

**IN THE MATTER** of the Gambling Act 2003  
**AND** on an application by **SKYCITY CASINO MANAGEMENT LIMITED**  
 for approval of new game mixes for the Queenstown casino

**BEFORE THE GAMBLING COMMISSION**

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

Date of Application: 7 March 2011

Date of Decision: 15 April 2011

Date of Notification  
 of Decision: 28<sup>th</sup> April 2011

**DECISION ON AN APPLICATION BY SKYCITY CASINO MANAGEMENT LIMITED  
 FOR APPROVAL OF NEW GAME MIXES FOR THE QUEENSTOWN CASINO**

**Introduction**

1. SKYCITY Casino Management Limited ("**SCML**") applied to the Commission for approval, under condition 9 of SCML's operator's licence for the Queenstown casino, for approval of a new Annex A to its operator's licence with two new game mixes, D and G.

**Licence condition**

2. The relevant licence condition is as follows:

**SCML Operator's Licence (Queenstown)**

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.

**Submissions by SCML**

3. SCML stated that:
  - (a) It currently has approval for seven game mixes: A, B, B(Alt), C, C(Alt), D and D(Alt). It seeks approval for a new Annex A with two new game mixes, and the existing game mixes being relabelled. The game mixes will be labelled A-I, with game mixes D and G being new.

- (b) The impact of the proposed new game mixes on player spaces is set out in a table below. For those games where the maximum number of player positions is not fixed by game rules, it has applied a theoretical maximum number of positions as a guide for the Commission. These theoretical maximums have been used in previous applications. Based on these figures, the new game mixes have fewer player spaces than the regulatory benchmark, game mix A.
- (c) A comparison of the gambling opportunities for the new game mixes is also set out in the table below. The figures used in this table were derived from a trial carried out by SKYCITY and considered by the Commission in decision GC17/10. The play rate has been multiplied by the number of games to determine a notional number of rounds, which in turn has been multiplied by player spaces to determine overall gambling opportunities.
- (d) The notional opportunities associated with the proposed new game mixes are significantly less than those associated with game mix A. The new game mixes will not increase casino gambling opportunities.

Game Mix	Player Spaces	Overall gambling opportunities
A	256	8,165
B	245	7,611
C	228	6,509
D	236	7,053
E	245	7,942
F	228	6,839
G	219	5,951
H	178	4,027
I	161	2,924

- (e) Subject to the Commission's approval of the new game mixes, Annex A currently states that it will provide the Commission and the DIA inspectorate with a minimum of five days notice (unless a shorter period is agreed with the Inspectorate on a case by case basis) before changing between game mixes. It understands that the Secretary would have no objection if the five day requirement was replaced by a requirement simply to provide prior notice.
- (f) A requirement to provide the Commission with prior notice may now be superfluous and has been removed from the Annex notes, although it has no objection to also notifying the Commission if that is still deemed to be necessary.



- (g) There is a further note which permits the Licence Holder to change between the game mixes specified in the alternative subject to the requirements specified by way of minimum operating standards. It has revised that to say that any flip-top tables forming part of a game mix must be operated in accordance with the requirements of the relevant Minimum Operating Standards.

#### The Secretary's submissions

4. The Secretary submitted that the Applicant's opportunities calculations appear accurate and he has no regulatory concerns regarding proposed game mixes D and G. He also has no regulatory concern with the five day notification requirement being replaced by advanced notification only.

#### Analysis

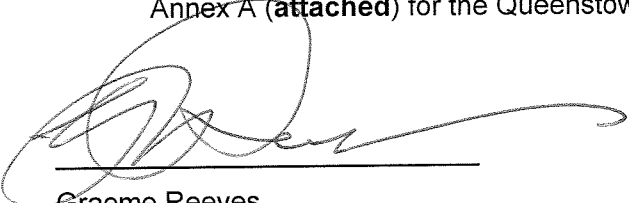
5. The Commission's approach when considering whether a proposal will increase opportunities for casino gambling is to consider what is proposed against the regulatory benchmark and form a view, in the round, on whether it will increase opportunities for casino gambling. Game mix A is the regulatory benchmark for the Queenstown casino.
6. Game mix A, together with game mixes B-I, are as follows:

	A	B	C	D	E	F	G	H	I
Black Jack	5	4	4	3	5	5	3	2	2
Roulette	3	3	3	3	2	2	3	2	2
Midi Baccarat	3	3	2	3	3	2	2	1	-
Caribbean Stud Poker	1	1	1	1	1	1	1	1	1
Poker	-	1	2	1	1	2	2	6	7
Tai Sai	-	-	-	1	-	-	1	-	-

7. The Commission compared game mixes B-I with game mix A, and was satisfied that they would not increase opportunities for casino gambling. In making the comparison, the Commission considered all game mixes on the basis that their Midi Baccarat games utilised dealing Style A.
8. The proposal to abandon the 5 day notice requirement did not raise any issue of regulatory concern for the Commission as the Secretary was content simply to receive advance notification of changes to the game mixes. SCML's proposal to abandon notification to the Commission when changing between game mixes was similarly unproblematic.

**Decision of the Commission**

9. The Commission **approved**, under condition 9 of SCML's operator's licence, a new Annex A (**attached**) for the Queenstown casino.



Graeme Reeves  
Chief Gambling Commissioner

for and on behalf of the  
Gambling Commission

28<sup>th</sup> April 2011



## ANNEX A

Pursuant to condition 9 the following game mixes may be operated by the Licence Holder on casino gaming tables subject to the following conditions and requirements

### **Game Mix A**

Black Jack – up to 5 games  
Roulette – up to 3 games  
Midi Baccarat – up to 3 games  
Caribbean Stud Poker – up to 1 game

### **Game Mix B**

Black Jack – up to 4 games  
Roulette – up to 3 games  
Midi Baccarat – up to 3 games  
Caribbean Stud Poker – up to 1 game  
Poker – up to 1 game

### **Game Mix C**

Black Jack – up to 4 games  
Roulette – up to 3 games  
Midi Baccarat – up to 2 games  
Caribbean Stud Poker – up to 1 game  
Poker – up to 2 games

### **Game Mix D**

Black Jack – up to 3 games  
Roulette – up to 3 games  
Midi Baccarat – up to 3 games  
Caribbean Stud Poker – up to 1 game  
Poker – up to 1 game  
Tai Sai – up to 1 game

### **Game Mix E**

Black Jack – up to 5 games  
Roulette – up to 2 games  
Midi Baccarat – up to 3 games  
Caribbean Stud Poker – up to 1 game  
Poker – up to 1 game

### **Game Mix F**

Black Jack – up to 5 games  
Roulette – up to 2 games  
Midi Baccarat – up to 2 games  
Caribbean Stud Poker – up to 1 game  
Poker – up to 2 games

### **Game Mix G**

Black Jack – up to 3 games  
Roulette – up to 3 games  
Midi Baccarat – up to 2 games  
Caribbean Stud Poker – up to 1 game  
Poker – up to 2 games  
Tai Sai – up to 1 game



**Game Mix H**

Black Jack – up to 2 games

Roulette – up to 2 games

Midi Baccarat – up to 1 game

Caribbean Stud Poker – up to 1 game

Poker – up to 6 games

**Game Mix I**

Black Jack – up to 2 games

Roulette – up to 2 games

Caribbean Stud Poker – up to 1 game

Poker – up to 7 games

**Notes**

1. The Licence Holder is permitted to change between the game mixes specified subject to providing the Inspectorate with prior notice.
2. Any flip top tables forming part of a game mix must be operated in accordance with the requirements of the relevant Minimum Operating Standards.
3. The Licence Holder is permitted to operate automatic shufflers on no more than 50% of open Black Jack games.
3. The Licence Holder is permitted to operate an automatic shuffler on one Caribbean Stud Poker game.

