

IN THE MATTER of the Gambling Act 2003
AND on an application by
CHRISTCHURCH CASINOS LIMITED to amend condition 9 of its venue licence and condition 12 of its operator's licence

BEFORE THE GAMBLING COMMISSION

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

Date of Application: 23 October 2009

Date of Decision: 19 March 2010

Date of Notification
of Decision: 7 April 2010

**DECISION ON AN APPLICATION BY CHRISTCHURCH CASINOS LIMITED
TO AMEND CONDITION 9 OF ITS VENUE LICENCE AND
CONDITION 12 OF ITS OPERATOR'S LICENCE**

Introduction

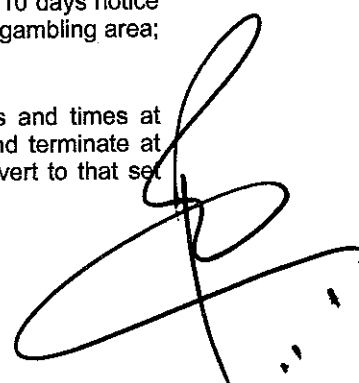
1. Christchurch Casinos Limited ("CCL") applied, under section 139(1)(d) of the Gambling Act 2003 (the "Act"):
 - (a) to amend condition 9 of its venue licence, to provide a permanent alternative gambling area. The proposed condition is as follows:

Venue licence

9. The Gambling Area within the Casino Venue comprises the areas specified in plans approved by the Commission dated [new date to be inserted].

The alternative gambling area identified as Gambling Areas 2 (Alternate) will take effect subject to the following:

- (a) the Licence Holder providing the Gambling Commission and the local government inspectorate with a minimum of 10 days notice in writing of its intention to activate the alternative gambling area; and
- (b) the Licence Holder specifying the planned dates and times at which the alternative gambling area will apply and terminate at which time the designated Gambling Area will revert to that set out in the plan identified as Gambling Area 1.



- (b) to amend condition 12 of its operator's licence to allow the Executive Director and a single Commissioner to approve new floor plans. The proposed variation, in mark-up, is as follows:

Operator's licence

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. 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 Commission first considered this application at its December 2009 meeting. Following that meeting, it sought further submissions from CCL and the Secretary on a number of issues before reaching its decision.

Relevant licence conditions

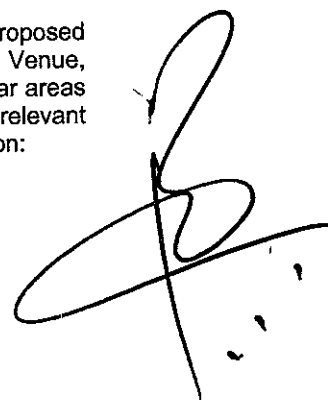
3. In addition to conditions 9 and 12, the other licence conditions which may be affected by a change in the casino's Gambling Area are as follows:

CCL's venue licence

6. Subject to the provisions of condition 7, the Licence Holder must obtain the approval of the Commission prior to:
- (a) construction or design changes to Levels 3 and 4 of the Casino Venue, including the Gambling Area but excluding the foyer, restaurant and bar areas on Level 3 outside the Gambling Area (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 the exterior of the Casino Venue.

The process by which the Licence Holder may obtain approval for construction or design changes to Levels 3 and 4 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 Levels 3 and 4 of the Casino Venue, including the Gambling Area but excluding the foyer, restaurant and bar areas outside the Gambling Area. 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.

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 alarm systems connected to the surveillance department.

CCL's operator's licence

13. A maximum of 2 automatic teller machines 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.
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.
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 and may 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.
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 alarm systems connected to the surveillance department.



Initial submissions by CCL

4. CCL submitted, in summary, as follows:

Alternative Gambling Area

- (a) It recently became aware that the Commission authorised an alternative gambling area for the SKYCITY Queenstown casino, and sought the same for Christchurch casino.
- (b) The ability to operate two designated gambling areas would provide it with the flexibility it needs in its business, and would contribute to the efficient and effective administration of the Act as it would eliminate the need for multiple applications to the Commission.
- (c) The alternative gambling area would consist of the Grand Café and Velvet Room. The Grand Café was previously not included in the gambling area in order to allow it to host sporting teams that may be sponsored by the casino (which may include people under 20 years of age), but there are times when it would be convenient to have the Grand Café and Velvet Room included in the gambling area.
- (d) The inclusion of the Grand Café as gambling area would overcome the current inability to conduct dinner draws in the area – it regularly hosts loyalty programme dinners in the Grand Café and, if it wishes to conduct a draw in conjunction with the dinner, it has to ask guests to leave the Grand Café and go to the main gaming floor, before returning back to the Grand Café.
- (e) The use of the Velvet Room for Poker Tournaments during CCL's refurbishment period has been viewed favourably by patrons.
- (f) While it currently has no plans to utilise the Grand Café for anything more than dinner draws, it may wish to run Bingo or host part of the New Zealand Poker Championships there, if this continues to grow in popularity.

Floor Plan approval

- (g) It is aware that licence conditions for the SKYCITY Auckland casino allow the Executive Director and a single Gambling Commissioner to approve new floor plans, and it seeks a similar mechanism for Christchurch casino.

The Secretary's initial submissions

5. The Secretary submitted, in summary, as follows:



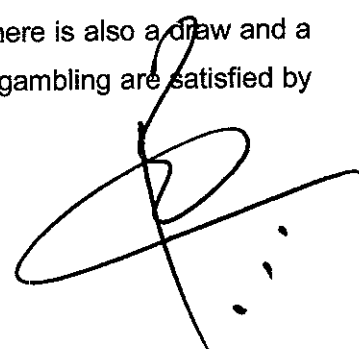
- (a) The primary reason for CCL's application appears to be the inconvenience caused by dinner guests having to move from the Grand Café to the main gaming floor for dinner draws. He was satisfied that any security of entry issues can be managed, and had no regulatory concerns regarding this part of the application.
- (b) If CCL wants to deploy gaming tables or machines in the Grand Café, a separate approval would be required apart from the designation of the gambling area.
- (c) He wants to draw attention to condition 14 of CCL's operator's licence and the obligation for CCL to obtain Commission approval prior to dispensing cash from any EFTPOS facilities located in the Velvet Room or Grand Café once they are part of the gambling area.
- (d) The Commission has previously approved, for the Auckland casino, the floor plan approval process that CCL now seeks. The Secretary supported that amendment, and supports this amendment.

CCL's initial submissions in reply

6. In reply, CCL acknowledged the Secretary's comment regarding EFTPOS terminals and stated that it does not plan to put any additional terminals into the alternative Gambling Area. However the payment desk at the entrance/exit of the Grand Café is in the alternative Gambling Area, so the EFTPOS terminal there should be noted as existing and be considered as part of the Commission's approval process.

CCL's further submissions

7. Following the Commission's request for additional submissions, CCL submitted, in summary, as follows:
- (a) The Commission's preliminary view that dinner draws do not constitute casino gambling is at odds with the view held by the Secretary, who regards dinner draws as promotional activities which are subject to the Gazetted rules for casino promotions.
 - (b) Promotional dinners and any consequential dinner draws are available for invited guests only. The Secretary has formed the view that, although there may not be any direct cost for participation, there is an indirect cost as the invitation is usually based on the individual's playing history. The fact that there is also a draw and a prize means that all the key elements of the definition of gambling are satisfied by these dinner draws.

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

- (c) Therefore, as the Gazetted rules for casino promotions require all casino promotions to be conducted in a gambling area of the casino, it seeks the flexibility to have the Grand Café incorporated into the defined alternative gambling area for the Christchurch casino.
- (d) It agreed that, if the Commission approves CCL's application, subsequent design changes relating to the alternative gambling area would require approval as specified in its venue licence. It has no strong view on whether conditions 6 and 7 require amendment.
- (e) It wishes to have the existing EFTPOS terminals situated at the entrance to the Grand Café approved as part of its application. To disable or otherwise remove this device each time the proposed alternative gambling area was used would be unnecessarily burdensome.
- (f) The proposed alternative gambling area would have no effect on opportunities for casino gambling as the same opportunities that currently exist, will still exist. The purpose of the application is only to enhance its guests' experience.
- (g) In relation to opportunities, it sees no value in conducting a detailed assessment of the gambling areas as they existed as at the assent of the Act, but if such an assessment were to be made, the "back of house areas" de-licensed in decision GC17/08 would more than equate to the additional gambling areas as proposed.

The Secretary's further submissions

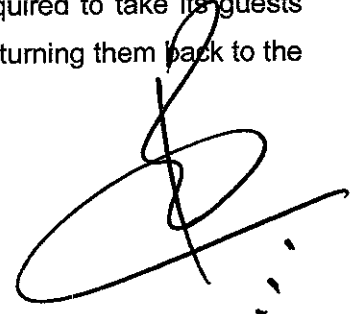
8. Following the Commission's request for additional submissions, the Secretary submitted, in summary, as follows:
- (a) He considers that dinner draws fall within the rules for casino promotions and as such constitute "casino gambling". These rules were made by the Casino Control Authority and notified in the New Zealand Gazette on 9 May 1997 and continue in force pursuant to section 376 of the Act. As such, they constitute "relevant game rules" for the purpose of section 34 of the Act.
 - (b) Rule 1.2 defines "casino promotion". In part, the definition relates to a lottery conducted by a casino operator for the purpose of promoting the sale of any goods or services supplied on the casino premises. The right to enter is dependent on the purchase of such goods and services (at the usual retail price).
 - (c) He understands that the dinner draws are intended for Player's Club members, who gain points through gaming machine and table play, and the purchase of

other goods and services from CCL. Some of the 35,000 members are invited to a free dinner based on recent levels of play (or lack of play) and at this dinner a draw is conducted for which all participants are eligible. To the extent that entry to the dinner, and thus the promotion are dependent on past purchases of goods and services, the consideration element of the definition is met. The purpose of a dinner draw is to promote the casino.

- (d) He agrees with the Commission's view that, if the Grand Café were to form part of the gambling area, condition 6 of the venue licence should be amended to ensure that the Commission retains oversight of the potential gambling area.
- (e) He presumes that CCL would wish to retain the ability to dispense cash from the EFTPOS terminal in what would otherwise be a functioning restaurant. To the extent that the gambling activity at the Grand Café is limited to casino promotions, he could not identify any harm that would result if a dispensation were afforded to CCL. Alternatively, the Commission may consider amending the condition to prohibit cash being dispensed when the Grand Café is used for gambling activity.
- (f) In respect of section 12 of the Act, he does not consider that an extension of the Gambling Area increases opportunities for casino gambling. The issue raised, however, is the notion of casino promotions as casino gambling, and its relationship to section 12 of the Act. This is not a matter that has been considered by the Commission to date, and, if the Commission considers that it needs to be regulated, it would be a matter affecting all casino operators.

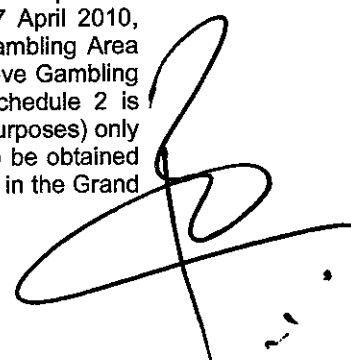
Analysis

- 9. CCL applied to amend condition 9 of its venue licence and condition 12 of its operator's licence. The condition 12 amendment did not raise any issues of regulatory concern for the Commission, with a similar condition having operated successfully at the Auckland casino since 2008.
- 10. CCL's proposal for condition 9 would allow it to have an alternative gambling area comprising its usual gambling area with the addition of the Velvet Room and the Grand Café. The main reason put forward by CCL to designate the Grand Café as part of the gambling area was to alleviate any inconvenience to dinner guests when dinner draws are conducted because dinner draws constitute casino gambling and so must take place within the designated Gambling Area. It has therefore been required to take its guests from the Grand Café to the Gambling Area for the draw, before returning them back to the Grand Café.



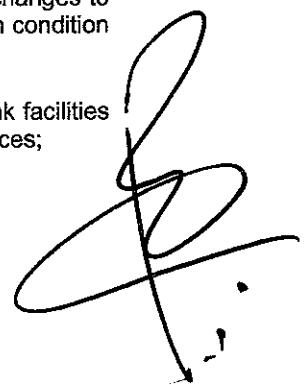
11. When the Commission considered this matter at its December 2009 meeting, it questioned whether dinner draws constituted casino gambling. If not, there would be no need to designate the Grand Café as Gambling Area in order to conduct dinner draws there.
12. The Commission sought submissions from CCL and the Secretary on this preliminary issue, together with submissions on whether additional licence conditions required amending (in the event that the Grand Café is designated as gambling area), and whether CCL's proposal constitutes an increase in opportunities for casino gambling.
13. Both parties submitted that dinner draws are "a casino promotion" and therefore fall under the Casino Promotion Rules, gazetted on 9 May 1997, which require casino promotions to be conducted in the Gambling Area. On that basis, the Commission considered that condition 9 should be amended to provide an alternative gambling area for CCL to conduct dinner draws more conveniently.
14. CCL submitted that, although it has no immediate plans to use the Grand Café for anything more than dinner draws, it may operate bingo there, or use it to host part of the New Zealand Poker Championships. The Commission has no regulatory concern with the operator using the Grand Café for dinner draws on occasion, but was of the view that it would need to authorise specifically any other form of gambling to take place there, so that the effect on opportunities can be assessed. The Commission therefore amended condition 9 to ensure that the only gambling that may take place in the Grand Café when it is activated as gambling area is casino promotions. Commission approval needs to be obtained before the Licence Holder conducts any other form of gambling in that area. A similar stipulation will apply to the Velvet Room with any gambling activity in the area required to be limited to games with an authorised game mix and subject to a floor plan approval.
15. The Commission has also amended condition 9 (and renamed it "9A") to make it consistent with the equivalent condition for the SKYCITY Queenstown casino. CCL's proposal was based on Queenstown casino's previous licence condition, but this was amended when the Commission reviewed licence conditions for Queenstown in 2007. Licence condition 9A now reads as follows:

- 9A. The Gambling Area within the Casino Venue comprises the areas specified in plans marked "Schedule 1" and "Schedule 2" and dated 7 April 2010, attached to Commission decision GC07/10. The standard Gambling Area for the casino venue is delineated in Schedule 1. The alternative Gambling Area for the casino is delineated in Schedule 2. When Schedule 2 is activated, the Grand Café may be used (other than for dining purposes) only to conduct casino promotions. Commission approval needs to be obtained before the Licence Holder conducts any other form of gambling in the Grand Café, or in the Velvet Room.



16. The Commission has also inserted a new condition, 9B, to record the process by which the alternative Gambling Area will take effect. It is consistent with CCL's initial proposal, and provides as follows:
- 9B. The alternative Gambling Area will take effect subject to the following:
- (a) the Licence Holder providing the Commission and the Inspectorate with a minimum of 10 working days notice in writing of its intention to use the alternative Gambling Area; and
 - (b) the Licence Holder specifying in that notice the dates and times at which the alternative gambling area will apply and terminate. At termination the Gambling Area will revert to the area delineated in Schedule 1.
17. The Commission was of the view that casino promotions do not represent an increase in opportunities for casino gambling as it seems likely from the gazetted Rules that such activities were conducted prior to 19 September 2003.
18. As noted above, the Commission also sought submissions on whether additional licence conditions required amendment in the event that the Grand Café is designated as gambling area. The Secretary agreed that other licence conditions required amendment, but CCL was neutral about any amendment.
19. The Commission was of the view that, following the amendment to condition 9 of the venue licence, amendments of other conditions would be necessary to allow the Commission to have the same oversight of the Grand Café and Velvet Room as it has of the current Gambling Area. This is necessary to prevent CCL from having the ability to make environmental changes to the Grand Café and Velvet Room when the alternative gambling area is not in effect (and therefore not subject to more stringent controls) without the Commission's approval.
20. The Commission amended conditions 6 and 7 of CCL's venue licence to require express approval for changes to the alternative gambling area, and to remove the exclusion for the restaurant. These changes are shown in mark-up as follows:

6. Subject to the provisions of condition 7, the Licence Holder must obtain the approval of the Commission prior to:
- (a) construction or design changes to Levels 3 and 4 of the Casino Venue, including the Gambling Area (Schedule 1) and alternate Gambling Area (Schedule 2) but excluding the foyer, ~~restaurant~~ and bar areas on Level 3 outside the Gambling Area (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 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 Levels 3 and 4 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).

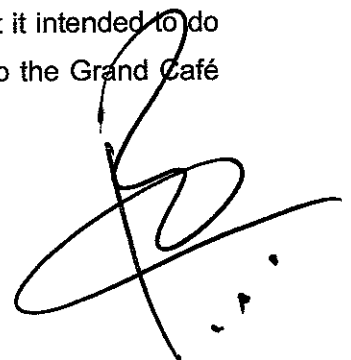
7. The Licence Holder must notify the Executive Director of any proposed changes to the construction or design of Levels 3 and 4 of the Casino Venue, including the Gambling Area (Schedule 1) and alternate Gambling Area (Schedule 2) but excluding the foyer, restaurant and bar areas outside the Gambling Area. 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.

21. The Commission also amended condition 12 of the venue licence, which provides that the approval of the Commission is required for the construction of any additional cashiering facilities in any other parts of the Gambling Area [than the part described in condition 11]. The Commission decided to add the words "(Schedule 1) and Alternate Gambling Area (Schedule 2)" after "Gambling Area" as follows:

12. The approval of the Commission is required for the construction of any additional cashiering facilities in other parts of the Gambling Area (Schedule 1) and Alternate Gambling Area (Schedule 2) 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 alarm systems connected to the surveillance department.

22. Condition 14 of the operator's licence provides that the Licence Holder is prohibited from dispensing cash from EFTPOS and like devices in the Gambling Area unless approved by the Commission. The only EFTPOS machine discussed in submissions was one that is located at the entry/exit to the Grand Café. CCL does not need the Commission's approval for the EFTPOS machine to be present in the alternative gambling area, but it needs approval in order to be able to dispense cash from it. CCL did not apply specifically for the ability to dispense cash, although it seems likely that it intended to do so when it sought to have EFTPOS terminal situated at the entrance to the Grand Café "approved as part of the application".



23. The Commission was of the view that so long as the Grand Café area is restricted to dinner draws, the ability to withdraw cash from the EFTPOS terminal would not make much difference to the current position. The Commission therefore approved the dispensing of cash from the EFTPOS terminal located at the entry/exit to the Grand Café while the Grand Café is designated as Gambling Area.
24. Operators should not interpret this decision as a general relaxation of the condition 14 prohibition; rather it is a decision that is specific to CCL's situation relating to the use of the Grand Café as an alternate Gambling Area only to conduct casino promotions.
25. As the Commission has approved the dispensing of cash from the EFTPOS terminal in the Grand Cafe, it has also amended condition 16 of the operator's licence, which provides that cash will only ever be dispensed from EFTPOS terminals outside the Gambling Area, and therefore limits the amount of cash that may be withdrawn only from terminals outside the Gambling Area. The Commission amendment is as follows:
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.
26. The Commission has also amended condition 18 to prevent a similar anomaly as the current condition assumes that there will be no cash-dispensing EFTPOS machines in the Gambling Area, and therefore requires Commission approval for the installation and movement of non-cash dispensing machines only. The Commission's amendment is as follows:
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 (Schedule 1) and Alternate Gambling Area (Schedule 2).
27. The Commission has also amended conditions 13, 15, 20 and 23 of the operator's licence to insert the words "(Schedule 1) and Alternate Gambling Area (Schedule 2)" after "Gambling Area" as follows:
13. A maximum of 2 automatic teller machines is permitted in the Casino Venue outside the Gambling Area (Schedule 1) and Alternate Gambling Area (Schedule 2).
15. The Licence Holder is prohibited from using mobile EFTPOS terminals (cash or non-cash dispensing) or like devices in the Gambling Area (Schedule 1) and Alternate Gambling Area (Schedule 2).
20. The Licence Holder shall provide security and surveillance equipment and facilities in the Gambling Area (Schedule 1) and Alternate Gambling Area (Schedule 2) and surveillance areas which shall at all times meet and may 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.

23. The approval of the Commission is required for the construction of any additional cashiering facilities in other parts of the Gambling Area (Schedule 1) and Alternate Gambling Area (Schedule 2) 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 alarm systems connected to the surveillance department.

Decision of the Commission

28. The Commission decided to:

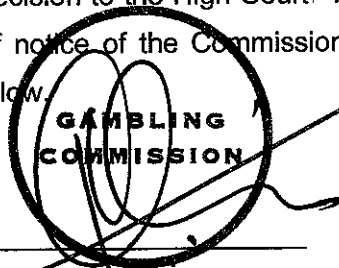
- (a) amend condition 9 of CCL's venue licence, with amendments, under section 139(1)(d) of the Act. Schedules 1 and 2 are **attached**;
- (b) amend condition 12 of CCL's operator's licence, under section 139(1)(d) of the Act;
- (c) amend conditions 6, 7 and 12 of CCL's venue licence and conditions 13, 15, 16, 18, 20 and 23 of CCL's operator's licence, under section 139(1)(e) of the Act;

in the manner shown above; and.

- (d) approve, under condition 14 of CCL's operator's licence, the dispensing of cash from the EFTPOS terminal at the entry/exit to the Grand Café while the Grand Café is designated as Gambling Area.

Right of Appeal

29. 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.

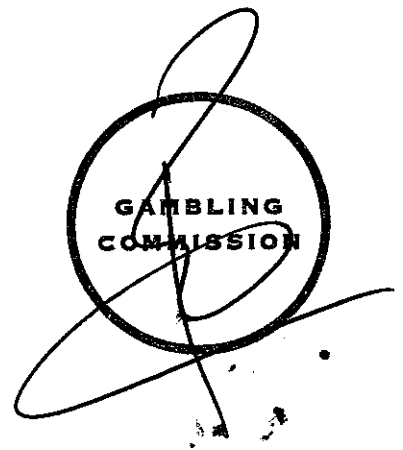
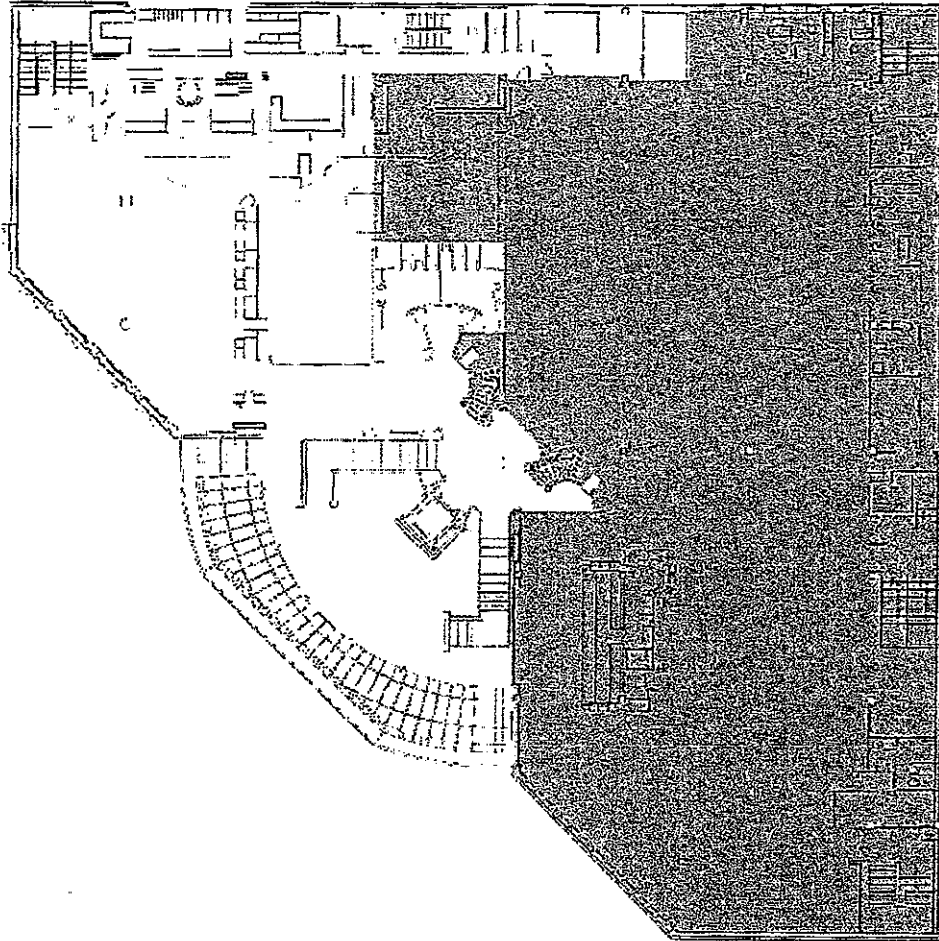


Peter Chin
Chief Gambling Commissioner

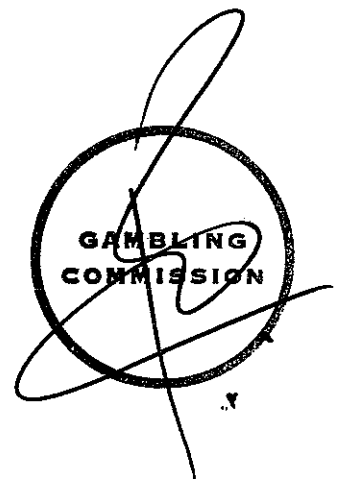
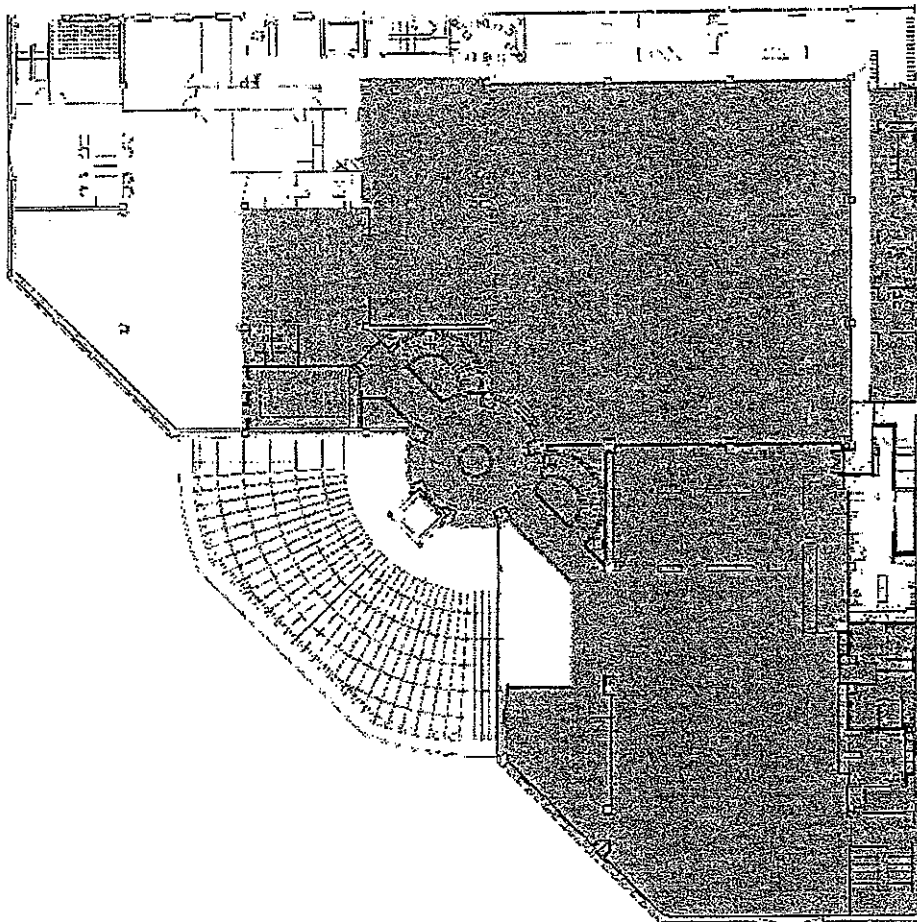
for and on behalf of the
Gambling Commission

7 April 2010

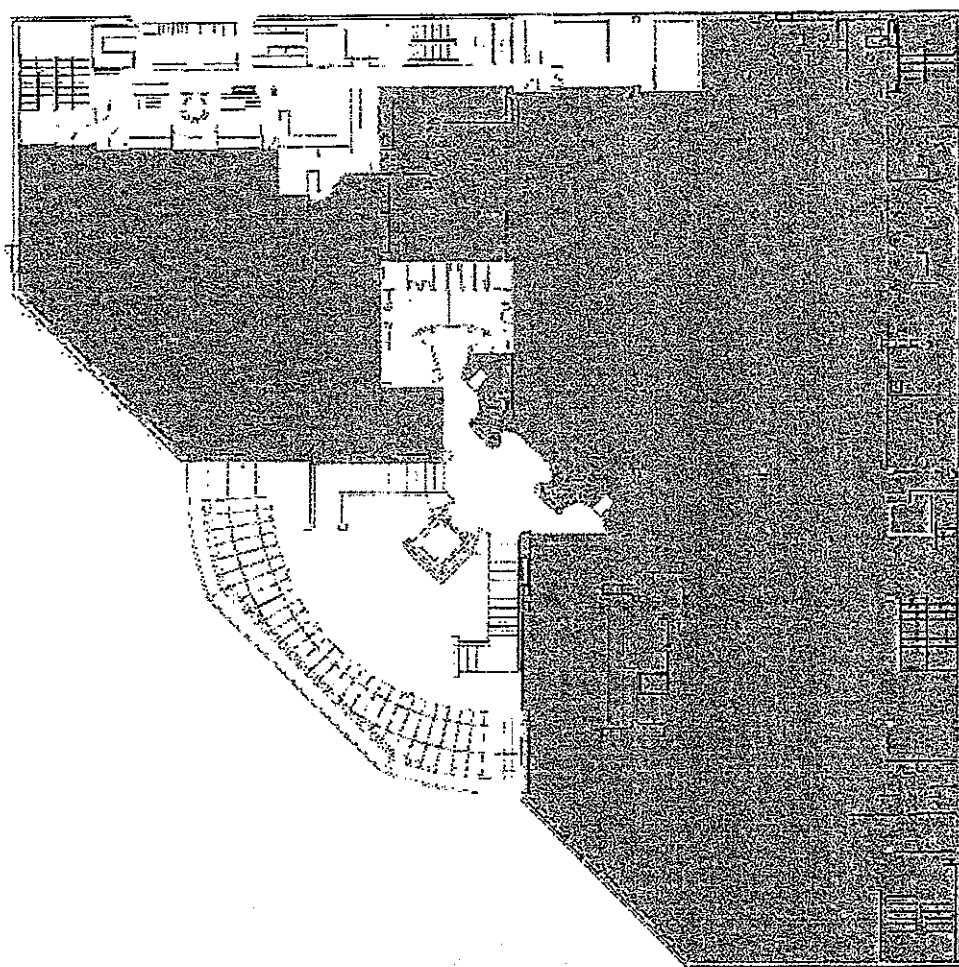
Schedule 1 – Gambling Area – Level 3
Dated 7 April 2010



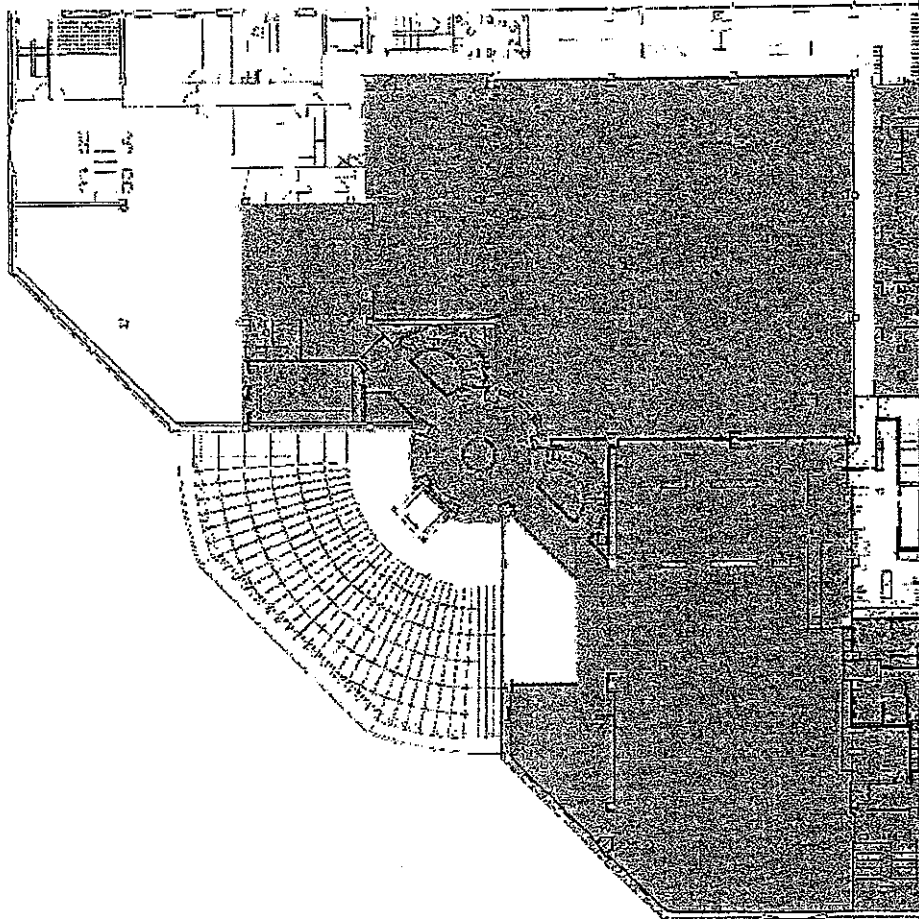
Schedule 1 – Gambling Area – Level 4
Dated 7 April 2010



**Schedule 2 – Alternate Gambling Area – Level 3
Dated 7 April 2010**



Schedule 2 – Alternate Gambling Area – Level 4
Dated 7 April 2010



IN THE MATTER of the Gambling Act 2003

AND

on an application by
**CHRISTCHURCH CASINOS
 LIMITED** to amend condition 9 of
 its venue licence and condition 12
 of its operator's licence

BEFORE THE GAMBLING COMMISSION

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

Date of Addendum: 13 April 2010

ADDENDUM TO DECISION GC07/10

1. The Commission released decision GC07/10 on 7 April 2010. In that decision, the Commission, inter alia, amended condition 16 of the conditions attached to the operator's licence for Christchurch casino, as follows:
 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.
2. Christchurch Casinos Limited ("CCL") has since sought clarification on whether an effect of the amendment is to remove CCL's ability to dispense more than \$50 cash from its cash desk, which is located within the casino's Gambling Area and for which it currently holds an approval, pursuant to condition 14, to dispense cash in excess of \$50 per transaction. The Commission issues this addendum to clarify the position.
3. It was not the Commission's intention to affect the approval held by CCL to dispense cash from its cash desk. The amendment was consequential on the approval of an alternate gambling area and was not intended to affect any current condition 14 approval.
4. The Commission has further amended condition 16 of the operator's licence to make its intention explicit. Condition 16 now provides as follows:
 16. Except for any approval granted pursuant to condition 14 ~~the~~ Licence Holder is prohibited from dispensing more than \$50 cash per transaction from EFTPOS terminals or like devices within the Casino Venue and must ensure that any cash withdrawals are contemporaneous with a purchase.
5. CCL informed the Commission that the approval to dispense cash from its cash desk was given by the Casino Control Authority ("CCA") and is recorded in its approved Credit Policy dated 12 November 2001. Pursuant to section 15(4) of the Gambling Act 2003, with effect from 1 April 2010, the Commission revoked (GC04/10) the effect of all prior approvals by the CCA of credit policies, including CCL's, as approvals of the circumstances in which casino operators could offer credit (replacing those approvals with a new approval by the Commission). The revocation was limited to the continuing effect of the approval for the purposes of section 15 and did not affect any other approval also recorded in those policies, including any cash dispensing approval given to any casino operator. The cash dispensing approval given to CCL remains in effect, as follows:

Patrons who hold cards issued by their bank for use in EFTPOS may access cash or equivalent from the Cash Desk within the limits set down for each type of card
Patrons who hold cards issued by their bank for use in ATM may access cash from the machines located in the casino.



Peter Chin
Chief Gambling Commissioner

for and on behalf of the
Gambling Commission

13 April 2010