

TT-Line Gaming Bill

EXPLANATORY MEMORANDUM

Outline

This Bill complements the TT-Line Gaming Act 1993 of Tasmania. It makes provision for the regulation of gaming on ships operated by the TT-Line between Tasmania and Victoria by applying the Tasmanian Act as law of Victoria. Gaming on a TT-Line ship plying between the Tasmanian and Victorian ports will therefore be regulated under essentially the same law throughout the journey.

Notes on Clauses

Clause 1 sets out the purpose of the Bill, which is to allow gaming on ships operated by the TT-Line.

Clause 2 provides for commencement of the Act. The main provisions are to come into operation on a date agreed with Tasmania, being a date on which the ferry Spirit of Tasmania is scheduled to begin operating.

Clause 3 defines certain terms used in the Act, including definitions of the Tasmanian Act and the Tasmanian Minister. The clause also provides that terms used in the Tasmanian Act or regulations (the applied provisions) have the same respective meanings as in the Tasmanian legislation.

Clause 4 limits the application of the Act to ships on interstate or overseas voyages.

Clause 5 provides that the applied provisions (the Tasmanian Act and regulations) are to be read as one with this Act.

Clause 6 applies the Tasmanian Act and regulations made under it, as laws of Victoria amended as set out in Schedules 1 and 2 of the Act. The amendments in those Schedules are necessary to enable the Tasmanian legislation to apply effectively as Victorian law.

Clause 7 confers on the Tasmanian Gaming Commission powers conferred under the applied provisions. It is necessary to make this provision to enable the Tasmanian Commission to carry out certain functions under the Victorian as well as the Tasmanian legislation.

Clause 8 enables the Governor in Council to make regulations amending the Tasmanian Act and regulations so far as is necessary for their application as laws of Victoria.

Clauses 9 and *10* provide that it is lawful to carry out gaming in accordance with this Act on a ship despite anything to the contrary in any other Act. The exclusion of the Lotteries Gaming and Betting Act is to the same effect as its exclusion from the Gaming Machine Control Act. The Gaming Machine Control Act does not apply except as provided in this Act and the Casino Control Act does not apply at all.

Clause 11 authorises the Treasurer to enter into a revenue sharing agreement with Tasmania. The clause also provides for other matters concerning the conduct of gaming to be included in an agreement between the 2 States.

Clause 12 establishes inspection powers on the ship in Victorian waters which are consistent with those under the **Gaming Machine Control Act 1991**. The appointment of inspectors under this clause will be made in consultation with Tasmanian authorities.

Clause 13 provides for the Minister to set a limit on the number of machines which may be operated on the ship whilst in Victorian waters.

Clause 14 establishes an offence of improperly interfering with gaming equipment. This provision is similar to an offence under the Gaming Machine Control Act.

Clause 15 establishes offences for cheating or offering inducements. The offences are similar to those under the Gaming Machine Control Act.

Clause 16 provides for directors or officers of a corporation to be proceeded against where an offence is committed by the corporation.

Clause 17 establishes which persons are authorised to bring proceedings under the Act.

Clause 18 provides that the Minister may suspend the operation of the Act if satisfied on reasonable grounds that there has been a failure to comply with it, the applied provisions or an agreement under section 11 in a material respect, or if there is no agreement under section 11. The Minister must first give notice to the Tasmanian Minister of an intention to suspend the Act.

Clause 19 provides for the Governor in Council to make regulations.

Schedule 1 makes the necessary modifications to the Tasmanian Act to enable it to apply as law of Victoria. In particular, amendments are made which provide for the Tasmanian and Victorian Ministers jointly to approve games and certain matters relating to the conduct of gaming. Provision is also made for the exercise of certain powers by the Victorian Police. Provision is also made for gaming to take place during embarkation provided it is within 3 hours before the scheduled departure time.

Schedule 2 will contain modifications of regulations made under the Tasmanian Act. No such regulations have yet been made but, when they are, they are likely to require modification to enable them to apply as Victorian law. Regulations made under clause 8 of this Bill may amend the Schedule accordingly.