



No. *6* of 2001.

***Gaming Machine (Amendment No. 2) Act 2001.***

Certified on: *20 - 12 - 01*



INDEPENDENT STATE OF PAPUA NEW GUINEA.

No. of 2001.

*Gaming Machine (Amendment No. 2) Act 2001.*

ARRANGEMENT OF SECTIONS.

1. Compliance with constitutional requirements.
2. Periodic provision of information by the holder of a licence (Amendment of Section 64).
3. Distribution of profits (Amendment of Section 67).
4. New Section 67AB.  

**“67AB. WRITE OFF OF REVENUE.”.**
5. Payments by Board (Amendment of Section 68).
6. Operation of *Gaming Machine (Amendment) Act 2001* (Amendment of Preamble).
7. Transitional provisions relating to Section 67(2)(b).



INDEPENDENT STATE OF PAPUA NEW GUINEA.

AN ACT

entitled

*Gaming Machine (Amendment No.2) Act 2001,*

Being an Act to amend the *Gaming Machine Act 1993,*

MADE by the National Parliament.

1. **COMPLIANCE WITH CONSTITUTIONAL REQUIREMENTS.**

For the purposes of Section 41 of the *Organic Law on Provincial Governments and Local-level Governments*, it is hereby declared that this Act relates to a matter of national interest and that there has been consultation between the Minister responsible for provincial and local government affairs matters and all affected Provincial Governments.

2. **PERIODIC PROVISION OF INFORMATION BY THE HOLDER OF A LICENCE (AMENDMENT OF SECTION 64).**

Section 64(3) of the Principal Act is amended by repealing the word "latter" and replacing it with the following:-

"later".

3. **DISTRIBUTION OF PROFIT (AMENDMENT OF SECTION 67).**

Section 67(2) of the Principal Act is amended –

- (a) by repealing the reference to "Section 67(A)" and replacing it with the following:-

"Subsection (2A)"; and

- (b) by repealing Paragraph (b), and

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(c) in Paragraph (c), by repealing the percentage "20%" and replacing it with the following:-

"35%".

**4. NEW SECTION 67AB.**

The Principal Act is amended by inserting after Section 67AA the following new Section:-

**"67AB. WRITE OFF OF REVENUE.**

(1) All amounts accruing due to, but not paid into, the bank accounts operated pursuant to Section 67 (2)(c) and Section 68A (1) prior to the coming into force of the ***Gaming Machine (Amendment No. 2) Act 2001***, shall be written off for the purposes of preparation of the financial accounts of the Board and of any report prepared pursuant to the provisions of Section 14.

"(2) Neither this section nor its effect may be pleaded in defence of any proceedings or inquiry (civil or criminal) in respect of the recovery of or establishment of liability for the amount written off."

**5. PAYMENTS BY THE BOARD (AMENDMENT OF SECTION 68).**

Section 68 of the Principal Act is amended –

(a) by repealing Subsection (3) and is replacing it with the following:-

"(3) Where an application is received by the Board from an applicant for a sum which exceeds K100,000.00 or applications are received from an applicant for an aggregate sum which exceeds K100,000.00 the Board shall make a recommendation to the Minister as to what payments, if any, should be made by the Board from the Community Benefit Fund Account under Section 68A."; and

(b) in Subsection (7), by repealing the words "Subsection (2) and (4)" and replacing them with the following:-

"this Section".

**6. OPERATION OF THE GAMING MACHINE (AMENDMENT) ACT 2001 (AMENDMENT OF PREAMBLE).**

Paragraph (a) of the preamble to the ***Gaming Machine (Amendment) Act 2001*** is repealed.

**7. TRANSITIONAL PROVISION RELATING TO REPEAL OF SECTION 67 (2)(b).**

The Board shall transfer to the Trust Account operated under Section 68 (1) of the Principal Act all monies which, immediately before the coming into operation of the ***Gaming Machine (Amendment No.2) Act 2001***, stood at credit in the trust accounts operated in accordance with Section 67 (2)(b) of the Principal Act, and any claim by a person to beneficial interest in any such monies is hereby extinguished."

***Gaming Machine (Amendment No. 2)***

I hereby certify that the above is a fair print of the ***Gaming Machine (Amendment No.2) Act 2001*** which has been made by the National Parliament.

Clerk of the National Parliament.

I hereby certify that the ***Gaming Machine (Amendment No.2) Act 2001*** was made by the National Parliament on 11 December 2001.

Speaker of the National Parliament.

