

IN THE MATTER of the Gambling Act 2003
AND of an application by **SKYCITY CASINO MANAGEMENT LIMITED** for approval of Annex A to the Hamilton operator's licence (to include automatic shufflers on its Caribbean Stud Poker tables and to offer Pontoon)

BEFORE THE GAMBLING COMMISSION

Members: P Chin (Chief Gambling Commissioner)
K M Ford
M M Lythe
P J Stanley
G L Reeves

Date of Application: 6 November 2007

Date of Decision: 14 December 2007

Date of Notification of Decision: *20* December 2007

DECISION

ON AN APPLICATION BY SKYCITY CASINO MANAGEMENT LIMITED FOR APPROVAL OF ANNEX A TO THE HAMILTON OPERATOR'S LICENCE (TO INCLUDE AUTOMATIC SHUFFLERS ON ITS CARIBBEAN STUD POKER TABLES AND TO OFFER PONTOON)

Application

1. SKYCITY Casino Management Limited ("**SCML**") applied to the Gambling Commission (the "**Commission**"), under condition 9 of its Hamilton operator's licence, for approval of a new Annex A to its operator's licence which:
 - (a) includes automatic shufflers on up to two Caribbean Stud Poker ("**CSP**") tables; and
 - (b) permits it to offer Pontoon, interchangeable with Black Jack.

Licence condition

2. Licence condition 9 of SCML's operator's licence provides as follows:

SCML operator's licence (Hamilton)

9. The Licence Holder may operate on casino gaming tables the game types and game mixes specified in Annex A attached to this Licence. The Licence Holder shall obtain the prior approval of the Commission for any changes to the game types and/or game mixes specified.

Submissions by SCML

Automatic shufflers on CSP

3. SCML stated that it seeks an amendment to Annex A to the conditions attached to the Hamilton operator's licence, to recognise its ability to operate automatic shufflers on its CSP tables. SCML submitted that;
- (a) game mix A was in place on 19 September 2003, when sections 11 and 12 of the Gambling Act 2003 (the "**Act**") came into effect;
 - (b) game mix A provides for the use of up to two CSP tables, both of which operated automatic shufflers (the authority for their use being set out in game rules); and
 - (c) as automatic shufflers have always been used on CSP tables at the Hamilton casino, their inclusion in Annex A (as part of the regulatory benchmark) would not increase opportunities for casino gambling.

Pontoon

4. SCML stated that it is considering introducing Pontoon to the Hamilton casino, and submitted that:
- (a) there is no material difference in the rate of play between Black Jack and Pontoon, but Pontoon may be slower than Black Jack;
 - (b) Black Jack and Pontoon have the same number of players and operate in the same manner; and
 - (c) the Commission approved Black Jack and Pontoon being used interchangeably at the Auckland casino.

Submissions by the Secretary

Automatic shufflers on CSP

5. The Secretary stated that neither he nor SCML were able to provide concrete evidence that both CSP tables at the Hamilton casino were played with automatic shufflers on 19 September 2003, but his local Inspectorate considered it highly likely that they were. In support of this, the Secretary noted that, in general, all of New Zealand's casinos tended to deploy automatic shufflers on CSP tables at that time.

Pontoon

6. The Secretary agreed that Pontoon and Black Jack are similar games and could be used interchangeably.

Analysis

7. In considering an application for approval of electronic aids and enhancements, the Commission is required to consider whether the proposal would give rise to any increase in opportunities for casino gambling, prohibited with effect from 19 September 2003. The Commission considered that no increase would arise in respect of the automatic shufflers deployed as part of the game mix prior to 19 September 2003, or which SCML was entitled, under game rules, to deploy at that time.
8. While the parties were unable to provide definitive evidence that automatic shufflers were used on the CSP tables at that time, it is probable that they were. Further, SCML was entitled to deploy automatic shufflers on its CSP tables under game rules at that time. It follows that SCML is permitted to operate automatic shufflers on up to two CSP tables.
9. The Commission has previously considered the introduction of Pontoon in the context of the Auckland casino (in decision GC05/05) where it accepted that Pontoon and Black Jack may be used interchangeably, given their similarity. Consistent with that approach, the Commission determined that Pontoon may be introduced to the Hamilton casino and used interchangeably with Black Jack.

Decision of the Commission

10. The Commission decided unanimously to approve Annex A (**attached** to this decision), under condition 9 of SCML's operator's licence for the Hamilton casino, and in particular to approve:
 - (a) the use of automatic shufflers on up to two CSP tables;
 - (b) the introduction of Pontoon, being used interchangeably with Black Jack.


GAMBLING
COMMISSION

Peter Chin
Chief Gambling Commissioner

for and on behalf of the
Gambling Commission

20 December 2007

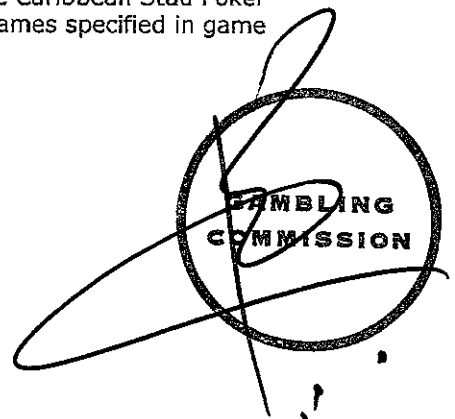
ANNEX A

Pursuant to condition 9 the following game mixes may be operated by the Licence Holder on casino gaming tables subject to the following conditions and requirements:

A	Blackjack/Pontoon	up to 11 games
	Roulette	up to 5 games
	Midi Baccarat	up to 3 games
	Mini Baccarat	up to 1 game
	Caribbean Stud Poker	up to 2 games
	Tai Sai (single sided)	up to 1 game
B	Blackjack/Pontoon	up to 10 games
	Roulette	up to 4 games
	Midi Baccarat	up to 3 games
	Mini Baccarat	up to 1 game
	Caribbean Stud Poker	up to 1 games
	Money Wheel (single sided)	up to 1 game
	Poker	up to 2 games
Rapid Roulette (12 players)	up to 1 game	
C	Blackjack/Pontoon	up to 11 games
	Roulette	up to 4 games
	Midi Baccarat	up to 3 games
	Caribbean Stud Poker	up to 1 games
	Money Wheel (single sided)	up to 1 game
	Poker	up to 2 games
	Rapid Roulette (12 players)	up to 1 game
D	Blackjack/Pontoon	up to 11 games
	Roulette	up to 4 games
	Midi Baccarat	up to 2 games
	Caribbean Stud Poker	up to 1 games
	Money Wheel (single sided)	up to 1 game
	Poker	up to 3 games
	Rapid Roulette (12 players)	up to 1 game
E	Blackjack/Pontoon	up to 12 games
	Roulette	up to 4 games
	Midi Baccarat	up to 2 games
	Caribbean Stud Poker	up to 1 games
	Money Wheel (single sided)	up to 1 game
	Poker	up to 2 games
	Rapid Roulette (12 players)	up to 1 game

The licence holder is permitted to change between game mixes A, B, C, D and E subject to providing the Inspectorate with a minimum of five working days notice in writing of its intention to do so, unless a shorter notice period is agreed with the Inspectorate on a case-by-case basis

The licence holder is permitted to operate automatic shufflers on the Caribbean Stud Poker and Poker tables specified and on no more than 50% of Blackjack games specified in game mixes A, B, C, D and E



GC27/07

IN THE MATTER

of the Gambling Act 2003

AND

of an application by
**SKYCITY CASINO
MANAGEMENT LIMITED**
for approval of Annex A to
the Hamilton operator's
licence (to include
automatic shufflers on its
Caribbean Stud Poker
tables and to offer
Pontoon)

BEFORE THE GAMBLING COMMISSION

Members: P Chin (Chief Gambling Commissioner)
M M Lythe
P J Stanley
G L Reeves

Date of Order: 21 April 2008

ORDER CORRECTING APPROVAL OF ANNEX A

SKYCITY Casino Management Limited has informed the Commission that Annex A of its operator's licence for the Hamilton casino (which was approved by the Commission in decision GC27/07) omits a matter approved by the Commission in decision GC22/07. The omitted approval relates to the use of flip-top tables at the Hamilton casino. SKYCITY Casino Management Limited has applied to rectify its error.

The Commission hereby revokes the Annex A attached to decision GC27/07, and approves the Annex A attached to this order.



Peter Chin
Chief Gambling Commissioner

for and on behalf of the
Gambling Commission

21 April 2008

ANNEX A

Pursuant to condition 9 the following game mixes may be operated by the Licence Holder on casino gaming tables in accordance with approved floor plans subject to the following conditions and requirements:

1	Blackjack/Pontoon	up to 11 games
	Roulette	up to 5 games
	Midi Baccarat	up to 3 games
	Mini Baccarat	up to 1 game
	Caribbean Stud Poker	up to 2 games
	Tai Sai (single sided)	up to 1 game
2	Blackjack/Pontoon	up to 10 games
	Roulette	up to 4 games
	Midi Baccarat	up to 3 games
	Mini Baccarat	up to 1 game
	Caribbean Stud Poker	up to 1 games
	Money Wheel (single sided)	up to 1 game
	Poker	up to 2 games
	Rapid Roulette (12 players)	up to 1 game
3	Blackjack/Pontoon	up to 11 games
	Roulette	up to 4 games
	Midi Baccarat	up to 3 games
	Caribbean Stud Poker	up to 1 games
	Money Wheel (single sided)	up to 1 game
	Poker	up to 2 games
	Rapid Roulette (12 players)	up to 1 game
4	Blackjack/Pontoon	up to 11 games
	Roulette	up to 4 games
	Midi Baccarat	up to 2 games
	Caribbean Stud Poker	up to 1 games
	Money Wheel (single sided)	up to 1 game
	Poker	up to 3 games
	Rapid Roulette (12 players)	up to 1 game
5	Blackjack/Pontoon	up to 12 games
	Roulette	up to 4 games
	Midi Baccarat	up to 2 games
	Caribbean Stud Poker	up to 1 games
	Money Wheel (single sided)	up to 1 game
	Poker	up to 2 games
	Rapid Roulette (12 players)	up to 1 game

Notes

- 1 The Commission has approved floor plans A, D1, D2 and D3. The licence holder is permitted to change between these approved plans subject to providing the Commission and Inspectorate with a minimum of 5 working days notice in writing of its intention to do so.
- 2 The licence holder is permitted to change between game mixes 1, 2, 3, 4 and 5 subject to providing the Inspectorate with a minimum of five working days notice in writing of its intention to do so, unless a shorter notice period is agreed with the Inspectorate on a case-by-case basis
- 3 The licence holder is permitted to change between game mix 3 and game mix 4 subject only to any requirements specified by way of minimum operating standards
- 4 The licence holder is permitted to operate automatic shufflers on the Caribbean Stud Poker and Poker tables specified and on no more than 50% of Blackjack games specified in game mixes 1, 2, 3, 4 and 5

