



22 June 2022

Committee Secretariat  
Legal Affairs and Safety Committee  
Parliament House  
George Street  
BRISBANE QLD 4000

By email: [lasc@parliament.qld.gov.au](mailto:lasc@parliament.qld.gov.au)

Dear Secretariat

### **Casino Control and Other Legislation Amendment Bill 2022**

Clubs Queensland (CQ) thanks the Queensland Government for the opportunity to provide feedback on the *Casino Control and Other Legislation Amendment Bill 2022 (the Bill)*.

Clubs Queensland is generally supportive of the proposed amendments in terms of the creation of a 'head of power' to allow the approval of cashless gaming systems and extension of gaming hours on New Year's Eve.

However, as has been highlighted in past submissions to the Office of Liquor and Gaming Regulation (OLGR), CQ is not supportive of the Bill enabling the making of a regulation which prescribes a harm minimisation measure that is required to be implemented by licensees.

### **Clubs Queensland**

CQ is the peak industry association and union of employers of registered and licensed community clubs in Queensland. CQ engages in a range of professional activities such as the provision of expert policy and operational advice and the representation of industry interests to government, media and other bodies.

CQ represents 815 registered and licensed clubs across Queensland, including sporting clubs, surf lifesaving supporters clubs, RSL and services clubs and other general interest and cultural clubs. The large majority of our members hold gaming machine licenses under the Gaming Machine Act 1991 (Qld).

### **Amendments to modernise various gambling acts**

The Bill amends various gambling acts relevant to the club industry, including the *Charitable and Non-Profit Gaming Act 1999 (Qld)*, *Gaming Machine Act 1991 (Qld)*, *Keno Act 1996 (Qld)*, *Lotteries Act 1997 (Qld)* and *Wagering Act 1998 (Qld)* (**the Gambling Acts**) to essentially transition to cashless gaming systems.

CQ is generally supportive of these amendments, insofar as they create a 'head of power' to allow the later approval of such technologies and payment methods. However, CQ makes the following comments in relation to the later approval processes of such technologies and payment methods:



- such approvals be done in consultation with peak industry bodies including, Gaming Technologies Australia and club and hotel associations; and
- associated harm minimisation principles for such technology be developed:
  - in consultation with industry through the Technology and Environment working party formed to implement the Harm Minimisation Plan for Queensland 2021 – 2025 (**the Plan**); and
  - in accordance with the Regulatory Framework strategic pillar of the Plan and be proportionate, risk based and led by agreed evidence.

### **Amendments to provide a regulation making power to prescribe harm minimisation measures**

CQ does not support the amendment of the Gambling Acts to provide a regulation making power to prescribe harm minimisation measures which must be implemented.

Consistent with CQ's past submission in relation to this issue, CQ is of the view that such amendment does not support the approach taken to harm minimisation set out in the Plan. CQ is also of the view that there already exists sufficient powers to implement harm minimisation measures under the existing legislation, in a timely manner, which align with the Plan.

It should also be noted that the strategic pillars of the plan provide a comprehensive review of the Responsible Gambling Code of Practice (**the RGCP**), which itself provides an existing harm minimisation framework which aligns with the Plan. It should also be noted that this review is already underway to review the self-regulatory measures to support harm minimisation.

### ***Gambling Harm Minimisation Plan for Queensland 2021-2015***

As highlighted in CQ's past submission in relation to this issue, a collaborative approach between industry, community and government is required to inform any harm minimisation measures to ensure that the whole of the industry is able to implement and manage changes. To reiterate our position, CQ is of the view that the proposed amendment to provide a regulation making power to prescribe a harm minimisation measure:

- does not foster a collaborative approach to harm minimisation, especially since industry is funding, building and now trialling a MVSE platform which will greatly enhance a licensee's ability to monitor excluded patrons; and
- is inconsistent with the Plan which recognises that any approach to harm minimisation must be proportionate, risk based and evidence led.

### ***Existing powers***

Again, as highlighted in CQ's past submission, there already exists mechanisms under the GM Act to make regulations about a particular harm minimisation measure.

To reiterate, section 366 of the GM Act provides that the Minister may make regulations with respect to a wide range of matters, including the proper conduct of gaming. Further, the GM Act also provides an existing power to the Commissioner regarding conditioning licences and products. These existing powers and provisions are appropriate and provide a way in which regulation can be made by the Minister, in relation to harm minimisation, which is proportionate to risk.



As stated in CQ's previous submission, it is important that the current procedure and power for the making of a regulation be maintained when considering the broad scope of what is being proposed. This includes relevant industry consultation, regulatory impact analysis and consideration by Cabinet.

### ***Responsible Gambling Code of Practice***

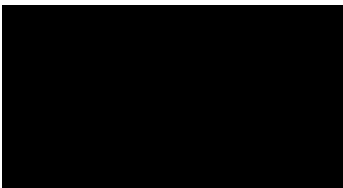
As highlighted in CQ's previous submission, the proposed amendments have the potential to render the RGCP redundant by creating a power which will result in mandated, specific harm minimisation measures. As outlined above, this is in conflict with the Plan and contrary to the club industry's past submissions that the approach to harm minimisation should ensure the whole of the industry can and will implement and actively manage changes.

### **Amendments to extend New Year's Eve gaming hours**

Clubs Queensland is supportive of the proposed amendments to extension New Year's Eve gaming hours in line with temporary extension of liquor trading hours.

CQ thanks the Queensland Government for the opportunity to provide comment on the Bill and if there are any questions, please do not hesitate to contact me on [REDACTED] or at [REDACTED] or Dan Nipperess on [REDACTED] or [REDACTED]

Yours sincerely



**Craig Harley**  
CEO  
Clubs Queensland