

Australian Capital Territory

Casino Control (Unredeemed Cheque – Time for Presentation) Determination 2006 (No 1)

Notifiable Instrument NI2006–160

made under the

Casino Control Act 2006, section 115 (Time for presentation of unredeemed cheque)

EXPLANATORY STATEMENT

The *Casino Control Act 2006* (the Act) regulates the operation of the casino in the Territory. It commences on 1 May 2006 and replaces the *Casino Control Act 1988*.

Section 114 of the Act states that a person may redeem a cheque previously accepted by the casino licensee if the licensee agrees and the cheque is redeemed before the cheque is presented on or before the end of the time determined under section 115 for presentation of the cheque for payment. A person may redeem the cheque by paying the casino licensee in cash or chips or, if more than one cheque is being redeemed, by a cheque for the total value of the cheques to be redeemed.

Section 115 of the Act applies if the casino licensee accepts a cheque that has not been redeemed under section 114 of the Act. The Commission may determine the time within which the casino licensee must present the cheque for payment.

This notifiable instrument requires the casino licensee to present cheques drawn on a bank account located at a Branch within Australia within three working days from the date of receipt of the cheque by the licensee. Similarly, the casino licensee is required to present cheques drawn on a bank account located at a Branch outside Australia within ten working days from the date of receipt of the cheque by the licensee.

This determination ensures that the casino licensee cannot hold onto a cheque for an extended or indefinite period and thereby effectively provide the gambler with a form of credit. By requiring cheques to be presented expeditiously, it ensures the casino licensee cannot use the withholding of a patron's cheque as a method to entice the person back into the casino to continue to gamble.

The different timeframes based on the location of the bank Branch where the cheque is drawn (i.e. either in Australia or overseas) recognises that banking transaction times in some overseas countries may be longer than in Australia.

This instrument reduces the timeframes outlined in a similar instrument under the former *Casino Control Act 1988* (where the presentation times were five days for Australian banks and 20 days for overseas banks) as current gambling harm minimisation policy is to have tighter scrutiny to ensure that credit is not offered to patrons in any form.