

1987/192



## THE LOTTO RULES 1987

PURSUANT to section 90 of the Gaming and Lotteries Act 1977, the New Zealand Lotteries Commission hereby makes the following rules which have been approved by the Minister of Internal Affairs.

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### RULES

**1. Title and commencement**—(1) These rules may be cited as the Lotto Rules 1987.

(2) These rules shall come into force on the 10th day of July 1987.

**2. Interpretation**—In these rules, unless the context otherwise requires,—

“Act” means the Gaming and Lotteries Act 1977:

- “Board” means any one of the grids of numbers 1 to 40 (inclusive) on the coupon:
- “Bonus number” means the 7th number between 1 and 40 (inclusive) which is selected at random at each drawing:
- “Commission” means the New Zealand Lotteries Commission established under the Act:
- “Coupon” means the card supplied by the Commission for use in marking a player’s selections and which contains 10 boards designated A to K:
- “Drawing” means the process that is used to randomly select the winning numbers and also the bonus number:
- “Game” means a game of lotto 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:
- “Lotto” means the form of lotto administered by the Commission, in which a player endeavours to select the group of numbers to be drawn from a larger group of numbers:
- “Lotto prize claim form” means the form supplied by the Commission for the purpose of claiming prizes from the Commission:
- “Lucky dip selection” means a set of 6 different numbers that, instead of being chosen by a player, are chosen from the numbers 1 to 40 (inclusive) on a random basis by the Commission’s computer system:
- “Mail order retailer” means any retailer appointed by the Commission as a mail order selling agent for lotto:
- “Players agent” means an agent approved by the Commission to undertake, on behalf of players, the services described in rule 11 of these rules:
- “Player” means any person participating in a game:
- “Player selection” means a set of 6 different numbers chosen by a player from the grid of numbers 1 to 40 (inclusive) on a board:
- “Prize Reserve Fund” means the fund established by the Commission pursuant to rule 17 of these rules:
- “Retailer” means any person, company, partnership, or association appointed by the Commission as a selling agent for lotto:
- “Selection” means a player selection or a lucky dip selection:
- “Ticket” means the ticket issued by the terminal to record the selections, the game number or numbers, cost, and other information as determined by the Commission from time to time:
- “Terminal” means the on-line computer terminal that has been installed by the Commission for the purpose of issuing tickets and entering, receiving, and processing lotto transactions:
- “Turnover”, in relation to any game, means the gross receipts from total ticket sales for that game, less the total of—
- (a) The amount of goods and services tax charged in respect of the supply of services by the Commission to players in the game; and
  - (b) The amount of lottery duty payable by the Commission under the Gaming Duties Act 1971 in respect of the game:

“Winning numbers” mean the first 6 numbers between 1 and 40 (inclusive) randomly selected at each drawing and that are used to determine the winning selections.

**3. Object of lotto**—The objective of a player in a game of lotto, is to correctly select the winning numbers for the game entered.

#### PART I

#### METHOD OF PLAY

**4. Cost of selection**—The cost of each selection shall be 50 cents.

**5. Making selection for a game**—(1) Players must make a minimum of 4 player selections on each coupon.

(2) Each player selection shall be made by the player marking 6 numbered boxes in a board with a vertical line that shall not extend beyond the outline of the box.

(3) The completed coupon shall then be submitted to the retailer for processing through the terminal that will issue the ticket recording the selections marked on the coupon.

(4) At the request of a player wanting lucky dip selections, the retailer (without requiring a coupon) shall, through the terminal, issue a ticket that has recorded on it 10 lucky dip selections.

(5) The minimum number of lucky dip selections for which a ticket shall be issued is 10.

**6. Entry into a game**—(1) Each selection made for a game shall be a separate entry for that game.

(2) A ticket shall be the only proof of a selection and is accordingly the only valid basis for claiming a prize or prizes.

(3) A coupon has no monetary or prize value and shall not in any circumstances constitute evidence of ticket purchase or of any selection.

**7. Cancellation of ticket**—(1) Subject to rules 10 (6) and 11 (5) of these rules, a ticket may only be cancelled if returned to the issuing terminal on the same day it was purchased, prior to the close of ticket sales on that day.

(2) A ticket purchased on the day of drawing and eligible for that drawing shall only be cancelled if returned to the issuing terminal before ticket sales for the game close prior to the drawing.

(3) On cancellation of a ticket the player shall be entitled to a refund from the retailer equal to the cost of the ticket.

**8. Player responsibility**—(1) It shall be the sole responsibility of the player to verify that the player selections recorded on the ticket correspond with those marked on the coupon and that the game number and draw date printed on the ticket are correct. By accepting a ticket the player shall be taken to have accepted that the player selections recorded on the ticket correspond with those marked on the coupon.

(2) Neither the Commission nor any retailer shall in any circumstances be liable for any errors or omissions in respect of the information recorded on any ticket (whether details of selection, game numbers, or otherwise whatsoever).

(3) Cancellation of a ticket pursuant to rule 7 of these rules constitutes a player's or other claimant's sole and exclusive remedy where there is an error or omission on a ticket.

**9. Multi draw tickets**—(1) To give players the option of having the selections marked on the coupon entered for 2, 5, or 10 consecutive games, coupons shall have printed on them 3 boxes designated "multi draw" and numbered 2, 5, and 10. This option is referred to in these rules as a multi draw selection.

(2) To make a multi draw selection, a player (in addition to marking the player selections on the coupon) shall mark the appropriate multi draw box on the coupon with a vertical line so as to indicate the number of consecutive games for which player selections have been made. In the case of a player requesting a lucky dip selection, the player may make a multi draw selection by advising the retailer of the multi draw selection option required.

(3) In all other respects the entry shall be completed and selections made in accordance with these rules.

(4) Should a ticket issued for a multi draw selection win and be paid a prize, the bearer of that winning ticket shall, on surrender of that ticket, be issued with a substitute ticket for any games entered which are not drawn at the time the prize is paid.

**10. Selections by post or other delivery service**—(1) Coupons or a written instruction for a lucky dip selection completed in accordance with these rules and in each case accompanied by the required payment and a stamped (with correct postage) self-addressed envelope may be delivered by post or other delivery service to the office of the Commission or to any mail order retailer.

(2) All such entries delivered by post or other delivery service to the Commission or to a mail order retailer shall be entered in the game next following the game current at the time that the items referred to in rule 10 (1) of these rules are received by the Commission or by the mail order retailer.

(3) If, at the time of processing a coupon, any selection is found to be invalid or deficient, the authorised person processing the coupon shall,—

- (a) Where there are too many numbers marked, delete the highest number or numbers from that selection:
- (b) Where there are too few numbers marked, select one or more numbers at random to complete the players selection:
- (c) In any other case, at the discretion of the Commission or the mail order retailer processing the coupon, either remedy the error and process the coupon, or refer the error back to the player for correction.

(4) Players using the entry by post or other delivery service facility shall bear and accept (without recourse to either the Commission or the mail order retailer) the consequences of any failure to win a prize or prizes due to delays, errors, or omissions on the part of the Commission or on the part of a mail order retailer in processing entries or arising from loss of entries or tickets in transit.

(5) Tickets shall be returned to players by post using the stamped self-addressed envelope supplied by players.

(6) Tickets issued to players using the entry by post or other delivery service facility may not be cancelled.

**11. Players agents**—(1) Players agents shall, at those premises approved by the Commission, be permitted to accept completed coupons on behalf of a player, forward the coupons to the players agents' terminal for the issue of a ticket, and then return the ticket to the player. The ticket shall be for the game next following the game current at the time the ticket is issued.

(2) In addition to receiving from a player the cost of the selections, the players agent shall be entitled to charge players a fee for having the coupon processed and returning the ticket to the player. The amount of the fee shall be as approved by the Commission from time to time.

(3) If, at the time of processing a coupon, any selection is found to be invalid or deficient, the authorised person processing the coupon shall,—

- (a) Where there are too many numbers marked, delete the highest number or numbers from that selection:
- (b) Where there are too few numbers marked, select one or more numbers at random to complete the players selection:
- (c) In any other case, at the discretion of the players agent, either remedy the error and process the coupon, or refer the error back to the player for correction.

(4) Players using players agents shall 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 entries or arising from loss of entries or tickets in transit.

(5) Tickets issued to players using the services of a players agent may not be cancelled.

## PART II

### DRAWS AND DIVISION OF PRIZES

**12. Procedure for drawings**—(1) Drawings shall be conducted in accordance with the Act, at times and places and pursuant to methods, policies, and procedures determined by the Commission from time to time.

(2) After the first drawing, drawings shall be held weekly. The frequency of drawings may however, be changed from time to time at the discretion of the Commission.

**13. Selection of winning numbers**—(1) Drawings shall be made using electro-mechanical drawing equipment or such other equipment as the Commission may from time to time determine.

(2) At each drawing there shall be randomly selected the winning numbers and also the bonus number.

**14. Amount of prize pool for each game**—(1) The prize pool for each game shall be determined by the Commission, but shall in all cases be an amount of not less than 60 percent of the turnover for that game.

(2) The Commission may, in its discretion, set aside from out of the prize pool for each game an amount, up to a maximum amount of 3 percent of ticket sales for the game, to be paid into the Prize Reserve Fund under rule 17 (1) (a) of these rules.

- (3) The available prize pool for any game shall therefore comprise—
- (a) The prize pool for that game as determined by the Commission under subclause (1) of this rule less any amount set aside for the Prize Reserve Fund; and
  - (b) Any additional amounts included in the prize pool pursuant to rule 15 (3) of these rules.

**15. Division of prizes and allocation of prize pool**—(1) The prize divisions in each game shall be as follows:

- (a) Division One, being selections which correctly match, in any order, the 6 winning numbers drawn:
- (b) Division Two, being selections which correctly match, in any order, 5 of the 6 winning numbers drawn plus the bonus number:
- (c) Division Three, being selections which correctly match, in any order, 5 of the 6 winning numbers drawn:
- (d) Division Four, being selections which correctly match, in any order, 4 of the 6 winning numbers drawn:
- (e) Division Five, being selections which correctly match, in any order, 3 of the 6 winning numbers drawn plus the bonus number.

(2) The prize pool for each game determined in accordance with rule 14 (1) of these rules less any amount set aside for the Prize Reserve Fund under rule 14 (2) of these rules shall be allocated between the prize divisions as follows:

- (a) Division One, 35 percent:
- (b) Division Two, 5 percent:
- (c) Division Three, 12.5 percent:
- (d) Division Four, 27.5 percent:
- (e) Division Five, 20 percent:

(3) There shall also be included in the available prize pool or, as applicable, in a particular division or divisions of the available prize pool—

- (a) Any additional (jackpot) amounts in accordance with rule 16 of these rules; and
- (b) Any allocations made by the Commission from the Prize Reserve Fund; and
- (c) Any reallocation of the prize pool in accordance with rule 18 or rule 19 of these rules.

(4) In all prize divisions, except Division One, the allocation of the available prize pool between prize divisions shall be subject to rounding off to the nearest sum being a multiple of 10 cents.

**16. Jackpots**—(1) If in any drawing there is no correct Division One selection, then the portion of the available prize pool that was allocated to Division One in that drawing shall (subject to the restriction in subclause (2) of this rule) be added to the Division One allocation in the next following game (jackpotted).

(2) No addition (jackpotting) shall occur for more than 4 consecutive games. In the event that there are no correct Division One selections in 4 consecutive games and, in the 5th consecutive game there is also no correct Division One selection, the total of the additions (jackpot amounts) together with the Division One prize pool allocation for the 5th game shall be added to the prize pool allocation for the next lowest prize division with a correct selection.

**17. Prize Reserve Fund**—(1) The Commission shall establish a Prize Reserve Fund, into which shall be paid—

- (a) Such amounts as the Commission may set aside for payment into the fund pursuant to rule 14 (2) of these rules; and
- (b) Prize money unclaimed after 12 months from the date of the drawing in which the prize was won.

(2) The Commission may from time to time, at its discretion, allocate from out of the Prize Reserve Fund such sums as it sees fit to either the total available prize pool for any game or to a particular prize allocation for a prize division or divisions for any game.

**18. Reallocation of prize pool where no correct selections in Divisions Two to Five**—If in any drawing there is no correct selection in any division below Division One then that portion of the prize pool allocated to the prize division in which there is no correct selection shall be added to the prize pool allocated to the next lowest prize division in the game with a correct selection. Should there be no lower prize division with a correct selection, the portion of the prize pool concerned shall be added to the total available prize pool for the next game.

**19. More than one correct selection in a prize division**—(1) If in any game there is more than one correct winning selection in any prize division, the prize money allocated to that division shall be shared equally between each winning selection in the division.

(2) On a sharing of the prize allocation for any prize division, the amounts attributed to each winning selection shall be rounded down to the nearest 10 cent multiple. All money left over after rounding down shall be added to the prize pool allocation for the same division in the next game.

**20. No more than one prize for a selection**—Each selection shall be eligible for one prize only.

**21. Results**—(1) The results of each drawing shall be displayed by retailers in their lotto sales premises as soon as practicable after each drawing and may also be published in such other manner as the Commission may from time to time determine.

(2) The information displayed and published shall be—

- (a) The number of the game;
- (b) The winning numbers and the bonus number;
- (c) The total prize pool for the game;
- (d) The amount payable to each correct selection in each prize division;
- (e) Such other information as the Commission may from time to time determine.

(3) The Commission shall maintain a record of results for 12 months after each drawing.

(4) The Commission may publish the names of Division One and Division Two prize winners unless those persons have on the lotto prize claim form requested anonymity.

### PART III

#### PAYMENT OF PRIZES AND TICKET VALIDATION REQUIREMENTS

**22. Payment of prizes**—Prizes in all prize divisions shall be available for payment on the day following the drawing, except where that day is a

Sunday or other day when banks are not open for business in the location where the prize is claimed, and in such cases prizes shall be payable on the next business day.

**23. Determination of prize claims**—(1) In all cases the determination of prize entitlement shall be subject to the ticket validation requirements set out in rule 24 of these rules.

(2) A ticket shall in all circumstances be regarded by the Commission and by retailers as being owned by the bearer (physical possessor) of the ticket determined in accordance with these rules.

(3) The person named on a duly completed lotto prize claim form shall be deemed to be the bearer of the ticket accompanying the lotto prize claim form. If more than one person is named on a lotto prize claim form the person first named shall be deemed to be the bearer of the accompanying ticket.

(4) Notwithstanding that a ticket bears the name or other identification of any person or syndicate, the Commission and retailers shall only be bound to recognise the bearer of the ticket as the owner and, except as ordered by a Court of competent jurisdiction, shall not be bound to take notice of any trust (express, implied, or constructive) to which any ticket or prize money may be subject.

(5) The surrender of a ticket to the Commission or to a retailer and the receipt by the bearer of the ticket of any prize money payable in respect of the ticket shall be a good and complete discharge of the Commission, notwithstanding any notice the Commission may have of the alleged right, title, interest, or claim of any other person or persons to the prize money.

(6) Neither the Commission nor any retailer shall be 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 prior to payment of the prize.

**24. Ticket validation requirements**—In addition to any other requirements specified in these rules, the following requirements shall apply before a ticket shall be regarded as a valid prize winning ticket:

- (a) The ticket shall have been issued on behalf of the Commission by a retailer through a terminal in the authorised manner:
- (b) The ticket shall be intact and shall not be mutilated, altered, unreadable, reconstituted, or tampered with in any manner:
- (c) The information recorded on the ticket shall correspond with the Commission's computer record of prize winning tickets:
- (d) Each correct winning selection appearing on the ticket shall consist of 6 different numbers from 1 to 40 inclusive:
- (e) Each number on the ticket, whether selection numbers, game number, or otherwise shall be fully legible:
- (f) The ticket shall not be defectively printed or produced in error to an extent that it cannot be processed by the Commission or a retailer:
- (g) The ticket shall not be counterfeit or cancelled:
- (h) The ticket shall not appear on the Commission's computer record of cancelled tickets:
- (i) All information appearing on the ticket shall appear in the Commission's official computer record of winning tickets, and



another ticket with identical data shall not have been already paid:

- (j) The ticket shall pass all additional confidential validation tests and security criteria established by the Commission.

**25. Consequences of ticket being invalid**—(1) In the event that a ticket fails to pass all the criteria set out in rule 24 of these rules the ticket shall be deemed void and ineligible for any prize.

(2) The Commission may, solely in its discretion, replace an invalid ticket with a ticket of equivalent sales price for any subsequent game.

#### PART IV

##### CLAIMING A PRIZE

**26. Time limit on claims**—All prizes must be claimed within 12 months from the date of the drawing at which the winning numbers were drawn. Any prize not claimed within the 12-month period in the manner specified in these rules shall be forfeited, and the unclaimed prize money shall be paid into the Prize Reserve Fund.

**27. Prizes of \$1,000 or less**—(1) To claim any prize money aggregating \$1,000 or less on any one ticket, a claimant can either present the ticket to any retailer or submit a claim to the Commission for payment.

(2) Retailers are authorised to pay such prize money up to 12 weeks from the date of the drawing at which the winning numbers were drawn.

(3) Retailers shall pay the bearer of a ticket winning \$1,000 or less, presented within the 12-week period, where all the ticket validation criteria and other requirements set forth in these rules have been satisfied, and all other procedures required of a retailer by the Commission have been properly followed.

(4) In the event that the retailer is for any reason unable to validate the claimant's ticket, or is not authorised to pay the prize, or the claimant decides to submit the claim direct to the Commission, the claimant shall make the claim to the Commission in the manner and on the basis specified in rule 28 of these rules.

**28. Prizes of more than \$1,000**—(1) To claim prize money aggregating more than \$1,000 on any one ticket, a claimant can either make the claim directly to the Commission or through a retailer. Payment of such prize money shall only be made by the Commission.

(2) Claims for prizes submitted directly to the Commission may be submitted either by mail (with stamped self-addressed envelope) or by personal presentation to the office of the Commission.

(3) The procedure for prize claims made through a retailer shall be as follows:

- (a) The claimant shall sign the back of the ticket and present it to the retailer who shall process the ticket through the terminal to register the claim and then provide the claimant with a lotto prize claim form:
- (b) The claimant shall forthwith complete and return the lotto prize claim form to the retailer:
- (c) The retailer shall endorse the lotto prize claim form and return to the claimant one copy of the endorsed form as a receipt for the surrender of the ticket:

(d) The lotto prize claim form with the accompanying ticket shall then be forwarded by the retailer to the Commission for validation.

(4) Where a claim for a prize is submitted to the Commission without a duly completed lotto prize claim form the Commission, before paying any prize, may require the person making the claim to complete a lotto prize claim form.

(5) The Commission shall pay the claimant in accordance with the procedures set out in these rules provided that all the ticket validation criteria also set out in these rules have been satisfied.

(6) If a ticket is validated by the Commission a cheque payable to the order of the claimant for the amount of the prize due shall be either posted to the claimant or credited to a bank account nominated by the claimant or, in the case of a claim made in person, handed to the claimant. In the event that the ticket is not validated by the Commission, the claim shall be refused and the claimant notified promptly of the refusal.

(7) Prize money posted to the claimant's address on the lotto prize claim form shall be deemed to have been received by the claimant at the time when the letter containing the prize money would in the ordinary course of post be delivered.

## PART V

### GENERAL PROVISIONS

**29. Limitation of Commission's liability**—Neither the Commission nor any retailer shall, in any circumstances, be liable for any loss (direct or indirect) suffered by a player, bearer of a ticket, or any other person due to—

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

**30. Decisions of Commission binding**—All decisions of the Commission concerning lotto, including decisions as to the validity of tickets, the identity of the bearer of any ticket, the determination of prize winners, the amount and division of prize money and the meaning and effect of these rules shall be final and binding on all players and any other person or persons concerned for any reason with these matters.

Dated at Wellington this 1st day of July 1987.

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

[L.S.]

C. G. POTTINGER,  
Presiding Member.

L. M. SEEL,  
Commission Member.

## 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 10 July 1987, provide for the conduct and operation of the type of New Zealand lottery known as lotto, in accordance with Part VII of the Gaming and Lotteries Act 1977, as substituted by section 3 of the Gaming and Lotteries Amendment Act 1987.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 3 July 1987.

These rules are administered by the New Zealand Lotteries Commission.