

Casino Control Amendment Act 2018 No 8

[2018-8]



New South Wales

Status Information

Currency of version

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Provisions in force

Some, but not all, of the provisions displayed in this version of the legislation have commenced.

Notes—

- **Note**

Amending Acts and amending provisions are subject to automatic repeal pursuant to sec 30C of the [Interpretation Act 1987 No 15](#) once the amendments have taken effect.

Authorisation

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Casino Control Amendment Act 2018 No 8



New South Wales

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.

1 Name of Act

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

2 Commencement

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

Schedule 1 Amendment of *Casino Control Act 1992 No 15*

[1] Section 3 Definitions

Insert in alphabetical order in section 3 (1):

junket—see section 76.

private gaming area means an area in a casino that is approved by the Authority as a private gaming area.

Responsible Gambling Fund means the Fund established under section 115.

[2]-[12] (Repealed)

[13] Section 65

Omit the section. Insert instead:

65 Approval of facilities and equipment for monitoring and surveillance

It is a condition of a casino licence that:

- (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

- (b) the location and orientation of those facilities and equipment must be as approved by the Authority.

[14], [15] (Repealed)

[16] Section 70 Conduct of gaming

Insert after section 70 (1):

- (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:
 - (a) chips may be issued for gaming in the casino that are paid for by means of a complimentary chip purchase voucher,
 - (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).

[17] Section 70 (2)

Insert “(other than chips issued for use in a tournament or for training purposes)” after “chips” where firstly occurring.

[18] Section 70 (2) (c)

Insert “(other than complimentary chip purchase vouchers)” after “chip purchase vouchers”.

[19] Section 70 (2) (c1)

Insert after section 70 (2) (c):

- (c1) a complimentary chip purchase voucher must not be wholly or partly redeemed for money or a cheque,

[20]-[23] (Repealed)

[24] Section 74 Credit prohibited

Insert “(or by means of a complimentary chip purchase voucher as permitted by section 70)” after “chips” in section 74 (1) (a).

[25] Section 74 (1) (c)

Insert “(other than a debit card transaction with a person who is a participant in a premium player arrangement or junket)” after “debit card”.

[26], [27] (Repealed)

[28] Section 74 (5)

Omit “the holder of a restricted gaming licence”.

Insert instead “a casino operator (or an agent of the operator or a casino employee)”.

[29] Section 74 (5) (b)

Omit “within the meaning of section 76”.

[30]-[33] (Repealed)

[34] Section 76 Junkets and inducements

Omit “In this section” from section 76 (3). Insert instead “In this Act”.

[35]-[39] (Repealed)

[40] Section 81 (4)

Omit section 81 (4) and (5). Insert instead:

- (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 **casino precinct** for the purposes of this section and this section then has effect as if the casino precinct formed part of the casino.

[41], [42] (Repealed)

[43] Section 85 Removal of excluded person from casino

Insert after section 85 (5):

- (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.
- (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.

Maximum penalty: 20 penalty units.

[44] Section 86A

Insert after section 86:

86A Wagering by minors and excluded persons prohibited

- (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.
- (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.
- (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.

Maximum penalty: 50 penalty units.

- (4) For the purposes of this section, **winnings** 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.

[45] Section 89A Application of [Smoke-free Environment Act 2000](#)

Omit section 89A (1). Insert instead:

- (1) The [Smoke-free Environment Act 2000](#) does not apply to or in respect of:
 - (a) the Barangaroo restricted gaming facility, or
 - (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.

[46] Section 89A (2)

Omit “restricted gaming licence”. Insert instead “casino licence”.

[47] Section 89A (2) (a)

Insert “and in any private gaming areas of a casino where the [Smoke-free Environment Act 2000](#) does not apply” after “restricted gaming facility”.

[48] Section 89A (2) (b) and (3)

Omit “for Health” wherever occurring.

[49] Section 90

Insert after section 89A:

90 Unclaimed winnings

- (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.

Maximum penalty: 50 penalty units.

- (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.
- (3) For the purposes of this section, **winnings** 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.

[50], [51] (Repealed)

[52] Section 115 Responsible gambling levy and fund

Insert after section 115 (8):

- (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).

[53] Section 119 Interest on overdue amounts

Insert after section 119 (5):

- (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.

[54] Section 124 Approved system of controls and procedures to be implemented

Omit section 124 (1). Insert instead:

- (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.

[55] Section 124 (4)

Omit the subsection. Insert instead:

- (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.

[56] (Repealed)

Schedule 2 Amendment of [Smoke-free Environment Act 2000 No 69](#)

[1] Section 4 Definitions

Omit the definition of *exempt area*.

[2] Section 6 Smoke-free areas—enclosed public places

Omit section 6 (3).

[3] Part 3 Exempt areas

Omit the Part.

[4] Schedule 1 Examples of places that are smoke-free if they are enclosed public places

Omit “a casino private gaming area or”.