



## ANALYSIS

Title  
1. Short Title

2. Payment of profits  
3. Accounts and audit

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1988, No. 186

**An Act to amend the Gaming and Lotteries Act 1977**

[16 December 1988

BE IT ENACTED by the Parliament of New Zealand as follows:

**1. Short Title**—This Act may be cited as the Gaming and Lotteries Amendment Act 1988, and shall be read together with and deemed part of the Gaming and Lotteries Act 1977 (hereinafter referred to as the principal Act).

**2. Payment of profits**—(1) The principal Act is hereby amended by repealing sections 99 and 100 (as substituted by section 3 (1) of the Gaming and Lotteries Amendment Act 1987), and substituting the following section:

“99. (1) Except as provided in subsection (2) of this section, the Commission shall, on a regular basis consistent with the estimate of income and expenditure approved by the Minister pursuant to section 108 of this Act, pay its profits into such account opened under section 116U of this Act as the Secretary directs.

“(2) The Minister may from time to time authorise the Commission to retain such portion of its profits as the Minister thinks fit for the purposes of the Commission.”

(2) Section 71 of the principal Act (as so substituted) is hereby amended by adding the following definition:

“‘Profits’ means an amount calculated by subtracting from lottery proceeds expenses incurred in producing those lottery proceeds, including, but not limited to,—

“(a) The amounts of prize funds set, pursuant to any rules made under section 90 of this Act, in respect of lotteries; and

“(b) All reasonable expenses incurred or expected to be incurred in conducting lotteries; and

“(c) All duties and taxes payable in respect of lotteries.”

(3) Section 106 of the principal Act (as so substituted) is hereby amended by repealing paragraph (a), and substituting the following paragraph:

“(a) All lottery proceeds set aside for expenses incurred or expected to be incurred in conducting lotteries and for the purposes of the Commission under section 99 (2) of this Act:”.

**3. Accounts and audit**—The principal Act is hereby amended by repealing section 114 (as substituted by section 3 (1) of the Gaming and Lotteries Amendment Act 1987), and substituting the following section:

“114. (1) The Commission shall keep full and correct accounts of all its financial transactions (including its financial transactions relating to the proceeds from sale of tickets in New Zealand lotteries and every special purpose lottery promoted under section 85 of this Act), assets, liabilities, and funds in such manner and form as are approved by the Minister.

“(2) As soon as practicable after the end of each financial year, the Commission shall cause to be prepared a profit and loss account, a balance sheet, and a statement of cash flows.

“(3) The profit and loss account prepared pursuant to subsection (2) of this section shall include the income and expenses from its trading activity in New Zealand lotteries and every special purpose lottery promoted under section 85 of this Act.

“(4) As soon as practicable after the end of each financial year, the Commission shall submit the statement of account prepared pursuant to subsection (2) of this section to the Audit Office for audit.

“(5) The statements shall be audited by the Audit Office which, for that purpose, shall have and may exercise all such powers as it has under the Public Finance Act 1977 in respect of public money and stores.”