



## HOUSE OF REPRESENTATIVES

# Supplementary Order Paper

Tuesday, 9 December 1997

CASINO CONTROL (MORATORIUM) AMENDMENT BILL

### *Proposed Amendments*

OWEN JENNINGS, in Committee, to move the following amendments:

*Clause 2:* To omit from proposed *new section 27A (1)* (which appears on page 1) the words “3-year”.

To omit from proposed *new section 27A*, in every place where it occurs in *subsections (1), (3) (a), and (4)* on pages 1 and 2, the date “16 October 1997”, and substitute the date “17 October 1997”.

### EXPLANATORY NOTE

This Supplementary Order Paper shifts the date on which the proposed moratorium in the bill is to take effect by one day, from 16 October 1997 to 17 October 1997.

As drafted, the bill brings within the moratorium an application for a casino premises licence lodged on 16 October in respect of a proposed casino in Wellington. That is unjust. The applicants in that case had spent many months preparing their application in accordance with all requirements then applicable, and had acted in good faith upon promises made by deliberately delaying their application so as to ensure extensive consultation on it. Perversely, if not intentionally, the introduction of legislation designed to impose a moratorium, which is specified to take effect on the day of introduction, on the consideration of applications by the Casino Control Authority, and the lodging of the application occurred on the same day. The bill imposes a double blow, in that it also imposes a moratorium on compensation by the Crown in respect of costs of applications lodged on that day or within the next 3 years. In the circumstances, the inclusion of this application within the moratorium, whether intentionally or coincidentally, involves a very significant impact on one particular applicant's private rights.

The proposed amendments will shift the operative date of the moratorium in the bill by one day, in respect of both the Authority's consideration of applications and the Crown's liability to pay compensation, so that this particular application is no longer caught by the moratorium.