

Casino (Management Agreement) Bill

EXPLANATORY MEMORANDUM

Clause 1 states that the purpose of the Bill is to ratify the management agreement for the Melbourne Casino.

Clause 2 provides that the Act is to come into operation on Royal Assent.

Clause 3 defines the "Principal Act" to mean the **Casino Control Act 1991**.

Clause 4 contains definitions of terms used in the Bill.

Clause 5 provides that the Act binds the Crown.

Clause 6 provides for the ratification of the Management Agreement in Schedule 1 and authorises and requires the Ministers and the Victorian Casino Control Authority to implement the Agreement.

Clause 7 provides that if there is any inconsistency between the Agreement and the Casino Control Act the Agreement is to prevail.

Clause 8 provides that the Victorian Casino Control Authority has the functions and powers conferred or purported to be conferred on it by the Agreement in addition to its powers under the Casino Control Act.

Clause 9 enables the Melbourne Casino Licence to be transferred if the Minister approves the assignment of the Management Agreement and the Authority approves the proposed transferee. Any transfer will remain subject to the usual probity checks by the Authority. The proposed Act and the Management Agreement will apply to the transferee.

Clause 10 authorises the Victorian Casino Control Authority and the Minister to enter into an agreement to give notice or take action specified in the agreement before the Authority exercises powers under Part 2 of the Casino Control Act in relation to the Melbourne Casino.

Clause 11 provides that the taxes, fees and other payments contained in the Agreement are in lieu of taxes and levies payable under sections 112A, 113 and 114 of the Casino Control Act.

Clause 12 provides for the payment of certain amounts under the Master Security Agreement from the Consolidated Fund.

Clause 13 requires the net earnings of the Melbourne casino to be applied in accordance with the Master Security Agreement if a manager of the casino is appointed under section 22 of the **Casino Control Act 1991**.

Clause 14 provides that the appointment of a receiver does not constitute a major change within the meaning of section 28 of the **Casino Control Act 1991**.

Clause 15 provides that the Facility Agreement is not a controlled contract.

Clause 16 enables the Minister to approve changes to the Drawings, subject to disallowance by the Parliament.

Clause 17 provides for the refund of licensing payment amounts in accordance with the Agreement if the Melbourne Casino Licence is cancelled.

Clause 18 amends the Casino Control Act to require a management agreement and any amendment to be ratified by the Parliament before it has any effect.

Clause 19 amends section 60 of the Casino Control Act to enable the Victorian Casino Control Authority to give approvals to games and rules for games that differ according to differences in time, place or circumstances. This clause is intended to enable the Authority to approve certain games to be played only in the Melbourne Casino for a specified period. In approving the games, the Authority is to comply with Part 5 of the Management Agreement.

Clause 20 amends section 12 of the Gaming Machine Control Act to enable the Minister to issue a direction to fix the maximum number of gaming machines in an approved venue in a specified part of the State. In giving a direction under section 12, the Minister must comply with Part 5 of the Management Agreement.

Schedule 1 contains the Melbourne Casino Management Agreement.