

AUSTRALIAN CAPITAL TERRITORY

No. 37 of 1979

An Ordinance to amend the *Poker Machine Control Ordinance 1975*

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat Of Government (Administration) Act 1910*.

Dated this fifth day of December 1979.

ZELMAN COWEN
Governor-General

By His Excellency's Command,

R. ELLICOTT
Minister of State for the Capital Territory

POKER MACHINE CONTROL (AMENDMENT) ORDINANCE (No. 2) 1979

1. This Ordinance may be cited as the *Poker Machine Control (Amendment) Ordinance (No. 2) 1979*.¹ Short title

2. In this Ordinance, "Principal Ordinance" means the *Poker Machine Control Ordinance 1975*.² Principal Ordinance

3. Section 3 of the Principal Ordinance is amended—

- (a) by omitting "*Liquor Ordinance 1929-1975*" from the definition of "club" and substituting "*Liquor Ordinance 1975*";
- (b) by inserting after the definition of "Court" the following definition:

" 'House of Assembly' means the Australian Capital Territory House of Assembly established by the *House of Assembly Ordinance 1936*; "; and

- (c) by omitting the definition of "Legislative Assembly".

4. Section 7 of the Principal Ordinance is amended—

- (a) by omitting from paragraph 1 (b) "Legislative" (wherever occurring) and substituting "House of";
- (b) by omitting from sub-section (3) "Legislative" and substituting "House of"; and

Interpretation

Appointment and term of office of members of the Board

- (c) by omitting from paragraph (6)(a) "Legislative" and substituting "House of".

5. Section 43 of the Principal Ordinance is repealed and the following sections are substituted:

Payments by
Board for
Community
Grants Fund

"43. (1) The Minister may, from time to time, direct the Board in writing to pay to the Commonwealth, for payment to the credit of the Community Grants Fund, a specified amount standing to the credit of the Board trust account.

"(2) The Board shall comply with a direction given under sub-section (1).

"(3) The Board shall not make a payment out of money standing to the credit of the Board trust account except in accordance with a direction given under sub-section (1).

"(4) In this section—

'Community Grants Fund' means the Australian Capital Territory Community Grants Fund, being a separate head of the Trust Fund under section 60 of the *Audit Act* 1901;

'Board trust account' means the trust account kept in pursuance of section 42.

Payments to
prescribed
bodies, &c.

"43A. (1) Subject to sub-section (3), the Minister may, from time to time, make a determination that a prescribed body or a prescribed person specified in the determination is eligible to receive under this section an amount specified in the determination.

"(2) The Minister may, if he thinks fit, request the House of Assembly or any other body or person in the Territory to advise him in writing with respect to the prescribed bodies or prescribed persons that might be specified in determinations made under sub-section (1), and where the Minister receives advice in pursuance of this sub-section, he shall, in making such a determination, have regard to that advice.

"(3) A determination under sub-section (1) shall not specify an amount that exceeds the amount ascertained by deducting from an amount equal to the aggregate of the amounts paid to the Commonwealth in pursuance of section 43 an amount equal to the aggregate of the amounts paid by the Commonwealth in pursuance of sub-section (4).

"(4) Where the Minister has made a determination under sub-section (1), the Commonwealth shall pay to the prescribed body or prescribed person specified in the determination the amount specified in the determination.

"(5) A reference in this section to a prescribed body shall be read as a reference to a society, association or other body, whether incorporated or not, which is not carried on for the pecuniary profit or gain of its

members and which is engaged in the Territory in any of the following activities:

- (a) providing assistance in connection with the social welfare needs of the community;
- (b) the carrying out of projects, or the provision of services, for the benefit of the community or a section of the community;
- (c) the promotion of, the provision of facilities for, or the encouragement of participation in, any sport or recreational pursuit;
- (d) the promotion, or the encouragement of the practise, appreciation, understanding or enjoyment, of any of the arts;
- (e) the study of, research into, or the fostering of interest in, history or matters of historical significance;
- (f) the fostering of interest in horticulture or aviculture;
- (g) the preservation or protection of the national estate.

“(6) A reference in this section to a prescribed person shall be read as a reference to an individual who, in the Territory, is pursuing a course of study, or is engaged in research, in any of the arts.

“(7) In this section—

- (a) ‘arts’ includes creative and interpretative expression through theatre, literature, music, visual arts, film and crafts;
- (b) ‘the national estate’ means those places, being components of the natural or cultural environment of Australia, that have aesthetic, historic, scientific or social significance or other special value for future generations as well as for the present community.”

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 7 December 1979.
2. Ordinance No. 24, 1975 as amended by No. 61, 1976; No. 26, 1977; No. 46, 1978; and No. 7, 1979.