

NSW Independent
Casino Commission

Delegations Manual

24 January 2024

NSW Independent Casino Commission

Contents

Instrument of Delegation (NSW Independent Casino Commission) (No. 8) 2024	3
Notes	6
Revision history	6
1. <i>Gaming and Liquor Administration Act 2007</i>	8
2. <i>Casino Control Act 1992</i>	9
3. <i>Casino Control Regulation 2019</i>	20
4. Miscellaneous.....	28

NSW Independent Casino Commission

Instrument of Delegation (NSW Independent Casino Commission) (No. 8) 2024

I, PHILIP CRAWFORD, make the following instrument of delegation in pursuance of the following statutory provision:

1. section 137 of the *Casino Control Act 1992*, in relation to functions conferred or imposed on the NSW Independent Casino Commission under the gaming and liquor legislation, as set out in Schedule 1.

Dated this 24th day of January 2024.



Philip Crawford
Chief Commissioner
For and on behalf of the NSW Independent Casino Commission

Explanatory note

This Instrument is made under the statutory provision listed above. The object of this Instrument is to delegate functions conferred or imposed on the NICC by or under the:

- *Gaming and Liquor Administration Act 2007*
- *Casino Control Act 1992*
- *Casino Control Regulation 2019*

NSW Independent Casino Commission

Instrument of Delegation (NSW Independent Casino Commission) (No. 8) 2024

under the

- *Casino Control Act 1992*

1 Name

This Instrument is the *Instrument of Delegation (NSW Independent Casino Commission) (No. 8) 2024*.

2 Commencement

This Instrument commences on the day on which it is signed.

3 Interpretation

(1) In this Instrument:

committee means a committee formed by the NICC under the gaming and liquor legislation.

function includes a power, authority or duty, and ***exercise*** a function includes perform a duty.

role includes office.

L&GNSW means Liquor & Gaming NSW within the Department of Enterprise Investment and Trade.

the Department means the Department of Enterprise Investment and Trade.

NICC means the NSW Independent Casino Commission.

(2) Unless otherwise defined in this Instrument, words and expressions that are defined in the relevant Act or Regulation have the same meaning in this Instrument.

(3) Unless otherwise specified, references to a role or role title in this Instrument are references to a role or role title within the Department.

(4) The summary of a function delegated in the column titled “Power or function Delegated” in the table in Schedule 1 is only for general explanation and does not limit the delegation of functions under the provision identified in the column titled “Section” or “Clause” in the table in Schedule 1.

4 Delegation of functions

(1) The functions conferred or imposed on the NICC under the provision in the column titled “Section” or “Clause” in the tables in Schedule 1 are delegated to either of the following groups identified in the column titled “Delegate” in the tables in Schedule 1:

- a. any person assigned to the roles captured in the table at item 4(6) of this instrument

NSW Independent Casino Commission

b. a committee of the NICC formed under section 138 of the *Casino Control Act 1992*.

- (2) Delegations may be subject to any conditions or limits the NICC may impose.
- (3) “Delegate” includes any person acting in the role, performing the duties and responsibilities of that role, or appointed to the relevant committee.
- (4) Delegates with specific roles may be grouped together with an inclusive reference, which should be construed as a delegation to the positions specified as well as those positions captured by an alphabetical reference included between the first and last alphabetical reference listed in the column titled “Delegate”. For example, “A-D” is to be construed as referring to delegates A, B, C and D.
- (5) Delegates must exercise their delegated authority:
 - in relation to their area of responsibility only, unless otherwise specified;
 - in conjunction with other necessary delegations;
 - by ensuring that all decisions are consistent with the Government Sector Core Values; and
 - consistently with any applicable policies, guidelines and/or procedures.
- (6) The following references are used in Schedule 1 for specific roles:

A	Chief Executive Officer, Hospitality & Racing
B	Executive Director, Policy and Programs Executive Director, Regulatory Operations & Enforcement
C	Director Assurance & Probity, L&GNSW Director Compliance & Enforcement, L&GNSW Director Digital & Emerging Technologies, L&GNSW Director Industry & Community Engagement, L&GNSW Director Intelligence, Assessments & Coordination, L&GNSW Director Licensing, L&GNSW Director Office of the NICC Director Policy & Legislation, L&GNSW Director Policy, L&GNSW
D	Chief Compliance Auditor, L&GNSW Chief Investigator, L&GNSW Chief Revenue Auditor, L&GNSW Manager Assessments, L&GNSW Manager Assurance & Probity, L&GNSW Manager Business Digital System and Reporting, L&GNSW Manager Centralised Monitoring System, L&GNSW Manager Compliance, L&GNSW Manager Emerging Technologies, L&GNSW Manager Intelligence & Analytics, L&GNSW Manager Licensing, L&GNSW Manager Office of the NICC Manager Probity & Approvals, L&GNSW Manager Regulatory Capability, L&GNSW

NSW Independent Casino Commission

	Manager Regulatory Engagement, L&GNSW Manager Regulatory Interventions, L&GNSW Manager Research & Evaluation, L&GNSW Principal Solicitor, Office of the NICC
E	Audit Coordinator, L&GNSW Coordinator Audit & Assurance, L&GNSW Coordinator Casino Operations, L&GNSW Coordinator Operations, L&GNSW Coordinator Licensing, L&GNSW Coordinator Probity & Approvals, L&GNSW Coordinator Regulatory Interventions, L&GNSW Coordinator Special Projects, L&GNSW Executive Officer, Office of the NICC Lead Investigator, L&GNSW Principal Intelligence Analyst, L&GNSW
F	Lead Auditor, L&GNSW Lead Casino Inspector, L&GNSW Lead Compliance Officer, L&GNSW Lead Investigator Probity & Approvals, L&GNSW Lead Inspector, L&GNSW Senior Analyst, L&GNSW Senior Licensing Officer, L&GNSW Senior Intelligence Analyst, L&GNSW Senior Investigator, L&GNSW Senior Regulatory Interventions Officer, L&GNSW
G	Assessor/Analyst, L&GNSW Intelligence Analyst, L&GNSW Investigator, L&GNSW Licensing Officer, L&GNSW Senior Auditor, L&GNSW Senior Casino Inspector, L&GNSW Senior Compliance Officer, L&GNSW Senior Inspector, L&GNSW Senior Investigator Probity & Approvals, L&GNSW
H	Auditor, L&GNSW Compliance Officer, L&GNSW Inspector, L&GNSW Investigator Probity & Approvals, L&GNSW Licensing Support Officer, L&GNSW

5 Revocation

All delegations previously made in pursuance of section 137 of the *Casino Control Act 1992* (other than delegations by the NICC to a committee of the NICC) are revoked.

NSW Independent Casino Commission

Notes

1. The scope of the power delegated is limited to the scope of the NICC's power to act.
2. The text in the column "Power or function delegated" may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions – The onus is on the delegate to ensure that the delegation is exercised strictly in accordance with the authorising words in that column.
3. All delegations must be exercised in accordance with the relevant legislation and Government and NICC policies and procedures, including any delegation business rules.
4. For any matter that would ordinarily be dealt with under delegation, but which is especially contentious, novel, precedent-setting or has attracted a very significant degree of public interest, or where the NICC or the delegate is of the view that, in all the circumstances, the determination should more appropriately be made by the NICC, the matter must be referred to the NICC for its consideration.
5. Where a decision-making power or function is delegated, the delegation is taken to include the delegation of any procedural or ancillary powers necessary for the exercise of that decision making power or function. This principle applies also to ad hoc delegations by the NICC to committees of the NICC under section 138 of the *Casino Control Act 1992*.

Revision history

No	Date issued	Changes made
1	5 September 2022	N/A (first issue)
2	24 January 2023	Insert: - Manager, Regulatory Interventions, L&GNSW
3	21 February 2023	Insert: - Executive Director, Policy and Programs - Manager, Business Digital System and Reporting, L&GNSW - Manager, Centralised Monitoring System, L&GNSW - Revision history table Amend: - Lead Inspector, L&GNSW to level 'F' - The function delegated under section 3A(1)(d)(ii) of the <i>Casino Control Act 1992 (Act)</i> to include "operator's"
4	23 March 2023	Insert: - Section 22C(2)(c) of the Act and delegate to level 'A-D' - Section 130A(2) of the Act and delegate to level 'A-D'

NSW Independent Casino Commission

		<p>Amend:</p> <ul style="list-style-type: none"> - Separate section 59 of the Act to separately list section 59(2) and 59(9) of the Act, and delegate both items to level 'A-D' <p>Remove:</p> <ul style="list-style-type: none"> - Delegation for schedule 6 clause 141(3) of the <i>Casino Control Regulation 2022 (Regulation)</i>
5	12 July 2023	<p>Insert:</p> <ul style="list-style-type: none"> - Delegations to the CSE Disciplinary Action Committee under sections 59 and 60 of the Act <p>Amend:</p> <ul style="list-style-type: none"> - Label non-delegated functions
6	11 October 2023	<p>Insert:</p> <ul style="list-style-type: none"> - 39(1)(a), 39(1)(b) and 39(1)(c) of the Regulation and delegate to level A-D. - 39(2) of the Regulation and delegate to level A-D. - 39(4) of the Regulation and delegate to level A-D. - 39(5) of the Regulation and delegate to level A-D. - 39(9) of the Regulation and delegate to level A-D.
7	8 November 2023	<p>Insert:</p> <ul style="list-style-type: none"> - Intelligence Analyst, L&GNSW
8	24 January 2024	<p>Amend:</p> <ul style="list-style-type: none"> - Chief Auditor, L&GNSW to Chief Revenue Auditor, L&GNSW - Manager Assurance & Probity, L&GNSW to Manager Probity & Approvals, L&GNSW. - Director Policy & Legislation, L&GNSW to Director Policy & Research, L&GNSW - Director Intelligence & Research, L&GNSW to Director Intelligence, Assessments & Coordination, L&GNSW - Coordinator Assurance & Probity, L&GNSW to Coordinator Probity & Approvals, L&GNSW <p>Insert:</p> <ul style="list-style-type: none"> - Chief Compliance Auditor, L&GNSW - Director Policy, L&GNSW - Coordinator Audit & Assurance, L&GNSW - Lead Investigator Probity & Approvals, L&GNSW - Senior Auditor, L&GNSW - Senior Investigator Probity & Approvals, L&GNSW - Auditor, L&GNSW - Investigator Probity & Approvals, L&GNSW

NSW Independent

Casino Commission

Schedule 1

1. *Gaming and Liquor Administration Act 2007*

Powers or functions conferred or imposed on the NICC by the *Gaming and Liquor Administration Act 2007* are delegated in accordance with the table below under section 137 of the *Casino Control Act 1992*.

Gaming and Liquor Administration Act 2007		
Section	Power or function delegated	Delegate
14(1)(d)	Designate a consultant to the NICC as being subject to s14	A
14(3)(b1)	Determine whether a consultant to the NICC possesses the highest standard of integrity	A
14(12A)	Waive the operation of s14(10) for a consultant to the NICC in a particular case	A
16(1)	Approve of a key official or a former key official who is a consultant or former consultant of the NICC doing things that they would otherwise be prohibited from doing under s16(1)	*
17(2)(a)	Certify that it is necessary in the public interest that information (which would usually be protected by the secrecy provisions of s17(1)) may be divulged to a particular person or persons	A
17(5)(a)	Certify that it is necessary in the public interest that a person be required to produce a document or other thing in a court or to divulge information to a court in circumstances that would otherwise be prohibited by s17(4)	A
21(1)	Require a person to furnish such information or records (or both) as required by the notice in connection with any matter relating to the responsibilities or functions of the NICC under the gaming and liquor legislation	A-B
28(2)	By notice in writing given to the owner or occupier, require the owner or occupier of premises to provide such reasonable assistance and facilities as are specified in the notice within a specified time and in a specified manner	A-B
30(2)	Require a corporation to nominate, in writing within the time specified in a notice, a director or officer of the corporation to be the corporation's representative for the purpose of answering questions under s30	A-B
36B(2)(a), (b) and (3)	Conduct an interview, convene a conference or meeting or receive submissions in relation to a delegated application or matter, and determine the procedure that is to apply at such events	A-C
42(1)	Authorise a person in writing to accept service of documents on behalf of the NICC	A

Note: The text in the column "Power or function delegated" may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions

*Not a delegated power

NSW Independent

Casino Commission

Schedule 1

2. Casino Control Act 1992

Powers or functions conferred or imposed on the NICC by the *Casino Control Act 1992* are delegated in accordance with the table below under section 137 of the same Act.

Casino Control Act 1992		
Section	Power or function delegated	Delegate
3A(1)(d)(ii)	Determine whether a person who holds or will hold a relevant interest or power is or will be able to exercise a significant influence over or in relation to the management or operation of the casino operator's business	A-C
9(1)	At the direction of the Minister, publicly invite expressions of interest for the establishment and operation of a casino and provide information concerning the requirements for the casino to any person who expresses interest	*
9(5)	Charge a fee for the provision of information under s9	*
10(1)	At the direction of the Minister, publicly invite applications for a casino licence in accordance with the direction	*
10(6)	If considered appropriate, refund the whole or any part of an application fee if the application is not successful	*
14(1)	On receiving an application for a casino licence, carry out all such investigations and inquiries as considered necessary to enable proper consideration of the application	*
14(2)(a)	Require any person it is investigating in relation to the person's suitability to be concerned in or associated with the management or operation of a casino, to consent to having his or her photograph, finger prints and palm prints taken	A-C
14(2)(b)	Refer to the Commissioner of Police details of the persons being investigated, copies of any photographs, finger prints and palm prints taken and any supporting information considered appropriate for referral to the Commissioner	A-C
14(3)	Request the Commissioner of Police to inquire into and report on matters concerning the application	A-C
15(1)	Require an applicant for a casino licence, or a person considered to have some relevant connection with the applicant, to provide information, produce or make available documents, or provide appropriate consents	A-C
16(1)	Decide not to require payment of the reasonable costs of investigating or inquiring into an application for a casino licence	*
16(2)	Require part or full payment in advance of the amount estimated to be payable by the applicant and refuse to deal with the application until the required payment is made	A-B

Note: The text in the column "Power or function delegated" may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions

*Not a delegated power

NSW Independent Casino Commission

Schedule 1

Casino Control Act 1992		
Section	Power or function delegated	Delegate
17(3)	Notify the applicant in writing that particulars of any change in information, or particulars of the type of change concerned, is not required	A-C
22C(2)(c)	The casino operator is required to provide written notice of any material breach, or likely material breach, of an Act of NSW or the Commonwealth that regulates casino operations, including provisions dealing with anti-money laundering or counter-terrorism financing by the casino operator, holding company of the casino operator, or any related bodies corporate of the casino operator that operate a casino in another jurisdiction are	A-D
26A(2)(b)	Give consent for an enforceable undertaking to be varied or withdrawn	*
26A(3)	Determine the appropriate manner in which an enforceable undertaking is published	A-C
26A(4)	Determine whether a person has, without reasonable excuse, failed to comply with an enforceable undertaking, and certify the failure to the Supreme Court	A-B
29(1)	Give a casino operator a written direction that relates to the conduct, supervision or control of operations in the casino	A-C
30	Investigate a casino when the NICC thinks it desirable, or when directed by the Minister to do so	A-B
31(1B)	Determine the proportion of the costs of a s31 review payable by each casino operator	*
31(1C)	Require a casino operator to pay an amount towards the costs of a s31 review before the review starts or during the review	*
32(1)	Determine whether a person is directly or indirectly associated with a casino operator, and require the person and/or a casino operator to provide information	A-C
33(4)	Determine whether a person has, without reasonable excuse, failed to comply with a requirement of a notice issued under s32 and certify any such failure to the Supreme Court	A-B
35A(2)	Determine not to require payment to the NICC of the NICC's reasonable costs of investigating or inquiring into major changes	*
35A(3)(b)	Determine the extent to which the costs of an investigation or inquiry into a major change should be payable by a close associate or prospective close associate, if the casino operator is not responsible for the major change	A-B

Note: The text in the column "Power or function delegated" may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions

*Not a delegated power

Casino Control Act 1992		
Section	Power or function delegated	Delegate
35A(5)	In the case of an application for approval under s35, require part or full payment in advance of estimated costs payable to the NICC, and refuse to deal with the application until the required payment is made	A
37(2)	Determine whether to object to the proposed contract or variation of contract, and advise the casino operator of the decision by written notice	A-C
37A(1)	Issue an interim approval of the controlled contract or variation	A-C
37B(2)	Give written notice to each party to a proposed controlled contract or variation to advise of the NICC's intention to revoke the interim approval issued under s37A(1), and invite written submissions on why it should not be revoked	A-C
37B(3)	Determine whether to revoke an interim approval issued under s37A	A-C
37B(4)	Give written notice of the decision under s37B(3) to the affected parties	A-C
38(1)	Determine if a person has some association or connection with a casino operator that is relevant to the operation or management of a casino, and direct by notice in writing to such a person that s37 is to apply to that person	A-C
39(1)	Serve on each party to a controlled contract a notice in writing affording the party an opportunity to show cause as to why the contract should not be terminated	A-C
39(3)	Make arrangements with any party to the controlled contract on whom a notice is served under s39(1) for submissions to be made as to why the contract should not be terminated	A-C
39(4)	Require a controlled contract to be terminated	A-B
42A(2)(a)	Grant a person an exemption from the requirement to obtain approval as a close associate	*
42A(3)(b)	Impose conditions for an exemption granted under s42A(2)	*
42B(2)	Approve the form in which an application for approval as a close associate must be made, the fee for the application, and the information required to accompany the application	A-C
42C(1)	Issue an applicant for close associate approval an interim approval	*
42C(2)	Revoke an interim approval issued under s42C(1)	*
42D(1)	Determine whether to approve an application for close associate approval	*
42D(3)(c)	Determine whether a person, body or association, with which the close associate applicant has a business association, is not of good repute or has undesirable or unsatisfactory financial sources	*

Note: The text in the column "Power or function delegated" may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions

*Not a delegated power

Casino Control Act 1992		
Section	Power or function delegated	Delegate
42D(3)(d)	Determine whether a person is associated or connected with the ownership, administration or management of the operations or business of the close associate applicant	*
42E(1)	Impose conditions for a close associate approval	*
42E(2)	Vary, substitute or revoke a condition of a close associate approval	*
42F(2)	Require a close associate to provide further information about a substantive change, or take, or refrain from taking, certain specified action within a specified time	A-C
42G(4)	Require part or full payment in advance of the costs estimated to be payable for a close associate application	A-C
42H(1)	Take disciplinary action against a close associate	*
42J(2)	Issue show cause notice to a close associate, and invite submission on why the close associate's approval should not be required	*
42J(5)	Determine whether to revoke a close associate's approval	*
42L(2)	Give written notice to a casino operator and the relevant close associate to advise of the NICC's intention to revoke an exemption issued under s42A, and invite them to make a submission within the specified period	*
42L(3)	Decide whether to revoke an exemption issued under s42A	*
42L(4)	Give written notice of the decision under s42L(3) to the affected close associate and casino operator	*
45(2)	Exempt a special employee or a class of special employee from the requirement in s45(1) to display identification	A-C
46(1)	Approve the form for an application for a special employee licence, and specify the documents required to accompany the application	A-C
46(3)	Require an applicant for a special employee licence to consent to having their photograph, finger prints and palm prints taken and refuse to consider the application if the applicant does not consent	A-D
46(3A)	Refer details of an applicant for a special employee licence together with copies of photographs, finger prints and palm prints taken and supporting information to the Commissioner of Police	A-C
46(3B)	Specify the matters in respect of an application on which the Commissioner of Police is to report	A-C
47(1)	Determine whether a person has a special relationship with a casino	A-C
47(2)	Give a direction in writing to a person who has a special relationship with a casino, directing that the association or employment that constitutes the special relationship is to be regarded as the exercise by the person of the functions of a special employee	A-C

Note: The text in the column "Power or function delegated" may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions

*Not a delegated power

NSW Independent Casino Commission

Schedule 1

Casino Control Act 1992		
Section	Power or function delegated	Delegate
47(5)(a)	If s47 results in a person who has a special relationship with a casino contravening s44, give written notice of that fact to the person and the casino operator	A-C
47(5)(b)	Allow a notice period longer than 24 hours for a person who has a special relationship with a casino or employer to terminate the association or employment	A-C
48(3)	Determine that the NICC does not require particulars of any change or type of change in the information provided in or in connection with an application for a special employee licence, and notify the applicant of this in writing	A-C
49(1)	Determine that a person has some association or connection with an applicant for a special employee licence Give written notice to the person or the applicant to require the provision of information, production of records, authorise compliance with a requirement, or furnish authorities and consents, as specified in the notice	A-D
49(2)	Refuse to consider an application for a special employee licence if a s49(1) requirement is not complied with	A-D
50(1)	Investigate and inquire into an application for a special employee licence	A-D
50(2)	Give written notification to an applicant for a special employee licence to advise of any intention to refuse the application, and allow at least 14 days for the applicant to make submissions as to why the application should not be refused	A-D
51(1)	Determine that the reasonable costs incurred in investigating and inquiring into an application for a special employee licence are not payable to the Secretary by the applicant	A
51(2)	Require part or full payment in advance by the applicant of the estimated amount of investigation costs, and refuse to deal with the application until the required payment is made	A-D
52	Consider an application for a special employee licence, determine whether to grant the licence, notify the applicant of the decision, and decide whether to give reasons	A-E
53(1)	Impose any condition on a special employee licence, and notify the licensee in writing of the condition	A-E
53(2)	Vary, substitute, or revoke a condition on a special employee licence by notice in writing to the licensee, except where the condition was imposed or varied by a Commissioner or multiple Commissioners of the NICC	A-E
54(1)	Grant a provisional special employee licence, where the licence application indicates that there are no financial, criminal or other matters of concern	A-E

Note: The text in the column “Power or function delegated” may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions

*Not a delegated power

NSW Independent

Casino Commission

Schedule 1

Casino Control Act 1992		
Section	Power or function delegated	Delegate
54(2)	Impose any conditions or restrictions in granting the provisional special employee licence, and notify the applicant of the conditions or restrictions imposed	A-E
54(3)	Cancel a provisional special employee licence if investigation into the licence application discloses financial, criminal or other matters of concern, or the applicant fails to provide information upon request, and notify the applicant in writing of the decision Note: A report must be provided to the NICC at its next scheduled meeting following the exercise of this function	A-D
56(2)	Approve the form of an application for renewal of a special employee licence	A-C
56(2)	Determine the fee that must accompany a special employee licence renewal application	A
58	Issue a replacement licence if satisfied that the licence has been lost, destroyed or damaged	A-H
58	Determine the fee payable for the issue of a replacement licence	A
59(2)	Make inquiries into the question of whether there are grounds for disciplinary action against a licensee or former licensee	A-D CSE Disciplinary Action Committee
59(3)(a)	Give the licensee or former licensee notice of the proposal and at least 14 days to make submissions to the NICC on the matter	CSE Disciplinary Action Committee
59(3)(b)	Suspend and revoke the suspension of a CSE licence pending a decision on whether to take disciplinary action against the CSE licence holder	CSE Disciplinary Action Committee
59(5)	Take disciplinary action against a current or former CSE licence holder	CSE Disciplinary Action Committee
59(8)	Give reasons for disciplinary action against a current or former CSE licence holder	CSE Disciplinary Action Committee
59(9)	Notify the Commissioner of Police of any disciplinary action taken against a licensee under this section if the NICC is aware that the licensee is the holder of a licence under the <i>Security Industry Act 1997</i>	A-D CSE Disciplinary Action Committee
60(2)	Terminate or reduce a period of suspension of a CSE licence	CSE Disciplinary Action Committee

Note: The text in the column “Power or function delegated” may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions

*Not a delegated power

NSW Independent

Casino Commission

Schedule 1

Casino Control Act 1992		
Section	Power or function delegated	Delegate
61(1)	Give written notice to a casino operator that the licence of an associate or employee of the operator has been suspended or cancelled, or has otherwise ceased to be in force	A-E
61(2)	Give written notice to an employer (other than the casino operator) of an employee that the employee's licence has been suspended or cancelled	A-E
62(1)(a) and (c)	Approve forms for notification by a casino operator of matters relating to employees	A-C
62(1)(b)	Specify the dates, being not less than twice each year, on which the casino operator must submit a list of the licensed employees having functions in or in relation to the casino	A-C
62(2)	Require a special employee licensee to provide information or produce records specified in a written notice	A-C
64(3)	Approve the training or qualifications on the basis of which a certificate of competency is issued, or set standards or requirements for the training or qualification	A-C
64(5)	Request a casino operator to provide access to records of all training provided and certificates issued by the operator	A-C
65(a)	Approve the standard of the facilities and equipment provided for persons conducting monitoring and surveillance of operations in the casino, except where the facility or equipment concerns: <ul style="list-style-type: none"> major overall cost implications to the casino, or a major move away from the design concepts, or functional or operational problems 	A-C
65(b)	Approve the location and orientation of a closed circuit television system operating within the casino, where: <ul style="list-style-type: none"> a casino operator makes a written submission to the NICC for the relocation of a camera to enhance coverage of existing facilities, or the NICC has issued written advice to the delegate of its approval for changes to the casino facilities or gaming layouts 	A-C
66(1)	Approve games that may be played in a casino and the rules of those games Note: A report must be provided to the NICC at its next scheduled meeting following the exercise of this function	*
	Approve amendments to existing approved games played in the casino, and the rules of those games	A-C

Note: The text in the column "Power or function delegated" may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions

*Not a delegated power

NSW Independent

Casino Commission

Schedule 1

Casino Control Act 1992		
Section	Power or function delegated	Delegate
68(1)	Approve Electronic Gaming Machines and associated subsidiary equipment, and previously approved Electronic Table Games and Table Games Equipment, for use in a casino and impose conditions on any such approval Note: A report must be provided to the NICC at its next scheduled meeting following the exercise of this function	A-C
68(2)	Revoke approval given under s68(1) by notice in writing to a casino operator	A-B
68(3)	Investigate or authorise the investigation of gaming equipment for the purpose of determining whether the equipment is suitable to be approved for use in a casino and require the cost of such an investigation to be paid by a person seeking the approval	A-C
68(5)(b)	Approve the manner of identification of equipment and possession of equipment	A-B
69(1)	Direct a casino operator to cease to have available for its use gaming equipment which is unsatisfactory, and direct a casino operator to rectify/destroy such gaming equipment	A-B
70(1)(h)	Approve payment of a deposit, charge, commission or levy to take part in gaming in the casino	A
70(2)(d)	Approve a bank, building society or credit union on which a cheque in payment for redeemed chips or chip purchase vouchers may be drawn	A-C
70(3)	Identify by notice in writing to the casino operator gaming equipment that is not an intrinsic element of gaming and which is considered to be secondary gaming equipment	A-C
72(1)(b)	Direct a casino operator to prominently display additional advice or information to a player	A-C
72(2)	Exempt a casino operator by instrument in writing from compliance with ss72(1)(d) and (e) in respect of any particular game played in the casino, and impose conditions as appropriate	A-C
77(2)(b)	Confer or impose on an inspector additional functions that may be exercised in or on a casino	A-B
78(2)	Authorise a police officer to enter any part of a casino to which the public does not have access and to remain there for the purpose of discharging their duty as a police officer	A-C
78(4)	Inform the casino operator or the person for the time being in charge of the casino as soon as practicable of an authorisation given under s78(2)	A-C
79(1)	Prohibit a person from entering or remaining in a casino, by order in writing	A-H
79(3)	Issue an exclusion order to a person on the person's voluntary application	A-H
79(3)(a)	Determine the manner in which a person's signature on a self-exclusion application must be witnessed.	A-C

Note: The text in the column "Power or function delegated" may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions

*Not a delegated power

Casino Control Act 1992		
Section	Power or function delegated	Delegate
79(4)(c)(i)	Give permission for a player card to be issued to a person subject to an exclusion order	A-B
80(2B)	Review an exclusion order that is allowed to stand by a casino operator under s80(2A)	A-D
80(3)	Make inquiries into whether an exclusion order should be overruled	A-D
83(1)	Notify the time of day after which the casino operator must, on each day that gaming is conducted in the casino, prepare a list of names bearing the date of that day, or add the date of that day to an unchanged list of names applicable under this subsection on the last preceding day, being the names of persons who, immediately before the only day, or each day, of which the date appears on the list, were the subject of exclusion orders for the casino of which the operator is or was aware.	A-D
83(3)(g)	Approve a person to whom a list of excluded persons or any information contained therein may be provided	A-D
98(2)	Determine and give written notice to a casino operator as to the position of notices in relation to the exclusion of persons under 18 years of age from the casino	A-D
124(1)	Approve in writing a system of internal controls and administrative and accounting procedures for a casino Note: A report must be provided to the NICC at its next scheduled meeting following the exercise of this function	*
124(2)	Amend an approval of a system of internal controls and administrative and accounting procedures for a casino Note: A report must be provided to the NICC at its next scheduled meeting following the exercise of this function	*
125(2)	Give a casino operator a direction in relation to a technical specification or another condition to enable the NICC to access to casino operator's systems under s125(1)	A-C
126(1)(a1)	Approve the single account used by a casino operator for all banking transactions by its patrons	A-B
126(1)(b)	Approve the form of a written authority to be addressed to any such bank or other financial institution authorising the bank or financial institution to comply with any requirements of an inspector exercising powers under 126, and require such compliance	A-C
126(3)	Give written authority to an inspector to exercise the powers conferred by s126	A-C
128	Determine the end of the financial year for the casino to prepare financial statements and accounts	A-C

Note: The text in the column "Power or function delegated" may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions

*Not a delegated power

Casino Control Act 1992		
Section	Power or function delegated	Delegate
129(2)	Grant an exemption by instrument in writing to a casino operator from all or specified requirements of s129 in respect of all or specified classes of books, records or documents, and grant an exemption subject to conditions	A-B
130(1)	Determine the end of financial year for the casino to cause its books, accounts and financial statements to be audited by a person approved by the NICC under this section	A-C
130(1)	Approve a person to audit the accounting records of the operator in relation to a casino	A-B
130A(2)	The casino operator must, at the same time as submitting the suspicious matter report, give a copy of the report to the NICC	A-H
131(2)	Specify, by written order to a casino operator, the submission times for, and information to be contained in, the reports under s131(1)	A-D
131A(2)	Approve a person as a compliance auditor for a casino	*
131A(3)(b)(iv)	Direct a compliance auditor to give written notice of any other matters not already covered by s131A(3)(b)	*
132(1)	Determine whether a person has some association or connection with a casino operator that is relevant to the operation or management of the casino, and direct that person by notice in writing that part 9 is to apply to the person	A-C
136(4)(a)	Arrange for police officers to be made available to perform services for the NICC	A-B
136(4)(b)	Arrange for the use of services of any staff or facilities of a public service agency or a public or local authority	A-B
136(4)(c)	Engage consultants to exercise the NICC's functions	*
137A(4)	Determine the procedures for the advisory committee established under s137A(1)	*
139C(1)	Enter into arrangements with the Commissioner of Police, on behalf of the Chief Commissioner of the NICC, for the supply to the NICC of information contained in the records of the NSW Police Force to assist in the effectual administration of the gaming and liquor legislation	A
143(1)	Arrange for the holding of inquiries for the purpose of the exercise of any of the NICC's functions under the Act, except inquiries conducted under s31	*
143(6)	Publish results of an inquiry held under s143, and for any inquiry held in private or partly in private, determine the parts of the report that are appropriate to make public	C ¹

¹ 143(6) is specifically delegated to the Director, Office of NICC

Note: The text in the column "Power or function delegated" may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions

*Not a delegated power

NSW Independent

Casino Commission

Schedule 1

Casino Control Act 1992		
Section	Power or function delegated	Delegate
143C	Refer information about the existence or possible existence of major or systemic criminal activity to the Commissioner of Police, and take all appropriate action on any report received from the Commissioner on the matter, having regard to any recommendations in the investigation report from Police	A-B
149(1)	Direct a casino operator in writing to provide to the NICC information that may be of assistance to a law enforcement agency, where the agency has made a written request for the information	A-C
149(5)	Make information obtained under s149 available to any law enforcement agency, where the agency has made a written request for the information	A-C
159(1)	Destroy any finger or palm prints once there is no further use for them	A-D
159(3)	Provide directions as to the manner of delivery to the NICC by a person who, in connection with an application for a licence, has possession of finger or palm prints obtained by or on behalf of the NICC under this Act, or copies of them	A-E
168(4)(c)	Give written authorisation for a person to institute proceedings for an offence against the Act	A-B
Sch 1, cl9(4)	Determine the fee payable by a person wishing to inspect the book recording disclosures made by NICC members	A-B

Note: The text in the column “Power or function delegated” may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions

*Not a delegated power

NSW Independent

Casino Commission

Schedule 1

3. Casino Control Regulation 2019

Powers or functions conferred or imposed on the NICC by the *Casino Control Regulation 2019* are delegated in accordance with the table below under section 137 of the *Casino Control Act 1992*.

Casino Control Regulation 2019		
Clause	Power or function delegated	Delegate
9	Provide a casino operator with an identifying serial number for a proposed controlled contract after receiving notification of the proposed contract	A-C
25A(b)(vi)	Give written notice to a casino operator to require a player card to record information not already covered by cl 25A(b)	A-C
26	Specify the player activity statements that a casino operator is required to make available	A-E
39(1)(a)	Make an order suspending, for the period specified by the NICC, a recognised competency card (and all of its endorsements), or a particular recognised competency card endorsement	A-D
39(1)(b)	Make an order revoking a recognised competency card (and all of its endorsements), or a particular recognised competency card endorsement	A-D
39(1)(c)	Make an order declaring that a person is disqualified from holding a recognised competency card, or a particular recognised competency card endorsement, for such period (not exceeding 12 months) as is specified in the order	A-D
39(2)	In order to make an order under subclause 39(1) in respect of a recognised competency card (and all of its endorsements), or a particular recognised competency card endorsement, held by a person be satisfied that the person has: <ul style="list-style-type: none"> (a) contravened any of the person's obligations under this Regulation or under the <i>Liquor Act 2007</i> or the regulations under that Act that, in the opinion of the delegate, relate to the responsible service of alcohol (including, without limitation, permitting intoxication on licensed premises), or (b) been charged with, or found guilty of, a serious indictable offence involving violence that was committed on licensed premises or in the immediate vicinity of licensed premises on a patron of the premises or a person attempting to enter the premises, or (c) obtained a recognised competency card or recognised competency card endorsement fraudulently or by deception (including by allowing or arranging for another person to complete or partially complete a training course), in which case the delegate may only make an order under subclause (1)(b) or (c) 	A-D

Note: The text in the column "Power or function delegated" may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions

*Not a delegated power

NSW Independent

Casino Commission

Schedule 1

Casino Control Regulation 2019		
Clause	Power or function delegated	Delegate
39(4)	The delegate may not make an order under this clause in respect of a person unless the person has been given notice of the application for the order and has been given a reasonable opportunity to make submissions to the delegate in relation to the application	A-D
39(5)	An order under this clause takes effect on the date specified by the delegate in the order	A-D
39(10)	If a person's recognised competency card (and all of its endorsements), or a particular recognised competency card endorsement, is suspended or revoked under this clause, the person must surrender the recognised competency card to the Secretary if required to do so by the delegate	A-D
Sch 6, s6(2)(c)	Approve the form and manner of a notice required to be provided by an auctioneer that sells liquor by auction otherwise than under the authority of a licence under the <i>Liquor Act 2007</i> (as applied and modified in respect of a casino)	A-B
Sch 6, s6(2)(d)	Issue a direction to an auctioneer as to the quantity or type of liquor that may be sold by auction, or as to the manner or frequency in which liquor is sold by auction	A-D
Sch 6, s10(1)	Grant a licence authorising the licensee to sell or supply liquor by retail on premises forming part of the casino or casino environs, where liquor is only to be sold or supplied ancillary to the provision of food	A-C
Sch 6, s11(1)(a)	Impose conditions on a liquor licence	A
	Impose conditions on a liquor licence, where liquor is only intended to be sold or supplied ancillary to the provision of food	A-C
Sch 6, s27(3)	Approve in relation to any particular licensed premises exceptions to the requirement that liquor may only be sold or supplied on the premises to which an on-premises licence relates if food of a nature and quantity consistent with the responsible sale, supply and service of alcohol is made available whenever liquor is sold or supplied under the authorisation of the licence	A-C
Sch 6, s40(4)(a)	Approve the form and manner of an application for a licence	A-C
Sch 6, s40(4)(b)	Determine the fee to accompany an application for a licence	A
Sch 6, s40(4)(d)	Approve other requirements with which a person must comply in making an application for a licence	A-C

Note: The text in the column "Power or function delegated" may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions

*Not a delegated power

NSW Independent

Casino Commission

Schedule 1

Casino Control Regulation 2019		
Clause	Power or function delegated	Delegate
Sch 6, s42(1)	Carry out such investigations and inquiries in relation to a licence application as considered necessary to enable proper consideration of it	A-D
Sch 6, s42(4)	Refer details of an application for a licence together with supporting information to the Commissioner of Police	A-C
Sch 6, s42(5)	Specify the matters in respect of an application on which the Commissioner of Police is to report	A-C
Sch 6, s43(1)	Require a licence applicant or close associate to do one or more of the following: <ul style="list-style-type: none"> (a) provide specified information considered relevant to the investigation of the application, (b) produce records considered relevant to the investigation of the application and permit their examination, extraction and copying, (c) authorise a person to comply with a requirement in (a) or (b), (d) furnish such authorisation and consents as may be required to enable information (including financial and other confidential information) to be obtained from others concerning the person and the associates 	A-C
Sch 6, s43(3)	Refuse to determine an application if a prescribed requirement is not complied with	A-C
Sch 6, s45(1)	Grant a licence, and notify the applicant of the decision in writing, if liquor is only intended to be sold or supplied ancillary to the provision of food, and the results of the investigation and inquiry carried out support the granting of the licence	A-C
Sch 6, s45(2)	Treat a licence application as having been withdrawn	A-C
Sch 6, s46(2)	Approve arrangements for the surrender of a licence	A-C
Sch 6, s47(1)	Determine a fee (not exceeding \$2,000) for the grant of a licence	A
Sch 6, s47(2)	Specify requirements that are to be complied with before a licence, when granted, takes effect	A-C

Note: The text in the column “Power or function delegated” may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions

*Not a delegated power

NSW Independent

Casino Commission

Schedule 1

Casino Control Regulation 2019		
Clause	Power or function delegated	Delegate
Sch 6, s47(3)	Approve the form of a licence	A
Sch 6, s52(1)	Impose conditions on a licence prohibiting or restricting activities (such as promotions or discounting) that could encourage misuse or abuse of liquor (such as binge drinking or excessive consumption)	A-C
Sch 6, s52(2)	Impose conditions on a licence requiring a licensee to cease to serve liquor, or restrict access to licensed premises in a manner and to the extent provided by the conditions, or both, from a time earlier than the time at which, as otherwise required by the licence, trading must cease	A-C
Sch 6, s52(3)	Impose conditions on a licence requiring a licensee to participate in, and to comply with, a local liquor accord	A-C
Sch 6, s53(1)	Impose conditions not inconsistent with the <i>Liquor Act 2007</i> to which a licence is to be subject	A-C
Sch 6, s53(2)	Vary or revoke a condition of a licence that has been imposed (or taken to have been imposed) by the Authority, except where the condition was imposed or previously varied by the Authority	A-C
Sch 6, s53(3)(a)	Approve the form and manner of an application to impose, vary or revoke a licence condition	A-C
Sch 6, s53(3)(b)	Determine the fee payable by a licensee that applies for the imposition, variation or revocation of a licence condition	A
Sch 6, s53(3)(c)	Require information and particulars from a licensee that applies for imposition, variation or revocation of a licence condition	A-C
Sch. 6, s53(3)(d)	Approve such other requirements that apply to an application to impose, vary or revoke conditions of a licence	A-C
Sch 6, s60(1)	Approve the transfer of a licence to a person who is considered to be entitled to apply for the same kind of licence in relation to the licensed premises	A-C
Sch 6, s60(4)(a)	Approve the form and manner of an application for the transfer of a licence	A-C
Sch 6, s60(4)(b)	Determine the fee payable by a licensee that applies for the transfer of a licence	A

Note: The text in the column “Power or function delegated” may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions

*Not a delegated power

Casino Control Regulation 2019		
Clause	Power or function delegated	Delegate
Sch 6, s60(4)(d)	Approve such other requirements that apply to an application for the transfer of a licence	A-C
Sch 6, s.68(1)	Approve the form and manner of an application for approval of a person to manage licensed premises	A-C
Sch 6, s68(1)	Determine the fee that is to accompany an application for approval of a person to manage licensed premises	A
Sch 6, s68(2)	Approve of a person to manage licensed premises, and notify the applicant of the decision in writing, where the results of the investigation and inquiry carried out support the approval	A-C
Sch 6, s68(4)(c)	Determine the standard to which a proposed manager of licensed premises who is required to attend an approved course of training or instruction must complete that course	A-C
Sch 6, s68(5)	Give provisional approval of a person to be a manager of licensed premises	A-C
Sch6, s68(6)	Confirm a provisional approval under s68(5)	A-C
Sch6, s69(5)(a)	Approve the form of a notice required for the appointment of a person as manager of licensed premises	A-C
Sch6, s69(5)(b)	Approve the form of a declaration of a person to be appointed as manager of licensed premises: <ul style="list-style-type: none"> signifying the person's acceptance of the appointment, and certifying such matters as the form of notice may require (including matters relating to the person's responsibilities in relation to, and capacity to implement, practices in place at the premises for ensuring the responsible sale, supply and service of alcohol, and the prevention of intoxication, on the premises) 	A-C
Sch6, s76(2)	Approve the form of a self-exclusion agreement	A-B
Sch6, s78(1)	Give an order prohibiting a person from entering or remaining on specified licensed premises	A-E
Sch 6, s78(3)	Approve the form of an application for an order prohibiting a person from entering or remaining on specified licensed premises	A-B

Note: The text in the column "Power or function delegated" may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions

*Not a delegated power

NSW Independent

Casino Commission

Schedule 1

Casino Control Regulation 2019		
Clause	Power or function delegated	Delegate
Sch6, s92(1)(d)	Approve an application by a licensee or a related corporation to lease or sublease any part of the licensed premises (other than any part on which liquor is ordinarily sold or supplied for consumption on the premises)	A-C
Sch6, s92(2)(b)	Approve an application by an owner of licensed premises to lease or sublease any part of the licensed premises (other than any part on which liquor is ordinarily sold or supplied for consumption on the premises or on which approved gaming machines are ordinarily kept, used or operated) to any person other than the licensee or a related corporation of the licensee	A-C
Sch6, s94(1)	Specify the boundaries of licensed premises when a licence is granted	A-C
Sch6, s94(2)	Change the specified boundaries of any licensed premises	A-C
Sch 6. 94(3)	Determine fee payable for change to the boundary of a licensed premises.	A
Sch 6, s.95(2)	Approve a proposed new name for licensed premises and endorse the change of name on the applicable licence	A-C
Sch6, s95(5)(b)	Notify a licensee in writing that a name for licensed premises is prohibited because it is objectionable, inappropriate or misleading	A-C
Sch 6, s119(1)	Approve a licensee causing or allowing a minor to sell, supply or serve liquor on licensed premises (excluding in the casino)	A-C
Sch 6, s121(1)	Grant an application by a licensee for a minors area authorisation	A-C
Sch 6, s121(3)(a)	Approve the form and manner of an application for a minors area authorisation	A-C
Sch 6, s.121(3)(b)	Determine the fee payable by a licensee for an application for a minors area authorisation	A
Sch 6, s121(3)(c)	Approve such other requirements that apply to an application for a minors area authorisation	A-C
Sch 6, s121(6)	Determine the fee payable by a licensee for the grant of a minors area authorisation	A

Note: The text in the column “Power or function delegated” may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions

*Not a delegated power

NSW Independent

Casino Commission

Schedule 1

Casino Control Regulation 2019		
Clause	Power or function delegated	Delegate
Sch 6, s121(7)	Specify requirements that are to be complied with before a minors area authorisation takes effect	A-C
Sch 6, s121(8)(a)	Impose conditions on the grant of a minors area authorisation	A-C
Sch 6, s121(8)(b)	Vary or revoke a minors area authorisation, except where the authorisation was imposed or previously varied by the Authority	A-C
Sch 6, s121(9)	Determine the fee payable by a licensee for an application for a variation or revocation of a minors area authorisation (including any conditions on the authorisation)	A
Sch 6, s124(3)(c)	Approve circumstances, to be specified in the licence concerned, in which a minor may enter, or be on, an area of licensed premises or the licensed premises and where a licensee does not commit an offence	A-C
Sch 6, s135(1)	Approve, with the Commissioner of Police, a local liquor accord	A-B
Sch 6, s135(2)	Determine, with the Commissioner of Police, the area to which a local liquor accord is to apply	A-B
Sch 6, s135(4)	Vary, with the Commissioner of Police, a local liquor accord area at any time (whether on their own initiative or on the application of the parties to the accord) by notice in writing to the coordinator of the accord, except where the area was determined or previously varied by the Authority	A-B
Sch 6, s136(1)	Direct a licensee in an accord area (including any licensee in the area who is not a party to the local liquor accord concerned) to contribute to the costs of promoting or giving effect to the accord	A-B
Sch 6, s140(1)	Notify a licensee, manager or close associate of the grounds on which disciplinary action is proposed to be undertaken	A-C
Sch 6, s140(3)	Before taking disciplinary action against a licensee, invite written submissions from: <ul style="list-style-type: none"> the lessor, if the licensee occupies the licensed premises under a lease each person named in the written statement referred to in s41 that accompanied the licence application each person named in the information provided under s55 who has become interested in the business carried out on the licensed premises concerned if the grounds for taking the proposed disciplinary action relate to a person (other than the licensee) not being fit and proper - that person 	A-C

Note: The text in the column “Power or function delegated” may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions

*Not a delegated power

NSW Independent

Casino Commission

Schedule 1

Casino Control Regulation 2019		
Clause	Power or function delegated	Delegate
Sch 6, s140(4)	Specify the time within which a submission under s140(3) may be made, and any other requirements that must be complied with in relation to the making of any such submission	A-C
Sch 6, s141(3)	Cancel or suspend the licence if a monetary penalty is not paid by the specified time	*
Sch 6, s142(1)	Serve on the licensee, manager, close associate or other person a notice informing the person of the decision in a disciplinary matter	A-C
Sch 6, s142(4)	Serve a further notice on the licensee, manager, close associate or person concerned cancelling a notice under s142(1) before the notice takes effect	A-C
Sch 6, s142(6)	<p>Approve an application by:</p> <ul style="list-style-type: none"> • a spouse or de facto partner of the licensee • a member of the family of the licensee who is of or above the age of 18 years • the owner of the licensed premises or • a person directly or indirectly interested in the business, or the conduct of the business, carried out on the licensed premises, <p>to transfer the licence to that spouse, de facto partner or member of the family or to an approved person where a licensee is disqualified from holding a licence resulting from disciplinary action</p>	A-C

Note: The text in the column “Power or function delegated” may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions

*Not a delegated power

NSW Independent Casino Commission

Schedule 1

4. Miscellaneous

Source	Power or function Delegated	Delegate
Casino Legal Agreements and Casino Liquor Licence	All functions in legal agreements with a casino operator and other associated bodies and any approval of an activity under the casino liquor licence requiring the NICC's approval	A

Note: The text in the column "Power or function delegated" may reflect only a partial delegation of the power or function and may make exercise of the delegation subject to conditions

*Not a delegated power