

TASMANIAN GAMING
COMMISSION
TASMANIAN GAMING LICENCE
RULES

Effective 1 March 2012

I PRELIMINARY

- 1.1 These Rules apply to the holders of a Tasmanian Gaming Licence (TGL) as well as the conduct of wagering under a TGL in totalizator agencies (approved outlets) and are in addition to the conditions imposed on the TGL by the Tasmanian Gaming Commission and the *Gaming Control Act 1993* (the Act).
- 1.2 A TGL holder, its employees and totalizator agents must adhere to these Rules. Failure to comply with this requirement may result in disciplinary action against the TGL holder or special employee or prosecution against the totalizator agent. Disciplinary actions or prosecution may include the issuance of a fine, and/or the suspension, cancellation or amendment of a licence.
- 1.3 A TGL holder must ensure that its employees have access to these Rules and ensure that they are enforced or caused to be enforced at all times.
- 1.4 Where applicable, a TGL holder and its totalizator agents must ensure that a copy of these Rules is available for free public inspection in approved outlets and ensure that they are enforced or caused to be enforced at all times.
- 1.5 A term used in these Rules has the same meaning as the same term used in the Act or the *Responsible Gambling Mandatory Code of Practice for Tasmania*.
- 1.6 These Rules supersede all previous Tasmanian Gaming Licence Rules issued by the Commission in relation to the terms explained in section 1.1 of this document.

2 INDUCEMENTS, PROMOTIONS & PRIZES

For the purposes of these Rules, an inducement includes a voucher, ticket, token or any other form of reward which can be exchanged or used for gambling purposes.

The Rules under this section “Inducements, Promotions & Prizes” will take effect on 1 September 2012.

- 2.1 A TGL holder must not enter into any incentive based sponsorship arrangement where the level of sponsorship to be provided is linked to the use of gambling products offered by the TGL holder.
- 2.2 In an approved outlet, patrons must not be offered or allowed to use any inducement that is greater than \$10 for gambling purposes or offered multiple vouchers for gambling at the same time where the combined value would exceed \$10.
- 2.3 Any inducement that is redeemable in an approved outlet, regardless of the amount that it is issued for, must be redeemable for services other than just gambling, if these services are offered, for example accommodation, dining, entertainment.
- 2.4 Any inducement that is redeemable in an approved outlet, other than one for a specific event, must be valid for a minimum of 30 days.
- 2.5 Patrons must not be offered the supply of free or discounted alcohol for consumption at an approved outlet (including vouchers for the purchase of alcohol) as an inducement or reward for gambling.

- 2.6 Patrons must not be required to gamble in excess of \$10 for a specific period of time in an approved outlet in order to receive an inducement, obtain a prize or be eligible to enter a specific prize draw.
- 2.7 Patrons must not be required to be at a draw, or on the premises of an approved outlet at the time of a prize draw, in order to be eligible to win any individual prize that is greater than \$1 000 in value.

3 **PLAYER LOYALTY PROGRAMS**

For the purpose of these Rules, a player loyalty program (PLP) is a formal arrangement which includes any club, membership or program that provides rewards to patrons for participating in gambling with the TGL holder.

The Rules under this section “Player Loyalty Programs” will take effect on 1 September 2012.

- 3.1 A TGL holder must ensure that any PLP which is operated or offered by the TGL holder complies with the following:
- a) Patrons must be provided with detailed information about the operation of any PLP at the time of joining the PLP, including but not limited to terms and conditions, points accrual details and rewards.
 - b) Patrons must have the ability to opt out of being a “member” of a PLP at any time and must be notified in writing at least once each year of their right to cease participation in the PLP.
 - c) PLP members must be provided with a player activity statement annually, where points, or the equivalent, are accrued as a result of the patron gambling.
 - d) PLP player activity statements must clearly identify and differentiate points that have been accrued from gambling and non-gambling activities. Player activity statements must show the amount, in dollars, of any expenditure on gambling during the statement period.
 - e) PLP members must be sent self exclusion and responsible gambling information that incorporates the name and telephone number for the Gambling Helpline at least once each year.
 - f) PLP members must be able to access any information that the PLP operator holds about them.
 - g) All information held about a PLP and its members must be made available to the Commission upon request.
 - h) PLP points accumulation must not result exclusively from gambling activities where other activities, such as accommodation or dining, are available under the PLP.
 - i) The accumulation rate of PLP points as a result of gambling and any benefits offered by a PLP must be the same for all PLP members and must not vary.
 - j) Responsible gambling messages that incorporate the name and telephone number for the Gambling Helpline must be incorporated and prominently displayed in PLP documentation.

- k) PLPs operating at the premises must not be offered to minors or excluded persons and must not offend prevailing community standards.
- l) PLP members must not be offered rewards greater than \$10 which can be used for gambling purposes.

4 STAFF

4.1 Employees of a TGL holder performing the duties of a special employee must have a special employee licence that is current and appropriate for the duties that the employee is required to undertake.

4.2 A TGL holder must ensure that all special employees who are employed or working, whether for remuneration or reward or not, have completed the Responsible Conduct of Gambling (RCG) training course within 90 days of being licensed as a special employee.

Note: Special employees (working for a betting exchange) that are licensed prior to the commencement of the Code on 1 March 2012 have until 1 March 2013 to complete RCG training.

4.3 Where applicable, a TGL holder and its totalizator agents must ensure that a person who serves wagering products at an approved outlet, undertakes a RCG course within 90 days of commencing work.

4.4 Where applicable, a TGL holder and its totalizator agents must ensure that special employees, and any person who serves wagering products, undertakes a RCG course at least every five years, from the date they received their most recent RCG qualification.

4.5 Where applicable, a TGL holder and its totalizator agents must maintain a register of all special employees and non licensed servers of wagering products, detailing the most recent RCG training completed, along with a copy of the most recent RCG certificate, and produce these records to the Commission or Liquor and Gaming Inspectors when requested. **This Rule will take effect on 1 March 2013.**

4.6 Where applicable, a TGL holder and its totalizator agents must ensure that a person who is employed or working at an approved outlet, whether for remuneration or reward or not, complies with these Rules, the conditions of their Special Employee Licence (if applicable) and the requirements of the Act.

5 INFORMATION TO PLAYERS

Where applicable, a TGL holder and its totalizator agents must ensure that the following signs, brochures, stickers or information are affixed or placed at locations described, or located on the homepage of a TGL holder's website, as required.

5.1 Sign ORS03 "Minors Warning" must at all times be clearly displayed at the location of each totalizator terminal at an approved outlet.

5.2 Sign ORS04 "EFTPOS" must at all times be clearly displayed at the location of all EFTPOS terminals at an approved outlet which provide a "cash out" facility.

5.3 Sign ORS06 "No Credit" must at all times be clearly displayed at every totalizator terminal at an approved outlet.

- 5.4 Poster ORP01 “Gamblers Help” must be displayed throughout the venue as instructed by the Commission from time to time.
- 5.5 Contact Card ORC01 “Gamblers Help” must be available to patrons at all times and supplies of the card must be located in prominent positions wherever totalizator wagering occurs.
- 5.6 Brochure ORB01 “Gambling Regulation” must be available to patrons at all times and supplies of the brochure must be located in prominent positions wherever totalizator wagering occurs.
- 5.7 Brochure ORB02 “Low Risk Gambling” must be available to patrons at all times and supplies of the brochure must be located in prominent positions wherever totalizator wagering occurs.
- 5.8 Brochure ORB03 “Need to Take a Break from Gambling” must be available to patrons at all times and supplies of the brochure must be located in prominent positions wherever totalizator wagering occurs.
- 5.9 Brochure ORB07 “Wagering – Chances of Winning” must be available to patrons at all times and supplies of the brochure must be located in prominent positions wherever totalizator wagering occurs.
- 5.10 Brochure ORB09 “Complaints” must be available to patrons at all times and supplies of the brochure must be located in prominent positions wherever totalizator wagering occurs.
- 5.11 The homepage of a TGL holder’s website must clearly display the Commission’s “ODDS-R” logo, with a link from the logo to the Department of Treasury and Finance, Liquor and Gaming Branch’s responsible gambling webpage.
- 5.12 A TGL holder’s website must contain a responsible gambling page that displays responsible gambling information, including the name and telephone number of the Gambling Helpline and the Commission’s “ODDS-R” logo, with a link from the logo to the Department of Treasury and Finance, Liquor and Gaming Branch’s responsible gambling webpage.
- 5.13 Any other sign, brochure, sticker or information as required from time to time by written notice from the Commission.

6 ADVERTISING

The Rules under this section “Advertising” will take effect on 1 September 2012.

- 6.1 All advertising of gambling products by a TGL holder must:
- a) Comply with the ‘Code of Ethics’ adopted by the Australian Association of National Advertisers.
 - b) Be socially responsible and consistent with the expectation that gambling will be conducted responsibly so as to minimise harm.

- c) Not be offensive or indecent in nature, and not offend prevailing community standards.
- d) Not be false, misleading or deceptive, including not misrepresenting the odds, the probability of winning a prize, or the prizes that can be won.
- e) Not give the impression that gambling is a reasonable strategy for financial betterment or enhancing social situation.
- f) Not challenge or dare a person to play.
- g) Not suggest that skill can influence games that are games of chance.
- h) Not encourage or target people under 18 years of age to gamble.
- i) Not show or promote the consumption of alcohol while engaged in the activity of gambling. Any gambling advertising that shows the incidental consumption of alcohol in a gambling venue must reflect responsible customary behaviour and must be accompanied by a message which highlights the dangers of gambling whilst intoxicated.

This does not apply to advertising that shows celebrating a win in a responsible manner outside of a gambling venue.

- j) Not show people who are under 25 years of age in gambling advertising unless:
 - their appearance is incidental as part of a natural situation; and
 - they are not located in a gambling venue; and
 - there is no implication that the person will participate in gambling.

This does not apply to a person engaged to advertise or promote gambling as part of a sponsorship agreement, however the person must be over 18 years of age and must not be shown participating in gambling.

- k) Not be directed at vulnerable or disadvantaged groups, where people may not have a capacity to fully understand the information, such as refugees or people with intellectual disabilities.
- l) Not procure, incite or encourage a person to commit an offence.
- m) Include responsible gambling messages in all media (including internet) advertising that incorporates the name and telephone number for the Gambling Helpline, to a size and form which meets the requirements of the *Tasmanian Gaming Commission Gambling Product Advertising Standards* document.
- n) Not be directed at, or provided to, excluded persons.
- o) Not involve irresponsible trading practices.
- p) Not violate the confidentiality of information relating to, or the privacy of, players without the consent of the player.

q) Not occur on television and/or radio between:

- 6:00am - 8:30am and 4:00pm - 7:00pm weekdays; and
- 6:00am - 8:30am and 4:00pm - 7:30pm on weekends.

The following forms of advertising are exempt from the above periods:

- *advertising during a racing or sports broadcast; and*
- *advertising that focuses specifically on entertainment or dining facilities and does not depict or refer to gambling in any way.*

7 PROVISION OF CASH TO PATRONS

7.1 A TGL holder and its totalizator agents must not provide, authorise or permit anyone to provide, for use in or on the approved outlet or in any adjoining premises which are owned, operated, occupied, leased or otherwise controlled by the TGL holder, an automatic teller machine or other device (with the exception of an electronic funds transfer point of sale (EFTPOS) terminal) that can be used to provide access to cash from a patron's credit or debit card account.

7.2 EFTPOS transactions must not be used for the provision of cash from credit accounts.

7.3 No more than one EFTPOS transaction is permitted to be provided to each patron, each day, for gambling purposes and any EFTPOS transaction that is provided for gambling purposes must not exceed \$200 in value.

7.4 If a subsequent EFTPOS cash transaction is provided in good faith for non gambling purposes and the patron then uses the cash for gambling, staff must ensure that the patron does not gamble at the approved outlet again during the same day.

7.5 Staff must take all reasonable steps to observe the gambling behaviour of their patrons and must not provide funds to a patron requesting any EFTPOS transaction for gambling purposes if that patron appears to be experiencing difficulties controlling his or her gambling.

7.6 A TGL holder and its totalizator agents or its staff must not cash more than one cheque per patron per day for gambling purposes and any cheque cashed must not exceed \$200 in value.

7.7 The name of any patron wishing to complete a cheque cashing transaction for gambling purposes must be checked against the Tasmanian Gambling Exclusion Scheme (TGES) database prior to the transaction being completed.

7.8 Cheque cashing transactions for gambling purposes must not be completed for any patron who is excluded under the TGES. Staff must ensure that any patron excluded under the TGES who is attempting to cash a cheque for gambling purposes, leaves the approved outlet immediately (in accordance with their exclusion requirements).

8 PATRONS

8.1 Any patron who appears to be intoxicated or has been refused the service of alcohol must not be permitted to participate in wagering at an approved outlet.

8.2 No minor (whether employed by a TGL holder or its totalizator agent and working at an approved outlet) can take part in the conduct of wagering.

8.3 No fee of any kind (direct or indirect) can be charged for entry into an approved outlet.

9 STAFF IDENTIFICATION

9.1 During the operating hours of the approved outlet, a person who provides wagering services to patrons must wear a name badge that details their first name.

10 COMPLIANCE WITH THE ACT, CODE, DIRECTIONS AND RULES

10.1 Any matters concerning non-compliance with any requirements of the Act or any licence, code, directions or rules made under the Act must be reported by a TGL holder or the totalizator agent to the Commission within 24 hours of being identified.

10.2 The procedures found in the document titled *Outlet Operations Manual* (as approved by the Commission from time to time) must be adhered to at all times.

11 APPROVED OUTLETS

11.1 A surveillance system that meets the Commission's *Technical Standards for Recorded Surveillance in Gaming and Wagering Premises* must be operating at the approved outlet at all times that wagering is available.

11.2 An analogue clock with a diameter of not less than 30 centimetres, with clearly displayed numbers, in good working order and set to, or within, 10 minutes of the correct time must be located in any area where a totalizator terminal is operated. Any clock located in these areas must be clearly visible to patrons participating in gambling.

12 DURATION OF HOURS OF GAMBLING

12.1 Wagering facilities can only be operated at the approved outlet for a maximum of 20 hours within any 24-hour period. There must be at least four continuous hours each day when wagering is not available in each approved outlet.

DATED this 1st day of March 2012.



P Houtt
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