



**THE CASINO CONTROL (APPLICATIONS AND HOURS)
REGULATIONS 1991, AMENDMENT NO. 1**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 4th day of December 1995

Present:

THE RIGHT HON. J. B. BOLGER PRESIDING IN COUNCIL

PURSUANT to sections 61 and 116 of the Casino Control Act 1990, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Casino Control (Applications and Hours) Regulations 1991, Amendment No. 1, and shall be read together with and deemed part of the Casino Control (Applications and Hours) Regulations 1991* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.

2. Interpretation—Regulation 2 of the principal regulations is hereby amended by inserting, after the definition of the term “applicant”, the following definition:

“ ‘Associated licensee’,—

“(a) In relation to the holder of a casino premises licence, means the licensed casino operator who operates the casino to which the casino premises licence relates; and

“(b) In relation to a licensed casino operator, means the holder of the casino premises licence in respect of the casino operated by the licensed casino operator;—

and ‘associated holder of a casino premises licence’ and ‘associated licensed casino operator’ have corresponding meanings.”.

3. Telephone conferences—The principal regulations are hereby amended by revoking regulation 13, and substituting the following regulation:

“13. (1) For the purpose of dealing with any preliminary or incidental matter arising in respect of any application or appeal to the Authority, the members of the Authority may hold a meeting by telephone conference, and, for that purpose, may—

“(a) Permit any party to appear before the Authority by telephone:

“(b) Hear evidence or examine any witness by telephone conference on such terms and conditions as the Authority thinks fit.

“(2) Without limiting its discretion under subclause (1) (b) of this regulation, the Authority may require the cost of any such telephone conference to be borne by any party or parties.

“(3) As soon as practicable after any meeting of the Authority held by telephone conference pursuant to this regulation, the person who presided at the meeting so held shall cause to be made a record of any decision made by the Authority during that meeting, and ensure that a copy of that record is supplied to each of the parties.

“(4) Where, during any meeting of the Authority held by telephone conference pursuant to this regulation, the Authority receives evidence from any person, the person presiding at the meeting—

“(a) May, if he or she considers it necessary, cause a record of that evidence to be made; and

“(b) Subject to regulation 14 of these regulations, shall ensure that each of the parties is advised of the right to request a copy of any record so made.

“(5) Subject to regulation 14 of these regulations, a copy of any record made pursuant to subclause (4) of this regulation shall, on request, be made available to any party to the proceedings.”

4. Confidentiality—Regulation 14 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclause:

“(1) The Authority may, of its own motion or on the request of any party to an application or appeal to the Authority, order that—

“(a) Any information supplied to the Authority in relation to the application or appeal; or

“(b) Any information relating to the application or appeal supplied to any party or other person at the direction or request of the Authority; or

“(c) Any matter put in evidence before the Authority in relation to the application or appeal—

be confidential to the Authority, and shall not be disclosed to any person without the consent of the Authority or used for any purpose other than a purpose determined by the Authority.”

5. First Schedule (relating to forms) amended—The First Schedule to the principal regulations is hereby amended by inserting, after form 6, the forms set out in the First Schedule to these regulations.

6. New Third Schedule (relating to fees) substituted—The principal regulations are hereby amended by revoking the Third Schedule, and substituting the Third Schedule set out in the Second Schedule to these regulations.

SCHEDULES

FIRST SCHEDULE

Reg. 5

NEW FORMS INSERTED

Form 7

CASINO CONTROL AUTHORITY

APPLICATION FOR APPROVAL TO CHANGE ASSOCIATED LICENSED CASINO OPERATOR

Section 45 (1), Casino Control Act 1990

Full name of applicant:

Postal address of applicant:

Full name of current associated licensed casino operator:

Postal address of current associated licensed casino operator:

Full name of proposed associated licensed casino operator:

Postal address of proposed associated licensed casino operator:

Address of casino premises:

Application is hereby made for approval to change the associated licensed casino operator in respect of the premises situated at the address shown above.

Appended to this application are—

- (a) A copy of the casino agreement between the applicant and the proposed associated licensed casino operator;
- (b) A statement of any further conditions that it is considered that the Casino Control Authority may wish to attach to the licence of either party to the casino agreement in accordance with sections 43 and 45 (4) of the Casino Control Act 1990;
- (c) A statement of the reasons for the application.

Enclosed with this application is the application fee of \$

Dated this day of 19 .

Signature:

Full name of signatory:

Designation of signatory:

Notes:

1. Attention is drawn to regulation 4 of the Casino Control (Applications and Hours) Regulations 1991 which sets out certain requirements as to the form of applications. The Casino Control Authority may reject any application that does not meet those requirements.

FIRST SCHEDULE—continued**NEW FORMS INSERTED—continued****Form 7—continued****CASINO CONTROL AUTHORITY—continued****APPLICATION FOR APPROVAL TO CHANGE ASSOCIATED LICENSED CASINO
OPERATOR—continued***Section 45 (1), Casino Control Act 1990—continued*

2. Under section 45 (4) of the Casino Control Act 1990, the Casino Control Authority, in considering this application, must treat it as an application for approval of a casino agreement under section 40 of that Act, and the provisions of sections 41 to 44 of that Act apply.

FIRST SCHEDULE—continued

NEW FORMS INSERTED—continued

Form 8

CASINO CONTROL AUTHORITY

APPLICATION FOR APPROVAL TO AMEND APPROVED CASINO AGREEMENT

Section 45 (2), Casino Control Act 1990

Full name of applicant:

Postal address of applicant:

Full name of other party:

Postal address of other party:

Address of casino premises:

Application is hereby made for approval to amend the approved casino agreement dated the _____ day of _____ 19 _____ between the applicant and the above-named other party in respect of the premises situated at the address shown above.

Appended to this application are—

- (a) A copy of the amendment(s) for which approval is sought;
- (b) A statement of any further conditions that it is considered that the Casino Control Authority may wish to attach to the licence of either party to the casino agreement in accordance with sections 43 and 45 (4) of the Casino Control Act 1990;
- (c) A statement of the reasons for the application.

Enclosed with this application is the application fee of \$ _____

Dated this _____ day of _____ 19 _____ .

Signature:

Full name of signatory:

Designation of signatory:

Notes:

1. Attention is drawn to regulation 4 of the Casino Control (Applications and Hours) Regulations 1991 which sets out certain requirements as to the form of applications. The Casino Control Authority may reject any application that does not meet those requirements.
2. Under section 45 (4) of the Casino Control Act 1990, the Casino Control Authority, in considering this application, must treat it as an application for approval of a casino agreement under section 40 of that Act, and the provisions of sections 41 to 44 of that Act apply.



FIRST SCHEDULE—continued

NEW FORMS INSERTED—continued

Form 9

CASINO CONTROL AUTHORITY

APPLICATION TO VARY CONDITIONS OF CASINO LICENCE

Section 46, Casino Control Act 1990

Full name of applicant:

Postal address of applicant:

Full names of all associated licensees of the applicant (if any):

Postal addresses all associated licensees of the applicant (if any):

Type of casino licence in respect of which a variation of conditions is sought (delete whichever is not applicable):

- (a) Casino premises licence:
- (b) Casino operator's licence.

Address of casino premises to which the licence relates (if any):

Application is hereby made for variation of the conditions attached to the casino licence dated the _____ day of _____ 19____ and held by the above-named applicant.

Appended to this application are—

- (a) Particulars of the variation(s) for which approval is sought:
- (b) A statement of the reasons for the application.

Enclosed with this application is the application fee of \$ _____

Dated this _____ day of _____ 19____ .

Signature:

Full name of signatory:

Designation of signatory:

Note: Attention is drawn to regulation 4 of the Casino Control (Applications and Hours) Regulations 1991 which sets out certain requirements as to the form of applications. The Casino Control Authority may reject any application that does not meet those requirements.



FIRST SCHEDULE—continued

NEW FORMS INSERTED—continued

Form 10

CASINO CONTROL AUTHORITY
APPLICATION FOR ORDER CANCELLING, SUSPENDING, OR VARYING
CONDITIONS OF, CASINO LICENCE
Section 91, Casino Control Act 1990

Full name of applicant:

Occupation of applicant:

Postal address of applicant:

Type of casino licence in respect of which an order of the Casino Control Authority is sought (*delete whichever is not applicable*):

- (a) Casino premises licence:
- (b) Casino operator's licence.

Full name of holder of casino licence:

Postal address of holder of casino licence:

Address of casino premises to which the licence relates (if any):

Date of issue of casino licence:

Application is hereby made for the following order(s) under section 91 of the Casino Control Act 1990 in relation to the casino licence referred to above (*delete those not applicable*):

- (a) An order varying a condition or conditions of the licence:
- (b) An order revoking a condition or conditions of the licence:
- (c) An order imposing a new condition or conditions in relation to the licence:
- (d) An order suspending the licence:
- (e) An order cancelling the licence.

Appended to this application are—

- (a) Particulars of the order(s) sought (where the application relates to a condition or conditions of a licence):
- (b) A statement of the ground(s) on which the application is made (*including any of the grounds specified in section 90 of the Casino Control Act 1990*), and relevant facts in support of those grounds.

Dated this day of 19 .

Signature of applicant:

Note: Attention is drawn to regulation 4 of the Casino Control (Applications and Hours) Regulations 1991 which sets out certain requirements as to the form of applications. The Casino Control Authority may reject any application that does not meet those requirements.



Reg. 6

SECOND SCHEDULE

NEW THIRD SCHEDULE SUBSTITUTED

Reg. 6 (1)

“THIRD SCHEDULE

FEEES

\$

For an application under section 28 of the Act for a casino premises licence	450,000
For the issue of a casino premises licence	85,000
For an application under section 35 of the Act for a casino operator's licence	340,000
For the issue of a casino operator's licence	1,000
For an application under section 40 of the Act for the approval of a casino agreement	23,000
For an application under section 45 (1) of the Act for approval to change an associated licensed casino operator	23,000
For an application under section 45 (2) of the Act for approval to amend an approved casino agreement	1,000
For an application under section 46 of the Act to vary a condition or conditions of a casino licence	1,000.”

MARIE SHROFF,
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 amend the Casino Control (Applications and Hours) Regulations 1991.

Regulation 2 amends regulation 2 of the principal regulations by inserting a definition of the term “associated licensee”. The term is relevant in relation to the new forms inserted into the First Schedule to the principal regulations by *regulation 5*.

Regulation 3 revokes regulation 13 of the principal regulations (which relates to telephone conferences) and substitutes a new regulation 13. The amendment clarifies the power of the Casino Control Authority to hold meetings by telephone conference.

Regulation 4 revokes subclause (1) of regulation 14 of the principal regulations (which empowers the Casino Control Authority to make confidentiality orders), and substitutes a new subclause. The amendment extends that power to cover all proceedings of the Authority.

Regulation 5 amends the First Schedule to the principal regulations (which sets out certain forms) by adding certain new forms.

Regulation 6 revokes the Third Schedule to the principal regulations (which prescribes certain fees for the purposes of the Casino Control Act 1990), and substitutes a new schedule of fees. Three new fees are prescribed for—

- (a) Applications under section 45 (1) of the Act for approval to change an associated licensed casino operator:

- (b) Applications under section 45 (2) of the Act for approval to amend an approved casino agreement:
- (c) Applications under section 46 of the Act to vary a condition of a licence.
- All other fees remain unchanged.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 7 December 1995.
These regulations are administered in the Department of Internal Affairs.