

## Casinos

**Under the Gambling Act 2003 existing casinos will not be able to expand their gambling activities and no new casino venue licences will be issued. Current licence holders retain their licences.**

The Gambling Act retains many of the provisions in the Casino Control Act 1990. However, the key differences are:

### Casino regulation

Under the Gambling Act 2003 the Casino Control Authority was disestablished as of 30 June 2004.

The Department of Internal Affairs has taken over the day-to-day regulatory activities of the Casino Control Authority - such as setting minimum operating standards, game rules, and equipment standards.

The Gambling Commission considers casino operator's licence applications and hears appeals against decisions made by the Department.

### Licensing

From 1 July 2004 the Gambling Commission is responsible for all licensing decisions related to casinos.

Casino venue licences may be renewed (as permitted under the current Act) at the end of the current licence period. A casino venue licence expires 25 years after the date the casino commenced operating.

The licence renewal process:

- Requires a Casino Impact Report to be tabled, prepared by an approved person, independent of the applicant
- Provides for greater community participation at public hearings and through community polls or consultation processes
- Requires the applicants to show how the proposed licence renewal will benefit the local and regional communities and New Zealand generally.

These provisions ensure that communities have a say in the licensing of casinos in their area and that social and economic impacts are considered equally.

Anyone is able to seek a casino operator's licence. However, any new licensed operator needs an agreement with an existing venue licence holder in order to operate at a casino.

### Licence conditions

The current licence conditions continue to apply to the existing casinos.

The Gambling Commission is responsible for setting new licence conditions and for making amendments to current conditions. The Department of Internal Affairs is now permitted to request that the Gambling Commission specify, vary or revoke the conditions attached to a casino licence.

Before the Gambling Act came into force, a licence condition could be amended only if the licence holder sought a change.

Existing casinos under the Gambling Act are not permitted to increase the opportunities for casino gambling and are not permitted to provide Internet gambling in New Zealand or directed at New Zealanders. The New Zealand Racing Board may operate TAB outlets in casino premises by agreement with casino operators.

### Associated persons

An associated person is anyone who exercises a significant influence in the management, ownership or operation of a casino (see Fact Sheet 29 'Associated Persons - Casinos').

Either the Gambling Commission or the Department will be responsible for approving associated persons, depending on the circumstances.

In general terms, the Gambling Commission may approve the associated persons attached to a new operator's licence or the renewal of a venue licence, while the Department approves associated persons in relation to existing licences.

A person who is declined status as an associated person by the Department may appeal to the Gambling Commission.

The Act provides for the Department to review associated persons and if necessary, revoke their status. This decision can be appealed to the Gambling Commission.

## Responsibilities

### Gambling Commission

- All casino licensing decisions
- Operators' licences
- Renewal of venue licences
- Casino venue agreements
- Mortgages, charges and encumbrances
- Approval of associated persons in relation to above applications

#### Hears appeals against Secretary's decisions about:

- Minimum operating standards
- Certificates of Approval
- Associated persons
- Can issue an order for suspension or cancellation of casino licence.

### Department of Internal Affairs

- Sets minimum operating standards
- Sets minimum standards for gambling equipment
- Approves associated persons
- Reviews associated persons
- Sets game rules
- Can request that the Gambling Commission specify, vary or revoke licence conditions
- Inspects and audits casinos
- Can seek an order from the Gambling Commission for the suspension or cancellation of casino licence
- Approves Certificate of Approvals
- Reviews Certificate of Approvals including application to suspend or cancel.