

## **Instant Kiwi (Instant Game) Rules 1992, Amendment No 2**

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 and as applied to New Zealand instant games by section 84A of the Gaming and Lotteries Act 1977), the Minister of Internal Affairs hereby approves the Instant Kiwi (Instant Game) Rules 1992, Amendment No 2 which were made by the New Zealand Lotteries Commission on the 27th day of November 1996, and of which a copy is set out in the Schedule hereto.

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### **Schedule**

#### **The Instant Kiwi (Instant Game) Rules 1992, Amendment No 2**

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 and as applied to New Zealand instant games by section 84A of the Gaming and Lotteries Act 1977), the New Zealand Lotteries Commission hereby makes the following rules.

#### **RULES**

- 1 Title and commencement**
- (1) These rules may be cited as the Instant Kiwi (Instant Game) Rules 1992, Amendment No 2, and shall be read together with and deemed part of the Instant Kiwi (Instant Game) Rules 1992 (SR 1992/38) (in these rules referred to as “the principal rules”).
  - (2) These rules shall take effect on and from the date of their notification in the *Gazette*.

**2 Interpretation**

Rule 2 of the principal rules is hereby amended by revoking the definition of the term **Prize Reserve Fund**, and substituting the following definition:

“**Prize Reserve Fund** means the fund of that name established by the Commission pursuant to rule 20 of the Lotto Rules 1996 (SR 1996/8)”.

**3 Prize Reserve Fund**

(1) Rule 13(2) of the principal rules is hereby amended by omitting the words “out of the Prize Reserve Fund such sum or sums as it thinks”, and substituting the words “the Prize Reserve Fund such sum or sums of money as it sees”.

(2) Rule 13 of the principal rules is hereby amended by revoking subclause (3), and substituting the following subclause:

“(3) These rules allow the payment into the Prize Reserve Fund of sums of money and the allocation from the Prize Reserve Fund of sums of money, but do not otherwise affect the provisions of the Lotto Rules 1996.”

**4 Results**

Rule 14 of the principal rules is hereby amended by revoking subclause (3), and substituting the following subclause:

“(3) The Commission may publish the name of any prize winner who, on the Instant Kiwi prize claim form, authorises the publication of his or her name as a prize winner.”

**5 Special conditions relating to publication of results and publicity**

The principal rules are hereby amended by revoking rule 15.

**6 Additional prizes**

Rule 20 (2) of the principal rules is hereby amended by omitting the word “Any”, and substituting the words “A sum or sums of money for any”.

**7 Claims made directly to Commission**

Rule 25(2) of the principal rules is hereby amended by revoking paragraph (c), and substituting the following paragraph:

“(c) subject to paragraphs (a) and (b) of this subclause, the Commission shall pay the amount of the prize to the claimant—

“(i) by a cheque payable to the order of the claimant for the amount of the prize due, which shall be either posted to the claimant or, for a claim made in person, handed to the claimant; or

“(ii) by a direct credit to the claimant for the amount of the prize due, which shall be transferred to the bank account nominated by the claimant.”.

**8 Decisions of Commission binding**

Rule 28 of the principal rules is hereby amended by inserting, after the word “Commission”, the words “on questions of fact”.

**9 Revocation**

The Instant Kiwi (Instant Game) Rules 1992, Amendment No 1 is hereby revoked.

Dated at Wellington this 27th day of November 1996.

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

[Seal]

G W F Thompson,  
Presiding Member.

D W Bale,  
Chief Executive, New Zealand Lotteries Commission.

Dated at Wellington this 20th day of December 1996.

J A Elder,  
Minister of Internal Affairs.

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### Explanatory note

*This note is not part of the rules, but is intended to indicate their general effect.*

These rules, which take effect on and from the date of their notification in the *Gazette*, amend the Instant Kiwi (Instant Game) Rules 1992 in 4 ways.

First, they replace the Prize Reserve Fund established pursuant to the Instant Kiwi (Prize Competition) Rules 1989, which related also to the Instant Kiwi (Instant Game) Rules 1992, with the Prize Reserve Fund established pursuant to the Lotto Rules 1996. The fund established pursuant to the Lotto Rules 1996 relates to all games administered by the New Zealand Lotteries Commission.

Second, they allow the New Zealand Lotteries Commission to publish the name of any prize winner in an Instant Kiwi instant game who authorises publication of his or her name as a prize winner. This reverses the previous approach to the publication of prize winners' names, which was to allow publication unless the prize winner requested anonymity.

Third, they align the provision on the payment of prizes of more than \$1,000 with the provision in the Bingo Rules 1996.

Fourth, they align the provision on decisions of the Commission with provisions in the rules of other games administered by the Commission. The new rule makes it clear that, while decisions of the Commission in relation to questions of fact concerning Instant Kiwi are binding, the jurisdiction of the courts in relation to questions of law is not affected by the rule.

1997/2

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1992, Amendment No 2**

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These rules are administered by the New Zealand Lotteries Commission.

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