

Casino Control Authority

**ANNUAL REPORT
1992/93**

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Draft: Letter to the Minister

The Hon A Cohen MP
Chief Secretary and Minister for Administrative Services
Parliament House
SYDNEY NSW 2000

Dear Minister

The Casino Control Authority is pleased to present its inaugural Annual Report covering the financial year 1992/93.

The Report has been prepared in accordance with the Casino Control Act 1992, the Annual Reports (Statutory Bodies) Act 1984, and the Annual Reports (Statutory Bodies) Regulation 1985.

Yours sincerely

C S Cullen
Chairperson

L G Le Compte
Member and Chief Executive

P M R Alexander Cornelius
Member

M H Tobias
Member

J R Dixon Hughes
Member

TABLE OF CONTENTS

| | Page No. |
|---|-----------------|
| SECTION 1: CHARTER | 4 |
| 1.1 Statutory Objects | 4 |
| 1.2 Functions | 4 |
| SECTION 2: AIMS AND OBJECTIVES | 6 |
| SECTION 3: MANAGEMENT AND STRUCTURE | 7 |
| 3.1 The Authority | 7 |
| 3.2 Membership | 7 |
| 3.3 Appointment of Members | 7 |
| 3.4 Meetings of the Authority | 8 |
| 3.5 Advisory Panels | 8 |
| 3.6 Commercial Advisory Panel | 9 |
| 3.7 Commercial Advisory Panel Membership | 9 |
| 3.8 Development Advisory Panel | 9 |
| 3.9 Development Advisory Panel Membership | 10 |
| 3.10 Organisation Chart | 10 |
| SECTION 4: REVIEW OF OPERATIONS | 11 |
| 4.1 Report on the Location, Size and Style of the New South Wales Casino | 11 |
| 4.2 Expressions of Interest | 13 |
| 4.3 Section 154 of the Casino Control Act | 14 |
| 4.4 Organisational Arrangements | 14 |
| 4.5 Management and Strategy Reviews | 15 |
| SECTION 5: PERFORMANCE - EFFICIENCY AND EFFECTIVENESS | 16 |
| SECTION 6: THE FUTURE | 17 |
| 6.1 Overview | 17 |
| 6.2 1993 Activities | 17 |
| 6.3 1994 Activities | 17 |
| 6.4 Research | 18 |
| SECTION 7: FINANCE | 19 |
| 7.1 Audited Financial Statements | 19 |
| 7.2 Budgets | 20 |

APPENDICES

| | | |
|--------------------|--|----|
| APPENDIX 1 | PUBLIC ACCESS | 21 |
| APPENDIX 2 | PERSONNEL | 22 |
| | Policies | 22 |
| | Recruitment | 22 |
| | Staff Turnover | 22 |
| | Professional Development | 23 |
| | Occupational Health and Safety | 23 |
| | Overseas Visits | 23 |
| | Staffing Levels/Contracting Out/Consultants | 23 |
| | Authority Members | 24 |
| APPENDIX 3 | EQUAL EMPLOYMENT OPPORTUNITY | 28 |
| APPENDIX 4 | CODE OF CONDUCT | 29 |
| APPENDIX 5 | SENIOR EXECUTIVE SERVICE PROFILE | 52 |
| APPENDIX 6 | GUARANTEE OF SERVICE | 53 |
| APPENDIX 7 | RISK MANAGEMENT AND INSURANCE/ ACCOUNT PAYMENT PERFORMANCE | 55 |
| APPENDIX 8 | FOI STATEMENT OF AFFAIRS | 56 |
| APPENDIX 9 | CONSULTANTS | 59 |
| APPENDIX 10 | RECOMMENDATIONS CONTAINED IN REPORT ON LOCATION, SIZE AND STYLE OF THE NEW SOUTH WALES CASINO | 60 |
| APPENDIX 11 | MINISTERIAL DIRECTIONS AND GOVERNMENT PREFERENCES | 64 |
| APPENDIX 12 | COMPLIANCE INDEX | 70 |

NOTE: Apart from the Financial Statements 1992/93 contained in Section 7.1, all other financial information contained in this report is unaudited.

Photograph

Standing (left to right): Mr J R Dixon Hughes, Mr M H Tobias QC, Mr L G Le Compte
Seated (left to right): Mr D G Mackay, Mr C S Cullen AM ED, Ms P M R Alexander Cornelius

Caption:

The Casino Control Authority at its 34th meeting held on its first anniversary on 23 September, 1993.

1. CHARTER

The New South Wales Casino Control Authority ("Authority") was established on 23 September 1992, pursuant to the provisions of the Casino Control Act 1992 ("Act").

1.1 STATUTORY OBJECTS

The objects of the Authority, as set out in Section 140 of the Act, are to maintain and administer systems for the licensing, supervision and control of a casino, for the purpose of:

- (a) ensuring that the management and operation of the casino remains free from criminal influence or exploitation; and
- (b) ensuring that gaming in the casino is conducted honestly; and
- (c) promoting tourism, employment and economic development generally in the State; and
- (d) containing and controlling the potential of a casino to cause harm to the public interest and to individuals and families.

1.2 FUNCTIONS

Section 141 of the Act provides that the Authority has the following general functions:

- (a) such functions as are necessary or convenient to enable the Authority to achieve its objects; and
- (b) such other functions as are conferred or imposed on it by or under the Act or any other legislation or law.

Section 141 of the Act also provides that, without limiting its general functions, the Authority has the following specific functions:

- (a) at the direction of the Minister, to invite expressions of interest for the establishment and operation of casinos and applications for casino licences and to consider and determine those applications;
- (b) to consider and determine applications for other licences under the Act;
- (c) to keep under constant review all matters connected with casinos and the activities of casino operators, persons associated with casino operators, and persons who are in a position to exercise direct or indirect control over casino operators or persons associated with casino operators;
- (d) to review and report to the Minister on the efficiency and effectiveness with which the Director of Casino Surveillance exercises his or her functions under the Act;
- (e) to advise the Minister on matters relating to the administration of the Act;
- (f) to approve the games to be played in a casino and the rules under which such games are played;
- (g) to approve gaming equipment for use in a casino;
- (h) to approve the operating times of a casino;
- (i) to conduct and fund the conduct of research into matters concerning casinos.

2. AIMS AND OBJECTIVES OF THE AUTHORITY

During the 1992/93 financial year the Authority's operations were focused on three principal objectives:

- Preparing a report on the Location, Size and Style of the New South Wales Casino.
- Issuing a public invitation for expressions of interest for the establishment and operation of a casino and applications for a casino licence.
- Establishing an independent functional organisation to permit the Authority to meet its on-going statutory responsibilities.

3. MANAGEMENT AND STRUCTURE

3.1 THE AUTHORITY

Part 10 of the Act determines the constitution, membership and qualifications of Authority members. Members of the Authority are required to have qualifications or experience in one or more of the following fields:

- business management
- gaming
- law
- finance
- information technology

3.2 MEMBERSHIP

Inaugural membership of the Authority was as follows:

| Name | Qualifications | Position | Date of Appointment | Term |
|---------------------------------|------------------------------|---------------------|----------------------------|-------------|
| Mr Christopher Cullen, AM ED BE | | Chairperson (2 yrs) | 23 Sept 1992 | 4 yrs |
| Mr Lindsay Le Compte | LLB, MBA | Chief Executive | 23 Sept 1992 | 4 yrs |
| Ms Megan Alexander Cornelius | BA | Member | 23 Sept 1992 | 4 yrs |
| Mr Richard Dixon Hughes | BSc, BE (Hons), M Eng Sc. | Member | 23 Sept 1992 | 2 yrs |
| Mr Murray Tobias QC | LLB, BCL | Legal Member | 3 Feb 1993 | 2 yrs |
| Mr Don Mackay | LLB | Deputy Member | 20 April 1993 | 2 yrs |

3.3 APPOINTMENT OF MEMBERS

All members of the Authority were appointed following public advertisement and selection on merit.

3.4 MEETINGS OF THE AUTHORITY

During the reporting period the Authority held 28 formal meetings.

Attendance at the meetings was as follows:

| Name | No. meetings held during term of appointment | No. meetings Attended |
|------------------------------|---|----------------------------------|
| Mr C S Cullen, AM ED | 28 | 28 |
| Mr L G Le Compte | 28 | 28 |
| Ms P M R Alexander Cornelius | 28 | 27 |
| Mr J R Dixon Hughes | 28 | 26 |
| Mr M H Tobias, QC | 19 | 14 |
| Mr D G Mackay | 11 | 4 * |

* As Deputy Member, Mr Mackay was required to attend and deputise for absent Authority members on 3 occasions. However, in order to ensure continuity of knowledge of current issues affecting the Authority, Mr Mackay has been invited by the Authority to attend all other meetings as an observer. During the 1992/93 financial year Mr Mackay attended one meeting as an observer.

3.5 ADVISORY PANELS

The Authority appointed two specialist Advisory Panels (Commercial Advisory Panel and Development Advisory Panel) to assist in the preparation of documentation relating to the assessment of applications for the casino and related development.

Both Advisory Panels will actively participate in a consultative evaluation process which the Authority will use to enable applicants for the casino licence to demonstrate their suitability to develop and operate a casino. This process will include negotiations with applicants with the aim of concluding relevant agreements with the eventual casino licensee.

The Authority also appointed a Commercial Manager and a Project Development Manager to coordinate the work and involvement of each Advisory Panel.

3.6 COMMERCIAL ADVISORY PANEL

The role of the Panel is to assist the Authority to develop expressions of interest documentation and then assess the financial, legal, tax and other commercial aspects of applications for the casino licence. A particularly important aspect of the work of this Advisory Panel is to advise on the financial strength of applicants and their ability to obtain financial resources that are suitable and adequate for ensuring the financial viability of the proposed casino.

3.7 COMMERCIAL ADVISORY PANEL MEMBERSHIP

| Name | Title | Organisation |
|--------------------|---|--|
| Mr Philip McDonald | Commercial Manager | Casino Control Authority |
| Mr Don Davison | Project Development Manager | Casino Control Authority |
| Mr Mark Snape | Director | County Natwest Corporate Finance Australia Ltd |
| Mr David Barbuto | Director | Deloitte Touche Tohmatsu |
| Mr Wally McDonald | Partner | Clayton Utz |
| Mr Brian Newman | Development Director City West Project | Property Services Group |
| Mr Robert Scullion | Assistant Secretary | The Treasury |
| Mr Greg Booth | Assistant Crown Solicitor | Crown Solicitor's Office |

3.8 DEVELOPMENT ADVISORY PANEL

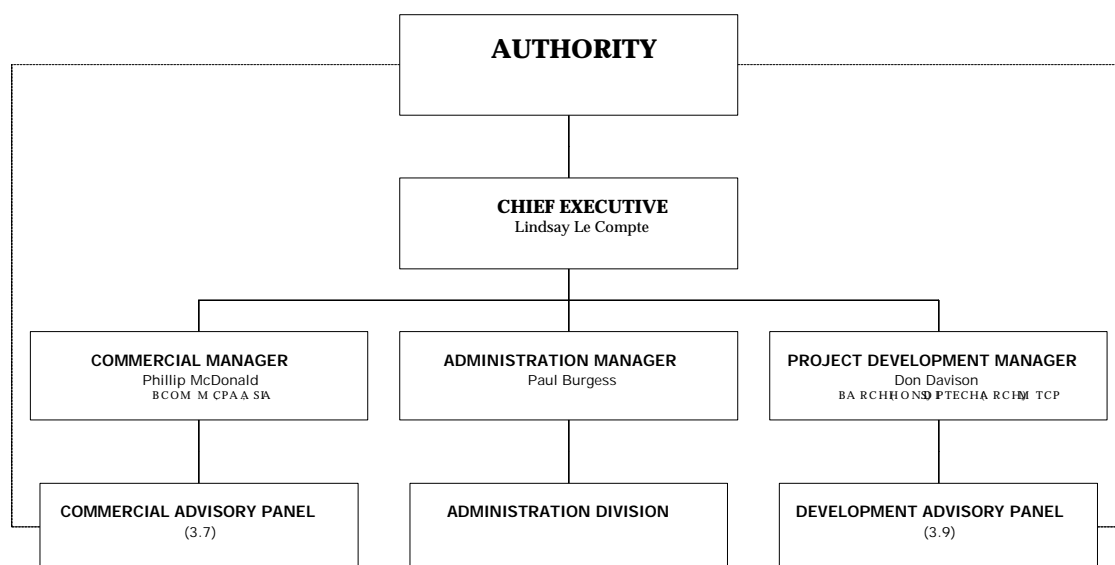
The role of the Panel is to assist the Authority in the development of expressions of interest documentation and the assessment of development concepts proposed by applicants. This will include the design of the casino complex and any related development, its compatibility with surrounding structures, construction, engineering and related site issues.

3.9 DEVELOPMENT ADVISORY PANEL MEMBERSHIP

| Name | Title | Organisation |
|-----------------------|---------------------------------------|---------------------------------|
| Mr Don Davison | Project Development Manager | Casino Control Authority |
| Mr Philip McDonald | Commercial Manager | Casino Control Authority |
| Mr David Chesterman | Architect, Partner | Jackson Teece Chesterman Willis |
| Mr Kevin Rice | Architect | Plankeel Pty Ltd |
| Mr Ron Eagle | Deputy Director General | Public Works Department |
| Mr David Hume | Regional Manager, Sydney South | Department of Planning |
| Mr Andrew Cappie-Wood | Director Urban Redevelopment Group | Property Services Group |

The Chief Executive of the Authority, Mr Lindsay Le Compte, is an ex officio member of each Advisory Panel.

3.10 ORGANISATION CHART



4. REVIEW OF OPERATIONS

4.1 REPORT ON THE LOCATION SIZE AND STYLE OF THE NEW SOUTH WALES CASINO

On 23 September 1992, the Authority was requested by the Chief Secretary and Minister for Administrative Services, pursuant to Section 7 of the Act, to provide a report as to:

- the location for a casino near the City of Sydney;
- the required size and style of such a casino;
- the development required to take place in conjunction with the establishment of a casino, such as the development of a hotel or other complex of which a casino is to form part; and
- such other matters relating to the requirements for a casino as the Authority considered relevant.

At the time the Minister requested the report, it was also indicated to the Authority that it should have regard to the following matters which had been determined as the Government's preferences in respect of the location, size and style etc. of the casino:

- The Sydney casino site must be in close proximity to the main tourist, cultural, entertainment and retail facilities of the Sydney CBD and Darling Harbour. The site should also be located so as to enhance the development of the City West precinct adjacent to Darling Harbour.
- The site should be in a location which facilitates an imaginative building designed to take advantage of views to Sydney Harbour and the City.
- Adequate land must be available within the site so as to enable the staged development of a casino catering for approximately 200 gaming tables as well as other related gaming activities, hotel, car park, and ancillary facilities as well as having the potential for further on-site development. The casino shall be linked to, but separate from, the balance of the development.

- There must be excellent access from the site to existing or proposed:
 - arterial road systems
 - waterways, and
 - pedestrian, rail and maritime services.
- There must be significant potential to integrate the proposed development on the site into the urban and natural environment of the locality, with recognition of any special environmental needs.
- The site must meet the statutory and other requirements of relevant authorities.
- The existing or proposed infrastructure for site services (eg, roads, bridges, sewerage disposal, drainage, water and power supply) must be adequate or capable of upgrading to service the development.
- The site must be one which is vested in the Crown or over which the Crown has exclusive right of occupation as at 23 September 1992.
- The financial return to the State from the development of the site as a casino complex should be superior to other uses of the site and to other site options that meet the above criteria. The site of the casino development should preferably add value to existing Government-owned sites in the vicinity.

On 4 October 1992, the Authority invited submissions from the public in connection with its task. Following assessment of submissions received and based on analysis conducted by and on behalf of the Authority it became clear to the Authority that a number of major issues would require further assessment before it could complete its report. These included:

- The potential effect of a large casino complex on traffic flow in the surrounding streets and locality.
- The capacity of public/private transport infrastructure to service the complex, particularly at peak times eg between 10pm and 2am on Fridays and Saturdays.
- The need to determine issues such as the availability of car parking.
- The need to assess the effect of the complex on the existing and proposed residential/commercial environment.

- The impact of the above issues on the financial viability of particular sites, which could not be completed until other issues had been resolved.

In addition, the Authority had established a consultative process with the Sydney City Council and Central Sydney Planning Committee and these bodies had sought further time in which to provide their advice to the Authority. In all the circumstances, the Authority felt that it had no alternative other than to seek an extension of its reporting time and on 12 November 1992, the Chairperson wrote to the Minister formally seeking an extension of time for the Authority to complete its report.

Subsequently, on 19 November 1992, the Chief Secretary notified the Authority of her agreement to its request and extended the timeframe for the Authority's report to 31 January 1993. The Authority provided its report to the Minister on 28 January 1993, and the recommendations contained in the Report appear at Appendix 10.

4.2 EXPRESSIONS OF INTEREST IN THE ESTABLISHMENT AND OPERATION OF A CASINO AND APPLICATIONS FOR A CASINO LICENCE

On 10 February 1993, the Minister issued a direction to the Authority, pursuant to section 7(1) of the Act, as to the location, size and style of the casino.

The Minister accepted the Authority's recommendations that the casino be located on a former power station site at Pyrmont Bay, Sydney and that the maximum number of gaming tables in the casino be limited to 200, subject to review from time to time.

On 10 February 1993, the Minister also directed the Authority, pursuant to sections 8(2) and 9 of the Act, that slot machines be available in the casino and that the Authority publicly invite expressions of interest for the establishment and operation of a casino.

On 13 May 1993, the Minister directed the Authority, pursuant to section 10(1) of the Act, to publicly invite applications for a casino licence in accordance with previous directions. At the time of issue of the Minister's direction pursuant to section 10 of the Act, the Minister provided to the Authority consolidated versions of all directions issued to the Authority as well as all of the Government's Preferences issued to the Authority in respect of the casino project. The consolidation appears at Appendix 11.

No further directions or preferences were issued by the Minister between 13 May 1993, and the end of the reporting period.

The invitation to express interest and apply for a casino licence was advertised worldwide with a closing date of 18 June 1993. An Invitation Document was prepared by the Authority and made available to those persons and organisations who responded to the Authority's advertisements.

Fourteen organisations subsequently lodged expressions of interest with the Authority, together with a \$10,000 fee, and applied for a casino licence.

4.3 SECTION 154 OF THE CASINO CONTROL ACT

Section 154 of the Act requires the Authority to disclose certain information in its Annual Report.

The Authority reports as follows:

- 154 (a) No casino licence was granted;
- 154 (b) No licences were granted to casino employees;
- 154 (c) No licences were granted;
- 154 (d) No disciplinary action was taken;
- 154 (e) No disciplinary action was taken;
- 154 (f) No directions were received from the Minister pursuant to section 5 of the Act;
- 154(g) No investigations or reviews were carried out .

4.4 ORGANISATIONAL ARRANGEMENTS

From 23 September 1992, until 10 March 1993, the Authority was located in temporary premises provided by the Chief Secretary's Department at no cost to the Authority.

During this period the Authority selected and arranged for the fitting out of office accommodation on the 17th Level of 309 Kent Street, Sydney and recruited essential staff and specialist consultants and commenced designing the organisational systems and processes which would be required to enable it to meet its statutory responsibilities.

4.5 MANAGEMENT AND STRATEGY REVIEWS

The 1992/93 financial year, being the Authority's initial year of operations, was used to develop a sound base for establishing future management and strategic directions.

The Authority is currently developing its long term strategic plan to be implemented when the successful casino operator is announced. Thus, the 1992/93 financial year has been a development year and, as such, has not required the level of management review typical of an established organisation.

5. PERFORMANCE - EFFICIENCY AND EFFECTIVENESS

In terms of outcomes, the 1992/93 financial year was successful for the Authority in that:

- All Ministerial directions were addressed.
- The casino project proceeded in accordance with the Authority's timeframe.
- The Authority's administrative structure was established.

There were no major problems or issues over which the Authority had control that had a detrimental effect on operations.

There were no material works undertaken during the year.

The Authority achieved a net cost of services significantly less than the budget figure provided by the Consolidated Fund. The result is due, in part, to the fact that the Authority operated for only nine months of the 1992/93 financial year.

6. THE FUTURE

6.1 OVERVIEW

A number of significant events will have an impact on the Authority's operations during the financial year 1993/94.

The significant dates associated with the casino project are set out below. However, the nature of the project is such that the final decision-making timeframe may change from time to time:

| | |
|------------------|---|
| 2 July 1993 | Issue of the Brief to Applicants setting out the detailed requirements for the casino complex. |
| 25 August 1993 | Applicants for the casino licence and associated development are required to lodge their corporate details, together with payment of a \$100,000 fee as part of the casino licence application process. |
| 22 November 1993 | Lodgement of applicants' final corporate details, financial offers and detailed building designs, together with a further fee of \$200,000. |
| 24 January 1994 | Announcement of short-listed applicants |
| 15 April 1994 | Announcement of a preferred applicant for the casino licence and associated development. |

6.2 1993 ACTIVITIES

During the first half of the 1993/94 financial year the Authority will brief applicants in detail about the requirements for the casino complex then proceed to evaluate material provided pursuant to the Brief to Applicants.

6.3 1994 ACTIVITIES

Following a thorough investigation of each application, the Authority will short-list what it considers to be the most meritorious applications in terms of pre-determined criteria.

Negotiations will then proceed with the short-listed applicants until a preferred applicant is identified.

The Authority will proceed to work with the preferred applicant to implement the casino project.

During the second half of 1994, activities will be concentrated on:

- Facilitating and supervising the opening of the Temporary Casino, which is expected to open by the end of 1994.
- Progressing and supervising the construction program for the Permanent Casino.
- Investigating the backgrounds of and subsequently licensing certain categories of casino employees.
- Developing and implementing the regulatory mechanisms required under the Act.

6.4 RESEARCH

The Authority undertook a significant amount of research work in the preparation of its Report on the Location, Size and Style of the New South Wales Casino. The Authority undertook ongoing research during the period in relation to all matters connected with casinos and the activities of casino operators.

As the Authority moves from its present project management operations into long-term control/regulatory mode it will develop a sound research base relating to casino and related gaming.

This research will be used by the Authority to achieve its objects and, in particular, as a means of containing and controlling the potential of a casino to cause harm to the public interest and to individuals and families. In this respect, the Authority's Chairperson has been appointed as Chairperson of a Trust to be responsible, amongst other things, for funding appropriate research into gambling and its social and economic impact on individuals, families and the general community in New South Wales.

7. FINANCE

START OF AUDITED FINANCIAL STATEMENTS

7.1 1992/93 ANNUAL ACCOUNTS

Financial Statements for the year ended 30 June, 1993

Statement by Authority Head

Pursuant to Section 45F of the Public Finance and Audit Act 1983, I state that:

- (a) the accompanying financial statements have been prepared in accordance with the provisions of the Public Finance and Audit Act 1983, the Financial Reporting Code under Accrual Accounting for Inner Budget Sector Entities, the applicable clauses of the Public Finance and Audit (Departments) Regulation 1986, and the Treasurer's Directions;
- (b) the statements exhibit a true and fair view of the financial position and transactions of the Authority; and
- (c) there are no circumstances which would render any particulars included in the financial statements to be misleading or inaccurate.

L G Le Compte
Chief Executive

10 August, 1993

Statement of Financial Position as at 30 June, 1993

| | Notes | Actual 1993 \$'000 | Budget 1993 \$'000 |
|---------------------------------|-------|--------------------------|--------------------------|
| Current Assets | | | |
| Cash | 6 | 163 | — |
| Receivables | 7 | 29 | — |
| Prepayments | 8 | 29 | — |
| Total Current Assets | | 221 | — |
| Non-Current Assets | | | |
| Property, plant and equipment | 9 | 1,052 | 505 |
| Total Non-Current Assets | | 1,052 | 505 |
| TOTAL ASSETS | | 1,273 | 505 |
| Current Liabilities | | | |
| Creditors | 10 | 36 | — |
| Provisions | 11 | 32 | 20 |
| TOTAL LIABILITIES | | 68 | 20 |
| NET ASSETS | | 1,205 | 485 |
| Equity | | | |
| Accumulated surplus/(deficit) | 12 | 1,205 | 485 |
| Reserves | | — | — |
| TOTAL EQUITY | | 1,205 | 485 |

The accompanying notes form part of these statements

Operating Statement for the year ended 30 June 1993

| | Notes | Actual 1993 \$'000 | Budget 1993 \$'000 |
|--|-------|--------------------------|--------------------------|
| Expenses | | | |
| Operating expenses | | | |
| Employee related | 4(a) | 480 | 698 |
| Other operating expenses | | 947 | 1,000 |
| Maintenance | | — | — |
| Depreciation | 4(b) | 32 | 80 |
| Grants and subsidies | | — | — |
| Other services | | — | — |
| Total Expenses | | 1,459 | 1,778 |
| Revenues | | | |
| User charges | 5 | 154 | — |
| Donations and Industry contributions | | — | — |
| Other | | — | — |
| Total revenues | | 154 | — |
| Net gain/(loss) on sale of property, plant and equipment | | | |
| NET COST OF SERVICES | | 1,305 | 1,778 |
| Government Contributions | | | |
| Consolidated Fund recurrent appropriation | | 1,393 | 1,598 |
| Consolidated Fund capital appropriation | | 585 | 585 |
| Return to the State on sale of assets | | — | — |
| Acceptance by the State of Authority liabilities | 2(a) | 15 | 80 |
| Surplus/(deficit) for the year | | 688 | 485 |

| | | | |
|---|------|--------------|------------|
| Accumulated surplus/(deficit) at the beginning of the year | | — | — |
| In Kind Asset Contribution | 9(b) | 517 | — |
| Transfer (to)/from reserves | | — | — |
| Accumulated surplus/(deficit) at the end of the year | | 1,205 | 485 |

The accompanying notes form part of these statements

Cash Flow Statement for the year ended 30 June 1993

| | Notes | Actual 1993 \$'000 | Budget 1993 \$'000 |
|---|--------------|--------------------------|--------------------------|
| Cash Flow from Operating Activities | | | |
| Payments | | | |
| Employee related | 4(a) | (423) | (598) |
| Maintenance and working | | (979) | (1,000) |
| Grants and subsidies | | — | — |
| Other | | — | — |
| | | (1,402) | (1,598) |
| Receipts | | | |
| User charges | 5 | 154 | — |
| Donations and Industry contributions | | — | — |
| Other | | — | — |
| | | 154 | — |
| Total Net Cash Outflow on Operating Activities | 15(b) | (1,248) | (1,598) |
| Cash Flow from Investing Activities | | | |
| Purchases of property, plant and equipment | 9 | (567) | (585) |
| Proceeds from the sale of property, plant and equipment | 9 | — | — |
| Purchases of Investments | | — | — |
| Total Net Cash Outflow on Investing Activities | | (567) | (585) |
| Net Cash Outflow from Operating and Investing Activities | | (1,815) | (2,183) |
| Government Funding Activities | | | |
| Return to the State on sale of assets | | | |
| Consolidated Fund recurrent appropriation | | 1,393 | 1,598 |

| | | |
|--|--------------|--------------|
| Consolidated Fund capital appropriation | 585 | 585 |
| Total Net Cash provided by Government | 1,978 | 2,183 |
| Net Increase/(Decrease) in Cash | 163 | — |
| Opening cash balance | — | — |
| CLOSING CASH BALANCE | 163 | — |

The accompanying notes form part of these statements

Supplementary Information

Cash Flow Statement for reconciliation with Operating Statement for the year ended 30 June 1993

| | Actual 1993 \$'000 | Budget 1993 \$'000 |
|--|-----------------------------------|-----------------------------------|
| Cash Flow from Operating Activities | | |
| NET COST OF SERVICES | (1,305) | (1,778) |
| Adjustments for items not involving cash: | | |
| Depreciation | 32 | 80 |
| Provision for recreation leave | 28 | 20 |
| Provision for doubtful debts | — | — |
| Acceptance by the State of Authority liabilities | 15 | 80 |
| Non cash revenues | — | — |
| (Increase)/decrease in receivables | (29) | — |
| (Increase)/decrease in inventories and prepayments | (29) | — |
| Increase/(decrease) in payables | 40 | — |
| Net (gain)/loss on sale of property plant and equipment | — | — |
| Net Cash Used on Operating Activities | (1,248) | (1,598) |
| Funded by: | | |
| Consolidated Fund recurrent appropriation | 1,393 | (1,598) |
| Net Increase/(Decrease) in Cash from Operating Activities (A) | 145 | — |
| Cash Flow from Investing Activities | | |
| Purchases of property, plant and equipment | (567) | (585) |
| Purchases of investments | — | — |
| Advances (paid to)/repaid by other organisations | — | — |
| Advances received from/(repaid to) other organisations | — | — |
| Proceeds from sale of property, plant and equipment | — | — |
| Proceeds from sale of investments | — | — |
| Other capital receipts | — | — |
| Net Cash Used on Investing Activities | (567) | (585) |
| Funded by: | | |

| | | |
|--|------------|-----|
| Consolidated Fund capital appropriation | 585 | 585 |
| Return to the State on sale of assets | — | — |
| Net Increase/(Decrease) in Cash from Investing Activities (B) | 18 | — |
| Net Increase/(Decrease) in Cash (A+B) | 163 | — |
| Opening cash balance | — | — |
| CLOSING CASH BALANCE | 163 | — |

This statement links cash flows with the Operating Statement via the Net Cost of Services and reconciles between Net Cost of Services which is an accrual concept, and Consolidated Fund support, which is a cash concept.

Notes to and forming part of the financial statements of the Casino Control Authority for the year ended 30 June 1993

1. THE ORGANISATION AS A REPORTING ENTITY

The Authority's financial statements comprise all the operating activities under the control of the Authority. The Authority commenced business on 23 September 1992. Its objectives include ensuring the integrity of operators licensed to conduct casino operations in NSW.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The Authority's financial report has been prepared in accordance with the Australian Statements of Accounting Concepts, applicable Australian Accounting Standards, the requirements of the Public Finance and Audit Act 1983, Public Finance and Audit (Departments) Regulation 1986, and the Financial Reporting Directives published in the Financial Reporting Code for Inner Budget Sector Entities.

The Authority has implemented accrual accounting from the date of its establishment. The Operating Statement and Statement of Financial Position are prepared on an accruals basis. Comparative actual figures in the financial statements are not reported. The Cash Flow Statement is prepared on a cash basis using the "indirect" method in accordance with AAS28 "Statement of Cash Flows" by adjusting items in the Operating Statement for non cash items and items which do not relate to operating activities. No comparative figures are reported in the Cash Flow Statement during this financial year. A supplementary Cash Flow Statement has been prepared on a "direct" basis in a format linking with the Operating Statement.

The financial reports are prepared in accordance with the historical cost convention. All amounts are rounded to the nearest one thousand dollars and are expressed in Australian currency. The accounting policies adopted during the year are summarised below.

(a) Employee related expenses

The cost of employee entitlements to long service leave and superannuation are included in employee related expenses. However, as the Authority's liabilities for long service leave and superannuation are assumed by the Crown, the Authority accounts for the liability as having been extinguished resulting in non-monetary revenue described as "Acceptance by Crown of Authority liabilities".

The amounts expected to be paid to employees for their pro-rata entitlement to recreation leave are accrued annually at current pay rates.

(b) Government allocations

Monetary resources which are allocated to the Authority by the Government and which are controlled by the Authority are recognised as revenues of the financial period in which they are received.

(c) Acquisition of assets

The cost method of accounting is used for all acquisitions of assets regardless of whether resources are acquired separately or as part of an interest in another entity. Cost is determined as the fair value of the assets given up to the date of acquisition plus costs incidental to the acquisition.

(d) Plant and equipment

Plant and equipment costing at least \$5,000 are capitalised except for:

- (i) grouped assets (assets with inter-related functions, such as the computer room, revenue receipting equipment), where all additions regardless of amount are capitalised;
- (ii) purchased computer software and other software developed in-house unless of comparable value to the tax stream software.

(e) Depreciation

Depreciation is provided for on a straight line basis against all depreciable assets so as to write off the depreciable amount of each depreciable asset over its expected useful life.

(f) Repairs and maintenance

Repair and maintenance costs and minor renewals are charged against revenue as incurred.

3. BUDGET REVIEW

The actual net cost of services was lower than budget by \$473,000. This favourable result was due in the main to the Authority commencing its operations at a later than expected date. The Authority was also permitted by The Treasury to retain revenue collected as a result of the process to select the casino licensee.

4. OPERATING EXPENSES

| | Actual 1993 \$'000 |
|--|-----------------------------------|
| (a) Employee related expenses comprise the following specific items: | |
| Salaries and wages | 411 |
| Superannuation entitlements | 10 |
| Pay-roll tax | 26 |
| Recreation leave | 28 |
| Long service leave | 5 |
| Workers' compensation insurance | — |
| | <hr/> |
| | 480 |
| | <hr/> |
| (b) Depreciation is charged as follows: | |
| Computer equipment | 9 |
| Office equipment | 4 |
| Office furniture/fittings | 19 |
| | <hr/> |
| | 32 |
| | <hr/> |

5. OPERATING REVENUE

**Actual
1993
\$'000**

User charges comprise the following items:

| | |
|------------------------|------------|
| Miscellaneous Receipts | 154 |
| | 154 |

These amounts were received as a consequence of an invitation to express interest for the establishment and operation of a casino.

6. CURRENT ASSETS - CASH

This represents amounts held in the Authority's operating account:

**Actual
1993
\$'000**

| | |
|-------------------|------------|
| Operating account | 163 |
| | 163 |

7. CURRENT ASSETS - RECEIVABLES

**Actual
1993
\$'000**

| | |
|---------|-----------|
| Debtors | 29 |
| | 29 |

8. CURRENT ASSETS - PREPAYMENTS

**Actual
1993
\$'000**

| | |
|--|-----------|
| Prepaid Rent | 27 |
| Prepaid Computer Equipment Maintenance | 2 |
| | 29 |

9. NON-CURRENT ASSETS - PLANT AND EQUIPMENT

| \$'000 | Computer hardware | Computer software | Office equipment | Office furniture | Total \$'000 |
|-----------------------------|--------------------------|--------------------------|-------------------------|-------------------------|---------------------|
| At cost | | | | | |
| Balance 1 July 1992 | — | — | — | — | — |
| Additions | 145 | — | 91 | 849 | 1,085 |
| Disposals | — | — | — | — | — |
| Balance 30 June 1993 | 145 | — | 91 | 849 | 1,085 |
| Accumulated depreciation | | | | | |
| Balance 1 July 1992 | — | — | — | — | — |
| Depreciation for the year | 9 | — | 4 | 19 | 32 |
| Writeback on disposal | — | — | — | — | — |
| Balance 30 June 1993 | 9 | — | 4 | 19 | 32 |
| Written down value | | | | | |
| At 30 June 1993 | 135 | — | 87 | 830 | 1,052 |
| At 1 July 1992 | — | — | — | — | — |

Notes:

- (a) Additions to office furniture includes \$517,000 In Kind contributions. This asset was acquired from the Superannuation Investment and Management Corporation.
- (b) The Treasurer has determined that the Recoverable Amount Test as set out in Australian Accounting Standard AAS10 'Accounting for the Revaluation of Non-current Assets' is not to apply to budget sector agencies in respect of the year ended 30 June 1993 and subsequent financial years. The exemption is granted under Section 45EA of the Public Finance and Audit Act which came into effect on 1 July, 1992.

10. CURRENT LIABILITIES - CREDITORS

| | Actual 1993 \$'000 |
|-----------------------------|--------------------------|
| Operating activities | |
| Employee related expenses | 5 |
| Other operating expenses | 31 |
| | <u>36</u> |

11. CURRENT LIABILITIES - PROVISIONS

| | Actual 1993 \$'000 |
|-------------------------------|--------------------------|
| Provisions comprise: | |
| Employee recreation leave (a) | 28 |
| Fringe benefits tax (b) | 4 |
| | <u>32</u> |

(a) The movement in provision for employee recreation leave is as follows:

| | Actual 1993 \$'000 |
|-----------------------|--------------------------|
| Balance 1 July 1992 | — |
| Increase in provision | 28 |
| Balance 30 June 1993 | <u>28</u> |

(b) The movement in the provision for fringe benefits tax is as follows

| | Actual 1993 \$'000 |
|-----------------------|--------------------------|
| Balance 1 July 1992 | — |
| Increase in provision | 4 |
| Balance 30 June 1993 | <u>4</u> |

12. EQUITY - ACCUMULATED SURPLUS (DEFICIT)

| | Actual 1993 \$'000 |
|-------------------------------|-----------------------------------|
| Balance 1 July 1992 | — |
| Operating result for the year | 1,205 |
| Balance 30 June 1993 | <u><u>1,205</u></u> |

13. COMMITMENTS FOR EXPENDITURE

(a) Capital commitments

| | 1993 \$'000 |
|--|------------------------|
| Aggregate capital expenditure contracted for at balance date but not provided for in accounts payable: | |
| Not later than one year | — |
| Later than one year but not later than 2 years | — |
| Later than 2 years but not later than 5 years | — |
| Later than 5 years | — |
| Balance 30 June 1993 | <u><u>—</u></u> |

(b) Lease commitments

| | |
|--|---------------------|
| Aggregate non-cancelled operating lease expenditure contracted for at balance date but not provided for in the accounts: | |
| Not later than one year | 318 |
| Later than one year but not later than 2 years | 318 |
| Later than 2 years but not later than 5 years | 1,563 |
| Later than 5 years | — |
| Balance 30 June 1993 | <u><u>2,199</u></u> |

Lease commitments are based on current rental rates for premises leased by the Authority. The lease expires 29 February 2000, but includes option to renew for a further period of three years

14. NOTES TO CASH FLOW STATEMENT

(a) Reconciliation of cash

For the purpose of the Statement of Cash Flow, the Authority considers cash to include cash on hand, in bank and in special deposit accounts. Cash at the end of the period is reconciled in the Supplementary information to the financial statements - Cash Flow Statements.

(b) Reconciliation of net cash flow from operating activities to "Surplus/(deficit) for the year" as reported in the operating statement.

| | Actual 1993 \$'000 |
|---|-----------------------------------|
| Surplus/(deficit) for the year | 688 |
| Depreciation | 32 |
| Provision for recreation leave | 28 |
| (Increase)/decrease in receivables | (29) |
| (Increase)/decrease in prepayment | (29) |
| Increase/(decrease) in payables | 40 |
| Government revenue | <u>(1,978)</u> |
| Net cash outflow on operating activities | <u>(1,248)</u> |

15. PROGRAM INFORMATION

| | Notes (a) | Program 18.1.1 1993 \$'000 | Total 1993 \$'000 |
|--|--------------|-------------------------------------|-------------------------|
| Operating expenses | | | |
| Grants and Subsidies | | — | — |
| Other | | (1,459) | (1,459) |
| Total operating expenses | | (1,459) | (1,459) |
| Operating revenue | | | |
| User charges | | 154 | 154 |
| Other revenue | | — | — |
| Gain/(loss) on sale of non-current assets | | — | — |
| NET COST OF SERVICES | | (1,305) | (1,305) |
| Government allocation | (b) | 1,993 | 1,993 |
| Operating result after Consolidated Fund allocation | | 688 | 688 |
| Total assets | | 1,273 | 1,273 |

Notes:

(a) Program 18.1.1 Casino Control

Objectives: To maintain and administer systems for the licensing, supervision and control of legal casino gaming in New South Wales.

(b) Government allocations

| | Program 18.1.1 1993 \$'000 | Total 1993 \$'000 |
|--|-------------------------------------|-------------------------|
| Consolidated Fund recurrent allocation | 1,393 | 1,393 |
| Crown acceptance of liabilities | 15 | 15 |
| Consolidated Fund capital allocation | 585 | 585 |
| | 1,993 | 1,993 |

7.2 BUDGET FOR 1993/94

| | \$000 |
|-------------------------------|---------------------|
| Income | |
| (i)Consolidated Fund | 1,986 |
| (ii)User charges (estimated)* | <u>1,800</u> |
| | <u>3,786</u> |
| Expenditure | |
| Salaries, Allowances | 1,039 |
| Payroll tax | 65 |
| Depreciation | 100 |
| Rent | 324 |
| Superannuation | 60 |
| Leave | 40 |
| Consultants | 1,000 |
| Travel | 150 |
| Other Operating Expenses | <u>1,008</u> |
| | <u>3,786</u> |

* The basis for this estimated level of user charges is 6 applicants for the casino project proceeding to the final selection stage. The bulk of these funds will be used in assessing applications for the project.

BUDGET 1992/93

The financial statements contain details of performance against budget for the 1992/93 financial year. The ultimate result was a net cost of services substantially lower than budget. This was the result of the fact that the Authority did not operate for the full financial year.

The 1992/93 financial year was the Authority's first year of operation and as such required a number of adjustments to the budget as organisational, staffing, and casino project requirements were developed. For instance, the lease on the Authority's offices and the interim staffing structure were of necessity not finalised until the third quarter of the financial year. The budget was not altered for this annual report but, rather, developed as operational requirements were clarified during the reporting period.

APPENDIX 1 - PUBLIC ACCESS

The Casino Control Authority is located at:

Level 17
309 Kent Street
Sydney NSW 2000

The postal address is:

GPO Box 3970
Sydney NSW 2001

The telephone switchboard number is (02) 392 2320.

The fax number is (02) 299 7427

The office hours are 9.00 am to 5.00 pm Monday to Friday.

All correspondence should be addressed to the Chief Executive at the above postal address.

APPENDIX 2 - PERSONNEL

POLICIES

Section 145 of the Act provides the Authority with the statutory power to acquire staff or to engage consultants to enable it to exercise its functions under the Act.

The Authority has taken a policy decision to adopt personnel and employee relations practices that are generally consistent with those applied within the public sector. Public sector salary points have been adopted where relevant.

In exercising its employment powers the Authority departs from routine public sector practice to meet its statutory obligations under Section 136 of the Act to ensure that persons engaged in the administration of the Act are of the highest integrity. All persons engaged by the Authority, whether they be a staff member or consultant, are required to undergo a rigorous probity examination to establish their personal and financial integrity.

RECRUITMENT

The Authority, its staff and consultants were all recruited by an open merit selection process during the 1992/93 financial year.

Merit selection processes and equal employment opportunity principles were strictly applied during the recruitment process.

A total of 18 staff, together with 10 consultants, were recruited during the year to assist with the casino project.

Of the staff and consultants engaged, 5 were recruited from within the public sector with the remainder coming from the private sector.

STAFF TURNOVER

Apart from the completion of staff secondments, staff turnover has been zero since commencement of operations.

PROFESSIONAL DEVELOPMENT

The Authority has adopted a policy of identifying individual development needs and arranging suitable training or experience to meet those needs. These activities have included developing gaming expertise in addition to the more conventional business skills.

In financial terms, the Authority exceeded its obligations under the Training Guarantee Legislation by a factor of 66%.

OCCUPATIONAL HEALTH AND SAFETY

The Authority gave careful consideration to the planning and fitout of its accommodation to ensure that it provided a working environment consistent with the occupational health and safety needs of its staff. The Authority has provided ergonomic work stations and equipment and a very safe office environment for its staff including leading edge technology in information management and physical security.

OVERSEAS VISITS

No official overseas visits were undertaken during the year.

STAFFING LEVELS/CONTRACTING OUT/CONSULTANTS

Section 145 (1) of the Act empowers the Authority to:

- employ staff;
- arrange for the use of the services of any staff (by secondment or otherwise) or facilities of a government department, an administrative office or a public or local authority;
- arrange for use of the services of police officers;
- engage such consultants as it requires to exercise its functions.

1992/93 staffing levels were determined in accordance with the Authority's short-term project management needs. The staffing levels will be revised prior to the issue of the casino licence in order to ensure that the Authority is able to meet its obligations once casino gaming has commenced. The Authority anticipates that it will move to its on-going role as a control/regulatory body in 1994/95.

During the project management phase the staffing level has been kept to the minimum necessary consistent with the need to meet the project timetable. Heavy emphasis has been placed on contracting out with the bulk of the casino project work being undertaken by specialist consultants from the private sector. This is borne out by a comparison of expenditure on salaries and consultancy services with significantly more spent on the cost of consultants than on staff salary costs.

During 1992/93 the Authority had five permanent staff, not including Authority members.

AUTHORITY MEMBERS

Appointments

Applications were invited for appointment to the Authority by public advertisement.

Properly constituted selection committees were formed to select appropriately qualified applicants on the basis of merit and in accordance with the requirements of the Act.

Details of the appointments are as follows:

| Appointee | Selection Committee | Recommending Officer | Approval |
|---|---|--|-----------------|
| Mr C S Cullen AM ED Ms P M R Alexander Cornelius Mr J R Dixon Hughes | Sir Laurence Street, AC KCMG Ms Ita Buttrose, AO OBE Sir Maurice Byers, CBE | Sir Laurence Street, AC KCMG | Governor |
| Mr L G Le Compte | Mr CS Cullen, AM ED Ms PMR Alexander Cornelius Mr RD McGregor | Mr R D McGregor Secretary Chief Secretary's Dept | Governor |
| Mr M H Tobias, QC Mr D G Mackay | Sir Laurence Street, AC KCMG Mr CS Cullen, AM ED Mr RD McGregor | Mr CS Cullen, AM ED Chairperson Casino Control Authority Mr R D McGregor Secretary Chief Secretary's Dept | Governor |

Directorships and Current Appointments

Details of Directorships and Appointments currently held by members of the Casino Control Authority:

Mr Christopher S Cullen AM ED

Current appointments

President, The Children's Medical Research Foundation
Chairman, Australian Hearing Services (National Acoustic Laboratories)
Chairman, International Chamber of Commerce (Australian Council)
Chairman, International Chamber of Commerce (NSW)
Director, State Chamber of Commerce and Industry (Industrial Relations) Assoc (NSW)
Member, Australian Committee, Lloyds Register of Shipping
Chairman, Ruthven Pty Ltd
Chairman, Headray Pty Ltd
Chairman, Macquarie Court Services Pty Ltd
Chairman, Macquarie Suites Pty Ltd
Director, The Royal Alexandra Hospital for Children
Director, The Royal Blind Society of NSW
Director, The Royal Sydney Golf Club

Ms P M R Alexander Cornelius

Current appointments

Chairman, NSW Government Information Industries Advisory Council
Member, NSW Government Information Technology Task Force
Member, NSW Science and Technology Council
Member, Commonwealth Government Industry Research and Development Board
Member, Commonwealth Government Tax Concession Committee
Director, Energy Research and Development Corporation
Chairman, Expertise Australia Group 1985 to date
Chief Executive, Expertise Australia Pty Ltd 1985 to date
Director, F International Pty Ltd
Director, Jifmar Pty Ltd
Director, Springrose Management Pty Ltd
Director, Truespry Pty Ltd

Mr J R Dixon Hughes

Current appointments

Member, Accreditation Board, Institution of Engineers, Australia

Chairman, Standards Australia Sub-Committee IT/14/6, Data Communications in Health

Chairman, Standards Australia Sub-Committee IT/14/4, Data Security Integrity and Privacy

Member, Standards Australia Committee QR3 - Software Quality Assurance

Chairman and Managing Director DH4 Pty Ltd

Chairman, DH4 Services Pty Ltd

Mr M H Tobias QC

Current appointments

Director, Anagra Pty Ltd

Director, Caldwell Pty Ltd

Director, Colmur Investments Pty Ltd

Senior Vice President and Director, New South Wales Bar Association

Judge-Advocate and Defence Force Magistrate

Mr D G Mackay

Current appointments

Public Companies

NRMA Limited Group

Schroders Australia Holdings Ltd

Wattyl Limited Group

Private Companies

Alamo Investments Pty Ltd

Alice Springs Pastoral Co Pty Ltd

Amuliba Pty Ltd

The Bank Line (Australasia) Pty Ltd

Bolaro West Pty Ltd

Robert C Bowmer Pty Ltd

Camp David Pty Ltd

Clixby Pty Ltd

Gerenuk Pty Ltd

Glass Decorators Australia Pty Ltd

GMB Investments Pty Ltd
Hartfield Holdings Pty Ltd
Jaam Pty Ltd
Katonah Pty Ltd
Kellog (Aust) Pty Ltd
Kubor Investments Pty Ltd
Macquarie Valley Farms Pty Ltd
Manufacturers International Australia Pty Ltd
Millar Investments Pty Ltd
Moresay Pty Ltd
Old Bundemar Pty Ltd
PBMH Pty Ltd
Nan Yang Coffee Trading Co Ltd
Plantanus Pty Ltd
Sewing Thread Specialists Pty Ltd
Shadingfield Pty Ltd
Sika Australia Pty Ltd
Sotterley Farms Ltd
Stoven Limited
Topi Pty Ltd
Viellot Pty Ltd
Villeroy & Boch Australia Pty Ltd
West Kimberley Cattle Co Pty Ltd

Mr L G Le Compte

Current appointments

Nil

APPENDIX 3 - EQUAL EMPLOYMENT OPPORTUNITY

As indicated earlier in this Report, the Authority, as an independent statutory employer, has taken a policy decision to adopt public sector personnel practices, salary points and employee relations practices. The Authority has consulted with the Director of Equal Opportunity in Public Employment and is currently in the process of developing its Equal Employment Opportunity Management Plan for presentation in 1994 by which time the Authority's staff structure will have been consolidated to meet its on-going functions. The Authority is rigorously applying both the spirit and intent of public sector EEO principles and practices.

EEO STATISTICAL INFORMATION

Table 1 - Representation and Recruitment of Aboriginal Employees and Employees with a Physical Disability

| | 1991/92 | | | 1992/93 | | |
|-----------------------|-------------|-------------------|------|-------------|-------------------|------|
| | Total Staff | Aboriginal People | EWPD | Total Staff | Aboriginal People | EWPD |
| TOTAL EMPLOYEES | Nil | Nil | Nil | 18 | Nil | Nil |
| RECRUITED IN THE YEAR | Nil | Nil | Nil | 18 | Nil | Nil |

Table 2 - Representation of EEO Target Groups Within Levels

| | 1991/92 | | | 1992/93 | | |
|--------------------|-------------|------------|------------|-------------|----------|------------|
| | Total Staff | Women | NESB | Total Staff | Women | NESB |
| Below COI | - | - | - | - | - | - |
| COI - Grade 1 | - | - | - | - | - | - |
| A&C Grades 1-2 | - | - | - | 2 | 2 | - |
| A&C Grades 3-5 | - | - | - | 5 | 4 | - |
| A&C Grades 6-9 | - | - | - | 3 | 1 | - |
| A&C Grades 10-12 | - | - | - | 4 | - | - |
| Above A&C Grade 12 | - | - | - | 4* | - | - |
| TOTAL | Nil | Nil | Nil | 18 | 7 | Nil |

* Three staff above grade 12 are not employed within the Senior Executive service

APPENDIX 4 - CODE OF CONDUCT

CASINO CONTROL AUTHORITY

CODE OF CONDUCT

August 1993

1. INTRODUCTION

The people of New South Wales have a right to expect the business of the public sector of the State to be conducted with efficiency, impartiality and integrity.

Public employment carries with it a unique obligation to the community, and it is expected that people working in, or providing services to, the public sector should exhibit standards of professional behaviour which will maintain public confidence and trust.

The New South Wales Casino Control Authority ("Authority") which is constituted under the Casino Control Act 1992 ("Act") was established to maintain and administer systems for the licensing, supervision and control of a casino, for the purpose of:

- (a) ensuring that the management and operation of the casino remains free from criminal influence or exploitation; and
- (b) ensuring that gaming in the casino is conducted honestly; and
- (c) promoting tourism, employment and economic development generally in the State; and
- (d) containing and controlling the potential of a casino to cause harm to the public interest and to individuals and families.

In this Code, "appointee" includes a Member of the Authority (including the Chief Executive), the Director of Casino Surveillance, Casino Inspectors, permanent and temporary Members of Staff of the Authority (including persons on secondment from other public sector agencies and persons from other public sector agencies who services have been made use of), consultants to the Authority and police officers who have been made available to perform services for the Authority.

While the Code applies to appointees who perform duties, services or functions under the Act, it is also recognised that those persons may be required to comply with other statutory, regulatory or contractual obligations. Where an inconsistency arises between the provisions of this Code and some other legal or related requirement in terms of conduct, the Chief Executive of the Authority is to be notified immediately so that any potential conflict may be resolved.

2. PURPOSE OF THE CODE

The nature of the work undertaken by the Authority, and the substantial powers vested in it under the Act, means that appointees have special responsibilities to ensure that their duties are carried out with the highest standards of honesty and integrity.

The Code sets out the principles you, as an appointee, are expected to uphold, and prescribes specific conduct in areas considered central to the exercise of the functions necessary or convenient to enable the Authority to achieve its objects.

The work of the Authority could be seriously undermined if any appointee were seen to be acting in a way which the Authority itself, or responsible members of the community, would find reprehensible in any public organisation and, particularly, a public organisation with the responsibilities such as those vested in the Authority.

It is for this reason that Section 136 of the Act provides that appointees must possess the highest standard of integrity.

The Code is not intended to be exhaustive, for it must be recognised that it is not possible to address all potential situations which could impact on your integrity as an appointee or place you in a position of compromise. The Code is also not intended to be read as a set of rules where each word is scrutinised for its legal meaning. It is intended to convey in plain words the obligations placed on, and the behaviour expected of, all persons connected with the Authority and to establish a minimum standard of behaviour which should be observed by all.

The Code should also be used by you as a guide to achieve the standards of excellence in conduct and ethics expected of you as an appointee under the Act.

While the Code is intended to provide practical assistance for you when faced with ethical challenges, it is ultimately up to you to recognise the moral dimension in your work and to give proper attention to the values which should guide your actions and decisions. The Authority will provide training and advice to assist you to recognise and meet ethical challenges.

3. PRINCIPLES OF THE CODE

The key principles of the Code are as follows:

- Appointees must carry out their duties or functions under the Act impartially, with integrity and in the best interests of the Authority.
- The name and powers of the Authority must be used with restraint and with an awareness of their potential effect on organisations and on the lives of individuals. They must never be used to gain personal advantage.
- The standards of ethical behaviour and accountability which the Authority promotes in its dealings with organisations and individuals must be met by appointees under the Act.
- Appointees should establish and maintain effective relations with organisations and individuals outside the Authority.
- Discrimination and partiality, either within the Authority or in dealings with organisations and individuals outside the Authority, are unacceptable.
- The work of the Authority must not be compromised or affected by any personal interest.
- Public resources must be used efficiently, effectively and responsibly.
- The security of information and the protection of persons working with or dealing with the Authority must be assured.

Should you wish to seek clarification in relation to the above principles, or how they might be applied in practice, you should discuss them with your supervisor in the first instance who may then refer the matter to the Administration Manager or Chief Executive.

4. APPOINTMENT

You should be familiar, and act in accordance with, the provisions of the Act and Regulations and the Authority's policies as set out in circulars and operational manuals, copies of which are available from the Administration Manager.

All requirements concerning secrecy, personal and financial disclosures, security and media contact and the terms and conditions of your appointment must be followed strictly. If you perceive conflict between legislative and policy requirements and the Code, you must consult your supervisor or the Chief Executive.

As an appointee, you have undertaken:

- not to engage in personal or professional conduct which may bring the Authority into disrepute;
- to abide by the strict secrecy provisions of the Act;
- where required, to make full disclosures of your financial interests and personal particulars to the Authority. Significant changes to financial or personal status should be disclosed, when they occur, to a supervisor or the Chief Executive.

To maintain credibility, appointees must make all efforts to ensure they have no association with corruption. For this reason, failure to disclose relevant financial or other personal particulars may bring serious consequences for the Authority and the individual appointee.

5. PERSONAL AND PROFESSIONAL CONDUCT

You should carry out your duties with honesty, commitment and diligence, working to the best of your ability.

Where a decision or action is based on a statutory power, you must ensure that:

- the legislation under which the decision or action is taken authorises the taking of that decision or action;
- you have the authority or delegation to take that decision or action, or that authority has been given;
- subject to the Act, any procedures required by law have been observed;
- all relevant Authority policies and directions are followed; and
- the decision or action and the reasons for taking it are properly documented.

You have a responsibility to ensure fairness in carrying out the work of the Authority. This means that you should:

- deal with like situation in a like manner, ie. be consistent; and
- take all relevant information into consideration.

You should not act in any way which is discriminatory, and you should take care that your actions could not reasonably be regarded as discriminatory, bearing in mind that organisations or individuals may be aggrieved if a decision is not to their liking.

If you consider that you have been discriminated against within the Authority, you are encouraged raise the issue with the Administration Manager or the Chief Executive.

You should record, immediately and accurately, verbal communications on sensitive matters, and inform your supervisor if you have any special concerns.

You should not delay unnecessarily or unduly in making decisions or taking action.

You should be honest, but prudent, in your official and other dealings with colleagues and the public.

Given the nature of the Authority's statutory obligations, it is inappropriate for you to associate with a person or persons who may be known by you to be of questionable repute.

You should avoid frequent non-office association with gaming industry personnel. If you are invited to "official" engagements, whether in or out of office hours, you must obtain the prior approval of the Chief Executive before attending.

You should be aware of the need to conduct yourself responsibly and in a professional manner at all times while engaged on visits away from your normal office.

You should also be aware of your responsibilities and obligations regarding the consumption of alcohol, both at official functions and during your normal workday. You have a duty to conduct yourself professionally and responsibly. Officers consuming alcohol in these circumstances should ensure that they have proper regard to the effect it may have on their work performance, on the integrity of the Authority, and what would generally be acceptable by responsible members of the public.

If you are involved in field work in the gaming industry you must not consume alcohol during the course of your work.

You must not consume any amount of alcohol when you will, or may, be required to drive an Authority motor vehicle.

You should seek and/or offer supervision appropriate to your position and duties.

You must obey any lawful instruction by an appointee empowered to give that instruction.

The Authority's work involves close co-operation between people from different disciplines. You should make special efforts in your communication with others, providing assistance and offering explanations for your requests and advice.

You should keep up with changes within the Authority, particularly as they relate to your duties, and with relevant changes outside the Authority.

6. ACCOUNTABILITY

You are responsible for your own acts and omissions and will be held to account for them. If you are a supervisor or manager at any level, you are responsible also for the work-related acts and omissions of the appointees you supervise.

This does not mean that you will be held responsible for every minor fault of those appointees.

It means that you will be called to account for unsatisfactory acts or omissions by those appointees if they are so **serious, repeated or widespread** that you should know of them and correct them, if you are exercising the level of leadership, management and supervision appropriate to your position.

Therefore, it is your responsibility to make sure, in regard to the appointees under your leadership or direction, that they understand:

- what their job entails and what their duties are;
- how they are expected to do their job;

- what results are expected; and
- that their performance will be periodically and formally appraised.

7. USE OF OFFICIAL INFORMATION

Authority work involves access to sensitive and confidential information which may be the subject of inquiry, investigation or consultation. Section 148 of the Act prohibits disclosure, except in limited circumstances, of any information obtained in the exercise of functions under the Act. Any breach of the requirements could result in your being charged with an offence against the Act and this could result in a penalty of up to \$5,000. You should familiarise yourself with the provisions of Section 148 and discuss their operation with your supervisor should you require any further advice.

If you believe that disclosure of information is justified, you must document the details of the information and the reasons you are seeking disclosure. These should be submitted through your supervisor to the Authority and approval obtained before any disclosure is made.

You must exercise caution and sound judgment in discussing sensitive information with other appointees. It should normally be confined to those who require access to that information in order to conduct their duties, or those who can, by reason of their experience, provide useful assistance.

The Authority is entrusted by other agencies with information to assist in analytical work, inquiries, investigations or consultation. You must not access this information or use it for any purpose other than Authority work and you should advise your supervisor should you become aware of any information being used by persons in breach of relevant Acts or guidelines.

You must not use information gained in the course of your duties:

- in ways which are inconsistent with your obligation to act impartially;
- to cause harm or detriment to any person, body or the Authority;
- to gain improper advantage for yourself or for any other person or body.

Examples of the use of information for improper advantage could include:

- speculation in property or shares based on information about Government or Authority decisions or the affairs of a company;
- swapping confidential information with officers of other organisations;
- taking advantage for personal reasons of another person or organisation on the basis of information about that person or organisation held by the Authority;
- providing information from official records to any person outside the Authority for reasons not directly related to the work of the Authority or authorised by the Authority.

8. PUBLIC COMMENT

While appointees, as members of the community, have the right to make public comment and to enter into public debate on political and social issues, there are some circumstances in which public comment (comment which might be expected to be disseminated to the community at large) is inappropriate.

The Authority's Media Policy requires that you refer all media enquiries to the Chief Executive or, in his absence, the Chairperson of the Authority.

Except when making authorised comment, discussions about the Authority's work, or personal opinions in respect of relevant Government policy should be confined to material which is in the public domain. You should ensure that others are aware that you are discussing only material in the public domain, which includes published reports of investigations, annual reports, public relations material, transcripts of public hearings, media releases, and public addresses.

No comment should be made about any other material relating to the work of the Authority unless permission has been given by the Chief Executive. If you are uncertain as to whether information is in the public domain you must consult the Chief Executive. By way of example, you must not:

- comment, either to members of the public or the media, on any matter which may be the subject of investigation. If you receive an inquiry on this type of matter you

should neither confirm nor deny that any action is taking place and refer the inquiry to the Chief Executive; or

- disclose the identity of any complainant unless authorised by the Authority.

Expressing personal views about the Authority's work which might adversely affect its reputation or the exercise of its functions may lead to disciplinary action. If you are aware that comments you have made socially or inadvertently may be used to undermine or damage the Authority's work you should notify your supervisor or the Chief Executive immediately.

9. FINANCIAL AND OTHER PRIVATE INTERESTS - DISCLOSURE AND CONFLICTS/INCIDENTS

Appointees will have made a disclosure of personal particulars prior to being formally appointed.

To ensure that the Authority's work is impartial, and is seen to be so, there must be no opportunity for your personal interests, associations and activities (financial or otherwise) to conflict with the proper exercise of your duties.

You must submit, in writing, the details of any major changes in your personal particulars and (if you have made a financial disclosure) the financial interests of yourself, your partner, a dependent child or close associate. You should consult the Chief Executive if you are unsure of what matters you should disclose. The purchase of assets valued at over \$5,000 is an example of a major change as is the receipt of moneys totalling more than \$5,000 in addition to your normal remuneration in any one year.

If, in the course of your duties, you encounter information or an incident occurs which involves people, organisations or activities in which you have, or had, a personal interest in or association with, you must make a written disclosure to the Administration Manager or the Chief Executive. A decision will be made whether the matter represents a conflict of interest and whether your involvement with it should cease.

If you are in doubt whether to disclose a change in financial or personal circumstances or a potential conflict of interest, you should consult the Administration Manager or the Chief Executive.

As a general rule, disclosure is always preferable for it is confidential and can do no harm, whereas a great deal of damage may be done if you have not made disclosure of an interest, association or activity which may embarrass the Authority.

There are many possible circumstances where a conflict of interest could arise. You have the responsibility to be aware of possible conflicts and bring them to the Authority's attention so that an informed decision can be made about what action to take. You should ensure that you bring the information or occurrence to the Authority's attention as soon as possible after its occurrence.

Some examples are given below, but you should not regard this as an exhaustive list:

- an inquiry or investigation involves a close relative or work colleague, or a company in which you recently had an interest;
- you are involved in calling tenders or organising the purchase of supplies, and you find that a close friend or relative is one of the tenderers or suppliers; or
- an inquiry or investigation relates to a political figure or political party and you are a member of that party or an opposing political party.

You should not promote to the public or others:

- particular brands of industry products (eg. Approved Amusement Devices, poker machines or other gaming devices or equipment); or
- particular industry service providers.

10. PUBLIC RESOURCES

Public resources include financial, material and human resources. All should be used effectively, without waste and for the work of the Authority.

The financial resources of the Authority are allocated under the Public Finance and Audit Act 1983, and appointees are bound by the Treasurer's Directions issued under that Act. Procedures for the purchase of stores and equipment are conducted according to Authority policy established by the Administration Manager.

You must be authorised to incur expenditure on behalf of the Authority and you must adhere to relevant guidelines, regulations and policy.

Equipment/Stores

You must not obtain, or permit the use of, any stores items (eg. stationery, furniture) for a purpose which is unrelated to the work of the Authority.

You must not use your work time, or the Authority's resources, for private purposes. However, there are some reasonable exceptions to this rule. For example:

- you may use the phone for private calls, if they are short, infrequent and do not interfere with work;
- you may send or receive facsimile messages providing they are infrequent and do not interfere with work;
- you may, with a supervisor's permission, use Authority resources (such as computer equipment) for approved personal purposes; and
- you may add your mail to the Authority's for posting, but you must not ask anyone to make a special trip for you. You must provide the stamp.

You should exercise care when using equipment, and follow the service requirements to ensure good condition is maintained.

Some equipment is shared by a number of appointees. You should be aware of competing priorities and ensure that your use of the equipment does not needlessly limit access by others. You should not assume that your work has priority simply because you are in a hurry.

When using Authority equipment for authorised private purposes, you must ensure:

- you use it only in your own time;
- the equipment is secure and properly cared for;
- your use does not prevent colleagues from doing their work; and

- you provide consumables, for example - paper.

Vehicles

Authority vehicles should be used efficiently and economically in the course of your duties and in accordance with Authority and Public Sector guidelines. Authority vehicles should only be used for official business unless approval has been given for private use. Official use may include overnight garaging at your home.

Members of your family should not drive an Authority vehicle unless the terms and conditions of your appointment permit its private use.

Credit Cards

You must not use Credit or other Charge Cards issued by the Authority for your own personal use.

11. SECURITY

Security of information and premises is vital to the Authority's effectiveness and to the personal safety of all appointees.

You should ensure that you are familiar with, and follow, security procedures for handling and disposing of information and for access by appointees and visitors to the Authority's premises. These and other security procedures are contained in the Authority's Protective Security Program available from the Administration Manager. If you are unsure of procedures on any occasion, you should consult the Administration Manager.

The removal of documents and information, including Authority files, from the Authority's premises is permitted only in accordance with the Protective Security Program. Where it is not possible to seek permission to remove documents or information, materials must not be removed.

12. BRIBES, GIFTS, BENEFITS, TRAVEL AND HOSPITALITY

If you believe yourself or a colleague to have been offered a bribe you must provide a detailed written report to the Chief Executive immediately upon your becoming aware of this.

You **must never solicit** any money gift or benefit, travel or hospitality and you must never accept any offer of money.

Accepting gifts or benefits could seriously damage the Authority's position. It is vital that:

- the impartial exercise of the Authority's functions not be influenced in any way; and
- the appearance not be created that any person or body is securing or attempting to secure the influence or favour of the Authority or any appointee.

As a general rule, you should decline offers of gifts, benefits, travel or hospitality (accommodation, meals or entertainment). Appointees who agree to speak officially at functions should, where possible, notify their hosts that it is inappropriate to offer gifts or rewards.

There may be rare occasions when refusing a gift or other benefit would be perceived as rude or offensive and these occasions require that you exercise sound judgment. For example:

- You must decline any offer from an individual or organisation you know to be the subject of an investigation by the Authority, or the subject or originator of a complaint or report to the Authority.
- You must decline any offer which is individually targeted and not available to colleagues or associates who share a common task and purpose. For example, you may accept a modest lunch which is offered to a working group, but should pay for your own when you are the only person to whom an offer is made.
- You may accept an item which relates to the work of the Authority, such as a book on a relevant topic, but you must refuse items which are unrelated to your work for eg., travel or sporting goods.

- You may accept a gift, benefit, travel or hospitality only if it is of a token kind, and when to refuse would be unnecessarily rude.

Do not destroy evidence of unsolicited gift-giving. The evidence may be important.

You should ensure that your partner, dependent children and other close personal associates understand these requirements.

If you have been offered or have received a gift, benefit, travel or hospitality you should inform your supervisor as soon as possible. Supervisors should then ensure that the Chief Executive is made aware of any offers which are substantial, financially or materially, or which may be seen to compromise impartiality.

The ICAC provides clear and useful guidance for public servants who find themselves in such situations.

The ICAC "Report on Investigation into Sutherland Licensing Police" (February 1991 ISBN 0 7305 8358 9) discusses the issue of gratuities. It states (pages 62-63):

"It will suffice for the purposes of this general discussion to say that no police officer, or other public official, should ever accept a gift which could be construed by a member of the public, knowing the full facts, as intended or likely to cause the officer concerned to do his or her job in a particular way, or deviate from the proper course of duty. It will be as bad if the benefit - gift, hospitality, or whatever could be looked on as a reward for having given assistance above or beyond the call of duty.

The test must be the appearance of the thing, not the actuality: the fact the individual officer does not do any favours is hardly to the point. Apart from anything else, that is a matter very difficult to assess, and sometimes denials are hard to believe. Another consideration is that police officers, like all public servants, should never expect to get anything extra for doing their jobs. That is what they are paid for. "

In every instance where you receive a gift or concession, you must inform your supervisor, and the gift or concession must be returned to the sender with a courteous letter explaining the Authority's policy unless Government protocol suggests that the gift be accepted eg. refer to Annexure B for a standard reply you can use in these situations.

13. LAWFUL ORDERS

Appointees must be responsive to changes in Authority policies and priorities.

When faced with having to implement a policy that is at variance with your own view, you should discuss the matter with an appropriate officer, depending on the nature of the matter, to resolve the issue. If resolution is not possible, you may consider requesting transfer to another post in which the conflict does not arise or, as a last resort, terminating your appointment.

If you are concerned about the propriety of any request, direction or order given to you by your supervisor, you must so inform that person and request that a ruling on the matter be given by the Chief Executive.

14. POLITICAL PARTICIPATION

You need to ensure that your participation as a member of the public in any political matters does not bring you into conflict with your primary duty as an appointee under the Act to serve the Authority in a politically neutral manner. This is important in order to maintain public confidence in the impartiality of the advice given, and actions taken, by appointees and the Authority.

Determining what is appropriate in any particular case will depend on the extent of the participation of the appointee, the nature of the issue, and the position held by the appointee.

If you become aware that a potential conflict has arisen, or is likely to arise, you must inform the Chief Executive immediately to discuss how the matter may be resolved.

15. OUTSIDE EMPLOYMENT

If you are appointed as a member of staff of the Authority and you are employed or are considering employment outside the Authority on any basis - full-time, part-time, casual or honorary - you must seek the approval of the Chief Executive. Approval will be withheld where the outside employment could compromise your position or your work. You are also reminded of the provisions of sections 146 and 147 of the Act which restrict the employment of appointees designated as key officials under the Act.

16. CONTACT WITH FORMER APPOINTEES

You should not offer to former appointees any assistance that you would not offer to any other member of the public. Such associations have the potential to lead to conflicts of interest, whether perceived or real.

17. CORRUPT CONDUCT

"Corrupt conduct", as defined by the Independent Commission Against Corruption (ICAC) Act 1988, covers a range of issues. It broadly includes any dishonest or improper use of position by a public official and specifically includes the misuse of information or material acquired in the course of official duties. This also applies if the information or material is misused when the person is no longer a public official.

The definition also includes conduct by anyone which might directly or indirectly interfere with the carrying out by a public official of his or her functions. That conduct might involve any of a variety of matters including, for example, official misconduct, bribery or violence.

18. REPORTING REQUIREMENTS - CORRUPT CONDUCT AND COMPLAINTS AGAINST STAFF

The prompt reporting of suspected corrupt conduct is an essential part of eliminating corruption.

Under Section 11 (2) of the Independent Commission Against Corruption (ICAC) Act 1988, the Chief Executive of the Casino Control Authority has a duty to report to the Commission any matter that he or she suspects on reasonable grounds concerns or may concern corrupt conduct.

If you become aware of, or suspect, corrupt conduct on the part of an organisation, a member of the public or another appointee you must report this matter to the Chief Executive.

A further option is for you to report the matter direct to the ICAC.

All reports of suspected corrupt conduct will be investigated and appropriate action taken. It will not always be possible, to disclose the details of all investigations. However, you are entitled to know the outcome.

It is stressed that in all cases reported to the Chief Executive, or direct to the ICAC, the identity of the appointee providing the information will be kept confidential.

The appointee who makes a complaint or reports information shall be treated fairly and without discrimination or prejudice.

A separate set of guidelines (Annexure A) is attached for all appointees to follow when reporting suspected corrupt conduct. You should refer to these guidelines if any doubt exists as to the appropriate action to follow.

You must notify the Administration Manager of any complaint made against an appointee. The Administration Manager will report to the Chief Executive in respect of each matter. Any matter requiring investigation will be allocated to the Administration Manager. The Administration Manager will report back to the Chief Executive who will review the report and decide what further action is to be taken if any. Serious complaints may be referred to a person from outside the Authority for investigation.

19. RESPONSIBILITIES OF FORMER APPOINTEES

In accordance with the relevant general terms and conditions of your appointment, you must not, without the permission of the Authority:

- make public or otherwise use any confidential knowledge or information gained as a consequence of your appointment; or
- distribute, publish, mail or otherwise permit to go out of your possession any confidential information gained as a direct or indirect result of your appointment.

At the end of your appointment with the Authority, you must return any documents or items which relate to the Authority's work and which are not otherwise publicly available.

You are reminded that the provisions of the Act relating to appointees who are designated as key officials also apply for former appointees.

20. SANCTIONS

Sanctions may be applied if you are involved in:

- unacceptable behaviour, either in the course of your duties or in your private life;
- unsatisfactory performance of duties;
- breaches of the code of conduct;
- actions which can be prosecuted as breaches of the Act or any other relevant legislation.

The sanction/s to be applied will depend on how serious and/or repeated breaches are considered to be. They may include:

- counselling by your supervisor or, in extreme cases, by the Chief Executive;
- a record of behaviour being documented and placed on your file;
- deferment or non-payment of salary increment;
- not being recommended for further term of appointment;
- termination of secondment;
- cancellation of contract where the appointee is a consultant to the Authority;
- dismissal;
- prosecution.

For example, an appointee who is a member of staff of the Authority may be counselled by a supervisor for inadvertently giving confidential information to the media. An appointee who is a member of staff may be dismissed for knowingly leaking confidential information to the media. The Authority will not necessarily give a reason for terminating employment.

This provision will not be taken lightly by the Authority, and is likely to be used only for serious cases of gross inefficiency, for misconduct or where a substantial security risk is evident.

In cases where no reason has been given for dismissing an officer of the Authority, you should discount any rumours you may hear, and positively discourage their circulation within or outside the Authority.

CHIEF EXECUTIVE'S DIRECTION
REPORTING OF POSSIBLE CORRUPT CONDUCT
BY APPOINTEES UNDER THE CASINO CONTROL ACT 1992

Requirement for the Chief Executive to report any possible corrupt conduct

Because of the nature of the work undertaken by the Authority, appointees have special responsibilities to ensure that the various activities are undertaken with the highest standards of integrity, free of any hint of corrupt conduct.

Any form of corrupt conduct will not be tolerated in this Authority, nor is it acceptable to allow any situation to develop which might foster such behaviour.

As well as my personal commitment to the integrity of the Authority, I have a duty under the Independent Commission Against Corruption (ICAC) Act to report all cases of suspected corrupt conduct to the ICAC. To meet that obligation, it is essential that I be informed of any situation which might raise the suspicion of corrupt conduct.

The prompt reporting of suspected corrupt conduct by appointees is a vital part of the fight against corruption. Appointees are strongly urged to report any activity which they consider may involve any degree of corrupt behaviour.

I wish to emphasise that any appointee bringing a suspicion of corrupt conduct to my attention is not required to draw a conclusion, make a value judgment or undertake any preliminary investigation into the circumstances of the case. Appointees should simply report the facts as known to them.

What is corrupt conduct?

"Corrupt conduct" as defined by the ICAC Act covers a range of issues. It broadly includes any dishonest or improper use of **position** by a public official and specifically includes the misuse of **information or material** acquired in the course of official duties. This applies even if the information or material is misused when the person is no longer a public official.

The definition also includes conduct by anyone which might directly or indirectly interfere with the carrying out by a public official of his or her functions. That conduct might involve any of a variety of matters including, for example, official misconduct, bribery or violence.

Mechanism for reporting any possible corrupt conduct

1. An appointee who is aware of or suspects corrupt conduct on the part of some other appointee should report this matter to the Administration Manager who shall be responsible for informing me.
2. Appointees with any concern about reporting to the Administration Manager may alternatively report directly to me.
3. A further option is for the appointee to report the matter directly to the ICAC.

4. I stress that reports must be timely. Notification must be immediate or, if not, as soon as possible after the event.
5. An initial report of suspected corrupt conduct may be made verbally. However this must be followed by a **written** report, in which the appointee provides a summary of circumstances.
6. All reports of suspected corrupt conduct will be investigated. It will not always be possible, however, to disclose the results of all investigations undertaken.
7. It is preferred that complaints are not made anonymously. Anonymous complaints may be difficult to investigate if further information is required. Nevertheless, such complaints will receive proper consideration.
8. All appointees may be assured that with regard to any report made either to me or directly to the ICAC, the identity of the appointee providing the information will be kept confidential.

I stress that all appointees who report suspected corrupt conduct will be treated fairly and will not suffer any prejudice by making complaints or reports. Protection will be given against reprisals from within the organisation.

If an appointee believes he or she has been the subject of victimisation following making a report of suspected corrupt conduct, they may report that occurrence to the person to whom the report was originally made, or to me.

All appointees should note that any victimisation or retaliation prompted by the making of such a report will be regarded most seriously and disciplinary action will be taken against the person or persons responsible.

Ms J Bloggs
Promotions Promoter
XYZ Promotions
100 Freebies Road
SYDNEY NSW 2000

Dear Ms Bloggs

I refer to your recent visit to the Authority at which time you provided a gift of XYZ products as a token of appreciation for the service provided to your organisation.

I acknowledge that the provision of such gifts is widely undertaken by many commercial enterprises and that it is common practice in private business to offer complimentary services.

However, you may not be aware that the Authority's Code of Conduct contains a strict policy of refraining from accepting gifts. This policy is not intended to reflect on any person or organisation or to cause any offence. I trust that you will understand our position and that you will accept the return of the gift without embarrassment.

Thank you for the thought expressed by the provision of the gift and I can assure you that the good service you have come to expect of the Authority will continue to be provided.

Yours sincerely

J J Smith
Supervisor

Date

APPENDIX 5 - SENIOR EXECUTIVE SERVICE (SES) PROFILE

Number of CES Positions

| Level | Total CES | Number of CES/SES Positions Filled by Women |
|--------------|------------------|--|
| 8 | - | - |
| 7 | - | - |
| 6 | - | - |
| 5 | - | - |
| 4 | - | - |
| 3 | 1 | - |
| 2 | - | - |
| 1 | - | - |
| Total | 1 | Nil |

APPENDIX 6 - GUARANTEE OF SERVICE

GUARANTEE OF SERVICE

The Authority has not yet prepared a formal guarantee of service and does not expect to do so until mid 1994 when a clearer picture of its likely client base develops.

As the Authority is essentially a regulatory body it expects its ultimate client base to be made up as follows:

- those individuals who visit the casino complex;
- the casino operator;
- employees of the casino operator, or others, licensed by the Authority; and
- persons and organisations who supply goods and services to the casino complex.

In its current role the Authority does not, therefore, have clearly defined clients.

PUBLIC CONSULTATION

The Authority has instituted processes to involve the public in the casino project, for example:

- public submissions were invited during the preparation of the "Report on the Location, Size and Style of the New South Wales Casino";
- representatives of the Authority have provided briefings to persons or groups with particular interest in the casino project such as members of the New South Wales Parliament, the Sydney City Council and Central Sydney Planning Committee;
- representatives of the Authority have attended public meetings and industry forums to provide information about the casino project;
- the Authority has kept the general public informed of progress through press releases;
- the Invitation Document prepared by the Authority when it invited expressions of interest in the casino project was distributed to a large number of individuals and organisations;

- the Authority has put in place a range of procedures to ensure that individuals and organisations with which it interacts receive quality service. For instance, it is Authority policy that **all** correspondence receives a definitive reply within 10 working days of receipt and follow-up mechanisms exist to ensure the policy is put into effect. Senior members of the Authority's staff are accessible and all enquiries are dealt with by staff members who are in a position to provide clear advice or provide a comprehensive briefing or decision as the case may require; and
- As the casino project progresses, the Authority will develop a range of mechanisms designed to ensure that appropriate consultation is maintained with the community and the casino gaming industry.

APPENDIX 7

RISK MANAGEMENT AND INSURANCE

The Authority is a participant in the NSW Treasury Managed Fund which is covering the general insurance areas of workers' compensation, motor vehicles, property, etc.

The Authority has no claims history which is due, in part, to sound risk management practices and the period that the Authority has been in operation. Responsibility for risk management lies with the Administration Manager who reports direct to the Chief Executive on matters of an operational nature. The Commercial Manager and Project Development Manager report to the Chief Executive on risk management matters relating to the casino project.

ACCOUNT PAYMENT PERFORMANCE

The Authority relied on the support of the Chief Secretary's Department for accounting and financial services during the 1992/93 financial year. Details of account payment performance are therefore included in the Annual Report for 1992/93 prepared by the Chief Secretary's Department. The Authority will assume responsibility for all of its accounting functions in the 1993/94 financial year. The accounting and financial support provided by the Chief Secretary's Department was, in the Authority's view, of a high quality in terms of professionalism and timeliness.

Only two instances of payment being made beyond 30 days were brought to the Authority's attention and both of these instances were the direct result of creditors invoicing practices.

APPENDIX 8 - FOI STATEMENT OF AFFAIRS

The Charter, Functions and Structure of the Authority appear in Sections 1 and 3 of this Annual Report.

ARRANGEMENTS FOR PUBLIC PARTICIPATION

The Authority is a body established to maintain and administer systems for the licensing, supervision and control of a casino.

The public has been invited to participate in the Authority's processes. During development of the Report on the Location, Size and Style of the New South Wales Casino public submissions were invited.

As previously indicated in the Report (see Appendix 6), it is highly probable that the Authority will seek public submissions from time to time on major issues impacting on casino gaming in New South Wales.

The Authority does not currently have face to face contact with the public at large, nor does it have a clearly defined client base at this stage. Apart from inviting public comment on major issues there are no formal public consultative mechanisms in place, although the Authority is in the process of developing those mechanisms for implementation in the future.

EFFECT OF FUNCTIONS ON MEMBERS OF THE PUBLIC

The Authority has a statutory object to contain and control the potential of a casino to cause harm to the public interest and to individuals and families.

Given the Government's decision to have a casino it is the Authority's intention to ensure it consults widely with the community on matters relating to casino gaming and the public interest.

CATEGORIES OF DOCUMENTS

The Authority currently holds the following categories of documents:

Project Records

These are documents relating to the casino and associated development, and include such things as site conditions, statutory requirements, design parameters and consortia detail. Some of these documents are regarded as falling within the ambit of Section 148(7) of the Act and are not available for inspection.

Administration Records

These are documents related to the Authority's day-to-day operations and include operational records, various policy and procedural matters and records of accounting transactions.

Members of the public may contact the Authority to ascertain which of the documents held by the Authority may be available under Freedom of Information legislation.

As the Authority may incur some costs in these matters it is possible that a small fee, in addition to the application fee, could be charged for the provision of information.

FOI PROCEDURES

Formal requests made under the Freedom of Information Act for access to documents held by the Authority should be accompanied by a \$30 application fee and addressed to:

The Chief Executive
Casino Control Authority
Level 17
309 Kent Street
Sydney NSW 2000

(GPO Box 3970, Sydney NSW 2001)

FOI Enquiries should be directed to telephone number 392 2333

The Authority's office hours are 9.00 am to 5.00 pm Monday to Friday.

PUBLICATIONS

The Authority has two documents available to members of the public in addition to this Annual Report. The documents are:

- Report on the Location, Size and Style of the New South Wales Casino - cost is \$75 per copy.
- Invitation Document, The Sydney Casino, Australia (until stocks are exhausted).

FREEDOM OF INFORMATION REQUESTS IN 1992/93

The Authority has not received a request for information under the Freedom of Information Act.

APPENDIX 9 - CONSULTANTS

The Authority engaged the following consultants in 1992/93

Consultancies costing in excess of \$30,000

| | | | |
|---|---------------------------------|-------------------|--------------|
| • | Deloitte Touche Tohmatsu | Casino Project | \$46,249.00 |
| • | Butler Smith Madden | CCA office fitout | \$50,444.00 |
| • | Clayton Utz | Casino Project | \$413,554.00 |
| • | County Natwest | Casino Project | \$38,935.00 |
| • | Jackson Teece Chesterman Willis | Casino Project | \$30,905.00 |

| | |
|--|---------------------|
| Fourteen Consultants costing less than \$30,000 | \$155,980.00 |
|--|---------------------|

APPENDIX 10 - RECOMMENDATIONS CONTAINED IN REPORT ON LOCATION, SIZE AND STYLE OF THE NEW SOUTH WALES CASINO

SECTION 3 - SIZE OF THE CASINO

The Authority recommends that the maximum number of gaming tables in the casino be limited to 200, subject to review from time to time.

SECTION 4 - CASINO GAMES

The Authority recommends that:

- The issue of Keno being available in the casino should be determined by discussions between the club industry and the casino operator.
- Subject to consultation and agreement between the casino operator and the TAB, the casino complex should contain a TAB facility.
- Slot machines (gaming devices) should be permitted in the casino.
- The ratio of slot machines (gaming devices) to gaming tables in the casino should be 7.5:1, subject to review from time to time.

SECTION 5 - STYLE OF THE CASINO

The Authority makes the following general recommendations as to the style of the casino:

- The casino should not be one large, open gaming hall. It should incorporate a range of areas to provide patrons with a changing perspective and a sense of intimacy.
- The casino should provide a relatively sophisticated atmosphere without exuding an elitist ambience and should be clearly differentiated from gaming areas available in registered clubs and hotels. Dress standards should apply.
- Provision should be made for one or more private gaming areas for "high rollers", "club" members and invitees. These areas might be characterised by higher dress standards (where considered appropriate), higher table limits and fine dining.

- Substantial provision should be made to ensure that casino visitors may relax in comfort in and away from gaming areas. A range of food and beverage facilities, including fine dining and cocktail/piano bars as well as basic bistro/cafe/hotel bars, should be provided. Provision should be made for those persons who wish to visit the complex and use certain of its facilities without being penalised by a price premium.
- Movement of casino visitors, including disabled visitors and others, around the casino should be made as easy as possible given the potential number of persons in the complex at peak times.
- Entry to the casino should be designed so as to avoid the possibility of non-casino visitors to the complex being required to pass through or past casino entry points. The casino may be linked to, but its entrance(s) must be separate from, the balance of the complex.

SECTION 6 - SIZE AND STYLE OF ASSOCIATED DEVELOPMENT

The Authority recommends that:

- The complex must be developed on the basis that it will be regarded as a landmark building and, in this context:
 - should be developed as a component of an integrated international resort style complex;
 - should take advantage of views available to Sydney Harbour and the city;
 - be designed so as to provide facilities which are open, light and airy;
 - should deal sensitively with impact on surrounding development and minimise noise or other potential environmental impacts;
 - the complex should be contained in a building envelope of outstanding architectural merit which takes account of the climate of the city and its cultural diversity and sophistication.
- The complex should include:
 - an international hotel in the range of 600 rooms, suites or a combination of equivalent accommodation facilities which would cater adequately for international and domestic tourists and which might be developed on a staged basis;
 - conference/convention facilities;

- cultural/entertainment facilities;
- a range of food and beverage facilities designed to meet the needs of expected visitors to the complex;
- sporting and recreational facilities such as swimming pools, health centres, gymnasium, tennis courts, etc; and
- retail facilities of a standard and size to cater for the likely market.

SECTION 7 - TRAFFIC AND TRANSPORT

Advice on transportation issues provided to the Authority leads to the following conclusions and recommendations:

- On-site car parking requirements should be able to accommodate 2,000 to 3,000 cars. Exact numbers will be a matter for the developer/operator but will need to take account of relevant statutory and other governmental requirements.
- On-site car parking should preferably be able to be located below ground.
- The developer/operator will be required to make arrangements with the operators of surrounding car parks in order to cater for overflow from the casino complex.
- The complex should be serviced by as many modes of transport as are feasible and these services should ideally operate on an extended basis.
- Substantial on-site porte cochere kerb space for taxis, together with an off-site feeder rank are required. Porte cocheres should also provide for cars to pick up and set down.
- Substantial set down pick up and parking facilities are required for coaches/buses.
- Access to the complex by pedestrians should be safe and convenient and preferably undercover.
- Management systems would be required to be put in place in order to deal with traffic flow and related issues which might affect the amenity of surrounding areas.

SECTION 9 - CASINO LOCATION

The Authority recommends that the Pymont Power Station be selected as the site for the proposed Sydney casino.

SECTION 10 - TEMPORARY CASINO

The Authority recommends:

- that the Government agree to a temporary casino being developed prior to the opening of the permanent Sydney casino; and
- that the Authority be directed to report on the location, size and style of a temporary casino at the time it selects the preferred developer/operator of the permanent casino.

**APPENDIX 11 - MINISTERIAL DIRECTIONS
AND GOVERNMENT PREFERENCES
CASINO CONTROL ACT 1992**

MINISTERIAL DIRECTIONS CURRENT AS AT 13 MAY 1993

The following Ministerial directions to the Casino Control Authority under the Casino Control Act 1992 are current as at 13 May 1993:

Section 7(1) directions

- (1) The permissible location for a casino is the Pymont Power Station site.
- (2) The casino is required to be of a size sufficient to permit:
 - the maximum number of gaming tables in the casino being limited to 200, subject to review from time to time;
 - Keno being available in the casino, subject to agreement between the appropriate licensees under the Lotto Act 1979 and the casino operator;
 - a TAB facility, subject to agreement between the casino operator and the Totalizator Agency Board;
 - slot machines (gaming devices).
- (3) The required style of the casino is to reflect the following:
 - The casino should not be one large, open gaming hall. It should incorporate a range of areas to provide patrons with a changing perspective and a sense of intimacy;
 - The casino should provide a relatively sophisticated atmosphere without exuding an elitist ambience and should be clearly differentiated from gaming areas available in registered clubs and hotels;
 - Provision should be made for one or more exclusive gaming areas for major patrons. These areas might be characterised by higher dress standards (where considered appropriate), higher table betting limits and fine dining;

- Substantial provision should be made to ensure that casino visitors may relax in comfort in and away from gaming areas. A range of food and beverage facilities, including fine dining and cocktail/piano bars as well as basic bistro/cafe/hotel bars, should be provided. Provision should be made for those persons who wish to visit the complex and use certain of its facilities without being penalised by a price premium;
 - Movement of casino visitors, including disabled visitors and others, around the casino should be made as easy as possible given the potential number of persons in the complex at peak times;
 - Entry to the casino should be designed so as to avoid the possibility of non-casino visitors to the complex being required to pass through or past casino entry points. The casino may be linked to, but its entrance(s) must be separate from, the balance of the complex.
- (4) The development required to take place in conjunction with the establishment of a casino should encompass the following:
- The complex must be developed on the basis that it will be regarded as a landmark building and, in this context:
 - * should be developed as a component of an integrated international resort style complex;
 - * should take advantage of views available to Sydney Harbour and the city;
 - * be designed so as to provide facilities which are open, light and airy;
 - * should deal sensitively with impact on surrounding development and minimise noise or other potential environmental impacts;
 - * the complex should be contained in a building envelope of outstanding architectural merit which takes account of the climate of the city and its cultural diversity and sophistication;
 - * the complex may be developed on a staged basis, with the casino being established initially.

- The complex should include:
 - * an international hotel of approximately 600 rooms, suites or a combination of equivalent accommodation facilities which would cater adequately for international and domestic tourists and which might be developed on a staged basis;
 - * conference/convention facilities;
 - * cultural/entertainment facilities;
 - * a variety of food and beverage facilities designed to meet the needs of expected visitors to the complex;
 - * sporting and recreational facilities such as swimming pools, health centres, gymnasium, tennis courts, etc; and
 - * retail facilities of a standard and size to cater for the likely market.
- On-site car parking facilities should be able to accommodate 2,000 to 3,000 cars. Exact numbers will be a matter for the developer/operator but will need to take account of relevant statutory and other governmental requirements.
- On-site car parking should preferably be able to be located below ground.
- The developer/operator is to be encouraged to make arrangements with the operators of surrounding carparks in order to cater for overflow from the casino complex.
- The complex should be serviced by as many modes of transport as are feasible and these services should ideally operate on an extended hours basis.
- Substantial on-site porte cochere kerb space for taxis, together with an off-site feeder rank are required. Porte cocheres should also provide for cars for pick up and set down.
- Substantial set down, pick up and parking facilities are required for coaches/buses.
- Access to the complex by pedestrians should be safe and convenient and preferably under cover, and

- Management systems will be required in order to deal with traffic flow and related issues which might affect the amenity of surrounding areas.

Section 8(2) directions

Slot machines are available in a casino at the maximum ratio of 7.5 machines for each gaming table and on the following basis:

- * the maximum number of gaming devices in any temporary casino will be 500;
- * the total number of gaming devices in the permanent casino will be limited to 500 until such time as a central monitoring system is developed and installed to the satisfaction of the Authority and the Director of Casino Surveillance;
- * after the installation of the central monitoring system, the casino operator be allowed to move from 500 gaming devices up to 1,500 gaming devices;
- * the casino gaming devices will:
 - be the same type of devices with the same range of games as operated by clubs registered in accordance with the Registered Clubs Act 1976;
 - be "coin of the realm" devices of the same denomination as devices available to registered clubs;
 - have the same bet limits and prize limits as devices available to registered clubs;
- * gaming devices on which player interactive draw poker, or some other player interactive game derived from draw poker, will not be permitted in the casino.

Section 9 directions

The Authority is to publicly invite expressions of interest for the establishment and operation of a casino in accordance with the foregoing directions.

Section 10 directions

The Authority is to publicly invite applications for a casino licence in accordance with the foregoing directions under sections 7 and 8.

CASINO CONTROL ACT 1992

GOVERNMENT PREFERENCES CURRENT AS AT 13 MAY 1993

The following Government preferences in relation to the Sydney casino are current as at 13 May 1993:

Temporary Casino

The Government's preference on this issue is as follows:

- * that provision be made for a temporary casino to be established;
- * that the temporary casino be located in or near to the Sydney CBD;
- * that the specific site for the temporary casino be decided by the Casino Control Authority in consultation with the selected operator and the appropriate planning consent/approval bodies;
- * that the selected operator be responsible for obtaining all necessary consents and approvals for the temporary casino;
- * that the operator be able to nominate a crown site or a privately owned site;
- * that the size of the temporary casino be up to a maximum of 100 gaming tables and a maximum of 500 slot machines, subject to the capacity of the proposed site and its environment;
- * that the Authority require a contractual obligation from the operator to ensure that the temporary casino does not operate for longer than the minimum period necessary to establish the permanent casino; and
- * that the temporary casino close immediately prior to the permanent casino commencing operations.

Exclusivity of casino licence

It is the Government's wish that the Authority enter into an exclusivity agreement with the selected casino operator which would provide that the Government will not sponsor or support legislation to permit more than one casino in New South Wales for a defined period of time from the commencement of casino gaming operations. The Government has agreed that this agreement should be binding on the Crown.

The exclusivity agreement should include terms giving effect to the following:

1. the exclusivity be for the conduct of casino gaming in New South Wales;
2. the geographic area for exclusivity be "whole of State";
3. the period of exclusivity be 12 years;
4. the exclusivity agreement include provision for compensation for "loss of profit" only should the Government breach the agreement;
5. the agreement be conditional upon the operator meeting performance criteria, to be specified in the agreement, during the exclusivity period; and
6. the agreement should provide for the resolution of any matter in dispute between the parties.

It is desirable that the Authority refer to the exclusivity arrangements in the documentation provided to persons or organisations expressing interest in the establishment and operation of a casino, and to persons or organisations applying for the casino licence. The agreement will, in due course, require Ministerial approval under section 142 of the Act.

APPENDIX 12 - COMPLIANCE INDEX

This index is designed to identify compliance with statutory disclosure requirements in accordance with Treasury Circular No. 9 of 18 May 1993, and other disclosure requirements.

Annual Reports (Statutory Bodies Act) 1984

| <u>Reference</u> | <u>Detail</u> | <u>Page</u> |
|-------------------------|--------------------------------------|--------------------|
| S 7(1)(a)(i) | Financial Statements | 19 |
| S 7(1)(a)(ii) | Auditor General's opinion | 19 |
| S 7(1)(a)(ia) | Response to Auditor General's report | N/A |
| S 7(1)(a)(iii) | Detailed budget 1992/93 | 19.2 |
| S 7(1)(a)(iii) | Outline budget 1993/94 | 20 |
| S 7(1)(a)(iv) | Report of Operations | 11 |
| S 9 | Nature of Report of Operations | Complies |
| S 9(1)(a) | Charter | 4 |
| S 9(1)(b) | Aims and Objectives | 6 |
| S 9(1)(c) | Access | 21 |
| S 9(1)(d) | Management and Structure | 7 |
| S 9(1)(e) | Summary Review of Operations | 11 |
| S 9(1)(f) | Legal change | N/A |
| S 9A | Letter of submission | Complies |
| S 13(5) | Extensions of time | N/A |

Annual Reports (Statutory Bodies Act) Regulation 1985

| <u>Reference</u> | <u>Detail</u> | <u>Page</u> |
|-------------------------|---|--------------------|
| c 3(a)&(b) | Material adjustments to budget | 20 |
| c 3B | Unaudited information distinguished | 2, 19, 19.16 |
| c 3C | Identification of audited financial information | 2 |
| c 4(1)(a) | Charter | 4 |
| | • manner of establishment and purpose of the organisation | 4 |
| | • principal legislation administered | 4 |
| c 4(1)(b) | Aims and Objectives | 6 |
| | • goals of the organisation | 6 |
| | • range of services provided | 53 |
| | • clientele/community served | 53 |

| | | |
|-------------------|--|--------------|
| c 4(1)(c) | Access | 21 |
| | • address of principal office | 21 |
| | • telephone number of principal office | 21 |
| | • business and service hours | |
| c 4(1)(d)(i)&(ii) | Management and Structure | 7 |
| | • Authority members/principal officers | 7 |
| | • appointment of Authority members | 7 |
| | • Authority meetings | 8 |
| | • significant committees | 8 |
| | • senior officers | 10 |
| | • organisation chart | 10 |
| | • significant committees established/abolished | N/A |
| c 4(1)(e)(i)&(ii) | Summary review of operations | 11 |
| | • narrative summary of significant operations | 11 |
| | • program/operation information | 11 |
| | • monetary amount of recreation leave and long service leave entitlements | 19.14, 19.16 |
| c 4(1)(e1) | Funds granted to Non-Government Community Organisations | N/A |
| c 4(1)(f) | Legal change | N/A |
| c 4(1)(g) | Economic/other factors affecting achievement of operational objectives | N/A |
| c 4(1)(h)(i) | Management and Activities | 15, 17 |
| | • nature and range of activities | |
| c 4(1)(h)(ia) | • measures of performance | 16 |
| c 4(1)(h)(ib) | • internal and external performance reviews | 16 |
| c 4(1)(h)(ic) | • benefits from management and strategy reviews | 15 |
| c 4(1)(h)(id) | • management improvement plans and achievements | 15 |
| c 4(1)(h)(ii) | • major problems and issues | 16 |
| c 4(1)(h)(iii) | • major works in progress | N/A |
| c 4(1)(h)(iv) | • reasons for significant delays to major works or programs | N/A |

| | | |
|-----------------|--|------------|
| c 4(1)(i) | Research and Development | 18 |
| | • completed research | 18 |
| | • continuing research | 18 |
| | • developmental activities | 18 |
| | • reasons for non disclosure | N/A |
| c 4(1)(j)(i) | Personnel | 22 |
| | • number of employees | 22, 24, 28 |
| c 4(1)(j)(ii) | • exceptional wage movements | N/A |
| c 4(1)(j)(iii) | • policies and practices | 22 |
| c 4(1)(j)(iv) | • industrial relations | 22 |
| c 4(1)(k)(ii) | • overseas visits | 23 |
| c 4(1)(j1) | Consultants | 59 |
| c 4(1)(j1)(i) | • costs greater than \$30,000 | 59 |
| c 4(1)(j1)(ii) | • costs less than \$30,000 | 59 |
| c 4(1)(j1)(iii) | • no consultants engaged | N/A |
| c 4(1)(j2) | Equal Employment Opportunity | 28 |
| c 4(1)(j2)(i) | • achievements and strategies | 28 |
| c4(1)(j2)(ii) | • statistical information | 28 |
| c 4(1)(j3) | Land Disposal | N/A |
| c 4(1)(k) | Promotion | 58 |
| c 4(1)(k)(i) | • publications available | 58 |
| c 4(1)(i) | Consumer Response | 53 |
| • | complaints | N/A |
| | • response to complaints | N/A |
| c 4(1)(m) | Guarantee of Service | 53 |
| | • standards for provision of services | 53 |
| | • changes made to standards | 54 |
| c 4(1)(m1/2) | Time for payment of accounts | 55 |
| c 4(1)(n) | Subsidiaries, Partnerships, Joint Ventures and other Associations | N/A |

| | | |
|----------|---|----------|
| c 4A | Investment Management Performance | N/A |
| c 4B | Liability Management Performance | N/A |
| c 4C | Chief and Senior Executive Officers | 52 |
| c 4C(1)a | • number of positions | 52 |
| c 4C(1)b | • female executive officers | 52 |
| c 4C(1)c | • executive officers above level 5 | N/A |
| c 5(a) | After balance date events having a significant effect on: | N/A |
| c 5(a) | • financial operations | N/A |
| c 5(b) | • other operations | N/A |
| c 5(c) | • clientele/community | N/A |
| c 5(2) | Code of Conduct | 29 |
| c 6 | Form of Annual Reports | Complies |
| c 7(1) | Published size of Annual Report | Complies |
| c 9(4) | Disclosure of exemptions | 19.6 |

Other Requirements

| <u>Source</u> | <u>Detail</u> | <u>Page</u> |
|----------------------|--|--------------------|
| PM 91/34 | Funds granted to Non-Government Community organisations | N/A |
| TCG 1991/18 | Equal Employment Opportunity | 28 |
| TCG 1992/12 | Time for payment of accounts | 55 |
| PM 91/2 | Subsidiary Companies Disclosures | N/A |
| TCG 1991/5 | Investment Management Performance | N/A |
| TCG 1991/5 | Liability Management Performance | N/A |
| PM 92/4 | Chief and Senior Executive Officers | 52 |
| TD 900.01 | Risk Management and Insurance Activities | 55 |
| TM 92/9 | Annual Report production and distribution | i |
| S 41B | Public Finance and Audit requirements for financial statement format | Complies |

| | |
|-------------------|--|
| <u>Key</u> | |
| PM | - Premier's Memorandum |
| TC | - Treasury Circular |
| TD | - Treasurer's Direction |
| TM | - Treasurer's Memorandum |
| S 41B | - Section of the Public Finance and Audit Act (1983) |