

NSW Government response to Casino Modernisation Review

NSW Government response to an independent review of the state's casino regulatory regime

Theme 1 - Providing a modern and efficient regulatory regime	
Review recommendation	Government response
Overarching principles	
<p>1. Risk-based regulation - the model of regulation which should be pursued should be risk-based rather than the current model which is primarily prescriptive in nature. Specific recommendations which will follow implement a number of specific changes with that policy in mind.</p>	<p>Supported - since the establishment of Liquor & Gaming NSW in 2016, and consistent with Government commitments, there has been a move away from overly prescriptive requirements to a risk-based, intelligence led model that allows greater flexibility to respond to changing circumstances.</p>
<p>2. Continuous review - the casino regulatory scheme should be under continuous review. When making subsequent decisions, the focus should continue to be on implementing a risk-based model.</p>	<p>Supported - as above</p>
<p>3. Consequences of regulatory error - it should be made explicitly clear to the operators that the change to a risk-based regulatory methodology requires them to accept that penalties for disciplinary actions may increase.</p>	<p>Supported - the current disciplinary scheme provides for a graduated response to disciplinary matters. The Government will strengthen provisions in the Act by introducing a new offence for breaching an internal control (see recommendation 127).</p>
<p>4. Timing of changes - any changes which result from the recommendations in the Review should be implemented as quickly as possible, but only when all steps necessary to implement each recommendation are in place.</p>	<p>Supported</p>

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Auditing/Monitoring	
9. Auditing game availability at Crown Sydney – the regulator should undertake an audit program to confirm that gaming is available only on traditional table games, semi-automated table games and fully automated table games and not on poker machines as required in clause 4 of the Restricted Gaming Licence.	Supported – Liquor & Gaming NSW’s program of supervisory oversight includes an ongoing program of monitoring and audits to ensure the operators meet their regulatory obligations.
10. Minimum bet levels at Crown Sydney – the regulator should undertake an audit program to ensure that minimum bet levels are maintained as required in clause 5 of the Restricted Gaming Licence.	Supported – as above
11. VIP membership at Crown Sydney – the regulator should undertake an audit program to ensure that Crown Sydney has and follows a Membership Policy as required by clause 6 of the Restricted Gaming Licence.	Supported – as above
13. Staff training facilities and employment program – the regulator must monitor Crown Sydney’s compliance with its staff training and employment program obligations.	Supported – as above
14. Keno availability – the regulator should undertake an audit program to confirm that keno is not made available at Crown Sydney.	Supported – as above
70. Audit program of equipment destruction – to ensure the community maintains confidence in casino gaming, the regulator should maintain an audit program of equipment destruction.	Supported – as above
117. Junkets: importance of audit program – using the operator’s Internal Controls as the primary tool of regulation requires the regulator to undertake regular audit activity to ensure the operators are complying with their obligations.	Supported – as above

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Casino Supervisory Levy

20. Casino supervisory levy - if The Star wishes to negotiate changes to the casino supervisory levy, it should provide modelling which shows the implications for Government revenue of the proposed change.

Noted - the casino supervisory levy is a regulatory cost recovery mechanism payable by each casino licensee. The additional regulatory capability and activities associated with ensuring effective oversight of both operators with Crown Sydney commencing operations from on or about 2021 will require a discrete or increased levy.

Insurance

28. Insurance - the obligation for The Star to take out insurance should be limited to those matters of direct concern to the State, such as business interruption insurance and any insurance required to protect the State as owner of the premises.

Noted

29. Approval of insurance - The Star should confirm with the Authority the suitability of business interruption insurance while the suitability of insurance required to protect the State as owner should be confirmed with the landlord.

Noted - as above

Regulator

35. Single regulator - the same regulator should regulate both The Star and Crown Sydney to ensure consistency in regulation.

Supported

36. Regulatory activities to be divided by function - within the regulator, the division of responsibility should be by function rather than by casino property.

Supported

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<p>37. Single positions for gaming regulatory functions - within Liquor & Gaming NSW there should be a single person (position) with ultimate management responsibility for all casino operator gaming approvals and a single person (position) with responsibility for all casino operator monitoring and compliance functions.</p>	<p>Supported</p>
<p>38. Single position for liquor regulatory functions - within Liquor & Gaming NSW there should be a single person (position) with ultimate management responsibility for all liquor regulatory issues at both The Star and Crown Sydney.</p>	<p>Supported</p>
<p>Section 31 Review</p>	
<p>39. Section 31 review - the mandatory review of the casino licence and operator required by section 31 should be abolished.</p>	<p>Noted - given the exact date that Crown Sydney is due to commence operations is unclear, and that it will not have been subject to a section 31 review, it is proposed to amend the Act to allow for one further section 31 review of The Star, and to undertake one initial review of Crown Sydney after a reasonable period of operation. Consideration will then be given to the potential abolition of the review provision, an extension of the 5 year timeframe, or other amendments to its operation, as appropriate.</p>
<p>40. Alternative to abolishing section 31 reviews - if the recommendation to abolish the section 31 review is not accepted, the review should be made meaningful by broadening its scope.</p>	<p>Noted - as above</p>
<p>41. Methodology of section 31 review - if the recommendation to abolish the section 31 review is not accepted, the review should be conducted in-house rather than fully outsourced.</p>	<p>Noted - as above</p>

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<p>42. 2016 mandatory section 31 review – irrespective of any other decision (i.e. whether to abolish the section 31 review altogether or, if it is to continue, to undertake future reviews in-house), the mandatory section 31 review of The Star due to be completed by December 2016 will likely have to be outsourced.</p>	<p>Noted – Dr Jonathon Horton QC has completed a review of The Star’s suitability as the casino licensee. His report was released to the public on 20 December 2016. Dr Horton concluded that The Star is still a suitable operator and it remains in the public interest that the casino licence continues in force.</p>
Other operational matters	
<p>43. Internal audit program – consideration should be given to undertaking a rolling internal audit program of the regulator to improve performance and reduce risk.</p>	<p>Supported in-principle – new internal governance arrangements have been introduced within Liquor & Gaming NSW which will improve monitoring of performance and risk management.</p>
<p>44. Perceptions of bias – to avoid the perceptions of bias toward one casino operator or another, the Authority should attempt to make public as much as it can of its decision making and the reasons for its decisions.</p>	<p>Supported – relevant decisions are already available on the Liquor & Gaming NSW website.</p>
<p>45. Guidance notes – where matters might impact on both operators, the Authority should consider issuing guidance notes to ensure each operator receives the same information at the same time.</p>	<p>Supported in-principle – there may be instances where commercial-in-confidence considerations would prevent the sharing of guidance.</p>
Special Employee Licensing	
<p>46. Abolish employee licensing – the licensing of casino employees should be abolished.</p>	<p>Not supported – it is proposed to ensure the requirement is appropriately targeted, by using existing regulation making power to exclude certain classes of employees already subject to some form of licensing/probity.</p>
<p>47. Licensing of security officers – if licensing of casino employees is not abolished, security officers should not need to be licensed as casino employees as well as under the <i>Security Industries Act</i>.</p>	<p>Alternate proposal recommended – it is proposed to facilitate automatic granting of a special employee licence to a person licensed under the <i>Security Industry Act 1997</i>.</p>

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<p>48. Disciplinary action against security officers - if licensing of casino employees is not abolished, the Police Commissioner should be advised of any disciplinary action taken by the Authority against a security officer.</p>	<p>Supported</p>
<p>49. Non-gaming employees not to require licensing - employees who do not have a role in gaming related activities should not be required to hold a casino special employees licence.</p>	<p>Supported - the Act specifies the relevant activities including 'casino security'. It is proposed to facilitate automatic granting of a special employee licence to a person licensed under the <i>Security Industry Act 1997</i> (see recommendation 47).</p>
<p>50. Special circumstances exemption from requiring a licence - if licensing of casino employees is not abolished, an exemption from the requirement for licensing should be made for defined "special circumstances" which might include during industrial action or where security officers leave their posts at a casino entry to intervene in an actual or potentially violent confrontation.</p>	<p>Not supported - a definition of "special circumstances" is not necessary as the Regulator will continue to take a logical, evidence-based approach when determining if disciplinary action is warranted.</p>
<p>51. Fingerprinting of applicants for special employees licences - if licensing of casino employees is not abolished, the requirement that applicants for special employee licences have their fingerprints taken and checked should be abolished.</p>	<p>Not supported - fingerprinting applicants is an essential element to probity checks in a casino environment and fundamental to assist securing the objects of the CCA.</p>
<p>52. Information used for determining licence applications - if licensing of casino employees is not abolished, decisions on whether to approve applications should use criminal records, but not criminal intelligence.</p>	<p>Not supported - it is fundamental to securing the objects of the CCA that licensing processes can have regard to criminal intelligence in determining an applicant's suitability for a special employees licence.</p>
<p>53. Mutual recognition - if licensing of casino employees is not abolished, mutual recognition of casino special employee licenses from all other Australian jurisdictions should continue, but operators should consider whether a fresh application for that same person may nevertheless be a better way forward.</p>	<p>Noted</p>

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<p>54. Prescribed identification - whether employee licensing continues or not, a visible form of identification is required, but there is no need for the form of that identification to be approved by the Authority.</p>	<p>Supported in-principle - it is proposed to simplify arrangements so that Internal Controls will outline minimum information requirements.</p>
<p>55. Identification for back of house employees - there appears to be no valid reason for employees who are not licensed to wear identification approved by the Authority while carrying out their duties in areas of a casino to which the public does not have access.</p>	<p>Not supported - all employees should be required to wear or carry appropriate identification, to ensure a high level of security standards. Public identification is not the only use of an employee wearing ID.</p>
<p>56. Certificates of competency - the obligation for employees to have a certificate of competency should be abolished.</p>	<p>Noted - the Regulator will ensure appropriate training standards and evidence of completing a competency apply for both premises. See also recommendations 168 & 169.</p>
<p>57. Disciplinary action timeline - if licensing of casino employees is not abolished, a prescribed timeline should not be imposed on the Authority during which a potential disciplinary action process must be concluded. However, it should be appreciated by the Authority that disciplinary action processes should proceed as quickly as possible.</p>	<p>Noted</p>
<p>58. Term of special employee licence - if licensing of casino employees is not abolished, the term of a special employees licence should be extended from 5 to 10 years (unless the licensee dies, has the licence cancelled by disciplinary action or voluntarily chooses to surrender the licence).</p>	<p>Supported (in part) - in-principle support to increase licence term to 7 years, subject to the ongoing obligation to disclose certain changes in circumstances.</p>
<p>59. Transferability of employee licences - if licensing of casino employees is not abolished, section 55(c) of the Act will need to be amended to allow a licensed employee to move between operators without having to obtain a new employee licence.</p>	<p>Supported</p>

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<p>60. Special employee licence application fee – if licensing of casino employees is not abolished, the application fee for a special employees licence should be reviewed.</p>	<p>Noted</p>
Gaming Operations	
<p>61. Definition of “operations” – to make explicit that the modern approach to casino regulation is to be a risk based model, the definition of “operations” should be narrowed to limit it to the conduct of gaming rather than open ended as it is now.</p>	<p>Not supported – it is important that the Regulator retain power to give an operator a written direction that relates to the broad definition of casino operations, if necessary. The definition of operations includes the conduct of gaming, money counting, accounting procedures and other activities. The service of alcohol and the provision of security are integral to the “operation” of a casino. A broad definition of “operations” is therefore essential.</p>
<p>63. Tournament machines – tournament machines should count toward the 1,500 allowed in The Star.</p>	<p>Supported</p>
<p>64. Installation and movement of gaming machines – subject to appropriate procedures being developed, Gaming Inspectors need not be present when new gaming machines are installed or moved around the floor of The Star.</p>	<p>Supported - having appropriate procedures in place and a clear program of monitoring and audit are sufficient to manage risks.</p>
<p>65. Installation of new gaming tables – subject to appropriate procedures being developed, Gaming Inspectors need not be present when gaming tables are installed or moved around the floor of The Star or Crown Sydney.</p>	<p>Supported – as above</p>
<p>66. Live trials of new table games – live trials of new table games should not be allowed.</p>	<p>Supported in-principle</p>
<p>67. Process for approving new tables – the process for approving new table games should be reviewed to eliminate any unnecessary delays.</p>	<p>Noted</p>

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68. Pre-shuffled cards - subject to appropriate procedures being developed, the Authority should accept pre-shuffled cards and not require additional shuffling before use.	Supported
69. Disposal of gaming equipment - the disposal of gaming equipment should be a notification obligation rather than one that requires the prior approval of the Authority.	Supported
72. On-site gaming - play on gaming machines and table games should not be allowed outside the approved gaming floor.	Supported - Gaming outside the Authority-approved boundary of the approved gaming floor (the casino) is currently prohibited.
73. Complimentary chip vouchers - amend section 70(1)(c) of the <i>Casino Control Act</i> to make clear that chips can be purchased with complimentary chip vouchers.	Alternate proposal recommended - it is proposed to amend the provisions of the <i>Casino Control Act 1992</i> to allow the use of complimentary chip vouchers by premium/VIP players only, allowing increased competitiveness at an international VIP level.
74. Complimentary bet vouchers - amend section 70(1)(d) of the <i>Casino Control Act</i> to allow bets to be made with complimentary bet vouchers or chips purchased with complimentary bet vouchers.	Alternate proposal recommended - it is proposed to amend the provisions of the <i>Casino Control Act 1992</i> to allow the use of complimentary chip vouchers by premium/VIP players only, allowing increased competitiveness at an international VIP level. Existing restrictions preventing the purchase of gaming chips by non-traditional means will continue.
75. Chip redemption - make clear in section 70(2)(c) that redemption of chips for cash or cheque does not apply for chips used in tournaments or for training purposes and that complimentary bet chips cannot be exchanged for cash.	Supported
76. Inconsistent approach to duty on promotional play - the inconsistent approach to treatment of promotional play for gaming machines and table games should be rectified.	Not supported - there is no competitive disadvantage in retaining this approach (no gaming machines at Crown Sydney).

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77. Duty on table game promotional play - duty should not be payable on table game promotional play.	Not supported - as above
78. Betting in a foreign currency - subject to each operator establishing procedures which satisfy the regulator, betting by sophisticated gamblers in foreign currency should be permitted.	Noted - betting in foreign currency is permitted in The Star (Hong Kong dollars). Any further requests by the operators to extend this permission to other currencies will be considered on a case by case basis by the Regulator, in consultation with Treasury.
79. Minimum and maximum bet signage - the requirement that multi-terminal gaming machines have physical signs displaying maximum and minimum bets should be abolished.	Supported - this information is already available as part of the machine software.
80. Minimum bet changes for empty tables - the 20 minute notification period for changing minimum bets should not apply to a table where there are no players.	Supported
81. Minimum bet changes for new players to a table - subject to each operator establishing procedures which satisfy the regulator, the 20 minute notice period for a change upward in the minimum bet should only apply to players at that table at the time the notice is made.	Supported
82. Implementation of alterations to minimum bet changes - the implementation of alterations to the obligation for minimum bet changes may be best achieved by amending the provision in sub-section 72(2) of the <i>Casino Control Act</i> by broadening the scope of exemptions available to the Authority.	Supported

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83. Game rules – Game rules for tables and gaming machines should be the property of the casino operators who should seek approval from the Authority for their own rules.	Noted – the intellectual property of game rules is not a matter for the Regulator. The legislative provision will be examined to ensure there is appropriate clarity about the operators’ responsibilities in developing rules, and the Regulator’s responsibility in their approval.
86. Publishing of approved game rules – the obligation to publish approved rules of games should be transferred to the operators.	Supported – provides a consistent approach similar to other major gaming licences such as NSW Lotteries and Keno games.
87. Availability of approved game rules – the casino operators must make copies of the approved game rules available in a readily accessible form for players to access inside the casino.	Noted – the Act already requires a copy of the rules to be provided to a patron on request.
98. Recognising modern technology in game rules – game rules need to be modernised to reflect the reality that smartphones are used by patrons in the casino.	Supported in-principle – it is a matter for the operator to propose amendments to the rules to account for changes in technology. The Regulator will work with the operator as appropriate.
84. Rules to include reference to unclaimed prizes and credits – the game rules developed by the operators should explain how unclaimed prizes and credits will be handled, with procedures developed to administer the process.	Alternate proposal recommended – it is proposed to provide operators with a Directive to provide such monies to the Responsible Gambling Fund.
85. Unclaimed prizes and credits to Responsible Gambling Fund – unclaimed prizes and credits should be transferred to the Responsible Gambling Fund.	Supported
88. Availability of game information – the Authority should not be required to approve the text of summaries of game rules. Instead, the Authority’s role should be to ensure that any information the operators choose to publish is accurate, not misleading and not inconsistent with harm minimisation requirements.	Supported

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<p>89. Enforcing game information accuracy - an amendment of sub-section 72(1) (b) is recommended to make clear the responsibility of providing information belongs to the operators and the role of the Authority is to ensure that information is accurate, not misleading and does not breach harm minimisation requirements.</p>	<p>Supported</p>
<p>Off-site operations</p>	
<p>71. Off-site locations - the servers which operators use to support gaming machine and table game play should be allowed off-site, subject to suitable security and accessibility requirements being met.</p>	<p>Supported in-principle - this will provide increased flexibility for operators. However, the location of servers will be subject to certain conditions - namely that there be no reduction in regulatory access and oversight.</p>
<p>91. CCTV minimum technical standards - the Authority should establish minimum technical standards for CCTV equipment in consultation with the operators.</p>	<p>Supported in-principle - minimum technical standards and retention periods will be reviewed in consultation with the operators.</p>
<p>92. Operator surveillance located off-site - subject to appropriate controls being put in place, the operators should be able to accommodate their surveillance teams in an off-site location.</p>	<p>Supported in-principle - more flexibility for operators, however will be subject to conditions - namely that there be no reduction in regulatory access and oversight.</p>
<p>93. Interstate locations for operator surveillance - if an operator wishes to locate its off-site surveillance in an interstate location, the Authority should issue a direction which makes clear that the operator will treat its interstate surveillance as if it were in New South Wales.</p>	<p>Supported in-principle - the operators will be required to ensure they comply with the requirements of other jurisdictions where any offsite operations are situated. The matter will be further considered in the development of Internal Controls.</p>
<p>94. Dedicated surveillance - if an operator wishes to locate its off-site surveillance in an interstate location, the operators must ensure that it has a team dedicated to its Sydney casino.</p>	<p>Supported in-principle - as above</p>

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184. Off-site storage of information – the Authority should be sympathetic to any request from an operator to store materials in an approved, off-site location as long as that information remains readily available to the Authority.	Supported
95. Controlled contracts – subject to appropriate controls and procedures being in place the operators should notify the Authority of contracts entered into rather than waiting for pre-approval. The Authority could then include reviewing controlled contract assessments in its regular audit program.	Alternate proposal recommended – only contracts relating to the servicing or supply of gaming equipment is specifically captured by the Act. The Authority has power to classify other types of contracts as controlled if they are materially significant to the integrity of the Casino. It is proposed that an amendment be made to allow for regulations to exempt certain gaming equipment contracts (i.e. contracts of low value) from these provisions. This will retain the integrity of the controlled contract provisions, while allowing more flexibility for low value contracts.
Gaming Integrity	
96. Cheating at roulette – consideration should be given to strengthening section 87 of the <i>Casino Control Act</i> to make it an offence to use equipment to monitor roulette wheels for the purpose of gaining an advantage.	Noted – Section 87 of the <i>Casino Control Act 1992</i> provides sufficient scope to undertake prosecution action for all forms of cheating in a casino. However, the section will be appropriately considered to ensure that legislative drafting is appropriate and achieves policy objectives.
97. Casino operator to be allowed cheating instruments – if section 87 is amended as suggested in the previous recommendation, it should also be amended to allow a casino operator to be in possession of this same equipment to allow for training of staff.	Noted – as above
99. Provision of credit to premium players – The Star should be able to extend credit to players on a premium play program.	Supported (in part) – the proposal will bring The Star in line with the restricted gaming facility at Crown Sydney.

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<p>100. Credit not to be extended to NSW residents - The Star should not be able to provide credit to any resident of New South Wales.</p>	<p>Supported (in part) - credit only to be offered to international premium players (non-Australian residents) at both The Star and Crown Sydney. Implementation is contingent upon the Casino Duty and Responsible Gambling Levy Agreements for The Star and Crown Sydney being amended to prevent them claiming a tax rebate on irrecoverable debts arising out of rebate play (see recommendations 102 & 103).</p>
<p>101. Deposited funds in related company accounts - funds deposited with an operator's sister property should be considered to be available for play at The Star or Crown Sydney without the player having to withdraw and deposit them.</p>	<p>Supported</p>
<p>102. Irrecoverability of debts - the requirement that the discharge of gaming debts requires the Authority's prior approval should be abolished.</p>	<p>Supported-in-principle - this removes an unnecessary, overly prescriptive control. However, implementation is contingent upon the Casino Duty and Responsible Gambling Levy Agreements for The Star and Crown Sydney being amended to prevent them claiming a tax rebate on irrecoverable debts arising out of rebate play (see recommendation 103).</p>
<p>103. Tax rebate on unpaid debts - the rebate provided to the operators for tax paid on losses which are subsequently unpaid gaming debts should be abolished.</p>	<p>Supported</p>
<p>104. Accepting cheques - the operators should be able to accept a cheque from a player who previously presented a cheque that bounced.</p>	<p>Supported</p>
<p>107. Use of debit and credit cards - international players on a premium play arrangement or a junket should be able to use debit or credit cards to purchase gaming chips directly.</p>	<p>Supported (in part) - allow use of debit cards only. It is not appropriate from a harm minimisation perspective to allow premium players to purchase gaming chips via credit card.</p>

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<p>109. Remove Development Approval obligation - the obligation imposed on The Star with respect to the placement of ATMs should be removed. Note: restrictions on ATMs in gaming areas will still apply.</p>	<p>Noted - research commissioned by the Government supports the current requirements regarding the placement of ATMs in relation to The Star casino.</p>
<p>111. Inducements - the inclusion of inducement provisions in section 76 of the <i>Casino Control Act</i> appears to be misplaced and should be moved.</p>	<p>Noted - maintain clause 20 (Casino Control Regulation 2009) prohibition on certain types of inducements. Any future consideration regarding extending the prohibition to include all inducements would be looked at broadly (including clubs, hotels & wagering).</p>
<p>Junkets</p>	
<p>112. Junkets - Fix apparent drafting error in Regulation 16 - Regulation 16(2)(b) of the Casino Control Regulation 2009 requires information to be provided to the Authority which should more logically be provided to casino operators.</p>	<p>Noted - the information exchange requirements under the Casino Control Regulation 2009 will be considered as part of the remake of the regulation. The current 'range' of information required is already limited to convictions recorded against a junket promoter or a promoter's representative.</p>
<p>113. Junkets - Consider repealing Regulation 17 - as junket promoters are no longer approved by the Authority, it is unclear what it is meant to do with information provided regarding convictions of junket promoters. Regulation 17 of the Casino Control Regulation 2009 should be repealed.</p>	<p>Noted - as above. The review did not identify a need for an immediate change to clause 17 of the Regulation.</p>
<p>114. Junkets - Changes to Regulation 17 if not repealed - if Regulation 17 of the Casino Control Regulation 2009 is not repealed, it should be amended to limit the range of information which needs to be provided to the Authority.</p>	<p>Noted - as above</p>

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<p>115. Junkets – law enforcement needs – the Authority should discuss with law enforcement what information it needs for legitimate law enforcement purposes which it does not already receive regarding junket play. If necessary, the Authority could issue a notice under regulation 18 prescribing what information operators need to provide beyond what is already being provided.</p>	<p>Supported</p>
<p>116. Junkets – regulation via the operators’ Internal Controls – the best method for regulation of junkets is by use of the operators’ approved Internal Controls.</p>	<p>Supported</p>
<p>118. Junkets – ongoing value of regulations 14 to 18 – while the best method of regulating junkets is through the operator’s approved Internal Controls, Regulations 14 to 18 of the Casino Control Regulation 2009 should remain as a “fallback” position (amended as recommended elsewhere) in the event that a casino operator fails to fulfil its obligations adequately through its approved system of Internal Controls.</p>	<p>Supported</p>
<p>119. Junkets – maintain regulation 19 – while there are questions about the usefulness of a number of the regulations under the Casino Control Regulation 2009 which are intended to regulate junkets, for the avoidance of doubt, regulation 19 should remain as it assists the Authority to differentiate duty payments from junket and non-junket play.</p>	<p>Supported</p>

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120. Passports and flight tickets - the obligation to provide copies of all passports and flight tickets for all international premium play and junket participants should be replaced with an obligation imposed on the operators to collect such information and make it available to the Authority to review on request.	Supported
Internal Controls	
90. Supervision levels - the operators should use risk assessments to determine suitable supervision levels for game play with the Authority approving the Internal Controls which determine the process for allocating and managing the risk.	Supported
121. Move to a principles-based system of Internal Controls - the casino operators should develop a principles-based Internal Control Manual which is supported by detailed Standard Operating Procedures.	Supported
122. Standard Operating Procedures replace former ICS - while the Standard Operating Procedures (SOPs) in a modern system of Internal Controls effectively replace the Internal Control Statements in the traditional model, the SOPs should not require approval from the Authority.	Supported
123. Standard Operating Procedure consultation - the operators must provide SOPs to the regulator who should raise any concerns about the SOPs with the operator. However, those concerns should not prevent the operator from continuing with a SOP it has put in place.	Supported

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<p>124. Transitioning to a new model of Internal Controls - as the transition by The Star to the new principles-based model of Internal Controls will take time, the Authority must support the change during the transition to ensure there is no uncertainty in the process.</p>	<p>Supported</p>
<p>127. Breaches of Internal Controls and SOPs - the possibility that the Authority may be unable to take action should there be a breach by the operator of its approved system of controls should be clarified and rectified if necessary.</p>	<p>Supported</p>
<p>125. Approval of position descriptions and organisational charts - the obligation to seek the Authority's approval of position descriptions and the operators' organisational charts should be abolished.</p>	<p>Supported</p>
<p>126. Operators' drop routes - the operators should confirm through their system of Internal Controls and SOPs that they will identify appropriate and varied drop routes which should not require the prior approval of or notification to the Authority.</p>	<p>Supported</p>
Rebate Play	
<p>128. Rebate play front money minimum - there should be no change to the minimum front money threshold until the operators provide economic and financial modelling to the satisfaction of NSW Treasury.</p>	<p>Supported</p>
<p>129. Change to rebate play front money model - should the operators wish to propose a change to the front money model, NSW Treasury and the regulator should have an open mind to any proposal presented.</p>	<p>Noted - this is a matter for further consideration and consultation with NSW Treasury if the operators provide economic modelling.</p>

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130. Rebate play on gaming machines - subject to The Star developing appropriate controls, rebate play should be allowed on all gaming machines at The Star.	Not supported - ‘rebate’ play machines should remain limited to private gaming areas only.
131. Gaming machine cap - gaming machines used for rebate play should continue to be included within The Star’s absolute cap on gaming machine numbers.	Supported
134. Single set of rebate play parameters - both operators should be required to administer their rebate programs under the same regulatory parameters.	Supported in-principle - in the interests of competitive neutrality the same general regulatory parameters for rebate play will be enforced for both operators.
135. Future changes to rebate play parameters - at a later date, the idea of allowing the operators to manage their rebate programs under different regulatory parameters should be considered.	Not supported - allowing operators to manage their rebate programs under different regulatory parameters in the future is inconsistent with one purpose of the review of the current regulatory framework - competitive neutrality.
Liquor	
136. “Close associates” of casino and liquor licences - a person approved as a “close associate” of a casino licensee should be deemed to be suitable to be a “close associate” of that entity’s application for a liquor licence.	Supported in-principle - any proposed change will be appropriately considered to ensure that legislative drafting is appropriate and achieves policy objectives.
137. Casino licence and liquor licence terms - the terms of any liquor licences granted to the casino licensees should have the same term as the casino licence.	Supported
138. Categorisation as a Level 1 premises - The Star should not be categorised as a Level 1 premises.	Supported - noting the Regulator retains the capacity to respond where alcohol related violence is not being appropriately managed.
139. Crown Sydney approach to liquor regulation - when Crown Sydney opens it will need to adopt a pro-active approach to managing liquor issues in negotiation with NSW Police and the Authority.	Supported

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<p>140. Casinos differ from clubs and hotels - the scheme for regulating liquor at casinos should be treated differently from that in place for clubs and hotels.</p>	Supported
<p>141. Sydney CBD Entertainment Precinct - The Star and Crown Sydney should continue to be excluded from the Sydney CBD Entertainment Precinct.</p>	Supported in-principle - noting the Regulator retains the capacity to respond where alcohol related violence is not being appropriately managed.
<p>142. Liquor management plans - The Star and Crown Sydney should be required to develop and maintain liquor management plans.</p>	Supported
<p>143. Banning orders should be extended to The Star and Crown Sydney - a person the subject of a banning order issued by the Authority should have the scope of that ban extended from Kings Cross and Sydney CBD to include the premises of The Star and Crown Sydney.</p>	Not supported - operators can utilise their own exclusion schemes and power to exclude patrons.
<p>144. Carriage of open liquor - patrons leaving a specified licensed liquor outlet within casino premises should not be able to take a glass of liquor with them.</p>	Supported in-principle - noting the Regulator retains the capacity to respond where alcohol related violence is not being appropriately managed.
<p>145. Two glass limit - patrons purchasing liquor after a set time should not be able to purchase more than two glasses at a time.</p>	Noted - as above
<p>146. Take-away liquor restrictions - the limits on the sale of take-away liquor imposed on the casino licensee should be repealed.</p>	Not supported - it is appropriate to maintain restrictions on take-away liquor.
<p>147. Allowing intoxicated patrons to gamble - a casino operator should not knowingly allow an intoxicated person to gamble.</p>	Not supported - the current provision provides the necessary protection for patrons.
<p>148. "permitting a contravention" - the reference to "permitting" a contravention of the liquor provisions should be clarified.</p>	Not supported - as above

Theme 1 - Providing a modern and efficient regulatory regime	
Review recommendation	Government response
<p>149. Applying accountability where it matters - as the scheme appropriately empowers the Authority to take action against the licensee and the manager of a licensed liquor outlet, the power to take action against the directors of the parent company should be limited to only those circumstances where the directors expressly authorised the contravention.</p>	<p>Not supported - as above</p>
<p>150. Production of CCTV footage - a prescriptive timeframe for the production of CCTV footage of liquor-related incidents should only be pursued if there is a lack of cooperation from a casino licensee.</p>	<p>Noted - may require a prescriptive measure, particularly if such operations are moved off-site.</p>
<p>151. Option of tougher regulation if required - should either casino operator fail to provide an approach to liquor service which meets the expectations of the Authority, the option to impose tougher controls, including incorporation of the property into the club and hotel scheme remains a possibility.</p>	<p>Supported</p>
Exclusions	
<p>152. Police Commissioner's exclusions - boundary change - a Regulation should be made to extend the Police Commissioner's exclusions from the casino gaming floor to the whole property.</p>	<p>Supported</p>
<p>153. Police Commissioner's exclusion from both properties - a person excluded by the Police Commissioner should be automatically banned from both The Star and Crown Sydney.</p>	<p>Supported</p>

Theme 1 - Providing a modern and efficient regulatory regime	
Review recommendation	Government response
154. Police Commissioner's exclusion power directly exercised - subject to consideration of the legal consequences, the power to exclude a person should be directly exercised by the Police Commissioner rather than by the casino operators at the direction of the Police Commissioner.	Not supported - the current scheme works effectively and there is no advantage in making an amendment as proposed.
155. Operators' exclusions (non-voluntary) - exclusion by one operator (other than self-exclusion) should be valid for that operator's property only.	Supported
163. Withdrawal of licence - should one operator withdraw a person's licence to remain on its property, it should not extend to the other operator's property.	Supported
166. Copies of lists of excluded persons - the obligation to provide a "copy of the list" of excluded persons should be satisfied by the operators providing the Authority with unfettered access to that information online.	Supported
Operations	
174. Entry signage - the mandatory signage which operators are required to display at every entrance to the casino should be reviewed to determine whether it can be streamlined.	Supported
175. Major changes and minor changes - the complete list of matters prescribed as "major changes" and "minor changes" should be reviewed.	Supported in-principle - a review of matters prescribed as minor changes and major changes in the Act is supported in-principle. However, significant changes to minimise the notification obligations in the state of affairs of either operator are not appropriate.

Theme 1 - Providing a modern and efficient regulatory regime	
Review recommendation	Government response
<p>176. Specific amendments to “major changes” - a change to the name of the casino operator, a change in the principal business address of the casino operator, a person ceasing to be a close associate and a change in the nominal paid-up capital of the casino operator should all be re-categorised as “minor changes”.</p>	<p>Supported (in part) - as above</p>
<p>177. The 5% threshold - the 5% threshold (effectively the ownership provision) should be changed to 10% to be consistent with the standard probity threshold for approval of close associates of most other gaming licensees elsewhere in Australia.</p>	<p>Not supported - as above. Victoria has retained the 5% threshold in its risk-based approach. In NSW it is appropriate that the regulator is able to assess the probity of a person who wishes to take possession of 5% or more in the casino or RGF.</p>
<p>178. Narrowing matters considered to be “minor changes” - some matters prescribed as minor changes are broadly applied and should be narrowed so that only matters which might impact on the suitability of the casino operator are listed.</p>	<p>Supported in-principle - as above</p>
<p>179. “Minor changes” should reflect the modernised regime - if employee licensing is abolished as is recommended elsewhere in this Review, clause 3 of Schedule 2 will need to be reworded if it is to be retained to make clear what a “casino employee” is.</p>	<p>Noted - special employee licensing not to be abolished.</p>
<p>180. Disclosure of casino employee remuneration - Clause 6 of Schedule 2, which requires disclosure of any casino employee at a remuneration level of \$185,000 or more per annum, is unnecessary and can be deleted.</p>	<p>Supported</p>
<p>181. Tips and gratuities - the ban on tips and gratuities should be maintained.</p>	<p>Supported</p>

Theme 1 - Providing a modern and efficient regulatory regime	
Review recommendation	Government response
<p>182. Clarify meaning of “benefit from a patron in the casino” - advice should be sought to determine whether the wording in the <i>Casino Control Act</i> which refers to a benefit from a patron “in the casino” means that the benefit has to be given in the casino. If it is unclear, the wording should be amended as necessary.</p>	<p>Noted - under the <i>Casino Control Act 1992</i> it is clear that an employee must not solicit or accept any gratuity, consideration or other benefit from a patron of the casino - i.e. when they are within the licensed boundary of the gaming areas.</p>
<p>183. Shift from mandatory reporting to information availability on request - the obligation for mandatory reporting should, where possible, change to one where the operators make information available to the regulator on request.</p>	<p>Supported in-principle - the proposal will result in a reduced regulatory burden and allows the regulator to request targeted information based on intelligence.</p>
<p>185. Retention periods - the Authority should review the period of time information should be required to be kept on the casino site and subsequently at the approved off-site location.</p>	<p>Noted - the move to electronic recording keeping has reduced the administrative burden on the casino operator. Section 11 (2) of the <i>Electronic Transactions Act 2000</i> allows for hard copy documents that are required to be retained for a particular period to be retained in electronic format in specified circumstances. Agencies other than the Authority and Liquor & Gaming NSW may also need access to the records kept.</p>
<p>186. Limitations to collecting information for law enforcement agencies - the Authority must ensure that the information it collects for law enforcement agencies is limited to the scope defined in section 149 of the <i>Casino Control Act</i>.</p>	<p>Noted - the Regulator will continue to ensure it collects information appropriately and in accordance with section 149 of the <i>Casino Control Act 1992</i>.</p>
<p>187. The need for required forms - the Authority should review the need for every form that it requires to be completed by the operators.</p>	<p>Supported</p>
<p>188. Content of required forms - each form that the Authority confirms the operators are required to complete should be assessed for its content to ensure that it seeks only that information which is necessary.</p>	<p>Supported</p>

Theme 1 - Providing a modern and efficient regulatory regime	
Review recommendation	Government response
189. Consolidate Inspector functions – the functions of casino inspectors should be consolidated with non-casino gaming inspectors to make a single inspectorate.	Noted – Liquor & Gaming NSW has already transitioned away from a 24/7 inspectorate presence at The Star and merged casino inspection activity into the broader liquor and gaming inspectorate. Accordingly, this recommendation has already been achieved.
190. Remove permanent presence of inspectorate from casinos – under a risk-based model, the change in focus of the work performed by inspectors means that the permanent presence of inspectors at the casinos is no longer necessary.	Noted – Liquor & Gaming NSW has already transitioned away from a 24/7 inspectorate presence at The Star and merged casino inspection activity into the broader liquor and gaming inspectorate. Accordingly, this recommendation has already been achieved.
191. Casino CCTV pictures – if considered necessary, the CCTV pictures which are currently made available to the inspectorate office at the casino could be re-directed to the offices of Liquor & Gaming NSW.	Supported in-principle – there are operator concerns about integrity. The alternative is to ensure Government inspectors maintain onsite, independent access.
192. Casinos to continue to provide inspectors with access – while it is recommended that inspectors no longer have a permanent presence at the casinos, it is still necessary for the operators to provide the inspectors with appropriate working space and access to CCTV networks and databases when the inspectors attend the casinos.	Supported
193. Changes required to Internal Controls and procedures – The Star will need to change some of its Internal Controls and Standard Operating Procedures to adapt to the removal of the inspectors from the casino.	Supported
194. Rate of duty – should The Star wish to negotiate changes to its rate of duty it should make representations to NSW Treasury and explain with appropriate financial and economic modelling how a change in the rate of duty will benefit New South Wales.	Noted

Theme 2 - Facilitating a competitively neutral regulatory environment

Review recommendation	Government response
<p>5. The Star and Crown Sydney are different - because The Star and Crown Sydney have various differences, as recognised by their licences, it is not an automatic conclusion that every measure in the regulatory scheme needs to operate in the same way for both operators.</p>	<p>Supported</p>
<p>6. Site for Significant Development - subject to further consultation, it may be appropriate to designate The Star's Pymont site as a Site for Significant Development.</p>	<p>Not supported - the existing Development Application arrangements are appropriate.</p>
<p>7. Amending casino boundaries - the process for amending a casino boundary should be consistent for both The Star and Crown Sydney. This should be achieved by removing the power of the Authority to amend The Star's boundary unilaterally.</p>	<p>Not supported - it is not appropriate to remove this power. Any changes to The Star's casino boundary would be undertaken only after consultation with the operator.</p>
<p>8. Amending a casino licence - Section 22 of the <i>Casino Control Act</i> should be amended to remove the power of the Authority to amend The Star's casino licence unilaterally.</p>	<p>Not supported - it is not appropriate to remove this power under the <i>Casino Control Act 1992</i>. Any changes to The Star's casino licence would be undertaken only after consultation with the operator (except in the event of disciplinary action).</p>
<p>12. VIP membership at The Star - the VIP membership policies at The Star should not be required to match those of Crown Sydney.</p>	<p>Noted - it is appropriate for the operators to determine their own VIP memberships. The Regulator will ensure appropriate equivalent schemes are in place to ensure the objectives of the Act are maintained e.g. casino remains free from criminal influence or exploitation.</p>
<p>15. Directions as to availability of games - the power vested in the Authority to mandate that specific games be made available in The Star only should be abolished.</p>	<p>Supported</p>
<p>16. Times of operation - The Star should always be able to offer on the same days and hours available to Crown Sydney that part of its offering which matches that provided by Crown Sydney.</p>	<p>Supported - ensures competitive neutrality.</p>

Theme 2 - Facilitating a competitively neutral regulatory environment

Review recommendation	Government response
<p>17. Exemptions from smoking ban - to facilitate competitive neutrality, the exemption from the ban on smoking should be extended to the Sovereign Room at The Star.</p>	<p>Noted - The Star's invitation only 'private gaming areas', the Sovereign Room (and its lounges) and the Rivers Room, are currently exempt. However, The Star advises it does not currently utilise the exemption in some areas of the Sovereign Room. The Government recognises that The Star's other private gaming areas, such as the Oasis and Vantage rooms, also provide a private gaming offering that would be in competition with the Crown Sydney restricted gaming facility.</p>
<p>18. Air quality monitoring - the conditions imposed on The Star which allow exemptions to smoking bans should be replaced with the same air quality equipment, air testing and reporting obligations in place for Crown Sydney.</p>	<p>Supported</p>
<p>19. Consistent smoking exemption legislation - the provisions which allow for The Star's exemptions from smoking should be repealed from the <i>Smoke-free Environment Act</i> and replaced with obligations under the <i>Casino Control Act</i>.</p>	<p>Supported</p>
<p>21. Monitoring competition between operators - a government agency should monitor the performances of The Star and Crown Sydney to determine whether competition between the two operators is occurring and whether the maximum benefits from that competition are being achieved.</p>	<p>Noted - an ongoing consideration of the outcomes of a competitive casino market may be appropriate. However further consideration is necessary about the approach and which agency is best placed to undertake this role and how such monitoring may be conducted (see also recommendation 34).</p>
<p>22. Choice of agency - which agency should be monitoring competition between the operators is a decision for Government. Given the regulator has access to data, powers to seek information and specialised understanding of gaming, it may be appropriate for the Authority or Liquor & Gaming NSW to monitor competition.</p>	<p>Noted - as above</p>

Theme 2 - Facilitating a competitively neutral regulatory environment

Review recommendation	Government response
23. Competition limits - whichever agency is monitoring competition, it needs to be clear that the remit is limited to competition between casino operators and not the broader gambling industry as a whole.	Noted - as above
24. External advertising - the requirement for The Star to receive prior approval of the Authority for any external advertising on its property should be abolished.	Not supported - any change would still reasonably require approval by a consent authority.
25. Approval for light displays - the obligation on The Star to seek the approval of the Authority for particular external lighting should be abolished.	Not supported - any change would still reasonably require approval by a consent authority.
26. Marketing - the obligation on The Star to advise the Authority of its marketing, advertising and promotions expenditure is unnecessary and should be abolished.	Supported
27. Customer satisfaction surveys - the requirement that The Star provide regular customer satisfaction survey reports to the Authority should be abolished.	Supported
30. Premises name - the obligation on The Star to obtain prior approval of the lessor for the name of its premises should be abolished.	Supported in principle - the Regulator should retain oversight of changes to the name of the premises.
31. Premises alterations - if the ownership of the land which The Star is located is transferred from the Authority (see recommendation 33), the requirement to obtain the permission of the Authority for any alterations or additions to the premises should be abolished.	Not supported - the Regulator should retain oversight of alterations to the premises.
32. Single landlord - if it is possible to do so, The Star and Crown Sydney should have the same landlord.	Noted - the Barangaroo Development Authority (BDA) is the landlord for the RGF under a 99-year ground lease. It is proposed to further consider the feasibility of this, including any impediment, in conjunction with recommendation 33.

Theme 2 - Facilitating a competitively neutral regulatory environment

Review recommendation	Government response
<p>33. The Authority should not be the landlord - the Authority should be replaced as the landlord of The Star.</p>	<p>Supported in-principle - acting as landlord is not the core business of the Regulator. It is proposed to investigate another appropriate entity to undertake this role.</p>
<p>34. Additional competitive neutrality restrictions - other regulatory or administrative restrictions to competition may be discovered. If possible, they should be resolved at the same time as other recommendations identified in this Review.</p>	<p>Alternate proposal recommended - it is proposed that an advisory group be formed comprising senior members from Department of Premier and Cabinet, NSW Treasury and Liquor & Gaming NSW.</p> <p>The group will be to provide advice to Government in relation to competitively neutral issues and proposals for significant regulatory changes.</p>

Theme 3 - Minimising harm

Review recommendation	Government response
<p>62. Approved gaming machines - the Authority should approve for use in the casino gaming machines which meet either the Australian/New Zealand national Standard or the GLI-11 Standard.</p>	<p>Not supported - NSW and the other members of the Australasian Casino & Gaming Regulators' CEOs Forum did not support the recognition of GLI-11, or machines tested against GLI-11, after an independent review found that it was significantly deficient with respect to player protection and machine security requirements. Instead CEOs decided to review and update the Australian/New Zealand Gaming Machine National Standard to remove outdated and overly prescriptive requirements and adopt, where appropriate, a principles-based approach. The review, which had direct input from gaming machine manufacturers, concluded in 2015 when CEOs approved a new standard.</p>
<p>133. GLI-11 standard - consistent with the Ministerial direction, gaming machines approved for use in The Star should be considered suitable if they meet the GLI-11 standard, whether they meet the Australian/New Zealand Gaming Machine National Standard or not.</p>	<p>Not supported - as above</p>

Theme 3 - Minimising harm	
Review recommendation	Government response
<p>106. EFTPOS rules – EFTPOS should be allowed on the gaming floor, but only for non-gaming services such as food and beverage payments.</p>	<p>Noted – EFTPOS facilities are not prohibited on the gaming floor, so long as they are not capable of functioning as automatic teller machines or like devices.</p>
<p>105. ATM rules for casino, clubs and hotels – there are differences between casinos on the one hand and clubs and hotels on the other which means that any recommendations made for the location of ATMs at clubs and hotels may not necessarily suit casinos.</p>	<p>Noted – the Government commissioned research into the gambling harm minimisation intent of clause 32 of the Gaming Machines Regulation 2010 and the possible specification of a separation distance between ATMs (and other cash dispensing facilities) and gaming machines. Schottler Consulting Pty Ltd subsequently prepared a report. Its report findings support the current requirements regarding the placement of ATMs in relation to The Star casino i.e. ATMs (and any like devices) are not permitted within the casino (s.74 of the Act) nor are ATMs permitted on the same level as the casino (under its Development Application approval).</p>
<p>108. Cash access controls based on harm minimisation – the specificity in the current legislation of “automatic teller machine and any like device” may be better replaced with wording which reflects harm minimisation principles rather than a technological solution to cash access controls.</p>	<p>Noted – as above</p>
<p>110. Await research findings before amending the Act – until the findings of the research into ATM placement are known, section 73 of the <i>Casino Control Act</i> should not be amended.</p>	<p>Noted – as above</p>
<p>132. Gaming machine harm minimisation features – harm minimisation features on gaming machines in the casino should be the same on machines whether they are used for rebate or non-rebate play.</p>	<p>Not supported – all gaming machines require the 3-in-1 consumer information Gambling Help signage, including those in private gaming areas. However, bet limits are a harm minimisation features and the machines with rebate play are only located in private gaming areas and do not have bet limits.</p>

Theme 3 - Minimising harm	
Review recommendation	Government response
<p>156. Exercising self-exclusion at one property - if a person self-excludes from one property it should have effect at that property only.</p>	Supported
<p>157. Providing information on how to self-exclude at the other property - if a person self-excludes from one property, that person should be given all the information necessary to enable self-exclusion from the other property without the need to visit that other property.</p>	Supported
<p>158. Revocation of self-exclusion at one property - if a person's self-exclusion is revoked at one property it should have effect at that property only.</p>	Supported
<p>159. Providing information on how to revoke self-exclusion at the other property - upon pursuing revocation of self-exclusion at one property, that person should be given information about how to pursue revocation of self-exclusion at the other property.</p>	Alternate proposal recommended - patrons should be able to nominate to be extended from a single operator or both operators via a common register.
<p>160. Operators developing an agreed protocol - before Crown Sydney opens the two operators should work together to develop agreed protocols for implementing a practical process for implementing a self-exclusion scheme and revocations of self-exclusion which should be effective, simple and sympathetic to the needs of the individuals concerned.</p>	Supported
<p>161. Third-party exclusions - single property - third-party exclusions should apply only at the property that exercises that exclusion.</p>	Supported
<p>162. Assisting people subject to third-party exclusion - at the time of processing a third-party exclusion, the patron should be given information as to how to self-exclude from the other property should the person wish to do so.</p>	Alternate proposal recommended - patrons should be able to nominate to be extended from a single operator or both operators via a common register.

Theme 3 - Minimising harm	
Review recommendation	Government response
164. Withholding winnings of banned persons - to assist with the enforcement of any form of exclusion or withdrawal of licence, the legislative scheme should make clear that a banned person should not be able to be paid any winnings.	Supported (in part) - Crown Sydney has submitted applying such a requirement to a person whose licence has been withdrawn, is an encroachment on common law rights. This recommendation is supported insofar as it relates to an excluded person.
165. Withheld winnings paid into Responsible Gambling Fund - any winnings withheld from excluded persons should be paid into the Responsible Gambling Fund.	Supported (in part) - as applies to excluded patrons (not those who have been removed under common law licence).
172. Winnings of minors - any winnings which may be due and payable to a minor should be withheld and paid into the Responsible Gambling Fund.	Supported
167. Problem gambling counselling - the obligation for a casino operator to enter into an arrangement with an external provider of problem gambling counselling services should also allow the alternative of those services being provided by the operator itself, subject to meeting the requirements of the Authority.	Not supported - it is not appropriate for an operator to provide counselling themselves. Any such service should be at arms-length by appropriately qualified service providers.
168. Responsible gaming training standards - the Authority should consider developing a single set of responsible gambling training standards to ensure a consistent approach to the training of employees in responsible gambling.	Supported
169. Modular responsible gambling - a modular approach to responsible gambling training should be considered so that employees who move from one operator to the other may only have to update their training by completing those modules unique to that operator.	Supported

Theme 3 - Minimising harm	
Review recommendation	Government response
<p>170. Action against operators for minors in the casino - the Authority should explain to the operators what approach it intends to take when minors are found to be in the casino. The approach recommended is that disciplinary action should be taken when the casino operator has been negligent.</p>	<p>Not supported - this is a strict liability offence, and it is therefore not appropriate to take a different approach than that currently in place.</p>
<p>171. The legislation regarding minors needs to reflect the modernised regime - the obligation in section 94(2) of the <i>Casino Control Act</i> which requires the operator to notify an inspector forthwith if a minor is found in the casino will need to be replaced with an obligation to notify the Authority as soon as practicable should the recommendation to remove inspectors from a 24/7 presence (which is recommended elsewhere) be adopted.</p>	<p>Supported</p>
<p>173. On-the-spot fines for minors presenting fake ID - there should be no change to the value of the on-the-spot fine issued to minors who use fake ID or another person's ID in an attempt to obtain entry into the casino.</p>	<p>Not supported - the amount for the penalty notice offence (presently \$110) will be brought into line with that able to be given for the same offence on other licensed premises (\$220).</p>