Memorandum of Variation to the memorandum of understanding for the Gambling Research Australia Program

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Context

This Memorandum of Variation is made in the following context:

A. The Commonwealth of Australia, State of Victoria, State of New South Wales, State of Queensland, State of South Australia, State of Western Australia, State of Tasmania, Northern Territory and Australian Capital Territory entered into a memorandum of understanding in 2003 to commission and manage research projects in relation to gambling (the Principal MOU).

B. The Parties entered into a memorandum of variation in 2008 to amend the Principal MOU.

C. The Parties have agreed to further vary the Principal MOU as set out in this Memorandum of Variation.

Operative Provisions

The parties to this Memorandum of Variation agree to vary the Principal MOU, as previously amended, effective from the date of this memorandum as follows:

1. Amendments to Parties

(a) referring to the COMMONWEALTH OF AUSTRALIA for "Department of Family and Community Services" substitute "Department of Families, Housing, Community Services and Indigenous Affairs";

(b) referring to the STATE OF NEW SOUTH WALES for "Department of Gaming and Racing" substitute "Department of the Arts, Sport and Recreation";

(c) referring to the STATE OF QUEENSLAND for "represented by the Queensland Treasury" substitute "represented by and acting through the Office of Liquor, Gaming and Racing";

(d) referring to the STATE OF SOUTH AUSTRALIA for “Liquor and Gambling Commissioner” substitute “Department of Treasury and Finance”;

(e) referring to STATE OF WESTERN AUSTRALIA for “Department of Racing, Gaming and Liquor” substitute “Department of Treasury and Finance”;

(f) referring to the NORTHERN TERRITORY for “Northern Territory Treasury” substitute “Department of Justice”.
2. Amendments to the definitions and interpretive provisions (clause 1)

(1) In clause 1.1—

(a) in paragraph (b) of the definition of year of funding substitute—


3. Amendments to Invoicing Arrangements (clause 7)

(1) Insert clause numbering “7.1”, “7.2” and “7.3” in front of the paragraphs respectively.

(2) For clause 7.2 substitute—

"7.2. In accordance with clause 7.1 Victoria will issue fully detailed invoices to the Parties for their contribution to the Funds in accordance with Item D of the Schedule. Invoices issued under this clause to the contributing Parties will be provided:

(a) for the 2009-10 Year of Funding, within one month of the signing of the Memorandum of Variation which provides for funding for 2009-10; and

(b) for other Years of Funding, 2 months prior to the start of the financial year for which the contribution relates."

4. Amendments to Budget costs and disbursements (including Secretariat costs) (clause 8)

(1) For paragraph 8.4 substitute—

"8.4 The amount reimbursed each year under clause 8.3(a) or (b) is limited to the amount that Victoria contributed to the funding of the GRA program for that Year of Funding. For the 2009-10 Year of Funding and subsequent Years of Funding, Victoria may however seek additional reimbursement (if required) of up to $50,000 per Year of Funding subject to GRA approval after consideration of a business case."
Amendment 5

5. Amendments to audit and monitoring

(1) In clause 10.5—

(a) for “end of the financial year 2005-06” substitute “end of the 2013-2014 Year of Funding”.

(2) In clause 10.6—

(a) for “end of the financial year 2005-06” substitute “end of the 2013-2014 Year of Funding”.

6. Amendments to the Schedule

(1) In the Schedule, for Item A, “A. Program priority areas [Clause 3.1]:

(a) after the phrase “Ministerial Council on Gambling are:” insert the following text in a new line above sub-item A (a) —

“(i) for the Years of Funding up to and including 2008-09:”

(b) after “older people-“ and before “and any areas ... from time to time” insert—

“(ii) for subsequent Years of Funding:

(a) access to cash and pre-commitment tools;
(b) responsible gambling environments; and
(c) gaming machine standards that support harm minimisation—”

(2) In Item B of the Schedule, “B. Time-Frame and Activity Period [Clause 1.1]”:

(a) replace —

“30 June 2009” with “30 June 2014”

(b) insert the following text in a new line after “30 June 2014”—

“This MOU will remain in effect until each Party has performed all of its obligations under this MOU.”
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Amendment 6

(3) In Item D of the Schedule, “D. Funds [Clause 5]”: —

(a) replace — “per annum” with “per Year of Funding” throughout item D;

(b) in a new line above “The total contribution . . . .” insert —

“(i) For the Years of Funding up to and including 2008-09:

(c) after the table and before “If due to funding . . . .” insert —

“(ii) For subsequent Years of Funding:

The total contribution by the Parties will be $1,005,223 per Year of Funding (with up to $10,998 per Year of Funding more being contributed by Tasmania and up to $10,000 per Year of Funding more being contributed by Western Australia, on an project by project basis) which will be apportioned on the basis of each jurisdiction’s share of national gambling expenditure (with the exception of the Commonwealth, the State of Tasmania and the State of Western Australia) as follows:

<table>
<thead>
<tr>
<th>Commonwealth</th>
<th>$300,000 per Year of Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>New South Wales</td>
<td>$290,000 per Year of Funding. Effective from June 2009, the provision of funding by NSW is conditional upon the Trustees of the Responsible Gambling Fund recommending to the NSW Minister that the amount of funding be paid from the fund and the NSW Minister being satisfied, from time to time, that the purposes for which such amounts are to be expended will be for the benefit of NSW.</td>
</tr>
<tr>
<td>Victoria</td>
<td>$250,000 per Year of Funding</td>
</tr>
<tr>
<td>Queensland</td>
<td>$105,000 (per Year of Funding – subject to a participation review each year)</td>
</tr>
<tr>
<td>Western Australia</td>
<td>{up to $10,000 per Year of Funding on a project by project basis}</td>
</tr>
<tr>
<td>South Australia</td>
<td>$41,478 per Year of Funding</td>
</tr>
<tr>
<td>Tasmania</td>
<td>{up to $10,998 per Year of Funding on a project by project basis}</td>
</tr>
<tr>
<td>Australian Capital Territory</td>
<td>$11,009 per Year of Funding</td>
</tr>
<tr>
<td>Northern Territory</td>
<td>$7,736 per Year of Funding</td>
</tr>
</tbody>
</table>
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Amendment 6

(4) In Item E of the Schedule—

(a) beside New South Wales for 'Office of Liquor, Gaming and Racing' substitute 'Department of the Arts, Sport and Recreation'

(b) beside Queensland for 'Queensland Treasury' substitute 'Office of Liquor, Gaming and Racing'

(c) beside South Australia for 'Office of the Liquor and Gambling Commissioner' substitute 'Department of Treasury and Finance'

(d) beside Northern Territory for 'Northern Territory Treasury' substitute 'Department of Justice'.
Memorandum of Variation to the memorandum of understanding for the Gambling Research Australia Program

Execution and attestation

EXECUTION—AUSTRALIAN GOVERNMENT

Date:

EXECUTED for and on behalf of the Commonwealth of Australia by Hon. Jenny Macklin MP, Minister for Families, Housing, Community Services and Indigenous Affairs, in the presence of:

Jenny Macklin
Print name:
Memorandum of Variation to the memorandum of understanding for the Gambling Research Australia Program

Execution and attestation

EXECUTION—AUSTRALIAN CAPITAL TERRITORY

Date: 30 June 2009

EXECUTED for and on behalf of the Australian Capital Territory by Jon Stanhope MLA, Acting Treasurer, in the presence of:

[Signature]

Sue Ralford
Print name:
Memorandum of Variation to the memorandum of understanding for the Gambling Research Australia Program

Execution and attestation

EXECUTION—NEW SOUTH WALES

Date:

EXECUTED for and on behalf of the State of New South Wales by Hon. Kevin Greene MP, Minister for Gaming and Racing, in the presence of:

______________________________
Print name:
Memorandum of Variation to the memorandum of understanding for the Gambling Research Australia Program

Execution and attestation

EXECUTION—NORTHERN TERRITORY

Date:

EXECUTED for and on behalf of the Northern Territory of Australia by Hon. Kon Vatskalis MLA, Minister for Racing, Gaming and Licensing, in the presence of:

[Signature]

29 JUN 2009

Print name: Andrew Burke

29/6/09
Memorandum of Variation to the memorandum of understanding for the Gambling Research Australia Program

Execution and attestation

EXECUTION—QUEENSLAND

Date: 30th June 2009

EXECUTED for and on behalf of the State of Queensland by Hon. Peter Lawlor MP, Minister for Tourism and Fair Trading, in the presence of:

Print name:
Louise Katherine Foley
30 June 2009
Memorandum of Variation to the memorandum of understanding for the Gambling Research Australia Program

Execution and attestation

EXECUTION—SOUTH AUSTRALIA

Date: 26 June 2009

EXECUTED for and on behalf of the State of South Australia by Hon. Tom Koutsantonis MP, Minister for Gambling, in the presence of:

Print name: Nick Antonopoulos
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Execution and attestation

EXECUTION—TASMANIA

Date: 25-6-2009

EXECUTED for and on behalf of the State of Tasmania by Hon. Michael Aird MLC, Treasurer, in the presence of:

[Signature]

Print name: Sarah Harell

15 Murray St. HOBART
Memorandum of Variation to the memorandum of understanding for the Gambling Research Australia Program

Execution and attestation

EXECUTION—VICTORIA

Date: 29.6.09

EXECUTED for and on behalf of the State of Victoria by Hon. Tony Robinson MP, Minister for Gaming, in the presence of:

Tony Robinson

Print name:
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Execution and attestation

EXECUTION—WESTERN AUSTRALIA

Date: 26/6/09

EXECUTED for and on behalf of the State of Western Australia by Hon. Terry Waldron MLA, Minister for Sport and Recreation, Racing and Gaming in the presence of:

[Signature]

Barry Andrew Sargent
Print name: