

LEGISLATIVE COUNCIL

Casino Legislation Amendment Bill 2022

Second Print

Proposed amendments

No. 1 **Commencement**

Page 2, clause 2(a), line 6. Omit “section 71A”. Insert instead “sections 71A and 71B”.

No. 2 **Casino operators’ duty of care**

Page 5. Insert after line 34—

[15A] Section 22AA

Insert after section 22—

22AA Duty of care owed by casino operators

It is a condition of a casino licence that the casino operator has a duty to—

- (a) take all reasonable steps to prevent and minimise harm from gambling, including by—
 - (i) monitoring the welfare of players, and
 - (ii) discouraging intensive and prolonged play, and
 - (iii) intervening when a person is displaying behaviour consistent with gambling harm, and
- (b) take all reasonable steps to ensure players in a gaming area in the casino are regularly observed to monitor behaviour consistent with gambling harm, and
- (c) employ or otherwise engage persons to perform the role of responsible gambling officers (however named) and to ensure there are sufficient responsible gambling officers at the casino at any time to perform the functions mentioned in paragraphs (a) and (b).

No. 3 **Responsible conduct of gambling training**

Page 17. Insert after line 18—

[53A] Section 64AA

Insert after section 64—

64AA Requirement to ensure responsible conduct of gambling training completed

- (1) It is a condition of a casino licence that the casino operator must ensure persons who are employed or work in the casino have completed responsible-conduct-of-gambling training.
- (2) In this section—
responsible-conduct-of-gambling training means training developed and delivered—
 - (a) by the NICC, or
 - (b) on behalf of the NICC by an independent third party that is not a casino operator or a close associate of a casino operator.

No. 4 **Responsible conduct of gambling training—consequential amendment**

Page 17, Schedule 1[51], line 1. Omit “provided by the casino operator”.

No. 5 **Responsible conduct of gambling training—consequential amendment**

Page 17, Schedule 1[51], line 2. Insert “training under section 64AA” after “gambling”.

No. 6 **Responsible conduct of gambling training—consequential amendment**

Page 17, Schedule 1[51], line 4. Insert “training provided by the casino operator” after “casino”.

No. 7 **Responsible conduct of gambling training—consequential amendment**

Page 17, Schedule 1[52], line 9. Insert “under section 64AA” after “gambling”.

No. 8 **Responsible conduct of gambling training—consequential amendment**

Page 17, Schedule 1[53], lines 12–18. Omit all words on those lines.

No. 9 **Pre-commitment and time limits—consequential amendment**

Page 18, Schedule 1[59], line 15. Omit “and 71A”. Insert instead “–71B”

No. 10 **Pre-commitment and time limits**

Page 18, Schedule 1[59]. Insert after line 32—

71B Pre-commitment systems and time limits

- (1) It is a condition of a casino licence that a casino operator must implement a pre-commitment system that complies with the following requirements—
 - (a) a requirement each player set a daily, weekly or monthly time limit for gambling at the casino,
 - (b) a requirement that—
 - (i) each player at the casino comply with the default pre-set daily, weekly and monthly loss limit for players at the casino, or
 - (ii) if a player decides the default loss limits under subparagraph (i) are not to apply to the player, a requirement that the player set a daily, weekly or monthly loss limit for gambling at the casino,
 - (c) a requirement that if the pre-set time limit or pre-set loss limit is reached—
 - (i) the player cannot continue to gamble, and
 - (ii) the pre-set time limit and pre-set loss limit cannot be altered for 36 hours after the limit is reached,
 - (c) a requirement that a player cannot gamble for more than 12 hours in a 24-hour period,

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- (d) a requirement that a player cannot gamble for 24 hours after the player gambles for 12 hours in a 24-hour period,
 - (e) a requirement that a player cannot gamble continuously for more than 3 hours and the player must take a break of at least 15 minutes after 3 hours of continuous gambling,
 - (f) a requirement that a player cannot gamble for more than 36 hours in a week.
- (2) For subsection (1)(b)(i), the default pre-set daily, weekly and monthly loss limits are to be prescribed by the regulations having regard to—
 - (a) the median income of a wage earner less the standard cost of living, or
 - (b) the median losses of a recreational gambler.
 - (3) The default pre-set daily, weekly and monthly loss limits prescribed by the regulation are to be reviewed by the Secretary at least once in each year.

No. 11 **State-wide self-exclusion register**

Page 21. Insert after line 6—

[72A] Section 79 Exclusion of persons from casino

Omit section 79(3)(b). Insert instead—

- (b) a voluntary application can relate to—
 - (i) either or both casinos, or
 - (ii) if there is a State-wide exclusion register—both casinos and all other gambling venues,

No. 12 **State-wide self-exclusion register—consequential amendment**

Page 21. Insert before line 7—

[72B] Section 79(3)(c) and (d)

Insert “, or both casinos and any other gambling venue,” after “both casinos” wherever occurring.

No. 13 **State-wide self-exclusion register—consequential amendment**

Page 21, line 7. Omit “**Exclusion of persons from casino**”.

No. 14 **State-wide self-exclusion register—consequential amendment**

Page 21. Insert after line 21—

[73A] Section 79

Insert at the end of section 79—

- (6) In this section—
gambling venue means premises at which gaming is conducted under gaming and liquor legislation.

No. 15 **Systems of internal control**

Page 23. Insert after line 17—

[87A] Section 124

Insert after section 124(5)—

- (6) The NICC must publish, on the NICC’s website, the part of the system of internal controls for each casino that addresses matters relating to responsible gambling.

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- (7) The requirement under subsection (6) does not include a requirement to publish any part of the system of internal controls that addresses risks associated with money laundering and terrorism financing.

No. 16 **Gambling data committee**

Page 26. Insert after line 15—

137B Gambling data committee

- (1) The NICC must establish a gambling data committee.
- (2) The committee is to have—
 - (a) one member appointed by the NICC, and
 - (b) one member appointed jointly by the casino operators, and
 - (c) one member appointed by the trustees of the Responsible Gambling Fund under section 115.
- (3) The functions of the committee are to—
 - (a) identify the data to be included in a database, and
 - (b) ensure the data is up to date and comprehensive.
- (4) For the purposes of subsection (3), the committee must—
 - (a) oversee the design and structure of the database and its user interface, and
 - (b) identify the data in the database that is to be publicly available and the data that will have restricted access, and
 - (c) ensure processes and procedures are put in place for the efficient maintenance and updating of the database, and
 - (d) establish protocols to de-identify data in the database to ensure the privacy of gamblers, and
 - (e) establish a register of persons who are recognised by the committee to conduct research involving data on the database, and
 - (f) establish a process by which requests for access to data on the database are to be made.
- (5) The NICC must, as soon as practicable after the end of each quarter, publish on the NICC's website the data about gambling at the casinos decided by the committee.
- (6) In this section—

quarter means the following periods—

 - (a) 1 January to 31 March,
 - (b) 1 April to 30 June,
 - (c) 1 July to 30 September,
 - (d) 1 October to 31 December.

No. 17 **Implementation of Bell review of The Star Pty Ltd**

Page 35. Insert after line 24—

[104A] Section 170A

Insert after section 170—

170A Implementation of Independent Review of The Star Pty Ltd by Adam Bell SC

- (1) The Minister must, within 9 months after the independent review report is delivered, prepare a report about—
 - (a) what has been done to implement the recommendations of the report, and
 - (b) what steps the Minister and the NICC will take to implement any outstanding recommendations.
- (2) A report under subsection (1) must be tabled in each House of Parliament within 12 months after independent review report is delivered.
- (3) In this section—

independent review report means the final report of the Independent Review of The Star Pty Ltd by Adam Bell SC under this Act.