

# Application to AMEND a Licence to Operate Gaming Machines

Read these Information Notes before completing the attached Application Form.

## Introduction

These notes explain the process for applying for amendments to a licence to operate gaming machines.

An application form is attached to the back of these notes. The completed form along with supporting documents should be sent to:

**Gaming Licensing**  
The Department of Internal Affairs  
PO Box 10-095  
Wellington

A checklist for supporting documents can be found at the end of these notes. Please check that you have filled in the relevant sections and attached all of the necessary documents before you submit your application. **Incomplete applications will be returned.** Complete applications will be processed within ten (10) working days, unless additional information or a site visit is necessary.

## When Do You Need To Apply For An Amendment ?

A society must amend its licence when:

- the society alters its name
- the society changes its authorised purpose(s)
- the society seeks to add a site
- there are changes to a site's name and/or address
- the site agreement is changed
- the site payment schedule is changed
- there is a change in site operator
- the society purchases gaming machine equipment, whether as replacements or to increase machine numbers
- the society acquires electronic management equipment, for connection to the society's gaming machine equipment
- there are changes from one approved game to another approved game (conversions)
- there are changes to jackpot software from one approved version to another approved version.

**No addition, deletion or modification can be put into effect until the society has received its amended licence from the Department**

## Notification of Other Changes

The following minor changes to your licence, occurring on their own, do not require an amendment application. Simply notify Gaming Licensing in writing within 20 working days if:

- there is a change to the society's trust deed, constitution, aims, object, or rules
- there is a change to the society's principal officers or trustees
- there is a change in the information supplied on the personal information sheets submitted with the licence application
- gaming machine equipment is sold or otherwise disposed of
- there is a change in site contact details as set out in a site agreement

- there is a change in the liquor licence or permanent charter held by a site at which the society operates gaming machine
- the society wishes to delete a site from its schedule of approved sites.

## Fees

Attach the \$517.00 licence application fee. We will calculate your gaming machine fee and problem gambling levy on a pro rata basis and invoice you for this amount before the amendment is issued.

More information about gaming machine licensing can be found on our website: [www.gaminglicensing.dia.govt.nz](http://www.gaminglicensing.dia.govt.nz).

## Society Details

### 1 Contact Details

Enter the society's full name, postal address and gaming machine licence number. The amended licence or schedule will be posted to the address entered in this section.

Please provide the name and daytime contact details for the principal officer who can answer any questions about the application. Please also provide an email address for the society.

### 2 Replacement of Trustee(s) or Principal Officer(s)

Principal officers are all of the trustees or office bearers of the society who control and organise the gaming machine operation. The chairperson and secretary of a society are likely to be principal officers. Societies must have a minimum of three principal officers. These people will be the primary contact person(s) with the Department.

Please provide the full name and contact details, including if possible, an email address for any new principal officers or trustees.

The society's trustees and office bearers must be suitable people to operate a gaming machine licence.

The criteria that will be applied are set out in the Personal Information Form, which new principal officers or trustees must complete and attach to the application form. Personal Information Forms are available from Gaming Licensing or our website.

### 3 Amended Authorised Purposes

A society can make grants only for the purposes described on the licence.

An authorised purpose is defined by the Gaming and Lotteries Act 1977, as "any charitable, philanthropic, cultural or party-political purpose or any other purpose that is beneficial to the community or section of it." The purpose must be non-commercial in nature, specific and focussed on the society's fundraising objectives.

It is a society's responsibility to ensure that grants made from gaming machine proceeds comply with the Gaming and Lotteries Act 1977, and the society's authorised purposes. Societies risk licence cancellation and/or prosecution if they are found to be making unlawful grants.

# Gaming Machine Equipment and Sites

## 4 Purchasing New Gaming Machine Equipment

Societies may operate approved gaming machine equipment only. "Gaming machine equipment" means gaming machines, games, jackpots (or link devices), software, and electronic management equipment. All gaming machine equipment must be listed on the society's schedule of gaming machine equipment. It is illegal to operate any equipment that is not listed on the schedule.

Any new item of gaming machine equipment (gaming machine, game, or jackpot) to be installed needs to be listed on the society's licence. The society must supply the Department with the machine approval numbers, machine serial numbers and game approval numbers.

There are two ways to do this; you may write this information on the application form in the spaces provided, or if you are registered for e-Licensing you can use the Department's e-Licensing internet website.

Machine approval and serial numbers are to be found on the compliance plate attached to the outside of a machine. Each game has a game approval number. Games with the same names may be allocated different approval numbers according to different prize and other characteristics.

Game approval numbers are not physically recorded on the equipment but machine vendors or the previous owner society will provide the game approval numbers at the time of purchase.

Please note that before a society is licensed to operate any item of gaming equipment, the Department must first approve that model. Please contact the Gaming Licensing Office if you have any doubt about whether or not equipment has been approved.

All societies are required by licence conditions to own the gaming machine equipment they operate. You must attach evidence of ownership with your application when applying to add gaming machine equipment. The time period for the payment for new equipment must be stated and should be no more than one calendar month after the amendment is issued and prior to installation of the equipment.

### Note

No one associated with the gaming machine operation, including site operators and society members, can provide finance for gaming machine equipment purchases. The society must follow reasonable business practice when making arrangements for equipment purchases and this includes as a minimum, seeking quotes for the best price and keeping costs to a minimum.

### e-Licensing

e-Licensing enables you to apply on-line for an amendment to your gaming machine licence for changes relating to gaming machine equipment. To do this you first need to be registered.

Registration is easy. The application form is available on the Department's website. [www.gaminglicensing.dia.govt.nz](http://www.gaminglicensing.dia.govt.nz)

## 5 Game Conversions

A game conversion is where one game is replaced by another in the same gaming machine cabinet. The replacement game may be a variation of the previous game or one that is totally different. The game approval numbers will differ.

You need to complete the table in section 5 of the application advising the Department of the conversions you wish to make.

## 6 Disposal of Equipment

The Department must be notified of the details of gaming machine equipment that is being permanently disposed of.

Equipment may be traded to dealers and manufacturers or distributors in part-exchange for new equipment.

After the payment of any outstanding loan or finance repayments, any funds resulting from the sale of gaming machine equipment must be deposited in the society's gaming machine account.

There is a table provided on page 10 of the application for you to record the serial numbers of the machines that are to be disposed of.

### Note

You do not need to use an application form if you are disposing of gaming machine equipment. You can notify Gaming Licensing by letter or fax, or through the e-Licensing website. You need to advise of the serial numbers to be deleted.

## 7 Gaming Machine Sites

Societies may apply to add up to five sites on one amendment application.

Gaming machines may be operated on approved sites only. Approved sites are listed on the society's licence or on the schedule of approved sites, in the case of multi-site societies and national trusts. A number of conditions must be met before a site approval is issued.

- there can be no more than 18 machines operated on the site. *See note 10 regarding the Responsible Gambling Bill and its potential impact on the numbers of gaming machines societies can operate on sites.*
- gaming machines cannot be the primary activity on the site. *As evidence of this, you will need to provide a copy of the floor plan, to scale, showing where the gaming machines will be situated. The plan should be signed as an accurate plan of the site by the site operator.*
- the site cannot be part of a building or premises where there is currently an approved site
- the site must have a current liquor on-licence in the name of the site operator with a designated supervised or restricted area on which the machines must be placed. *You will need to attach a copy of the liquor licence to your application.*
- there must be a written site agreement between the society and the site operator named on the liquor on-licence. *You will need to attach a signed copy to your application.*

### The Primary Activity of the Site

No site approval will be issued where gaming machines are the primary activity on the site.

Societies must attach to their application a plan of the site *to scale*, showing where the gaming machines will be placed. The plan submitted to the Liquor Licensing Authority should be used, so long as it is to scale. The approval will be issued on the basis of this plan, and any deviation from it is likely to result in revocation of the site approval. The plan should be signed as a true and accurate copy by the site operator.

Each application is decided on its merits. It may be necessary for an inspector to visit a new site, to assess the primary activity and provide a report to Gaming Licensing before an application is determined. Where this occurs, an application is not deemed to be complete until an inspector's report has been received.

The following factors will be taken into account when assessing if a site's primary activity is gaming machines.

- a) The location of the site; is it a shop in a retail or shopping centre?

- b) Does the site have a track record of operating without gaming machines or is it a new site?
- c) Is more prominence given to the gaming machines or to another activity? Where are the machines situated – at the entrance to the site or behind other activities on the premises?
- d) What activity is promoted most heavily on the site or on signs outside the site? The gaming machines or some other activity?
- e) What proportion of the floor space (not including toilets, kitchens, and other staff-only or utility areas not open to the public) is given over to the operation of gaming machines?
- f) Is there a range of other activities on the site – bars, restaurants, or entertainments other than gaming machines? If there is only one activity, for example a café, is it well patronised in its own right?
- g) Are the other activities well stocked and promoted?
- h) Are most of the patrons on the premises playing gaming machines or taking part in some other activity?
- i) Are there any other factors that show that the site was set up and is being run for another purpose or purposes and that gaming machines are only an ancillary entertainment?

## Site Agreements

A current site agreement between the society and the site operator must be attached to an amendment to add a site. There are a number of standard conditions that must be included in a site agreement. These conditions are:

1	The site operator must inform the society of changes to site name, site ownership, liquor licence or site operator
2	The site operator must not enter into any agreement or activity where any party stands to benefit commercially from gaming machine profits or funds
3	The site operator must display the current site approval
4	The site operator must comply with any directive issued by the Department concerning the control of access to gaming machines by persons under 18
5	The site must have a current liquor licence during the term of the agreement
6	The site operator and site employees shall not play the gaming machines on the site
7	Only persons authorised by the society may service, modify or have access to the inside of gaming machine equipment
8	The site operator must keep and supply the society with records relating to gaming machine profits generated at the site
9	The site operator must carry out meter readings, operate a gaming machine float, bank gaming machine funds and carry out all procedures in accordance with the Blue Book
10	The site operator must keep records of staff involved in the gaming machine operation

11	The site operator must retain all documents related to the gaming machine operation for a minimum of seven years (or forward all documents to the society after a specified period)
12	The site operator must forward all applications for authorised purpose grants to the society for consideration
13	The site operator must co-operate with the society's auditor
14	The site operator must co-operate with the Department's representatives
15	The nature and amount of all site expense payments must be shown as per machine per week (pmpw)
16	The pmpw figure must not exceed \$150 (excl gst) except where the Department has issued a dispensation for a higher amount to be paid
17	The agreement must state that the pmpw figure will not be exceeded. The pmpw figure may go up and down within the limit of the stated figure if the work done, or other factors require it, but must not include any form of payments by commission (i.e. payment directly based on turnover)
18	The parties to the agreement must be clearly identified
19	The agreement must be signed and dated by authorised representatives of each party
20	The time period covered by the site agreement must be stated

The site agreement for each new site must be signed by both the site operator and the society with the names of the representative signing written clearly below.

## 8 Declaration

A principal officer or trustee must sign the application on behalf of the society (see note 2 for definition of a principal officer). It is important that the information provided is true and correct, and that the person signing is authorised by the society to do so.

A gaming machine licence or site approval may be cancelled when it is obtained by fraud, false representation or the concealment of any material fact.

## 9 Process of Consideration

The Department will assess each application on its merits and base its consideration on all information disclosed by the society, the police or any other agency or source. Additional information or clarification may be sought during the process of consideration. Should the Department propose to decline the application or refuse to accept as suitable any member of the society as principal officer or trustees then the Department will convey in writing to the society the reasons for that decision. The Department will invite the society to make submissions on the matter in writing, within 20 working days, or within a further period as specified.

The Department will consider any submission before reaching a final decision as to whether a licence amendment will be granted or declined and then confirm the final decision in writing.

## 10 The Responsible Gambling Bill

On 18 October 2001, the Minister of Internal Affairs announced certain changes to gaming as a result of the Review of Gaming.

It is important for societies to understand that, if the Bill is passed in its proposed form, from the commencement date of the new Act operators of gaming machine sites approved on or after 18 October 2001:

- Will be required to remove from the site any machines in excess of nine (9) immediately the Act is passed.
- May be required to remove all gaming machines at the site if required by the territorial authority.

These provisions will not cover **existing** sites. An “existing” site is one that was **approved on 17 October 2001**, i.e. was listed on a society’s schedule of approved sites on that day. If, however, a society wants to increase the number of machines on an **existing** site after the Bill is enacted, the proposed increase will require territorial authority consent.

Societies should be aware that Parliament might make further changes to the Bill before it becomes law.

Societies should take into account the likely impact of the proposed changes when they apply to add sites and machines to their licences. There will be no compensation for any loss or damages as a result of any changes.

## Other Forms

Additional forms and brochures that are available from the Department include:

### Personal Information Forms

– this form is used to supply information about trustees and principal officers

### Supplement for Application to Amend a Licence to Operate Gaming Machines

– this form is used when applying to add more than one site to a licence

## Application Fee

Attach a cheque for **\$517.00** to your application.

Please make cheque payable to:  
**Department of Internal Affairs**

## Return Address

Please return your completed application form to:

**Gaming Licensing Office**  
Department of Internal Affairs  
PO Box 10-095  
Wellington

**To find out more about gaming machine licensing call Gaming Licensing toll free on 0800 257 887. We are here to take your call from 8am to 5pm Monday to Friday; we look forward to hearing from you.**

## Checklist

In order for us to process your application promptly it is important that *all* of the relevant sections of this form are completed and that *all* of the necessary information and supporting documentation is provided. Incomplete applications will be returned.

**Please use this checklist to check that you have all of the supporting documentation before submitting your application. Call us on 0800 257 887 if you are unsure about anything.**

AMENDMENTS APPLIED FOR...	DOCUMENTS YOU NEED TO ATTACH...	TICK
<b>■ Changes to the Society or Trust</b>		
Replacement of trustees or principal officers	Personal information sheets for each new trustee or principal officer	<input type="checkbox"/>
<b>■ Changes to Gaming Machine Equipment</b>		
New gaming machine equipment	Evidence of ownership of gaming machine equipment ( <i>see note 4</i> )	<input type="checkbox"/>
Game conversions	Evidence of ownership of gaming machine equipment ( <i>see note 4</i> )	<input type="checkbox"/>
<b>■ Changes to Sites</b>		
Additional sites	A liquor on-licence in the name of the site operator and with a designated supervised or restricted area	<input type="checkbox"/>
	A signed copy of the site agreement ( <i>see note 2 for requirements</i> )	<input type="checkbox"/>
	A <i>to-scale</i> floor plan showing where the gaming machines are to be located	<input type="checkbox"/>

# Application to AMEND a Licence to Operate Gaming Machines

THE DEPARTMENT OF INTERNAL AFFAIRS

Te Tari Taiwhenua

The Information Notes attached to this form will assist licence holders to complete this application. **Please read them carefully.** You must attach an application fee of \$517 to this application form.

**Privacy Act 1993:** The information in this form which relates to individuals is personal information in terms of the Privacy Act. This information is required so the Department of Internal Affairs can consider the society's application under the Gaming and Lotteries Act 1977. The information will be held by the Department and may be disclosed for probity checking. Any person about whom this information is collected has the right of access to, and correction of, that information.

**Official Information Act 1982:** Information that you supply with this application may be released under the Official Information Act 1982.

Please tick the licence amendments that you are applying for:

- |  |  |
|--|--|
| <input type="checkbox"/> Changes to society details    | <input type="checkbox"/> Replacement of trustees or principal officers |
| <input type="checkbox"/> Changes to authorised purpose | <input type="checkbox"/> Adding new gaming equipment                   |
| <input type="checkbox"/> Game conversion               | <input type="checkbox"/> Disposing of gaming equipment                 |
| <input type="checkbox"/> Site amendments               |  |

## 1 Society Details *Refer to Information Note 1*

Name of Society \_\_\_\_\_

Postal Address \_\_\_\_\_

Licence Number

N Z G M 0

Please provide the name of the principal officer who can be contacted to discuss any aspects of this application.

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

## 2 Replacement of Trustee(s) or Principal Officer(s) *Refer to Information Note 2*

Where new office bearers are proposed enter their names and intended positions below.

Name	Position in Society	Person Replacing	Trustee	Officer	Cheque Signatory
1 _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2 _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3 _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4 _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Each of the new office bearers should complete a Personal Information Sheet.

This sheet must be attached to the application. Personal Information sheets are available from Gaming Licensing or from our website [www.gaminglicensing.dia.govt.nz](http://www.gaminglicensing.dia.govt.nz).

### 3 Amended Authorised Purposes *Refer to Information Note 3*

Clearly state any changes to your current authorised purpose(s)

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*Continue on a separate sheet if necessary, and attach to this form.*

### 4 Purchasing New Gaming Equipment *Refer to Information Note 4*

Gaming Machines						
Distributor	Serial No.	Machine Approval No.	Machine Approval Name	Game Approval No.	Game Approval Name	Denom.

*Continue on a separate sheet if necessary, and attach to this form.*

**NOTE:** All new gaming machine equipment must be owned by the society. Please attach evidence of ownership in the form of:

- a receipt fully detailing the equipment purchased and the amount paid, or
- an agreement that details the equipment being purchased and stating that the ownership will pass to the society once the licence is issued.

*If you are applying only to add, remove or convert gaming machine equipment, you can use the e-Licensing facility on our website. To register as an e-Licensing user, go to [www.gaminglicensing.dia.govt.nz](http://www.gaminglicensing.dia.govt.nz)*

### 5 Game Conversions *Refer to Information Note 5*

Machines/Jackpots			Games	
Serial No.	Model	Approval No.	New Game Name	Approval No.

*Continue on a separate sheet if necessary, and attach to this form.*

**NOTE:** Please attach evidence of ownership in the form of:

- a receipt fully detailing the equipment purchased and the amount paid, or
- an agreement that details the equipment being purchased and stating that the ownership will pass to the society once the licence is issued.

## 6 Disposal of Equipment Refer to Information Note 6

Please supply the SERIAL NUMBERS of all equipment disposed of


Continue on a separate sheet if necessary, and attach to this form.

- If this is the only amendment that you are applying for, you can simply notify Gaming Licensing in writing of the serial numbers to be deleted or use e-Licensing at [www.gaminglicensing.dia.govt.nz](http://www.gaminglicensing.dia.govt.nz)

## 7 Site Changes Refer to Information Note 8

A

### Sites to be *removed* from licence

Give details of any sites listed on your current licence from which *all* machines are to be removed:

Name of Premises

Street Address

Town/City

Continue on a separate sheet if necessary, and attach to this form.

B

### Sites to be *added* to licence

Give details for each additional site on which you propose to operate gaming machines:

Name of Site (*trading name*)

Street Address (*as shown on the liquor licence*)

Town/City

Site Operator (*if the site operator is a company, please provide the name of the company and the directors' names*)

Phone: (*daytime*)

Phone: (*evening*)

Fax:

Email:

Please describe the primary activity that is, or will be, conducted on this site:


Continue on a separate sheet if necessary, and attach to this form.

Have machines been operated on this site before?

Yes

No

If you answered *yes* what was the name of the site when the machines were operated on the site?

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If you answered *yes* what was the name of the society that owned the machines?

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Is the site still included on the former society's schedule of approval sites?

Yes

No

Is there currently an approved gaming machine site within the same building or premises?

Yes

No

**C**

### Other changes to gaming machine sites *Refer to page one of the information notes*

Do you want to change any other information?

Please specify:

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*Continue on a separate sheet if necessary, and attach to this form.*

## **8** Declaration by Principal Officer or Trustee *Refer to Information Note 8*

- In submitting this application on behalf of the society I declare that I believe all the details entered in this application are true and correct.
- I declare that no provider of services, including the provider of finance for gaming machine equipment, is a site operator for the society.
- I declare that all gaming machine equipment referred to in this application is, or will be, owned by the society.
- I declare that there is no other approved gaming machine site operating within the same building or premises as any site for which approval is being sought.
- I declare that the operation of gaming machines is not the primary activity of the site(s) applied for, and that the supporting documentation and the floor plan provided is a true representation of the site(s) applied for.
- I understand that if the Responsible Gambling Bill is passed in its present form that from the commencement date of the new Act operators of new gaming machine sites approved on or after 18 October 2001:
  - will be required to remove from the site any machines in excess of nine
  - may be required to remove all gaming machines at the site if local government exercises its right of veto.

I declare that if I have knowingly or without due care entered any incorrect information in this application, this may result in the cancellation or amendment of the society's gaming machine licence.

Signature

Date

Full Name

Designation