

Gaming grants policies

1. PURPOSE AND SCOPE:

These policies are intended to cover all aspects of the role of the elected members of the Wiri Licensing in the administration of gaming grants from Class 4 gaming sites operated or controlled by the Wiri Licensing Trust. This policy document outlines Wiri Licensing Trust's expectations from its control and operation of these gaming sites and the expected behaviour of Trustees in their advisory role as elected members.

The Wiri Licensing Trust is a statutory body established under Part 3 of the Sale and Supply of Alcohol Act 2012. The functions of the Trust are set down in section 305 of this Act and include the sale and supply of alcohol within the Trust's district. The Trust's district encompasses the area defined by the Southern Motorway, Puhinui Road and the Manukau Harbour and includes the majority of the Manurewa Local Board area as well as parts of the Papatoetoe subdivision of the Otara-Papatoetoe Local Board area and parts of the Papakura Local Board area.

Within its district the Wiri Licensing Trust's owns the freehold interest in three licensed premises which operate Class 4 gaming machines under the Gambling Act 2003. These premises are as follows

- Our Local - 254 Roscommon Rd Wiri - operated directly by Wiri Licensing Trust
- Guada Bar - 3 Ronwood Ave Manukau - leased to private operator
- Spirt'd - Station Rd Manurewa - leased to private operator

Under the terms of the leases to private operators the Trust directs which Class 4 gaming trust shall operate gaming machines in these premises. Presently the Trust partners with Trillian Trust and The Trusts' Community Foundation (TTCF) to operate bars in its leased and directly operated bars.

The Trustees of the Wiri Licensing Trust in their role as elected members and independently from the Trust's business operations act in an advisory role to the Trust's gaming operators for the distribution of the net proceeds from gaming machines operated in Trust owned venues. This advisory role extends to recommending support for grant applications from community and charitable organisations to the net proceeds committees which each gaming trust is obliged to operate under section 106 of the Gambling Act.

2. OBJECTIVES:

The objectives sought through these policies are

- a) to set down Wiri Licensing Trust's expectations around the operation of Class 4 gaming machines on premises won and/or operated by the Trust,
- b) to ensure that Trustees of the Wiri Licensing Trust as elected members always act appropriately and prudently in their advisory roles to gaming machine operators, and;
- c) to ensure that the communities served by the Wiri Licensing Trust have a clear understanding of the principles and priorities which will be applied by elected members in deciding the relative merit of grant applications.

3. TRUST EXPECTATIONS FROM THE OPERATION OF CLASS 4 GAMING MACHINES:

1. The Wiri Licensing Trust and its Trustees fully appreciate the social and personal damage which can be done by Class 4 gaming machines. The Trust will ensure that machines operated on its premises are operated in a socially responsible manner and to best practice around host responsibility and harm minimisation.
2. The Trust will ensure that the net proceeds from gambling on machines in its premises reach at least 50% of the total turnover from these machines.

3. The Trust will ensure that through the advisory role of elected members and through their choice of gaming operators that at least 95% of these net proceeds will be distributed to authorised purposes within the Trust's district or to principal advantage of communities and people within this district.
4. The Trustees collectively expect every individual trustee to act with the upmost integrity in any involvement they might have with grant applications for proceeds from gaming machines operated on Trust premises.

4. PERFORMANCE OF TRUSTEES AS ELECTED MEMBERS IN AN ADVISORY ROLE:

1. As elected members of the Wiri Licensing Trust the Trustees are exempt under section 113 of the Gambling Act from being considered to be a key person under the Act. This exemption and the agreement of the Department of Internal Affairs allows them to perform an advisory role around the allocation of net proceeds for grants for authorised purposes. This advisory role is however conditional and requires the observance of a number of practices as follows:
2. The process of considering grant applications for support or otherwise shall not form part of the Trustees' role as governors of the Wiri Licensing Trust. The process of considering such applications shall be done in a formal meeting of elected members which shall be run separately from any Trust business meeting and for which accurate and adequate records shall be kept.
3. In their advisory role as elected members the Trustees fully appreciate that the final decision around the suitability of an application for a grant rests with the net proceeds committee of the gaming machine operator.
4. The Trustees will neither give assurances nor implications of assurances that any particular grant will be approved and should not express public support for any application prior to this application being considered at a meeting of elected members.
5. The Trustees will not solicit applications in exchange for person benefit or for any commercial benefit to the Trust although they are free to encourage groups and organisations to apply for funding from the Trust's gaming machine operators.
6. The Trustees may offer potential applicant groups advice on how to apply for a grant but they should not be involved directly in making any application.
7. Where a Trustee is a member of any applicant group they should advise the meeting of elected members of this relationship, not take part in of any discussion or consideration of this application and have this interest noted in the minutes of the meeting.
8. Trustees are not permitted to be party to any application where they, their spouse or partner or any member of their direct family may benefit financially or in terms of employment.

5. PRINCIPLES AND PRIORITIES IN MAKING RECOMMENDATIONS

1. As elected members in an advisory role the Trustees are free to use their discretion in deciding the relative merit of any grant application. This discretion should be applied reasonably, without undue bias or prejudice and in consideration of what offers the greatest community benefit for the Trust's district. This discretion shall not however be excessively influenced by precedence or past practice.
2. Trustees will not publicly discuss or rehearse past recommendations and decisions nor necessarily feel obliged to explain why or how they have applied their discretion.
3. Consideration of applications for recommendations of support shall be done in Committee to allow a free and frank exchange of opinion between elected members.

4. As far as possible the Trustees as elected members in an advisory role will seek consensus based decisions and even when such consensus is not achieved they will support the majority decision and not publicly criticise other elected members for their decision.
5. The Trustees as elected members in an advisory role will give preference to applications which engage or benefit large numbers of people - especially children and youth, and which are not funded by Government or Council.
6. In general applications from churches and religious organisations will not be recommended for approval unless the applicants can demonstrate wider community benefit for the project or programme for which funding is being sought.
7. In general applications from schools will not be recommended for approval unless the project either extends students' educational opportunities outside of school hours and/or off school property or extends community use of the school property outside of school hours.
8. The elected members will work on an overall strategy for the best allocation of gaming grants within the Trust's district and will communicate this strategy to the communities within its district when this is completed.
9. Where elected members consider it useful they may meet with an applicant group to discuss an application. Discretion to meet with applicants however rests with the chair of the elected members meeting who will normally be the Trust chairperson.

Approved at Trust meeting on February 19th 2014

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TRUST CHAIRPERSON

Refer Board Minutes February 2014 meeting