

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

**AND** on an application by **SKYCITY CASINO MANAGEMENT LIMITED**  
for approval of a new game mix  
Annex for the Auckland casino

**BEFORE THE GAMBLING COMMISSION**

Members: G L Reeves (Chief Gambling Commissioner)  
L M Hansen  
D C Matahaere-Atariki  
W N Harvey  
S C L Pearson

Date of Application: 1 May 2019

Date of Decision: 7 June 2019

Date of Notification of Decision: 10 June 2019

**DECISION ON AN APPLICATION BY SKYCITY CASINO MANAGEMENT LIMITED FOR APPROVAL OF A NEW GAME MIX ANNEX FOR THE AUCKLAND CASINO**

**Introduction**

1. SKYCITY Casino Management Limited ("**SCML**") applied to the Commission, under condition 9 of SCML's operator's licence for the Auckland casino, for approval of a new game mix Annex. It wants to deploy six new game mixes, AF-AK, on the Main Gaming Floor ("**MGF**") of the Auckland casino.

**Licence condition**

2. The relevant licence condition is as follows:

**SCML's operator's licence (Auckland)**

9. The Licence Holder may operate on casino gaming tables the game types and game mix(es) specified by the Commission in Annex A attached to this Licence. As an alternative to Annex A, the Licence Holder may operate on casino gaming tables the game types and game mix(es) specified by the Commission in any additional annex approved by the Commission and attached to this Licence. The Licence Holder must give the Inspectorate prior notification before it commences operation under a different annex. The game types and game mixes specified in an annex can only be changed by the Commission.

**SCML's submissions**

3. SCML submitted, in summary, as follows:

- (a) It currently has approval to deploy the game mixes as set out in Annex A of its operator's licence for the Auckland casino.
- (b) It seeks approval to add six new game mixes, AF-AK, to the list of approved game mixes for the MGF. The additional mixes allow for changes to the Midi-Baccarat, Lunar Poker and Poker tables.
- (c) Attached to its application are tables of data for each game mix deployed. The tables show that the new game mixes will not increase opportunities for casino gambling when combined with the game mixes for the other parts of the casino, and compared to the regulatory benchmark.

#### **The Secretary's submissions**

- 4. The Secretary submitted that he has no regulatory concerns with this proposal.

#### **Analysis**

- 5. SCML has sought approval to introduce six new game mixes to the MGF. The Commission's approach for approving new game mixes is to compare the proposal with the approved game mix which provides the most opportunities for casino gambling and form a view, in the round, on whether the proposal will increase opportunities for casino gambling. As the Auckland Casino has multiple Gambling Areas, this approach is varied slightly, requiring the Commission to identify the game mix in each Gambling Area that generates the most opportunities, combine them and then compare the combined game mix with the game mix that forms the casino's regulatory benchmark.
- 6. As SCML's proposal relates only to one specific area (the MGF), the Commission commenced its analysis by identifying the approved game mix that generates the most opportunities on the MGF, game mix T, and compared the proposed game mixes against it.
- 7. The Commission was satisfied in the round that no combination of game mixes would increase opportunities for casino gambling compared to game mix T. The Commission made this assessment on a common sense basis, in the round, rather than by calculating opportunities based on tables of data or upon a formula.
- 8. As the Commission concluded that the proposed game mixes would not increase opportunities for casino gambling on the MGF, and no amendments were proposed to game mixes for other areas at the casino, the Commission was satisfied that the proposed game mixes would not increase the overall opportunities for casino gambling at the Auckland casino.
- 9. The proposed game mixes raised no other issues of regulatory concern.

**Decision**

10. The Commission approved Annex A, under condition 9 of SCML's operator's licence for the Auckland casino. Annex A is **attached**.

**Right of appeal**

11. Pursuant to section 235 of the Act, a person affected by this decision may appeal that decision to the High Court. An appeal must be made within 15 working days of the date of notice of the Commission's decision, or any longer period that the High Court may allow.



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Graeme Reeves  
Chief Gambling Commissioner

for and on behalf of the  
Gambling Commission

10 June 2019

## ANNEX A

## GAME MIX AS AT 19 SEPTEMBER 2003

Black Jack/Pontoon	44 games
Roulette	24 games
Electronic Roulette	1 game
Caribbean Stud Poker	10 games
Midi Baccarat	17 games
Mini Baccarat	7 games
Pai Gow	4 games
Tai Sai (double sided)	1 game
Tai Sai (single sided)	1 game
Money Wheel (double sided)	1 game
<b>Total:</b>	<b>110 games</b>

**Notes for Game Mix As At 19 September 2003**

1. The Licence Holder is permitted to operate automatic shufflers on 50% of open Black Jack tables, and all Caribbean Stud Poker and Baccarat tables.
2. The Electronic Roulette table comprises up to 14 player spaces and no manual table.

**GAME MIX 'A' AUTHORISED BY NEW ZEALAND INTERNATIONAL CONVENTION CENTRE ACT 2013**

Pursuant to condition 9 the following game mix may be operated by the Licence Holder on casino gaming tables, subject to the following conditions noted:

Black Jack/Pontoon (Manual Shuffle)	31 games
Black Jack/Pontoon (Auto Shuffle)	30 games
Caribbean Stud Poker (Auto Shuffle)	13 games
Midi Baccarat (Auto Shuffle)	23 games
Mini Baccarat (Auto Shuffle)	9 games
Money Wheel (Double Side)	3 games
Pai Gow	5 games
Roulette	31 games
Electronic Roulette	3 games
Tai Sai (Double Side)	1 game
Tai Sai (Single Side)	1 game
<b>Total:</b>	<b>150 games</b>

**Notes for Game Mix 'A'**

1. The Electronic Roulette tables comprise up to 14 player spaces and no manual table.
2. Where table games provide for the use of automatic shufflers, the use of those shufflers shall be discretionary.
3. The Licence Holder is permitted to operate alternative game mixes of up to 150 tables as specified in the Annex.

## GAME MIX 'A.1' AUTHORISED BY NEW ZEALAND INTERNATIONAL CONVENTION CENTRE ACT 2013

Pursuant to condition 9 the following game mix may be operated by the Licence Holder on casino gaming tables, subject to the following conditions noted:

Black Jack/Pontoon (Auto Shuffle)	3 games
Caribbean Stud Poker (Auto Shuffle)	2 games
Midi Baccarat (Auto Shuffle)	2 games
Mini Baccarat (Auto Shuffle)	2 games
Pai Gow	1 game
Roulette	1 game
Tai Sai (Double Side)	1 game
<b>Total</b>	<b>12 games</b>

### Notes for Game Mix A.1

1. Where table games provide for the use of automatic shufflers, the use of those shufflers shall be discretionary.
2. The Licence Holder is permitted to operate alternative game mixes of up to 12 tables as specified in the Annex.
3. The Licence Holder is permitted to substitute each table in Game Mix A.1 for up to 20 Automated Table Game terminals.
4. The Licence Holder may not substitute tables between Game Mix A and Game Mix A.1.

### ALTERNATIVE GAME MIXES (GAME MIX 'A')

Pursuant to condition 9 the following game mixes may be operated by the Licence Holder on casino gaming tables in the locations specified, subject to the following conditions and requirements noted:

**In gaming salon 82 to the south of the elevators on level 5, any one of the following two table game mixes:**

	A1	B1	C1	D1	E1	F1	G1	H1	I1	J1	K1	L1
Midi Baccarat	2	1	1	0	0	0	0	1	0	0	0	0
Roulette	0	1	0	1	2	0	0	0	0	0	1	0
Black Jack	0	0	1	1	0	2	1	0	0	1	0	0
Mini Baccarat	0	0	0	0	0	0	0	0	1	0	0	0
Pai Gow	0	0	0	0	0	0	0	0	1	1	0	0
Three Card Poker	0	0	0	0	0	0	1	1	0	0	1	0
Poker	0	0	0	0	0	0	0	0	0	0	0	2
<b>Total</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>

together with

**In gaming salon 86 to the south of the elevators on level 5, any one of the following two table game mixes:**

	A2	B2	C2	D2	E2	F2	G2	H2	I2	J2	K2	L2
Midi Baccarat	2	1	1	0	0	0	0	1	0	0	0	0
Roulette	0	1	0	1	2	0	0	0	0	0	1	0
Black Jack	0	0	1	1	0	2	1	0	0	1	0	0
Mini Baccarat	0	0	0	0	0	0	0	0	1	0	0	0
Pai Gow	0	0	0	0	0	0	0	0	1	1	0	0
Three Card Poker	0	0	0	0	0	0	1	1	0	0	1	0
Poker	0	0	0	0	0	0	0	0	0	0	0	2
<b>Total</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>

together with

In gaming salon 88 to the south of the elevators on level 5, any one of the following five table game mixes:

	A3	B3	C3	D3	E3	F3	G3	H3	I3	J3	K3	L3	M3	N3	O3	P3	Q3	R3	S3	T3	U3	V3	W3	X3	Y3	Z3
Midi Baccarat	5	4	4	3	3	3	2	2	2	2	2	3	3	4	3	3	3	2	2	2	2	0	0	0	0	0
Roulette	0	1	0	1	2	0	0	1	1	1	1	1	0	0	0	1	0	1	2	0	2	2	2	3	4	1
Black Jack	0	0	1	1	0	2	1	1	1	2	1	0	1	0	0	0	1	1	0	2	1	3	2	1	4	0
Mini Baccarat	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pai Gow	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3 Card Poker	0	0	0	0	0	0	0	0	0	0	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0
Poker	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	1	1	1	1	1	0	0	0	0	0	0
<b>Total</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	

	AA3	AB3	AC3	AD3	AE3	AF3
Midi Baccarat	0	2	2	1	1	0
Roulette	0	0	3	4	0	0
Black Jack	5	3	0	0	4	0
Mini Baccarat	0	0	0	0	0	0
Pai Gow	0	0	0	0	0	0
3 Card Poker	0	0	0	0	0	0
Poker	0	0	0	0	0	5
<b>Total</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>

In the gaming salon 81 to the north of the elevators on level 5, any one of the following six table game mixes:

	A4	B4	C4	D4	E4	F4	G4	H4	I4	J4	K4	L4	M4	N4	O4	P4	Q4	R4	S4	T4	U4	V4	W4	X4	X4
Midi Baccarat	6	5	5	4	4	4	2	2	2	2	2	3	4	4	5	3	4	3	3	2	2	2	3	2	2
Roulette	0	1	0	1	2	0	1	1	1	1	1	1	1	0	0	1	0	1	0	1	2	0	2	2	2
Black Jack	0	0	1	1	0	2	1	1	2	2	3	1	0	1	0	2	0	0	1	1	0	2	1	2	2



in conjunction with

The gaming area salon 81A to the north of the elevators on level 5, any one of the following two table game mixes:

	A4A	B4A	C4A	D4A	E4A	F4A	G4A	H4A	I4A	J4A	K4A	L4A
Midi Baccarat	2	1	1	0	0	0	0	1	0	0	0	0
Roulette	0	1	0	1	2	0	0	0	0	0	1	0
Black Jack	0	0	1	1	0	2	1	0	0	1	0	0
Mini Baccarat	0	0	0	0	0	0	0	0	1	0	0	0
Pai Gow	0	0	0	0	0	0	0	0	1	1	0	0
3 Card Poker	0	0	0	0	0	0	1	1	0	0	1	0
Poker	0	0	0	0	0	0	0	0	0	0	0	2
<b>Total</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>

together with

In the area designated as Eight to the north of the elevators on level 5, any one of the following twenty one table game mixes:

	A5	B5	C5	D5	E5	F5	G5	H5	I5
Midi Baccarat (9 Box)	10	10	10	10	10	10	10	10	10
Midi Baccarat (7 Box)	4	4	4	4	4	4	6	5	5
Roulette	4	3	3	3	3	4	2	4	3
Electronic Roulette/ Electronic Baccarat/ Electronic Tai Sa	0	0	0	1	1	0	0	0	0
Blackjack (7 Box)	2	4	3	3	2	3	3	2	3
Pai Gow	1	0	0	0	1	0	0	0	0
Caribbean Stud Poker	0	0	1	0	0	0	0	0	0
<b>Total</b>	<b>21</b>	<b>21</b>	<b>21</b>	<b>21</b>	<b>21</b>	<b>21</b>	<b>21</b>	<b>21</b>	<b>21</b>

together with

In the gaming salon Grand Horizon 8 on level 7 of the Grand Hotel, any one of the following four table game mixes:

	A6	B6	C6	D6	E6	F6	G6	H6	I6	J6	K6	L6	M6	N6	O6	P6	Q6	R6	S6	T6
Midi	4	3	3	2	2	2	0	0	0	0	0	1	2	2	3	1	1	0	0	0
Baccarat																				
Roulette	0	1	0	1	2	0	1	1	1	1	1	1	1	0	0	1	2	4	0	2
Black Jack	0	0	1	1	0	2	1	1	2	2	3	1	0	1	0	2	1	0	4	2
Mini	0	0	0	0	0	0	1	2	0	1	0	0	0	0	0	0	0	0	0	0
Baccarat																				
Pai Gow	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0
3 Card	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	0	0	0	0	0
Poker																				
<b>Total</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>

together with

In the gaming salon Grand Horizon 18 on level 7 of the Grand Hotel, any one of the following three table game mixes:

	A7	B7	C7	D7	E7	F7	G7	H7	I7	J7	K7
Midi	3	2	2	1	1	1	0	0	0	0	0
Baccarat											
Roulette	0	0	1	1	0	2	2	1	0	3	0
Black Jack	0	1	0	1	2	0	1	2	3	0	0
Poker	0	0	0	0	0	0	0	0	0	0	3
<b>Total</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>

together with

In the gaming salon Grand Horizon 68 on level 7 of the Grand Hotel, any one of the following two table game mixes:

	A8	B8	C8	D8	E8	F8	G8	H8	I8	J8	K8	L8
Midi	2	1	1	0	0	0	0	1	0	0	0	0
Baccarat												
Roulette	0	1	0	1	2	0	0	0	0	0	1	0
Black Jack	0	0	1	1	0	2	1	0	0	1	0	0
Mini	0	0	0	0	0	0	0	0	1	0	0	0
Baccarat												
Pai Gow	0	0	0	0	0	0	0	0	1	1	0	0
3 Card	0	0	0	0	0	0	1	1	0	0	1	0
Poker												
Poker	0	0	0	0	0	0	0	0	0	0	0	2
<b>Total</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>

together with

In all Gambling Areas other than the five gaming salons and VIP area known as 'Eight' on level 5, and the three VIP gaming salons on level 7 of the Grand Hotel, any one of the following 103 table game mixes:

	A9	B9	C9	D9	E9	F9	G9	H9	I9	J9	K9	L9	M9	N9	O9	P9	Q9	R9	S9
Money Wheel (double side)	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Money Wheel (single side)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Tai Sai (double side)	1	0	1	0	1	1	0	1	0	1	0	1	0	1	0	1	0	0	1
Tai Sai (single side)	1	3	1	3	1	1	3	1	3	1	3	1	3	1	3	1	3	3	1
Pai Gow	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	1	1	2
Caribbean Stud Poker	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Midi Baccarat	20	20	20	20	16	16	16	16	16	22	22	22	22	23	23	23	23	16	24
Poker	10	10	10	10	25	25	25	25	25	10	10	10	10	10	10	10	10	25	10
Electronic Roulette/Bacc/TS	4	4	4	4	3	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Mini Baccarat	7	7	7	7	7	7	6	6	6	7	7	7	7	7	7	7	7	6	7
Roulette	20	20	20	20	16	16	16	16	16	20	20	20	20	20	20	20	20	16	20
Black Jack (7 Box)	22	25	21	24	20	19	19	19	19	18	21	19	20	18	21	18	19	19	18
Black Jack (5 Box)	4	0	4	0	0	0	0	0	0	6	2	4	2	5	1	4	3	0	4
3 Card Poker	2	2	2	2	2	2	2	2	1	2	2	2	2	2	2	2	2	2	2
Ultimate Texas Hold'em	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Lunar Poker	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Snake Eyes	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Casino War	0	0	1	1	0	0	0	1	1	0	0	1	1	0	0	1	1	1	0
<b>Total</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>

	T9	U9	V9	W9	X9	Y9	Z9	AA9	AB9	AC9	AD9	AE9	AF9	AG9	AH9	AI9	AJ9	AK9
Money Wheel (double side)	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Money Wheel (single side)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Tai Sai (double side)	0	1	0	0	0	0	0	1	1	1	0	1	0	0	0	0	0	0
Tai Sai (single side)	3	1	3	3	4	4	4	3	3	3	4	3	4	4	5	4	4	5
Pai Gow	1	1	1	2	2	1	1	2	1	2	1	1	2	2	2	2	2	2
Caribbean Stud Poker	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Midi Baccarat	24	24	24	24	23	23	24	23	23	22	16	16	22	22	22	18	18	18
Poker	10	10	10	10	10	10	10	10	10	10	25	25	10	10	10	15	15	15
Electronic Roulette/Bacc/TS	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Mini Baccarat	7	7	6	6	6	7	6	6	7	7	6	6	7	7	6	7	7	6
Roulette	20	20	20	20	20	20	20	20	20	20	16	16	20	20	20	20	20	20
Black Jack (7 Box)	20	18	18	20	19	19	19	18	18	18	18	18	20	20	21	20	20	20
Black Jack (5 Box)	2	4	4	2	2	2	2	3	3	3	0	0	1	1	0	0	0	0
3 Card Poker	2	2	2	2	2	2	2	2	2	2	2	2	2	2	3	2	3	3
Ultimate Texas Hold'em	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Lunar Poker	2	2	2	2	2	2	2	2	2	2	2	2	2	1	1	2	1	1
Snake Eyes	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Casino War	0	1	1	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1
<b>Total</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>	<b>103</b>

**Notes for the alternative game mixes:**

1. The Licence Holder is permitted to change game mixes subject to providing the Inspectorate with prior notification including notification of the electronic table type(s) associated with that game mix.
2. The Licence Holder is permitted to operate automatic shufflers on each of the Black Jack, Caribbean Stud Poker, Baccarat, Poker, 3-Card Poker, Ultimate Texas Hold'em, Casino War and Lunar Poker tables.
3. At least 50% of the total number of Midi Baccarat games shall be conducted in accordance with dealing style B or (where permitted by the Baccarat rules) dealing style D.
4. All Midi Baccarat games in salon 81, 81A 82, 86, and 88 shall have 7 boxes only.
5. Electronic roulette, electronic baccarat and electronic tai sai tables comprise up to 30 player spaces and no manual table. The games may be used interchangeably.
6. The number of player spaces at poker tables (other than Caribbean Stud Poker Ultimate Texas Hold'em and 3-Card Poker) may not exceed 10, even if game rules provide for more.
7. Electronic dice tumblers may be used on any Tai Sai game and U-Spin devices approved by the Department of Internal Affairs may be used on any Roulette games.