

## Relevant sections of the Gambling Act 2003

### 134 Application for renewal of casino venue licence

- (1) The holder of a casino venue licence may apply to the Gambling Commission to renew the licence.
- (2) An application under subsection (1) must be—
  - (a) made in the period that is at least 1 year but not more than 2 years before the date on which the licence is due to expire; and
  - (b) on the relevant form; and
  - (c) accompanied by a casino impact report.
- (3) A casino impact report must be prepared by a person approved by the Commission as independent of the applicant, and must—
  - (a) report on the expected social and economic effects on the local and regional areas affected by the operation of the casino, and on New Zealand generally, of—
    - (i) the continued operation of the casino; and
    - (ii) the closure of the casino; and
  - (b) report on matters identified by the Gambling Commission.
- (4) The Gambling Commission may specify the research to be undertaken in preparing a casino impact report.
- (5) The applicant for renewal of a casino venue licence must pay for the casino impact report.

### 135 Process for determining applications for renewal

- (1) After receiving an application for renewal of a casino venue licence, the Gambling Commission must do the following things, although not necessarily in the order given:
  - (a) investigate the applicant and persons with a significant influence under section 125 to determine whether they—
    - (i) are suitable, in terms of section 124; and
    - (ii) have complied with this Act and previous gaming Acts and regulations made under them:
  - (b) give public notice of the application:
  - (c) by public notice, invite written submissions on the application:
  - (d) by public notice, invite people who wish to appear and be heard at a public hearing to apply to the Gambling Commission for authorisation:

- (e) give public notice of the commencement of hearings, and of how people may find out where and when hearings are to be held:
  - (f) make available for public inspection, subject to any agreement between the applicant and the Gambling Commission regarding confidentiality, copies of the application, any amendments to it, the casino impact report, and any other relevant documentation:
  - (g) conduct a public hearing of the application at which evidence of the parties is heard and parties may examine and cross-examine witnesses:
  - (h) give public notice of the decision of the Gambling Commission:
  - (i) make copies of the decision available to the public.
- (2) The Gambling Commission may require the Secretary to report to it on the matters referred to in subsection (1)(a) as part of its investigation under that paragraph.
  - (3) Subsection (1) sets out the minimum that the Gambling Commission must do to determine an application for renewal of a casino venue licence, but the Gambling Commission may take additional steps, or repeat or combine processes, as the Gambling Commission considers appropriate.
  - (4) Persons or groups who satisfy the Gambling Commission that they represent a section of the community in which the casino is located are entitled to appear and be heard at the public hearing of the application in person or by counsel or agent.
  - (5) In giving public notice under subsection (1), it is sufficient for the Gambling Commission to publish the notice twice, at intervals of not more than 14 days, in a major newspaper circulating in the locality of the casino to which the application relates.

### **136 Information and matters to be considered**

Before deciding whether to renew a casino venue licence, the Gambling Commission must consider—

- (a) the application; and
- (b) the casino impact report; and
- (c) any additional information or evidence provided by the applicant or person with a significant influence at the Gambling Commission's request; and
- (d) any written submissions and other written and oral evidence; and
- (e) the compliance record of the applicant and persons with a significant influence; and
- (f) any views conveyed by a local authority after an opinion poll or community consultation process; and
- (g) the results of investigations under section 125.

### **137 Renewal of casino venue licence**

- (1) The Gambling Commission must not renew a casino venue licence unless it is satisfied that—

- (a) the applicant and persons with a significant influence are suitable in terms of section 124; and
  - (b) the applicant's compliance record, and that of persons with a significant influence, is satisfactory; and
  - (c) renewing the licence will result in a net benefit—
    - (i) to the local and regional communities around the casino; and
    - (ii) to New Zealand generally.
- (2) In assessing whether there is a net benefit, the Gambling Commission must consider—
- (a) the social and economic effects of granting, or refusing to grant, the renewal; and
  - (b) the level of support for the application, including the result of any poll conducted by the local authority; and
  - (c) the nature and standard of the casino facilities.