

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

**AND** on an application by **SKYCITY CASINOS MANAGEMENT LIMITED** to deploy a cash-dispensing EFTPOS facility at the Wharf Casino

**BEFORE THE GAMBLING COMMISSION**

**Members:** G L Reeves (Chief Gambling Commissioner)  
L M Hansen  
R D Bell  
W N Harvey

**Date of Application:** 3 August 2017

**Date of Decision:** 10 August 2017

**Date of Notification of Decision:** 18 August 2017

**DECISION ON AN APPLICATION BY SKYCITY CASINOS MANAGEMENT LIMITED TO DEPLOY A CASH-DISPENSING EFTPOS FACILITY AT THE WHARF CASINO**

**Introduction**

1. On 3 August 2017, SKYCITY Casino Management Limited ("SCML") applied to the Gambling Commission under condition 13 of its operator's licence in respect of Wharf Casino for approval to deploy a cash-dispensing EFTPOS terminal at Wharf Casino.
2. By way of background, SCML advised the Commission that, in a recent audit of Wharf Casino, the Department of Internal Affairs had noted that there appeared to be no documented approval for the use of the sole cash-dispensing EFTPOS terminal installed at the casino. The terminal had been in use when SCML took over the operation of the casino from Otago Casinos Limited ("OCL"). SCML had assumed that, as the terminal was installed and in operation, it had been earlier approved but, when asked, it had been unable to locate any documentation establishing approval.
3. SCML had reviewed all decisions of the Gambling Commission since 2004 but had been unable to locate any decision granting approval. Neither had it been able to locate any earlier decision of the Casino Control Authority ("CCA").

**Licence condition**

4. The relevant licence condition is as follows:

**SCML's operator's licence (Wharf Casino)**

13. The Licence Holder is prohibited from dispensing cash from EFTPOS and like devices in the Gambling Area unless approved by the Authority or the Commission. The approval of the Commission shall be revocable at the discretion of the Commission and may be subject to such conditions as the Commission may from time to time impose.

**SCML's submissions**

5. SCML submitted, in summary, as follows:
  - (a) Approval is sought for a single cash-dispensing EFTPOS terminal at Wharf Casino. The terminal is located in the Cage, which is the cashier outlet, on the Main Gaming Floor.
  - (b) The EFTPOS terminal is used to enable customers to make cash withdrawals at the Cage. All SCML casinos have such a facility in that location.
  - (c) The EFTPOS terminal has been in use for many years. Because it was in operation when SCML took over operation of the casino, it had assumed that an approval had been obtained by OCL.
  - (d) As it cannot establish that an approval has been given, it requires approval to allow it offer a facility that is standard in all casinos.

**Analysis**

6. The Commission could similarly find no record of any prior approval for deployment of an EFTPOS terminal at Wharf Casino, whether given by it or its predecessor, the CCA.
7. The Commission decided not to seek submissions from any other party. It had recently received submissions from the Secretary, Salvation Army and the Ministry of Health on proposed changes to conditions relating to approval of deployment of EFTPOS devices<sup>1</sup> and for approval of mobile EFTPOS devices, one of which would be located in the Main Cage at Hamilton Casino and be cash-dispensing<sup>2</sup>.
8. The Secretary had submitted that cash-dispensing EFTPOS devices, including mobile ones, in the Gambling Area should be restricted to the cashiering desk. The Secretary also submitted that dispensing cash to customers from EFTPOS terminals at the cashier desk was preferable, from a harm monitoring point of view, to requiring customers to access ATMs to withdraw cash because EFTPOS withdrawals require interaction between the customer and trained casino staff. No party contended otherwise.

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<sup>1</sup> Decision GC 10/17, Application of SCML to vary licence conditions at four casinos, 15 June 2017.

<sup>2</sup> Decision GC15/17, application to deploy mobile EFTPOS terminals at Hamilton Casino, 27 July 2017

9. The Commission could see no possible basis for objection to the dispensing of cash by way of EFTPOS withdrawal transaction at the cashier's desk at Wharf Casino. Such a facility is a standard one at all New Zealand casinos and the Secretary has made clear that he has no objection to such EFTPOS terminals. The facility is a desirable one from a harm monitoring perspective. The particular terminal has been in use at Wharf Casino since well before SCML assumed operational control of the casino.

**Decision**

10. Pursuant to condition 13 of SCML's operator's licence for Wharf Casino, the Commission approves the dispensing of cash from an EFTPOS terminal to be located in the Cage (being the cashiering desk on the Main Gaming Floor) at Wharf Casino.



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Lisa Hansen  
Gambling Commissioner

for and on behalf of the  
Gambling Commission

18 August 2017

