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Mr Stephen Berriman
 Director, Compliance
 Victorian Commission for Gambling and Liquor Regulation
 Level 3, 12 Shelley St
RICHMOND VIC 3121

By Email

Dear Mr Berriman

**Notice pursuant to section 26 of the *Casino Control Act 1991 (Vic)* – Button Picks
 Authorisation**

We refer to your letter dated 13 July 2018, regarding the use of button picks (**Button Picks**) and your request for certain information in relation to the Button Picks, including any authorisations or approvals held by Crown Melbourne in relation to the Button Picks.

Crown Melbourne does not hold any specific authorisation or approval in relation to Button Picks. Nevertheless, Crown Melbourne notes that:

- the 'Rules of the Games, Electronic Gaming Machines' published in the *Victoria Government Gazette* S 44 on 24 April 1997 (**Rules**) (a copy of the Rules are attached for your ease of reference) allow for:

*'32. A player seated and engaged in game play on an EGM may use a 'continuous play device' which results in continual game play by constant depression of the play button on that EGM. Use of this device is restricted to one EGM per player.'*¹

- the Rules were amended via a Special Government Gazette on 2 September 2002, with no change to Rule 32;²
- subsequent versions of the Rules issued do not specifically address the use of continuous play devices;
- it is and has at all material times been lawful for continuous play to occur in areas specified by the Commission in relevant gazetted notices;

¹ *Victoria Government Gazette* S 44 24 April 1997

² *Victoria Government Gazette* S 154 2 September 2002

- Button Picks only work on EGMs operating in 'unrestricted mode' in the manner prescribed in gazetted notices³;
- it is not possible for continuous play to occur outside those areas, or otherwise in a manner inconsistent with the conditions specified in gazetted notices;
- at no time has the Commission ever directed Crown Melbourne not to provide Button Picks to patrons or to permit patrons to use Button Picks; and
- in any event, and as the Commission is aware, Crown Melbourne no longer makes Button Picks available to patrons.

As requested, Crown Melbourne will provide the balance of the information requested by the Commission not later than 10 August 2018. If it would be of assistance to the Commission, Crown Melbourne would be happy to meet with the Commission whenever convenient to discuss this matter.

In the interim, please do not hesitate to contact me if you require any further information.

Yours sincerely



Director – Australian Resorts

ENCL

³ Victoria Government Gazette G 19 10 May 2018

CROWN LIMITED
RULES OF THE GAMES
ELECTRONIC GAMING MACHINES

1. The rules of play for each game to be played on an Electronic Gaming Machine (EGM) are displayed on the artwork or screen of each EGM as approved by the Director of Casino Surveillance in accordance with Section 62(2) of the Casino Control Act.
2. The game will be initiated by the player activating the appropriate game start function.
3. Options of play are in accordance with the rules of play for each game as displayed on the EGM's artwork or screen. These options are initiated by the player activating the appropriate functions on the EGM.
4. A player's winnings are displayed on either the EGM or Jackpot display meter.
5. Winnings may be used by the player for further game play or returned by the EGM when the player activates the appropriate cash out function.
6. Credits displayed on the video screen or Jackpot display may be collected at the end of any game.
7. Credits may be paid by the EGM by returning coins or tokens to the drop tray unless the accumulated credits, as indicated on the EGM are in excess of a fixed limit. Where the indicated credits exceed the EGM pay out limit, these credits will be paid to the player manually by procedures approved by the Victorian Casino and Gaming Authority (VCGA) and the credits so paid will be cancelled from the EGM.
8. A progressive Jackpot will operate by adding a percentage contribution of an EGM's turnover to a Progressive Jackpot pool. The number of EGM's contributing to that pool and the percentage contribution of each EGM's turnover allocated to that pool will be configured in accordance with procedures approved by the VCGA.
9. The winner of the Progressive Jackpot pool will be determined in accordance with the specific rules of the games as displayed on the EGM artwork or screen. The winner of the Progressive Jackpot pool will win the prize indicated on the EGM.
10. A Mystery Jackpot will operate by adding a percentage contribution of an EGM's turnover to a Mystery Jackpot pool. The number of EGM's contributing to that pool and the percentage contribution of each EGM's turnover allocated to that pool will be configured in accordance with procedures approved by the VCGA.
11. The winner of the Mystery Jackpot pool will be selected at random by a process

approved by the VCGA. The prize won will be indicated on the EGM.

12. A Bonus Jackpot will operate by adding credits to an EGM's credit meter. The number of EGM's participating in each Bonus Jackpot, the eligibility criteria for each Bonus Jackpot and the number of credits to be added to an EGM's credit meter will be configured in accordance with procedures approved by the VCGA.
13. Jackpot wins may be paid to the player through manual payment procedures approved by the VCGA.
14. In the event of a malfunction of either a Jackpot display meter or Jackpot controller, the Casino reserves the right to adjust the value of the Jackpot prize in accordance with procedures approved by the VCGA.
15. A player entitled to receive a manual payment should both verify the amount of the payment and acknowledge receipt of the payment by signing the appropriate hand payment form.
16. The Casino reserves the right to request a player to play out any credits where the value of such credits is less than \$1.00. In the event the player declines this request, the Casino will process a manual payment to the player.
17. The Casino reserves the right to withhold or void the payment of any prize, coin issue or token issue, or demand the return of any prize, coin issue or token issue, if in their opinion there are grounds to do so, until such time as the Casino has completed an investigation and made a determination.
18. Prizes, coin or token issues, and coin or token redemption payable by the Casino will wherever possible be paid immediately in the form requested by the player. The Casino reserves the right, however, to delay payment subject to further verification of the player's entitlement, to delay payment to a mutually agreed later time, to pay the prize other than in the form requested by the player, and to request appropriate forms of personal identification from the player.
19. EGM overpays are not the property of the player. All coins or tokens in EGM's remain the property of the Casino until won by a player in accordance with the approved rules of the games.
20. Any EGM or equipment malfunction voids all plays and pays.
21. Unless otherwise instructed by a Gaming Machine Operations Manager or Gaming Machine Area Manager, a player is entitled to play more than one EGM at a time, but no more than three specifically.
 - 21.1 The three EGM's are restricted to the EGM's either side of the EGM the patron is seated at i.e. the EGM's must be in line and on the same side of the bank.
 - 21.2 The multi EGM player may be requested by a Gaming Machine Operations Manager or Gaming Machine Area Manager to surrender up to two EGM's should another player request play of an EGM. The multi EGM player may

- have first choice of which EGM he/she wishes to continue playing.
22. The player of an EGM is required to clear credits from that EGM when a close of play warning or notification is initiated.
 23. Players are required to notify the Casino in the event of any and all EGM malfunctions. Failure to do so, and the retention of any prizes or free plays as a result of EGM malfunction, may be considered to be a contravention of these rules.
 24. Tilting, rocking, or in any way damaging or interfering with an EGM, or attempting to operate an EGM with any object or device other than legal tender or a valid token is prohibited, and may be considered to be a contravention of these rules.
 25. A person shall not, either alone or in concert with any other person, use or have in his/her possession or control at or near an EGM or location related to the playing of an EGM, a calculator, computer, or other electronic, electrical or mechanical apparatus or device that is capable, with respect to an EGM or a part thereof of interfering with the proper or normal operation of the EGM or part thereof.
 26. Where a player has contravened any provision of the rules, a Gaming Machine Operations Manager may:
 - 26.1 Declare that any wager made by the player(s) shall be void;
 - 26.2 direct that the player(s) shall be excluded from further participation in playing the EGM(s);
 - 26.3 Seize any monies won by that player(s) while in possession of a prohibited device and retain such monies pending completion of an investigation;
 - 26.4 confiscate the prohibited device; and
 - 26.5 cause the person(s) in possession of the prohibited device to be detained until such time as an authorised person has attended and assumed responsibility for the situation
 27. A Gaming Machine Operations Manager may invalidate the outcome of a game played on an EGM if;
 - 27.1 the game is disrupted by civil commotion, fire, riot, brawl, robbery, an Act of God; or
 - 27.2 any fraudulent act is perpetrated by any person, that affects the outcome of the game.
 28. Where the outcome of a game on an EGM is invalidated, all wagers made by the players for that particular result shall be refunded.
 29. In the opinion of a Gaming Machine Area Manager or Gaming Machine Operations Manager, if a patron is occupying an EGM and is not actively playing that EGM or is

occupying an adjacent area such that it restricts another patron from gaining access to play an EGM, that patron may be asked to relocate so as to provide access for other players to play the EGM.

30. A Gaming Machine staff member may, at the request of an EGM player, reserve or hold a particular EGM, for a reasonable period, so as to allow that player to replenish coin or to attend to any personal matter. Unless this request occurs, a player does not have any ownership/reservation rights over any particular EGM.
31. Interfering with any part of another patrons EGM is not allowed and contravenes Rules of the Games-Electronic Gaming Machines.
32. A player seated and engaged in game-play on an EGM may use a 'continuous play device' which results in continual game play by constant depression of the play button on that EGM. Use of this device is restricted to one EGM per player.
33. Complainants in all unresolved disputes shall be advised of the presence of, and their right to consult a VCGA Inspector
34. In any dispute arising from these rules or not covered by the provisions of these rules, the decision of the Gaming Machine Operations Manager shall be final, subject to a review by the VCGA Chief Casino Inspector, if requested.
35. A copy of these rules shall be made available, upon request.

36. TOURNAMENT PLAY

36.1 Definitions:

In these rules and conditions, unless the contrary appears:

- 36.1.1 "applicant" means an applicant for entry to an EGM tournament,
- 36.1.2 "player" means person who has been accepted as a player to participate or compete in a tournament.
- 36.1.3 "session" means a set time period at the completion of which winner and/or placegetters advance to further sessions or a final session;
- 36.1.4 "play-off" means any session of play the purpose of which is to determine a winner and/or placegetter(s) of a session where two or more players have finished that session with an equal number (other than zero) of credits on the credit display or coins;
- 36.1.5 "tournament" means a competition for the playing of EGM's and which provides all players with equal chance.
- 36.1.6 "secondary competition" means a second chance competition open to players who have failed to qualify for a subsequent session of play. Secondary competitors may be given a chance to participate in

final session.

36.1.7 "tournament director" means a Gaming Machine Area Manager, Gaming Machine Host or a nominee of the General Manager Gaming Machine Operations, who shall be responsible for the conduct of tournament in accordance with prescribed conditions of play.

36.2 Conditions of entry

36.2.1 The tournament director may charge applicants a fee to enter a tournament and such fees may be supplemented by the tournament director.

36.2.2 Prior to the commencement of a tournament, the tournament director shall determine:

36.2.2.1 the form of application for entry

36.2.2.2 the amount of any entry fee(s)

36.2.2.3 the number of tournament EGM credits or coins to be allocated to each player at the commencement of a session or play-off from the entry fees

36.2.2.4 the maximum and minimum number of players who may enter a tournament

36.2.2.5 the duration of session(s)

36.2.2.6 the duration of play-off(s)

36.2.2.7 the tournament prize list

36.2.2.8 the manner in which the prizes shall be allocated.

36.2.3 The tournament director may:

36.2.3.1 refuse any application for entry

36.2.3.2 disqualify any entrant who fails to comply with these rules

36.2.3.3 disqualify any entrant who fails to attend at designated playing times

36.2.3.4 determine the allocation of players to sessions

36.2.3.5 determine the allocation of players to EGM

- 36.2.3.6 determine the number of players from each session who shall advance to further sessions and/or to the final session, including secondary competition winners, if any.
- 36.2.4 An entry fee will be refunded to a player where the entrant cancels his or her entry not less than a predetermined number of days as stated on the tournament application form for entry before commencement of a tournament.
- 36.2.5 An entry fee shall not be refunded to a player who is disqualified from a tournament.
- 36.2.6 An entry fee shall be refunded in the event a tournament does not proceed.
- 36.2.7 Prior to the commencement of a tournament, the tournament director shall inform applicants of the conditions of play as stated on application entry form.
- 36.2.8 An applicant shall, prior to the commencement of a tournament, endorse his or her application form that he or she has been informed of and understands and accepts the conditions of play.
- 36.2.9 The tournament director shall be present while the tournament is in progress.
- 36.2.10 In the event a registered applicant does not attend for the start of a scheduled session, the tournament director may assign the allotted tournament entry to a replacement applicant. The entry fee of the replacement player shall be included in the prize pool.
- 36.3 Conduct of play
- 36.3.1 The tournament director shall designate the particular EGM's that will be involved in the conduct of the tournament. Tournaments will not be played on linked and stand-alone jackpot EGM's.
- 36.3.2 The tournament director must conduct a tournament on EGM's under "normal" operating conditions as specified in the VCGA Technical Requirements Document and which are linked to an electronic monitoring system.
- 36.3.3 Where a player does not take an allotted seat at the specified time, the player may be eligible to participate in any secondary competition.
- 36.3.4 An entrant may nominate in person, subject to tournament director approval, a substitute player to take the entrant's allotted seat during any session.

- 386 S 44 24 April 1997 *Victoria Government Gazette*
- 36.3.5 Each player will be allotted a session start time and EGM by ballot
- 36.3.6 The tournament director may alter the start time of any session, subject to reasonable notice first being given to participants.
- 36.3.7 Each player is permitted to play only a single allocated EGM during any session.
- 36.3.8 In the event of a session lasting the full period of time, an audible signal will be given in the vicinity of participants alerting players that only a specified time period remains.
- 36.3.9 Credits and/or coins at the completion of a session shall be retained by the player
- 36.4 Wagers
- 36.4.1 Prior to the start of any session, each player will verify that they have the equivalent amount of EGM credits and/or coins from which to draw on during tournament play.
- 36.4.2 A player may wager up to the EGM maximum, as stated on the EGM display.
- 36.5 Session Winners
- 36.5.1 The winners of each session shall be those players at each EGM who have the highest number of credits registered on the EGM credit meter display and/or the highest number of coins at the end of the session or when there is only one player remaining in a session.
- 36.5.2 In the event that no player, at the end of a session has neither credits nor coin remaining, a random draw to include all session participants may be conducted to determine which player(s) will advance to subsequent sessions of play.
- 36.5.3 If after the session time has elapsed and more than one player holds the highest number of credits and/or coins, those players may participate in a play-off.
- 36.6 Prizes
- 36.6.1 A prize pool will be formed from all of the entry fees less the amount used to establish credits during the course of the tournament.
- 36.6.2 The tournament director may increase the value of the prize pool in the form of cash and/or goods and/or services.
- 36.6.3 The prize structure shall be determined prior to the commencement

of a tournament.

36.6.4 Bonus prizes, exclusive of the prize pool, may be randomly awarded to participants by the tournament director independently of the conduct of play.

36.6.5 The prize pool and any supplementation in the value of either the prize pool or entry fees by the tournament director in the form of cash and/or goods and/or services and any bonus prizes shall not be deducted from Gross Gaming Revenue.

36.7 General Provisions

36.7.1 The conditions of entry and conduct of play for each tournament must be submitted to the Director of Casino Surveillance for approval at least seven (7) days prior to the conduct of the tournament.

36.7.2 Any EGM malfunction during tournament play shall void participant's round and shall result in either replay of the session or a refund of the entry fee.