

NORTHERN TERRITORY OF AUSTRALIA
GAMING CONTROL AMENDMENT ACT 2002

Act No. 56 of 2002

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NORTHERN TERRITORY OF AUSTRALIA

Act No. 56 of 2002

AN ACT

to amend the *Gaming Control Act*

[Assented to 10 October 2002]
[Second reading 20 August 2002]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Gaming Control Amendment Act 2002*.

2. Commencement

This Act comes into operation on the date fixed by the Administrator by notice in the *Gazette*.

3. Principal Act

The *Gaming Control Act* is in this Act referred to as the Principal Act.

4. Definitions

Section 3 of the Principal Act is amended –

(a) by inserting before the definition of "agreement" the following:

" 'Agency' means the Agency administering this Act;";

(b) by inserting after the definition of "Commission" the following:

Gaming Control Amendment Act 2002

"'Community Benefit Committee' means the Community Benefit Committee established under section 68B;

'Community Benefit Fund' means the Community Benefit Fund maintained under section 68A;";

(c) by omitting the definition of "gaming machine turnover levy"; and

(d) by inserting after the definition of "lottery" the following:

"'Operating Account', in relation to the Agency, has the same meaning as in the *Financial Management Act*,".

5. Foreign lotteries

Section 40 of the Principal Act is amended by adding at the end the following:

"(9) The Director must pay into the Consolidated Revenue Account all moneys received by the Director in respect of foreign lotteries conducted under this section, including commissions and unclaimed prizes.".

6. Repeal

Sections 43, 44 and 50 of the Principal Act are repealed.

7. New Part

The Principal Act is amended by inserting after Part 5 the following:

"PART 5A – COMMUNITY BENEFIT FUND AND COMMITTEE

"68A. Community Benefit Fund

"(1) The Director must maintain in the Agency's Operating Account a fund to be known as the Community Benefit Fund.

"(2) Moneys in the Community Benefit Fund are to be applied for the following purposes:

- (a) research into gambling activity, including the social and economic impact of gambling on individuals, families and the community;
- (b) promotion of community awareness and education in respect of problem gambling and provision of counselling, rehabilitation and support services for problem gamblers and their families in the Territory;
- (c) funding of community projects and services of benefit to communities throughout the Territory;

- (d) management and administrative support of the Fund.

"68B. Community Benefit Committee

"(1) The Minister must establish a committee to be known as the Community Benefit Committee and must determine its membership and how it is to operate.

"(2) The functions of the Committee are –

- (a) to consider applications for grants from the Community Benefit Fund for the purposes referred to in section 68A(2)(b) and (c) and to make recommendations to the Minister about those applications; and
- (b) to monitor the contribution that clubs that are licensees under the *Gaming Machine Act* make to the community.

"(3) The Committee has the powers that are necessary and convenient for the performance of its functions, including the power to require the Director to provide the Committee with specified information.

"(4) The Committee must provide the Minister with a report on the Committee's operations during a financial year within 3 months after the end of the financial year and the Minister must lay a copy of the report before the Legislative Assembly within 6 sitting days after receiving it.

"68C. Payments into and out of Fund

"(1) The following moneys are to be paid into the Community Benefit Fund:

- (a) all moneys received and assessed by the Director under section 156 of the *Gaming Machine Act* as gaming machine community benefit levy;
- (b) all moneys received by the Director as unclaimed prizes (other than unclaimed prizes in respect of foreign lotteries conducted under section 40);
- (c) all moneys forfeited under section 78.

"(2) The Minister must determine the total amount of grants that are to be paid out of the Fund in a financial year in respect of the purposes specified in section 68A(2)(b) and (c).

"(3) An application for a grant from the Fund for a purpose referred to in section 68A(2)(b) or (c) is to be made to the Community Benefit Committee.

"(4) The Committee must consider the application and recommend to the Minister that he or she approve payment of the whole or part of the grant or refuse to approve payment of the grant.

"(5) The Minister may, having regard to the recommendation of the Committee, approve payment of the whole or part of the grant or refuse to approve payment of the grant."

8. Forfeiture

Section 78 of the Principal Act is amended by omitting subsection (3) and substituting the following:

"(3) Money forfeited under this section is to be paid into the Community Benefit Fund."

9. Regulations

Section 80 of the Principal Act is amended by omitting subsection (3).

10. Transfer of moneys in defunct Lotteries Fund

Any moneys that, immediately before the commencement of this Act, were credited to the Lotteries Fund are, by virtue of this section, transferred to the Consolidated Revenue Account.

11. Transfer of moneys in defunct Sports and Recreational Development Fund

Any moneys that, immediately before the commencement of this Act, were credited to the Sports and Recreational Development Fund are, by virtue of this section, transferred to the Consolidated Revenue Account.