

House of Representatives
Supplementary Order Paper

Wednesday, 27 August 2003

Gambling Bill

Proposed amendments

Sue Bradford, in Committee, to move the following amendments:

Clause 65(1)(b)

To insert, after the word “licence” (line 10 on page 75), the words “, with the difference between the two being no greater than 3 years”.

Clause 67(5)

To add, after the word “standards” (line 22 on page 78), the word “or”, and add (after line 22 on page 78) the following paragraph:

- (d) a territorial authority consent has not been granted.

Clause 83

To omit subclauses (2), (3), and (4) (from line 4 to line 24 on page 92), and substitute the following subclauses:

- (2) A society must remove from a class 4 venue the number of gaming machines that exceed 9 by the close of the day after commencement of this section.
- (3) A society must also apply for a territorial authority consent for a class 4 venue within 6 months after the commencement of this section.
- (4) A society must, within 15 working days after receiving notification of the territorial authority’s determination of an application for a territorial authority consent,—
 - (a) provide a copy of the determination to the Secretary; and
 - (b) remove from the class 4 venue—
 - (i) all gaming machines, if the territorial authority refuses consent; or

- (ii) the number of gaming machines that exceeds the maximum number specified in any condition of the consent, if the maximum number specified is less than 9.
- (5) The Secretary must amend a class 4 venue licence as necessary to reflect the number of gaming machines that the society may operate as a result of **subsections (2) and (4)**.
- (6) If the Secretary decides to cancel a class 4 venue licence because the society has not applied for a territorial authority consent in accordance with **subsection (3)** or the territorial authority refuses consent,—
 - (a) the Secretary must follow the cancellation procedure under **section 70**, and
 - (b) the corporate society or, if there is a venue agreement, the parties to the agreement, and the venue manager, retain their rights to appeal under **section 72**.

Clauses 86 and 87

To omit clauses 86 and 87.

Clause 88

To add, after paragraph (d), the following paragraphs:

- (e) on the commencement of this section, in accordance with **section 83**, for a class 4 venue to which **section 83** applies:
- (f) if a corporate society seeks to renew a class 4 venue licence.

Explanatory note

In general terms these amendments are aimed at allowing local communities, in the form of their elected territorial authorities, control over the licence conditions for class 4 gambling machine venues, regardless of whether those venues were in place before or after 17 October 2001.

The amendment to clause 65 is to set the maximum length of a class 4 venue licence at 3 years.

The amendment to clause 67 is to ensure that a class 4 venue licence cannot be renewed unless the local territorial authority gives approval.

The amendment to clause 83 places class 4 venues that were licensed as at 17 October 2001, on the same footing as those licensed afterwards with the exception that, if they have their licences amended or cancelled, the Secretary must use the normal procedures and there is a right of appeal. This means that such venues must apply for territorial authority consent.

The omission of clauses 86 and 87 is to remove the Minister's discretionary power to allow some class 4 venues to carry more than 9 gambling machines.

The amendment to clause 88 is to make it clear that class 4 venues licensed as of 17 October 2001 require consent from territorial authorities, just like those licensed afterwards, in order to continue operations. It also ensures that all applications for renewal of class 4 venue licences require territorial authority consent.
