

**IN THE MATTER** of the Gambling Act 2003

**AND** on an application by **SKYCITY CASINO MANAGEMENT LIMITED** for approval of a new game mix Annex, Annex C, for the Auckland casino

**BEFORE THE GAMBLING COMMISSION**

Members: S W Hughes KC (Chief Gambling Commissioner)  
S C L Pearson  
W A Acton  
S T Shaw  
C M Risk

Date of Application: 30 January 2025

Date of Decision: 14 March 2025

Date of Notification  
of Decision: 20 March 2025

**DECISION ON AN APPLICATION BY SKYCITY CASINO MANAGEMENT LIMITED FOR APPROVAL OF A NEW GAME MIX ANNEX, ANNEX C, FOR THE AUCKLAND CASINO**

**Introduction**

1. SKYCITY Casino Management Limited (“**SCML**”) applied to the Commission, under condition 9 of its operator’s licence for the Auckland Casino, for approval of a new game mix Annex, Annex C, for the Auckland Casino.

**Licence condition**

2. The relevant licence condition is as follows:

**SCML’s operator’s licence (Auckland)**

9. The Licence Holder may operate on casino gaming tables the game types and game mix(es) specified by the Commission in Annex A attached to this Licence. As an alternative to Annex A, the Licence Holder may operate on casino gaming tables the game types and game mix(es) specified by the Commission in any additional annex approved by the Commission and attached to this Licence. The Licence Holder must give the Inspectorate prior notification before it commences operation under a different annex. The game types and game mixes specified in an annex can only be changed by the Commission.

**SCML’s submissions**

3. SCML submitted, in summary, as follows:

- (a) It currently has approved game mixes set out in Annexes A and B, which are attached to its operator's licence for the Auckland Casino. It seeks approval of a new game mix Annex, Annex C.
- (b) Annex C proposes changes to the location of gaming tables within the casino by reducing the number of gaming tables in Salon 88 and Eight, and relocating them to the MGF. Annex C will also remove the game mixes for the Grand Horizon rooms because they have not been operational for some time.
- (c) Compared with Annex B, Annex C will operate:
- one less gaming table in Salon 88 (4 will remain);
  - two less gaming tables in Eight (20 will remain);
  - nine less gaming tables in Grand Horizon (0 will remain); and
  - 12 additional gaming tables on the MGF (114 will be deployed).
- (d) The Pai Gow and Casino War games will be removed from the MGF, while Tai Sai (single side) has been included as one of the new game mixes in Eight.
- (e) Note 5 of the Notes for Annex C will be amended as follows:

Electronic Roulette, Electronic Baccarat and Electronic Tai Sai tables comprise up to 30 player spaces and the games may be used interchangeably. When relying on game mix ~~E-H~~ B the licence holder may offer players the option of placing wagers on a 7 box manual Baccarat layout as well as via the electronic terminals used in the game of Electronic Baccarat, or on a manual Roulette layout as well as via the electronic terminals used in the game of Electronic Roulette.

This reflects the change in game mixes and that the manual table referenced in game mix B for the MGF may also be utilised on Electronic Roulette (as well as Electronic Baccarat).

- (f) As a result of the relocations, a number of game mixes are no longer required.
- (g) The number of gaming tables remains within its permitted allowance under its operator's licence.
- (h) The game mixes with the most player spaces and opportunities from each of the gambling areas in Annex C, when combined, remains within its regulatory benchmark. In this sense the new game mixes will not increase overall casino gambling opportunities.
- (i) If Annex C is approved, it will submit new floor plans to the Commission for approval before deploying the new game mixes.

### **The Secretary's submissions**

4. The Secretary submitted that SCML's proposal raised no issues of regulatory concern.

### **Analysis**

5. SCML has approval to operate two game mix Annexes at the Auckland Casino; Annex A and Annex B. Within these Annexes, SCML may deploy a number of specific game mixes at a number of different locations at the Auckland casino. SCML is seeking approval to introduce a third game mix annex which, when compared to Annex B, removes 12 gaming tables from Salon 88, Eight and the Grand Horizon rooms, and relocates them to the MGF. Under Annex C, SCML will not deploy gaming tables in the three Grand Horizon rooms meaning its table games will be deployed across seven gambling areas, rather than 10.
6. The Commission's approach when considering a new game mix is to compare what is proposed with the approved game mix that provides the most opportunities for casino gambling and form a view, in the round, on whether it will increase opportunities for casino gambling. As the Auckland Casino has multiple Gambling Areas in which only specific game mixes can be deployed, this approach is varied slightly, requiring the Commission to identify the game mix for each Gambling Area that generates the most opportunities, combine them all, and then compare the combined game mix with the game mix that forms the casino's regulatory benchmark.
7. The Commission undertook this exercise and was satisfied, in the round, that no combination of game mixes could be deployed which would increase opportunities for casino gambling at the Auckland casino. The Commission made this assessment on a common-sense basis, in the round, rather than by calculating opportunities based on tables of data or upon a formula. The Commission therefore approved Annex C (having made minor changes to Note 5).

### **Decision**

8. The Commission approved Annex C (**attached**), under condition 9 of SCML's operator's licence for the Auckland casino.

**Right of appeal**

9. 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.



---

**Susan Hughes KC**  
Chief Gambling Commissioner

for and on behalf of the  
Gambling Commission

20 March 2025



## ANNEX C

### GAME MIX AS AT 19 SEPTEMBER 2003

Black Jack/Pontoon	44 games
Roulette	24 games
Electronic Roulette	1 game
Caribbean Stud Poker	10 games
Midi Baccarat	17 games
Mini Baccarat	7 games
Pai Gow	4 games
Tai Sai (double sided)	1 game
Tai Sai (single sided)	1 game
Money Wheel (double sided)	1 game
<b>Total:</b>	<b>110 games</b>

#### Notes for Game Mix As At 19 September 2003

1. The Licence Holder is permitted to operate automatic shufflers on 50% of open Black Jack tables, and all Caribbean Stud Poker and Baccarat tables.
2. The Electronic Roulette table comprises up to 14 player spaces and no manual table

### GAME MIX 'A' AUTHORISED BY NEW ZEALAND INTERNATIONAL CONVENTION CENTRE ACT 2013

Pursuant to condition 9 the following game mix may be operated by the Licence Holder on casino gaming tables, subject to the following conditions noted:

Black Jack/Pontoon (Manual Shuffle)	31 games
Black Jack/Pontoon (Auto Shuffle)	30 games
Caribbean Stud Poker (Auto Shuffle)	13 games
Midi Baccarat (Auto Shuffle)	23 games
Mini Baccarat (Auto Shuffle)	9 games
Money Wheel (Double Side)	3 games
Pai Gow	5 games
Roulette	31 games
Electronic Roulette	3 games
Tai Sai (Double Side)	1 game
Tai Sai (Single Side)	1 game
<b>Total:</b>	<b>150 games</b>

#### Notes for Game Mix 'A'

1. The Electronic Roulette tables comprise up to 14 player spaces and no manual table.
2. Where table games provide for the use of automatic shufflers, the use of those shufflers shall be discretionary.
3. The Licence Holder is permitted to operate alternative game mixes of up to 150 tables as specified in the Annex.

## GAME MIX 'A.1' AUTHORISED BY NEW ZEALAND INTERNATIONAL CONVENTION CENTRE ACT 2013

Pursuant to condition 9 the following game mix may be operated by the Licence Holder on casino gaming tables, subject to the following conditions noted:

Black Jack/Pontoon (Auto Shuffle)	3 games
Caribbean Stud Poker (Auto Shuffle)	2 games
Midi Baccarat (Auto Shuffle)	2 games
Mini Baccarat (Auto Shuffle)	2 games
Pai Gow	1 game
Roulette	1 game
Tai Sai (Double Side)	1 game
<b>Total</b>	<b>12 games</b>

### Notes for Game Mix A.1

1. Where table games provide for the use of automatic shufflers, the use of those shufflers shall be discretionary.
2. The Licence Holder is permitted to operate alternative game mixes of up to 12 tables as specified in the Annex.
3. The Licence Holder is permitted to substitute each table in Game Mix A.1 for up to 20 Automated Table Game terminals.
4. The Licence Holder may not substitute tables between Game Mix A and Game Mix A.1.

### ALTERNATIVE GAME MIXES (GAME MIX 'A')

Pursuant to condition 9 the following game mixes may be operated by the Licence Holder on casino gaming tables in the locations specified, subject to the following conditions and requirements noted:

**In gaming salon 82 to the south of the elevators on level 5, any one of the following two table game mixes:**

	A1	B1	C1	D1	E1	F1	G1	H1	I1	J1	K1	L1
Midi Baccarat	2	1	1	0	0	0	0	1	0	0	0	0
Roulette	0	1	0	1	2	0	0	0	0	0	1	0
Black Jack	0	0	1	1	0	2	1	0	0	1	0	0
Mini Baccarat	0	0	0	0	0	0	0	0	1	0	0	0
Pai Gow	0	0	0	0	0	0	0	0	1	1	0	0
Three Card Poker	0	0	0	0	0	0	1	1	0	0	1	0
Poker	0	0	0	0	0	0	0	0	0	0	0	2
<b>Total</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>

together with

**In gaming salon 86 to the south of the elevators on level 5, any one of the following two table game mixes:**

	A2	B2	C2	D2	E2	F2	G2	H2	I2	J2	K2	L2
Midi Baccarat	2	1	1	0	0	0	0	1	0	0	0	0
Roulette	0	1	0	1	2	0	0	0	0	0	1	0
Black Jack	0	0	1	1	0	2	1	0	0	1	0	0
Mini Baccarat	0	0	0	0	0	0	0	0	1	0	0	0
Pai Gow	0	0	0	0	0	0	0	0	1	1	0	0
Three Card Poker	0	0	0	0	0	0	1	1	0	0	1	0
Poker	0	0	0	0	0	0	0	0	0	0	0	2
<b>Total</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>

together with

**In gaming salon 88 to the south of the elevators on level 5, any one of the following four table game mixes:**

	A3	B3	C3	D3	E3	F3	G3	H3	I3	J3	K3	L3	M3	N3	O3	P3	Q3	R3	S3	T3	U3
Midi Baccarat	4	3	3	2	2	2	1	2	2	2	1	1	1	1	0	0	0	0	1	1	0
Roulette	0	1	0	1	2	0	1	0	1	0	1	2	0	2	2	3	4	0	0	3	0
Black Jack	0	0	1	1	0	2	2	0	0	1	1	0	2	1	2	1	0	4	3	0	0
Poker	0	0	0	0	0	0	0	2	1	1	1	1	1	0	0	0	0	0	0	0	4
<b>Total</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>

**In the gaming salon 81 to the north of the elevators on level 5, any one of the following six table game mixes:**

	A4	B4	C4	D4	E4	F4	G4	H4	I4	J4	K4	L4	M4	N4	O4	P4	Q4	R4	S4	T4	U4	V4	W4	X4
Midi Baccarat	6	5	5	4	4	4	2	2	2	2	2	3	4	4	5	3	4	3	3	2	2	2	3	2
Roulette	0	1	0	1	2	0	1	1	1	1	1	1	1	0	0	1	0	1	0	1	2	0	2	2
Black Jack	0	0	1	1	0	2	1	1	2	2	3	1	0	1	0	2	0	0	1	1	0	2	1	2
Mini Baccarat	0	0	0	0	0	0	1	2	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pai Gow	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	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	0	0	0	0	0	0	0	0	0
Poker	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	2	2	2	2	0	0
<b>Total</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>

in conjunction with

**The gaming area salon 81A to the north of the elevators on level 5, any one of the following two table game mixes:**

	A4A	B4A	C4A	D4A	E4A	F4A	G4A	H4A	I4A	J4A	K4A	L4A
Midi Baccarat	2	1	1	0	0	0	0	1	0	0	0	0
Roulette	0	1	0	1	2	0	0	0	0	0	1	0
Black Jack	0	0	1	1	0	2	1	0	0	1	0	0
Mini Baccarat	0	0	0	0	0	0	0	0	1	0	0	0
Pai Gow	0	0	0	0	0	0	0	0	1	1	0	0
3 Card Poker	0	0	0	0	0	0	1	1	0	0	1	0
Poker	0	0	0	0	0	0	0	0	0	0	0	2
<b>Total</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>

together with

**In the area designated as Eight to the north of the elevators on level 5, any one of the following twenty table game mixes:**

	A5	B5	C5
Midi Baccarat (9 Box)	11	10	9
Roulette	4	4	4
Blackjack (7 Box)	4	4	4
Ultimate Texas Hold'em	1	2	2
Tai Sai (Single Side)	0	0	1
<b>Total</b>	<b>20</b>	<b>20</b>	<b>20</b>

together with

**In all Gambling Areas other than the five gaming salons and VIP area known as 'Eight' on level 5, , any one of the following 114 table game mixes:**

	A6	B6
Money Wheel (double side)	1	1
Tai Sai (single side)	6	6
Caribbean Stud Poker	2	2
Midi Baccarat	22	22
Poker	15	15
Electronic Roulette/Tai Sai/Baccarat	4	4
Electronic Roulette/Tai Sai/Baccarat & Manual Table	0	4
Mini Baccarat	6	4
Roulette	24	22
Black Jack (7 Box)	24	20
Black Jack (5 Box)	0	4
3 Card Poker	3	3
Ultimate Texas Hold'em	5	5
Lunar Poker	1	1
Snake Eyes	1	1
<b>Total</b>	<b>114</b>	<b>114</b>

**Notes for the alternative game mixes:**

1. The Licence Holder is permitted to change game mixes subject to providing the Inspectorate with prior notification including notification of the electronic table type(s) associated with that game mix.
2. The Licence Holder is permitted to operate automatic shufflers on each of the Black Jack, Caribbean Stud Poker, Baccarat, Poker, 3-Card Poker, Ultimate Texas Hold'em, Casino War and Lunar Poker tables.
3. At least 50% of the total number of Midi Baccarat games shall be conducted in accordance with dealing style B or (where permitted by the Baccarat rules) dealing style D.
4. All Midi Baccarat games in salon 81, 81A, 82, 86, and 88 shall have 7 boxes only.
5. Electronic Roulette, Electronic Baccarat and Electronic Tai Sai tables comprise up to 30 player spaces and the games may be used interchangeably. When relying on game mix B on the MGF (B6), the licence holder may offer players the option of placing wagers on a 7 box manual Baccarat layout as well as via the electronic terminals used in the game of Electronic Baccarat, or on a manual Roulette layout as well as via the electronic terminals used in the game of Electronic Roulette.
6. The number of player spaces at poker tables (other than Caribbean Stud Poker, Ultimate Texas Hold'em and 3-Card Poker) may not exceed 10, even if game rules provide for more.

7. Electronic dice tumblers may be used on any Tai Sai game and U-Spin devices approved by the Department of Internal Affairs may be used on any Roulette games.