



Western Australian Government Response to the Perth Casino Royal Commission

Preamble

The Perth Casino Royal Commission was established on 5 March 2021 to inquire into the suitability of Crown Perth to continue to hold a casino gaming licence and to examine the appropriateness of the State's casino regulatory framework. The Royal Commission's Final Report was tabled in Parliament on 24 March 2022.

The Royal Commission found that Crown (including all relevant legal entities) was not suitable to either hold the State's casino licence or to be involved in casino gaming operations. The Royal Commission proposed a remediation process to address the issues with Crown's suitability, to be independently monitored.

The Royal Commission also found that the legislation by which Perth Casino is regulated is not fit for purpose and requires replacement by a modern regulatory framework. The Royal Commission further found that there had been numerous deficiencies in the way the Gaming and Wagering Commission (GWC) had exercised its power and responsibilities and that the Department of Local Government, Sport and Cultural Industries had contributed to these failures.

The Government accepts the findings of the Royal Commission and is implementing wide-reaching reforms to address its recommendations.

The Government has established the Office of the Independent Monitor to oversee Crown's remediation and appointed Mr Paul Steel to this role. Mr Steel was previously an Assistant Commissioner with the WA Police Force and brings decades of experience in organised crime investigation, organisational transformation, and senior leadership to his oversight role. Crown will be required to pay all monitoring costs.

The maximum fine that can be issued under the *Casino Control Act 1984 (WA)* has been increased to \$100 million and the maximum fine for non-compliance with a direction issued by the GWC increased to \$250,000. There will be a review of other penalties to ensure they are adequate in the context of modern casino operations.

In addition, the Government has strengthened the regulatory framework and GWC. An independent chairperson of the GWC has been appointed, replacing the previous arrangement where the director general of the government department providing services to the GWC was its chairperson. The Government has also appointed six new members to the GWC, each of whom bring relevant skills, experience, and governance expertise to the Commission.

The GWC and the department have reviewed their codes of conduct and conflict of interest policies and are working with AUSTRAC to strengthen anti-money laundering and counter-terrorism financing measures. Following receipt of the Independent Monitor's Final Report, the GWC will also make recommendations to the Minister as to any action it considers should be taken under the *Casino Control Act 1984 (WA)*.

With respect to the Royal Commission's findings on gaming-related harm, the Government has reiterated its policy that poker machines are not allowed and will not be allowed in Western Australia, and electronic gaming machines will not be allowed outside of Burswood Casino. There will be no weakening of this necessary ban.

Further, the GWC has issued a direction to the casino licensee to cap maximum bets on electronic gaming machines on the casino main gaming floor to \$10 (commencing 1 July 2023) and is progressing a direction in relation to pre-set weekly loss limits, pre-set weekly time limits and carded play on all machines (by December 2025). These reforms will further strengthen WA's existing tough gaming machine restrictions.

The Government's response to each of the Royal Commission's 59 recommendations is set out in the table below. Forty-nine recommendations are supported, eight are supported in-principle and one is supported in-part.¹ Considerable work has been completed, and more is underway.

While great strides have been made in reforming the management and regulation of the Perth Casino, work remains to embed these improvements and ensure that there are effective risk mitigations in place for the longer term. The Government will be progressing new gaming legislation to address the broader legislative reforms recommended by the Royal Commission.

The Government is committed to restoring the community's confidence that the State's only casino is managed in a responsible and accountable way, providing a safe, well-regulated environment for patrons and the 5,000 people who work there.

¹ One further recommendation (Recommendation 19) did not require a Government response as it would only have been relevant if the Government had removed the prohibition on poker machines in Western Australia.

Perth Casino Royal Commission (PCRC) Recommendation	Government Response	Government Comment
1. The Burswood entities and Crown Resorts Limited, in conjunction with the Gaming and Wagering Commission and the Minister, give consideration to adopting a trust and (or) corporate structure that has more clarity than the current arrangement concerning operational and governance responsibilities, roles and accountability.	Support	The Western Australian Government supports this recommendation. The Gaming and Wagering Commission has requested the casino licensee review its corporate group structure and its corporate governance. The Gaming and Wagering Commission and the Independent Monitor will consider proposed changes to determine if they are adequate and appropriate.
2. The roles of, and division of responsibilities between, each of the Burswood entities be clarified and that: a) formal reporting mechanisms between the Burswood entities and between Crown Resorts Limited and Burswood Limited be documented and implemented; b) reporting lines by senior management and management committees of Crown Perth Resort to Crown Resorts Limited, Burswood Limited and committees of those boards be documented and implemented; c) reporting lines by group managers of shared services to Burswood Limited and to committees of Burswood Limited be documented and implemented; d) the Burswood Limited board charter as adopted on 10 December 2021 be reconsidered in light of the matters raised in this Final Report; and e) board charters be developed and adopted for Burswood Nominees Ltd and Burswood Resort (Management) Limited.	Support	See response to Recommendation 1.
3. The Gaming and Wagering Commission and the Minister, in conjunction with Crown Resorts Limited and the Burswood entities, consider:	Support	The Western Australian Government supports this recommendation.

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<p>a) whether the head office requirement, is a necessary or desirable mechanism to achieve the community and regulatory objectives for which it is apparently intended; and</p> <p>b) whether there are alternative means to achieve those objectives.</p>		<p>The Gaming and Wagering Commission is considering this matter in conjunction with the casino licensee and will provide advice to the Minister for Racing and Gaming.</p>
<p>4. The Burswood Limited board be reconstituted to:</p> <p>a) increase its size from the current complement of four;</p> <p>b) comprise a majority of non-executive directors; and</p> <p>c) include at least two persons who are independent of Crown Resorts Limited.</p>	Support	See response to Recommendation 1.
<p>5. The Burswood Limited board establish board committees. Although the number of committees and the subject area responsibilities may change over time, there should be a board risk committee (that should deal with audit, risk and compliance), and a responsible gaming committee. The Burswood Limited board committees be chaired by non-executive, preferably independent, directors.</p>	Support	See response to Recommendation 1.
<p>6. As a consequence of the recommendation to establish board committees, consideration be given to whether it is desirable to amend Schedule E of the State Agreement to include board committees in parts 3.18 and 3.20 of Burswood Limited's constitution.</p>	Support	<p>The Western Australian Government supports this recommendation.</p> <p>The Government is considering this matter in conjunction with the casino licensee, the Gaming and Wagering Commission and the Independent Monitor and, if appropriate, will amend Schedule E of the State Agreement to include board committees.</p>
<p>The PCRC makes recommendations, related to mitigation of risks of the conduct and organisation of gaming operations at Perth Casino, that:</p>		
<p>7. The Deans recommendations be adopted and implemented by Crown and any failure to do so be</p>	Support	The Western Australian Government supports this recommendation.

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<p>explained in an update of the Remediation Plan provided to the regulator.</p>		<p>The Government has appointed an Independent Monitor to oversee remediation at Perth Casino. The casino licensee is required to address this recommendation as part of its remediation plan which will be overseen by the Independent Monitor.</p>
<p>8. The Gaming and Wagering Commission direct Perth Casino to introduce a full, mandatory, binding loss pre-commitment and play period limits scheme for electronic gaming machine (EGM) play at Perth Casino (EGM Scheme) as soon as practicable.</p>	<p>Support</p>	<p>The Western Australian Government supports this recommendation.</p> <p>The Gaming and Wagering Commission informed the casino licensee of this requirement and is issuing an Amendment Direction to the Burswood Casino Directions.</p> <p>The Amendment Direction, which is to be implemented in full by 1 December 2025, will require the casino licensee to implement a full, mandatory, binding loss pre-commitment and play period limits scheme for electronic gaming machine (EGM) play.</p>
<p>9. The Gaming and Wagering Commission stipulate that:</p> <ul style="list-style-type: none"> a) the EGM Scheme require patrons to pre-set weekly loss and time limits, with a default loss limit to be set taking into account research as to 'safe' gambling limits; b) patrons should be able to unilaterally raise their loss limit to a prescribed maximum figure, with increases taking effect after a period of delay to be determined by the Gaming and Wagering Commission; c) the prescribed maximum figure is to be specified by the Gaming and Wagering Commission; d) patrons wishing to raise their limit above the prescribed maximum be required to apply to Perth Casino for approval and provide documentation, to be specified by the Gaming and Wagering Commission to demonstrate that they can afford gambling losses up to that limit; e) Perth Casino be under no obligation to raise a patron's loss limit above the prescribed maximum 	<p>Support</p>	<p>The Western Australian Government supports this recommendation.</p> <p>The Gaming and Wagering Commission informed the casino licensee of this requirement and is issuing an Amendment Direction to the Burswood Casino Directions.</p> <p>The Amendment Direction, which is to be implemented in full by 1 December 2025, will stipulate the requirements for an EGM scheme.</p>

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<p>and, if it does, it must substantiate to the patron the reasons why; and</p> <p>f) an approved limit is to be in place for a fixed period only and not indefinitely, save that patrons may decrease their limits with immediate effect at any time. If after the fixed period a patron wishes to again raise their limit above the prescribed maximum they should again apply for approval and provide updated documentation.</p>		
<p>10. The Gaming and Wagering Commission stipulate the following interim play period time limits for the EGM scheme, to be reconsidered in the light of further research;</p> <p>a) a patron is required to take a minimum 15-minute break after three hours of continuous gambling on an EGM;</p> <p>b) a patron may gamble on EGMs for no more than 12 hours in a 24-hour period; and</p> <p>c) a patron may gamble on EGMs for no more than 28 hours in a seven-day period.</p>	Support	<p>The Western Australian Government supports this recommendation.</p> <p>The Gaming and Wagering Commission informed the casino licensee of this requirement and is issuing an Amendment Direction to the Burswood Casino Directions.</p> <p>The Amendment Direction, which is to be implemented in full by 1 December 2025, will stipulate play period time limits for the EGM scheme.</p> <p>The play periods will be reconsidered as new or additional research becomes available.</p>
<p>11. The EGM Scheme is to be administered by Perth Casino through mandating carded play on EGMs (so as to capture player data and to enforce loss and play limits).</p>	Support	<p>The Western Australian Government supports this recommendation.</p> <p>The Gaming and Wagering Commission informed the casino licensee of this requirement and is issuing an Amendment Direction to the Burswood Casino Directions.</p> <p>The Amendment Direction, which is to be implemented in full by 1 December 2025, will mandate carded play on EGMs.</p>
<p>12. The Gaming and Wagering Commission direct Perth Casino to:</p>	Support	<p>The Western Australian Government supports this recommendation.</p> <p>The Gaming and Wagering Commission will review the requirements for patrons at the International Gaming Facility ('Pearl Room') at the Perth Casino. An Amendment Direction to the Burswood Casino Directions will</p>

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<ul style="list-style-type: none"> a) impose as a condition of applying for Pearl Room membership that patrons produce to Perth Casino documentation evidencing their financial capacity; b) as a pre-requisite to accepting a patron as a Pearl Room member, provide to the patron a certificate stating that it has considered the information with which it has been provided; has requested and considered any further information that it considers appropriate; and is satisfied that the patron has the capacity to meet the losses ordinarily associated with being a Pearl Room member; c) at periodic intervals to be determined by the Gaming and Wagering Commission, request and consider updated documentation evidencing each Pearl Room members' financial capacity and, in the event that it is satisfied of their ongoing financial capacity, provide to the patron the updated certificate; d) in the event that financial documentation, or updated financial documentation, is not provided, decline or cancel the patrons' Pearl Room membership; and e) retain a copy of patron certificates (including updated certificates) for a period of five years after their date of issue and provide them to the relevant patron or produce them to Gaming and Waging Commission officers on request. 		<p>be prepared to stipulate conditions regarding entry and operation of the Pearl Room.</p>
<p>13. The Gaming and Wagering Commission direct Perth Casino to reduce the maximum bet size of all EGMs on the main gaming floor to \$10.</p>	<p>Support</p>	<p>The Western Australian Government supports this recommendation.</p> <p>The Gaming and Wagering Commission has issued an Amendment Direction to the Burswood Casino Directions.</p> <p>The direction, which is to be implemented in full, by 1 July 2023, stipulates that the maximum bet size of all EGMs on the main gaming floor is \$10.</p>

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The PCRC makes recommendations, related to enhancements of the regulatory framework, that:		
14. The <i>Casino Control Act 1984 (WA)</i> be replaced by a new Act and a revised Gaming and Wagering Commission Act (if required) containing all matters relating to the regulation of licensed casinos in Western Australia and the composition and structure of the regulator, as set out in Chapter Fifteen: Enhancements to the Regulatory Framework.	Support	<p>The Western Australian Government supports this recommendation.</p> <p>The Government progressed priority legislative amendments via the <i>Casino Legislation Amendment (Burswood Casino) Act 2022</i>.</p> <p>In addition, the Government has commenced work to rewrite and modernise the State's casino legislation.</p>
<p>15. The new Act and revised legislation:</p> <ul style="list-style-type: none"> a) contain an objects clause, including the three objectives of casino regulation; b) contain a duties clause including the following duties: <ul style="list-style-type: none"> i. the regulation of the identified extant and emerging risks in the Bergin Inquiry and PCRC; ii. the ongoing identification of strategic risks; iii. ensuring that the licensee is identifying and mitigating the extant and emerging risks of casino gaming; iv. ensuring that the licensee is mitigating gambling-related harm; v. the investigation of suspected breaches and enforcement of breaches of the regulatory framework; vi. ensuring the integrity of casino gaming operations; vii. ensuring the probity and suitability of those engaged in casino gaming operations; viii. prevention of criminal infiltration including money laundering; 	Support	<p>See response to Recommendation 14.</p> <p>With respect to Sub-recommendation 15m, the Gaming and Wagering Commission has issued a Direction Amendment to the Burswood Casino Directions. The Direction Amendment prohibits junkets.</p> <p>With respect to Sub-recommendation 15v, the <i>Casino Legislation Amendment (Burswood Casino) Act 2022</i> expanded the directions power.</p>

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<ul style="list-style-type: none"> ix. imposes a duty on the casino licensee to take reasonable steps to mitigate gambling-related harm; and x. collaboration with State and Territory authorities to mitigate the risk of criminal infiltration and criminal activity associated with casino operations. c) contain a list of the regulator's powers including the capacity for the regulator to identify and regulate emerging risks which may arise in future, as it sees fit; d) retain the Minister's powers in the <i>Casino Control Act 1984</i> (WA) including to approve foreign ownership, grant a casino licence, revoke a casino licence or impose conditions on a casino licence; e) retain the investigative and enforcement powers of the regulator in the <i>Gaming and Wagering Act 1987</i> (WA); f) retain the requirement that the regulator is financially resourced from levies, such as the casino tax and licence fee, supplemented by direct funding from government appropriations if necessary; g) contain a requirement for periodic reviews of a casino licence by the regulator at least every five years, with the review to be tabled in Parliament; h) contain the matters which the regulator must take into account in reviewing the casino licence should be included in amending legislation; i) contain a definition of or guidance as to what it means to be a suitable licensee and a suitable close associate of the licensee; j) contain a requirement on the regulator to submit its independent report to the Minister on any occasion that a decision to grant a casino licence, revoke a casino licence or impose a new condition on a casino licence is to be made by the Minister, 		

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<ul style="list-style-type: none"> k) contain a requirement that a report submitted by the regulator to the Minister as required by the previous recommendation is to be tabled in Parliament; l) contain a requirement that the Minister table in Parliament an explanation for not accepting a recommendation of the regulator contained in its report; m) prohibit junkets, unless authorised and individually licensed by the regulator; n) contain a requirement that the regulator consider the obligation to minimise gambling-related harm when determining: <ul style="list-style-type: none"> i. whether to declare a game as authorised; ii. whether to approve rules; and iii. whether to amend those rules; o) require the casino licensee to devise a responsible service of gaming code; p) require that the responsible service of gaming code be submitted to the regulator for review; q) empower the regulator to issue directions that prescribe requirements or objectives for the casino licensee's responsible service of gaming code; r) empower the regulator to issue fines in respect of contraventions of the responsible service of gaming code; s) require the regulator to have regard to the casino licensee's compliance with the responsible service of gaming code in its review of the suitability of the licensee; t) require that the responsible service of gaming code be periodically reviewed by the casino licensee at an interval determined by Parliament; u) require the casino licensee to provide written notice to the regulator if the licensee or an associate breaches or is likely to breach, in a material way, the regulatory framework, the responsible gaming code 		

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<p>of conduct, the casino licensee's system of internal controls and administrative and accounting procedures, certain agreements to which the casino is a party including the State Agreement and any direction given to or recommendation made to the casino by the regulator;</p> <p>v) contain an expanded directions power that includes the power to make directions as to:</p> <ul style="list-style-type: none"> i. all operations of the Perth Casino, not just gaming operations; ii. any reasonable regulatory measure or requirement; iii. the Perth Casino's controls and procedures; and iv. the regulator's power to engage at the casino licensee's cost, on the terms and conditions approved by the regulator, a person approved by the regulator to inquire into and report to the regulator on any matter relevant to the performance of the regulator's functions in relation to the casino licensees, its associates or the conduct and organisation of casino operations; <p>w) provide that any direction given by the regulator binds the licensee and any person or entity concerned in the organisation and conduct of casino gaming operations;</p> <p>x) provide that the licensee be strictly liable as a party to a breach of a direction by any person subject to that direction;</p> <p>y) provide that an independent gambling research and advisory body (Independent Advisory Body) be established to replace the Problem Gambling Support Services Committee;</p> <p>z) provide that the Independent Advisory Body be funded by a levy imposed upon the gambling industry;</p>		

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aa) provide that the independent gambling research and advisory body receive administrative support from an established government agency or department, in a model similar to the support provided to Drug Aware by the Mental Health Commission; and bb) provide that the appropriate functions of the Independent Advisory Body include as a minimum, responsibility for undertaking research into gambling prevalence and the effectiveness of harm reduction measures in Western Australia.		
16. Consideration be given to whether or not the statutory prohibition of poker machines should be maintained.	Support	The Western Australian Government supports this recommendation. The Government has considered whether the statutory prohibition of poker machines should be maintained and confirmed that there will be no weakening of this necessary and important ban.
17. If it is determined that the prohibition should be maintained, or that it should be replaced with a prohibition of some other type(s) of games or gaming machines, consideration be given to defining poker machine or providing statutory guidance on its meaning so that what is prohibited can be readily ascertained.	Support	The Western Australian Government supports this recommendation. The Government has determined that the prohibition will be maintained. The Government will consider defining poker machine or providing statutory guidance on its meaning. Any definition or statutory guidance will include consideration of future technological advancements.
18. In defining a poker machine or providing guidance on its meaning, regard be had to likely future technological advancements in games and gaming machines.	Support	See response to Recommendation 17.
19. If it is determined that the prohibition should be changed, such that New Style EGMs (or spinning reel machines) are to be permitted at Perth Casino, consideration be given to the imposition of controls to minimise the risk of gambling-related harm that New Style EGMs pose.	N/A	See response to Recommendation 16.

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<p>20. There be a review of the penalties for regulatory offences, and that in most cases, those penalties should be increased. In respect of the penalties for offences relating to the conduct of casino gaming and casino operations by the casino licensee, those penalties be increased very substantially.</p>	<p>Support</p>	<p>The Western Australian Government supports this recommendation.</p> <p>The <i>Casino Legislation Amendment (Burswood Casino) Act 2022</i> increased the maximum penalty available under the <i>Casino Control Act 1984 (WA)</i> to \$100 million. It also increased the maximum penalty for non-compliance with directions to \$250,000.</p> <p>The Government has commenced work to rewrite and modernise the State's casino legislation.</p> <p>A review of penalties will be addressed as part of this work.</p>
<p>21. The regulator be given the power to recover its reasonable costs and expenses of investigation and enforcement action taken against the licensee.</p>	<p>Support</p>	<p>The Western Australian Government supports this recommendation.</p> <p>The Government has commenced work to rewrite and modernise the State's casino legislation.</p> <p>This recommendation will be addressed as part of this work.</p>
<p>22. The regulator has, as a minimum, the following employees:</p> <ul style="list-style-type: none"> a) a full time Chief Executive Officer who is also the Chief Casino Officer, who shall attend and report to the regulator at each monthly meeting on all matters within the Gaming and Wagering Commission's remit; b) a Chief Financial Officer solely dedicated to the work of the regulator; c) an administrative/executive assistant with regulatory experience (such as a policy officer) to support the Chief Executive Officer, Chief Financial Officer, and regulator members, lessening any requirement for assistance from a government department; d) any other necessary employees such as inspectors or experts for the provision of advice or training retained on a contract basis. 	<p>Support in principle</p>	<p>The Western Australian Government supports this recommendation in principle.</p> <p>The process to establish a Chief Executive Officer and a Chief Finance Officer has commenced and will be supported by a better structured and resourced Gaming and Wagering Commission.</p>

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23. The casino regulator be the employing authority pursuant to Part 3 of the <i>Public Sector Management Act 1994</i> (WA) for the Chief Casino Officer, Chief Financial Officer and other dedicated casino regulation staff or if another person or body appoints the Chief Casino Officer, Chief Financial Officer or other dedicated casino regulation staff, that the appointment be made only with the approval of the casino regulator.	Support in principle	The Western Australian Government supports this recommendation in principle. The Government is considering the functions, structure and resourcing of the Gaming and Wagering Commission. This will include consideration of the intent of this recommendation and the best way to achieve it.
24. The regulator's Chief Casino Officer, the Chief Financial Officer and other dedicated casino regulation staff be accountable to the casino regulator for casino regulation activities.	Support in principle	See response to Recommendation 23.
25. Only the casino regulator be able to direct the Chief Casino Officer, the Chief Financial Officer and other dedicated casino regulation staff to perform their casino regulation activities.	Support in principle	See response to Recommendation 23.
26. The chair of the regulator: a) be independent of the Department; b) be appointed by the Minister; c) has sound governance and (or) regulatory skills and experience; and d) has a fixed term of no more than five years.	Support	The Western Australian Government supports this recommendation. The <i>Casino Legislation Amendment (Burswood Casino) Act 2022</i> established these arrangements. The Minister for Racing and Gaming has appointed the independent chairperson.
27. The deputy chair of the regulator be elected by the board members from among their number.	Support	The Western Australian Government supports this recommendation. The <i>Casino Legislation Amendment (Burswood Casino) Act 2022</i> established this arrangement. The Gaming and Wagering Commission has elected a deputy chairperson.

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28.	There be criteria for the appointment of regulator board members to ensure that the appointments are appropriately skilled for regulating gambling and casino gaming in Western Australia.	Support	The Western Australian Government supports this recommendation. The Government is developing criteria for the appointment of members to the Gaming and Wagering Commission.
29.	The regulator be required to provide advice to the Minister about particular skills or experience, not referred to in the criteria, that the Commission requires and may be provided by future members.	Support	The Western Australian Government supports this recommendation. The Gaming and Wagering Commission is developing a skills matrix and it will be provided to the Minister for Racing and Gaming.
30.	The definition of close associate or associate be amended so that it means: <ul style="list-style-type: none"> a) the holding company and each intermediate holding company of the casino licensee (holding company to be defined as in the <i>Corporations Act 2001</i> (Cwth); b) any person who has a relevant interest (as defined in the Corporations Act) in at least 10% of the issued capital of the casino licensee, or any of its intermediate holding companies or its ultimate holding company; c) any director or officer (as defined in the Corporations Act) of the casino licensee, any of its intermediate holding companies or its ultimate holding company; and d) any individual or company certified by the regulator to be an associate. 	Support	The Western Australian Government supports this recommendation. The Government has commenced work to rewrite and modernise the State's casino legislation. This recommendation will be addressed as part of this work.
31.	The casino regulator's delegation powers be reviewed to determine if they are too broad.	Support	The Western Australian Government supports this recommendation. A Delegations Framework and new delegation instruments have been approved and are being implemented.
32.	There be a requirement for a register of delegations and decisions made under delegation to be kept.	Support	The Western Australian Government supports this recommendation.

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			The Gaming and Wagering Commission has approved a Delegations Framework, new delegation instruments and is maintaining a register of delegations and decisions made under delegation.
33.	There be a requirement that the regulator maintain a schedule of the instruments of delegation.	Support	The Western Australian Government supports this recommendation. The Gaming and Wagering Commission is maintaining a schedule of the instruments of delegation.
34.	There be a cross-jurisdictional exclusion regime.	Support	The Western Australian Government supports this recommendation. The Gaming and Wagering Commission and the Chief Casino Officer will consult with other jurisdictions about establishing a cross-jurisdictional exclusion regime.
35.	<p>Pending the enactment of the new act and revised legislation:</p> <ul style="list-style-type: none"> a) the Director General of the Department be replaced as ex officio chair of the Gaming and Wagering Commission by a person who is independent of the Department; b) a new deputy chair be elected from among the Gaming and Wagering Commission's members to replace the existing deputy chair; c) the funds of the Gaming and Wagering Commission be administered separately to those of the Department. d) there be a general review of the scope and operation of s 21A and s 21B of the <i>Casino Control Act 1984</i> (WA); e) consideration be given to removing the exception for advertising to existing patrons from the advertising prohibition in reg 43 of the <i>Gaming and Wagering Commission Act 1987</i> (WA); f) the <i>Casino Control Act 1984</i> (WA) be reviewed for references to casino licensee, manager and similar 	Support in principle	<p>The Western Australian Government supports this recommendation in principle.</p> <p>The Government has commenced work to rewrite and modernise the State's casino legislation, which will address many of the matters set out in this recommendation.</p> <p>As part of this work, the Government will consider whether some of these matters can be implemented before the new legislation is in force.</p> <p>With respect to Sub-recommendations 35a and 35b, the <i>Casino Legislation Amendment (Burswood Casino) Act 2022</i> established this arrangement, with an independent chairperson appointed and a deputy chairperson elected respectively.</p>

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<p>terms and amendments be made to clarify whether and to what extent provisions apply exclusively to the licensee or, more broadly, to associates of the licensee involved in the licensee's conduct and organisation of casino operations;</p> <p>g) provisions of the <i>Casino Control Act 1984 (WA)</i> be reviewed for terms which could be construed as containing a geographical or location requirement which is inappropriate;</p> <p>h) the definition of 'casino key employee' in s3 of the <i>Casino Control Act 1984 (WA)</i> be reviewed and expanded, if necessary to include employees of entities associated with the licensee who provide centralised services to Perth Casino regardless of their physical location;</p> <p>i) any reference to 'Genting WA' in the regulatory framework be removed;</p> <p>j) references to 'operator' be removed from the regulatory instruments unless the position has some meaning and purpose;</p> <p>k) the definition of 'gaming' and 'gambling' be clarified so as to include casino gaming in all relevant definitions;</p> <p>l) the <i>Casino (Burswood Island) Agreement Act 1985 (WA)</i> be amended so that the meaning of the term 'relevant interest' is consistent throughout the legislation;</p> <p>m) the exclusion provisions in the <i>Casino Control Act 1984 (WA)</i> be reviewed, including whether penalties for patrons in contravention of an NRL or other exclusion order made by the casino licensee should be increased;</p> <p>n) the penalty for a breach of reg 15(3) of the <i>Casino (Burswood Island) (Licensing of Employees) Regulations 1985 (WA)</i> is the same as the penalty for breach of reg 16A of those regulations; and</p>		

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<p>o) that reg 7(3) of the Casino (Burswood Island) (Licensing of Employees) Regulations 1985 (WA) be amended to confer upon the Chief Casino Officer a discretion to request an investigation by Western Australian Police (WAPOL) into the character and (or) suitability of an applicant for the renewal of a licence and to empower WAPOL to so investigate.</p>		
<p>The PCRC makes recommendations, related to enhancements of the capability and effectiveness of the casino regulator and the Department, that:</p>		
<p>36. The Gaming and Wagering Commission pursues an information sharing arrangement with AUSTRAC.</p>	<p>Support</p>	<p>The Western Australian Government supports this recommendation. The Gaming and Wagering Commission is working with AUSTRAC to establish an information sharing arrangement.</p>
<p>37. The Gaming and Wagering Commission consider obtaining expert assistance from an external adviser in relation to anti-money laundering and counter-terrorism financing (AML/CTF) in order to better equip itself with the skills and experience to discharge its obligations to regulate the management of the money laundering and terrorism financing (ML/TF) risk of a licensed casino.</p>	<p>Support</p>	<p>The Western Australian Government supports this recommendation. The Gaming and Wagering Commission is enhancing its AML/CTF knowledge, skills and experience, including through a series of workshops led by AML/CTF experts.</p>
<p>38. The remuneration of members of the board of the Gaming and Wagering Commission be increased.</p>	<p>Support</p>	<p>The Western Australian Government supports this recommendation. The Minister for Racing and Gaming has determined to increase the remuneration of the Gaming and Wagering Commission. The Minister's determination was informed by advice from the Public Sector Commissioner.</p>
<p>39. The Gaming and Wagering Commission Code of Conduct be expanded including by providing additional guidance on how conflicts can arise for a Gaming and Wagering Commission member in respect of casino operations and interactions with the staff of a casino licensee.</p>	<p>Support</p>	<p>The Western Australian Government supports this recommendation. The Gaming and Wagering Commission Code of Conduct has been reviewed and amended accordingly.</p>

Perth Casino Royal Commission (PCRC) Recommendation		Government Response	Government Comment
40.	The Gaming and Wagering Commission Code of Conduct be amended so that the Recommendations procedure it prescribes for the declaration and management of conflicts of interest in respect of pecuniary interests is consistent with s 17 of the Gaming and Wagering Commission Act and it provides for its biannual review.	Support	See response to Recommendation 39.
41.	There be a Gaming and Wagering Commission policy regarding the regulatory posture that the Commission will adopt and how the Gaming and Wagering Commission Act will address the risk of regulatory capture.	Support	The Western Australian Government supports this recommendation. The Gaming and Wagering Commission has considered its regulatory posture as part of strategy sessions. The Commission will further consider the matter following appointment of the independent chairperson.
42.	As a priority, the Gaming and Wagering Commission investigate the currently available research and information about appropriate play period limits for EGM play to inform the content of the EGM Scheme.	Support	The Western Australian Government supports this recommendation. The Gaming and Wagering Commission is engaging an organisation to provide it with expert advice, based on global research, to inform further changes to the EGM scheme.
43.	In the event there is insufficient research and information available about appropriate play period limits for EGM play to inform the content of the EGM Scheme, or Crown does not conduct the research it has indicated it will conduct on that topic, the Gaming and Wagering Commission will commission the necessary research.	Support	The Western Australian Government supports this recommendation. The Gaming and Wagering Commission is engaging an organisation to provide it with expert advice, based on global research, to inform further changes to the EGM scheme. If the expert advice determines that further research is required, the Gaming and Wagering Commission will explore opportunities to commission that research.
44.	The imposition of appropriate and meaningful sanctions if Perth Casino breaches a requirement of the EGM Scheme.	Support	The Western Australian Government supports this recommendation. The <i>Casino Legislation Amendment (Burswood Casino) Act 2022</i> increased the maximum penalty available under the <i>Casino Control Act 1984</i> (WA) to \$100 million and increased the maximum penalty for non-compliance with a direction to \$250,000.

Perth Casino Royal Commission (PCRC) Recommendation	Government Response	Government Comment
		Changes to penalties will be made as part of legislative reforms.
<p>45. The Gaming and Wagering Commission direct Perth Casino to collect, to the extent practicable, player data relating to:</p> <ul style="list-style-type: none"> a) player buy-in (time, amount); b) player buy-out (time, amount); c) play periods (date, start time, end time); d) player turnover; e) player losses and wins; f) gambling product; and g) such further information as the Gaming and Wagering Commission reasonably requires for anti-money laundering and responsible service of gaming purposes. 	Support	<p>The Western Australian Government supports this recommendation.</p> <p>The Gaming and Wagering Commission informed the casino licensee of this requirement and is issuing an Amendment Direction to the Burswood Casino Directions to mandate carded play at EGMs.</p> <p>The Amendment Direction, which is to be implemented in full by 1 December 2025, will facilitate the collection of player data.</p> <p>In addition, the Gaming and Wagering Commission is considering the value in collecting data in advance of full implementation of carded play.</p>
<p>46. The Gaming and Wagering Commission devise and introduce a board charter and that the charter be reviewed and updated as necessary at regular intervals.</p>	Support	<p>The Western Australian Government supports this recommendation.</p> <p>The Gaming and Wagering Commission has introduced a board charter. The charter will be reviewed and updated at regular intervals.</p>
<p>47. That the Gaming and Wagering Commission develop a member skills matrix that is regularly reviewed and forms a nominations committee.</p>	Support in-part	<p>The Western Australian Government supports this recommendation in-part.</p> <p>The Gaming and Wagering Commission is developing a member skills matrix that will be reviewed and updated regularly.</p> <p>As per Recommendation 29, the Gaming and Wagering Commission will provide advice on required skills and experience to the Minister for Racing and Gaming, who makes the appointments to the Gaming and Wagering Commission. Consequently, a nominations committee is not necessary.</p>
<p>48. The regulator:</p> <ul style="list-style-type: none"> a) develop a strategic plan and review it regularly to ensure it adequately articulates the regulator's goals 	Support	The Western Australian Government supports this recommendation.

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<p>and the strategies by which the goals will be achieved and funded; and</p> <p>b) review and amend the current key performance indicators to ensure they measure the substantive effectiveness of the regulator across its broad range of activities.</p>		<p>The Gaming and Wagering Commission has developed a strategic plan and is reviewing its Outcome Based Management Framework and key performance indicators.</p>
<p>49. The adoption of a streamlined induction process for board members of the regulator including casino regulation training consistent with the Public Sector Commission's governance guidance and the inclusion in member induction packs of:</p> <p>a) the Gaming and Wagering Commission's strategic plan;</p> <p>b) the Gaming and Wagering Commission's key performance indicators;</p> <p>c) processes for exercising powers under delegations; and</p> <p>d) the Gaming and Wagering Commission's regulatory philosophy.</p>	<p>Support</p>	<p>The Western Australian Government supports this recommendation.</p> <p>The Gaming and Wagering Commission has developed and implemented a streamlined induction process. The process will be reviewed and updated at regular intervals.</p>
<p>50. Where the Gaming and Wagering Commission does not consider it has the requisite expertise to discharge its responsibilities, the regulator engage an external expert (for example, forensic accountant; responsible gaming expert or consultant) to fulfil that responsibility.</p>	<p>Support</p>	<p>The Western Australian Government supports this recommendation.</p> <p>Should the Gaming and Wagering Commission consider it does not have the requisite expertise to discharge its responsibilities, external expertise will be engaged.</p>
<p>51. A continuing education program in casino regulation, governance and risk management be established for board members.</p>	<p>Support</p>	<p>The Western Australian Government supports this recommendation.</p> <p>The Gaming and Wagering Commission members currently undertake professional development, and a budget is provided for this purpose. The Gaming and Wagering Commission will consider how further professional development might be implemented, with a view to continuous improvement.</p>

Perth Casino Royal Commission (PCRC) Recommendation		Government Response	Government Comment
52.	The Gaming and Wagering Commission prepares a job description for the Chief Casino Officer.	Support	The Western Australian Government supports this recommendation. The Gaming and Wagering Commission has prepared a job description for the Chief Casino Officer.
53.	That the Gaming and Wagering Commission implements a specialised induction and training programme for the Chief Casino Officer.	Support	The Western Australian Government supports this recommendation. The Gaming and Wagering Commission is developing a specialised induction and training programme for the Chief Casino Officer.
54.	If junkets are approved to operate at a licensed casino, directions be given so as to regulate the risks posed by junket operations.	Support	The Western Australian Government supports this recommendation. The Gaming and Wagering Commission has issued a Direction Amendment to the Burswood Casino Directions. The direction prohibits junkets at the Perth Casino. If the authorisation of junkets was to be considered at some point in the future, directions will be given to regulate the risks posed by junket operations.
55.	The Departmental Code of Conduct be expanded to require the disclosure of attendance at social events at Crown Perth Resort by departmental officers who perform duties under the <i>Casino Control Act 1984</i> (WA).	Support	The Western Australian Government supports this recommendation. The Department of Local Government, Sport and Cultural Industries Code of Conduct has been reviewed.

The PCRC makes recommendations, related to the activities of the Independent Advisory Body that:

56.	The independent advisory body, in consultation with the Gaming and Wagering Commission and Perth Casino, be responsible for the establishment and maintenance of a repository containing data collected by Perth Casino.	Support in principle	The Western Australian Government supports this recommendation in principle. The Government supports the collection and availability of data to improve policy decision making and guide services that minimise gambling related harm but will ensure that governance arrangements are in place to protect and appropriately manage information.
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Perth Casino Royal Commission (PCRC) Recommendation		Government Response	Government Comment
57.	The independent advisory body be required to: a) identify the data to be included in a repository; and b) ensure the data is up-to-date and comprehensive.	Support in principle	See response to Recommendation 56.
58.	The independent advisory body, in consultation with the Gaming and Wagering Commission and Perth Casino, be required to carry out the following tasks: a) oversee the design and structure of the repository and its user interface; b) identify the data that is to be publicly available and the data that will have restricted access; c) ensure processes and procedures are put in place for the efficient maintenance and updating of the repository; d) establish protocols to anonymise data to respect the privacy of gamblers; e) establish a register of recognised researchers; and f) establish a simple process by which a request for data is to be made.	Support in principle	See response to Recommendation 56.
59.	To the extent possible, anonymised data that is suitable to be made publicly available be made available for general public inspection via an information website.	Support	The Western Australian Government supports this recommendation in principle. Anonymised data that is suitable for release will be made publicly available. The Western Australian Government will ensure that confidentiality and privacy are the paramount considerations.