

REGULATION OF LICENSED PROVIDERS UNDER THE GAMING CONTROL ACT 1993

PROVISION	SPECIAL EMPLOYEE AND TECHNICIAN LICENSING
SECTION OF THE ACT	49 – 69

EXPLANATION

The Act requires that any person who performs a function, which is classed as a prescribed duty by the Tasmanian Gaming Commission, must be licensed as either a special employee or a technician.

ACT REQUIREMENTS

Section 50 of the Act requires that a person must not undertake any duties prescribed by the Commission unless the person is the holder of a special employee licence, and has been issued with a certificate of competence. If a licensed provider employs or uses a person to perform the functions of a special employee, and they do not hold a special employee licence, the licensed provider may be fined up to \$6 000.

Similarly, section 67 of the Act requires that a person must not undertake any functions of a technician, as prescribed by the Commission unless the person is the holder of a technician's licence. If a licensed provider employs or uses a person to perform the functions of a technician, and they do not hold a technician's licence, the licence provider may be fined up to \$30 000.

The Commission has prescribed the duties of special employees and technicians and from these duties, the licence provider will be able to ascertain which employee positions will need to be licensed as either a special employee or a technician.

The Commission imposes a number of conditions on special employees and technicians. These conditions cover a number of areas, including complying with requirements, not participating in gaming whilst on duty, informing the Commission of any changes affecting the licence holder and not accepting any gratuity or benefit from a customer. These conditions will be provided at the time of issue of the licence.

TIMEFRAMES

Any person employed by a Tasmanian Gaming Licence holder who undertakes a role that includes a function as prescribed by the Commission, will be required to make an application for a special employee or technician's licence. The prescribed functions will not be able to be undertaken until a licence has been issued by the Commission. Therefore, sufficient employees must be licensed to enable the licensed provider to undertake its business prior to commencing operations.

SUGGESTED PROCESS

Any person who undertakes roles that include functions as prescribed by the Commission will need to apply to the Commission for a special employee licence. For this to occur, the licence holder will need to complete a licence application, sign a "consent to be fingerprinted" form, and pay the prescribed fee. The licensed provider will need to provide a certificate of competence stating that the applicant is able to exercise or perform the functions of the position (refer section 51(1)(c)). None of the prescribed duties will be able to be undertaken until the licence has been issued.

LIQUOR AND GAMING CONTACT DETAILS

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