

*I hereby certify that this PUBLIC BILL has finally passed the
Legislative Assembly of Queensland.*

M. R. S.

Legislative Assembly Chamber,
Brisbane,

The Clerk of the Parliament.
28 March 2024

In the name and on behalf of the King, I assent to this Bill.

Government House,
Brisbane,

John Young

28th March

2024.



Queensland

No. 10 of 2024

A BILL for

An Act to amend the Casino Control Act 1982, the Casino Control Regulation 1999, the Gaming Machine Act 1991, the Gaming Machine Regulation 2002, the Keno Act 1996 and the Wagering Act 1998 for particular purposes



Queensland

Casino Control and Other Legislation Amendment Bill 2024

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2024

A Bill

for

An Act to amend the Casino Control Act 1982, the Casino Control Regulation 1999, the Gaming Machine Act 1991, the Gaming Machine Regulation 2002, the Keno Act 1996 and the Wagering Act 1998 for particular purposes

The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Act may be cited as the *Casino Control and Other Legislation Amendment Act 2024*.

2 Commencement

- (1) The following provisions commence on a day to be fixed by proclamation—
 - (a) sections 15 to 23;
 - (b) section 58 and 59;
 - (c) sections 61 and 62;
 - (d) sections 63(3) to (5);
 - (e) sections 64 to 66;
 - (f) section 68;
 - (g) sections 70 and 71;
 - (h) section 73;
 - (i) section 75;
 - (j) section 85, to the extent it inserts new sections 153 to 155;
 - (k) section 86(2), to the extent it inserts new definitions *exclusion notice*, *interstate exclusion*, *interstate police commissioner* and *supervision levy*;
 - (l) section 100.
- (2) Parts 4 to 7 commence on the day that is 6 months after the date of assent.

Part 2 **Amendment of Casino Control Act 1982**

3 Act amended

This part amends the *Casino Control Act 1982*.

4 Amendment of s 17 (Commissioner of police service to notify changes in criminal history)

(1) Section 17, heading, ‘Commissioner of police service’—

omit, insert—

Police commissioner

(2) Section 17(1)(a) and (4), ‘commissioner of the police service’—

omit, insert—

police commissioner

5 Amendment of s 20 (Suitability of casino licensee and other persons)

Section 20(3), ‘commissioner of the police service’—

omit, insert—

police commissioner

6 Amendment of s 29A (Notice of particular change under casino management agreement)

Section 29A(2), penalty, ‘40 penalty units’—

omit, insert—

100 penalty units

[s 7]

7 Amendment of s 30 (Investigations concerning continued suitability of casino licensee etc.)

(1) Section 30(2), ‘or report’—

omit, insert—

or reports

(2) Section 30(2)—

insert—

(d) a report given to the Minister under section 90S.

(3) Section 30(4), ‘commissioner of the police service’—

omit, insert—

police commissioner

8 Amendment of s 30B (Notice of particular contraventions and breaches)

Section 30B(5), definition *agreement Act*—

omit.

9 Amendment of s 31 (Disciplinary action)

Section 31(1)(f), after ‘under section 30(1)’—

insert—

or a review carried out under part 9, division 3B

10 Amendment of s 34 (Unlicensed persons not to be casino key employees or casino employees)

(1) Section 34(2), penalty, ‘200 penalty units’—

omit, insert—

400 penalty units

(2) Section 34(3), penalty, ‘200 penalty units’—

omit, insert—

400 penalty units

11 Amendment of s 36 (Requirement to apply for casino key employee licence in certain cases)

(1) Section 36(3), penalty, ‘200 penalty units’—

omit, insert—

400 penalty units

(2) Section 36(4), penalty, ‘200 penalty units’—

omit, insert—

400 penalty units

12 Amendment of s 37 (Consideration of application)

Section 37(3), ‘commissioner of the police service’—

omit, insert—

police commissioner

13 Amendment of s 43A (Investigations about casino key employees or casino employees)

Section 43A(8), ‘commissioner of the police service’—

omit, insert—

police commissioner

14 Amendment of s 47 (Termination of employment of employee and notification of termination of employment)

Section 47(2), penalty, ‘40 penalty units’—

omit, insert—

100 penalty units

[s 15]

15 Replacement of pt 5, hdg (Fees, taxes and levies)

Part 5, heading—

omit, insert—

Part 5 Levies and taxes

16 Omission of s 50 (Casino licence fee)

Section 50—

omit.

17 Insertion of new pt 5, div 1

Part 5—

insert—

Division 1 Supervision levy

50 Purpose of division

(1) The purpose of this division is to fund—

- (a) the regulation and oversight of casinos in a way that promotes the object of this Act; and
- (b) the conduct of programs aimed at reducing harm from gambling in Queensland.

(2) In this section—

gambling includes—

- (a) playing a game under a gaming Act; and
- (b) otherwise betting or wagering money.

game includes a game that may be conducted or played under a gaming Act.

50A Liability for supervision levy

A casino licensee must pay to the chief executive, for each financial year in which the licensee holds a casino licence, a levy (a ***supervision levy***) of the amount for which the licensee is liable under section 50B.

50B Amount of supervision levy

- (1) Before the start of each financial year—
 - (a) the Minister must fix the total amount of the supervision levy that is payable for the financial year for all casino licences (the ***total levy amount***); and
 - (b) the chief executive must notify the amount fixed by the Minister by publishing a notice on the department’s website.
- (2) In deciding the total levy amount for a financial year, the Minister must have regard to the amount likely to be needed for the purpose stated in section 50.
- (3) For each financial year, a casino licensee is liable for the proportion of the total levy amount prescribed by regulation.
- (4) To remove any doubt, it is declared that a regulation under subsection (3) may prescribe different proportions for different casino licensees.
- (5) Before recommending to the Governor in Council the making of a regulation prescribing the proportion of the total levy amount payable by a casino licensee for a financial year, the Minister may have regard to the amounts that are, or are estimated to be—

[s 17]

- (a) the total casino gross revenue for the casino for the months in 1 or more previous financial years; and
 - (b) the total amount of casino gross revenue for all casinos for the months in the same previous financial years.
- (6) If a casino licensee starts or stops holding a casino licence during a financial year, the amount for which the casino licensee is liable for the financial year under subsection (3) is not affected.
- (7) Despite subsection (1), the Minister may fix the total levy amount for a financial year, and the chief executive may notify the amount fixed, after 1 July in the financial year with retrospective operation to 1 July in the financial year.
- (8) Subsection (7) applies despite the *Statutory Instruments Act 1992*, section 34.

50C Contribution notice for supervision levy

- (1) The chief executive must give a notice to each casino licensee, before or during each financial year, stating—
 - (a) the amount of the supervision levy payable by the casino licensee for the financial year; and
 - (b) that the amount is payable in 4 quarterly instalments; and
 - (c) the day by which each instalment must be paid, which may be before the start of the quarter to which the instalment relates; and
 - (d) how each instalment must be paid.
- (2) The due day stated in the notice for payment of the first instalment must not be earlier than 14 days after the notice is given.

- (3) The chief executive may give a notice to a casino licensee allowing further time for payment of an instalment.
- (4) A casino licensee must pay the amount of the supervision levy for which the casino licensee is liable in accordance with a notice under subsection (1) or (3).

50D Dealing with supervision levy

Each amount of supervision levy received under this part—

- (a) is a controlled receipt for the *Financial Accountability Act 2009*; and
- (b) may be used for the purpose stated in section 50.

50E Periodic reviews of division

- (1) The Minister must ensure the operation of this division, including the framework used by the Minister to fix the total levy amount for each financial year, is periodically reviewed under this section.
- (2) A regulation may make provision about a review including, for example, provision about the matters to be reviewed and the way the review is to be conducted.
- (3) A review must be carried out as soon as practicable after the day that is 3 years after the commencement of this section.
- (4) Further reviews must be carried out at intervals of not more than 5 years.
- (5) The reviewer for a review must give a report on the review to the Minister.
- (6) Within 3 sitting days after receiving a report, the

[s 18]

Minister must table a copy in the Legislative Assembly.

18 Insertion of new pt 5, div 2, hdg

Before section 51—

insert—

Division 2 Casino tax

19 Insertion of new pt 5, div 3, hdg

After section 53—

insert—

Division 3 General

20 Amendment of s 54 (Disposition of casino licence fees etc.)

- (1) Section 54, heading, ‘casino licence fees etc.’—

omit, insert—

taxes and application fees

- (2) Section 54, ‘licence fees, casino’—

omit.

21 Amendment of s 55 (Penalty for late payment)

- (1) Section 55(1), ‘casino licence fee’—

omit, insert—

supervision levy

- (2) Section 55(3), after ‘section’—

insert—

on an amount of casino tax

(3) Section 55(5)—

omit, insert—

(5) The following applies to an amount of penalty or additional penalty received under this section—

(a) an amount charged on unpaid supervision levy—

(i) is a controlled receipt for the *Financial Accountability Act 2009*; and

(ii) may be used for the purpose stated in section 50;

(b) an amount charged on unpaid casino tax must be paid to the consolidated fund.

22 Amendment of s 56 (Recovery of fees, taxes and levies)

Section 56, ‘fees,’—

omit.

23 Amendment of s 57 (Liability for fees, taxes and levies)

Section 57, ‘fees,’—

omit.

24 Insertion of new pt 6, div 1, hdg

Before section 58—

insert—

Division 1

**Particular matters about
casino operation**

25 Amendment of s 59 (Casino layout)

(1) Section 59(1), penalty, ‘40 penalty units’—

[s 26]

omit, insert—

200 penalty units

- (2) Section 59(2), penalty, ‘40 penalty units’—

omit, insert—

200 penalty units

26 Amendment of s 60 (Changes to casino layout)

Section 60(2), penalty, ‘40 penalty units’—

omit, insert—

100 penalty units

27 Amendment of s 61 (Hours of operation)

- (1) Section 61(2), penalty, ‘40 penalty units’—

omit, insert—

200 penalty units

- (2) Section 61(6), ‘first had and obtained’—

omit.

- (3) Section 61(6), penalty, ‘100 penalty units’—

omit, insert—

200 penalty units

- (4) Section 61(8), penalty, ‘40 penalty units’—

omit, insert—

200 penalty units

- (5) Section 61(7A) to (8)—

renumber as section 61(8) to (10).

28 Amendment of s 62 (Gaming equipment and chips)

- (1) Section 62(4)—

insert—

- (c) anything relating to the equipment for which there is a requirement under section 72E or 72M.

- (2) Section 62(21), penalty, ‘40 penalty units’—

omit, insert—

200 penalty units

29 Amendment of s 62A (Gaming equipment outside of casino)

- (1) Section 62A(1), penalty, ‘200 penalty units’—

omit, insert—

1,000 penalty units

- (2) Section 62A(4), penalty, ‘200 penalty units’—

omit, insert—

1,000 penalty units

30 Amendment of s 63 (Casino games)

- (1) Section 63(6), penalty, ‘40 penalty units’—

omit, insert—

200 penalty units

- (2) Section 63(9) and (10), ‘rules made under subsection (1) for the game’—

omit, insert—

rules of the game

31 Amendment of s 64 (Help for patrons about rules of games)

Section 64(1)(a)—

[s 32]

omit, insert—

- (a) when asked by a casino patron for a copy of the rules for the playing of a game, other than a machine game, give the patron a copy of the rules of the game to look at; and

32 Omission of s 64AA (Claims for prizes for casino based keno games)

Section 64AA—

omit.

33 Amendment of s 64A (Wagers other than permissible minimum and maximum wagers)

Section 64A(4), penalty, ‘20 penalty units’—

omit, insert—

40 penalty units

34 Amendment of s 65 (Obligations of casino operator in relation to conduct of games)

- (1) Section 65(2)(a)—

omit.

- (2) Section 65(2)(b) and (c)—

renumber as section 65(2)(a) and (b).

- (3) Section 65(3)—

omit, insert—

- (3) A casino operator must ensure all gaming wagers are placed—
 - (a) by the use of chips, player account credits or gaming machine credits; or

- (b) in another way approved by the chief executive or provided for in the rules of a game.

Maximum penalty—200 penalty units.

- (4) Section 65(4), penalty, ‘100 penalty units’—

omit, insert—

200 penalty units

- (5) Section 65(5)(b), ‘cash or’—

omit.

- (6) Section 65(5)(d)—

omit.

- (7) Section 65(5)(e)—

renumber as section 65(5)(d).

- (8) Section 65(5), penalty, ‘100 penalty units’—

omit, insert—

200 penalty units

- (9) Section 65(6)(b), ‘for cash of’—

omit, insert—

by paying the patron

- (10) Section 65(6A)—

omit, insert—

- (6A) A casino operator may make a payment under subsection (6)(b)—

- (a) by issuing a cheque made payable to the patron and drawn on a bank account approved by the chief executive for that purpose; or

- (b) in another way approved by the chief executive.

- (11) Section 65(10), ‘Subsection (9)(b)’—

[s 35]

omit, insert—

Subsection (11)(b)

(12) Section 65(6A) to (10)—

renumber as section 65(7) to (12).

35 Amendment of s 65B (Repairers of gaming machines)

Section 65B(2), ‘section 65(9)’—

omit, insert—

section 65(11)

36 Insertion of new s 66A

After section 66—

insert—

66A Maximum expenditure in cash transactions in any 24-hour period

(1) A regulation may prescribe—

- (a) a maximum amount that a person may expend in cash transactions carried out in a casino within a 24-hour period (a ***prescribed limit***); and
- (b) a casino to which a prescribed limit applies (a ***prescribed casino***).

(2) The casino operator for a prescribed casino must not allow a person to—

- (a) carry out, in the casino, a cash transaction of an amount that is more than the prescribed limit; or
- (b) carry out 2 or more cash transactions in the casino within a 24-hour period if the total amount expended in the cash transactions is more than the prescribed limit.

Maximum penalty—200 penalty units.

(3) In this section—

cash transaction, in a casino, means—

- (a) a wager on a game in the casino placed by the use of cash; or
- (b) a deposit, paid for in cash, into a player account established by the casino operator; or
- (c) a cash purchase of chips, tickets or chip purchase vouchers that may be used in the casino; or
- (d) the insertion of cash into a gaming machine in the casino.

37 Amendment of s 67 (Player accounts)

(1) Section 67(2), penalty, ‘40 penalty units’—

omit, insert—

200 penalty units

(2) Section 67(3)—

omit.

(3) Section 67(9)—

omit, insert—

- (9) A casino operator may pay, to the person for whom a player account is established, an amount up to the amount in the account—
 - (a) in a way approved by the chief executive; or
 - (b) if requested by the person, by issuing a cheque made payable to the person that is drawn on a bank account approved by the chief executive.

[s 38]

38 Amendment of s 67A (Exchange by casino operator of chip purchase voucher for approved payment method)

Section 67A(2), penalty, ‘40 penalty units’—

omit, insert—

100 penalty units

39 Amendment of s 68 (Exchange by casino operator of chip purchase voucher for cheque)

Section 68(2), penalty, ‘40 penalty units’—

omit, insert—

100 penalty units

40 Amendment of s 69 (Redemption of cheques)

(1) Section 69(1)(a)—

omit.

(2) Section 69(1)(b) to (e)—

renumber as section 69(1)(a) to (d).

(3) Section 69(2), ‘(e)’—

omit, insert—

(d)

41 Amendment of s 70 (Depositing of cheques)

Section 70, penalty, ‘40 penalty units’—

omit, insert—

100 penalty units

42 Amendment of s 71 (No redemption to delay payment)

Section 71, penalty, ‘40 penalty units’—

omit, insert—

100 penalty units

43 Insertion of new pt 6, divs 2 and 3

Part 6—

insert—

Division 2 Player cards

72D Definitions for division

In this division—

de-identified player card information means player card information that does not include anything that could identify, or lead to the identification of, an individual to whom the information relates.

player card information means—

- (a) information obtained by a casino operator from the issue of a player card or use of a player card to play a prescribed game or carry out a prescribed activity; or
- (b) information derived from information mentioned in paragraph (a).

prescribed activity, in relation to a casino, means an activity associated with playing a game in the casino that, under a regulation under section 72E, a person must not be allowed to carry out other than by use of a player card in accordance with the regulation.

prescribed game, in relation to a casino, means a game that, under a regulation under section 72E, a person must not be allowed to play in the casino other than by use of a player card in accordance with the regulation.

[s 43]

72E Requirement to use player cards

- (1) A regulation may provide that, in a stated casino, a person must not be allowed to do the following other than by use of a player card in accordance with the regulation—

- (a) play a stated game;
- (b) carry out a stated activity associated with playing a game.

Example of an activity—

buying chips

- (2) A regulation may make provision about player cards or any other matter relating to a regulation under subsection (1), including any of the following—

- (a) the issue of player cards, including requirements about proof of the identity of an applicant for a player card;
- (b) the cancellation or deactivation of player cards;
- (c) the collection of information in the course of issuing or using player cards, and the use, storage, transfer or disclosure of the information;

Examples of information stored on, or collected in the course of issuing or using, a player card—

- the identity of the person to whom the card is issued
 - the games played using the card
 - the amounts gambled on games played using the card
- (d) the way a player card must be used to play a prescribed game or carry out a prescribed activity;
 - (e) transaction statements and other documents relating to the use of player cards;

- (f) information to be given to persons to whom a player card will be or has been issued, including information about the matters mentioned in paragraph (c).

72F Casino operator to ensure proper use of player cards

- (1) A casino operator must ensure a person does not play a prescribed game or carry out a prescribed activity other than by use of a player card in accordance with a regulation under section 72E.

Maximum penalty—200 penalty units.

- (2) A casino operator must not allow a person to play a prescribed game or carry out a prescribed activity using a player card that the casino operator knows, or ought reasonably to know, was issued to someone else.

Maximum penalty—200 penalty units.

- (3) A reference in this section to a casino operator includes a reference to an employee or agent of a casino operator.

72G Players to properly use player cards

A person must not—

- (a) play a prescribed game or carry out a prescribed activity in a casino other than by use of a player card in accordance with a regulation under section 72E; or
- (b) play a prescribed game or carry out a prescribed activity in a casino using a player card issued to someone else; or
- (c) allow someone else to use the person's player card to play a prescribed game or carry out a prescribed activity in a casino.

[s 43]

Maximum penalty—40 penalty units.

72H Requirements about information recording and transfer

- (1) The chief executive may give a notice to a casino operator—
 - (a) stating information, relating to the playing of prescribed games or carrying out of prescribed activities, that the chief executive needs for the purpose of—
 - (i) the administration or enforcement of this Act in relation to the casino; or
 - (ii) research, by the chief executive or another entity, into harm from gambling; and
 - (b) requiring the casino operator to ensure the player cards are capable of securely recording and transferring the information.
- (2) The casino operator must comply with the notice.

Maximum penalty—160 penalty units.

72I Casino operator must give reports of de-identified information

- (1) A casino operator must give the chief executive reports under this section containing de-identified player card information.

Maximum penalty—100 penalty units.

- (2) The reports must—
 - (a) include the de-identified player card information prescribed by regulation; and
 - (b) be given at the times prescribed by regulation; and
 - (c) be in the approved form.

72J Chief executive may require casino operator to give information

- (1) The chief executive may give a notice to the casino operator requiring the operator to give the chief executive stated player card information.
- (2) The notice—
 - (a) may relate to—
 - (i) a particular player card used in the casino; or
 - (ii) a class of player cards used in the casino; or
 - (iii) all player cards used in the casino; and
 - (b) may be for information to be given once or at stated times; and
 - (c) may state the form in which the information is to be given; and
 - (d) must state the due day for giving the information.
- (3) The casino operator must comply with the notice by the due day or any later day allowed by the chief executive.

Maximum penalty—160 penalty units.

- (4) The chief executive may require the provision of information under this section for the purpose of—
 - (a) the administration or enforcement of this Act in relation to the casino; or
 - (b) research, by the chief executive or another entity, into harm from gambling.
- (5) A requirement under subsection (4)(b) must be for the provision of de-identified player card information.

[s 43]

72K Chief executive may give de-identified information for research

The chief executive may give de-identified player card information to an entity for the purpose of research into harm from gambling.

Division 3 Pre-commitment systems

72L Meaning of *pre-commitment system*

- (1) A *pre-commitment system* is a system under which—
 - (a) limits may apply to a person in relation to playing games or carrying out associated activities in a casino including, for example, any of the following—
 - (i) a limit on the net loss that the person may incur on a game, or all games, in the casino during a stated period;
 - (ii) a limit on the amounts a person may, in a stated period, expend in making deposits in the person's player account or carrying out other activities associated with playing games in the casino;
 - (iii) a limit on the total amount of time for which the person may play a game, or all games, in the casino during a stated period;
 - (iv) a limit on the time for which the person may continuously play a game, or all games, in the casino without a break; and
 - (b) the casino operator does not allow a person to play a game or carry out an associated

activity in the casino in contravention of any of the limits that apply to the person.

- (2) A pre-commitment system may—
 - (a) set a limit that applies to a person in relation to a matter; or
 - (b) set a limit that applies to a person in relation to a matter if the person has not set a different limit.

72M Requirement to implement pre-commitment system

- (1) A regulation may provide that, in a stated casino, a person must not be allowed to do the following other than under a pre-commitment system in accordance with the regulation—
 - (a) play a stated game;
 - (b) carry out a stated activity associated with playing a game.

Example of an activity—

buying chips

- (2) A regulation may make provision about a pre-commitment system or any other matter relating to a regulation under subsection (1), including any of the following—
 - (a) the types of limits that must be available to players under the system to help them to control their gambling expenditure and time spent gambling;
 - (b) a limit that applies to a player;
 - (c) the requirements for removing a limit applying to a player;
 - (d) a default limit that applies to a player who has not opted for a different limit;

[s 43]

- (e) how amounts are calculated or measured for the purpose of a limit;
- (f) how a player may set or change a limit applying to the person;

Examples—

- 1 A regulation may provide for a cooling-off period before an increase to the amount of a limit takes effect.
- 2 A regulation may provide for a requirement that must be met before a person may increase the amount of a limit.

- (g) the periods to which a limit applies;

Example—

A regulation may provide for daily, weekly and monthly limits on a person's net loss on a game or total time spent playing a game.

- (h) installation of the pre-commitment system;
- (i) the provision of information to the chief executive about the operation of, or another matter relating to, the pre-commitment system;
- (j) obligations of the casino operator, relating to the pre-commitment system, to help ensure safer gambling;

Example—

obligations about when and how to interact with a person to ensure compliance with a limit applying to the person

- (k) the availability of ways of accessing the pre-commitment system;
- (l) the use of player cards and player accounts under the pre-commitment system;
- (m) persons to whom a regulation mentioned in subsection (1) applies or does not apply.

- (3) In this section—

access, a pre-commitment system, includes—

- (a) obtain information stored in the system; and
- (b) add, delete or change limits, information or settings stored in the system.

72N Offence relating to requirement to implement pre-commitment system

- (1) A casino operator must ensure a person does not play a prescribed game or carry out a prescribed activity other than under a pre-commitment system in accordance with a regulation under section 72M.

Maximum penalty—200 penalty units.

- (2) In this section—

prescribed activity, in relation to a casino, means an activity associated with the playing of a game in the casino that, under a regulation under section 72M, a person must not be allowed to carry out other than under a pre-commitment system in accordance with the regulation.

prescribed game, in relation to a casino, means a game that, under a regulation under section 72M, a person must not be allowed to play in the casino other than under a pre-commitment system in accordance with the regulation.

44 Amendment of s 77 (Keeping of bank accounts)

- (1) Section 77(1), penalty, ‘40 penalty units’—

omit, insert—

125 penalty units

- (2) Section 77(2), penalty, ‘40 penalty units’—

omit, insert—

[s 45]

125 penalty units

45 Amendment of s 78 (Accounts to be kept)

Section 78, penalty, ‘40 penalty units’—

omit, insert—

100 penalty units

46 Amendment of s 79 (Financial statements and accounts)

Section 79, penalty, ‘40 penalty units’—

omit, insert—

100 penalty units

47 Amendment of s 81 (Submission of reports)

(1) Section 81(1), penalty, ‘40 penalty units’—

omit, insert—

100 penalty units

(2) Section 81(3), penalty, ‘40 penalty units’—

omit, insert—

100 penalty units

(3) Section 81(1A) to (3)—

renumber as section 81(2) to (4).

48 Amendment of s 84 (Restriction on certain agreements etc.)

(1) Section 84(2), ‘unless the approval in writing of the Minister is first had and obtained’—

omit, insert—

without the Minister’s written approval

(2) Section 84(2), penalty, ‘40 penalty units’—

omit, insert—

400 penalty units

49 Amendment of s 85H (Production or display of identity card)

Section 85H(1), after ‘a person’—

insert—

in the person’s presence

50 Amendment of s 85M (Report about criminal history)

Section 85M, ‘commissioner of the police service’—

omit, insert—

police commissioner

51 Amendment of s 86 (Directions as to operation of casino)

(1) Section 86(2), penalty, ‘100 penalty units’—

omit, insert—

200 penalty units

(2) Section 86(3), ‘10 penalty units’—

omit, insert—

20 penalty units

52 Amendment of s 88 (Other powers of inspectors)

(1) Section 88(1)(a), from ‘to—’—

omit, insert—

to do any of the following at or by a stated time
and in a stated way—

(i) make the gaming equipment, chips or
records available for inspection by an

[s 53]

inspector or produce them to an inspector for inspection;

- (ii) answer questions or give information about the gaming equipment, chips or records;

- (2) Section 88(1)(f), from 'to attend'—

omit, insert—

to—

- (i) give the inspector, by a stated time and in a stated way—

- (A) information relating to the management or operation of the casino; or

- (B) if information relating to the management or operation of the casino is kept, stored or recorded electronically—a clear written reproduction of the information; or

- (ii) attend before the inspector at a stated time and place to answer questions or give information about the management or operation of the casino;

- (3) Section 88(6)(b)—

omit, insert—

- (b) by written notice given to the person of whom the requirement is made.

- (4) Section 88—

insert—

- (7) In this section—

information includes a document.

53 Amendment of s 89 (Offences relating to inspectors)

Section 89(b), 'produce'—

omit, insert—

make available or produce

54 Omission of s 90A (Definitions for division)

Section 90A—

omit.

55 Amendment of s 90H (Obstruction or interference with special manager)

Section 90H(1), penalty, ‘120 penalty units’—

omit, insert—

400 penalty units

56 Insertion of new pt 9, divs 3A and 3B

Part 9—

insert—

**Division 3A Access to gambling
related systems**

**90J Casino operator to give access to electronic
systems**

- (1) This section applies in relation to an electronic system used by a casino operator to—
- (a) monitor or store information relating to player cards or player accounts; or
 - (b) monitor the conduct of gambling; or
 - (c) monitor the financial operations of the casino, including revenue, turnover and profits; or

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- (d) monitor the operation of gaming machines and other gaming equipment; or
 - (e) monitor the operation of junket agreements; or
 - (f) facilitate the calculation of taxes or levies payable under this Act.
- (2) The casino operator must give the chief executive full access to the system in a way that allows the chief executive to access the information in the system—
- (a) in real time or as close to real time as is practicable; and
 - (b) independently of the casino operator.

Maximum penalty—160 penalty units.

- (3) To enable the chief executive to obtain access in the way mentioned in subsection (2), the chief executive may give the casino operator a written direction to do, or stop doing, a stated thing by a stated time.
- (4) The casino operator must comply with a direction under subsection (3) unless the casino operator has a reasonable excuse.

Maximum penalty—100 penalty units.

- (5) To remove any doubt, it is declared that information obtained because of access given by the casino operator under this section is admissible in evidence in a proceeding against the casino operator for an offence.

Division 3B Reviews of casino operations, suitability of entities and other matters

90K Definition for division

In this division—

casino entity, for a casino licence, means an entity who is—

- (a) the casino licensee; or
- (b) a lessee under a casino lease for the casino; or
- (c) a casino operator for the casino under a casino management agreement.

90L Conduct of reviews

- (1) At any time, the chief executive may cause a review to be carried out under this division about a matter relating to a casino licence.
- (2) The chief executive must cause full reviews for each casino licence to be carried out under this division at intervals of not more than 5 years.
- (3) However, a regulation may postpone the time by which a full review for a casino licence must be carried out to a day not more than 7 years after the last full review was completed for the licence.
- (4) A single review may relate to 2 or more casino licences.
- (5) In this section—
full review means a review complying with section 90N.

90M Appointment of reviewer

- (1) The chief executive must appoint an appropriately qualified person to carry out a review.
- (2) The instrument of appointment must include—

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- (a) the matters that the reviewer must inquire into; and
- (b) the due day for completing the review and giving a report to the Minister and the chief executive.
- (3) The reviewer is subject to the directions of the chief executive in relation to the conduct of the review, including any directions about the matters mentioned in subsection (2)(a) and (b).

90N Full reviews

- (1) For a full review required under section 90L, the matters that the reviewer is directed to inquire into under section 90M must include—
 - (a) the management and operation of the casino, including matters relating to corporate governance; and
 - (b) the suitability of each casino entity for the licence to be associated or connected with the management and operation of a hotel-casino complex or casino; and
 - (c) the compliance of each casino entity for the licence with—
 - (i) this Act; and
 - (ii) the agreement Act for the casino; and
 - (iii) the casino agreement for the casino; and
 - (d) whether it is in the public interest that the casino licence remain in force; and
 - (e) whether it is in the public interest that any casino management agreement or casino lease, for the casino or the hotel-casino complex, remain in force.
- (2) An inquiry under subsection (1)(a) may include

an inquiry about—

- (a) the oversight of the casino's operation, or influence on the casino's operation, of the board of—
 - (i) a corporation that is a casino entity; or
 - (ii) a holding company of a corporation that is a casino entity; or
 - (b) the influence of a casino entity's organisational culture on the risk management and governance of the casino's operation; or
 - (c) a casino entity's systems and procedures to assure the compliance mentioned in subsection (1)(c).
- (3) An inquiry under subsection (1)(b) about the suitability of a casino operator must include an inquiry about the compliance of the casino operator and its employees and agents with any relevant code of conduct in effect under section 126A.

900 Powers etc. of reviewer

- (1) In the conduct of a review, the reviewer—
 - (a) has the ordinary commission powers; and
 - (b) also has the special commission powers if—
 - (i) the reviewer is a Supreme Court judge or an Australian lawyer of at least 7 years standing; and
 - (ii) the reviewer's appointment states that the reviewer has the special commission powers.
- (2) For the purpose of the conferral and exercise of the commission powers under subsection (1), the *Commissions of Inquiry Act 1950* applies—

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- (a) as if a reference in that Act to a commission were a reference to a review; and
 - (b) as if a reference in that Act to a commissioner or chairperson were a reference to a reviewer; and
 - (c) with all necessary changes and any changes prescribed by regulation.
- (3) If the reviewer is an inspector, the reviewer may exercise a power under part 9, division 2 for the purpose of the review.
- (4) In this section—

commission powers means the powers, rights, privileges, protection and jurisdiction of a commission of inquiry under the *Commissions of Inquiry Act 1950*.

ordinary commission powers means the commission powers other than the special commission powers.

special commission powers means the commission powers given under the *Commissions of Inquiry Act 1950* only to a commission whose chairperson is a judge of the Supreme Court.

90P Legal professional privilege

- (1) For the *Commissions of Inquiry Act 1950*, section 14(1)(b), it is not a reasonable excuse for a witness to refuse to produce a document or other thing because it contains information that is the subject of legal professional privilege.
- (2) Without limiting the *Commissions of Inquiry Act 1950*, section 14(1A), a person attending before a reviewer is not entitled to do a thing mentioned in section 14(1A)(a) to (c) on the ground of legal professional privilege.

- (3) Information does not cease to be the subject of legal professional privilege only because it is given to the reviewer under this division.
- (4) A reference in this section to a provision of the *Commissions of Inquiry Act 1950* is a reference to the provision as applied under section 90O of this Act.

90Q Review proceedings in public or private

A proceeding conducted by a reviewer may be held in public or in private.

90R Casino entities must pay costs of review

- (1) The casino entities for the casino licence, or each of the casino licences, to which a review relates are liable for the costs of conducting the review.
- (2) The chief executive may give a notice to a casino entity (a *payment notice*)—
 - (a) requiring payment of—
 - (i) the costs, or part of the costs, that have been incurred or are expected to be incurred in the conduct of a review; or
 - (ii) an instalment of costs mentioned in subparagraph (i); and
 - (b) stating the day, not earlier than 30 days after the notice is given, by which the amount must be paid.
- (3) In deciding the proportion of the costs that each of the casino entities should be required to pay, the chief executive may have regard to the extent the costs were incurred in relation to the casino entity or casino licence.
- (4) A payment notice may be given before, during or after a review is conducted.

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- (5) A casino entity must comply with a payment notice.
- (6) An amount that a casino entity is required to pay under a payment notice is a debt payable by the casino entity to the State.
- (7) If a casino entity pays an amount under this section for costs that are expected to be incurred, and the amount incurred is less than the amount paid, the chief executive must refund the excess amount to the casino entity.

90S Review report

- (1) The reviewer for a review must prepare a report on the review and give the report to the Minister and the chief executive.
- (2) The chief executive may publish the report, or part of the report or a redacted version of the report, to the public if the chief executive considers it appropriate.
- (3) The chief executive must withhold from publishing in the report anything the chief executive is satisfied—
 - (a) is information about an individual's personal affairs; or
 - (b) is commercial in confidence; or
 - (c) is information the publication of which would be against the public interest.

57 Omission of s 91 (Inquiry into operation of casinos)

Section 91—

omit.

58 Amendment of s 91A (Who may apply for review)

- (1) Section 91A(3), ‘receiving a direction in writing pursuant to’—

omit, insert—

given an exclusion notice under

- (2) Section 91A(3), ‘the direction’—

omit, insert—

the notice

59 Insertion of new pt 10, div 1AA

Part 10, before division 1—

insert—

**Division 1AA General duties relating to
casino operation**

**91E Duties of particular officers relating to lawful
and appropriate operation of casino**

- (1) This section applies to an officer of—
- (a) a corporation that is a casino operator; or
 - (b) a holding company of a corporation that is a casino operator.
- (2) The officer must take reasonable steps to ensure there are appropriate controls and procedures in place to ensure—
- (a) the casino operator operates the casino lawfully; and
 - (b) the lawfulness of the casino operator’s operation of the casino is regularly reviewed by an appropriate entity engaged by the casino operator; and

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- (c) for each review mentioned in paragraph (b), the casino operator appropriately responds to the conclusions of any report provided for the review; and
- (d) the casino operator properly engages with employees in relation to matters that affect the provision of—
 - (i) a safer gambling environment; or
 - (ii) the integrity and reputation of casino operations; and
- (e) the casino operator's employees, agents and contractors are given the information, training, instruction and supervision they need to comply with this Act and other relevant laws in relation to the operation of the casino.

Maximum penalty—1,000 penalty units.

- (3) The officer must take reasonable steps to—
 - (a) create and maintain a corporate culture that does not direct, encourage, tolerate or lead to any non-compliance by the casino operator with this Act or other laws applying to the operation of the casino; and
 - (b) acquire, and keep up to date, knowledge of matters relevant to the lawful operation of a casino; and
 - (c) gain an understanding of casino operations and the risks associated with those operations, including the risks of money laundering, terrorism financing and gambling harm.

Maximum penalty—1,000 penalty units.

- (4) In deciding what are the reasonable steps the officer must take under subsection (2) or (3), a court must have regard to the nature of the

officer's office and the extent to which the officer is in a position to influence the operation of the casino.

(5) In this section—

officer, of a corporation, see the Corporations Act, section 9.

60 Amendment of s 91O (Self-exclusion order)

Section 91O(1)(b), 'problem gamblers'—

omit, insert—

persons experiencing harm from gambling

61 Insertion of new s 91Q

Before section 92—

insert—

91Q Exclusion notices and directions

- (1) This subdivision provides for a casino operator or casino manager to give a notice (an *exclusion notice*) to a person prohibiting the person from entering or remaining in the casino.
- (2) This subdivision also provides for the giving of a direction under section 93A or 94.
- (3) If a casino operator operates more than 1 casino, an exclusion notice, or a direction under section 93A or 94, may relate to a stated casino or all casinos in Queensland operated by the casino operator.
- (4) The giving or revocation of an exclusion notice or direction applying to a person under a provision of this division does not prevent the giving or revocation, or affect the operation, of an exclusion notice or direction applying to the person under another provision of this division.

[s 62]

62 Amendment of s 92 (Entry to and exclusion of entry from casino—generally)

- (1) Section 92, heading, ‘of entry’—

omit.

- (2) Section 92(2)—

omit.

- (3) Section 92(3), ‘A direction under subsection (2) may be given to a person only’—

omit, insert—

A casino operator or casino manager may give an exclusion notice to a person

- (4) Section 92(3)—

renumber as section 92(2).

- (5) Section 92(4)—

omit, insert—

- (3) The exclusion notice must be accompanied by an information notice for the decision to give the notice.

63 Amendment of s 93A (Exclusion direction for problem gambler)

- (1) Section 93A, heading, ‘problem gambler’—

omit, insert—

person experiencing harm from gambling

- (2) Section 93A(1)—

omit, insert—

- (1) This section applies if a casino operator or a casino manager believes on reasonable grounds a person is experiencing, or at risk of experiencing, harm from gambling.

Note—

See section 99C.

- (3) Section 93A(2), ‘notice’—

omit, insert—

direction

- (4) Section 93A(3)—

omit.

- (5) Section 93A(4)—

renumber as section 93A(3).

64 Replacement of ss 94 and 96

Sections 94 and 96—

omit, insert—

94 Police commissioner may direct casino operator to exclude entry to person

- (1) The police commissioner may give a written direction to a casino operator to exclude a stated person from the casino.
- (2) The direction must include the following information to the extent the police commissioner has or can obtain it—
 - (a) the person’s name, address and date of birth;
 - (b) a photograph of the person.
- (3) If it is practicable to do so, the police commissioner must give notice of the direction to the person.
- (4) The casino operator must give the person an exclusion notice as follows—
 - (a) if the direction includes the person’s address, the casino operator must give an

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exclusion notice to the person as soon as it is practicable to do so;

- (b) in any case, the casino operator must give an exclusion notice to the person immediately if the casino operator becomes aware the person has entered, or is trying to enter, a casino to which the direction applies.

Maximum penalty—250 penalty units.

Note—

See also the obligations applying to the casino operator under sections 100B and 100C after receiving a direction.

- (5) The police commissioner may notify any of the following entities that a direction has been given to exclude a person—
 - (a) an authority responsible for administering gaming legislation of another State;
 - (b) an interstate police commissioner;
 - (c) the chief executive.
- (6) A notification under subsection (5) may include the information mentioned in subsection (2)(a) and (b).

95 Exclusion of person subject to interstate exclusion

- (1) This section applies if a casino operator becomes aware that a person is the subject of an interstate exclusion.

Note—

A casino operator may become aware of an interstate exclusion because of a notification from the police commissioner or in another way.

- (2) The casino operator must give the person an exclusion notice, relating to all casinos in Queensland operated by the casino operator, as

follows—

- (a) if the casino operator can establish the person's address, the casino operator must give an exclusion notice to the person as soon as it is practicable to do so;
- (b) in any case, the casino operator must give an exclusion notice to the person immediately if the casino operator becomes aware the person has entered, or is trying to enter, a casino in Queensland operated by the casino operator.

Maximum penalty—250 penalty units.

- (3) Subsection (2) does not apply if the person is already the subject of an exclusion notice, given under section 94 or this section, relating to all casinos in Queensland operated by the operator.
- (4) Also, subsection (2) does not apply if the casino operator can not establish the person's identity after making all reasonable enquiries.
- (5) The casino operator must notify each other casino operator about the person—
 - (a) immediately after the casino operator becomes aware that the person is the subject of an interstate exclusion; or
 - (b) if the casino operator can not establish the person's identity at that time, immediately after establishing the person's identity.

Maximum penalty—60 penalty units.

- (6) Within 14 days after becoming aware that the person is the subject of an interstate exclusion, the casino operator must notify the chief executive and the police commissioner—
 - (a) whether the casino operator has given the person an exclusion notice under this section; and

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- (b) if the casino operator has not given the person an exclusion notice because the casino operator can not establish the person's identity—the enquiries the casino operator has made to establish the identity; and
- (c) whether the casino operator has taken the steps that are ordinarily taken under the casino's system of internal controls to ensure compliance with section 100B in relation to the person.

Maximum penalty—60 penalty units.

- (7) A regulation may prescribe—
 - (a) other steps the casino operator must take after becoming aware that a person is the subject of an interstate exclusion; and
 - (b) steps the casino operator must take as part of making all reasonable enquiries under subsection (4).
- (8) In this section—

interstate casino means a casino operated in another State.

interstate exclusion means an order, direction or notice (however described) that—

- (a) is made or given by an interstate police commissioner; and
- (b) excludes, or requires another entity to exclude, a person from an interstate casino or a place at an interstate casino.

96 Duration of exclusion notice or police commissioner direction

An exclusion notice, or a direction by the police commissioner under section 94, has effect until it

is revoked.

65 Insertion of new pt 10, div 1, sdiv 2A, hdg and s 97A

Before section 98—

insert—

**Subdivision 2A Revocation of exclusion
notice or direction**

97A Revocation of exclusion notice (general)

A casino operator may, by notice given to a person, revoke an exclusion notice given to the person under section 92.

66 Insertion of new ss 99A and 99B

After section 99—

insert—

**99A Revocation of direction and exclusion notice
under s 94**

- (1) The police commissioner may, by notice given to a casino operator, revoke a direction relating to a person that was given to the casino operator under section 94(1).
- (2) If the casino operator has given an exclusion notice to the person under section 94, the casino operator must, by notice given to the person, revoke the exclusion notice.

**99B Revocation of exclusion notice (interstate
exclusion)**

- (1) This section applies in relation to an exclusion notice given to a person under section 95.
- (2) The casino operator may, by notice given to the

[s 67]

person, revoke the exclusion notice if—

- (a) no interstate exclusion remains in effect for the person; and
 - (b) the casino operator has given at least 30 days written notice of the proposed revocation to the police commissioner.
- (3) The casino operator may also, by notice given to the person, revoke the exclusion notice if authorised to do so by the police commissioner.
- (4) The police commissioner may authorise revocation of the exclusion notice at any time if the police commissioner is satisfied it would be appropriate to do so.
- (5) To remove any doubt, it is declared that the casino operator is not required to revoke the exclusion notice only because—
- (a) no interstate exclusion remains in effect for the person; or
 - (b) the person is prohibited from entering or remaining in the casino under another exclusion notice given under this division.

67 Insertion of new s 99C

Before section 100—

insert—

99C Who is a *person experiencing harm from gambling*

A reference in this division to a *person experiencing harm from gambling* is a reference to a person whose behaviour relating to gambling—

- (a) is characterised by difficulties in limiting the amount of money or time the person spends on gambling; and

- (b) is adversely affecting the person, other persons or the community.

68 Replacement of s 100 (Particular persons not to enter or remain in casino)

Section 100—

omit, insert—

100 Particular persons not to enter or remain in casino

- (1) A person who is prohibited from entering or remaining in a casino under a self-exclusion order, exclusion notice or exclusion direction must not enter or remain in the casino.

Maximum penalty—

- (a) for a self-exclusion order, exclusion notice given under section 92 or exclusion direction—40 penalty units; or
 - (b) for an exclusion notice given under section 94 or 95—80 penalty units.
- (2) Subsection (1) does not apply to a person in relation to a period during which the person remains in a casino for the purpose of—
 - (a) helping an inspector in the performance of the inspector's functions under this Act; or
 - (b) helping a police officer in the performance of the officer's functions under a law.

69 Amendment of s 100A (Counselling)

- (1) Section 100A(2), 'a problem gambler'—

omit, insert—

experiencing, or at risk of experiencing, harm from gambling

[s 70]

(2) Section 100A(2)—

insert—

Note—

See section 99C.

(3) Section 100A(4), ‘a problem gambler’—

omit, insert—

experiencing, or at risk of experiencing, harm
from gambling

(4) Section 100A(4)—

insert—

Note—

See section 99C.

70 Amendment of s 100B (Obligation to prevent persons from entering or remaining in casino)

(1) Section 100B(1)—

omit, insert—

- (1) This section applies to a casino operator, or an employee or an agent of the casino operator, if the casino operator, employee or agent knows that—
 - (a) a person is prohibited from entering or remaining in the casino under—
 - (i) a self-exclusion order under section 91O; or
 - (ii) an exclusion notice under section 92, 94 or 95; or
 - (iii) an exclusion direction under section 93A; or
 - (b) the police commissioner has given a direction to the casino operator under section 94 to exclude the person from the casino; or

- (c) the casino operator is required under section 95(2) to give an exclusion notice to the person.
- (2) Section 100B(2), penalty—
omit, insert—
Maximum penalty—
 - (a) if the person is the subject of a direction under section 94 or an exclusion notice given under section 94 or 95—
 - (i) for a casino operator—400 penalty units; or
 - (ii) for another person—64 penalty units; or
 - (b) otherwise—
 - (i) for a casino operator—250 penalty units; or
 - (ii) for another person—40 penalty units.
- (3) Section 100B—
insert—
 - (5A) Subsections (2) and (3) do not apply to the casino operator, employee or agent, in relation to the person remaining in the casino, if the casino operator, employee or agent believes the person is remaining in the casino for the purpose of—
 - (a) helping an inspector in the performance of the inspector's functions under this Act; or
 - (b) helping a police officer in the performance of the officer's functions under a law.
 - (5B) If a casino operator becomes aware that a person has entered a casino in contravention of an exclusion notice given under section 94 or 95, the casino operator must immediately notify the police commissioner.

[s 71]

Maximum penalty—200 penalty units.

(4) Section 100B(5A) to (6)—

renumber as section 100B(6) to (8).

71 Amendment of s 100C (Register)

(1) Section 100C(1)—

omit, insert—

(1) A casino operator must keep a register, in the approved form, of—

(a) persons who are prohibited from entering or remaining in the casino under—

(i) a self-exclusion order under section 91O; or

(ii) an exclusion notice under section 92, 94 or 95; or

(iii) an exclusion direction under section 93A; and

(b) persons in relation to whom the police commissioner has given a direction to the casino operator under section 94; and

(c) persons who the casino operator is aware are the subject of an interstate exclusion.

Maximum penalty—60 penalty units.

72 Amendment of s 100D (Report about prohibition under order or direction)

Section 100D(4), penalty, ‘40 penalty units’—

omit, insert—

60 penalty units

73 Insertion of new s 100DA

After section 100D—

insert—

100DA Information sharing about exclusions

- (1) This section applies if a casino operator (the *first casino operator*) does either of the following (each an *exclusion action*)—

- (a) refuses to give, or withdraws, licence for a person to enter or remain in the casino;

Note—

See section 92(1).

- (b) gives an exclusion notice to a person under section 92.

- (2) The first casino operator must notify each other casino operator of the exclusion action under this section.

Maximum penalty—60 penalty units.

- (3) The notification must include—

- (a) the details, held by the first casino operator, that are needed to identify the person; and
(b) if the first casino operator has a photo of the person—the photo; and
(c) the reason the exclusion action was taken.

- (4) A casino operator who receives the notification must—

- (a) decide whether the casino operator should also take exclusion action; and
(b) record in a register—
(i) the notification received; and
(ii) the decision whether to also take exclusion action and, if so, the type of action taken and date it was taken; and

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- (iii) the reason for the decision; and
- (iv) the date of the decision; and
- (v) the name of the individual who made the decision on behalf of the casino operator.

Maximum penalty—60 penalty units.

- (5) Subsection (2) does not apply in relation to exclusion action taken under subsection (4) in response to a notification received from another casino operator.
- (6) A casino operator must keep the register mentioned in subsection (4)(b) available for inspection by an inspector.

74 Amendment of s 100E (Distributing promotional or advertising material about a casino)

Section 100E, penalty, ‘40 penalty units’—

omit, insert—

60 penalty units

75 Insertion of new ss 100F and 100G

After section 100E—

insert—

100F Restrictions on direct marketing

- (1) A casino operator must not send promotional or advertising material directly by email or SMS message or in another direct way to a person in Queensland unless—
 - (a) the person has given express and informed consent to receiving promotional or advertising material from the casino operator directly in that way; and

- (b) the person has not withdrawn the consent and communicated the withdrawal to the casino operator.

Maximum penalty—200 penalty units.

- (2) If a person consents to receiving promotional or advertising material from a casino operator, the casino operator must provide the person with a means of easily withdrawing the consent at any time.

Maximum penalty—200 penalty units.

- (3) A casino operator must not offer to a person any credit, voucher, reward or other benefit as an incentive for the person to give, or not to withdraw, consent to receiving promotional or advertising material from the casino operator.

Maximum penalty—200 penalty units.

- (4) If a casino operator sends promotional or advertising material to a person in Queensland electronically, the material must include a link or other mechanism that the person may easily use to withdraw the person's consent to receiving promotional or advertising material from the casino operator.

Maximum penalty—200 penalty units.

- (5) A casino operator must not require a person to give consent to receiving promotional or advertising material from the casino operator as a condition of registering the person for, or issuing the person with, a player card.

Maximum penalty—200 penalty units.

- (6) For this section, if a person withdraws consent to receiving promotional or advertising material, the withdrawal takes effect 5 business days, or a shorter period prescribed by regulation, after the day the person communicates the withdrawal to

[s 76]

the casino operator.

100G Inducement to person subject to interstate exclusion

- (1) This section applies if a casino operator knows, or ought reasonably to know, that a person is the subject of an interstate exclusion.
- (2) The casino operator must not give, or offer to give, the person an inducement to enter or remain in the casino.

Maximum penalty—500 penalty units.

76 Amendment of s 102 (Provisions relating to minors in respect of casinos)

- (1) Section 102(1), ‘Persons under 18 years’—
omit, insert—

Minors

- (2) Section 102(2), ‘person under 18 years’—
omit, insert—

minor

- (3) Section 102, after subsection (2)—
insert—

(2AA) Subsections (1) and (2) do not apply to a minor in relation to a period during which the minor is in a casino for an official assistance purpose.

- (4) Section 102(3)(a) and (b), ‘person under 18 years’—
omit, insert—

minor

- (5) Section 102(3), penalty, ‘100 penalty units’—
omit, insert—

150 penalty units

- (6) Section 102, after subsection (3)—

insert—

- (3AA) Subsection (6) does not apply to a casino operator, employee or agent in relation to a period during which the casino operator, employee or agent believes the minor is remaining in the casino for an official assistance purpose.

- (7) Section 102(3A), ‘person under 18 years’—

omit, insert—

minor

- (8) Section 102(3A), penalty, ‘20 penalty units’—

omit, insert—

40 penalty units

- (9) Section 102, after subsection (3A)—

insert—

- (3AB) Subsection (8) does not apply to an adult in relation to a period during which the adult believes the minor is remaining in the casino for an official assistance purpose.

- (10) Section 102(3B), ‘person under 18 years’—

omit, insert—

minor

- (11) Section 102(3B), penalty, ‘200 penalty units’—

omit, insert—

250 penalty units

- (12) Section 102(3C), ‘person under 18 years’—

omit, insert—

minor

- (13) Section 102(3C), ‘person from’—

[s 76]

omit, insert—

minor from

- (14) Section 102(3C), penalty, ‘200 penalty units’—

omit, insert—

250 penalty units

- (15) Section 102(3D)(a) and (b), ‘person under 18 years’—

omit, insert—

minor

- (16) Section 102(3D)(b), ‘person from’—

omit, insert—

minor from

- (17) Section 102(3E), ‘person under 18 years’—

omit, insert—

minor

- (18) Section 102(3E), ‘person against’—

omit, insert—

minor against

- (19) Section 102(4), ‘under 18 years’—

omit, insert—

a minor

- (20) Section 102(4A), penalty, ‘20 penalty units’—

omit, insert—

25 penalty units

- (21) Section 102, after subsection (4A)—

insert—

(4B) Subsection (15)(b) does not apply to a person in a casino for an official assistance purpose.

- (22) Section 102(5), ‘subsection (3), (3A), (3B) or (3C)’—

omit, insert—

subsection (6), (8), (10) or (11)

- (23) Section 102(5)(b), ‘subsection (4)’—

omit, insert—

subsection (14)

- (24) Section 102(6)—

insert—

official assistance purpose means a purpose of—

- (a) helping an inspector in the performance of the inspector’s functions under this Act; or
- (b) helping a police officer in the performance of the officer’s functions under a law.

- (25) Section 102(2AA) to (6)—

renumber as section 100(3) to (18).

77 Amendment of s 107 (Offences relating to revenue)

Section 107, penalty, ‘200 penalty units’—

omit, insert—

400 penalty units

78 Amendment of s 108 (Offences relating to unauthorised games)

Section 108(1), penalty, ‘100 penalty units’—

omit, insert—

400 penalty units

79 Amendment of s 109 (Offences relating to cheating by casino operator etc.)

Section 109, penalty, ‘200 penalty units’—

[s 80]

omit, insert—

500 penalty units

80 Amendment of s 110 (Forgery and like offences)

Section 110, penalty—

omit, insert—

Maximum penalty—400 penalty units or 2 years imprisonment.

81 Amendment of s 110A (Offence about keeping particular benefit)

Section 110A(1)(a), ‘rules made under section 63(1)’—

omit, insert—

rules of the game

82 Amendment of s 114 (No compensation payable for regulatory action)

Section 114(3), definitions *agreement Act* and *casino agreement*—

omit.

83 Amendment of s 126 (Evidentiary provisions)

Section 126(a), ‘commissioner of the police service’—

omit, insert—

police commissioner

84 Insertion of new s 126A

After section 126—

insert—

126A Code of conduct for casino operators

- (1) A regulation may contain a code of conduct for casino operators.
- (2) The code may impose obligations on casino operators and their employees and agents, and provide for any matter, for the purpose of ensuring—
 - (a) safer gambling in casinos; and
 - (b) the appropriate conduct of casino operations; and
 - (c) the implementation of appropriate practices, systems and procedures relating to the governance, accountability and integrity of casino operators.
- (3) The code may provide for a maximum penalty, for a contravention of the code, of 200 penalty units for a casino operator and 20 penalty units for other persons.
- (4) An entity making a decision under this Act about the suitability of a person to whom the code applies may have regard to the person's compliance with the code.

85 Insertion of new pt 11, div 12

Part 11—

insert—

Division 12

Transitional provisions for Casino Control and Other Legislation Amendment Act 2024

[s 85]

153 Definitions for division

In this division—

amendment Act means the *Casino Control and Other Legislation Amendment Act 2024*.

former, for a provision of this Act, means the provision as in force immediately before the commencement.

new, for a provision of this Act, means the provision as in force from the commencement.

154 Casino licence fee

- (1) Despite its repeal by the amendment Act, former section 50 continues to apply in relation to a quarter that started before the commencement of this section.
- (2) Despite their amendment by the amendment Act, former sections 54 to 57 continue to apply in relation to a licence fee payable under former section 50.
- (3) This section does not limit the *Acts Interpretation Act 1954*, section 20.

155 Supervision levy

- (1) This section applies in relation to the making of a regulation under section 50B(3) prescribing the proportion of the total levy amount for a financial year for which the casino licensee for the Queen's Wharf casino is liable.
- (2) A reference in section 50B(5)(a) to the casino is a reference to the Queen's Wharf casino and the Brisbane casino.
- (3) In this section—

Brisbane casino means the casino under the

casino agreement under the *Brisbane Casino Agreement Act 1992*.

Queens Wharf casino see the *Queen's Wharf Brisbane Act 2016*, schedule 2.

156 Cash transactions approved for particular provisions

- (1) Payment in cash is taken to be a payment method approved by the chief executive under section 65(2)(b).
- (2) The use of cash or tickets to place a gaming wager is taken to be a way approved by the chief executive under section 65(3)(b).
- (3) The use of cash or tickets to make a payment is taken to be a way approved by the chief executive under section 65(5)(d).
- (4) Payment in cash is taken to be a way approved by the chief executive under section 65(7)(b).
- (5) The use of cash to make a deposit into a player account is taken to be a method approved by the chief executive under section 67(7).
- (6) Payment in cash is taken to be a way approved by the chief executive under section 67(9)(a).
- (7) Payment in cash is taken to be a way approved by the chief executive under section 69(1)(d).
- (8) A deemed approval applies in relation to a casino until the chief executive revokes the approval in relation to the casino under the relevant approval provision.
- (9) In this section—

approval provision means section 65(2)(b), 65(3)(b), 65(5)(d), 65(7)(b), 67(7), 67(9)(a) or 69(1)(d).

deemed approval means an approval that, under

[s 86]

this section, is taken to have been made under an approval provision.

86 Amendment of schedule (Dictionary)

- (1) Schedule 1, definitions *agreement Act*, *casino agreement*, *casino based keno game* and *problem gambler*—

omit.

- (2) Schedule 1—

insert—

agreement Act means any of the following Acts—

- (a) the *Breakwater Island Casino Agreement Act 1984*;
- (b) the *Brisbane Casino Agreement Act 1992*;
- (c) the *Cairns Casino Agreement Act 1993*;
- (d) the *Jupiters Casino Agreement Act 1983*;
- (e) the *Queen's Wharf Brisbane Act 2016*.

casino agreement means an agreement—

- (a) set out in an agreement Act; or
- (b) made under an agreement Act; or
- (c) ratified under an agreement Act.

casino entity, for a casino licence, for part 9, division 3B, see section 90K.

de-identified player card information, for part 6, division 2, see section 72D.

exclusion notice see section 91Q.

holding company see the Corporations Act, section 9.

interstate exclusion see section 95(8).

interstate police commissioner means the

commissioner of a police force or service of another State.

person experiencing harm from gambling see section 99C.

player card means a card, electronic document, digital product or device that can—

- (a) store information, including the identity of the person to whom it is issued; and
- (b) be used to gamble by the person to whom it is issued.

player card information, for part 6, division 2, see section 72D.

pre-commitment system, for part 6, division 3, see section 72L.

prescribed activity, for part 6, division 2, see section 72D.

prescribed game, for part 6, division 2, see section 72D.

rules, of a game, means—

- (a) for a game that may be conducted or played in a casino under a casino licence—the rules for the playing of the game in effect under section 63; or
- (b) for a machine game—the rules included in the artwork for the game approved under section 62(3)(a).

supervision levy see section 50A.

- (3) Schedule 1, definition *casino gross revenue*, before ‘means’—
insert—

, for a month,

- (4) Schedule 1, definition *casino gross revenue*, ‘any month’—
omit, insert—

[s 87]

the month

Part 3 Amendment of Casino Control Regulation 1999

87 Regulation amended

This part amends the *Casino Control Regulation 1999*.

88 Amendment of s 14 (Providing false or misleading information an offence)

Section 14, penalty, ‘10 penalty units’—

omit, insert—

20 penalty units

89 Amendment of s 17 (Display of identification—Act, s 41)

Section 17(5), penalty, ‘10 penalty units’—

omit, insert—

20 penalty units

90 Amendment of s 20 (Marking of chips—Act, s 62)

Section 20(2), penalty, ‘10 penalty units’—

omit, insert—

20 penalty units

91 Amendment of s 26 (Training courses for employees)

Section 26, penalty, ‘10 penalty units’—

omit, insert—

20 penalty units

92 Amendment of s 31 (Agreement to be in writing)

Section 31, penalty, ‘10 penalty units’—

omit, insert—

20 penalty units

93 Amendment of s 32 (Junket agreement to provide for 1 group only)

Section 32, penalty, ‘10 penalty units’—

omit, insert—

20 penalty units

94 Amendment of s 33 (Copy of agreement to be given to chief executive)

Section 33, penalty, ‘10 penalty units’—

omit, insert—

20 penalty units

95 Amendment of s 34 (Copy of certain passports to be given to chief executive)

Section 34(2), penalty, ‘10 penalty units’—

omit, insert—

20 penalty units

96 Amendment of s 37 (Notice about promoter)

(1) Section 37(1), penalty, ‘10 penalty units’—

omit, insert—

20 penalty units

(2) Section 37(3), penalty, ‘10 penalty units’—

omit, insert—

[s 97]

20 penalty units

97 Amendment of s 38 (Notice about promoter's representative)

- (1) Section 38(1), penalty, '10 penalty units'—

omit, insert—

20 penalty units

- (2) Section 38(3), penalty, '10 penalty units'—

omit, insert—

20 penalty units

98 Amendment of s 39 (Monthly report)

Section 39(1), penalty, '10 penalty units'—

omit, insert—

20 penalty units

99 Amendment of s 40 (Arrangement for progressive jackpot link)

- (1) Section 40(2), penalty, '10 penalty units'—

omit, insert—

20 penalty units

- (2) Section 40(3), penalty, '10 penalty units'—

omit, insert—

20 penalty units

100 Amendment of sch 4 (Fees)

Schedule 4, item 4—

omit.

Part 4 Amendment of Gaming Machine Act 1991

101 Act amended

This part amends the *Gaming Machine Act 1991*.

102 Amendment of s 55B (Community impact statement and statement of responsible gambling initiatives required for application of significant community impact)

- (1) Section 55B, heading, ‘responsible’—

omit, insert—

safer

- (2) Section 55B(1)(b), ‘responsible’—

omit, insert—

safer

- (3) Section 55B(3)—

omit, insert—

- (3) The purpose of the statement of safer gambling initiatives is to help the commissioner assess the adequacy of the applicant’s approach to providing a safer gambling environment.

- (4) Section 55B(4) and (5), ‘responsible’—

omit, insert—

safer

103 Amendment of s 261A (Self-exclusion order)

Section 261A(1)(b), ‘problem gamblers’—

omit, insert—

persons experiencing harm from gambling

[s 104]

104 Amendment of s 261C (Exclusion direction)

- (1) Section 261C(1), ‘a problem gambler’—

omit, insert—

experiencing, or at risk of experiencing, harm
from gambling

- (2) Section 261C(1)—

insert—

Note—

See section 261FA.

105 Insertion of new s 261FA

Before section 261G—

insert—

261FA Who is a person experiencing harm from gambling

A reference in this division to a *person experiencing harm from gambling* is a reference to a person whose behaviour relating to gambling—

- (a) is characterised by difficulties in limiting the amount of money or time the person spends on gambling; and
- (b) is adversely affecting the person, other persons or the community.

106 Amendment of s 261H (Counselling)

- (1) Section 261H(2), ‘a problem gambler’—

omit, insert—

experiencing, or at risk of experiencing, harm
from gambling

- (2) Section 261H(2)—

insert—

Note—

See section 261FA.

- (3) Section 261H(4), ‘a problem gambler’—

omit, insert—

experiencing, or at risk of experiencing, harm
from gambling

- (4) Section 261H(4)—

insert—

Note—

See section 261FA.

107 Insertion of new pt 12, div 24

Part 12—

insert—

Division 24 Transitional provision for Casino Control and Other Legislation Amendment Act 2024

494 Statement of responsible gambling initiatives

- (1) This section applies in relation to an application of significant community impact, made before the commencement, accompanied by a statement of responsible gambling initiatives.
- (2) Former section 55B continues to apply in relation to the application despite the amendment of section 55B by the *Casino Control and Other Legislation Amendment Act 2024*.
- (3) In this section—

[s 108]

former section 55B means section 55B as in force immediately before the commencement.

108 Amendment of sch 2 (Dictionary)

(1) Schedule 2, definition *problem gambler*—
omit.

(2) Schedule 2—
insert—

person experiencing harm from gambling see section 261FA.

Part 5 Amendment of Gaming Machine Regulation 2002

109 Regulation amended

This part amends the *Gaming Machine Regulation 2002*.

110 Replacement of s 28 (Services for problem gambler)

Section 28—
omit, insert—

28 Services for persons experiencing harm from gambling

(1) A licensee must display, under this section, a sign advertising services available to help persons experiencing, or at risk of experiencing, harm from gambling.

Maximum penalty—20 penalty units.

(2) The sign must be displayed in a conspicuous position at each place on the licensee's licensed premises where either of the following is carried out—

- (a) the sale or redemption of gaming tokens;
- (b) a transaction for a centralised credit system.

Part 6 Amendment of Keno Act 1996

111 Act amended

This part amends the *Keno Act 1996*.

112 Amendment of s 154B (Self-exclusion order)

Section 154B(1)(b), ‘problem gamblers’—

omit, insert—

persons experiencing harm from gambling

113 Amendment of s 154D (Exclusion direction)

- (1) Section 154D(1), ‘a problem gambler’—

omit, insert—

experiencing, or at risk of experiencing, harm
from gambling

- (2) Section 154D(1)—

insert—

Note—

See section 154GA.

114 Insertion of new s 154GA

Before section 154H—

insert—

154GA Who is a person experiencing harm from gambling

A reference in this division to a *person*

[s 115]

experiencing harm from gambling is a reference to a person whose behaviour relating to gambling—

- (a) is characterised by difficulties in limiting the amount of money or time the person spends on gambling; and
- (b) is adversely affecting the person, other persons or the community.

115 Amendment of s 154I (Counselling)

- (1) Section 154I(2), ‘a problem gambler’—

omit, insert—

experiencing, or at risk of experiencing, harm from gambling

- (2) Section 154I(2)—

insert—

Note—

See section 154GA.

- (3) Section 154I(4), ‘a problem gambler’—

omit, insert—

experiencing, or at risk of experiencing, harm from gambling

- (4) Section 154I(4)—

insert—

Note—

See section 154GA.

116 Amendment of sch 4 (Dictionary)

- (1) Schedule 4, definition *problem gambler*—

omit.

(2) Schedule 4—

insert—

person experiencing harm from gambling see
section 154GA.

Part 7 Amendment of Wagering Act 1998

117 Act amended

This part amends the *Wagering Act 1998*.

118 Amendment of s 216B (Self-exclusion order)

Section 216B(1)(b), ‘problem gamblers’—

omit, insert—

persons experiencing harm from gambling

119 Amendment of s 216D (Exclusion direction)

(1) Section 216D(1), ‘a problem gambler’—

omit, insert—

experiencing, or at risk of experiencing, harm
from gambling

(2) Section 216D(1)—

insert—

Note—

See section 216GA.

120 Insertion of new s 216GA

Before section 216H—

insert—

[s 121]

216GA Who is a person experiencing harm from gambling

A reference in this division to a *person experiencing harm from gambling* is a reference to a person whose behaviour relating to gambling—

- (a) is characterised by difficulties in limiting the amount of money or time the person spends on gambling; and
- (b) is adversely affecting the person, other persons or the community.

121 Amendment of s 216I (Counselling)

- (1) Section 216I(2), ‘a problem gambler’—

omit, insert—

experiencing, or at risk of experiencing, harm from gambling

- (2) Section 216I(2)—

insert—

Note—

See section 216GA.

- (3) Section 216I(4), ‘a problem gambler’—

omit, insert—

experiencing, or at risk of experiencing, harm from gambling

- (4) Section 216I(4)—

insert—

Note—

See section 216GA.

122 Amendment of sch 2 (Dictionary)

(1) Schedule 2, definition *problem gambler*—
omit.

(2) Schedule 2—
insert—

person experiencing harm from gambling see
section 216GA.

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