

## AUSTRALIAN CAPITAL TERRITORY

### COMMUNITY DEVELOPMENT FUND ORDINANCE 1981 POKER MACHINE CONTROL (AMENDMENT) ORDINANCE 1981 BETTING (TOTALIZATOR AGENCY) (AMENDMENT) ORDINANCE 1981 LOTTERIES (AMENDMENT) ORDINANCE 1981

ORDINANCE NOS. 10 , 11 , 12 and 13 .

#### EXPLANATORY STATEMENT

The Community Development Fund Ordinance 1981 enables the Minister for the Capital Territory to distribute funds from the Australian Capital Territory Community Development Fund established as a Trust Account under section 62A of the Audit Act 1901. The Minister is able to make such payments from the Fund for the purpose of approved community projects or, more specifically, to statutory authorities for the purpose of an approved community project, or to eligible prescribed bodies or persons. The Minister may approve a project only where he is satisfied that it is or will be for the benefit of the local community or a section of it.

Under the Ordinance a prescribed body is one which is not carried on for the pecuniary gain of its members and whose activities, which are carried on in the Territory, involve welfare assistance, community projects, sport or recreation, the arts, history, or the preservation of the national estate. A prescribed person is one who is engaged in any of those activities or is studying or researching any of those activities. The Minister may request the ACT House of Assembly to advise him in considering whether or not a prescribed body or person is eligible for assistance from the Fund.

In all cases under the Ordinance the Minister may determine the manner in which and the time within which the amount of the grant is to be expended and if the amount is not expended in accordance with the determination it may be required to be repaid to the Fund.

The Poker Machine Control (Amendment) Ordinance 1981 repeals existing sections 43 and 43A of the Principal Ordinance and substitutes a new section 43 which requires the Poker Machine Licensing Board to pay to the Commonwealth for the purpose of the Community Development Fund, on a monthly basis, any moneys standing to the credit of the Board's trust account, which moneys represent 10 percent of the revenue generated from poker machine operations in the Territory.

The Ordinance also enables the Board to open bank accounts in the Territory, at least one of which must be constantly maintained. All moneys received by the Board, other than the 10 percent of clubs' poker machine revenue which it is required to pay into a trust account, must be paid into these bank accounts.

The Betting (Totalizator Agency) (Amendment) Ordinance 1981 repeals sections 28 and 28A of the Principal Ordinance. The Totalizator Agency Board is required to increase the amount it must set aside for the purpose of making payments to prescribed race clubs from one percent to two percent of the total amount of revenue from bets placed with the Board. The Board is required to make payments to prescribed race clubs, of which there are presently three in the Territory, once in each accounting period and in amounts determined by the Minister.

The Ordinance enables the Minister to require the Board to make payments out of the Board's profits, having first allowed for the two percent of moneys mentioned above to be allocated, and the Minister then having decided to whom those payments are to be made. It is envisaged that such moneys will, except in usual circumstances, be paid into the Community Development Fund.

The Lotteries (Amendment) Ordinance 1981 ensures that pool betting operations in the Territory do not escape the requirement to contribute to the Fund by being approved as a lottery under the Principal Ordinance.

Ord. No. 62/80  
64/80  
65/80  
67/80