

**DECISION UNDER DELEGATED AUTHORITY ON AN APPLICATION
BY SKYCITY AUCKLAND LIMITED FOR APPROVAL TO PUBLISH PHOTOS OF GAMBLING
ACTIVITY FROM THE AUCKLAND CASINO**

Date of Decision:  **May 2018**

1. On 29 April 2018, SKYCITY Auckland Limited (“SCAL”) applied, pursuant to conditions 6 and 8 of its venue licence, for approval to publish photos of participants and gambling activity from the Auckland casino.

2. Conditions 6 and 8 provide as follows:

6. The Licence Holder must obtain the approval of the Commission prior to:

- (a) construction or design changes to Levels 1, 2, 3, 5 and 6 of the casino venue, including the Gambling Area but excluding the SKYCITY Theatre and foyer area, restaurant and bar areas outside the Gambling Area, hotel rooms and the back of house areas used by staff (unless construction or design changes to any of these excluded areas may impact on matters set out in condition 7 in which case prior approval must be sought);
- (b) the construction or relocation outside the Gambling Area and within the Casino Venue of bank facilities available to the public excluding ATMs, EFTPOS and like devices;
- (c) the addition or alteration of signage relating to the casino business on any building, road or structure within the block of land bounded by Hobson Street, Wellesley Street West, Federal Street and Victoria Street West, including the Casino Venue, Sky Tower, car park, bus terminal and walkways between the casino and the Sky Tower and the convention centre;
- (d) the addition or alteration of signage relating to the casino business on any building, road or structure within the Original Casino Site or the NZICCA Additional Site, including, walkways between any of the Original Casino Site and the NZICCA Additional Site;
- (e) the broadcasting of gambling activity by or on behalf of the Licence Holder via any communication medium or channel.

The process by which the Licence Holder may obtain approval for construction or design changes to Levels 1, 2, 3, 5 and 6 of the Original Casino Site, and Level 7 of the Grand Hotel on the NZICCA Additional Site, including the Gambling Area (paragraphs (a) and (b) above) is set out in condition 7. The Commission will determine any application for approval under 6(c). The Executive Director may approve the addition or alteration of signage relating to the casino business on any building, road or structure within the Original Casino Site or the NZICCA Additional Site (paragraph (d) above) and the broadcasting of gambling activity by or on behalf of the Licence Holder via any communication medium or channel (paragraph (e) above) if satisfied that the proposed initiative(s) will have no potentially adverse effects. The proposed initiative(s) must otherwise be referred to the Commission for a decision on approval.

7. ...

8. The Licence Holder shall ensure that:

- (a) gambling activity is not visible from outside the Casino Venue unless approved by the Commission pursuant to condition 6(e); and

- (b) there is provision for generation of emergency power to maintain in situations of an interruption to mains power:
 - (i) minimum services to the Gambling Area; and
 - (ii) lighting in highly sensitive areas such as count rooms, surveillance suite, cashiering locations and gambling equipment storerooms.


Submissions

3. SCAL submitted as follows:

- (a) It is staging an international poker event from 24 May to 3 June. It wants to publish photos of participants and activity at the tournament during that period and in the days following conclusion of the tournament. The photos may be displayed on the SKYCITY website and on SKYCITY's Facebook page.
- (b) It may issue a press release in relation to the event. It doubts whether such a release containing similar photos would constitute "broadcasting" for the purposes of the licence condition, but to the extent this would require approval, it seeks it.

Decision

4. SCAL's proposal will have no potentially adverse effects and is approved by the Executive Director under delegated authority, pursuant to conditions 6 and 8 of SCAL's venue licence on the following conditions:
- (a) The permitted activity is limited to publishing photos of participants and activity at the poker tournament on SKYCITY's website, its Facebook page and any press releases.
 - (b) The permitted period of publishing is from 25 May to 10 June 2019, and in the days following its conclusion.



Blair Cairncross
Executive Director
Gambling Commission

8 May 2018

