



New South Wales

Return of Proceeds of Crime (Gambling Businesses) Bill 2025

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are—

- (a) to make it an offence for a gambling business to allow use of its gambling services to be paid for with stolen money or to fail to report that use, and
- (b) to require a court to make orders to compensate a person whose money was stolen and used to access gambling services.

Outline of provisions

Part 1 Preliminary

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Clause 3 defines certain words and expressions used in the proposed Act.

Clause 4 defines *stolen money* for the proposed Act.

Part 2 Suspicious gambling

Clause 5 makes it an offence for a gambling business to provide gambling services to a person if the business reasonably suspects the person will pay for the services with stolen money.

Clause 6 makes it an offence for a gambling business to not report to the Commissioner of Police use of the business's gambling services the business reasonably suspects were paid for with stolen money.

Part 3 Compensation orders

Clause 7 requires a court to make an order to compensate a person whose money was stolen and used to access gambling services.

Part 4 Miscellaneous

Clause 8 provides for jurisdictional issues in relation to proceedings commenced or regulations made under the proposed Act.

Clause 9 enables the Governor to make regulations for the proposed Act.

Schedule 1 Savings, transitional and other provisions

Schedule 1 contains savings, transitional and other provisions consequent on the enactment of the proposed Act.



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Contents

	Page
Part 1 Preliminary	
1 Name of Act	2
2 Commencement	2
3 Definitions	2
4 Meaning of “stolen money”	2
Part 2 Suspicious gambling	
5 Duty to refuse use of gambling services	3
6 Duty to report to Commissioner of Police	3
Part 3 Compensation orders	
7 Compensation orders in relation to suspicious gambling	4
Part 4 Miscellaneous	
8 Nature of proceedings for offences	5
9 Regulations	5
Schedule 1 Savings, transitional and other provisions	6

This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly

Clerk of the Legislative Assembly



New South Wales

Return of Proceeds of Crime (Gambling Businesses) Bill 2025

No. , 2025

A Bill for

An Act to prohibit a gambling business from providing gambling services if it has reasonable grounds to suspect the gambling services will be paid for with stolen money; to require a gambling business to report the use of its gambling services if it has reasonable grounds to suspect the gambling services were paid for with stolen money; to require a court to make a compensation order in criminal proceedings in favour of a person whose money was stolen and used to pay for gambling services; and for related purposes.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with/without amendment.

Legislative Council

Clerk of the Parliaments

Tabling copy

The Legislature of New South Wales enacts— 1

Part 1 Preliminary 2

1 Name of Act 3

This Act is the *Return of Proceeds of Crime (Gambling Businesses) Act 2025*. 4

2 Commencement 5

This Act commences on the date of assent to this Act. 6

3 Definitions 7

In this Act— 8

gambling business means a person that provides gambling services, including the following— 9
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- (a) a betting service provider, 11
- (b) a licensee who conducts a lottery, 12
- (c) the operator of a casino, 13
- (d) the operator of a registered club, 14
- (e) persons that offer like services. 15

stolen money—see section 4. 16

Note— The *Interpretation Act 1987* contains definitions and other provisions that affect the interpretation and application of this Act. 17
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4 Meaning of “stolen money” 19

(1) For this Act, **stolen money** means money obtained directly by an act that is an offence under the *Crimes Act 1900*, whether or not the act is committed in NSW, including the following— 20
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- (a) blackmail, 23
- (b) embezzlement, 24
- (c) fraud, 25
- (d) larceny, 26
- (e) robbery. 27

(2) Stolen money does not include money obtained indirectly. 28

Example— money obtained from the sale of stolen goods 29

Part 2 Suspicious gambling

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5 Duty to refuse use of gambling services

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A gambling business must not provide gambling services to a person if the business has reasonable grounds to suspect the person will pay for the services with stolen money.

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Maximum penalty—\$10 million.

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6 Duty to report to Commissioner of Police

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A gambling business must report to the Commissioner of Police use of its gambling services if the business has reasonable grounds to suspect the services were paid for with stolen money.

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Maximum penalty—\$10 million.

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Part 3 Compensation orders

7 Compensation orders in relation to suspicious gambling

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|--|----------|
| (1) This section applies if— | 3 |
| (a) a court is conducting proceedings for an offence in relation to stolen money,
and | 4
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| (b) the court determines a person (the <i>injured person</i>) has suffered loss as a result
of the offence, and | 6
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| (c) the court determines that some or all of the stolen money has been used to pay
for gambling services provided by a gambling business. | 8
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| (2) The court must make an order (a <i>compensation order</i>) requiring the gambling
business to compensate the injured person. | 10
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| (3) The court must determine whether a person is an injured person on the balance of
probabilities. | 12
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| (4) A court may make a compensation order even if no proceedings are commenced
under Part 2. | 14
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| (5) A compensation order must— | 16 |
| (a) compensate the injured person in whole or in part, or | 17 |
| (b) reduce the loss suffered by the injured person. | 18 |

Part 4	Miscellaneous	1
8	Nature of proceedings for offences	2
(1)	Proceedings for an offence under this Act or the regulations may be dealt with—	3
(a)	summarily before a Local Court, or	4
(b)	summarily before the Supreme Court in its summary jurisdiction.	5
(2)	If proceedings are brought in a Local Court, the maximum monetary penalty that the Local Court may impose for the offence is \$11,000, despite a higher maximum monetary penalty provided in relation to the offence.	6 7 8
9	Regulations	9
	The Governor may make regulations about the following—	10
(a)	a matter that is required or permitted to be prescribed by this Act,	11
(b)	a matter that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.	12 13

Schedule 1	Savings, transitional and other provisions	1
Part 1	General	2
1	Regulations	3
(1)	The regulations may contain provisions of a savings or transitional nature consequent on the commencement of—	4 5
(a)	a provision of this Act, or	6
(b)	a provision amending this Act.	7
(2)	A savings or transitional provision consequent on the commencement of a provision must not be made more than 2 years after the commencement.	8 9
(3)	A savings or transitional provision made consequent on the commencement of a provision is repealed 2 years after the commencement.	10 11
(4)	A savings or transitional provision made consequent on the commencement of a provision may take effect before the commencement but not before—	12 13
(a)	for a provision of this Act—the date of assent to this Act, or	14
(b)	for a provision amending this Act—the date of assent to the amending Act.	15
(5)	A savings or transitional provision taking effect before its publication on the NSW legislation website does not—	16 17
(a)	affect the rights of a person existing before the publication in a way prejudicial to the person, or	18 19
(b)	impose liabilities on a person for anything done or omitted to be done before the publication.	20 21
(6)	In this section—	22
	<i>person</i> does not include the State or an authority of the State.	23
Part 2	Provisions consequent on enactment of this Act	24
2	Application of Act to stolen money	25
	This Act does not apply to stolen money obtained by an act occurring before the commencement of this Act.	26 27