

House of Representatives
Supplementary Order Paper

Tuesday, 6 August 2013

**Gambling (Gambling Harm Reduction)
Amendment Bill**

Proposed amendments

Hon Trevor Mallard, in Committee, to move the following amendments:

Clause 11

Delete *clause 11*.

Clause 12

Delete *clause 12*.

Clause 13

Delete *clause 13*.

Clause 14

Delete *clause 14*.

Clause 15

Delete *clause 15*.

Clause 16

Delete *clause 16*.

Clause 17

Delete *clause 17*.

Clause 18

Delete *clause 18*.

Clause 19

Delete *clause 19*.

New clauses 20 to 25

After *clause 19* (after line 14 on page 8), insert:

20 Section 4 amended (Interpretation)

In *section 4(1)(b)*, definition of **authorised purpose**, replace “paragraph (a)(i) to (iii)” with “paragraph (a)(i) and (ii)”.

21 Section 53 amended (Content and conditions of class 4 operator’s licence)

(1) In section 53(1), after paragraph (c), insert:

“(ca) a condition that at least 80% of all funds derived from gambling under the licence must be distributed for purposes that are located in the same territorial authority district or, where such electoral subdivisions exist, in the smallest of the local council ward, local board subdivision, or community board area; and”

(2) In section 53(2), after paragraph (f), insert:

“(fa) conditions requiring the use of player tracking devices, pre-commitment cards, or other devices designed to permit responsible gambling and—
“(i) maximise player knowledge about, and control over, their gambling; or
“(ii) minimise gambling related harm originating at the venue:”

22 Section 98 amended (When territorial authority consent is required)

(1) In section 98, replace paragraph (c) with;

“(c) if a corporate society applies for a class 4 venue licence and;
“(i) a class 4 venue licence has not been held by any society for the venue within the last 6 months; or
“(ii) the corporate society holds or has held a class 4 venue licence to which subsection (2) applies”

(2) In section 98 insert as subsection (2):

“(2) If a territorial authority adopts a class 4 gambling venue policy under **section 101(3)(c)** that prohibits or reduces the number of venues in a district or area, and applies the prohibition or reduction in numbers to venues operating before this Act came into force, the licences for those class 4 venues expire 1 year after the date the policy enters into force.

“(3) A consent for a class 4 gambling venue that is subject to a policy adopted under **section 101(3)(c)** may be issued for a period not exceeding 3 years.”

23 Section 101 amended (Territorial authority must adopt class 4 venue policy)

- (1) Replace section 101(2) with;
- “(2) In adopting a policy, the territorial authority must, in respect of the territorial authority district, have regard to;
- “(a) the social impact of gambling; and
 - “(b) evidence of harm from gambling; and
 - “(c) public sentiment about the extent and location of gambling venues.”
- (2) After section 101(3)(b) insert “;” and also insert:
- “(c) may specify that class 4 venues are prohibited or reduced in numbers in all or specified parts of the district and that any prohibition or reduction shall apply to existing venues, including venues that operated on the date this Act came into force.”

24 Section 106 amended (Corporate society must apply or distribute net proceeds from class 4 gambling to or for authorised purpose)

- (1) After section 106(1) insert:
- “(1A) A corporate society must apply at least 80% of such net proceeds to societies or for purposes located in the same territorial authority district or, where such electoral subdivisions exist, to the smallest of the local council ward, local board subdivision, or community board area, as that in which the class 4 venue from which the proceeds originated is located.”
- (2) In section 106(2), replace “subsection (1)” with “subsections (1) and **(1A)**”.

25 New sections 110A and 110B

After section 110, insert:

“110A Corporate societies to cease to distribute proceeds from class 4 gambling

Any corporate society whose principal purpose or activity is to distribute proceeds from class 4 gambling must cease to distribute proceeds from class 4 gambling and must have distributed all its proceeds from class 4 gambling by 1 November 2013.

“110B Corporate societies to be succeeded by council and local board committees

- “(1) A territorial authority is responsible for the distribution of proceeds from class 4 gambling venues located in its district from 1 November 2013.
- “(2) A territorial authority must consult the community, iwi, and community organisations about suitable members of the coun-

cil or local board committee that must be responsible for the distribution of such proceeds for community purposes.

- “(3) The council committee responsible for the distribution of such proceeds must have a majority of its members who—
- “(a) live or are active in the local district; and
 - “(b) are not members of the local council, local board, or community board.
- “(4) The Auckland Council must ensure that at least 80% of the proceeds from class 4 gambling are distributed by committees of the local boards from whose area the class 4 gambling proceeds originated, and such local board committees must have a majority of members who—
- “(a) live or are active in the local board area; and
 - “(b) are not members of the Auckland Council or local board.”

Explanatory note

This Supplementary Order Paper amends the Gambling (Gambling Harm Reduction) Amendment Bill to remove the Commerce Committee’s amendments to the Bill.
