



## **Gambling (Class 4 Net Proceeds) Amendment Regulations 2014**

Rt Hon Dame Sian Elias, Administrator of the Government

### **Order in Council**

At Wellington this 4th day of August 2014

Present:

Her Excellency the Administrator of the Government in Council

Pursuant to sections 114 and 371 of the Gambling Act 2003, Her Excellency the Administrator of the Government makes the following regulations, acting—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the advice of the Minister of Internal Affairs after the consultation required by section 372 of the Gambling Act 2003.

### **Contents**

	Page
1 Title	2
2 Commencement	2
3 Principal regulations	2
4 Regulation 10 replaced (Minimum amount of net proceeds to be distributed for authorised purposes)	2
10 Minimum amount for authorised purposes	2

- 5 Regulation 17 amended (Minimum requirements for grant application forms) 3
- 

## Regulations

- 1 Title**  
These regulations are the Gambling (Class 4 Net Proceeds) Amendment Regulations 2014.
- 2 Commencement**  
These regulations come into force on 4 September 2014.
- 3 Principal regulations**  
These regulations amend the Gambling (Class 4 Net Proceeds) Regulations 2004 (the **principal regulations**).
- 4 Regulation 10 replaced (Minimum amount of net proceeds to be distributed for authorised purposes)**  
Replace regulation 10 with:
- “10 Minimum amount for authorised purposes**
- “(1) For the purposes of section 114(1)(a) of the Act, the minimum amount for a corporate society that is a licence holder, for any of its financial years that start after 3 September 2014, is an amount equivalent to,—
- “(a) for its first and second such financial years, 40% of the specified amount:
- “(b) for its third and fourth such financial years, 41% of the specified amount:
- “(c) for its fifth and later such financial years, 42% of the specified amount.
- “(2) **Specified amount**, in subclause (1), means the licence holder’s gross proceeds (as defined in regulation 3(1)) for the financial year, excluding goods and services tax.
- “(3) This regulation is subject to regulation 11.
- “(4) This regulation does not limit or affect regulation 10 as in force on and after 1 December 2004 and until 3 September 2014 (and which, by way of explanation, prescribes a minimum amount

equivalent to 37.12% of the specified amount for the licence holder's financial years that started during that period).”

**5 Regulation 17 amended (Minimum requirements for grant application forms)**

After regulation 17(2), insert:

- “(2A) The declarations in an application form referred to in sub-clause (2) need not be verified by way of a statutory declaration in accordance with sections 8, 9, and 11 of the Oaths and Declarations Act 1957 and are sufficient if followed by,—
- “(a) if the applicant is not a natural person, the usual signatures of 2 representatives of the applicant; or
  - “(b) if the applicant is a natural person, the usual signature of the applicant.”

Michael Webster,  
Clerk of the Executive Council.

---

### Explanatory note

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on 4 September 2014, amend the Gambling (Class 4 Net Proceeds) Regulations 2004 (the **principal regulations**).

*Regulation 4* inserts into the principal regulations *new regulation 10*, which increases the minimum amount to be applied to or distributed for authorised purposes each financial year. The current minimum amount is 37.12% of the licence holder's gross proceeds for a financial year, exclusive of goods and services tax. This percentage will continue to apply to a financial year underway before 4 September 2014. Increases to this percentage will be staggered over the first 5 financial years that start after 3 September 2014. The percentage will increase to 40% for the first and second financial years, to 41% for the third and fourth financial years, and to 42% for the fifth financial year and all later financial years.

*Regulation 5* amends regulation 17 of the principal regulations, which specifies minimum requirements for a grant application form. The amendment ensures declarations in the form need not be verified by way of a statutory declaration and are sufficient if signed by 2 representatives of the applicant (if the applicant is not a natural person) or the applicant (if the applicant is a natural person).

---

Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*: 7 August 2014.  
These regulations are administered by the Department of Internal Affairs.

---