

CASINO CONTROL AUTHORITY

APPROVAL OF CASINO AGREEMENT *Section 42, Casino Control Act 1990*

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|---|---|
| Name of holder of casino premises licence: | Queenstown Casinos Limited |
| Address of holder of casino premises licence: | c/- McCulloch & Partners, PO Box 64, Queenstown |
| Address and description of casino premises: | Level 2, 16-24 Beach Street, Queenstown, the casino premises being part of the first floor and all of the second floor, as outlined in the plans attached to the casino premises licence, of a building on Lot 1 DP25042, Certificate of Title 17A/323 Otago Registry |
| Name of holder of casino operator's licence: | Sky City Casino Management Limited |
| Address of holder of casino operator's licence: | PO Box 6443, Wellesley Street, Auckland |

The Casino Control Authority hereby approves an agreement between the abovenamed holder of a Casino Premises Licence and the abovenamed holder of a Casino Operator's Licence in respect of the casino premises at the above address, such agreement being dated the 30th day of November 2000 and identified by the affixing of the seal of the Authority thereto.

This approval is valid until:

- (a) Either party to the agreement surrenders that party's casino licence under section 51 of the Casino Control Act 1990; or
- (b) The casino premises licence expires under section 33 of the Casino Control Act 1990; or
- (c) Either casino licence is cancelled by the Casino Control Authority under section 91 of the Casino Control Act 1990; or
- (d) The Casino Control Authority approves a new or amended agreement pursuant to section 45 of the Casino Control Act 1990; or
- (e) The agreement is amended without the approval of the Casino Control Authority.



The Casino Control Authority, in granting this approval, attaches to the respective licences the further conditions set out in the Schedule to this approval.

Dated this 1st day of December 2000.

BY the direction of the Casino Control Authority the seal of the Casino Control Authority is hereunto affixed in the presence of:



J. A. Collins

JA Collins
Chairperson

**CONDITIONS ATTACHED TO CASINO OPERATOR'S LICENCE: OPERATION OF CASINO
AT BEACH STREET AND COW LANE, QUEENSTOWN**

Preamble

1. The following conditions apply to the operation of the Casino Venue by the Licence Holder.
2. The Licence Holder must comply with these conditions. Failure to do so could result in the suspension or cancellation of this Licence.

Interpretation

3. Words and expressions in these conditions shall have the same meaning as defined in the Gambling Act 2003.
4. In these conditions:

Act means the Gambling Act 2003.

Affected Area means that part of the casino venue outlined in green on the plan contained in Annex A to these conditions.

Authority means the Casino Control Authority.

Casino Agreement means the Management Agreement between the Licence Holder and Queenstown Casinos Limited and others dated 30 November 2000 and approved by the Authority on 1 December 2000 or such variation thereof or further Casino Agreement as may from time to time be approved by the Commission.

Casino Venue shall have the same meaning as defined in condition 4 of the venue premises licence issued to Queenstown Casinos Limited and dated 18 June 1999.

Commission means the Gambling Commission.

Gambling Area means that part of the Casino Venue specified in condition 9 of the venue licence held by Queenstown Casinos Limited.

Host Responsibility Programme means the SKYCITY Queenstown Host Responsibility Programme dated 1 December 2003, as may be substituted or amended in accordance with licence conditions.

Inspectorate means the Casino Compliance Unit of the Department of Internal Affairs.

Licence Holder means SKYCITY Casino Management Limited.

Secretary means the Secretary for Internal Affairs.

Surveillance Standard means the Surveillance Policy describing the required standard, type, operation and installation of surveillance facilities, approved by the Authority with effect from 5 December 2003, as may be substituted or amended by the Commission from time to time.

5. The number of gaming machines in the Gambling Area shall not exceed 86. Each terminal or player station of a multi-terminal or multi-player gaming machine shall be treated as one gaming machine.

6. The number of tables in the Gambling Area shall not exceed 12, except as permitted by condition 6A and 6AA.

6A. In addition to the gaming tables specified in condition 6, the Licence Holder may install up to five gaming tables in the alternative gambling area which is also used as a restaurant facility to be used as substitutes for five tables elsewhere on the main gaming floor when some or all of those tables are not in use. The location of the substitute tables will be defined in approved floor plans. The substitute tables are subject to the following requirements:

- (a) they must be clearly identified by the letters "ST" in the approved floor plans;
- (b) each substitute table must be paired with a table shown in an approved floor plan;
- (c) a substitute table may only be opened for play when the paired table is closed;
- (d) each substitute table can only deploy casino games in compliance with an approved game mix for the paired table that is not in use; and
- (e) they must be entered on the casino system as substitute tables.

6AA. In addition to the gaming tables specified in condition 6, the Licence Holder may install one gaming table in the Gambling Area on the Main Gaming Floor to be used as a substitute table for a table elsewhere on the Main Gaming Floor when that table is not in use. The location of the substitute table will be defined in approved floor plans. The substitute table is subject to the following requirements:

- (a) it must be clearly identified by the letters "ST" in the approved floor plans;
- (b) the substitute table must be paired with a table shown in an approved floor plan;
- (c) the substitute table may only be opened for play when the paired table is closed;

- (d) the substitute table can only deploy casino games in compliance with an approved game mix for the paired table not in use; and
 - (e) the substitute table must be entered on the casino system as such.
7. The ratio of gaming machines to gaming tables in the Gambling Area, excluding the tables permitted by condition 6A and 6AA, shall not exceed 15 to 1, except with the approval of the Commission.
 8. At least two table games shall be open for play when the Casino is operating, except where otherwise approved by the Authority or the Commission.
 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.
 10. The approval of the Commission is required prior to the use by the operator of any electronic version of the game types specified in condition 9 above or electronic aids or enhancements or changes to table game rules which create new wagering opportunities.
 11. The Licence Holder shall operate in accordance with approved floor layouts showing the position of gaming tables and gaming machines.
 12. The Licence Holder shall obtain the approval of the Commission for new floor plans prior to relocating or installing tables or machines in positions not specified in approved floor layouts. When applying, the Licence Holder must submit fresh plans showing the floor layout for the Gambling Area and details of the proposed CCTV layout for the consideration of the Commission. Any changes must comply with the Surveillance Standard. The Executive Director and a single Gambling Commissioner may approve the new floor plans if they are satisfied that the floor layout has no potentially adverse effects. If they are not so satisfied, the proposed floor plan must be referred to the Commission for a decision on approval.

ATMs, EFTPOS and like devices

13. A maximum of one automatic teller machine is permitted in the Casino Venue outside the Gambling Area on Level 2. For the purposes of this condition, there is no restriction on the installation of automatic teller machines in the Affected Area so long as an automatic teller machine is installed on Level 2.

14. 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.
15. The Licence Holder is prohibited from using mobile EFTPOS terminals (cash or non-cash dispensing) or like devices in the Gambling Area unless approved by 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.
16. The Licence Holder is prohibited from dispensing more than \$50 cash per transaction from EFTPOS terminals or like devices within the Casino Venue and must ensure that any cash withdrawals are contemporaneous with a purchase.
17. Subject to the restrictions specified in conditions 14, 15 and 16 above, EFTPOS terminals or like devices may be installed and removed by the Licence Holder within the Casino Venue.
18. The Licence Holder is required to notify the Commission if it moves ATMs in the Casino Venue or if it installs or moves non-cash dispensing EFTPOS terminals or like devices in the Gambling Area.

Security and Surveillance

19. The Surveillance Standard may be substituted or amended by the Commission at the request of the Secretary, on an application by the Licence Holder, or at its own initiative. The Commission will seek submissions from the Licence Holder, the Secretary and any other affected person before deciding on a proposed substitution or amendment.
20. The Licence Holder shall provide security and surveillance equipment and facilities in the Gambling Area and surveillance areas which shall at all times meet or exceed the Surveillance Standard in whatever form is currently approved by the Commission. The Commission may at any time institute an audit or require the Licence Holder to report on the standard and/or quality of surveillance equipment to ensure it meets or exceeds the Surveillance Standard.
21. The Licence Holder shall obtain the approval of the Commission prior to the introduction into the Casino of new surveillance technology of a type not currently in operation in the casino. Camera upgrades that comply with the requirements of the Surveillance Standard do not require prior approval. When applying for approval, the Licence Holder shall supply sufficient information to enable the Commission properly to assess the application under the Surveillance Standard. Information will include details relating to equipment

type and operation, and the proposed location of equipment. The Licence Holder shall allow the Commission or staff of the Commission Secretariat, or any other person authorised by the Commission, to test any technology or equipment.

General specifications for cage/chip bank facilities

22. The Licence Holder shall ensure that the cashier's cage is located immediately adjacent to the gaming floor and is clearly visible to patrons. Unless otherwise approved by the Commission, the cage area shall at a minimum include:
- (a) accommodation for chip bank cashiers and general cashiers (which shall be physically separate unless the Commission approves otherwise);
 - (b) storage facilities for cage inventory;
 - (c) a separate locked compartment for storage of chips and plaques held in reserve and not used for active gaming;
 - (d) manually triggered and automatic silent alarm systems connected directly to monitor rooms of the security and surveillance departments; and
 - (e) an interconnect door entry and exit system (man trap) which will not permit a person to pass through the second door until the first door is securely locked.
23. The approval of the Commission is required for the construction and relocation of cashiering facilities additional to the principal facility in other parts of the Gambling Area to service dedicated areas or rooms. Any such additional facilities must comply with the Surveillance Standard and be fitted with manually triggered and automatic silent alarm systems connected to the security/surveillance department.

Host Responsibility Programme

24. The Licence Holder shall ensure that the Casino is operated, whether by itself or pursuant to a casino agreement by another licensee, in compliance with the Host Responsibility Programme, as may be amended in accordance with the procedures set out below.
25. The Licence Holder shall ensure that the Host Responsibility Programme is publicly available on its website as from the date determined by the Commission.
26. The Programme shall be consistent with and impose no lesser requirement than specified in the Act or Regulations. The Programme shall address and not be limited to:
- (a) the provision of information for customers relating to game rules, permissible bets and payment of winning bets pursuant to section 175 of the Act;

- (b) the provision of signage, brochures and publications, and the effective display and distribution of the same, to inform gamblers of the odds of winning on gaming machines, how to gamble safely, the characteristics of problem gambling and the availability of counselling and other support services;
- (c) the provision of loss and expenditure data to individual loyalty programme members;
- (d) identification of problem gamblers and steps to be taken following identification. This shall include, as a minimum, the following:
 - (i) an acceptable definition of problem gambling;
 - (ii) indicators of problem gambling in the gambling venue;
 - (iii) the steps to be taken by the Licence Holder in identifying problem gamblers;
 - (iv) the steps to be taken by the Licence Holder following identification of problem gamblers;
- (e) the provision of staff training;
- (f) the provision of exclusion, self-exclusion and limitation programmes;
- (g) assistance to casino employees with managing the potential for personal problem gambling;
- (h) recognition of cultural differences amongst gamblers using the Casino, and the need to tailor delivery of host responsibility obligations to maximise effectiveness for customers;
- (i) guidelines for responsible marketing and advertising of the Casino, including exterior signage, and restrictions on jackpot advertising and branding pursuant to Regulations 9 and 10 of the Gambling (Harm Prevention and Minimisation) Regulations 2004;
- (j) responsible practices in the conduct of promotions and inducements to gamble at the Casino;
- (k) design of the Gambling Area to minimise problem gambling behaviour and to maximise the likelihood that episodes of problem gambling will be noticed and addressed by staff;

- (l) promotion of the responsible consumption of alcohol, including provision of staff training in responsible service of alcohol;
 - (m) standards of dress and behaviour at the casino;
 - (n) liaison with patrons with gambling problems, and family members of patrons with gambling problems;
 - (o) liaison with problem gambling treatment providers, community service organisations and community representatives; and
 - (p) such other matters as the Commission may require.
27. The Licence Holder may amend the Programme to include appropriate improvements in the delivery of the existing programme and new host responsibility and responsible gambling initiatives.
28. The Licence Holder shall obtain the prior approval of the Commission for any amendment to the Programme that proposes to reduce or remove any host responsibility and responsible gambling initiative in the Programme.
29. The Licence Holder will report to the Commission annually, commencing on 1 October 2007, on the implementation of the Programme, and any amendments made to it pursuant to condition 27. The Commission will review the Programme at least every three years, the next revision of the Programme to be submitted to the Commission by 1 October 2007 or such later date as the Commission may approve. It will consult with interested parties, as appropriate, and amend the Programme as it determines, after giving the Licence Holder the opportunity to comment. For the avoidance of doubt, the Commission may amend the Programme at any time, having consulted with the Licence Holder and interested parties, as appropriate.
30. The Licence Holder will co-operate with the Commission in respect of any inquiry or investigation by the Commission to ensure that the operating procedures and practice of the Casino comply with the Programme.
31. The Licence Holder shall comply with the Advertising Standards Authority Code for Advertising Gaming and Gambling dated 1 June 2001, or any update or replacement thereof, and any relevant regulations in respect of the advertising of gaming activities.

Intoxicated Persons

32. The Licence Holder shall not permit an intoxicated person to gamble in the casino.

Notification requirements

33. The Licence Holder shall notify the Commission and the Secretary in writing as soon as possible of any change in the state of affairs of the Licence Holder which has a significant bearing on the holding of the Casino Operator's licence, including any person ceasing to be an associated person of the Licence Holder.
34. The Licence Holder, immediately on becoming aware of such an occurrence, shall notify the Commission and Secretary in writing if the Licence Holder or an associated person of the Licence Holder is involved in any:
- (a) conviction for an offence involving dishonesty;
 - (b) censure or disciplinary action by a professional body for ethical misconduct;
 - (c) censure in any way in relation to a casino in another jurisdiction;
 - (d) current investigation (other than routine or periodical inspections) by any governmental or statutory body; and
 - (e) bankruptcy, receivership or liquidation.

Casino Agreement

35. The Licence Holder shall not permit any person to operate the Casino otherwise than in accordance with the terms of the Casino Agreement.

Audit

36. The Commission may at any time request access to the Licence Holder's internal audit information or institute an audit of the Licence Holder's Casino business.
37. The Licence Holder shall submit for the approval of the Commission the name of the person or body of persons appointed from time to time by the Licence Holder as Auditor to audit the Casino business. The approval of the Commission shall be revocable at the discretion of the Commission and shall be subject to such conditions as the Commission from time to time imposes.

Bank accounts

38. The Licence Holder, its parent company, or any subsidiaries of the Licence Holder or parent company, shall not open any bank account overseas to facilitate, or in connection with, the operation of the Casino without the approval of the Commission.

Provision of information

39. The Licence Holder shall, within such period as the Commission may require, provide to the Commission, or to any person authorised by the Commission to receive the same, such reports or other information as may be specified by the Commission relating to:
- (a) the operations of the Licence Holder or any entity or person associated with the Licence Holder;
 - (b) the operation of the Casino; or
 - (c) any associated person of the Licence Holder, being information in the possession of the Licence Holder, as may be specified by the Commission in writing from time to time, within such period as the Commission may require.
40. The Licence Holder shall, if required by the Commission, submit for the approval of the Commission samples of gaming guides authorised for distribution to patrons, patron video tapes, films depicting casino play, and a submission stating the true odds, the house odds and house advantage on bets permitted in each authorised game.

Training

41. The Licence Holder shall, if required by the Commission, provide, for persons having, or who will have, functions in relation to any of the following capacities in the casino, training courses in the performance of those functions:
- (a) counting money or chips derived from or used in gambling;
 - (b) moving money or chips derived from or used in gambling;
 - (c) buying or redeeming chips;
 - (d) operating, maintaining, constructing or repairing gambling equipment;
 - (e) the provision of security or surveillance services;
 - (f) supervising or managing any of the activities described in paragraphs (a) to (e).
42. The content, format and duration of such courses shall be from time to time approved by the Commission.

Entry

43. The Licence Holder shall allow the Commission or staff of the Commission Secretariat, or any other person authorised by the Commission, to enter and remain in any part of the

Casino Venue (excluding the Affected Area) at any time for the purpose of his or her official duties under the Act.

44. The Licence Holder shall allow the Commission or staff of the Commission Secretariat, or any other person authorised by the Commission, to enter and remain in any part of the Casino Venue at any time for the purpose of his or her official duties under the Act.

Address for service

45. The Licence Holder shall file with the Commission an address in New Zealand for the service of notices upon it.
46. The Licence Holder may, by notice given to the Commission, change its address for the service of notices.

Consolidated to 5 May 2023



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:

Game Mix A

Black Jack – up to 5 games
 Roulette – up to 3 games
 Midi Baccarat – up to 3 games
 Caribbean Stud Poker – up to 1 game

Game Mix B

Black Jack – up to 2 games
 Roulette – up to 2 games
 Midi Baccarat – up to 1 game
 Caribbean Stud Poker – up to 1 game
 Poker – up to 6 games

Game Mix C

Black Jack – up to 2 games
 Roulette – up to 2 games
 Caribbean Stud Poker – up to 1 game
 Poker – up to 7 games

Game Mix D

Black Jack – up to 2 games
 Roulette – up to 2 games
 Midi Baccarat – up to 2 games
 Caribbean Stud Poker – up to 1 game
 Poker – up to 5 games

FURTHER 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 the area designated as the Horizon Room, any one of the following 4 table game mixes:

| | A1 | B1 | C1 | D1 | E1 | F1 | G1 | H1 |
|---------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Midi Baccarat | 2 | 2 | 3 | 3 | 4 | 1 | 0 | 1 |
| Black Jack | 1 | 0 | 0 | 1 | 0 | 1 | 0 | 2 |
| Roulette | 1 | 2 | 1 | 0 | 0 | 2 | 0 | 1 |
| Poker | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 0 |
| Total | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 |

together with

In the Gambling Area on the main floor, any one of the following 8 table game mixes:

| | A2 | B2 | C2 | D2 | E2 | F2 | G2 | H2 | I2 | J2 | K2 | L2 |
|---|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| Midi Baccarat | 1 | 2 | 0 | 4 | 3 | 2 | 4 | 1 | 1 | 2 | 2 | 2 |
| Black Jack | 3 | 3 | 3 | 1 | 2 | 2 | 2 | 2 | 3 | 2 | 3 | 3 |
| Roulette | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 1 | 1 | 1 | 1 | 0 |
| Caribbean Stud Poker | 1 | 1 | 1 | 1 | 1 | 1 | 0 | 1 | 0 | 0 | 0 | 0 |
| Poker | 1 | 0 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Mini Baccarat | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Electronic Roulette/Tai Sai/Baccarat | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 2 | 2 | 1 | 0 |
| Electronic Roulette/Tai Sai/ Baccarat with manual wagers on Roulette layout | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 | 1 | 2 |
| Total | 8 | 8 | 8 | 8 | 8 | 8 | 8 | 8 | 8 | 8 | 8 | 7 |

Notes

1. The Licence Holder is permitted to operate automatic shufflers on 50% of open Blackjack tables and all Caribbean Stud Poker and Baccarat tables set out in Game Mix A.
2. The Licence Holder is permitted to operate an automatic shuffler on one Caribbean Stud Poker game and on all Baccarat, Poker and Black Jack games set out in all other game mixes.
3. The Licence Holder is permitted to change between the game mixes specified subject to providing the Inspectorate with prior notice.
4. Any flip top tables forming part of a game mix must be operated in accordance with the requirements of the relevant minimum operating standards.
5. All Midi Baccarat games specified in the further alternative game mixes and operating in the Horizon Room shall be conducted in accordance with either dealing style B or (where permitted by the Baccarat rules) dealing style D.
6. All Midi Baccarat games specified in the further alternative game mixes and operating in the Horizon Room shall have no more than 7 boxes.
7. When game mix D2 is deployed in the gambling area on the main floor, at least two of the four Midi Baccarat games shall have no more than 7 boxes.
8. When game mix G2 is deployed in the gambling area on the main floor, the four Midi Baccarat games will be comprised of two games with no more than six boxes and two games with no more than eight boxes.
9. U-Spin devices approved by the Department of Internal Affairs may be used on any Roulette games.
10. When game mixes H2-L2 are deployed, up to 15 player terminals may be used interchangeably across Electronic Baccarat, Electronic Tai Sai and Electronic Roulette. This means that the terminals may be used on one of the electronic games, or on a combination of the three electronic games. The Roulette table attached to the Electronic Roulette game may also be used to accept manual wagers.

Consolidated to 9 July 2023

