

# Mandatory Code of Practice Questions and Answers

## The Mandatory Code

**Q.** *Why not wait for the introduction of mandatory pre-commitment before implementing the Code?*

**A.** The Mandatory Code became a requirement in legislation in 2009. In 2010 the Gaming Commission developed a Discussion Paper on the Code and draft of the code for consultation.

It is not certain when (or if) mandatory pre-commitment will be introduced; the Commission cannot wait indefinitely to meet its legislated requirements.

The Commission has stated on a number of occasions, however, that if mandatory pre-commitment is introduced, the Commission will examine its impact of to determine whether any Code provisions require modification or if any are no longer required (and will advise the Government accordingly).

**Q.** *How are the Mandatory Code measures going to be evaluated?*

**A.** It has been long established that the best way to evaluate programs aimed at altering human behaviour, such as harm minimisation initiatives, is a longitudinal study-based approach. A longitudinal study is one that collects data from the same group of people on multiple occasions over time. It is proposed that the Mandatory Code will be measured by way of a longitudinal study undertaken via a telephone survey.

**Q.** *How do I make a complaint about the Code itself?*

**A.** If you wish to complain that a venue is not following the Code, please use the complaint form that you can find in venues or contact the Liquor and Gaming Branch.

**Q.** *How will the Mandatory Code measures help problem gamblers?*

**A.** The Mandatory Code seeks to make gambling environments safer. It will make sure people have clear information about gambling so that they can better understand it and make informed choices about whether to participate.

While the Code affects all prescribed licence holders in Tasmania (with the exception of minor gaming permit holders, technicians and persons listed on the roll of recognised manufacturers, suppliers and testers of gaming equipment), the Code recognises that not all gambling products are the same. The Code applies to each form of gambling according to the level of likely harm that research has demonstrated is associated with each gambling product.

In developing the Code, the Gaming Commission has sought to find a balance between minimising, where possible, the impact on recreational gamblers and minimising the harm from gambling, particularly for people with a gambling problem. It has been mindful of the issues raised in submissions made by the gambling industry, government and non-government stakeholders and, where possible, these are addressed in the Code.

The Code embodies a number of proxy measures to achieve harm minimisation goals (for example, interventions to interrupt long periods of gaming machine play). The Commission believes that these proxy measures are important and justified, as they avoid implementing significant changes to gaming practices that may have an unreasonably high impact on recreational gamblers and on industry.

*Q. How are staff in gaming venues being notified of the new Mandatory Code provisions?*

**A.** All licensed staff in Tasmania will receive a letter in February 2012 outlining the changes as a result of the new Mandatory Code as well as information on their responsibilities under the Code.

## Advertising

*Q. Do I have to put a responsible gambling message on advertising that goes on local community bulletin boards?*

**A.** Yes. The Code requires that you include a responsible gambling message (such as “Gamble Responsibly”) and the words “Gamblers Help 1800 858 858” on all gambling product advertising, including television, radio, newspaper, billboards, brochures and flyers.

*Q. Do I have to put a responsible gambling message on a sign off my premises, where my hotel name occurs?*

**A.** Responsible gambling messages need to be included where a gambling product is advertised. If a hotel name only exists on the sign, the responsible gambling messages do not have to be used. If a gambling product is quoted on a sign off your premises (such as Oasis or TASkeno), the responsible gambling messages would need to be listed.

*Q. Do I have to include a responsible gambling message on a sign at my hotel or club premises?*

**A.** Permanent brand signage on your premises (such as Oasis or TASkeno) does not need a responsible gambling message, however signage that may change from time to time and advertise a product (such as posters in windows, banners, sandwich boards and billboards) will require responsible gambling messages.

*Q. Do I have to put a responsible gambling message on my website?*

**A.** Yes. If your website describes gambling products at your venue, the responsible gambling message will need to be listed on the main page which promotes gambling at your venue.

**Q.** *How do I know what size the responsible gambling message needs to be, or how long it should appear for in an advertisement?*

**A.** In early 2012, the Commission will release Gambling Product Advertising Standards which will provide all gambling licence holders with the requirements for responsible gambling messages in all forms of advertising.

**Q.** *Do the television and radio time restrictions apply if I wish to advertise my dining or accommodation facilities?*

**A.** No. As long as no gambling products are advertised, none of the requirements relating to gambling advertising apply.

### Inducements

**Q.** *Can I offer sponsorship to a local sporting team on the basis the team frequents my premises?*

**A.** Yes. As long as there is no requirement for members of the club to spend a preset amount on gambling activities.

**Q.** *Can a player redeem two \$10 vouchers on the same day?*

**A.** Yes. If a player accumulates vouchers, a maximum of \$10 can be redeemed at each transaction.

**Q.** *Can I conduct a draw at my premises which requires a person to be present to win where the prize is greater than \$1 000, if entry to the draw is not linked to gambling?*

**A.** Yes. Weekly draws such as “Joker Jackpots” can still occur, as long as entry to the draw is not linked to participating in gambling or being a member of a gambling related player loyalty program.

### Player Loyalty Programs

**Q.** *Is the Network Gaming “Oasis Rewards Club” a player loyalty program?*

**A.** No. This program in its current form is not linked to amounts of money spent on gaming machines or keno, so no restrictions apply, other than displaying responsible gambling messages in the newsletters.

## Access to Cash

**Q.** Why can someone have \$400 from a debit card at the casinos but only \$200 from EFTPOS at hotels and clubs?

**A.** The two casinos are not just gambling venues – they are large entertainment venues as well. On that basis, the Tasmanian Gaming Commission felt it would be too restrictive on patrons of the casinos who are not there for gambling purposes to have the same restrictions imposed on them as those imposed on the patrons of hotels and clubs.

**Q.** If my venue has a maximum EFTPOS cash out for gaming limit of \$100, do I have to increase that to \$200 under the new Code?

**A.** No. If you wish to impose a lower EFTPOS cash out limit, you are perfectly free to do so.

**Q.** What happens if someone lies to me about wanting an EFTPOS cash out transaction for gambling purposes?

**A.** Staff should always observe the behaviour of a person who seeks an EFTPOS cash out transaction that they claim is NOT for gambling purposes. If that person returns to the gambling area and commences gambling, staff should request them to leave the premises immediately.

## Payment of Winnings

**Q.** Which forms of gambling require a payout cheque for winnings over \$1 000?

**A.** Gaming machines and keno only.

**Q.** Is the \$1 000 payout limit a daily limit?

**A.** No. The \$1 000 payout limit applies to each win greater than \$1 000. If someone has a win on gaming machines and a win on keno in the same venue on the same day, and both wins are each greater than \$1 000, the customer could receive \$2 000 in cash (2 x \$1 000) and the remainder by way of two cheques (one for the gaming machine win and one for the keno win) – unless they request a single cheque.

**Q.** If someone wins \$1 200 on keno – can they replay \$200 so they don't need to get a cheque?

**A.** No. You must pay \$1 000 in cash (if requested) and the remaining \$200 by cheque. A player can still replay keno tickets, but the cost of any ticket replay must be deducted from the cash component of the original win.

**Q.** *Does the cheque have to be made payable to “cash”?*

**A.** No. Who the cheque is made payable to is a decision between the venue operator and the player. However, the cheque must be correctly dated and clearly stamped “gaming machine winnings” or “keno winnings”.

**Q.** *Do cheques have to be provided straight away?*

**A.** No. Venues may take up to 24 hours to provide any cheque for the payment of winnings, except in the case of weekends or public holidays, where payment may be made by the next business day.

**Q.** *Can a venue cash a payout cheque the next day?*

**A.** Yes, but the cheque can be no more than \$200 if the funds are being used for gambling. The Tasmanian Gambling Exclusion Scheme database must also be checked before any cheques are cashed.

## Lighting

**Q.** *The Code requires venues to provide “adequate lighting” – how is that going to be determined?*

**A.** The Code requires that “there must be adequate lighting ... to enable clocks and signs to be easily read and the faces of people within the room to be easily identified”. The Commission intends taking a “common sense” approach to the issue of lighting – if signs cannot be read and faces cannot be easily identified, the lighting is not adequate.

## Service of Food and Alcohol

**Q.** *Can orders for food and alcohol be taken from gaming machine players after 6:00pm?*

**A.** Yes. Orders can be taken, but players must leave the gaming machine to collect their order.

**Q.** *Can gaming machine players be served tea, coffee, soft drink and water?*

**A.** Yes. Only alcohol cannot be served to a gaming machine player after 6:00pm.

## Clocks

**Q.** *Does every gaming machine player have to be able to see a clock while seated at a gaming machine?*

**A.** No. Clocks have to be clearly visible (ie not obscured by pillars, signs etc) but players can be expected to move in order to view a clock.

**Q.** *Why do there have to be clocks on the walls in venues when there are already clocks on the machines?*

**A.** Many gamblers are so engaged in their gambling that they do not notice the clocks on the machines. Highly visible clocks on the walls give gamblers a clear sense of the time as well as a sense of the passage of time. This helps some gamblers recognise that they have been gambling for extended periods and need to take a break.

**Q.** *Do clocks have to be displayed in outdoor smoking areas where there is a keno screen?*

**A.** No.

## Staff Training

**Q.** *How many licensed employees need to complete the new Responsible Conduct of Gambling course (version 3)?*

**A.** Gaming machine venues must have one person who has completed the version 3 RCG course (or equivalent) on duty at all times that gaming machine gaming is available.

**Q.** *If a licensed employee has completed a RCG course after 1 July 2010 (version 2), do they need to complete the version 3 course?*

**A.** No. The version 2 course is acceptable, but if the venue has gaming machines, to comply with the requirement to have at least one person on duty all times who has completed the version 3 course, a short module (called the RCG 2012 Update) will be able to be completed online. Completion of this module will upgrade the RCG qualification for a person from version 2 to version 3 status.

**Q.** *How often does a licensed employee have to undertake RCG training?*

**A.** It is now a requirement that every special employee undertakes an RCG course every five years. Venue operators are required to ensure that this occurs.

**Q.** *How can a venue operator keep track of who needs to complete a RCG course?*

**A.** A venue operator will be required to introduce a RCG register (similar to the current RSA register). A template of a RCG register will be provided at a later time.

**Q.** *What should staff do to engage with customers whom they believe may have a gambling problem?*

**A.** If a staff member suspects that a patron has a gambling problem, they should speak to their supervisor immediately. The supervisor should assess the situation and determine an appropriate course of action – this may include suggesting that the person take a break and have a non-alcoholic drink away from the machines or go for a walk outside of the premises. They should also provide the person with the contact phone number for Gamblers Help.

## Information to Players

**Q.** Will there be new signs and brochures produced for the Code?

**A.** Yes. All existing signs and brochures will be reproduced with a consistent theme and layout. New signs and brochures will also be produced.

**Q.** How will the new signs and brochures be distributed to my venue?

**A.** It is proposed that a distribution company will be contracted to install the signs and brochure holders at each venue. Venue operators will be contacted prior to this occurring. Venue operators will be required to dispose of the current signs and brochures as they are replaced by the new ones.

## LIQUOR AND GAMING CONTACT DETAILS

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