

## CASINO PROMOTIONS

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### 1.0 Interpretation

In this schedule, unless the contrary intention appears:

“**Act**” means the Gambling Act 2003;

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“**Allocation**”, in relation to an instant game, or any portion of an instant game, means the determination of the prize-bearing ticket or tickets, being a determination conducted before, or simultaneously with, the issue of any ticket, on a random basis or wholly by chance;

“**Associated Licensee**”, in relation to a casino operator, means the holder of the casino premises licence in respect of the casino operated by the casino operator;

“**Authorised Game**”, in relation to a casino, means a game prescribed under section 367 of the Act to be a game authorised for the purposes of the Act to be conducted or played in the casino, but does not include any game conducted under the rules contained in this schedule;

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“**Commission**” means the Gambling Commission as established by section 220 of the Act;

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“**Casino**” means a casino licensed under the Casino Control Act 1990 or the Gambling Act 2003;

Deleted: “**Authority**” means the Casino Control Authority established by section 7 of the Act;¶

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“**Casino Operator**”, in relation to a casino, means the operator for the time being of the casino, being the holder of a casino operator’s licence granted under section 37 of the Act;

“**Casino Premises**”, in relation to a casino, means the area defined as constituting the casino in the casino premises licence;

“**Draw**”, in relation to a lottery, means the process that is used to determine by lot or on a random basis or wholly by chance those participants entitled to a prize, and to “draw” has a corresponding meaning;

“**Game**” has the meaning given by section 2(2) of the Act;

“**Gambling Area**”, in relation to a casino, means an area or areas of the casino designated by the Gambling Commission as an area or areas of the casino in which gambling is to be conducted;

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“**Gambling Inspector**” means an inspector appointed under section 330 of the Act;

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“**Instant Game**” means a scheme, arrangement, or game:

- (a) in respect of which direct or indirect consideration is paid to participate, and
- (b) which is played with a view to winning money or money’s worth, and
- (c) in which either:
  - (i) the ticket or tickets bearing a prize are determined before, or simultaneously with, the issue of any ticket, or
  - (ii) the prize which each ticket bears is determined before, or simultaneously with, the issue of any ticket, and
- (d) in which the prize or prize-bearing ticket or tickets is or are determined on a random basis or wholly by chance;

“**Lottery**”:

- (a) means a scheme or device:
  - (i) in respect of which direct or indirect consideration is paid to participate, and
  - (ii) by which prizes of money or money’s worth are distributed according to a draw, and
- (b) includes a raffle, a sweepstake, and every other similar scheme or device;

“**Match Play Coupon**” means a coupon with a fixed stated value that is issued by the casino and may be redeemed in accordance with an approved promotional design and used in general gaming. The conditions of use of the coupon in table games shall be printed on the coupon and those conditions shall be consistent with the procedures for use, as approved by the Secretary;

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“**Participant**” means any person participating in a casino promotion;

“**Participate**”, in relation to a casino promotion, means to take part in the promotion, whether directly or indirectly, otherwise than as an agent or employee of the casino operator conducting the promotion;

“**Pay**”, in relation to any prize in a casino promotion, includes “supply”, and “payment” has a corresponding meaning;

“**Play Panel**” means each panel on a ticket in a casino promotion that is an instant game containing:

- (a) the play symbol or play symbols, and
- (b) such other information as the casino operator may decide from time to time;

“**Play Symbol**” means a symbol or value appearing in each play panel on a ticket in a casino promotion that is an instant game in accordance with the promotion design;

“**Prize Claim Form**” means a form supplied by the casino operator to be used to claim a prize in a casino promotion;

“**Prize Competition**”:

- (a) means a scheme or competition:
  - (i) in respect of which direct or indirect consideration is paid to participate, and
  - (ii) of which the result is determined partly by a considerable element of chance (whether chance plays the greater or lesser part), and partly by the performance by the contestants of some activity of a kind that may be performed more readily by contestants possessing or exercising some knowledge or skill, whether or not it may also be performed successfully by chance, but
- (b) does not include an instant game;

“**Prize-bearing Ticket**”, in relation to a casino promotion that is an instant game or any portion of such a promotion, means a ticket issued to a participant, and determined in accordance with an allocation to bear a prize;

“**Promotion Design**”, in relation to a casino promotion, means the manner in which the promotion is to be conducted, as notified to a gambling inspector pursuant to section 3;

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“**Secretary**” means the Secretary for Internal Affairs;

“**Ticket**”, in relation to a casino promotion:

- (a) means any document or thing evidencing or prepared for the purpose of evidencing a right to participate in, or to claim a prize in, the promotion, and
- (b) except where the context indicates otherwise, if no such document or thing is issued to a participant, includes the right itself to participate.

1.2 For the purposes of these rules, “Casino Promotion”, in relation to a casino operator, means:

- (a) any prize competition or lottery or instant game; or
- (b) any game (not being an authorised game) conducted by the casino operator in conjunction with an authorised game,

that complies with the following conditions:

- (i) it is conducted by the casino operator for the purpose of promoting the sale of any goods or services:
  - (A) of which it, or its associated licensee, is the manufacturer, or a distributor, wholesaler or retailer, or
  - (B) that are supplied on the casino premises; and
- (ii) the right to enter:
  - (A) is dependent on the purchase, at a price not exceeding the usual retail price, of any such goods or services, or any specified quantity or value of such goods or services, within a specified period, and
  - (B) may also be dependent on the occurrence of 1 or more specific events or the attainment of 1 or more game results during an authorised game conducted by the casino operator; and
- (iii) no other direct or indirect consideration is paid to participate.

- 1.3 In this schedule, unless the contrary intention appears:
- (a) the singular includes the plural and vice versa;
  - (b) a reference, in a rule, to a sub-paragraph is to a sub-paragraph of that rule;
  - (c) a reference to a rule is to a rule in this schedule; and
  - (d) a reference to a section is to a section in this schedule.

## 2.0 Application

The rules contained in this schedule shall apply to casino promotions.

## 3.0 Promotion Design

3.1 Before the beginning of any casino promotion, the casino operator shall give to a gambling inspector:

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- (a) not less than 3 clear days' notice of its intention to conduct the promotion; and
  - (b) written particulars of the promotion design.
- 3.2 The particulars notified under rule 3.1 shall include:
- (a) the commencement and closing dates (if any) of the promotion;
  - (b) particulars of the prizes in the promotion, and (where applicable) in each prize tier;
  - (c) the method of entry into the promotion, including any conditions governing entry;
  - (d) the form of the application for entry to the promotion (if any);
  - (e) a description of manner in which the promotion is to be conducted and the winner or winners determined, including:
    - (i) in the case of a promotion that is an instant game, the play symbol or combination of play symbols that must appear in the play panel or play panels on a ticket for that ticket to be a prize-bearing ticket;
    - (ii) in the case of a promotion that is a prize competition:

- (A) a description of the skill-testing or knowledge-testing activity or activities required to be undertaken by participants as a condition of winning a prize, and
- (B) the time at which the result of the prize competition will be determined;
- (f) the method of notifying winners;
- (g) the manner in which unclaimed prizes shall be disposed of; and
- (h) any other terms or conditions governing entry into or the conduct of the promotion (other than those contained in these rules or in the Act).

3.3 Subject to rule 3.4, the casino operator may from time to time, by notice in writing to a **gambling** inspector, vary the promotion design.

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3.4 The casino operator may not vary the promotion design after the beginning of the promotion or after the issue of the tickets in the promotion has begun, except:

- (a) in relation to the following matters:
  - (i) the date fixed for the closing of entries, and
  - (ii) the date on which and manner in which the result is to be notified; or
- (b) where there has been an error, omission or other irregularity that, in the opinion of the casino operator, has materially affected or may materially affect the conduct or outcome of the promotion.

#### **4.0 Conduct of Casino Promotions**

4.1 Every casino promotion shall be conducted:

- (a) in accordance with:
  - (i) these rules, and
  - (ii) the promotion design submitted in relation to it under rule 3.1, as varied in accordance with these rules;
- (b) fairly; and
- (c) in such a manner as to ensure that, as far as possible, all prizes are awarded.

Nothing in subparagraph (c) shall require the casino operator to award a prize where the prize winner is offered, and accepts, an alternative prize.

4.2 The casino operator shall:

- (a) not accept any entry to a casino promotion from any person who is not in a gambling area of the casino at the time; and
- (b) conduct all casino promotions in a gambling area of the casino.

4.3 Subject to the Act and to these rules, casino promotions shall be conducted at such times, and in such manner, as the casino operator from time to time determines.

4.3A In the case of casino promotions conducted with match play coupons, and for the avoidance of doubt, the following conditions apply:

- (a) when match play coupons are used in a promotion involving a table game, the minimum and maximum wagers as set out in the Rules of Casino Table Games apply as follows:
  - (i) the minimum wager shall be comprised of chips only, and
  - (ii) the maximum wager cannot be exceeded by a combination of chips and match play coupons;
- (b) a player is not required to comply with the following rules regarding the placement of match play coupons:
  - (i) rule 4.3 of division 9, and
  - (ii) rule 3.2 of division 10; and
- (c) rule 10.3 of division 1 does not apply when match play coupons are used.

4.4 The casino operator shall determine the frequency and duration of casino promotions.

4.5 The casino operator shall pay the prizes of every casino promotion to those participants entitled to such prizes in accordance with the official result, if it is satisfied that the participant is entitled to a prize.

4.6 Participants are responsible for claiming and collecting prizes due to them pursuant to these rules.

4.7 No claim to a prize submitted to the casino operator under these rules shall be recognised unless it is made within 3 months after the draw of the lottery, the date of closure of the instant game, or the declaration of the result of the prize competition or other game, as the case may be.

- 4.8 Every participant claiming to be entitled to a prize in a casino promotion may be required to submit evidence of his/her entitlement to that prize to the casino operator.
- 4.9 A ticket shall in all circumstances be regarded by the casino operator as being owned by the bearer (physical possessor) of the ticket determined in accordance with these rules.
- 4.10 The person named on a duly completed prize claim form shall be deemed to be the bearer of the ticket accompanying the prize claim form; and if more than one person is named on a prize claim form, the person first named shall be deemed to be the bearer of the ticket.
- 4.11 Notwithstanding that a ticket bears the name or other identification of any person or group, the casino operator shall only be bound to recognise the bearer of the ticket as the owner, and, except as ordered by a court of competent jurisdiction, shall not be bound to take notice of any trust (express, implied, or constructive) to which any ticket or prize may be subject.
- 4.12 The surrender of a ticket to the casino operator and the receipt by the bearer of the ticket of any prize payable in respect of the ticket shall be a good and complete discharge of the casino operator, notwithstanding any notice the casino operator may have of the alleged right, title, interest or claim of any other person or persons to the prize money.
- 4.13 The casino operator shall not be responsible or liable as a result of the payment of a prize to the bearer of any lost or stolen ticket, whether or not advice of the loss or theft has been reported or notified to the casino operator before payment of the prize.
- 4.14 No prize shall be paid on the basis of an invalid ticket.
- 4.15 The casino operator may require the bearer of the ticket, before paying any prize on it, to:
- (a) surrender the ticket;
  - (b) sign the back of the ticket;
  - (c) complete and return a prize claim form.
- 4.16 In any case where the casino operator is not satisfied that a claimant to a prize is entitled to receive it, the casino operator shall refuse the claim and notify the claimant in writing of the decision.
- 4.17 The casino operator may cancel, or invalidate the outcome of, a casino promotion if:

- (a) the conduct of the promotion is disrupted by civil commotion, fire, riot, brawl, robbery, building evacuation or an Act of God; or
- (b) the casino operator has reason to suspect that any fraudulent act on the part of any participant or person employed in the casino has affected or may affect, in the opinion of the casino operator, the outcome of the promotion; or
- (c) there has been any error, omission or other irregularity that, in the opinion of the casino operator, has materially affected or may materially affect the conduct or outcome of the promotion.

4.18 Where a casino promotion is cancelled, or the outcome of a promotion is invalidated, pursuant to rule 4.17, the casino operator shall hold and dispose of the prizes in accordance with procedures approved from time to time by the ~~Secretary~~.

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## **5.0 Lotteries**

- 5.1 This section applies to casino promotions that are lotteries.
- 5.2 Each ticket held by any participant in a casino promotion shall be a separate entry.
- 5.3 A ticket shall be the only valid basis for claiming a prize.
- 5.4 Every ticket in a lottery that has been distributed and is eligible under the promotion design, and no other ticket, shall be included or represented in the draw.
- 5.5 Unless it is not reasonably practicable, the draw of the lottery and the declaration of the result shall be open to the public in the gambling area of the casino.
- 5.6 In addition to any other requirements specified in these rules, the following requirements shall apply before a ticket shall be regarded as a valid prize-bearing ticket:
  - (a) the ticket shall have been issued by the casino operator in accordance with these rules and the promotion design;
  - (b) the ticket shall be intact and shall not be mutilated, altered, unreadable, reconstituted, or tampered with in any manner;
  - (c) each number on the ticket (if any) shall be fully legible;
  - (d) the ticket shall not be defectively printed or produced in error;
  - (e) the ticket shall not be counterfeit or cancelled.

## **6.0 Instant Games**

- 6.1 This section applies to casino promotions that are instant games.
- 6.2 Entry to the instant game shall be by ticket.
- 6.3 Each ticket held by any person shall be a separate entry.
- 6.4 A ticket shall be the only valid basis for claiming a prize.
- 6.5 Every allocation of prizes for an instant game shall, subject to these rules, be conducted in such a manner and under such conditions as the casino operator from time to time determines.
- 6.6 It shall be the responsibility of the participant to ensure that, at the time he or she receives a ticket in the instant game, the covering on each play panel on the ticket is intact.
- 6.7 The participant shall remove the covering from each play panel on the ticket to expose the play symbol or combination of play symbols, and thereby discover whether or not a ticket is a prize-bearing ticket.
- 6.8 The determination of which tickets in an instant game are to be prize-bearing tickets shall be made, by or under the authority of the casino operator, on a random basis or wholly by chance before or simultaneously with the sale of any ticket.
- 6.9 In addition to any other requirements specified in these rules, the following requirements shall apply before a ticket shall be regarded as a valid prize-bearing ticket:
  - (a) the ticket shall have been issued by the casino operator in accordance with these rules and the promotion design;
  - (b) the ticket shall be intact and shall not be mutilated, altered, unreadable, reconstituted, or tampered with in any manner;
  - (c) the information recorded on the ticket shall correspond with the casino operator's record of prize-bearing tickets and another ticket with identical data shall not already have been paid;
  - (d) the exact number of play symbols that the casino operator has determined shall appear on tickets in that game shall appear in the play panel or play panels on the ticket;
  - (e) each of those play symbols shall be present in its entirety;
  - (f) the validation number (if any) shall be present in its entirety;

- (g) each number on the ticket (if any), whether play symbols, game number, validation number, or otherwise, shall be fully legible;
- (h) the ticket shall not be defectively printed or produced in error;
- (i) the ticket shall not be counterfeit or cancelled;
- (j) the ticket shall not be stolen;
- (k) the ticket shall be complete, not blank or partially blank, shall not have a hole punched through it, shall not be miscut, and shall not be marked "void";
- (l) the ticket shall be issued to a participant before the close of the game;
- (m) the ticket shall not appear on the casino operator's record of cancelled tickets;
- (n) the ticket shall pass all additional confidential validation tests and security criteria established by the casino operator; and
- (o) the ticket shall not, in the opinion of the casino operator, be defective in any other manner or otherwise invalid.

## **7.0 Equipment**

- 7.1 Where gambling equipment of a class or type specified in the appendix to these rules is used in the conduct of a casino promotion, such equipment shall comply with all applicable specifications contained in the rules governing the authorised game in which the equipment is used, as amended from time to time.
- 7.2 Notwithstanding rule 7.1, the compartments of a roulette wheel, and the sections of a money wheel, may be coloured and marked in such manner as the casino operator thinks fit.
- 7.3 Where a casino promotion is conducted by means of lucky envelopes or a similar game, the ticket must be continuously sealed on all sides and be produced or manufactured using base materials of sufficient opacity and thickness so that the contents of the playing panel cannot be seen except by breaking completely the tab securing the playing panel.

## **8.0 Disputes/Complaints**

- 8.1 Complainants in all unresolved disputes shall be advised of their right to make a complaint to a gambling inspector in relation to the conduct of gambling.

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- 8.2 The casino operator shall, at the request of any customer, make a copy of these rules, and of the particulars of the promotion design submitted under rule 3.1 in relation to the casino promotion in question (as varied), available for examination.

## Appendix

### Equipment Required to Comply with Specifications in Rules of Authorised Games

Roulette wheels  
Roulette balls  
Tai-Sai tables  
Tai-Sai electronic equipment  
Tai-Sai dice  
Tai-Sai dice tumblers  
Money wheels and associated equipment  
Craps dice  
Pai Gow tiles  
Pai Gow dice  
Pai Gow dice tumblers  
Keno drawing devices  
Gaming machines

Any other gambling equipment or device used in the conduct or playing of authorised games on gaming machines, where such equipment or device may influence or determine the outcome of the game