

IN THE MATTER of the Gambling Act 2003

AND on an application by **SKYCITY CASINO MANAGEMENT LIMITED** for approval to vary its game mixes for the Hamilton casino

BEFORE THE GAMBLING COMMISSION

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

Date of Application: 18 October 2010

Date of Decision: 12 November 2010

Date of Notification
of Decision: 12 November 2010

**DECISION ON AN
APPLICATION BY SKYCITY CASINO MANAGEMENT LIMITED
FOR APPROVAL TO VARY ITS GAME MIXES FOR THE HAMILTON CASINO**

Introduction

1. SKYCITY Casino Management Limited (the "**Applicant**" or "**SCML**") applied to the Commission for approval, under condition 9 of SCML's operator's licence, for approval to vary its game mixes for the Hamilton casino. SCML wants to remove two redundant game mixes and introduce one new game mix.

Licence condition

2. The relevant licence condition is as follows:

SCML's operator's licence (Hamilton)

9. The Licence Holder may operate on casino gaming tables the game types and game mixes specified in Annex A attached to this Licence. The Licence Holder shall obtain the prior approval of the Commission for any change to the game types and/or game mixes specified.

Submissions by SCML

3. SCML submitted, in summary, as follows:
 - (a) It wants to remove approved game mixes 6 and 7 and add one new game mix, which will provide for the operation of up to four Midi Baccarat games. The game



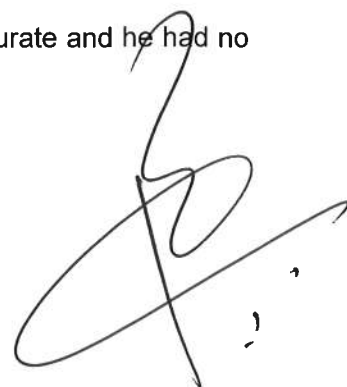
mixes have been re-numbered to recognise these changes with the new game mix to be called game mix 6.

- (b) The impact of the proposed new game mix on player spaces is set out in the table below. For those games where the maximum number of player positions is not fixed by game rules, it has applied a theoretical maximum number of positions as a guide for the Commission. These theoretical maximums have been used in previous applications. Based on these figures, the new game mix has fewer player spaces than the regulatory benchmark, game mix 1.
- (c) A comparison of rates of play is also set out in the table below. The figures used in this table were derived from a trial carried out by SKYCITY and considered by the Commission in decision GC17/10.
- (d) Unlike previous applications, it has not sought to specify a notional hourly rate of play for each of the games. Following an assessment of the Commission's comments in decision GC17/10 it has presented the trial data in its raw form, without extrapolation, to provide for a more appropriate comparison.
- (e) The notional opportunities associated with the proposed new game mix are less than that associated with game mix 1.
- (f) It is satisfied that the new game mixes will not increase casino gambling opportunities.
- (g) Subject to the Commission's approval of the new game mixes, it will provide the Commission and the DIA inspectorate with a minimum of five days notice before adopting any one of them.
- (h) The player spaces and rates of play for the relevant game mixes are as follows:

Game Mix	Player Spaces	Overall gambling opportunities
1	803	14,164.5
6	792	13,801

Submissions by the Secretary

4. The Secretary submitted that the Applicant's calculations appear accurate and he had no regulatory concerns regarding the introduction of new game mix 6.

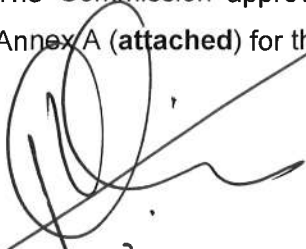


Analysis

5. SCML applied for approval to remove two redundant game mixes, and introduce one new game mix. SCML relied upon game speed data it presented to the Commission in its application leading to decision GC17/10.
6. The Commission's approach when considering whether a proposal will increase opportunities for casino gambling is to compare what is proposed with the approved game mix that provides the greatest opportunities for casino gambling and form a view, in the round, on whether it will increase opportunities for casino gambling.
7. The Commission compared game mix 6 with game mix 1 and was satisfied that it would not increase opportunities for casino gambling.

Decision

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



Peter Chin
Chief Gambling Commissioner

for and on behalf of the
Gambling Commission



12 November 2010

ANNEX A

Pursuant to condition 9 the following game mixes may be operated by the Licence Holder on casino gaming tables in accordance with approved floor plans subject to the following conditions and requirements:

1. Black Jack/Pontoon – up to 11 games
Roulette – up to 5 games
Midi Baccarat – up to 3 games
Mini Baccarat – up to 1 game
Caribbean Stud Poker – up to 2 games
Tai Sai (single sided) – up to 1 game
2. Black Jack/Pontoon – up to 10 games
Roulette – up to 4 games
Midi Baccarat – up to 3 games
Mini Baccarat – up to 1 game
Caribbean Stud Poker – up to 1 game
Money Wheel (single sided) – up to 1 game
Poker – up to 2 games
Electronic Roulette (12 players) – up to 1 game
3. Black Jack/Pontoon – up to 11 games
Roulette – up to 4 games
Midi Baccarat – up to 3 games
Caribbean Stud Poker – up to 1 game
Money Wheel (single sided) – up to 1 game
Poker – up to 2 games
Electronic Roulette (12 players) – up to 1 game
4. Black Jack/Pontoon – up to 11 games
Roulette – up to 4 games
Midi Baccarat – up to 2 games
Caribbean Stud Poker – up to 1 game
Money Wheel (single sided) – up to 1 game
Poker – up to 3 games
Electronic Roulette (12 players) – up to 1 game
5. Black Jack/Pontoon – up to 12 games
Roulette – up to 4 games
Midi Baccarat – up to 2 games
Caribbean Stud Poker – up to 1 game
Money Wheel (single sided) – up to 1 game
Poker – up to 2 games
Electronic Roulette (12 players) – up to 1 game
6. Black Jack/Pontoon – up to 10 games
Roulette – up to 4 games
Midi Baccarat – up to 4 games
Caribbean Stud Poker – up to 1 game
Money Wheel (single sided) – up to 1 game
Poker – up to 2 games
Electronic Roulette – up to 1 game

A handwritten signature in black ink, consisting of a large, stylized 'S' or '2' shape with a vertical line through it, and a horizontal line at the bottom.

Notes

1. The Licence Holder is permitted to change between game mixes 3 and 4, subject only to any requirements specified by way of Minimum Operating Standards. The Licence Holder is permitted to change between other approved table game mixes subject to providing the Inspectorate with a minimum of five working days notice in writing of its intention to do so.
2. The Licence Holder is permitted to operate automatic shufflers on the Caribbean Stud Poker and Poker tables specified and on no more than 50% of Black Jack games specified in game mixes 1, 2, 3, 4, 5 and 6.
3. The Licence Holder is permitted to conduct two alternative Poker games – Hold-em and Omaha.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the bottom.