




Speech By  
**Jason Hunt**

**MEMBER FOR CALOUNDRA**

---

Record of Proceedings, 13 October 2022

### **CASINO CONTROL AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr HUNT** (Caloundra—ALP) (4.25 pm): I rise today to speak to the Casino Control and Other Legislation Amendment Bill 2022. I thank the Attorney-General for her tireless work and the indefatigable attention to detail that has become her hallmark. Before addressing the bill, I take the time to thank the other members of the Legal Affairs and Safety Committee: chair Mr Peter Russo, member for Toohey; deputy chair Mrs Laura Gerber, member for Currumbin; Ms Sandy Bolton, member for Noosa; Ms Jonty Bush, member for Cooper; Mr Jon Krause, member for Scenic Rim; and of course the diligent and hardworking members of the secretariat who make the task immeasurably smoother and easier. They are utterly indispensable.

On 31 May 2022 the committee invited stakeholders and subscribers to make written submissions on the bill. Eight submissions were received. The committee received a public briefing about the bill from the Office of Regulatory Policy—Liquor, Gaming and Fair Trading, Department of Justice and Attorney-General on 8 June 2022. A transcript is published on the committee's webpage. The committee also received written advice from the department in response to matters raised in the submission.

The committee held a public hearing on 11 June 2022. Subsequently, the committee made two recommendations. The committee recommends: that the Casino Control and Other Legislation Amendment Bill 2022 be passed; and that the Queensland government engages with stakeholders to review the legislative framework for charitable fundraising, giving consideration to the relevancy of other state and federal legislation including consumer law.

The explanatory notes outline the objectives of the bill as implementation of a range of reforms relevant to the regulation of liquor gaming and fair trading in Queensland—

The amendments in the Bill are to:

- ensure casino integrity and modernise gaming legislation;
- introduce a framework for wagering on simulated events;
- extend New Year's gaming hours; and
- introduce a cross-border recognition scheme for charitable fundraising.

By way of background, inquiries and investigations have been undertaken into casinos operated by subsidiaries of Crown Resorts Ltd, known as Crown, and Star Entertainment Group Ltd, known as the Star or Star in multiple jurisdictions. The findings of these inquiries—the Finkelstein inquiry in Victoria, the Bergin inquiry in New South Wales and the Owen inquiry in Western Australia—suggest that the wider casino sector should be subject to stronger regulatory scrutiny.

The bill will seek to confront the matters raised by the previous inquiries via a number of avenues that will enhance the Casino Control Act. The bill will significantly increase penalties for critical offences; impose a requirement to self-report contraventions while complying with all reasonable requests from the minister or regulator; expand information-gathering powers; and introduce other powers which are considered necessary to reflect the complexity of regulating casinos.

As we all realise that casinos are indeed complex structures, the bill will further bolster general information-seeking powers to enable any information, including information that is subject to legal professional privilege, to be sought from a casino entity or a person associated with a casino entity and for that information to be provided on oath or by statutory declaration.

The bill will also lower the threshold for taking disciplinary action including making the contravention of the Casino Act a ground for taking disciplinary action and enabling reasonable costs and expenses of disciplinary action to be recovered from a casino entity.

While it is true that the QHA expressed some concerns around the bill citing a need for substantial evidence required for regulators as opposed to simple allegations, the department responded—

The casino integrity reforms contained in the Bill are considered to be examples of best practice casino regulation that will be applicable to all casinos and are not in response to any specific allegations or findings against Queensland casino operators.

Many of the amendments will ensure appropriate action can be taken against casino entities if misconduct or breaches of the law have been substantiated such as the amendments to introduce new disciplinary fines and the ability to recoup the reasonable costs of taking disciplinary action against a casino entity.

The committee further heard that the Finkelstein inquiry recommended that Crown Melbourne be directed to phase out the use of cash for gaming transactions over \$1,000 as cash is a medium favoured by criminals and leaves casinos particularly vulnerable to money laundering. In this regard, the bill proposes to remove any legislative barriers to considering and approving cashless payment methods—that is, allowing an alternate payment method such as EFTPOS to be considered and approved; and ensuring that cashless systems and technology can be approved with conditions if required and made to undergo technical evaluation if considered necessary before their use in the gambling market.

In response to a submission from the Cancer Council of Queensland around premium gaming rooms not being subject to smoke-free laws, the department advised that this was outside the scope of the bill. That said, the committee is of the view that the Cancer Council of Queensland has highlighted an area of potential reform of the Tobacco and Other Smoking Products Act 1988 in relation to smoking in premium casino gaming rooms. In this regard, the committee encourages the Queensland government to undertake consultation with the relevant stakeholders including casino operators, the Cancer Council of Queensland and unions with a view to removing smoking in all Queensland casinos.

In addition, the bill proposes to amend the Wagering Act 1998 to authorise sports wagering licensees to conduct wagering on simulated sports and simulated racing events and related contingencies that are approved by the minister. The bill confines the definition of a 'simulated event' to a race or sporting event simulated by a computer where the outcome is solely determined by a random number generator. To ensure the fairness and integrity of the product, the simulated event random number generator will be brought within the existing regime under the Wagering Act and Wagering Regulation 1999 for technical evaluation and equipment approvals. The amendment proposed by the bill will allow Ubet to offer the same wagering products offered by Tabcorp subsidiaries in New South Wales, Victoria and the Australian Capital Territory, subject to ministerial approvals of those products.

As can be imagined, this did not go without commentary from Responsible Wagering Australia, but the department was able to advise—

The Bill provides additional safeguards by allowing the chief executive to condition equipment approvals. Additionally, Ministerial approval of a simulated event or simulated contingency may be withdrawn for any reason the Minister considers appropriate, including if the simulated event or simulated contingency is contrary to the public interest. A decision of the Minister to withdraw approval is not reviewable.

Naturally the findings of the Gotterson report have and will have an impact on this report and the issue of casinos more broadly. The government supports all 12 recommendations of the Gotterson review including: as a priority, amending provisions of the Casino Control Act to allow for the appointment of a special manager to increase supervision and integrity of operations; with powers akin to those in the New South Wales Casino Control Act, institute periodic investigations into the suitability of all Queensland casinos paid for by the casinos; casino licensees to pay a supervision levy as a condition of their licence; and a mandatory code of conduct for safe gambling with significant fines for noncompliance.

Significantly, Mr Gotterson found no suggestion of any inappropriate interference by the minister of the day or the government in regulatory decisions relating to Star. Similarly, Mr Gotterson did not find sufficient justification to change fundamentally the structure of the Queensland regulator. However, in regard to the Queens Wharf financial commitment agreement regulatory restrictions and compensation clauses, he noted that the state legislature should not be fettered in its capacity to impose controls on casinos or compensate them in any way for having done so. The government has agreed with Mr Gotterson and will act accordingly.

Casinos will be required to make reasonable endeavours to exclude persons subject to the exclusion directions of police commissioners in other states. A number of recommendations were made to improve gambling harm minimisation including mandatory carded play and limits on cash transactions. The government has also determined to raise the maximum penalty that can be imposed on a casino to a proposed \$100 million.

I conclude by observing that, while I do not gamble outside of the Melbourne Cup—and my scientific method then is to essentially look at the colours of the jockeys' silks and decide which name I like—or scratching an occasional scratchy, I have absolutely no issue with others indulging. However, it is an industry that demands extremely close monitoring and regulation. This bill and the amendments provide reassurance to me that this government is keeping the best interests of all Queenslanders uppermost in mind. On that note, I commend the bill to the House.