

IN THE MATTER of the Gambling Act 2003

AND on proposals by the Gambling Commission to vary condition 12 of the operator's licences held by SKYCITY Casino Management Limited (for the Hamilton and Queenstown casinos) and by Otago Casinos Limited (for the Wharf casino)

BEFORE THE GAMBLING COMMISSION

Members: G L Reeves (Chief Gambling Commissioner)
P J Stanley
L M Hansen

Date of Proposal: 18 February 2011

Date of Decision: 18 March 2011

Date of Notification
of Decision: 24th March 2011

**DECISION ON PROPOSALS BY THE GAMBLING COMMISSION
TO VARY CONDITION 12 OF THE OPERATOR'S LICENCES
HELD BY SKYCITY CASINO MANAGEMENT LIMITED ("SCML") (FOR THE
HAMILTON AND QUEENSTOWN CASINOS) AND
BY OTAGO CASINOS LIMITED ("OCL") (FOR THE WHARF CASINO)**

Proposal

- 1 At its meeting on 18 February 2011, the Commission resolved to consider, at a future meeting of the Commission, three proposals on its own initiative, under section 139 of the Gambling Act 2003 (the "Act"), to vary condition 12 of the operator's licences held by SCML for the Hamilton and Queenstown casinos, and by OCL for the Wharf casino. The condition (which is identical for all three licences) and its amendment, in mark-up, is as follows:
 12. The Licence Holder shall obtain the approval of the Commission for new floor plans prior to relocating or installing tables or machines in positions not specified in approved floor layouts. When applying, the Licence Holder must submit fresh plans showing the floor layout for the Gambling Area and details of the proposed CCTV layout for the consideration of the Commission. Any changes must comply with the Surveillance Standard. The Executive Director and a single Gambling Commissioner may approve the new floor plans if they are satisfied that the floor layout has no potentially adverse effects. If they are not so satisfied, the proposed floor plan must be referred to the Commission for a decision on approval.

2. The reason for the proposals was that licence condition 12 for the abovementioned three licences presently requires new floor plans to be approved by the full Gambling Commission. The equivalent licence conditions for the Auckland, Christchurch and Dunedin casinos allow the Executive Director and a single Gambling Commissioner to approve new floor plans if they are satisfied that they have no potentially adverse effects. The Commission wanted the licence condition to be uniform for all six casinos, and for the Hamilton, Queenstown and Wharf casinos to have a mechanism whereby straightforward new floor plans could be approved without the need for them to be considered by the full Commission
3. The Commission notified SCML, OCL and the Secretary for Internal Affairs of the proposals, under section 140 of the Act, receiving submissions from each

SCML's submissions

- 4 SCML supported the proposed amendments for the Hamilton and Queenstown casinos.

OCL's submissions

- 5 OCL had no objections to the Commission's proposals.

The Secretary's submissions

- 6 The Secretary had no regulatory concerns with the proposals.

Analysis

7. The Commission considered the amendment to condition 12 of the operator's licences for the Queenstown, Hamilton and Wharf casinos to be sensible as it would result in straightforward floor plans being approved more quickly by delegation, and without the need for them to go before the full Commission.
8. The amendment also aligns the licence conditions with condition 12 for the Auckland, Christchurch and Dunedin casinos

Decision of the Commission

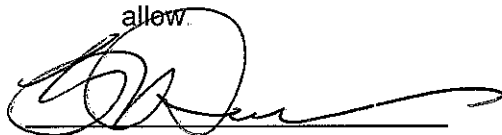
9. The Commission amended condition 12 of the operator's licences held by SCML for the Hamilton and Queenstown casinos, and by OCL for the Wharf casino. Condition 12 for all three licences now provides as follows:

12. The Licence Holder shall obtain the approval of the Commission for new floor plans prior to relocating or installing tables or machines in positions not specified in approved floor layouts. When applying, the Licence Holder must submit fresh plans showing the floor layout for the Gambling Area and details of the proposed CCTV layout for the consideration of the Commission. Any changes must comply with the Surveillance Standard

The Executive Director and a single Gambling Commissioner may approve the new floor plans if they are satisfied that the floor layout has no potentially adverse effects. If they are not so satisfied, the proposed floor plan must be referred to the Commission for a decision on approval.

Right of appeal

10. 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

24th March 2011

