



INSTRUMENT OF APPOINTMENT

The Independent Liquor and Gaming Authority, constituted under section 6(1) of the *Gaming and Liquor Administration Act 2007* (NSW) appoints **JONATHAN MARK HORTON QC** under section 143(1) of the *Casino Control Act 1992* (NSW) to preside over an inquiry for the purpose of the exercise of the Authority's functions under section 31 of that Act.

The Terms of Reference pursuant to which the inquiry is to be undertaken are annexed hereto.

A report on the results of the inquiry is to be made to the Authority by 4 November 2016.

Dated: 4 August 2016

.....
Philip Crawford

Chairperson

For and on behalf of the **Independent Liquor and Gaming Authority**

Annexure

TERMS OF REFERENCE

1. The suitability of The Star Pty Limited (as Casino operator) (**The Star**), and each close associate of it, as nominated by the Authority from time to time, as being concerned in, or associated with, the management and operation of The Star Casino, having regard to whether:
 - 1.1. The Star:
 - (a) has, or has arranged, a satisfactory ownership trust or corporate structure;
 - (b) has or is able to obtain financial resources that are both suitable and adequate for ensuring the financial viability of the casino;
 - (c) has or is able to obtain the services of persons who have sufficient experience in the management and operation of a casino;
 - (d) has sufficient business ability to maintain a successful casino;
 - 1.2. The Star and each close associate of it:
 - (a) are of good repute, having regard to character, honesty and integrity;
 - (b) are of sound and stable financial background;
 - (c) have any business association with any person, body or association who, in the opinion of the authority, is not of good repute, having regard to character, honesty, integrity, or has undesirable or unsatisfactory financial sources;
 - 1.3. each director, partner, trustee, executive officer and secretary, and any other officer or person determined by the Authority to be associated or connected with the ownership, administration or management of the operations, or business of The Star, or a close associate of it, is a suitable person to act in that capacity.
2. The standard and nature of the casino, which commenced operation on 26 November 1997 and the facilities provided in, or in conjunction with it.
3. The expertise of The Star, having regard to the operations that attach to the holder of a casino licence under the Act, including the extent to which The Star has complied with:
 - 3.1. its obligations under the Act;
 - 3.2. its obligations under the licence;
 - 3.3. legal agreements between the Authority and The Star.
4. The contribution made by the casino, and its impact upon, the public interest, including by reference to:
 - 4.1. the matters in 1 to 3 above;
 - 4.2. the effects, potential and actual, upon individuals who attend, and may attend the casino, and their families;

- 4.3. the impact or potential impact of the casino on the public interest, having regard to submissions made to the Authority by the public.
5. The maintenance and administration of systems by The Star to:
 - 5.1. ensure that the management and operation of the casino remains free from criminal influence or exploitation;
 - 5.2. ensure that gaming in the casino is conducted honestly;
 - 5.3. contain and control the potential of the casino to cause harm to the public interest and to individuals and families.
6. The presence and detection of illegal and undesirable activities and people in the casino.
7. The recommendations made by the investigation carried out in 2011, pursuant to section 31 of the Act.
8. The investigation will:
 - 8.1. have regard to, and not revisit, matters which have already been sufficiently examined and dealt with, and in respect of which there have been no apparent material changes, by the reports of the inquiries under the Act into the casino in 1997, 2000, 2003, 2006 and 2011 (and particularly the latter);
 - 8.2. in particular, consider:
 - (a) the operation of junket programs and the integrity of their settlement;
 - (b) the nature and adequacy of liaison between the Authority, Liquor and Gaming NSW and law enforcement authorities;
 - (c) the vulnerability of gaming (and especially high-stakes gaming) carried on at the casino to money laundering;
 - (d) whether, and to what extent, gaming in the casino is conducted honestly;
 - (e) controls on access to, and the availability of, high-stakes gaming.
9. Such other matters as the Authority considers relevant.