



Play 3 Rules 2014

Pursuant to section 243 of the Gambling Act 2003, the New Zealand Lotteries Commission (Lotto New Zealand) makes the following rules after approval by the Minister of Internal Affairs.

Contents

	Page
1 Title	2
2 Commencement	3
3 Application	3
4 Interpretation	3
5 Play 3	6
Part 1	
Making selections	
6 Cost of ticket	6
7 Making a selection	6
8 Requirements for marking coupon by hand	7
9 Commission may require minimum number of selections	7
<i>General provisions</i>	
10 Application of this rule and rules 11 to 16	7
11 Entry into game	8
12 Cancellation of ticket	8
13 Player responsibility	8
14 Advance selection	9
15 Multi-draw selections	9
16 Players' agent	9
Part 2	
Conduct of games	
17 Procedure for games and drawings	10
18 Selection of winning number	11
19 Game matrix	11
20 Game design	11

21	Amount of prizes for each game	11
22	Division of prizes and maximum liability	12
	<i>General provisions</i>	
23	Prize reserve fund	12
24	Results	13
25	Extraordinary prizes	13
	Part 3	
	Payment of prizes and ticket validation requirements	
26	Payment of prizes	14
27	Determination of prize claims	14
28	Further provisions relating to determination of prize claims	14
29	Ticket validation requirements	15
30	Certain syndicate tickets void	16
31	Consequences of ticket being invalid	16
	Part 4	
	Claiming prizes	
32	Prizes won through tickets purchased electronically	17
33	Time limits on claims	17
34	Prizes of \$1,000 or less	17
35	Prizes of more than \$1,000	18
36	Payment of prizes of more than \$1,000	18
	Part 5	
	Withdrawal of Play 3	
37	Commission may withdraw Play 3	19
38	Public announcement of withdrawal	19
39	Effect on advance game entries and multi-draw selections	20
40	Payment into prize reserve fund	20
	Part 6	
	Miscellaneous provisions	
41	Limitation on Commissioner's liability	21
42	Decisions of Commission binding	21

Rules

- 1 Title**
These rules are the Play 3 Rules 2014.

2 Commencement

These rules come into force on 6 October 2014.

3 Application

- (1) These rules apply to Play 3 tickets, whether they are issued in printed form by a terminal or purchased electronically.
- (2) For the purpose of enabling Play 3 tickets to be purchased electronically, these rules apply subject to all necessary modifications.
- (3) Despite subclause (2),—
 - (a) a reference in these rules to any act done electronically or anything in an electronic form must be read only as a reference to Play 3 tickets being purchased electronically; and
 - (b) an act that is described in these rules as being done electronically must be done in accordance with any additional instructions provided by the Commission, including any terms and conditions governing the use of the Commission's Internet services for the purchase of Play 3 tickets electronically.

4 Interpretation

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

Act means the Gambling Act 2003

advance selection—

- (a) means a selection in relation to a game or games specified by the Commission that follow the game current at the time of selection; but
- (b) does not include a multi-draw selection

board means any one of the grids on a coupon showing all of the numbers in the range and the play types a player may select

commercial syndicate means a syndicate in or for which any person—

- (a) obtains direct or indirect financial gain for forming, conducting, assisting in forming or conducting, or promoting the syndicate; or
- (b) advertises, by any means, that he or she will receive money for the syndicate

Commission means the New Zealand Lotteries Commission continued under the Act

coupon, in relation to a game, means a coupon provided by the Commission in printed form or by electronic means that contains at least 1 board for use in making a player's selection

dip selection means a selection chosen randomly by the Commission's computer systems

drawing means the process that is used to randomly select the winning number

electronic includes electrical, digital, magnetic, optical, electromagnetic, biometric, and photonic

game means a game of Play 3 beginning at the time ticket sales for the game commence and ending with a drawing on a date determined by the Commission before the game begins

game design means the game design that, for the purposes of these rules, is determined by the Commission in accordance with rule 20

game matrix means the game matrix that, for the purposes of these rules, is determined by the Commission in accordance with rule 19

multi-draw selection means a selection for 2 or more consecutive games

payment includes the handing over of a prize

play it again selection means a selection made using a play it again ticket in accordance with these rules

play it again ticket means a ticket—

- (a) that has been issued in printed form by a terminal; and
- (b) that the Commission has determined as being valid for the purpose of processing a new ticket

play type means the order of numerals and number of numerals that may be selected in a game

player means a person participating in a game

players' agent means an agent approved by the Commission to undertake, on behalf of players, the services described in rule 16

prize means prize money or a non-cash prize (or a combination of both)

prize claim form means the form supplied by the Commission to enable a player to claim prizes from the Commission

prize money includes the cash value of a non-cash prize

prize reserve fund means the fund established by the Commission under rule 37 of the Lotto Rules 2000

purchased electronically, in relation to a ticket,—

- (a) means purchased from the Commission by electronic means; but
- (b) does not include a purchase made from any other retailer

range means the numbers between 000 and the number from time to time determined by the Commission as being the highest number from which the winning number will be drawn in respect of a particular game, for example, a range could be the numbers between 000 and 999 (inclusive)

retailer—

- (a) means the Commission; and
- (b) includes any person, company, partnership, or association appointed by the Commission as a selling agent for Play 3

selection means the selection of a 3-numeral number within the range and of 1 play type for that number

syndicate means a combination of persons, whether formal or informal, having as its purpose, or as one of its purposes, the sharing directly or indirectly in the prizes of a game

terminal means an online computer terminal installed or approved by the Commission for the purpose of issuing tickets and entering, receiving, and processing Play 3 transactions

ticket means a ticket that—

- (a) records selections, the game number or numbers, cost, and other information as determined by the Commission; and
- (b) is either issued in printed form by a terminal or purchased electronically

winning number means the number composed of 3 numerals between 0 and 9 (inclusive) and within the range that is randomly drawn at a drawing

winning selection means a selection that matches the winning number in whole or in part depending on the play type of that selection.

- (2) For the purposes of the definition of **syndicate** in subclause (1), a person does not obtain a financial gain by receiving any payment that represents the person's proportional share (based on the amount the person paid towards the tickets purchased by or on behalf of the syndicate) of any prize.

5 **Play 3**

Play 3 is a New Zealand lottery in which each player endeavours to win prizes by making a selection or being allocated a selection and attempting to match all or some of that selection with the winning number.

Part 1 **Making selections**

6 **Cost of ticket**

The cost of each ticket must be the sum of the cost of selections for that ticket.

7 **Making a selection**

The Commission may permit a player to make a selection by any 1 or more of the following means:

- (a) for a ticket issued in printed form by a terminal,—
- (i) by marking a coupon by hand, submitting that coupon to a retailer for processing, and requesting that the retailer—
 - (A) issue a ticket recording the selection marked on the coupon; or
 - (B) modify the selection recorded on the coupon in a manner permitted by the Commission's computer system and issue a ticket that records the modified selection:
 - (ii) by requesting from the retailer a dip selection:
 - (iii) by submitting a play it again ticket to the retailer for processing and requesting that the retailer—

- (A) issue a ticket that records a selection that is identical to the selection recorded on the play it again ticket; or
 - (B) modify the selection recorded on the play it again ticket in a manner permitted by the Commission's computer system and issue a ticket that records the modified selection:
- (b) for a ticket purchased electronically,—
- (i) by making the selection electronically on a coupon and electronically submitting that coupon:
 - (ii) by making the selection electronically in any other manner permitted by the Commission:
 - (iii) by indicating electronically, in a manner permitted by the Commission, that the player wants a dip selection.

8 Requirements for marking coupon by hand

- (1) A player who marks a coupon must mark, by hand, 1 or more boxes on a board on the coupon with a line that does not extend beyond the outline of the box of the number marked.
- (2) A board on a coupon that is not marked by hand in accordance with subclause (1), but is marked by a machine or some other means, is invalid and must not be processed by the retailer.

9 Commission may require minimum number of selections

The Commission may require a player to make, for any 1 game, a minimum number of Play 3 selections.

General provisions

10 Application of this rule and rules 11 to 16

- (1) This rule and rules 11 to 16 apply to a ticket issued in printed form by a terminal, but only this rule and rules 11, 13(1) and (3), and 15 apply to a ticket purchased electronically.
- (2) To avoid doubt, a ticket purchased electronically may not be cancelled.

11 Entry into game

- (1) Each selection on a ticket is a separate entry for a game.
- (2) A ticket is the only proof of a selection and is accordingly the only valid basis for claiming a prize.
- (3) A coupon has no monetary or prize value and does not in any circumstances constitute evidence of the purchase of a ticket or a selection.

12 Cancellation of ticket

- (1) A ticket may be cancelled only if, on the same day that it is purchased, it is returned to the issuing retailer before the close of ticket sales on that day.
- (2) A ticket purchased on the day of drawing and eligible for that drawing may be cancelled only if on that day it is returned to the issuing retailer before the close of ticket sales for the game.
- (3) On cancellation of a ticket, the player is entitled to a refund from the retailer equal to the cost of the ticket.
- (4) If a ticket is cancelled, all selections recorded on the ticket are cancelled.
- (5) This rule is subject to rules 13(4), 16(7), 30(2), and 39(2).

13 Player responsibility

- (1) A player is solely responsible for verifying that the selections recorded or displayed on the ticket correspond with those that the player made or requested and that the game number and date of drawing are correct, either, as the case may be,—
 - (a) by checking the ticket issued in printed form by a terminal; or
 - (b) before confirming the purchase of the ticket electronically.
- (2) By accepting a ticket issued in printed form by a terminal, a player is taken to have accepted that the selections recorded on the ticket correspond with those that the player made or requested.
- (3) Neither the Commission nor any other retailer is in any circumstances liable for any errors or omissions in respect of the information recorded on any ticket (whether in relation to a selection, game numbers, or otherwise).

- (4) Cancellation of a ticket under rule 12 constitutes a player's or any other claimant's only remedy if there is an error or omission on a ticket.

14 Advance selection

- (1) The Commission may, but is not required to, permit a player to make an advance selection by advising the retailer that he or she wishes to make an advance selection.
- (2) In all other respects, the selections must be made in accordance with these rules.

15 Multi-draw selections

- (1) The Commission may, but is not required to, permit a player to make a multi-draw selection for 2 or more consecutive games by—
- (a) marking by hand, or indicating electronically, the appropriate multi-draw box on a coupon to indicate the number of consecutive games for which the player's selections have been made; or
 - (b) advising the retailer of, or indicating electronically, the number of consecutive multi-draw games for which the player wishes his or her selections to apply.
- (2) In all other respects, the selections must be made in accordance with these rules.
- (3) If a ticket for a multi-draw selection that is issued in printed form by a terminal entitles the bearer of the ticket to be paid a prize, the bearer of that ticket must, on surrender of the ticket, be issued with a substitute ticket for any games entered that have not been drawn at the time the ticket is surrendered.

16 Players' agent

- (1) A players' agent may, at premises approved by the Commission, accept completed coupons on behalf of a player, forward the coupons to the terminal of the players' agent for the issue of a ticket, and then forward the ticket to the player.
- (2) A ticket issued in accordance with subclause (1) is for the next game following the game that is current at the time the ticket is issued.

- (3) In addition to receiving from a player the cost of his or her selections, a players' agent is entitled to charge the player a fee for processing his or her coupon and forwarding the ticket to the player.
- (4) The amount of the fee charged under subclause (3) must not exceed an amount approved by the Commission.
- (5) If, at the time of processing a coupon, any selection is found to be invalid or deficient, the players' agent processing the coupon must,—
 - (a) if too many numbers are marked, delete 1 or more numbers, as the case may be, at random from the selection:
 - (b) if too few numbers are marked, select 1 or more numbers, as the case may be, at random to complete the selection:
 - (c) in any other case, at the discretion of the Commission or the players' agent processing the coupon, either remedy the error and process the coupon or refer the error back to the player for correction.
- (6) A player who uses a players' agent must bear and accept (without recourse to either the Commission or the players' agent) the consequences of any failure to win a prize or prizes due to delays, errors, or omissions on the part of a players' agent in processing coupons or that arise from loss of coupons or tickets in transit.
- (7) Tickets issued to players using the services of a players' agent may not be cancelled.

Part 2

Conduct of games

17 Procedure for games and drawings

Games and drawings must be conducted—

- (a) in accordance with the Act and these rules: and
- (b) at times and places, and in accordance with the methods, policies, and procedures, determined by the Commission.

18 Selection of winning number

- (1) Drawings must be made using the equipment determined for the purpose by the Commission.
- (2) At each drawing, there must be randomly selected the winning number or numbers.

19 Game matrix

- (1) Every game must be conducted in accordance with a game matrix.
- (2) The game matrix must specify—
 - (a) the range; and
 - (b) the quantity of numbers that a player may select from a range; and
 - (c) the quantity of numbers that, at each drawing, is to be drawn from the range on a random basis.

20 Game design

- (1) Every game must also be conducted in accordance with a game design determined, from time to time, by the Commission and approved by the Secretary and the Auditor-General.
- (2) The game design must specify—
 - (a) the game matrix for the game; and
 - (b) the play types that a player may choose by way of a selection for the game; and
 - (c) the cost of selections to be offered in the game; and
 - (d) the odds of winning a prize in the game; and
 - (e) any restrictions on the making of a selection; and
 - (f) the closing time for ticket sales; and
 - (g) any minimum number of selections necessary for entry to the game; and
 - (h) the maximum liability of the Commission in respect of any 3-numeral selection in a game; and
 - (i) the prizes for each play type; and
 - (j) any other information that the Commission thinks fit.

21 Amount of prizes for each game

- (1) The prizes for each game (including the play types) must be determined by the Commission.

- (2) To avoid doubt, there may be included in the available prizes for any game or, in respect of any particular number or numbers matched in a game, any allocations made by the Commission from the prize reserve fund.
- (3) The Commission may, in its discretion, set aside from ticket sales for a game, up to a maximum amount of 10% of ticket sales for that game, to be paid into the prize reserve fund under rule 23.

22 Division of prizes and maximum liability

- (1) Where a selection matches the winning number, the player will be entitled to the prize (if any) from time to time determined by the Commission as being payable for the play type to which the selection relates.
- (2) If the prizes payable for a particular play type or game exceed the Commission's maximum liability for a play type or game in accordance with the game design, then the Commission may refuse to accept any more selections for that play type or game.

General provisions

23 Prize reserve fund

- (1) The Commission must pay into the prize reserve fund—
 - (a) those amounts that the Commission may set aside for payment into the prize reserve fund under rule 21(3); and
 - (b) prize money in respect of tickets that do not comply with the requirements in rule 29 or any provision of subpart 2 of Part 3 of the Act; and
 - (c) prize money or the cash value of any non-cash prizes unclaimed after 12 months from the date on which the winning number is drawn.
- (2) The Commission may, either before or after a drawing, allocate from the prize reserve fund any sum of money that it sees fit—
 - (a) to the total available prizes for any game; or
 - (b) to some or all of the play types in a game; or
 - (c) to any extraordinary prize determined in accordance with rule 25.

24 Results

- (1) The results of each drawing must be available by retailers in their Play 3 sales premises as soon as practicable after each drawing and may also be published in any other manner that the Commission may determine.
- (2) The information displayed and published must include—
 - (a) the number of the game; and
 - (b) the winning number; and
 - (c) any other information as the Commission may determine.
- (3) The Commission must maintain a record of the results of a drawing for at least 12 months after the drawing.
- (4) The Commission may publish the name of any prize winner who authorises the publication of his or her name as a prize winner.

25 Extraordinary prizes

- (1) The Commission may—
 - (a) determine to conduct a draw for extraordinary prizes in a game; and
 - (b) determine—
 - (i) the value of the extraordinary prizes to be distributed in accordance with the draw; and
 - (ii) the class of player, or classes of players, that may enter the draw; and
 - (c) conduct the draw.
- (2) In subclause (1), **draw** means a draw that—
 - (a) may be entered by members of—
 - (i) a particular class of player; or
 - (ii) particular classes of players; or
 - (iii) all classes of players; and
 - (b) determines the players entitled to extraordinary prizes—
 - (i) by lot; or
 - (ii) on a random basis; or
 - (iii) wholly by chance.
- (3) Any sum or sums of money for extraordinary prizes must be allocated from the prize reserve fund.

Part 3

Payment of prizes and ticket validation requirements

26 Payment of prizes

- (1) Prizes payable to players are payable in prize money or as non-cash prizes at the discretion of the Commission.
- (2) A prize that is won through a ticket issued in printed form by a terminal and that is payable to a player in accordance with these rules may be claimed on and from the day of the draw following the drawing that resulted in the prize being won.
- (3) Prizes are available for payment only when the terminal and the Commission's online gaming computer system are operating.

27 Determination of prize claims

- (1) In all cases, the determination of prize entitlement is subject to the ticket validation requirements set out in rule 29.
- (2) A ticket issued in printed form by a terminal must in all circumstances be regarded by the Commission and by retailers as being owned by the person who, in accordance with these rules, is determined to be the physical possessor (the **bearer**) of the ticket.
- (3) The person named on a duly completed prize claim form must be treated as the bearer of the ticket that accompanies the prize claim form.

28 Further provisions relating to determination of prize claims

- (1) For the purposes of rule 27(3), if more than 1 person is named on a prize claim form, the person first named must be treated as the bearer of the accompanying ticket.
- (2) Even if a ticket bears the name or other identification of another person or a syndicate, a retailer—
 - (a) must recognise only the bearer of the ticket as the owner; and
 - (b) except as ordered by a court of competent jurisdiction, is not bound to take notice of any trust (express, implied,

or constructive) to which any ticket or prize may be subject.

- (3) The surrender of a ticket to a retailer and the receipt by the bearer of the ticket of a prize payable in respect of the ticket are a good and complete discharge of the Commission's obligations, despite any notice that the Commission may have of the alleged right, title, interest, or claim of any other person or persons to the prize.
- (4) Neither the Commission nor any other retailer is responsible or liable as a result of the payment of a prize to the bearer of any lost or stolen ticket, whether or not advice of the loss or theft has been reported or notified to the Commission before payment of the prize.

29 Ticket validation requirements

- (1) In addition to any other requirements in these rules, the requirements in subclause (2) or, as the case may be, subclause (3) apply before a ticket is regarded as a valid prize-winning ticket.
- (2) For a ticket issued in printed form by a terminal,—
 - (a) the ticket must include 1 or more selections that are winning selections; and
 - (b) the ticket must have been issued on behalf of the Commission by a retailer through a terminal in the authorised manner; and
 - (c) the ticket must be intact and must not be mutilated, altered, unreadable, reconstituted, or tampered with in any manner; and
 - (d) each number on the ticket, whether a selection number, game number, or otherwise, must be fully legible; and
 - (e) the ticket must not be defectively printed or produced in error to an extent that it cannot be processed by the Commission or any other retailer; and
 - (f) the ticket must not be false, counterfeit, or cancelled; and
 - (g) the ticket must not appear on the Commission's computer record of cancelled tickets; and
 - (h) all information appearing on the ticket must appear in the Commission's official computer record of

- prize-winning tickets, and a prize must not have already been paid in relation to another ticket with identical data; and
- (i) the ticket must comply with all additional confidential validation tests and security criteria established by the Commission; and
 - (j) the ticket must not have been issued in return for a machine-completed coupon.
- (3) For a ticket purchased electronically,—
- (a) the ticket must include 1 or more selections that are winning selections; and
 - (b) the ticket must not be false or counterfeit; and
 - (c) the ticket must not appear on the Commission's computer record of cancelled tickets; and
 - (d) all information appearing on the ticket must appear in the Commission's official computer record of winning tickets, and a prize must not have already been paid in relation to another ticket with identical data; and
 - (e) the ticket must comply with all additional confidential validation tests and security criteria established by the Commission.

30 Certain syndicate tickets void

- (1) A ticket purchased by or on behalf of a commercial syndicate is void and ineligible for a prize.
- (2) A ticket purchased by or on behalf of a commercial syndicate may not be cancelled.
- (3) The Commission must not replace a ticket that is void under this rule.

31 Consequences of ticket being invalid

- (1) A ticket that fails to comply with the ticket validation requirements set out in rule 29(2) or (3) is void and ineligible for a prize.
- (2) The Commission may replace an invalid ticket with a ticket of equivalent sales price for any subsequent game.

Part 4

Claiming prizes

32 Prizes won through tickets purchased electronically

- (1) Despite anything in this Part, the following provisions apply to all prizes won through tickets purchased electronically:
 - (a) prizes may not be claimed from a retailer; and
 - (b) monetary prizes will be credited to the purchaser; and
 - (c) the purchaser must comply with the Commission's terms and conditions for prizes; and
 - (d) non-monetary prizes will be delivered to the purchaser's nominated address.
- (2) Rule 35 (which relates to prizes of more than \$1,000) does not apply to prizes won through tickets purchased electronically, but the rest of the rules in this Part apply to those prizes.

33 Time limits on claims

- (1) All prizes must be claimed within 12 months from the date on which the winning number was drawn.
- (2) Any prize not claimed within 12 months in the manner set out in these rules is forfeited, and the unclaimed prize money or the cash value of any unclaimed non-cash prize must be paid into the prize reserve fund.

34 Prizes of \$1,000 or less

- (1) If the prize (whether prize money or a non-cash prize or a combination) that may be claimed for any 1 ticket has a value of \$1,000 or less, a claimant may either present the ticket to any retailer or submit a claim to the Commission for payment.
- (2) Retailers are authorised to pay any cash prize for up to 12 months from the date on which the winning number was drawn.
- (3) Retailers must pay the bearer of a ticket winning \$1,000 or less presented within the 12-month period if all the ticket validation requirements and other requirements set out in these rules have been satisfied.
- (4) If a retailer is for any reason unable to validate a claimant's ticket, or is not authorised to pay the prize, or the claimant decides to submit the claim directly to the Commission, the

claimant must make the claim directly to the Commission in the manner and on the basis set out in rule 35.

35 Prizes of more than \$1,000

- (1) If the prize (whether prize money or a non-cash prize or a combination) that may be claimed on any 1 ticket is more than \$1,000, a claimant may make a claim for payment either directly to the Commission or through another retailer.
- (2) The payment of the prize may be made only by the Commission.
- (3) Claims for prizes submitted directly to the Commission may be—
 - (a) sent by mail to the Commission; or
 - (b) made in person at the office of the Commission.
- (4) The procedure for prize claims made through a retailer (other than the Commission) is as follows:
 - (a) the claimant must complete the back of the ticket and present it to the retailer, who must—
 - (i) process the ticket through the terminal to register the claim; and then
 - (ii) provide the claimant with a prize claim form; and
 - (b) the claimant must immediately complete the prize claim form and return it to the retailer; and
 - (c) the retailer must endorse the prize claim form and return to the claimant 1 copy of the endorsed form as a receipt for the surrender of the ticket; and
 - (d) the retailer must forward the prize claim form with the accompanying ticket to the Commission for validation.
- (5) If a claim for a prize is submitted to the Commission without a duly completed prize claim form, the Commission, before paying any prize, may require the person making the claim to complete a prize claim form.

36 Payment of prizes of more than \$1,000

- (1) The commission must pay a claimant under rule 35 in the manner set out in subclause (2) of this rule if all the ticket validation requirements set out in these rules have been satisfied.
- (2) The Commission must pay—

- (a) prize money by means of a cheque payable to the order of the claimant or a direct credit to the claimant, for the amount of the prize due; and
 - (b) a non-cash prize in the manner determined by the Commission.
- (3) For the purposes of subclause (2)(a),—
- (a) payment by cheque must be either posted to the claimant or, for a claim made in person, handed to the claimant:
 - (b) payment by direct credit must be made by transferring the prize money to the bank account nominated by the claimant.
- (4) A cheque posted to the claimant's address as specified on the prize claim form must be treated as having been received by the claimant on the third day after the date on which the cheque is posted.
- (5) The Commission must pay a claimant under this rule only if all the ticket validation requirements set out in rule 29(2) and (3) have been complied with.
- (6) If a ticket is not validated by the Commission, the claim must be refused and the claimant must be notified promptly of the refusal.

Part 5

Withdrawal of Play 3

37 Commission may withdraw Play 3

The Commission may, if it sees fit, at any time decide to cease to offer (**withdraw**) Play 3.

38 Public announcement of withdrawal

If the Commission decides to withdraw Play 3, it must, as soon as is reasonably practicable, announce to the public (in the manner that the Commission sees fit) the date on which Play 3 will be withdrawn.

39 Effect on advance game entries and multi-draw selections

- (1) For a ticket issued in printed form by a terminal, if a player has made an advance game entry or multi-draw selection for a game and Play 3 is withdrawn, the player may—
 - (a) retain his or her ticket in relation to the game or games that will be held before the withdrawal; or
 - (b) obtain a refund for the selections he or she made in relation to the game or games for which a drawing will be held before the withdrawal.
- (2) For a ticket issued in printed form by a terminal, if, for any reason, a drawing for Play 3 to which an advance game entry or multi-draw selection relates is not held, the player, despite rule 16(7), is entitled,—
 - (a) within 12 months, to return for cancellation any ticket on which any multi-draw selections or advance game entries are recorded; and
 - (b) on the cancellation of that ticket, to a refund equal to the cost of his or her selections for each game for which a drawing was not held.
- (3) If a ticket is not cancelled under subclause (2) within 12 months of its being issued, the money paid to the Commission for the purchase of the ticket must be paid into the prize reserve fund.
- (4) For a ticket purchased electronically, if, for any reason, a drawing for Play 3 to which a multi-draw selection relates is withdrawn or not held, the player is entitled to a refund equal to the cost of his or her selections for each game for which a drawing was not held.

40 Payment into prize reserve fund

Any prizes that are not won in the last game of Play 3 before its withdrawal must be paid into the prize reserve fund.

Part 6

Miscellaneous provisions

41 Limitation on Commissioner's liability

Neither the Commission nor any other retailer is, in any circumstances, liable for any loss (direct or indirect) suffered by a player, bearer of a ticket, or any other person—

- (a) due to the failure of, or damage or destruction to, the Commission's computer system or records; or
- (b) due to delays, losses, errors, or omissions in or made by the postal or any other delivery service or by the banking system; or
- (c) due to any other action or event that prevents or hinders the issue of a valid ticket; or
- (d) otherwise arising from participation in a game.

42 Decisions of Commission binding

All decisions of the Commission on questions of fact concerning Play 3 (including decisions as to the validity of tickets, the identity of the bearer of any ticket, the determination of prize winners, and the amount and division of prize money) are final and binding on all players and any other person or persons concerned for any reason with these matters.

Dated at Wellington this 24th day of September 2014.

The Common Seal of the New Zealand Lotteries Commission was, pursuant to a resolution of the Commission, affixed in the presence of:

[Seal]

Judy Kirk,
Presiding Member.

Wayne Pickup,
Chief Executive, New Zealand Lotteries Commission.

Approved by the Minister of Internal Affairs on the 11th day of
September 2014.

Hon Peter Dunne,
Minister of Internal Affairs.

Explanatory note

This note is not part of the rules, but is intended to indicate their general effect.

These rules are the rules for a new lottery named Play 3. In Play 3, each player endeavours to win prizes by making a selection or being allocated a selection and attempting to match all or some of that selection with the winning number. The rules come into force on 6 October 2014.

The rules are a legislative instrument and a disallowable instrument for the purposes of the Legislation Act 2012 and must be presented to the House of Representatives under section 41 of that Act.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 2 October 2014.

These rules are administered by the Department of Internal Affairs.
