

# LOTTERIES COMMISSION AMENDMENT ACT 1992

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No. 32 of 1992

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**AN ACT to amend the *Lotteries Commission Act 1990*.**

[Assented to 19 June 1992.]

The Parliament of Western Australia enacts as follows:

## **Short title**

1. This Act may be cited as the *Lotteries Commission Amendment Act 1992*.

## **Principal Act**

2. In this Act the *Lotteries Commission Act 1990*\* is referred to as the principal Act.

[\* *Act No. 16 of 1990*.]

**Section 16 amended**

3. Section 16 of the principal Act is amended —

- (a) by repealing subsections (3) and (6); and
- (b) in subsection (5) by deleting “Subject to subsection (6), this” and substituting the following —

“ This ”.

**Section 19 amended**

4. Section 19 of the principal Act is amended in paragraph (a) of the definition of “eligible organization” by deleting subparagraph (i) and substituting the following subparagraph —

- “ (i) that is not a Minister of the Crown in right of the State, Government department, State trading concern, State instrumentality or State public utility; ”.

**Section 22 amended**

5. Section 22 of the principal Act is amended —

- (a) in subsection (2) —
  - (i) by deleting “and” after paragraph (c); and
  - (ii) after paragraph (d) by deleting the full stop and substituting a semicolon and inserting the following paragraph —

“ (e) an amount not exceeding 2% —

- (i) as recommended by the Commission and approved by the Minister to such

body corporate as the Commission thinks fit and the Minister approves, for the purpose of funding incentives to undertake, or projects to facilitate the undertaking of, commercial film production in the State; and

- (ii) as recommended by the Commission and approved by the Minister to the University of Western Australia or any other body corporate which is, at the time of the payment, administering or managing the Festival of Perth, for the purpose of assisting the funding of the Festival of Perth.

”;

and

- (b) by inserting after subsection (7) the following subsections —

“ (8) The Minister shall carry out a review of the operation of subsection (2) (e) as soon as is practicable after the expiration of 3 years from the commencement of the *Lotteries Commission Amendment Act 1992* and thereafter as soon as is practicable after the expiration of every period of 3 years from the date on which a report is laid before each House of Parliament in accordance with subsection (10).

(9) In the course of a review under subsection (8) the Minister shall consider and have regard to whether —

- (a) the application by recipients of the payments made under subsection (2) (e) in the preceding 3 years has been appropriate; and
- (b) the future continuation of the payments referred to in subsection (2) (e) is appropriate.

(10) The Minister shall prepare a report based on the review made under subsection (8) and as soon as is practicable after the preparation of the report shall cause it to be laid before each House of Parliament.

### **Section 23 amended**

6. Section 23 of the principal Act is amended in subsection (1) by deleting “pay” in paragraph (a) and substituting the following —

“ offer ”.

### **Section 24 amended**

7. Section 24 of the principal Act is amended by inserting after “remaining after” the following —

“ appropriate provision has been made for ”.