

Before Hearing Commissioners

under: the s134 of the Gambling Act 2003

in the matter of: Application for renewal of casino venue licence

between: **Christchurch Casinos Limited**
Applicant

and: **Gambling Commission**
Respondent

Memorandum of counsel for Christchurch Casinos Limited in
relation to application for confidentiality

Dated: 21 May 2018

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**MEMORANDUM OF COUNSEL FOR CHRISTCHURCH CASINOS
LIMITED IN RELATION TO APPLICATION FOR CONFIDENTIALITY**

May it please the Commissioners:

Background

- 1 Christchurch Casinos Limited (*CCL*) lodged an application to renew their casino venue licence on 8 December 2017 (*Application*).
- 2 The Gambling Commission responded to the Application by letter dated 20 December 2017 (*Gambling Commission's letter*).
- 3 The Gambling Commission's letter referred to a new Applicant Information Form, Company Information Form and Personal Information Forms that the Gambling Commission had created, and that became available only after CCL had lodged its Application.
- 4 As requested, CCL, Skyline Limited and the relevant individuals have now completed the required forms. A hard copy of each of these forms is **enclosed**. If the Commission would like additional hard copies of the application forms, please let us know how many copies are required and we will provide these as soon as possible.
- 5 We also **enclose** an electronic copy of the application forms.
- 6 The **enclosed** information has been provided on the basis that it will remain confidential and will not be made publicly available, in accordance with s135(1)(f) of the Gambling Act 2003 (*Act*), as explained below.

Confidentiality

- 7 In our covering letter that accompanied the Application we referred to the need for a confidentiality arrangement to protect commercially sensitive information.
- 8 The Gambling Commission's letter noted that the confidentiality concerns were appropriately raised, and the Commission's provisional view was that a confidentiality agreement should be limited to what is to be made publicly available and should not restrict information to be provided to the Police and other Government agencies from which reports are sought under section 125 of the Gambling Act 2003 (*Act*).
- 9 CCL agrees that any confidentiality agreement should restrict the relevant information from being made publicly available; but should not restrict the Commission from providing that information to the Police or other Government agencies as required in accordance with section 125 of the Act.

- 10 Accordingly, CCL, Skyline Limited and the individuals who have completed Personal Information Forms seek confirmation from the Commission that they will not make any of the **enclosed** forms or accompanying information publicly available, in accordance with s135(1)(f) of the Act.
- 11 This application is made on the basis that:
- 11.1 The Personal Information Forms contain personal contact details, and very detailed personal financial information for each individual concerned;
 - 11.2 The Applicant Information Form and Company Information forms include detailed and commercially sensitive financial information about CCL and Skyline Limited; and
 - 11.3 The information in the **enclosed** forms has been provided to the Commission for the purposes of determining whether the companies and individuals of significant influence in the Casino are "suitable" in terms of s124 of the Gambling Act. The information is not of importance to the general public, and has no bearing on the effects of the Application on the public.
- 12 In the event that the Commission considers that any of the **enclosed** information should be made publicly available, we would expect this to be discussed and agreed with CCL, Skyline Limited and the individuals concerned *before* any public release.

Dated: 21 May 2018



Jo Appleyard
Counsel for Christchurch Casinos
Limited