



Victorian Commission for
Gambling and Liquor Regulation

copy

Level 3, 12 Shelley Street, Richmond VIC 312
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T: 1300 182 457
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3 October 2018

Our ref:

Mr J Xuan



By email:



Dear Mr Xuan

Section 26 Casino Control Act 1991 - Notice to Produce Records

The Victorian Commission for Gambling and Liquor Regulation (VCGLR) is currently conducting an investigation, under the *Casino Control Act 1991*, into the detention and subsequent conviction of Crown employees for contravening Article 303, Clause 1 and Article 25, Clause 1 of the Criminal Law of the People's Republic of China.

On 10 July 2017, Crown Melbourne Limited notified the VCGLR pursuant to section 57 of the *Casino Control Act* that you were convicted by the Shanghai Baoshan District Court of contraventions of Article 303, Clause 1 and Article 25, Clause 1 of the *Criminal Law of the People's Republic of China*.

Section 26 of the *Casino Control Act* provides that the VCGLR may by notice in writing require a person, who in the opinion of the VCGLR, is or was directly or indirectly associated with a casino operator to produce to the VCGLR such records as are relevant to, the operator or the person's association to the casino and to permit examination and taking copies of the records. A copy of section 26 of the *Casino Control Act* is attached for your information.

In accordance with section 26 of the *Casino Control Act* please produce the following records from the Chinese criminal proceedings to the VCGLR at Level 3, 12 Shelley Street Richmond by **5pm on 19 October 2018**:

- *Written verdict and sentence imposed by the Shanghai Baoshan District Court*
- *Shanghai Baoshan District Court judgement, including the reasons for the verdict, sentence and fine imposed by the Court*
- *The brief of evidence in relation to the charges against you for contraventions of Article 303, Clause 1 and Article 25, Clause 1 of the Criminal Law of the People's Republic of China.*
- *The charge sheet in relation to the charges against you for contraventions of Article 303, Clause 1 and Article 25, Clause 1 of the Criminal Law of the People's Republic of China.*
- *documents submitted by you or your legal representative to the Shanghai Baoshan District Court in relation to your plea and submissions regarding any sentence*
- *Shanghai Baoshan District Court transcript of the hearing on 26 June 2017*

Casino Control Act 1991

26 Operator to provide information

- (1) The Commission may, by notice in writing, require a casino operator or a person who was a casino operator or a person who, in the opinion of the Commission, is or was directly or indirectly associated with the operator—
 - (a) to provide the Commission or an authorised person, in accordance with directions in the notice, with such information relevant to the operator or that association or to the casino, or with such information as the Commission requires, as is specified in the notice; or
 - (b) to produce to the Commission or an authorised person, in accordance with the directions in the notice, such records relevant to the operator or that association or to the casino, or to matters specified by the Commission, as are specified in the notice and to permit examination of those records, the taking of extracts from them and the making of copies of them; or
 - (c) to attend before the Commission or an authorised person for examination in relation to any matters relevant to the operator or that association or to the casino, or to matters specified by the Commission, and to answer questions relating to those matters.
- (2) A person is not excused from complying with a notice under this section on the ground that compliance might tend to incriminate the person but, if the person, in writing given to the Commission, claims, before complying with the notice, that compliance might tend to incriminate the person, information provided in compliance with the notice is not admissible in evidence against the person in criminal proceedings other than proceedings under this Act.
- (3) If records are produced under this section, the Commission or authorised person to whom they are produced may retain possession of the records for such period as may reasonably be necessary to permit examination of the records, the taking of extracts from them and the making of copies of them.
- (4) At any reasonable times during the period for which records are retained, the Commission or authorised person must permit inspection of the records by a person who would be entitled to inspect them if they were not in the possession of the Commission or an authorised person.
- (5) A person who complies with a requirement of a notice under this section does not on that account incur a liability to another person.
- (6) A function of the Commission under this section may be performed by any commissioner.