



# NORTHERN TERRITORY OF AUSTRALIA

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No. 7 of 1991

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## AN ACT

to amend the *Lotteries and Gaming Act*

[Assented to 7 March 1991]

**B**E it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Lotteries and Gaming Amendment Act 1991*.

2. PRINCIPAL ACT

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

3. INTERPRETATION

Section 3(1) of the Principal Act is amended by inserting, after the definition of "gaming machine", the following:

"'gaming machine turnover levy' or 'turnover levy' means the levy payable pursuant to section 37AB;".

4. NEW SECTION

The Principal Act is amended by inserting, after section 37A, the following:

Lotteries and Gaming Amendment

"37AB. GAMING MACHINE TURNOVER LEVY AND TRUST ACCOUNT

"(1) The Treasurer may open a trust account under section 6 of the *Financial Administration and Audit Act* for the purposes of -

- (a) receiving any gaming machine turnover levy required to be paid into it under this section; and
- (b) applying out of its funds payments to non-profit making associations which, generally, should be in the vicinity of, which make use of the facilities of, or have some association with the premises in which a gaming machine, in respect of which the turnover levy is payable, is situated, or which are of a nature specified in the Regulations.

"(2) Without limiting the generality of section 48, the Regulations may make provision for or in relation to -

- (a) the imposition on such holders of gaming machine permits as may be prescribed of a gaming machine turnover levy not exceeding 6% of the total value of coins, tokens or credits used to play or operate a gaming machine, of which half is payable to the trust account established pursuant to subsection (1) and the other half to the Consolidated Fund;
- (b) authorizing the Treasurer to appoint trustees to administer any funds in the trust account established pursuant to subsection (1) and to advise the Treasurer on establishing rules and procedures for the administration of those funds; and
- (c) the collection of, and the times and methods of payment of, the turnover levy, whether by reference to provisions of the *Taxation (Administration) Act* or otherwise, and the imposition of penalties not exceeding \$1,000 for failure to comply with such provisions."

5. UNLAWFUL GAMES

Section 42 of the Principal Act is amended by adding at the end the following:

"(2) The game commonly known as or called two-up or swy, in respect of the play of which the provisions of subsection (1) would otherwise apply, is not an unlawful game where -

- (a) it is played at a racing venue situated outside the circumference of a circle having a radius of 100 km centred on the casino at Alice Springs

*Lotteries and Gaming Amendment*

and Darwin respectively, is conducted by or on behalf of a club on the day of a meeting for a period of no more than 4 hours commencing after the finish of the last race of the meeting, and the profits (if any) are payable to the club to be applied towards its purposes or such other purposes as the club thinks proper; or

- (b) it is played only on 25 April (whether or not Anzac Day is publicly celebrated on that date), is conducted by or on behalf of a Returned Services League Club and the profits (if any) are payable to that club.

"(3) In subsection (2)(a), 'club', 'meeting', 'race' and 'racing venue' have the same meanings as in section 4(1) of the *Racing and Betting Act*."

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