Western Australia

Casino Control Regulations 1999

Compare between:

[08 Aug 2024, 03-r0-00] and [16 Oct 2024, 03-s0-00]

Casino Control Regulations 1999

Part 1 — Preliminary

1. Citation

These regulations may be cited as the *Casino Control Regulations 1999*.

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: 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 $170.

[Regulation 4 amended: 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; 8 Nov 2013 p. 4974; 14 Nov 2014 p. 4281; 6 Nov 2015 p. 4583; 28 Oct 2016 p. 4912; 10 Nov 2017 p. 5583; 7 Sep 2018 p. 3194; 22 Oct 2019 p. 3722; SL 2022/144 r. 8; SL 2023/156 r. 8.]

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: Gazette 7 Sep 2004 p. 3881.]

[Part 3 (r. 5-17) deleted: 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

Item	Section	Matter to which section relates	Modified penalty $
11.	33(1)	Failure of casino licensee to comply with a direction given under section 15(2) or (4), 21O(1), 21T(1), 22(3) or 24(1) or (2) of the Act —	
		(a) for an individual;	1 000
		(b) for a body corporate.	10 000

[Regulation 18 amended: SL 2024/163 r. 4.]

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.	To: ..... (surname) (other names) of .... Postcode ..... It is alleged that at about ..... a.m./p.m. on the ..... day of ....., at .... (name of premises) you committed the offence described below and are liable for the modified penalty stated. ..... *Police officer or Authorised officer for the Gaming and Wagering Commission of Western Australia

2.	Section	Description of offence	Modified penalty

Form 1

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.

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.

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, PO Box 8349 Perth Business Centre WA 6849; or (b) delivering this form and paying the amount to the Gaming and Wagering Commission, Gordon Stephenson House, Level 2 140 William Street Perth WA 6000.

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)

* Delete whichever is inapplicable

[Form 1 amended: Gazette 30 Jan 2004 p. 413; SL 2024/163 r. 5.]

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: Gazette 30 Jan 2004 p. 413.]

Notes

This is a compilation of the *Casino Control Regulations 1999* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, see the compilation table. For provisions that have not yet come into operation see the uncommenced provisions table.

Compilation table

Citation	Published	Commencement
Casino Control Regulations 1999	5 Feb 1999 p. 427-40	5 Feb 1999
Casino Control Amendment Regulations 2001	2 Oct 2001 p. 5457	2 Oct 2001 [1] (see r. 2)
Casino Control Amendment Regulations 2003	26 Sep 2003 p. 4224-5	1 Jan 2004 (see r. 2)
Racing and Gambling (Miscellaneous) Amendment Regulations 2004 Pt. 2	30 Jan 2004 p. 413-18	30 Jan 2004 (see r. 2)
Casino Control Amendment Regulations 2004	7 Sep 2004 p. 3881	7 Sep 2004
Reprint 1: The *Casino Control Regulations 1999* as at 21 Jan 2005 (includes amendments listed above)		
Casino Control Amendment Regulations 2005	14 Oct 2005 p. 4560	1 Jan 2006 (see r. 2)
Casino Control Amendment Regulations 2007	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))
Reprint 2: The *Casino Control Regulations 1999* as at 6 Mar 2009 (includes amendments listed above)		
Casino Control Amendment Regulations 2009	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))
Casino Control Amendment Regulations 2010	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))

Citation	Published	Commencement
Casino Control Amendment Regulations 2011	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))
Casino Control Amendment Regulations 2012	16 Nov 2012 p. 5647-8	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))
Casino Control Amendment Regulations 2013	8 Nov 2013 p. 4973-4	r. 1 and 2: 8 Nov 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2014 (see. r. 2(b))
Reprint 3: The *Casino Control Regulations 1999* as at 4 Apr 2014 (includes amendments listed above)		
Casino Control Amendment Regulations 2014	14 Nov 2014 p. 4280-1	r. 1 and 2: 14 Nov 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2015 (see. r. 2(b))
Racing, Gaming and Liquor Regulations Amendment (Fees and Charges) Regulations 2015 Pt. 4	6 Nov 2015 p. 4581-8	1 Jan 2016 (see. r. 2(b))
Racing, Gaming and Liquor Regulations Amendment (Fees and Charges) Regulations 2016 Pt. 4	28 Oct 2016 p. 4910-16	1 Jan 2017 (see r. 2(b))
Racing, Gaming and Liquor Regulations Amendment (Fees and Charges) Regulations 2017 Pt. 4	10 Nov 2017 p. 5579-94	1 Jan 2018 (see r. 2(b))
Racing, Gaming and Liquor Regulations Amendment (Fees and Charges) Regulations 2018 Pt. 4	7 Sep 2018 p. 3192-200	1 Jan 2019 (see r. 2(b))
Racing, Gaming and Liquor Regulations Amendment (Fees and Charges) Regulations 2019 Pt. 4	22 Oct 2019 p. 3720-9	1 Jan 2020 (see r. 2(b))
Racing and Gaming Regulations Amendment (Fees and Charges) Regulations 2022 Pt. 4	SL 2022/144 12 Aug 2022	1 Jan 2023 (see r. 2(b))
Racing and Gaming Regulations Amendment (Fees and Charges) Regulations 2023 Pt. 4	SL 2023/156 18 Oct 2023	1 Jan 2024 (see r. 2(b))

Citation	Published	Commencement
Casino Control Amendment Regulations 2024	SL 2024/163 7 Aug 2024	r. 1 and 2: 7 Aug 2024 (see r. 2(a)); Regulations other than r. 1 and 2: 8 Aug 2024 (see r. 2(b))

Uncommenced provisions table

To view the text of the uncommenced provisions see *Subsidiary legislation as made* on the WA Legislation website.

Citation	Published	Commencement
Racing and Gaming Regulations Amendment (Fees and Charges) Regulations 2024 Pt. 4	SL 2024/213 16 Oct 2024	1 Jan 2025 (see r. 2(b))

Other notes

[1] The commencement date of 1 Oct 2001 that was specified was before the date of gazettal.

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