

**THE**  
**GAMBLING ACT (CLASS 4) GAME RULES**  
**2006**

# 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 2004.

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## 1 Interpretation

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.

In these rules, unless the context otherwise requires -

**Act** – means the Gambling Act 2003

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

**bank note acceptor** - means a device within or attached to 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, or from a source that is completely separate from, and independent of, any bank account established for and dedicated to the receipt of gaming machine profits

**cash clearance(s)** - 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

**Cash Clearance Details Report** - means a report for each gaming machine detailing the amount of money physically cleared from the cash box and bank note storage device (if present), and readings of the cash box and bank note acceptor meters

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

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

**credit meter** (also known as a “*player credit meter*”) - means an electronic display on a gaming machine that is prominent and visible to a player and which –

- (a) increments when money, or credits are put into the machine, or when prizes are awarded, and

- (b) decrements 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 Cancelled Credit Report** – means a report for recording manual payments generated by linked jackpot systems that do not download win information to linked gaming machines

**Daily Jackpot Turnover Report** – means a report for recording and comparing gaming machine turnover meter incrimination with turnover recorded by a jackpot controller

**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.

**electro-mechanical meters** (also known as “hard meters”) - means meters that record data by means of electronic pulses that in turn activate a mechanically driven display

**electronic management system** - means a system that records information by counting the electrical pulses used to increment electro-mechanical meters

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

**fault** – means a condition that adversely affects the functionality or performance of gambling equipment

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

**Gaming Machine Analysis** - means the report detailing the metered and actual figures for each gaming machine on each venue at which a corporate society operates gaming machines

**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 gaming machine fault caused by a coin blocking the hopper output sensors

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

**jurisdictional meters** – means the electronic and electro-mechanical meters recording game play and operational functions of gaming machines or equipment specified or required as being applicable to that jurisdiction, but does not include period meters

**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 and
- (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/output is no longer available to the player that is not a fault condition

**logic compartment** - means a compartment within a gaming machine that houses electronic components that have 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

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

**RAM** - means Random Access Memory

**RAM clear** (also known as a “*RAM reset*”) – means the process by which the memory of a gaming machine is reset, which configures the gaming machine into the “as new” state

**Regulations** – means any regulations made under the Act

**service/servicing** means the installation, connection, configuration, repair, maintenance, disconnection or removal of gambling equipment, where the work involves internal access to the gambling equipment, or access to sensitive components of the equipment

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

**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 all bets made on a gaming machine, including money inserted and credits reinvested

**Weekly Gaming Machine Profits Report** - means a report which details the amount of money to be banked for each venue on a weekly basis

**Weekly Gaming Machine Profits Summary Report** – means a report that summarises several Weekly Gaming Machine Profits Reports for the same period and/or enables permitted adjustments to be made to the calculation of gaming machine profits.

## **Part 1**

### **Rules relating to playing and participation in games played on gambling equipment**

#### *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 the gambling equipment.

#### *Initiation of games*

#### **5 Appropriate tender**

Only New Zealand legal tender (as defined under section 27 of the Reserve Bank of New Zealand Act 1989) of an appropriate denomination or any other method approved in the relevant minimum standard made under the Act may be used to operate gaming machines.

#### **6 Exemption for testing**

Rule 5 shall not apply to any testing procedure carried out by a person contracted to service gambling equipment for a purpose necessary for the installation, servicing or repair of that equipment.

#### *Players' responsibilities and entitlement to prizes*

#### **7 Player's obligation to notify faults**

A player must cease play and immediately inform venue personnel on becoming aware that any fault, malfunction or irregularity in the operation of the gambling equipment has occurred.

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

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

## **9 Syndicated play prohibited**

In relation to any linked jackpot system, no person shall engage in syndicated play with any other person or persons, or solicit or induce 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 either venue personnel, the venue manager or a gambling inspector present at the venue consider, on reasonable grounds, that two or more persons are acting in concert to affect the opportunity of any person or persons to strike the jackpot.

## **10 Payment of prizes**

Subject to rules 3 and 11, prizes shall be paid in accordance with the schedule of prizes displayed on the artwork or screen of the relevant gaming machine, or where applicable, on the relevant jackpot display. All prizes must be paid in cash at the election of the player, except for cheque payments as permitted by rule 44.

## **11 Malfunctions invalidate prizes**

Where malfunctions of any gambling equipment occur -

- (a) no prize is valid; and
- (b) no player shall be entitled to payment of a prize.

## **12 Manual payments**

Where a prize is not paid out automatically by a gaming machine, or where a prize is awarded by a linked jackpot system that does not have the functionality to deliver prizes by way of a connected gaming machine, the player will receive a manual payment in cash or by cheque from the venue manager or venue personnel equal to the amount of the prize, subject to having both verified the amount and then acknowledging receipt of that payment by signing the appropriate form as required by rule 49(h).

## **Part 2**

### **Rules for the systems, processes, information and documentation associated with games played on gaming machines at class 4 venues**

#### *Provision of cash float*

#### **13 Non-club venues**

Where, in relation to any class 4 venue, a venue agreement is required in terms of section 65(3) of the Act, the venue operator must –

- (a) provide a cash float that meets the requirements of rule 15; and
- (b) ensure that the cash float is not funded from gaming machine proceeds.

#### **14 Club venues**

Where the corporate society is a club that operates gambling equipment at a non-commercial class 4 venue that it owns or leases and is mainly for the use of club members, the corporate society must -

- (a) provide a cash float that meets the requirements of rule 15; and
- (b) ensure that the cash float is not funded from gaming machine proceeds.

#### **15 Sufficiency of cash float**

The venue operator or corporate society must ensure that the cash float is of a sufficient amount to enable -

- (a) hopper refills and the payment of cash prizes to players to be made in the course of the day-to-day operation of gambling equipment; and
- (b) the full amount of gaming machine profits for any specified period to be banked into the dedicated bank account referred to in section 104 of the Act, within the time period specified in regulations made under the Act, where total cash clearances minus float reimbursements do not equal gaming machine profits.

#### **16 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 15 is kept entirely separate from any other cash float or floats that may be required for any purpose other than class 4 gambling;
- (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*

### **17 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 a necessary task in connection with the day-to-day operation of the gambling equipment;
  - (b) in the case of keys giving access to sealed or locked areas (e.g. logic compartments or jackpot controllers), issued only to persons contracted to service gambling equipment at the class 4 venue and authorised by the corporate society in that regard, or to gambling inspectors or persons nominated by the Secretary;
  - (c) signed for by the user, and signed in when returned;
  - (d) locked away in a secure place when not in use, or in the immediate possession of the person who has signed for the keys; and
  - (e) accounted for at the beginning and end of every working day; and
  - (f) used only for the purpose intended or specified.
- (2) A gambling equipment key register must be kept at every venue. The register must record the following -
  - (a) the date and time the keys were issued and returned; and
  - (b) the name of the user; and
  - (c) the reason key access was required.

### **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 that operates in association with a cashless gaming machine system; or
- (c) a jackpot system

rule 17, with any necessary modifications, shall apply to any master or system cards that enable access to data or transactions to be performed. Any passwords or PIN numbers required to gain access to any such systems must be subject to a suitable password or PIN security policy.

### **19 Requirement for security seals and logs**

The venue manager must ensure that every item of gambling equipment that is required to have a security seal fitted is not played or operated unless the security seal is present and intact and that the details listed below have been recorded in a log kept available for inspection at the venue. Such a log must be kept separately for each individual gaming machine, and where applicable, each jackpot controller or other item of gambling equipment, and must record, as a minimum -

- (a) the date the seal was fitted;
- (b) the unique seal number;
- (c) by whom it was fitted; and
- (d) the reason it was fitted.

## **20 Damaged or removed security seal**

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

- (a) the relevant gambling equipment is switched off and not used; and
- (b) the corporate society is immediately notified (*refer to rule 94*).

## **21 Obligations of key persons**

Every member of venue personnel and every person contracted to service gambling equipment must ensure that the security and integrity of gaming machines and gambling equipment is not compromised by -

- (a) ensuring that the gaming machine or gambling equipment is securely locked; and
- (b) immediately reporting to the venue manager, or person for the time being 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, or
  - (ii) any apparent damage, tampering, or suspected faults or malfunctions of gambling equipment.

## **22 Remedy of breach**

A person to whom a report is made under rule 21(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 in accordance with the instructions specified on that report.

### *Record keeping - general requirements*

## **23 Standard gaming machine accounting reports**

The corporate society and the venue manager must ensure that the relevant standard gaming machine accounting reports, as made available by the Secretary, are fully, accurately and correctly completed and maintained at all times in accordance with the requirements of the relevant rules. These include, but are not limited to:

- (a) in the case of gaming machines -
  - (i) Cash Clearance Details Reports;
  - (ii) Cancelled Credit, Short Pays and Refills Reports;
  - (iii) Weekly Gaming Machine Profits Reports and, where applicable, Weekly Gaming Machine Profits Summary Reports; and

- (iv) Gaming Machine Analyses, or, where applicable, Cashless Gaming Machine Analyses.
- (b) in the case of linked jackpot systems –
  - (i) Daily Jackpot Turnover Reports;
  - (ii) Daily Jackpot Cancelled Credit Reports;
  - (iii) Weekly Jackpot System Analysis Reports (where required)
- (c) in the case of all gambling equipment -
  - (i) Gambling Equipment Fault/Player Dispute Reports;
  - (ii) Unpaid Prize Reports.

These reports are available on the Department's website at <http://www.dia.govt.nz>.

## **24 Electronically generated reports**

Rule 23 does not prohibit the generation or partial completion of the required gaming machine accounting reports electronically, whether by the gambling equipment itself or by an approved electronic management system, or as part of a separate computer accounting program where base gaming machine or gambling equipment meter information is input, subject to the following conditions:

- (a) the reports must comply in all respects with the format specified by the Secretary and record the same information;
- (b) appropriate procedures for gathering and analysing required data and information, for example actual cash counts and verification of current meter readings are adhered to;
- (c) any source records from which data was derived or entered must be preserved and retained with the relevant reports and forms;
- (d) electronically generated reports must be printed out on the date they were compiled, checked for clarity and accuracy, compared with source meter readings and signed and dated by the person responsible for their compilation;
- (e) printed copies must be retained and may not be substituted by a later-generated version;
- (f) paper used must not be of the thermal or light sensitive type;
- (g) 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
- (h) a subsequent, corrected copy may be printed out and kept with the original record for purposes of clarity only.

## **25 Use of jurisdictional meters**

To avoid doubt, every reference to electronic (or soft) meters, the reading and recording of such meters and associated processes or procedures in this part of the rules refers to those meters that are jurisdictional meters only. Where any gambling equipment is equipped with period meters, these meters may not be used as a substitute for, or an alternative to jurisdictional meters.

## **26 Installation or removal of gaming machines**

When any gaming machine is:

- (a) installed at a class 4 venue; or
- (b) removed (either permanently or temporarily) from a class 4 venue; or
- (c) has its configuration changed,

the venue manager must 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 on the appropriate gaming machine accounting reports before commencement of play on the gaming machine or following final operation, as the case may be.

## **27 Servicing and testing of gaming machines or linked jackpot systems**

(1) Where any gaming machine or linked jackpot system is to be serviced or tested, and the service or testing involves either a RAM clear or replacement of a jackpot controller to be performed, the venue manager must ensure that:

- (a) all relevant meter readings and/or jackpot data are recorded as closing readings on every current gaming machine accounting report that is required to be kept for that machine or jackpot system, including, but not limited to -
  - (i) Cash Clearance Details Report;
  - (ii) Cancelled Credit, Short Pays and Refill Report;
  - (iii) Weekly Gaming Machine Profits Report;
  - (iv) Gaming Machine Analysis or Cashless Gaming Machine Analysis;
  - (v) Daily Jackpot Turnover Report; and
  - (vi) Weekly Jackpot Systems Analysis.
- (b) all cash is removed from the hopper, bank note acceptor and cash box of any affected gaming machine, is counted and recorded on the appropriate reports; and
- (c) the relevant reports are endorsed "Final readings" and dated; and
- (d) all relevant opening meter readings or jackpot data are recorded on new gaming machine accounting reports before commencement of play.

(2) When any testing is carried out, the venue manager must ensure that -

- (a) the person contracted to service the gambling equipment:
  - (i) records any meter movements occasioned by the testing, except where the testing applies to coin or bank note acceptors where no game play is involved and the metered differences correspond with cash transactions; and
  - (ii) provides 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, resets the jackpot system and reinstates the jackpot pool value to the value shown prior to the test.
- (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 in accordance with rule 85.

## **28 Installation of jackpot system**

Where any linked 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 on the applicable gaming machine accounting forms;
- (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 that they are clearly visible to players of the individual machines; and
- (c) player instruction notices that conform to rule 29 are displayed in the gaming area of the venue.

## **29 Player instruction notices**

The player instruction notices referred to in rule 28(c) must contain the following -

- (a) the minimum start-up value of each jackpot level;
- (b) the maximum prize that can be won at each jackpot level;
- (c) the increment rate of the jackpot pool, expressed as a percentage of gaming machine turnover;
- (d) information on how to identify which particular gaming machines at the venue are jackpot connected. It is sufficient if the Jackpot Identification Number is described in such a manner that it can be clearly and uniquely identified by players as representing that the particular machine is connected to the linked jackpot system;
- (e) information on how to correctly identify any jackpot wins awarded to a particular gaming machine during play;
- (f) a warning for a player not to leave any jackpot connected gaming machine for a period of at least 60 seconds after play has ceased on that machine and not before the player has checked the jackpot display for any wins awarded after cessation of play; and
- (g) a statement that any malfunction of the jackpot system voids all jackpot pays and plays.

## **30 Change, replacement, decommissioning of jackpot system**

Where parameters of an existing linked jackpot system are to be changed, or the system is to be replaced by another system, or de-commissioned entirely, the corporate society must ensure that -

- (a) the current jackpot pool values are, wherever practicable, transferred to the new system or configuration; and
- (b) where the new jackpot or parameter set has a lesser 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; and
  - (iv) the combined pool values available to be won must not exceed the maximum prize limit for jackpots; or
- (c) where such a transfer is not possible, or where the system is to be de-commissioned, the current major jackpot pool is played out before the change, replacement or de-commissioning takes place; or
  - (d) where it is not possible to play out the current pool, the venue manager must prominently display a notice at least 7 days in advance, of the intention to change, replace or de-commission the linked jackpot system within the gaming area of the class 4 venue; and
  - (e) all required reports for the jackpot system or systems in question are either commenced or terminated with the opening or closing meter readings and jackpot display pool values as the case may be and are endorsed by the gambling equipment service contractor with the reason.

### **31 Installation or decommissioning of cashless system**

Where any cashless gaming machine system is either installed or de-commissioned at any venue, the venue manager must ensure that -

- (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; and
- (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; and
- (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.

### *Cash clearances*

### **32 Venue manager's responsibilities**

The venue manager shall be responsible for ensuring that the removal of all cash from gaming machines is carried out in accordance with these rules.

### **33 Details to be recorded at the time**

Full details, including relevant meter readings, must be recorded at the time of the clearance on the Cash Clearance Details Report.

### **34 Separate report for each machine**

A separate Cash Clearance Details Report must be kept for each individual machine.

### **35 Timing of cash clearances**

Scheduled cash clearances must be carried out at times when there is minimum risk of disruption or interference with regard to the safety of venue staff and security of money.

### **36 Counting of money**

Wherever reasonably practicable, removal and counting of money from gaming machines must be performed by at least two people, who shall cross check and verify each other's calculations and the relevant meter readings.

### **37 Frequency of clearances**

- (1) Cash boxes and bank note acceptors must be emptied at intervals consistent with keeping cash floats to a minimum and in meeting banking requirements under section 104 of the Act and any applicable regulations, game rules or licence conditions.
- (2) Cash boxes and bank note acceptors of all gaming machines at every class 4 venue must be cleared and counted as a minimum -
  - (a) after the finish of the day's last play and before the commencement of the next day's play to coincide with the completion of Gaming Machine Analyses required under rule 60; and
  - (b) in any of the situations detailed in rules 26, 27, 31, or 61.

### **38 Responsibility for cash**

All cash removed from gaming machines is the responsibility of the venue operator until such time as it is banked in accordance with the requirements of the Act and any relevant rules, regulations or licence conditions.

## *Hopper refills*

### **39 Basic requirements**

Money must not be taken directly from any gaming machine for the purpose of providing hopper refills. Where a hopper refill is required and there is insufficient money in the cash float, a cash clearance must first be performed and recorded in accordance with rules 32 to 37.

### **40 Instructions and authorisation**

The corporate society and the venue manager must ensure that -

- (a) clear and comprehensive instructions for carrying out hopper refills are provided for each type of gaming machine at a venue; and
- (b) only authorised venue personnel can carry out the task of performing hopper refills.

#### **41 Recording requirements**

Every person performing a hopper refill must fully record the required details on the Cancelled Credit, Short Pays and Refills Report form for the particular gaming machine at the time the refill is carried out.

#### **42 Procedure**

Venue managers or authorised venue personnel performing hopper refills must ensure that -

- (a) a refill is actually required by checking for coin jams and hopper jams, and confirming that the hopper is in fact empty; and
- (b) every refill is correctly registered on the gaming machine meters; and
- (c) the main door of the gaming machine is securely locked before leaving the machine.

#### *Cancelled Credits and manual payments*

#### **43 Basic 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. Where a manual payment is required and there is insufficient money in the cash float, a cash clearance (or clearances) must first be performed and recorded in accordance with rules 32 to 37.

#### **44 Cheque payments**

- (1) The corporate society or the venue operator may allow for payments to be made by cheque. Where this method of payment is used, cheques must be not be drawn from the following accounts;
  - (a) the dedicated accounts established for banking gaming machine profits or other proceeds in terms of sections 104 or 105 of the Act, or
  - (b) any personal account.
- (2) The account that is drawn down may be reimbursed after cash clearances are performed and recorded in accordance with rules 32 to 37.

#### **45 Instructions and authorisation**

The corporate society and the venue manager must ensure that -

- (a) clear and comprehensive instructions for the relevant cancelled credit and/or jackpot reset procedures are provided for each type of gaming machine and linked jackpot system at a venue; and
- (b) only authorised venue personnel perform cancelled credit and/or jackpot reset procedures.

#### **46 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 and Refills Report form.

#### **47 Separate reports**

A separate Cancelled Credit, Short Pays and Refills Report must be maintained for each gaming machine with a cancelled credit facility.

#### **48 Jackpot systems**

For linked jackpot systems that do not award jackpot wins directly to a connected gaming machine for payout, the form Daily Jackpot Cancelled Credit Report must be used.

#### **49 Procedure**

Venue managers and authorised 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;
- (b) in the case of a gaming machine, ensure that the collect button has been pressed;
- (c) request the player not to touch the machine until the pay-out has been completed;
- (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 or Daily Jackpot Cancelled Credit Report form;
- (e) have the player confirm the amount payable;
- (f) follow the manufacturer's recommended procedure to cancel the credits awarded by the gaming machine or reset the linked jackpot system, as appropriate;
- (g) in the case of a gaming machine, ensure that the player credit meter has decremented, put the machine into Audit mode, record the electronic (soft) 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;
- (h) obtain the player's name and signature on the appropriate Cancelled Credit, Short Pays and Refill Report or Daily Jackpot Cancelled Credit Report in acknowledgement of receipt of payment;
- (i) sign or initial the relevant entry when the procedure is complete; and
- (j) ensure, before leaving the gaming machine, that the machine 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 up and down*

### **50 Rounding of monetary values**

The amount, in dollars and cents, of any prize payable in cash must be rounded to the nearest 5 cents until such time as the 5 cent coin ceases to be legal tender, in which case it must be rounded to the nearest 10 cents.

## *Short pays*

### **51 Less than \$10**

- (1) When a player claims that 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 member of the venue personnel for the time being in charge of the gambling operation 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; or
  - (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; or
    - (ii) has any other good reason to believe that a short pay correction payment should not be made immediately,the procedure prescribed in rule 52 must be followed.

### **52 More than \$10**

Where a short pay claim is greater than \$10 or rule 51(2) applies, the venue manager or member of the venue personnel for the time being in charge of the gambling operation must: -

- (a) record the required details on a Gambling Equipment Fault/Player Dispute Report;
- (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;
- (c) at the first available opportunity, complete a shortened version of the Gaming Machine Analysis, as prescribed in rule 61 to establish or negate the fact that a short pay has occurred;
- (d) inform the player of the result, and if applicable, pay any outstanding amount from the gaming machine float; and
- (e) 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.

## *Calculation of gaming machine profits*

### **53 Method**

Gaming machine profits in relation to any period and any class 4 venue, shall be calculated by deducting the increase in metered total wins from the increase in metered turnover for each gaming machine operated at that venue during the relevant period, except where –

- (a) a linked jackpot system is operated at the venue and does not update the total wins meters of connected gaming machines, the prizes awarded by the jackpot system during that period shall additionally be deducted from metered turnover;
- (b) for any reason, a prize payment is not made to a player during the relevant period, the amount of the prize shall not be deducted from metered turnover for that period; and
- (c) due to any fault, malfunction, damage to or loss of gambling equipment, metered increases are unable to be reliably established, in which case gaming machine profits are to be calculated in accordance with a method determined by the Secretary.

### **54 Timing prior to EMS connection**

- (1) Gaming machine profits must be calculated for each venue for every period of seven days commencing on a Monday and finishing on a Sunday.
- (2) Gaming machine profits must be determined at the close of play on each Sunday.
- (3) This rule does not apply to the final period of operation immediately preceding connection of gambling equipment at the venue to the electronic monitoring system, when gaming machine profits must be determined as at the close of play on the actual day of connection and before the equipment is disabled to allow connection.

### **55 Reports to be used**

The standard forms Weekly Gaming Machine Profits Report and, where applicable, Weekly Gaming Machine Profits Summary Report must be used to calculate and record gaming machine profits for every class 4 venue. The original forms must be forwarded to the corporate society.

### **56 Use of Summary Reports**

A Weekly Gaming Machine Profits Summary Report must be used where -

- (a) more than a single Weekly Gaming Machine Profits Report is required; or
- (b) the venue operates a linked jackpot system, where win information is not downloaded to connected gaming machines; or
- (c) any necessary and valid adjustment to the weekly amount to be banked is required to be made. In such cases, the reason for the adjustment must be fully documented and kept with the relevant Weekly Gaming Machine Profits Report(s) and Weekly Gaming Machine Profits Summary Report.

### **57 Timing – with jackpot systems**

Where a linked jackpot system is operated at any venue and a Weekly Jackpot System Analysis report is required, the Weekly Gaming Machine Profits Report must be completed in conjunction with the Weekly Jackpot System Analysis report so that the periods covered by both reports are the same.

### **58 Timing – with Gaming Machine Analyses**

Gaming machine meter readings taken for the purpose of establishing gaming machine profits and completing Weekly Gaming Machine Profits Reports must be recorded in conjunction with the equivalent meter readings required for the completion of Gaming Machine Analyses for any corresponding period.

### *Banking of gaming machine profits*

### **59 Weekly reconciliation of bank deposits**

Where gaming machine profits are banked other than by a single amount representing the total amount for any week, the venue manager and the corporate society must ensure that:

- (a) deposit slips, annotated bank statements or other evidence identifying the dates and amounts relating to that period are retained; and
- (b) a reconciliation of bank deposits with the total weekly gaming machine profit amount is carried out and recorded on the relevant Weekly Gaming Machine Profit Summary Report; and
- (c) where previous interim bank deposits amount to less than the calculated weekly total, the final deposit for that week is equal to the outstanding balance; and
- (d) where previous interim bank deposits exceed the calculated weekly total, the excess amount banked is deducted by way of an adjustment to the banking for the next weekly period.

### *Gaming Machine Analysis*

### **60 Basic requirements**

A Gaming Machine Analysis report must be completed -

- (a) as a minimum, for every gaming machine operated at a class 4 venue, at regular consecutive intervals of no less than 12 times per annum and once per month; and
- (b) for any gaming machine in any of the circumstances detailed in rules 26 or 27; or
- (c) when there is reason to believe that any fault or malfunction is occurring or has occurred in the operation of a gaming machine; or
- (d) when any irregularity in respect of any cash transaction relating to the operation of a gaming machine has, or is suspected of having occurred.

## **61 Short pay investigation**

Without limiting rule 60(c) or (d), a shortened version of the Gaming Machine Analysis report may be completed for the sole purpose of verifying a short pay claim. Such an analysis shall only require the following data:

- (a) coins in meter readings (recording opening, closing and the difference between the two);
- (b) coins out meter readings (recording opening, closing and the difference between the two);
- (c) hopper refill meter readings (recording opening, closing and the difference between the two);
- (d) cash box meter readings (recording opening, closing and the difference between the two);
- (e) a physical count of coins contained in the hopper; and
- (f) a physical count of coins contained in the cash box,

where, in each case, the opening meter reading or count is that recorded on the most recently completed Gaming Machine Analysis and the closing meter reading or count is that performed in the course of completing the analysis.

## **62 Data collection**

Gaming Machine Analysis reports must be completed using data obtained directly from -

- (a) the actual gaming machine meter readings; or
- (b) where, by the use of any computer program or electronic management system, any meter readings are predicted or projected by any means, the readings shown by that program or system must be compared with the actual meters displayed on or by the gaming machine itself, and where there is any variance the actual, current meter reading shall be recorded for the purposes of analysis; and
- (c) the relevant reports, including Cash Clearance Details Reports, Cancelled Credit, Short Pays and Refill Reports, where the data relates to cash transactions; and
- (d) physically counting or weighing the coins contained in the hopper.

## **63 Copies**

Where any aspect of a Gaming Machine Analysis is performed by any person other than the venue manager or a member of the venue personnel at the class 4 venue, a copy of the completed analysis form must be provided to -

- (a) the venue manager; and
- (b) the corporate society.

## **64 Faults or malfunctions**

Where an anomaly or discrepancy exceeding \$10 in value is disclosed by the completion of a Gaming Machine Analysis and it is believed that the anomaly or discrepancy was caused or contributed to by a fault or malfunction of a gaming machine or any gambling equipment connected to that gaming machine, then the following action must be taken:

- (a) the person conducting the analysis must immediately inform the corporate society and the venue manager; and
- (b) the venue manager must ensure that the gaming machine and/or gambling equipment is immediately switched off and not put back into service until it has been examined by a person contracted to service gambling equipment and any fault or malfunction rectified.

## **65 Application to cashless systems**

Rules 60 and 62 to 64 shall apply, with any necessary modifications, to cashless gaming machine systems. The form Cashless Gaming Machine Analysis shall be used for this purpose. This form must be used in addition to any procedures and reports required by the cashless system itself.

### *Linked jackpot systems*

## **66 Instructions and authorisation**

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

- (a) comprehensive user manuals or operating instructions are available at the venue; and
- (b) only authorised venue personnel perform any operating requirements in respect of the linked jackpot system.

## **67 Jackpot display**

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

- (a) the jackpot prize amount currently available;
- (b) each prize level if there is more than one; and
- (c) in the event of a win, which connected gaming machine struck the jackpot.

## **68 Turnover reconciliation**

Every 24 hours, the venue manager must ensure that a reconciliation between gaming machine turnover activity as established by each linked gaming machine's electro-mechanical (hard) turnover meter, and turnover activity recorded by the jackpot controller is carried out. The form Daily Jackpot Turnover Report shall be used for this purpose.

## **69 Weekly Jackpot System Analysis**

Unless the system automatically downloads win information to connected gaming machines, a Weekly Jackpot System Analysis report must be completed in respect of every linked jackpot system and in conjunction with a Weekly Gaming Machine Profits Report for the venue.

## **70 Daily Jackpot Cancelled Credit Report**

A Daily Jackpot Cancelled Credit Report must be used to record all prize payments generated by a linked jackpot system, unless the system automatically downloads win information to connected gaming machines.

## **71 Investigation of variances**

The venue manager must immediately investigate any variances disclosed from the completion of either the Daily Jackpot Turnover Report or Weekly Jackpot System Analysis.

## **72 Unresolved variances**

Where variances investigated under rule 71 cannot be resolved and are of an amount exceeding \$10, 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, or
- (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, or
- (c) switch off and remove from play all jackpot linked gaming machines from operation if there are no prescribed procedures for disabling the jackpot system or disconnecting linked gaming machines.

## **73 Shut down or disconnection**

Where as a result of the application of rule 72, any jackpot system shut down or gaming machine disconnection takes place, the venue manager must ensure that -

- (a) all available meter readings and any jackpot display data are recorded on the relevant reports;
- (b) notices informing players of the jackpot system shut down and/or gaming machine disconnection are displayed in the gaming area of the venue;
- (c) a Gambling Equipment Fault/Player Dispute Report is commenced;
- (d) the person contracted to service gambling equipment at the venue is informed; and
- (e) the corporate society is notified.

## **74 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 72 to be put back into operation until such time as it has been examined by a person authorised by the manufacturer or distributor of the jackpot system or a person contracted to service gambling equipment, as may be applicable and the fault resolved.

## **75 Faults or malfunctions**

If there is any indication that a linked jackpot system is faulty or is malfunctioning, rules 72 to 74 shall apply. Indications of a malfunction include but are not restricted to: -

- (a) error messages shown on the jackpot display;
- (b) jackpot display not lit, or not incrementing when connected gaming machines are being played;
- (c) jackpot reset switch does not carry out the required function;
- (d) prizes are awarded to a gaming machine that is not in play; or
- (e) prizes are awarded that are not consistent with the levels or parameters at which the system is set to operate.

## **76 Recording of faults or malfunctions**

The venue manager must ensure that all faults or malfunctions of a linked jackpot system are recorded on a Gambling Equipment Fault / Player Dispute Report.

## **77 Absent player**

- (1) In the event that 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 –
  - (a) record details of the displayed win on the relevant Daily Jackpot Cancelled Credit Report or Cancelled Credit, Short Pays and Refill Report as applicable; and
  - (b) endorse the entry “*Non-paid jackpot*” with the reason; and
  - (c) enter the relevant details on an Unpaid Prize Report; and
  - (d) reset the jackpot system.
- (2) In addition, the venue manager must ensure that the amount of any non-paid jackpot is recorded as an adjustment on the relevant Weekly Gaming Machine Profits Summary Report.

## *Cashless gaming machine systems*

## **78 Instructions and authorisation**

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

- (a) comprehensive user manuals or operating instructions are available at the venue; and
- (b) only authorised venue personnel perform any operating requirements in respect of the system.

## **79 System generated reports and back up of system data**

The venue manager must ensure that -

- (a) player transaction activity, till balance, daily clearance reconciliation and any other required system generated daily reports are printed out on a daily basis; and
- (b) the print outs are retained in a secure area at the venue for a period of 14 days following the completion of Cashless Gaming Machine Analyses; and
- (c) an automatic 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 site.

## **80 Malfunctions**

Any malfunctions of cashless gaming machine systems must be recorded as they occur or are detected in a faults register, which must be kept at the venue. Where a fault or malfunction has potential to impact upon the operation or integrity of gambling equipment to which the system is connected, rules 71 to 76, with any necessary modifications, shall apply.

## **81 Weekly Gaming Machine Profits Report**

A Weekly Gaming Machine Profits Report and where required, a Weekly Gaming Machine Profits Summary Report must be completed for every venue that operates a cashless gaming machine system in accordance with rules 53 to 58 in the same manner as for a non-cashless gaming machine operation. In addition to these requirements, any system generated weekly log must be printed out and retained with the applicable Weekly Gaming Machine Profits Report and/or Weekly Gaming Machine Profits Summary Report.

### *Player disputes*

## **82 Notification**

If a player wishes to dispute:

- (a) the result of a game played on a gaming machine; or
- (b) a prize awarded or not awarded by a linked jackpot system; or
- (c) the payment of a prize which he or she believes is payable under rule 10; or
- (d) claims that a gaming machine has paid out an incorrect amount of money,

the player, or a person acting on that player's behalf, must notify the venue manager and/or a member of the venue personnel as soon as is reasonably practicable.

## **83 Suspected malfunction**

Where a venue manager or member of the venue personnel receives notification pursuant to rule 82, he or she 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;

- (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;
- (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;
- (d) check for any indications of the gambling equipment having been tampered with;
- (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;
- (f) if the dispute relates to a linked jackpot system which is able to produce a computerised history file, review this history file; or
- (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 computer records.

#### **84 Further action by venue manager or personnel**

- (1) If a player dispute notified and attended to pursuant to rules 82 or 83 is not capable of immediate resolution, the venue manager and/or member of 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;
  - (b) recording full details of the nature of the dispute, including the date and time;
  - (c) interviewing any witnesses or collecting any information that may be relevant.
- (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); and
  - (b) switch off, and remove the gaming machine or gambling equipment from service and put an *out of order* notice on it; and
  - (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 (*see rule 91*); and
  - (b) advise the player that he or she will be notified of the outcome of the further investigation; and
  - (c) where applicable, complete an Unpaid Prize Report.

## *Unpaid winnings, money found inside gaming machines*

### **85 Unpaid winnings**

Any unpaid winnings, whether arising from the application of rules 3, 11, 27(2)(b), 52 or section 305 of the Act (under-age gambling), or for any other reason, must be -

- (a) recorded on an Unpaid Prize Report, and
- (b) shown as unpaid prizes on the applicable Weekly Gaming Machine Profits Summary Report and consequently treated as net proceeds of class 4 gambling.

### **86 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) if the credits are less than the value of the lowest denomination of coin that can be accepted by the machine, they must be left on the machine for the benefit of the next player;
- (b) if the credits exceed the value of the lowest denomination of coin that can be accepted by the machine, the finder must inform the venue manager or member of the venue personnel for the time being in charge of the gaming machine operation;
- (c) the venue manager or member of the venue personnel shall press the collect button and remove the cash from the gaming machine, leaving any remaining credits on the machine for the benefit of the next player;
- (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; and
- (f) if the money is not claimed within this period it must be shown as an unpaid prize on the next Weekly Gaming Machine Profits Summary Report and treated as net proceeds of class 4 gambling.

### **87 Loose coins inside main body**

Where loose coins are found inside the main body of any gaming machine, and it is uncertain whether they were destined for the hopper or cash box, they must be placed into the cash box.

### **88 Loose coins inside cash box compartment**

Where loose coins are found inside the cash box compartment of a gaming machine, they must be placed into the cash box.

## **89 Loose bank notes**

Where any loose bank notes are found inside a gaming machine with a bank note acceptor -

- (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 and/or any data recorded by the gaming machine as to number and denomination of bank notes accepted; and
- (b) a Gambling Equipment Fault/Player Dispute Report must be commenced; and
- (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; and
- (d) where the owner of the bank note or notes cannot be determined and/or the note is of a different denomination to that accepted by the gaming machine, the finding of the note is to be recorded on the Cash Clearance Details Report for the particular machine, and included as an adjustment on the relevant Weekly Gaming Machine Profits Summary Report.

## Part 3

### **Rules relating to systems, processes, information and documentation to be employed by holders of class 4 venue licences**

#### *Records*

#### **90 Key persons**

All 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 all class 4 venue licences held by the corporate society; and
- (b) every person authorised by the corporate society to have access to the interior of gambling equipment for purposes connected with the day-to-day operation of the equipment (i.e. hopper refills, cash clearances); and
- (c) every person authorised by the corporate society to have access to logic compartments of gaming machines or gambling equipment.

#### **91 Player disputes**

All corporate societies must ensure that -

- (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 that 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.

#### **92 Exclusion orders**

Every corporate society must keep and ensure that every venue manager at each of its class 4 venues keeps at that venue, a record of every person issued with an exclusion order from that venue issued under section 309 or 310 of the Act, including any conditions of re-entry as may be imposed by regulations made under section 316(1)(e) of the Act. Such records must be kept at least for the currency of the exclusion order.

#### *Irregularities*

#### **93 Discrepancies or anomalies**

Where any discrepancy or anomaly is detected in relation to a gaming machine, linked jackpot system or cashless system that involves \$10 or more, the corporate society must ensure that -

- (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.

#### **94 Security seal breaches**

Upon being notified of a security seal anomaly pursuant to rule 20 or 22, the corporate society must -

- (a) investigate the reason for the removal, breakage, tampering, or failure to account for the seal as appropriate; and
- (b) arrange for verification of the software of the affected gambling equipment by the manufacturer or distributor of that equipment or by a person authorised on their behalf; and
- (c) not permit the operation of the affected gambling equipment until such time as -
  - (i) the verification process has taken place and the software has been verified as correct in all respects; or
  - (ii) the software has been replaced with identical software provided by the manufacturer or distributor of the gambling equipment; and
  - (iii) the investigation of the breakage or tampering has been concluded and any deficiencies in security seal management have been rectified.

#### **95 Investigation**

Where an investigation under rule 94 discloses an attempt to interfere with the operation or functions of the gambling equipment, the corporate society must -

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

#### **96 Payment of deferred winnings**

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

#### **97 Refunds received**

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

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

## *Reporting requirements*

### **98 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 to the 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 any class 4 venue of the corporate society to comply with banking requirements under section 104 of the Act, regulations, game rules or licence conditions;
- (c) every incident of late banking, failure to bank or short banking, including the action taken by the corporate society.

## Part 4

### **Rules relating to systems, processes, information and documentation associated with the electronic monitoring of gambling equipment at class 4 venues**

#### **99 Interpretation**

In this Part, unless the context otherwise requires –

***Daily Gaming Machine Meter Totals Snapshot*** - means an EMS report providing a snapshot of meter totals captured during a daily polling session

***Daily Jackpot Data*** – means an EMS report providing a daily record of jackpot turnover, jackpot pool display values and jackpot wins

***downloadable jackpot system*** - means a jackpot system that has two way communication with gaming machines to which it is connected, and is able to download jackpot information to designated gaming machine accounting meters

***electronic monitoring equipment*** - means any cabling, interface device, site controller, network communications device, computer or associated equipment that is used by the electronic monitoring system

***electronic monitoring services*** - means services provided by a monitor in connection with an electronic monitoring system

***electronic meter access*** - means a facility for current “raw” gaming machine meter and jackpot data to be downloaded from an EMS site controller using a connected personal computer located at a venue

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

***EMS Host system*** - means a computer or computers and associated equipment or devices that provide a central processing system for receiving, processing, validating, storing and disseminating data collected by an electronic monitoring system

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

***Meter and GMP Adjustment Data Posted*** - means an EMS report, generated daily, detailing meter and gaming machine profit adjustments posted by the monitor

***monitor*** - means the person appointed by the Secretary under section 88 of the Act to implement and operate an electronic monitoring system and associated services

***monitor service personnel*** - means persons employed by, or contracted to the monitor, and authorised by the monitor in that regard, to perform installation, service and repair functions in relation to the monitor’s components of the electronic monitoring system

***non-downloadable jackpot system*** – means a jackpot system that has only one way communication with connected gaming machines and does not affect gaming machine accounting meters

***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

***Secretary's date*** - means the date determined by the Secretary as the date upon which any class 4 venue will be connected to the electronic monitoring system

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

- (a) monitors and controls gambling equipment; and
- (b) collects, redundantly stores, and transfers meter and event data from gambling equipment to the EMS host system; and
- (c) receives data, parameters and instructions (including enablement and disablement) from the EMS Host system and transmits them to connected gambling equipment

***Weekly Banking Reconciliation*** – means a report showing the amount of gaming machine profits determined by EMS and individual venue bankings

***Weekly Venue Activity (Venue Level)*** - means an EMS report showing net turnover, total wins and jackpot meter values for each gaming machine operated 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 operated at all of a corporate society's venues

***Weekly Jackpot Reconciliation*** – means an EMS report providing reconciliation between jackpot pool amounts available and jackpot pool amounts actually awarded by the system.

## *Commencement*

### **100 When this Part comes into effect**

This Part of the rules shall come into effect from the Secretary's date, and is supplementary to Parts 1, 2 and 3.

## *Transitional matters*

### **101 Action prior to EMS connection**

Prior to the connection of gambling equipment to the electronic monitoring system at a venue, the corporate society and venue manager (or member of venue personnel for the time being in charge of the gambling operation at the venue) must ensure that all of the following steps take place –

- (a) all play on gambling equipment is terminated;

- (b) all cash is removed from all hoppers, bank note acceptors and cash boxes of gaming machines;
- (c) all cash removed is recorded on the appropriate gaming machine accounting reports;
- (d) all required gambling equipment meter readings, both electronic and electro-mechanical (soft and hard), and details of cash removed that are necessary to complete any gambling equipment accounting reports that have been started, or are required for the immediately preceding period of operation are recorded on the relevant gaming machine accounting reports. This includes –
  - (i) Cash Clearance Details Reports;
  - (ii) Cancelled Credit, Short Pays and Refills Reports;
  - (iii) Weekly Gaming Machine Profit Reports and/or Weekly Gaming Machine Profit Summary Reports;
  - (iv) Gaming Machine Analyses;
  - (v) Daily Jackpot Turnover Reports (where applicable);
  - (vi) Daily Jackpot Cancelled Credit Reports (where applicable);
  - (vii) Weekly Jackpot Systems Analyses (where applicable);
- (e) all reports are correctly completed and are endorsed “*Final report pre-EMS*”;
- (f) all gambling equipment is switched off and not returned to play mode;
- (g) a full reconciliation of the reports and the cash float is carried out,
- (h) where necessary, any investigations into anomalies or discrepancies arising from the completion of any reports or reconciliation are initiated so as to enable the full and correct amount of gaming machine profits for the final period to be banked within 5 working days of the day on which the reports were compiled;
- (i) no gambling equipment that is known or suspected to be faulty is to be connected to the electronic monitoring system; and
- (j) no gambling equipment is made available for play until after successful connection to the electronic monitoring system.

## **102 Notification to the Secretary**

Where, under rule 101(h) -

- (a) any anomaly or discrepancy disclosed in the reports exceeds \$10 and is unable to be resolved; and/or
- (b) the correct amount of gaming machine profits is unable to be determined within the required time period,

full details, including copies of any relevant records or reports must be notified to the Secretary.

## *Accessibility of EMS reports*

### **103 Checking of web site**

- (1) The venue manager or member of venue personnel for the time being in charge of the gambling operation must access and check the venue's web site page at <http://www.ems.govt.nz> on a daily basis and notify the EMS Help Desk if any current venue daily, weekly or monthly EMS reports have not been updated or are unavailable.
- (2) The corporate society must access and check the society's web site page on a daily basis and notify the EMS Help Desk if any current society daily, weekly or monthly EMS reports have not been updated or are unavailable.

## *Unavailability of EMS reports*

### **104 Temporary unavailability or no access to reports and data**

In the event that -

- (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 to be acted upon or completed; or
- (b) access to EMS data is not possible for any other reason,

this part of the rules shall cease to have effect, and Parts 1, 2 and 3 as may be relevant shall apply, unless otherwise specified in these rules. Once EMS is able to resume providing required information, report(s) or data, Part 4 of these rules comes back into effect.

## *Special requirements*

### **105 Switching off site controllers and other equipment after EMS connection**

- (1) Site controllers must not be switched off at any time unless under instructions from the monitor or by monitor service personnel.
- (2) EMS wide area network communications equipment such as routers or network terminating units must not be switched off unless under direct instructions from the monitor or by monitor service personnel or by telecommunications service personnel representing the company or entity providing the equipment.
- (3) Where it is required to switch off an individual gaming machine or machines, either to comply with these rules, or for any other necessary purpose, the internal power supply switch must be used.

*Note: Disconnection from or switching off the external power supply to any gaming machine will have the effect of disabling all gaming machines on the same fibre optic loop.*

## *Security of electronic monitoring equipment*

### **106 Security and issue of keys**

- (1) The venue manager must ensure that the keys to site controller holding cabinets are only issued to -
  - (a) authorised venue personnel;
    - (i) acting under the direct instructions of the monitor, or
    - (ii) for fault finding purposes, or
    - (iii) for security seal inspection; or
  - (b) monitor service personnel; or
  - (c) gambling inspectors or persons nominated by the Secretary.
- (2) The requirements of rule 17 including the requirement to record details in a key register shall apply. For the purposes of this rule, the key register may be the same as that required by rule 17.

### **107 Site controller security seal**

The venue manager must ensure that the site controller has the monitor's security seal properly affixed and that the details listed below have been 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
- (c) by whom it was fitted; and
- (d) the reason it was fitted.

### **108 Damaged site controller security seal**

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 Help Desk and corporate society are immediately notified; and
- (b) play on all gambling equipment connected to the site controller is suspended.

### **109 Obligations of key persons**

Every member of venue personnel and every person contracted to service gambling equipment must ensure that the security and integrity of electronic monitoring equipment is not compromised by –

- (a) ensuring that any site controller holding cabinet is securely locked; and
- (b) where any power failure or outage affecting the site controller occurs, checking that the site controller security seal is present and intact when power is restored; and
- (c) immediately reporting the following to the venue manager or person for the time being in charge of the gambling operation at the venue -

- (i) any potential breaches of security or integrity such as missing, faulty or broken locks or seals, or the loss of keys; and
- (ii) any apparent or suspected faults or tampering with any monitoring equipment, including site controllers, interfaces, cabling or network communications devices.

#### **110 Action on notification of potential breaches or faults**

A person to whom a report is made under rule 109(c) must –

- (a) immediately inform the EMS Help Desk; and
- (b) where the potential breach or fault involves monitoring equipment provided by the corporate society, immediately inform the corporate society; and
- (c) where the potential breach or fault involves monitoring equipment supplied by any other party, immediately inform that party; and
- (d) comply with any instructions issued by the monitor, corporate society or other party as the case may be; and
- (e) where applicable, record all relevant details on a Gambling Equipment Fault/Player Dispute Report.

#### **111 Password security**

- (1) The corporate society must develop and implement a suitable password security policy in order to ensure that only authorised society and venue personnel have access to the monitor's web site or EMS Help Desk services.
- (2) Such a security policy must include provisions to ensure accuracy of information, for example immediately notifying the monitor when a staff member leaves, or where a password may have been compromised.

#### **112 Responsibility of corporate society**

Where a potential breach of security or integrity affects electronic monitoring equipment located at a venue, the corporate society must comply with the requirements of rules 95 and 98 in regard to the investigation of the matter and notifying the Secretary.

#### *Faulty equipment*

#### **113 Responsibility for faults and defective equipment**

Responsibility for investigating and correcting any error, defect, fault condition or malfunction of any electronic monitoring equipment lies with -

- (a) the monitor in respect of components of electronic monitoring equipment that it provides; or
- (b) the corporate society in respect of any components of electronic monitoring equipment that it provides; or
- (c) the party owning or providing any component of electronic monitoring equipment in any other case.

## *Installation, servicing, repair or decommissioning of gambling equipment*

### **114 Action by venue manager**

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

- (a) inform the EMS Help Desk before such installation, servicing, repair, removal from service or decommissioning of any gambling equipment takes place; and
- (b) request the monitor to initiate unscheduled polling of the affected gambling equipment before and, where applicable, after the event; and
- (c) not permit the affected gambling equipment to be played until the monitor has confirmed successful data capture; and
- (d) in the case of jackpot equipment, either –
  - (i) record all applicable data by means of electronic meter access where this is provided, or
  - (ii) print out and retain any relevant jackpot system generated reports, or
  - (iii) complete the Daily Jackpot Turnover and Weekly Jackpot Systems Analysis Reports prescribed in Part Two of these Rules.

This rule does not detract from the venue manager's responsibility to ensure that opening and closing meter readings and other required data is recorded on the relevant gaming machine accounting reports, as required by rules 26 to 28 and 30 and 31 as applicable.

## *Record-Keeping*

### **115 Venue cabling diagram**

- (1) The venue manager must ensure that an up-to-date printed copy of the venue cabling diagram required by clause 8.3 of the Gambling Act (Class 4 Gambling Equipment) Minimum Standard 2004 (as amended) is kept at the venue in a secure place, in close proximity to the site controller.
- (2) The venue manager must immediately notify the EMS Help Desk of any changes to the venue configuration and diagram.
- (3) The corporate society must ensure that the record is stored and maintained in an electronic form, either at the venue or with the corporate society.

### **116 Jackpot identification**

- (1) Where a jackpot system is operated at any venue, 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 115.
- (3) The venue manager must immediately notify the EMS Help Desk of any changes to the record.

### **117 Recording of gambling equipment meters**

- (1) For the purposes 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 the timeliness and availability of that data; or
  - (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; or
  - (c) manually reading and transcribing the designated QCOM meters resident on gaming machines; or
  - (d) where the equipment is not connected to the electronic monitoring system, manually reading and transcribing the jurisdictional 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.
- (2) In the event of an electrical power system failure, or where for any other reason the electronic meters of any gaming machine are unable to be accessed at any time meter information is required to be recorded, the equivalent electro-mechanical gaming machine meters (hard meters) where provided must be used.

### **118 EMS reports not subject to rule 24**

The requirements of rule 24 in relation to electronically generated reports do not apply to reports provided by the electronic monitoring system.

### *Jackpot Systems*

### **119 Downloadable jackpot systems**

Where a downloadable jackpot system is operated at any venue the venue manager must -

- (a) every 24 hours, ensure that a reconciliation between jackpot connected gaming machine turnover activity as established by the gaming machines' electro-mechanical (hard) turnover meters, and the turnover activity recorded by the jackpot controller is carried out. The form Daily Jackpot Turnover Report shall be used for this purpose; and
- (b) if any variances are disclosed, the venue manager must investigate the matter and follow the procedures detailed in rules 72 to 76 inclusive in Part 2 of these Rules.

## **120 Non-downloadable jackpot systems - daily requirements**

Where a non-downloadable jackpot system is operated at any venue, the venue manager must -

- (a) access the venue's Daily Jackpot Data report each day from the EMS website at <http://www.ems.govt.nz> and -
  - (i) check that the report shows turnover increases from connected gaming machines, unless there has been no play on the particular machine during the report period; and
  - (ii) compare the data relating to jackpot wins by individual gaming machines with the Daily Jackpot Cancelled Credit Report relating to the particular machine.
- (b) In the event that any variances are shown by the report;
  - (i) investigate the matter and follow the procedures detailed in rules 72 to 76 in Part 2 of these rules; and
  - (ii) advise the EMS Help Desk where any shutdown of the jackpot system or connected gaming machines is required and follow the procedure described in rule 122.
- (c) Where examination of the Daily Jackpot Data report shows that any adjustment is required to the jackpot win value, record the nature of and reason for the adjustment and inform the corporate society, who is responsible for the adjustment transaction process set out in the EMS Web Site User Manual.
- (d) Ensure that the Daily Jackpot Cancelled Credit Report as specified in Part 2 of these rules is used to record the payment of any prizes awarded by a non-downloadable jackpot system.

## **121 Non-downloadable jackpot systems – weekly requirements**

- (1) Each Monday or if the venue was closed, on the next working day, the venue manager must access and review the Weekly Jackpot Reconciliation report for the previous weekly period from the EMS website.
- (2) In the event that any variances are shown by the report, the venue manager must:
  - (a) investigate the matter and follow the procedures detailed in rules 72 to 76 in Part 2 of these rules; and
  - (b) advise the EMS Help Desk where any shutdown of the jackpot system or connected gaming machines is required and follow the procedure described in rule 122.

*Notes applicable to rules 120 and 121:*

<sup>1</sup> *While all non-downloadable jackpot wins will be recorded and reported on EMS society and venue reports, the jackpot wins value will not appear on connected gaming machines' QCOM meters.*

<sup>2</sup> *Where a venue operates both types of system, i.e. downloadable and non-downloadable, the jackpot wins shown on EMS reports (other than the Daily Jackpot Data and Weekly Jackpot Reconciliation reports referred to in this rule and rule 121- which will not include any data from downloadable systems) will include all jackpot wins awarded by both systems, but the gaming machine meters will show only those awarded by the downloadable system direct to the gaming machine.*

<sup>3</sup>*The only possible adjustments to jackpot data reported by EMS in society and venue reports will be to jackpot win values. No adjustment to jackpot wins must be made in the event of a prize awarded by a jackpot system not being paid out; in this case the adjustment must be made to the EMS gaming machine profits (GMP) amount. See also rule 133(2).*

## **122 Jackpot controller shut down**

In the event that a jackpot controller is required either to be switched off (because it is faulty or malfunctioning or for the purposes of a parameter change or reconfiguration) or the jackpot controller is to be replaced, the following procedure must be carried out by the venue manager:

- (a) the EMS Help 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 an accurate record of all current jackpot data (including the jackpot controller turnover meter value) must be made and the records retained.
- (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 2 a.m. on the following business day.

*Note: It may not be possible to fully reconcile jackpot reports generated before and after a jackpot controller shut down.*

## *Determination of gaming machine profits under EMS*

### **123 Calculation**

Gaming machine profits must be calculated by deducting the increase in metered total wins from the increase in metered turnover for each gaming machine operated at that venue during the relevant period; and also—

- (a) where any jackpot system is operated at the venue, any prizes awarded by the jackpot system during that period shall additionally be deducted from metered turnover; and
- (b) if for any reason, a prize payment is not made to a player during the relevant period, the amount of the prize shall not be deducted from metered turnover for that period; and
- (c) the calculation of gaming machine profits is subject to any necessary and valid adjustments posted by the monitor.

### **124 Timing**

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

## **125 Report to be used for the banking of gaming machine profits**

- (1) The venue manager must bank the amount of gaming machine profits for every weekly period as determined by EMS and shown on the Weekly Venue Activity (Venue Level) report for that period.
- (2) In any case where a negative amount of gaming machine profits is established for any venue for any week, the amount must be deducted from the banking for the following weekly period or periods that are positive amounts. The adjustment must be recorded on the Weekly Banking Reconciliation report referred to in rule 127 for the weekly period or periods in which the adjustment is made.

## **126 Unavailability of Weekly Venue Activity report**

If the specified EMS report for the relevant weekly period is not available before close of business on the last day on which gaming machine profits are due to be deposited into the corporate society's dedicated gaming machine account, and the corporate society has been notified and is not able to access the Weekly Venue Activity (Society Level) report for the corresponding 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 if this report is not available; or
  - (ii) where the facility exists, accessing current meter values from the EMS site controller by electronic meter access, or alternatively manually reading the relevant QCOM meters and recording these as the closing meter values on the Weekly Gaming Machine Profits Report and calculating the meter differences.
- (b) If neither of the above daily reports are available or:
  - (i) if there is no venue PC access to the site controller; or
  - (ii) if there are no other means of ascertaining opening or closing meter values,  
  
an average from the last available four weekly gaming machine profits determinations must be calculated to reach an estimated gaming machine profits 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. The amount of the banking adjustment and the reason for it must be recorded on the Weekly Banking Reconciliation report referred to in rule 127.

## *Reconciliation of banking – gaming machine profits*

### **127 Procedure**

Where more than a single deposit representing weekly gaming machine profits is made, the reconciliation procedure as detailed in rule 59 must be carried out, except that it must be carried out using a Weekly Banking Reconciliation report instead of the Weekly Gaming Machine Profit Summary Report specified in clause (b) of that rule.

## *Reconciliation of EMS data, gaming machine meter information and cash transactions*

### **128 Periodic reconciliation**

- (1) The corporate society and the venue manager must ensure that at regular consecutive intervals, but no less than 12 times per annum and once per month, a full reconciliation of relevant gaming machine meters with cash activity is carried out. This is in addition to the situations referred to in rule 60(b), (c) and (d) in Part 2 (which relate to, respectively; the installation or removal of gaming machines and servicing and testing of gambling equipment, faults or malfunctions of gaming machines, and irregularities in cash transactions).
- (2) Such a reconciliation should include comparison of meter data provided by the EMS reports Daily Gaming Machine Meter Totals Snapshot and/or Gaming Machine Monthly Meters and Adjustments with data obtained directly from gaming machine meters, where the period covered is exactly the same.
- (3) The standard form Gaming Machine Analysis must be used for analysis and reconciliation.

### **129 Suspension of game play**

Where required, the venue manager must suspend game play during the gathering of any necessary data to enable an accurate reconciliation to be performed.

### **130 Procedure**

- (1) The procedure for completing a Gaming Machine Analysis must include the recording of electro-mechanical meters.
- (2) For the purposes of reconciliation, current gambling equipment electronic (soft) meter data may be obtained;
  - (a) where available, from electronic meter access to the site controller using a venue PC; or
  - (b) by manually reading and transcribing the relevant QCOM meters resident on gaming machines.
- (3) The requirements of rule 62(b) in relation to data collection do not apply to EMS data.

### **131 Meter differences**

Net meter data from the EMS reports referred to in rule 127(2) may be used to compare values with calculated meter differences obtained by subtracting opening from closing actual gross meter readings, subject to -

- (a) the reconciliation process covering exactly the same time period as the EMS report or reports; and
- (b) wherever applicable, any meter adjustments as detailed in the EMS report Meter Adjustment Data Posted is taken into account.

### **132 Cash transactions**

Cash values in all cases must be determined by reference to the actual cash amounts recorded on the relevant reports and/or physical cash counts.

## *Adjustments*

### **133 Adjustments to EMS 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 utilise the adjustment process; and
  - (c) the corporate society must ensure that they approve any adjustments.
- (2) Adjustments for any unpaid prizes must be effected by adjustments to the reported gaming machine profits (GMP) amount, and not by adjusting gambling equipment meter values.
- (4) The corporate society must ensure that there is a clear audit trail to verify any adjustments that it approves, and the reason(s) for it. This includes any Gambling Equipment Fault/Player Dispute Reports, Unpaid Prize Reports and any other relevant documents, records or notes.