

Court Case Outcomes



Licensee failed to meet gaming taxes as directed

On 12 April 2007, Talivaldis Birkmanis, the licensee of Irish McGann's Hotel, Roma, pleaded guilty, in the Maroochydore Magistrates Court, to contravening section 317(1) (Payment of taxes) and section 317(3) (Failure to comply with a direction) of the *Gaming Machine Act 1991*. The licensee admitted failing to pay monthly gaming taxes in March, April and May 2006 and again in July, August and September 2006, despite being directed, in July 2006, to ensure such tax payments were made.

Mr Birkmanis was convicted and fined \$800 for each offence plus \$64 court costs. No conviction was recorded on either count. He subsequently surrendered his gaming machine licence but had not been operating the Irish McGann's Hotel, Roma, since October 2006.

Failure to issue a self-exclusion order

On 13 July 2007, NABBP Pty Ltd, the licensee of the White Lion Hotel pleaded guilty in the Maryborough Magistrates Court to breaching section 261A(1) (self-exclusion order) of the *Gaming Machine Act 1991*. The court heard that the licensee had failed to issue a self-exclusion order to a patron who had lodged a self-exclusion notice with Brenda Hogan, a director of the licensee company.

NABBP Pty Ltd was convicted and fined \$450 plus \$64 costs of court. No conviction was recorded.



Failure by substitute licensee to have appropriate licensed persons to carry out gaming duties

On 23 April 2007, Steven Quilkey, the substitute licensee of the Club Hotel, Warwick, was found guilty in the Warwick Magistrates Court of a breach of section 189(3) (Licensing requirements for carrying out gaming duties on licensed premises) of the *Gaming Machine Act 1991*. The Court heard that the licensee failed to have at least two appropriately licensed persons to carry out gaming duties at the hotel.

This matter was heard ex-parte with the substitute licensee being convicted and fined \$600 plus costs of court. A conviction was recorded.

Cheating by employee of authorised keno agent

On 18 July 2007, a former employee of the Wynnum West Tavern pleaded guilty in the Wynnum Magistrates Court to contravening section 155(1)(a) (Cheating) of the *Keno Act 1996*. The court heard that the employee admitted to cashing a winning keno ticket which did not belong to him at another venue, the Wynnum Tavern, for his own personal gain.

The former employee was convicted and fined \$400 plus \$63.20 costs of court. No conviction was recorded.

Employee of authorised wagering agent extending credit and wagering

On 20 July 2007, a former employee of the Southern Cross Sports Club, Upper Mount Gravatt, pleaded guilty in the Holland park Magistrates Court to a breach of section 209(1) (Extending credit) of the *Wagering Act 1998*. The court heard that, on two separate occasions, the employee credited his Telebet account a total of \$380 using the TAB terminal at the club. On each occasion the former employee made no payment to the club's TAB till. The court further heard that the former employee used the credit he had extended to his Telebet account to place a total of 21 bets for himself.

The former employee was convicted and fined \$500. No conviction was recorded.

