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(SR 2005/273)

BIG WEDNESDAY RULES 2005

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.

SCHEDULE

BIG WEDNESDAY RULES 2005

Note: Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint. A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint. These rules are administered in the New Zealand Lotteries Commission.

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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.

2A Application

- (1) These rules apply to Big Wednesday tickets, whether they are issued in printed form by a terminal or purchased electronically.
- (2) For the purpose of enabling Big Wednesday 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 Big Wednesday 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 those tickets electronically.

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 multidraw 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

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 coupon provided by the Commission in printed form or by electronic means that contains at least 1 board for use in making a player selection

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

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

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

multidraw 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 18

prize means —

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

prize money includes the cash value of a noncash 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 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

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 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 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.

Part 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 for tickets issued in printed form by terminal

- (1) For a ticket issued in printed form by a terminal, 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 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 selections marked on the coupon.

7A General selection 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 this rule to electronically purchase a ticket recording the player selections made on the coupon.

8 Making selection

A player makes a selection by—

- (a) marking or selecting electronically 6 boxes that constitute the player's numbers selection; and
- (b) marking or selecting electronically a letter selection on the same board on which the numbers selection has been made.

9 Combo selection

- (1) The Commission is not required to, but may, in the case of a ticket issued in printed form by a terminal or a ticket purchased electronically, or in both cases, 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, or selecting electronically, 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, or select electronically, 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 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.
- (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—
 - (a) advising the retailer, when making a dip selection,—
 - (i) of the player's letter selection; or
 - (ii) that the player wants the Commission's computer system to randomly choose the player's letter selection; or
 - (b) doing either of the following:
 - (i) selecting electronically a letter selection; or
 - (ii) indicating electronically 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)(i) or selects electronically his or her letter selection in accordance with subclause (2)(b)(i), 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)(a)(ii) or (b)(ii), 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 making or requesting a letter selection, select the cover option to apply in relation to each numbers selection made 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, or selecting electronically, 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, or indicating electronically, 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”.

General provisions

11A Application of rules 12 to 18

- (1) Rules 12 to 18 apply to a ticket issued in printed form by a terminal, but only rules 12, 14(1) and (3), and 16 apply to a ticket purchased electronically.
- (2) To avoid doubt and for the purposes of rule 13, a ticket purchased electronically cannot be cancelled.

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 a player to verify that the selections recorded or displayed on the player’s 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, 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 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 Multidraw selections

- (1) The Commission may give players the option of making a multidraw selection for 2 or more consecutive games.
- (2) When a multidraw selection is available, coupons must—
 - (a) show boxes designated multidraw; and
 - (b) state the number of consecutive games that a player can enter.
- (3) To make a multidraw selection for a game, a player (in addition to marking, or indicating electronically, his or her selections on a coupon) must mark, or indicate electronically, the appropriate multidraw 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 multidraw 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 multidraw games that the player wishes to play.
- (5) In all other respects, the entry must be completed and selections made in accordance with these rules.
- (6) If a ticket for a multidraw 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.

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 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 player's agent may, at premises approved by the Commission, accept completed coupons on behalf of a player, forward the coupons to the terminal of the player's 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 player's 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 player's 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 player's 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 player's agent must bear and accept (without recourse to either the Commission or the player's agent) the consequences of any failure to win a prize or prizes because of delays, errors, or omissions on the part of a player's 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 player's agent may not be cancelled.

Part 2

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 electromechanical 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
 - (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:

- (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 noncash 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.

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
 - (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 noncash prizes (if any), or the cash value of those prizes, allocated to that division.

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 noncash prizes (if any) allocated to that division.

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

Part 3

Payment of prizes and ticket validation requirements

35 Payment of prizes

- (1) Prizes payable to players are payable in prize money, as noncash prizes, or as bonus tickets.
- (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.

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 issued in printed form by a terminal 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 issued in printed form by a terminal that accompanies 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
 - (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

- (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 and letter on the ticket, whether a numbers selection or a letter selection, 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 machinecompleted 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.

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.

Part 4

Claiming prizes

40A 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) nonmonetary prizes will be delivered to the purchaser's nominated address.
- (2) Rule 43 does not apply to prizes won through tickets purchased electronically, but the rest of the rules in this Part apply to those 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 noncash 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, noncash 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 12month 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, noncash 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.

- (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 noncash 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 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 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 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 (or, in the case of a ticket purchased electronically, the purchaser is eligible for a division 5 prize and there is no game on sale), then,—
 - (a) instead of the prize being a bonus selection, the prize is the monetary value of the ticket; 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 winning division 5 selection is the cost of the minimum number of selections for the next game.
- (5) A ticket issued in printed form by a terminal to a player in accordance with subclause (1) may not be cancelled.

Part 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 multidraw selections

- (1) For a ticket issued in printed form by a terminal, if a player has made an advance game entry or multidraw 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) For a ticket issued in printed form by a terminal, if, for any reason, a drawing for Big Wednesday to which an advance game entry or multidraw 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 multidraw 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 Big Wednesday to which a multidraw selection relates is 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.

49 Payment into prize reserve fund

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

Part 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.

Explanatory note

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

This is a reprint of the Big Wednesday Rules 2005. It incorporates all the amendments to the Big Wednesday Rules 2005 as at 28 March 2008. The list of amendments at the end of these notes specifies all the amendments incorporated into this reprint since 4 September 2007. Relevant provisions of any amending enactments that contain transitional, savings, or application provisions are also included, after the Principal enactment, in chronological order.

Big Wednesday Amendment Rules 2008 (SR 2008/81)