

NORTHERN TERRITORY OF AUSTRALIA

GAMING CONTROL (COMMISSION PROCEDURES) REGULATIONS

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NORTHERN TERRITORY OF AUSTRALIA

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Regulations 1995, No. 7\*

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Regulations under the *Gaming Control Act*

I, KEITH JOHN AUSTIN ASCHE, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Gaming Control Act*.

Dated 24 March 1995.

K.J.A. ASCHE  
Administrator

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GAMING CONTROL (COMMISSION PROCEDURES) REGULATIONS

1. CITATION

These Regulations may be cited as the Gaming Control (Commission Procedures) Regulations.

2. APPLICATIONS FOR REVIEW

(1) A person aggrieved by a decision of the Director, whether the decision was made under a power delegated by the Minister or the Commission or otherwise, may apply to the Commission for a review of the decision.

(2) An application under this regulation shall be made -

(a) not later than 28 days after the day of the making of the decision complained of; and

(b) on an approved form accompanied by an administration fee of \$200.

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\* Notified in the *Northern Territory Government Gazette* on 5 April 1995.

Gaming Control (Commission Procedures) Regulations

(3) For the purposes of the administration fee in subregulation 2(b), the Commission may, if it thinks fit, in determining the application, refund the whole or part of the fee to the applicant.

(4) The Commission shall not accept an application which, in its opinion, is frivolous or vexatious.

3. COMMISSION TO APPOINT TIME AND PLACE

As soon as practicable after receiving an application under regulation 2, the Commission shall appoint a convenient time and place to consider and determine the application, and shall advise the parties accordingly.

4. REPRESENTATION

(1) A party to proceedings under these Regulations may be represented by their counsel, agent or another person.

(2) The Commission may appoint a legal practitioner to assist it in proceedings under these Regulations, and the legal practitioner may administer an oath and may examine witnesses on behalf of the Commission.

5. PROCEDURE

(1) Subject to these Regulations, the Commission may regulate its own procedure.

(2) All proceedings before the Commission shall be held in private.

(3) On a request of a party, or of its own volition, the Commission may, if it thinks fit, direct that a person who -

(a) is, in its opinion, not directly interested in the proceedings; or

(b) has not been authorized by the Commission to be present at the proceedings,

be excluded from the place where the proceedings are being or are to be heard.

(4) The Commission may receive in evidence any statement, document, information or matter that may, in its opinion, assist it to deal effectively with the matters before it, whether or not that evidence would be otherwise admissible in a court of law.

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6. DETERMINATION

(1) In its determination of an application under these Regulations the Commission may -

- (a) confirm, modify, or reverse the decision reviewed or any part of the decision; and
- (b) make any order as to costs or other matter that the case requires.

(2) Subject to regulation 7, the determination of the Commission is final.

7. COMMISSION MAY REFER MATTER BACK TO DIRECTOR

(1) Notwithstanding regulation 6, the Commission may, in any case, instead of determining an application under that regulation, direct the Director to reconsider, either generally or in respect of specified matters, the whole or any specified part of the matter to which the application relates.

(2) In giving a direction under subregulation (1) the Commission shall -

- (a) advise the Director of its reasons for doing so; and
- (b) give to the Director such directions as it thinks fit as to the reconsideration or otherwise of the whole or any part of the matter that is referred back for reconsideration.

(3) The Director shall, in reconsidering a matter referred back to it under this regulation, have regard to the Commission's reasons for giving a direction under subregulation (1) and to the actual directions under subregulation (2).

8. REPEAL

The Lotteries and Gaming Regulations (Regulations 1991, No. 32) are repealed.

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