

IN THE MATTER of the Gambling Act 2003
AND on an application by **SKYCITY CASINO MANAGEMENT LIMITED**
to amend casino licence conditions

BEFORE THE GAMBLING COMMISSION

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

Date of Application: 20 June 2006

Date of Decision: 21 July 2006

Date of Notification
of Decision: 2 August 2006

DECISION

**ON AN APPLICATION BY SKYCITY CASINO MANAGEMENT LIMITED
TO AMEND CONDITIONS 23, 24, 26, 27 and 28 OF ITS CASINO OPERATOR'S LICENCE**

Application

1. SKYCITY Casino Management ("**SCML**") applied to the Gambling Commission (the "**Commission**") under section 139 of the Gambling Act 2003 to amend conditions 23, 24, 26, 27 and 28 of its casino operator's licence. These conditions relate to SCML's host responsibility obligations, and require SCML to comply with two documents – a "Statement of Host Responsibility and Responsible Gaming Programme" ("**Statement**") and a "Host Responsibility Programme" ("**Programme**").
2. SCML applied to remove references to the Statement. The amendments sought (shown in mark up) were as follows:

23. The Licence Holder shall ensure that the Casino is operated, whether by itself or pursuant to a casino agreement by another licensee, in compliance with ~~the Statement on Host Responsibility and the Responsible Gambling Programme~~ approved by the Authority on 1 December 2003, as amended in accordance with the procedure set out below.

24. The ~~Statement and Programme~~ shall be consistent with and impose no lesser requirement than specified in the Act or Regulations. The Programme shall address and not be limited to:

- (a) unchanged
- (b) unchanged

- (c) unchanged
 - (d) unchanged
 - (e) unchanged
 - (f) unchanged
 - (g) unchanged
 - (h) unchanged
 - (i) unchanged
 - (j) unchanged
 - (k) unchanged
 - (l) unchanged
 - (m) unchanged
 - (n) unchanged
25. unchanged
26. The Licence Holder shall obtain the prior approval of the Commission for any amendment to the ~~Statement or Programme~~ that proposes to reduce or remove any host responsibility and responsible gambling initiative in the ~~Statement or Programme~~.
27. The Licence Holder shall every six months report to the Commission on the implementation of ~~the Statement and the Programme~~ commencing on 1 October 2006. The Commission will review ~~the Statement and the Programme~~ every two years commencing in October 2006. It will consult with interested parties, as appropriate, and amend ~~the Statement and the Programme~~ as it determines, after giving the Licence Holder the opportunity to comment.
28. The Licence Holder will co-operate with the Commission in respect of any inquiry or investigation by the Commission to ensure that the operating procedures and practice of the Casino comply with the ~~Statement and Programme~~.

Submissions by SCML

3. SCML submitted that there is no reason why its host responsibility obligations need to be in two documents, and that it would be sensible to streamline them into one document – the Programme.
4. SCML submitted that its proposed changes would achieve this, and would not affect its host responsibility obligations.

Submissions by the Secretary

5. The Secretary had no objections to the proposed amendments, but noted that it expects SCML to address in the Programme the matters covered in more detail in the Statement.

Analysis

6. The Commission considered that SCML's host responsibility obligations could appropriately be reflected in a single, comprehensive, Programme. The Commission noted that the Programme and Statement are not identical, and, in agreeing to the amendments sought, expects that more detailed or additional requirements in the Statement should be reflected, going forward, in the Programme.

Decision

7. The Commission was satisfied that the amendments were consistent with section 139(2) of the Act and resolved unanimously to vary conditions 23, 24, 26, 27 and 28 of SCML's casino operator's licence, to read as follows:

23. The Licence Holder shall ensure that the Casino is operated, whether by itself or pursuant to a casino agreement by another licensee, in compliance with the Responsible Gambling Programme approved by the Authority on 1 December 2003, as amended in accordance with the procedure set out below.
24. The Programme shall be consistent with and impose no lesser requirement than specified in the Act or Regulations. The Programme shall address and not be limited to:
- (a) the provision of information for customers relating to game rules, permissible bets and payment of winning bets pursuant to section 175 of the Act;
 - (b) the provision of signage, brochures and publications, and the effective display and distribution of the same, to inform gamblers of the odds of winning on gaming machines, how to gamble safely, the characteristics of problem gambling and the availability of counselling and other support services;
 - (c) a policy for identifying problem gamblers. This policy shall include, as a minimum, the following:
 - (i) an acceptable definition of problem gambling;
 - (ii) indicators of problem gambling in the gambling venue;
 - (iii) the steps to be taken by the Licence Holder in identifying actual or potential problem gamblers;
 - (d) the provision of staff training;
 - (e) the provision of exclusion, self-exclusion and limitation programmes;
 - (f) assistance to casino employees with managing the potential for personal problem gambling;
 - (g) recognition of cultural differences amongst gamblers using the Casino, and the need to tailor delivery of host responsibility obligations to maximise effectiveness for customers;
 - (h) guidelines for responsible marketing and advertising of the Casino, including exterior signage, and restriction on jackpot advertising and branding pursuant to Regulations 9 and 10 of the Gambling (Harm Prevention and Minimisation) Regulations 2004;

- (i) responsible practices in the conduct of promotions and inducements to gamble at the Casino;
 - (j) design of the Gambling Area to minimise problem gambling behaviour and to maximise the likelihood that episodes of problem gambling will be noticed and addressed by staff;
 - (k) promotion of the responsible consumption of alcohol, including provision of staff training in responsible service of alcohol;
 - (l) standards of dress and behaviour at the casino;
 - (m) liaison with community service organisations, patrons with gambling problems, and family members of patrons with gambling problems; and
 - (n) such other matters as the Commission may require.
25. The Licence Holder may amend the Programme to include appropriate improvements in the delivery of the existing programme and new host responsibility and responsible gambling initiatives.
26. The Licence Holder shall obtain the prior approval of the Commission for any amendment to the Programme that proposes to reduce or remove any host responsibility and responsible gambling initiative in the Programme.
27. The Licence Holder shall every six months report to the Commission on the implementation of the Programme commencing on 1 October 2006. The Commission will review the Programme every two years commencing in October 2006. It will consult with interested parties, as appropriate, and amend the Programme as it determines, after giving the Licence Holder the opportunity to comment.
28. The Licence Holder will co-operate with the Commission in respect of any inquiry or investigation by the Commission to ensure that the operating procedures and practice of the Casino comply with the Programme.



Peter Chin
Chief Gambling Commissioner

for and on behalf of the
Gambling Commission

2 August 2006