

ABILL

ENTITLED

AN ACT to Amend the Casino Gaming Act.

[]

BE IT ENACTED by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the authority of the same, as follows:—

1. This Act may be cited as the Casino Gaming (Amendment) Act, 2021, and shall be read and construed as one with the Casino Gaming Act (hereinafter referred to as the "principal Act") and all amendments thereto.

Short title
and
construction.

Amendment
of section 2
of principal
Act.

2. Section 2 of the principal Act is amended by inserting in the appropriate alphabetical sequence, the following definition—

““luxury hotel room” means private hotel accommodation in an approved integrated resort development that—

- (a) includes facilities, furnishing, décor, amenities and services, superior to other accommodation available at the development;
- (b) meets such size specifications as the Minister may, by order, prescribe under section 9(1)(b); and
- (c) is constructed at such minimum cost as the Minister may, by order, prescribe under section 9(1)(b).”.

Amendment
of section 9
of principal
Act.

3. Section 9 of the principal Act is amended—

(a) by deleting subsection (1) and substituting therefor the following—

“ (1) Subject to the provisions of this Act, the Minister may, by order—

- (a) declare an integrated resort development to be an approved integrated resort development; and
- (b) prescribe the size specifications and minimum construction cost of luxury hotel rooms proposed to be constructed in an approved integrated resort development.”;

(b) in subsection (3) by—

(i) deleting paragraph (a) and substituting therefor the following—

“ (a) the integrated resort development, when completed, will be comprised of one or more hotels providing in the aggregate

at least one thousand associated hotel rooms including hotel rooms under construction but excluding hotel rooms already in existence prior to the making of the application under section 10 of which five hundred rooms will be designed and designated as luxury hotel rooms;”;

- (ii) inserting in paragraph (b) next after the words “not less than one thousand associated hotel rooms” the words “of which five hundred shall be luxury hotel rooms;” and
- (iii) renumbering paragraphs (c) and (d) as paragraphs (f) and (g) and inserting the following as paragraphs (c), (d) and (e)—

“(c) construction of the designated luxury hotel rooms in the proposed integrated resort development, shall be completed in accordance with the size specifications and meet the minimum construction cost prescribed in an order made under paragraph (1);

- (d) a minimum capital investment of five hundred million United States dollars has been acquired by the developer for the establishment, operation and maintenance of the proposed integrated resort development;

- (e) construction of the integrated resort development shall be completed, in accordance with the design specifications approved by the relevant local authority, and all elements of that approved design shall be fully operational, within three years after the date of commencement of any casino gaming activity at the integrated resort development;”;

(c) in subsection 4 by—

- (i) deleting the word “and” at the end of paragraph (b); and
- (ii) renumbering paragraphs (c) and (d) as paragraphs (d) and (e) and inserting the following as paragraph (c)—

“(c) the size specifications and minimum construction cost of the designated luxury hotel rooms in the integrated resort development;”;

(d) by inserting next after subsection (5) the following subsection—

“(6) The Minister may by order subject to affirmative resolution amend the amount of the minimum capital investment specified in subsection (3)(d).”.

Amendment
of section 11
of principal
Act.

4. Section 11 of the principal Act is amended in subsection (2) by inserting immediately before the words “the Minister may” the words “or that construction has not been completed, with all elements of the approved design fully operational, as required under section 9(3)(e).”.

5. For the avoidance of doubt, nothing in this Act shall be construed as affecting any order made under section 9(1) prior to the date of the commencement of this Act. Existing orders not affected.

MEMORANDUM OF OBJECTS AND REASONS

The Casino Gaming Act aims to provide a comprehensive legislative and regulatory framework to stimulate the growth of the integrated resort development sector and the wider economy through the large-scale foreign direct investment generated from such developments. The Act also seeks to facilitate the diversification of the tourism industry.

A decision has been taken to amend the Casino Gaming Act to—

- (a) provide for the inclusion of the minimum capital investment required to finance the establishment and operation of an approved integrated resort development;
- (b) reduce the number of hotel rooms required to be constructed in an approved integrated resort development;
- (c) enable developers currently constructing hotel rooms to qualify to apply for an Integrated Resort Development Order;
- (d) authorize the construction of luxury hotel rooms in accordance with the prescribed size specifications and minimum construction cost per room; and
- (e) specify the time-frame required for the completion of construction and commencement of the operation of all amenities and facilities comprised in an approved integrated resort development.

This Bill seeks to give effect to that decision.

NIGEL CLARKE
Minister of Finance and the Public Service



A BILL

ENTITLED

AN ACT to Amend the Casino Gaming Act.

**As introduced by the Honourable Minister of Finance
and the Public Service.**

**PRINTED BY JAMAICA PRINTING SERVICES (1993) LTD.,
(GOVERNMENT PRINTERS), DUKE STREET, KINGSTON, JAMAICA.**
