



Gambling (Fees) Amendment Regulations 2023

Rt Hon Dame Helen Winkelmann, Administrator of the Government

Order in Council

At Wellington this 15th day of May 2023

Present:

Her Excellency the Administrator of the Government in Council

These regulations are made under section 370 of the Gambling Act 2003—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the advice of the Minister of Internal Affairs after consultation in accordance with section 372 of that Act.

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Regulations

1 Title

These regulations are the Gambling (Fees) Amendment Regulations 2023.

2 Commencement

These regulations come into force on 1 July 2023.

3 Principal regulations

These regulations amend the Gambling (Fees) Regulations 2015.

4 Regulation 9 amended (Calculation of fee)

- (1) In regulation 9(2), formula, item a, replace “one financial year” with “full or part financial year”.
- (2) In regulation 9(2), formula, item c, replace “specified in the licence” with “connected to the electronic monitoring system”.

5 Regulations 10 and 11 replaced

Replace regulations 10 and 11 with:

10 Additional fee payable if number of gaming machines increases

- (1) An additional amount of class 4 venue annual fee is payable if, during the term of a class 4 venue licence, additional gaming machines to those taken into account under item c of the formula in regulation 9(2) are connected to the electronic monitoring system.
- (2) The amount of additional fee payable by the licence holder is the difference between—
 - (a) the amount payable by the licence holder for the whole months for which the licence remains valid after the date on which the additional gaming machines are connected to the electronic monitoring system; and
 - (b) the amount paid by the licence holder for the whole months for which the licence remains valid after the date on which the additional gaming machines are connected to the electronic monitoring system.

11 Refund of fee if number of gaming machines reduced

- (1) The Secretary may refund to the holder of a class 4 venue licence any class 4 venue annual fee paid by the holder if gaming machines taken into account under item c of the formula in regulation 9(2) are disconnected from the electronic monitoring system.
- (2) The amount the Secretary may refund is the difference between—
 - (a) the amount paid by the licence holder for the whole months for which the licence remains valid after the date on which the gaming machines are disconnected from the electronic monitoring system; and
 - (b) the amount payable by the licence holder for the whole months for which the licence remains valid after the date on which the gaming machines are disconnected from the electronic monitoring system.

Rachel Hayward,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 July 2023, amend the Gambling (Fees) Regulations 2015 (the **principal regulations**).

Regulation 4 amends the formula in regulation 9(2) of the principal regulations for calculating the total class 4 venue annual fee payable by a licence holder. The amendment provides that the gaming machines to be taken into account in item c of the formula are those that are connected to the electronic monitoring system (rather than those specified in the licence). *Regulation 4* also amends item a of the formula to make its wording more consistent with the rest of regulation 9.

Regulation 5 makes amendments to regulations 10 and 11 of the principal regulations that are consequential on the amendments made to regulation 9(2).

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*: 18 May 2023.

These regulations are administered by the Department of Internal Affairs.