

# Gambling (Electronic Monitoring Fees) Regulations 2006



Governor-General

## Order in Council

At Wellington this 6<sup>th</sup> day of March 2006

Present:

Her Excellency The Governor General in Council

Pursuant to section 370 of the Gambling Act 2003, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council and on the advice of the Minister of Internal Affairs after consultation with persons or organisations that appear to the Minister to be representative of the interests of persons likely to be substantially affected by these regulations, makes the following regulations.

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## Regulations

- 1 Title**  
These regulations are the Gambling (Electronic Monitoring Fees) Regulations 2006.
- 2 Commencement**  
These regulations come into force on 9 May 2006.
- 3 Interpretation**
- (1) In these regulations, unless the context otherwise requires,—  
**Act** means the Gambling Act 2003  
**electronic monitoring system** means the electronic monitoring system operated under the Act.
- (2) Unless the context otherwise requires, terms and expressions that are not defined in these regulations but that are defined in the Act have the same meaning as in the Act.
- Monitoring fee*
- 4 Monitoring fee payable**
- (1) A monitoring fee must be paid by the holder of a class 4 operator's licence for the electronic monitoring of its gaming machines.
- (2) The monitoring fee is set out in item 1 of the Schedule.
- (3) The monitoring fee must be paid to the Secretary.
- 5 Due date for payment of monitoring fee**  
The monitoring fee, as notified by the Secretary in accordance with regulation 7, must be paid on or before the 20th day of each month.

**6 Method of payment of monitoring fee**

The monitoring fee must be paid by—

- (a) direct debit from the class 4 operator's bank account; or
- (b) cheque; or
- (c) another method agreed in advance with the Secretary.

**7 Secretary to notify amount of monitoring fee**

- (1) The Secretary must, as soon as practicable each month, issue an invoice to the holder of a class 4 operator's licence for the monitoring fees payable for the previous month.
- (2) The monitoring fee for each gaming machine connected to the electronic monitoring system is calculated in accordance with the following formula:

$$a \times b$$

where—

- a is the number of days that the gaming machine operated in the month; and
  - b is the monitoring fee.
- (3) For the purposes of these regulations, a gaming machine is to be treated as having operated if the electronic monitoring system records a change in the gaming machine's electronic turnover meter.

**8 Penalty for late payment of monitoring fee**

- (1) If the monitoring fee, or part of the monitoring fee, is not paid within 20 working days after the date by which it must be paid in accordance with regulation 5, a penalty of 5% of the unpaid fee may be added to the amount due.
- (2) If the fee, or part of the fee, remains unpaid at the end of the month following the month in which liability for the penalty first arose, or at the end of any subsequent month, a further penalty (of 5% of the combined total of the unpaid instalment and any previous penalties) may be added to the amount due at the end of each of those months.
- (3) The holder of a class 4 operator's licence must pay any penalty imposed under this regulation to the Secretary.

*Late connection fee***9 Late connection fee**

- (1) The holder of a class 4 operator's licence may be required to pay a late connection fee in respect of a class 4 venue if the venue is not connected to the electronic monitoring system by the date notified to the licence holder under section 86(3) of the Act.
- (2) The fee is set out in item 2 of the Schedule.
- (3) The fee must be paid to the Secretary before the class 4 venue is connected to the electronic monitoring system.

*Goods and services tax***10 Fees inclusive of GST**

The fees prescribed or fixed by these regulations are inclusive of goods and services tax.

rr 4(2), 9(2)

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**Schedule  
Fees**

Item	Matter in respect of which fee payable under Act	Fee (\$)
1	Monitoring fee for each day or part of day (per gaming machine)	1.14
2	Late connection fee	250.00

  
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 9 May 2006, set out the fees payable in respect of gaming machines connected to the electronic monitoring system.

There is a monitoring fee, which is payable for each gaming machine connected to the system, and a late connection fee, which

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Explanatory note

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may be charged if a venue is not connected to the electronic monitoring system on the date specified by the Secretary in accordance with the Gambling Act 2003.

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Issued under the authority of the Acts and Regulations Publication Act 1989

Date of notification in *Gazette*:

These regulations are administered in the Department of Internal Affairs

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