



Keno Amendment Rules 2018

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.

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Rules

1 Title

These rules are the Keno Amendment Rules 2018.

2 Commencement

These rules come into force on the 28th day after the date of their notification in the *Gazette*.

3 Principal rules

These rules amend the Keno Rules 1994 (the **principal rules**).

4 Rule 1A amended (Application)

- (1) In rule 1A(1), replace “purchased” with “issued”.
- (2) In rule 1A(2), replace “purchased” with “issued”.
- (3) Replace rule 1A(3) with:
- (3) Despite subclause (2), 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 site.

5 Rule 2 amended (Interpretation)

- (1) In rule 2, replace the definition of **drawing** with:

drawing means the process used by the Commission to select, on a random basis, the winning numbers, the multiplier, and any extraordinary prizes
- (2) In rule 2, insert in their appropriate alphabetical order:

issued electronically, in relation to a ticket,—

 - (a) means a ticket issued by the Commission by electronic means; but
 - (b) does not include a ticket issued by any other retailer

multiplier means the play type of keno (as described in the game design) in which a player—

 - (a) makes a selection in conjunction with selecting the multiplier option; and
 - (b) attempts to match their selection with the winning numbers; and

- (c) if successful in matching their selection with the winning numbers, will have their prize for that selection multiplied by the multiplier amount drawn in the game

multiplier amount means the amounts for the multiplier specified in the game design

multiplier option means the election by a player to play the multiplier in a game

play type means—

- (a) standard keno;
- (b) the multiplier (if offered by the Commission)

standard keno means the play type of keno (as described in the game design) in which a player attempts to match their selection with the winning numbers

- (3) In rule 2, revoke the definition of **purchased electronically**.

- (4) In rule 2, replace the definition of **retailer** with:

retailer—

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

- (5) In rule 2, replace the definition of **selection** with:

selection means the selection of numbers from the range of numbers for standard keno (as specified in the game design), and if the player has selected the multiplier option, includes that selection

- (6) In rule 2, definition of **ticket**, paragraph (b), replace “purchased” with “issued”.

6 New rule 3A inserted (Play types of keno offered by Commission)

After rule 3, insert:

3A Play types of keno offered by Commission

- (1) The Commission must offer standard keno.
- (2) In addition, the Commission may offer the multiplier.

7 Rule 5 amended (Making selections)

- (1) After rule 5(a)(iii), insert:

- (iv) by making the selection in an electronic manner permitted by the Commission and using that selection to request a ticket from the Commission’s computer system at a retail outlet:

- (2) In rule 5(b), replace “purchased” with “issued”.

8 Rule 5B amended (Application of rules 6 to 11)

- (1) In rule 5B(1), replace “purchased” with “issued”.
- (2) In rule 5B(2), replace “purchased” with “issued”.

9 Rule 6 amended (Entry into a game)

Replace rule 6(3) with:

- (3) The following items have no monetary or prize value and do not in any circumstances constitute evidence of a ticket or a selection:
 - (a) a coupon:
 - (b) a selection made in an electronic manner.

10 Rule 7 amended (Cancellation of ticket)

After rule 7(2), insert:

- (3) If a ticket for a game is cancelled, all selections recorded on the ticket are cancelled.

11 Rule 8 amended (Player responsibility)

- (1) In rule 8(1)(b), after “ticket”, insert “that is to be issued”.
- (2) In rule 8(3), replace “retailer” with “other retailer”.

12 Rule 9 amended (Multi-draw selections)

After rule 9(2), insert:

- (2A) If, when making a selection, the player has selected the multiplier option with that selection and the player also wishes to make that selection a multi-draw selection, the Commission may require the player to select the multiplier option for the multi-draw selection.

13 Rule 14 amended (Game design)

After rule 14(2)(a), insert:

- (aa) the play type that a player may choose by way of a selection for the game (for example, the multiplier); and
- (ab) the range and odds for the multiplier; and

14 Rule 16 amended (Selection of winning numbers)

Replace rule 16(2) with:

- (2) At each drawing, the following must be selected, on a random basis, by that equipment:
 - (a) the winning numbers; and
 - (b) the multiplier (if offered).

15 Rule 18 amended (Division of prizes and allocation of prize pool)

- (1) After rule 18(1), insert:
- (1A) For the purposes of subclause (1), a player may be entitled to an extraordinary prize in accordance with rule 22B that does not depend on matching the winning numbers.
- (2) Replace rule 18(2) with:
- (2) Subject to subclauses (3) and (7), the prize payable to a player will be the prize derived as follows:
- (a) if the player has not selected the multiplier option with that selection, by multiplying the prize for that prize tier by the cost of the selection;
 - (b) if the player has selected the multiplier option with that selection, by multiplying the prize for that prize tier for standard keno by the cost of the selection and then multiplying that total by the multiplier drawn in the game.
- (3) After rule 18(6), insert:
- (7) To avoid doubt, if the prize determined by the Commission is a jackpot allocated under rule 19 or an extraordinary prize provided under rule 22B, subclauses (2) and (3) do not apply to those prizes.

16 Rule 20 amended (Prize Reserve Fund)

After rule 20(2)(c), insert:

- (d) another purpose in relation to a game;
- (e) additional prizes provided in accordance with section 246 of the Act.

17 New rules 22A and 22B inserted

After rule 22, insert:

22A Additional prizes

- (1) If the Commission determines under section 246 of the Act that additional prizes be distributed to a game of keno, a sum of money for those prizes must be allocated from the Prize Reserve Fund.
- (2) This rule is not affected by rule 21 (which provides that each selection is eligible for 1 prize only).

22B 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 players; 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 an extraordinary prize must be allocated from the Prize Reserve Fund.
- (4) This rule is not affected by rule 21 (which provides that each selection is eligible for 1 prize only).

18 Rule 24 amended (Determination of prize claims)

In rule 24(6), replace “retailer” with “other retailer”.

19 Rule 25 amended (Ticket validation requirements)

- (1) In rule 25(2)(a), replace “by a retailer through a terminal” with “through a terminal at a retail outlet”.
- (2) In rule 25(3), replace “purchased” with “issued”.

20 Rule 29A amended (Prizes won through tickets purchased electronically)

- (1) In the heading to rule 29A, replace “**purchased**” with “**issued**”.
- (2) In rule 29A(1), replace “purchased” with “issued”.
- (3) In rule 29A(1)(b), after “purchaser”, insert “of the ticket”.
- (4) In rule 29A(2), replace “purchased” with “issued”.

21 Rule 32 amended (Prizes of more than \$1,000)

- (1) In rule 32(1), replace “a retailer” with “another retailer”.
- (2) In rule 32(3), after “a retailer”, insert “(other than the Commission)”.

22 New Part 6A inserted

After Part 6, insert:

Part 6A

Withdrawal of keno or play type

32A Commission may cease to offer keno or play type

The Commission may, if it sees fit, at any time decide to cease to offer (**with-draw**) keno or any play type.

32B Public announcement of withdrawal

If the Commission decides to withdraw keno or any play type, it must, as soon as is reasonably practicable, announce to the public (in the manner the Commission sees fit) the date on which keno or the affected play type (as the case may be) will be withdrawn.

32C Effect of announcement on advance selections and multi-draw selections

- (1) For a ticket issued in printed form by a terminal, if a player has made an advance selection or a multi-draw selection for a game of keno and keno or an affected play type is withdrawn, the player may—
 - (a) retain their ticket in relation to the game or games that will be held before the withdrawal; or
 - (b) obtain a refund for the selections that the player made in relation to the game or games for which a draw will be held before the withdrawal.
- (2) For a ticket issued in printed form by a terminal, if, for any reason, a drawing for keno or the affected play type to which an advance selection or a multi-draw selection relates is not held, a player, despite rule 11(8), is entitled—
 - (a) to return for cancellation any ticket on which any advance selections or multi-draw selections are recorded within 12 months of the issue of the ticket; and
 - (b) on the cancellation of that ticket, to a refund equal to the cost of the player's selections for each game for which a drawing was not held.
- (3) If a ticket is not cancelled under subclause (2) within 12 months, the money paid to the Commission for the purchase of the ticket must be paid into the Prize Reserve Fund.
- (4) For a ticket issued electronically, if, for any reason, a drawing for keno or an affected play type to which an advance selection or a multi-draw selection relates is withdrawn or not held, the player is entitled to a refund equal to the cost of the player's selections for each game for which a drawing was not held.

32D Payment into Prize Reserve Fund

Any money that is not won in the last game of keno or an affected play type before its withdrawal must be paid into the Prize Reserve Fund.

23 Rule 33 amended (Limitation of Commission's liability)

In rule 33, replace “retailer” with “other retailer”.

Dated at Auckland this 21st day of December 2018.

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

[Seal]

Matthew Boyd,
Presiding Member.

Chris Lyman,
Chief Executive.

Dated at Wellington this 16th day of December 2018.

Tracey Martin,
Minister of Internal Affairs.

Explanatory note

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

These rules, which come into force on the 28th day after the date of their notification in the *Gazette*, amend the Keno Rules 1994 (the **principal rules**).

The amendments introduce a new play type for keno that allows a player to elect to play a multiplier option that, if drawn in a game, will multiply the player's prize by the amount of the multiplier drawn in the game.

The amendments also make changes to the principal rules to harmonise them with the Lotto Rules 2000 and Bullseye Rules 2009 administered by the New Zealand Lotteries Commission (the **Commission**). These include—

- enabling players to purchase keno tickets by electronic means and to obtain a ticket from a terminal:
- providing that the Commission may offer additional prizes and extraordinary prizes in a game of keno:
- enabling the Commission to withdraw keno or a play type of keno if it thinks fit.

These 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*: 14 January 2019.

These rules are administered by the New Zealand Lotteries Commission.