

1991
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Chief Minister)

Casino Control (Amendment) Bill 1991

**A BILL
FOR**

An Act to amend the *Casino Control Act 1988*

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

Short title

- 5 1. This Act may be cited as the *Casino Control (Amendment) Act 1991*.

Principal Act

2. In this Act, "Principal Act" means the *Casino Control Act 1988*.¹

Interpretation

- 10 3. Section 3 of the Principal Act is amended—
(a) by omitting from subsection (1) the definition of "casino" and substituting the following definition:

" 'casino' means—

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- (a) an area designated under paragraph 4 (1) (a); and
 - (b) an area, or all the areas, designated under paragraph 4 (1) (b);"; and
- (b) by inserting after subsection (1) the following subsection:
- 5 “(1A) In this Act, a reference to ‘the casino’ shall be read as a reference to—
- (a) the area designated under paragraph 4 (1) (a);
 - (b) the area, or the aggregation of the areas, designated under paragraph 4 (1) (b); and
 - 10 (c) if there is in effect a designation under each of those paragraphs—all designated areas;
- as the case requires.”.

Designation of casino

4. Section 4 of the Principal Act is amended—

- 15 (a) by omitting all the words after “*Gazette*,” and substituting the following:
- “designate—
- (a) an area to be the casino; and
 - (b) an area or areas to be the interim casino.”; and
- 20 (b) by adding at the end the following subsection:
- “**(2)** The Minister shall not designate an area under paragraph (1) (a) or (b) if the designation of another area under that paragraph has effect.”.

Grant of casino licence

25 5. Section 45 of the Principal Act is amended—

- (a) by inserting in subsection (1) “in respect of an area designated under paragraph 4 (1) (a)” after “licence”;
- (b) by inserting after subsection (1) the following subsection:

30 “(1A) A person is not eligible to be granted a casino licence in respect of the interim casino unless he or she is a person to whom a licence may be granted under subsection (1).”;
- (c) by inserting in subsection (3) “in respect of an area designated under paragraph 4 (1) (a)” after “licence”; and
- (d) by adding at the end the following subsection:

“(7) A casino licence in respect of the interim casino shall not be granted for a period exceeding 3 years.”

Suspension or cancellation of casino licence—grounds

5 6. Section 48 of the Principal Act is amended by inserting after paragraph (1) (c) the following paragraph:

“(ca) in the case of a casino licence in respect of the interim casino—

- (i) the developer is in breach of the development agreement; or
 - (ii) the developer in respect of the area referred to in paragraph 4 (1) (a) is in breach of the development agreement in respect of that area.”
- 10

Insertion

7. After section 48 of the Principal Act the following section is inserted:

Automatic suspension or cancellation of interim casino licence

15 “48A. (1) This section applies where the licences in respect of the areas designated under paragraphs 4 (1) (a) and (b) respectively are held by the same persons or by persons nominated for the respective purposes under subsection 45 (1) by the same person.

20 “(2) Where a licence in respect of an area designated under paragraph 4 (1) (a) is suspended or cancelled under this Part, any licence in respect of the interim casino is, by force of this section—

- (a) suspended for a period coextensive with the period of suspension of the other licence; or
 - (b) cancelled;
- 25 as the case may be.

“(3) Where—

- (a) a licence in respect of the interim casino is suspended by force of this section; and
 - (b) the period of suspension of the licence in respect of the area designated under paragraph 4 (1) (a) is terminated or reduced under subsection 49 (5);
- 30

the period of suspension of the licence in respect of the interim casino is terminated or reduced commensurately.”

Eligibility for issue of casino employees' licences

35 8. Section 88 of the Principal Act is amended by—

- (a) adding at the end of paragraph (1) (b) "or"; and
- (b) omitting paragraph (1) (c).

Insertion

5 9. Before section 128 of the Principal Act the following section is inserted in Part XII:

Effect on Territory Plan

"127A. (1) Sections 4 and 39 have effect notwithstanding sections 8 and 9 of the *Interim Planning Act 1990*.

10 "(2) Except as provided in subsection (1), nothing in this Act shall be taken to authorise doing any act, or approving the doing of any act, that would be inconsistent with the Territory Plan."

NOTE

1. Ordinance No. 72, 1988 as amended by Nos. 21 and 38, 1989; Act No. 25, 1990.