



ANALYSIS

Title
1. Short Title

2. Distribution Committees may delegate functions
3. Subsequent variation of grants and loans

1980, No. 112

An Act to amend the Gaming and Lotteries Act 1977

[8 January 1981]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Gaming and Lotteries Amendment Act 1980, and shall be read together with and deemed part of the Gaming and Lotteries Act 1977 (hereinafter referred to as the principal Act).

2. Distribution Committees may delegate functions—The principal Act is hereby amended by inserting, after section 100, the following section:

“100A. (1) Notwithstanding section 100 of this Act, any Distribution Committee may appoint any person or persons (whether or not a member or members of the Committee) to be a subcommittee, and may delegate to such subcommittee its power to determine any application or class of applications made under section 101 of this Act.

“(2) The Distribution Committee, on delegating its powers under subsection (1) of this section, may issue to the subcommittee such general or specific instructions, and may impose such conditions, as it thinks fit.

“(3) The subcommittee, in exercising the powers delegated to it under this section, shall at all times be responsible to the Distribution Committee.

“(4) Except as otherwise provided in this section, the subcommittee to whom any powers are delegated under this section may exercise those powers in the same manner and with the same effect as if they had been directly conferred on that subcommittee by this Act and not by delegation.

“(5) Every subcommittee purporting to act under any delegation under this section shall, in the absence of proof to the contrary, be presumed to be acting within the terms of the delegation.

“(6) No such delegation shall prevent the exercise by the Distribution Committee itself of any of the powers or functions conferred on it by this Act.”

3. Subsequent variation of grants and loans—(1) Section 101 of the principal Act is hereby amended by adding the following subsection:

“(4) The Minister or, as the case may be, the Distribution Committee, may from time to time vary or cancel any terms or conditions attached to any grant under subsection (3) of this section, or attach any new terms and conditions to that grant.”

(2) Section 102 of the principal Act is hereby amended by adding the words “, including any terms and conditions subsequently attached to the grant under section 101 (4) of this Act”.

(3) Section 103 (1) of the principal Act is hereby amended by adding to paragraph (b) the word “; or”, and by adding the following paragraph:

“(c) The variation, cancellation, or discharge of any subsidy or loan previously approved under this subsection, or the increase of the amount of any such subsidy or loan.”

(4) Section 103 (2) of the principal Act is hereby amended by adding the following paragraph:

“(c) Do any other thing necessary to give effect to the approval.”

(5) Section 103 of the principal Act is hereby further amended by repealing subsection (3), and substituting the following subsections:

“(3) Where the Secretary, purporting to act on behalf of any Distribution Committee, signs any document for the purposes of this section, that document shall be deemed for all purposes to have been validly executed, and the Secretary’s signature shall be conclusive evidence of his authority to sign the document.

“(3A) Any approval under this section may be made subject to such terms and conditions as the Distribution Committee thinks fit.”

This Act is administered in the Department of Internal Affairs.
