**THE GAMBLING ACT (CLASS 4)**

**GAME RULES**

**2015**

**Consultation Document**

**GAME RULES FOR ALL GAMES PLAYED ON GAMING MACHINES IN CLASS 4 VENUES**

Pursuant to Section 367 of the Gambling Act 2003 (“the Act”).

These rules apply to those games authorised pursuant to the Act and are additional to any requirements prescribed in the Act, any Regulations made under the Act, and Minimum Standards for gambling equipment prescribed under section 327 of the Act.

These rules revoke the Gambling Act (Class 4) Game Rules 2006.

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**1 Interpretation**

Any term or expression defined in the Act and used, but not defined, in these rules, has the same meaning as in the Act.

In these rules, unless the context otherwise requires -

***Act -***means the Gambling Act 2003

***alternative methods of payment*** means cheques or electronic funds transfer

***authorised -*** means, in relation to venue or society personnel, authorised by the corporate society

***bank note acceptor*** - means a device within a gaming machine that validates bank notes and either accepts and stores valid bank notes in return for the granting of credits playable on a machine, or rejects and returns to the player invalid bank notes, or those of denominations other than those for which it has been enabled to accept

***cancelled credit(s)*** - means the process where credits on a gaming machine or linked jackpot system are cancelled by external intervention by venue personnel and a subsequent manual payment is made to the player of a cash amount equal to the value of credits cancelled

***Cancelled Credit, Short Pays and Refills Report -*** means a report that records and details the cancelled credits, short pays paid and hopper refills for each gaming machine at a venue

***cash box*** - means a lockable container within a gaming machine cabinet or base that holds coins inserted by players that are diverted from entering the hopper when the hopper is full

***cash float*** - means a pool of money provided by a venue operator from a source completely separate from, and independent of, any bank account established for and dedicated to the receipt of gaming machine profits

***cash clearance*** - means the physical removal of coins from the cash box of a gaming machine and notes from the bank note acceptor of a gaming machine

***Cashless Gaming Machine Analysis*** - means a report detailing gaming machine meter readings and meter differences and cashless data to be used by venues with Cashless Gaming Machine Systems in substitution for the Gaming Machine Analysis report

***cashless gaming machine system*** - means a system that electronically transfers money deposited by a player into an account to a gaming machine and credits the credit meter

***coin jam*** - means a gaming machine fault caused by a coin that has passed the coin acceptor but has not reached the sensors

***collect button*** (or “*cash out*” button) - means a button pressed by a player to collect payment for available credits displayed on a gaming machine’s player credit meter. The payment may be made by coins delivered by the machine, by credit transfer to a card in the case of cashless gaming machine systems, or by manual payment where a gaming machine has a cancelled credit capability

***corporate society -***means the holder of the class 4 venue licence

***credit meter*** - means an electronic display on a gaming machine that is prominent and visible to a player and which **-**

(a) increase when money, or credits are put into the machine, or when prizes are awarded;

(b) decrease when credits are bet on a game, or when a player presses a collect button to collect a prize, or when a cancelled credit reset switch is activated

***Daily Jackpot Data -***

***electronic meters -*** (also known as “*soft meters*”) means all non-volatile meters provided on a gaming machine that store player credit and audit information in RAM using a fault tolerant methodology and the value of which is reset only when a memory reset is performed

***electronic monitoring system (“EMS”) -*** means an electronic monitoring system as provided in section 86 of the Act

***EMS Service Desk -*** means a facility provided by the monitor as part of electronic monitoring services that serves as a point of contact with the monitor

***fault -***means a condition that adversely affects the functionality of gambling equipment

***gaming machine profit(s) -***has the same meaning as in section 104(5) of the Act (as amended)

***Gaming Machine Monthly Meters and Adjustments*** - means an EMS report generated calendar monthly with details of gross and net meter values and adjustments posted during the period including adjustments to gaming machine profits

***hopper*** - means the container in a gaming machine that holds coins inserted into the machine by a player or by way of a hopper refill, and from which coins are mechanically delivered for collection by the player

***hopper refill -***means the process of placing a predetermined amount of coins into the hopper when the hopper is empty

***hopper jam -*** means a fault caused by a coin blocking the hopper output sensors

***jackpot equipment*** - means any gambling equipment part of a linked jackpot system

***jurisdictional meters -*** means the electronic meters recording game play and operational functions of gaming machines or equipment specified or required as being applicable to that jurisdiction

***linked jackpot system*** - means an arrangement where two or more gaming machines are linked to a device that **-**

(a) receives data from each gaming machine to which it is linked;

(b) records an amount which may be payable as winnings in the event of a jackpot being triggered on one of those machines

***lock up -*** means a mode where game play and/or jackpot play and money input or output is no longer available to the player and is not a fault condition

***logic compartment*** - means a compartment within a gaming machine that houses electronic components with the potential to significantly influence the operation of the gaming machine

***malfunction -***means a failure of gambling equipment to function according to the relevant regulations and minimum standards

***manual payment -***means a payment made to a player in respect of either a cancelled credit, or a jackpot prize award or as a short pay correction

components of the electronic monitoring system

***period meters*** - (or “*periodic meters*”) means electronic meters that are re-settable either by a memory reset or a planned external event, e.g., cash clearance, and which represent the total of all updates since the last instance of the external event

***QCOM meters*** - means the gaming machine meters specified or defined in the Minimum Technical Requirements for Electronic Monitoring System of the Gambling Act (Class 4 Gambling Equipment) Minimum Standard 2004

***RAM*** - means Random Access Memory

***RAM clear*** - means the process by which the memory of a gaming machine is reset, which configures the machine into the “as new” state

***regulations*** -means any regulations made under the Act

***Secretary’s date*** - means the date determined by the Secretary as the date upon which any class 4 venue will be connected to EMS

***service/servicing*** -means the installation, connection, configuration, repair, maintenance, disconnection or removal of gambling equipment, involving access to gambling equipment or sensitive components of it

***short pay*** - means a fault that occurs when a gaming machine fails to discharge the amount of coins won by a player that corresponds with the value indicated by the player credit meter

***site controller*** -means a device at a venue, provided by the monitor, that is connected to and communicates with gambling equipment that **-**

(c) receives data, parameters and instructions (including enablement and disablement) from the EMS host system and transmits them to connected gambling equipment

***total wins*** -means the metered value of all prizes awarded by a gaming machine including jackpot wins if these are recorded separately

***turnover*** - means the metered value of bets made on a gaming machine, including money inserted and credits reinvested

***Weekly Venue Activity (Venue Level)*** - means an EMS report showing net turnover, total wins and jackpot meter values for each gaming machine at a venue, and any adjustments to either meter values or gaming machine profits posted during the weekly period

***Weekly Venue Activity (Society Level)*** - means an EMS report showing net turnover, total wins and jackpot meter values and any adjustments to either meter values or gaming machine profits posted during the weekly period at venue level for gaming machines at all of a corporate society’s venues

**Part 1**

**Rules relating to players and playing**

*General*

**2 Obligations**

Nothing in these rules detracts from the obligations of any person under any provision of the Act or any other rule or regulation made under it.

**3 Illegal gambling**

The receipt or payment of a prize achieved from a breach of these rules may amount to an offence under section 19 of the Act.

**4 Interference with gambling equipment**

No person shall tilt, rock or in any way, damage or interfere with gambling equipment, or in any way seek to gain an undue advantage by any manipulation of gambling equipment.

No prize will be paid out if the player is in breach of this rule.

1. *Player’s*

*responsibilities and entitlement to prizes*

**5 Obligation to notify venue personnel**

1. A player must not play, or must cease play, and immediately inform the venue manager or venue personnel when they:

(a) become aware that a fault, malfunction, or irregularity in the operation of the gambling equipment has occurred;

(b) find credits of $2 or more on a vacant gaming machine.

1. Where the venue manager or venue personnel is informed of credits of less than $2 on a vacant gaming machine, then the procedures under rule 54 must be carried out

**Restriction on use of more than one machine**

No player shall play more than one gaming machine at a time.

For the purpose of this rule, playing more than one machine at a time occurs when a player has control of more than one gaming machine in “playable” state, but not in lock-up/audit mode.

Playable state is a machine which:

1. has credits on it and is able to be played;
2. has been reserved with or without having credits on it, or;
3. has credits on it and is showing a Player Information Display at the time, or;
4. is performing a feature, including “free spins” or a “bonus game”.

Lock-up/audit mode is when a machine:

1. may or may not have credits on it and is unable to be played because of a machine fault, or;
2. may or may not have credits on it and a staff member has placed the machine in audit mode in order to carry out any procedure the staff member is authorised to undertake, or;
3. the player has requested a hand-pay and the machine is unable to be played until the hand-pay is completed.

No prize will be paid out if the player is in breach of this rule.

**7 Syndicated play prohibited**

No person shall engage in syndicated play with any other person or persons, or solicit any player to take part in such an arrangement, or induce or intimidate any player to vacate a gaming machine. For the purposes of this rule, syndicated play is established when the venue manager, venue personnel, or a gambling inspector consider, on reasonable grounds, that two or more persons are acting together to attempt to strike the jackpot.

No prize will be paid out if the player is in breach of this rule.

**8**

(d) the amount of money that a gaming machine has paid out,

the player, or a person acting on that player’s behalf, must notify the venue manager

**9 Malfunctions invalidate prizes**

Where malfunctions of any gambling equipment occur and a valid winner cannot be determined, no prize is valid, and no player is entitled to payment of a prize.

**10 Manual payments**

Where a prize is not paid out automatically by a gaming machine, the player will receive a manual payment in cash or by an alternative method of payment from the venue personnel equal to the amount of the prize, subject to the player having verified the amount and acknowledged receipt of the payment by providing his or her name and signing a receipt or other acknowledgement form.

**Part 2**

**Rules relating to venue operation**

*Provision of cash float*

**11 Venues**

Where, in relation to any class 4 venue, an agreement is required in terms of section 65(3) of the Act, or a club that operates at a non-commercial class 4 venue that owns or leases for the use of its members, the venue operator must **-**

(a) provide a cash float that meets the requirements of rule 12; and

(b) ensure the cash float is not funded from gaming machine proceeds.

**12 Sufficiency of cash float**

The venue operator must ensure the cash float is of a sufficient amount to enable **-**

(a) hopper refills and payment of cash prizes to players to be made in the course of the day-to-day operation of gambling equipment; and

(b) all gaming machine profits for any specified period to be banked.

**13 Separation, recording and reconciliation of cash float**

It shall be the responsibility of the venue manager to ensure that **-**

(a) the cash float referred to in rule 12 is kept entirely separate from any other cash float or floats that may be required for any purpose other than class 4 gambling; and

(b) all cash float transactions are recorded; and

(c) the cash float is reconciled at intervals of no greater than 7 days.

*Security of keys and equipment*

**14 Security and issue of keys**

(1) The venue manager must ensure that all keys to gambling equipment are **-**

(a) only made available to authorised venue personnel for necessary tasks related to the day-to-day operation of the gambling equipment; and

(b) issued only to persons contracted to service gambling equipment at the venue and authorised by the corporate society, or to gambling inspectors or persons nominated by the Secretary, if the keys give access to sealed or locked areas such as the logic cage, jackpot or site controller; and

(c) locked away in a secure place when not in use; and

(d) accounted for at the beginning and end of every working day; and

(e) used only for the purpose intended or specified.

(2) The venue manager must ensure the keys to the site controller cabinet are only issued to:

(a) authorised venue or service personnel;

(i) acting under the direct instructions of the monitor; and

(ii) for fault finding purposes; or

(iii) for security seal inspection.

(b) gambling inspectors or persons nominated by the Secretary.

*- general requirements*

**15 Gaming machine accounting reports**

The corporate society and the venue manager must ensure the relevant gaming machine accounting reports, as made available by the Secretary, are fully and accurately completed and maintained at all times in accordance with the requirements of the relevant rules.

These include, but are not limited to: **-**

(i) Cancelled Credit, Short Pays and Refills Reports; and

(ii) Gambling Equipment Fault/Player Dispute Reports; and

(iii) Unpaid Prize Reports.

The reports are available on the Department of Internal Affairs’ website at *[http://www.dia.govt.nz](http://www.dia.govt.nz/)*[.](http://www.dia.govt.nz/)

Notwithstanding the above, cancelled credits may be recorded on an alternative form provided that the form includes a place to record the following minimum provisions:

(a) date and time;

(b) player credit meter reading;

(c) amount paid;

(d) player name and signature;

(e) venue staff member’s signature or initials; and

(f) cancelled credit meter reading.

Notwithstanding the above, short pays may be recorded on an alternative form provided that the form includes a place to record the following minimum provisions:

(a) date and time;

(b) short pay (number of credits claimed);

(c) amount paid; and

(d) player name and signature.

**16 Electronically generated reports**

(1) Rule 15 does not prohibit the electronic generation of the required gaming machine accounting reports, whether by the gambling equipment itself or by an electronic management system, or as part of a separate computer program where gaming machine or gambling equipment meter information is entered, subject to the following conditions:

(a) the reports must comply in all respects with the format specified by the Secretary; and

(b) printed copies must be retained and may not be substituted by a later-generated version; and

(c) thermal or light-sensitive type paper must be properly stored; and

(d) any errors must be corrected by ruling out the original entry and clearly entering the correct information, which must be initialled by the person making the change; and

(e) a subsequent, corrected copy may be printed out and kept with the original record for purposes of clarity only.

(2) Electronic copies of the reports are acceptable and subject to the same regulations and requirements as their physical equivalents as described above.

**17 Recording of gambling equipment meters**

(1) For the purpose of this part of the rules, any reference to the recording of gambling equipment meter information means, in order of precedence:**-**

(a) obtaining the equivalent validated information from the EMS Host system by means of reports provided by the monitor, subject to timeliness and availability of such data;

(b) where a venue PC connection to the site controller enables current meter information and jackpot data to be viewed or downloaded (electronic meter access), using that means;

(i) manually reading and transcribing the designated QCOM meters resident on gaming machines;

(ii) manually reading and transcribing the meters resident on gaming machines, or in the case of jackpot equipment, where the necessary data is not readily accessible, calling in a person contracted to service that equipment to access and provide the information.

*Technical responsibilities*

**18 Security of master or system cards**

In the case of a venue that operates **-**

(a) a cashless gaming machine system; or

(b) an electronic management system in association with a cashless gaming machine system; or

(c) a jackpot system,

Then, rule 14 shall apply to any master or system cards that enable access to data or transactions to be performed. Passwords or PIN numbers required to gain access to such systems must be subject to a suitable security policy.

**19**

**Obligations of key persons, including technicians and service personnel**

All venue personnel and every person contracted to service gambling equipment must ensure the security and integrity of gaming machines, gambling equipment, and electronic monitoring equipment is not compromised by **-**

(a) ensuring that gaming machines, gambling equipment, and the site controller cabinet are securely locked; and

(b) immediately reporting to the venue manager, or person in charge of the gambling operation at the venue **-**

(i) any potential breaches of security or integrity such as faulty or broken locks or seals or the loss of keys; and

(ii) any apparent damage, tampering, or suspected faults or malfunctions of gambling equipment and any monitoring equipment, including site controllers, interfaces, cabling or network communications devices.

**20 Remedy of breach**

A person to whom a report is made under rule 19(b) must take immediate steps to remedy the potential breach. This includes**-**

(a) immediately notifying the corporate society; and

(b) taking the equipment out of service until repairs, replacement of locks or seals or other necessary measures can be undertaken; and

(c) recording the matter on a Gambling Equipment Fault/Player Dispute Report as per the instructions specified on that report.

**21 Security of site controller seal**

1. The venue manager must ensure the site controller has the monitor’s security seal properly affixed and that the details below are recorded in a separate log kept available for inspection at the venue. The log must record, as a minimum **-**

(a) the date the seal was fitted; and

(b) the unique seal number; and

(d) the reason why it was fitted.

1. If any site controller security seal is found to have been removed, broken, tampered with, or cannot be accounted for in the site controller seal log, the venue manager must ensure that **-**

(a) the EMS Service Desk and corporate society are immediately notified; and

(b) all gambling equipment connected to the site controller is turned off.

1. An electronic log is acceptable and subject to the same regulations and requirements as its physical equivalent.

**22 Venue cabling diagram**

(1) The venue manager must keep an up-to-date printed copy of the venue cabling diagram required by clause 8.3 of the Gambling Act Minimum Standard 2004 at the venue in a secure place, in close proximity to the site controller.

(2) The venue manager must immediately notify the EMS Service Desk of any changes to the venue configuration and diagram.

(3) The corporate society must ensure the record is stored and maintained in an electronic form with the corporate society.

**Jackpot identification**

(1) Where a jackpot system is operated, the venue manager must keep an accurate and up-to-date record of the serial number of each gaming machine connected to the jackpot system and the corresponding jackpot controller port identification number allocated to that gaming machine.

(2) The information required to be kept under (1) may be included in the venue cabling diagram specified in rule 22.

(3) The venue manager must immediately notify the EMS Service

**24 Installation, servicing or decommissioning of gaming machines**

Where the installation, servicing, repair, removal from service or decommissioning of any gambling equipment connected to the electronic monitoring system either involves the RAM clear of gambling equipment software, or impacts upon communication with, or data collected by EMS, the venue manager must **-**

(a) inform the Department of Internal Affairs and EMS Service Desk before any installation, servicing, repair, removal from service or decommissioning takes place;

(b) request the monitor to initiate unscheduled polling of the affected gambling equipment before and, where applicable, after the event;

(c) do not allow the affected gambling equipment to be played until the monitor has confirmed successful data capture;

(d) ensure that all cash is removed and counted from the hopper, bank note acceptor, and cash box of the gaming machine and that every relevant meter reading and cash amount is recorded.

**25 Installation of jackpot systems**

Where any jackpot system is installed, the venue manager must ensure that, before the system is put into operation **-**

(a) all relevant meter readings, including jackpot meter readings and start-up values, are recorded;

(b) jackpot identification numbers that correspond to the jackpot controller port numbers are affixed to all jackpot connected gaming machines, or electronically displayed on the machines in such a manner they are clearly visible to players of the individual machines.

**26 Servicing of gaming machines or jackpot systems**

(1) Where any gaming machine or jackpot system is to be serviced, involving either a RAM clear or replacement of a jackpot controller, the venue manager and/or technician must ensure: **-**

(a) all relevant meter readings and/or jackpot data are recorded;

(b) all cash is removed from the hopper, bank note acceptor and cash box of any affected gaming machine, is counted and recorded;

(c) the relevant reports are endorsed “Final readings” and dated;

(d) all relevant opening meter readings or jackpot data are recorded.

(2) When any testing is carried out: **–**

(a) the person contracted to service the gambling equipment must:

(i) record any meter movements generated by the testing, except where it applies to coin or bank note acceptors where no game play is involved and the metered differences correspond with cash transactions; and

(ii) provide a copy of the record to the venue manager or venue personnel as soon as the testing is complete; and

(iii) where testing impacts on the prize pool of a linked jackpot system, reset the jackpot system and reinstate the jackpot pool value to the value shown prior to the test; and

(iv) report any monies used for the purpose of testing to the corporate society, so the proper adjustment can be made.

(b) no prize won in the course of testing is to be paid, and where any testing results in the award of a prize which is registered as such by gambling equipment meters that are not subsequently reset, the amount awarded must be treated as unpaid winnings.

**27**

**Change, replacement, or decommissioning of jackpot systems**

Where parameters of a jackpot system are to be changed, replaced by another system, or decommissioned entirely, the corporate society must ensure **-**

(a) the EMS Service Desk must be notified; and

(b) prior to switching off the jackpot controller, a download of current jackpot files to the venue PC must be requested, or if unavailable, an accurate record of all current jackpot data (including the jackpot controller turnover meter value) must be made and the records retained; and

(c) in the case of a parameter change, reconfiguration or change of jackpot controller, the jackpot controller must not be switched on again until after 2a.m.

(d) the current jackpot pool values are, wherever practicable, transferred to the new system or configuration;

(e) where the new jackpot or parameter set has fewer number of levels -

(i) subject to sub-paragraph (iii), the major or highest jackpot pool value is, wherever practicable, transferred to the new system or configuration;

(ii) subsidiary levels are distributed as appropriate to the new lower levels, or if no lower levels exist in the new system, combined with the major pool;

(iii) the pool values transferred to the new major or higher level are not close to the maximum value of that level if it has been lowered and in any case do not amount to a greater value than 80% of the new maximum level;

(iv) the combined pool values available to be won must not exceed the maximum prize limit for jackpots;

(f) where a transfer to a new system or configuration is not possible or the system is to be decommissioned, the current major jackpot pool is played out before the replacement or de-commissioning takes place;

(g) where it is not possible to play out the current pool, the venue manager must prominently display within the venue’s gaming area a notice at least one day in advance, of the intention to change, replace or decommission the jackpot system;

(h) all required reports for the jackpot system are either commenced or terminated with the opening or closing meter readings and jackpot display pool values, as the case may be, and must be endorsed by the gambling equipment service contractor.

**28 Installation or decommissioning of cashless systems**

Where any cashless gaming machine system is either installed or decommissioned, the venue manager or technician, must ensure **-**

(a) all gaming machine accounting reports required by these rules as applicable to the system previously in operation are completed and endorsed “*Final readings”* with the date;

(b) where installing, all cash, including hopper contents, is cleared from any machines that are to be connected to the cashless system and recorded on the relevant gaming machine accounting reports;

(c) all gaming machine accounting reports applicable to the new or changed system are commenced with opening meter readings recorded immediately before the system is put into operation.

*Hopper refills*

**29 Requirements**

Venue managers or venue personnel performing hopper refills must ensure that every refill is correctly registered on the gaming machine meters.

Money must not be taken directly from any gaming machine for the purpose of providing hopper refills.

*Cancelled credits and payments*

**Requirements**

Money must not be taken directly from any gaming machine to make manual payments in respect of cancelled credits, jackpot wins or short pay corrections.

The corporate society or the venue manager may allow for payments to be made by cheque or electronic funds transfer with the consent and agreement of the player. Where this method of payment is used, funds must be not be drawn from the dedicated accounts established for banking gaming machine profits or other proceeds in terms of sections 104 or 105 of the Act;

The account that is drawn down may be reimbursed after cash clearances are performed and recorded.

**31 Reports to be used**

Cancelled credits for prizes awarded by or through the operation of a gaming machine must be recorded on the Cancelled Credit, Short Pays, Refills Report form or on an alternative form, provided that the form includes a place to record the following minimum provisions:

(a) date and time;

(b) player credit meter reading;

(c) amount paid;

(d) player name and signature;

(e) venue staff member’s signature or initials; and

(f) cancelled credit meter reading..

**32 Procedure**

The venue manager and venue personnel must take the following steps when processing cancelled credits or manual payments **-**

(a) confirm the value of the payment by reference to the gaming machine player credit meter or linked jackpot display; and

(b) in the case of a gaming machine, ensure the collect button has been pressed; and

(c) request the player not to touch the machine until the pay-out has been completed; and

(d) record the date, time, jackpot identification number, player credit meter reading, amount payable, jackpot level and sequential jackpot number as may be appropriate on the relevant Cancelled Credit, Short Pays and Refill Report form; and

(e) have the player confirm the amount payable; and

(f) follow the manufacturer’s recommended procedure to cancel the credits awarded by the gaming machine or reset the linked jackpot system, as appropriate; and

(g) in the case of a gaming machine, ensure that the player credit meter has decreased, put the machine into Audit mode, record the cancelled credit meter reading on the Cancelled Credit, Short Pays and Refills Report and check that the meter difference between the current and preceding entry represents the amount payable; and

(h) obtain the player’s name and signature on the appropriate Cancelled Credit, Short Pays and Refill Report in acknowledgement of receipt of payment; and

(i) sign or initial the relevant entry when the procedure is complete; and

(j) ensure, before leaving the gaming machine, that it has returned to a playable state, or in the case of a linked jackpot system, that the jackpot display has cleared the win, reset to the correct start-up value and is not indicating another win on a different level.

*Rounding*

**33 Rounding of monetary values**

The amount of any prize payable in cash must be rounded up or down to the nearest 10 cents.

*Calculation and banking of gaming machine profits*

**34 Requirements**

have positive amounts. The adjustment must be recorded.

1. Gaming machine profits must be determined for each venue for every period of seven days commencing at 2a.m. on a Monday and concluding at 2a.m. the following Monday.
2. Gaming machine profits for the previous weekly period must be calculated every Monday.

**36 Report**

If the specified EMS report for a weekly period is not available before close of business on the last day on which gaming machine profits must be deposited into the corporate society’s dedicated gaming machine account, and the corporate society has been notified but is not able to access the Weekly Venue Activity (Society Level) report for this period, then the venue manager must calculate gaming machine profits by one of the following methods: **-**

(a) if the Daily Gaming Machine Meter Totals Snapshot report for the day immediately preceding the first day of the weekly period is available, recording the gross meter values for turnover, total wins and jackpot wins as opening readings on a manual Weekly Gaming Machine Profits Report, then ascertaining the closing meter values for the period by either:

(i) obtaining the gross meter values of the relevant meters from the Daily Gaming Machine Meter Totals Snapshot for the last business day of the period; or

(ii) accessing current meter values from the EMS site controller by electronic meter access, or manually reading the relevant QCOM meters and recording them as the closing meter values on the Weekly Gaming Machine Profits Report, and calculating the meter differences.

(b) if none of the above methods are available and: **-**

(i) there is no venue PC access to the site controller; or

(ii) there are no other means of ascertaining opening or closing meter values; then

an average from the last available four weekly gaming machine profits determinations must be calculated to reach an estimated figure, which must be recorded on a ‘manual’ Weekly Gaming Machine Profit Report.

(c) where gaming machine profits have been determined by using any of the above methods and a Weekly Venue Activity (Venue Level) report is subsequently received after banking for that weekly period has been carried out, any difference between the calculated or estimated amount and the amount to be banked as shown on the report must be adjusted in the banking for the weekly period in which the report is received, and the amount of the adjustment and the reason for it must be recorded.

**37 Instructions and authorisation**

Where any linked jackpot system is operated at any venue, the corporate society and the venue manager must ensure **-**

(a) user manuals or operating instructions are available at the venue; and

**38 Jackpot display**

Each player must be able to clearly view a jackpot display when playing any gaming machine connected to a linked jackpot system.

(a) the jackpot prize amount currently available; and

(b) each prize level if there is more than one; and

(c) in the event of a win, which connected gaming machine has struck the jackpot; and

(d) On a downloadable jackpot, the gaming machine display is sufficient to meet this requirement, provided that the information required by subparts (a) to (c) is displayed.

**39 Investigation of variances**

The venue manager must immediately investigate any variances disclosed from the review and analysis of the EMS reports.

Where variances relating to the jackpot cannot be resolved, and are of an amount exceeding $20, the venue manager must **-**

(a) using the procedures prescribed by the manufacturer or distributor of the system, shut down and take the jackpot system out of operation; and

(b) shut down and take the affected gaming machine or machines out of operation if the problem is directly attributable to a linked gaming machine or machines, or the connection between gaming machines and the jackpot controller; and

(c) switch off and remove from play all jackpot linked gaming machines

**40 Shut down or disconnection**

(1) Where any jackpot system shut down or gaming machine disconnection takes place, the venue manager must ensure **-**

(a) all available meter readings and any jackpot display data are recorded on the relevant reports; and

(b) notices informing players of the jackpot system being shut down and/or gaming machine disconnection are displayed in the gaming area of the venue; and

(c) a Gambling Equipment Fault/Player Dispute Report is commenced; and

(d) the person contracted to service gambling equipment at the venue is informed; and

(e) the corporate society is notified.

**41 Examination by contractor**

A corporate society or venue manager shall not allow any linked jackpot system or gaming machine taken out of operation in accordance with rule 40 to be put back into operation until it has been examined by the manufacturer or distributor of the jackpot system or a person contracted to service gambling equipment, and the fault resolved.

**Recording of faults or malfunctions**

The venue manager must ensure

**43 Absent player**

(1) In the event a win on a linked jackpot system is indicated and no player is present at the winning gaming machine, or if the identity of the player cannot reasonably be ascertained, the venue manager or venue personnel must enter the relevant details on an Unpaid Prize Report.

(2) The venue manager must ensure the corporate society is notified to make the necessary adjustment to the gaming machine profits for that reporting

*Cashless gaming machine systems*

**44 Instructions and authorisation**

Where any cashless gaming machine system is operated at any venue, the corporate society and the venue manager must ensure **-**

(a) user manuals or operating instructions are available at the venue;

**45 System generated reports and back-up of system data**

The venue manager must ensure **-**

(a) player transaction activity, till balance, daily clearance reconciliation and any other required system-generated reports are printed out on a daily basis;

(b) printouts are retained in a secure area at the venue for a period of 14 days following the completion of Cashless Gaming Machine Analyses;

(c) a back-up of system data, including player account and gaming machine activity, is made daily, using an industry standard process and media. The back-up is to be kept off venue.

**46 Malfunctions**

Any malfunctions of cashless gaming machine systems must be recorded in a faults register as they occur or are detected. Where a fault or malfunction has potential to impact upon the operation or integrity of gambling equipment to which the system is connected, rules 39 to 42, with any necessary modifications, shall apply.

The faults register must be kept at the venue for inspection.

**47 Weekly reconciliation**

A weekly reconciliation of system data, banknote input data and cash removal must be completed via the Weekly Venue Activity Report for every venue. Also, any system-generated weekly log must be printed and retained.

**48 Short pays less**

**than $10**

(1) When a player claims a gaming machine has failed to deliver the required amount of coins after pressing the collect button and the amount is less than $10, the venue manager or venue personnel being in charge may without further investigation, pay the player from the cash float. The payment shall be recorded on the Cancelled Credit, Short Pays and Refill Report and the player’s name and signature obtained.

(2) Where a short pay amount claimed is less than $10, and **-**

(a) occurs more than once in relation to a single machine in any calendar month;

(b) if the venue manager or member of the venue personnel -

(i) has reason to believe that there is a fault with the gaming machine;

(ii) has any other good reason to believe that a short pay correction payment should not be made immediately,

the procedure prescribed in rule 49 must be followed.

**49 Short pays more than $10**

Where a short pay claim is greater than $10, the venue manager or venue personnel must: **-**

(a) record the required details on a Gambling Equipment Fault/Player Dispute Report; and

(b) if the short pay is believed to be attributable to a gaming machine fault or malfunction other than an isolated occurrence, immediately switch the gaming machine off; and

(c) inform the player of the result, and if applicable, pay any outstanding amount from the gaming machine float; and

(d) record any such payment at the time it is made on the Cancelled Credit, Short Pays and Refill Report for the gaming machine in question, ensuring that the player’s name and signature are obtained.

**50**

**Short pay investigation**

Without limiting rule 49, a report may be completed for the sole purpose of verifying a short pay claim. Such analysis shall require the following data: **-**

(a) coins in meter readings (recording opening, closing and difference between the two);

(b) coins out meter readings (recording opening, closing and difference between the two);

(c) hopper refill meter readings (recording opening, closing and difference between the two);

(d) cash box meter readings (recording opening, closing and difference between the two);

(e) a physical count of coins contained in the hopper;

(f) a physical count of coins contained in the cash box.

**Suspected malfunction**

Where a venue manager or venue personnel receives notification pursuant to rule 49, they must without delay, and in order to determine whether the gambling equipment in question failed to perform correctly, take the following steps as applicable **-**

(a) check the pay table of the gaming machine or jackpot display and compare it with the result if any, displayed; and

(b) note the details of the display of the relevant gaming machine, including in particular what the player credit meter is showing and which pay lines are lit or activated, and check the apparent result against the pay table; and

(c) check the gambling equipment for any error messages or indications of a lock up or fault condition and if there are any, action them in accordance with the manufacturer’s recommended procedures; and

(d) check for any indications of tampering with the gambling equipment; and

(e) where the dispute relates to a gaming machine and that machine has a facility to replay the last game or several previous games, operate this facility to confirm the result(s) and amount(s) payable of the game or games in question; and

(f) if the dispute relates to a linked jackpot system which is able to produce a computerised history file, review this file; and

(g) if the dispute relates to a cashless gaming machine system and the system has the ability to trace card transactions through computer records, review these records.

**52 Further action by venue manager or personnel**

(1) If a player dispute notified and attended to pursuant to rules 49 or 51 is not capable of immediate resolution, the venue manager or venue personnel must immediately carry out any preliminary enquiries that may be practicable in the circumstances including, but not restricted to: **-**

(a) recording the name and contact details of the player in dispute, together with those of any witnesses to the incident, on the Gambling Equipment Fault/Player Dispute Report specified in these rules; and

(b) recording full details of the nature of the dispute, including date and time; and

(c) interviewing any witnesses or collecting any relevant information; and

(d) review video surveillance if available, and save a record of the surveillance.

(2) Where a suspected equipment fault or malfunction is indicated the venue manager or person in charge of the gambling operation must:

(a) record the display currently showing on the gaming machine or jackpot display and any last game details (where available);

(b) switch off, and remove the gaming machine or gambling equipment from service and put an *out of order* notice on it;

(c) arrange for a person contracted to service gambling equipment to examine the gaming machine or gambling equipment as soon as practicable.

(3) In each of the above cases, the venue manager or person in charge must: (a) notify the corporate society of the matter;

(b) advise the player they will be notified of the outcome of the investigation;

(c) where applicable, complete an Unpaid Prize Report.

*Unpaid winnings, money found inside gaming machines*

**53 Unpaid winnings**

Any unpaid winnings, whether arising from the application of rules 3, 9, 25, 49 or section 305 of the Act (underage gambling), or for any other reason, must be **-**

(a) recorded on an Unpaid Prize Report;

(b) shown as unpaid prizes on the applicable report and consequently treated as net proceeds of class 4 gambling.

**54 Credits on vacant machine**

Where any gaming machine player credit meter does not read zero and the gaming machine is not in use, and the player entitled to the credits cannot be located or identified with reasonable diligence, then **-**

(a) Unclaimed credits must not be played off by venue personnel;

(b) if the credits are less than the value of the lowest denomination of coin accepted by the machine, they must be left on the machine for the benefit of the next player; unless it is not practicable to do so, in which case the cancelled credit procedure must be followed and completion of an Updated Prize Report is not required;

(c) if the credits exceed the value of the lowest denomination of coin that can be accepted by the machine, the venue manager or member of the venue personnel shall press the collect button and remove the cash from the gaming machine;

(d) the removal of unpaid cash from the gaming machine must be recorded on an Unpaid Prize Report and where practicable, be witnessed by another person;

(e) the cash must be retained at the venue for a period of seven days;

(f) if the money is not claimed within this period, it must be shown as an unpaid prize and the venue manager must notify the corporate society so it can bank the monies, record it and make the necessary gaming machines profits adjustment.

**55 Loose coins**

Loose coins found inside the main body of any gaming machine must be placed into the hopper or cash box.

Loose coins found inside the cash box compartment of a gaming machine, must be placed into the dedicated cash box container.

**Loose bank notes**

When loose bank notes are found inside a gaming machine: **-**

(a) an immediate count of notes held in the bank note acceptor must be carried out and compared with the relevant bank notes in meter increase or any data recorded by the gaming machine as to number and denomination of bank notes accepted;

(b) a Gambling Equipment Fault/Player Dispute Report must be commenced;

(c) the gaming machine must be switched off and removed from play until it has been examined by a person contracted to service gambling equipment;

(d) if the owner of the note(s) cannot be determined and/or the note is of a different denomination to that accepted by the gaming machine, the finding is to be recorded for the particular machine, and included as an adjustment.

*EMS-specific requirements*

**57 General**

The venue manager must ensure that all EMS-related

processes are carried out in accordance with the appropriate current user manual(s) and documentation as provided by the monitor and published on the EMS web site.

**58 Temporary unavailability or no access to reports and data**

(a) the electronic monitoring system is temporarily unavailable to provide any required information or report(s) at a time that information or report is required;

(b) access to EMS data is not possible for any other reason;

this part of the rules shall cease to have effect. Once EMS is able to resume providing required information, reports or data, these rules come back into effect.

(2) EMS wide area network communications equipment such as routers or network terminating units must not be switched off unless under

**60 Action on notification of potential breaches or faults**

A person to whom a report is made must:

(a) immediately inform the EMS Service Desk;

(b) where the potential breach or fault involves monitoring equipment provided by the corporate society, immediately inform the corporate society;

(d) comply with any instructions issued by the monitor or corporate society;

(e) if not already commenced, record all relevant details on a Gambling Equipment

**61**

(b) the corporate society in respect of any components of electronic monitoring equipment that it provides;

**Adjustments to recorded data**

(1) Where any adjustment to EMS recorded data is required -

(a) the procedure set out in the EMS web site User Manual must be followed; and

(b) only the corporate society is permitted to use the adjustment process; and

(c) the corporate society must ensure they approve any adjustments.

(2) Adjustments for any unpaid prizes must be effected by adjustments to the reported gaming machine profits amount, and not by adjusting gambling equipment meter values.

(3) The corporate society must ensure there is a clear audit trail to verify any adjustments approved, and the reasons for it. This includes any Gambling Equipment Fault/Player Dispute Reports, Unpaid Prize Reports and any other relevant documents, records or notes.

**Rules relating to corporate societies**

*Records*

**63 Key persons**

Corporate societies must maintain a complete and up to date record of -

(a) the details of all key persons in relation to the class 4 operator’s licence; and

(b) the details of all key persons in relation to venue operator at all class 4 venues that they hold the venue licence for; and

(c) the details of all venue managers at all class 4 venues that they hold the venue licence for; and

(d) every person authorised by the corporate society to have access to logic compartments of gaming machines or gambling equipment; and

(e) every person authorised by the corporate society to have access to EMS reports.

Class 4 venue operators must maintain a complete and up to date record of -

(a) all venue personnel at the venue.

**Player disputes**

All corporate societies must ensure -

(a) full records including, but not limited to, Gambling Equipment Fault/Player Dispute Reports and Unpaid Prize Reports, are kept of all player disputes that are not capable of immediate resolution and appropriate steps are taken to investigate them; and

(b) the player concerned is notified of the progress and result of the investigation and, if appropriate paid any amount outstanding.

*Irregularities*

**65 Discrepancies or anomalies**

Where any discrepancy or anomaly is detected in relation to a gaming machine, linked jackpot system or cashless system that involves $20 or more, the corporate society must ensure -

(a) the matter is investigated with a view to establishing the cause; and

(b) all reasonable steps are taken to remedy the problem and prevent a recurrence; and

(c) all investigations are fully documented; and

(d) records are kept with the relevant gaming machine accounting reports.

**66 Investigation**

Where an investigation reveals an attempt to interfere with the operation of the gambling equipment, the corporate society must -

(a) ensure all gambling equipment at the venue is taken out of service until it has been checked and verified by the manufacturer or distributor, or by a person authorised on their behalf as conforming to the approval issued for that equipment;

(b) notify the Secretary of the circumstances and action taken.

**67 Payment of deferred winnings**

Where the corporate society is satisfied that a payment in respect of any unpaid winnings should now be made, the corporate society must make the payment.

**68 Refunds received**

Where a person is ordered by a court or tribunal to refund money won in the course of class 4 gambling, pay or repay money relating to gaming machine proceeds, the corporate society must -

(a) record the details of such an order;

(b) upon receipt of any sum ordered to be refunded, paid or repaid, record the receipt of such money and treat it as if it were net proceeds of class 4 gambling.

*Reporting requirements*

**69 Matters to be reported to the Secretary**

Every corporate society must immediately report to the Secretary -

(a) any malfunction of gambling equipment that has potential to compromise the operational integrity of the equipment, cause loss to players or corporate society, or may be a systemic fault or failing;

(b) any incident of theft, burglary, robbery or other event that impacts upon the ability of a venue to comply with banking requirements under section 104 of the Act, regulations, game rules or licence conditions;

(c)

when a potential breach of

security affects electronic monitoring equipment located at a venue

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