

TASMANIA

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**GAMING CONTROL AMENDMENT (DEALING  
WITH STOLEN MONEY) BILL 2025**

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# **GAMING CONTROL AMENDMENT (DEALING WITH STOLEN MONEY) BILL 2025**

*(Brought in by Kristie Johnston, MP)*

## **A BILL FOR**

### **An Act to amend the *Gaming Control Act 1993***

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

#### **1. Short title**

This Act may be cited as the *Gaming Control Amendment (Dealing with Stolen Money) Act 2025*.

#### **2. Commencement**

This Act commences on the day on which this Act receives the Royal Assent.

#### **3. Principal Act**

In this Act, the *Gaming Control Act 1993*\* is referred to as the Principal Act.

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\*No. 94 of 1993

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**4. Part 5, Division 3A inserted**

After section 112K of the Principal Act, the following Division is inserted in Part 5:

***Division 3A – Dealing with stolen money***

**112KA. Interpretation of Division**

(1) In this Division –

***gaming compensation order*** means an order made under section 112KC(1);

***gaming premises*** means premises where a person may wager with, or otherwise participate in a game or gaming activity conducted by, a relevant licence holder;

***person-in-charge*** means a person for the time being apparently in charge of gaming premises;

***relevant licence holder*** means the holder of any of the following:

- (a) a casino licence;
- (b) a venue licence;
- (c) a keno operator's licence;
- (d) a minor gaming permit;

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(e) a Tasmanian gaming  
licence;

*victim* means a person from whom  
money was stolen.

- (2) In this Division, a reference to money being stolen by a person includes money that has been obtained by that person by embezzlement, fraud, theft or any other unlawful means.

**112KB. Duty to report stolen money to police officer**

A relevant licence holder must immediately notify a police officer if the relevant licence holder suspects on reasonable grounds that a person –

- (a) intends to wager on, or otherwise participate in, any gaming, game, or gaming activity, with money that has been stolen by that person; or
- (b) has wagered on, or otherwise participated in, gaming, a game or gaming activity with money that has been stolen by that person.

Penalty: A fine not exceeding 10 000 penalty units.

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**112KC. Making of gaming compensation order**

- (1) A court must make an order requiring a relevant licence holder to pay compensation to a victim if –
  - (a) a person (the *offender*) is found guilty, or is convicted, by the court of an offence involving the stealing of money by that person from the victim; and
  - (b) the court is satisfied on the balance of probabilities that some or all of the money stolen by the offender was used to wager on, or participate in, any gaming, game, or gaming activity, conducted by the relevant licence holder.
- (2) An order may be made under subsection (1) by the court –
  - (a) on its own motion; or
  - (b) on an application made on the victim's behalf by the Director of Public Prosecutions, if the sentencing court was the Supreme Court, or by the complainant or police prosecutor, if the sentencing court was a court of petty sessions.
- (3) Nothing in subsection (2)(b) requires the Director of Public Prosecutions or the

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complainant or police prosecutor (as the case requires) to make an application on behalf of a victim.

- (4) An application under subsection (2)(b) is to be made as soon as practicable after the offender is found guilty or is convicted of the offence.
- (5) A relevant licence holder is entitled to appear and be heard in a proceeding in relation to the making of a gaming compensation order in respect of that relevant licence holder.

**112KD. Amount of compensation payable**

- (1) In this section –

***sentencing compensation order***  
means a compensation order  
made under section 68 of the  
*Sentencing Act 1997*.

- (2) The compensation payable to a victim by a relevant licence holder under a gaming compensation order is not to exceed the amount of money that was stolen from the victim by the offender.
- (3) In determining the compensation payable to a victim under a gaming compensation order in respect of an offence, the court is not to take into account any unpaid amount payable to the victim under a

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sentencing compensation order in respect of the same offence.

- (4) In determining the amount of compensation that a victim is entitled to recover under a gaming compensation order, the court is not bound by the rules of evidence and it may inform itself in any matter in any way that it considers appropriate.

**112KE. Effect on rights to recover damages**

- (1) If a relevant licence holder is required to pay compensation to a victim under a gaming compensation order, any unpaid amount payable to that victim under a sentencing compensation order in respect of the same offence is payable by the offender to the relevant licence holder instead of the victim.
- (2) Nothing in this Division takes away from, or affects the right of, any person to recover damages for, or to be indemnified against, any injury, loss, destruction or damage so far as it is not satisfied by a gaming compensation order.



**112KF. Enforcement of gaming compensation order**

- (1) A gaming compensation order is taken to be a fine enforceable under the *Monetary Penalties Enforcement Act 2005*.
- (2) If the amount payable under a gaming compensation order has been deemed uncollectable in full or in part under section 109 of the *Monetary Penalties Enforcement Act 2005*, the order –
  - (a) in the case of a gaming compensation order made by the Supreme Court, is taken to be a judgment of the Supreme Court and is enforceable under the *Supreme Court Civil Procedure Act 1932*; or
  - (b) in the case of a gaming compensation order made by a court of petty sessions, is taken to be a judgment of the Magistrates Court (Civil Division) and is enforceable under the *Magistrates Court (Civil Division) Act 1992*.

**112KG. Transitional provision**

- (1) Subject to subsection (2), a court may make a gaming compensation order under this Division in respect of an offence regardless of –

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- (a) whether the offence was committed before or after the commencement of this Division; and
  - (b) whether proceedings for the offence commenced before or after the commencement of this Division.
- (2) A court may not make a gaming compensation order in respect of an offence if a court has, before the commencement of this Division, passed sentence on the offender in respect of the offence.

## **5. Repeal of Act**

This Act is repealed on the first anniversary of the day on which it commenced.