

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

BEFORE THE GAMBLING COMMISSION

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

Date of Application: 12 March 2010

Date of Decision: 14 May 2010, 18 June 2010

Date of Notification
of Decision:  July 2010

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

Introduction

1. SKYCITY Casino Management Limited ("**SCML**") applied to the Commission, under condition 9 of its operator's licence, for approval of a new Annex A, which introduces six new game mixes. In support of its application, SCML provided new information on the speeds of the table games that it deploys (relative to each other) following a series of trials.
2. The relevant licence condition is as follows:

SCML operator's licence (Auckland)

9 The Licence Holder may operate on casino gaming tables the game types and game mix(es) specified in Annex A attached to this Licence. The Licence Holder shall obtain the prior approval of the Commission for any change to the game types and/or game mixes specified
3. The Commission initially sought submissions on the application from the Secretary for Internal Affairs ("the **Secretary**"), Christchurch Casinos Limited ("**CCL**"), Dunedin Casinos Management Limited and Otago Casinos Limited ("**OCL**"), and received submissions from OCL, CCL and the Secretary.
4. When the Commission considered the application at its May meeting it decided:



- (a) to seek additional submissions from the Problem Gambling Foundation (“**PGF**”), Gambling Helpline (“**GH**”), Gambling Watch and the Ministry of Health; and
 - (b) to see if an expert were available to assist it to evaluate the new information provided by SCML.
5. The additional submissions were sought, with responses received from PGF and GH. No suitable expert was located.

Submissions by SCML

6. SCML submitted, in summary, as follows:
- (a) The Commission has previously noted that the Secretary and SKYCITY should revisit the rates of play attributed to casino games with a view to developing data which could reliably be used to assist in the determination of opportunities for casino gambling. It has now done this, and generated new data following trials. The new data forms the basis for its application for approval of new game mixes.
 - (b) In considering an application for approval of new game mixes, the Commission must determine whether the proposal will increase opportunities for casino gambling. It has done this by comparing the casino gambling opportunities of the new game mixes, with those of a casino’s “regulatory benchmark”. In determining casino gambling opportunities, the Commission has considered the maximum number of player positions associated with each game, and the rate of play.
 - (c) The maximum number of player numbers for some games is fixed by game rules, while others have no maximum. In the absence of a prescribed maximum, these games have been attributed a theoretical maximum. For example, Roulette has been deemed to have 21 player spaces.
 - (d) In the absence of any robust evidence regarding the theoretical maximum rate of play for each game, operators have put forward average rates of play as they discern them from historical surveillance footage at different casinos. This information has been supplemented and new trials have been conducted for new games. This piecemeal approach has led to reservations over the consistency and quality of the data and questionable relativities between different games

Trials

- (e) In an effort to address these concerns, it staged simulated trials in 2008 and 2009. In order to minimise the variables that might impact the games, the following measures were adopted:



- each game was played for exactly 15 minutes;
 - experienced dealers were used on each of the games to ensure that they were dealt to a similar standard;
 - four players who were familiar with the rules of the respective games were used at all times;
 - no disputes or other incidents were staged or allowed;
 - there were no chip purchases or colour changes during the period of play, and each of the four players was allocated a similar number of chips;
 - for games involving cards, the cards were not shuffled during the 15 minute period (except for single deck games such as Caribbean Stud Poker and Poker); and
 - for those card games that were shuffled, manual shuffling processes were used
- (f) The number of rounds generated over the 15 minute period was then multiplied by 4 to obtain a gross hourly rate. These results are set out in Table 1 below:

Table 1

| Game | Theoretical hourly rate of play |
|---------------------------------|--|
| Mini Baccarat (Dealing Style A) | 180 (without shuffle breaks) |
| Black Jack | 136 (without shuffle breaks) |
| Electronic Roulette | 72 |
| Roulette | 64 |
| Midi Baccarat (Dealing Style B) | 56 (without shuffle breaks) |
| Money Wheel (DS) | 56 |
| Tai Sai (DS) | 52 |
| Caribbean Stud Poker | 40 (manual shuffle) |
| Poker | 40 (manual shuffle) |
| Pai Gow | 36 |

Dealing Styles

- (g) The Baccarat game rules allow casino operators the discretion to conduct Baccarat games in accordance with any one of three dealing styles – Style A, Style B or Style C. These rules were in place prior to the passage of the Act and have continued in force since that time.
- (h) Of the three dealing styles, Style “A” is the fastest. Dealing Style “C” is likely to be slightly slower than Style “A”. Style “B” is the slowest as it involves players handling the cards.

- (i) The Mini Baccarat trial was carried out using Style A, and the Midi Baccarat trial was carried out using style B, as these are the common dealing styles used for these games.
- (j) In the past, as they were based on observation, the submitted comparative play rates for Baccarat games have used the dealing style most commonly associated with those games (Style A for Mini and Style B for Midi) Those play rates have been assumed for the game mix used as the regulatory benchmark and subsequent operational game mixes.
- (k) There is no problem with using Style A as it relates to Mini Baccarat as SCML had the discretion to do so when the Act came into effect on 19 September 2003, and availed itself of that opportunity
- (l) However, the same discretion was also available to SCML in relation to Midi Baccarat, which suggests the faster dealing style should also be applied to that game to assess the theoretical opportunities associated with it.
- (m) It has no problem in incorporating the Style A rate of play for Midi Baccarat games in the regulatory benchmark, but applying it in other game mixes represents a significant opportunity cost for its business and one that potentially constrains its choice of game mixes.

Alternative Poker games

- (n) The rules of Poker provide for seven alternative Poker games. Of these, SCML plays only "Hold-em" and "Omaha" and both games specify a maximum number of 10 players. The two games are very similar, so the trials were conducted in the Hold-em style of play.

Shuffling

- (o) The Baccarat and Black Jack hourly rates in Table 1 do not factor in breaks associated with the manual shuffle process. If the hourly rate of play for these games can be completed using a single shoe, then the issue is of no relevance, but, if more than one shoe is required to complete the stipulated number of rounds, then the down time associated with shuffling the new shoe(s) should be factored into the theoretical hourly rate
- (p) Under Baccarat and Black Jack rules, operators may use pre-shuffled cards. This means that each time a shoe is completed, a new set of pre-shuffled cards may



be introduced to the table. The use of pre-shuffled cards reduces the down time associated with shuffling cards at the table.

- (q) The maximum number of decks that may be used in Baccarat and Black Jack games is eight, and each deck consists of 52 cards. In Baccarat games, the cutting card must be inserted into the deck at least 20 cards from the back. When inserted at the maximum depth, 396 cards are available for any one play in any one Baccarat shoe.
- (r) Under Baccarat rules, a minimum of four cards and up to a maximum of six cards are dealt per round irrespective of the number of persons playing. Assuming that on average five cards will be dealt per round, each shoe will conclude following 79 rounds of play. This means that on Mini Baccarat games, two shuffles would be required to complete the shoe.
- (s) Where pre-shuffled cards are used, the decks need only be "chemmey shuffled" or "rifle shuffled" before being introduced into play. A trial carried out in its training room using an experienced dealer revealed that eight decks of cards may be rifle shuffled once in 30 seconds. The process involving the customer cutting the shuffled cards adds a further 15 seconds of non-productive game time. On this analysis, a Mini Baccarat game will theoretically lose 1.5 minutes of productive game time every hour as a consequence of shuffled breaks. On the basis of three rounds being completed every minute, up to five rounds are lost during these shuffle breaks which sees the theoretical hourly rate for Mini Baccarat drop from 180 to 175 rounds.
- (t) As only 56 rounds will be dealt on a Midi Baccarat game over the course of an hour, no shuffle breaks would be required. However, over three hours, two shuffles would be required to complete the 168 rounds dealt. In this sense, Midi Baccarat would theoretically lose 1.5 minutes of productive game time every three hours as a consequence of shuffle breaks. On the basis of 0.935 rounds being completed every minute, up to 1.4 rounds will be lost during the shuffle breaks which sees the theoretical maximum hourly rate for Midi Baccarat drop from 56 rounds to approximately 55.5 rounds.
- (u) Under Black Jack rules, the cutting card may be inserted no more than half way in from the back of the stack. There is no maximum depth stipulated for the placement of the cutting card. In the absence of any prescribed maximum, it has assumed that the cutting card would be inserted at the same maximum depth as Baccarat, meaning there would be 396 cards available for play in any one shoe.

- (v) The number of cards dealt in any one round of Black Jack is dependent on the number of persons playing and the decisions each person makes. Every player, together with the dealer, receives at least two cards, and the rules do not specify the maximum number of cards participants may receive. As a consequence, the number of cards dealt may differ markedly from one round to the next. It has assumed that the players involved in the Black Jack trial will be allocated three cards per round. On this basis, each first Black Jack shoe will conclude following 26 rounds, and five shuffle breaks would be required over the hour period. With each shuffle taking 30 seconds and allowing a further 15 seconds following each shuffle for a customer to cut the card, a Black Jack game would theoretically lose 3 minutes 45 seconds of productive game time every hour as a consequence of these shuffle breaks. On the basis of 2.3 Black Jack rounds being completed every minute, up to nine rounds would be lost during the shuffle breaks which would see the theoretical maximum hourly rate for Black Jack reduced from 136 to 127.
- (w) A revised table which incorporates the manual shuffle breaks into the theoretical hourly maximum hourly rates is set out in Table 2 below:

Table 2

| Game | Theoretical hourly rate of play incorporating manual shuffle breaks on card games |
|-------------------------|---|
| Mini Baccarat (Style A) | 175 |
| Black Jack | 127 |
| Electronic Roulette | 72 |
| Roulette | 64 |
| Midi Baccarat (Style B) | 55.5 |
| Money Wheel | 56 |
| Tai Sai | 52 |
| Caribbean Stud Poker | 40 |
| Poker | 40 |
| Pai Gow | 36 |

Electronic aids

- (x) Automatic shufflers may potentially be used on Baccarat, Black Jack, Caribbean Stud Poker and Poker games. The following analysis considers their potential impact on the theoretical maximum rate of play for each of these games.

Baccarat and Black Jack games

- (y) Where an automatic shuffler is used, two sets of decks are used on the game with one set being shuffled while the other is in play. This allows a new shoe to commence at the conclusion of the old one once the cards have been cut. Where a continuous form of automatic shuffler is used, the cards in play are continuously

recycled, eliminating the need for individual shoes and the need for a cutting card to be used. Cards must still be dealt from the continuous shuffler in the same way as they would from an ordinary shoe. The continuous shuffler is the fastest form of automatic shuffler as it effectively eliminates non-productive game time, and for this reason, it has focused only on non-continuous shufflers in terms of the impact that they may have on play rates.

- (z) As noted above, the simulated trials did not involve shuffle breaks. In this sense the theoretical hourly rates of 180 rounds (Mini Baccarat), 136 rounds (Black Jack) and 56 rounds (Midi Baccarat) are the same as those it would expect to achieve theoretically if continuous shufflers were used on these games.

Caribbean Stud Poker

- (aa) The automatic shufflers used on Caribbean Stud Poker games shuffle the cards and then eject five cards at a time for the dealer to allocate to each wagering area containing a wager, and to the dealer. In this sense, the use of automatic shufflers has an impact both on shuffle times and dealing times
- (bb) It carried out a further 15 minute trials on a Caribbean Stud Poker game to determine the impact of the automatic shufflers on this game. Twelve games were conducted over the 15 minute period, suggesting a theoretical maximum hourly rate of 48 games when automatic shufflers are used

Poker

- (cc) Shufflers used on Poker games shuffle only, and have no impact on the dealing of the game. Two decks of cards are used – one set is in play while the other one is being shuffled. Following the completion of each round, the cards from that round are loaded into the shuffler and the second set of shuffle cards is removed and ready for dealing the new round. In this sense, an automatic shuffler used on Poker eliminates the time associated with manual shuffles
- (dd) A trial of Poker shuffle times carried out with an experienced dealer reveals that the manual shuffle process takes 12 seconds to complete.
- (ee) If 40 hands of Poker are dealt every hour using a manual shuffle process, eight minutes of productive time would be lost during the shuffle break. On the basis that 0.66 Poker hands are completed every minute, a further five rounds could theoretically be completed if the shuffle process did not interfere with productive game time. It follows that Poker games using automatic shufflers would see an increase in theoretical maximum hourly rate of play from 40 to 45 games.



- (ff) Using these figures, it has revised Table 2 to incorporate theoretical maximum play rates where an automatic shuffling device is used. The revised table is set out in Table 3 below:

Table 3

| Game | Theoretical hourly rate of play incorporating manual shuffle breaks | Theoretical hourly rate of play incorporating the use of automatic shufflers |
|-------------------------|---|--|
| Mini Baccarat (Style A) | 175 | 180 |
| Black Jack | 127 | 136 |
| Electronic Roulette | 72 | n/a |
| Roulette | 64 | n/a |
| Midi Baccarat (Style B) | 55.5 | 56 |
| Money Wheel | 56 | n/a |
| Tai Sai | 52 | n/a |
| Caribbean Stud Poker | 40 | 48 |
| Poker | 40 | 45 |
| Pai Gow | 36 | n/a |

Casino gambling opportunities

- (gg) The Commission has historically adopted the following formula:

$$\textit{Theoretical hourly rate of play for game type} \times \textit{number of games of that type} \times \textit{theoretical player positions for that game type} = \textit{casino gambling opportunities}$$

- (hh) The figures derived from its trials, and set out in this analysis, provide an appropriate and robust baseline for determining theoretical gambling opportunities, and it will use them as the basis for its applications for changes to the game mixes at each of its three casinos.
- (ii) In the event that it wants to introduce a new game type in the future, it will undertake a trial of the new game in a manner identical to the trials, and report the results of that trial to the Commission.

Application for approval of new game mixes

- (jj) It is seeking approval of a new Annex A, which removes currently approved game mix B and includes six new game mixes, N-S. It has also included two additional "Notes" at the conclusion of the Annex – one specifying the two Poker games that it may play, with the second stating what dealing style that may be played on Mini Baccarat games.

Player spaces

- (kk) Each of the six proposed new game mixes has considerably fewer player spaces than game mix A, the casino's regulatory benchmark.



Rate of play

- (ll) In order to determine the impact of the proposed changes to the overall rate of play, it has used the figures derived from the trials and prepared comparative tables in three different versions. Version 1 applies the Style B rate of play to Midi Baccarat in both the regulatory benchmark, and subsequent game mixes. This has been the traditional approach with Midi Baccarat games, although the Commission has never previously considered the implications of different dealing styles on these games.
- (mm) Using this approach shows that each of the existing game mixes, and the six new game mixes have fewer opportunities than those associated with game mix A.
- (nn) Version 2 of the comparative table applies Style A rate of play to Midi Baccarat in both the regulatory benchmark and in all subsequent game mixes. This approach reflects the fact that the faster dealing style was available to it on 19 September 2003, and continues to be available now, notwithstanding the fact that it is rarely used. Using this approach, each of the existing game mixes and three of the new game mixes have fewer opportunities than game mix A. The other three new game mixes would have more opportunities than those associated with game mix A. In the absence of any restrictions on the dealing style that it may adopt in relation to its Midi Baccarat games, this would seem to be the technically correct approach for assessing the theoretical opportunities for this game.
- (oo) Version 3 applies the Style A rate of play to Midi Baccarat games specified in the regulatory benchmark, and then recognises in all other game mixes that 50% of all such games will be conducted in Style B and the other 50% are conducted in Style A. This is supported by the inclusion of a restriction in the Annex notes which specifies that at least 50% of all Midi Baccarat games will be conducted in accordance with dealing Style B. (In reality all Midi Baccarat games will be conducted in this dealing style, but the restriction provides it with the flexibility to adopt Style A on a game in the event that the need arises.)
- (pp) Using this approach, the table below shows that each of the existing game mixes and the six new game mixes have fewer opportunities than those associated with game mix A.
- (qq) Version 3 represents its preferred approach. All three versions are shown in Table 4 below:



| Game mix | Player spaces | Version 1 | | Version 2 | | Version 3 | |
|----------|---------------|-----------|---------------|-----------|---------------|-----------|---------------|
| | | Rounds | Opportunities | Rounds | Opportunities | Rounds | Opportunities |
| A | 3,909 | 10,390 | 216,534 | 12,498 | 273,450 | 12,498 | 273,450 |
| B | 3,775 | 9,542 | 193,140 | 11,774 | 253,404 | 10,658 | 223,272 |
| C | 3,775 | 9,586 | 194,064 | 11,818 | 254,328 | 10,702 | 224,196 |
| D | 3,775 | 9,498 | 192,216 | 11,730 | 252,480 | 10,614 | 222,348 |
| E | 3,789 | 9,586 | 194,736 | 11,818 | 255,000 | 10,702 | 224,868 |
| F | 3,789 | 9,782 | 198,852 | 12,014 | 259,116 | 10,898 | 228,984 |
| G | 3,775 | 9,694 | 196,322 | 11,926 | 256,596 | 10,810 | 226,464 |
| H | 3,789 | 9,826 | 199,776 | 12,508 | 260,040 | 10,942 | 229,908 |
| I | 3,775 | 9,738 | 197,256 | 11,970 | 257,520 | 10,854 | 227,388 |
| J | 3,789 | 9,630 | 195,660 | 11,862 | 255,924 | 10,746 | 225,792 |
| K | 3,789 | 9,674 | 196,584 | 11,906 | 256,848 | 10,790 | 226,716 |
| L | 3,789 | 9,870 | 200,700 | 12,102 | 260,964 | 10,986 | 230,832 |
| M | 3,775 | 9,782 | 198,180 | 12,014 | 258,444 | 10,898 | 228,312 |
| N | 3,855 | 10,372 | 214,212 | 12,604 | 274,476 | 11,448 | 244,344 |
| O | 3,855 | 10,328 | 213,288 | 12,560 | 273,552 | 11,444 | 243,420 |
| P | 3,855 | 10,416 | 215,136 | 12,648 | 275,400 | 11,532 | 245,268 |
| Q | 3,841 | 10,284 | 211,692 | 12,516 | 271,956 | 11,400 | 241,824 |
| R | 3,841 | 10,240 | 210,768 | 12,472 | 271,032 | 11,356 | 240,900 |
| S | 3,841 | 10,328 | 212,616 | 12,560 | 272,880 | 11,444 | 242,748 |


- (rr) The imposition of a restriction on dealing styles in Version 3 may seem artificial, but it would be harsh to be denied the opportunity to update new game mixes simply because particular games in the mix could theoretically be conducted in a faster dealing style that is rarely used in practice.
- (ss) There would be no difficulty for an inspector to police the Version 3 restriction as games played in Style B are clearly visible as every round involves players handling cards

OCL's submissions

- 7 OCL submitted that it had no comments or objections to the new game mixes.

CCL's submissions

8. CCL submitted, in summary, as follows:
- (a) It agreed that SCML's trials provide a more accurate benchmark of the relative speeds of play for the various casino table games. To this extent, it supports the proposal over the current assessment which is based on average rounds per hour.



- (b) It strongly believes that having regard to an assessed rate of play under any method is a level of complication that is no longer justified in determining opportunities for casino gambling. Accordingly it asks that the Commission reconsider its stance with respect to future game mix calculations by having regard to only the total player spaces available. Such an approach is consistent with the intention of the Act.
- (c) It has maintained records of individual table game open hours for the last year. The tables have been open for less than 40% of available hours. Table occupancy records were not kept, but it expects that this would further reduce this figure so the tables would rarely, if ever attain average utilisation of half their permissible player spaces.

The Secretary's submissions

The Trials

9. He was supportive of the trials conducted by SCML and considers that the conditions set were largely appropriate in order to limit the variables that can affect game speed.
10. The approach and analysis used by SCML to calculate the impact of shuffling and electronic aids on the rate of play is appropriate. As such, he supported the adoption of the rates of play described in Table 3 as improved guidance for section 12 determinations. However he did not consider that these results were determinative on the question of rates of play, as they relate to opportunities for casino gambling.
11. The number of opportunities on a game is impacted by the number of players who can access those opportunities. What has not been considered is the impact of the number of people accessing those opportunities on the theoretical rate of play.
12. The table games that were subject to the trials accommodate a range of maximum player numbers from seven for Caribbean Stud Poker to 27 for Midi Baccarat. The trials were conducted using four players per game. For Caribbean Stud Poker this represented a 57% loading at the table compared to 15% for Midi Baccarat. The impact that different loadings have on the rate of play is an unknown.
13. There is an optimal point of opportunity for any given game: the number of wagering opportunities would typically increase with the number of players, but for many games, there would come a point where the number of players impacts so highly on the rate of play that the number of wagering opportunities will begin to decrease. This lends weight to the argument that these rates are not determinative for section 12 purposes, but simply provide better guidance than is currently available.



New game mixes

14. The difference between the rates of play for the two styles of Baccarat was so vast that it has a huge impact on the assessment of opportunities.
15. He informed SCML that as Style B for Midi Baccarat was predominantly in effect on 19 September 2003, the benchmark game mix should also reflect this fact. However, he noted the Commission's comment in decision GC03/10 that the benchmark should be represented by what was available to the casino operator, rather than what it availed itself of. Style A was available to SCML under the game rules at that time.
16. He could see no impediment to a game mix specifying what type of dealing style can be utilised on a particular table game, or what type of game can be played. To this end, he had no objection to the proposed game mixes.

GH's submissions

17. GH submitted, in summary that:
- (a) SCML's calculations were based on trials of relevant games using four players each. SCML acknowledged that, if the trials had been conducted with different numbers of players, the number of rounds generated for each of the games may have been different.
 - (b) The arbitrary choice of four players may lead to misleading results for theoretical hourly rate of play, and that a more rigorous trial would have involved the maximum and minimum number of players for each game type, or the average number of players who usually frequent a game type on a typical day.

PGF's submissions

18. PGF submitted, in summary that:
- (a) SCML's research and calculations were generally useful, but applying the findings, which originate from SKYCITY itself, lead it to oppose, or seek specific amendments to the application for the approval of the new game mixes. This was because the application would clearly increase opportunities for casino gambling and would therefore be in breach of section 11 of the Act.
 - (b) Dealing Style A is about three times as fast as dealing Style B. So Style A, therefore, provides about three times as many opportunities for casino gambling.
 - (c) SCML want 50% of its Midi Baccarat tables to be played in Style A. SCML could still offer Style A if it was allowed to offer it on only 10% of tables.



- (d) It opposes the proposal to add new game mixes on the basis that their average play rate is substantially higher than the average rate for the existing game mixes. This submission apparently assumes that the new game mixes are assessed using Style A but the existing game mixes (especially Game Mix A) are assessed using Style B.
- (e) The law bans any overall increases in opportunities for casino gambling. The average risk of the current game mixes is appreciably lower than if the new game mixes were allowed to be added. Therefore, the proposal should be declined

SCML's submissions in reply

19 In reply, SCML submitted, in summary, as follows:

- (a) In response to the submission by GH, using averaged figures would not assist in determining the maximum number of theoretical opportunities. Previous assessments were based on average rates of play, and were found to be wanting. The outcome of its trials may not be determinative, but they provide a vastly improved baseline for assessing theoretical rates of play.
- (b) PGF requested a change to the notes attached to Annex A to require 90% of the Midi Baccarat games specified in each game mix to be conducted in accordance with dealing Style B. PGF has not offered any explanation in support of the proposed change. While requiring a larger percentage of games to be dealt in the slower dealing style is unlikely to pose any problems, the 50% restriction it proposes provides it with additional flexibility and still ensures that each of the game mixes is well within the regulatory benchmark.

Analysis

Introduction

- 20 SCML applied for approval of a new Annex A, but perhaps of more significance than the application itself was the data that it provided in support; namely new information on the speed of the table games (relative to each other) that SCML deploys.
- 21. SCML provided this information following prompting from the Commission to do so in decision GC04/08. Paragraph 11 of that decision stated:

The Commission noted that both the Secretary and SCML see merit in revisiting the rates of play attributed to casino table games, used to assist in the determination of opportunities for casino gambling. The Commission agrees that there is merit in revisiting this matter, in order to provide greater certainty for future applications



22. SCML did revisit this matter and conducted a series of trials in 2008 and 2009, producing additional information on the rate of play of various table games, as set out in its application.

Preliminary issues

23. SCML submitted that the Commission has historically adopted the following formula as a mechanism for determining casino gambling opportunities:

Theoretical hourly rate of play for game type x number of games of that type x theoretical player positions for that game type = casino gambling opportunities.

24. It also indicated that, in doing so, the Commission has been prepared to use deemed maximum numbers of players for games which do not have the maximum number of players fixed by the rules.
25. Neither of these contentions is correct. The submission wrongly suggests that the Commission's approach to assessing casino gambling opportunities has been static, arithmetical and formulaic. The Commission has never simply applied a formula to produce a numerical result which it has adopted as its opportunity assessment. This is because gambling opportunities are not always easily or meaningfully calculable – there are too many uncontrollable variables – and the assessment involves more considered reflection than indicated by the suggested formula. While the formula might represent the substance of the Commission's current thinking in a nutshell, it is an over-simplification of the Commission's thinking on opportunities and does not allow for the fact that its thinking has evolved over time as new issues and new information have come to light. Indeed, the Commission expects that its thinking will continue to evolve as this issue is further developed in the future.
26. In addition, it wrongly suggests that the Commission has uncritically accepted the rate of play information put forward by casino operators in their submissions. The Commission has been told that the source of the information put forward came from a review of table game speeds conducted mainly at the Christchurch casino in either 1999 or 2000. This data was submitted by casino operators as the best New Zealand information available on rates of play and has been considered by the Commission on that basis but subject to serious reservations which it has expressed. As the Commission noted in decision GC11/09, it has been unwilling to attach too much weight to this information because of "the absence of robust and tested evidence concerning that data".
27. Finally, when game rules do not place player limits on certain table games, the Commission has never been prepared to attribute deemed player number limits for the purpose of assessing casino gambling opportunities.



28. As SCML noted, the casino operators have attempted to attribute a maximum number of 21 players to Roulette despite it having no player limit in the game rules.
29. The Commission has not been prepared to use these numbers as if they were genuine maximums, because they are not. This accordingly limits the applicability of a gambling opportunities figure resulting from the formula and assuming a maximum of 21 players. In addition, the Commission has previously noted that, the speed of a game is affected by the number of players participating.
30. It is true that the Commission considers that assessment of opportunities for casino gambling involves considering the maximum number of players and what they are able to do but it cannot be adequately reduced to the suggested formula.
31. That does not mean that the Commission has no regard to the formula and its results – it can provide indicative figures which offer some general guidance to parties and the Commission. The Commission does consider the results of the formula but, for the reasons set out above, does not consider them to be determinative. Rather, the Commission makes its decisions on casino gambling opportunities “in the round” This means that the Commission holistically compares the assessed effect of the changes proposed against a casino’s regulatory benchmark and forms an overall view on whether or not the changes will increase opportunities for casino gambling in comparison. It considers what games are being removed from the game mix and which ones are being inserted. Do these games have player limits fixed by the rules or not? Can back-bettors participate? What does the Commission know about relative game speeds? How is game speed affected by the numbers participating? How much assistance does the formula offer in the circumstances?
32. The Commission makes a commonsense assessment of the situation and forms an overall view in the round. The assessment is ultimately a matter of impression and judgement, and one which benefits from the Commission’s growing experience of doing so.
33. CCL (and SCML) submitted that the Commission should consider future game mix applications by having regard only to the total player spaces available on the basis that this is consistent with the Act’s intention for section 12. The Commission disagrees. In its view, section 12 of the Act cannot be adequately addressed by considering player spaces alone. Section 12 of the Act provides that an increase in opportunities for casino gambling includes, but is not limited to (emphasis added), an increase in the number of gaming machines, or an increase in the number of table games, or an increase in total player space at table games



34. The Act clearly contemplates the Commission considering more than just player spaces. The Commission's approach, based on its construction of the Act, has been upheld by the High Court and Court of Appeal.
35. It is worth reminding parties that opportunity is a theoretical construct representing the maximum possible in optimised circumstances. It does not represent what occurs in reality and, because of a number of factors, the maximum opportunity figure may not ever be achieved in practice. Lack of alignment with everyday practice does not invalidate the usefulness of the theoretical construct because it is used solely as a basis for comparison between two such constructs. Aspects of the submissions of both CCL and PGF make the mistake of shifting the comparison from two positions assessed on the same basis (opportunity) to positions assessed on quite different bases (opportunity and average practice). To be clear, the Commission compares the opportunities provided by the benchmark mix (in this case, Game Mix A) with the opportunities provided by each new game mix proposed. It is not concerned whether those opportunities are fully utilised in practice or what opportunities are provided by permitted game mixes other than the benchmark mix (and whether they remain or are replaced)
36. The Commission remains open to considering alternative approaches to this difficult issue but, until a suitable alternative is formulated, it will continue with its overall in the round assessments.

The trials

37. SCML conducted trials on the table games that it deploys in an effort to provide more accurate data on the relativities of the speeds of those games. The data was not, as SCML itself accepted, meant to determine definitively absolute and correct rates of play for each table game, rather it was to assist in the determination of casino gambling opportunities by providing better data on the relative game speeds for comparison purposes between the different table games
38. Broadly speaking, submitters supported SCML's trials and resulting data and considered them to be a very valuable addition to the information presently available. The Commission concurs.
39. The Commission considered the trials to have a number of strengths and resulting benefits to the body of information available, as follows:
- (a) The study involved conceptually clean practices with as many variables as possible being held constant. Doing so meant that variability was limited (as much as possible) to the thing which was intended to be compared, namely the



game played in its most theoretically perfect state. Accordingly, the study most closely approximated what it was intended to be compared. This is conceptually better than a comparison based on large volumes of more variable conduct (as would be the case if surveillance data had been used)

- (b) SCML has gone to great lengths to hold variables constant, including using the same dealers and players, selecting the dealers and players to remove variability from insufficient experience and keeping the playing period short.
- (c) The study was carried out with input from DIA staff, with the external involvement adding to the credibility of the trials.

40. However, the trial data contain a number of limitations, which were generally acknowledged by SCML and the Secretary alike. For example:

- (a) For ease of staging, player numbers were limited to four in each case. By holding the number constant, the trial was useful for comparing different games played by that number of players. That strength becomes a limitation when the numbers change significantly and variably between games which have different maximum player numbers.
- (b) One difficulty with a comparison between games played with only four players regardless of the maximum number (and the resulting variability that four represents as a proportion of the maximum) is that, as the Secretary submitted and SCML acknowledged, the relationship between the actual player numbers and game speed is not linear. For that reason, it would not be valid to extrapolate the comparative findings, effectively multiplying time and player numbers.
- (c) As the Secretary's submissions indicate the relationship between player spaces and speed is not only non-linear, it is not even in a constant direction. For each game, there is likely to be an optimum number of players where the total opportunities will be maximised. This is a complication which means that even a trial using the maximum player numbers would also have had to be adjusted in application.
- (d) No comparison has made between these results and those from other sources. It would have been useful for the Commission to know whether the trial's findings were broadly consistent with other studies, or were aberrant.
- (e) The credibility of the trials would have been further enhanced if independent and knowledgeable observers had been in attendance.



41. By way of a separate but related point, the Commission saw no utility in multiplying the results by 4 to achieve a notional hourly rate. The data are the results of highly artificial trials (with as many things as possible held constant) and intended to be used only for comparison purposes. It is neither valid nor useful to attempt extrapolation by simple multiplication. The Commission considers that the appropriate comparison is between the original trial data, interpreted according to their limitations, without extrapolation or adjustments to attempt to better reflect what happens in day to day practice.
42. Overall, the Commission considered that SCML's new data represent a very valuable addition to the pool of information which is available for use in section 12 assessments. For the reasons set out above, the data still cannot be used arithmetically to produce a definitive answer to assessment of opportunity but the results will be used by the Commission in its assessments and no doubt by operators and interested parties in making submissions on opportunity.

Variables identified and adjusted for by SCML

43. SCML tested and adjusted for three variables which it identified as affecting the hourly rate of play – dealing style, shuffle breaks and automatic shufflers.
44. The dealing style can make a significant difference to rate of play, as can be seen with the two Baccarat games – SCML submitted that the Mini Baccarat trials carried out using dealing “Style A” generated approximately 180 rounds per hour, whereas the Midi Baccarat trials carried out using “Style B” generated approximately 56 rounds per hour. This difference is particularly apparent when one considers that both games are essentially the same except for the size of the layout on which they are played.
45. As appears on the face of tables 1, 2 and 3 above, the proposed game speed data for the two Baccarat games rely on trial data which used the dealing style most commonly associated with those games in practice; namely Style A for Mini Baccarat, and Style B for Midi Baccarat. However, there is no dispute that SCML was permitted to use dealing Style A on its Midi Baccarat tables when the Gambling Act came into effect on 19 September 2003 and at all times since then. In order to assess the maximum theoretical opportunities for casino gambling for any game, including Midi Baccarat, both historically and in all currently approved games mixes, including the current benchmark, the rate of play assessment should be based upon use of dealing Style A in all cases unless a different style has been mandated.
46. While SCML accepted that this approach “would seem to be the technically correct approach for assessing theoretical opportunities for this game”, it stated that it would be



reluctant to do so as the inclusion of dealing Style A in its operational Midi Baccarat game mixes "represents a significant opportunity cost for the business"

47. The Commission's consistent approach when fixing game mixes has been to consider what is or was possible theoretically, whether in its initial assessment of opportunities as at 19 September 2003, when the Act came into effect, for fixing the benchmark game mix or in subsequent comparisons between that mix and new proposed mixes. Because the comparison is always between two theoretical positions, no loss of opportunity arises from the extent to which there are divergences between the theoretical constructs and what actually occurs on a daily basis. The difference is simply the commercial and practical inability to achieve the maximum theoretically possible as a matter of course; it is no different to what happens whenever casinos elect to use a game mix other than the benchmark or to close tables. As the nature of the exercise is a comparison of theoretical absolutes, the relevant trial data is that produced by using dealing Style A for both Mini and Midi Baccarat.
48. In relation to shuffle breaks, the Commission understands the reasons behind SCML's proposed allowance for shuffle breaks when the 15 minute segment is multiplied by 4 to achieve an extrapolated deemed hourly rate (and beyond). However, the Commission is of the view that attempting to make an adjustment for such a variable to reflect the reality of play in a live environment involves losing sight of the theoretical nature of the exercise. Further, it is adjusting for something that, in the scheme of things and in comparison to the serious effects which something like changing player numbers is likely to have on the results, is out of all proportion. Making such minor adjustments to allow for an increase in time involves an unwarranted assumption that other factors, such as increasing the player numbers from four to the maximum, will be linear. As suggested above, the Commission considers it preferable to compare the actual outputs (15 minute sessions of four players) and make all necessary allowances in the round, rather than to tinker with the results to adjust for some things, but not others.
49. Automatic shufflers have an effect on what is possible and should be factored into the comparative data appropriately. The Commission is of the view that the correct starting position is whatever constraints affect the benchmark (or, if it is not specified, what was permitted in September 2003). At that time, SCML was restricted to operating automatic shufflers on only 50% of Black Jack tables specified in game mix A (the regulatory benchmark) and this restriction should continue to be applied to assessment of the opportunity offered by that benchmark. In assessing opportunity under game mix A, compared to other game mixes which may not have that restriction, the rate of play data should be considered accordingly so that what is being compared is what is permitted.



under game mix A (with the 50% restriction) and what is permitted under the new mix (with whatever restrictions apply to that).

New game mixes

50. SCML's application for approval of a new Annex A involves the removal of presently approved game mix B, and the introduction of six new game mixes, N-S.
51. SCML submitted that the new game mixes have fewer player spaces than its regulatory benchmark, but acknowledged that, depending upon what dealing style is applied to the Midi Baccarat tables, some could result in an increase in the rate of play, and possibly the overall opportunities for casino gambling. SCML presented three versions of its rate of play evidence with version 1 applying the Style B rate of play to Midi Baccarat in both the benchmark and subsequent game mixes; version 2 applying dealing Style A across all Baccarat games; and version 3 applying Style A to all Baccarat games in the benchmark game mix and 50% of the Midi Baccarat games in the operational game mixes, with the other 50% utilising Style B.
52. The Commission compared the Auckland casino's regulatory benchmark with the proposed new game mixes, N-S. The differences between the game mixes are shown below:

Table numbers

| Game Mix | A | N | O | P | Q | R | S |
|----------------------|----------|----------|----------|----------|----------|----------|----------|
| Black Jack/Pontoon | 44 | 41 | 42 | 40 | 40 | 41 | 39 |
| Caribbean Stud Poker | 10 | 6 | 6 | 6 | 7 | 7 | 7 |
| Midi Baccarat | 17 | 18 | 18 | 18 | 18 | 18 | 18 |
| Mini Baccarat | 7 | 8 | 7 | 9 | 8 | 7 | 9 |
| Money Wheel (DS) | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Pai Gow | 4 | 3 | 3 | 3 | 3 | 3 | 3 |
| Roulette | 24 | 17 | 17 | 17 | 17 | 17 | 17 |
| Tai Sai (DS) | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Tai Sai (single) | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Electronic Roulette | 1 | 3 | 3 | 3 | 3 | 3 | 3 |
| Poker | 0 | 12 | 12 | 12 | 12 | 12 | 12 |

53. The Commission was of the view that version 1 should not generally be employed for comparative purposes (as SCML had, and still has, the ability to use Style A on all its Baccarat tables)
54. The Commission compared the version 2 game mixes with SCML's regulatory benchmark and, making an overall commonsense comparison in the round, considered that the proposed new game mixes could well increase opportunities for casino gambling. While this decision may appear "harsh" as SCML submitted, it is simply the result of assessing the available information, the use of which may well produce advantage to SCML in other

areas. As a result, the Commission was not prepared to approve the game mixes as proposed (which is essentially what is involved in version 2).

55. The Commission next considered SCML's version 3 game mixes – in which at least 50% of the operation Midi Baccarat games would be played using the slower dealing Style B. The Commission was satisfied that game mixes N-S, if subject to this restriction, would not increase opportunities for casino gambling.
56. The Commission did not consider that such a limitation would present the Casino Inspectorate with any difficulties in terms of determining whether a table is played using Style A or Style B, as Style B involves players handling cards, whereas Style A does not. The inspectorate will therefore be able to determine quickly which style is being employed.
57. PGF suggested that, if the restriction were moved from 50% of tables to 90%, SCML would still have some operational choice but the Commission sees no good reason to limit SCML's operational flexibility so long as opportunity in its assessment is not thereby increased.

Decision of the Commission

58. The Commission approved, under condition 9 of SCML's operator's licence, a new Annex A (**attached**) which removed game mix B and introduced six new game mixes N-S



Graeme Reeves
Gambling Commissioner

for and on behalf of the
Gambling Commission

29 July 2010



**GAMBLING
COMMISSION**

ANNEX A

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

- A
- Black Jack/Pontoon – up to 44 games
 - Roulette – up to 24 games
 - Electronic Roulette – 1 game with up to 14 player spaces and no manual table
 - Caribbean Stud Poker – up to 10 games
 - Midi Baccarat – up to 17 games
 - Mini Baccarat – up to 7 games
 - Pai Gow – up to 4 games
 - Tai Sai (Double Side) – 1 game
 - Tai Sai (Single Side) – 1 game
 - Money Wheel (Double Side) – 1 game
- B
- Black Jack/Pontoon ('7 Box') – up to 33 games
 - Roulette – up to 20 games
 - Electronic Roulette – up to 2 games with up to 21 player spaces and no manual table
 - Caribbean Stud Poker – up to 7 games
 - Midi Baccarat – up to 18 games
 - Mini Baccarat – up to 7 games
 - Money Wheel (Double Side) – 1 game
 - Pai Gow – up to 3 games
 - Poker – up to 18 games with up to 10 player spaces
 - Tai Sai (Double Side) – 1 game
- C
- Black Jack/Pontoon ('7 Box') – up to 32 games
 - Roulette – up to 20 games
 - Electronic Roulette – up to 2 games with up to 21 player spaces and no manual table
 - Caribbean Stud Poker – up to 7 games
 - Midi Baccarat – up to 18 games
 - Mini Baccarat – up to 8 games
 - Money Wheel (Double Side) – 1 game
 - Pai Gow – up to 3 games
 - Poker – up to 18 games with up to 10 player spaces
 - Tai Sai (Double Side) – 1 game
- D
- Black Jack/Pontoon ('7 Box') – up to 34 games
 - Roulette – up to 20 games
 - Electronic Roulette – up to 2 games with up to 21 player spaces and no manual table
 - Caribbean Stud Poker – up to 7 games
 - Midi Baccarat – up to 18 games
 - Mini Baccarat – up to 6 games
 - Money Wheel (Double Side) – 1 game
 - Pai Gow – up to 3 games
 - Poker – up to 18 games with up to 10 player spaces
 - Tai Sai (Double Side) – 1 game
- E
- Black Jack/Pontoon ('7 Box') – up to 35 games
 - Roulette – up to 20 games
 - Electronic Roulette – up to 2 games with up to 21 player spaces and no manual table
 - Caribbean Stud Poker – up to 6 games
 - Midi Baccarat – up to 18 games
 - Mini Baccarat – up to 6 games
 - Money Wheel (Double Side) – 1 game



- Pai Gow – up to 3 games
 - Poker – up to 18 games with up to 10 player spaces
 - Tai Sai (Double Side) – 1 game
- F.
- Black Jack/Pontoon ('7 Box') – up to 36 games
 - Roulette – up to 17 games
 - Electronic Roulette – up to 3 games with up to 21 player spaces and no manual table
 - Caribbean Stud Poker – up to 6 games
 - Midi Baccarat – up to 18 games
 - Mini Baccarat – up to 7 games
 - Money Wheel (Double Side) – 1 game
 - Pai Gow – up to 3 games
 - Poker – up to 18 games with up to 10 player spaces
 - Tai Sai (Double Side) – 1 game
- G.
- Black Jack/Pontoon ('7 Box') – up to 35 games
 - Roulette – up to 17 games
 - Electronic Roulette – up to 3 games with up to 21 player spaces and no manual table
 - Caribbean Stud Poker – up to 7 games
 - Midi Baccarat – up to 18 games
 - Mini Baccarat – up to 7 games
 - Money Wheel (Double Side) – 1 game
 - Pai Gow – up to 3 games
 - Poker – up to 18 games with up to 10 player spaces
 - Tai Sai (Double Side) – 1 game
- H.
- Black Jack/Pontoon ('7 Box') – up to 35 games
 - Roulette – up to 17 games
 - Electronic Roulette – up to 3 games with up to 21 player spaces and no manual table
 - Caribbean Stud Poker – up to 6 games
 - Midi Baccarat – up to 18 games
 - Mini Baccarat – up to 8 games
 - Money Wheel (Double Side) – 1 game
 - Pai Gow – up to 3 games
 - Poker – up to 18 games with up to 10 player spaces
 - Tai Sai (Double Side) – 1 game
- I.
- Black Jack/Pontoon ('7 Box') – up to 34 games
 - Roulette – up to 17 games
 - Electronic Roulette – up to 3 games with up to 21 player spaces and no manual table
 - Caribbean Stud Poker – up to 7 games
 - Midi Baccarat – up to 18 games
 - Mini Baccarat – up to 8 games
 - Money Wheel (Double Side) – 1 game
 - Pai Gow – up to 3 games
 - Poker – up to 18 games with up to 10 player spaces
 - Tai Sai (Double Side) – 1 game
- J.
- Black Jack/Pontoon ('7 Box') – up to 34 games
 - Roulette – up to 20 games
 - Electronic Roulette – up to 2 games with up to 21 player spaces and no manual table
 - Caribbean Stud Poker – up to 6 games
 - Midi Baccarat – up to 18 games
 - Mini Baccarat – up to 7 games
 - Money Wheel (Double Side) – 1 game
 - Pai Gow – up to 3 games
 - Poker – up to 18 games with up to 10 player spaces
 - Tai Sai (Double Side) – 1 game



- K
- Black Jack/Pontoon ('7 Box') – up to 33 games
 - Roulette – up to 20 games
 - Electronic Roulette – up to 2 games with up to 21 player spaces and no manual table
 - Caribbean Stud Poker – up to 6 games
 - Midi Baccarat – up to 18 games
 - Mini Baccarat – up to 8 games
 - Money Wheel (Double Side) – 1 game
 - Pai Gow – up to 3 games
 - Poker – up to 18 games with up to 10 player spaces
 - Tai Sai (Double Side) – 1 game
- L
- Black Jack/Pontoon ('7 Box') – up to 34 games
 - Roulette – up to 17 games
 - Electronic Roulette – up to 3 games with up to 21 player spaces and no manual table
 - Caribbean Stud Poker – up to 6 games
 - Midi Baccarat – up to 18 games
 - Mini Baccarat – up to 9 games
 - Money Wheel (Double Side) – 1 game
 - Pai Gow – up to 3 games
 - Poker – up to 18 games with up to 10 player spaces
 - Tai Sai (Double Side) – 1 game
- M.
- Black Jack/Pontoon ('7 Box') – up to 33 games
 - Roulette – up to 17 games
 - Electronic Roulette – up to 3 games with up to 21 player spaces and no manual table
 - Caribbean Stud Poker – up to 7 games
 - Midi Baccarat – up to 18 games
 - Mini Baccarat – up to 9 games
 - Money Wheel (Double Side) – 1 game
 - Pai Gow – up to 3 games
 - Poker – up to 18 games with up to 10 player spaces
 - Tai Sai (Double Side) – 1 game
- N.
- Black Jack/Pontoon ('7 Box') – up to 41 games
 - Roulette – up to 17 games
 - Electronic Roulette – up to 3 games with up to 21 player spaces and no manual table
 - Caribbean Stud Poker – up to 6 games
 - Midi Baccarat – up to 18 games
 - Mini Baccarat – up to 8 games
 - Money Wheel (Double Side) – 1 game
 - Pai Gow – up to 3 games
 - Poker – up to 12 games with up to 10 player spaces
 - Tai Sai (Double Side) – 1 game
- O.
- Black Jack/Pontoon ('7 Box') – up to 42 games
 - Roulette – up to 17 games
 - Electronic Roulette – up to 3 games with up to 21 player spaces and no manual table
 - Caribbean Stud Poker – up to 6 games
 - Midi Baccarat – up to 18 games
 - Mini Baccarat – up to 7 games
 - Money Wheel (Double Side) – 1 game
 - Pai Gow – up to 3 games
 - Poker – up to 12 games with up to 10 player spaces
 - Tai Sai (Double Side) – 1 game
- P.
- Black Jack/Pontoon ('7 Box') – up to 40 games
 - Roulette – up to 17 games
 - Electronic Roulette – up to 3 games with up to 21 player spaces and no manual table



- Caribbean Stud Poker – up to 6 games
 - Midi Baccarat – up to 18 games
 - Mini Baccarat – up to 9 games
 - Money Wheel (Double Side) – 1 game
 - Pai Gow – up to 3 games
 - Poker – up to 12 games with up to 10 player spaces
 - Tai Sai (Double Side) – 1 game
- Q.
- Black Jack/Pontoon ('7 Box') – up to 40 games
 - Roulette – up to 17 games
 - Electronic Roulette – up to 3 games with up to 21 player spaces and no manual table
 - Caribbean Stud Poker – up to 7 games
 - Midi Baccarat – up to 18 games
 - Mini Baccarat – up to 8 games
 - Money Wheel (Double Side) – 1 game
 - Pai Gow – up to 3 games
 - Poker – up to 12 games with up to 10 player spaces
 - Tai Sai (Double Side) – 1 game
- R.
- Black Jack/Pontoon ('7 Box') – up to 41 games
 - Roulette – up to 17 games
 - Electronic Roulette – up to 3 games with up to 21 player spaces and no manual table
 - Caribbean Stud Poker – up to 7 games
 - Midi Baccarat – up to 18 games
 - Mini Baccarat – up to 7 games
 - Money Wheel (Double Side) – 1 game
 - Pai Gow – up to 3 games
 - Poker – up to 12 games with up to 10 player spaces
 - Tai Sai (Double Side) – 1 game
- S.
- Black Jack/Pontoon ('7 Box') – up to 39 games
 - Roulette – up to 17 games
 - Electronic Roulette – up to 3 games with up to 21 player spaces and no manual table
 - Caribbean Stud Poker – up to 7 games
 - Midi Baccarat – up to 18 games
 - Mini Baccarat – up to 9 games
 - Money Wheel (Double Side) – 1 game
 - Pai Gow – up to 3 games
 - Poker – up to 12 games with up to 10 player spaces
 - Tai Sai (Double Side) – 1 game

Notes

1. The Licence Holder is permitted to change between the Game Mixes specified in A-S subject to providing the Commission and the Inspectorate with a minimum of 5 working days notice in writing of its intention to do so.
2. The Licence Holder is permitted to operate automatic shufflers on:
 - the Poker tables specified in Game Mixes B-S;
 - 50% of open Black Jack tables specified in Game Mix A;
 - all Black Jack tables specified in Game Mixes B-S; and
 - CSP and Baccarat tables specified in each of the Game Mixes, provided that no more than 10 such shufflers are operated on CSP games and no more than 24 such shufflers are operated on Baccarat games.



3. At least 50% of the Midi Baccarat games specified in each Game Mix shall be conducted in accordance with dealing Style B as set out in the rules of Baccarat.
4. The Licence Holder is permitted to conduct two alternative Poker games – Hold-em and Omaha.

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