

IN THE MATTER of the Gambling Act 2003

AND the amendment by the Gambling Commission of the Host Responsibility Programmes for the Auckland, Hamilton, Queenstown and Wharf Casinos

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 Decision: 6 April 2023, 9 June 2023, 7 July 2023

Date of Notification
of Decision: 19 December 2023

**DECISION ON THE AMENDMENT BY THE GAMBLING COMMISSION OF THE
HOST RESPONSIBILITY PROGRAMMES FOR THE AUCKLAND, HAMILTON,
QUEENSTOWN AND WHARF CASINOS**

Introduction

1. SkyCity Casino Management Limited (“**SCML**” or “**SkyCity**”) is licensed to operate four casinos in New Zealand; in Auckland, Hamilton, and two in Queenstown. The following conditions attached to SCML’s operator’s licence require the Gambling Commission to review the Host Responsibility Programme (“**HRP**”) for each casino every three years:
 - (a) condition 27 of SCML’s operator’s licence for the Auckland casino;
 - (b) condition 29 of SCML’s operator’s licence for the Hamilton casino;
 - (c) condition 29 of SCML’s operator’s licence for the Queenstown casino; and
 - (d) condition 28 of SCML’s operator’s licence for the Wharf casino.
2. By this decision, the Commission amends the HRPs for the Auckland, Hamilton, Queenstown and Wharf casinos, approved by the Commission in decision GC19/19, by replacing them with the revised HRPs attached to this decision. The HRPs include the Problem Gambling Identification Policy (“**PGIP**”) required for each casino.

Process

3. The Commission is required under the licence conditions to review the HRPs for each casino every three years. The licence conditions further provide that the Commission will consult with interested parties, as appropriate, and amend the HRPs as it determines, after giving the Licence Holder the opportunity to comment.
4. The Commission's last review of the HRPs concluded with decision GC19/19, that amended the then existing HRPs and by replacing them with new approved HRPs.
5. In August 2022, SkyCity submitted revised HRPs and PGIPs for its four casinos for consideration. The Commission understands that it met with the Department of Internal Affairs ("**DIA**"), and the Ministry of Health ("**MoH**"), prior to submitting the proposed new HRPs.
6. The following potentially interested parties were invited to make submissions on SkyCity's proposals:
 - (a) the Secretary for Internal Affairs ("**Secretary**");
 - (b) MoH;
 - (c) PGF Group ("**PGF**");
 - (d) Te Whatu Ora – Health New Zealand, Te Aka Whai Ora – Māori Health Authority ("**TAWO**");
 - (e) Auckland Regional Public Health Service;
 - (f) Waikato DHB;
 - (g) Southern DHB;
 - (h) Salvation Army Oasis ("**SA**");
 - (i) Auckland Council;
 - (j) Hamilton City Council;
 - (k) Queenstown Lakes District Council; and
 - (l) Anglican Action.
7. Submissions were received from DIA, MoH, PGF, TAWO and SA. The Commission also received submissions from Asian Family Services ("**AFS**") and Mapu Maia ("**MM**"), which are part of PGF.
8. In October 2022, the Commission forwarded those submissions to SkyCity and invited it to file submissions in reply. Prior to filing reply submissions, SkyCity discussed the HRPs with DIA.

9. The Commission considered SkyCity's proposed HRPs at its 6 April 2023 meeting, reaching provisional decisions on several issues. On 12 April 2023, the Commission's Secretariat indicated the nature of the provisional decisions to SkyCity and invited further comment.
10. On 20 April 2023, the Commission provided SkyCity, and all submitters to this review, with a report prepared by Professor Paul Delfabbro from the University of Adelaide ("**2022 Delfabbro report**"). The Commission had obtained the 2022 Delfabbro report for the purposes of a review of the Dunedin casino HRP, not the SkyCity casino HRPs. However, the matters covered in the report were of potential application to HRP reviews generally, including SkyCity's HRPs. As the Commission had seen the 2022 Delfabbro report, it considered it appropriate to provide it to SkyCity and the submitting parties to enable them to make further submissions arising from it, as part of the review of SkyCity's HRPs.
11. On 8 May 2023, SkyCity responded to the 2022 Delfabbro report and provided its comments on the provisional decisions. Submissions on the 2022 Delfabbro report were also received from MoH, PGF, SA, DIA, AFS and the Christchurch casino.
12. The Commission considered the proposed SkyCity HRPs, in the light of the further submissions received, at its June 2023 meeting, which SkyCity attended (in part).
13. The Commission concluded its substantive review of the SkyCity HRPs at its July 2023 meeting.

Jurisdiction

14. Condition 24 of the licence conditions attached to SCML's operator's licence for the Auckland casino sets out the matters that the HRP for that casino must address, as follows:
 24. 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, how to gamble safely, the characteristics of problem gambling and the availability of counselling and other support services;
 - (c) a policy for identifying problem gamblers. This policy 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 actual or potential problem gamblers;
- (d) the provision of staff training;
- (e) the provision of exclusion, self-exclusion and limitation programmes;
- (f) assistance to casino employees with managing the potential for personal problem gambling;
- (g) recognition of cultural differences amongst gamblers using the Casino, and the need to tailor delivery of host responsibility obligations to maximise effectiveness for customers;
- (h) guidelines for responsible marketing and advertising of the Casino, including exterior signage, and restriction on jackpot advertising and branding pursuant to Regulations 9 and 10 of the Gambling (Harm Prevention and Minimisation) Regulations 2004;
- (i) responsible practices in the conduct of promotions and inducements to gamble at the Casino;
- (j) 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;
- (k) promotion of the responsible consumption of alcohol, including provision of staff training in responsible service of alcohol;
- (l) standards of dress and behaviour at the casino;
- (m) liaison with community service organisations, patrons with gambling problems, and family members of patrons with gambling problems; and
- (n) such other matters as the Commission may require.

15. Condition 26 of SCML's operator's licence for the Hamilton Casino and condition 26 of SCML's operator's licence for the Queenstown Casino set out the identical matters that the HRPs for those casinos must address, as follows:

- 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; and
- (p) such other matters as the Commission may require.

16. Condition 25 of the licence conditions attached to SCML's operator's licence for the Wharf casino sets out the matters that the HRP for that casino must address. The requirements are identical to those for the Hamilton and Queenstown casinos, with the addition of subparagraph (p):

- (p) the provision of a safe gambling environment at the Casino;

Relevant sections of the Gambling Act 2003 and their meaning

17. A core focus of the HRP is to define the means by which SkyCity is to discharge the obligations imposed by sections 308-312A of the Gambling Act 2003¹ concerning the identification of problem gamblers, the provision of assistance to them, exclusion procedures and record-keeping, as follows:
- (a) Section 308(1) requires the holder of a casino operator's licence to develop a programme or policy for identifying problem gamblers (resulting in a PGIP). A notice advising customers of the existence of this policy must be displayed and a copy of the policy made available on request.
 - (b) Section 308(4) requires the holder of a casino operator's licence to take all reasonable steps to ensure that the policy is used to identify actual or potential problem gamblers.
 - (c) Section 309(1) requires the holder of a casino operator's licence to approach and provide certain information or advice to every person identified under section 308(4) as a person whom the licence holder has reasonable grounds to believe is a problem gambler. Pursuant to section 309(2)(a), the information must include a description of the self-exclusion procedure available under section 310.
 - (d) Section 309(3) provides that an exclusion order may be issued to a customer who is provided with information or advice about problem gambling under section 309(1).
 - (e) Section 309A requires the casino operator to take all reasonable steps to assist anyone who did not request self-exclusion after being approached and provided with information or advice, but whose ongoing gambling or other behaviour gives rise to reasonable grounds to believe is a problem gambler. The required assistance expressly includes issuing an exclusion order, without a request to do so, in appropriate cases.
 - (f) Section 310 specifies when an exclusion order must be issued; namely, when requested by a person who has self-identified as a problem gambler.

¹ All section references are to this Act unless otherwise stated.

- (g) Section 312A requires a casino operator to keep records of certain specified information about exclusions, including identifying details, the manner, date and length of the exclusion and the conditions of re-entry and provide them, if requested, to the Secretary.

18. Section 4 of the Act defines “problem gambler” as:

A person whose gambling causes harm or may cause harm.

The statutory definition does not require a clinical diagnosis and expressly includes an element of potentiality to cause harm (which itself is defined very broadly). The Act’s provisions impose a series of obligations applying to a range of persons, from potential problem gamblers (a person who is potentially someone whose gambling causes or may cause harm) to self-identified problem gamblers.

19. The Commission has concluded that the statutory provisions and the definitions work as follows:

- (a) A problem gambler is someone whose gambling conduct has characteristics which cause harm “or may cause harm”. There is a sense in which any undertaking of a particular activity carries with it the potential for that activity to cause harm (as the possibility of harm being caused by an activity can only be completely excluded if the activity itself does not take place) but it is clear that the definition is not to be interpreted in that very broad way. If that approach were taken there would be no difference between a gambler and a problem gambler and it would eliminate any of the distinctions which the language of the Act clearly recognises (as set out below). A problem gambler, as defined, is not limited to someone whose gambling has actually caused harm and includes someone who gambles in a manner which may cause harm.
- (b) The PGIP required by section 308(1) must be used to identify actual or potential problem gamblers (section 308(4)); the latter are those who **may** be gambling in a manner which may cause harm.
- (c) Of those identified as actual or potential problem gamblers, only those whom the casino operator has reasonable cause to believe to be a problem gambler (as explained above in (a)) must be approached and given information.
- (d) Any of those approached may be excluded by the casino operator for a period of up 2 years.

- (e) Those who identify themselves as a problem gambler and who request exclusion must be excluded by the casino operator for a period of up to 2 years.
20. The HRPs set out how SkyCity must undertake activities aimed at harm minimisation. They include the precise steps which SkyCity must take to comply with statutory obligations (such as self-exclusion under section 310) and impose additional prescriptive obligations for how it must undertake more generally expressed obligations, such as the obligation to take all reasonable steps to assist a patron who it has reasonable cause to believe is a problem gambler, but who has not requested exclusion (imposed by section 309A).
21. As HRPs are intended to be working, operational documents that record what the casino operator will in fact do, including in respect of discretionary matters, they contain steps which are additional to the statutory minimum. They also contain matters which are not, strictly speaking, directly concerned with problem gambling, but which are conveniently located with harm minimisation activities.

SkyCity's Proposed HRPs and PGIPs

22. SkyCity initially proposed a number of amendments to its HRPs and PGIPs for each of its four casinos. Most changes were relatively minor, intended to enhance its existing approach. The amendments were largely identical for all four HRPs, with some changes being made to bring uniformity to the four casinos.

The Secretary's submissions

23. The Secretary proposed a number of further amendments to the HRPs, summarised as follows:
- (a) Standard Operating Procedures ("**SOPs**") should be annexed to the HRPs to increase transparency around how SkyCity will undertake its harm minimisation activities.
 - (b) SkyCity should not rely on security personnel to carry out exclusions.
 - (c) The 5-hour threshold for continuous play should be reduced to three hours.
 - (d) In assessing what amounts to continuous play, breaks by patrons should be uninterrupted, rather than aggregated as they are at present.
 - (e) SkyCity's security officers should not have the sole responsibility for dealing with unattended children. At a minimum, Host Responsibility staff should be required to locate an adult and supervise unattended children.

- (f) A patron can presently gamble continuously for 10 hours without a break. SkyCity should be required to force customers to take a 30-minute break after five hours of continuous play, not merely to encourage a break.
- (g) Patrons should be required to leave the casino after 12 hours of continuous presence.
- (h) Uncarded play has not received sufficient attention in the HRPs. SkyCity should make measurable improvements in its monitoring of uncarded play.
- (i) A cooling off period should be introduced once patrons reach their precommitment limit.
- (j) Provision should be made to make pre-commitment available to patrons who do not have loyalty cards, possibly by using temporary cards.
- (k) More should be done to minimise harmful EGM behaviour and a roadmap to compulsory carded play should be set out.
- (l) There should be provisions to allow for more frequent amendments to the HRPs.
- (m) The “Welcome to SkyCity” section of SkyCity’s Training should go further than just “encouraging” new employees to complete classroom and e-learning modules. There should be a mandatory training baseline.
- (n) Reporting should be increased from annual to quarterly.
- (o) Multiple declined EFTPOS transactions should be defined as a Strong Indicator.
- (p) “Very high levels of expenditure” are listed as a General Indicator. The HRPs should include specified amounts.
- (q) SOPs and KPIs should be created for post-identification interventions.
- (r) Patrons should not be able to move automatically between loyalty tiers.
- (s) References to terms such as “every endeavour”, “all reasonable endeavours” and “all practical steps” should be changed to “best endeavours” because it imposes a higher duty on the operator.

MoH's submissions

24. MoH submitted, in summary, as follows:

- (a) Five hours of continuous play is excessive; obligations should be imposed earlier.
- (b) References to staff encouraging breaks should be replaced with requirements for customers to take breaks.
- (c) Uncarded players are not subject to the same harm minimisation measures as carded players. More should be done to reduce the disparity.
- (d) The limitation programme should encompass all types of gambling at the casinos, not just EGMs.
- (e) The "Welcome to SkyCity" section of SkyCity's Training states that "employees are encouraged to complete a classroom session". Classroom sessions should be mandatory for all employees.

SA's submissions

25. SA submitted, in summary, as follows:

- (a) It is not clear how continuous presence and breaks are measured. The means of monitoring should be articulated in each HRP, reported on and reviewed for compliance. Patrons should be required to leave the casino ideally after 12 hours of presence and, failing that, after being present for 24 hours.
- (b) Research indicates that continuous play of three hours and longer can be considered a general indicator of harm. The HRPs presently define continuous play as 5 hours or more.
- (c) The HRPs allow for breaks in play "in aggregate" in assessing continuous play. The continuous play "clock" is reset whenever a customer has had breaks from gambling amounting at least 30 minutes in aggregate. Breaks should only be counted if they are for 15 minutes or longer. Breaks in play should also only be measured when players are in an area of the casino that has no immediate gambling opportunities.
- (d) The monitoring of continuous presence and continuous play by uncarded players (being those without loyalty cards) is only possible by staff observation. Digital tools and CCTV could be used as well.

- (e) A “casual card” system should be implemented under which temporary cards, which track gambling activity for 24 hours, are issued to patrons who do not hold loyalty cards.
- (f) SkyCity should remove EGMs from smoking areas and reduce or remove mobile phone charging stations in the gambling areas.
- (g) A player may be able to avoid pre-commitment limits by playing without a card. The HRPs should provide direction on how casino staff monitor players if they switch between carded and uncarded play, and on how staff monitor patrons once they are reaching their pre-commitment limit.
- (h) SkyCity should immediately deactivate loyalty cards for excluded customers.
- (i) SkyCity should amend its operating rules which allows one staff member to over-rule another on service of alcohol to an apparently intoxicated patron.
- (j) SkyCity should not undertake alcohol promotion activities. The HRPs should require low and no alcohol drinks to be priced reasonably compared to stronger alcohol products.
- (k) The strong indicators could be renamed “at-risk indicators”, and general indicators renamed “strong general indicators”.
- (l) Attempted breach of exclusion could be included as an “at risk indicator”.
- (m) Play of 3 hours or longer should be added to the General Indicators.
- (n) An independent audit should be undertaken on the effectiveness of SkyCity's HRPs.

TAWO's submissions

26. TAWO submitted, in summary, as follows:

- (a) The length of the continuous play period requiring action should be reduced from 5 hours.
- (b) Rather than “encouraging” employees to complete voluntary learning, it should be mandatory and be completed within the first week of induction.
- (c) Excessive access to money, including leaving to get more money, multiple declined EFTPOS transactions and borrowing money from others should be moved from the general indicators to the strong indicators.

- (d) Multiple EFTPOS transactions should be added as a general indicator.
- (e) SkyCity should employ clinicians to advise and design policy. Similarly, treatment providers should be funded or partnered with.
- (f) Mana whenua and people with lived experience should be able to attend stakeholder meetings.

PGF, AFS and MM submissions

27. PGF, AFS and MM (which are connected) made very similar submissions, summarised as follows:

- (a) While they appreciate the comprehensive list of indicators, they do not agree that the general indicators are just “warning signs, that may, or may not, indicate a problem”; general indicators are as significant as strong indicators.
- (b) A public health approach should be adopted to guide the HRPs.
- (c) Strategies should be developed to prevent and minimise gambling harm, especially for those experiencing mild-to-moderate gambling harm.
- (d) The general indicators should be elevated to strong indicators.
- (e) The current 5-hour timeframe for assessment of continuous play should be reduced.
- (f) SkyCity should undertake a robust external evaluation of its HRPs to determine policy and operational effectiveness.
- (g) SkyCity should report to a wider group of stakeholders beyond the DIA and the Gambling Commission.
- (h) SkyCity should develop cultural competency.

SkyCity’s submissions in reply

28. SkyCity addressed the substance of the submissions summarised above in reply submissions. Those responses, and the Commission’s conclusions on each issue, are set out in the analysis below.

Analysis

29. SkyCity originally submitted revised HRPs, consisting of a series of amendments to the existing HRPs for its four Casinos. As the new HRPs closely followed those previously approved by the Commission, many of the amendments put forward were advanced as enhancements to its existing approach.
30. Following the submission process and its meeting with DIA, SkyCity proposed a series of additional amendments which included accepting suggested changes to the following sections of the documents:
- (a) 1.2 Programme Objectives (Objectives section);
 - (b) 3.1.1 Exclusion (Breaches section);
 - (c) 3.1.2 Responsible Service of Alcohol (Approach section);
 - (d) 3.4 Stakeholder Engagement (Approach section);
 - (e) 3.7 Responsible Marketing (Requirements section);
 - (f) 3.8 Display of Signage and Provision of Information to Customers (Title);
 - (g) 3.9 Learning and Development (Advanced Host Responsibility Training, Refresher training and Suicide awareness training sections);
 - (h) 4.0 Monitoring and Reporting (Gambling Related Measures and Other Programme Activity and Compliance-related Measures sections); and
 - (i) in the PGIPs (Section Two/Strong Indicators (“Falling asleep at a machine or table”), General Indicators/ Intensity and Frequency of Play & Dysfunction in Social Behaviour) and Review.
31. SkyCity opposed the other changes suggested by the submitting parties, arguing that they were not appropriate. The basis for its opposition in each case identified below.
32. Three significant, but related, issues emerged. Each related to section 3.1.6 of the HRPs, being “Long hours of play – Continuous Play”. They were:
- (a) the period which should trigger “continuous play” obligations;
 - (b) the sort of breaks which should affect “continuous play” assessment (length and whether uninterrupted or aggregation of multiple small breaks); and

(c) the introduction of Mandatory Carded Play (“MCP”) at SkyCity’s casinos.

Length of Continuous Play

33. The first issue to emerge from the submissions on section 3.1.6 was the length of time which would trigger “continuous play” obligations. The HRP’s presently impose continuous play obligations once a customer has been gambling continuously for five hours or more. The continuous gambling “clock” is reset after a customer has had a break from gambling of at least 30 minutes duration.
34. Submitters were generally of the view that five hours of continuous gambling is too long, and that the intervention threshold should be reduced to three hours. The DIA submitted that gambling for three hours has been strongly associated with moderate risk and problem gambling; it urged the Commission to adopt an evidence-based approach. SA referred to research which it said indicates that continuous play for three hours and longer can be considered a general indicator of harm.
35. SkyCity responded that the Commission had considered the issue in decision GC29/15 and concluded that five hours was the appropriate threshold for continuous play obligations in the context of casino gambling and SkyCity’s HRP’s. SkyCity also asserted that it monitors patrons for general signs of potential problem gambling, regardless of the length or brevity of their play, and acts as required when those signs are observed.
36. The Commission did consider the length of the period to trigger continuous play intervention in 2015 as part of the HRP review for the Auckland casino. Prior to 2015, no continuous play requirements had been included in the HRP’s. SkyCity proposed new operational obligations arising from long hours of play as part of the 2015 review. At the Commission’s request, Professor Delfabbro provided his expert views on SkyCity’s proposal in a report, which included the proposed operator responses to extended play.
37. In 2015, the Commission decided to require casino operators to interact with patrons who have been gambling continuously for five hours because of the likelihood that those gamblers would be problem gamblers. SkyCity had proposed a six-hour timeframe for interaction, while PGF, SA and MoH had proposed a timeframe of two to three hours. The Commission set out its analysis at page 10 of decision GC29/15, as follows:

... the Commission found the research cited by Dr Delfabbro to be very persuasive. As he noted, defining continuous gambling as “3 hours or more” is likely to capture a number of problem gamblers, but it will also capture “a reasonable proportion” of moderate risk and low risk gamblers. However, gambling for five hours or longer is very rarely observed in any gamblers apart from problem gamblers. The Commission was of the view that this research (together with the submissions made by SA, PGF and MoH that gambling continuously for six hours before any steps are taken by an operator is too long), provided a basis for it to conclude that operators should proactively interact with

patrons who have been gambling continuously for five hours because they are likely to be problem gamblers.

The Commission discussed this issue with SkyCity and proposed that the HRP be amended to require SkyCity to approach patrons who have been gambling continuously for five hours (rather than six). The Commission also suggested that SkyCity could make a number of drafting amendments to this section of the HRP to simplify and clarify its “continuous presence” and “continuous play” guidelines. SkyCity accepted the Commission’s observations and amended the section accordingly.

38. It should be noted that, in the passage above, “problem gambler”, “moderate risk gambler” and “low risk gambler” are terms which are used in academic literature and clinical assessments to classify gamblers by relative risk. The latter two terms do not appear in the Act at all and, in the particular context, the former term is not an exact equivalent to the statutory term as outlined above.
39. Since 2015, “continuous play” has been relevantly defined in the HRPs as gambling continuously for 5 hours or more without a break of at least 30 minutes duration. However, in the light of the submissions received and the passage of time since decision GC29/15, the Commission sought updated expert advice on the continuous play obligations timeframe from Professor Delfabbro.
40. In the 2022 Delfabbro report, the conclusions were broadly consistent with those advanced in 2015. The 2022 Delfabbro report, at page 2, states as follows:

Play-periods

...

I have conducted two large studies in which we examined the frequency of continuous play self-reported by problem gamblers and people classified at other levels of gambling risk. In the 2007 study (Delfabbro et al., 2007), we showed that 87% of problem gamblers reported at least sometimes engaging in continuous play of at least 3 hours; a figure of 90% was obtained in 2012 (Thomas et al., 2012). Such behaviour is, however, not uncommon in the groups that do not meet the threshold for problem gambling. For example, if we consider the most recent and updated report in 2012 (Thomas et al., 2012), we found that 63% of moderate risk gamblers and 30% of low risk gamblers also reported playing this long. In other words, there is quite a high rate of false positives if one were to use 3+ hours only as the indicator of choice. On the other hand, if one considers 5+ hours: we observe that this continuity of play is reported by 72% of problem gamblers; 32% of moderate risk gamblers; and 9% of low risk gamblers. In other words, a 5+ hours criterion appears to be strike more of a balance between the need to protect gamblers from harm and the practical implementation of the HRP program. Having interventions for 3 hours may lead to a larger proportion of staff interactions with people who would be classified as lower risk gamblers.

41. In response to the 2022 Delfabbro report, the DIA, PGF and MoH maintained that five hours of continuous gambling is excessive. The DIA submitted that, as responsible hosts, casino operators should intervene after three hours of play because some patrons will be at moderate risk of gambling harm at that point. PGF submitted that evidence suggests that a shorter timeframe than 5 hours would be more appropriate. The Christchurch casino operator supported retention of 5 hours, for the reasons given by Professor Delfabbro.

42. The Commission is not presently persuaded that continuous play interaction should be required in all cases sooner than five hours. For the reasons set out in the 2022 Delfabbro report, the Commission considered that requiring interaction by casino staff after 5 hours of continuous play struck the appropriate practical balance. It was concerned that compulsory earlier interaction after 3 hours, in the absence of any other reason to do so, would likely produce “quite a high rate” of false positives, resulting in casino resourcing being diverted with very little consequential benefit. An HRP needs to be capable of practical implementation in a live casino setting.
43. However, as new research and evidence is likely to emerge over time, the question should not be regarded as settled. The Commission intends to monitor developments in other jurisdictions and to reconsider the time trigger for interaction in future HRP reviews.
44. It also wishes to emphasise that this issue is limited to the appropriate time trigger for casino staff interaction **in the absence of any other reason to do so earlier**. The continuous play obligations are additional to, and do not replace, SkyCity’s other obligations to take steps, using the PGIP, to identify potential and actual problem gamblers and to take action in the case of all those whom it has reasonable cause to believe are problem gamblers (as statutorily defined).

Continuous Play – Breaks

45. The second related issue concerned the effect of breaks in play on the assessment of the continuous play trigger. The HRPs presently provide for breaks in play as part of the definition of the continuous play trigger; namely when a customer has been observed gaming continuously for five hours without *a break of at least 30 minutes duration (in aggregate)*.
46. The DIA submitted that the words “in aggregate” should be replaced with “uninterrupted” because retaining “in aggregate” suggested that any number of small breaks could be used to satisfy the 30-minute break requirement and that an unbroken 30-minute break from gambling would assist in breaking the dissociative state which continuous play produced in moderate risk and problem gamblers. SA submitted that only breaks of 15 minutes or longer should be counted, to ensure that players took a meaningful break from gambling.
47. In reply, SkyCity argued that requiring uninterrupted breaks in play of 15 or 30 minutes would discourage taking a higher number of shorter breaks, claiming that taking very short breaks can have a positive impact on a problem gambler’s thinking and behaviour.

48. At the Commission's request, the 2022 Delfabbro report addressed the nature of the breaks in play which should count for the purposes of defining the continuous play trigger on page 3, as follows:

Breaks-in-play

The Commission raises the very important issue relating to the nature of breaks-in-play (BIP). The duration of BIP has three potential consequences: (a) it determines the actual experienced continuity of the gambling session; (b) the extent to which players are likely to take a genuine break from the activity; and (c) whether it leads to the alert being triggered. This last point is often ignored. Continuity of play systems are often set up to trigger alerts based when a person exceeds the specified duration, but also whether they have taken adequate breaks in between. Sometimes these will be coded together, but some casino systems may code these separately in their data systems.

The purpose of BIP is to break the conditioning and immersion associated with continuous play. Long periods of gambling can lead to a form of behavioural inertia based on simple behavioural conditioning processes (the person wants to keep on gambling to get the next win, win back money, or obtain a particular game outcome such as free-spin feature or jackpot). It can also lead to a suspension of belief and interference with rational cognitive processes in that the person can start to base decisions on emotionally-driven heuristics and biases (e.g., a win is due, the machine is heating up, the machine owes me). It can also lead to alterations in conscious experience which some gamblers refer to as 'going into the zone' (Dow-Schull, 2012; Oakes et al., 2020) or in ways that sound similar to dissociation (Allcock, 2002). Dissociation is where people lose track of time, a sense of agency over their actions and become overly absorbed in an experience.

The literature provides only modest evidence on what BIP are likely to be most appropriate. Few studies have been conducted and some are laboratory based and have involved unrealistic simulations involving students or casual gamblers playing for shorter periods and with small stakes. For example, Błaszczynski et al. (2015) asked students to play blackjack in the laboratory with 3 and 8 minute breaks in play and found that the longer breaks led to impatience and an increased craving to continue playing. Another study by Parke et al. (2019) asked people to play a slot game in the laboratory with a 3 minute break and found that having a break vs. no break had no effect on how long people chose to play, although there was some impact on the "latency" of responses. Some studies in the field have looked at whether enforced breaks in online gambling have any influence on behaviour. Hopfgartner et al. (2021) examined the effect of 90 second, 5 minute or 15 minute BIP on subsequent gambling behavior on *Norsk Tipping's* platform that offers slot games, bingo and sports-betting and a requirement for breaks after every 1 hour of play. The 15 minute break in play led to a disproportionately larger voluntary pause in play than the other break durations. Finally, Auer and Griffiths (2022) examined the effect of a 60 minute break in the ability to place deposits on an online British internet gambling operator. The number of players who did not make any further deposits onto the platform rose from a baseline of 27% to 68% on the day of the 60 minute break.

Several inferences can be drawn from these findings as well as by going back to the theoretical rationale for having breaks: the breaks need to be sufficiently long enough to break the session. People need to be able to reconsider their decision to continue and maybe even have an opportunity to leave the gaming floor. Very short breaks of less than 15 minutes are unlikely to be effective. In fact, if these were mandatory and occurred more frequently, there is the danger (as Błaszczyski et al., 2015 showed) that they could cause frustration and create strong urges to continue gambling. Any break would need to be at least 15-30 minutes in duration to be meaningful. The magnitude of this break would need to be longer in line with the length of the gambling session. Thus, while 15-30 minutes would be suitable for a continuous play period of 3-3.5 hours, it may be that breaks of at least 45 minutes (around 15% of the total play time) would be more effective.

The Commission has also asked the question as to whether breaks across a 3 or 5 hour period should be in aggregate or whether some minimum limit should be set. In my view, it would appear appropriate to set minimum break limits: at least 15+ minutes for a 3-3.5 hour session of gambling (particularly on gaming machines) and 30+ minutes for 5 hour sessions of gambling. Ideally, a person gambling for 5 hours should take at least a 45 minutes break in total (i.e., the minimum + additional breaks of 15 minutes). The problem with aggregating across very short breaks is that it is unlikely to have any behavioural or cognitive effect based both on the theory or the small number of studies conducted so far. In addition, setting the break requirement higher would have a greater chance of detecting people who may benefit from an intervention. A failure to do this could mean that a person could 'game' the system by taking many very small (but not meaningful breaks), but not really leave the machine for long periods.

49. Under the current approach, continuous play interaction is required after patrons have gambled for 5 hours or more with the continuous play clock being reset once a patron accumulates 30 minutes of break time **in aggregate**. Professor Delfabbro concluded that very short breaks are unlikely to have meaningful effect on the continuous play experience because the breaks need to be sufficiently long "to break the conditioning and immersion associated with continuous play". To be effective, gambling patrons need sufficient time to consider whether to continue gambling and the opportunity to leave the gaming floor.
50. Professor Delfabbro's expert view is that breaks from gambling should be 15, 30 or 45 minutes in duration, depending upon the length of the gambling session, suggesting that a gambling session of five hours required a break of at least 30 minutes or, ideally, 45 minutes.
51. At its April 2023 meeting, for the reasons set out in the 2022 Delfabbro report, the Commission reached the provisional view that resetting the continuous play "clock" should require a 30-minute uninterrupted break, with the result that a number of shorter breaks should have no effect on the definition of continuous gambling and that gambling beyond five hours without a 30-minute uninterrupted break would be regarded as continuous gambling requiring staff interaction with the customer. In the Commission's view, requiring an uninterrupted break of 30 minutes would be unlikely to discourage the taking of shorter breaks and, in any event, taking shorter breaks would be unlikely to remove the concern which the continuous gambling interaction obligation was intended to address.
52. The Commission's decision was considered to be provisional only because it was unclear whether SkyCity's current methodology could monitor uninterrupted breaks in play; the Commission generally aims to impose obligations which it assesses as possible to meet in practice. SkyCity had included a reference to automated systems in its proposed amendments to section 3.1.6 without describing the systems referred to. The Commission understood that SkyCity had adapted its facial recognition software to assist with monitoring both length of presence and gambling activity but it had insufficient information about methodology to be confident that the change that it wished to make could practically be

monitored. The Commission conveyed its provisional decision to SkyCity and invited a response.

53. In response, SkyCity asked that the status quo be maintained until satisfactory technology to monitor mandatory breaks was available for implementation. It said that its current methodology could not be easily adapted and that reliable monitoring of continuous play, taking account of longer breaks in play, might not be possible until MCP is implemented. It advised that it is working towards implementing MCP and preferred to concentrate on doing so, rather making temporary changes to its current monitoring practices.
54. SkyCity also argued that the 2022 Delfabbro report did not provide an adequate basis for changing the current obligations and expressed hope that further research would better inform future decision making.
55. The Commission invited SkyCity to attend its June 2023 meeting to discuss its written response. SkyCity accepted the invitation and, in addition to discussing its response, it informed the Commission that work on introducing MCP across its casinos was already well underway and that it expected to implement MCP within 12-18 months. It repeated its earlier request for the opportunity to do so, rather than being required to develop a temporary solution for monitoring 30-minute uninterrupted breaks immediately.
56. The Commission was surprised by the change in position indicated by SkyCity. In its earlier submission in reply, SkyCity had indicated that it was merely working on a roadmap towards MCP, and that doing so required careful work to resolve the range of issues which MCP presented. It had given no timeframe for implementing MCP other than it would not be possible within the timeframe of the current HRP review.
57. With the unexpected indication that work on introducing MCP had commenced and it would occur as quickly as within 12-18 months and in light of the benefits of MCP (discussed below), the Commission decided that it should prioritise the introduction of MCP ahead of other considerations. Several submitters had argued for the introduction of MCP. The DIA had sought improvements in the monitoring of uncarded play and the extension of pre-commitment availability to patrons who did not hold loyalty programme cards. The MoH sought better monitoring of uncarded play. SA had sought improvements in digital monitoring of continuous presence and continuous play and expressed support for the introduction of a casual carded play system and the extension of pre-commitment to those without loyalty cards. For that reason, the Commission decided to prioritise the early introduction of MCP without seeking further submissions.

58. On balance, the Commission considers that the benefits of MCP for harm minimisation monitoring (including monitoring of continuous play and breaks in play) are sufficiently great that the early implementation of MCP should take priority over its provisional decision to amend the continuous play obligations to introduce the requirement of an uninterrupted 30-minute break.
59. The Commission confirms its future intention to modify the continuous play obligations by having regard only to sufficiently uninterrupted breaks in play but has decided not to amend the current continuous play requirements of the HRPs pending introduction of MCP within the next 12-18 months.

Mandatory Carded Play

60. The third related issue was the introduction of MCP at the SkyCity casinos. MCP would mean that all casino gambling would require the use of an electronic card which tracked gambling activity. At present, there is no such requirement, so patrons can gamble anonymously with cash, although many choose to use a SkyCity loyalty card which records their gambling activity.
61. Concern about the lack of attention paid to uncarded gambling, which is not subject to electronic recording, was expressed by the DIA, MoH and SA. That concern extended to the lack of availability of pre-commitment without the use of cards to record gambling activity. The DIA and SA both advocated for a form of MCP, using temporary cards rather than the loyalty cards currently used. SkyCity initially addressed the development without an indicative timeframe. In the course of addressing the Commission's concerns about the need for uninterrupted breaks from continuous play, as discussed above, SkyCity changed its position, advising that it intended to introduce MCP within 12-18 months.
62. In the Commission's view, MCP has numerous harm minimisation benefits (some of which are addressed below), as well as broader benefits to the oversight of activities at casinos more generally, including gambling integrity and AML/CFT. Its understanding is that its introduction in the past has been affected by limitations in the available technology. The commitment by SkyCity to implementing MCP within 12-18 months is a significant development, which has resulted in changes to the Commission's HRP priorities (as indicated above). SkyCity proposed an amendment to the draft HRPs to reflect its commitment. For its part, the Commission further amended the proposed HRP to make clear its expectations. The amendment, which will be placed at the foot of section 3.1.6, is as follows:

Mandatory Carded Play

SkyCity must use all reasonable endeavours to introduce mandatory carded play in the casino within 18 months of the date of this Programme. Once introduced, all customers who wish to gamble at the casino must be required to use an electronic card or other form of unique identifier when gambling.

Following its introduction, SkyCity will continue to develop mandatory carded play technology with the aim of enhancing the technology.

Minimum standards for the design, manufacture and operation of mandatory carded play will need to be developed and prescribed by the Secretary before mandatory carded play is able to be implemented at the casino. The relevant equipment may also need to be approved by the Secretary as complying with the prescribed minimum standards. Different standards and approvals may also be required for electronic gaming machines and table games and the timing of such standards and approvals may differ. A number of changes will also need to be made to the Programme once mandatory carded play is able to be implemented at the casino. SkyCity must submit an updated Programme which reflects the resulting changes to the Commission for review and approval prior to implementation.

SkyCity must actively work with its technology vendors and equipment suppliers to meet the timeframe above.

SkyCity must report to the Commission on its progress towards the implementation of mandatory carded play every six months, commencing in six months of the date of the notification of the decision amending this Programme.

63. SkyCity informed the Commission that it intends to work very closely with the Christchurch and Dunedin casinos, and possibly the Class 4 sector, with a view to making a universal MCP system available across New Zealand. It is the Commission's expectation that the Christchurch and Dunedin casinos will take up the invitation to work with SkyCity so that MCP can be introduced at those venues after its introduction at the SkyCity casinos.

Remaining Outstanding Issues

64. **Section 3.1 – Policies and Procedures** – DIA submitted that SkyCity's SOPs should be annexed to the HRPs to increase transparency around how SkyCity undertakes its harm minimisation activities. In reply, SkyCity disagreed, arguing that, as it constantly reviews and enhances its SOPs, including them within the HRPs would require regular amendments to the HRPs, sometimes requiring approval from the Commission to the detriment of SkyCity's ability to adapt and improve its processes.
65. The Commission considers that HRPs and SOPs serve different functions. The latter are internal detailed operational guides and procedures which do not have mandatory regulatory effect, and which may benefit from frequent revision and change. The former provides a set of minimum obligations related to harm minimisation that are intended to have mandatory regulatory effect. While HRPs are subjected to periodic detailed review (as this decision illustrates), practical procedural considerations mean that such reviews are not expected to be frequent. If SOPs were annexed to and formed part of HRPs, either the process of SOP improvement would be stalled, or reviews would necessarily be more

- frequent. There is a sensible distinction to be preserved between HRPs and SOPs to avoid either consequence.
66. On the other hand, it is important that all important matters of harm minimisation process, which are intended to be mandatory rather than optional, appear in HRPs, not only in SOPs. As will be apparent below, SkyCity opposed some suggested HRP amendments by arguing that it was already following the practice suggested (or a better one), which is likely to be recorded in an SOP. Such arguments against HRP amendment miss the point that the HRP is concerned with regulatory obligation, not the mere recording of current practice. Omission of a practice recorded in an SOP from an HRP is appropriate only if it is sufficient to treat it as optional only.
67. As a result, the Commission intends to review SkyCity's SOPs when it next reviews the SkyCity HRPs in 12-18 months. The purpose of the review will not be to approve the content of the SOPs or to incorporate them in their entirety into the HRPs but to identify any recorded SOP practices which should be made compulsory for inclusion in the HRPs.
68. **Section 3.1.1 – Exclusion – Approaches to Customers** – The DIA submitted that SkyCity should not rely on security personnel to conduct exclusions. In reply, SkyCity advised that many staff members have completed Advanced Host Responsibility training, including members of its security staff, and submitted that all staff with that level of training are well equipped to conduct exclusions.
69. The Commission saw no good reason to prohibit security staff with the requisite level of training from conducting exclusions. The HRPs require exclusions to be conducted by staff who have completed Advanced Host Responsibility training. No sufficient reason has been raised which justifies excluding security personnel who have completed the required training from undertaking exclusions.
70. **Section 3.1.1 – Exclusion – Loyalty Card Holders** – SA suggested that there should be a requirement for the loyalty card of an excluded patron to be deactivated immediately in order to reduce the risk of harm to excluded patrons who breach their exclusion. In reply, SkyCity advised that: (i) as an excluded patron's details are immediately loaded into the iTrak and facial recognition systems, its security staff are immediately notified if an excluded patron attempts to re-enter the premises; (ii) excluded patrons are unlikely to use their loyalty card in any event because doing so would attract the casino's attention; and (iii) in fact, it deactivates loyalty cards as soon as it can, but the staff who deactivate cards do not work 24/7.

71. The Commission did not consider that an amendment to this section of the HRPs was warranted on this review. It has never received a report of harm resulting from excluded customers with undeactivated loyalty cards, no doubt for the reasons suggested in SkyCity's response. While there would be a case for recording SkyCity's practice in relation to the use of iTrak and facial recognition in the HRPs, the introduction of MCP is expected to reduce the risk of gambling by excluded persons even further. It will consider further amendment at the next review.
72. **Section 3.1.2 – Responsible service of alcohol – Approaches** – SA submitted that the practice of one staff member being able to over-rule another who has decided not to serve alcohol to an apparently intoxicated patron should be prohibited. In reply, SkyCity opposed the proposal on the basis that, as the relevant law does not deal with the internal review of decisions to deny service, it developed its own policy. It is reasonable to allow a more senior and experienced employee to reassess the perception of intoxication.
73. The Commission saw no need for the proposed amendment, in the absence of any information indicating that harm had resulted from the current practice.
74. SkyCity also responded to SA's submission that the HRPs should require that reasonably priced low and no-alcohol drinks are available. It advised that its practice is to do so and amended the HRPs to reflect its practice.
75. SA also submitted that SkyCity should be prohibited from undertaking alcohol promotion activities. In reply, SkyCity argued that the Sale and Supply of Alcohol Act 2012 and the Advertising Standards Authority's Alcohol Advertising Code already provide sufficient control of the promotion of alcohol.
76. The Commission noted SkyCity's responses. It has received no information that the existing statutory controls have proved to be inadequate and saw no reason to require additional regulatory oversight or control in the HRPs.
77. **Section 3.1.3 – Unattended children – Approach** – The DIA submitted that SkyCity's security officers should not have the sole responsibility for dealing with unattended children. SkyCity responded that unattended children should be dealt with by staff who have the appropriate specialised training, consistent with its current practice.
78. The Commission saw no reason to prohibit security staff from dealing with unattended children. It seems sensible for security staff to continue to be responsible for locating a responsible adult and immediately removing from the premises any customer who has left children unattended. The HRPs also require Security to notify Host Responsibility immediately so that problem gambling protocols can be implemented. However, as the

HRP makes no reference to specialised training for dealing with unattended children, it may be appropriate to add such a reference at the next review.

79. **Section 3.1.6 – Long hours of play – Continuous Presence** – DIA and SA both submitted that all patrons should be required by the HRPs to leave the casino after being present for 12 hours, rather than merely being encouraged to do so. SkyCity opposed amending the current requirement, on the basis that they are consistent with the obligations imposed at all New Zealand casinos.
80. SA alternatively submitted that, if a break from presence was not mandatory at the 12-hour mark, then it should be after 24 hours. SkyCity observed that the HRP currently requires that to occur unless the patron is an international VIP customer.
81. While the Commission does not regard conformity with the status quo as a compelling argument against amendment, it sees no reason to amend the current requirements. Continuous Presence is simply being present at the casino without necessarily undertaking any gambling. The HRPs presently provide that SkyCity must interact with a patron after 12 hours of Continuous Presence and, if the patron remains, encourage the patron to take breaks. If any immediate cause for concern were to arise then (or earlier), intervention is already required by the Act and other provisions of the HRPs. Whenever a customer is present for more than 12 hours, SkyCity is required to monitor the customer's activities, including gambling activity, which requires the use of a GOI file. After 24 hours of Continuous Presence, customers are currently requested to leave the premises for at least 24 hours. SkyCity since committed to a stronger obligation - to *require* customers to leave promptly and not to re-enter for 24 hours. The Commission considered the proposed amendment to be a valuable addition to this section of the HRPs, which it considered otherwise to be adequate.
82. **Section 3.1.6 – Long hours of play – Continuous Presence** – SA submitted that the HRPs should articulate how SkyCity measures periods of presence/absence from the casino, so that they can be reported on and reviewed for compliance by the Commission. SkyCity disagreed, saying that it sees no benefit in the HRPs specifying precisely how staff or technology measure such periods. SkyCity advised that it currently uses facial recognition technology, staff observations and the electronic monitoring of carded players to monitor presence.
83. While the Commission considers that the HRPs might well benefit from setting out more detailed obligations, it is the DIA, not the Commission, which is responsible for monitoring compliance. As the Commission regards monitoring of continuous gambling to be more important than continuous presence and expects harm minimisation practice will be

improved by the introduction of MCP, it does not consider that the suggested amendments should be made now. At the next review, it expects SkyCity to address the need for more detail in its compulsory monitoring practices.

84. **Section 3.1.6 – Longs hours of play – Continuous Play** – The DIA noted that, under the HRPs, a patron may gamble continuously for 10 hours and submitted that SkyCity should be required to impose a mandatory 30-minute break after 5 hours of play. In reply, SkyCity observed that the DIA had not correctly grasped the effect of the current HRPs. The HRPs do not require SkyCity to force patrons to take a break after 5 hours of continuous play, rather they require staff interaction with patrons after 5 hours, in the course of which encouragement to take a break should be considered. If patrons give staff any cause for concern, stronger measures are required by the Act, the HRPs and the PGIPs. However, if interactions with patrons give staff no cause for concern, they may continue to gamble.
85. The Commission confirmed SkyCity's interpretation of the section of the HRPs, adding that, after 10 hours of continuous play, the patron must be asked to leave the premises for 24 hours regardless of whether any other specific cause for concern has been observed. This section of the HRP is expected to require amendment prior to MCP being introduced, in the light of the Commission's indication that, at the next review, only a 30-minute uninterrupted break will count in the calculation of continuous play. The Commission noted that SkyCity had amended this section to align it with the abovementioned amendment for continuous presence; namely that patrons are now *required* to leave the premises and not re-enter for 24 hours.
86. **Section 3.1.6 – Long hours of play – Continuous Play** – DIA and MoH submitted that customers should be required to take a mandatory break after the continuous play threshold of 5 hours is met, rather than merely being "encouraged" to do so. In reply, SkyCity opposed imposing such an obligation, arguing that the HRPs provided adequately for interaction with such patrons, with its staff being obliged to take appropriate steps whenever their interactions raise concerns.
87. As with Continuous Presence, the Commission considers that the current obligations are adequate at present. The HRPs require SkyCity staff to interact with a patron who has been gambling continuously for 5 hours and, if the patron gives cause for concern, they must take the steps specified in the Act and the HRPs. However, if the patron does not give any cause for concern, the patron may continue to gamble. After 10 hours of continuous gambling, a patron will now be required to leave the casino for 24 hours regardless of whether the patron has given cause for concern up to that point. The Commission considers that these steps are appropriate, while noting that this section of the HRPs will require amendment at the next review, prior to implementation of MCP.

88. **Section 3.1.6 – Long hours of play – Continuous Play** – SA submitted that breaks in play should only be measured when players are in an area of the casino that has no immediate gambling opportunities. In reply, SkyCity opposed the suggestion because it would be difficult to define and difficult to monitor, especially if any form of electronic monitoring were used.
89. The Commission considered that SA’s proposal would be practically unworkable both for those reasons and because it might have the effect of requiring patrons to leave the casino (in order to be regarded as not playing continuously), particularly at the smaller SkyCity casinos. The Commission considered that a patron could take a legitimate break from gambling while remaining within a part of the casino that offers gambling opportunities.
90. **Section 3.1.6 – Long hours of play – Uncarded Players** – DIA and MoH submitted that the monitoring of uncarded players has not received sufficient attention, with only minor changes being made which impose no additional requirements. The DIA sought “measurable change”, with KPIs and SOPs being developed to address the concern but did not suggest what they should be. SA concurred. SA also noted that the monitoring of uncarded players is only possible by way of staff observation, suggesting that digital tools could be used, including CCTV. SA further submitted that a casual card system should be available.
91. SkyCity opposed the suggestion that more detailed requirements for observation practices be included. It said that the monitoring of uncarded players currently included adaption of its facial recognition technology at the Auckland and Hamilton venues to trigger an automated alert when a customer has been on site for 4.5 hours (with the facial recognition software monitoring all players, regardless of whether they are carded or uncarded). It opposes including KPIs, because KPIs can lead to unintended adverse consequences. SkyCity referred to decision GC21/13 in which the Commission stated that, rather than imposing performance targets, the better course is for SkyCity to undertake its required Host Responsibility practices without the distraction of targets which have the potential to undermine the integrity of those practices.
92. It has long been recognised that uncarded gambling is more difficult to monitor than gambling that is electronically recorded. SkyCity says that it uses facial recognition technology to assist staff observation of uncarded gamblers, without making it clear why that practice should not be recorded (and thus required) in the HRPs. Nevertheless, the impending introduction of MCP is expected to make a far greater difference than adding more detail around human observation and the use of technology. The introduction of MCP is likely to address many of the concerns identified by submitters. The Commission decided

not to amend this section of the HRP in the course of this review. It intends to review what is needed in that regard at the next review, once the expected effects of MCP are clearer.

93. In decision GC21/13, the Commission discussed the kind of difficulties which may arise with attempts to impose measurable outcomes or performance targets in this area, including the need to use measures which are well-defined and unlikely to produce perverse outcomes (as the most obvious measures likely concern a problem which has inherent difficulties with detection). Proposals to add reporting of measurable outcomes is not helpful unless accompanied by specific proposals for assessment and, if seen as practical and beneficial on balance, adoption.
94. **Section 3.1.7 – Gambling Limitation** – SA submitted that the HRP should provide direction on how staff monitor patrons once they are nearing their precommitment limit and should ensure that they are approached if they switch between carded and uncarded play. The DIA submitted that gambling should cease once a player reaches their limit, and that the player should be stood down for 24 hours. MoH noted that the current precommitment is for EGM use only and ideally it should include table games.
95. SkyCity responded that, when players near their limits, the EGMs alert them automatically. It sees no need to monitor a player nearing a limit because that is not an indicator of potential problem gambling harm; players expect to be permitted to play up to their selected limit. It observed that a pre-commitment breach is not an indicator of harm occurring but is already included as a general indicator of problem gambling. It suggested that voluntary precommitment is designed to assist customers keep track of their spending and time, rather than to be a consequence-oriented tool, and that it currently lacks the technology that would permit pre-commitment to be utilised on gaming tables.
96. SkyCity's pre-commitment system is voluntary and allows casino patrons to set limits on how much they spend and how long they will play for on gaming machines. As breaches of pre-commitment limits and apparent attempts to avoid monitoring of gambling are already general indicators of problem gambling, its use already has potential consequential effect. While it remains voluntary, the Commission is reluctant to add additional automatic consequences which would likely reduce the appeal of its use to customers. The Commission considers that the pre-commitment provisions are sufficient at present and should not be amended further until MCP is ready to be introduced.
97. **Section 3.1.7 – Gambling Limitation** – DIA and SA submitted that provision should be made for precommitment to be available to uncarded players, potentially with temporary cards.

98. SkyCity responded that it is not yet possible to implement a casual card system. The Commission expects to address gambling limitation when it next reviews the HRPs prior to the introduction of MCP in less than 18 months.
99. **Section 3.4 – Stakeholder Engagement – Approach** – TAWO submitted that stakeholder engagement meetings should include provision for people who have lived experience of gambling problems, as well as mana whenua representation. SkyCity responded that invitations to stakeholder meetings are not limited to the parties listed in Approach in Section 3.4, with the result that persons with lived experience have attended as part of the attending SA group in the past. The Commission is satisfied that the current provision includes provision for the extended participation sought through the listed required invitees, especially the treatment service providers and public health providers, such as TAWO itself. Nothing further is required.
100. **Section 3.4 – Stakeholder Engagement – Approach** – The DIA submitted that there is no proposal to allow for additional amendments to the HRPs in between the 3-yearly review cycle. SkyCity responded that licence conditions already allow for the HRPs to be “upgraded” at any time, subject to the Commission’s approval.
101. The Commission also observed that casino licence conditions presently permit operators to include appropriate improvements in the delivery of the existing HRPs as new host responsibility and responsible gambling initiatives become available, without the need for approved amendment of the HRP. Despite that, there is no history of changes in host responsibility developing rapidly between review cycles, despite DIA being an invitee to stakeholder meetings. As a result, no need for amendment is apparent.
102. **Section 3.6 – Safe gambling environment** – SA submitted that EGMs should be removed from the casinos’ smoking areas and that mobile phone chargers should be removed from Gambling Areas. In reply, SkyCity disagreed, saying that there are a number of areas at its casinos where patrons can smoke without gambling, and the provision of phone chargers is a common customer service nowadays.
103. The Commission saw no need for amendment because the Commission itself is always required to approve the location of EGMs within casinos, including within their smoking areas. The Commission undertakes a full analysis as part of every such application, including considering key matters such as casino gambling opportunities and the potential harm implications of a proposal. The proposed change carries the danger of conflict with earlier considered decisions in the case of smoking areas and more generally otherwise appears to be intended to inconvenience casino patrons without any clear benefit.

104. **Section 3.6.1 – Safe gambling environment – Gaming machine play** – DIA submitted that this section should go further by specifying additional measures to minimise harmful EGM behaviour and set out a roadmap to introducing MCP. In reply, SkyCity argued that the environmental design requirements set out in section 3.5 of the HRPs are sufficient as they require the casino environment to be conducive to responsible gambling and that it has advised that it is working towards compulsory carded play.
105. The Commission could see no basis for an addition to this section of the HRPs and noted that no specific additional change had been suggested by DIA. Submissions urging additions should be specific about each proposed addition and the reasons for it. The new provisions which address the impending introduction of MCP appear to be appropriate at present.
106. **Section 3.9 – Learning and Development – Suicide Awareness Training** – SkyCity asked the Commission to change this section of the HRPs to provide that only Frontline Host Responsibility staff and Senior Security Managers receive Suicide Awareness Training (rather than all Host Responsibility staff). SkyCity advised that Suicide Awareness Training is a two-day course, and that most Host Responsibility staff never interact with customers who are at risk of suicide. The Commission was prepared to accept SkyCity's proposal to amend a requirement which it had originally proposed itself, on the basis that it is well placed to determine its own operational requirements for this issue.
107. **Section 3.9 – Learning and development** – DIA, MoH and TAWO submitted that the "Welcome to SkyCity" classroom session should be compulsory. In response, SkyCity advised that training through e-modules is compulsory for all employees but, given the varying nature of the shift and part-time work undertaken by its employees, it is not always practical for new employees to attend a classroom session. However, it made changes to clarify when Advanced Host Responsibility training must be retaken.
108. The Commission was satisfied with SkyCity's response and proposed further amendments and saw no need to amend further this section of the HRPs.
109. **Section 4.0 – Monitoring and reporting** – SA submitted that SkyCity should report to the Commission when it fails to meet the standards of the HRPs. SkyCity responded that the current reporting requirements are sufficient.
110. The Commission did not think that it would be appropriate to have SkyCity report breaches to the Commission. The Commission's role does not extend to policing compliance with licence conditions (as that is the responsibility of DIA) and the reporting requirements are intended only to provide the Commission with historical information to assist future reviews of licence conditions, including HRPs.

111. **Section 4.0 – Monitoring and reporting** – DIA submitted that the annual Host Responsibility Report provided to the Commission by SkyCity should become a quarterly report. In reply, SkyCity indicated that its preference is to maintain an annual report and noted that it already provides the DIA with quarterly host responsibility statistics.
112. The Commission saw no need for amendment of this section of the HRPs. The Commission’s requirement for annual reports fulfills a different purpose from any reports to the DIA, the obligation for which is not imposed by a licence condition or the HRPs as far as the Commission is aware. Annual reports are sufficient for the Commission’s purpose and the DIA did not propose the inclusion in the HRPs of any additional reports for the benefit of DIA.
113. **PGIPs – Section 2 – Indicators of Problem Gambling** – SA submitted that the “Strong Indicators” could be renamed “At-Risk Indicators”, and that the “General Indicators” should be renamed “Strong General Indicators” because this would align more closely with the terminology used by Te Whatu Ora in its host responsibility guide for staff, as well as emphasising the need for SkyCity staff to take notice of patron behaviour. In reply, SkyCity did not agree.
114. The Commission has previously rejected suggestions that it change terms which are well-established, understood and applied in New Zealand’s HRP context in favour of new terms which are seen as conveying a subtle change in messaging or better alignment with current clinically preferred terms. It declined to do so in this case as well for the same reasons. The Commission considers that changing well-established terms, such as “Strong Indicators” and “General Indicators” should only occur when the reasons are unusually compelling and likely to result in clear benefits, which seem to be lacking in this case. The Commission noted that, in the 2022 report, Professor Delfabbro saw no compelling reason for change.
115. **PGIPs - Section 2 – Indicators of Problem Gambling** – SA submitted that an “attempted breach of exclusion” should be added as an at-risk indicator (strong) and that there should be a more severe consequence for a breach of an exclusion. In reply, SkyCity disagreed, noting that if a person has been excluded then that person is already found to be a problem gambler (rather than just exhibiting an indicator of being a problem gambler). In addition, the consequence of breaching an exclusion order is already set out in the Act.
116. The Commission agreed with SkyCity’s response and saw no need for any change.

117. **PGIPs – Section 2 – Indicators of Problem Gambling – General Indicators** – DIA submitted that the term “very high levels of expenditure” should be specified in the general indicators. SkyCity disagreed, submitting that what constitutes a high level of expenditure varies considerably between patrons.
118. This was one of the indicators which have been the subject of debate and careful consideration in the course of the development of HRPs in New Zealand. Their development often included expert input from Professor Delfabbro. Because of the inherent difficulty of setting levels which would be reasonably seen as applicable to all circumstances, the decision was made not to set precise levels of expenditure or visitation frequency which would apply in all cases but to express the factor in broad terms to be applied having regard to the particular circumstances. In addition, the current HRPs also require the use of the Focal Model which uses sophisticated algorithms to identify high risk gambling conduct. The Commission considers that the current HRPs are sufficient to ensure that operators are required to observe, and appropriately record, as a general indicator, the conduct of patrons with a high visitation frequency combined with very high levels of expenditure on all forms of gambling, including table games, over a period of time, without specifying precise values. In the absence of such specification, casino operators may be required to explain their monitoring and assessment decisions by reference to the particular circumstances, if later challenged. Attempts to specify would only re-open past debates over setting a single value for highly variable circumstances, which have proved to be fruitless in the past.
119. **PGIPs – Section 2 – Indicators of Problem Gambling – General Indicators** – DIA and TAWO submitted that “multiple declined EFTPOS transactions” should be defined and moved to become “Strong Indicators”. They submitted that like begging, multiple declined EFTPOS transactions suggest that a patron may have exhausted their funds.
120. In reply, SkyCity disagreed, arguing that some patrons use multiple withdrawals as a budgeting tool and that taking a break from gambling to withdraw money allows a patron to reflect on their visit and current spend.
121. The Commission declined, on this review, to move multiple declined EFTPOS transactions from the General Indicators to the Strong Indicators. Strong Indicators are those where the presentation of only one or two such indicators may be sufficient to identify a person as a problem gambler. By way of example, the Strong indicators have been amended to include “falling asleep at a table or a machine” because this conduct strongly indicates that the gambling conduct is high risk and poorly controlled. The indicator “Multiple declined EFTPOS transactions” does not, of itself, meet this threshold and is better located amongst the General Indicators. That is particularly the case if customers use multiple withdrawals

as a control device and breaks in gambling to withdraw funds are seen as providing a chance to reflect. At this stage, the Commission prefers to avoid any changes which might discourage the use of multiple withdrawals from restricted accounts as a patron control mechanism. It intends to give further consideration to change in the case of **declined** transactions at the next review.

122. **PGIPs – Section 2 – Indicators of Problem Gambling – General Indicators – SA** submitted that “3 hours of play or longer” should be added as a General Indicator. In reply, SkyCity submitted that 5 hours is the correct timeframe to apply and that 3 hours should not be included as a General Indicator.
123. The Commission has already addressed continuous gambling above in the course of the triggering requirement for interaction with a patron, noting the need to avoid using a period which would likely create numerous false positives. Although the content of general indicators is a separate matter to the trigger for compulsory interaction (irrespective of PGIP assessment), inclusion of “3 hours of play or longer” as a General Indicator would be inconsistent with its current thinking on the latter. However, as the length of a patron’s gambling session remains a live issue for the Commission, it may revisit this question as part of the next review.
124. **PGIPs – Section 2 – Indicators of Problem Gambling – General Indicators – TAWO** submitted that the General Indicators associated with “Excessive Access to Money” should be elevated from General Indicators to Strong Indicators. Similarly, some of the indicators listed in the “Dysfunction in Social Behaviour” section should be elevated to “Strong Indicators”. SkyCity disagreed, submitting that these matters sit better as General Indicators.
125. For the reasons articulated above in the case of “multiple declined EFTPOS transactions”, the Commission’s view is that these indicators are more appropriately located in the General Indicators than the Strong Indicators, especially in the absence of declinatures.
126. **Section 4 – Identification** – DIA submitted that SOPs and KPIs should be created for post identification interventions. For example, 80 percent of interactions must occur within 10 minutes of an identification being made. SkyCity disagreed and referred to its earlier submissions on similar issues.
127. The Commission was not persuaded to amend this section of the HRP in the manner suggested by the DIA. For the reasons set out in decision GC21/13 (and above), it is not satisfied that the suggested KPI would improve outcomes and not result in unintended adverse consequences, such as limiting or delaying identification decisions to circumstances in which the KPI target could safely be met.

Other

128. DIA submitted that references to phrases such as “every endeavour”, “reasonable endeavours” and “all practical steps” be replaced with “best endeavours” throughout the HRPs because “best endeavours” imposes a higher duty on the operator. SkyCity disagreed, arguing that “reasonable endeavours” better aligns with the requirements of the Gambling Act.
129. The Commission concurred with SkyCity on this point. The obligation generally imposed on operators by the Act is one of reasonableness. For example, section 308(4) provides that the holder of a casino operator’s licence must take all *reasonable* steps to ensure that the policy is used to identify actual or potential problem gamblers. Section 309(1) provides that the holder of a casino operator’s licence, must, after identifying a person under section 308(4) who it has *reasonable* grounds to believe is a problem gambler, approach the person and offer information or advice to the person about problem gambling. It is appropriate for the language of the HRPs to be consistent with the language of the applicable underlying legislation. The Commission also doubts that the subtle language changes suggested would improve the clarity of the obligations or increase the obligations (as assumed) as a matter of practical application.
130. SA, PGF and AFS submitted that SkyCity should undertake a robust external evaluation of its HRPs to determine policy and operational effectiveness. In reply, SkyCity submitted that it already has a robust internal and external assurance programme, and that the HRPs are subject to external evaluation by the DIA.
131. The Commission was not presently persuaded that the HRPs should require additional external evaluation. The HRPs are already rigorously reviewed every three years by the Commission itself, with significant input from the DIA (as regulator) and a wide range of external stakeholders. As part of this process, the Commission considers developments in like jurisdictions around the world and often seeks the input from an independent external expert. In the Commission’s view, the HRP is already subject to regular and rigorous independent review. The submissions do not make clear what an additional external evaluation by SkyCity would be expected to achieve.
132. SA, PGF and AFS submitted that SkyCity should take a public health approach, develop strategies to prevent and minimise gambling harm, develop cultural competency and report to a wider group of people than the DIA and the Gambling Commission. In reply, SkyCity submitted that some of these submissions lacked specificity but noted that it is very happy to discuss these matters further at future liaison meetings.

133. The Commission has doubts that requiring an operator to take a public health approach to the detail of its HRP would be useful or appropriate. It expects the public health bodies consulted to adopt that perspective in their submissions. As to the balance, the liaison meetings already provide for discussion of strategies and the raising of operational concerns. As the Commission has noted in previous decisions, when it has been unclear how well these meetings are attended, interested parties should maximise the opportunities offered by the meetings already provided for. The Commission's observation has been that casino operators are generally willing to provide information if requested, so parties can make requests to assist with discussion without the need for formal reporting requirements.
134. TAWO submitted that SkyCity should fund treatment providers and clinicians. The Commission rejected this proposed addition because SkyCity already does so in the form of its statutory contribution to the Problem Gambling Levy which funds the MoH for all budgeted treatment and clinical costs.
135. The DIA submitted that SkyCity should not automatically allow patrons to move up loyalty tiers and that they should be subject to some form of assessment, such as a financial assessment, prior to any move. In reply, SkyCity submitted that loyalty card movements are best left to SOPs, rather than included within the HRPs. It advised that loyalty customers are required to visit the casino and to sign a declaration that their gambling is affordable before collecting the new card. Finally, SkyCity advised that it will provide additional training to staff who process loyalty upgrades to ensure that they are able to recognise signs of problem gambling.
136. In this context, the Commission was of the view that the HRPs should be amended to cover the steps which SkyCity described. The steps appear to be valuable and appropriate and should be the subject of regulatory obligation, not merely optional practices left to SOPs. Amendments were made accordingly.
137. Finally, the Commission compared the three HRPs and PGIPs and made a number of changes to all documents to align them (where appropriate to do so) and to remove any differences that were unhelpful or unnecessary.

Conclusion

138. The Commission amends the HRPs for the Auckland, Hamilton, Queenstown and Wharf casinos, by replacing them with the revised versions **attached** to this decision (including the PGIPs annexed to and forming part of each HRP). The new HRPs will take effect from **15 January 2024**, replacing the HRPs approved by the Commission in decision GC19/19.

139. As indicated above², the Commission expects to consider further revised HRPs much sooner than the usual period of three years set out in the licence conditions. Its intention is that new revised HRPs will be submitted for consideration in sufficient time for MCP to be able to become operative within 18 months of the date of the commencement of the new HRPs. The shortened review cycle is an exceptional departure from the usual review cycle for the reasons set out above. The new HRPs also require periodic progress reports to the Commission, the first of which will be due no later than 19 June 2024.

140. The Commission thanks all participating parties for their thoughtful submissions.



Susan Hughes KC
Chief Gambling Commissioner

for and on behalf of the
Gambling Commission

19 December 2023



² See paragraphs 56-62 in particular.



SkyCity Auckland

**Host Responsibility
Programme**

TABLE OF CONTENTS

1.0	Introduction	2
1.1	Statement of position	3
1.2	Programme objectives	5
2.0	Identification of problem gamblers	6
3.0	Harm minimisation and prevention components	7
3.1	Policies and procedures	8
3.1.1	Exclusion	9
3.1.2	Responsible service of alcohol	12
3.1.3	Unattended children	14
3.1.4	Underage persons	15
3.1.5	Standards of dress and behaviour	16
3.1.6	Long hours of play	17
3.1.7	Gambling limitation	20
3.1.8	Loyalty data analytics	21
3.2	Host responsibility information for customers	22
3.3	Employee gambling-related harm	23
3.4	Stakeholder engagement	25
3.5	Environmental design	26
3.6		
3.6.1	Safe gambling environment – gaming machine play	27
3.6.2	Safe gambling environment – third party loans for financial gain	27
3.6.3	Safe gambling environment –credit	28
3.7	Responsible marketing	29
3.8	Display of signage and provision of gambling information to customers	31
3.9	Learning and development	33
4.0	Monitoring and reporting	36
	Appendix A – Current host responsibility resources for customers	40
	Appendix B – Problem Gambler Identification Policy	

1.0 Introduction

Approval

Effective date: 15 January 2024

Manager:

Jo Wong
General Counsel & Company Secretary

Callum Mallett
Chief Operating Officer New Zealand

1.1 Statement of position

Statement of position

SkyCity is committed to providing a fun and safe environment for all customers and staff and to operating a leading host responsibility programme.

SkyCity recognises that alcohol and gambling can be associated with harm for some customers and their whanau, families and communities. SkyCity takes its role as a responsible host seriously and recognises that it has an important role to play in preventing and minimising alcohol and gambling-related harm for its customers and staff.

SkyCity intends that this Host Responsibility Programme (**Programme**) is a robust and usable document for all staff which clearly sets out its obligations with respect to harm minimisation and prevention.

The Programme is a vitally important part of SkyCity's overarching Group Harm Minimisation Framework which is illustrated in the diagram below.



Compliance with legal obligations

The Programme has been developed by SkyCity and addresses the host responsibility conditions in the casino operator's licence held by SkyCity Casino Management Limited that relate to the SkyCity Auckland property.

Standard Operating Procedures (**SOPs**) developed by SkyCity shall be consistent with and impose no lesser obligations than provided in the Gambling Act 2003 (**Act**), regulations, licence conditions or Programme.

SkyCity Code of Business Practice

The Programme contributes to SkyCity's compliance with the SkyCity Code of Business Practice.

1.2 Programme objectives

Objectives

The principal objectives of the Programme include:

- preventing the onset of gambling and/or alcohol related harm and minimising gambling-related harm for customers and other persons potentially affected by their gambling behaviour;
- identifying problem gambling;
- preventing problem gambling; and
- facilitating responsible gambling.

SkyCity aims to fulfil these objectives by:

- providing effective staff training;
- providing a safe gambling environment;
- providing responsible marketing and promotional initiatives;
- promoting the responsible consumption of alcohol; and
- engaging effectively with stakeholders.

Outcomes

SkyCity intends that implementation of the Programme will assist customers who may be experiencing harm as well as assist in preventing the onset of gambling and/or alcohol related harm to those customers who may be at risk. Reporting requirements relating to achievement of Programme objectives are set out in section 3.

2.0 Identification of problem gamblers

A copy of SkyCity's Problem Gambler Identification Policy (**Policy**) is attached as Appendix B and forms part of the Programme. The Policy fulfils SkyCity's obligations under the following sections of the Act.

Section 308 of the Act requires that the holder of a casino operator's licence must have a policy for identifying problem gamblers, which includes:

- an acceptable definition of problem gambling;
- indicators of problem gambling in the casino; and
- the steps to be taken in identifying actual or potential problem gamblers.

This policy must be made available upon request. SkyCity, or a person acting on its behalf, must take all reasonable steps to use the policy to identify actual or potential problem gamblers.

Section 309 of the Act requires that the holder of a casino operator's licence, or a person acting on its behalf, must, after identifying a person who he or she has reasonable grounds to believe is a problem gambler, approach the person and offer information or advice to the person about problem gambling.

The information or advice offered must include a description of:

- the self-exclusion procedure available; and
- any procedures described by regulations made under the Act.

If a customer is approached and provided with the above information and advice on problem gambling but does not request self-exclusion, section 309A of the Act requires that the holder of a casino operator's licence, or a person acting on its behalf, must take all reasonable steps to assist that person (including, if appropriate) issuing an exclusion order, if the person's ongoing gambling or other behaviour gives reasonable cause to believe that he or she is a problem gambler.

3.0 Harm minimisation and prevention components

Introduction

SkyCity will focus on addressing underlying causes of gambling and alcohol-related harm as well as taking steps to minimise harm. Harm prevention and minimisation initiatives will be undertaken in the following areas:

- policies and procedures;
- host responsibility information for customers;
- employee gambling-related harm;
- stakeholder engagement;
- environmental design;
- provision of safe gambling environments;
- marketing practices;
- display of signage and provision of gaming information to customers;
- staff learning and development;
- identification of problem gamblers; and
- gambling limitation.

The Programme's requirements for each area are outlined below.

Roles and responsibilities

The host responsibility function at SkyCity Auckland is managed by the Host Responsibility Manager. Reporting to this role are Host Responsibility Executives. Both roles are responsible for the ongoing monitoring and management of Gambler of Interest (**GOI**) files, feedback and review of new information on GOI files and the provision of host responsibility advice and support to staff.

SkyCity must provide coverage of the casino 24 hours per day, seven days per week (on all days when the casino is open for business) by Host Responsibility Executives. SkyCity must employ at least 6 Host Responsibility Executives, who have the primary responsibility for ensuring that SkyCity meets the requirements of the Programme and any other host responsibility requirements. The roles of the Host Responsibility Executives include:

- collecting, collating, recording and analysing all information relating to indicators of problem gambling, including:
 - the collection and management of information, and observations concerning problem gambling, including dealing with problem gambling indicators, staff observations, patron interviews and third party inquiries;
- interacting with customers, including:
 - the provision of information and advice to patrons who SkyCity considers may be problem gamblers;
 - offering self-exclusion from the casino or enforcing exclusion;
 - referring patrons to problem gambling counsellors; and
 - evaluating excluded patrons who wish to come back to the casino after an exclusion period has concluded;
- staff training about host responsibility; and
- engaging with service providers, researchers and regulators.

References in the Programme and Policy to "Host Responsibility", "Host Responsibility staff", "Host Responsibility Executives" and "the Host Responsibility team" denote the function managed by the Host Responsibility Manager.

3.1 Policies and procedures

Policies and procedures

The following policies and procedures have been developed to provide operational guidelines on the implementation of aspects of the Programme. The policies and procedures are consistent with the Act, regulations, licence conditions and Programme, and will be updated to reflect changes.

Policies:

- Problem Gambler Identification Policy.

Standard operating procedures:

The following SOPs relate to harm prevention and minimisation activities. An overview of how these procedures are put into practice is shown below:

- Exclusion;
- Unattended Children;
- Underage Persons;
- Responsible Service of Alcohol;
- Long Hours of Play;
- Undesirable Behaviour; and
- Gambling Limitation.

The following SOPs relate to the Problem Gambler Identification Policy:

- Information Collection and Collation;
- Analysis and Intervention;
- Gambling Limitation; and
- Exclusion.

3.1.1 Exclusion

Introduction

SkyCity offers two types of exclusions:

- self-exclusion; and
- SkyCity exclusion.

SkyCity provides the facility for self-exclusion of customers from the gaming areas of all SkyCity sites for periods of three months, six months, nine months, one year, or two years and until they meet any re-entry conditions imposed by SkyCity or by regulations made under section 316(1)(e) of the Act. A customer may request and undertake self-exclusion for a range of reasons, for example, where the customer has self-identified as a problem gambler or where the customer chooses to prevent or limit opportunities for harm to occur. The self-exclusion process may also be initiated by problem gambling treatment providers or other venues under a multi-venue exclusion arrangement.

SkyCity exclusion is for a period of two years and the customer must also meet re-entry conditions imposed by SkyCity or by regulations made under section 316(1)(e) of the Act.

SkyCity exclusion may be undertaken where a problem gambler does not take up the offer of self-exclusion, and SkyCity considers that it continues to have reasonable cause to believe that the customer is a problem gambler. If SkyCity has reasonable grounds to suspect, as a result of ongoing gambling or other behaviour, that the customer is a problem gambler (as defined by the Act), it must take all reasonable steps to assist the customer, including issuing a SkyCity exclusion in appropriate cases¹. These decisions are made on the basis of assessment(s), provision of information, advice and assistance, monitoring of a GOI file, and refusal of a self-exclusion offer or other host responsibility efforts to assist the customer to gamble without harm but a casino exclusion may be imposed after a serious one-off incident where an offer of self-exclusion has been refused.

Conditions for re-entry are contained in the Exclusion SOP.

Approaches to customers

Host Responsibility, Security or Gaming Shift Managers who have completed the Advanced Host Responsibility training module may undertake exclusions with customers.

Features of the exclusion process

To ensure the effectiveness of the exclusion process, the following are features of the process:

Communication

- Will use reasonable endeavours to provide a translation service where necessary.
- Provides support to excluded customers through provision of materials from problem gambling service providers and contact details.
- For self-exclusion, provides Questions and Answers in appropriate languages.

Third parties and service providers

- Emphasises culturally appropriate processes and, wherever possible and appropriate, encourages families and/or friends to accompany the customer.

¹ Section 309A

- Encourages third party involvement, i.e. that a mentor is nominated who can be contacted on the progress of the excluded customer and during any discussion relating to re-exclusion or re-entry.
- Encourages the excluded customer to nominate a counselling service.
- Arranges for the counselling service to call the excluded customer, if the excluded customer agrees.
- Encourages the excluded customer to make contact with the counselling service as soon as possible after their exclusion.

Other measures

- Provides an updated database that is accessible to Security and Gaming staff to assist in the detection of customers breaching an exclusion order.
- Promotes ongoing dialogue with counselling service providers to continually improve the exclusion process.
- Suspends sending all loyalty information to the customers.
- Requires timely action from staff if a customer approaches requesting self-exclusion, with every endeavour made to ensure that approaches are responded to while the customer is on the premises or phone.
- Provides opportunities for off-site self-exclusion procedures (e.g. self-exclusion forms are held by problem gambling service providers and can be completed at home).

Breaches

SkyCity staff are required to be vigilant for any excluded customer who attempts to re-enter the gambling areas and this will be included in Advanced Host Responsibility staff training. SkyCity Auckland Security and Gaming staff have responsibility for enforcing the exclusion process and taking action against those detected committing a breach of the exclusion process. Customers discovered attempting to do so may be warned, further excluded for an additional period or issued a trespass notice. The Department of Internal Affairs (**DIA**) is notified of all breaches by excluded customers and has the ability to take prosecution action if deemed necessary.

The Host Responsibility team regularly reviews the exclusion process and when necessary, makes improvements, in alignment with Group policy. The reviews may involve seeking customer and staff feedback through informal research processes.

Loyalty card holders

SkyCity must deactivate membership from its loyalty programme for all excluded customers, trespassed customers and customers formally requested to leave the premises.

The SkyCity Security staff member responsible for the administration of the exclusion and trespass records must:

- advise Host Responsibility within 24 hours of a loyalty programme cardholder being excluded, trespassed or formally requested to leave the premises, to ensure their account is deactivated; and
- forward any surrendered loyalty card(s) to the loyalty station.

Host Responsibility must ensure that:

- excluded cardholders' accounts are deactivated;
- the accounts of cardholders who have been excluded, trespassed or formally requested to leave the premises are deactivated; and
- cardholders who are excluded, trespassed or formally requested to leave the premises are deactivated from mailing lists.

Loyalty cards which are deactivated are not required to be returned by the customer to SkyCity. Should a customer attempt to use his/her deactivated card, an error message will appear asking the customer to present his/her card to a SkyCity staff member. Having confirmed that the customer has been excluded, trespassed or formally requested to leave, the SkyCity staff member will contact Security and appropriate action will be taken in relation to that customer.

3.1.2 Responsible service of alcohol

Background

The SkyCity Responsible Service of Alcohol Programme is designed to ensure that customers enjoy an environment that is safe and enjoyable. A key component is the SkyCity Responsible Service of Alcohol training programme, which is designed for all staff who work in areas where alcohol is served, to promote effective team work to ensure customers' safety and enjoyment.

SkyCity's Responsible Service of Alcohol Programme will reflect the following principles, which are derived from the Health Promotion Agency's "*Host Responsibility Guide 2020*".

A responsible host:

- prevents intoxication;
- does not serve alcohol to minors;
- provides and actively promotes non-alcoholic alternatives;
- provides and actively promotes substantial food;
- promotes alcohol responsibly and in accordance with the Sale and Supply of Alcohol Act 2012;
- serves alcohol responsibly or not at all; and
- promotes safe transport options.

Approach

The following is SkyCity's approach to the responsible service of alcohol:

- SkyCity will provide the sale of alcoholic beverages in a responsible manner, including monitoring and controlling of alcohol consumption;
- SkyCity will ensure that it observes the provisions of the Sale and Supply of Alcohol Act 2012 relating to the permitted hours within which customers can be sold and supplied alcohol and customers and staff are permitted on licensed premises;
- SkyCity will maintain an effective responsible service of alcohol training programme to train and inform relevant employees on the responsible sale and supply of alcohol which must be completed prior to serving alcohol;
- All SkyCity employees, temporary and contract staff will receive training on the Responsible Service of Alcohol during their induction as part of the Host Responsibility Level 1 training programme, including recognition of excessive alcohol consumption traits;
- SkyCity takes all reasonable steps to ensure intoxicated persons are prevented from entering the premises;
- SkyCity takes all reasonable steps to ensure that customers are not served to the point of intoxication. Any customer displaying signs of intoxication will be removed from the premises;
- Any customer who appears under the age of 25 may be asked for verification of identity and proof of age, before being served or sold alcoholic beverages. If such identification cannot be produced, that customer will not be served or supplied with any alcohol;
- Staff tactfully intervene to prevent possible problems arising from excessive alcohol consumption, including enlisting the services of staff of similar social/ethnic background to the customers to assist in explaining the programme to customers when required;
- No person who appears intoxicated is served or sold alcohol, allowed to gamble or allowed to remain on the premises. The decision by any employee to withhold service cannot be revoked or overruled by another, without referral to a more senior employee;

- At all times, when alcohol is sold or supplied to members of the public, there is a manager or managers on duty who hold current Manager's Certificates under the Sale and Supply of Alcohol Act 2012;
- Customers may not bring alcoholic beverages onto the premises where beverage service is provided, unless prior approval has been given;
- SkyCity will ensure that a reasonable range of non-alcoholic drinks is available at reasonable prices;
- SkyCity will ensure that a reasonable range of low-alcoholic drinks (being less than 2.5% ethanol by volume at 20 degrees celsius) is available at reasonable prices;
- SkyCity will ensure that a reasonable range of food is available at all times in portions suitable for a single customer, at reasonable prices, and within a reasonable time of being ordered;
- SkyCity will readily provide free, comprehensive and accurate information to customers about the forms of transport available from the premises;
- Free water will always be available to customers.

3.1.3 Unattended children

Background

SkyCity does not allow children to be left unattended on any part of its premises.

Approach

SkyCity takes active steps to prevent children being without adult supervision.

Employees must report to Security any incident where it is apparent that a child has been left unattended.

Security Officers must intervene and take all practicable steps to locate an adult responsible for an unattended child.

Security must contact the Police and trespass the customer in every case where there is an absence of a reasonable explanation for the child being left unattended.

In all instances of unattended children, the Host Responsibility team must be notified as soon as practicable to follow up potential problem gambling issues.

Security Officers must patrol the SkyCity Auckland car parks and environs to detect any unattended children in vehicles.

3.1.4 Underage persons

Background

SkyCity is committed to keeping minors out of the gambling areas. SkyCity will rigorously enforce the prevention of underage gambling in its casinos.

Approach

SkyCity must take all reasonable steps to restrict gambling activities only to those persons legally permitted by age to enter the gambling facilities (currently 20 and over).

Any customer who appears under the age of 25 must be asked for verification of identity and proof of age before being permitted to enter the gambling areas.

SkyCity must take all reasonable steps to restrict access to 'supervised areas' only to those persons legally permitted by age to enter the areas (currently 18 and over), unless accompanied by a parent or guardian.

Training for SkyCity Security and Gaming staff must include the need to be particularly vigilant for the presence of underage persons.

Any SkyCity staff member has the authority to approach suspected underage persons and seek identification for proof of age.

3.1.5 Standards of dress and behaviour

Background

SkyCity must provide a comfortable environment where customers are able to enjoy their surroundings without disruption from others who are inappropriately dressed or behaving in an unacceptable manner.

Dress code

SkyCity requires a neat and tidy standard of dress. While it is difficult to be prescriptive about dress suitability, in normal circumstances the following are not permitted at the SkyCity Auckland casino:

- torn clothes;
- gang patches or other insignias;
- dirty clothes or footwear; or
- hats or caps (unless for religious or medical reasons or for Texas Hold'em Poker).

Behavioural standards

If a customer is detected:

- under the influence of alcohol;
- abusing or threatening staff or other customers;
- causing conflict with other customers or staff, or
- otherwise being unpleasant.

then SkyCity Auckland staff must:

- take appropriate steps to stop the behaviour; or
- in appropriate circumstances, have the customer escorted from the premises.

Customers exhibiting undesirable behaviour may be trespassed or excluded.

3.1.6 Long Hours of Play

Continuous Presence

Continuous presence is where a customer is present at the casino (but not necessarily gaming continuously) for a period of 12 hours or more. The “clock” is reset after a customer has had a break from being present at the casino for six hours or more.

As a general rule:

- When a customer has been observed to be continuously present at the casino (but not necessarily gaming continuously) for 12 hours, the observing staff member must notify Gaming staff and/or Host Responsibility. All reasonable endeavours must then be made to interact promptly with the customer.
- When a customer has been detected by an automated system to be continuously present at the casino (but not necessarily gaming continuously) for 12 hours, an automated system alert must be sent to Gaming staff and/or Host Responsibility. All reasonable endeavours must then be made to interact promptly with the customer.
- At the very least, in the course of the interaction, the customer must be encouraged to take breaks and Gaming staff and/or Host Responsibility must thereafter continue to monitor the customer (which may include subsequent interactions with that customer).
- If any interaction gives rise to immediate concern that the customer is a problem gambler, Host Responsibility must proceed as required by the Act, the Policy and the Programme.
- When a customer has been continuously present at the casino (but not necessarily gaming continuously) for 24 hours and, provided that no action has already been taken under the Act, the Programme or the Policy:
 - non-international VIP customers must be required to leave promptly, and directed not to re-enter the casino for at least 24 hours; and
 - international VIP customers must be assessed by the International Business Management team to determine whether their play should be permitted to continue or not.

If one or more of the strong indicators is observed, Host Responsibility or Gaming staff must intervene immediately and proceed as required by the Act, this Programme and the Policy irrespective of how long the customer has been present.

All interactions, observations and assessments must be logged in iTrak.

Continuous Play

Continuous play is where a customer is gaming continuously for five hours or more. The “clock” is reset after a customer has had a break from gaming of at least 30 minutes duration (in aggregate).

As a general rule:

- When a customer has been observed gaming continuously for five hours or more without a break of at least 30 minutes duration (in aggregate), the observing staff member must notify Gaming staff and/or Host Responsibility. All reasonable endeavours must then be made to interact promptly with the customer.
- When a customer has been detected by an automated system to have been gaming continuously for five hours or more without a break of at least 30 minutes duration (in aggregate), an automated system alert must be sent to Gaming staff and/or Host Responsibility. All reasonable endeavours must then be made to interact promptly with the customer.

- At the very least, the customer is approached with an emphasis on customer care. If during the course of the interaction the customer gives staff cause for concern, staff must encourage breaks or take stronger measures as required under the Act, the Policy and this Programme. Gaming staff and/or Host Responsibility must thereafter continue to monitor the customer (which may include subsequent interactions with that customer).
- If any interaction gives rise to immediate concern that the customer is a problem gambler, Host Responsibility must proceed as required by the Act, the Policy and the Programme.
- When a customer has been detected by an automated system to have been gaming continuously for 10 hours (without any breaks) and, provided that no action has already been taken under the Act, this Programme or the Policy:
 - non-international VIP customers must be required to leave promptly, and directed not to re-enter the casino for at least 24 hours; and
 - international VIP customers must be assessed by the International Business Management team to determine whether their play should be permitted to continue or not.

If one or more of the strong indicators is observed, Host Responsibility or Gaming staff must intervene immediately and proceed as required by the Act, the Programme and the Policy irrespective of how long the customer has been on site.

All interactions, observations and assessments must be logged in iTrak.

Uncarded players

SkyCity utilises technology to assist in its detection of “continuous presence” and “continuous play”. However, with the technologies currently available, there may be occasions where the detection of continuous play by uncarded players relies on observation rather than technology. Therefore, where SkyCity staff become aware of uncarded players being “continuously present” or undertaking “continuous play” for the periods set out above, they must report their observation so that those uncarded players are treated as set out above.

SkyCity is committed to continually seeking to improve the use of technology to monitor uncarded players.

Mandatory Carded Play

SkyCity must use all reasonable endeavours to introduce mandatory carded play in the casino within 18 months of the date of this Programme.

Once introduced, all customers who wish to gamble at the casino must be required to use an electronic card or other form of unique identifier when gambling.

Following its introduction, SkyCity will continue to develop mandatory carded play technology with the aim of enhancing the technology.

Minimum standards for the design, manufacture and operation of mandatory carded play will need to be developed and prescribed by the Secretary before mandatory carded play is able to be implemented at the casino. The relevant equipment may also need to be approved by the Secretary as complying with the prescribed minimum standards. Different standards and approvals may also be required for electronic gaming machines and table games and the timing of such standards and approvals may differ.

A number of changes will also need to be made to the Programme once mandatory carded play is able to be implemented at the casino. SkyCity must submit an updated Programme which reflects the resulting changes to the Commission for review and approval prior to implementation.

SkyCity must actively work with its technology vendors and equipment suppliers to meet the timeframe above.

SkyCity must report to the Commission on its progress towards the implementation of mandatory carded play every six months, commencing in six months of the date of the notification of the decision amending this Programme.

3.1.7 Gambling limitation

SkyCity offers customers a voluntary pre-commitment system.

This system is available to all casino patrons and allows them voluntarily to set limits on how much they spend and how long they play for on gaming machines.

Breaches of pre-commitment limits, multiple increases of pre-commitment limits or disabling of pre-commitment limits are general indicators.

Host Responsibility staff will proactively encourage the use of the voluntary pre-commitment system, where appropriate, during interactions with patrons.

The features of the voluntary pre-commitment system include:

- access to the pre-commitment facility via SkyCity's loyalty card;
- each time the loyalty card is inserted, the pre-commitment facility will be activated;
- the system will allow players to define their own limits for:
 - time limit; and
 - spend limit;
- enrolment for pre-commitment can occur at either:
 - the gaming machine by the player; or
 - a loyalty member's workstation;
- an "approaching limits" and "reached limits" notification will be displayed on the gaming machine;
- if limits are relaxed, then the new limits must not be available to the player for a period of 24 hours;
- once the limit is reached, no more SkyCity loyalty points may be accumulated or entries to promotions earned;
- SkyCity Host Responsibility Executives must be alerted once limits are breached, increased or disabled;
- no SkyCity loyalty points can be earned by a player for the 24 hours following a limit being reached; and
- the system will provide information, support and advice to the operational business units.

3.1.8 Loyalty data analytics

SkyCity operates an analytical model (the **Focal Model**) which uses customer loyalty data to build sophisticated multi-level algorithms that will assist Host Responsibility Executives to identify potential problem gambling risk among casino customers who have loyalty cards.

The Focal Model is a tool designed to identify and prevent high-risk gambling and to alert gaming staff to those players most likely to be high-risk.

3.2 Host responsibility information for customers

Customer information resources

SkyCity produces a range of host responsibility resources for customers. Copies of all SkyCity brochures and other host responsibility resources are available and displayed where appropriate in SkyCity's gambling areas.

This information is also supplemented and supported by the SkyCity Auckland website (www.skycityauckland.co.nz), where electronic copies of the resources are made available. A copy of the Programme is displayed on the SkyCity Auckland website.

There is an ongoing process of review and development of resources for customers.

Information resources are translated into a variety of languages consistent with the cultural make-up of SkyCity's customer base.

A summary of SkyCity's host responsibility resources for customers is shown in Appendix A.

3.3 Employee gambling-related harm

Introduction

SkyCity is committed to a culture that proactively supports and promotes host responsibility.

Background

SkyCity undertakes a range of measures concerning the potential for employee gambling-related harm that aim to:

- prevent and minimise gambling-related harm amongst SkyCity employees as a result of their own, or someone else's, gambling;
- enhance the ability of SkyCity staff to undertake effective host responsibility; and
- contribute to the prevention and minimisation of gambling-related harm in the community.

Requirements

SkyCity recognises that employee gambling-related harm is a sensitive issue. Accordingly, measures to promote awareness and encourage and support help-seeking will be discreet and interventions with SkyCity staff kept confidential.

SkyCity will undertake the following to provide assistance to casino employees with managing the potential for personal problem gambling:

Information resources

- Provide access to supporting resources for staff, when required, using appropriate channels, including:
 - a standardised gambling screen;
 - self-help resources to assist with early self-identification and intervention; and
 - information on how to access problem gambling services.
- Include information about personal problem gambling and underlying risk factors (such as depression and alcoholism) in host responsibility training programmes and in the Workplace Support (employee assistance) programme.
- Promote awareness and information about self-assessment and self-help resources, and encourage staff to use these resources themselves to assist with early identification and intervention.
- Promote information about personal problem gambling support services when staff approach the SkyCity Connect Centre to participate in the Workplace Support Programme, Employee Financial Assistance, and/or where appropriate where a staff member may be seeking assistance.

Policies and procedures

- Prohibit staff from gambling at any SkyCity owned or operated casino.
- Prohibit access to online gambling sites by staff while on SkyCity premises, unless such access is required for genuine business reasons.
- Identify high risk areas for staff and target with increased levels of information.

Recruitment

- Assess all job applicants for evidence of problem gambling (via questions in job application forms).
- Decline applications from those who are identified as problem gamblers either through their screening results, or disclosure of relevant indicators (as set out in the Policy) during the recruitment process and provide appropriate information, advice and assistance.

- Respond to applicants identified as problem gamblers who are also customers in accordance with the Programme.

Support for staff

- Provide assistance to staff who are experiencing gambling-related harm, including:
 - identification;
 - intervention;
 - referral to confidential support through the Workplace Support Programme and/or a problem gambling treatment provider;
 - confidentiality; and
 - wherever possible, SkyCity will involve problem gambling counsellors in staff induction training about the signs of problem gambling among staff and customers.

3.4 Stakeholder engagement

Background

SkyCity aims to maintain constructive relationships with members of the local community.

Approach

SkyCity will continue to facilitate opportunities for regular engagement to ensure local stakeholders:

- understand and are aware of the Programme;
- are able to continue to raise and discuss operational issues in relation to host responsibility;
- continue to have opportunities to provide input into the Programme and harm prevention and minimisation initiatives; and
- have opportunities to participate in partnership projects on key initiatives where appropriate.

SkyCity convenes a quarterly Auckland Host Responsibility Community Liaison Group to discuss host responsibility issues. These issues relate primarily to operational activities, e.g. referrals, exclusions etc. There are also opportunities to discuss strategic or broader sector issues.

SkyCity will invite representatives from:

- treatment service providers, including problem gambling and alcohol and other drugs;
- public health providers;
- Government agencies, including the Police, DIA and Alcohol Advisory Council of New Zealand; and
- researchers.

SkyCity will keep membership of the Liaison Group under review to maintain relevance to SkyCity's current or evolving policies and practices.

In developing and implementing the Programme, and harm prevention and minimisation initiatives, SkyCity will consider the views expressed by the attendees of the meetings.

SkyCity will make available to the Liaison Group a copy of the report provided to the Commission under section 4 of the Programme.

SkyCity also arranges site visits, including presentations, for representatives to become familiar with the Programme. SkyCity also undertakes off-site visits to stakeholder organisations.

SkyCity will work with class 4 organisations to maximise the effectiveness of each other's host responsibility programmes.

3.5 Environmental design

Approach

SkyCity's general approach towards environmental design is to ensure the provision of safe environments that are conducive to responsible gambling and consumption of alcohol.

Considerations

In considering the impact of any proposed changes, the key objectives are to ensure that environmental features:

- contribute to harm prevention or, have a neutral impact on harm;
- encourage responsible gambling and alcohol consumption choices;
- do not contribute to the onset of harm or exacerbate risk; and
- facilitate effective host responsibility, particularly early identification and intervention.

This approach applies to the following SkyCity areas:

- floor lay-out, furnishing and design;
- casino electronic gaming machine and table game location;
- access to cash;
- game and equipment features;
- environments adjacent to the gambling areas, including access to other entertainment options;
- physical location and presence of Security and Host Responsibility;
- location of problem gambling and other information resources; and
- access criteria, including dress codes and age restrictions.

Requirements

SkyCity shall in its environmental design seek to ensure:

- problem/responsible gambling signage and exit points are clearly visible;
- patrons are visible to venue staff in the gambling areas;
- machine alleys with no exit point and in dimly lit corners are avoided;
- gambling areas are well lit, utilising natural light where appropriate;
- clocks are visible in the gambling areas; and
- other non-gambling entertainment options are available.

Other regulatory processes

All applications for construction or design changes to gambling areas must be approved by the Gambling Commission. As part of any such application, SkyCity assesses any impacts the alterations may have on harm prevention and harm minimisation. The impact of any proposed design change on gambling harm is assessed in determining the suitability of any such proposal prior to making applications to the Commission.

3.6.1 Safe gambling environment – gaming machine play

Requirements

SkyCity will take all reasonable and practicable steps to ensure a customer plays no more than one gaming machine at a time.

3.6.2 Safe gambling environment – third party loans for financial gain

Legislation

Under section 15(1) of the Act, SkyCity is prohibited from offering or providing credit intended for use in gambling, except in circumstances approved by the former Casino Control Authority (CCA) or the Gambling Commission. The Gambling Commission regulates and approves, as necessary, all cash access arrangements provided by SkyCity at the Auckland casino.

Policy

SkyCity does not permit loan transactions by third parties for financial gain at the casino venue, except as approved by the CCA or the Gambling Commission. It is particularly concerned to protect customers from illegal or oppressive loan activity, or “loan sharking” as it is known.

Requirements

- SkyCity will ensure that signage is displayed in appropriate areas publicising that loan sharks will be excluded.
- SkyCity will take all reasonable steps to identify and exclude persons at the casino offering loans for financial gain. To assist this process SkyCity will maintain an Undesirable Behaviour SOP which shall explain how SkyCity will identify, investigate and respond to persons at the casino suspected of offering loans for financial gain.
- Where casino staff observe suspicious behaviour or information is presented from external parties regarding loan activity, SkyCity will investigate and act in a timely manner. This process is outlined in the SkyCity Auckland Undesirable Behaviour SOP.
- If it is obvious that a person is engaged in offering or providing loans for financial gain, SkyCity will issue that person with a trespass notice. If there is reasonable cause to believe that a person is engaged in offering or providing loans for financial gain, SkyCity may issue that customer with a requirement to leave the premises, pending further investigation. At the completion of its investigation, and where a person is found to be offering loans for financial gain, SkyCity will issue that person with a trespass notice.
- SkyCity will notify DIA Gambling Inspectors of suspected loan sharking activity in accordance with Minimum Operating Standards for Records and Notification. Where appropriate, SkyCity will also notify relevant agencies.
- Where a customer is established as receiving a loan for financial gain from a third party (i.e., not the casino), SkyCity will open an iTrak investigation file and interact with the customer. Following the interaction SkyCity may elect to open a GOI file for further investigation and monitoring, exclude the customer or take no further action if the customer provides a satisfactory explanation. A customer borrowing money in these circumstances is considered a potential problem gambler and will be provided with appropriate information as required by section 309(2) of the Act. All investigations, interventions and outcomes are recorded and retained on iTrak.
- SkyCity will provide appropriate staff training to assist in preventing and minimising harm associated with loan sharking.

3.6.3 Safe gambling environment –credit

Policy

SkyCity will notify Host Responsibility when it enters into a credit arrangement with a customer.

Requirements

Host Responsibility must monitor and record the activities of any customer with a credit arrangement for indicators of potential gambling harm.

3.7 Responsible marketing

Legislation and industry codes

SkyCity's marketing activities comply with applicable laws, Regulations 9 and 10 of the Gambling (Harm Prevention and Minimisation) Regulations 2004, relevant industry codes (including the New Zealand Advertising Standards Authority's "Gambling Advertising Code") and licence conditions.

Requirements

SkyCity will not pursue marketing initiatives which have any of the characteristics set out below. Where concerns are raised by third parties, SkyCity will investigate and, where appropriate, take immediate action to withdraw or amend the marketing initiative.

SkyCity will ensure an internal process is followed to ensure harm minimisation issues are considered and addressed in the development of marketing initiatives, including those directed to members of SkyCity's loyalty programme.

This process includes consultation with Host Responsibility as well as the Regulatory team, with final sign-off by Legal (both of which are based at SkyCity Auckland).

Consultation includes consideration of the following principles.

Does the marketing initiative:

- Target groups at increased risk of experiencing gambling harm?
- Target children or young people (having regard to the criteria in the Gambling Advertising Code)?
- Portray or represent anything that will, or is likely to, cause, condone or encourage harm from gambling? The marketing initiative must not:
 - promote gambling as a means of relieving or improving a person's financial, professional or personal difficulties, for example, loneliness or depression.
 - state or imply a promise of winning or portray unrealistic outcomes from winning.
 - misrepresent the level of financial risk associated with the gambling activity.
 - encourage consumers to participate in gambling excessively or beyond their means.
 - create a false sense of urgency such that consumers may be misled into thinking they must act quickly in order to participate or win.
 - state or imply that there is a link between gambling and sexual or relationship success, or enhanced attractiveness.
 - portray, condone or encourage peer pressure to gamble.
 - exaggerate the connection between the gambling activity and the use (individual / family / whanau / community) to which the profits may be put.
 - target vulnerable people for example, by playing on fear or their superstitions (e.g. through inappropriate use of cultural symbols or references).
- Mislead or be likely to mislead, deceive or confuse consumers, abuse their trust or exploit their lack of knowledge. This includes by implication, inaccuracy, ambiguity, exaggeration, unrealistic claim, omission, false representation or otherwise. The marketing initiative must not:
 - make claims about the chance of winning unless they are factual and able to be proven.
 - exaggerate the chance of winning or the size of the prize.
 - falsely state or imply that a gambler's skill can influence the outcome of the gambling activity unless skill can affect the outcome.

The marketing initiative must:

- include the terms and conditions or a reference to where the terms and conditions are readily available. Terms and conditions must be easily understood and must not contradict the advertisement content; and
- clearly display in the advertisement information about where the gambling can be accessed (e.g. in the case of online gambling a URL address for a website) if it would otherwise be misleading to not display such information.

Marketing initiatives will be reviewed on a six-monthly basis by Host Responsibility. The six-monthly review will assess promotions against key metrics of gambling harm monitored by SkyCity.

Loyalty Programme

SkyCity's loyalty programme provides members with benefits such as the ability to enter promotional draws, and discounts on parking and food and beverage purchases. It also provides members with the opportunity to earn points from gambling activity and on-site spend which can be redeemed for rewards.

The loyalty programme consists of five membership tiers. Once sufficient loyalty points have been earned, a member is offered the opportunity to upgrade to a higher tier. As part of the tier upgrade process, members are required to certify prior to each upgrade that they are comfortable with their level of gambling, and that their gambling is affordable and not at a level that is causing harm, or may cause harm, to themselves, their family or other people.

The top two tiers are known as VIP tiers, with entry by invitation only. Before a customer is invited to join each VIP tier, Host Responsibility must undertake a review of their interactions, observations and assessments in iTrak to identify possible gambling harm. Before a customer is invited to join the highest VIP tier an assessment of gaming affordability, including a source of wealth and funds check, must also be undertaken.

If a gambling harm and/or affordability review is not completely satisfactory, the customer must not be upgraded, and Host Responsibility must proceed in accordance with the requirements of the Programme and Policy.

SkyCity must ensure that staff who process loyalty upgrades are trained to recognise signs of problem gambling.

3.8 Display of signage and provision of gambling information to customers

Background

A key component of the Programme is the provision of information for customers. Provision of information is intended to assist customers to make informed decisions about their gambling and alcohol consumption while at SkyCity.

A description of how SkyCity will discharge its obligations to offer information and advice to persons identified as problem gamblers is addressed in the Policy and the SOPs.

Approach

SkyCity has a range of information resources that are provided to customers, summarised in Appendix A.

Display of signs, brochures, clocks and website

SkyCity ensures that:

- host responsibility material is displayed prominently and translated into key languages, besides English, to reflect the ethnicity of SkyCity visitors;
- brochures are maintained in sufficient quantities so as to be generally available at all times, at all locations;
- all gaming machines and gaming tables at SkyCity display problem gambling helpline telephone numbers, with information in a range of languages. The information is also displayed on or near all ATMs and public phones;
- clocks are on display in all SkyCity gambling areas; and
- call centre facilities include a direct line to the Gambling Helpline.

SkyCity will make available a “Responsible Gaming” brochure, intended to assist in reducing the tendency of patrons to be subject to erroneous beliefs, e.g. that the odds of winning are better than they are, that skill can influence outcomes (where it cannot), or player tendencies to engage in various superstitious practices.

SkyCity actively promotes the Gambling Helpline and other free problem gambling counselling service contact details through its host responsibility resources. Customers demonstrating potentially harmful behaviour are encouraged to contact these services. All excluded customers, and third parties who contact SkyCity about another’s gambling problems, are actively encouraged to contact the appropriate services for help and support.

SkyCity Entertainment Group Limited has a host responsibility section on its website.

Display of game rules, permissible bets and payment of winning bets for table games

Information is made available to customers that pertain to game rules, permissible bets and payment of winning bets as required by section 175 of the Act.

Whenever a table is open, information is displayed which advises customers that the game rules for the game are available upon request, and specifies minimum and maximum bets, and payments of winning bets. Signage is also displayed stating that staff cannot accept tips.

Display of game rules, permissible bets and payment of winning bets for electronic gaming machines

All gaming machines display information regarding the denomination of the game. Game rules are provided on the machine and/or electronically via the screen. Gaming machine

odds are explained in the “Responsible Gaming” brochure, which is available in the gaming areas.

Customers may request a copy of game rules at any time. If the request is for general information or an overview of a game, an appropriate gaming employee will explain this and can provide a “How to Play” brochure to assist further.

Display of game rules, odds of winning and information on problem gambling for Fun Play tables

Information is made available to customers that pertains to game rules, odds of winning and information on problem gambling.

Whenever a Fun Play table is open, information is displayed which advises customers that the game rules for the game are available upon request, and odds of winning and information on problem gambling.

Display of host responsibility information in open areas where there are gaming machines

Information on problem gambling and responsible gambling are displayed and made available to customers in open areas (e.g. decks) where gaming machines are present.

Information requests by customers

Customers seeking further clarification of game rules will be given access to the relevant approved rules.

Information on gambling activity

Loyalty card players can be provided, on request, with information on their gambling activity, including the number and length of their gambling sessions and their gambling expenditure.

Non-loyalty carded players will be provided, on request, with as much information as is available to SkyCity on their gambling activity.

3.9 Learning and development

Introduction

SkyCity is committed to developing staff awareness, understanding and commitment to host responsibility especially with respect to gambling and alcohol-related harm. SkyCity shall comply with its statutory obligations relating to problem gambling awareness training, including as set out in Regulation 12 of the Gambling (Harm Prevention and Minimisation) Regulations 2004.

SkyCity will aim to ensure its learning and development initiatives are appropriate to the needs of its customers and staff.

SkyCity's learning and development resources approach employs established models of best-practice and include a training mix of classroom based, multi-media and on-the-job coaching. Learning and development resources are tailored depending on the roles and responsibilities of staff, and their required host responsibility customer interactions.

Overview of staff roles

Staff: All staff, regardless of position, are trained to identify indicators of harm. Staff are expected to refer the observation of indicators to a supervisor/manager.

Frontline staff: All staff who have contact with gambling customers in the casino are required to be trained in problem gambling awareness and how to approach customers to offer information and assistance about problem gambling. Frontline staff have a primary role in being alert to and identifying indicators of harm, and will report observations of concern to a supervisor/manager. While it is not their primary role, frontline staff are trained and will approach customers themselves in circumstances, for example, where a matter is urgent or a manager/supervisor is not available.

Supervisor or manager: The supervisor/manager is the first point of contact for escalation for indicators of harm. Supervisors and managers are also responsible for ensuring that all observations of indicators reported to them by staff, and any follow up responses taken by staff and/or supervisors and managers, are logged and sent to Host Responsibility. Supervisors and managers are also responsible for providing additional information to Host Responsibility to assist with the ongoing monitoring of, and interaction with, the customer.

Depending on the circumstances, the supervisor/manager delivers interventions by providing information, advice and assistance to customers and taking other appropriate action(s) to minimise harm.

Host Responsibility: Host Responsibility records, collates and analyses all information relating to indicators of problem gambling noted by frontline staff, supervisors and managers. Host Responsibility also records interactions and interventions they undertake themselves. The information is used to undertake a section 309 assessment. As a result of the assessment, a GOI file may be opened, and/or appropriate follow up interactions or interventions undertaken. This may include meeting with customers. Host Responsibility is responsible for the ongoing monitoring and management of GOI files, feedback and review of new information on GOI files and the provision of host responsibility advice and support to staff, supervisors and managers.

Learning and development requirements

Induction training

All permanent staff, whether or not in direct contact with customers, will complete the three compliance e-learning modules within one month of commencement of employment. Access to the modules is available to new employees before they start work as soon as they are assigned an employee number.

The three compliance modules are:

- Play Safe – Health and Safety;
- Responsible Service of Alcohol; and
- Responsible Gaming, which includes:
 - responsible service of gambling and alcohol;
 - identification of problem gamblers;
 - reporting and recording procedures for observations;
 - approaching and providing information about problem gambling to patrons including how to access local problem gambling services; and
 - awareness of employee gambling-related harm.

Welcome to SkyCity

Within the first month of working at SkyCity, employees are encouraged to complete a classroom session of up to two hours which refreshes the compliance information from the e-learning modules and also covers general policies and procedures and an orientation to SkyCity.

Host Responsibility Level 1 (HR1)

For all staff whose work involves the gaming side of SkyCity's business, SkyCity will work to supplement the induction training by ensuring that these staff also complete a "Host Responsibility Level 1 (HR1)" e-learning module after three months employment. This module will also be compulsory annual refresher training for those staff.

Training for staff in direct contact with gaming customers will be further supplemented by on-the-job coaching and support.

Advanced Host Responsibility Training

Advanced training, supplementary to training for Host Responsibility Level 1, is provided for staff that work within the gaming areas and whose roles require them to interact with customers. This training is run monthly or as necessary.

The Advanced Host Responsibility training module includes both theoretical and practical components. The training includes:

- SkyCity's legal and regulatory requirements;
- identification of problem gamblers;
- initial action with respect to customers requesting problem gambling assistance;
- identification and intervention with respect to excessive alcohol consumption;
- support of staff who have intervened and debrief;
- importance of reporting;
- intervention including brief interventions, de-escalation and motivational interviewing;
- breaches of exclusion;
- the use of pre-commitment;

- debriefing and staff support;
- problem gambling treatment processes;
- cultural awareness;
- advanced Responsible Service of Alcohol – intervention and slowing service; and
- awareness of employee gambling-related harm.

Staff who have completed Advanced Host Responsibility training will undergo an annual online recall test. Those who fail the test will be required to re-take Advanced Host Responsibility training. In addition, role specific training will be offered where learning needs are identified.

Refresher training

SkyCity provides department-based/site-wide refresher training on an ongoing basis. Refresher training is available to all staff at SkyCity. Refresher training is provided when a learning and development need is identified or requested, and for those who fail knowledge recall tests.

General Manager training – Sale and Supply of Alcohol Act 2012

The Licence Controller Qualification, as required by the Sale and Supply of Alcohol Act 2012, is facilitated through an external provider.

External operators training

SkyCity Auckland will offer external operators providing customer services at SkyCity Auckland (e.g. TAB) the opportunity to participate in training, where appropriate.

Suicide awareness training

Frontline Host Responsibility staff and senior Security Managers are trained to respond to customers who are at risk of suicide. This training is facilitated through an external provider.

Informal learning and development

As learning and development is an ongoing process, SkyCity provides a range of other opportunities for host responsibility learning to occur. There is an emphasis on sharing information and experiences across SkyCity's portfolio to build host responsibility knowledge. These internal opportunities include:

- internal communications, e.g. staff newsletters;
- inclusion in business or management processes e.g. staff meetings and key performance indicators;
- discussion forums led by host responsibility staff; and
- participation by staff in the harm minimisation and host responsibility policy development processes.

Evaluation

SkyCity undertakes a range of evaluation measures as part of its commitment to learning and development quality improvement. These measures include:

- staff training feedback and evaluation forms;
- staff knowledge recall and application of knowledge;
- staff focus groups; and
- analysis of training needs.

4.0 Monitoring and reporting

Introduction

SkyCity will evaluate its performance against the objectives of the Programme.

The Programme is measured and monitored using a range of indicators that are set out below. These indicators reflect the level of activity under the Programme, compliance with legal obligations, and progress against all the Programme objectives as set out in section 1.

The Programme is embedded into the business and specifies SkyCity's minimum requirements in relation to its host responsibility obligations. SkyCity is not prevented from trialling and introducing new initiatives in addition to what is specified in the Programme. In consultation with the Gambling Commission, any such enhancements may be incorporated into the Programme, prior to the Commission's next three-yearly review.

Reports to the Gambling Commission

SkyCity will report annually to the Commission on the implementation of the Programme.

Reports will include the following information:

- a description of the resources put into the core elements of the Programme;
- a description of activities undertaken by SkyCity under the Programme;
- reporting against the measures specified below, including a comparison to previous data where applicable;
- SkyCity discussion on the effectiveness of the Programme and the extent to which Programme objectives in section 1 are being achieved. This will include reference to feedback from internal and external stakeholders received through a range of forums such as regular meetings with the DIA and other meetings held as required; and
- proposed improvements to the Programme.

A copy of the report will be sent to the Secretary for Internal Affairs.

Gambling Related Measures	Source of data	Frequency
<ul style="list-style-type: none"> Number of customers about whom there have been observations. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of observed indicators reported to Host Responsibility. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of approaches to SkyCity by third parties. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of problem gamblers identified (in the first instance) by requests for exclusion or forthright disclosure, compared to number of problem gamblers identified by the casino. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of GOI files by: <ul style="list-style-type: none"> Ethnicity gender age preferred mode of gambling (tables/EGMs). 	SkyCity	Annual
<ul style="list-style-type: none"> Number of approaches to customers to offer information about self-exclusion. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of instances where a customer has been detected gaming continuously for 10 hours 	SkyCity	Annual
<ul style="list-style-type: none"> Number of exclusions (both casino and self-exclusions) by: <ul style="list-style-type: none"> ethnicity gender age preferred mode of gambling (tables/EGMs) prompted by third party disclosures exclusion type (self/SkyCity) following re-entry. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of customers participating in the pre-commitment. 	SkyCity	Annual

<ul style="list-style-type: none"> Number of excluded customers (both casino and self-exclusions) agreeing to be contacted by help services on exclusion form. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of breaches of exclusion (both casino and self-exclusions) by: <ul style="list-style-type: none"> ethnicity gender age 	SkyCity	Annual
<ul style="list-style-type: none"> Number of exclusions by length: <ul style="list-style-type: none"> 3 months 6 months 9 months 12 months 24 months 	SkyCity	Annual
<ul style="list-style-type: none"> Number of successful and unsuccessful applications to re-enter following exclusion. 	SkyCity	Annual
<ul style="list-style-type: none"> The extent to which customers have been assisted (drawing, inter alia, on feedback from customers and staff). 	SkyCity	Annual
<ul style="list-style-type: none"> Number of persons trespassed or required to leave for making loans for financial gain. 	SkyCity	Annual
Measures relating to the responsible consumption of alcohol		
<ul style="list-style-type: none"> Number of "Under the Influence" incidents. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of requests for people to leave due to the amount of alcohol served. 	SkyCity	Annual
Measures relating to staff training		
<ul style="list-style-type: none"> HRI courses Advanced Host Responsibility courses Refresher training Number of staff who need to be trained in each category, and proportion of those staff who have completed the appropriate level training. 	SkyCity	Annual

<ul style="list-style-type: none"> Staff recall of knowledge and behaviours related to host responsibility and associated policies and procedures. 	L&D Evaluations Mystery Shopper	Annual Annual
<ul style="list-style-type: none"> Staff perceptions of the effectiveness of training. 	L&D Evaluations	Annual
<ul style="list-style-type: none"> Staff perceptions on the effectiveness of the employee gambling harm programme, reporting to the Commission to include percentage response rate of staff to the SkyCity survey. 	SkyCity commissioned survey	Annual
Other Programme activity and compliance-related measures		
<ul style="list-style-type: none"> Number of internal and external underage incidents. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of unattended children. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of requests to leave the premises. 	SkyCity	Annual
<ul style="list-style-type: none"> Post Promotion Analysis 	SkyCity	Annual

Appendix A – Current host responsibility resources for customers (as at December 2023)

“Being A Responsible Host: Our Commitment To Our Customers” – poster

SkyCity developed and displays the A3 “Being a Responsible Host” poster in key gaming areas. The customer-focused poster is designed to provide an overview of SkyCity’s Host Responsibility Programme and the key initiatives undertaken.

“Would you like a Helping Hand?” – brochure

SkyCity provides “Would you like a Helping Hand” - brochures in 10 different languages: Chinese, English, Korean, Māori, Samoan, Tongan, Thai, Hindi, Arabic and Khmer. The brochure provides the gambling helpline information and signs and symptoms of problem gambling. It also outlines other free problem gambling counselling services.

“Would you like a Helping Hand?” - poster

In supplementing the “Would you like a Helping Hand” – brochure, SkyCity also produces an A1 poster version. The poster provides the Gambling Helpline number and is displayed in various places across the gambling areas, including some customer restrooms.

“Would you like a Helping Hand?” - wallet card

This pocket size card also supplements the brochure and presents the Gambling Helpline number and other free problem gambling counselling service contact numbers. Available in Chinese, English, Tongan and Samoan.

“Responsible gaming?” – brochure

This brochure provides responsible gambling tips and an overview of the odds of winning and player returns and highlights that casino games are based on chance and randomness. It also provides contact details for the Gambling Helpline and the SkyCity Host Responsibility team. Available in Chinese and English.

“Self-Exclusion at SkyCity” – brochure

The brochure outlines the self-identified exclusion process. It provides simple information on frequently asked questions and shows the contact details for the Gambling Helpline and the SkyCity Host Responsibility team. The “Self-Exclusion at SkyCity” brochure is available in 10 different languages: Chinese, English, Korean, Māori, Samoan, Tongan, Thai, Hindi, Arabic and Khmer.

“Concerned About Someone’s Gambling? SkyCity Can Help” – brochure

The brochure outlines the SkyCity (third party) exclusion process. It provides simple information on frequently asked questions and shows contact details for the Gambling Helpline and the SkyCity Host Responsibility team. The “Concerned About Someone’s Gambling? SkyCity Can Help” brochure is available in 10 different languages: Chinese, English, Korean, Māori, Samoan, Tongan, Thai, Hindi, Arabic and Khmer.

“Why We Can’t Serve You” – tent card

This card provides a summary of the SkyCity Responsible Service of Alcohol Policy. The tent card is provided to all staff to show to customers when explaining decisions regarding service of alcohol, including the slowing or stopping of service.

“SkyCity Auckland Dress Code” – brochure

This brochure explains the casino’s policy regarding acceptable standards of dress.

“Children at SkyCity” - brochure

The brochure explains New Zealand law and SkyCity’s policy with respect to unattended children. It is available in Chinese, English and Hindi.

“Take a break from the game” – wallet card

This card provides customers with written information to assist in the understanding of taking breaks during gaming. It includes a phone and text number for the gambling helpline, available in English, Chinese, Korean and French.

Appendix B



Host Responsibility

PROBLEM GAMBLER IDENTIFICATION POLICY

(Gambling Act 2003, sections 308-312A)

Problem Gambler Identification Policy

References: Gambling Act 2003 ("Act"), sections 308, 309, 309A, 310, 311 and 312A

Objective

The Problem Gambler Identification Policy ("Policy") has been developed pursuant to the Act to enable SkyCity to take all reasonable steps to identify actual or potential problem gamblers and to act on that information.

Statutory Requirements

Section 308 of the Act requires the holder of a casino operator's licence who is conducting casino gambling to develop a policy for identifying problem gamblers. This Policy has been developed by SkyCity pursuant to section 308(1). Using this Policy, all reasonable steps must be taken to identify actual or potential problem gamblers.

Section 309 of the Act requires that the holder of a casino operator's licence, or person acting on behalf of the licence holder, must, after identifying a person who he or she has reasonable grounds to believe is a problem gambler, approach the person and offer information or advice to the person about problem gambling.

The information or advice offered must include a description of:

- (a) the self-exclusion procedure available; and
- (b) any procedures prescribed by Regulations made under the Act.

After offering information or advice, the holder of a casino operator's licence may issue an exclusion order to the person that prohibits the person from entering the gambling area of the casino venue for a period of up to two years.

Section 309A of the Act requires the casino operator, or person acting on its behalf, to take all reasonable steps to assist anyone who, it has reasonable grounds to believe, is a problem gambler, who did not request self-exclusion after being approached but whose ongoing conduct gives rise to reasonable grounds to believe is a problem gambler. The required assistance expressly includes issuing an exclusion order, despite the lack of request to do so, in appropriate cases.

Section 310 of the Act requires that the holder of a casino operator's licence, or person acting on their behalf, must promptly, after being requested, issue an exclusion order to a person that prohibits the person from entering the gambling area of the casino venue for a period of up to two years if the person:

- (a) has identified himself or herself as a problem gambler; and
- (b) has made a request to prohibit themselves from entering the venue concerned.

Section 311 of the Act requires that the holder of a casino operator's licence, or person acting on behalf of, must remove any person who enters the gambling area of a casino venue in breach of an exclusion order.

Section 312A of the Act requires a casino operator to keep records of certain specified information about exclusions, including identifying details, the manner, date and length of the exclusion and the conditions of re-entry and provide them if requested by the Secretary.

Scope of SkyCity Problem Gambler Identification Policy

This Policy describes:

- the legal definition of a problem gambler;
- indicators of problem gambling;
- a description of sources of indicator data to be used by SkyCity;
- a description of how indicator data is to be used by SkyCity to identify problem gamblers; and
- an outline of record-keeping requirements and review of the Policy.

The Policy applies to SkyCity Auckland only.

Supporting Standard Operating Procedures (SOPs)

The following SOPs provide operational guidelines relevant to the Policy:

- Information Collection and Collation;
- Analysis and Intervention;
- Gambling Limitation; and
- Exclusion.

Section One – Definition of a problem gambler

Under the Act, a problem gambler is “a person whose gambling causes harm or may cause harm”.

“Harm” is defined as:

- (a) harm or distress of any kind arising from, or caused or exacerbated by, a person's gambling; and
- (b) includes personal, social or economic harm suffered:
 - (i) by the person; or
 - (ii) the person's spouse, partner, family, whanau, or wider community; or
 - (iii) in the workplace; or
 - (iv) by society at large.

Section Two – Indicators of problem gambling

Introduction

SkyCity uses a number of indicators to assess whether a customer is likely to be a problem gambler. Although these indicators provide an appropriate basis for making determinations as to whether someone is a problem gambler, the nature and range of indicators may vary from one customer to the next. Wherever possible, indicator information should be interpreted in the context of other relevant information to develop an overall assessment of the customer's position.

Based on research and evidence, SkyCity has developed a list of visible signs and behaviours that may be indicators of gambling-related harm. Some of these can be considered "high confidence" or "strong indicators".

"*Strong indicators*" are those where the presentation of one indicator is usually sufficient to identify the person as a problem gambler.

Other indicators referred to as "*general indicators*" are behaviours which may be observed in a range of gamblers, but occur more frequently amongst problem gamblers. They are warning signs that may, or may not, indicate a problem if only one or two factors are observed in isolation, but which become indicative when a greater number of signs are observed together or across time.

Problem gamblers can be identified by inferring that harm is present or may occur using the indicators set out below. They can also be identified on the basis of information from customers or persons affected by a customer's gambling behaviour. Customers (and affected persons) may directly disclose that the customer is experiencing problems with gambling, or requires assistance (e.g., they want to self-exclude), or do so indirectly.

INDICATORS

Strong Indicators

- Requests to self-exclude;
- Self-identified problem gambler;
- Self-disclosures that may or may not make reference to the person's gambling;
- Third-party disclosures that may or may not make reference to the person's gambling;
- Begging;
- Falling asleep at a machine or table;
- Severe emotional distress due to gambling, including expression of suicidal thoughts;
or
- Children left unattended while gambling.

General indicators

Intensity and Frequency of Play

- Customers whose gambling data (accessed through customer loyalty accounts) is assessed by the "Focal Model" as being high risk.
- High visitation frequency combined with very high levels of expenditure on all forms of gambling, including table games, over a period of time;
- Very few breaks from gambling – almost continuous play;
- Increasing periods of play, and betting more each time, noted over a period of time (noting that gambling expenditure may reduce as the customer's financial resources are exhausted);

- Disconnect with time spent playing, including missing key times (e.g., meals), rushing when leaving machine or staying after friends/family leave;
- Extreme changes in patterns of play;
- Breaching pre-commitment limits and/or an increase or disabling of pre-commitment limits; or
- Failure to settle credit arrangements as agreed, including redemption of cheques and markers when due.

Visible Emotional Disturbance

- Emotional distress including agitation, mood swings, crying, or out-of-character behaviour;
- Personalising machines, including abuse of machines;
- Irritated by interruptions to gambling;
- Rudeness and complaints to staff about gambling outcomes; or
- Possessiveness of particular machines or spots at tables (e.g., standing over other patrons, hovering, aggression).

Dysfunction in Social Behaviour

- Attempts to conceal gambling activities, including making phone calls giving excuses for lateness;
- Steps apparently taken to avoid monitoring of gambling activity, such as ceasing to use a loyalty card;
- Not celebrating wins;
- Disintegration of physical appearance (e.g., clothing or personal hygiene) over time;
- Family/friends seeking out or enquiring about a customer;
- Claims of malfunction of gaming machines or gaming errors when none are identified;
- High consumption of alcohol while gambling (e.g., demanding drinks);
- Interaction with a known or suspected loan shark; or
- Previous exclusion (by self or casino) or breach of any harm minimisation requirements.

Excessive Access to Money

- Leaving the casino to get additional money and coming back after having appeared to have run out of money;
- Multiple declined eftpos transactions;
- Borrowing money;
- Not having sufficient money to exit car park;
- Constant demand for complimentary; or
- Tray-surfing.

Expenditure and Frequency of Play

Both expenditure and frequency of play, especially on gaming machines, are currently included as general indicators, rather than as strong indicators, because it is recognised that not all customers who exhibit high expenditure levels and frequent visitation are necessarily problem gamblers. However, such indicators are much more likely to be observed amongst problem gamblers than others and therefore may indicate a greater risk of gambling related harm. It is established from international research that problem gamblers are more likely than other players to lose control of their expenditure, to chase their losses, and to have very strong urges to gamble. Most studies of problem gambling have found that problem

gamblers spend significantly more, and gamble significantly more frequently than other players.

Frequency and expenditure data are especially important as indicators in the case of users of gaming machines for several reasons:

- It is easier for people to gamble without being noticed because gaming machine gambling involves very little interaction with casino staff, compared to table games, making it less likely that their behaviour and emotional reactions will be observed;
- There is a stronger relationship between problem gambling and play on gaming machines than with other forms of casino gambling;
- Electronic data gathering from gaming machines is more accurate than from table games.

Other Observations

The indicators listed above are not exclusive – staff are encouraged to report observations of customers based on other factors which raise concerns.

Section Three – Sources of Indicator Data

The indicators described in Section 2 may emerge from the five principal sources of information SkyCity collects, collates and analyses. Information sources include:

- customer disclosures;
- behavioural observations;
- customer data including loyalty;
- third-party disclosures; and
- interviews with customers or staff.

All information on customers collated from the sources described below is recorded as soon as practicable into iTrak, SkyCity's incident reporting and retrieval database.

iTrak centralises information from multiple business sources (Security, Surveillance, Host Responsibility and Gaming) which can be shared, when appropriate, across the SkyCity Group.

Host Responsibility uses iTrak to record, manage, review and assess all information about all customers on the database, including gamblers of interest and excluded or banned customers.

CUSTOMER DISCLOSURES

Customer disclosures may or may not make reference to the person's gambling (i.e., they may be direct or indirect).

Direct disclosures

Direct disclosures make reference to a customer's gambling and examples may include any of the following:

- I think I have a gambling problem;
- I want to be excluded/barred; or
- I don't want to come here anymore.

Indirect disclosures

Indirect disclosures do not make reference to a customer's gambling and examples may include any of the following:

- comments regarding impact on personal life;
- voicing repeated attempts to stop or control gambling;
- comments regarding psychological distress; or
- comments regarding financial distress.

The significance of indirect disclosures should be determined by the nature of the disclosure. Indirect disclosures referring to harm, financial difficulties or loss of control would lead to a high suspicion that the person was experiencing, or at risk of experiencing, harm associated with their gambling.

Direct and indirect disclosures from customers must be recorded in iTrak and sent to Host Responsibility as soon as practicable to be used in making problem gambling assessments.

BEHAVIOURAL OBSERVATIONS

Although staff cannot be expected to watch all customers on all occasions, the process of observation and identification is enhanced by the fact that one may observe a clustering of indicators. Those customers who present with strong indicators, or who produce several common indicators, may produce many more. In effect, problem gamblers may draw attention to themselves through observable behaviour. Staff should use this information to focus their observations to particular customers.

At the same time, there will be customers where the problematic behaviour may be 'silent' or hidden. Some patrons may gamble very frequently, spend very large amounts of money, but not produce any obvious emotional responses or other indicators to draw attention to themselves. For this reason, staff should remain vigilant to the presence of people who spend many hours in the casino, and who visit very frequently. In such cases, staff should be vigilant for additional indicators of harm. As noted below, frequency of gambling and level of expenditure are indicators in their own right, and also ways of identifying people who require additional observation.

Staff who observe the indicators specified in Section 2 must report the observation to the appropriate supervisor/manager. All observations of indicators reported to them by staff and any follow up responses taken by staff and/or supervisors/managers must be logged into iTrak by the supervisor/manager so as to make the record of the disclosure or observation available to Host Responsibility as soon as practicable. The reported disclosures and observations form part of the body of information upon which assessments of problem gambling are to be made.

CUSTOMER DATA INCLUDING LOYALTY

High levels of frequency and expenditure are general indicators (see Section 2). SkyCity must monitor the amount of money and time spent over time proactively using the Loyalty Programme.

Although high levels of expenditure and visitation are listed as general indicators, it is important that SkyCity take steps (where it has concerns about a player's expenditure or visitation frequency) to obtain additional information that places this behaviour into context. For example, through discussions with the customer or other parties, there may be direct or indirect disclosures concerning the lack of affordability of the gambling. Alternatively, staff might find that some players who spend very large amounts appear to be chasing their losses, or are leaving the casino and then returning with additional money. SkyCity may also make enquiries about the affordability of losses.

In addition, where a customer is brought to the attention of Host Responsibility by self or third party disclosure or by observation, SkyCity must ascertain whether the customer is a Loyalty member. Where the customer is a member of the Loyalty Programme, SkyCity must examine their data to determine:

- their time of play;
- duration of play;
- turnover;
- win/loss;
- patterns of expenditure (e.g., increase over time);
- games played;
- tier upgrades;
- non-gaming use of card (e.g., car park use); and
- visitation frequency.

SkyCity will insert notes in the loyalty card database to alert relevant staff that, on presentation of an inactive loyalty card, the person presenting the card may be a banned player and that Security must be notified to determine this issue. All relevant information will be recorded into iTrak as soon as practicable and made available to Host Responsibility.

THIRD PARTY DISCLOSURES

Information concerning gambling-related harm may also be obtained via third-parties. This might include:

- an enquiry from a concerned family/whanau member; or
- a formal enquiry about the potential problem gambler from the wider community, (e.g., probation officer, general practitioner or employer).

A third party may only seek general information about a customer, and will not always voluntarily identify gambling as the cause of their concerns about a customer (e.g., who may be a friend or relative of the inquirer). Where a third party appears to express general concern about a customer, staff must ask if there are concerns that the customer's gambling may be causing problems. Where there is a positive response to this question, this must be recorded in iTrak and made available to Host Responsibility. Details must be taken, including contact details and a brief summary of concerns. An attempt to identify the customer within the venue (e.g., via Loyalty card use, if available or feasible) should be undertaken. If found, further enquiry must be undertaken and the customer may be requested to leave the premises for a period of time. If requested to leave, SkyCity must also provide to the customer problem gambling information, including exclusion options. The action must be logged in iTrak and made available to Host Responsibility as soon as practicable.

A third party request that the customer at the casino be removed immediately because of concerns about the customer's gambling is a strong indicator of harm, and will be treated on an urgent basis. The third party must be referred immediately to Host Responsibility or Security. Details must be taken, including contact details and a brief summary of concerns. An attempt to identify the customer within the venue (e.g., via loyalty card use, if available or feasible) should be undertaken. If the customer is found, further enquiry must be undertaken and the customer may be requested to leave the premises for a period of time. If requested to leave, SkyCity must also provide to the customer problem gambling information, including exclusion options and contact details for problem gambling service providers. The action must be logged in iTrak and made available to Host Responsibility as soon as practicable.

All third party information should be corroborated as part of an internal investigation. The Information Collection and Collation SOP outlines the specific steps taken by SkyCity in corroborating information.

INTERVIEWS WITH CUSTOMERS OR STAFF

From time-to-time, Host Responsibility or other appropriate staff may interview either customers or staff as part of an investigation.

Customer interviews: During the course of an interview, information may be disclosed by a customer that suggests that he/she may be experiencing harm or gambling in a way that may cause harm. All such information must be recorded into iTrak and made available to Host Responsibility as soon as practicable.

Staff interviews: During the course of an interview, information may be disclosed by staff that suggests a customer may be experiencing harm or gambling in a way that may cause

harm. This information must be recorded in iTrak and made available to Host Responsibility as soon as practicable.

Section Four - Identification

Section 2 highlights the indicators that are taken into account in identifying whether a customer may be an actual or potential problem gambler.

Section 3 identifies the primary sources of information available to identify problem gamblers. It also describes the ways in which this information might be utilised and consolidated so as to assist in the identification process.

SkyCity must use data from the sources identified in Section 3 to identify customers who are actual or potential problem gamblers, ie where their gambling is causing harm, or may cause harm, to the customer or others. Once identified, SkyCity must determine, based on direct information or inference (using indicators) whether it has reasonable cause to believe that the customer is or has been gambling in a manner that has caused harm or may cause harm. If so, SkyCity's legal obligations under sections 309-312A of the Act are engaged immediately.

Depending on the assessment, including the perceived severity and urgency of a situation, SkyCity provides graduated responses ranging from immediate intervention, advice and discussion to ongoing monitoring.

Obligation to Identify

The assessment by SkyCity, whether there is reasonable cause to believe that a customer is a problem gambler, must be made in good faith, in accordance with the statutory test and within a reasonable timeframe.

Analysis of Information

As outlined in Sections 3 and 5, all disclosures or observations related to indicators of harm noted by staff must be reported to, and recorded by, the supervisor or manager and made available to Host Responsibility.

When a self or third party disclosure or observation report is made available to Host Responsibility, Host Responsibility must collate and review all information available to it in relation to the relevant customer. This includes a review of incident reporting and loyalty databases and other relevant internal information sources. Host Responsibility may also make further enquiries of relevant staff in relation to that customer.

Host Responsibility undertakes a section 309 assessment based on the information collated.

A variety of different types of information is used when undertaking a section 309 assessment, taking into account:

- severity of presenting indicators;
- anti-social behaviour including uncharacteristic or unusual behaviour;
- uncharacteristic changes in appearance;
- changes in patterns of play; and
- number of indicators and repetition over time.

If the assessment determines that SkyCity has reasonable cause to believe the relevant customer is a problem gambler then SkyCity must proceed in accordance with the "Consequences of Identification" section below. If the assessment does not determine that

SkyCity has reasonable cause to believe the relevant customer is a problem gambler, SkyCity must determine whether a formal monitoring process is required in accordance with the “GOI files” section below.

Identification

Strong indicators

Direct disclosures by customers are expected to result in an immediate assessment that SkyCity has reasonable cause to believe that a customer is a problem gambler, with SkyCity taking the required steps in response promptly.

The presence of any strong indicator should be sufficient to indicate that the customer is very likely to be a problem gambler unless another more likely explanation is established.

For instance, although emotional distress may be a reliable and valid indicator of gambling-related harm, not all people who appear distressed will necessarily feel this way because of gambling. Therefore, if this strong indicator is evident, it would be appropriate to interpret the person’s behaviour in the context of other indicators. For example, is the person gambling large amounts of money for long periods and displaying other signs of gambling-related harm? If a person only appears distressed, such people should be approached initially on the assumption that they require general assistance, but not necessarily because their gambling is a problem.

General indicators

The observation of small clusters of general indicators should be sufficient to trigger further monitoring but, depending on the circumstances, may not necessarily lead to an immediate assessment that SkyCity has reasonable cause to believe that a customer is a problem gambler. As part of a graduated response, it is expected that such people should be subject to further monitoring to determine whether any further general indicators emerge, including the repetition of the same indicators. If there is an accumulation of general indicators over a period of time (e.g., several general indicators recur during a one month period) SkyCity would have reasonable grounds to consider such people to be problem gamblers.

Consequences of Identification

Once it has reasonable cause to believe that a customer is a problem gambler, SkyCity must:

- (a) offer information or advice to the customer about problem gambling including a description of self-exclusion procedures, within a reasonable time of identification, taking into account the urgency of the situation and the risk of harm¹;
- (b) issue an exclusion order immediately if requested to do so by the customer²; and
- (c) consider whether it would be appropriate to issue an exclusion order without any request to do so as a means of providing assistance to the customer³.

SkyCity will also provide contact details for problem gambling service providers.

¹ Section 309

² Section 310

³ Section 309A

Section Five – Record keeping

Recording, collation and analysis of information

Host Responsibility is responsible for the collation, analysis and electronic recording of all information relating to indicators of harm. Host Responsibility also keeps records of observations noted by frontline staff, supervisors and managers, and of all direct and third party disclosures, interactions and interventions undertaken in relation to a customer by frontline staff, supervisors and managers.

Host Responsibility also records the section 309 assessment referred to in section 4 above, and the outcome of that assessment.

As outlined in section 3, all information collated by SkyCity in relation to a customer is recorded as soon as practicable into iTrak.

Host Responsibility uses iTrak to manage, monitor, review and assess information about all customers on the iTrak database, including gamblers of interest and excluded or banned customers.

GOI files

A key purpose of a gambler of interest (“GOI”) file is to institute a formal monitoring process in relation to a customer. A GOI file is opened by Host Responsibility: in circumstances where a customer has come to the attention of Host Responsibility for monitoring; a third party disclosure is made in relation to a customer’s gambling; or a customer returns from exclusion having fulfilled the re-entry criteria.

SkyCity may also open a GOI file in other circumstances, as may be appropriate, including where:

- information is requested or presented from government agencies; or
- suspected or actual undesirable activity is present, including unattended children, unaccompanied minors or breaches of trespass orders.

Once opened, all available customer data to assist the assessment of whether a customer is a problem gambler must be obtained and placed on the file. In the case of customers who come to attention as a result of expenditure and visitation frequency, a GOI file must be open so that further information and observations can be recorded for assessment.

SkyCity will regularly review GOI files at a minimum, at the following intervals and more often as required:

- monthly review for the duration of the investigation; and
- formal 12 week review.

Whenever new information becomes available or is obtained, a problem gambling reassessment must be undertaken. Except in the case of returning excluded customers, if an assessment is made that the customer is not a problem gambler after the 12 week review period, the GOI file may be deactivated. In the case of returning excluded customers, the GOI must remain open and kept under review for at least 6 months. In all cases, if concerns remain, the file must be left open and reviewed on a regular basis.

All deactivated GOI files will be retained by SkyCity. A GOI file may be reactivated at any stage subsequent to the 12 week review period if further information or indicators in relation to a customer emerge. In this case, a problem gambling reassessment will be undertaken, and monitoring may continue as part of the customer information review process.

Whenever an exclusion order is made, whether at the request of a customer or as a result of a decision taken by the casino operator to assist a suspected problem gambler, all of the information required by section 312A must be recorded on the relevant GOI file, retained and provided to the Secretary if requested.

Section Six – Review

The Problem Gambler Identification Policy will be measured and monitored as part of the Auckland Host Responsibility Programme.

Where new evidence emerges in relation to indicators of harm and identification of problem gamblers, SkyCity will review its Problem Gambler Identification Policy accordingly. SkyCity will undertake an annual literature review to seek such new evidence with a view to incorporating appropriate improvements into its Host Responsibility Programme and Policy.



SkyCity Hamilton

**Host Responsibility
Programme**

TABLE OF CONTENTS

1.0	Introduction	2
1.1	Statement of position	3
1.2	Programme objectives	5
2.0	Identification of problem gamblers	6
3.0	Harm minimisation and prevention components	7
3.1	Policies and procedures	8
3.1.1	Exclusion	9
3.1.2	Responsible service of alcohol	12
3.1.3	Unattended children	14
3.1.4	Underage persons	15
3.1.5	Standards of dress and behaviour	16
3.1.6	Long Hours of play	17
3.1.7	Gambling Limitation	20
3.1.8	Loyalty data analytics	21
3.2	Host responsibility information for customers	22
3.3	Employee gambling-related harm	23
3.4	Stakeholder engagement	25
3.5	Environmental design	26
3.6		
3.6.1	Safe gambling environment – gaming machine play	27
3.6.2	Safe gambling environment – third party loans for financial gain	27
3.6.3	Safe gambling environment – credit	28
3.7	Responsible marketing	29
3.8	Display of signage and provision of gambling information to customers	31
3.9	Learning and development	33
4.0	Monitoring and reporting	36
	Appendix A – Current host responsibility resources for customers	40
	Appendix B – Problem Gambler Identification Policy	

1.0 Introduction

Approval

Effective date: 15 January 2024

Manager:

Jo Wong
General Counsel & Company Secretary

Michelle Baillie
General Manager SkyCity Hamilton

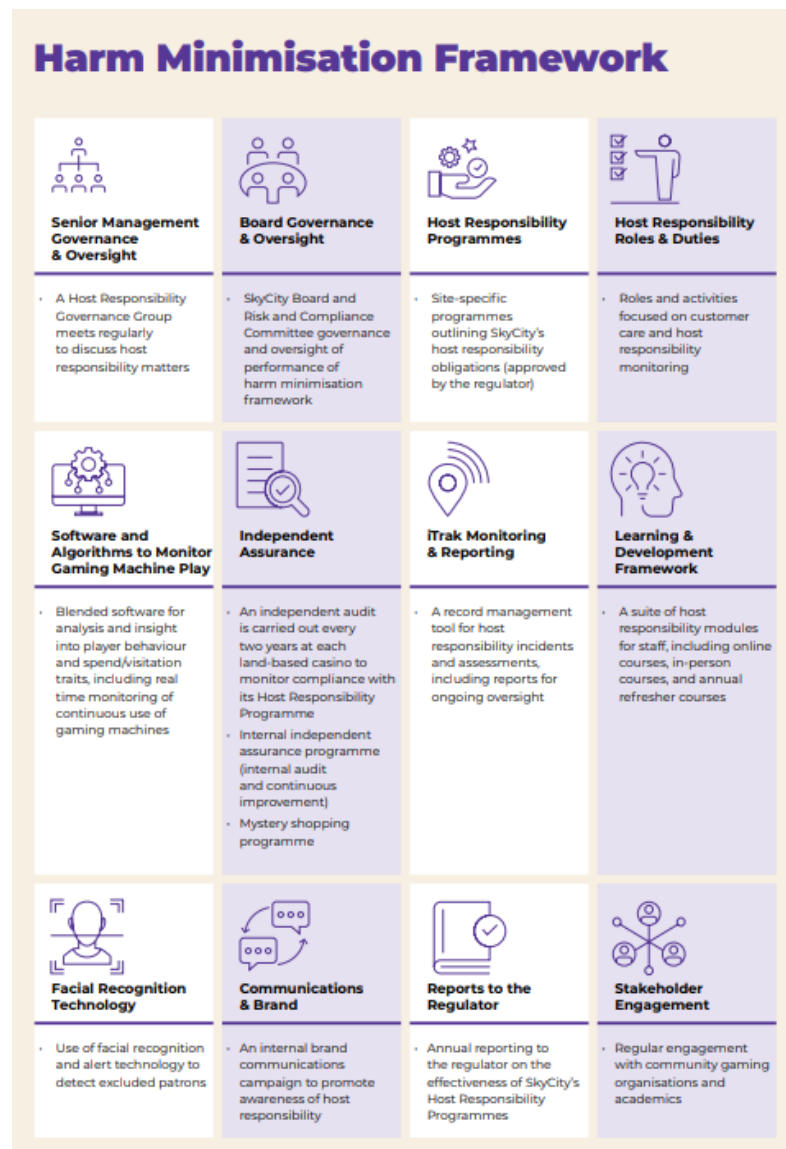
1.1 Statement of position

Statement of position

SkyCity is committed to providing a fun and safe environment for all customers and staff and to operating a leading host responsibility programme.

SkyCity recognises that alcohol and gambling can be associated with harm for some customers and their whanau, families and communities. SkyCity takes its role as a responsible host seriously and recognises that it has an important role to play in preventing and minimising alcohol and gambling-related harm for its customers and staff.

SkyCity Hamilton intends that this Host Responsibility Programme (**Programme**) is a robust and usable document for all staff which clearly sets out its obligations with respect to harm minimisation and prevention. The Programme is a vitally important part of SkyCity’s overarching Group Harm Minimisation Framework which is illustrated in the diagram below.



Compliance with legal obligations

The Programme has been developed by SkyCity and addresses the host responsibility conditions in the Casino Operator's Licence held by SkyCity Casino Management Limited that relate to the SkyCity Hamilton property.

Standard Operating Procedures (**SOPs**) developed by SkyCity shall be consistent with and impose no lesser obligations than provided in the Gambling Act 2003 (**Act**), regulations, licence conditions or Programme.

SkyCity Code of Business Practice

The Programme contributes to SkyCity's compliance with the SkyCity Code of Business Practice.

1.2 Programme objectives

Objectives

The principal objectives of the Programme include:

- Preventing the onset of gambling and/or alcohol related harm and minimising gambling-related harm for customers and other persons potentially affected by their gambling behaviour;
- Identifying problem gambling;
- Preventing problem gambling; and
- Facilitating responsible gambling.

SkyCity aims to fulfil these objectives by:

- Providing effective staff training;
- Providing a safe gambling environment;
- Providing responsible marketing and promotional initiatives;
- Promoting the responsible consumption of alcohol; and
- Engaging effectively with stakeholders.

Outcomes

SkyCity intends that implementation of the Programme will assist customers who may be experiencing harm as well as assist in preventing the onset of gambling and/or alcohol-related harm to those customers who may be at risk. Reporting requirements relating to achievement of Programme objectives are set out in section 3.

2.0 Identification of problem gamblers

A copy of SkyCity's Problem Gambler Identification Policy (**Policy**) is attached as Appendix B and forms part of the Programme. The policy fulfils SkyCity's obligations under the following sections of the Act.

Section 308 of the Act requires that the holder of a casino operator's licence must have a policy for identifying problem gamblers, which includes:

- an acceptable definition of problem gambling;
- indicators of problem gambling in the casino; and
- the steps to be taken in identifying actual or potential problem gamblers.

This policy must be made available upon request. SkyCity, or a person acting on its behalf, must take all reasonable steps to use the policy to identify actual or potential problem gamblers.

Section 309 of the Act requires that the holder of a casino operator's licence, or a person acting on its behalf, must, after identifying a person who he or she has reasonable grounds to believe is a problem gambler, approach the person and offer information or advice to the person about problem gambling.

The information or advice offered must include a description of:

- the self-exclusion procedure available; and
- any procedures described by regulations made under the Act

If a customer is approached and provided with the above information and advice on problem gambling but does not request self-exclusion, section 309A of the Act requires that the holder of a casino operator's licence, or a person acting on its behalf, must take all reasonable steps to assist that person (including, if appropriate) issuing an exclusion order, if the person's ongoing gambling or other behaviour gives reasonable cause to believe that he or she is a problem gambler.

3.0 Harm minimisation and prevention components

Introduction

SkyCity will focus on addressing underlying causes of gambling and alcohol-related harm as well as taking steps to minimise harm. Harm prevention and minimisation initiatives will be undertaken in the following areas:

- Policies and procedures;
- Host responsibility information for customers;
- Employee gambling-related harm;
- Stakeholder engagement;
- Environmental design;
- Provision of safe gambling environments;
- Marketing practices;
- Display of signage and provision of gaming information to customers;
- Staff learning and development;
- Identification of problem gamblers; and
- Gambling limitation.

The Programme's requirements for each area are outlined below.

Roles and responsibilities

The Host Responsibility function at SkyCity Hamilton is managed by the Host Responsibility Manager. This role is responsible for the ongoing monitoring and management of Gambler of Interest (**GOI**) files, feedback and review of new information on GOI files and the provision of host responsibility advice and support to staff. Recording, collating and analysing all information relating to indicators of problem gambling noted by frontline staff, supervisors and managers is managed by the Host Responsibility Manager.

References in the Host Responsibility Programme and Policy to "Host Responsibility", "Host Responsibility staff" and "the Host Responsibility team" denote the function managed by the Host Responsibility Manager.

3.1 Policies and procedures

Policies and procedures

The following policies and procedures have been developed to provide operational guidelines on the implementation of aspects of the Programme. The policies and procedures are consistent with the Act, regulations, licence conditions and Programme, and will be updated to reflect changes.

Policies:

- Problem Gambler Identification Policy

Standard operating procedures:

The following SOPs relate to harm prevention and minimisation activities. An overview of how these procedures are put into practice is shown below.

- Exclusion;
- Unattended Children;
- Underage Persons;
- Responsible Service of Alcohol;
- Long Hours of Play;
- Undesirable Behaviour; and
- Gambling Limitation.

The following SOPs relate to the Problem Gambler Identification Policy:

- Information Collection and Collation;
- Analysis and Intervention
- Gambling Limitation; and
- Exclusion.

3.1.1 Exclusion

Introduction

SkyCity offers two types of exclusions:

- Self Exclusion; and
- SkyCity Exclusion.

SkyCity provides the facility for Self-exclusion of customers from the gaming areas of all SkyCity sites for periods of three months, six months, nine months, one year, or two years and until they meet any re-entry conditions imposed by SkyCity or by regulations made under section 316(1)(e) of the Act. A customer may request and undertake Self-exclusion for a range of reasons, for example, where the customer has self-identified as a problem gambler or where the customer chooses to prevent or limit opportunities for harm to occur. The Self-exclusion process may also be initiated by problem gambling treatment providers or other venues under a multi-venue exclusion arrangement.

SkyCity exclusion is for a period of two years and the customer must also meet re-entry conditions imposed by SkyCity or by regulations made under section 316(1)(e) of the Act.

SkyCity exclusion may be undertaken where a problem gambler does not take up the offer of self-exclusion, and SkyCity considers that it continues to have reasonable cause to believe that the customer is a problem gambler. If SkyCity has reasonable grounds to suspect, as a result of ongoing gambling or other behaviour, that the customer is a problem gambler (as defined by the Act), it must take all reasonable steps to assist the customer, including issuing a SkyCity exclusion in appropriate cases¹. These decisions are made on the basis of assessment(s), provision of information, advice and assistance, monitoring of a GOI file, and refusal of a self-exclusion offer or other host responsibility efforts to assist the customer to gamble without harm but a casino exclusion may be imposed after a serious one-off incident where an offer of self-exclusion has been refused.

Conditions for re-entry are contained in the Exclusion SOP.

Approaches to customers

Host Responsibility, Security or Gaming Shift Managers who have completed the Advanced Host Responsibility training module may undertake exclusions with customers.

¹ Section 309A

Features of the exclusion process

To ensure the effectiveness of the exclusion process, the following are features of the process:

Communication

- Will use all reasonable efforts to provide a translation service where necessary;
- Provides support to excluded customers through provision of materials from problem gambling counselling service providers and contact details; and
- For self-exclusion, provides Questions and Answers in appropriate languages.

Third parties and service providers

- Emphasises culturally appropriate processes and, wherever possible and appropriate, encourages families and/or friends to accompany the customer;
- Encourages third party involvement (i.e. that a mentor is nominated who can be contacted on the progress of the excluded customer and during any discussion relating to re-exclusion or re-entry).
- Encourages the excluded customer to nominate a counselling service;
- Arranges for the counselling service to call the excluded customer, if the excluded customer agrees; and
- Encourages the excluded customer to make contact with the counselling service as soon as possible after their exclusion.

Other measures

- Provides an updated database that is accessible to Security and Gaming staff to ensure detection of customers breaching an exclusion order;
- Promotes ongoing dialogue with counselling service providers to continually improve the exclusion process;
- Suspends sending all loyalty information to the customer;
- Requires timely action from staff if a customer approaches requesting self-exclusion, with every endeavour made to ensure that approaches are responded to while the customer is on the premises or phone; and
- Provides opportunities for off-site self-exclusion procedures, e.g. self-exclusion forms are held by problem gambling service providers and can be completed at home.

Breaches

SkyCity staff are required to be vigilant for any excluded customer who attempts to re-enter the gambling areas and this will be included in Advanced Host Responsibility staff training. SkyCity Hamilton Security and Gaming staff have responsibility for enforcing the exclusion process and taking action against those detected committing a breach of the exclusion process. Customers discovered attempting to do so may be warned, further excluded for an additional period or issued a trespass notice. The Department of Internal Affairs (**DIA**) is notified of all breaches by excluded customers and has the ability to take prosecution action if deemed necessary.

The Host Responsibility team regularly reviews the exclusion process and when necessary, makes improvements, in alignment with Group policy. The reviews may involve seeking customer and staff feedback through informal research processes.

Loyalty card holders

SkyCity must deactivate membership from its loyalty programme for all excluded customers, trespassed customers and customers formally requested to leave the premises.

The SkyCity staff member responsible for the administration of the exclusion and trespass records must:

- advise Host Responsibility within 24 hours of a loyalty programme cardholder being excluded, trespassed or formally requested to leave the premises, to ensure their account is deactivated; and
- forward any surrendered loyalty card(s) to the loyalty station.

Host Responsibility must ensure that:

- excluded cardholders' accounts are deactivated;
- the accounts of cardholders who have been excluded, trespassed or formally requested to leave the premises are deactivated; and
- cardholders who are excluded, trespassed, or formally requested to leave the premises are deactivated from mailing lists.

Loyalty cards which are deactivated are not required to be returned by the customer to SkyCity. Should a customer attempt to use his/her deactivated card, an error message will appear, asking the customer to present his/her card to a SkyCity staff member. Having confirmed that the customer has been excluded, trespassed or formally requested to leave, the SkyCity staff member will contact Security and appropriate action will be taken in relation to that customer.

3.1.2 Responsible service of alcohol

Background

The SkyCity Responsible Service of Alcohol Programme is designed to ensure that customers enjoy an environment that is safe and enjoyable. A key component is the SkyCity Responsible Service of Alcohol training programme, which is designed for all staff who work in areas where alcohol is served, to promote effective team work to ensure customers' safety and enjoyment.

SkyCity's Responsible Service of Alcohol Programme will reflect the following principles, which are derived from the Health Promotion Agency's "*Host Responsibility Guide 2020*".

A responsible host:

- prevents intoxication;
- does not serve alcohol to minors;
- provides and actively promotes non-alcoholic alternatives;
- provides and actively promotes substantial food;
- promotes alcohol responsibly and in accordance with the Sale and Supply of Alcohol Act 2012;
- serves alcohol responsibly or not at all; and
- promotes safe transport options.

Approach

The following is SkyCity's approach to the responsible service of alcohol:

- SkyCity will provide the sale of alcoholic beverages in a responsible manner, including monitoring and controlling of alcohol consumption;
- SkyCity will ensure that it observes the provisions of the Sale and Supply of Alcohol Act 2012 relating to the permitted hours within which customers can be sold and supplied alcohol and customers and staff are permitted on licensed premises;
- SkyCity will maintain an effective responsible service of alcohol training programme to train and inform relevant employees on the responsible sale and supply of alcohol which must be completed prior to serving alcohol;
- All SkyCity employees, temporary and contract staff will receive training on the Responsible Service of Alcohol during their induction as part of the Host Responsibility Level 1 training programme, including recognition of excessive alcohol consumption traits;
- SkyCity takes all reasonable steps to ensure intoxicated persons are prevented from entering the premises;
- SkyCity takes all reasonable steps to ensure that customers are not served to the point of intoxication. Any customer displaying signs of intoxication will be removed from the premises;
- Any customer who appears under the age of 25 may be asked for verification of identity and proof of age, before being served or sold alcoholic beverages. If such identification cannot be produced, that customer will not be served or supplied with any alcohol;
- Staff tactfully intervene to prevent possible problems arising from excessive alcohol consumption, including enlisting the services of staff of similar social/ethnic background to the customers to assist in explaining the programme to customers when required;
- No person who appears intoxicated is served or sold alcohol, allowed to gamble or allowed to remain on the premises. The decision by any employee to withhold service cannot be revoked or overruled by another, without referral to a more senior employee;

- At all times, when alcohol is sold or supplied to members of the public, there is a manager or managers on duty who hold current Manager's Certificates under the Sale and Supply of Alcohol Act 2012;
- Customers may not bring alcoholic beverages onto the premises where beverage service is provided, unless prior approval has been given;
- SkyCity will ensure that a reasonable range of non-alcoholic drinks is available at reasonable prices;
- SkyCity will ensure that a reasonable range of low-alcoholic drinks (being less than 2.5% ethanol by volume at 20 degrees celsius) is available at reasonable prices;
- SkyCity will ensure that a reasonable range of food is available at all times in portions suitable for a single customer, at reasonable prices, and within a reasonable time of being ordered;
- SkyCity will readily provide free, comprehensive and accurate information to customers about the forms of transport available from the premises;
- Free water will always be available to customers.

3.1.3 Unattended children

Background

SkyCity does not allow children to be left unattended on any part of its premises.

Approach

SkyCity takes active steps to prevent children being without adult supervision.

Employees must report to Security any incident where it is apparent that a child has been left unattended.

Security Officers must intervene and take all practicable steps to locate an adult responsible for an unattended child.

Security must contact the Police and trespass the customer in every case where there is an absence of a reasonable explanation for the child being left unattended.

In all instances of unattended children, the Host Responsibility team must be notified as soon as practicable to follow up potential problem gambling issues.

Security Officers must patrol the SkyCity Hamilton car parks and environs to detect any unattended children in vehicles.

3.1.4 Underage persons

Background

SkyCity is committed to keeping minors out of the gambling area. SkyCity will rigorously enforce the prevention of underage gambling in its casinos.

Approach

SkyCity must take all reasonable steps to restrict gambling activities only to those persons legally permitted by age to enter the gambling facilities (currently 20 and over).

Any customer who appears under the age of 25 must be asked for verification of identity and proof of age before being permitted to enter the gambling area.

SkyCity must take all reasonable steps to restrict access to 'supervised areas' only to those persons legally permitted by age to enter the area (currently 18 and over), unless accompanied by a parent or guardian.

Training for SkyCity Security and Gaming staff must include the need to be particularly vigilant for the presence of underage persons.

Any SkyCity staff member has the authority to approach suspected underage persons and seek identification for proof of age.

3.1.5 Standards of dress and behaviour

Background

SkyCity must provide a comfortable environment where customers are able to enjoy their surroundings without disruption from others who are inappropriately dressed or behaving in an unacceptable manner.

Dress code

SkyCity requires a neat and tidy standard of dress. While it is difficult to be prescriptive about dress suitability, in normal circumstances the following are not permitted at SkyCity casino:

- torn clothes (exceptions for fashion wear);
- gang patches or other insignias;
- dirty clothes or footwear; or
- hats or caps (unless for religious or medical reasons or for Texas Hold'em Poker).

Behavioural standards

If a customer is detected:

- under the influence of alcohol;
- abusing or threatening staff or other customers;
- causing conflict with other customers or staff, or
- otherwise being unpleasant,

then SkyCity Hamilton staff must:

- take appropriate steps to stop the behaviour, or
- in appropriate circumstances, have the customer escorted from the premises.

Customers exhibiting undesirable behaviour may be trespassed or excluded.

3.1.6 Long Hours of Play

Continuous Presence

Continuous presence is where a customer is present at the casino (but not necessarily gaming continuously) for a period of 12 hours or more. The "clock" is reset after a customer has had a break from being present at the casino for six hours or more.

As a general rule :

- When a customer has been observed to be continuously present at the casino (but not necessarily gaming continuously) for 12 hours, the observing staff member must notify Gaming staff or Host Responsibility. All reasonable endeavours must then be made to interact promptly with the customer.
- When a customer has been detected by an automated system to be continuously present at the casino (but not necessarily gaming continuously) for 12 hours, an automated system alert must be sent to Gaming staff and Host Responsibility. All reasonable endeavours must then be made to interact promptly with the customer.
- At the very least, in the course of the interaction, the customer must be encouraged to take breaks and Gaming staff and/or Host Responsibility must thereafter continue to monitor the customer (which may include subsequent interactions with that customer).
- If any interaction gives rise to immediate concern that the customer is a problem gambler, Host Responsibility must proceed as required by the Act, the Policy and the Programme.
- When a customer has been continuously present at the casino (but not necessarily gaming continuously) for 24 hours and, provided that no action has already been taken under the Act, the Programme or the Policy:
 - non-international VIP customers must be required to leave promptly, and directed not to re-enter the casino for at least 24 hours; and
 - international VIP customers must be assessed by the International Business Management team to determine whether their play should be permitted to continue or not.

If one or more of the strong indicators is observed, Host Responsibility or Gaming staff must intervene immediately and proceed as required by the Act, this Programme and the Policy irrespective of how long the customer has been present.

All interactions, observations and assessments must be logged in iTrak.

Continuous Play

Continuous play is where a customer is gaming continuously for five hours or more. The "clock" is reset after a customer has had a break from gaming of at least 30 minutes duration (in aggregate).

As a general rule:

- When a customer has been observed gaming continuously for five hours or more without a break of at least 30 minutes duration (in aggregate), the observing staff member must notify Gaming staff and Host Responsibility. All reasonable endeavours must then be made to interact promptly with the customer.
- When a customer has been detected by an automated system to have been gaming continuously for five hours or more without a break of at least 30 minutes duration (in aggregate), an automated system alert must be sent to Gaming staff and Host Responsibility. All reasonable endeavours must then be made to interact promptly with the customer.
- At the very least, the customer is approached with an emphasis on customer care. If during the course of the interaction the customer gives staff cause for concern, staff

must encourage breaks or take stronger measures as required under the Act, the Policy and this Programme. Gaming staff and/or Host Responsibility must thereafter continue to monitor the customer (which may include subsequent interactions with that customer).

- If any interaction gives rise to immediate concern that the customer is a problem gambler, Host Responsibility must proceed as required by the Act, the Policy and the Programme.
- When a customer has been detected by an automated system to have been gaming continuously for 10 hours (without an aggregate break of at least 60 minutes) and, provided that no action has already been taken under the Act, this Programme or the Policy:
 - non-international VIP customers must be required to leave promptly and directed not to re-enter the casino for at least 24 hours; and
 - international VIP customers must be assessed by the International Business Management team to determine whether their play should be permitted to continue or not.

If one or more of the strong indicators is observed, Host Responsibility or Gaming staff must intervene immediately and proceed as required by the Act, the Programme and the Policy irrespective of how long the customer has been on site.

All interactions, observations and assessments must be logged in iTrak.

Uncarded players

SkyCity utilises technology to assist in its detection of “continuous presence” and “continuous play”. However, with the technologies currently available, there may be occasions where the detection of continuous play by uncarded players relies on observation rather than technology. Therefore, where SkyCity staff become aware of uncarded players being “continuously present” or undertaking “continuous play” for the periods set out above, they must report their observation so that those uncarded players are treated as set out above.

SkyCity is committed to continually seeking to improve the use of technology to monitor uncarded players.

Mandatory Carded Play

SkyCity must use all reasonable endeavours to introduce mandatory carded play in the casino within 18 months of the date of this Programme.

Once introduced, all customers who wish to gamble at the casino must be required to use an electronic card or other form of unique identifier when gambling.

Following its introduction, SkyCity will continue to develop mandatory carded play technology with the aim of enhancing the technology.

Minimum standards for the design, manufacture and operation of mandatory carded play will need to be developed and prescribed by the Secretary before mandatory carded play is able to be implemented at the casino. The relevant equipment may also need to be approved by the Secretary as complying with the prescribed minimum standards. Different standards and approvals may also be required for electronic gaming machines and table games and the timing of such standards and approvals may differ.

A number of changes will also need to be made to the Programme once mandatory carded play is able to be implemented at the casino. SkyCity must submit an updated Programme

which reflects the resulting changes to the Commission for review and approval prior to implementation.

SkyCity must actively work with its technology vendors and equipment suppliers to meet the timeframe above.

SkyCity must report to the Commission on its progress towards the implementation of mandatory carded play every six months, commencing in six months of the date of the notification of the decision amending this Programme.

3.1.7 Gambling limitation

SkyCity offers customers a voluntary pre-commitment system.

This system is available to all casino patrons and allows them voluntarily to set limits on how much they spend and how long they play for on gaming machines.

Breaches of pre-commitment limits, multiple increases of pre-commitment limits or disabling of pre-commitment limits are general indicators.

Host Responsibility staff will proactively encourage the use of the voluntary pre-commitment system, where appropriate, during interactions with patrons.

The features of the voluntary pre-commitment system include:

- access to the pre-commitment facility via SkyCity's loyalty card;
- each time the loyalty card is inserted, the pre-commitment facility will be activated;
- the system will allow players to define their own limits for:
 - time limit; and
 - spend limit;
- enrolment for pre-commitment can occur at either:
 - the gaming machine by the player; or
 - a loyalty member's workstation;
- an "approaching limits" and "reached limits" notification will be displayed on the gaming machine;
- if limits are relaxed, then the new limits must not be available to the player for a period of 24 hours;
- once the limit is reached, no more SkyCity loyalty points may be accumulated or entries to promotions earned;
- SkyCity Host Responsibility Executives must be alerted once limits are breached, increased or disabled;
- no SkyCity loyalty points can be earned by a player for the 24 hours following a limit being reached; and
- the system will provide information, support and advice to the operational business units.

3.1.8 Loyalty data analytics

SkyCity operates an analytical model (the **Focal Model**) which uses customer loyalty data to build sophisticated multi-level algorithms that will assist Host Responsibility Executives to identify potential problem gambling risk among casino customers who have loyalty cards.

The Focal Model is a tool designed to identify and prevent high-risk gambling and to alert gaming staff to those players most likely to be high-risk.

3.2 Host responsibility information for customers

Customer information resources

SkyCity produces a range of host responsibility resources for customers. Copies of all SkyCity brochures and other host responsibility resources are available and displayed where appropriate in SkyCity's gambling areas.

This information is also supplemented and supported by the SkyCity Hamilton website (www.skycityhamilton.co.nz) where electronic copies of the resources are made available. A copy of the Programme is displayed on the SkyCity Hamilton website.

There is an ongoing process of review and development of resources for customers.

Information resources are translated into a variety of languages consistent with the cultural make-up of SkyCity's customer base.

A summary of SkyCity's host responsibility resources for customers is shown in Appendix A.

3.3 Employee gambling-related harm

Introduction

SkyCity is committed to a culture that proactively supports and promotes host responsibility.

Background

SkyCity undertakes a range of measures concerning the potential for employee gambling-related harm that aim to:

- Prevent and minimise gambling-related harm amongst SkyCity employees as a result of their own or someone else's gambling;
- Enhance the ability of SkyCity staff to undertake effective host responsibility; and
- Contribute to the prevention and minimisation of gambling-related harm in the community.

Requirements

SkyCity recognises that employee gambling-related harm is a sensitive issue. Accordingly, measures to promote awareness and encourage and support help-seeking will be discreet and interventions with SkyCity staff kept confidential.

SkyCity will undertake the following to provide assistance to casino employees with managing the potential for personal problem gambling:

Information resources

- Provide access to supporting resources for staff, when required, using appropriate channels, including:
 - a standardised gambling screen;
 - self-help resources to assist with early self-identification and intervention; and
 - information on how to access problem gambling services;
- Include information about personal problem gambling and underlying risk factors (such as depression and alcoholism) in host responsibility training programmes and in the Workplace Support (employee assistance) programme;
- Promote awareness and information about self-assessment and self-help resources, and encourage staff to use these resources themselves to assist with early identification and intervention; and
- Promote information about personal problem gambling support services when staff approach the SkyCity Connect Centre to participate in the Workplace Support Programme, Employee Financial Assistance, and/or where appropriate where a staff member may be seeking assistance.

Policies and procedures

- Prohibit staff from gambling at any SkyCity owned or operated casino;
- Prohibit access to online gambling sites by staff while on SkyCity premises, unless such access is required for genuine business reasons; and
- Identify high risk areas for staff and target with increased levels of information.

Recruitment

- Assess all job applicants for evidence of problem gambling (via questions in job application forms);
- Decline applications from those who are identified as problem gamblers either through their screening results, or disclosure of relevant indicators (as set out in the Policy) during the recruitment process and provide appropriate information, advice and assistance; and

- Respond to applicants identified as problem gamblers who are also customers in accordance with the Programme.

Support for staff

- Provide assistance to staff who are experiencing gambling-related harm, including:
 - identification;
 - intervention;
 - referral to confidential support through the Workplace Support Programme and/or a problem gambling treatment provider;
 - confidentiality; and
 - wherever possible, SkyCity will involve problem gambling counsellors in staff induction training about the signs of problem gambling among staff and customers.

3.4 Stakeholder engagement

Background

SkyCity aims to maintain constructive relationships with members of the local community.

Approach

SkyCity Hamilton will continue to facilitate opportunities for regular engagement to ensure local stakeholders:

- Understand and are aware of the Programme;
- Are able to continue to raise and discuss operational issues in relation to host responsibility;
- Continue to have opportunities to provide input into the Programme and harm prevention and minimisation initiatives; and
- Have opportunities to participate in partnership projects on key initiatives where appropriate.

SkyCity Hamilton convenes a six-monthly Host Responsibility Community Liaison Group to discuss host responsibility issues. These issues relate primarily to operational activities (eg referrals, exclusions, etc). There are also opportunities to discuss strategic or broader sector issues.

SkyCity will invite representatives from:

- Treatment service providers including problem gambling and alcohol and other drugs;
- Public health providers; and
- Government agencies including the Police, DIA and Alcohol Advisory Council of New Zealand.

SkyCity will keep membership of the Liaison Group under review to maintain relevance to SkyCity's current or evolving policies and practices.

In developing and implementing the Programme, and harm prevention and minimisation initiatives, SkyCity will consider the views expressed by the attendees of the meetings.

SkyCity will make available to the Liaison Group a copy of the report provided to the Commission under section 4 of the Programme.

SkyCity also arranges site visits, including presentations, for representatives to become familiar with the Programme. SkyCity also undertakes off-site visits to stakeholder organisations.

SkyCity will work with class 4 organisations to maximise the effectiveness of each others' Host Responsibility Programmes.

3.5 Environmental design

Approach

SkyCity's general approach towards environmental design is to ensure the provision of safe environments that are conducive to responsible gambling and consumption of alcohol.

Considerations

In considering the impact of any proposed changes, the key objectives are to ensure that environmental features:

- contribute to harm prevention or have a neutral impact on harm;
- encourage responsible gambling and alcohol consumption choices;
- do not contribute to the onset of harm or exacerbate risk; and
- facilitate effective host responsibility, particularly early identification and intervention.

This approach applies to the following SkyCity areas:

- floor lay-out, furnishing and design;
- casino electronic gaming machine and table game location;
- access to cash;
- game and equipment features;
- environments adjacent to the gaming floor, including access to other entertainment options;
- physical location and presence of Security and Host Responsibility;
- location of problem gambling and other information resources; and
- access criteria, including dress codes and age restrictions.

Requirements

SkyCity shall in its environmental design seek to ensure:

- problem/responsible gambling signage and exit points are clearly visible;
- patrons are visible to venue staff on the gaming floor;
- machine alleys with no exit point and in dimly lit corners are avoided;
- gambling areas are well lit, utilising natural light where appropriate;
- clocks are visible in the gambling areas; and
- other non-gambling entertainment options are available.

Other regulatory processes

All applications for construction or design changes to gambling areas must be approved by the Gambling Commission. As part of any such application, SkyCity assesses any impacts the alterations may have on harm prevention and harm minimisation. The impact of any proposed design change on gambling harm is assessed in determining the suitability of any such proposal prior to making applications to the Commission.

3.6.1 Safe gambling environment – gaming machine play

Requirements

SkyCity will take all reasonable and practicable steps to ensure a customer plays no more than one gaming machine at a time.

3.6.2 Safe gambling environment – third party loans for financial gain

Legislation

Under section 15(1) of the Act, SkyCity is prohibited from offering or providing credit intended for use in gambling, except in circumstances approved by the former Casino Control Authority (CCA) or the Gambling Commission. The Gambling Commission regulates and approves, as necessary, all cash access arrangements provided by SkyCity at the Hamilton casino.

Policy

SkyCity does not permit loan transactions by third parties for financial gain at the casino venue, except as approved by the CCA or the Gambling Commission. It is particularly concerned to protect customers from illegal or oppressive loan activity, or “loan sharking” as it is known.

Requirements

- SkyCity will ensure that signage is displayed in appropriate areas publicising that loan sharks will be excluded.
- SkyCity will take all reasonable steps to identify and exclude persons at the casino offering loans for financial gain. To assist this process SkyCity will maintain an Undesirable Behaviour SOP which shall explain how SkyCity will identify, investigate and respond to persons at the casino suspected of offering loans for financial gain.
- Where casino staff observe suspicious behaviour or information is presented from external parties regarding loan activity, SkyCity will investigate and act in a timely manner. This process is outlined in the SkyCity Hamilton Undesirable Behaviour SOP.
- If it is obvious that a person is engaged in offering or providing loans for financial gain, SkyCity will issue that person with a trespass notice. If there is reasonable cause to believe that a person is engaged in offering or providing loans for financial gain, SkyCity may issue that customer with a requirement to leave the premises, pending further investigation. At the completion of its investigation, and where a person is found to be offering loans for financial gain, SkyCity will issue that person with a trespass notice.
- SkyCity will notify DIA Gambling Inspectors of suspected loan sharking activity in accordance with Minimum Operating Standards for Records and Notification. Where appropriate, SkyCity will also notify relevant agencies.
- Where a customer is established as receiving a loan for financial gain from a third party (i.e. not the casino), SkyCity will open an iTrak investigation file and interact with the customer. Following the interaction, SkyCity may elect to open a GOI file for further investigation and monitoring, exclude the customer or take no further action if the customer provides a satisfactory explanation. A customer borrowing money in these circumstances is considered a potential problem gambler and will be provided with appropriate information, as required by section 309(2) of the Act. All investigations, interventions and outcomes are recorded and retained on iTrak.
- SkyCity will provide appropriate staff training to assist in preventing and minimising harm associated with loan sharking.

3.6.3 Safe gambling environment – credit

Policy

SkyCity will notify Host Responsibility when it enters into a credit arrangement with a customer.

Requirements

Host Responsibility must monitor and record the activities of any customer with a credit arrangement for indicators of potential gambling harm.

3.7 Responsible marketing

Legislation and industry codes

SkyCity's marketing activities comply with applicable laws, Regulations 9 and 10 of the Gambling (Harm Prevention and Minimisation) Regulations 2004, relevant industry codes (including the New Zealand Advertising Standards Authority's "Gambling Advertising Code") and licence conditions.

Requirements

SkyCity will not pursue marketing initiatives which have any of the characteristics set out below. Where concerns are raised by third parties, SkyCity will investigate and, where appropriate, take immediate action to withdraw or amend the marketing initiative.

SkyCity will ensure an internal process is followed to ensure harm minimisation issues are considered and addressed in the development of marketing initiatives, including those directed to members of SkyCity's loyalty programme.

This process includes consultation with Host Responsibility as well as the Regulatory team, with final sign-off by Legal (both of which are based at SkyCity Auckland).

Consultation includes consideration of the following principles.

Does the marketing initiative:

Target groups at increased risk of experiencing gambling harm?

- Target children or young people (having regard to the criteria in the Gambling Advertising Code)?
- Portray or represent anything that will, or is likely to, cause, condone or encourage harm from gambling? The marketing initiative must not:
 - promote gambling as a means of relieving or improving a person's financial, professional or personal difficulties, for example, loneliness or depression.
 - state or imply a promise of winning or portray unrealistic outcomes from winning.
 - misrepresent the level of financial risk associated with the gambling activity.
 - encourage consumers to participate in gambling excessively or beyond their means.
 - create a false sense of urgency such that consumers may be misled into thinking they must act quickly in order to participate or win.
 - state or imply that there is a link between gambling and sexual or relationship success, or enhanced attractiveness.
 - portray, condone or encourage peer pressure to gamble.
 - exaggerate the connection between the gambling activity and the use (individual / family / whanau / community) to which the profits may be put.
 - target vulnerable people for example, by playing on fear or their superstitions (e.g. through inappropriate use of cultural symbols or references).
- Mislead or be likely to mislead, deceive or confuse consumers, abuse their trust or exploit their lack of knowledge. This includes by implication, inaccuracy, ambiguity, exaggeration, unrealistic claim, omission, false representation or otherwise. The marketing initiative must not:
 - make claims about the chance of winning unless they are factual and able to be proven.
 - exaggerate the chance of winning or the size of the prize.
 - falsely state or imply that a gambler's skill can influence the outcome of the gambling activity unless skill can affect the outcome.

The marketing initiative must:

- include the terms and conditions or a reference to where the terms and conditions are readily available. Terms and conditions must be easily understood and must not contradict the advertisement content; and
- clearly display in the advertisement information about where the gambling can be accessed (e.g. in the case of online gambling a URL address for a website) if it would otherwise be misleading to not display such information.

Marketing initiatives will be reviewed on a six-monthly basis by Host Responsibility. The six-monthly review will assess promotions against key metrics of gambling harm monitored by SkyCity.

Loyalty Programme

SkyCity's loyalty programme provides members with benefits such as the ability to enter promotional draws, and discounts on parking and food and beverage purchases. It also provides members with the opportunity to earn points from gambling activity and on-site spend which can be redeemed for rewards.

The loyalty programme consists of five membership tiers. Once sufficient loyalty points have been earned, a member is offered the opportunity to upgrade to a higher tier. As part of the tier upgrade process, members are required to certify prior to each upgrade that they are comfortable with their level of gambling, and that their gambling is affordable and not at a level that is causing harm, or may cause harm, to themselves, their family or other people.

The top two tiers are known as VIP tiers, with entry by invitation only. Before a customer is invited to join each VIP tier, Host Responsibility must undertake a review of their interactions, observations and assessments in iTrak to identify possible gambling harm. Before a customer is invited to join the highest VIP tier an assessment of gaming affordability, including a source of wealth and funds check, must also be undertaken.

If a gambling harm and/or affordability review is not completely satisfactory, the customer must not be upgraded, and Host Responsibility must proceed in accordance with the requirements of the Programme and Policy.

SkyCity must ensure that staff who process loyalty upgrades are trained to recognise signs of problem gambling.

3.8 Display of signage and provision of gambling information to customers

Background

A key component of the Programme is the provision of information for customers. Provision of information is intended to assist customers to make informed decisions about their gambling and alcohol consumption while at SkyCity.

A description of how SkyCity will discharge its obligations to offer information and advice to persons identified as problem gamblers is addressed in the Policy and the SOPs.

Approach

SkyCity has a range of information resources that are provided to customers, summarised in Appendix A.

Display of signs, brochures, clocks and website

SkyCity ensures that:

- Host responsibility material is displayed prominently and translated into key languages, besides English, to reflect the ethnicity of SkyCity Hamilton's visitors;
- Brochures are maintained in sufficient quantities so as to be generally available at all times, at all locations;
- All gaming machines and gaming tables at SkyCity display problem gambling helpline telephone numbers, with information in a range of languages. The information is also displayed on or near all ATMs and public phones;
- Clocks are on display in all SkyCity gambling areas; and
- Call centre facilities include a direct line to the Gambling Helpline.

SkyCity will make available a 'responsible gaming' brochure, intended to assist in reducing the tendency of patrons to be subject to erroneous beliefs, (e.g. that the odds of winning are better than they are, that skill can influence outcomes (where it cannot)), or player tendencies to engage in various superstitious practices.

SkyCity actively promotes the Gambling Helpline and other free problem gambling counselling service contact details through its host responsibility resources. Customers demonstrating potentially harmful behaviour are encouraged to contact these services. All excluded customers, and third parties who contact SkyCity about another's gambling problems, are actively encouraged to contact the appropriate services for help and support.

SkyCity Entertainment Group Limited has a host responsibility section on its website.

Display of game rules, permissible bets and payment of winning bets for table games

Information is made available to customers that pertain to game rules, permissible bets and payment of winning bets as required by section 175 of the Act.

Whenever a table is open, information is displayed which advises customers that the game rules for the game are available upon request, and specifies minimum and maximum bets, and payments of winning bets. Signage is also displayed stating that staff cannot accept tips.

Display of game rules, permissible bets and payment of winning bets for electronic gaming machines

All gaming machines display information regarding the denomination of the game. Game rules are provided on the machine and/or electronically via the screen. Gaming machine

odds are explained in the “Responsible Gaming” brochure, which is available on the gaming floor.

Customers may request a copy of game rules at any time. If the request is for general information or an overview of a game, an appropriate gaming employee will explain this and can provide a “How to Play” brochure to assist further.

Display of game rules, odds of winning and information on problem gambling for Fun Play Tables

Information is made available to customers that pertains to game rules, odds of winning and information on problem gambling.

Whenever a Fun Play table is open, information is displayed which advises customers that the game rules for the game are available upon request, and odds of winning and information on problem gambling.

Display of host responsibility information in open areas where there are gaming machines

Information on problem gambling and responsible gambling are displayed and made available to customers in open areas (e.g. decks) where gaming machines are present.

Information requests by customers

Customers seeking further clarification of game rules will be given access to the relevant approved rules.

Information on gambling activity

Loyalty card players can be provided, on request, with information on their gambling activity, including the number and length of their gambling sessions and their gambling expenditure.

Non-loyalty carded players will be provided, on request, with as much information as is available to SkyCity on their gambling activity.

3.9 Learning and development

Introduction

SkyCity is committed to developing staff awareness, understanding and commitment to host responsibility especially with respect to gambling and alcohol-related harm. SkyCity shall comply with its statutory obligations relating to problem gambling awareness training, including as set out in Regulation 12 of the Gambling (Harm Prevention and Minimisation) Regulations 2004.

SkyCity will aim to ensure its learning and development initiatives are appropriate to the needs of its customers and staff.

SkyCity's learning and development resources approach employs established models of best-practice and include a training mix of classroom based, multi-media and on-the-job coaching. Learning and development resources are tailored depending on the roles and responsibilities of staff, and their required host responsibility customer interactions.

Overview of staff roles

Staff: All staff, regardless of position, are trained to identify indicators of harm. Staff are expected to refer the observation of indicators to a supervisor/manager.

Frontline staff: All staff who have contact with gambling customers in the casino are required to be trained in problem gambling awareness and how to approach customers to offer information and assistance about problem gambling. Frontline staff have a primary role in being alert to and identifying indicators of harm, and will report observations of concern to a supervisor/manager. While it is not their primary role, frontline staff are trained and will approach customers themselves in circumstances, for example, where a matter is urgent or a manager/supervisor is not available.

Supervisor or manager: The supervisor/manager is the first point of contact for escalation for indicators of harm.

Supervisors and managers are also responsible for ensuring that all observations of indicators reported to them by staff, and any follow up responses taken by staff and/or supervisors and managers, are logged and sent to Host Responsibility. Supervisors and managers are also responsible for providing additional information to Host Responsibility to assist with the ongoing monitoring of, and interaction with, the customer.

Depending on the circumstances, the supervisor/manager delivers interventions by providing information, advice and assistance to customers and taking other appropriate action(s) to minimise harm.

Host Responsibility: Host Responsibility records, collates and analyses all information relating to indicators of problem gambling noted by frontline staff, supervisors and managers. Host Responsibility also records interactions and interventions they undertake themselves. The information is used to undertake a section 309 assessment. As a result of the assessment, a GOI file may be opened, and/or appropriate follow up interactions or interventions undertaken. This may include meeting with customers. Host Responsibility is responsible for the ongoing monitoring and management of GOI files, feedback and review of new information on GOI files and the provision of host responsibility advice and support to staff, supervisors and managers.

Learning and development requirements

Induction training

All permanent staff, whether or not in direct contact with customers, will complete the three compliance e-learning modules within one month of commencement of employment. Access to the modules is available to new employees before they start work as soon as they are assigned an employee number.

The three compliance modules are:

- Play Safe – Health and Safety;
- Responsible Service of Alcohol; and
- Responsible Gaming, which includes:
 - responsible service of gambling and alcohol;
 - identification of problem gamblers;
 - reporting and recording procedures for observations;
 - approaching and providing information about problem gambling to patrons including how to access local problem gambling services; and
 - awareness of employee gambling-related harm.

Welcome to SkyCity

Within the first month of working at SkyCity, employees are encouraged to complete a classroom session of up to two hours which refreshes the compliance information from the e-learning modules and also covers general policies and procedures and an orientation to SkyCity.

Host Responsibility Level 1 (HR1)

For all staff whose work involves the gaming side of SkyCity's business, SkyCity will work to supplement the induction training by ensuring that these staff also complete a "Host Responsibility Level 1 (HR1)" e-learning module after three months employment. This module will also be compulsory annual refresher training for those staff.

Training for staff in direct contact with gaming customers will be further supplemented by on-the-job coaching and support.

Advanced Host Responsibility Training

Advanced training, supplementary to training for Host Responsibility Level 1, is provided for staff that work within the gaming areas and whose roles require them to interact with customers. This training is run monthly or as necessary.

The Advanced Host Responsibility training module includes both theoretical and practical components. The training includes:

- SkyCity's legal and regulatory requirements;
- Identification of problem gamblers;
- Initial action with respect to customers requesting problem gambling assistance;
- Identification and intervention with respect to excessive alcohol consumption;
- Support of staff who have intervened and debrief;
- Importance of reporting;
- Intervention, including brief interventions, de-escalation and motivational interviewing;
- Breaches of exclusion;
- The use of pre-commitment;

- Debriefing and staff support;
- Problem gambling treatment processes;
- Cultural awareness;
- Advanced Responsible Service of Alcohol – intervention and slowing service; and
- Awareness of employee gambling-related harm.

Staff who have completed Advanced Host Responsibility training will undergo an annual online recall test. Those who fail the test will be required to re-take Advanced Host Responsibility training. In addition, role specific training will be offered where learning needs are identified.

Refresher training

SkyCity provides department-based/site-wide refresher training on an ongoing basis. Refresher training is available to all staff at SkyCity. Refresher training is provided when a learning and development need is identified or requested, and for those who fail knowledge recall tests.

General Manager training – Sale and Supply of Alcohol Act 2012

The Licence Controller Qualification, as required by the Sale and Supply of Alcohol Act 2012, is facilitated through an external provider.

Suicide awareness Training

Frontline Host Responsibility staff and senior Security Managers are trained to respond to customers who are at risk of suicide. This training is facilitated through an external provider.

Informal learning and development

As learning and development is an ongoing process, SkyCity provides a range of other opportunities for host responsibility learning to occur. There is an emphasis on sharing information and experiences across SkyCity's portfolio to build host responsibility knowledge. These internal opportunities include:

- Internal communications, e.g. staff newsletters;
- Inclusion in business or management processes, e.g. staff meetings and key performance indicators;
- Discussion forums led by Host Responsibility staff; and
- Participation by staff in the harm minimisation and host responsibility policy development processes.

Evaluation

SkyCity undertakes a range of evaluation measures as part of its commitment to learning and development quality improvement. These measures include:

- Staff training feedback and evaluation forms;
- Staff knowledge recall and application of knowledge;
- Staff focus groups; and
- Analysis of training needs.

4.0 Monitoring and reporting

Introduction

SkyCity will evaluate its performance against the objectives of the Programme.

The Programme is measured and monitored using a range of indicators that are set out below. These indicators reflect the level of activity under the Programme, compliance with legal obligations, and progress against all the Programme objectives as set out in section 1.

The Programme is embedded into the business and specifies SkyCity's minimum requirements in relation to its host responsibility obligations. SkyCity is not prevented from trialling and introducing new initiatives in addition to what is specified in the Programme. In consultation with the Gambling Commission, any such enhancements may be incorporated into the Programme, prior to the Commission's next three-yearly review.

Reports to the Gambling Commission

SkyCity will report annually to the Commission on the implementation of the Programme.

Reports will include the following information:

- A description of the resources put into the core elements of the Programme;
- A description of activities undertaken by SkyCity under the Programme;
- Reporting against the measures specified below, including a comparison to previous data where applicable;
- SkyCity discussion on the effectiveness of the Programme and the extent to which Programme objectives in section 1 are being achieved. This will include reference to feedback from internal and external stakeholders received through a range of forums such as regular meetings with the DIA and other meetings held as required; and
- Proposed improvements to the Programme.

A copy of the report will be sent to the Secretary for Internal Affairs.

Gambling Related Measures	Source of data	Frequency
<ul style="list-style-type: none"> Number of customers about whom there have been observations. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of observed indicators reported to Host Responsibility. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of approaches to SkyCity by third parties. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of problem gamblers identified (in the first instance) by requests for exclusion or forthright disclosure, compared to number of problem gamblers identified by the casino. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of GOI files by: <ul style="list-style-type: none"> Ethnicity Gender Age Preferred mode of gambling (tables/EGMs). 	SkyCity	Annual
<ul style="list-style-type: none"> Number of approaches to customers to offer information about self-exclusion. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of instances where a customer has been detected gaming continuously for 10 hours 	SkyCity	Annual
<ul style="list-style-type: none"> Number of exclusions (both casino and self-exclusions) by: <ul style="list-style-type: none"> Ethnicity Gender Age Preferred mode of gambling (tables/EGMs) Prompted by third party disclosures Exclusion type (self/SkyCity) Following re-entry. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of customers participating in Multi-site Exclusions. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of excluded customers (both casino and self-exclusions) agreeing to be contacted by help services on exclusion form. 	SkyCity	Annual

<ul style="list-style-type: none"> Number of breaches of exclusion (both casino and self-exclusions) by: <ul style="list-style-type: none"> Ethnicity Gender Age 	SkyCity	Annual
<ul style="list-style-type: none"> Number of exclusions by length: <ul style="list-style-type: none"> 3 months 6 months 9 months 12 months 24 months 	SkyCity	Annual
<ul style="list-style-type: none"> Number of successful and unsuccessful applications to re-enter following exclusion. 	SkyCity	Annual
<ul style="list-style-type: none"> The extent to which customers have been assisted (drawing, <i>inter alia</i>, on feedback from customers and staff). 	SkyCity	Annual
<ul style="list-style-type: none"> Number of persons trespassed or required to leave for making loans for financial gain. 	SkyCity	Annual
Measures relating to the Responsible Consumption of Alcohol		
<ul style="list-style-type: none"> Number of "Under the Influence" incidents. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of Police contacts citing SkyCity as venue where their last drink was served. 	Police Alcolink database	Annual
Measures relating to Staff Training		
<ul style="list-style-type: none"> HRI courses Advanced Host Responsibility courses Refresher training Number of staff who need to be trained in each category, and proportion of those staff who have completed the appropriate level training. 	SkyCity	Annual
<ul style="list-style-type: none"> Staff recall of knowledge and behaviours related to host responsibility and associated policies and procedures. 	L&D Evaluations Mystery Shopper	Annual Annual
<ul style="list-style-type: none"> Staff perceptions of the effectiveness of training. 	L&D Evaluations	Annual
<ul style="list-style-type: none"> Staff perceptions on the effectiveness of the Employee Gambling Harm Programme, reporting to the Commission to include percentage response rate of staff to the SkyCity survey. 	SkyCity commissioned survey	Annual
Other Programme activity and compliance-related measures		
<ul style="list-style-type: none"> Number of internal and external underage incidents. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of unattended children. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of Requests to Leave the Premises. 	SkyCity	Annual

• Post Promotion Analysis	SkyCity	Annual
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Appendix A – Current Host Responsibility Resources for Customers (as at December 2023)

“Being A Responsible Host: Our Commitment To Our Customers” – poster

SkyCity developed and displays the A3 “Being a Responsible Host” poster in key gaming areas. The customer-focused poster is designed to provide an overview of SkyCity’s Host Responsibility Policy and the key initiatives undertaken.

“Would you like a Helping Hand?” – brochure

SkyCity provides “Would you like a Helping Hand” – brochures in 10 different languages: Chinese, English, Korean, Māori, Samoan, Tongan, Thai, Hindi, Arabic and Khmer. The brochure provides the Gambling Helpline information and signs and symptoms of problem gambling. It also outlines other free problem gambling counselling services.

“Would you like a Helping Hand?” – poster

In supplementing the “Would you like a Helping Hand” – brochure, SkyCity also produces an A1 poster version. The poster provides the Gambling Helpline number and is displayed in various places across gambling areas including some customer restrooms.

“Would you like a Helping Hand?” – wallet card

This pocket size card also supplements the brochure and presents the Gambling Helpline number and other free problem gambling counselling service contact numbers. Available in Chinese, English, Tongan and Samoan.

“Responsible gaming?” – brochure

This brochure provides responsible gambling tips and an overview of the odds of winning and player returns and highlights that casino games are based on chance and randomness. It also provides Gambling Helpline and SkyCity Host Responsibility contact details. Available in Chinese and English.

“Self-Exclusion at SkyCity” – brochure

The brochure outlines the self-identified exclusion process. It provides simple information on frequently asked questions and shows Gambling Helpline and SkyCity Host Responsibility contact details. The “Self-Exclusion at SkyCity” brochure is available in 10 different languages: Chinese, English, Korean, Māori, Samoan, Tongan, Thai, Hindi, Arabic and Khmer.

“Concerned About Someone’s Gambling? SkyCity Can Help” – brochure

The brochure outlines the SkyCity (third party) exclusion process. It provides simple information on frequently asked questions and shows Gambling Helpline and SkyCity Host Responsibility contact details. The “Concerned About Someone’s Gambling? SkyCity Can Help” brochure is available in 10 different languages: Chinese, English, Korean, Māori, Samoan, Tongan, Thai, Hindi, Arabic and Khmer.

“Why We Can’t Serve You” – tent card

This card provides a summary of the SkyCity Responsible Service of Alcohol Policy. The tent card is provided to all staff to show to customers when explaining decisions regarding service of alcohol, including the slowing or stopping of service.

“Children at SkyCity” – brochure

The brochure explains New Zealand law and SkyCity’s policy with respect to unattended children. It is available in Chinese, English and Hindi.

“SkyCity Hamilton Dress Code” – brochure

This brochure explains the casino’s policy regarding acceptable standards of dress.

“Take a break from the game” – wallet card

This card provides customers with written information to assist in the understanding of taking breaks during gaming. It includes a phone and text number for the gambling helpline, available in English and Chinese.

Appendix B

SkyCity Host Responsibility

PROBLEM GAMBLER IDENTIFICATION POLICY for SkyCity Hamilton Casino

(Gambling Act 2003, sections 308-312A)

Problem Gambler Identification Policy

References: Gambling Act 2003 ("Act"), sections 308, 309, 309A, 310, 311 and 312A

Objective

The Problem Gambler Identification Policy ("Policy") has been developed pursuant to the Act to enable SkyCity to take all reasonable steps to identify actual or potential problem gamblers and to act on that information.

Statutory Requirements

Section 308 of the Act requires the holder of a casino operator's licence who is conducting casino gambling to develop a policy for identifying problem gamblers. This Policy has been developed by SkyCity pursuant to section 308(1). Using this Policy, all reasonable steps must be taken to identify actual or potential problem gamblers.

Section 309 of the Act requires that the holder of a casino operator's licence, or person acting on behalf of the licence holder, must, after identifying a person who he or she has reasonable grounds to believe is a problem gambler, approach the person and offer information or advice to the person about problem gambling.

The information or advice offered must include a description of:

- (a) the self-exclusion procedure available; and
- (b) any procedures prescribed by Regulations made under the Act.

After offering information or advice, the holder of a casino operator's licence may issue an exclusion order to the person that prohibits the person from entering the gambling area of the casino venue for a period of up to two years.

Section 309A of the Act requires the casino operator, or person acting on its behalf, to take all reasonable steps to assist anyone who, it has reasonable grounds to believe, is a problem gambler, who did not request self-exclusion after being approached but whose ongoing conduct gives rise to reasonable grounds to believe is a problem gambler. The required assistance expressly includes issuing an exclusion order, despite the lack of request to do so, in appropriate cases.

Section 310 of the Act requires that the holder of a casino operator's licence, or person acting on their behalf, must promptly, after being requested, issue an exclusion order to a person that prohibits the person from entering the gambling area of the casino venue for a period of up to two years if the person:

- (a) has identified himself or herself as a problem gambler; and
- (b) has made a request to prohibit themselves from entering the venue concerned.

Section 311 of the Act requires that the holder of a casino operator's licence, or person acting on behalf of, must remove any person who enters the gambling area of a casino venue in breach of an exclusion order.

Section 312A of the Act requires a casino operator to keep records of certain specified information about exclusions, including identifying details, the manner, date and length of the exclusion and the conditions of re-entry and provide them if requested by the Secretary.

Scope of SkyCity Problem Gambler Identification Policy

This Policy describes:

- The legal definition of a problem gambler;
- Indicators of problem gambling;
- A description of sources of indicator data to be used by SkyCity;
- A description of how indicator data is to be used by SkyCity to identify problem gamblers; and
- An outline of record keeping requirements and review of the Policy.

The Policy applies to SkyCity Hamilton only.

Supporting Standard Operating Procedures (SOPs)

The following SOPs provide operational guidelines relevant to the Policy:

- Information Collection and Collation;
- Analysis and Intervention;
- Gambling Limitation; and
- Exclusion.

Section One – Definition of a problem gambler

Under the Act, a problem gambler is “a person whose gambling causes harm or may cause harm”.

“Harm” is defined as:

- (a) harm or distress of any kind arising from, or caused or exacerbated by, a person’s gambling; and
- (b) includes personal, social or economic harm suffered:
 - (i) by the person; or
 - (ii) the person’s spouse, partner, family, whanau, or wider community; or
 - (iii) in the workplace; or
 - (iv) by society at large.

Section Two - Indicators of problem gambling

Introduction

SkyCity uses a number of indicators to assess whether a customer is likely to be a problem gambler. Although these indicators provide an appropriate basis for making determinations as to whether someone is a problem gambler, the nature and range of indicators may vary from one customer to the next. Wherever possible, indicator information should be interpreted in the context of other relevant information to develop an overall assessment of the customer's position.

Based on research and evidence, SkyCity has developed a list of visible signs and behaviours that may be indicators of gambling-related harm. Some of these can be considered "high confidence" or "strong indicators".

"*Strong indicators*" are those where the presentation of one indicator is usually sufficient to identify the person as a problem gambler.

Other indicators referred to as "*general indicators*" are behaviours which may be observed in a range of gamblers, but occur more frequently amongst problem gamblers. They are warning signs that may, or may not, indicate a problem if only one or two factors are observed in isolation, but which become indicative when a greater number of signs are observed together or across time.

Problem gamblers can be identified by inferring that harm is present or may occur using the indicators set out below. They can also be identified on the basis of information from customers or persons affected by a customer's gambling behaviour. Customers (and affected persons) may directly disclose that the customer is experiencing problems with gambling or requires assistance (eg, they want to self-exclude), or do so indirectly.

INDICATORS

Strong Indicators

- Requests to self-exclude;
- Self-identified problem gambler;
- Self-disclosures that may or may not make reference to the person's gambling;
- Third-party disclosures that may or may not make reference to the person's gambling;
- Begging;
- Falling asleep at a machine or table;
- Severe emotional distress due to gambling, including expression of suicidal thoughts;
or
- Children left unattended while gambling.

General indicators

Intensity and Frequency of Play

- Customers whose gambling data (accessed through customer loyalty accounts) is assessed by the "Focal Model" as being high risk.
- High visitation frequency combined with very high levels of expenditure on all forms of gambling, including table games, over a period of time;
- Very few breaks from gambling – almost continuous play;
- Increasing periods of play, and betting more each time, noted over a period of time (noting that gambling expenditure may reduce as the customer's financial resources are exhausted);

- Disconnect with time spent playing, including missing key times (eg, meals), rushing when leaving machine or staying after friends/family leave;
- Extreme changes in patterns of play;
- Breaching pre-commitment limits and/or an increase or disabling of pre-commitment limits; or
- Failure to settle credit arrangements as agreed, including redemption of cheques and markers when due.

Visible Emotional Disturbance

- Emotional distress including agitation, mood swings, crying, or out-of-character behaviour;
- Personalising machines, including abuse of machines;
- Irritated by interruptions to gambling;
- Rudeness and complaints to staff about gambling outcomes; or
- Possessiveness of particular machines or spots at tables (eg, standing over other patrons, hovering, aggression).

Dysfunction in Social Behaviour

- Attempts to conceal gambling activities, including making phone calls giving excuses for lateness;
- Steps apparently taken to avoid monitoring of gambling activity, such as ceasing to use a loyalty card;
- Not celebrating wins;
- Disintegration of physical appearance (eg, clothing or personal hygiene) over time;
- Family/friends seeking out or enquiring about a customer;
- Claims of malfunction of gaming machines or gaming errors when none are identified;
- High consumption of alcohol while gambling (eg, demanding drinks);
- Interaction with a known or suspected loan shark; or
- Previous exclusion (by self or casino) or breach of any harm minimisation requirements.

Excessive Access to Money

- Leaving the casino to get additional money and coming back after having appeared to have run out of money;
- Multiple declined eftpos transactions;
- Borrowing money;
- Not having sufficient money to exit car park;
- Constant demand for complimentary; or
- Tray-surfing.

Expenditure and Frequency of Play

Both expenditure and frequency of play, especially on gaming machines, are currently included as general indicators, rather than as strong indicators, because it is recognised that not all customers who exhibit high expenditure levels and frequent visitation are necessarily problem gamblers. However, such indicators are much more likely to be observed amongst problem gamblers than others and therefore may indicate a greater risk of gambling related harm. It is established from international research that problem gamblers are more likely than other players to lose control of their expenditure, to chase their losses, and to have very strong urges to gamble. Most studies of problem gambling have found that problem gamblers spend significantly more, and gamble significantly more frequently than other players.

Frequency and expenditure data are especially important as indicators in the case of users of gaming machines for several reasons:

- It is easier for people to gamble without being noticed because gaming machine gambling involves very little interaction with casino staff, compared to table games, making it less likely that their behaviour and emotional reactions will be observed;
- There is a stronger relationship between problem gambling and play on gaming machines than with other forms of casino gambling;
- Electronic data gathering from gaming machines is more accurate than from table games.

Other Observations

The indicators listed above are not exclusive – staff are encouraged to report observations of customers based on other factors which raise concerns.

Section Three – Sources of Indicator Data

The indicators described in Section 2 may emerge from the five principal sources of information SkyCity collects, collates and analyses. Information sources include:

- customer disclosures;
- behavioural observations;
- customer data including loyalty;
- third-party disclosures; and
- interviews with customers or staff.

All information on customers collated from the sources described below is recorded as soon as practicable into iTrak, SkyCity's incident reporting and retrieval database.

iTrak centralises information from multiple business sources (Security, Surveillance, Host Responsibility and Gaming) which can be shared, when appropriate, across the SkyCity Group.

Host Responsibility use iTrak to record, manage, review and assess all information about all customers on the database, including gamblers of interest and excluded or banned customers.

CUSTOMER DISCLOSURES

Customer disclosures may or may not make reference to the person's gambling (ie, they may be direct or indirect).

Direct disclosures

Direct disclosures make reference to a customer's gambling and examples may include any of the following:

- I think I have a gambling problem;
- I want to be excluded/barred; or
- I don't want to come here anymore.

Indirect disclosures

Indirect disclosures do not make reference to a customer's gambling and examples may include any of the following:

- Comments regarding impact on personal life;
- Voicing repeated attempts to stop or control gambling;
- Comments regarding psychological distress; or
- Comments regarding financial distress.

The significance of indirect disclosures should be determined by the nature of the disclosure. Indirect disclosures referring to harm, financial difficulties or loss of control would lead to a high suspicion that the person was experiencing, or at risk of experiencing, harm associated with their gambling.

Direct and indirect disclosures from customers must be recorded in iTrak and sent to Host Responsibility as soon as practicable to be used in making problem gambling assessments.

BEHAVIOURAL OBSERVATIONS

Although staff cannot be expected to watch all customers on all occasions, the process of observation and identification is enhanced by the fact that one may observe a clustering of indicators. Those customers who present with strong indicators, or who produce several common indicators, may produce many more. In effect, problem gamblers may draw attention to themselves through observable behaviour. Staff should use this information to focus their observations to particular customers.

At the same time, there will be customers where the problematic behaviour may be 'silent' or hidden. Some patrons may gamble very frequently, spend very large amounts of money, but not produce any obvious emotional responses or other indicators to draw attention to themselves. For this reason, staff should remain vigilant to the presence of people who spend many hours in the casino, and who visit very frequently. In such cases, staff should be vigilant for additional indicators of harm. As noted below, frequency of gambling and level of expenditure are indicators in their own right, and also ways of identifying people who require additional observation.

Staff who observe the indicators specified in Section 2 must report the observation to the appropriate supervisor/manager. All observations of indicators reported to them by staff and any follow up responses taken by staff and/or supervisors/managers must be logged into iTrak by the supervisor/manager so as to make the record of the disclosure or observation available to Host Responsibility as soon as practicable. The reported disclosures and observations form part of the body of information upon which assessments of problem gambling are to be made.

CUSTOMER DATA INCLUDING LOYALTY

High levels of frequency and expenditure are general indicators (see Section 2). SkyCity must monitor the amount of money and time spent over time proactively using the loyalty programme. Although high levels of expenditure and visitation are listed as general indicators, it is important that SkyCity take steps (where it has concerns about a player's expenditure or visitation frequency) to obtain additional information that places this behaviour into context. For example, through discussions with the customer or other parties, there may be direct or indirect disclosures concerning the lack of affordability of the gambling. Alternatively, staff might find that some players who spend very large amounts appear to be chasing their losses, or are making very frequent use of ATMs, or are leaving the casino and then returning with additional money. SkyCity may also make enquiries about the affordability of losses.

In addition, where a customer is brought to the attention of Host Responsibility by self or third party disclosure or by observation, SkyCity must ascertain whether the customer is a loyalty member. Where the customer is a member of the loyalty programme, SkyCity must examine their data to determine:

- Their time of play;
- Duration of play;
- Turnover;
- Win/Loss;
- Patterns of expenditure (for example, increase over time);
- Games played;
- Tier upgrades;
- Non-gaming use of card (eg, car park use); and
- Visitation frequency.

SkyCity will insert notes in the loyalty card database to alert relevant staff that, on presentation of an inactive loyalty card, the person presenting the card may be a banned player and that Security must be notified to determine this issue. All relevant information will be recorded into iTrak as soon as practicable and made available to Host Responsibility.

THIRD PARTY DISCLOSURES

Information concerning gambling-related harm may also be obtained via third-parties. This might include:

- an enquiry from a concerned family/whanau member; or
- a formal enquiry about the potential problem gambler from the wider community, (eg, probation officer, general practitioner or employer).

A third party may only seek general information about a customer, and will not always voluntarily identify gambling as the cause of their concerns about a customer (eg, who may be a friend or relative of the inquirer). Where a third party appears to express general concern about a customer, staff must ask if there are concerns that the customer's gambling may be causing problems. Where there is a positive response to this question, this must be recorded in iTrak and made available to Host Responsibility. Details must be taken, including contact details and a brief summary of concerns. An attempt to identify the customer within the venue (eg, via Loyalty card use, if available or feasible) should be undertaken. If found, further enquiry must be undertaken and the customer may be requested to leave the premises for a period of time. If requested to leave, SkyCity must also provide to the customer problem gambling information, including exclusion options. The action must be logged in iTrak and made available to Host Responsibility as soon as practicable.

A third party request that the customer at the casino be removed immediately because of concerns about the customer's gambling is a strong indicator of harm, and will be treated on an urgent basis. The third party must be referred immediately to Host Responsibility or Security. Details must be taken, including contact details and a brief summary of concerns. An attempt to identify the customer within the venue (eg, via loyalty card use, if available or feasible) should be undertaken. If the customer is found, further enquiry must be undertaken and the customer may be requested to leave the premises for a period of time. If requested to leave, SkyCity must also provide to the customer problem gambling information, including exclusion options and contact details for problem gambling service providers. The action must be logged in iTrak and made available to Host Responsibility as soon as practicable.

All third party information should be corroborated as part of an internal investigation. The Information Collection and Collation SOP outlines the specific steps taken by SkyCity in corroborating information.

INTERVIEWS WITH CUSTOMERS OR STAFF

From time-to-time, Host Responsibility or other appropriate staff may interview either customers or staff as part of an investigation.

Customer interviews: During the course of an interview, information may be disclosed by a customer that suggests that he/she may be experiencing harm or gambling in a way that may cause harm. All such information must be recorded into iTrak and made available to Host Responsibility as soon as practicable.

Staff interviews: During the course of an interview, information may be disclosed by staff that suggests a customer may be experiencing harm or gambling in a way that may cause

harm. This information must be recorded in iTrak and made available to Host Responsibility as soon as practicable.

Section Four - Identification

Section 2 highlights the indicators that are taken into account in identifying whether a customer may be an actual or potential problem gambler.

Section 3 identifies the primary sources of information available to identify problem gamblers. It also describes the ways in which this information might be utilised and consolidated so as to assist in the identification process.

SkyCity must use data from the sources identified in Section 3 to identify customers who are actual or potential problem gamblers, ie where their gambling is causing harm, or may cause harm, to the customer or others. Once identified, SkyCity must determine, based on direct information or inference (using indicators) whether it has reasonable cause to believe that the customer is or has been gambling in a manner that has caused harm or may cause harm. If so, SkyCity's legal obligations under sections 309-312A of the Act are engaged immediately.

Depending on the assessment, including the perceived severity and urgency of a situation, SkyCity provides graduated responses ranging from immediate intervention, advice and discussion to ongoing monitoring.

Obligation to Identify

The assessment by SkyCity, whether there is reasonable cause to believe that a customer is a problem gambler, must be made in good faith, in accordance with the statutory test and within a reasonable timeframe.

Analysis of Information

As outlined in Sections 3 and 5, all disclosures or observations related to indicators of harm noted by staff must be reported to, and recorded by, the supervisor or manager and made available to Host Responsibility.

When a self or third party disclosure or observation report is made available to Host Responsibility, Host Responsibility must collate and review all information available to it in relation to the relevant customer. This includes a review of incident reporting and loyalty databases and other relevant internal information sources. Host Responsibility may also make further enquiries of relevant staff in relation to that customer.

Host Responsibility undertakes a section 309 assessment based on the information collated.

A variety of different types of information is used when undertaking a section 309 assessment, taking into account:

- Severity of presenting indicators;
- Anti-social behaviour including uncharacteristic or unusual behaviour;
- Uncharacteristic changes in appearance;
- Changes in patterns of play; and
- Number of indicators and repetition over time.

If the assessment determines that SkyCity has reasonable cause to believe the relevant customer is a problem gambler then SkyCity must proceed in accordance with the "Consequences of Identification" section below. If the assessment does not determine that

SkyCity has reasonable cause to believe the relevant customer is a problem gambler, SkyCity must determine whether a formal monitoring process is required in accordance with the “GOI files” section below.

Identification

Strong indicators

Direct disclosures by customers are expected to result in an immediate assessment that SkyCity has reasonable cause to believe that a customer is a problem gambler, with SkyCity taking the required steps in response promptly.

The presence of any strong indicator should be sufficient to indicate that the customer is very likely to be a problem gambler unless another more likely explanation is established.

For instance, although emotional distress may be a reliable and valid indicator of gambling-related harm, not all people who appear distressed will necessarily feel this way because of gambling. Therefore, if this strong indicator is evident, it would be appropriate to interpret the person’s behaviour in the context of other indicators. For example, is the person gambling large amounts of money for long periods and displaying other signs of gambling-related harm? If a person only appears distressed, such people should be approached initially on the assumption that they require general assistance, but not necessarily because their gambling is a problem.

General indicators

The observation of small clusters of general indicators should be sufficient to trigger further monitoring but, depending on the circumstances, may not necessarily lead to an immediate assessment that SkyCity has reasonable cause to believe that a customer is a problem gambler. As part of a graduated response, it is expected that such people should be subject to further monitoring to determine whether any further general indicators emerge, including the repetition of the same indicators. If there is an accumulation of general indicators over a period of time (eg, several general indicators recur during a one month period) SkyCity would have reasonable grounds to consider such people to be problem gamblers.

Consequences of Identification

Once it has reasonable cause to believe that a customer is a problem gambler, SkyCity must:

- a) offer information or advice to the customer about problem gambling including a description of self-exclusion procedures, within a reasonable time of identification, taking into account the urgency of the situation and the risk of harm¹
- b) issue an exclusion order immediately if requested to do so by the customer²; and
- c) consider whether it would be appropriate to issue an exclusion order without any request to do so as a means of providing assistance to the customer³

SkyCity will also provide contact details for problem gambling service providers.

¹ Section 309

² Section 310

³ Section 309A

Section Five – Record keeping

Recording, collation and analysis of information

Host Responsibility is responsible for the collation, analysis and electronic recording of all information relating to indicators of harm. Host Responsibility also keep records of observations noted by frontline staff, supervisors and managers and of all direct and third party disclosures, interactions and interventions undertaken in relation to a customer by frontline staff, supervisors and managers.

Host Responsibility also records the section 309 assessment referred to in Section 4 above, and the outcome of that assessment.

As outlined in Section 3, all information collated by SkyCity in relation to a customer is recorded as soon as practicable into iTrak.

Host Responsibility uses iTrak to manage, monitor, review and assess information about all customers on the iTrak database, including gamblers of interest and excluded or banned customers.

GOI files

A key purpose of a gambler of interest (“GOI”) file is to institute a formal monitoring process in relation to a customer. A GOI file is opened by Host Responsibility: in circumstances where a customer has come to the attention of Host Responsibility for monitoring; a third party disclosure is made in relation to a customer’s gambling; or a customer returns from exclusion having fulfilled the re-entry criteria.

SkyCity may also open a GOI file in other circumstances, as may be appropriate, including where:

- Information is requested or presented from government agencies; or
- Suspected or actual undesirable activity is present, including unattended children, unaccompanied minors, or breaches of trespass orders.

Once opened, all available customer data to assist the assessment of whether a customer is a problem gambler must be obtained and placed on the file. In the case of customers who come to attention as a result of expenditure and visitation frequency, a GOI file must be open so that further information and observations can be recorded for assessment.

SkyCity will regularly review GOI files at a minimum, at the following intervals and more often as required:

- Monthly review for the duration of the investigation; and
- Formal 12 week review.

Whenever new information becomes available or is obtained, a problem gambling reassessment must be undertaken. Except in the case of returning excluded customers, if an assessment is made that the customer is not a problem gambler after the 12 week review period, the GOI file may be deactivated. In the case of returning excluded customers, the GOI must remain open and kept under review for at least 6 months. In all cases, if concerns remain, the file must be left open and reviewed on a regular basis.

All deactivated GOI files will be retained by SkyCity. A GOI file may be reactivated at any stage subsequent to the 12 week review period if further information or indicators in relation to a customer emerge. In this case, a problem gambling reassessment will be undertaken, and monitoring may continue as part of the customer information review process.

Whenever an exclusion order is made, whether at the request of a customer or as a result of a decision taken by the casino operator to assist a suspected problem gambler, all of the information required by section 312A must be recorded on the relevant GOI file, retained and provided to the Secretary if requested.

Section Six – Review

The Problem Gambler Identification Policy will be measured and monitored as part of the Hamilton Host Responsibility Programme.

Where new evidence emerges in relation to indicators of harm and identification of problem gamblers, SkyCity will review its Problem Gambler Identification Policy accordingly. SkyCity will undertake an annual literature review to seek such new evidence with a view to incorporating appropriate improvements into its Programme and Policy.



**SkyCity Queenstown and SkyCity
Wharf**

**Host Responsibility
Programme**

TABLE OF CONTENTS

1.0	Introduction	2
1.1	Statement of position	3
1.2	Programme objectives	5
2.0	Identification of problem gamblers	6
3.0	Harm minimisation and prevention components	7
3.1	Policies and procedures	8
3.1.1	Exclusion	9
3.1.2	Responsible service of alcohol	12
3.1.3	Unattended children	14
3.1.4	Underage persons	15
3.1.5	Standards of dress and behaviour	16
3.1.6	Long hours of play	17
3.1.7	Gambling limitation	20
3.2	Host responsibility information for customers	22
3.3	Employee gambling-related harm	23
3.4	Stakeholder engagement	25
3.5	Environmental design	26
3.6		
3.6.1	Safe gambling environment – gaming machine play	27
3.6.2	Safe gambling environment – third party loans for financial gain	27
3.6.3	Safe gambling environment – credit	28
3.7	Responsible marketing	29
3.8	Display of signage and provision of gambling information to customers	31
3.9	Learning and development	33
4.0	Monitoring and reporting	36
	Appendix A – Current host responsibility resources for customers	39
	Appendix B – Problem Gambler Identification Policy	

1.0 Introduction

Approval

Effective date: 15 January 2024

Manager:

Jo Wong
General Counsel & Company Secretary

Jonathan Browne
General Manager, SkyCity Queenstown and SkyCity Wharf

1.1 Statement of position

Statement of position

SkyCity is committed to providing a fun and safe environment for all customers and staff and to operating a leading host responsibility programme.

SkyCity recognises that alcohol and gambling can be associated with harm for some customers and their whanau, families and communities. SkyCity takes its role as a responsible host seriously and recognises that it has an important role to play in preventing and minimising alcohol and gambling-related harm for its customers and staff.

SkyCity intends that this Host Responsibility Programme (**Programme**) is a robust and usable document for all staff which clearly sets out its obligations with respect to harm minimisation and prevention.

The Programme is a vitally important part of SkyCity's overarching Group Harm Minimisation Framework which is illustrated in the diagram below.



Compliance with legal obligations

The Programme has been developed by SkyCity and addresses the host responsibility conditions in the Casino Operator's Licence held by SkyCity Casino Management Limited that relate to the SkyCity Queenstown and Wharf properties.

Standard Operating Procedures (**SOPs**) developed by SkyCity shall be consistent with and impose no lesser obligations than provided in the Gambling Act 2003 (**Act**), regulations, licence conditions or Programme.

SkyCity Code of Business Practice

The Programme contributes to SkyCity's compliance with the SkyCity Code of Business Practice.

1.2 Programme objectives

Objectives

The principal objectives of the Programme include:

- preventing the onset of gambling and/or alcohol related harm and minimising gambling-related harm for customers and other persons potentially affected by their gambling behaviour;
- identifying problem gambling;
- preventing problem gambling; and
- facilitating responsible gambling.

SkyCity aims to fulfil these objectives by:

- providing effective staff training;
- providing a safe gambling environment;
- providing responsible marketing and promotional initiatives;
- promoting the responsible consumption of alcohol; and
- engaging effectively with stakeholders.

Outcomes

SkyCity intends that implementation of the Programme will assist customers who may be experiencing harm as well as assist in preventing the onset of gambling and/or alcohol-related harm to those customers who may be at risk. Reporting requirements relating to achievement of Programme objectives are set out in section 3.

2.0 Identification of problem gamblers

A copy of SkyCity's Problem Gambler Identification Policy (**Policy**) is attached as Appendix B and forms part of the Programme. The policy fulfils SkyCity's obligations under the following sections of the Act.

Section 308 of the Act requires that the holder of a casino operator's licence must have a policy for identifying problem gamblers, which includes:

- an acceptable definition of problem gambling;
- indicators of problem gambling in the casino; and
- the steps to be taken in identifying actual or potential problem gamblers.

This policy must be made available upon request. SkyCity, or a person acting on its behalf, must take all reasonable steps to use the policy to identify actual or potential problem gamblers.

Section 309 of the Act requires that the holder of a casino operator's licence, or a person acting on its behalf, must, after identifying a person who he or she has reasonable grounds to believe is a problem gambler, approach the person and offer information or advice to the person about problem gambling.

The information or advice offered must include a description of:

- the self-exclusion procedure available; and
- any procedures described by regulations made under the Act.

If a customer is approached and provided with the above information and advice on problem gambling but does not request self-exclusion, section 309A of the Act requires that the holder of a casino operator's licence, or a person acting on its behalf, must take all reasonable steps to assist that person (including, if appropriate) issuing an exclusion order, if the person's ongoing gambling or other behaviour gives reasonable cause to believe that he or she is a problem gambler.

3.0 Harm minimisation and prevention components

Introduction

SkyCity will focus on addressing underlying causes of gambling and alcohol-related harm as well as taking steps to minimise harm. Harm prevention and minimisation initiatives will be undertaken in the following areas:

- policies and procedures;
- host responsibility information for customers;
- employee gambling-related harm;
- stakeholder engagement;
- environmental design;
- provision of safe gambling environments;
- marketing practices;
- display of signage and provision of gaming information to customers;
- staff learning and development;
- identification of problem gamblers; and
- gambling limitation.

The Programme's requirements for each area are outlined below.

Roles and responsibilities

The Host Responsibility function at the Queenstown and Wharf casinos is managed by the Security, Surveillance and Host Responsibility Manager. This role is responsible for the ongoing monitoring and management of Gambler of Interest (**GOI**) files, feedback and review of new information on GOI files and the provision of host responsibility advice and support to staff. Recording, collating and analysing all information relating to indicators of problem gambling noted by frontline staff, supervisors and managers is managed by the Security, Surveillance and Host Responsibility Manager.

References in the Programme and Policy to "Host Responsibility", "Host Responsibility staff" and "the Host Responsibility team" denote the function managed by the Security, Surveillance and Host Responsibility Manager.

3.1 Policies and procedures

Policies and procedures

The following policies and procedures have been developed to provide operational guidelines on the implementation of aspects of the Programme. The policies and procedures are consistent with the Act, regulations, licence conditions and Programme, and will be updated to reflect changes.

Policies:

- Problem Gambler Identification Policy

Standard operating procedures:

The following SOPs relate to harm prevention and minimisation activities. An overview of how these procedures are put into practice is shown below.

- Exclusion;
- Unattended Children;
- Underage Persons;
- Responsible Service of Alcohol;
- Long Hours of Play;
- Undesirable Behaviour; and
- Gambling Limitation.

The following SOPs relate to the Problem Gambler Identification Policy:

- Information Collection and Collation;
- Analysis and Intervention;
- Gambling Limitation; and
- Exclusion.

3.1.1 Exclusion

Introduction

SkyCity offers two types of exclusions:

- Self Exclusion; and
- SkyCity Exclusion.

SkyCity provides the facility for Self-exclusion of customers from the gaming areas of all SkyCity sites for periods of three months, six months, nine months, one year, or two years and until they meet any re-entry conditions imposed by SkyCity or by regulations made under section 316(1)(e) of the Act. A customer may request and undertake self-exclusion for a range of reasons, for example, where the customer has self-identified as a problem gambler or where the customer chooses to prevent or limit opportunities for harm to occur. The self-exclusion process may also be initiated by problem gambling treatment providers or other venues under a multi-venue exclusion arrangement.

SkyCity exclusion is for a period of two years and the customer must also meet re-entry conditions imposed by SkyCity or by regulations made under section 316(1)(e) of the Act.

SkyCity exclusion may be undertaken where a problem gambler does not take up the offer of self-exclusion, and SkyCity considers that it continues to have reasonable cause to believe that the customer is a problem gambler. If SkyCity has reasonable grounds to suspect, as a result of ongoing gambling or other behaviour, that the customer is a problem gambler (as defined by the Act), it must take all reasonable steps to assist the customer, including issuing a SkyCity exclusion in appropriate cases¹. These decisions are made on the basis of assessment(s), provision of information, advice and assistance, monitoring of a GOI file, and refusal of a self-exclusion offer or other host responsibility efforts to assist the customer to gamble without harm but a casino exclusion may be imposed after a serious one-off incident where an offer of self-exclusion has been refused.

Conditions for re-entry are contained in the Exclusion SOP.

Approaches to customers

Host Responsibility, the Assistant Security and Surveillance Manager or the Security and Surveillance Operations Managers who have completed the Advanced Host Responsibility training module may undertake exclusions with customers.

¹ Section 309A

Features of the exclusion process

To ensure the effectiveness of the exclusion process, the following are features of the process:

Communication

- Will use reasonable endeavours to provide a translation service where necessary.
- Provides support to excluded customers through provision of materials from problem gambling counselling service providers and contact details; and
- For self-exclusion, provides Questions and Answers in appropriate languages.

Third parties and service providers

- Emphasises culturally appropriate processes and, wherever possible and appropriate, encourages families and/or friends to accompany the customer;
- Encourages third party involvement (i.e. that a mentor is nominated who can be contacted on the progress of the excluded customer and during any discussion relating to re-exclusion or re-entry);
- Encourages the excluded customer to nominate a counselling service;
- Arranges for the counselling service to call the excluded customer, if the excluded customer agrees; and
- Encourages the excluded customer to make contact with the counselling service as soon as possible after their exclusion.

Other measures

- Provides an updated database that is accessible to Security and Gaming staff to ensure detection of customers breaching an exclusion order;
- Promotes ongoing dialogue with counselling service providers to continually improve the exclusion process;
- Suspends sending all loyalty information to the customers;
- Requires timely action from staff if a customer approaches requesting Self Exclusion, with every endeavour made to ensure that approaches are responded to while the customer is on the premises or phone; and
- Provides opportunities for off-site Self Exclusion procedures, e.g. Self Exclusion forms are held by problem gambling service providers and can be completed at home.

Breaches

SkyCity staff are required to be vigilant for any excluded customer who attempts to re-enter the gambling areas and this will be included in Advanced Host Responsibility staff training. SkyCity Queenstown/Wharf Security and Gaming staff have responsibility for enforcing the exclusion process and taking action against those detected committing a breach of the exclusion process. Customers discovered attempting to do so may be warned, further excluded for an additional period or issued a trespass notice. The Department of Internal Affairs (**DIA**) is notified of all breaches by excluded customers and has the ability to take prosecution action if deemed necessary.

The Host Responsibility team regularly reviews the exclusion process and when necessary, makes improvements in alignment with Group policy. The reviews may involve seeking customer and staff feedback through informal research processes.

Loyalty card holders

SkyCity must deactivate membership from its loyalty programme for all excluded customers, trespassed customers and customers formally requested to leave the premises.

The SkyCity staff member responsible for the administration of the exclusion and trespass records must:

- advise Host Responsibility within 24 hours of a loyalty programme cardholder being excluded, trespassed or formally requested to leave the premises, to ensure their account is deactivated; and
- forward any surrendered loyalty card(s) to the loyalty station.

Host Responsibility must ensure that:

- excluded cardholders' accounts are deactivated;
- The accounts of cardholders who have been excluded, trespassed or formally requested to leave the premises are deactivated; and
- cardholders who are excluded, trespassed, or formally requested to leave the premises are deactivated from mailing lists.

Loyalty cards which are deactivated are not required to be returned by the customer to SkyCity. Should a customer attempt to use his/her deactivated card, an error message will appear, asking the customer to present his/her card to a SkyCity staff member. Having confirmed that the customer has been Excluded, Trespassed or formally requested to leave, the SkyCity staff member will contact Security and appropriate action will be taken in relation to that customer.

3.1.2 Responsible service of alcohol

Background

The SkyCity Responsible Service of Alcohol Programme is designed to ensure that customers enjoy an environment that is safe and enjoyable. A key component is the SkyCity Responsible Service of Alcohol training programme, which is designed for all staff who work in areas where alcohol is served, to promote effective team work to ensure customers' safety and enjoyment.

SkyCity's Responsible Service of Alcohol Programme will reflect the following principles, which are derived from the Health Promotion Agency's *"Host Responsibility Guide 2020"*.

A responsible host:

- prevents intoxication;
- does not serve alcohol to minors;
- provides and actively promotes non-alcoholic alternatives;
- provides and actively promotes substantial food;
- promotes alcohol responsibly and in accordance with the Sale and Supply of Alcohol Act 2012;
- serves alcohol responsibly or not at all; and
- promotes safe transport options.

Approach

The following is SkyCity's approach to the responsible service of alcohol:

- SkyCity will provide the sale of alcoholic beverages in a responsible manner, including monitoring and controlling of alcohol consumption;
- SkyCity will ensure that it observes the provisions of the Sale and Supply of Alcohol Act 2012 relating to the permitted hours within which customers can be sold and supplied alcohol and customers and staff are permitted on licensed premises;
- SkyCity will maintain an effective responsible service of alcohol training programme to train and inform relevant employees on the responsible sale and supply of alcohol which must be completed prior to serving alcohol;
- All SkyCity employees, temporary and contract staff will receive training on the Responsible Service of Alcohol during their induction as part of the Host Responsibility Level 1 training programme, including recognition of excessive alcohol consumption traits;
- SkyCity takes all reasonable steps to ensure intoxicated persons are prevented from entering the premises;
- SkyCity takes all reasonable steps to ensure that customers are not served to the point of intoxication. Any customer displaying signs of intoxication will be removed from the premises;
- Any customer who appears under the age of 25 may be asked for verification of identity and proof of age, before being served or sold alcoholic beverages. If such identification cannot be produced, that customer will not be served or supplied with any alcohol;
- Staff tactfully intervene to prevent possible problems arising from excessive alcohol consumption, including enlisting the services of staff of similar social/ethnic background to the customers to assist in explaining the programme to customers when required;
- No person who appears intoxicated is served or sold alcohol, allowed to gamble or allowed to remain on the premises. The decision by any employee to withhold service cannot be revoked or overruled by another, without referral to a more senior employee;

- At all times, when alcohol is sold or supplied to members of the public, there is a manager or managers on duty who hold current Manager's Certificates under the Sale and Supply of Alcohol Act 2012;
- Customers may not bring alcoholic beverages onto the premises where beverage service is provided, unless prior approval has been given;
- SkyCity will ensure that a reasonable range of non-alcoholic drinks is available at reasonable prices;
- SkyCity will ensure that a reasonable range of low-alcoholic drinks (being less than 2.5% ethanol by volume at 20 degrees celsius) is available at reasonable prices;
- SkyCity will ensure that a reasonable range of food is available at all times in portions suitable for a single customer, at reasonable prices, and within a reasonable time of being ordered;
- SkyCity will readily provide free, comprehensive and accurate information to customers about the forms of transport available from the premises;
- Free water will always be available to customers.

3.1.3 Unattended children

Background

SkyCity does not allow children to be left unattended on any part of its premises.

Approach

SkyCity takes active steps to prevent children being without adult supervision.

Employees must report to Security any incident where it is apparent that a child has been left unattended.

Security Officers must intervene and take all practicable steps to locate an adult responsible for an unattended child.

Security must contact the Police and trespass the customer in every case where there is an absence of a reasonable explanation for the child being left unattended.

In all instances of unattended children, the Host Responsibility team must be notified as soon as practicable to follow up potential problem gambling issues.

3.1.4 Underage persons

Background

SkyCity is committed to keeping minors out of the gambling area. SkyCity will rigorously enforce the prevention of underage gambling in its casinos.

Approach

SkyCity must take all reasonable steps to restrict gambling activities only to those persons legally permitted by age to enter the gambling facilities (currently 20 and over).

Any customer who appears under the age of 25 must be asked for verification of identity and proof of age before being permitted to enter the gambling area.

SkyCity must take all reasonable steps to restrict access to 'supervised areas' only to those persons legally permitted by age to enter the area (currently 18 and over), unless accompanied by a parent or guardian.

Training for SkyCity Security and Gaming staff must include the need to be particularly vigilant for the presence of underage persons.

Any SkyCity staff member has the authority to approach suspected underage persons and seek identification for proof of age.

3.1.5 Standards of dress and behaviour

Background

SkyCity must provide a comfortable environment where customers are able to enjoy their surroundings without disruption from others who are inappropriately dressed or behaving in an unacceptable manner.

Dress code

SkyCity requires a neat and tidy standard of dress. While it is difficult to be prescriptive about dress suitability, in normal circumstances the following are not permitted at SkyCity casino:

- torn clothes (exceptions for fashion wear);
- gang patches or other insignias;
- dirty clothes or footwear; or
- hats or caps (unless for religious or medical reasons or for Texas Hold'em Poker).

Behavioural standards

If a customer is detected:

- under the influence of alcohol;
- abusing or threatening staff or other customers;
- causing conflict with other customers or staff, or
- otherwise being unpleasant,

then SkyCity staff must:

- take appropriate steps to stop the behaviour, or
- in appropriate circumstances, have the customer escorted from the premises.

Customers exhibiting undesirable behaviour may be trespassed or excluded.

3.1.6 Long Hours of Play

Continuous Presence

Continuous presence is where a customer is present at the casino (but not necessarily gaming continuously) for a period of 12 hours or more. The "clock" is reset after a customer has had a break from being present at the casino for six hours or more.

As a general rule:

- when a customer has been observed to be continuously present at the casino (but not necessarily gaming continuously) for 12 hours, the observing staff member must notify Gaming Staff or Host Responsibility. All reasonable endeavours must then be made to interact promptly with the customer.
- At the very least, in the course of the interaction, the customer must be encouraged to take breaks and Gaming staff and/or Host Responsibility must thereafter continue to monitor the customer (which may include subsequent interactions with that customer).
- If any interaction gives rise to immediate concern that the customer is a problem gambler, Host Responsibility must proceed as required by the Act, the Policy and the Programme.
- When a customer has been continuously present at the casino (but not necessarily gaming continuously) for 24 hours and, provided that no action has already been taken under the Act, the Programme or the Policy:
 - non-international VIP customers must be required to leave promptly, and directed not to re-enter the casino for at least 24 hours; and
 - international VIP customers must be assessed by the International Business Management team to determine whether their play should be permitted to continue or not.

If one or more of the strong indicators is observed, Host Responsibility or Gaming staff must intervene immediately and proceed as required by the Act, this Programme and the Policy irrespective of how long the customer has been present.

All interactions, observations and assessments must be logged in iTrak.

Continuous Play

Continuous play is where a customer is gaming continuously for five hours or more. The "clock" is reset after a customer has had a break from gaming of at least 30 minutes duration (in aggregate).

As a general rule:

- When a customer has been observed gaming continuously for five hours or more without a break of at least 30 minutes duration (in aggregate), the observing staff member must notify Gaming Staff and Host Responsibility. All reasonable endeavours must then be made to interact promptly with the customer.
- When a customer has been detected by an automated system to have been gaming continuously for five hours or more with a loyalty card without a break of at least 30 minutes duration (in aggregate), an automated system alert must be sent to Gaming Staff and Host Responsibility. All reasonable endeavours must then be made to interact promptly with the customer.
- At the very least, the customer is approached with an emphasis on customer care. If during the course of the interaction the customer gives staff cause for concern staff must encourage breaks or take stronger measures as required under the Act, the Policy and this Programme. Gaming staff and/or Host Responsibility must thereafter continue

to monitor the customer (which may include subsequent interactions with that customer).

- If any interaction gives rise to immediate concern that the customer is a problem gambler, Host Responsibility must proceed as required by the Act, the Policy and this Programme.
- When a customer has been detected by an automated system to have been gaming continuously with a loyalty card for 10 hours (without an aggregate break of at least 60 minutes) and, provided that no action has already been taken under the Act, this Programme or the Policy:
 - non-international VIP customers must be required to leave promptly and directed not to re-enter the casino for at least 24 hours; and
 - international VIP customers must be assessed by the International Business Management team to determine whether their play should be permitted to continue or not.

If one or more of the strong indicators is observed, Host Responsibility or Gaming staff must intervene immediately and proceed as required by the Act, the Programme and the Policy irrespective of how long the customer has been on site.

All interactions, observations and assessments must be logged in iTrak.

Uncarded players

Although ascertaining the length of "continuous presence" and "continuous play" for uncarded players relies upon observation rather than a system record, if SkyCity staff become aware of uncarded players being "continuously present" or undertaking "continuous play" for the periods set out above, they must report their observation so that those uncarded players are treated as set out above.

Mandatory Carded Play

SkyCity must use all reasonable endeavours to introduce mandatory carded play in the casino within 18 months of the date of this Programme.

Once introduced, all customers who wish to gamble at the casino must be required to use an electronic card or other form of unique identifier when gambling.

Following its introduction, SkyCity will continue to develop mandatory carded play technology with the aim of enhancing the technology.

Minimum standards for the design, manufacture and operation of mandatory carded play will need to be developed and prescribed by the Secretary before mandatory carded play is able to be implemented at the casino. The relevant equipment may also need to be approved by the Secretary as complying with the prescribed minimum standards. Different standards and approvals may also be required for electronic gaming machines and table games and the timing of such standards and approvals may differ.

A number of changes will also need to be made to the Programme once mandatory carded play is able to be implemented at the casino. SkyCity must submit an updated Programme which reflects the resulting changes to the Commission for review and approval prior to implementation.

SkyCity must actively work with its technology vendors and equipment suppliers to meet the timeframe above.

SkyCity must report to the Commission on its progress towards the implementation of mandatory carded play every six months, commencing in six months of the date of the notification of the decision amending this Programme.

3.1.7 Gambling limitation

SkyCity Queenstown Casino

SkyCity offers customers a voluntary pre-commitment system.

This system is available to all casino patrons and allows them voluntarily to set limits on how much they spend and how long they play for on gaming machines.

Breaches of pre-commitment limits, multiple increases of pre-commitment limits or disabling of pre-commitment limits are general indicators.

Host Responsibility staff will proactively encourage the use of the voluntary pre-commitment system, where appropriate, during interactions with patrons.

The features of the voluntary pre-commitment system include:

- access to the pre-commitment facility via SkyCity's loyalty card;
- each time the loyalty card is inserted, the pre-commitment facility will be activated;
- the system will allow players to define their own limits for:
 - time limit; and
 - spend limit;
- enrolment for pre-commitment can occur at either:
 - the gaming machine by the player; or
 - a loyalty member's workstation;
- an "approaching limits" and "reached limits" notification will be displayed on the gaming machine;
- if limits are relaxed, then the new limits must not be available to the player for a period of 24 hours;
- once the limit is reached, no more SkyCity loyalty points may be accumulated or entries to promotions earned;
- SkyCity Host Responsibility Executives must be alerted once limits are breached, increased or disabled;
- no SkyCity loyalty points can be earned by a player for the 24 hours following a limit being reached; and
- the system will provide information, support and advice to the operational business units.

SkyCity Wharf Casino

SkyCity Wharf does not have the same gaming management system (the "Bally" system) as the SkyCity Queenstown casino, and so cannot offer its customers the voluntary pre-commitment system. Until the Bally system is installed, SkyCity Wharf will continue to offer the VIP Agreed Limitation Programme.

The VIP Agreed Limitation Programme is a harm minimisation initiative for VIP customers. It is available on request to all VIP customers. SkyCity Wharf Casino may also offer it to VIP customers who are identified as being at risk of harm in the circumstances described below.

The key criteria for offering Agreed Limitation are that the customer and the casino agree that it will support the at-risk customer to gamble without experiencing harm. Participation is closely monitored and reassessed. Where infringements occur, the casino takes appropriate action. This may include approaches to the customer and Exclusion in

circumstances where the customer is unable to continue gambling without experiencing harm.

Customers who are eligible for participation in the Agreed Limitation programme are offered a 'Time Out' programme to assist in minimising the potential for gambling harm. 'Time Out' requires the customer to take a break from all play at SkyCity Wharf Casino for three, six or nine months.

An offer of Agreed Limitation is not a substitute for, or an alternative to the provision of information on the availability of Self-Exclusion. Agreed Limitation will only be made available in circumstances where a customer can gamble without experiencing harm. Customers identified for participation in the Agreed Limitation programme are provided with information regarding exclusion options prior to signing an Agreed Limitation Agreement. Should a customer on the Agreed Limitation Programme request Self-Exclusion, this request must be facilitated immediately and will take precedence over any Agreed Limitation Agreement.

Agreed Limitation is not intended to be a replacement for professional counselling. Contact details for problem gambling counselling services are available to customers at all times and any customer wishing to access these services is supported to do so.

Details for administering Agreed Limitation are shown in the Agreed Limitation SOP.

3.2 Host responsibility information for customers

Customer information resources

SkyCity produces a range of host responsibility resources for customers. Copies of all SkyCity brochures and other host responsibility resources are available and displayed where appropriate in SkyCity's gambling areas.

This information is also supplemented and supported by the SkyCity Queenstown website (www.skycityqueenstown.co.nz) (which covers both properties) where electronic copies of the resources are made available. A copy of the Programme is displayed on the SkyCity Queenstown website.

There is an ongoing process of review and development of resources for customers.

Information resources are translated into a variety of languages consistent with the cultural make-up of SkyCity's customer base.

A summary of SkyCity's host responsibility resources for customers is shown in Appendix A.

3.3 Employee gambling-related harm

Introduction

SkyCity is committed to a culture that proactively supports and promotes host responsibility.

Background

SkyCity undertakes a range of measures concerning the potential for employee gambling-related harm that aim to:

- Prevent and minimise gambling-related harm amongst SkyCity employees as a result of their own or someone else's gambling;
- Enhance the ability of SkyCity staff to undertake effective host responsibility; and
- Contribute to the prevention and minimisation of gambling-related harm in the community.

Requirements

SkyCity recognises that employee gambling-related harm is a sensitive issue. Accordingly, measures to promote awareness and encourage and support help-seeking will be discreet and interventions with SkyCity staff kept confidential.

SkyCity will undertake the following to provide assistance to casino employees with managing the potential for personal problem gambling:

Information resources

- Provide access to supporting resources for staff when required, using appropriate channels, including:
 - a standardised gambling screen;
 - self-help resources to assist with early self-identification and intervention; and
 - information on how to access problem gambling services;
- Include information about personal problem gambling and underlying risk factors (such as depression and alcoholism) in host responsibility training programmes and in the Workplace Support (employee assistance) programme;
- Promote awareness and information about self-assessment and self-help resources, and encourage staff to use these resources themselves to assist with early identification and intervention; and
- Promote information about personal problem gambling support services when staff approach the SkyCity Connect Centre to participate in the Workplace Support Programme, Employee Financial Assistance, and/or where appropriate where a staff member may be seeking assistance.

Policies and procedures

- Prohibit staff from gambling at any SkyCity owned or operated casino;
- Prohibit access to online gambling sites by staff while on SkyCity premises, unless such access is required for genuine business reasons; and
- Identify high risk areas for staff and target with increased levels of information.

Recruitment

- Assess all job applicants for evidence of problem gambling (via questions in job application forms);
- Decline applications from those who are identified as problem gamblers either through their screening results, or disclosure of relevant indicators (as set out in the Policy) during the recruitment process and provide appropriate information, advice and assistance; and

- Respond to applicants identified as problem gamblers who are also customers in accordance with the Programme.

Support for staff

- Provide assistance to staff who are experiencing gambling-related harm, including:
 - identification;
 - intervention;
 - referral to confidential support through the Workplace Support Programme and/or a problem gambling treatment provider;
 - confidentiality; and
 - wherever possible, SkyCity will involve problem gambling counsellors in staff induction training about the signs of problem gambling among staff and customers.

3.4 Stakeholder engagement

Background

SkyCity aims to maintain constructive relationships with members of the local community.

Approach

SkyCity will continue to facilitate opportunities for regular engagement to ensure local stakeholders:

- understand and are aware of the Programme;
- are able to continue to raise and discuss operational issues in relation to host responsibility;
- continue to have opportunities to provide input into SkyCity Queenstown/Wharf Host Responsibility Programme and harm prevention and minimisation initiatives; and
- have opportunities to participate in partnership projects on key initiatives where appropriate.

SkyCity Queenstown/Wharf convenes a six monthly Queenstown Host Responsibility Community Liaison Group to discuss host responsibility issues. These issues relate primarily to operational activities, (eg referrals, exclusions etc). There are also opportunities to discuss strategic or broader sector issues.

SkyCity will invite representatives from:

- treatment service providers including problem gambling and alcohol and other drugs;
- public health providers; and
- government agencies including the Police, DIA and Alcohol Advisory Council of New Zealand.

SkyCity will keep membership of the Liaison Group under review to maintain relevance to SkyCity's current or evolving policies and practices.

In developing and implementing the Programme, and harm prevention and minimisation initiatives, SkyCity will consider the views expressed by the attendees of the meetings.

SkyCity will make available to the Liaison Group a copy of the report provided to the Commission under section 4 of the Programme.

SkyCity also arranges site visits, including presentations, for representatives to become familiar with the Programme. SkyCity also undertakes off-site visits to stakeholder organisations.

SkyCity will work with class 4 organisations to maximise the effectiveness of each others' Host Responsibility Programmes.

3.5 Environmental design

Approach

SkyCity's general approach towards environmental design is to ensure the provision of safe environments that are conducive to responsible gambling and consumption of alcohol.

Considerations

In considering the impact of any proposed changes, the key objectives are to ensure that environmental features:

- contribute to harm prevention or have a neutral impact on harm;
- encourage responsible gambling and alcohol consumption choices;
- do not contribute to the onset of harm or exacerbate risk; and
- facilitate effective host responsibility, particularly early identification and intervention.

This approach applies to the following SkyCity areas:

- floor lay-out, furnishing and design;
- casino electronic gaming machine and table game location;
- access to cash;
- game and equipment features;
- environments adjacent to the gaming floor, including access to other entertainment options;
- physical location and presence of Security and Host Responsibility;
- location of problem gambling and other information resources; and
- access criteria, including dress codes and age restrictions.

Requirements

SkyCity shall in its environmental design seek to ensure:

- problem/responsible gambling signage and exit points are clearly visible;
- patrons are visible to venue staff on the gaming floor;
- machine alleys with no exit point and in dimly lit corners are avoided;
- gambling areas are well lit, utilising natural light where appropriate;
- clocks are visible in the gambling areas; and
- other non-gambling entertainment options are available.

Other regulatory processes

All applications for construction or design changes to gambling areas must be approved by the Gambling Commission. As part of any such application, SkyCity assesses any impacts the alterations may have on harm prevention and harm minimisation. The impact of any proposed design change on gambling harm is assessed in determining the suitability of any such proposal prior to making applications to the Commission.

3.6.1 Safe gambling environment – gaming machine play

Requirements

SkyCity will take all reasonable and practicable steps to ensure a customer plays no more than one gaming machine at a time.

3.6.2 Safe gambling environment – third party loans for financial gain

Legislation

Under section 15(1) of the Act, SkyCity is prohibited from offering or providing credit intended for use in gambling, except in circumstances approved by the former Casino Control Authority (CCA) or the Gambling Commission. The Gambling Commission regulates and approves, as necessary, all cash access arrangements provided by SkyCity at the Queenstown/Wharf casinos.

Policy

SkyCity does not permit loan transactions by third parties for financial gain at the casino venues, except as approved by the CCA or the Gambling Commission. It is particularly concerned to protect customers from illegal or oppressive loan activity, or “loan sharking” as it is known.

Requirements

- SkyCity will ensure that signage is displayed in appropriate areas publicising that loan sharks will be excluded.
- SkyCity will take all reasonable steps to identify and exclude persons at the casino offering loans for financial gain. To assist this process SkyCity will maintain an Undesirable Behaviour SOP which shall explain how SkyCity will identify, investigate and respond to persons at the casino suspected of offering loans for financial gain.
- Where casino staff observe suspicious behaviour or information is presented from external parties regarding loan activity, SkyCity will investigate and act in a timely manner. This process is outlined in the SkyCity Queenstown/Wharf Undesirable Behaviour SOP.
- If it is obvious that a person is engaged in offering or providing loans for financial gain, SkyCity will issue that person with a trespass notice. If there is reasonable cause to believe that a person is engaged in offering or providing loans for financial gain, SkyCity may issue that customer with a requirement to leave the premises, pending further investigation. At the completion of its investigation, and where a person is found to be offering loans for financial gain, SkyCity will issue that person with a trespass notice.
- SkyCity will notify DIA Gambling Inspectors of suspected loan sharking activity in accordance with Minimum Operating Standards for Records and Notification. Where appropriate, SkyCity will also notify relevant agencies.
- Where a customer is established as receiving a loan for financial gain from a third party (i.e. not the casino), SkyCity will open an iTrak investigation file and interact with the customer. Following the interaction, SkyCity may elect to open a GOI file for further investigation and monitoring, exclude the customer or take no further action if the customer provides a satisfactory explanation. A customer borrowing money in these circumstances is considered a potential problem gambler and will be provided with appropriate information as required by section 309(2) of the Act. All investigations, interventions and outcomes are recorded and retained on iTrak.
- SkyCity will provide appropriate staff training to assist in preventing and minimising harm associated with loan sharking.

3.6.3 Safe gambling environment – credit

Policy

SkyCity will notify Host Responsibility when it enters into a credit arrangement with a customer.

Requirements

Host Responsibility staff must monitor and record the activities of any customer with a credit arrangement for indicators of potential gambling harm.

3.7 Responsible marketing

Legislation and industry codes

SkyCity's marketing activities comply with applicable laws, Regulations 9 and 10 of the Gambling (Harm Prevention and Minimisation) Regulations 2004, relevant industry codes (including the New Zealand Advertising Standards Authority's "Gambling Advertising Code") and licence conditions.

Requirements

SkyCity will not pursue marketing initiatives which have any of the characteristics set out below. Where concerns are raised by third parties, SkyCity will investigate and, where appropriate, take immediate action to withdraw or amend the marketing initiative.

SkyCity will ensure an internal process is followed to ensure harm minimisation issues are considered and addressed in the development of marketing initiatives, including those directed to members of SkyCity's loyalty programme.

This process includes consultation with Host Responsibility as well as the Regulatory team, with final sign-off by Legal (both of which are based at SkyCity Auckland).

Consultation includes consideration of the following principles.

Does the marketing initiative:

- Target groups at increased risk of experiencing gambling harm?
- Target children or young people (having regard to the criteria in the Gambling Advertising Code)?
- Portray or represent anything that will, or is likely to, cause, condone or encourage harm from gambling? The marketing initiative must not:
 - promote gambling as a means of relieving or improving a person's financial, professional or personal difficulties, for example, loneliness or depression.
 - state or imply a promise of winning or portray unrealistic outcomes from winning.
 - misrepresent the level of financial risk associated with the gambling activity.
 - encourage consumers to participate in gambling excessively or beyond their means.
 - create a false sense of urgency such that consumers may be misled into thinking they must act quickly in order to participate or win.
 - state or imply that there is a link between gambling and sexual or relationship success, or enhanced attractiveness.
 - portray, condone or encourage peer pressure to gamble.
 - exaggerate the connection between the gambling activity and the use (individual / family / whanau / community) to which the profits may be put.
 - target vulnerable people for example, by playing on fear or their superstitions (e.g. through inappropriate use of cultural symbols or references).
- Mislead or be likely to mislead, deceive or confuse consumers, abuse their trust or exploit their lack of knowledge. This includes by implication, inaccuracy, ambiguity, exaggeration, unrealistic claim, omission, false representation or otherwise. The marketing initiative must not:
 - make claims about the chance of winning unless they are factual and able to be proven.
 - exaggerate the chance of winning or the size of the prize.
 - falsely state or imply that a gambler's skill can influence the outcome of the gambling activity unless skill can affect the outcome.

The marketing initiative must:

- include the terms and conditions or a reference to where the terms and conditions are readily available. Terms and conditions must be easily understood and must not contradict the advertisement content.
- clearly display in the advertisement information about where the gambling can be accessed (e.g. in the case of online gambling a URL address for a website) if it would otherwise be misleading to not display such information.

Marketing initiatives will be reviewed on a six-monthly basis by Host Responsibility. The six-monthly review will assess promotions against key metrics of gambling harm monitored by SkyCity.

Loyalty Programme

SkyCity's loyalty programme provides members with benefits such as the ability to enter promotional draws, and discounts on parking and food and beverage purchases. It also provides members with the opportunity to earn points from gambling activity and on-site spend which can be redeemed for rewards.

At SkyCity Queenstown Casino and SkyCity Wharf casino, the loyalty programme consists of four membership tiers. Once sufficient loyalty points have been earned, a member is offered the opportunity to upgrade to a higher tier. As part of the tier upgrade process, members are required to certify prior to each upgrade that they are comfortable with their level of gambling, and that their gambling is affordable and not at a level that is causing harm, or may cause harm, to themselves, their family or other people.

The top tier is known as a VIP tier, with entry by invitation only. Before a customer is invited to join the VIP tier, Host Responsibility must undertake a review of their interactions, observations and assessments in iTrak to identify possible gambling harm.

If a gambling harm review is not completely satisfactory, the customer must not be upgraded, and Host Responsibility must proceed in accordance with the requirements of the Programme and Policy.

SkyCity must ensure that staff who process loyalty upgrades are trained to recognise signs of problem gambling.

3.8 Display of signage and provision of gambling information to customers

Background

A key component of the Programme is the provision of information for customers. Provision of information is intended to assist customers to make informed decisions about their gambling and alcohol consumption while at SkyCity.

A description of how SkyCity will discharge its obligations to offer information and advice to persons identified as problem gamblers is addressed in the Policy and the SOPs.

Approach

SkyCity has a range of information resources that are provided to customers, summarised in Appendix A.

Display of signs, brochures, clocks and website

SkyCity ensures that:

- Host responsibility material is displayed prominently and translated into key languages, besides English, to reflect the ethnicity of SkyCity Queenstown/Wharf's visitors;
- Brochures are maintained in sufficient quantities so as to be generally available at all times, at all locations;
- All gaming machines and gaming tables at SkyCity display problem gambling helpline telephone numbers, with information in a range of languages. The information is also displayed on or near all ATMs and public phones;
- Clocks are on display in all SkyCity gambling areas; and
- Call centre facilities include a direct line to the Gambling Helpline.

SkyCity Queenstown/Wharf will make available a 'responsible gaming' brochure, intended to assist in reducing the tendency of patrons to be subject to erroneous beliefs, e.g. that the odds of winning are better than they are, that skill can influence outcomes (where it cannot), or player tendencies to engage in various superstitious practices.

SkyCity actively promotes the Gambling Helpline and other free problem gambling counselling service contact details through its host responsibility resources. Customers demonstrating potentially harmful behaviour are encouraged to contact these services. All excluded customers, and third parties who contact SkyCity about another's gambling problems, are actively encouraged to contact the appropriate services for help and support.

SkyCity Entertainment Group Limited has a host responsibility section on its website.

Display of game rules, permissible bets and payment of winning bets for table games

Information is made available to customers that pertain to game rules, permissible bets and payment of winning bets as required by section 175 of the Act.

Whenever a table is open, information is displayed which advises customers that the game rules for the game are available upon request, and specifies minimum and maximum bets, and payments of winning bets. Signage is also displayed stating that staff cannot accept tips.

Display of game rules, permissible bets and payment of winning bets for electronic gaming machines

All gaming machines display information regarding the denomination of the game. Game rules are provided on the machine and/or electronically via the screen. Gaming machine odds are explained in the “Responsible Gaming” brochure, which is available on the gaming floor.

Customers may request a copy of game rules at any time. If the request is for general information or an overview of a game, an appropriate gaming employee will explain this and can provide a “How to Play” brochure to assist further.

Display of game rules, odds of winning and information on problem gambling for Fun Play Tables

Information is made available to customers that pertains to game rules, odds of winning and information on problem gambling.

Whenever a Fun Play table is open, information is displayed which advises customers that the game rules for the game are available upon request, and odds of winning and information on problem gambling.

Display of host responsibility information in open areas where there are gaming machines

Information on problem gambling and responsible gambling are displayed and made available to customers in open areas (e.g. decks) where gaming machines are present.

Information requests by customers

Customers seeking further clarification of game rules will be given access to the relevant approved rules.

Information on gambling activity

Loyalty card players can be provided, on request, with information on their gambling activity, including the number and length of their gambling sessions and their gambling expenditure.

Non-loyalty carded players will be provided, on request, with as much information as is available to SkyCity on their gambling activity.

3.9 Learning and development

Introduction

SkyCity is committed to developing staff awareness, understanding and commitment to host responsibility especially with respect to gambling and alcohol-related harm. SkyCity shall comply with its statutory obligations relating to problem gambling awareness training, including as set out in Regulation 12 of the Gambling (Harm Prevention and Minimisation) Regulations 2004.

SkyCity will aim to ensure its learning and development initiatives are appropriate to the needs of its customers and staff.

SkyCity's learning and development resources approach employs established models of best-practice and include a training mix of classroom based, multi-media and on-the-job coaching. Learning and development resources are tailored depending on the roles and responsibilities of staff, and their required host responsibility customer interactions.

Overview of staff roles

Staff: All staff, regardless of position, are trained to identify indicators of harm. Staff are expected to refer the observation of indicators to a supervisor/manager.

Frontline staff: All staff who have contact with gambling customers in the casino are required to be trained in problem gambling awareness and how to approach customers to offer information and assistance about problem gambling. Frontline staff have a primary role in being alert to and identifying indicators of harm, and will report observations of concern to a supervisor/manager. While it is not their primary role, frontline staff are trained and will approach customers themselves in circumstances, for example, where a matter is urgent or a manager/supervisor is not available.

Supervisor or manager: The supervisor/manager is the first point of contact for escalation for indicators of harm.

Supervisors and managers are also responsible for ensuring that all observations of indicators reported to them by staff, and any follow up responses taken by staff and/or supervisors and managers, are logged and sent to Host Responsibility. Supervisors and managers are also responsible for providing additional information to Host Responsibility to assist with the ongoing monitoring of, and interaction with, the customer.

Depending on the circumstances, the supervisor/manager delivers interventions by providing information, advice and assistance to customers and taking other appropriate action(s) to minimise harm.

Host Responsibility: Host Responsibility records, collates and analyses all information relating to indicators of problem gambling noted by frontline staff, supervisors and managers. Host Responsibility also records interactions and interventions they undertake themselves. The information is used to undertake a section 309 assessment. As a result of the assessment, a GOI file may be opened, and/or appropriate follow up interactions or interventions undertaken. This may include meeting with customers. Host Responsibility is responsible for the ongoing monitoring and management of GOI files, feedback and review of new information on GOI files and the provision of host responsibility advice and support to staff, supervisors and managers.

Learning and development requirements

Induction training

All permanent staff, whether or not in direct contact with customers, will complete the three compliance e-learning modules within one month of commencement of employment. Access to the modules is available to new employees before they start work as soon as they are assigned an employee number.

The three compliance modules are:

- Play Safe – Health and Safety;
- Responsible Service of Alcohol; and
- Responsible Gaming, which includes:
 - responsible service of gambling and alcohol;
 - identification of problem gamblers;
 - reporting and recording procedures for observations;
 - approaching and providing information about problem gambling to patrons including how to access local problem gambling services; and
 - awareness of employee gambling-related harm.

Welcome to SkyCity

Within the first month of working at SkyCity, employees are encouraged to complete a classroom session of up to two hours which refreshes the compliance information from the e-learning modules and also covers general policies and procedures and an orientation to SkyCity.

Host Responsibility Level 1 (HRI)

For all staff whose work involves the gaming side of SkyCity's business, SkyCity will work to supplement the induction training by ensuring that these staff also complete a "Host Responsibility Level 1 (HRI)" e-learning module after three months employment. This module will also be compulsory annual refresher training for those staff.

Training for staff in direct contact with gaming customers will be further supplemented by on-the-job coaching and support.

Advanced Host Responsibility Training

Advanced training, supplementary to training for Host Responsibility Level 1, is provided staff that work within the gaming areas and whose roles require them to interact with customers. This training is run monthly or as necessary.

The Advanced Host Responsibility training module includes both theoretical and practical components. The training includes:

- SkyCity's legal and regulatory requirements;
- identification of problem gamblers;
- initial action with respect to customers requesting problem gambling assistance;
- identification and intervention with respect to excessive alcohol consumption;
- support of staff who have intervened and debrief;
- importance of reporting;
- intervention, including brief interventions, de-escalation and motivational interviewing;
- breaches of exclusion;
- the use of pre-commitment;
- debriefing and staff support;
- problem gambling treatment processes;

- cultural awareness;
- advanced Responsible Service of Alcohol – intervention and slowing service; and
- awareness of employee gambling-related harm.

Staff who have completed Advanced Host Responsibility training will undergo an annual online recall test. Those who fail the test will be required to re-take Advanced Host Responsibility training. In addition, role specific training will be offered where learning needs are identified.

Refresher training

SkyCity provides department-based/site-wide refresher training on an ongoing basis. Refresher training is available to all staff at SkyCity. Refresher training is provided when a learning and development need is identified or requested, and for those who fail knowledge recall tests.

General Manager training – Sale and Supply of Alcohol Act 2012

The Licence Controller Qualification, as required by the Sale and Supply of Alcohol Act 2012, is facilitated through an external provider.

Suicide-awareness Training

Frontline Host Responsibility staff and senior Security Managers are trained to respond to customers who are at risk of suicide. This training is facilitated through an external provider.

Informal learning and development

As learning and development is an ongoing process, SkyCity provides a range of other opportunities for host responsibility learning to occur. There is an emphasis on sharing information and experiences across SkyCity's portfolio to build host responsibility knowledge. These internal opportunities include:

- internal communications, e.g. staff newsletters;
- inclusion in business or management processes, e.g. staff meetings and key performance indicators;
- discussion forums led by Host Responsibility staff; and
- participation by staff in the harm minimisation and host responsibility policy development processes.

Evaluation

SkyCity undertakes a range of evaluation measures as part of its commitment to learning and development quality improvement. These measures include:

- staff training feedback and evaluation forms;
- staff knowledge recall and application of knowledge;
- staff focus groups; and
- analysis of training needs.

4.0 Monitoring and reporting

Introduction

SkyCity will evaluate its performance against the objectives of the Programme.

The Programme is measured and monitored using a range of indicators that are set out below. These indicators reflect the level of activity under the Programme, compliance with legal obligations, and progress against all the Programme objectives as set out in section 1.

The Programme is embedded into the business and specifies SkyCity's minimum requirements in relation to its host responsibility obligations. SkyCity is not prevented from trialling and introducing new initiatives in addition to what is specified in the Programme. In consultation with the Gambling Commission, any such enhancements may be incorporated into the Programme, prior to the Commission's next three-yearly review.

Reports to the Gambling Commission

SkyCity will report annually to the Commission on the implementation of the Programme.

Reports will include the following information:

- a description of the resources put into the core elements of the Programme;
- a description of activities undertaken by SkyCity under the Programme;
- reporting against the measures specified below, including a comparison to previous data where applicable;
- SkyCity discussion on the effectiveness of the Programme and the extent to which Programme objectives in section 1 are being achieved. This will include reference to feedback from internal and external stakeholders received through a range of forums such as regular meetings with the DIA and other meetings held as required; and
- proposed improvements to the Programme.

A copy of the report will be sent to the Secretary for Internal Affairs.

Gambling Related Measures	Source of data	Frequen cy
<ul style="list-style-type: none"> Number of customers about whom there have been observations. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of observed indicators reported to Host Responsibility. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of approaches to SkyCity by third parties. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of problem gamblers identified (in the first instance) by requests for exclusion or forthright disclosure, compared to number of problem gamblers identified by the casino. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of GOI files by: <ul style="list-style-type: none"> Ethnicity Gender Age Preferred mode of gambling. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of approaches to customers to offer information about self-exclusion. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of instances where a customer has been detected gaming continuously for 10 hours 	SkyCity	Annual
<ul style="list-style-type: none"> Number of exclusions (both casino and self-exclusions) by: <ul style="list-style-type: none"> Ethnicity Gender Age Preferred mode of gambling (tables/EGMs) Prompted by third party disclosures Exclusion type (self/SkyCity) Following re-entry. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of customers participating in Limitation Programme (at Wharf Casino) 	SkyCity	Annual
<ul style="list-style-type: none"> Number of customers participating in Multi-site Exclusions. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of excluded customers (both casino and self-exclusions) agreeing to be contacted by help services on exclusion form. 	SkyCity	Annual

<ul style="list-style-type: none"> Number of breaches of exclusion (both casino and self-exclusions) by: <ul style="list-style-type: none"> Ethnicity Gender Age 	SkyCity	Annual
<ul style="list-style-type: none"> Number of exclusions by length: <ul style="list-style-type: none"> 3 months 6 months 9 months 12 months 24 months 	SkyCity	Annual
<ul style="list-style-type: none"> Number of successful and unsuccessful applications to re-enter following exclusion. 	SkyCity	Annual
<ul style="list-style-type: none"> The extent to which customers have been assisted (drawing, <i>inter alia</i>, on feedback from customers and staff). 	SkyCity	Annual
<ul style="list-style-type: none"> Number of persons trespassed or required to leave for making loans for financial gain. 	SkyCity	Annual
Measures relating to the Responsible Consumption of Alcohol		
<ul style="list-style-type: none"> Number of "Under the Influence" incidents. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of Police contacts citing SkyCity as venue where their last drink was served. 	Police Alcolink database	Annual
Measures relating to Staff Training		
<ul style="list-style-type: none"> HRI courses Advanced Host Responsibility courses Refresher training Number of staff who need to be trained in each category, and proportion of those staff who have completed the appropriate level training. 	SkyCity	Annual
<ul style="list-style-type: none"> Staff recall of knowledge and behaviours related to host responsibility and associated policies and procedures. 	L&D Evaluations Mystery Shopper	Annual Annual
<ul style="list-style-type: none"> Staff perceptions of the effectiveness of training. 	L&D Evaluations	Annual
<ul style="list-style-type: none"> Staff perceptions on the effectiveness of the Employee Gambling Harm Programme, reporting to the Commission to include percentage response rate of staff to the SkyCity survey. 	SkyCity commissioned survey	Annual
Other Programme activity and compliance-related measures		
<ul style="list-style-type: none"> Number of internal and external underage incidents. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of unattended children. 	SkyCity	Annual
<ul style="list-style-type: none"> Number of Requests to Leave the Premises. 	SkyCity	Annual
<ul style="list-style-type: none"> Post Promotion Analysis 	SkyCity	Annual

Appendix A – Current Host Responsibility Resources for Customers (as at December 2023)

“Being A Responsible Host: Our Commitment To Our Customers” – poster

SkyCity developed and displays the A3 “Being a Responsible Host” poster in key gaming areas. The customer-focused poster is designed to provide an overview of SkyCity’s Host Responsibility Policy and the key initiatives undertaken.

“Would you like a Helping Hand?” – brochure

SkyCity provides “Would you like a Helping Hand” – brochures in 10 different languages: Chinese, English, Korean, Māori, Samoan, Tongan, Thai, Hindi, Arabic, and Khmer. The brochure provides the Gambling Helpline information and signs and symptoms of problem gambling. It also outlines other free problem gambling counselling services.

“Would you like a Helping Hand?” – poster

In supplementing the “Would you like a Helping Hand” – brochure, SkyCity also produces an A1 poster version. The poster provides the Gambling Helpline number and is displayed in various places across gambling areas including some customer restrooms.

“Would you like a Helping Hand?” – wallet card

This pocket size card also supplements the brochure and presents the Gambling Helpline number and other free problem gambling counselling service contact numbers. Available in Chinese, English, Tongan and Samoan.

“Responsible gaming?” – brochure

This brochure provides responsible gambling tips and an overview of the odds of winning and player returns and highlights that casino games are based on chance and randomness. It also provides Gambling Helpline and SkyCity Host Responsibility contact details. Available in Chinese and English.

“Self-Exclusion at SkyCity” – brochure

The brochure outlines the self-identified exclusion process. It provides simple information on frequently asked questions and shows Gambling Helpline and SkyCity Host Responsibility contact details. The “Self-Exclusion at SkyCity” brochure is available in 10 different languages: Chinese, English, Korean, Māori, Samoan, Tongan, Thai, Hindi, Arabic, and Khmer.

“Concerned About Someone’s Gambling? SkyCity Can Help” – brochure

The brochure outlines the SkyCity (third party) exclusion process. It provides simple information on frequently asked questions and shows Gambling Helpline and SkyCity Host Responsibility contact details. The “Concerned About Someone’s Gambling? SkyCity Can Help” brochure is available in 10 different languages: Chinese, English, Korean, Māori, Samoan, Tongan, Thai, Hindi, Arabic, and Khmer.

“Why We Can’t Serve You” – tent card

This card provides a summary of the SkyCity Responsible Service of Alcohol Policy. The tent card is provided to all staff to show to customers when explaining decisions regarding service of alcohol, including the slowing or stopping of service.

“Children at SkyCity” – brochure

The brochure explains New Zealand law and SkyCity’s policy with respect to unattended children. It is available in Chinese, English and Hindi.

“SkyCity Queenstown Dress Code” – brochure

This brochure explains the casino’s policy regarding acceptable standards of dress.

“Take a break from the game” – wallet card

This card provides customers with written information to assist in the understanding of taking breaks during gaming. It includes a phone and text number for the gambling helpline, available in English, Chinese, Korean and French.

Appendix B

SkyCity Host Responsibility

PROBLEM GAMBLER IDENTIFICATION POLICY for SkyCity Queenstown and Wharf Casinos

(Gambling Act 2003, sections 308-312A)

Problem Gambler Identification Policy

References: Gambling Act 2003 ("Act"), sections 308, 309, 309A, 310, 311 and 312A

Objective

The Problem Gambler Identification Policy ("Policy") has been developed pursuant to the Act to enable SkyCity to take all reasonable steps to identify actual or potential problem gamblers and to act on that information.

Statutory Requirements

Section 308 of the Act requires the holder of a casino operator's licence who is conducting casino gambling to develop a policy for identifying problem gamblers. This Policy has been developed by SkyCity pursuant to section 308(1). Using this Policy, all reasonable steps must be taken to identify actual or potential problem gamblers.

Section 309 of the Act requires that the holder of a casino operator's licence, or person acting on behalf of the licence holder, must, after identifying a person who he or she has reasonable grounds to believe is a problem gambler, approach the person and offer information or advice to the person about problem gambling.

The information or advice offered must include a description of:

- (a) the self-exclusion procedure available; and
- (b) any procedures prescribed by Regulations made under the Act.

After offering information or advice, the holder of a casino operator's licence may issue an exclusion order to the person that prohibits the person from entering the gambling area of the casino venue for a period of up to two years.

Section 309A of the Act requires the casino operator, or person acting on its behalf, to take all reasonable steps to assist anyone who, it has reasonable grounds to believe, is a problem gambler, who did not request self-exclusion after being approached but whose ongoing conduct gives rise to reasonable grounds to believe is a problem gambler. The required assistance expressly includes issuing an exclusion order, despite the lack of request to do so, in appropriate cases.

Section 310 of the Act requires that the holder of a casino operator's licence, or person acting on their behalf, must promptly, after being requested, issue an exclusion order to a person that prohibits the person from entering the gambling area of the casino venue for a period of up to two years if the person:

- (a) has identified himself or herself as a problem gambler; and
- (b) has made a request to prohibit themselves from entering the venue concerned.

Section 311 of the Act requires that the holder of a casino operator's licence, or person acting on behalf of, must remove any person who enters the gambling area of a casino venue in breach of an exclusion order.

Section 312A of the Act requires a casino operator to keep records of certain specified information about exclusions, including identifying details, the manner, date and length of the exclusion and the conditions of re-entry and provide them if requested by the Secretary.

Scope of SkyCity Problem Gambler Identification Policy

This Policy describes:

- The legal definition of a problem gambler;
- Indicators of problem gambling;
- A description of sources of indicator data to be used by SkyCity;
- A description of how indicator data is to be used by SkyCity to identify problem gamblers; and
- An outline of record keeping requirements and review of the Policy.

Supporting Standard Operating Procedures (SOPs)

The following SOPs provide operational guidelines relevant to the Policy:

- Information Collection and Collation;
- Analysis and Intervention;
- Gambling Limitation; and
- Exclusion.

Section One – Definition of a problem gambler

Under the Act, a problem gambler is “a person whose gambling causes harm or may cause harm”.

“Harm” is defined as:

- (a) harm or distress of any kind arising from, or caused or exacerbated by, a person’s gambling; and
- (b) includes personal, social or economic harm suffered:
 - (i) by the person; or
 - (ii) the person’s spouse, partner, family, whanau, or wider community; or
 - (iii) in the workplace; or
 - (iv) by society at large.

Section Two - Indicators of problem gambling

Introduction

SkyCity uses a number of indicators to assess whether a customer is likely to be a problem gambler. Although these indicators provide an appropriate basis for making determinations as to whether someone is a problem gambler, the nature and range of indicators may vary from one customer to the next. Wherever possible, indicator information should be interpreted in the context of other relevant information to develop an overall assessment of the customer's position.

Based on research and evidence, SkyCity has developed a list of visible signs and behaviours that may be indicators of gambling-related harm. Some of these can be considered "high confidence" or "strong indicators".

"*Strong indicators*" are those where the presentation of one indicator is usually sufficient to identify the person as a problem gambler.

Other indicators referred to as "*general indicators*" are behaviours which may be observed in a range of gamblers, but occur more frequently amongst problem gamblers. They are warning signs that may, or may not, indicate a problem if only one or two factors are observed in isolation, but which become indicative when a greater number of signs are observed together or across time.

Problem gamblers can be identified by inferring that harm is present or may occur using the indicators set out below. They can also be identified on the basis of information from customers or persons affected by a customer's gambling behaviour. Customers (and affected persons) may directly disclose that the customer is experiencing problems with gambling or requires assistance (eg, they want to self-exclude), or do so indirectly.

INDICATORS

Strong Indicators

- Requests to self-exclude;
- Self-identified problem gambler;
- Self-disclosures that may or may not make reference to the person's gambling;
- Third-party disclosures that may or may not make reference to the person's gambling;
- Begging;
- Falling asleep at a machine or table;
- Severe emotional distress due to gambling, including expression of suicidal thoughts; or
- Children left unattended while gambling.

General indicators

Intensity and Frequency of Play

- Very high visitation frequency (for example, 5 times per week up to daily) combined with high levels of expenditure on gaming machines (for example, \$250+ lost per session) over a period of time (for example¹, 1 month);
- High visitation frequency (for example 2 times per week or more), combined with very high levels of expenditure on gaming machines (for example, \$400+ lost per session) over a period of time (for example, 1 month);
- High visitation frequency combined with very high levels of expenditure on all forms of gambling, including table games, over a period of time;
- Very few breaks from gambling – almost continuous play;
- Increasing periods of play, and betting more each time, noted over a period of time (noting that gambling expenditure may reduce as the customer's financial resources are exhausted);
- Disconnect with time spent playing, including missing key times (eg, meals), rushing when leaving machine or staying after friends/family leave;
- Extreme changes in patterns of play;
- Breaching pre-commitment limits and/or an increase or disabling of pre-commitment limits (where pre-commitment is available); or
- Failure to settle credit arrangements as agreed, including redemption of cheques and markers when due.

Visible Emotional Disturbance

- Emotional distress including agitation, mood swings, crying, or out-of-character behaviour;
- Personalising machines, including abuse of machines;
- Irritated by interruptions to gambling;
- Rudeness and complaints to staff about gambling outcomes; or
- Possessiveness of particular machines or spots at tables (eg, standing over other patrons, hovering, aggression).

Dysfunction in Social Behaviour

- Attempts to conceal gambling activities, including making phone calls giving excuses for lateness;
- Steps apparently taken to avoid monitoring of gambling activity, such as ceasing to use a loyalty card;
- Not celebrating wins;
- Disintegration of physical appearance (eg, clothing or personal hygiene) over time;
- Family/friends seeking out or enquiring about a customer;
- Claims of malfunction of gaming machines or gaming errors when none are identified;
- High consumption of alcohol while gambling (eg, demanding drinks);
- Interaction with a known or suspected loan shark; or
- Previous exclusion (by self or casino) or breach of any harm minimisation requirements.

Excessive Access to Money

- Leaving the casino to get additional money and coming back after having appeared to have run out of money;
- Multiple declined eftpos transactions;
- Borrowing money;
- Not having sufficient money to exit car park;
- Constant demand for complimentarys; or

¹ The sums, periods and occasions are illustrative examples only. They should not be regarded or treated as "safe harbour" limits.

- Tray-surfing.

Expenditure and Frequency of Play

Both expenditure and frequency of play, especially on gaming machines, are currently included as general indicators, rather than as strong indicators, because it is recognised that not all customers who exhibit high expenditure levels and frequent visitation are necessarily problem gamblers. However, such indicators are much more likely to be observed amongst problem gamblers than others and therefore may indicate a greater risk of gambling related harm. It is established from international research that problem gamblers are more likely than other players to lose control of their expenditure, to chase their losses, and to have very strong urges to gamble. Most studies of problem gambling have found that problem gamblers spend significantly more, and gamble significantly more frequently than other players.

Frequency and expenditure data are especially important as indicators in the case of users of gaming machines for several reasons:

- It is easier for people to gamble without being noticed because gaming machine gambling involves very little interaction with casino staff, compared to table games, making it less likely that their behaviour and emotional reactions will be observed;
- There is a stronger relationship between problem gambling and play on gaming machines than with other forms of casino gambling;
- Electronic data gathering from gaming machines is more accurate than from table games.

Other Observations

The indicators listed above are not exclusive – staff are encouraged to report observations of customers based on other factors which raise concerns.

Section Three – Sources of Indicator Data

The indicators described in Section 2 may emerge from the five principal sources of information SkyCity collects, collates and analyses. Information sources include:

- customer disclosures;
- behavioural observations;
- customer data including loyalty;
- third-party disclosures; and
- interviews with customers or staff.

All information on customers collated from the sources described below is recorded as soon as practicable into iTrak, SkyCity's incident reporting and retrieval database.

iTrak centralises information from multiple business sources (Security, Surveillance, Host Responsibility and Gaming) which can be shared, when appropriate, across the SkyCity Group.

Host Responsibility use iTrak to record, manage, review and assess all information about all customers on the database, including gamblers of interest and excluded or banned customers.

CUSTOMER DISCLOSURES

Customer disclosures may or may not make reference to the person's gambling (ie, they may be direct or indirect).

Direct disclosures

Direct disclosures make reference to a customer's gambling and examples may include any of the following:

- I think I have a gambling problem;
- I want to be excluded/barred; or
- I don't want to come here anymore.

Indirect disclosures

Indirect disclosures do not make reference to a customer's gambling and examples may include any of the following:

- Comments regarding impact on personal life;
- Voicing repeated attempts to stop or control gambling;
- Comments regarding psychological distress; or
- Comments regarding financial distress.

The significance of indirect disclosures should be determined by the nature of the disclosure. Indirect disclosures referring to harm, financial difficulties or loss of control would lead to a high suspicion that the person was experiencing, or at risk of experiencing, harm associated with their gambling.

Direct and indirect disclosures from customers must be recorded in iTrak and sent to Host Responsibility as soon as practicable to be used in making problem gambling assessments.

BEHAVIOURAL OBSERVATIONS

Although staff cannot be expected to watch all customers on all occasions, the process of observation and identification is enhanced by the fact that one may observe a clustering of indicators. Those customers who present with strong indicators, or who produce several common indicators, may produce many more. In effect, problem gamblers may draw attention to themselves through observable behaviour. Staff should use this information to focus their observations to particular customers.

At the same time, there will be customers where the problematic behaviour may be 'silent' or hidden. Some patrons may gamble very frequently, spend very large amounts of money, but not produce any obvious emotional responses or other indicators to draw attention to themselves. For this reason, staff should remain vigilant to the presence of people who spend many hours in the casino, and who visit very frequently. In such cases, staff should be vigilant for additional indicators of harm. As noted below, frequency of gambling and level of expenditure are indicators in their own right, and also ways of identifying people who require additional observation.

Staff who observe the indicators specified in Section 2 must report the observation to the appropriate supervisor/manager. All observations of indicators reported to them by staff and any follow up responses taken by staff and/or supervisors/managers must be logged into iTrak by the supervisor/manager so as to make the record of the disclosure or observation available to Host Responsibility as soon as practicable. The reported disclosures and observations form part of the body of information upon which assessments of problem gambling are to be made.

CUSTOMER DATA INCLUDING LOYALTY

High levels of frequency and expenditure are general indicators (see Section 2). SkyCity must monitor the amount of money and time spent over time proactively using the loyalty programme. Although high levels of expenditure and visitation are listed as general indicators, it is important that SkyCity take steps (where it has concerns about a player's expenditure or visitation frequency) to obtain additional information that places this behaviour into context. For example, through discussions with the customer or other parties, there may be direct or indirect disclosures concerning the lack of affordability of the gambling. Alternatively, staff might find that some players who spend very large amounts appear to be chasing their losses, or are making very frequent use of ATMs, or are leaving the casino and then returning with additional money. SkyCity may also make enquiries about the affordability of losses.

In addition, where a customer is brought to the attention of Host Responsibility by self or third party disclosure or by observation, SkyCity must ascertain whether the customer is a loyalty member. Where the customer is a member of the loyalty programme, SkyCity must examine their data to determine:

- Their time of play;
- Duration of play;
- Turnover;
- Win/Loss;
- Patterns of expenditure (for example, increase over time);
- Games played;
- Tier upgrades;
- Non-gaming use of card (eg, car park use); and
- Visitation frequency.

SkyCity will insert notes in the loyalty card database to alert relevant staff that, on presentation of an inactive loyalty card, the person presenting the card may be a banned player and that Security must be notified to determine this issue. All relevant information will be recorded into iTrak as soon as practicable and made available to Host Responsibility.

THIRD PARTY DISCLOSURES

Information concerning gambling-related harm may also be obtained via third-parties. This might include:

- an enquiry from a concerned family/whanau member; or
- a formal enquiry about the potential problem gambler from the wider community, (eg, probation officer, general practitioner or employer).

A third party may only seek general information about a customer, and will not always voluntarily identify gambling as the cause of their concerns about a customer (eg, who may be a friend or relative of the inquirer). Where a third party appears to express general concern about a customer, staff must ask if there are concerns that the customer's gambling may be causing problems. Where there is a positive response to this question, this must be recorded in iTrak and made available to Host Responsibility. Details must be taken, including contact details and a brief summary of concerns. An attempt to identify the customer within the venue (eg, via Loyalty card use, if available or feasible) should be undertaken. If found, further enquiry must be undertaken and the customer may be requested to leave the premises for a period of time. If requested to leave, SkyCity must also provide to the customer problem gambling information, including exclusion options. The action must be logged in iTrak and made available to Host Responsibility as soon as practicable.

A third party request that the customer at the casino be removed immediately because of concerns about the customer's gambling is a strong indicator of harm, and will be treated on an urgent basis. The third party must be referred immediately to Host Responsibility or Security. Details must be taken, including contact details and a brief summary of concerns. An attempt to identify the customer within the venue (eg, via loyalty card use, if available or feasible) should be undertaken. If the customer is found, further enquiry must be undertaken and the customer may be requested to leave the premises for a period of time. If requested to leave, SkyCity must also provide to the customer problem gambling information, including exclusion options and contact details for problem gambling service providers. The action must be logged in iTrak and made available to Host Responsibility as soon as practicable.

All third party information should be corroborated as part of an internal investigation. The Information Collection and Collation SOP outlines the specific steps taken by SkyCity in corroborating information.

INTERVIEWS WITH CUSTOMERS OR STAFF

From time-to-time, Host Responsibility or other appropriate staff may interview either customers or staff as part of an investigation.

Customer interviews: During the course of an interview, information may be disclosed by a customer that suggests that he/she may be experiencing harm or gambling in a way that may cause harm. All such information must be recorded into iTrak and made available to Host Responsibility as soon as practicable.

Staff interviews: During the course of an interview, information may be disclosed by staff that suggests a customer may be experiencing harm or gambling in a way that may cause

harm. This information must be recorded in iTrak and made available to Host Responsibility as soon as practicable.

Section Four - Identification

Section 2 highlights the indicators that are taken into account in identifying whether a customer may be an actual or potential problem gambler.

Section 3 identifies the primary sources of information available to identify problem gamblers. It also describes the ways in which this information might be utilised and consolidated so as to assist in the identification process.

SkyCity must use data from the sources identified in Section 3 to identify customers who are actual or potential problem gamblers, ie where their gambling is causing harm, or may cause harm, to the customer or others. Once identified, SkyCity must determine, based on direct information or inference (using indicators) whether it has reasonable cause to believe that the customer is or has been gambling in a manner that has caused harm or may cause harm. If so, SkyCity's legal obligations under sections 309-312A of the Act are engaged immediately.

Depending on the assessment, including the perceived severity and urgency of a situation, SkyCity provides graduated responses ranging from immediate intervention, advice and discussion to ongoing monitoring.

Obligation to Identify

The assessment by SkyCity, whether there is reasonable cause to believe that a customer is a problem gambler, must be made in good faith, in accordance with the statutory test and within a reasonable timeframe.

Analysis of Information

As outlined in Sections 3 and 5, all disclosures or observations related to indicators of harm noted by staff must be reported to, and recorded by, the supervisor or manager and made available to Host Responsibility.

When a self or third party disclosure or observation report is made available to Host Responsibility, Host Responsibility must collate and review all information available to it in relation to the relevant customer. This includes a review of incident reporting and loyalty databases and other relevant internal information sources. Host Responsibility may also make further enquiries of relevant staff in relation to that customer.

Host Responsibility undertakes a section 309 assessment based on the information collated.

A variety of different types of information is used when undertaking a section 309 assessment, taking into account:

- Severity of presenting indicators;
- Anti-social behaviour including uncharacteristic or unusual behaviour;
- Uncharacteristic changes in appearance;
- Changes in patterns of play; and
- Number of indicators and repetition over time.

If the assessment determines that SkyCity has reasonable cause to believe the relevant customer is a problem gambler then SkyCity must proceed in accordance with the "Consequences of Identification" section below. If the assessment does not determine that

SkyCity has reasonable cause to believe the relevant customer is a problem gambler, SkyCity must determine whether a formal monitoring process is required in accordance with the “GOI files” section below.

Identification

Strong indicators

Direct disclosures by customers are expected to result in an immediate assessment that SkyCity has reasonable cause to believe that a customer is a problem gambler, with SkyCity taking the required steps in response promptly.

The presence of any strong indicator should be sufficient to indicate that the customer is very likely to be a problem gambler unless another more likely explanation is established.

For instance, although emotional distress may be a reliable and valid indicator of gambling-related harm, not all people who appear distressed will necessarily feel this way because of gambling. Therefore, if this strong indicator is evident, it would be appropriate to interpret the person’s behaviour in the context of other indicators. For example, is the person gambling large amounts of money for long periods and displaying other signs of gambling-related harm? If a person only appears distressed, such people should be approached initially on the assumption that they require general assistance, but not necessarily because their gambling is a problem.

General indicators

The observation of small clusters of general indicators should be sufficient to trigger further monitoring but, depending on the circumstances, may not necessarily lead to an immediate assessment that SkyCity has reasonable cause to believe that a customer is a problem gambler. As part of a graduated response, it is expected that such people should be subject to further monitoring to determine whether any further general indicators emerge, including the repetition of the same indicators. If there is an accumulation of general indicators over a period of time (eg, several general indicators recur during a one month period) SkyCity would have reasonable grounds to consider such people to be problem gamblers.

Consequences of Identification

Once it has reasonable cause to believe that a customer is a problem gambler, SkyCity must:

- a) *offer* information or advice to the customer about problem gambling including a description of self-exclusion procedures, within a reasonable time of identification, taking into account the urgency of the situation and the risk of harm²
- b) issue an exclusion order immediately if requested to do so by the customer³; and
- c) consider whether it would be appropriate to issue an exclusion order without any request to do so as a means of providing assistance to the customer⁴

SkyCity will also provide contact details for problem gambling service providers.

² Section 309

³ Section 310

⁴ Section 309A

Section Five – Record keeping

Recording, collation and analysis of information

Host Responsibility is responsible for the collation, analysis and electronic recording of all information relating to indicators of harm. Host Responsibility also keep records of observations noted by frontline staff, supervisors and managers and of all direct and third party disclosures, interactions and interventions undertaken in relation to a customer by frontline staff, supervisors and managers.

Host Responsibility also records the section 309 assessment referred to in Section 4 above, and the outcome of that assessment.

As outlined in Section 3, all information collated by SkyCity in relation to a customer is recorded as soon as practicable into iTrak.

Host Responsibility uses iTrak to manage, monitor, review and assess information about all customers on the iTrak database, including gamblers of interest and excluded or banned customers.

GOI files

A key purpose of a gambler of interest (“GOI”) file is to institute a formal monitoring process in relation to a customer. A GOI file is opened by Host Responsibility: in circumstances where a customer has come to the attention of Host Responsibility for monitoring; a third party disclosure is made in relation to a customer’s gambling; or a customer returns from exclusion having fulfilled the re-entry criteria.

SkyCity may also open a GOI file in other circumstances, as may be appropriate, including where:

- Information is requested or presented from government agencies; or
- Suspected or actual undesirable activity is present, including unattended children, unaccompanied minors, or breaches of trespass orders.

Once opened, all available customer data to assist the assessment of whether a customer is a problem gambler must be obtained and placed on the file. In the case of customers who come to attention as a result of expenditure and visitation frequency, a GOI file must be open so that further information and observations can be recorded for assessment.

SkyCity will regularly review GOI files at a minimum, at the following intervals and more often as required:

- Monthly review for the duration of the investigation; and
- Formal 12 week review.

Whenever new information becomes available or is obtained, a problem gambling reassessment must be undertaken. Except in the case of returning excluded customers, if an assessment is made that the customer is not a problem gambler after the 12 week review period, the GOI file may be deactivated. In the case of returning excluded customers, the GOI must remain open and kept under review for at least 6 months. In all cases, if concerns remain, the file must be left open and reviewed on a regular basis.

All deactivated GOI files will be retained by SkyCity. A GOI file may be reactivated at any stage subsequent to the 12 week review period if further information or indicators in relation to a customer emerge. In this case, a problem gambling reassessment will be undertaken, and monitoring may continue as part of the customer information review process.

Whenever an exclusion order is made, whether at the request of a customer or as a result of a decision taken by the casino operator to assist a suspected problem gambler, all of the information required by section 312A must be recorded on the relevant GOI file, retained and provided to the Secretary if requested.

Section Six – Review

The Problem Gambler Identification Policy will be measured and monitored as part of the Host Responsibility Programme.

Where new evidence emerges in relation to indicators of harm and identification of problem gamblers, SkyCity will review its Problem Gambler Identification Policy accordingly. SkyCity will undertake an annual literature review to seek such new evidence with a view to incorporating appropriate improvements into its Programme and Policy.