



## Bullseye Rules 2009

Pursuant to section 243 of the Gambling Act 2003, the Minister of Internal Affairs approves the following rules, which were made by the New Zealand Lotteries Commission on 4 September 2009.

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**Rules**

**1 Title**

These rules are the Bullseye Rules 2009.

**2 Commencement**

These rules come into force on 9 October 2009.

**3 Application**

- (1) These rules apply to Bullseye tickets, whether they are issued in printed form by a terminal or purchased electronically.
- (2) For the purpose of enabling Bullseye tickets to be purchased electronically, these rules apply subject to all necessary modifications.
- (3) Despite subclause (2),—
  - (a) a reference in these rules to any act done electronically or anything in an electronic form must be read only as a reference to Bullseye tickets being purchased electronically; and
  - (b) an act that is described in these rules as being done electronically must be done in accordance with any additional instructions provided by the Commission, including any terms and conditions governing the use of the Commission's Internet site for the purchase of a ticket electronically.

#### 4 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 specified by the Commission that follow the game current at the time of selection; but
- (b) does not include a multi-draw selection

**board** means—

- (a) a grid on a coupon showing the numbers 0 to 9 arranged in 6 columns enabling a player to mark his or her player's selection; and
- (b) if more than 1 grid is shown on a coupon, each of those grids denoted by a letter of the alphabet on the coupon

**bonus ticket** means a ticket issued in accordance with rule 44

**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 established under the Act

**coupon**, in relation to a game, means a coupon provided by the Commission in printed form or by electronic means that contains at least 1 board for use in making a player's selection

**dip selection** means a selection chosen randomly by the Commission's computer system

**drawing** means the process that is used to randomly select the winning number

**electronic** includes electrical, digital, magnetic, optical, electromagnetic, biometric, and photonic

**game** means a game of Bullseye 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

**mail order retailer** means any retailer appointed by the Commission as a mail order selling agent for Bullseye

**maximum number of games** means the maximum number of games after which no further additions to the division 1 prize pool may be made under rule 23(2)

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

**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 17

**prize** means—

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

**prize claim form** means the form supplied by the Commission to enable a player to claim prizes from the Commission

**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

**purchased electronically**, in relation to a ticket,—

- (a) means purchased from the Commission by electronic means; but
- (b) does not include a purchase made from any other retailer or a purchase made by post or other delivery service

**retailer**—

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

**selection** means the selection of a number composed of 6 numerals between 0 and 9 (inclusive)

**specified date** means, 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

**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 Bullseye transactions

**threshold amount**, in the case of the division 1 prize pool, means the total available division 1 prize pool after which no further additions may be made under rule 23(2)

**ticket** means a ticket that—

- (a) records selections, the game number or numbers, cost, and other information as determined by the Commission; and
- (b) is either issued in printed form by a terminal or purchased electronically

**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 number** means the number composed of 6 numerals between 0 to 9 (inclusive) and within the range of numbers 000000 to 999999 (inclusive) that is randomly drawn at a drawing.

## 5 **Bullseye**

Bullseye is a New Zealand lottery in which a player endeavours to win prizes by selecting or being allocated a selection and attempting to match that selection with the winning number.

### **Part 1 Making selection**

#### 6 **Cost of selection**

- (1) The cost of a selection is \$2.

- (2) However, if a player makes selections—
  - (a) for 7 consecutive games at the same time, the total cost of those selections is \$10;
  - (b) for 14 consecutive games at the same time, the total cost of those selections is \$20.

**7 Requirements for tickets issued in printed form by terminal**

- (1) For a ticket issued in printed form by a terminal, a player makes a selection by marking, by hand, a number from each of the 6 columns on a board on a coupon that constitutes the player's selection.
- (2) The player must mark each number specified in subclause (1) with a horizontal line that does not extend beyond the outline of the box enclosing the number.
- (3) A board that is not marked by hand in accordance with subclause (1), 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's selection marked on the coupon.

**8 Requirements for tickets purchased electronically**

- (1) For a ticket purchased electronically, a selection is made by a player making a selection electronically on a coupon.
- (2) A player may electronically submit a coupon completed in accordance with subclause (1) to obtain a ticket recording the selections made on the coupon.

**9 Dip selection**

If a player requests or selects a dip selection,—

- (a) the retailer (without requiring a coupon) may, through the terminal, issue a ticket that has recorded on it the dip selection; or
- (b) a ticket may be issued electronically that has recorded on it the dip selection.

*General provisions***10 Application of certain rules**

- (1) This rule and rules 11 to 17 apply to a ticket issued in printed form by a terminal, but only this rule and rules 11, 13(1) and (3), and 15 apply to a ticket purchased electronically.
- (2) To avoid doubt, a ticket purchased electronically cannot be cancelled.

**11 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.

**12 Cancellation of ticket**

- (1) A ticket may be cancelled only if, on the same day that it is purchased, it is returned to the issuing retailer 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 retailer 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 for a game is cancelled, all selections recorded on the ticket are cancelled.
- (5) This rule is subject to rules 13(4), 16(6), 17(7), 37(2), and 44(5).

**13 Player responsibility**

- (1) A player is solely responsible for verifying that the selections recorded or displayed on the ticket correspond with those that the player made or requested and that the game number and date of drawing are correct, either, as the case may be,—
  - (a) by checking the ticket issued in printed form by a terminal; or

- (b) before confirming the purchase of the ticket electronically.
- (2) By accepting a ticket issued in printed form by a terminal, the player is taken to have accepted that the selections recorded on the ticket correspond with those that the player made or requested.
- (3) Neither the Commission nor any other retailer is in any circumstances liable for any errors or omissions in respect of the information recorded on any ticket (whether details of selection, game numbers, or otherwise).
- (4) Cancellation of a ticket under rule 12 constitutes a player's or other claimant's only remedy if there is an error or omission on a ticket.

#### **14 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, the player makes an advance game dip 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.

#### **15 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) show 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, or indicating electronically, his or her player selections on a coupon) must mark, or indicate electronically, 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, or, as the case may be, indicate electronically the number of consecutive multi-draw games for which the player wishes his or her selections to apply.
- (5) In all other respects, the entry must be completed and selections made in accordance with these rules.
- (6) If a ticket for a multi-draw selection that is issued in printed form by a terminal 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.

#### **16 Selection by post or other delivery service**

- (1) Coupons or a written request for a selection may be delivered by post or other delivery service to the office of the Commission or to any mail order retailer if accompanied by the required payment and a stamped (with correct postage) self-addressed envelope.
- (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 game that follows the game 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, any selection is found to be invalid or deficient, the authorised person processing the coupon must,—
  - (a) if there are too many numbers marked, delete 1 or more numbers, as the case may be, at random to complete the selection:
  - (b) if there are too few numbers marked, select 1 or more numbers, as the case may be, at random to complete the 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) A player 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 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 that player.
- (6) A ticket issued to a player making a selection by post or other delivery service facility may not be cancelled.

#### **17 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 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 having his or her coupon processed 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 marked, delete 1 or more numbers, as the case may be, at random from the selection:
  - (b) if there are too few numbers marked, select 1 or more numbers, as the case may be, 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.
- (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 due to 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.

## **Part 2**

### **Draws and prize divisions**

#### **18 Procedure for drawings**

- (1) Drawings must be conducted daily in accordance with the Act at times and places, and in accordance with the methods, policies, and procedures, determined by the Commission.
- (2) A drawing must not be conducted on Christmas Day or Good Friday.

#### **19 Selection of winning number**

- (1) Drawings must be made using the equipment determined for the purpose by the Commission.
- (2) At each drawing there must be randomly selected the winning number.

#### **20 Amount of prize pool for game**

- (1) The prize pool for a game must be determined by the Commission, but must be an amount of not less than 55% of the turnover for the game.
- (2) The Commission may, if it thinks fit, set aside from out of the prize pool for a game an amount, up to a maximum amount of 15% of ticket sales for the game, to be paid into the prize reserve fund under rule 30.
- (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
- (b) any additional amounts included in the prize pool under rule 23; and
- (c) any reallocation of the prize pool in accordance with rule 24, 26, or 29; and
- (d) any additional amounts included in the prize pool under rule 30(2)(a).

## **21 Division of prizes and allocation of prize pool**

- (1) The prize divisions in a game are as follows:
  - (a) division 1, being a selection that correctly matches the winning number drawn:
  - (b) division 2, being a selection that is not more than 5 numbers higher than the winning number drawn or not more than 5 numbers lower than the winning number drawn:
  - (c) division 3, being a selection that is—
    - (i) not more than 45 numbers higher than the highest number specified for division 2:
    - (ii) not more than 45 numbers lower than the lowest number specified for division 2:
    - (iii) not in division 2 or division 1:
  - (d) division 4, being a selection that is—
    - (i) not more than 450 numbers higher than the highest number specified for division 3:
    - (ii) not more than 450 numbers lower than the lowest number specified for division 3:
    - (iii) not in division 3 or any higher division:
  - (e) division 5, being a selection that is—
    - (i) not more than 4 500 numbers higher than the highest number specified for division 4:
    - (ii) not more than 4 500 numbers lower than the lowest number specified for division 4:
    - (iii) not in division 4 or any higher division:
  - (f) division 6, being a selection that is—
    - (i) not more than 45 000 numbers higher than the highest number specified for division 5:

- (ii) not more than 45 000 numbers lower than the lowest number specified for division 5:
- (iii) not in division 5 or any higher division.

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**Example**

The winning number is 000001. Sam wins division 1 by selecting the number 000001. Sam wins division 2 by selecting any of the following numbers: 000002, 000003, 000004, 000005, 000006 or 000000, 999999, 999998, 999997, 999996.

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- (2) The prize pool for a game must be allocated between the prize divisions as follows:
  - (a) division 1, 19.05% of the prize pool for the game after the division 6 prizes have been allocated:
  - (b) division 2, to be allocated as required from the prize reserve fund in accordance with rule 25:
  - (c) division 3, 10.12% of the prize pool for the game after the division 6 prizes have been allocated:
  - (d) division 4, 20.23% of the prize pool for the game after the division 6 prizes have been allocated:
  - (e) division 5, 50.60% of the prize pool for the game after the division 6 prizes have been allocated:
  - (f) division 6, to be paid and satisfied as a bonus ticket in accordance with, and subject to, rule 44.
- (3) The available prize pool or, as applicable, a particular division or divisions of the available prize pool must also include—
  - (a) any additional amounts in accordance with rule 23 (which relates to jackpots for division 1); 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 24, 26, or 29.
- (4) In all prize divisions (except divisions 2 and 6) the allocation of the available prize pool between prize divisions is not subject to rounding off.
- (5) For the purposes of subclause (1)(b) to (f),—
  - (a) the numbers 999999 and 000000 are to be treated as consecutive numbers; and

- (b) the number 000000 is to be treated as a number lower than 000001 and the number 999999 is to be treated as a number lower than 000000, and so on.
- (6) 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 28 (which provides that each winning selection is eligible for 1 prize only).

### *Jackpots for division 1*

#### **22 General provisions relating to jackpots**

- (1) For the purposes of rule 23, the Commission—
- (a) must determine—
    - (i) the threshold amount; and
    - (ii) the maximum number of games; and
  - (b) may nominate a specified date for the division 1 prize pool.
- (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 prize pool has been won or allocated under the determination being revoked.
- (3) The Commission must, as soon as is 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.

#### **23 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 must be added, subject to the restriction in subclause (2), 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 prize division of that game with 1 or more winning selections.

**24 Reallocation of division 1 prize pool if no winning selection on specified date**

- (1) This rule applies if there is no division 1 winning selection in a game on a specified date.
- (2) The prize pool allocation for division 1 for that game (including any jackpot under rule 23(1)) must be added to the prize pool allocation for the next lowest prize division with 1 or more winning selections.

*Prize for division 2*

**25 Prize for division 2**

- (1) The prize for a division 2 winning selection is \$10,000.
- (2) The total available prize pool that may be allocated from the prize reserve fund to division 2 in a game is \$250,000.
- (3) If, in any game, the payment of all division 2 winning selections would exceed \$250,000, then the \$250,000 allocated to that division must be shared equally between each player or other claimant with a division 2 winning selection in accordance with rule 27.
- (4) Subclause (1) is subject to subclause (3) and rules 24 and 26.

**26 Reallocation of division 1 jackpot to division 2**

- (1) This rule applies if—
  - (a) rule 23(3) or (4) or 24 applies; and
  - (b) there is 1 or more than 1 winning selection in division 2 in that game.
- (2) The Commission must pay each player with a division 2 winning selection—
  - (a) the prize for division 2 in accordance with rule 25; and
  - (b) an equal share of the reallocated division 1 jackpot.

*Prize allocation***27 More than 1 winning selection in prize division**

- (1) If, in any game, there is more than 1 winning selection in any prize division (except division 6), the prize money allocated to that division must be shared equally between each player or other claimant with a winning selection in the division.
- (2) On a sharing of 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 required by subclause (2) has been carried out must be paid into the prize reserve fund.

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

Each winning selection is eligible for 1 prize only.

**29 Reallocation of prize pool if no winning selection in prize division below division 1**

- (1) If, in any drawing, there is no winning selection in a prize division below division 1, 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.

- (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.

### *General provisions*

#### **30 Prize reserve fund**

- (1) The Commission must pay into the prize reserve fund—
  - (a) those amounts that the Commission—
    - (i) may set aside for payment into the fund under rule 20(2); or
    - (ii) must pay into the fund under rule 27(3); and
  - (b) prize money or the cash value of any non-cash prizes or bonus tickets in respect of tickets that do not comply with the ticket validation requirements in rule 36, and any provision of subpart 2 of Part 3 of the Act; and
  - (c) prize money or the cash value of any non-cash prizes or bonus tickets unclaimed after 12 months from the date on which the winning numbers were drawn.
- (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 6); or
  - (c) to any extraordinary prize determined in accordance with rule 32.

#### **31 Results**

- (1) The results of each drawing must be displayed by retailers in their Bullseye sales premises as soon as practicable after each drawing and may also be published in any other manner that the Commission may determine.
- (2) The information displayed and published must include—
  - (a) the number of the game; and
  - (b) the winning number; 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 prize winner who, on the prize claim form, authorises the publication of his or her name as a prize winner.

### **32 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.
- (4) This rule is not affected by rule 28 (which provides that each winning selection is eligible for 1 prize only).

**Part 3**  
**Payment of prizes and ticket validation requirements**

**33 Payment of prizes**

- (1) Prizes payable to players are payable in prize money, as non-cash prizes, or as a bonus ticket (as the case may be).
- (2) A prize that is won through a ticket issued in printed form by a terminal and is 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) That prize is available for payment only when the terminal and the Commission's online gaming computer system are operating.

**34 Determination of prize claims**

- (1) In all cases, the determination of prize entitlement is subject to the ticket validation requirements set out in rule 36.
- (2) A ticket issued in printed form by a terminal must in all circumstances be regarded by the Commission and by retailers as being owned by the physical possessor (the **bearer**) of the ticket 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.

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

- (1) For the purposes of rule 34(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
  - (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.

### **36 Ticket validation requirements**

- (1) In addition to any other requirements in these rules, the requirements in subclause (2) or, as the case may be, subclause (3) apply before a ticket is regarded as a valid prize winning ticket.
- (2) For a ticket issued in printed form by a terminal,—
  - (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 on the ticket, whether a selection number, game number, or otherwise, must be fully legible:
  - (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 false, 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.
- (3) For a ticket purchased electronically,—
- (a) the ticket must include 1 or more selections that are winning selections:
  - (b) the information recorded on the ticket must correspond with the Commission's computer record of prize winning tickets:
  - (c) the ticket must not be false or counterfeit:
  - (d) the ticket must not appear on the Commission's computer record of cancelled tickets:
  - (e) 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:
  - (f) the ticket must pass all additional confidential validation tests and security criteria established by the Commission.

### **37 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.

**38 Consequences of ticket being invalid**

- (1) If a ticket fails to pass all the ticket validation requirements set out in rule 36, the ticket is void and ineligible for any prize.
- (2) The Commission may, if it thinks fit, replace an invalid ticket with a ticket of equivalent sales price for any subsequent game.

## **Part 4 Claiming prizes**

**39 Prizes won through tickets purchased electronically**

- (1) Despite anything in this Part, the following provisions apply to all prizes won through tickets purchased electronically:
  - (a) prizes cannot be claimed from a retailer:
  - (b) monetary prizes will be credited to the purchaser:
  - (c) the purchaser must comply with the Commission's terms and conditions for prizes:
  - (d) non-monetary prizes will be delivered to the purchaser's nominated address.
- (2) Rule 42 (which relates to prizes of more than \$1,000) does not apply to prizes won through tickets purchased electronically, but the rest of the rules in this Part apply to those prizes.

**40 Time limits on claims**

- (1) All prizes must be claimed within 12 months from the date on which the winning numbers 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.

**41 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 1 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 prize for up to 12 months from the date on which the winning numbers 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 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 42.

#### **42 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 1 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.
- (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.

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

- (1) The Commission must pay a claimant under rule 42 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),—
- (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 36 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.

*Bonus ticket*

**44 Bonus ticket**

- (1) If the ticket validation requirements and the other requirements of these rules are satisfied in respect of a division 6 prize, that prize must not be paid and satisfied monetarily, but must instead be paid and satisfied by the issue, to the bearer of the ticket or, in the case of a ticket purchased electronically, to the

- purchaser of the ticket, of a bonus ticket with a selection for the game to be drawn next following the issue of the ticket.
- (2) A bonus ticket selection must be chosen randomly by the Commission's computer system.
  - (3) If, when the bearer of a ticket claims a division 6 prize or when the bearer of a bonus ticket presents that ticket for validation, there is no game on sale (or, for a ticket purchased electronically, the purchaser is eligible for a division 6 prize and there is no game on sale), then,—
    - (a) instead of the prize being a bonus ticket, the prize must be the monetary equivalent; and
    - (b) the bonus ticket may be redeemed for its monetary value (which, in the case of a ticket purchased electronically, will be credited to the purchaser).
  - (4) The monetary value for each division 6 winning selection is \$2.
  - (5) A bonus ticket issued in printed form by a terminal to a player in accordance with subclause (1) may not be cancelled.

## **Part 5**

### **Withdrawal of Bullseye**

- 45 Commission may withdraw Bullseye**  
The Commission may, if it sees fit, at any time decide to cease to offer (**withdraw**) Bullseye.
- 46 Public announcement of withdrawal**  
If the Commission decides to withdraw Bullseye it must, as soon as is reasonably practicable, announce to the public (in the manner the Commission sees fit) the date on which Bullseye will be withdrawn.
- 47 Effect on advance game entries and multi-draw selections**
- (1) For a ticket issued in printed form by a terminal, if a player has made an advance game entry or multi-draw selection for a game and Bullseye 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 draw will be held before the withdrawal.
- (2) For a ticket issued in printed form by a terminal, if, for any reason, a drawing for Bullseye to which an advance game entry or multi-draw selection relates is not held, the player, despite rule 16(6) or 17(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.
- (4) For a ticket purchased electronically, if, for any reason, a drawing for Bullseye to which a multi-draw selection relates is withdrawn or not held, the player is entitled to a refund equal to the cost of his or her selections for each game for which a drawing was not held.

**48 Payment into prize reserve fund**

Any money that is not won in the last game of Bullseye before its withdrawal must be paid into the prize reserve fund.

## **Part 6**

### **Miscellaneous provisions**

**49 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, a bearer of a ticket, or any other person—

- (a) due to the failure of, or damage or destruction to, the Commission's computer system or records; or
- (b) due to delays, losses, errors, or omissions in or made by the postal or other delivery service or by the banking system; or

- (c) due to any other action or event that prevents or hinders the issue of a valid ticket; or
- (d) otherwise arising from participation in any game.

**50 Decisions of Commission binding**

All decisions of the Commission on questions of fact concerning Bullseye (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.

### **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 9 October 2009, provide for the conduct and operation by the New Zealand Lotteries Commission of a New Zealand lottery known as Bullseye, in accordance with subpart 2 of Part 3 of the Gambling Act 2003.

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