authority (with such credit currently only permitted in the Barangaroo restricted gaming facility),
- (s) to allow the use at a casino of funds deposited with a casino in another jurisdiction that is a related corporation of the first casino,
- (t) to remove the prohibition on a casino operator accepting a cheque from a person when a previous cheque has not been met,
- (u) to simplify the application procedure for a voluntary exclusion order,
- (v) to remove the requirement that premises can only be declared to be in a casino precinct for exclusion order purposes if they are under the control or management of the casino operator,
- (w) to prevent the revocation of a voluntary exclusion order for a person except on the application of the person and to prevent the revocation of such an order less than 6 months after it is given,
- (x) to simplify the information required to be provided to the Authority about exclusion orders made by a casino operator,
- (y) to prohibit wagering in a casino by a minor or a person who is the subject of an exclusion order and to provide for the forfeiture of any winnings from prohibited wagers to the Responsible Gambling Fund,
- (z) to extend the existing exemption from smoking restrictions at the Barangaroo restricted gaming facility to approved private gaming areas in the casino,
- (aa) to require unclaimed winnings to be paid into the Responsible Gambling Fund,
- (ab) to require a casino operator to notify the Authority within 24 hours after a minor is removed from the casino (instead of the existing requirement for notification of an inspector at the time of removal),
- (ac) to make miscellaneous minor amendments,
- (ad) to enact consequential savings and transitional provisions.

The Bill also amends the *Smoke-free Environment Act 2000* to remove redundant provisions affecting a casino.

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 a day or days to be appointed by proclamation.

Schedule 1 Amendment of Casino Control Act 1992 No 15

Review of casino licence

Schedule 1 [2] (section 31) and **Schedule 1 [56]** (clause 38 of Schedule 4) defer the required 5-yearly review of the current casino licence until the first review of the restricted gaming licence. The first review of the restricted gaming licence will be required within 3 years after gaming commences under that licence instead of within 3 years after 15 November 2019 (which is the current requirement).

Special employee licences

Schedule 1 [7] and [8] (section 52 (3) and (3A)) allow the issue of a casino special employee licence that will authorise the exercise of security functions without the usual suitability assessment by the Authority if the employee holds a licence under the *Security Industry Act 1997* authorising the exercise of those functions.

Schedule 1 [9] (section 55 (c)) removes cessation of casino employment as a ground for the automatic cancellation of a casino special employee licence.

Schedule 1 [10] (section 55 (e)) extends the term of a casino special employee licence from 5 to 7 years. **Schedule 1 [56]** (clause 39 of Schedule 4) extends this amendment to a licence that is in force when the amendment commences.

Schedule 1 [12] (section 59 (8) and (9)) makes the following amendments relating to the taking of disciplinary action against the holder of a casino special employee licence:

- (a) the Authority will not be required to give reasons for a decision to take disciplinary action against the holder of a casino special employee licence,
- (b) the Authority will be required to notify the Commissioner of Police of any disciplinary action taken against the holder of a casino special employee licence who is also the holder of a licence under the *Security Industry Act 1997*.

Surveillance and monitoring

Schedule 1 [13] (section 65) removes existing provisions requiring the Authority's approval of the casino layout and extends to the casino the requirements that currently apply to the Barangaroo restricted gaming facility for the Authority's approval of facilities and equipment for monitoring and surveillance operations.

Games available in casino

Schedule 1 [14] (section 66) requires the Authority's approval of games that can be played in a casino and of the rules of those games to be notified on the casino's website instead of on the Authority's website as at present.

Schedule 1 [15] (section 67) repeals a provision that currently allows the Authority to give directions as to the particular games that are or are not to be available to be played in a casino and the minimum and maximum number of particular games.

Complimentary chip purchase vouchers

Schedule 1 [16] (section 70) allows a casino operator to provide complimentary chip purchase vouchers to a person who is a patron of a private gaming area, a participant in a premium player arrangement or junket, or a patron of the Barangaroo restricted gaming facility. Complimentary

chip purchase vouchers can be used to purchase chips or can be used for directly placing a wager. **Schedule 1 [24]** (section 74 (1) (a)) makes a consequential amendment.

Schedule 1 [19] (section 70 (2) (c1)) prevents a complimentary chip purchase voucher from being redeemed for money or a cheque. **Schedule 1 [18]** (section 70 (2) (c)) makes a consequential amendment.

Conduct of gaming

Schedule 1 [20] (section 71) repeals the provision that currently allows the Authority to direct when a casino is to be open or closed to the public for gaming.

Schedule 1 [21] (section 72 (1) (c)) removes a requirement that a summary of game rules to be provided to a casino patron be approved by the Authority and replaces that requirement with a requirement that the summary not be misleading and indicate that it is only a summary.

Schedule 1 [22] (section 72 (1) (d)) allows the minimum and maximum wagers at an electronic gaming terminal to be displayed as part of the terminal display as an alternative to being displayed by means of a sign at the location of the gaming terminal.

Schedule 1 [23] (section 72 (1) (e)) removes the requirement for 20 minutes notice to be given of a change to a higher minimum wager at a gaming table or location and replaces that requirement with a requirement that the change does not apply for 20 minutes to a person playing at the gaming table or location when the change occurs.

Credit, cheques and deposit accounts

Schedule 1 [25] (section 74 (1) (c)) allows a participant in a premium player arrangement or junket to purchase chips using a debit card.

Schedule 1 [27] (section 74 (1) (e)) allows a casino operator to release or discharge a debt by removing the requirement for the approval of the Authority before a casino operator can wholly or partly release or discharge a debt. **Schedule 1 [26]** (section 74 (1) (d)) makes a consequential amendment.

Schedule 1 [28] (section 74 (5)) allows credit to be provided by a casino to a person not ordinarily resident in Australia to enable the person to participate in a premium player arrangement or a junket approved by the Authority (which is currently only permitted in the Barangaroo restricted gaming facility). **Schedule 1 [29]** (section 74 (5) (b)) makes a consequential amendment.

Schedule 1 [32] (section 75 (3)) allows a person who establishes a deposit account with a casino to draw on a deposit account established with a casino in another jurisdiction that is a related corporation of the first casino. **Schedule 1 [30] and [31]** (section 75 (1) and (2)) make consequential amendments.

Schedule 1 [33] (section 75 (6) (a)) removes the existing prohibition on a casino accepting a cheque from a patron when a previous cheque drawn by the patron has not been met.

Exclusion orders

Schedule 1 [37] (section 79 (3)) revises provisions for the making of an application for the voluntary exclusion of a person so that an application can be made for exclusion from either or both of the casino and the Barangaroo restricted gaming facility.

Schedule 1 [35], [36] and [38] (section 79 (1), (2), (4) and (4A)) remove provisions for the exclusion of a person from a casino by means of a verbal exclusion order.

Schedule 1 [40] (section 81 (4) and (5)) removes the requirement that premises in the immediate vicinity of a casino can only be declared to be a casino precinct (which is an area from which a person can be excluded at the direction of the Commissioner of Police) if the premises are under the control or management of the casino operator. **Schedule 1 [39]** (section 81 (1)) makes it clear that an exclusion order made at the direction of the Commissioner of Police is to be made by the casino operator. **Schedule 1 [43]** (section 85 (6) and (7)) makes it clear that the obligation of a casino operator to remove an excluded person from the casino precinct only applies to areas under the control or management of the casino operator and imposes an additional duty to notify police

when an excluded person is in a part of the casino precinct not under the casino operator's control or management.

Schedule 1 [41] (section 82 (3A)) prevents the revocation of a voluntary exclusion order except on the application of the person to whom the order applies and prevents the revocation of such an order less than 6 months (or another period prescribed by the regulations) after it is given.

Schedule 1 [42] (section 83 (2)) streamlines procedures for providing the Authority with the daily list of persons who are subject to exclusion orders. The list will only have to be provided at the request of the Authority or an inspector, instead of having to be provided every day and updated with notification of any new exclusion order made during the day.

Wagering by minors and excluded persons

Schedule 1 [44] (section 86A) prohibits a person from making a wager in a casino if the person is a minor or is the subject of an exclusion order. A person who makes a prohibited wager is not entitled to any winnings from the wager and any winnings are forfeited to the Responsible Gambling Fund.

Smoking

Schedule 1 [45] (section 89A (1)) extends the existing exemption from the *Smoke-free Environment Act 2000* that applies to the Barangaroo restricted gaming facility to a private gaming area within the casino that is approved by the Authority as an area to which that Act is not to apply.

Schedule 1 [46] and [47] (section 89A (2)) extend the existing air quality monitoring requirements that apply to the Barangaroo restricted gaming facility to a private gaming area within the casino in which smoking will be permitted.

Schedule 1 [48] (section 89A (2) (b) and (3)) transfers from the Minister for Health to the Minister the function of receiving and tabling the required annual report about air quality equipment.

Miscellaneous amendments

Schedule 1 [1] (section 3) inserts new definitions. **Schedule 1 [34]** (section 76 (3)) makes a consequential amendment.

Schedule 1 [3] (section 36) allows the regulations to exempt contracts from the requirements that apply to contracts relating to the supply or servicing of gaming equipment as "controlled contracts" under Division 2 of Part 3 of the Act.

Schedule 1 [4] (section 45) requires identification worn by casino special employees to be in accordance with casino internal controls approved by the Authority (instead of the existing requirement for the identification to be approved by the Authority).

Schedule 1 [5] and [11] (sections 46 (1) (a) and 56 (2)) require the fee for a casino special employee licence to be prescribed by the regulations instead of being approved by the Authority.

Schedule 1 [6] (section 46 (3A) and (3B)) provides for information (including photographs and finger prints) about an applicant for a casino special employee licence to be referred to the Commissioner of Police, and for the Commissioner to inquire into and report on the application.

Schedule 1 [17] (section 70 (2)) exempts chips used in a tournament or for training purposes from existing restrictions on the exchange and redemption of chips.

Schedule 1 [49] (section 90) requires unclaimed winnings to be paid into the Responsible Gambling Fund.

Schedule 1 [50] (section 94 (2) and (2A)) removes the existing requirement that an inspector be notified forthwith when a minor is found in a casino (which is in addition to the requirement that the minor be removed) and replaces it with a new requirement that the Authority be notified within 24 hours after the minor is removed. **Schedule 1 [51]** (section 94 (3)) makes a consequential amendment.

Schedule 1 [52] and [53] (sections 115 (9) and 119 (6)) make amendments that are consequential on the amendments made by **Schedule 1 [44] and [49]** (sections 86A and 90).

Schedule 1 [54] and [55] (section 124 (1) and (4)) make it an offence for a casino operator to contravene a requirement of an internal control or administrative or accounting procedure that is approved by the Authority under an existing provision that requires casino operations to be conducted in accordance with a system of internal controls and administrative and accounting procedures approved by the Authority.

Schedule 2 Amendment of Smoke-free Environment Act 2000 No 69

Schedule 2 [1]–[4] remove redundant and spent provisions relating to a casino and exempt areas.



New South Wales

Casino Control Amendment Bill 2018

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New South Wales

Casino Control Amendment Bill 2018

No , 2018

A Bill for

An Act to amend the *Casino Control Act 1992* to make further provision for the regulation and oversight of operations at the casino and the Barangaroo restricted gaming facility; and for other purposes.

The Legislature of New South Wales enacts:

1

1 Name of Act

2

This Act is the *Casino Control Amendment Act 2018*.

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2 Commencement

4

This Act commences on a day or days to be appointed by proclamation.

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Schedule 1	Amendment of Casino Control Act 1992 No 15	1
[1] Section 3 Definitions		2
	Insert in alphabetical order in section 3 (1):	3
	<i>junket</i> —see section 76.	4
	<i>private gaming area</i> means an area in a casino that is approved by the Authority as a private gaming area.	5
	<i>Responsible Gambling Fund</i> means the Fund established under section 115.	6
[2] Section 31		8
	Omit the section. Insert instead:	9
31 Review of casino licence and operator suitability		10
(1)	The Authority must, at intervals not exceeding 5 years, review a casino licence by investigating and forming an opinion as to whether or not:	11
(a)	the casino operator is a suitable person to continue to give effect to the casino licence and this Act, and	12
(b)	it is in the public interest that the casino licence should continue in force.	13
(2)	The Authority is to report its findings and opinion on a review under this section to the Minister, giving reasons for its opinion, and is to take any action under this Act that it considers appropriate in light of its findings.	14
(3)	The regulations may postpone or extend the intervals between reviews required under this section.	15
	Note. See Part 11 of Schedule 4 for the transitional arrangements for reviews under this section following the substitution of this section by the <i>Casino Control Amendment Act 2018</i> (including the arrangements for the first review under this section of the restricted gaming licence).	16
[3] Section 36 Definitions		17
	Insert “, not being a contract or a contract of a class that is prescribed by the regulations as exempt from this definition” after “section 68 (1)” in paragraph (a) of the definition of <i>controlled contract</i> .	18
[4] Section 45 Special employees to display identification		19
	Omit “approved by the Authority” from section 45 (1).	20
	Insert instead “issued in compliance with internal controls approved for the casino under section 124”.	21
[5] Section 46 Application for licence		22
	Omit “fee determined by the Authority” from section 46 (1) (a).	23
	Insert instead “fee prescribed by the regulations”.	24
[6] Section 46 (3A) and (3B)		25
	Insert after section 46 (3):	26
(3A)	The Authority may refer to the Commissioner of Police details of the applicant, copies of any photographs, finger prints and palm prints taken and any supporting information that the Authority considers appropriate for referral to the Commissioner.	27
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(3B)	The Commissioner of Police is to inquire into and report to the Authority on such matters concerning the application as the Authority may request.	1 2
[7]	Section 52 Determination of applications	3
	Insert “(a <i>suitability assessment</i>)” after “assessment” in section 52 (3).	4
[8]	Section 52 (3A)	5
	Insert after section 52 (3):	6
(3A)	In the case of an application for a licence that will only authorise the exercise of functions that comprise the carrying on of a security activity (within the meaning of the <i>Security Industry Act 1997</i>) for which the applicant holds a licence under that Act:	7 8 9 10
(a)	the Authority is entitled to determine the application on the assumption that the applicant is a suitable person to hold a licence and that a suitability assessment is not required, and	11 12 13
(b)	accordingly the Authority is not required to investigate or inquire into the application.	14 15
[9]	Section 55 Duration of licence	16
	Omit section 55 (c).	17
[10]	Section 55 (e)	18
	Omit “5 years”. Insert instead “7 years”.	19
[11]	Section 56 Renewal of licence	20
	Omit “fee determined by the Authority” from section 56 (2).	21
	Insert instead “fee prescribed by the regulations”.	22
[12]	Section 59 Disciplinary action against licensee	23
	Insert after section 59 (7):	24
(8)	The Authority is not required to give reasons for its decision to take disciplinary action against a licensee under this section but may give reasons if it thinks fit.	25 26 27
(9)	The Authority is to notify the Commissioner of Police of any disciplinary action taken against a licensee under this section if the Authority is aware that the licensee is the holder of a licence under the <i>Security Industry Act 1997</i> .	28 29 30
[13]	Section 65	31
	Omit the section. Insert instead:	32
65	Approval of facilities and equipment for monitoring and surveillance	33
	It is a condition of a casino licence that:	34
(a)	the facilities and equipment provided for persons conducting monitoring and surveillance of operations in the casino must be to a standard approved by the Authority, and	35 36 37
(b)	the location and orientation of those facilities and equipment must be as approved by the Authority.	38 39

[14] Section 66 Approval of games and rules for games	1
Omit “Authority’s website” from section 66 (1A).	2
Insert instead “casino’s website”.	3
[15] Section 67 Directions as to games to be available in casino	4
Omit the section.	5
[16] Section 70 Conduct of gaming	6
Insert after section 70 (1):	7
(1A) A casino operator is permitted to provide complimentary chip purchase vouchers to a person who is a patron of a private gaming area, a participant in a premium player arrangement or junket, or a patron of the Barangaroo restricted gaming facility, and the following provisions apply in respect of any such complimentary chip purchase voucher:	8
(a) chips may be issued for gaming in the casino that are paid for by means of a complimentary chip purchase voucher,	9
(b) wagers may be placed in the casino by means of a complimentary chip purchase voucher (not just by means of chips paid for by means of a complimentary chip purchase voucher).	10
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[17] Section 70 (2)	18
Insert “(other than chips issued for use in a tournament or for training purposes)” after “chips” where firstly occurring.	19
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[18] Section 70 (2) (c)	21
Insert “(other than complimentary chip purchase vouchers)” after “chip purchase vouchers”.	22
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[19] Section 70 (2) (c1)	24
Insert after section 70 (2) (c):	25
(c1) a complimentary chip purchase voucher must not be wholly or partly redeemed for money or a cheque,	26
	27
[20] Section 71 Times of operation of casino	28
Omit the section.	29
[21] Section 72 Assistance to patrons	30
Omit section 72 (1) (c). Insert instead:	31
(c) a summary of the game rules in respect of a game played in the casino is provided to a casino patron on request, being a summary that is not misleading and includes a statement indicating that it is only a summary of the game rules, and	32
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[22] Section 72 (1) (d)	36
Insert “(with such a sign not being required at an electronic gaming terminal if the terminal display indicates the permissible minimum and maximum wagers for the game concerned)” after “game played there”.	37
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[23] Section 72 (1) (e)	1
Omit the paragraph. Insert instead:	2
(e) any change to a minimum wager to a higher minimum wager in respect of a game at a table or location does not apply for at least 20 minutes to a player who is playing at the table or location at the time of the change.	3 4 5
[24] Section 74 Credit prohibited	6
Insert “(or by means of a complimentary chip purchase voucher as permitted by section 70)” after “chips” in section 74 (1) (a).	7 8
[25] Section 74 (1) (c)	9
Insert “(other than a debit card transaction with a person who is a participant in a premium player arrangement or junket)” after “debit card”.	10 11
[26] Section 74 (1) (d)	12
Omit “or”.	13
[27] Section 74 (1) (e)	14
Omit the paragraph.	15
[28] Section 74 (5)	16
Omit “the holder of a restricted gaming licence”.	17
Insert instead “a casino operator (or an agent of the operator or a casino employee)”.	18
[29] Section 74 (5) (b)	19
Omit “within the meaning of section 76”.	20
[30] Section 75 Cheques and deposit accounts	21
Insert in alphabetical order in section 75 (1):	22
<i>related casino operator</i> means a casino operator in another State or Territory that is related (within the meaning of the <i>Corporations Act 2001</i> of the Commonwealth) to a casino operator under this Act.	23 24 25
[31] Section 75 (2)	26
Omit “A casino operator may establish for a person a deposit account”.	27
Insert instead “A person may establish with a casino operator a deposit account”.	28
[32] Section 75 (3)	29
Omit the subsection. Insert instead:	30
(3) A casino operator may debit to a deposit account established with the casino operator or with a related casino operator an amount to the value of chip purchase vouchers issued to, money paid to or a cheque made payable to the account holder by the casino operator, but not so as to cause the account to be overdrawn at any time.	31 32 33 34 35
[33] Section 75 (6) (a)	36
Omit the paragraph.	37

[34] Section 76 Junkets and inducements	1
Omit “In this section” from section 76 (3). Insert instead “In this Act”.	2
[35] Section 79 Exclusion of persons from casino	3
Omit “by order given to a person verbally or in writing” from section 79 (1).	4
Insert instead “by order in writing (an <i>exclusion order</i>) given to a person”.	5
[36] Section 79 (2)	6
Omit the subsection.	7
[37] Section 79 (3)	8
Omit the subsection. Insert instead:	9
(3) The Authority or a casino operator must give an exclusion order to a person on the person’s voluntary application to the Authority or casino operator and the following provisions apply in respect of a voluntary application for an exclusion order:	10
(a) the application must be in writing and the person’s signature on it must be witnessed in a manner determined by the Authority,	11
(b) a voluntary application can relate to either or both casinos,	12
(c) a voluntary application relating to both casinos can be made to the Authority or to either casino operator,	13
(d) a voluntary application relating to both casinos that is made to a casino operator is to be notified by the casino operator to the other casino operator without delay and is to be dealt with by the casino operators as if made to each of them.	14
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[38] Section 79 (4) and (4A)	23
Omit “a written order is given to a person under this section” wherever occurring.	24
Insert instead “an exclusion order is given to a person”.	25
[39] Section 81 Commissioner of Police may direct that person be excluded from casino and casino precinct	26
Omit section 81 (1). Insert instead:	27
(1) The Commissioner of Police may direct that a person be given an exclusion order by giving a direction to both casino operators to give the person or cause the person to be given an exclusion order and it is a condition of each casino licence that the casino operator must comply with the direction.	28
Note. Such a direction must be given to both casino operators so that the person will be banned from both casinos.	29
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[40] Section 81 (4)	35
Omit section 81 (4) and (5). Insert instead:	36
(4) The regulations may declare the whole or a specified part of specified premises that form part of or are in the immediate vicinity of the building or complex of which a casino forms part to be the <i>casino precinct</i> for the purposes of this section and this section then has effect as if the casino precinct formed part of the casino.	37
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[41] Section 82 Duration and revocation of exclusion orders	1
Insert after section 82 (3):	2
(3A) The following requirements apply to the revocation of an exclusion order given on the voluntary application of a person under section 79 (3):	3
(a) the order cannot be revoked except on the written application of the person,	4
(b) the person cannot apply for revocation of the order within 6 months (or such other period as may be prescribed by the regulations) after the order was given.	5
[42] Section 83 List of excluded persons	6
Omit section 83 (2). Insert instead:	7
(2) It is a condition of a casino licence that the casino operator must on request by the Authority or an inspector provide the Authority or the inspector, as soon as practicable after the request is made, with a copy of the list referred to in subsection (1) that bears the date of the day on which the request is made.	8
[43] Section 85 Removal of excluded person from casino	9
Insert after section 85 (5):	10
(6) This section does not authorise or require a person to be removed from or prevented from entering any part of the casino precinct (declared by the regulations under section 81) unless that part of the casino precinct is under the control or management of the casino operator.	11
(7) A person to whom this section applies must, as soon as practicable after it becomes known to the person that a person the subject of an exclusion order that extends to the casino precinct is in any part of the casino precinct that is not under the control or management of the casino operator, notify a police officer of that fact.	12
Maximum penalty: 20 penalty units.	13
[44] Section 86A	14
Insert after section 86:	15
86A Wagering by minors and excluded persons prohibited	16
(1) A person is prohibited from making any wager in a casino if the person is a minor or is the subject of an exclusion order for the casino.	17
(2) A person is not entitled to any winnings from a successful wager in a casino that the person is prohibited from making by this section and those winnings are forfeited to the casino operator by operation of this section. The winnings from a wager do not include the amount wagered.	18
(3) A casino operator must pay the amount of any winnings forfeited to the casino operator by operation of this section into the Responsible Gambling Fund within 3 months after the winnings are forfeited.	19
Maximum penalty: 50 penalty units.	20
(4) For the purposes of this section, <i>winnings</i> includes any prize (whether monetary or non-monetary) and winnings in the form of credits on gaming machines or electronic gaming tables. The amount of any non-monetary prize is the monetary value of the non-monetary prize.	21

[45] Section 89A Application of Smoke-free Environment Act 2000	1
Omit section 89A (1). Insert instead:	2
(1) The <i>Smoke-free Environment Act 2000</i> does not apply to or in respect of:	3
(a) the Barangaroo restricted gaming facility, or	4
(b) a private gaming area within a casino that is approved by the Authority for the time being as a private gaming area in which that Act is not to apply.	5 6 7
[46] Section 89A (2)	8
Omit “restricted gaming licence”. Insert instead “casino licence”.	9
[47] Section 89A (2) (a)	10
Insert “and in any private gaming areas of a casino where the <i>Smoke-free Environment Act 2000</i> does not apply” after “restricted gaming facility”.	11 12
[48] Section 89A (2) (b) and (3)	13
Omit “for Health” wherever occurring.	14
[49] Section 90	15
Insert after section 89A:	16
90 Unclaimed winnings	17
(1) A casino operator must pay the amount of any unclaimed winnings from games played in the casino into the Responsible Gambling Fund within 3 months after the winnings become unclaimed winnings.	18 19 20
Maximum penalty: 50 penalty units.	21
(2) Winnings become unclaimed winnings if they are not claimed within 12 months after a win. Unclaimed winnings are not subject to any deduction for the amount wagered.	22 23 24
(3) For the purposes of this section, <i>winnings</i> includes any prize (whether monetary or non-monetary) and winnings in the form of credits on gaming machines or electronic gaming tables. The amount of any non-monetary prize is the monetary value of the non-monetary prize.	25 26 27 28
[50] Section 94 Minors in casino—offences by casino operator	29
Omit section 94 (2). Insert instead:	30
(2) If a minor is in a casino, the casino operator is guilty of an offence unless the minor is immediately removed from the casino.	31 32
Maximum penalty: 50 penalty units.	33
(2A) If a minor is removed from the casino by an agent or employee of the casino operator, the casino operator must notify the Authority of the removal within 24 hours after the minor is removed.	34 35 36
Maximum penalty: 50 penalty units.	37
[51] Section 94 (3)	38
Omit “under this section”. Insert instead “under subsection (1) or (2)”.	39

[52] Section 115 Responsible gambling levy and fund	1
Insert after section 115 (8):	2
(9) Amounts paid into the Fund under section 86A (Wagering by minors and excluded persons prohibited) or 90 (Unclaimed winnings) are to be applied under this section in the same way as levies paid into the Fund under this section, and for that purpose a trust deed under this section applies to any such amounts as if they were levies paid into the Fund (but not so as to reduce the levies payable under this section).	3 4 5 6 7 8
[53] Section 119 Interest on overdue amounts	9
Insert after section 119 (5):	10
(6) If an amount required to be paid into the Responsible Gambling Fund under section 86A (Wagering by minors and excluded persons prohibited) or 90 (Unclaimed winnings) is not paid into the Fund by the date required for payment, interest is payable under this section as if the amount were responsible gambling levy not paid by the due date.	11 12 13 14 15
[54] Section 124 Approved system of controls and procedures to be implemented	16
Omit section 124 (1). Insert instead:	17
(1) It is a condition of a casino licence that the casino operator is to conduct operations in the casino in accordance with a system of internal controls and administrative and accounting procedures for the casino that have been approved of in writing by the Authority.	18 19 20 21
[55] Section 124 (4)	22
Omit the subsection. Insert instead:	23
(4) A casino operator must not contravene a requirement of an internal control or administrative or accounting procedure that is approved for the time being under this section for the casino. Maximum penalty: 200 penalty units.	24 25 26 27
[56] Schedule 4 Savings and transitional provisions	28
Insert after Part 10:	29
Part 11 Provisions consequent on enactment of Casino Control Amendment Act 2018	30 31
37 Definition	32
In this Part: <i>amending Act</i> means the <i>Casino Control Amendment Act 2018</i> .	33 34
38 Review of casino licence and operator suitability	35
The following requirements apply to the first review of a casino licence under section 31 as substituted by the amending Act:	36 37
(a) the first review of a restricted gaming licence is to be conducted within 3 years after gaming commences under the restricted gaming licence,	38 39
(b) the first review of a casino licence that is not a restricted gaming licence is to be conducted concurrently with the first review of a restricted gaming licence (even if the first review of a restricted gaming licence	40 41 42

occurs more than 5 years after section 31 is substituted by the amending Act).

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39 Duration of special employee licences

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The amendment made by the amending Act to section 55 (e) extends to a licence that is in force when the amendment commences.

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Schedule 2	Amendment of Smoke-free Environment Act 2000	1
	No 69	2
[1]	Section 4 Definitions	3
	Omit the definition of <i>exempt area</i> .	4
[2]	Section 6 Smoke-free areas—enclosed public places	5
	Omit section 6 (3).	6
[3]	Part 3 Exempt areas	7
	Omit the Part.	8
[4]	Schedule 1 Examples of places that are smoke-free if they are enclosed public places	9
	Omit “a casino private gaming area or”.	10