

Casino (Amendment) Bill 2012
Second Reading approved

2. Mr Lowey to move:

That the Casino (Amendment) Bill 2012 be now read a second time.

The President: We will move on, I think, to Item 2, Hon. Members. I call on the Hon. Member, Mr Lowey, to take the Second Reading of the Casino (Amendment) Bill 2012.

Mr Lowey: Thank you, Madam President.

This Bill is promoted by the Treasury on behalf of the Gambling Supervision Commission to make provision for a more flexible regime for an Isle of Man casino licenceholder. It allows premises other than its own to be used for the purpose of gaming. The main purpose of the Bill is to amend the Casino Act 1986 by adding in an entirely new part which introduces temporary premises certificates. Such certificates will allow a casino to operate outside its traditional venue for a very short period of time. The maximum, just for Members' consideration, that these temporary licences could operate for would be up to a maximum of 21 days. These tournaments, I am led to believe, really could take usually a week, but it needs setting up – a few days for setting them up and a few days to take them down – and it is always felt that there should be a bit of leeway, so it is up to a maximum, but very rarely, I would suggest, would it be 21 days.

Such tournaments are commonplace in the world of gambling, as I said last week, and attract significant interest from the gaming community. A typical tournament consists of a series of rounds which are staged over a number of days culminating in a final which may be televised.

The Bill also amends the Gaming, Betting and Lotteries Act 1988 and makes consequential amendments to the Gaming (Amendment) Act 1984, the Value Added Tax Act 1966 and the proceeds of Crime Act 2008. In other words, it is all joined up so there are no loopholes.

The Bill creates an opportunity for the Isle of Man to participate in an activity that has a proven success record of attracting people to various parts, wherever these competitions are held. As I spoke about last week at the First Reading, I believe the Isle of Man would be doing a disservice to itself if it did not participate and take advantage of our reputation as a well regulated area where gambling is concerned.

Therefore, I move the Second Reading of the Casino (Amendment) Bill 2012.

Mr Braidwood: I beg to second, Madam President, and reserve my remarks.

The President: The Hon. Member, Mr Callister.

Mr Callister: Thank you, Madam President.

It seems that we do not actually know what the economic benefit of this will be – it is a shot in the dark, perhaps, to see what might happen – but as far as I can see – and I never have anything to do with gambling in any form – these huge poker competitions are immensely popular around the world in numerous countries and are played by what you would certainly call professional gamblers. They are career poker players. The prizes to be won are phenomenal. Mind you, the money that can be lost is equally phenomenal, I think, but there are many of these people who would probably be attracted.

I just wonder, on two points, to what extent we would be putting money to advertise these events, because you would have to... Just a few bits in the *Isle of Man Examiner* are not going to work. It has got to be a costly exercise to advertise the events. Surely, also, the cost of hosting any event here as well needs to be taken into account. I just wonder if any consideration has been given to that.

The President: The Hon. Member, Mr Downie.

Mr Downie: I would like to speak in support of the Bill. I do not see this being any different from bringing a large, significant conference to the Isle of Man, only in this particular case, the people who get involved in poker activities are generally fairly high-net worth individuals. If you look at the spend ratio within the local economy, they will all want to go out and eat in the best restaurants, drink the best wine, but I actually think there would be a significant benefit by having some of these events here. The only reason we do not have them here at the present time is that we have not got a facility large enough to accommodate them.

Mr Callister made the point about advertising and so on. I would have assumed that the people running the event themselves would be doing the advertising. They know what their customer base is. One company that is based here, in particular, Poker Stars, they have one of the biggest and most prolific books in the world now for peer-to-peer poker and they are recognised as a very good quality organisation. They work to the very highest

standards and, of course, as we know, their corporate headquarters is here in the Isle of Man.

So all we are doing with the legislation is allowing something to happen and the intelligence on the ground says that, if we do bring this legislation in, the people who are involved in organising the games will seek very actively to promote something to take place here in the Isle of Man.

The President: The Hon. Member, Mr Turner.

Mr Turner: Thank you, Madam President.

The way I read this is that this enables, as Mr Downie says, the existing operators to hold an event in other premises and gives them the opportunity to do so. For example, I think somebody mentioned at the First Reading that, if there was to be an international tournament, a venue that may be suitable could be the Royal Hall, for example. This enables the existing licensed operators – I do not think this is designed as the Treasury putting on tournaments; quite the opposite – this is giving the Gambling Supervision Commission the ability to license other venues to enable the commercial sector to put these events on.

I think with regard to the advertising, a lot of these industries now are very much gaining profile within their own industry publications online and other such methods of advertising it. So I think if we were to see either the existing casino operator, or a new one and there is talk of a second licence being issued, then they will undoubtedly put together their package for planning one of these events. Should they have a viable business model to bring a vast number of people and attention to the Isle of Man, then I am sure there would be various Government funds and tourism funds open for them to apply. It would be then up to the Departments to decide whether the model stacks up for any public funding. This is enabling, it is, as I said at First Reading, giving the GSC the ability to have the can-do attitude, which is one of the concerns I raised when we passed the legislation to form the GSC into a statutory board, was that it must have the right legislation to enable things to happen. It is no use setting up these bodies, if their hands are tied. We embarked on a policy of e-gaming and if we are going to do it, we have to do it right, or not at all in my view.

So I support this Bill's Second Reading.

The President: The Hon. Member, Mr Braidwood.

Mr Braidwood: Thank you, Madam President.

As I said at the First Reading, I am supportive of this legislation. As it has already been mentioned by my hon. colleague, Mr Turner, where the different venues can be used to hold peer-to-peer gaming events... The Hon. Member, Mr Callister, was concerned about the advertising and whatever, and as Mr Downie said, this would be put on by the operator themselves. However, the legislation, what it does do is it does regulate the advertising that can take place and the entertainment that can take place. So, if the sponsors wanted to, say, put some pole dancers at the event, the regulations could stop that sort of entertainment. So the regulations are there to prevent any problems with advertising or some of the entertainment which *may* be introduced. Apart from that, I am supportive.

The President: The Hon. Member, Mr Wild.

Mr Wild: Thank you, Madam President.

Firstly, acknowledging the concerned reservations expressed by the Lord Bishop, I think it is important that with any type of legislation in this particular area, we have robust regulation controls to make sure that it is properly managed, but having said that and acknowledged those concerns, I do believe that this gives the Island a competitive advantage taking the industry and this key sector forward. What we are simply saying is, it is giving the industry the flexibility to hold events, where it needs to and in the right accommodation with the right regulations. In that sense, it has my full support.

Thank you.

The President: The Hon. Member, Mr Crowe.

Mr Crowe: Thank you, Madam President.

The essence of this Bill is really in the second paragraph of the explanatory notes, which really is to say we are adding an entirely new part, which introduces temporary premises certificates. I think this is the core of the Bill, as others have mentioned. It will just allow a casino to operate outside its traditional venue for a short time, so I think this is the core of the Bill and very straightforward. Everything else –

Mr Lowey: Makes it happen.

Mr Crowe: – is addendum to all of that, to that core principle.

The President: The Hon. Member, Mr Butt.

Mr Butt: Thank you, Madam President.

I will support this Second Reading.

I think Members who have some doubts about the merits of gambling... I think I share their concerns. In particular, poker, I find, is not a game of skill and is more a game of chance, where the hand you are played is not one you can actually control.

I think people who give the impression that maybe we would be looking at people drinking fine wine and looking at basking sharks etc have perhaps got a mistaken impression of what sort of people play these games. I think they will have more bodily needs.

Mr Braidwood: The hard-nosed gamblers.

Mr Butt: I think they will be here for other reasons than those sort of – (*Interjection by Mr Lowey*) Yes, they have more corporeal needs than those.

I think this Bill actually does not make any great difference to what we can do now. Currently, these things can happen anyway under the current law. We can have these gambling competitions, we can have them televised. This is really a Bill about geography. This is purely about where the venue can actually take place, and as such it does not make any difference to what can happen anyway, so I think the Bill does not need to be seen as an extension of what goes on now.

The President: Lord Bishop.

The Lord Bishop: Thank you, Madam President.

I will support the Second Reading on the basis of an agreement to amend it, but I am concerned about the Bill. I think it is too easy to present a delightfully innocent picture of this, even though there might not be any pole dancing. Of course, I do not know what pole dancing is. (*Laughter*)

Mr Braidwood: You had them close the last one!

The Lord Bishop: I didn't know poles danced anyway.

There is this delightful sort of picture with lambs gambling in the fields and sharks basking around the coast (*Laughter*) –

Mr Lowey: And plankton.

The Lord Bishop: – and pigs wallowing in their 'pokkers' and –

Mr Braidwood: It will be lambs to the slaughter.

The Lord Bishop: – maybe even ponies running free.

It is all a bit surreal, because I think actually what you are handling here is something that potentially is much more serious to a society. I know it is supposedly people coming in and engaging with their poker habits and so forth and then leaving, but I think actually that this might have more serious social consequences than we realise, and I think, therefore, it is a sad day, but I will support the Second Reading on the basis of wanting to see if other Members have any amendments to make to the Bill.

The President: Mr Lowey to reply, please.

Mr Lowey: First of all, thanks to all the Members again for taking part. It highlights once again what this Council is about. Most of it has been a recitation, really, of what we had last week, but having said that I think it is important, people feel strongly and they feel they want to express their views.

Could I just come to Mr Callister. It is a shot in the dark. Nobody can give guarantees, all we are doing is saying we could enable another venue to host and be called a casino for a short period of time and the reason for that is everybody who knows the existing casino, knows it is a very small, claustrophobic. I have been in: it is a claustrophobic little building and when we did host an international gaming, it was held in the car park – hardly the thing that you want to sell, if you are selling your business.

Why has this been done? Why is the Gaming Commission asking for the ability to do it? We want to do it

for two reasons. First, people who are operating on the Isle of Man now internationally... and I did spell out last week that some of the firms we have here have run these competitions in South America, in the Far East and in other countries – and also around Britain. Unlike Mr Callister, who thinks they are only going to be professional, hard-nosed poker players with big stakes; that is part, I suppose, of the overall, but not the only one.

Take what happens in the United Kingdom: they have tournaments in various places and the winners come to play in the final. Yes, they play against professionals, if needs be, but that is part of whatever they call their business. It is not for me to tell them how to run their business. My job is to make sure that whatever business they conduct from the Isle of Man is well regulated.

I think we have a proud record of regulation in the Isle of Man for the last 40 years. That is why international business has been attracted here, because they sell themselves as based in a well-regulated country. The Isle of Man is often used as a template. Even now and throughout Europe who would turn their face against gambling, they still use the Isle of Man as a template of control, of the right controls to be put in place to allow gambling to take place on their soil.

So yes, nothing guaranteed, nothing ventured, nothing gained. At this moment in time, there is one very large – and I am not going to name names – company that wants to put on an international tournament in a venue other than in the existing casino. So there is somebody there and ready to take it up, I am sure, if this legislation is passed. I did say at the First Reading this is, as Mr Butt rightly says, enabling it to happen but in another venue.

I did not want to paint a picture of sheep gambling and sharks basking, and if I did then that was Mr Lowey again in his usual... What was the name of that comedian who used to... rambling, bumbling... (*Interjection*) That's me! You've got me in one! I was trying to say that the Isle of Man can sell itself, can take the opportunity.

The Gambling Commission will not be putting any money into this; they will be taking money from them in fees. Everything else then is for them to promote and to sell their event, and that, I think, is right. I can understand... Look, drink and gambling: they are the excess of everything that is wrong in this world, and therefore I come back to that word 'regulation'.

Talking of regulation, if you care to look at clause 5, there are 16½ pages of regulation which spell out exactly what it is that they will have to comply with.

I think this is a Bill that enables something to happen that is already happening. I do not see – with great respect to my friend, the Bishop – that this will expand that. I do think it gives the opportunity for the Isle of Man to take a decision that will *maybe* – and I am only putting *maybe* – have economic benefits. I think that is the right way to address it, and with that, I would like to move the Second Reading of the Bill.

The President: The motion is that the Bill be read a second time. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Casino (Amendment) Bill 2012 **Clauses considered**

The President: We move then to clauses. I think we could take clauses 1 to 3 together, Mr Lowey, with your agreement.

Mr Lowey: Thank you, Madam President.

Clause 1 contains the short title of the Act, the Casino (Amendment) Act.

Clause 2 actually deals with the commencement. Clause 2 explains the commencement provisions. The Act will be brought into operation using an Appointed Day Order made by the Treasury. The Appointed Day Order may also contain any necessary saving or transitional measures.

And the third clause provides for the automatic repeal of the Act once it has performed its amending function – that is to say, this is a technicality. This Bill exists simply to perform a one-off function, namely to enact to modify the wording in a number of Acts, principally the Casino Act 1986, and then to disappear leaving behind the reworded Acts. Clause 3 makes the Act disappear once it has done its job and stops it from clogging up the statute books.

I beg to move clauses 1, 2 and 3 stand part of the Bill.

Mr Braidwood: I beg to second, Madam President, and reserve my remarks.

The President: The Hon. Member, Mr Crowe.

Mr Crowe: Madam President, yes, just on clause 3. It is interesting, this automatic repeal, which in fact must be a new (**Mr Braidwood:** It is.) practice of the legislative draftsman because it appears in the three Bills before us today. So it is just an interesting mechanism to automatic repeal of the Bill once the amendments are in the primary legislation. So no answer required. It is just an interesting development in legislation in the Island.

Mr Lowey: You are absolutely right.

The President: The motion is that clauses 1, 2 and 3 do stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.
Clause 4.

Mr Lowey: Clause 4 is the removal of obsolete references to the Gambling Supervision Commission old constitution. This clause removes a provision about the composition of the Gaming Board of Control from the Casino Act which has been superseded by a provision in the Gambling Supervision Act 2010.

The draftsman took the opportunity of amending the Act to tidy up obsolete elements of the Casino Act 1986. This clause is an example of that. When the Casino Act was first drafted in the 1980s, the supervisory body was called the Gaming Board of Control and was given a constitution. Now it is called the Gambling Supervision Commission and its constitution was re-established in the Gambling Supervision Act 2010. So it is getting rid of the old. It is a tidying-up exercise.

I beg to move clause 4 stand part of the Bill.

Mr Braidwood: I beg to second, Madam President, and reserve my remarks.

The President: The Hon. Member, Mr Callister.

Mr Callister: Thank you, Madam President.
Just in relation to clause 4(b), it says:

‘for the marginal note, substitute “Isle of Man Gambling Supervision Commission”.’

It looks to me as if there are certainly no marginal notes within this Bill. Is it that marginal notes now have been abandoned, and they will be there in the original Bills but they do not come now in the form of marginal notes? I am not quite sure what has happened with the changes to legislation in there.

The President: Are there any further questions on the clause? If not, Mr Lowey to reply, please.

Mr Lowey: I would love to be able to reply to the Hon. Member, but *I do not know* and I have not got the learned Attorney alongside me. I know the formats of our Bills now have changed quite significantly and I do not know whether there will be marginal notes or not, but, as I say, it does not affect, in my view, this particular one.

The Gambling Board, as it then was called, no longer exists. It is the Gaming Commission that now acts as the controlling agency and it is wiping the slate clean. I will try and find out for the Third Reading for my hon. friend, but I just do not know and that is the truth of the matter.

The President: The motion is that clause 4 do stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.
Clause 5.

Mr Lowey: Deep breath! (*Laughter*) I will give you the shortened version.

Clause 5 inserts a new part IIA into the Casino Act 1986 in such a way that the amendments collectively, called part IIA, are just before the beginning of the existing part III in that Act. There are 14 new sections to this part, which are IIA, and they are annotated 12A to 12N and cover such things as the granting of a temporary premises certificate, the supervision of the same, appeals, new tribunals, dealing the operators and the measures that the Gambling Supervision Commission can take in so discharging their functions. That is covered in 16½ pages of my notes and it is covered in a very lengthy...

Now if Hon. Members would like me to read 16½ pages of, what I would call, explanatory notes, I am very happy so to do, but that is the essence of clause 5.

Mr Braidwood: I beg to second, Madam President, and reserve my remarks.

Mr Downie: I would like to say something, Madam President.

The President: Mr Downie.

Mr Downie: In this age of technology, the part IIA – Temporary Premises Certificates... If we turn to page 11 of the Bill – Casino (Amendment) Bill 2012 – the top of the page says ‘Section 5’. It is page 11. On 12B(3):

‘Before making the application, the applicant must ensure that a notice has been published in 2 newspapers published and circulating in the Island to the effect...’

Then, when we come down to subsection (6):

‘Upon receipt of an application, the Board must –
(a) within a reasonable time, publish notice of the application on its website; and
(b) wait at least one month...’

Surely, in this day and age... Why are we continuing to –

Mr Braidwood: Use newspapers.

Mr Downie: – have things published in newspapers? To my knowledge, the Government only publishes in one newspaper now, which is the *Courier*, and there seems to be an official Government page in there, and we put Government notices and planning applications and so on. I am not aware it is published in the *two* newspapers, in the *Examiner* as well. I am just aware that it is in the one. If anything did happen to the two newspapers that we have, for whatever reason – and we know we are in fairly straitened times in the newspaper world – we might finish up with one newspaper. Do we have to come back then and amend this legislation? The question is: why, if somebody is making an application, can’t that just be published on the Government website and go out as a release from Government to say that someone has applied for an application for a certificate under this legislation? It just seems to me that we are dealing with gaming legislation in the year 2012 and we are still linking what we are trying to do with what we did 50 or 100 years ago, and advertising in two newspapers published and circulating in the Island.

The President: Does any other Member wish to comment? Hon. Member, Mr Crowe.

Mr Crowe: I think this could well be part of the original Casino Act and it might be a requirement following on from the original Casino Act. When you are having a gambling tournament in premises, local people who might want to object to this, may not have access to the internet, so it might be a safe way of protecting local residents who are not internet connected to make a valid representation if they felt those premises were not suitable for a gaming competition or a gambling competition.

The President: The Hon. Member, Mr Wild.

Mr Wild: Thank you, Madam President.

I would concur with my hon. colleague, Mr Crowe. I think at the moment we are still a society between two worlds of going electronic and still being paper based and while we are in that transitional period, it still makes sense to me to allow people – and there a lot of people out there who do not have access to technology and computers – to have the chance to see something in newspapers which are still a traditional form of communication. Thank you.

The President: Mr Lowey to reply.

Mr Lowey: Going through this Bill over the weekend, I too spotted the two newspapers. I do think Mr Wild makes a very valid point, that 30% of the population, even nowadays, do not use or do not have access to the internet, but I have read somewhere later on in the regulations, where the GSC can actually change the role of advertising, if conditions change. So I think that has already been taken into account later on in the Bill on some of these clauses. I do come back to the point that Mr Wild made, that I think we are dealing with this particular thing at this moment with the particular instruments that we have, but I do take note and I will certainly draw it to the draftsman’s attention in future legislation to make sure that we take recognition of the changing world in which we live. I think it is a valid point, it is a point that I have raised in the past and which I share with him, but

on this occasion I do believe it is reasonable to be placed in the Act.

I will check with my advisers for the Third Reading on whether my interpretation of some of the powers that are given to the GSC can allow them to alter the regulations and the safeguard, of course, is that regulations will have to be approved. There will be a debate, if there is a change, so I think from the public's point of view, they will not be changed on a whim, they will be changed after consultation with the general public. Okay?

Mr Butt: 12M.

Mr Lowey: Which page?

Mr Butt: Page 21.

The President: Does the Hon. Member have a –

Mr Lowey: Could I draw your attention to page 21? It has been drawn to my... I know I was busy looking at this Bill and on that particular one, I went through to make sure. It is:

- (i) to regulate –
- (i) the giving of notice of application for certificates; and
- (ii) the advertising of gaming to be carried out on the premises;
- (j) to regulate any entertainment...'

so, again, there is, in my view, flexibility there to meet the concerns of the Hon. Member, if there should be no newspapers on the Isle of Man. That could be a possibility – I do not wish it, but if it did, then of course, the primary legislation says it has to be advertised in two Isle of Man newspapers – just makes it impossible. The general public would still need the right and the ability to know if these things are going on and that gives, in my view, the comfort factor that the Hon. Member is looking for.

The President: The motion is that clause 5 do stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 6 – page 22! (*Laughter*)

Mr Lowey: Yes, we can turn over the 16½ pages.

Clause 6: section 15 is amended. Clause 6 amends section 15 of the Casino Act so as to extend the court's power to exclude certain persons from entering a casino, to include the power to exclude them from a venue operating under a temporary certificate. In other words, this is exactly the same that applies to the existing casino, but it applies now to the temporary premises that are being used.

I beg to move clause 6 stand part of the Bill.

Mr Braidwood: I beg to second, Madam President, and reserve my remarks.

The President: The Hon. Member, Mr Turner.

Mr Turner: Just a query for the mover on this. If the casino in question has banned an individual in house rules, would it only be the court that could prevent that person from entering the extended premises, shall we say, than the new premises as opposed to the existing ones, or could it only be a court that could prohibit those persons? Would the operator have to make an application to the court to have somebody excluded? Then, what rights would they have, because it is obviously... If a licensed premises banned somebody from the premises, that is within their gift; but if they are holding an event somewhere else, how would that operate if they did not want that person present?

Mr Lowey: The onus is on the operator to run a proper... to conduct and run gambling on set terms that have been laid down by the Commission. I would imagine that if the operator is using temporary provisions, then exactly the same rules would apply and so if they were banned from one, they would be banned from the other because the onus is still on the supplier of those premises, whose premises are licensed premises, and if you are banned from one... It is like casinos have in hotels, blacklists of people who are banned in one hotel, and they are banned in all the hotels. I would imagine the same applies to the casinos.

The President: The Hon. Member.

Mr Turner: May I come back on that, Madam President? Thank you.

I appreciate the answer. The point I am going to make is not to be obstructive; it is to ensure there is not a loophole here. I know we keep mentioning the Royal Hall and that is just an option open as anywhere, but for example, if the individual was to try and enter the Villa Marina premises, a house ban for say, for example, the Palace Hotel, would not be... Unless the operators of the Villa Marina extended the ban to that person via an agreement, what would the rights of the person be?

We would not want a situation where we had somebody try to enter these premises quite legally and fall foul of the law because of the rights of that individual, who would argue they are not banned from those premises. Is it robust enough to ensure that if an operator has banned somebody from their premises they will be able to extend that ban to the premises they holding the event at?

The President: I think it is clear that this clause does not deal with that.

Mr Turner: I understand it is to do with courts prohibition.

Mr Lowey: Yes, it is.

Mr Turner: It builds on that –

Mr Lowey: It does.

Mr Turner: – because there are people obviously banned from –

Mr Lowey: Various places.

Mr Turner: – the local casino.

Mr Lowey: But having said, I want to make it quite clear, this is an enabling thing. We have put into place rights to appeal for people who feel aggrieved, and they have the ability to do that under this particular piece of legislation, not this particular clause, but under this legislation –

Mr Turner: But there is provision.

Mr Lowey: There is an appeal procedure, indeed there is.

The President: Mr Braidwood.

Mr Braidwood: Thank you, Madam President.

I was coming in to try to clarify the problem raised by Mr Turner. I think if somebody is banned from premises, which is just the premises, that is completely different from this section or this clause, where this is the power of the court. If the court says they are not allowed to enter such as gaming establishments, then that is throughout the Isle of Man, no matter where it is set up and as has been mentioned by Mr Lowey, if a court bans people from licensed premises, it covers all licensed premises on the Island. Therefore, if it is the court which bans them from entering gaming establishments, then they would not be able to go into this temporary casino.

The President: Mr Butt.

Mr Butt: Thank you, Madam President.

I was going to make more or less the same point, but in addition, if the owners, or the operators wanted to ban somebody, it will also be licensed premises, if there is drink involved, they can ban whoever they wish at any time. They can refuse right to entry, so whichever way, they can be covered to do it.

The President: Do you want to come back, Mr Turner?

Mr Turner: If I may, yes. I appreciate this was dealing with court bans. What I was looking for was assurance that... wider from this, and I think the hon. mover has mentioned that if an operator has banned somebody, they will be able to deal with that at an outside premises. So thank you for the clarity.

The President: Do you want to add anything further, Mr Lowey?

Mr Lowey: No. I would like to thank all the colleagues – firstly, Mr Turner for his question – and I think the

points have been answered very ably by Mr Braidwood, and I appreciate that. Thank you.

The President: The motion is that clause 6 do stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 7.

Mr Lowey: Clause 7 deals with repeals. Clause 7 repeals certain provisions of section 16 of the Casino Act 1986, which refers to legislation that is no longer extant. Section 16, for example: section 16 of the Casino Act 1986 makes reference to law that no longer exists, specifically 16(2)(b) refers to the Licensing Act 1961, which is no longer on the statute books. Section 16(5) refers to references within section 16 itself, which no longer can be found in the section references to prescribed games. Section 16(6)(b) refers to the Local Government Consolidation Act 1916, which is no longer on the statute books. This particular clause removes it.

Mr Braidwood: I beg to second, Madam President, and reserve my remarks.

The President: The motion is that clause 7 do stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 8.

Mr Lowey: Clause 8 amends section 19 of the Casino Act 1986 so as to give a constable the right to enter premises under the temporary premises certificate. This right mirrors the constable's existing right to enter casino premises for the same function. This clause extends the ability for the Police to enter the live tournament, if necessary.

Madam President, I beg to move that clause 8 stand part of the Bill.

Mr Braidwood: I beg to second, Madam President, and reserve my remarks.

The President: Hon. Member, Mr Turner.

Mr Turner: Could I ask the mover – I do not whether he has got this information to hand, it may well be in the main Act – but with the right of constables to enter the casino, is there any liaison between, or what is the liaison mechanism between the Police and the regulator, the Commission, who ultimately are responsible for enforcing some of the provisions here? In other words, are we sure that the left hand knows what the right hand is doing?

Mr Lowey: I have stated at the very outset that the Isle of Man is well regulated. It is well regulated in the sense that the officers and the Gaming Commission liaise regularly and with the Police and *vice versa*. There will be occasions when the Police may want to enter premises, maybe at the direction of the operators of the casino, who may have suspicions and bring the Police in. There may be other times where the Police may wish to talk with the Gaming Commission. I think there is a very healthy... This does not add anything new, it just extends what is existing and I am rather pleased with the co-operation of the Police and the Commission in the way in which they operate, safeguarding. The left hand *does* know what the right hand is doing. I can give the assurance to the Hon. Member that they are co-ordinated.

The President: The motion is that clause 8 do stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 9.

Mr Lowey: Clause 9 amends section 21 of the Casino Act to provide that all regulations made under the new part IIA must also be approved by Tynwald before coming into force. So the safeguard there is that all these new regulations which will come to guide the new temporary premises will have to be approved by Tynwald. Therefore, once again, people will know exactly what it is and all Members will have the right to debate those regulations when they come before Tynwald.

Mr Braidwood: I beg to second, Madam President, and reserve my remarks.

The President: The motion is that clause 9 do stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 10.

Mr Lowey: Clause 10: section 22 is amended.

Clause 10 amends section 22 of the Casino Act 1986 which contains the definitions of key words within the Act. It amends the definition of 'the Board' to remove the reference to the Isle of Man Gambling Board of Control. The clause also modifies the definition of the word 'prescribed' to broaden the regulation-making powers to include those regulations that can be created under the new part IIA.

Madam President, I beg to move that clause 10 stand part of the Bill.

Mr Braidwood: I beg to second, Madam President, and reserve my remarks.

The President: The motion is that clause 10 do stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 11.

Mr Lowey: Clause 11: schedule 1 is amended by clause 11.

Clause 11 amends schedule 1 of the Casino Act to extend the modifications that already apply to the application of the Licensing Act 1995 in respect of the casino in order to include those premises operating under the new temporary licence. In other words, once again, it is a replication. There is differentiation.

I beg to move that clause 11 stand part of the Bill.

Mr Braidwood: I beg to second, Madam President, and reserve my remarks.

The President: The motion is that clause 11 do stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 12.

Mr Lowey: Thank you, Madam President.

Clause 12 amends section 7 of the Gaming, Betting and Lotteries Act 1988 to extend the exemptions within that Act that already exist for casino advertising to those events which will run under a temporary premises certificate. This amendment refers to advertising the event in order to attract publicity and interest, and not the advertising of the application for the temporary premises certificate mentioned in the commentary to clause 5, section 12B above, in order to alert potential objectors to the proposal. In other words, this is an amending section so that they are able to advertise the event that they are hosting in temporary accommodation.

I beg to move that clause 12 stand part of the Bill.

Mr Braidwood: I beg to second, Madam President, and reserve my remarks.

The President: The motion is that clause 12 do stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Clause 13.

Mr Lowey: Clause 13 amends section 8 of the Gaming, Betting and Lotteries Act 1988 to create a general exemption for gaming taking place under a temporary premises certificate. All gaming in the Isle of Man is illegal, unless specifically enabled by the Gaming, Betting and Lotteries Act 1988. The mechanism that the Gaming, Betting and Lotteries Act 1988 uses is a list of exemptions. The amendment in this clause adds into that list the playing of prescribed games under a temporary premises certificate.

Madam President, I beg to move that clause 13 stand part of the Bill.

Mr Braidwood: I beg to second, Madam President, and reserve my remarks.

The President: The motion is that clause 13 do stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

I think we can take clauses 14 and 15 together – although it does introduce the schedule as well.

Mr Lowey: Clause 14 amends section 48 of the Gaming, Betting and Lotteries Act 1988 so as to update the definition of a 'prescribed game' within that Act to include those games played under a temporary premises certificate. No games may be played in a casino or, by extension, under a temporary casino licence, unless they are on a list of games that can be found in the Casino Regulations 2011. Those games at the moment are: Roulette, Blackjack, Pontoon, Punto Banco, Bingo, gambling on horse races on a film or video, Casino Brag, Poker, games using dice, Baccarat – and here it is called 'Chime-de-fer' – (**Mr Braidwood:** Chemin-de-fer.) – it says 'chime-de-fer' so I am reading as from my script – Backgammon, Keno, Super Pan 9, Wheel of Fortune

and the playing on automatic machines. Some list!

Mr Butt: No Whist then!

Mr Braidwood: No Snap either!

Mr Lowey: Clause 15 introduces a schedule of consequential amendments. Paragraph 1 amends the Gaming (Amendment) Act 1984 to enable regulations under section 12M to provide controlled machines, such as fruit machines, may be deployed under the temporary premises certificate.

Paragraph 2 amends the Value Added Tax and paragraphs 4 and 5 perform the same function for the following codes; Proceeds of Crime, Money Laundering and the Prevention of Terrorist Financing. All of those are actually in place and will be in place to make sure that it is not used as a front for laundering money, which gambling, we know, can be and is ruthlessly pursued in the Isle of Man, I may add.

I beg to move that clauses 14 and 15 stand part of the Bill.

Mr Braidwood: I beg to second, Madam President, and reserve my remarks.

The President: The Hon. Member, Mr Callister.

Mr Callister: I am just smiling at Mr Braidwood's reference to Snap! It brings back to me, again, that we used to play as kids, a game called 'Strip Jack Naked'.

Mr Braidwood: Yes, that's right! *(Laughter)*

Mr Callister: It kind of links in to your pole dancing! We are glad to see that Snap and Strip Jack Naked are not on the list.

Mr Lowey: That's banned.

Mr Butt: I am sorry there are no Beetle Drives in there!

The President: The motion is that clauses 14 and 15, which introduces the schedule, stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.