



Western Australia

## **Casino Control Regulations 1999**

Compare between:

[16 Nov 2012, 02-g0-01] and [01 Jan 2013, 02-h0-01]



Western Australia

Casino Control Act 1984

## Casino Control Regulations 1999

### Part 1 — Preliminary

#### 1. Citation

These regulations may be cited as the *Casino Control Regulations 1999*<sup>1</sup>.

#### 2. Terms used

- (1) In these regulations, unless the contrary intention appears —  
*Act* means the *Casino Control Act 1984*;  
*conviction* has the meaning given in subregulation (2).
- (2) In these regulations, a reference to a person's conviction of an offence is a reference to a conviction that is recorded against the person by a court of competent jurisdiction in Australia or in another country, except a conviction arising from a modified penalty procedure, or otherwise not imposed pursuant to any hearing or proceedings.

*[Regulation 2 amended in Gazette 4 Jun 2010 p. 2483-4.]*

## Part 2 — General

### 3. Unclaimed winnings

For the purposes of section 15(1)(a) and (b) of the Act, the prescribed amount is 99 cents.

### 4. Fee for review of direction not to enter or remain in casino

For the purposes of section 26A(3)(b) of the Act, the prescribed fee is \$~~140~~143.

*[Regulation 4 amended in Gazette 2 Oct 2001 p. 5457; 26 Sep 2003 p. 4225; 14 Oct 2005 p. 4560; 9 Oct 2007 p. 5350; 30 Oct 2009 p. 4314; 4 Nov 2011 p. 4638; [16 Nov 2012 p. 5648](#).]*

### 4A. Exempt class of contract

(1) For the purposes of paragraph (f) of the definition of ***controlled contract*** in section 29A of the Act, a contract that does not relate to the provision of gaming technical services is exempt from that definition.

(2) In subregulation (1) —  
***gaming technical services*** means services related to the maintenance or repair of gaming equipment or gaming related computer information systems.

*[Regulation 4A inserted in Gazette 7 Sep 2004 p. 3881.]*

*[Part 3 (r. 5-17) deleted in Gazette 4 Jun 2010 p. 2484.]*

## Part 4 — Infringement notices

### 18. Infringement notices

- (1) The offences created by a provision of the Act specified in column 2 of the Table set out in this regulation are prescribed for the purposes of section 29H of the Act.
- (2) For the purposes of section 29I(2) of the Act, the modified penalty for an offence set out in the second column of the Table is the amount set out in the fourth column of the Table directly opposite the offence.

**Table**

Item	Section	Matter to which section relates	Modified penalty \$
1.	22(6)	Failure to conduct games according to the approved rules	250
2.	23(2)	Prohibited players	100
3.	26(1d)	Entering or remaining in casino while under prohibition	50
4.	26(6)	Failure to comply with directions	100
5.	26(7)	Permitting prohibited persons to enter or remain in casino	250
6.	27(1)	Permitting minors to enter casino	250
7.	27(1a)	Permitting minors to participate in gaming	250
8.	27(3)	Unlawful entry to casino by minors	100
9.	27(3a)	Participation in gaming by minors	100
10.	27A(4)	Producing false evidence of age	100
11.	33	Failure of licensee to comply with directions — (a) if the licensee is an individual; (b) if the licensee is a body corporate.	200  500

**19.        Form of infringement notice and withdrawal notice**

- (1) For the purposes of section 29I of the Act, the form of an infringement notice is Form 1 in Schedule 1.
- (2) For the purposes of section 29K of the Act, the form of a notice of withdrawal of an infringement notice is Form 2 in Schedule 1.

**Schedule 1 — Prescribed forms**

[r. 19]

Form 1

Western Australia

*Casino Control Act 1984, s. 29I*

**INFRINGEMENT NOTICE**

No: .....

Date of Service: .....

1.	<p>To: ..... (surname) (other names)</p> <p>of .....</p> <p>..... Postcode .....</p> <p>It is alleged that at about ..... a.m./p.m. on the ..... day of ....., at .....</p> <p>..... (name of premises)</p> <p>you committed the offence described below and are liable for the modified penalty stated.</p> <p style="text-align: right;">..... *Police officer or Authorised officer for the Gaming and Wagering Commission of Western Australia</p>
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2.	Section	Description of offence	Modified penalty

3.	If for any reason you wish to have the matter determined in a court hearing you need not reply and may decline to pay the modified penalty, but in that case court proceedings may be taken against you and you may be liable both for costs and a fine for the offence.
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4.	You may pay the modified penalty within 28 days of the date of this notice, but if the modified penalty is not then paid you will be deemed to have declined to pay it and court proceedings may be taken.
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5.	Payment may be made by completing item 6 and either —  (a) posting this form and a cheque, money order or postal note for the amount of the modified penalty specified in item 2, to the Gaming and Wagering Commission, P.O. Box 6119, East Perth, W.A. 6892; or  (b) delivering this form and paying the amount to the Gaming and Wagering Commission, 1 <sup>st</sup> Floor, Hyatt Centre, 87 Adelaide Terrace, Perth, W.A. 6000.
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6.	I, ..... (name)  of ..... (number and street)  ..... (town or suburb) (postcode)  agree to pay the modified penalty for the offence indicated in this form.  ..... (Signature of offender)
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\* Delete whichever is inapplicable

*[Form 1 amended in Gazette 30 Jan 2004 p. 413.]*



Form 2

Western Australia

*Casino Control Act 1984, s. 29K*

**WITHDRAWAL OF INFRINGEMENT NOTICE**

No: .....

Date of Service: .....

To: .....
(name)
of .....
(address)
Infringement notice No.: ..... served on you on the ..... day of .....
....., for the offence described below is hereby withdrawn.
.....
Authorised officer for the Gaming and Wagering Commission of Western Australia

Section	Description of offence	Modified penalty

*[Form 2 amended in Gazette 30 Jan 2004 p. 413.]*

**Notes**

<sup>1</sup> This is a compilation of the *Casino Control Regulations 1999* and includes the amendments made by the other written laws referred to in the following table<sup>1a</sup>. The table also contains information about any reprint.

**Compilation table**

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Casino Control Regulations 1999</i>	5 Feb 1999 p. 427-40	5 Feb 1999
<i>Casino Control Amendment Regulations 2001</i>	2 Oct 2001 p. 5457	2 Oct 2001 <sup>2</sup> (see r. 2)
<i>Casino Control Amendment Regulations 2003</i>	26 Sep 2003 p. 4224-5	1 Jan 2004 (see r. 2)
<i>Racing and Gambling (Miscellaneous) Amendment Regulations 2004 Pt. 2</i>	30 Jan 2004 p. 413-18	30 Jan 2004 (see r. 2)
<i>Casino Control Amendment Regulations 2004</i>	7 Sep 2004 p. 3881	7 Sep 2004
<b>Reprint 1: The Casino Control Regulations 1999 as at 21 Jan 2005</b> (includes amendments listed above)		
<i>Casino Control Amendment Regulations 2005</i>	14 Oct 2005 p. 4560	1 Jan 2006 (see r. 2)
<i>Casino Control Amendment Regulations 2007</i>	9 Oct 2007 p. 5350	r. 1 and 2: 9 Oct 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2008 (see r. 2(b))
<b>Reprint 2: The Casino Control Regulations 1999 as at 6 Mar 2009</b> (includes amendments listed above)		
<i>Casino Control Amendment Regulations 2009</i>	30 Oct 2009 p. 4314	r. 1 and 2: 30 Oct 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2010 (see r. 2(b))
<i>Casino Control Amendment Regulations 2010</i>	4 Jun 2010 p. 2483-4	r. 1 and 2: 4 Jun 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 5 Jun 2010 (see r. 2(b))
<i>Casino Control Amendment Regulations 2011</i>	4 Nov 2011 p. 4637-8	r. 1 and 2: 4 Nov 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2012 (see r. 2(b))

~~<sup>1a</sup> On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.~~

**Provisions that have not come into operation**

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<del>Casino Control Amendment Regulations 2012 r. 3-4<sup>3</sup></del>	16 Nov 2012 p. 5647-8	<del>r. 1 and 2: 16 Nov 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2013 (see r. 2(b))</del>

<sup>2</sup> The commencement date of 1 Oct 2001 that was specified was before the date of gazettal.

~~<sup>3</sup> On the date as at which this compilation was prepared, the *Casino Control Amendment Regulations 2012* r. 3-4 had not come into operation. It reads as follows:~~

~~**3. Regulations amended**~~

~~These regulations amend the *Casino Control Regulations 1999*.~~

~~**4. Regulation 4 amended**~~

~~In regulation 4 delete "\$140." and insert:~~

~~\$143.~~