

# **Big Wednesday Rules 2005**

(SR 2005/273)

Pursuant to section 243 of the Gambling Act 2003, the Minister of Internal Affairs approves the Big Wednesday Rules 2005, as set out in the Schedule, which were made by the New Zealand Lotteries Commission on the 6th day of September 2005.

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## **Schedule**

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Pursuant to section 243 of the Gambling Act 2003, the New Zealand Lotteries Commission makes the following rules.

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**Rules**

**1    Title**

These rules are the Big Wednesday Rules 2005.

**2    Commencement**

These rules come into force on 1 October 2005.

**3    Interpretation**

In these rules, unless the context otherwise requires,—

**Act** means the Gambling Act 2003

**advance game entry** —

- (a)    means a selection in relation to a game or games that follow the game that is current at the time of selection; but
- (b)    does not include a multi-draw selection

**board** —

- (a)    means the following grids shown on a coupon:
- (i)    the grid of numbers between 1 and 45 (inclusive); and
- (ii)   either—
- (A)   the grid of letters marked “H” or “T” that corresponds with the grid of numbers; or
- (B)   the grid for the cover option; and
- (b)    if more than 1 grid of numbers and letters is shown on a coupon, includes each of those grids of numbers and letters denoted by a letter of the alphabet on the coupon

**bonus ticket** means a ticket issued in accordance with rule 45

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**combo dip selection** means a combo selection in which a player's—

- (a) numbers selection is chosen randomly by the Commission's computer system; and
- (b) letter selection is chosen either—
  - (i) by the player; or
  - (ii) randomly by the Commission's computer system

**combo selection** means the selection of—

- (a) the following numbers as a player's numbers selection:
  - (i) each combination of 6 different numbers derived from combining a set of 5 different numbers between 1 and 45 (inclusive) (the 5 different numbers being chosen by the player), with each number between 1 and 45 (inclusive) remaining unchosen (called system 5); or
  - (ii) each combination of 6 different numbers that can be derived from a set of 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 from the numbers between 1 and 45 (inclusive); and
- (b) a letter selection for each combination of numbers selected

**commercial syndicate** means 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 the syndicate; or
- (b) advertises, by any means, that he or she will receive money for the syndicate

**Commission** means the New Zealand Lotteries Commission continued under the Act

**coupon**, in relation to Big Wednesday, means a card supplied by the Commission containing 1 or more boards for use in marking a player selection

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**cover option** means a selection by a player of both the letter “H” and the letter “T” to apply in relation to each numbers selection

**dip selection** means the selection of—

- (a) 6 different numbers chosen from the numbers between 1 and 45 (inclusive) randomly by the Commission’s computer system; and
- (b) either the letter “H” or the letter “T” chosen—
  - (i) by the player; or
  - (ii) randomly by the Commission’s computer system

**drawing**, in relation to Big Wednesday, means the process that is used to randomly select—

- (a) the winning numbers; and
- (b) the winning letter

**game** means a game of Big Wednesday 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

**letter selection** means the selection of the letter “H” or the letter “T” made in conjunction with a numbers selection

**mail order retailer** means a retailer appointed by the Commission as a mail order selling agent for Big Wednesday

**maximum number of games** means the maximum number of games of Big Wednesday after which no further additions to the division 1 prize pool or the division 2 prize pool (as the case may be) may be made under rule 24 or rule 25

**multi-draw selection** means a selection for 2 or more consecutive games

**numbers selection** means the selection of 6 numbers between 1 and 45 (inclusive) made in conjunction with a letter selection

**payment** includes the handing over of a prize player means a person participating in a game

**players agent** means an agent approved by the Commission to undertake, on behalf of players, the services described in rule

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**prize** means—

- (a) prize money or a non-cash prize (or a combination of both); or
- (b) a bonus ticket

**prize money** includes the cash value of a non-cash prize

**prize reserve fund** means the fund established by the Commission under rule 37 of the Lotto Rules 2000

**retailer** —

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

**selection** means—

- (a) a numbers selection; and
- (b) a letter selection made in conjunction with the numbers selection

**specified Big Wednesday date** means—

- (a) in relation to the division 1 prize pool, the date on which, if there is no division 1 winning selection in the drawing of the game on that date, the total division 1 prize pool that may be won in that game must be added to the prize pool allocation for the next lowest prize division of that game with 1 or more winning selections;
- (b) in relation to the division 2 prize pool, the date on which, if there is no division 2 winning selection in the drawing of the game on that date, the total division 2 prize pool that may be won in that game must be added to the prize pool allocation for the next lowest prize division of that game with 1 or more winning selections

**syndicate** means a combination of persons, whether formal or informal, having as its purpose, or as one of its purposes, the sharing directly or indirectly in the prizes of a game

**terminal** means an online computer terminal installed by the Commission for the purpose of issuing tickets and entering, receiving, and processing Big Wednesday transactions

Big Wednesday Rules 2005—*continued*

**threshold amount** means the total available division 1 prize pool or division 2 prize pool (as the case may be) after which no further additions may be made

**ticket** means the ticket issued by a terminal to record selections, the game number or numbers, cost, and other information as determined by the Commission

**turnover**, in relation to a 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 letter** means either the letter “H” (representing Heads) or the letter “T” (representing Tails) that is randomly drawn before or after the winning numbers have been drawn

**winning numbers** means the first 6 numbers between 1 and 45 (inclusive) that are randomly drawn at each drawing

**winning selection** means, in relation to a game of Big Wednesday, a selection recorded on a ticket that correctly matches in that game—

- (a) the 6 winning numbers and the winning letter;
- (b) any 3 or more of the winning numbers.

**4 Big Wednesday**

Big Wednesday is a New Zealand lottery in which each player endeavours to win prizes by selecting or being allocated a numbers selection in conjunction with a letter selection and attempting to match both—

- (a) the numbers selection with the winning numbers; and
- (b) the letter selection with the winning letter.

Big Wednesday Rules 2005—*continued*

## 1

## Method of play

**5 Cost of selection**

The cost of a Big Wednesday selection is the cost determined by the Commission.

**6 Commission may require minimum number of selections**

The Commission may require a player to make, at any one time, a minimum number of Big Wednesday selections.

**Selections****7 General selection requirements**

- (1) A selection is made by a player marking, by hand, boxes on a board on a coupon constituting the player's—
  - (a) numbers selection; and
  - (b) letter selection.
- (2) The player must mark the boxes specified in subclause (1) with a vertical line that does not extend beyond the outline of the box.
- (3) A board that is not marked by hand, but is marked by a machine or some other means, is invalid and must not be processed by the retailer.
- (4) A player may submit a coupon completed in accordance with this rule to a retailer for processing through the terminal to obtain a ticket recording the player selections marked on the coupon.

**8 Making selection**

- (1) A player makes a selection by marking 6 boxes that constitute the player's numbers selection and either—
  - (a) marking a letter selection on the same board on which the numbers selection has been made; or
  - (b) advising the retailer, when handing the coupon to the retailer for processing,—
    - (i) of the player's letter selection; or

Big Wednesday Rules 2005—*continued*

1—*continued*

- (ii) that the player wants the Commission's computer system to randomly choose the player's letter selection.
- (2) If a player—
  - (a) advises the retailer of his or her letter selection in accordance with subclause (1)(b)(i), the letter selection applies in conjunction with each numbers selection chosen by the player on his or her coupon;
  - (b) requests that the Commission's computer system randomly choose his or her letter selection in accordance with subclause (1)(b)(ii), the Commission's computer system will, in conjunction with each numbers selection chosen by the player, randomly choose the player's letter selection.

**9 Combo selection**

- (1) The Commission is not required to, but may permit players to make their selections by means of 1 or more systems for a combo selection.
- (2) A combo selection is made by a player marking a combo selection on a board.
- (3) For the purposes of subclause (2), a player making a combo selection must also mark, by hand, with a vertical line, the appropriate combo selection box adjacent to the board on the coupon corresponding to the combo selection chosen.

**10 Dip selection**

- (1) If a player requests a dip selection, the retailer (without requiring a coupon) may, through the terminal, issue a ticket that has recorded on it the dip selection requested by the player.
- (2) For the purposes of this rule, a player may make a letter selection in conjunction with a numbers selection (made in accordance with subclause (1)) by advising the retailer, when making the dip selection,—
  - (a) of the player's letter selection; or

Big Wednesday Rules 2005—*continued*1—*continued*

- (b) that the player wants the Commission's computer system to randomly choose the player's letter selection.
- (3) If a player—
  - (a) advises the retailer of his or her letter selection in accordance with subclause (2)(a), that selection applies in conjunction with each numbers selection made by the Commission's computer system:
  - (b) requests that the Commission's computer system choose his or her letter selection in accordance with subclause (2)(b), the Commission's computer system will, in conjunction with each numbers selection made by the computer, randomly choose the player's letter selection.

**11 Player may select cover option for each numbers selection**

- (1) Despite rules 8, 9, and 10, a player may, instead of marking or requesting a letter selection, select the cover option to apply in relation to each numbers selection marked or requested by the player as the case may be.
- (2) A player selects the cover option—
  - (a) in the case of a selection under rule 8 or a combo selection under rule 9, by marking the box headed "both H & T" on the same coupon on which his or her numbers selection has been made:
  - (b) in the case of a dip selection under rule 10, by advising the retailer that the player wants the cover option to apply in relation to each of the player's numbers selections.
- (3) To avoid doubt, the selection of the cover option for each numbers selection results in 2 separate selections being recorded on 1 or more tickets for each numbers selection, one being the numbers selection made in conjunction with the letter "H" and the other being the numbers selection made in conjunction with the letter "T".

Big Wednesday Rules 2005—*continued*

1—*continued*

**General provisions**

**12 Entry into game**

- (1) Each selection on a ticket is a separate entry for a game.
- (2) A ticket is the only proof of a selection and is accordingly the only valid basis for claiming a prize.
- (3) A coupon has no monetary or prize value and does not in any circumstances constitute evidence of the purchase of a ticket or a selection.

**13 Cancellation of ticket**

- (1) A ticket may be cancelled only if it is returned to the issuing retailer before the close of ticket sales on the same day that it is purchased.
- (2) A ticket purchased on the day of drawing and eligible for that drawing may be cancelled only if it is returned to the issuing retailer on that day before ticket sales for the game close.
- (3) On cancellation of a ticket, the player is entitled to a refund from the retailer equal to the cost of the ticket.
- (4) If a ticket is cancelled, all selections recorded on the ticket are cancelled.
- (5) This rule is subject to rules 14(4), 17(6), 18(7), 39(2), 45(5), and 48(2).

**14 Player responsibility**

- (1) It is the sole responsibility of the player to verify that the selections recorded on the player's ticket correspond with those that the player marked or requested and that the game number and date of drawing printed on the ticket are correct.
- (2) By accepting a ticket, the player is taken to have accepted that the selections recorded on the ticket correspond with those that the player marked or requested.
- (3) Neither the Commission nor any other retailer is in any circumstances liable for any errors or omissions in respect of the

Big Wednesday Rules 2005—*continued*1—*continued*

information recorded on any ticket (whether in relation to a selection, game numbers, or otherwise).

- (4) Cancellation of a ticket under rule 13 constitutes a player's or other claimant's only remedy if there is an error or omission on a ticket.

**15 Advance game entries**

- (1) The Commission may give players the option of making an advance game entry for a game.
- (2) To make an advance game entry for a game, a player (in addition to marking the player's selections on the coupon) advises the retailer that he or she wishes to make an advance game entry.
- (3) In the case of a player requesting a dip selection or a combo dip selection, the player makes an advance game selection entry by advising the retailer accordingly.
- (4) In all other respects, the entry must be completed and selections made in accordance with these rules.

**16 Multi-draw selections**

- (1) The Commission may give players the option of making a multi-draw selection for 2 or more consecutive games.
- (2) When a multi-draw selection is available, coupons must—
  - (a) have printed on them boxes designated multi-draw; and
  - (b) state the number of consecutive games that a player can enter.
- (3) To make a multi-draw selection for a game, a player (in addition to marking his or her selections on a coupon) must mark the appropriate multi-draw box on the coupon to indicate the number of consecutive games for which his or her player selections have been made.
- (4) To make a multi-draw selection in conjunction with a dip selection, the player must advise the retailer of the number of consecutive multi-draw games that the player wishes to play.

Big Wednesday Rules 2005—*continued*

1—*continued*

- (5) In all other respects, the entry must be completed and selections made in accordance with these rules.
- (6) If a ticket issued for a multi-draw selection entitles the bearer of the ticket to be paid a prize, the bearer of that winning ticket must, on surrender of the ticket, be issued with a substitute ticket for any games entered that have not been drawn at the time the ticket is surrendered.

**17 Selection by post or other delivery service**

- (1) Coupons or a written request for a selection, 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 a mail order retailer.
- (2) All coupons or written requests delivered by post or other delivery service to the Commission, or to a mail order retailer, may be entered in the next game following the game that is current at the time that the items referred to in subclause (1) are received by the Commission or by the mail order retailer.
- (3) If, at the time of processing a coupon, a selection is found to be invalid or deficient, the authorised person processing the coupon must,—
  - (a) if there are too many numbers or letters marked, delete the highest number or, as appropriate, one of the letters from the selection:
  - (b) if there are too few numbers or letters marked, select 1 or more numbers or letters, as the case may be, at random to complete the player's 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 making selections by post or other delivery service facility must 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

Big Wednesday Rules 2005—*continued*1—*continued*

omissions on the part of the Commission or on the part of a mail order retailer in processing coupons or written requests, or arising from loss of coupons, written requests, or tickets in transit.

- (5) Tickets must be forwarded to a player by post using the stamped self-addressed envelope supplied by the player.
- (6) A ticket issued to a player making a selection by post or other delivery service facility may not be cancelled.

**18 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 forward the ticket to the player.
- (2) A ticket issued in accordance with subclause (1) is for the game next following the game that is current at the time the ticket is issued.
- (3) In addition to receiving from a player the cost of his or her selections, a players agent is entitled to charge the player a fee for processing his or her coupon and forwarding the ticket to the player.
- (4) The amount of the fee charged in accordance with subclause (3) is the amount approved by the Commission.
- (5) If, at the time of processing a coupon, any selection is found to be invalid or deficient, the players agent processing the coupon must,—
  - (a) if there are too many numbers or letters marked, delete the highest number or, as appropriate, one of the letters from the selection:
  - (b) if there are too few numbers or letters marked, select 1 or more numbers or letters at random to complete the selection:
  - (c) in any other case, at the discretion of the Commission or the players agent processing the coupon, either remedy the error and process the coupon, or refer the error back to the player for correction.

Big Wednesday Rules 2005—*continued*

1—*continued*

- (6) A player who uses a players agent must bear and accept (without recourse to either the Commission or the players agent) the consequences of any failure to win a prize or prizes because of delays, errors, or omissions on the part of a players agent in processing coupons or that arise from loss of coupons or tickets in transit.
- (7) Tickets issued to players using the services of a players agent may not be cancelled.

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Drawings and prize divisions

**19 Procedure for drawings**

Drawings must be conducted in accordance with the Act at times and places, and in accordance with the methods, policies, and procedures, determined by the Commission.

**20 Selection of winning numbers and winning letter**

- (1) Drawings must be made using electro-mechanical drawing equipment or any other equipment that the Commission may determine.
- (2) At each drawing there must be randomly selected—
  - (a) the winning numbers; and
  - (b) the winning letter.

**21 Amount of prize pool for game**

- (1) The prize pool for a game must be determined by the Commission, but must be an amount not less than 60% of the turnover for the game.
- (2) The Commission may set aside, from out of the prize pool for a game, an amount up to a maximum of 10% of ticket sales for the game to be paid into the prize reserve fund under rule 32.
- (3) The available prize pool for a game therefore comprises—
  - (a) the prize pool for the game as determined by the Commission under subclause (1), less any amount set aside for the prize reserve fund; and

Big Wednesday Rules 2005—*continued*2—*continued*

- (b) any additional amounts in accordance with rule 24 or rule 25; and
- (c) any reallocation of the prize pool in accordance with rule 26 or rule 30.

**22 Prize divisions and allocation of prize pool**

- (1) The prize divisions in a game are as follows:
  - (a) division 1, being—
    - (i) a numbers selection that correctly matches, in any order, the 6 winning numbers drawn in that game; and
    - (ii) a letter selection made in conjunction with the numbers selection that correctly matches the winning letter drawn in that game:
  - (b) division 2, being a numbers selection that correctly matches, in any order, the 6 winning numbers drawn in that game:
  - (c) division 3, being a numbers selection that correctly matches, in any order, 5 of the 6 winning numbers drawn in that game:
  - (d) division 4, being a numbers selection that correctly matches, in any order, 4 of the 6 winning numbers drawn in that game:
  - (e) division 5, being a numbers selection that correctly matches, in any order, 3 of the 6 winning numbers drawn in that game.
- (2) The available prize pool must be allocated between the prize divisions as follows:
  - (a) division 1, 81.06% of the prize pool for the game after division 5 prizes have been allocated:
  - (b) division 2, 3.44% of the prize pool for the game after division 5 prizes have been allocated:
  - (c) division 3, 8.00% of the prize pool for the game after division 5 prizes have been allocated:
  - (d) division 4, 7.50% of the prize pool for the game after division 5 prizes have been allocated:

Big Wednesday Rules 2005—*continued*

*2—continued*

- (e) division 5, to be paid and satisfied as a bonus ticket containing the minimum number of selections for the next game in accordance with, and subject to, rule 45.
- (3) In all prize divisions, except division 5, the allocation of the available prize pool between prize divisions is not subject to rounding off.
- (4) For the purposes of subclause (2)(a),—
  - (a) the division 1 prize pool may comprise a combination of prize money and non-cash prizes in the proportion that the Commission thinks fit; and
  - (b) if paragraph (a) applies, the sum of those prizes must be treated as 1 prize for the purposes of rule 31.

**Jackpots for division 1 and division 2**

**23 General provisions relating to jackpots**

- (1) For the purposes of rules 24 and 25, the Commission—
  - (a) must determine—
    - (i) the threshold amount; and
    - (ii) the maximum number of games;
  - (b) may nominate a specified Big Wednesday date for the division 1 prize pool or the division 2 prize pool (or both).
- (2) The Commission may revoke a determination made under subclause (1)(a) and make another determination under that subclause that takes effect after the division 1 or division 2 prize pool (or both) has been won or allocated under the determination being revoked.
- (3) The Commission must, as soon as reasonably practicable after making a determination or a nomination under subclause (1), give public notice of the determination or nomination in the manner that the Commission thinks fit.

Big Wednesday Rules 2005—*continued*2—*continued***24 Jackpots for division 1 prize pool**

- (1) If, as a result of any drawing, there is no division 1 winning selection for a game, then the portion of the available prize pool for the game that was allocated to division 1 in that drawing will be added to the division 1 allocation in the next game (jackpot).
- (2) However, a jackpot may not occur—
  - (a) if the jackpot would result in the division 1 prize pool exceeding the threshold amount for division 1; or
  - (b) for more than the maximum number of games specified by the Commission.
- (3) If there is no division 1 winning selection in a game, the division 1 prize pool allocation for that game (including any additions under subclause (1)) must be added to the prize pool allocation for the next lowest prize division with 1 or more winning selections, if—
  - (a) the threshold amount for that game has been reached; or
  - (b) the threshold amount for the next game would be exceeded by jackpotting the unallocated division 1 prize pool for the current game.
- (4) If there is no division 1 winning selection after the maximum number of games, and in the next game there is no division 1 winning selection, the total of the jackpot together with the division 1 prize pool for the current game must be added to the prize pool allocation for the next lowest division of that game with 1 or more winning selections.

**25 Jackpots for division 2 prize pool**

- (1) If, as a result of any drawing, there is no division 2 winning selection for a game, then the portion of the available prize pool for the game that was allocated to division 2 in that drawing will be added to the division 2 allocation in the next game (jackpot).
- (2) However, a jackpot may not occur—
  - (a) if the jackpot would result in the division 2 prize pool exceeding the threshold amount for division 2; or

Big Wednesday Rules 2005—*continued*

2—*continued*

- (b) for more than the maximum number of games specified by the Commission.
- (3) If there is no division 2 winning selection in a game, the division 2 prize pool allocation for that game (including any additions under subclause (1)) must be added to the prize pool allocation for the next lowest prize division with 1 or more winning selections, if—
  - (a) the threshold amount for that game has been reached; or
  - (b) the threshold amount for the next game would be exceeded by jackpotting the unallocated division 2 prize pool for the current game.
- (4) If there is no division 2 winning selection after the maximum number of games, and in the next game there is no division 2 winning selection, the total of the jackpot together with the division 2 prize pool for the current game must be added to the prize pool allocation for the next lowest division of that game with 1 or more winning selections.

**26 Reallocation of prize pool if no winning selection on specified Big Wednesday date**

- (1) This rule applies if there is no division 1 winning selection or division 2 winning selection (or both) in a game on a specified Big Wednesday date.
- (2) The prize pool allocation for division 1 or division 2 (or both) for that game (including any additions under rule 24(1) or rule 25(1)) must be added to the prize pool allocation for the next lowest prize division with 1 or more winning selections.

**Prize allocation: Division 1**

**27 One winning selection in division 1**

If, in any game, there is 1 winning selection in division 1, the player with the winning selection is entitled to receive—

- (a) the prize money (if any) allocated to that division; and
- (b) the non-cash prizes (if any), or the cash value of those prizes, allocated to that division.

Big Wednesday Rules 2005—*continued*  
2—*continued*

**28 Two or more winning selections in division 1**

If, in any game, there are 2 or more winning selections in division 1, each player with a winning selection is entitled to receive—

- (a) an equal share of the prize money (if any) allocated to that division; and
- (b) an equal share of the cash value of each of the non-cash prizes (if any) allocated to that division.

**Prize allocation: Other divisions**

**29 More than 1 winning selection in other prize divisions**

- (1) If, in any game, there is more than 1 winning selection in any prize division (except division 5), the prize pool allocated to that division must be shared equally between each player or other claimant with a winning selection in the division.
- (2) On sharing the prize allocation for any prize division, the amounts distributed to each player or other claimant with a winning selection must be rounded as follows:
  - (a) prize amounts that are 50 cents or more above an amount in dollars must be rounded up to the nearest dollar; and
  - (b) prize amounts that are less than 50 cents above an amount in dollars must be rounded down to the nearest dollar.
- (3) Any money left over after the rounding process has been carried out must be paid into the prize reserve fund.

**30 Reallocation of prize pool if no winning selection in divisions below division 2**

- (1) If, in any drawing, there is no winning selection in any division below division 2, then that portion of the prize pool allocated to that prize division must be added to the prize pool allocated to the next lowest prize division in the game with a winning selection.

Big Wednesday Rules 2005—*continued*

2—*continued*

- (2) If there is no lower prize division with a winning selection, the portion of the prize pool concerned must be added to the total available prize pool for the next game.

**31 No more than 1 prize for each winning selection**

Each winning selection is eligible for 1 prize only.

**General provisions**

**32 Prize reserve fund**

- (1) The Commission must pay into the prize reserve fund—
- (a) the amounts that the Commission—
    - (i) may set aside for payment into the fund under rule 21(2); or
    - (ii) must pay into the fund under rule 29(3); and
  - (b) the prize money or the cash value of any non-cash prizes or bonus tickets in respect of tickets that do not comply with the requirements in rule 38, and any provision of subpart 2 of Part 3 of the Act; and
  - (c) the prize money or the cash value of any non-cash prizes or bonus tickets unclaimed after 12 months from the date of drawing.
- (2) The Commission may, either before or after a drawing, allocate from the prize reserve fund any sum of money that it sees fit—
- (a) to the total available prize pool for any game; or
  - (b) to a particular prize allocation for a prize division or divisions of any game (except division 5); or
  - (c) to any extraordinary prize determined in accordance with rule 34.

**33 Results**

- (1) The results of each drawing must be available from retailers in their sales premises as soon as practicable after each drawing and may also be published in any other manner that the Commission may determine.

Big Wednesday Rules 2005—*continued*2—*continued*

- (2) The information available must include—
  - (a) the number of the game; and
  - (b) the winning numbers and the winning letter; and
  - (c) the total prize pool for the game; and
  - (d) the amount payable for each winning selection in each prize division for each game; and
  - (e) any other information as the Commission may determine.
- (3) The Commission must maintain a record of the results of a drawing for at least 12 months after the drawing.
- (4) The Commission may publish the name of any division 1 or division 2 prize winner who, on the prize claim form, authorises the publication of his or her name as a prize winner.

**34 Extraordinary prizes**

- (1) The Commission may—
  - (a) determine to conduct a draw for extraordinary prizes in a game; and
  - (b) determine—
    - (i) the value of the extraordinary prizes to be distributed in accordance with the draw; and
    - (ii) the class of player, or classes of players, that may enter the draw; and
  - (c) conduct the draw.
- (2) In subclause (1), **draw** means a draw that—
  - (a) may be entered by members of—
    - (i) a particular class of player; or
    - (ii) particular classes of players; or
    - (iii) all classes of players; and
  - (b) determines the players entitled to extraordinary prizes—
    - (i) by lot; or
    - (ii) on a random basis; or
    - (iii) wholly by chance.
- (3) Any sum or sums of money for extraordinary prizes must be allocated from the prize reserve fund.

Big Wednesday Rules 2005—*continued*

*2—continued*

- (4) This rule is not affected by rule 31.

3

Payment of prizes and ticket validation  
requirements

**35 Payment of prizes**

- (1) Prizes payable to players are payable in prize money, as non-cash prizes, or as bonus tickets.
- (2) A prize payable to a player in accordance with these rules may be claimed from and including the day following the drawing as a result of which the prize has been won.
- (3) A prize is available for payment only when the terminal and the Commission's online gaming computer system are operating.

**36 Determination of prize claims**

- (1) In all cases, the determination of prize entitlement is subject to the ticket validation requirements set out in rule 38.
- (2) A ticket must in all circumstances be regarded by the Commission and by retailers as being owned by the bearer (physical possessor) of the ticket who is determined in accordance with these rules.
- (3) The person named on a duly completed prize claim form must be treated as the bearer of the ticket accompanying the prize claim form.

**37 Further provisions relating to determination of prize claims**

- (1) For the purposes of rule 36(3), if more than 1 person is named on a prize claim form, the person first named must be treated as the bearer of the accompanying ticket.
- (2) Even though a ticket bears the name or other identification of another person or a syndicate, retailers—
- (a) must recognise only the bearer of the ticket as the owner; and

Big Wednesday Rules 2005—*continued*3—*continued*

- (b) except as ordered by a Court of competent jurisdiction, are not bound to take notice of any trust (express, implied, or constructive) to which any ticket or prize may be subject.
- (3) The surrender of a ticket to a retailer and the receipt by the bearer of the ticket of a prize payable in respect of the ticket is a good and complete discharge of the Commission's obligations, despite any notice the Commission may have of the alleged right, title, interest, or claim of any other person or persons to the prize.
- (4) Neither the Commission nor any other retailer is 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 before payment of the prize.

**38 Ticket validation requirements**

In addition to any other requirements in these rules, the following requirements apply before a ticket is regarded as a valid prize winning ticket:

- (a) the ticket must include 1 or more selections that are winning selections:
- (b) the ticket must have been issued on behalf of the Commission by a retailer through a terminal in the authorised manner:
- (c) the ticket must be intact and must not be mutilated, altered, unreadable, reconstituted, or tampered with in any manner:
- (d) the information recorded on the ticket must correspond with the Commission's computer record of prize-winning tickets:
- (e) each number and letter on the ticket, whether a numbers selection or a letter selection, game number, or otherwise, must be fully legible:

Big Wednesday Rules 2005—*continued*

3—*continued*

- (f) the ticket must not be defectively printed or produced in error to an extent that it cannot be processed by the Commission or any other retailer:
- (g) the ticket must not be counterfeit or cancelled:
- (h) the ticket must not appear on the Commission's computer record of cancelled tickets:
- (i) all information appearing on the ticket must appear in the Commission's official computer record of winning tickets, and a prize must not have already been paid in relation to another ticket with identical data:
- (j) the ticket must pass all additional confidential validation tests and security criteria established by the Commission:
- (k) the ticket must not have been issued in return for a machine-completed coupon.

**39 Certain syndicate tickets invalid**

- (1) A ticket purchased by or on behalf of a commercial syndicate is void and ineligible for a prize.
- (2) Tickets purchased by or on behalf of a commercial syndicate may not be cancelled.
- (3) The Commission must not replace a ticket that is invalid under this rule.
- (4) 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.

**40 Consequences of ticket being invalid**

- (1) If a ticket fails to pass all the ticket validation requirements set out in rule 38, the ticket is void and ineligible for a prize.
- (2) The Commission may replace an invalid ticket with a ticket of equivalent sales price for any subsequent game.

Big Wednesday Rules 2005—*continued*

## 4

## Claiming prizes

**41 Time limits on claims**

- (1) All prizes must be claimed within 12 months from the date on which the winning numbers and winning letter were drawn.
- (2) Any prize not claimed within 12 months in the manner set out in these rules is forfeited, and the unclaimed prize money or the cash value of any unclaimed non-cash prize or bonus ticket must be paid into the prize reserve fund.

**42 Prizes of \$1,000 or less**

- (1) If the prize (whether prize money, non-cash prizes, or bonus tickets or a combination) that may be claimed for any one ticket has a value of \$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 cash prize for up to 12 months from the date on which the winning numbers and winning letter were drawn.
- (3) Retailers must pay the bearer of a ticket winning \$1,000 or less presented within that 12-month period if all the ticket validation requirements and other requirements set out in these rules have been satisfied.
- (4) If the retailer is for any reason unable to validate the claimant's ticket, or is not authorised to pay the cash prize, or the claimant decides to submit the claim direct to the Commission, the claimant must make the claim direct to the Commission in the manner and on the basis set out in rule 43.

**43 Prizes of more than \$1,000**

- (1) If the prize (whether prize money, non-cash prizes, or bonus tickets or a combination) that may be claimed on any one ticket is more than \$1,000, a claimant may make a claim for payment either direct to the Commission or through another retailer.
- (2) The payment of the prize may be made only by the Commission.

Big Wednesday Rules 2005—*continued*

4—*continued*

- (3) Claims for prizes submitted direct to the Commission may be either—
  - (a) sent by mail to the Commission; or
  - (b) made in person at the office of the Commission.
- (4) The procedure for prize claims made through a retailer (other than the Commission) is as follows:
  - (a) the claimant must complete the back of the ticket and present it to the retailer who must—
    - (i) process the ticket through the terminal to register the claim; and
    - (ii) then provide the claimant with a prize claim form:
  - (b) the claimant must immediately complete the prize claim form and return it to the retailer:
  - (c) the retailer must endorse the prize claim form and return to the claimant 1 copy of the endorsed form as a receipt for the surrender of the ticket:
  - (d) the prize claim form with the accompanying ticket must then be forwarded by the retailer to the Commission for validation.
- (5) If a claim for a prize is submitted to the Commission without a duly completed prize claim form, the Commission, before paying any prize, may require the person making the claim to complete a prize claim form.

**44 Payment of prizes of more than \$1,000**

- (1) The Commission must pay a claimant under rule 43 in the manner set out in subclause (2) of this rule if all the ticket validation requirements set out in these rules have been satisfied.
- (2) The Commission must pay—
  - (a) prize money by means of a cheque payable to the order of the claimant or a direct credit to the claimant, for the amount of the prize due; and
  - (b) a non-cash prize in the manner determined by the Commission.
- (3) For the purposes of subclause (2)(a),—

Big Wednesday Rules 2005—*continued*4—*continued*

- (a) payment by cheque must be either posted to the claimant or, for a claim made in person, handed to the claimant;
  - (b) payment by direct credit must be made by transferring the prize money to the bank account nominated by the claimant.
- (4) A cheque posted to the claimant's address as specified on the prize claim form must be treated as having been received by the claimant on the third day after the cheque is posted.
  - (5) The Commission must pay a claimant under this rule only if all the ticket validation requirements set out in rule 38 have been met.
  - (6) If a ticket is not validated by the Commission, the claim must be refused and the claimant notified promptly of the refusal.

**Division 5 bonus ticket****45 Division 5 bonus ticket**

- (1) If the ticket validation requirements and the other requirements of these rules are satisfied in respect of a division 5 prize, that prize must not be paid and satisfied in cash, but must instead be paid and satisfied by the issue, to the bearer of the ticket, of a bonus ticket with a minimum number of selections for the game to be drawn next following the date of issue of the bonus ticket.
- (2) The bonus ticket selections must be chosen randomly by the Commission's computer system.
- (3) If, when the bearer of a ticket claims a division 5 prize or when the bearer of a bonus ticket presents that ticket for validation, there is no game on sale, then,—
  - (a) instead of the prize being a bonus selection, the prize is the cash value of the ticket; and
  - (b) the bonus ticket may be redeemed for its cash value.
- (4) The cash value for each winning division 5 selection is the cost of the minimum number of selections for the next game.

Big Wednesday Rules 2005—*continued*

4—*continued*

- (5) A ticket issued to a player in accordance with subclause (1) may not be cancelled.

5

**Withdrawal of Big Wednesday**

**46 Commission may withdraw Big Wednesday**

The Commission may decide to withdraw Big Wednesday.

**47 Public announcement of withdrawal**

If the Commission decides to withdraw Big Wednesday it must, as soon as is reasonably practicable, announce to the public (in the manner the Commission sees fit) the date on which Big Wednesday will be withdrawn.

**48 Effect on advance game entries and multi-draw selections**

- (1) If a player has made an advance game entry or multi-draw selection for a game of Big Wednesday that is withdrawn, the player may either—
- (a) retain his or her ticket in relation to the game or games that will be held before the withdrawal; or
  - (b) obtain a refund for the selections he or she made in relation to the game or games for which a drawing will be held before the withdrawal.
- (2) If, for any reason, a drawing for Big Wednesday to which an advance game entry or multi-draw selection relates is not held, the player, despite rules 17(6) or 18(7), is entitled,—
- (a) within 12 months, to return for cancellation any ticket on which any multi-draw selections or advance game entries are recorded; and
  - (b) on the cancellation of that ticket, to a refund equal to the cost of his or her selections for each game for which a drawing was not held.
- (3) If a ticket is not cancelled under subclause (2) within 12 months, the money paid to the Commission for the purchase of the ticket must be transferred into the prize reserve fund.

Big Wednesday Rules 2005—*continued*5—*continued***49 Payment into prize reserve fund**

Any prize, or the cash value of any non-cash prize, that is not won in the last game of Big Wednesday before its withdrawal must be paid into the prize reserve fund.

## 6

## Miscellaneous provisions

**50 Limitation on Commission's liability**

Neither the Commission nor any other retailer is, in any circumstances, liable for any loss (direct or indirect) suffered by a player, bearer of a ticket, or any other person—

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

**51 Decisions of Commission binding**

All decisions of the Commission on questions of fact concerning Big Wednesday (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) are final and binding on all players and any other person or persons concerned for any reason with these matters.

Dated at Auckland this 6th day of September 2005.

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

John Goulter,  
Presiding Member,  
[LS]  
Trevor Hall,

Big Wednesday Rules 2005—*continued*

Chief Executive, New Zealand Lotteries Commission.

[LS]

Dated at Auckland this 2nd day of September 2005.

GW Hawkins,

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 1 October 2005, provide for the conduct and operation by the New Zealand Lotteries Commission of a New Zealand lottery known as Big Wednesday, in accordance with subpart 2 of Part 3 of the Gambling Act 2003.

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