

# Club Keno Bill

## EXPLANATORY MEMORANDUM

### Outline

The purpose of this Bill is to make provision for the game of CLUB KENO.

### Notes on Clauses

*Clause 1* sets out the purpose of the Act.

*Clause 2* provides that the Act comes into operation on the day on which it receives Royal Assent.

*Clause 3* sets out definitions of a number of words and phrases which have special meaning under the Act.

*Clause 4* provides that CLUB KENO as approved under this Act is not a game requiring approval under the Gaming Machine Control Act.

*Clause 5* provides—

- (1) that the participants are authorised subject to this Act and commercial arrangements agreed with the Minister to conduct and promote CLUB KENO;
- (2) that not less than 75 per centum of the total amount subscribed must be paid out in prizes;
- (3) if the participants wilfully contravene or fail to comply with the Act or the authorisation, the Minister may apply to the Supreme Court for an order to revoke the authorisation.

*Clause 6* empowers the participants to do all things necessary to conduct CLUB KENO and further provides that CLUB KENO is not unlawful or a common nuisance.

*Clause 7* sets out the rate of duty payable by the participants—

- (1) Sets out a sliding scale:
  - (a) where subscriptions for the relevant period do not exceed \$100 000 000—20 per centum;
  - (b) where more than \$100 000 000 but less than \$300 000 000—20·5 per centum;
  - (c) where more than \$300 000 000—21 per centum.
- (2) Sets out further payments from the participants to the Treasurer:
  - (a) 35 per centum of the participants' net profit for the relevant period;
  - (b) if 65 per centum of the participants' net profit exceeds 1·5 per centum of the total subscriptions for the relevant period, an amount equal to the difference between 65 per centum and 1·5 per centum of the total subscriptions.
- (3) Payments under sub-section (1) must be made as prescribed.

- (4) Payments under sub-section (2) must be made within 3 months of the end of each relevant period.
- (5) Amounts paid into the Consolidated Fund under sub-sections (1) and (2) are to be paid into the Hospitals and Charities Fund under the **Health Services Act 1988** and the Mental Hospitals Fund under the **Tattersall Consultations Act 1958** in such proportions as the Treasurer determines.

*Clause 8* provides that the participants must keep proper accounts and records.

*Clause 9* requires the participants to engage a registered company auditor to carry out such audits as are necessary.

*Clause 10* sets out requirements for the financial statements in respect of CLUB KENO, that the statements must be submitted to the Treasurer, and that the Treasurer must lay them before the Legislative Council and Legislative Assembly.

*Clause 11* requires that the financial statements referred to in section 10 must be audited by the Auditor-General and sets out the power of the Auditor-General in respect of these financial statements.

*Clause 12* provides that tickets in CLUB KENO must not be sold except in a venue approved pursuant to the **Gaming Machine Control Act 1991**.

*Clause 13* provides that a person who is not an accredited representative of the participants must not be held out as an agent of the participants. Penalty: 50 penalty units or imprisonment for 6 months.

*Clause 14* provides that this Act must be read as one with the **Tattersall Consultations Act 1958**.

*Clause 15* provides that the Governor in Council may make regulations under this Act in respect of CLUB KENO.

*Clause 16* provides for a number of consequential amendments to the Tattersall Consultations Act in respect of CLUB KENO.

*Clause 17* amends the **Racing Act 1958** to empower the Totalizator Agency Board to be a participant under this Act.