


IN THE MATTER of the Gambling Act 2003
AND on applications by **SKYCITY CASINO MANAGEMENT LIMITED** for approval of new game mixes for the Hamilton casino, and for approval to deploy automatic shufflers on its Black Jack tables

BEFORE THE GAMBLING COMMISSION

Members: G L Reeves (Chief Gambling Commissioner)
L M Hansen
R D Bell
D C Matahaere-Atariki
W N Harvey

Date of Applications: 15 December 2014, 14 January 2015

Date of Decision: 13 February 2015

Date of Notification
of Decision:  March 2015

DECISION ON APPLICATIONS BY SKYCITY CASINO MANAGEMENT LIMITED FOR APPROVAL OF NEW GAME MIXES FOR THE HAMILTON CASINO, AND FOR APPROVAL TO DEPLOY AUTOMATIC SHUFFLERS ON ITS BLACK JACK TABLES

Introduction

1. SKYCITY Casino Management Limited ("**SCML**") applied to the Commission, under conditions 9 and 10 of SCML's operator's licence for the Hamilton casino, for approval of three new game mixes, and to deploy automatic shufflers on its Black Jack tables.
2. The approvals were sought in two separate applications, but the Commission considered them both together at its February 2015 meeting.

Licence conditions

3. The relevant licence conditions are as follows:

SCML's 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 change to the game types and/or game mixes specified.
10. The approval of the Commission is required prior to the use by the operator of any electronic version of the game types specified in condition 9 above or

electronic aids or enhancements or changes to table game rules which create new wagering opportunities.

Submissions by SCML

4. SCML submitted, in summary, that:

- (a) It currently has 15 approved game mixes and seeks approval to deploy three new game mixes; 16, 17 and 18. These game mixes are as follows:

	16	17	18
Black Jack – 7 Box (manual shuffler)	0	0	0
Black Jack – 7 Box (automatic shuffler)	8	8	8
Caribbean Stud Poker	2	2	2
Midi Baccarat Style A - 9 Box	3	3	3
Midi Baccarat Style B - 9 Box	3	3	3
Roulette	4	4	4
Electronic Roulette (12 players)	0	0	1
Electronic Roulette (22 players)	1	0	0
Electronic Roulette (23 players)	0	1	0
Money Wheel (single side)	0	0	1
3 Card Poker	1	1	1
Ultimate Texas Hold'em	1	0	0
Lunar Poker	0	1	0

- (b) Game mixes 16 and 17 represent variations to approved game mix 12. For game mix 16, regular Black Jack will replace restricted Black Jack (ie, Black Jack games in which two players only are permitted to wager on any one box) and Rapid Roulette player spaces will be reduced from a maximum of 23 to a maximum of 22, while with game mix 17, regular Black Jack will replace restricted Black Jack and Lunar Poker will replace Ultimate Texas Hold'em Poker.
- (c) Game mix 18 represents a variation to game mixes 16 and 17 but with Ultimate Texas Hold'em and Lunar Poker being replaced by a single sided Money Wheel and Rapid Roulette being restricted to 12 terminals.
- (d) It also wants to remove the restriction which limits it to operating automatic shufflers on no more than 50% of the Black Jack games specified in a game mix.
- (e) The new game mixes and the removal of the restriction on the number of Black Jack games that may be operated with automatic shufflers will not increase opportunities for casino gambling when compared to the benchmark game mix for the Hamilton casino, game mix 1, as follows:

Game Mix	Player Spaces	Overall gambling opportunities
1	464	14,165
2	464	12,561
3	452	12,396
4	458	12,291
5	457	12,211
6	445	12,046
7	451	11,941
8	456	11,371
9	456	11,602
10	463	11,497
11	463	11,728
12	458	12,333
13	458	12,221
14	452	11,832
15	452	11,720
16	464	12,553
17	463	12,556
18	459	12,471

The Secretary's submissions

5. The Secretary agreed that the proposed new game mixes, and the removal of the Black Jack restriction, would not increase opportunities for casino gambling. However he submitted that the notes at the foot of the game mix Annex should be amended to ensure that the Black Jack restriction is not removed from game mix 1. Game mix 1 is the regulatory benchmark for the Hamilton casino so unless the notes are amended to maintain the restriction on this mix, the regulatory benchmark will be increased. In response, SCML concurred and sought an amendment to the notes.

Analysis

6. SCML has applied for approval of three new game mixes and to remove the restriction on the number of Black Jack tables that may operate with automatic shufflers. It is presently permitted to operate automatic shufflers on up to 50% of its Black Jack tables, but wants to operate them on all of the Black Jack tables in its operational game mixes, except game mix 1.
7. The Commission has previously considered the removal of this restriction in relation to other casinos. In decision GC11/07, in which SCML sought, *inter alia*, approval to deploy automatic shufflers on all of the Black Jack tables in its operational game mixes, the Commission noted that the restriction was originally imposed by its predecessor, the Casino Control Authority ("CCA"), as the CCA was of the view that it would be unfair to skilled Black Jack players if continuous automatic shufflers were deployed on all Black Jack tables. The Commission noted the CCA's rationale for imposing the restriction, but ultimately concluded that the benefits of introducing automatic shufflers to all Black Jack

tables outweighed any detriment that might be suffered by removing the restriction (including any detriment that might be suffered by skilled Black Jack players).

8. In considering the present application, the Commission maintained the view that it had reached in decision GC11/07. That is, the benefits obtained by the introduction of automatic shufflers on all Black Jack tables outweighed any detriment suffered by their removal. As the Commission noted in decision GC11/07, the introduction of automatic shufflers helps achieve key purposes of the Act; namely, section 4(e) (ensuring the integrity and fairness of games) and section 4(f) (limiting opportunities for crime or dishonesty associated with gambling).
9. The Commission considered whether SCML's proposal would increase opportunities for casino gambling. The Commission's approach with applications of this nature is to compare a proposal with the approved game mix which provides the most opportunities for casino gambling and form a view, in the round, on whether that proposal will increase opportunities for casino gambling. The Commission makes its assessment on a common sense, in the round, basis, rather than relying upon arithmetical data as put forward by SCML.
10. The Commission compared game mixes 2-18 (all with the abovementioned restriction on automatic shufflers removed) with game mix 1 as follows:

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Black Jack – 7 Box (manual shuffler)	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Black Jack – 7 Box (automatic shuffler)	5	10	12	10	8	10	8	6	5	6	5	7	6	8	7	8	8	8
Black Jack (Restricted)	0	0	0	0	2	2	2	2	2	2	2	1	2	1	2	0	0	0
Caribbean Stud Poker	2	1	1	1	1	1	1	1	1	1	1	2	2	2	2	2	2	2
Midi Baccarat Style A - 9 Box	3	2	1	1	2	1	1	2	2	2	2	3	3	2	2	3	3	3
Midi Baccarat Style B - 9 Box	0	2	1	2	2	1	2	3	3	3	3	3	3	3	3	3	3	3
Mini Baccarat	1	0	0	1	0	0	1	0	1	0	1	0	0	0	0	0	0	0
Roulette	5	4	4	4	4	4	4	5	5	5	5	4	4	4	4	4	4	4
Electronic Roulette (12 players)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Electronic Roulette (22 players)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0
Electronic Roulette (23 players)	0	1	1	1	0	0	0	1	1	0	0	1	0	1	0	0	1	0
Electronic Roulette (30 players)	0	0	0	0	1	1	1	0	0	1	1	0	1	0	1	0	0	0
Tai Sai (double side)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Tai Sai (single side)	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Money Wheel (single side)	0	1	1	1	1	1	1	1	1	1	1	0	0	0	0	0	0	1
Poker	0	2	2	2	2	2	2	2	2	2	2	0	0	0	0	0	0	0
3 Card Poker	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	1	1	1
Ultimate Texas Hold'em	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	1	0	0
Lunar Poker	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0

11. The Commission was satisfied that none of the game mixes would increase opportunities for casino gambling compared to game mix 1.
12. The Commission was of the view that while the deployment of automatic shufflers on all of the Black Jack tables would increase the speed of those game mixes, that increase would only be slight and would not be sufficient to increase the overall opportunities for casino gambling of those mixes above those offered by game mix 1.
13. In particular, the Commission noted that at least 50% of the total number of Midi Baccarat games in game mixes 2-18 must be conducted using dealing style B, a very slow dealing style, whereas Midi Baccarat in game mix 1 is subject to no dealing style restriction, so that all Midi Baccarat games in that game mix may deploy dealing style A, a very fast dealing style which significantly increases the speed of a game compared to a game played using dealing style B.

14. The Commission amended the notes attached to the proposed game mix Annex to ensure that the restriction on automatic shufflers on Black Jack tables remains for game mix 1, for the reason suggested by the parties.

Decision of the Commission

15. The Commission approved the new game mixes under conditions 9 and 10 of SCML's operator's licence for the Hamilton casino. The new Annex A is **attached**.

Right of appeal

16. Pursuant to section 235 of the Act, a person affected by this decision may appeal that decision to the High Court. An appeal must be made within 15 working days of the date of notice of the Commission's decision, or any longer period that the High Court may allow.



Graeme Reeves
Chief Gambling Commissioner

for and on behalf of the
Gambling Commission

16th March 2015



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. Black Jack/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. Black Jack/Pontoon – up to 10 games
Roulette – up to 4 games
Midi Baccarat – up to 4 games
Caribbean Stud Poker – up to 1 game
Money Wheel (single sided) – up to 1 game
Poker – up to 2 games
Electronic Roulette (up to 23 players) – up to 1 game
3. Black Jack/Pontoon – up to 12 games
Roulette – up to 4 games
Midi Baccarat – up to 2 games
Caribbean Stud Poker – up to 1 game
Money Wheel (single sided) – up to 1 game
Poker – up to 2 games
Electronic Roulette (23 players) – up to 1 game
4. Black Jack/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 game
Money Wheel (single sided) – up to 1 game
Poker – up to 2 games
Electronic Roulette (23 players) – up to 1 game
5. Black Jack/Pontoon – up to 8 games
Black Jack/Pontoon (restricted options) – up to 2 games
Roulette – up to 4 games
Midi Baccarat – up to 4 games
Caribbean Stud Poker – up to 1 game
Money Wheel (single sided) – up to 1 game
Poker – up to 2 games
Electronic Roulette (up to 30 players) – up to 1 game
6. Black Jack/Pontoon – up to 10 games
Black Jack/Pontoon (restricted options) – up to 2 games
Roulette – up to 4 games
Midi Baccarat – up to 2 games
Caribbean Stud Poker – up to 1 game
Money Wheel (single sided) – up to 1 game
Poker – up to 2 games
Electronic Roulette (30 players) – up to 1 game

7. Black Jack/Pontoon – up to 8 games
 Black Jack/Pontoon (restricted options) – up to 2 games
 Roulette – up to 4 games
 Midi Baccarat – up to 3 games
 Mini Baccarat – up to 1 game
 Caribbean Stud Poker – up to 1 game
 Money Wheel (single sided) – up to 1 game
 Poker – up to 2 games
 Electronic Roulette (30 players) – up to 1 game
8. Black Jack/Pontoon – up to 6 games
 Black Jack/Pontoon (restricted options) – up to 2 games
 Roulette – up to 5 games
 Midi Baccarat – up to 5 games
 Caribbean Stud Poker – up to 1 game
 Money Wheel (single sided) – up to 1 game
 Poker – up to 2 games
 Electronic Roulette (up to 23 players) – up to 1 game
9. Black Jack/Pontoon – up to 5 games
 Black Jack/Pontoon (restricted options) – up to 2 games
 Roulette – up to 5 games
 Midi Baccarat – up to 5 games
 Mini Baccarat – up to 1 game
 Caribbean Stud Poker – up to 1 game
 Money Wheel (single sided) – up to 1 game
 Poker – up to 2 games
 Electronic Roulette (up to 23 players) – up to 1 game
10. Black Jack/Pontoon – up to 6 games
 Black Jack/Pontoon (restricted options) – up to 2 games
 Roulette – up to 5 games
 Midi Baccarat – up to 5 games
 Caribbean Stud Poker – up to 1 game
 Money Wheel (single sided) – up to 1 game
 Poker – up to 2 games
 Electronic Roulette (up to 30 players) – up to 1 game
11. Black Jack/Pontoon – up to 5 games
 Black Jack/Pontoon (restricted options) – up to 2 games
 Roulette – up to 5 games
 Midi Baccarat – up to 5 games
 Mini Baccarat – up to 1 game
 Caribbean Stud Poker – up to 1 game
 Money Wheel (single sided) – up to 1 game
 Poker – up to 2 games
 Electronic Roulette (up to 30 players) – up to 1 game
12. Black Jack/Pontoon – up to 7 games
 Black Jack/Pontoon (restricted options) – up to 1 game
 Roulette – up to 4 games
 Midi Baccarat – up to 6 games
 Caribbean Stud Poker – up to 2 games
 3 Card Poker – up to 1 game
 Ultimate Texas Hold'em Poker – up to 1 game
 Rapid Roulette (up to 23 players) – up to 1 game

13. Black Jack/Pontoon – up to 6 games
Black Jack/Pontoon (restricted options) – up to 2 games
Roulette – up to 4 games
Midi Baccarat – up to 6 games
Caribbean Stud Poker – up to 2 games
3 Card Poker – up to 1 game
Ultimate Texas Hold'em Poker – up to 1 game
Rapid Roulette (up to 30 players) – up to 1 game

14. Black Jack/Pontoon – up to 8 games
Black Jack/Pontoon (restricted options) – up to 1 game
Roulette – up to 4 games
Midi Baccarat – up to 5 games
Caribbean Stud Poker – up to 2 games
3 Card Poker – up to 1 game
Ultimate Texas Hold'em Poker – up to 1 game
Rapid Roulette (up to 23 players) – up to 1 game

15. Black Jack/Pontoon – up to 7 games
Black Jack/Pontoon (restricted options) – up to 2 games
Roulette – up to 4 games
Midi Baccarat – up to 5 games
Caribbean Stud Poker – up to 2 games
3 Card Poker – up to 1 game
Ultimate Texas Hold'em Poker – up to 1 game
Rapid Roulette (up to 30 players) – up to 1 game

16. Black Jack/Pontoon – up to 8 games
Roulette – up to 4 games
Midi Baccarat – up to 6 games
Caribbean Stud Poker – up to 2 games
3 Card Poker – up to 1 game
Ultimate Texas Hold'em Poker – up to 1 game
Rapid Roulette (up to 22 players) – up to 1 game

17. Black Jack/Pontoon – up to 8 games
Roulette – up to 4 games
Midi Baccarat – up to 6 games
Caribbean Stud Poker – up to 2 games
3 Card Poker – up to 1 game
Lunar Poker – up to 1 game
Rapid Roulette (up to 23 players) – up to 1 game

18. Black Jack/Pontoon – up to 8 games
Roulette – up to 4 games
Midi Baccarat – up to 6 games
Caribbean Stud Poker – up to 2 games
3 Card Poker – up to 1 game
Money Wheel (SS) – up to 1 game
Rapid Roulette (up to 12 players) – up to 1 game

Notes

1. The Licence Holder is permitted to change between game mixes 8 and 9, and 10 and 11 subject only to any requirements specified by way of Minimum Operating Standards. The Licence Holder is permitted to change between other approved table game mixes subject to providing the Inspectorate with prior notice.

2. For game mix 1, the Licence Holder is permitted to operate automatic shufflers on the Caribbean Stud Poker and Baccarat tables, and on no more than 50% of the Black Jack games specified.
3. The Licence Holder is permitted to operate automatic shufflers on the Caribbean Stud Poker, Poker, Baccarat tables and Black Jack tables in all other game mixes.
4. The Licence Holder is permitted to conduct two alternative Poker games – Hold'em and Omaha.
5. Where Black Jack/Pontoon are subject to restricted wagering options, the Licence Holder shall permit up to 2 players only to wager on any 1 box and the layout shall be inscribed to this effect.
6. The Electronic Roulette table in game mixes 2-18 comprises up to the number of terminals specified in each game mix and no manual table.
7. At least 50% of the total number of Midi Baccarat games in game mixes 2-18 shall be conducted in accordance with dealing style B, as set out in the rules of Baccarat.