

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: G L Reeves (Chief Gambling Commissioner)
P J Stanley
L M Hansen
R D Bell
A K Foote

Date of Application: 20 October 2011, 4 November 2011 and 18 November 2011

Date of Decision: 9 December 2011

Date of Notification
of Decision: 21 December 2011

**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 for approval, under condition 9 of SCML's operator's licence for the Auckland casino, of new game mixes.

Relevant licence condition

2. The relevant licence condition is as follows:

SCML's operator's licence

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. The Licence Holder may operate on casino gaming tables the game types and game mix(es) specified by the Commission in either Annex B, or Annex C attached to this Licence provided that it gives the Commission and the Inspectorate a minimum of 10 working days notice in writing of its intention to do so. 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 has identified three changes it wants to make to the game mixes set out in Annexes A, B and C. It wants to introduce:
 - (i) 3-card Poker into the area "Eight";

- (ii) Casino War into the main gaming areas;
 - (iii) additional game mixes in which a Pai Gow table replaces a Black Jack table, also in "Eight".
- (b) The number of game mixes in the wider Gambling Areas will also been reduced.
- (c) In terms of assessing overall rates of play it has used figures derived from earlier trials which have been considered by the Commission.
- (d) The one exception is for the game of Casino War. This game has been played in the past but has not previously been the subject of the standard trial. As such, a trial of this one game was arranged in the SKYCITY Training Room, with the same conditions being applied as were used in earlier trials. The DIA Inspectorate attended.
- (e) Casino War is played on a layout which, in terms of the approved rules, may have up to seven sets of wagering areas with up to three players allowed to wager on those areas. Up to eight decks of cards may be used. The trial game was conducted manually and over the course of a 15 minute period, 32 rounds were completed. These rounds were completed without having to reshuffle the cards and the initial shuffle did not form part of the trial period. This means the same number of rounds would have been completed if an automatic shuffler had been used.
- (f) The results of the Casino War trial have been incorporated into the comparative tables below.
- (g) It has assessed the impact of each of the game mixes on player spaces and overall gambling opportunities. For those games where the maximum number of player positions is not fixed by game rules, it has applied the same theoretical maximum that it has applied in previous applications.
- (h) Annex A will not increase opportunities for casino gambling as the number of player spaces and overall gambling opportunities are lower than those offered by the regulatory benchmark. To demonstrate this it has combined the five game mixes from Level 5 that offer the most opportunities, with the game mix that offers the most opportunities from the rest of the casino, as shown below.

	Salon	Game mix	Player spaces	Opportunity
Level 5 South Side	82	A	54	1,593
	86	A	54	1,593
	88	A	108	3,186
Level 5 North Side	81	A	108	3,186
	Eight	D	376	10,593
Rest of casino	Levels 2+3	A	1,553	41,034
Total			2,253	61,185

- (i) Combining these game mixes produces fewer player spaces and less overall opportunities than the regulatory benchmark, as follows:

Game mix	Player spaces	Opportunity
Combined	2,253	61,185
Benchmark	2,262	68,363

- (j) Annex B will not increase opportunities for casino gambling as the combination of game mixes with the most opportunities from level 5, when combined with the game mix offering the most opportunities from the rest of the casino offers fewer player spaces and overall opportunities than the regulatory benchmark, as shown below:

	Salon	Game mix	Player spaces	Opportunity
Level 5 South Side	82	A	54	1,593
	86	A	54	1,593
	88	A	108	3,186
Level 5 (20 tables)	Eight	D	484	13,779
Rest of casino (82 tables)	Levels 2 & 3	A	1,553	41,034
Total			2,253	61,185

- (k) Combining these game mixes produces fewer player spaces and fewer overall gambling opportunities, than the regulatory benchmark, as follows:

Game mix	Player spaces	Opportunity
Combined	2,253	61,185
Benchmark	2,262	68,363

- (l) Annex C will not increase opportunities for casino gambling as the combination of game mixes with the most opportunities from level 5, when combined with the game mix offering the most opportunities from the rest of the casino offers fewer player spaces and fewer overall opportunities than the regulatory benchmark, as shown below:

	Salon	Game mix	Player spaces	Opportunity
Level 5 South Side	82	A	54	1,593
	86	A	54	1,593
	88	A	108	3,186
Level 5 (22 tables)	Eight	D	526	14,829
Rest of casino (80 tables)	Levels 2 & 3	A	1,511	39,984
			2,253	61,185

- (m) Combining these game mixes produces fewer player spaces and fewer overall gambling opportunities, than the regulatory benchmark, as follows:

Game mix	Player spaces	Opportunity
Combined	2,253	61,185
Benchmark	2,262	68,363

- (n) The arithmetic calculations suggest that the new game mixes will not increase opportunities for casino gambling. It has no other "in the round" information to the contrary.

The Secretary's submissions

4. The Secretary submitted that SCML's calculations appear accurate and suggest that the new game mixes will not increase casino gambling opportunities.

Analysis

5. SCML initially applied to vary its game mix Annexes to introduce 3-Card Poker into "Eight" and Casino War into the game mixes for Levels 2 and 3. It subsequently amended this application to replace a Black Jack table with a Pai Gow table in some of the game mixes in "Eight", with a further amendment to request that the Pai Gow game mixes be in addition to the Black Jack game mixes, rather than in their place.
6. The Commission carried out a comprehensive assessment, in the round, of the combination of game mixes from Annex A, Annex B and Annex C which appeared to offer the most opportunity with the level of opportunity offered by the regulatory benchmark (game mix A). The Commission was satisfied that the new annexes in combination would not increase opportunities for casino gambling over those offered by game mix A.

Decision

7. The Commission approved new Annexes A, B and C, under condition 9 of SCML's operator's licence for the Auckland casino. Annexes A, B and C are **attached**.


 Graeme Reeves
 Chief Gambling Commissioner

for and on behalf of the
 Gambling Commission

21 December 2011 



ANNEX A

GAME MIX A

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

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 side)	1 game
Tai Sai (single side)	1 game
Money Wheel (double side)	1 game

Notes for Game Mix A

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.

ALTERNATIVE GAME MIXES

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
Midi Baccarat	2	1	1	0	0	0	0	1	0	0	0
Roulette	0	1	0	1	2	0	0	0	0	0	1
Black Jack	0	0	1	1	0	2	1	0	0	1	0
Mini Baccarat	0	0	0	0	0	0	0	0	1	0	0
Pai Gow	0	0	0	0	0	0	0	0	1	1	0
Three Card Poker	0	0	0	0	0	0	1	1	0	0	1
Total	2	2	2	2	2	2	2	2	2	2	2

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
Midi Baccarat	2	1	1	0	0	0	0	1	0	0	0
Roulette	0	1	0	1	2	0	0	0	0	0	1
Black Jack	0	0	1	1	0	2	1	0	0	1	0
Mini Baccarat	0	0	0	0	0	0	0	0	1	0	0
Pai Gow	0	0	0	0	0	0	0	0	1	1	0
Three Card Poker	0	0	0	0	0	0	1	1	0	0	1
Total	2	2	2	2	2	2	2	2	2	2	2



together with

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

	A3	B3	C3	D3	E3	F3	G3	H3	I3	J3	K3	L3	M3	N3	O3
Midi Baccarat	4	3	3	2	2	2	0	0	0	0	0	1	2	2	3
Roulette	0	1	0	1	2	0	1	1	1	1	1	1	1	0	0
Black Jack	0	0	1	1	0	2	1	1	2	2	3	1	0	1	0
Mini Baccarat	0	0	0	0	0	0	1	2	0	1	0	0	0	0	0
Pai Gow	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0
3 Card Poker	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1
Total	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4

together with

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

	A4	B4	C4	D4	E4	F3	G4	H4	I4	J4	K4	L4	M4	N4	O4
Midi Baccarat	4	3	3	2	2	2	0	0	0	0	0	1	2	2	3
Roulette	0	1	0	1	2	0	1	1	1	1	1	1	1	0	0
Black Jack	0	0	1	1	0	2	1	1	2	2	3	1	0	1	0
Mini Baccarat	0	0	0	0	0	0	1	2	0	1	0	0	0	0	0
Pai Gow	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0
3 Card Poker	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1
Total	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4

together with

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

	A5	B5	C5	D5	E5	F5	G5	H5	I5	J5	K5	L5	M5
Midi Baccarat	9	9	9	9	9	8	8	8	9	8	9	9	8
Roulette	3	2	2	2	2	3	3	3	2	3	3	2	3
Blackjack	3	2	2	3	4	2	2	2	2	3	2	3	3
PaiGow	0	2	1	0	0	2	1	1	1	0	0	1	1
Mini Baccarat	0	0	1	1	0	0	1	0	0	0	0	0	0
CSP	1	1	1	1	1	1	1	1	1	1	1	1	1
3 Card Poker	0	0	0	0	0	0	0	1	1	1	1	0	0
Total	16	16	16	16	16	16	16	16	16	16	16	16	16



together with

in all Gambling Areas other than the four gaming salons on level 5 and the VIP area known as 'Eight' on level 5, any one of the following 82 table game mixes:

	A4	B4	C4	D4	E4	F4	G4
Money Wheel (double side)	1	1	1	1	1	1	1
Tai Sai (double side)	1	1	1	1	1	1	1
Pai Gow	2	2	2	2	2	2	2
Caribbean Stud Poker	5	5	5	5	5	5	5
Midi Baccarat	6	6	6	6	6	6	6
Poker	9	9	9	9	9	9	9
Rapid Roulette	2	2	2	2	2	2	2
Mini Baccarat	6	6	6	6	6	6	6
Roulette	17	17	19	17	19	17	19
Black Jack	30	28	26	27	25	26	24
3 Card Poker	2	3	3	3	3	3	3
Ultimate Texas Hold'em	1	2	2	2	2	2	2
Casino War	0	0	0	1	1	2	2
Total	82	82	82	82	82	82	82

Notes for the alternative game mixes:

1. The Licence Holder is permitted to change game mixes subject to providing the Inspectorate with prior notification.
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 and Casino War tables.
3. At least 50% of the total number of Midi Baccarat games shall be conducted in accordance with dealing style B, as set out in the rules of Baccarat.
4. All electronic roulette tables comprise up to 21 player spaces and no manual table.
5. The number of player spaces at poker tables (other than Caribbean Stud Poker and 3-Card Poker) may not exceed 10, even if game rules provide for more.



ANNEX B

GAME MIX A

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

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 side)	1 game
Tai Sai (single side)	1 game
Money Wheel (double side)	1 game

Notes for Game Mix A

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.

ALTERNATIVE GAME MIXES

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
Midi Baccarat	2	1	1	0	0	0	0	1	0	0	0
Roulette	0	1	0	1	2	0	0	0	0	0	1
Black Jack	0	0	1	1	0	2	1	0	0	1	0
Mini Baccarat	0	0	0	0	0	0	0	0	1	0	0
Pai Gow	0	0	0	0	0	0	0	0	1	1	0
Three Card Poker	0	0	0	0	0	0	1	1	0	0	1
Total	2	2	2	2	2	2	2	2	2	2	2

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
Midi Baccarat	2	1	1	0	0	0	0	1	0	0	0
Roulette	0	1	0	1	2	0	0	0	0	0	1
Black Jack	0	0	1	1	0	2	1	0	0	1	0
Mini Baccarat	0	0	0	0	0	0	0	0	1	0	0
Pai Gow	0	0	0	0	0	0	0	0	1	1	0
Three Card Poker	0	0	0	0	0	0	1	1	0	0	1
Total	2	2	2	2	2	2	2	2	2	2	2



together with

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

	A3	B3	C3	D3	E3	F3	G3	H3	I3	J3	K3	L3	M3	N3	O3
Midi Baccarat	4	3	3	2	2	2	0	0	0	0	0	1	2	2	3
Roulette	0	1	0	1	2	0	1	1	1	1	1	1	1	0	0
Black Jack	0	0	1	1	0	2	1	1	2	2	3	1	0	1	0
Mini Baccarat	0	0	0	0	0	0	1	2	0	1	0	0	0	0	0
Pai Gow	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0
3 Card Poker	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1
Total	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4

together with

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

	A4	B4	C4	D4	E4	F4	G4	H4	I4	J4	K4	L4	M4	N4	O4
Midi Baccarat	13	13	13	13	13	12	12	12	13	12	13	11	13	12	11
Roulette	3	2	2	2	2	3	3	3	2	3	3	3	2	3	3
Blackjack	3	2	2	3	4	2	2	2	2	3	2	2	3	3	3
Pai Gow	0	2	1	0	0	2	1	1	1	0	0	2	1	1	1
Mini Baccarat	0	0	1	1	0	0	1	0	0	0	0	0	0	0	0
Caribbean Stud Poker	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
3 Card Poker	0	0	0	0	0	0	0	1	1	1	1	1	0	0	1
Total	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20

together with

in all Gambling Areas other than the four gaming salons on level 5 and the VIP area known as 'Eight' on level 5, any one of the following 82 table game mixes:

	A5	B5	C5	D5	E5	F5	G5
Money Wheel (double side)	1	1	1	1	1	1	1
Tai Sai (double side)	1	1	1	1	1	1	1
Pai Gow	2	2	2	2	2	2	2
Caribbean Stud Poker	5	5	5	5	5	5	5
Midi Baccarat	6	6	6	6	6	6	6
Poker	9	9	9	9	9	9	9
Rapid Roulette	2	2	2	2	2	2	2
Mini Baccarat	6	6	6	6	6	6	6
Roulette	17	17	19	17	19	17	19
Black Jack	30	27	25	26	24	28	26
3 Card Poker	2	3	3	3	3	3	3
Ultimate Texas Hold'em	1	2	2	2	2	2	2
Casino War	0	1	1	2	2	0	0
Total	82	82	82	82	82	82	82

Notes for the alternative game mixes:

1. The Licence Holder is permitted to change game mixes subject to providing the Inspectorate with prior notification.
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 and Casino War tables.
3. At least 50% of the total number of Midi Baccarat games shall be conducted in accordance with dealing style B, as set out in the rules of Baccarat.
4. All electronic roulette tables comprise up to 21 player spaces and no manual table.
5. The number of player spaces at poker tables (other than Caribbean Stud Poker and 3-Card Poker) may not exceed 10, even if game rules provide for more.



ANNEX C

GAME MIX A

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

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 side)	1 game
Tai Sai (single side)	1 game
Money Wheel (double side)	1 game

Notes for Game Mix A

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.

ALTERNATIVE GAME MIXES

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
Midi Baccarat	2	1	1	0	0	0	0	1	0	0	0
Roulette	0	1	0	1	2	0	0	0	0	0	1
Black Jack	0	0	1	1	0	2	1	0	0	1	0
Mini Baccarat	0	0	0	0	0	0	0	0	1	0	0
Pai Gow	0	0	0	0	0	0	0	0	1	1	0
Three Card Poker	0	0	0	0	0	0	1	1	0	0	1
Total	2	2	2	2	2	2	2	2	2	2	2

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
Midi Baccarat	2	1	1	0	0	0	0	1	0	0	0
Roulette	0	1	0	1	2	0	0	0	0	0	1
Black Jack	0	0	1	1	0	2	1	0	0	1	0
Mini Baccarat	0	0	0	0	0	0	0	0	1	0	0
Pai Gow	0	0	0	0	0	0	0	0	1	1	0
Three Card Poker	0	0	0	0	0	0	1	1	0	0	1
Total	2	2	2	2	2	2	2	2	2	2	2



together with

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

	A3	B3	C3	D3	E3	F3	G3	H3	I3	J3	K3	L3	M3	N3	O3
Midi Baccarat	4	3	3	2	2	2	0	0	0	0	0	1	2	2	3
Roulette	0	1	0	1	2	0	1	1	1	1	1	1	1	0	0
Black Jack	0	0	1	1	0	2	1	1	2	2	3	1	0	1	0
Mini Baccarat	0	0	0	0	0	0	1	2	0	1	0	0	0	0	0
Pai Gow	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0
3 Card Poker	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1
Total	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4

together with

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

	A4	B4	C4	D4	E4	F4	G4	H4	I4	J4	K4	L4
Midi Baccarat	13	13	13	13	13	12	12	12	13	12	13	11
Roulette	4	3	3	3	3	4	4	4	3	4	4	4
Blackjack	4	3	2	4	5	3	2	2	2	4	3	3
PaiGow	0	2	2	0	0	2	2	2	2	0	0	2
Mini Baccarat	0	0	1	1	0	0	1	0	0	0	0	0
Caribbean Stud Poker	1	1	1	1	1	1	1	1	1	1	1	1
3 Card Poker	0	0	0	0	0	0	0	1	1	1	1	1
Total	22	22	22	22	22	22	22	22	22	22	22	22

	M4	N4	O4	P4	Q4	R4	S4
Midi Baccarat	13	13	12	12	12	13	11
Roulette	3	3	4	4	4	3	4
Blackjack	4	3	4	3	3	3	4
PaiGow	1	1	1	1	1	1	1
Mini Baccarat	0	1	0	1	0	0	0
Caribbean Stud Poker	1	1	1	1	1	1	1
3 Card Poker	0	0	0	0	1	1	1
Total	22	22	22	22	22	22	22

together with

in all Gambling Areas other than the three gaming salons on level 5 and the area designated as 'Eight' on level 5, any one of the following 80 table game mixes:

	A5	B5	C5	D5	E5	F5	G5
Money Wheel (double side)	1	1	1	1	1	1	1
Tai Sai (double side)	1	1	1	1	1	1	1
Pai Gow	2	2	2	2	2	2	2
Caribbean Stud Poker	5	5	5	5	5	5	5
Midi Baccarat	6	6	6	6	6	6	6
Poker	9	9	9	9	9	9	9
Rapid Roulette	2	2	2	2	2	2	2
Mini Baccarat	6	6	6	6	6	6	6
Roulette	16	16	18	16	18	16	18
Black Jack	29	27	25	26	24	25	23
3 Card Poker	2	3	3	3	3	3	3
Ultimate Texas Hold'em	1	2	2	2	2	2	2
Casino War	0	0	0	1	1	2	2
Total	80	80	80	80	80	80	80



Notes for the alternative game mixes:

1. The Licence Holder is permitted to change game mixes subject to providing the Inspectorate with prior notification.
2. The Licence Holder is permitted to operate automatic shufflers on each of the Black Jack, Caribbean Stud Poker, Baccarat, Poker, 3-Card Poker, Casino War and Ultimate Texas Hold'em tables.
3. At least 50% of the total number of Midi Baccarat games shall be conducted in accordance with dealing style B, as set out in the rules of Baccarat.
4. All electronic roulette tables comprise up to 21 player spaces and no manual table.
5. The number of player spaces at poker tables (other than Caribbean Stud Poker and 3-Card Poker) may not exceed 10, even if game rules provide for more.

