

Regulations 1982 No. 51<sup>1</sup>

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**Poker Machine Regulations<sup>2</sup> (Amendment)**

I, WILLIAM MICHAEL HODGMAN, the Minister of State for the Capital Territory, hereby make the following Regulations under the *Poker Machine Control Ordinance 1975*.

Dated 6 December 1982.

MICHAEL HODGMAN

Minister of State for the Capital Territory

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1. Regulation 2 of the Poker Machine Regulations is repealed and the following regulation substituted:

**Interpretation**

"2. In these Regulations, 'the Ordinance' means the *Poker Machine Control Ordinance 1975*."

**Licence fees**

2. Regulation 3 of the Poker Machine Regulations is amended--

- (a) by omitting from paragraph (c) "and"; and
- (b) by omitting paragraph (d) and substituting the following paragraphs:

"(d) in respect of machines to which the licence relates, being machines operated by coins of the denomination of 10 cents--

- (i) if the number of those machines does not exceed 10—an amount calculated at the rate of \$100 for each machine;
  - (ii) if the number of those machines exceeds 10 but does not exceed 20—an amount that is equal to the sum of \$1,000 and an amount calculated at the rate of \$200 for each machine in excess of 10; or
  - (iii) if the number of those machines exceeds 20—an amount that is equal to the sum of \$3,000 and an amount calculated at the rate of \$300 for each machine in excess of 20;
- (e) in respect of machines to which the licence relates, being machines operated by coins of the denomination of 20 cents—
- (i) if the number of those machines does not exceed 2—an amount calculated at the rate of \$400 for each machine;

- (ii) if the number of those machines exceeds 2 but does not exceed 5—an amount that is equal to the sum of \$800 and an amount calculated at the rate of \$600 for each machine in excess of 2;
- (iii) if the number of those machines exceeds 5 but does not exceed 20—an amount that is equal to the sum of \$2,600 and an amount calculated at the rate of \$1,600 for each machine in excess of 5; or
- (iv) if the number of those machines exceeds 20—an amount that is equal to the sum of \$26,600 and an amount calculated at the rate of \$2,500 for each machine in excess of 20.”

3. Regulation 5 of the Poker Machine Regulations is repealed and the following regulation substituted:

#### **Conduct of ballots**

“5. (1) A ballot to be conducted for the purposes of sub-section 20 (1) or section 31 of the Ordinance shall be conducted in accordance with the procedure set out in Schedule 1.

“(2) A ballot to be conducted for the purposes of sub-section 20 (1A) of the Ordinance shall be conducted in accordance with the procedure set out in Schedule 1A.”

#### **Ballot to be secret**

4. Regulation 6 of the Poker Machine Regulations is amended by adding at the end thereof “conducted for the purposes of the Ordinance”.

#### **Heading to Schedule 1**

5. The heading to Schedule 1 to the Poker Machine Regulations is omitted and the following heading substituted:

### **“SCHEDULE 1**

Sub-regulation 5 (1)

CONDUCT OF BALLOTS RELATING TO THE INSTALLATION AND USE OF  
POKER MACHINES ON CLUB PREMISES OR THE CANCELLATION OR  
NON-RENEWAL OF A LICENCE”.

#### **Schedule 1A**

6. After Schedule 1 to the Poker Machine Regulations the following Schedule is inserted:

### **SCHEDULE 1A**

Sub-regulation 5 (2)

CONDUCT OF BALLOTS RELATING TO THE INSTALLATION AND USE OF  
20 CENT POKER MACHINES ON CLUB PREMISES

#### **1. In this Schedule**

“member”, in relation to a club, does not include an honorary member of the club;

“return date” means the date fixed for the purposes of clause 2 as the last date for the delivery of voting-papers to a club.

2. For the purposes of conducting a ballot relating to the installation and use of 20 cent poker machines on the premises of a club, the secretary of the club shall fix the date that is to be the last date on which voting-papers may be delivered to the club.

3. The secretary of a club shall, not later than 14 days before the return date, send by post to each member of the club, at the last known address of the member, a voting-paper.

4. A voting-paper shall be in accordance with the following Form:

**AUSTRALIAN CAPITAL TERRITORY  
POKER MACHINE REGULATIONS**

Ballot relating to the installation and use of  
20 cent poker machines on the premises of  
(*here insert the name of the club*)

**VOTING-PAPER**

**Directions to voter**

1. If you wish to vote in the ballot, you must answer "Yes" or "No" to the question set out below. Your vote will not be effective unless the voting-paper is marked in accordance with these directions.

2. If you wish to answer "Yes" to the question, write the word "Yes" in the square opposite the question.

3. If you wish to answer "No" to the question, write the word "No" in the square opposite the question.

ARE YOU IN FAVOUR OF THE INSTALLATION AND  
USE OF 20 CENT POKER MACHINES ON THE  
PREMISES OF (*here insert the name of the club*)?

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5. Where the secretary of a club is satisfied that a voting-paper has been lost or destroyed, he shall, on request in writing by the person to whom the voting-paper was sent, deliver to that person a new voting-paper.

6. The secretary of a club shall, up to and including the return date, make available at the premises of the club a locked and sealed ballot-box for the reception of voting-papers.

7. (1) A voter shall

- (a) mark his vote on the voting-paper by writing either the word "Yes" or the word "No" on the voting-paper in accordance with the directions on the voting-paper; and
- (b) on or before the return date
  - (i) deposit the voting-paper in the ballot-box kept at the relevant club in pursuance of clause 6; or
  - (ii) post the voting-paper to the secretary of the relevant club.

(2) The secretary of a club shall, upon receipt by him on or before the return date of a voting-paper forwarded to him under sub-clause (1), deposit the voting-paper in the ballot-box kept at the club.

8. (1) A person is eligible to vote in a ballot of members of a club if, at the time of voting, he is a member of the club.

(2) A person is entitled to one vote only in a ballot.

9. (1) The secretary of a club shall

- (a) appoint 2 scrutineers for the purposes of a ballot; and
- (b) inform the scrutineers of the time and place at which the ballot-box kept in pursuance of clause 6 will be opened.

(2) A scrutineer is entitled to be present when the ballot-box is opened and the result of the ballot ascertained.

10. (1) A voting-paper is not effective if it is received at the premises of a club after the return date.

(2) The secretary of a club shall decide whether a voting-paper is effective.

11. As soon as practicable after the return date, the secretary of the relevant club shall open the ballot-box kept in pursuance of clause 6 and ascertain the result of the ballot.

12. Forthwith after the result of a ballot has been ascertained, the secretary of the relevant club shall, by notice in writing, inform the Chairman of—

- (a) the number of voting-papers that were issued for the purposes of the ballot;
  - (b) the number of members of the club who voted "Yes" in the ballot;
  - (c) the number of members of the club who voted "No" in the ballot; and
  - (d) the number of voting-papers rejected by the secretary as ineffective.
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### NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 9 December 1982.
2. Regulations 1976 No. 4 as amended by 1977 No. 13; 1980 No. 3.