

5th July 2022

E-mail – consultation.lagb@treasury.tas.gov.au

Gaming Control (Community Support Fund) Regulations 2022

I am writing to provide feedback on the draft Gaming Control (Community Support Fund) Regulations 2022 (CSF Regulations).

The Tasmanian Hospitality Association (THA) is the peak industry body representing the interest of the electronic gaming machine industry in Tasmania and submits the industry's feedback on the draft regulations.

First, it is recognised that for the proposed new regulations to be established and implemented, the *Gaming Control Act, 1993* (Act) will need to be amended.

This will be an important consideration for the industry, and it will be important to understand what will be included in those amendments.

For example, based on the draft CSF Regulations, it is anticipated that this will necessitate amendments to Clause 151 of the Act, in part or in total, as it relates the current Community Support Levy (CSL).

This in turn may mean the current provisions specifying the distribution and respective allocation of the funds collected, may be changed. Indeed, it would appear from the draft CSF Regulations that the allocation of the funds collected in the future would be based on decisions made by the Department of Treasury and Finance and with the Minister's approval, there being no specified allocation as is currently the case.

It is important to note that, in agreeing to the higher levy charged for the CSL in 2018, the Tasmanian government made several commitments to the industry and the public, and it will be important that these commitments are kept, as we look to implement the CSF.

In consultation with industry as a key stakeholder since the 2018 election, and as promised by the elected majority Liberal government over the past 4 years, funding commitments were made to assist the industry as we work towards the transitioning to the new operating model. This included the implementation of facial recognition technology and operating systems to enhance the self-exclusion system paid for from the CSL.

"Dedicated to Maintaining and Improving the Professionalism and Prosperity of the Tasmanian Hospitality Industry"

A commitment was also made to provide funding to support advice and guidance being provided to staff and operators in best practice, through the employment of Gaming Care Officers, employed by the industry with funding paid from the increase in the CSL. These officers will work directly with the industry and, along with an increased staff education and training program based around real world experience, will play an important role in supporting people experiencing difficulties with problem gambling at the time when they need it most, that is, in the venue.

If these commitments are not kept by the government, while maintaining the increased levee, then the industry will rightly take the view that these undertakings have not been kept in good faith.

Further, it brings into question the decision-making process around how these funds are to be allocated in the future.

The THA is very much of the view that the CSL and the proposed CSF are levees, dedicated to a specific purpose, and for these reasons, the allocation of the funds should not solely be a decision of the department and at the discretion of the Minister.

As we have also stated in recent submissions, such as in relation to facial recognition technology, the new operating model and these new technologies have provided an important opportunity for the industry, the government, and the community service organisations to work more collaboratively to minimise the potential harm from gambling.

As part of this we proposed the establishment of a steering committee that can guide the way we all work together to support problem gamblers.

We believe this steering committee would also provide an important advisory forum to assist in the decision making around the allocation of the CSF funds collected from pubs and clubs, as well as casinos. This will help ensure that Tasmania's approach to harm minimisation is at the forefront of modern, pre-emptive technologies and management practices.

The industry is also of the view there is a need for greater clarity and openness regarding where these funds are derived from. These funds are not drawn from general taxation receipts but from payments leveed on pubs, clubs, and casinos, based on gambling turn over.

The industry is supportive that these funds are provided by way of grants and other means to support other community services and initiatives.

However, the source of these funds must be made clear when allocated, that is, that the money has come from the CSL, and information is provided regarding the purpose of the CSL to all fund and grant recipients and made public.

Along with the commitments made previously by the government in relation to transitioning to the new operating model, facial recognition technology, self-exclusion systems and gambling care officers, the THA is strongly of the view that the CSF funds must also be available for the provision of a higher standard of education and training for venue owners and their staff than is currently available.

Improving the skills and capabilities in the venue to be able to engage with patrons experiencing difficulties with gambling, will play a significant role in being able to reduce the potential for harm to occur. For this reason, the CSF funds should be accessible by the industry and the newly created Visitor Experience Training organisation (VXT), to provide the training the venue owners and their staff very much need. We set the system up to fail if we do not adequately train these staff in this important role. Indeed, the industry believes Clause 6 of the draft CSF Regulations should be explicit that education and training is one of the key criteria for the allocation of funding, as the draft currently does in respect of research, and specialist support services.

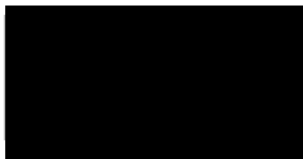
The point must also be strongly made that the CSL and CSF funds are leved in order to minimise harm, and a critical aspect of this are the measures we put in place in the venues themselves, when the harm could potentially occur. While the industry is very supportive of the community support services that are provided, we will not deliver the best outcomes for the problem gamblers if we do not also focus on the measures we employ in the venues. Clause 6 of the draft CSF regulations therefore needs to also be explicit in relation to measures in the venues, as one of the key criteria in consideration of allocation.

The industry is also of the view that the CSL funds have made an important contribution to local sporting and community clubs, recognising that these were important opportunities to improve the wellbeing of the local communities and, indeed, those experiencing difficulties with problem gambling.

Unfortunately, it is not possible with the proposed CSF regulations as drafted to be certain that this critical source of funding support for local communities will continue, unless the current allocations as specified in Clause 151 of the Act are to be maintained. The THA is very much of the view that the current 25% allocation for sport and recreation clubs must remain.

In summary the industry is of the view that the percentage allocations of the funding for the CSF remain as is the case with the current CSL funding. Further, the THA strongly believes that funding for the provision of quality education and training must be part of the new regulations and that the commitments made since 2018 in relation to transition funding, facial recognition technology, a new self-exclusion system and gaming care officers are kept. This will be essential to ensure that Tasmania's harm minimisation framework remains as the nation's best practice, all while keeping a sustainable industry that supports freedom of choice and gambling as a form of entertainment enjoyed responsibly by the vast majority.

Yours faithfully

A solid black rectangular box used to redact the signature of Steve Old.

Steve Old
CEO