

Pursuant to section 367(1) of the Gambling Act 2003, I, Christopher Blake, Secretary for Internal Affairs, make the following game rules:

GAMBLING ACT (GAME OF CHANCE) GAME RULES 2004

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1 Title and commencement

- (1) These rules are the Gambling Act (Game of Chance) Game Rules 2004
- (2) These rules shall come into force on the 1st day of July 2004.

2. Interpretation

- (1) In these rules, unless the context otherwise requires,—

Act means the Gambling Act 2003

authorised purpose has the same meaning as **authorised purpose** in section 4(1) of the Act

game of chance is gambling that does not include a lottery, prize competition, instant game, gaming machine or casino gambling

licence has the same meaning as **class 3 operator's licence** in section 4(1) of the Act

Secretary has the same meaning as **Secretary** in section 4(1) of the Act

ticket means a document or thing that is evidence of, or signifies participation in, gambling or, if there is no document or thing, includes the right to participate

- (2) Any term or expression that is defined in the Act and used, but not defined, in these rules has the same meaning as in the Act.

3 Application of rules—

These rules apply to class 1, class 2 or class 3 gambling that is a game of chance.

4 Conduct of game – class 1, class 2 and class 3 gambling

Every organiser and society (or an individual where section 22 of the Act applies) must comply with the following rules when conducting a game of chance that is class 1, class 2 or class 3 gambling -

- (1) The organiser must clearly indicate to all participants the rules and requirements by which the game of chance will be played.
- (2) A ticket is the only valid basis for participating in the game of chance.
- (3) A ticket is the only valid basis for winning a game of chance.
- (4) Where tickets are sold to the general public, the date, time and location of the determination of results shall be publicly notified.
- (5) Where tickets are sold to the general public, the determination of results must be open to the public.
- (6) Tickets to the game of chance must not be combined with a fee to any other event or entertainment.
- (7) Prizes must be given only to person(s) who win.
- (8) Prizes must be given to winners within 3 months after the results are determined, unless the winner cannot be identified or contacted, or does not wish to accept the prize.
- (10) The details of any conditions attached to a prize must be clearly indicated at the point of sale.
- (11) The authorised purpose(s) to which the net proceeds of the game of chance are applied or distributed must not change once ticket sales have commenced.
- (12) Ticket sellers must ensure that information is obtained from ticket purchasers to identify and contact the person to whom the ticket is sold.
- (13) Prize winners must not incur costs additional to the cost of participation in the game of chance when claiming their prize.
- (14) Prizes offered must not be changed once the game of chance has commenced.

5 Conduct of game - class 2 and class 3 gambling

Every society and organiser must comply with the following additional rule when conducting a game of chance that is class 2 or 3 gambling:

- (1) Neither the society nor the organiser may hold a ticket.

6 Conduct of game - class 3 gambling

Every society and organiser must comply with the following additional rules when conducting a game of chance that is class 3 gambling:

- (1) Tickets must not be printed until a licence has been issued by the Secretary, unless the Secretary has given prior approval.
- (2) A specimen of the printed ticket and butt must be provided to the Secretary prior to the commencement of ticket sales.
- (3) The rules by which the game of chance will be played must be provided to the Secretary prior to the commencement of ticket sales.

- (4) Unless entry to the game of chance is restricted to members of a society, organisers must provide each participant with an individually numbered ticket to act as a receipt, showing the following information:
- (i) the name of the society:
 - (ii) the name and address of the organiser:
 - (iii) the authorised purposes for which the game of chance is conducted:
 - (iv) when, where and how the results will be determined:
 - (v) details of where, when and how results will be notified publicly:
 - (vi) the value and characteristics of the prize(s) to be won:
 - (vii) the cost of entry:
 - (viii) the total number of tickets offered in the gambling:
 - (ix) the process for determining the winners:
 - (x) the process for cancelling the gambling:
 - (xi) the following words: By licence issued under section 37 of the Gambling Act 2003:
 - (xiv) licence approval number issued by the Department of Internal Affairs:
 - (xv) address and phone number of the Department of Internal Affairs.
- (5) The ticket must have a butt portion attached to the ticket showing:
- (i) the name of the society:
 - (ii) the name and address of the organiser:
 - (iii) space to enable purchaser to write name and contact details.
- (6) The following information is published at the point of sale:
- (i) the name of the society;
 - (ii) the name and address of the organiser;
 - (iii) the authorised purpose for which the prize competition is being conducted;
 - (iv) the cost of each ticket; and
 - (v) the number of tickets offered for sale.
- (7) A copy of these rules, together with any amendments and a copy of the licence is available on request from any person who requests such information.
- (8) The result(s) of the game of chance must be determined on the date specified on the licence or such later date as may be approved by the Secretary.
- (9) The game of chance is ancillary to entertainment, the result must be determined while the entertainment continues.
- (10) Unless the game of chance is ancillary to entertainment, the result(s) of the gambling must be determined within 3 months of tickets first being offered for sale and within 14 days after ticket sales cease.
- (11) The result of the game(s) of chance must be notified publicly within 1 week after it is determined.
- (12) Results must be published in a newspaper or newspapers circulating in the area(s) in which the tickets have been sold.
- (13) Winners must be notified in accordance with the method printed on the tickets.
- (14) The value of any prize (excluding cash) shall be the retail value at the time of the application, or the date of purchase if the prizes are purchased prior to the application being lodged.
- (15) If the winner cannot be identified or located, after a reasonable effort, and the prize or reward remains unclaimed 3 months after the determination of the result, the society must notify the Secretary for Internal Affairs within 1 month. Prizes must then be disposed of

according to the Secretary for Internal Affairs directions. The society must ensure that the prize is retained for 3 months after the draw; or if the prize is livestock or a property of a perishable nature, sell the prize in a way that brings a reasonable price and retain the proceeds (after deducting the reasonable costs of the sale) for 3 months after the draw until directions are received from the Secretary for Internal Affairs

7 Percentage returned as prizes

Prizes must be worth at least 20% of the game of chance's gross potential income.

8 Records and auditing (applicable if the game of chance is class 3 gambling)

- (1) The society must provide an independently audited Audit and Prize Statement of the game of chance in the approved manner.
- (2) The society must forward an Audit and Prize Statement to the Secretary within three months from the date the game of chance result is determined.
- (3) Any person completing the Audit and Prize Statement for the society shall be a chartered accountant in public practice who is not associated, directly or indirectly, with the conduct of the game of chance or the society's licensed promoter if one is employed.
- (4) Where proceeds are provided to any other society as an authorised purpose:
 - (i) The Audit and Prize Statement must include an additional form of verification and consent from the recipient society;
 - (ii) The Secretary may require additional information from the recipient society in relation to how the proceeds have been spent;
 - (iii) The Secretary may direct the recipient society to carry out an audit of the proceeds received by a chartered accountant.

9 Retention of documents (applicable if the game of chance is class 3 gambling)

- (1) The society must retain all butts, unsold tickets, invoices, statements, and other documentation associated with the game of chance for a period of six months after the date of the results determination. They are to be produced upon request to the Secretary.

Made in Wellington this ____ day of _____ 2004.

Christopher Blake, Secretary for Internal Affairs