



THE LOTTO RULES 1996

PURSUANT to section 90 of the Gaming and Lotteries Act 1977 (as substituted by section 3 (1) of the Gaming and Lotteries Amendment Act 1987), the Minister of Internal Affairs hereby approves the Lotto Rules 1996, which were made by the New Zealand Lotteries Commission on the 30th day of January 1996, and of which a copy is set out in the Schedule hereto.

SCHEDULE THE LOTTO RULES 1996

PURSUANT to section 90 of the Gaming and Lotteries Act 1977 (as substituted by section 3 (1) of the Gaming and Lotteries Amendment Act 1987), the New Zealand Lotteries Commission hereby makes the following rules.

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 RULES

1. Title and commencement—(1) These rules may be cited as the Lotto Rules 1996.

(2) These rules shall come into force on the 19th day of February 1996.

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

“Act” means the Gaming and Lotteries Act 1977:

“Advance week selection”,—

(a) Means—

- (i) A player selection; or
- (ii) A lucky dip selection; or
- (iii) A systems selection; or
- (iv) A systems lucky dip selection; or
- (v) A lotto strike selection,—

in a game specified by the Commission (being the game next following or up to 10 games following the game current at the time of the selection); but

(b) Does not include a multi draw:

“Board” means—

(a) In relation to standard lotto,—

- (i) The grid of numbers 1 to 40 (inclusive) shown on the coupon for standard lotto; or
- (ii) Where more than one grid of numbers 1 to 40 (inclusive) is shown on the coupon for standard lotto, any such grid of numbers denoted by a letter of the alphabet on that coupon; and

(b) In relation to lotto strike, the 4 grids of numbers that—

- (i) Are denoted by a letter of the alphabet on a coupon for lotto strike; and
- (ii) Are, in the case of each grid, a grid that enables a player to select, either directly or by adding 2 numbers on that grid, a number between 1 and 40 (inclusive):

“Bonus number” means the 7th number between 1 and 40 (inclusive) that is selected on a random basis at each drawing:

“Commission” means the New Zealand Lotteries Commission established under the Act:

“Coupon” means any card supplied by the Commission for use in marking a player's selections or for use in marking a player's systems selections, as the case may be:

- “Drawing” means the process that is used to select on a random basis the standard lotto winning numbers, the bonus number, and the lotto strike winning numbers:
- “Game” means a game of—
- (a) Standard lotto; or
 - (b) Lotto strike; or
 - (c) Both standard lotto and lotto strike,—
- being a game beginning in each case 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:
- “Lotto strike” means the game of lotto that can be entered only in conjunction with a game of standard lotto, and in which a player attempts to match in the same order and position the lotto strike selection with the lotto strike winning numbers:
- “Lotto strike selection” means 4 different numbers each between 1 and 40 (inclusive) chosen in accordance with rule 6 or rule 37 (1) of these rules:
- “Lotto strike winning numbers” means the first 4 numbers of the standard lotto winning numbers in the same order and position as those first 4 numbers are drawn at a drawing:
- “Lucky dip selection” means,—
- (a) In relation to standard lotto, a set of 6 different numbers; and
 - (b) In relation to lotto strike, a set of 4 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:
- “Player” means any person participating in a game:
- “Player selection” means,—
- (a) In relation to standard lotto, a set of 6 different numbers; and
 - (b) In relation to lotto strike, a set of 4 different numbers,— chosen by a player from the grids of numbers 1 to 40 (inclusive) on a board:
- “Players’ agent” means an agent approved by the Commission to undertake, on behalf of players, the services described in rule 12 of these rules:
- “Prize Reserve Fund” means the fund established by the Commission pursuant to rule 20 of these rules:
- “Retailer” means any person, company, partnership, or association appointed by the Commission as a selling agent for lotto:
- “Selection” means—
- (a) A standard lotto selection; or
 - (b) A lotto strike selection; or
 - (c) Both a standard lotto selection and a lotto strike selection:

“Standard lotto” means the game of lotto in which a player attempts to match the standard lotto selection with the standard lotto winning numbers:

“Standard lotto selection” means a player selection, lucky dip selection, advance week selection for a standard lotto game, multi draw selection for a standard lotto game, systems lucky dip selection, or systems selection:

“Standard lotto winning numbers” means the first 6 numbers between 1 and 40 (inclusive) selected on a random basis at each drawing and that are used to determine the standard lotto winning selections:

“Syndicate” means any combination of persons, whether formal or informal, having as its purpose, or as one of its purposes, participation directly or indirectly in the prizes of any game:

“Systems lucky dip selection” means a selection chosen on a random basis by the Commission’s computer system and contained in a systems selection ticket:

“Systems selection” means—

(a) Each combination of 6 different numbers derived from combining the set of 5 different numbers from 1 to 40 (inclusive) on a board (the 5 different numbers being chosen by the player or, on a random basis, by the Commission’s computer system) with each number remaining unchosen on that board (called system 5); and

(b) Each combination of 6 different numbers that can be derived from a set of 7 (called system 7), 8 (called system 8), 9 (called system 9), 10 (called system 10), 11 (called system 11), 12 (called system 12), 13 (called system 13), 14 (called system 14), or 15 (called system 15), different numbers chosen (by a player or, on a random basis, by the Commission’s computer system) from the grid of numbers 1 to 40 (inclusive) on a board,—being such systems as are introduced by the Commission:

“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 given 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” means—

(a) The standard lotto winning numbers; or

(b) The lotto strike winning numbers; or

(c) Both the standard lotto winning numbers and the lotto strike winning numbers.

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—(1) The cost of each standard lotto selection shall be 50 cents.

(2) The cost of each lotto strike selection shall be \$1.00.

5. Making selection for standard lotto—(1) Each player must make a minimum of 4 player selections or 1 systems selection on each coupon for standard lotto.

(2) Each player selection for standard lotto shall be made by the player marking, by hand, 6 numbered boxes in a board on a coupon with a vertical line that shall not extend beyond the outline of the box. Machine completed coupons shall not be processed by the retailer.

(3) Each systems selection for standard lotto shall be made by a player marking on the coupon for systems selection either 5, 7, 8, 9, 10, 11, 12, 13, 14, or 15 numbered boxes in the board on the coupon with a vertical line that shall not extend beyond the outline of the box. A player making a systems selection shall also mark with a vertical line the appropriate systems selection box adjacent to the board on the coupon corresponding with the systems selection chosen.

(4) 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.

(5) At the request of a player wanting lucky dip selections or systems lucky dip selections, the retailer (without requiring a coupon) shall, through the terminal, issue a ticket that has recorded on it the number of lucky dip selections or systems lucky dip selections for which a ticket may be issued for that game.

(6) The minimum number of lucky dip selections for which a ticket shall be issued is 10. Subject to that minimum, the Commission may from time to time specify the number of lucky dip selections for which a ticket may be issued in any game.

6. Making lotto strike selection—(1) A player may make a lotto strike selection only where the player has at the same time made at least the appropriate minimum number of standard lotto selections in the game of standard lotto being played in conjunction with the game of lotto strike.

(2) To make a lotto strike selection (other than in conjunction with a lucky dip selection or systems lucky dip selection) a player shall indicate that the player wishes to play lotto strike—

(a) By marking by hand the lotto strike box, if provided, on the standard lotto coupon; or

(b) By so advising the retailer before handing the retailer the player's standard lotto coupon.

(3) Where each of the grids on a board on a coupon for lotto strike shows each number between 1 and 40 (inclusive), the lotto strike selection shall then be made by the player marking, by hand, in accordance with subclause (5) of this rule, on each of the grids comprising the board, 1 of the numbers shown.

(4) Where each of the grids on a board on a coupon for lotto strike shows only the number 1 to 9 (inclusive) and the numbers 10, 20, 30, and 40, the lotto strike selection shall then be made by the player marking, by hand, in accordance with subclause (5) of this rule, on each of the grids comprising the board, either—

- (a) One of the numbers shown; or
- (b) Where the player wishes to select a number (other than a number shown), the 2 numbers (one being a number between 1 and 9 (inclusive) and the other being the number 10 or the number 20 or the number 30) the sum of which represents the number selected (so that, for example, where the number to be selected is 23, the numbers to be marked would be 3 and 20).

(5) Each mark to be made by a player on a number on a grid shall be made by hand with a vertical line that shall not extend beyond the outline of the box of the number marked. Machine completed coupons will not be processed by the retailer.

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

(7) The Commission may from time to time specify the number of lotto strike selections for which a ticket may be issued in any game.

(8) Where a player wants one or more lotto strike lucky dip selections to be made, that player shall so advise the retailer at the time at which that player hands to the retailer that player's duly completed standard lotto coupon. Each lotto strike lucky dip selection shall be chosen on a random basis by the Commission's computer system.

(9) Where a player wants a lotto strike selection in conjunction with a lucky dip selection or systems lucky dip selection, the lotto strike selections required by the player shall either—

- (a) Be chosen on a random basis by the Commission's computer system;

or

- (b) If offered by the Commission, be chosen by the player completing a coupon in accordance with subclause (3) of this rule and the player presenting the completed coupon to the retailer at the time of the player advising the retailer that he or she wishes both to purchase a lucky dip selection and to play in the lotto strike game run in conjunction with the standard lotto game for which the lucky dip selection would be made.

(10) The retailer shall, through the terminal, issue a ticket recording the lotto strike selections.

7. 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.

8. Cancellation of ticket—(1) Subject to rules 11 (6) and 12 (5) of these rules and to subclause (7) of this rule, a ticket may be cancelled only if on the same day as the day on which it is purchased it is returned to the issuing terminal 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 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.

(4) Where a ticket for a standard lotto game is cancelled, the cancellation shall result not only in the cancellation of the selections

recorded in respect of the standard lotto game but also in the cancellation of any lotto strike selections made by the player in conjunction with the selections recorded in respect of the standard lotto game and in the cancellation of any ticket in which any such lotto strike selections are recorded.

(5) Where lotto strike selections have been made by a player in conjunction with selections recorded in respect of a standard lotto game, both the standard lotto ticket and the lotto strike ticket issued to the player must be returned to the retailer in order to effect the cancellation of the ticket for the standard lotto game. If both tickets are not returned to the retailer, the ticket for the standard lotto game will not be cancelled.

(6) A ticket in which lotto strike selections are recorded may be cancelled in accordance with subclause (1) or subclause (2) of this rule without also cancelling the selections made by the player in the standard lotto game being played in conjunction with the game of lotto strike.

(7) Where, in the case of lotto strike multi draw selections or lotto strike advance week selections, any lotto strike game to which the multi draw or advance week selections relates is not held, a player shall be entitled, notwithstanding rules 11 (6) and 12 (5) of these rules, to return for cancellation any ticket on which any such selections are recorded, and on the cancellation of any such ticket shall be entitled to a refund equal to the cost of the selections made for the game that has not been held.

9. Player responsibility—(1) It shall be the sole responsibility of the player to verify that the player selections, systems selections, or lotto strike 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, systems selections, or lotto strike 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 8 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.

10. 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) The Commission may withdraw the multi draw selection option in respect of lotto strike.

(3) To make a multi draw selection for a game of standard lotto, a player (in addition to marking the player selections or the systems 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 the player selections or the systems 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.

(4) Subject to subclause (5) of this rule, where a player requests a lotto strike selection, that player may, if the multi draw option is available,

make a lotto strike multi draw selection by marking the appropriate multi draw box on the standard lotto coupon with a vertical line so as to indicate the multi draw selection option required.

(5) A multi draw selection made for lotto strike must be for the same number of draws as the multi draw selection made for the standard lotto games being entered into at the same time in accordance with these rules.

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

(7) 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.

11. Selections by post or other delivery service—(1) Coupons or a written instruction for a lucky dip selection or a lotto strike selection or both 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 subclause (1) of this rule 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.

12. Players' agents—(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 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, a players' agent shall be entitled to charge the player 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 player's 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) A player who uses a players' agent 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

13. 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.

14. 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.

15. Amount of prize pool for each game of standard lotto—(1) The prize pool for each game of standard lotto 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 of standard lotto 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 20 (1)(a) of these rules.

(3) The available prize pool for any game of standard lotto 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 16 (3) of these rules.

16. Division of prizes and allocation of prize pool for standard lotto—(1) The prize divisions in each game of standard lotto shall be as follows:

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

(2) The prize pool for each game of standard lotto determined in accordance with rule 15 (1) of these rules less any amount set aside for the Prize Reserve Fund under rule 15 (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 19 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 21 or rule 22 of these rules.

(4) In all prize divisions, the allocation of the available prize pool between prize divisions shall not be subject to rounding off.

17. Amount of prize pool for each game of lotto strike—(1) The prize pool for each game of lotto strike 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 of lotto strike 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 20 (1)(a) of these rules.

(3) The available prize pool for any game of lotto strike 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 18 (3) of these rules.

18. Division of prizes and allocation of prize pool for lotto strike—(1) The prize divisions in each game of lotto strike shall be as follows:

- (a) Division One, being lotto strike selections which correctly match in the same order and position as drawn the 4 lotto strike winning numbers so that the lotto strike selection must match the 1st number with the 1st winning number, the 2nd number with the 2nd winning number, the 3rd number with the 3rd winning number, and the 4th number with the 4th winning number:
 - (b) Division Two, being lotto strike selections which correctly match in the same order and position as drawn any 3 of the 4 lotto strike winning numbers:
 - (c) Division Three, being lotto strike selections which correctly match in the same order and position as drawn any 2 of the 4 lotto strike winning numbers:
 - (d) Division Four, being lotto strike selections which correctly match in the same order and position as drawn any 1 of the 4 lotto strike winning numbers.
- (2) The prize pool for each game of lotto strike determined in accordance with rule 17 (1) of these rules, less any amount set aside for the Prize Reserve Fund under rule 17 (2) of these rules, shall be allocated between the prize divisions as follows:
- (a) Division One, 24.76 percent of the prize pool for the game after Division Four prizes have been allocated:
 - (b) Division Two, 11.48 percent of the prize pool for the game after Division Four prizes have been allocated:
 - (c) Division Three, 63.76 percent of the prize pool for the game after Division Four prizes have been allocated:
 - (d) Division Four, \$1.00 per winning lotto strike selection in this division to be paid and satisfied as a lotto strike selection in accordance with and subject to rule 37 of these rules.
- (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 19 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 21 or rule 22 of these rules.
- (4) In all prize divisions, except Division Four, the allocation of the available prize pool between prize divisions shall not be subject to rounding off.

19. Jackpots—(1) If in any drawing there is no correct Division One selection for a game, then the portion of the available prize pool for that game 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 of standard lotto or lotto strike, as the case may be, (jackpotted).

(2) No addition (jackpotting) shall occur for more than 4 consecutive games of standard lotto. In the event that there are no correct Division One selections in 4 consecutive games of standard lotto 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 of standard lotto shall be added to the

prize pool allocation for the next lowest prize division with a correct selection.

(3) No addition (jackpotting) shall occur for more than 9 consecutive games of lotto strike. In the event that there are no correct Division One selections in 9 consecutive games of lotto strike and, in the 10th 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 10th game of lotto strike shall be added to the prize pool allocation for the next lowest prize division with a correct selection (other than a prize division that has a fixed prize).

20. 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 15 (2) or rule 17 (2) of these rules; and
 - (b) Prize money in respect of tickets that do not comply with the requirements contained in rule 30 of these rules and any provision of Part VII of the Act; and
 - (c) 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—
- (a) The total available prize pool for any game; or
 - (b) A particular prize allocation for a prize division or divisions of any game (other than a prize division that has a fixed prize); or
 - (c) Any additional prize determined in accordance with rule 25 of these rules.

21. Reallocation of prize pool where no correct selections in divisions below Division One—If in any drawing there is no correct selection in any division below Division One (other than Division Four of lotto strike) 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 (other than Division Four of lotto strike) in the game with a correct selection. If there is no lower prize division with a correct selection (other than Division Four of lotto strike), the portion of the prize pool concerned shall be added to the total available prize pool for the next game.

22. 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 (other than in Division Four of lotto strike), 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 (other than for Division Four of lotto strike), the amounts distributed to each winning selection shall be rounded as follows:

- (a) Prize amounts that are 10 cents or more above an amount in dollars shall be rounded up to the nearest dollar; and
 - (b) Prize amounts that are 9 cents or less above an amount in dollars shall be rounded down to the nearest dollar.
- (3) Any money left over after the rounding process required by subclause (2) of this rule has been carried out shall be added to the prize pool allocation for the same division in the next game.

23. No more than one prize for each selection—Each selection shall be eligible for one prize only.

24. 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.

25. Additional prizes—(1) Notwithstanding rule 23 of these rules, the Commission may from time to time determine additional prizes to be distributed in accordance with a New Zealand lottery, a New Zealand prize competition or a New Zealand instant game, being a lottery, prize competition, or instant game entry to which is limited to—

(a) Prize winners in any game; or

(b) Members of any particular class of prize winners in any game (being a class determined by the Commission).

(2) Any such additional prizes shall be allocated from the Prize Reserve Fund.

26. Special conditions relating to publication of results and publicity—(1) Subject to subclauses (2) to (4) of this rule, the Commission may from time to time determine special conditions relating to the publication of the award of any additional prizes determined under rule 25 (1) of these rules or to the publicity that the Commission may give to the award of any such additional prizes.

(2) Special conditions determined under subclause (1) of this rule may include conditions making the award of an additional prize determined under rule 25 (1) of these rules conditional on the bearer of the prize-winning ticket agreeing, on the prize form,—

(a) To allow the Commission to give publicity to his or her win, which publicity may include the winner's name; and

(b) To appear at such time and place and to participate in such live events and appearances as are specified in the point of sale advertising relating to that game; and

(c) To make himself or herself or his or her likeness, in moving, still, or television pictures, available to the Commission for the purposes of the publication of the results of the award of any additional prizes determined under rule 25 (1) of these rules or the advertising of any future game or both.

(3) Where the award of a prize is conditional on the bearer of the prize-winning ticket agreeing on the prize claim form to carry out, or to allow the carrying out of, as the case may require, any or all of the activities

described in paragraphs (a) to (c) of subclause (2) of this rule, no prize and no additional prize determined under rule 25 (1) of these rules shall be payable in respect of that ticket unless—

(a) The bearer of the prize-winning ticket so agrees on the prize claim form; or

(b) The Commission so determines.

(4) Where special conditions are determined under subclause (1) of this rule in relation to any additional prizes determined under rule 25 (1) of these rules, the Commission—

(a) Shall give reasonable notice of those conditions in the point of sale advertising for that game; and

(b) May give notice of those conditions in any other publicity material relating to that game.

PART III

PAYMENT OF PRIZES AND TICKET VALIDATION REQUIREMENTS

27. Payment of prizes—Prizes in all prize divisions shall be available for payment in accordance with these rules from and including the day following the drawing at any time when the terminal and the Commission's on-line gaming computer system are operating.

28. 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 29 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.

29. 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 (as required by rules 16 and 18 of these rules) consist of,—
 - (i) In the case of a player selection or lucky dip selection, 6 different numbers from 1 to 40 (inclusive); and
 - (ii) In the case of a systems selection 5, 7, 8, 9, 10, 11, 12, 13, 14 or 15 different numbers (as the case may be) from 1 to 40 (inclusive); and
 - (iii) In the case of a lotto strike selection, 4 different numbers each 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:
- (k) The ticket shall not have been issued for a machine completed coupon.

30. Certain syndicate tickets invalid—(1) Any ticket purchased by or on behalf of 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 that syndicate (hereafter in this rule referred to as a 'commercial syndicate'); or
- (b) Advertises by any means that he or she will receive money for that commercial syndicate,—

shall be deemed to be void and ineligible for any prize.

(2) Tickets purchased by or on behalf of a commercial syndicate may not be cancelled.

(3) The Commission shall not replace a ticket invalid under this rule.

(4) For the purposes of this rule 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.

31. Consequences of ticket being invalid—(1) In the event that a ticket fails to pass all the criteria set out in rule 29 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

ADVANCE WEEK ENTRIES

32. Advance week selections—(1) The Commission may from time to time authorise the issue of and issue advance week selections for games specified by the Commission.

(2) The advance week selections issued pursuant to subclause (1) of this rule by the Commission shall be chosen on a random basis by the Commission's computer system.

33. Advance week entries—(1) To give players the option of making advance week selections when such selections are authorised by the Commission, coupons may have printed on them a box designated "advance".

(2) To make an advance week selection entry a player (in addition to marking the player's selections on the coupon) shall mark the box designated "advance", if provided, on the coupon with a vertical line or advise the retailer that it is an advance week selection entry. In the case of a player requesting a lucky dip selection or a systems lucky dip selection, the player may make an advance week selection entry by advising the retailer accordingly.

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

PART V

CLAIMING A PRIZE

34. 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.

35. Prizes of \$1,000 or less—(1) Where the prize, or the aggregate of the prizes (whether money or bonus tickets or both), that may be claimed on any one ticket is \$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 such prize or any such prizes up to 12 months 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-month 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 36 of these rules.

36. Prizes of more than \$1,000—(1) Where the prize, or the aggregate of the prizes (whether money or bonus tickets or both), that may be claimed on any one ticket is more than \$1,000, a claimant may make a claim for payment either directly to the Commission or through a retailer. Payment of any such prize or any such prizes shall be made only 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 be in the ordinary course of post be delivered.

37. Lotto strike bonus selection—(1) Subject to subclause (2) of this rule, where the ticket validation criteria and the other requirements of these rules are satisfied in respect of a lotto strike Division Four prize, that prize shall not be paid and satisfied in cash but shall instead be paid and satisfied by the issue, to the bearer of the ticket, of a bonus ticket with a lotto strike selection for the lotto strike game to be drawn next following the issue of the bonus ticket. The lotto strike selection shall be chosen on a random basis by the Commission's computer system for each Division Four lotto strike winning selection contained on the ticket in respect of which the lotto strike Division Four prize is available.

(2) If, when the bearer of a ticket claims a Division Four prize or when the bearer of a lotto strike bonus ticket presents that ticket for validation, there is no lotto strike game on sale then—

- (a) Instead of the prize being a lotto strike bonus selection, the prize shall be the cash equivalent; and
- (b) The lotto strike bonus ticket shall be redeemed from the cash equivalent,—

which cash equivalent is \$1.00 for each winning Division Four Lotto strike selection.

PART VI

GENERAL PROVISIONS

38. 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.

39. Decisions of Commission binding—All decisions of the Commission on questions of fact concerning lotto, 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 shall be final and binding on all players and any other person or persons concerned for any reason with these matters.

40. Revocations—The following rules are hereby revoked:

- (a) The Lotto Rules 1987*:
- (b) The Lotto Rules 1987, Amendment No. 1†:
- (c) The Lotto Rules 1987, Amendment No. 2‡:
- (d) The Lotto Rules 1987, Amendment No. 3§:
- (e) The Lotto Rules 1987, Amendment No. 4||:
- (f) The Lotto Rules 1987, Amendment No. 5¶.

DATED at Wellington this 30th day of January 1996.

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.]

G. W. F. THOMPSON
Presiding Member

R. W. G. BLAKELEY
Member

*S.R. 1987/192
†S.R. 1988/156
‡S.R. 1991/87
§S.R. 1992/240
||S.R. 1993/24
¶S.R. 1993/360

DATED at Wellington this 30th day of January 1996.

WARREN COOPER,
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 19 February 1996, consolidate and amend the Lotto Rules 1987. They provide for the conduct and operation of the type of New Zealand lottery known as lotto.

Rules 25 and 26 are new. They provide that the New Zealand Lotteries Commission may from time to time,—

- (a) Determine additional prizes to prize winners in any game of lotto or to members of a particular class of such prize winners:
- (b) Determine special conditions relating to the publication of the award of any additional prizes or to the publicity that the New Zealand Lotteries Commission may give to the award of any such additional prizes.

An amendment related to the new *rules 25 and 26* is the new *rule 20 (2) (c)*.

Rule 39 (which replaces rule 30 of the Lotto Rules 1987) has been amended. That rule (as made in 1987) appeared to oust the jurisdiction of the Courts in relation to decisions of the Commission concerning lotto. The new rule makes it clear that while decisions of the Commission in relation to questions of fact concerning lotto are binding the jurisdiction of the Courts in relation to questions of law is not affected by the rule.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 8 February 1996.
These rules are administered in the New Zealand Lotteries Commission.