

**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: 13 May 2018

1. On 10 May 2019, SKYCITY Auckland Limited ("**SCAL**") applied, pursuant to conditions 6 and 8 of its venue licence, for approval to publish screen shots on social media 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 6i; 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) A Chinese film company is scheduled to film a scene for an upcoming film on the MGF at the Auckland casino. Filming is likely to capture some gambling activity in the background to some shots and the lead actor participating on a table game.
- (b) It is unclear when or where the film will be released, but it may possibly be screened in New Zealand. If this is the case it may feature in some social media.
- (c) It will ensure that any signage relating to gaming machine jackpots captured by the filming is blurred out to satisfy the Gambling (Harm Minimisation and Prevention) Regulations 2004. In terms of any wider gambling activity at the casino captured on film, it seeks Commission approval to broadcast that.
- (d) Arguably no approval is required, because the filming is not being carried out by, or on behalf of, the Licence Holder. However it is possible that it may wish use some screen shots on social media, and on this basis it seeks approval to use any shots arising from the filming inside the casino.

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 condition:
- (a) The permitted activity is limited to publishing screen shots on social media.


Blair Cairncross
Executive Director
Gambling Commission

13 May 2019

