1996

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Chief Minister)

Casino Control (Amendment) Bill 1996

A BILL

FOR

An Act to amend the *Casino Control Act 1988* and for related purposes

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

1. This Act may be cited as the *Casino Control (Amendment) Act 1996.*

Commencement

2. **(1)** Sections 1, 2, 3 and 9 commence on the day on which this Act is notified in the *Gazette.*

(2) The remaining provisions commence on 1 January 1997.

Principal Act

3. In this Act, "Principal Act" means the *Casino Control Act 1988.*[1]

86070 1996/138 (T70/1996)

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Interpretation

4. Section 3 of the Principal Act is amended—

(a) by omitting from subsection (1) the definitions of "junket", "junket gaming" and "junket tax"; and

5 **(b)** by inserting in subsection (1) the following definitions:

" 'commission-based gaming' means gaming participated in by a person visiting the casino under a commission-based player scheme;

'commission-based player scheme' means an arrangement
10 between a promoter and the casino licensee, or between a prospective player or players and the licensee—

(a) the primary purpose of which is to induce a person or persons or the prospective player or players to visit the casino for the purpose of participating in
15 gaming; and

(b) under which an amount exceeding the prescribed amount is provided, directly or indirectly, for that person or player or either or any of those persons or players by the casino licensee by way of
20 commission in relation to the visit or in connection with the provision of transportation, food, beverages, lodging or entertainment in respect of the visit or for any other purpose associated with the visit;

25 'commission-based player tax' means tax payable under section 16A;".

General tax

5. Section 16 of the Principal Act is amended—

(a) by omitting from subsection (1) "non-junket" and substituting
30 "non-commission-based"; and

(b) by omitting subsection (4) and substituting the following subsection:

"(4) In this section—

'chips' does not include chips supplied by the casino for
35 commission-based gaming;

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'non-commission-based gaming' means gaming other than commission-based gaming;

'non-commission-based profit', in relation to a month, means an amount ascertained by deducting from the total amount received by the casino licensee in that month from non-commission-based gaming in the casino the amount paid out during that month as winnings in respect of that gaming, and then—

(a) where the value of unredeemed chips at the end of that month is greater than the value of unredeemed chips at the beginning of that month—adding to the amount so ascertained the difference between those values; or

(b) where the value of unredeemed chips at the end of that month is less than the value of unredeemed chips at the beginning of that month—deducting from the amount so ascertained the difference between those values.".

Commission-based player tax

6. Section 16A of the Principal Act is amended—

(a) by omitting from subsection (1) "Junket" and substituting "Commission-based player";

(b) by omitting from subsection (1) "junket" (second occurring) and substituting "commission-based";

(c) by omitting from subsection (2) "junket" and substituting "commission-based player";

(d) by omitting from subsection (3) "Junket" and substituting "Commission-based player"; and

(e) by omitting subsection (4) and substituting the following subsection:

"(4) In this section—

'commission-based player chips' means chips supplied by the casino licensee for commission-based gaming;

'completed commission-based player scheme' , in relation to a month, means a commission-based player scheme in relation to which commission-based gaming is completed during that month, irrespective of whether the

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commission-based gaming commenced in that month or previously;

'completed commission-based profit', in relation to a month, means the total profit derived during that month from completed commission-based player schemes irrespective of whether the profit relates to gaming occurring in that month or previously;

'profit', in relation to a commission-based player scheme, means an amount ascertained by deducting from the amount received by the casino licensee from commission-based gaming in the casino under the scheme the amount paid out to persons participating in the scheme as winnings in respect of that gaming, and then—

(a) where the value of unredeemed commission-based player chips held by the participants in the scheme after its completion is greater than the value of unredeemed commission-based player chips (being chips originally purchased for the purposes of a previous scheme) used in the course of commission-based gaming in relation to the scheme—adding to the amount so ascertained the difference between those values; or

(b) where the value of unredeemed commission-based player chips held by the participants in the scheme after its completion is less than the value of unredeemed commission-based player chips (being chips originally purchased for the purposes of a previous scheme) used in the course of commission-based gaming in relation to the scheme—deducting from the amount so ascertained the difference between those values.".

Liability for fee and taxes—suspension of licence

7. Section 17 of the Principal Act is amended—

(a) by omitting "junket" (first occurring) and substituting "commission-based player"; and

(b) by omitting from paragraph (b) "junket" and substituting "commission-based player".

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Regulations

8. Section 133 of the Principal Act is amended by omitting from paragraph (2) (q) "junkets" and substituting "commission-based player schemes".

5 **Amendment—*Casino Control (Amendment) Act 1994***

9. (1) Section 2 of the *Casino Control (Amendment) Act 1994* is amended by omitting subsection (4).

(2) Section 9 of the *Casino Control (Amendment) Act 1994* is repealed.

NOTE

Principal Act

1. Reprinted as at 31 January 1995 See also Act No. 26, 1996.

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