

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

**AND** on a proposal by the Gambling Commission to revoke conditions of the venue licence held by **DUNEDIN CASINOS LIMITED** and conditions of the operator's licence held by **DUNEDIN CASINOS MANAGEMENT LIMITED** and to specify new conditions

**BEFORE THE GAMBLING COMMISSION**

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

Date of Proposal: 31 August 2007

Date of Interim Decision: 3 March 2008

Date of Notification of  
Final Decision: 30 May 2008

**FINAL DECISION**

**ON A PROPOSAL BY THE GAMBLING COMMISSION TO REVOKE  
CONDITIONS OF THE VENUE LICENCE HELD BY DUNEDIN CASINOS LIMITED AND  
CONDITIONS OF THE OPERATOR'S LICENCE HELD BY DUNEDIN CASINOS  
MANAGEMENT LIMITED AND TO SPECIFY NEW CONDITIONS**

**1. INTRODUCTION**

1.1 The Gambling Commission (the "**Commission**") proposed, on its own initiative under section 139 of the Gambling Act 2003 (the "**Act**"), to revoke the conditions of the venue licence held by Dunedin Casinos Limited ("**DCL**") and conditions of the operator's licence held by Dunedin Casinos Management Limited ("**DCML**") (together referred to as the "**Licence Holders**"), and to specify new conditions in substitution. The initiative constituted a single proposal to specify, vary and revoke numerous conditions of the two existing licences (the "**proposal**").

1.2 The Licence Holders, the Secretary for Internal Affairs (the "**Secretary**"), and potentially affected persons comprising the Ministry of Health ("**MoH**") and Problem Gambling Foundation ("**PGF**"), were formally notified of the Commission's proposal on 31 August 2007, and invited to make written submissions on it, in accordance with section 140 of the

Act. Submissions were made by the Licence Holders, the Secretary and PGF. The Commission convened an oral hearing on 14 December 2007 to hear the parties, with the Licence Holders, the Secretary, and PGF attending.

- 1.3 Having considered written and oral submissions, the Commission issued an Interim Decision setting out further amended sets of conditions which the Commission proposed to specify for DCL's venue licence and DCML's operator's licence. The parties were given until 18 April 2008 to make any written submissions on the amended draft conditions proposed by the Commission.
- 1.4 Further written submissions were received from the Licence Holders and the Secretary. The Commission has considered these, and now issues its Final Decision. This Final Decision records and addresses the further submissions made to the Commission, revokes the existing licence conditions relating to Dunedin casino, and specifies with immediate effect the new licence conditions **attached** to this Decision.

## 2. FURTHER SUBMISSIONS

- 2.1 The Licence Holders and the Secretary both proposed that the word "turnover" in condition 14(b) of the venue licence be amended. The condition requires DCL to annually pay to its charitable trust a sum equivalent to 1% of the *turnover* of the gaming machines.
- 2.2 The Licence Holders submitted that "turnover" does not mean "revenue" or "gross sales" as it does for most retail operations, rather it means a casino's "win". The Secretary submitted that as "turnover" is defined in the Act as "the aggregate stakes in a gambling activity" it should be replaced in licence conditions by a term such as "gross profit".
- 2.3 The Commission declined to amend condition 14(b) in either manner suggested. In decision GC21/07, the final decision on a proposal by the Commission to revoke conditions of the venue and operator's licences for the Hamilton and Queenstown casinos, the Commission resolved to retain existing charitable trust licence conditions for all six casinos, having previously proposed a condition that could be uniform across all casinos. Consistent with that decision, the Commission resolved to retain Dunedin casino's existing charitable trust licence condition. The condition has been retained verbatim, except for the inclusion of the word "Commission" where appropriate.
- 2.4 The Secretary proposed amending condition 23 of the operator's licence to require the alarm systems of any additional cashiering facilities to be connected to the casino's security department. The Commission declined the amendment as the Licence Holders advised that the casino does not have a security department and that its alarms are presently connected to its surveillance department.

- 2.5 The Commission has removed from licence conditions other references to the security department.
- 2.6 The Licence Holders also noted that the casino does not have "monitor rooms", so the Commission has removed reference to these.

### Decision

- 2.7 This decision revokes the conditions contained in the Second Schedule to the casino premises licence issued to Dunedin Casinos Limited dated 17 February 1999 (now a casino venue licence pursuant to section 122(2) of the Act), including all variations and additions to those conditions made by the Authority or the Commission. It specifies, in substitution, the new conditions attached to this decision marked "Second Schedule – Conditions attached to the casino venue licence Issued to Dunedin Casinos Limited, 17 February 1999".
- 2.8 This decision revokes the conditions contained in the Schedule attached to the casino operator's licence issued to Maxims Management Limited dated 17 September 1993, including all variations and additions to those conditions made by the Authority or the Commission. It specifies, in substitution, the new conditions attached to this decision marked "Schedule – Conditions attached to casino operator's licence: operation of casino at the Southern Cross Hotel, 118 High Street, Dunedin".
- 2.9 The revocation of the above conditions and specification of the new conditions attached to this decision should take immediate effect from the date of notification of this decision.

**GAMBLING  
COMMISSION**  
Peter Chin  
Chief Gambling Commissioner

for and on behalf of the  
Gambling Commission

30 May 2008

**SECOND SCHEDULE - CONDITIONS ATTACHED TO CASINO VENUE LICENCE  
ISSUED TO DUNEDIN CASINOS LIMITED, 17 FEBRUARY 1999**

**Preamble**

1. The following conditions apply to the Casino Venue.
2. The Licence Holder must comply with these conditions. Failure to do so could result in the suspension or cancellation of this Licence.

**Interpretation**

3. Words and expressions in these conditions shall have the same meaning as defined in the Gambling Act 2003.
4. In these conditions:

**Act** means the Gambling Act 2003.

**Authority** means the Casino Control Authority.

**Casino Agreement** means the Management Agreement dated 9 August 1999, between the Licence Holder and Aspinall (NZ) Limited, as amended on 12 March 2004 by the Authority approving an Approval of Change of Associated Licensed Casino Operator from Aspinall (NZ) Limited to Dunedin Casinos Management Limited, or which may be varied or substituted with the approval of the Commission from time to time.

**Casino Venue** means that part of the property situated at 118 High Street, Dunedin, as more fully described in the Licence and the First Schedule.

**Commission** means the Gambling Commission.

**Executive Director** means the Executive Director of the Commission.

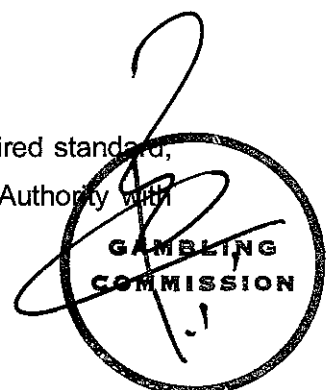
**Gambling Area** means that part of the Casino Venue specified in condition 9 where casino gambling is permitted by the Commission.

**Inspectorate** means the Casino Compliance Unit of the Department of Internal Affairs.

**Licence Holder** means Dunedin Casinos Limited.

**Secretary** means the Secretary for Internal Affairs.

**Surveillance Standard** means the Surveillance Policy describing the required standards, type, operation and installation of surveillance facilities, approved by the Authority with



effect from 5 December 2003, as may be substituted or amended by the Commission from time to time.

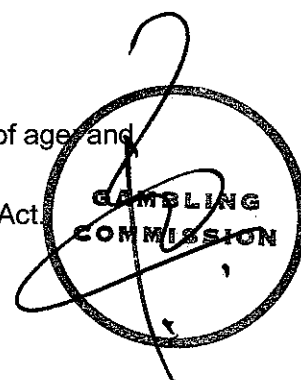
**Trust** means the Trust set up under the Trust Deed dated 16 June 2000 between Polson Higgs Nominees Limited and Dunedin Casinos Limited, as may be varied with the approval of the Commission.

### **Design and Construction**

5. The Licence Holder shall lodge and maintain with the Commission and the Secretary updated as built architectural floor plans of Level 1 of the Casino Venue showing walls, structures and dimensions. Updated as built architectural floor plans shall be lodged with the Commission and the Secretary if the Licence Holder makes alterations to Level 1 of the Casino Venue requiring building consent from a territorial authority.
6. The Licence Holder must obtain the approval of the Commission prior to:
  - (a) construction or design changes to Level 1 of the Casino Venue, including the Gambling Area;
  - (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 the exterior of the Casino Venue.

The process by which the Licence Holder may obtain approval for construction or design changes to Level 1 of the Casino Venue, (paragraph (a) above) is set out in condition 7. The Commission will determine any application for approval under 6(b) and (c).

7. The Licence Holder must notify the Executive Director of any proposed changes to the construction or design of Level 1 of the Casino Venue. Notification must be accompanied by relevant drawings and an assessment of any impacts the alterations may have on:
  - (a) the integrity and fairness of games;
  - (b) the effectiveness of security and surveillance;
  - (c) harm prevention, harm minimisation and responsible gambling;
  - (d) potential access to the Gambling Area by persons under 20 years of age; and
  - (e) compliance by any person with the Act, including section 11 of the Act.



The Executive Director may approve the proposed changes to the construction or design if he or she is satisfied that there are no adverse impacts in relation to the matters specified in (a)-(e) above. If the Executive Director is not satisfied, he or she will refer the proposal to the Commission for determination.

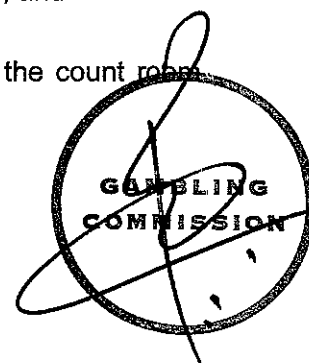
8. The Licence Holder shall ensure that:
- (a) gambling activity is not visible from the street or other public areas outside the Casino Venue; and
  - (b) there is provision for generation of emergency power to maintain in situations of an interruption to mains power:
    - (i) minimum services to the Gambling Area; and
    - (ii) lighting in highly sensitive areas such as count rooms, surveillance suite, cashiering locations and gambling equipment storerooms.

#### **Gambling Area**

9. The Gambling Area within the Casino Venue comprises the area specified in a plan approved by the Authority on 4 June 2002.

#### **General specifications for the count room facility**

10. The Licence Holder shall ensure that the count room is located in a secure area and shall, as a minimum requirement, provide the following:
- (a) effective electronic surveillance in accordance with the Surveillance Standard;
  - (b) an alarm device connected to the entrance of the count room which signals to the surveillance department whenever the door is opened;
  - (c) a telephone link;
  - (d) a count table constructed of transparent material with clear visibility through to the floor;
  - (e) an area within, or with access from, the count room to house an enclosed cabinet or trolley(s) with a single lock system for the storage of drop boxes; and
  - (f) a coin storage area with a single lock system with access from the count room while still inside the secure area.



**General specifications for cage/chip bank facilities**

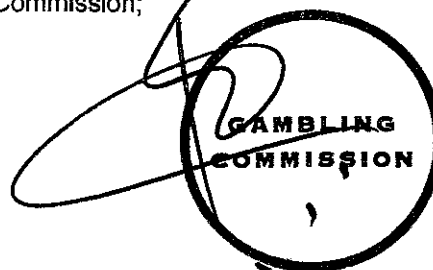
- 11 The Licence Holder shall ensure that the cashier's cage is located immediately adjacent to the gaming floor and is clearly visible to patrons. Unless otherwise approved by the Commission, the cage area shall, as a minimum requirement, include the following:
- (a) accommodation for chip bank cashiers and general cashiers;
  - (b) storage facilities for cage inventory;
  - (c) a separate locked compartment for storage of chips and plaques held in reserve and not used for active gaming;
  - (d) manually triggered and automatic silent alarm systems connected directly to the surveillance department; and
  - (e) an interconnect door entry and exit system (man trap) which will not permit a person to pass through the second door until the first door is securely locked
- 12 The approval of the Commission is required for the construction of any additional cashiering facilities in other parts of the Gambling Area to service dedicated areas or rooms. Any such additional facilities must comply with the surveillance equipment requirements set out in the Surveillance Standard and be fitted with manually triggered and automatic silent alarm systems connected to the surveillance department

**General specifications for Inspectors/Police facilities**

- 13 The Licence Holder shall provide facilities within the Casino Venue for the use of Gambling Inspectors and the Police as directed by the Commission. Before issuing any such direction, the Commission shall consult with the Licence Holder and the Department of Internal Affairs and/or the New Zealand Police (as applicable) and invite submissions from each party in relation to any proposal

**Independent Charitable Trust**

- 14 The Licence Holder:
- (a) shall establish and support financially an independent charitable trust, the purposes and objectives of which shall include the funding of the treatment of gambling disorders by persons and organisations in the community, and related activities. The Licence Holder shall pay to the trust, in each respect of each full year of the operation of the Casino, no less than \$52,000 a year. The deed of trust shall be in a form approved by the Authority or the Commission;



- (b) may establish, and in any event shall fund, a charitable trust or trusts approved by the Authority or the Commission to be applied for the purposes of community and sport funding in Dunedin and the Otago region. The Licence Holder shall pay to the trust or trusts, in respect of each full year of the operation of the Casino, a sum equivalent to 1% of the turnover of the gaming machines in the Casino after deducting goods and services tax, to a maximum of \$110,000 a year. Where the Licence Holder establishes the trust or trusts, the deed or deeds of trust shall be approved by the Authority or the Commission;
- (c) the conditions 14(a) and (b) above may be reviewed in the event of duplicity of charitable funding or the funding of the treatment of gambling disorders arising from legislative changes under the current or any future gaming law review.
15. The Licence Holder is required to ask the Trust on an annual basis to provide a list of persons granted funding for the previous year and in what amount, and a list of unsuccessful applicants for funding. The Licence Holder is required to publish annually the amount paid to the Trust, and the information provided to it by the Trust relating to the allocation of funds, as specified in this condition.

#### **Community Liaison Group**

16. The Licence Holder shall convene, at least every three months, a meeting of a community liaison group comprising the Licence Holder, representatives of interested problem gambling treatment providers, and the Department of Internal Affairs. The Group may invite relevant community representatives (Council, government, inter-faith, business) to participate in the work of the Group, as it considers appropriate, depending on the matters under consideration. The function of the Group is, where requested, to represent community views in the course of consultation and liaison activities undertaken by the Licence Holder, the Commission, the Secretary, and other entities, as the case may be, relating to gambling at the casino. The Group may participate in such consultation and liaison activities to the extent it considers necessary to represent community views and may undertake its own consultations and enquiries for that purpose.

#### **Notification requirements**

17. The Licence Holder shall notify the Commission and the Secretary in writing as soon as possible of any change in the state of affairs of the Licence Holder which has a significant bearing on the holding of the Casino Venue licence, including any person ceasing to be an associated person of the Licence Holder.



18. The Licence Holder, immediately on becoming aware of such an occurrence, shall notify the Commission and Secretary in writing if the Licence Holder or an associated person of the Licence Holder is involved in any:
- (a) conviction for an offence involving dishonesty;
  - (b) censure or disciplinary action by a professional body for ethical misconduct;
  - (c) censure in any way in relation to a casino in another jurisdiction;
  - (d) current investigation (other than routine or periodical inspections) by any governmental or statutory body; and
  - (e) bankruptcy, receivership or liquidation.

#### **Casino Agreement**

19. The Licence Holder shall not permit any person to operate the Casino otherwise than in accordance with the terms of the Casino Agreement.

#### **Audit**

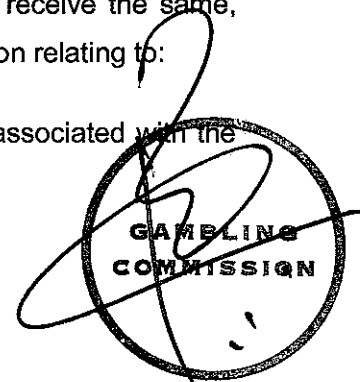
20. The Commission may at any time request access to the Licence Holder's internal audit information or institute an audit of the Licence Holder's Casino business.
21. The Licence Holder shall submit for the approval of the Commission the name of the person or body of persons appointed from time to time by the Licence Holder as Auditor to audit the Casino business. The approval of the Commission shall be revocable in the discretion of the Commission and shall be subject to such conditions as the Commission from time to time imposes.

#### **Bank accounts**

22. The Licence Holder shall not open any bank account to facilitate, or in connection with, the operation of the Casino without the approval of the Commission.

#### **Provision of information**

23. The Licence Holder shall, within such period as the Commission may require, provide to the Commission, or to any person authorised by the Commission to receive the same, such reports or other information as may be specified by the Commission relating to:
- (a) the operations of the Licence Holder or any entity or person associated with the Licence Holder;



- (b) the operation of the Casino; or
  - (c) any associated person of the Licence Holder, being information in the possession of the Licence Holder, as may be specified by the Commission in writing from time to time, within such period as the Commission may require.
24. The Licence Holder shall allow the Commission or staff of the Commission Secretariat, or any other person authorised by the Commission, to enter and remain in any part of the Casino Venue at any time for the purpose of his or her official duties under the Act.

**Address for service**

25. The Licence Holder shall file with the Commission an address in New Zealand for the service of notices upon it.
26. The Licence Holder may, by notice given to the Commission, change its address for the service of notices.

**30 May 2008**



**SCHEDULE - CONDITIONS ATTACHED TO CASINO OPERATOR'S LICENCE: OPERATION OF CASINO AT THE SOUTHERN CROSS HOTEL, 118 HIGH STREET, DUNEDIN**

**Preamble**

1. The following conditions apply to the operation of the Casino Venue by the Licence Holder.
2. The Licence Holder must comply with these conditions. Failure to do so could result in the suspension or cancellation of this Licence.

**Interpretation**

3. Words and expressions in these conditions shall have the same meaning as defined in the Gambling Act 2003.
4. In these conditions:

**Act** means the Gambling Act 2003.

**Authority** means the Casino Control Authority.

**Casino Agreement** means the Management Agreement dated 9 August 1999, between Dunedin Casinos Limited and Aspinall (NZ) Limited, as amended on 12 March 2004 by the Authority approving an Approval of Change of Associated Licensed Casino Operator from Aspinall (NZ) Limited to the Licence Holder, or which may be varied or substituted with the approval of the Commission from time to time.

**Casino Venue** means that part of the property situated at 118 High Street, Dunedin, as more fully described in the venue licence issued to Dunedin Casinos Limited on 17 February 1999.

**Commission** means the Gambling Commission.

**Gambling Area** means that part of the Casino Venue specified in condition 9 of the venue licence held by Dunedin Casinos Limited.

**Host Responsibility Programme** means the Responsible Gambling Programme approved by the Authority in May 2002, as may be substituted or amended in accordance with licence conditions.

**Inspectorate** means the Casino Compliance Unit of the Department of Internal Affairs.

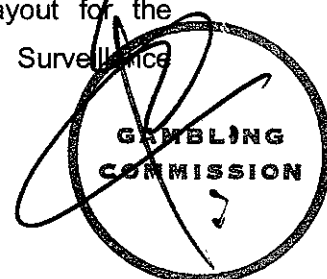
**Licence Holder** means Dunedin Casinos Management Limited.



**Secretary** means the Secretary for Internal Affairs.

**Surveillance Standard** means the Surveillance Policy describing the required standard, type, operation and installation of surveillance facilities, approved by the Authority with effect from 5 December 2003, as may be substituted or amended by the Commission from time to time.

5. The number of gaming machines in the Gambling Area shall not exceed 180. Each terminal or player station of a multi-terminal or multi-player gaming machine shall be treated as one gaming machine.
6. The number of gaming tables in the Gambling Area shall not exceed 12.
7. The ratio of gaming machines to gaming tables in the Gambling Area shall not exceed 15 to 1, except with the approval of the Commission.
8. When the casino is operating, the Licence Holder shall ensure that there is at least 1 authorised table game open for play between the hours of midday to 6pm, at least 2 authorised table games open for play between the hours of 6pm to 3am and at least 1 authorised table game open for play between the hours of 3am and 6am. Between the hours of 6am and midday, the Licence Holder may, but shall not be required to, offer table gaming in the Casino.
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 introduction into the Gambling Area 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.
11. The Licence Holder shall operate in accordance with approved floor layouts showing the position of gaming tables and gaming machines.
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 change must comply with the Surveillance Standard.

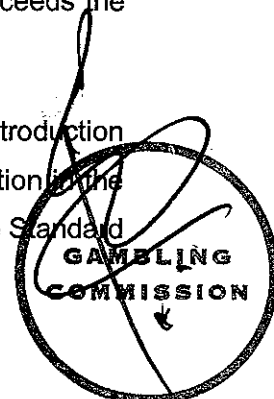


**EFTPOS and like devices**

13. A maximum of 1 automatic teller machine is permitted in the Casino Venue outside the Gambling Area.
14. The Licence Holder is prohibited from dispensing cash from EFTPOS and like devices in the Gambling Area unless approved by the Authority or the Commission. The approval of the Authority or the Commission shall be revocable at the discretion of the Commission and may be subject to such conditions as the Commission may from time to time impose.
15. The Licence Holder is prohibited from using mobile EFTPOS terminals (cash or non-cash dispensing) or like devices in the Gambling Area.
16. The Licence Holder is prohibited from dispensing more than \$50 cash per transaction from EFTPOS terminals or like devices outside the Gambling Area and within the Casino Venue and must ensure that any cash withdrawals are contemporaneous with a purchase.
17. Subject to the restrictions specified in conditions 14, 15 and 16 above, EFTPOS terminals or like devices may be installed and removed by the Licence Holder within the Casino Venue.
18. The Licence Holder is required to notify the Commission if it moves ATMs in the Casino Venue or if it installs or moves non-cash dispensing EFTPOS terminals or like devices in the Gambling Area.

**Security and Surveillance**

19. The Surveillance Standard may be substituted or amended by the Commission at the request of the Secretary, on an application by the Licence Holder, or at its own initiative. The Commission will seek submissions from the Licence Holder, the Secretary and any other affected person before deciding on a proposed substitution or amendment.
20. The Licence Holder shall provide security and surveillance equipment and facilities in the Gambling Area and surveillance areas which shall at all times meet or exceed the Surveillance Standard in whatever form is currently approved by the Commission. The Commission may at any time institute an audit or require the Licence Holder to report on the standard and/or quality of surveillance equipment to ensure it meets or exceeds the Surveillance Standard.
21. The Licence Holder shall obtain the approval of the Commission prior to the introduction into the Casino of new surveillance technology of a type not currently in operation in the casino. Camera upgrades that comply with the requirements of the Surveillance Standard



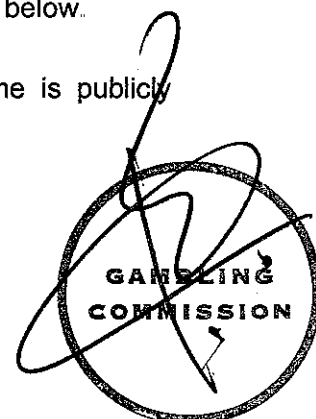
do not require prior approval. When applying for approval, the Licence Holder shall supply sufficient information to enable the Commission properly to assess the application under the Surveillance Standard. Information will include details relating to equipment type and operation, and the proposed location of equipment. The Licence Holder shall allow the Commission or staff of the Commission Secretariat, or any other person authorised by the Commission, to test any technology or equipment.

#### **General specifications for cage/chip bank facilities**

22. The Licence Holder shall ensure that the cashier's cage is located immediately adjacent to the gaming floor and is clearly visible to patrons. Unless otherwise approved by the Commission, the cage area shall at a minimum include:
- (a) accommodation for chip bank cashiers and general cashiers (which shall be physically separate unless the Commission approves otherwise);
  - (b) storage facilities for cage inventory;
  - (c) a separate locked compartment for storage of chips and plaques held in reserve and not used for active gaming;
  - (d) manually triggered and automatic silent alarm systems connected directly to the surveillance department; and
  - (e) an interconnect door entry and exit system (man trap) which will not permit a person to pass through the second door until the first door is securely locked.
23. The approval of the Commission is required for the construction of any additional cashiering facilities in other parts of the Gambling Area to service dedicated areas or rooms. Any such additional facilities must comply with the surveillance equipment requirements set out in the Surveillance Standard and be fitted with manually triggered and automatic silent alarm systems connected to the surveillance department.

#### **Host Responsibility Programme**

24. The Licence Holder shall ensure that the Casino is operated, whether by itself or pursuant to a casino agreement by another licensee, in compliance with the Host Responsibility Programme, as may be amended in accordance with the procedures set out below.
25. The Licence Holder shall ensure that the Host Responsibility Programme is publicly available on its website.



26. The Programme shall be consistent with and impose no lesser requirement than specified in the Act or Regulations. The Programme shall address and not be limited to:
- (a) the provision of information for customers relating to game rules, permissible bets and payment of winning bets pursuant to section 175 of the Act;
  - (b) the provision of signage, brochures and publications, and the effective display and distribution of the same, to inform gamblers of the odds of winning on gaming machines, how to gamble safely, the characteristics of problem gambling and the availability of counselling and other support services;
  - (c) the provision of loss and expenditure data to individual loyalty programme members;
  - (d) identification of problem gamblers and steps to be taken following identification. This shall include, as a minimum, the following:
    - (i) an acceptable definition of problem gambling;
    - (ii) indicators of problem gambling in the gambling venue;
    - (iii) the steps to be taken by the Licence Holder in identifying problem gamblers;
    - (iv) the steps to be taken by the Licence Holder following identification of problem gamblers;
  - (e) the provision of staff training;
  - (f) the provision of exclusion, self-exclusion and limitation programmes;
  - (g) assistance to casino employees with managing the potential for personal problem gambling;
  - (h) recognition of cultural differences amongst gamblers using the Casino, and the need to tailor delivery of host responsibility obligations to maximise effectiveness for customers;
  - (i) guidelines for responsible marketing and advertising of the Casino, including exterior signage, and restrictions on jackpot advertising and branding pursuant to Regulations 9 and 10 of the Gambling (Harm Prevention and Minimisation) Regulations 2004;



- (j) responsible practices in the conduct of promotions and inducements to gamble at the Casino;
  - (k) design of the Gambling Area to minimise problem gambling behaviour and to maximise the likelihood that episodes of problem gambling will be noticed and addressed by staff;
  - (l) promotion of the responsible consumption of alcohol, including provision of staff training in responsible service of alcohol;
  - (m) standards of dress and behaviour at the casino;
  - (n) liaison with patrons with gambling problems, and family members of patrons with gambling problems;
  - (o) liaison with problem gambling treatment providers, community service organisations and community representatives;
  - (p) the provision of a safe gambling environment at the Casino; and
  - (q) such other matters as the Commission may require.
27. The Licence Holder may amend the Programme to include appropriate improvements in the delivery of the existing Programme and new host responsibility and responsible gambling initiatives.
28. The Licence Holder shall obtain the prior approval of the Commission for any amendment to the Programme that proposes to reduce or remove any host responsibility and responsible gambling initiative in the Programme
29. The Licence Holder will report to the Commission annually, commencing on 1 December 2008, on the implementation of the Programme and any amendments made to it pursuant to condition 27. The Commission will review the Programme at least every two years, the next revision of the Host Responsibility Programme to be submitted to the Commission commencing on 1 December 2008 or such later date as the Commission may approve. It will consult with interested parties, as appropriate, and amend the Programme as it determines, after giving the Licence Holder the opportunity to comment. For the avoidance of doubt, the Commission may amend the Programme at any time, having consulted with the Licence Holder and interested parties, as appropriate.



30. The Licence Holder will co-operate with the Commission in respect of any inquiry or investigation by the Commission to ensure that the operating procedures and practice of the Casino comply with the Programme.
31. The Licence Holder shall comply with the Advertising Standards Authority Code for Advertising Gaming and Gambling dated 1 June 2001, or any update or replacement thereof, and any relevant regulations in respect of the advertising of gaming activities.

#### **Intoxicated Persons**

32. The Licence Holder shall not permit an intoxicated person to gamble in the casino.

#### **Notification requirements**

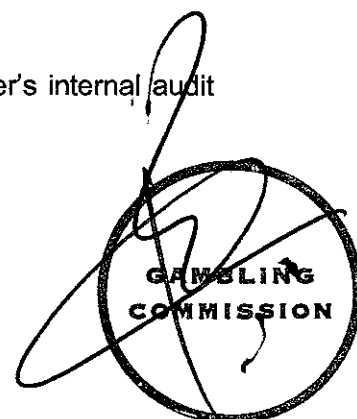
33. The Licence Holder shall notify the Commission and the Secretary in writing as soon as possible of any change in the state of affairs of the Licence Holder which has a significant bearing on the holding of the Casino Operator's licence, including any person ceasing to be an associated person of the Licence Holder.
34. The Licence Holder, immediately on becoming aware of such an occurrence, shall notify the Commission and Secretary in writing if the Licence Holder or an associated person of the Licence Holder is involved in any:
- (a) conviction for an offence involving dishonesty;
  - (b) censure or disciplinary action by a professional body for ethical misconduct;
  - (c) censure in any way in relation to a casino in another jurisdiction;
  - (d) current investigation (other than routine or periodical inspections) by any governmental or statutory body; and
  - (e) bankruptcy, receivership or liquidation.

#### **Casino Agreement**

35. The Licence Holder shall not permit any person to operate the Casino otherwise than in accordance with the terms of the approved Casino Agreement.

#### **Audit**

36. The Commission may at any time request access to the Licence Holder's internal audit information or institute an audit of the Licence Holder's Casino business.



37. The Licence Holder shall submit for the approval of the Commission the name of the person or body of persons appointed from time to time by the Licence Holder as Auditor to audit the Casino business. The approval of the Commission shall be revocable at the discretion of the Commission and shall be subject to such conditions as the Commission from time to time imposes.

#### **Bank accounts**

38. The Licence Holder shall not open any bank account to facilitate, or in connection with, the operation of the Casino without the approval of the Commission.

#### **Provision of information**

39. The Licence Holder shall, within such period as the Commission may require, provide to the Commission, or to any person authorised by the Commission to receive the same, such reports or other information as may be specified by the Commission relating to:

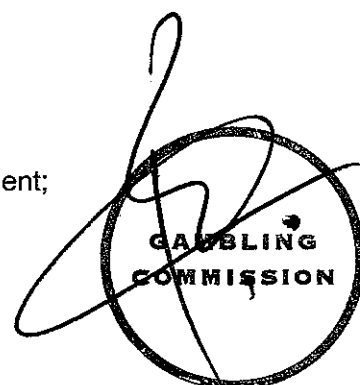
- (a) the operations of the Licence Holder or any entity or person associated with the Licence Holder;
- (b) the operation of the Casino; or
- (c) any associated person of the Licence Holder, being information in the possession of the Licence Holder, as may be specified by the Commission in writing from time to time, within such period as the Commission may require.

40. The Licence Holder shall, if required by the Commission, submit for the approval of the Commission samples of gaming guides authorised for distribution to patrons, patron video tapes, films depicting casino play, and a submission stating the odds and house advantage on bets permitted in each authorised game.

#### **Training**

41. The Licence Holder shall, if required by the Commission, provide, for persons having, or who will have, functions in relation to any of the following capacities in the casino, training courses in the performance of the following functions:

- (a) counting money or chips derived from or used in gambling;
- (b) moving money or chips derived from or used in gambling;
- (c) buying or redeeming chips;
- (d) operating, maintaining, constructing or repairing gambling equipment;



- (e) the provision of security or surveillance services;
- (f) supervising or managing any of the activities described in paragraphs (a) to (e).

42. The content, format and duration of such courses shall be from time to time approved by the Commission.

#### **Entry**

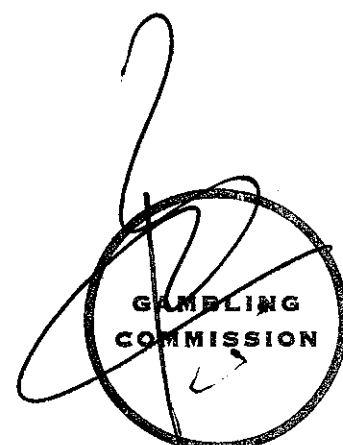
43. The Licence Holder shall allow the Commission or staff of the Commission Secretariat, or any other person authorised by the Commission, to enter and remain in any part of the Casino Venue at any time for the purpose of his or her official duties under the Act.

#### **Address for service**

44. The Licence Holder shall file with the Commission an address in New Zealand for the service of notices upon it.

45. The Licence Holder may, by notice given to the Commission, change its address for the service of notices.

**30 May 2008**



## ANNEX A

Subject to the specific game mix requirements set out below, Dunedin Casino may operate no more than 12 Table Games made up of the following:

American Roulette - up to 3  
 Black Jack - up to 5  
 Midi Baccarat - up to 2  
 Mini Baccarat - up to 2  
 Caribbean Stud Poker - 1  
 Poker - up to 3  
 Tai Sai - 1  
 Money Wheel - 1

Dunedin Casino is limited to operating the following approved game mixes:

<p><b>Game Mix A</b></p> <p>American Roulette – 3 games            Black Jack – 5 games            Midi Baccarat – 1 game            Caribbean Stud Poker – 1 game            Poker – 2 games</p>	<p><b>Game Mix B</b></p> <p>American Roulette – 3 games            Black Jack – 4 games            Midi Baccarat – 1 game            Caribbean Stud Poker – 1 game            Poker – 3 games</p>
<p><b>Game Mix C</b></p> <p>American Roulette – 3 games            Black Jack – 5 games            Midi Baccarat – 2 game            Caribbean Stud Poker – 1 game            Poker – 1 game</p>	<p><b>Game Mix D</b></p> <p>American Roulette – 3 games            Black Jack – 4 games            Midi Baccarat – 2 games            Caribbean Stud Poker – 1 game            Poker – 2 games</p>
<p><b>Game Mix E</b></p> <p>American Roulette – 3 games            Black Jack – 4 games            Midi Baccarat – 1 game            Mini Baccarat – 1 game            Caribbean Stud Poker – 1 game            Poker – 2 games</p>	<p><b>Game Mix F</b></p> <p>American Roulette – 3 games            Black Jack – 3 games            Midi Baccarat – 1 game            Mini Baccarat – 1 game            Caribbean Stud Poker – 1 game            Poker – 3 games</p>
<p><b>Game Mix G</b></p> <p>American Roulette – 3 games            Black Jack – 4 games            Midi Baccarat – 2 games            Mini Baccarat – 1 game            Caribbean Stud Poker – 1 game            Poker – 1 game</p>	<p><b>Game Mix H</b></p> <p>American Roulette – 3 games            Black Jack – 3 games            Midi Baccarat – 2 games            Mini Baccarat – 1 game            Caribbean Stud Poker – 1 game            Poker – 2 games</p>
<p><b>Game Mix I</b></p> <p>American Roulette – 3 games            Black Jack – 3 games            Midi Baccarat – 1 game            Mini Baccarat – 2 games            Caribbean Stud Poker – 1 game            Poker – 2 games</p>	<p><b>Game Mix J</b></p> <p>American Roulette – 3 games            Black Jack – 2 games            Midi Baccarat – 1 game            Mini Baccarat – 2 games            Caribbean Stud Poker – 1 game            Poker – 3 games</p>



**Game Mix K**

American Roulette – 3 games  
Black Jack – 3 games  
Midi Baccarat – 2 games  
Mini Baccarat – 2 games  
Caribbean Stud Poker – 1 game  
Poker – 1 game

**Game Mix L**

American Roulette – 3 games  
Black Jack – 2 games  
Midi Baccarat – 2 games  
Mini Baccarat – 2 games  
Caribbean Stud Poker – 1 game  
Poker – 2 games

**Note**

- (a) The Licence Holder must operate in accordance with the approved Table Games Floor Plan, using only the game types shown in the positions specified;
- (b) The Licence Holder may only operate the above table game mixes;
- (c) The Licence Holder must comply with the notification and other requirements specified in MOS C-C 1.12 when altering the game mix by “flipping” tables;
- (d) For the avoidance of doubt, the Promotional Wheel may be used only for promotional purposes in accordance with the Act, and must not be used to conduct casino gambling.

