

Poker Machine Control (Amendment) Ordinance 1982

No. 92 of 1982

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 2 December 1982.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

MICHAEL HODGMAN
Minister of State for the Capital Territory

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

Short title

1. This Ordinance may be cited as the *Poker Machine Control (Amendment) Ordinance 1982*.¹

Principal Ordinance

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

Interpretation

3. Section 3 of the Principal Ordinance is amended by inserting after the definition of "Authority" the following definition:

" '20 cent poker machine' means a poker machine that is designed to be used or may be used by inserting a coin of a denomination of 20 cents;".

Issue and variation of licences

4. Section 19 of the Principal Ordinance is amended by adding at the end thereof the following sub-section:

"(2) Subject to this Ordinance, the Authority may, upon the application of a club that is the holder of a licence that does not relate to 20 cent poker machines, vary the licence for the purpose of indicating that the licence is a licence that relates to 20 cent poker machines."

Issue and variation of licences conditional upon results of ballots of club members

5. Section 20 of the Principal Ordinance is amended by inserting after sub-section (1) the following sub-section:

“(1A) The Authority shall not—

- (a) issue to a club a licence in respect of 20 cent poker machines; or
- (b) vary, under sub-section 19 (2), a licence held by a club,

unless the Authority is satisfied that, at a ballot conducted by the club in accordance with the regulations, the majority of the members of the club who voted in the ballot voted in favour of the installation and use of 20 cent poker machines on the club premises.”.

Determination of the number and type of poker machines

6. Section 22 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1) “an application as required by a club” and substituting “an application for the issue or variation of a licence”;
- (b) by omitting from sub-section (1) “in respect of which a licence shall be granted” and substituting “to be specified in the licence”; and
- (c) by omitting from sub-section (2) “10 cents” and substituting “20 cents”.

Regulations

7. Section 52 of the Principal Ordinance is amended by omitting from paragraph (d) “under sub-section 20 (2) or sub-section 31 (4)” and substituting “for the purposes of sub-section 20 (1) or (1A) or section 31”.

Transitional

8. Notwithstanding the amendments effected by this Ordinance, where—

- (a) a ballot is conducted by a club, being a club that is the holder of a licence, for the purpose of enabling the members of the club to register a vote either in favour of or against the installation and use of 20 cent poker machines on the club premises;
- (b) voting-papers in connection with the ballot were issued before the commencement of this Ordinance; and
- (c) the Authority is satisfied that, at the ballot, the majority of the members of the club who voted in the ballot voted in favour of the installation and use of 20 cent poker machines on the club premises,

the Authority may vary, under the Principal Ordinance as amended by this Ordinance, the licence held by the club for the purpose of indicating that the licence is a licence that relates to 20 cent poker machines in the same manner as if the result of the ballot referred to in paragraph (c) had been obtained at a ballot of the members of the club conducted in accordance with the regulations.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 6 December 1982.
2. No. 24, 1975 as amended by No. 61, 1976; No. 26, 1977; No. 46, 1978; Nos. 7 and 37, 1979; No. 11, 1981; No. 38, 1982; Act No. 116, 1981.