

1999

THE LEGISLATIVE ASSEMBLY FOR THE

AUSTRALIAN CAPITAL TERRITORY

**GAMBLING AND RACING CONTROL (CONSEQUENTIAL
PROVISIONS) BILL 1999**

EXPLANATORY MEMORANDUM

**Circulated by the authority of the Chief Minister and Treasurer
Kate Carnell, MLA**

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

GAMBLING AND RACING CONTROL (CONSEQUENTIAL PROVISIONS) BILL 1999

Summary

The Gambling and Racing Control (Consequential Provisions) Bill 1999 should be read as one with the *Gambling and Racing Control Act 1999*.

The *Gambling and Racing Control Act 1999* establishes the ACT Gambling and Racing Commission. The Commission is to be responsible for coordinating, controlling and administering all gambling and racing functions in the ACT.

To allow the Commission to carry out this role the *Gambling and Racing Control Act 1999* prescribed existing gambling and racing legislation in the ACT as "gaming laws".

The Bill transfers powers exercised by the Minister, the Authority (in the case of the Casino Surveillance Authority) or the Commissioner for ACT Revenue to the Commission in the following gaming laws:

- *Bookmakers Act 1985*;
- *Casino Control Act 1988*;
- *Gaming Machine Act 1987*;
- *Interactive gambling Act 1998*;
- *Lotteries Act 1964*;
- *Pool Betting Act 1964*; and
- *Racing Act 1999*.

The Bill also:

- repeals part 3 of the *Casino Control Act 1988* which establishes the Casino Control Authority. The Authority is abolished and its activities/functions subsumed into the Commission;
- repeals Part 3 of the *Gaming Machine Act 1987* which provides for inquiries to be conducted by the Commissioner for ACT Revenue. The Commission will assume these powers and functions;
- provides that the Commission will assume all assets and liabilities of the Casino Surveillance Authority, thereby ensuring continuity of financial management; and
- amends a number of Acts to extend references to tax laws to also include references to gaming laws.

Financial Implications

It is expected that establishment of the Commission and the consolidation of all gambling and racing activities under its control will create efficiencies and savings in administering and regulating the industry.

Details of the Gambling and Racing Control (Consequential Provisions) Bill 1999

PART 1 - PRELIMINARY

Short Title

Clause 1 - provides for the short title of this Act to be the *Gambling and Racing Control (Consequential Provisions) Act 1999*.

Commencement

Clause 2 - provides for section 1 of this Act to commence on the day on which it is notified in the *Gazette* and for the remaining provisions to commence on a day or days fixed by the Minister by notice in the *Gazette*. Any provision of the Act which has not commenced within 6 months of the *Gambling and Racing Control Act 1999* being notified in the *Gazette* shall commence once that 6 month period has ended.

PART 2 - AMENDMENTS OF GAMBLING ACTS

Repeal of Part 3 of the Casino Control Act

Clause 3 - repeals Part 3 of the *Casino Control Act 1988*.

Repeal of Part 3 of the Gaming Machine Act

Clause 4 - repeals Part 3 of the *Gaming Machine Act 1987*.

Amendments of other Acts

Clause 5 - sets out amendments to Acts specified in the Schedule.

SCHEDULE

The Schedule gives details of the consequential amendments to specified gaming laws to allow the ACT Gambling and Racing Commission to perform its functions under the *Gambling and Racing Control Act 1999*.