




Speech By
Hon. Yvette D'Ath

MEMBER FOR REDCLIFFE

Record of Proceedings, 25 October 2023

CASINO CONTROL AND OTHER LEGISLATION AMENDMENT BILL

Message from Governor

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence) (12.52 pm): I present a message from Her Excellency the Governor.

Mr DEPUTY SPEAKER (Mr Krause): The message from Her Excellency the Governor recommends the Casino Control and Other Legislation Amendment Bill. The contents of the message will be incorporated in the *Record of Proceedings*. I table the message for the information of members.

MESSAGE

CASINO CONTROL AND OTHER LEGISLATION AMENDMENT BILL 2023

Constitution of Queensland 2001, section 68

I, DR JEANNETTE ROSITA YOUNG AC PSM, Governor, recommend to the Legislative Assembly a Bill intituled—


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

GOVERNOR

Date: 25 October 2023

Tabled paper: Message, dated 25 October 2023, from Her Excellency the Governor, recommending the Casino Control and Other Legislation Amendment Bill 2023 [1747](#).

Introduction

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence) (12.52 pm): I present 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. I table the bill, the explanatory notes and a statement of compatibility with human rights. I nominate the Legal Affairs and Safety Committee to consider the bill.

Tabled paper: Casino Control and Other Legislation Amendment Bill 2023 [1748](#).

Tabled paper: Casino Control and Other Legislation Amendment Bill 2023, explanatory notes [1749](#).

Tabled paper: Casino Control and Other Legislation Amendment Bill 2023, statement of compatibility with human rights [1750](#).

This is the second bill that the Palaszczuk government has introduced to deal with issues affecting the integrity of the Queensland casino sector. It follows on from the Casino Control and Other Legislation Amendment Bill 2022 which was introduced and passed last year amidst public concerns about the integrity and accountability of casinos nationwide. These concerns were based on allegations of money laundering, criminal infiltration and other integrity issues against casino operators, including

the Star Entertainment Group Ltd which, through subsidiaries, currently operates the Treasury Brisbane casino and the Star Gold Coast casino. Accordingly, the Casino Control and Other Legislation Amendment Bill 2022 proactively enhanced the disciplinary options available to government within the casino regulatory framework and otherwise provided for increased scrutiny and oversight of Queensland casinos.

In July 2022, while this bill was still before the House, the former attorney-general appointed the Hon. Robert Gotterson AO, KC to conduct an external review of the Queensland operations of the Star Entertainment Group Ltd. In addition to inquiring into the operations of Star's Queensland properties and providing advice to inform government's concurrent suitability investigations into Star Entertainment Group Ltd, Mr Gotterson was tasked with considering whether improvements to casino legislation would enhance the integrity of casinos and restore public confidence in casino operations. Mr Gotterson made 12 recommendations to this effect and the government accepted all of these recommendations in principle as announced on 6 October 2022. The recommendation that the Casino Control Act be amended to provide for the appointment of a special manager to oversee casino operations as a disciplinary measure has already been actioned through last year's casino bill. It provided the framework within which the government appointed Mr Nicholas Weeks as special manager to Star casinos in Queensland.

The bill I introduce today provides the legislation necessary to implement Mr Gotterson's remaining 11 recommendations. These recommendations provide for important harm minimisation reforms as well as those that enhance the scrutiny and oversight of Queensland casinos. Significantly, the bill addresses Mr Gotterson's recommendation that mandatory carded play be implemented in Queensland casinos accompanied by mandatory precommitment and restrictions on the use of cash. The bill provides a regulation-making power that will allow the details of these technology-driven reforms to be defined and refined in accordance with best practice harm minimisation. The bill also provides for the use of player card data, including its use in the administration and enforcement of the Casino Control Act, and allows the chief executive to provide de-identified player card information for research purposes.

To address money laundering, casinos will be restricted from accepting more than a prescribed amount of cash from a person for gambling related transactions in a 24-hour period. Mr Gotterson recommended a \$1,000 limit and the government will consult further on this amount, noting that the limit relates only to use of cash and is separate from any default expenditure limit that may be applied under the provisions relating to mandatory precommitment. These are very important reforms that will reduce the potential for harm from casino gaming while also reducing the currently broad potential for casinos to be exploited by money launderers. The reforms are also consistent with reforms being implemented by governments in Victoria, New South Wales and Western Australia in response to their inquiries into casino integrity. The bill also places controls on direct marketing by casino operators and provides that casino operators must not require a person to give consent to receiving promotional or advertising material as a condition of issuing the person a player card.

To further reflect the government's commitment to harm minimisation, the bill also changes some of the gambling terminology used in the Casino Control Act, the Gaming Machine Act, the Keno Act and the Wagering Act. In accordance with Mr Gotterson's recommendations and a commitment the Palaszczuk government has already made under the Gambling Harm Minimisation Plan for Queensland 2021-2025, the bill replaces the terms 'problem gambler' and 'responsible gambling' with more suitable wording to reduce stigma, shame and the implication of personal responsibility for gambling behaviour. The term 'problem gambler' will be replaced with 'person experiencing or at risk of experiencing harm from gambling' while the concept of 'responsible gambling' will be replaced with 'safer gambling'. The change, which will also be replicated in government communications material relating to gambling, reflects current understanding that the responsibility for a person's gambling does not rest solely with that person and that gambling providers also have a role to play in minimising harm.

Casino operators will also be required to observe a mandatory code of conduct which will be prescribed in a regulation. The code may impose obligations on casino operators and their employees and agents in respect of safer gambling in casinos. The bill provides the code may also deal with the appropriate conduct of casino operations and the implementation of appropriate practices, systems and procedures relating to the governance, accountability and integrity of casino operators.

Importantly, amendments contained in the bill will require casino operators to pay a supervision levy so that the costs of regulating casinos is borne by those who benefit from casino licences rather than the taxpayer. The bill allows the minister to set the annual value of the levy, having regard to the costs of regulating casinos and the proposed conduct of programs aimed at reducing harm from gambling in Queensland, which may also be funded from the levy. Liability for the levy will be apportioned between casino licensees as provided for in a regulation.

The bill also amends the Casino Control Act to provide for the periodic cost-recoverable reviews into each casino licence at intervals of not more than five years, unless extended to a maximum of seven years by regulation. The reviews must cover, among other things, the suitability of the casino entities associated with the casino licence, the compliance of each casino entity with casino legislation, the operation of the casino and whether it is in the public interest that the casino licence remains in force. Compliance with the mandatory code of conduct will be a consideration in suitability determinations arising from the reviews. The bill also contains enhancements to provisions dealing with the exclusion of a person from a casino, for example by compelling casino operators to share details of persons they have excluded on safety or integrity grounds due to the way the person has acted in a casino. In accordance with Mr Gotterson's recommendations, the bill will also require casino operators to proactively exclude a person if the casino operator is aware the person is banned from an interstate casino at the direction of an interstate police commissioner.

Sitting suspended from 1.00 pm to 2.00 pm.



Mrs D'ATH: This bill addresses some of the undesirable behaviour identified in Mr Gotterson's report, which found that particular persons banned by police from casinos in New South Wales were encouraged to cross the border and gamble at Star's Queensland casinos.

In addition to delivering on the legislation necessary to implement Mr Gotterson's recommendations, the bill contains a number of additional reforms that are also aimed at enhancing casino integrity in Queensland. Significantly, the bill obligates the officers of a casino operator to particular duties relating to the lawful and appropriate operation of a casino. The obligations require the officer to take reasonable steps to ensure, for example, the casino operator operates the casino lawfully and properly engages with its employees in relation to matters that impact on the provision of a safer gambling environment or the integrity of casino operations. Though not a recommendation of the Gotterson review, the new obligations on officers will help build a positive and cooperative culture in Queensland casinos by ensuring those persons with ultimate responsibility for corporate conduct take proactive steps to ensure compliance.

The bill also increases the penalties for more than 60 offences across the Casino Control Act and Casino Control Regulation to ensure the penalties for specific breaches of those instruments are commensurate with the nature of the offences and the harms that may arise from a breach. The increases accord with community expectations that penalties should act as a suitable deterrent against inappropriate conduct within Queensland casinos and that penalties cannot be seen, given the profits generated by casino gaming, as an acceptable cost of doing business. It should be noted that the maximum pecuniary penalty of \$100 million, introduced through the passage of last year's casino bill and subsequently levelled to that value against Star, still applies as an option for Governor in Council when determining disciplinary action against a casino entity for significant wrongdoing.

The bill proposes other amendments that will modernise how inspectors obtain information, for example by ensuring they are not required to produce identification when requesting information by email and are able to accept information by electronic means rather than requiring it to be delivered in person. Additionally, the regulator will be provided with real-time access to the electronic systems of casino operators.

The bill also provides that an excluded person or minor who would not ordinarily be permitted to remain on casino premises may do so if they are assisting an inspector or police officer in the performance of the inspector or police officer's functions. The existing legislation does not allow excluded persons or minors to remain on the premises and, as a result, an excluded person or minor found on casino premises would have to be interviewed on the street rather than in a more appropriate and private environment such as the onsite inspectorate office located within the casino. The amendment contained in the bill addresses this issue. These reforms are important to ensuring the integrity and responsible operation of Queensland casinos. I commend the bill to the House.

First Reading

Hon. YM D'ATH (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence) (2.03 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to Legal Affairs and Safety Committee

Mr DEPUTY SPEAKER (Mr Lister): In accordance with standing order 131, the bill is now referred to the Legal Affairs and Safety Committee.