

Tasmanian Liquor and Gaming Commission

Annual Report 2021-22



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Chair's Report

On behalf of the Tasmanian Liquor and Gaming Commission, I present the annual report for the year ending 30 June 2022.

Harm minimisation

Much of the latter part of the year has been devoted to work on the Commission's report to the Treasurer on the potential for player card gaming in electronic gaming machines (EGMs) and facial recognition technologies to minimise harm from gambling. Extensive consultation with stakeholders was undertaken and I wish to thank all those who took part.

Player card gaming provides an opportunity to introduce a technology that allows pre-commitment loss levels to be set allowing players to make informed decisions about their participation in gambling on EGMs and to spend what they intend to spend. These are very important principles that the Commission developed some time ago to inform our decisions in a range of matters.

This work has been challenging and could not have been achieved without the assistance of a small group of staff in the Liquor and Gaming Branch of Treasury. The Commission was pleased to present its report to the Minister prior to the deadline on 30 June 2022.

During this period, the Commission was also required by legislation to undertake the 5-yearly review of the *Responsible Gambling Mandatory Code of Practice for Tasmania*. Stakeholders were again asked to contribute to this process and the Commission focused on those measures that might be most significant post July 2023 when the Government's new gaming reforms, particularly those related to individual venue licensing, will begin. These were measures relating to advertising, inducements and player loyalty programs. The results from this review were released on 4 October 2022.

Disciplinary matters

While breaches of the rules relating to special employee licensing remain the largest area of disciplinary action, the Commission has been mostly concerned by the failure of some venues to provide closed circuit television (CCTV) footage as and when required. The ability to capture information on CCTV is fundamental to the Commission's role in ensuring that players are safe from potential harm, that gambling activities are fair and are carried out in a legal way, free from criminal intent. This is the rationale for the recent amendment of CCTV surveillance rules to increase the period for retaining and storing information. Licence holders who do not ensure that their CCTV systems are functioning according to the rules can expect to be disciplined strongly.

Conclusion

As always, the Commission acknowledges and thanks the members of the Liquor and Gaming Branch for their diligent and professional work in supporting the work of the Commission. This year has been considerably more challenging than in the past given the amount of regulatory work required by the introduction of legislative amendments to the Gaming Control Act passed in late 2021 to give effect to the Government's gaming market reforms, the development of the Commission's harm minimisation report to the Minister and the review of the Mandatory Code both mentioned above. I would be remiss if I did not give greater emphasis to and express the Commission's deep gratitude for the significant efforts of Branch staff to deliver on these important major agendas whilst carrying out the not insignificant daily work that keeps the regulation of liquor and gaming on track.

Ms Jenny Cranston - **Chair**

Tasmanian Liquor and Gaming Commission

The Tasmanian Liquor and Gaming Commission is an independent body responsible for the regulation of gaming and wagering in Tasmania, established under the *Gaming Control Act 1993*. The Commission is also an appeal body for the *Liquor Licensing Act 1990*.

The Commission has three members. For the 2021-22 year they were:

- Ms Jenny Cranston (Chair);
- Mr David Hudson; and
- Mr Andrew Walker.

The Commission:

- regulates gaming and wagering to ensure that it is conducted honestly and is free from criminal influence and exploitation;
- approves internal control, administrative and accounting procedures, rules and conditions in relation to gaming and wagering activities, and determines disciplinary matters;
- investigates and makes recommendations to the responsible Minister about matters relating to gaming and wagering;
- researches and investigates matters relating to the control of gaming and wagering including the probity and financial security of persons involved in the management of gaming and wagering;
- liaises with other authorities and people responsible for the regulation of the conduct of gaming or wagering;
- reviews and determines complaints relating to the conduct of gaming or wagering;
- fosters responsible gambling and seeks to minimise the harm from problem gambling;
- reviews the administration of the Community Support Levy including noting and endorsing that annual budget submissions provided to the Minister are in accordance with the *Gaming Control Act*;
- hears liquor licence applications referred to it by the Commissioner for Licensing under the *Liquor Licensing Act*;
- hears appeals against decisions of the Commissioner for Licensing under the *Liquor Licensing Act*; and
- performs such other functions as are imposed on it by the *Gaming Control Act*, *TT Line Gaming Act 1993*, *Liquor Licensing Act* or any other Act.

The Commission is supported by staff of the Liquor and Gaming Branch in undertaking its day-to-day activities. The Branch is located within the Revenue, Gaming and Licensing Division of the Department of Treasury and Finance and has offices in Hobart and Launceston.

Activities in 2021-22

Investigation of harm minimisation technologies

At the direction of the Minister, the Commission investigated the extent to which the implementation of facial recognition technology and player card gaming technology for electronic gaming machines in Tasmanian casinos, hotels and clubs could minimise gambling harm. The Commission's report was provided on time to the Minister by 30 June 2022.

The Commission undertook an extensive investigation, which included:

- Completion of a scoping investigation by Stenning & Associates of the two technologies in Australian and international gambling environments;
- An initial feasibility assessment by Gaming Consultants International of the technology risks, regulatory impacts, interoperability and barriers, indicative costing and timeframes for implementation in the Tasmanian environment;
- A two-phase consultation process to engage with key stakeholders and the broader community on the costs and benefits of implementing the technologies in Tasmania; and
- Consideration of a range of national and international gambling research.

Subsequently, the Treasurer announced that the Government has accepted the Commission's recommendations to implement a state-wide player card gaming system with mandatory pre-commitment.

A copy of the Commission's report to Government, the supporting reports and consultation feedback are available from <https://www.treasury.tas.gov.au/liquor-and-gaming/community-interest/public-consultation/harm-minimisation-technologies>.

Review of the Responsible Gambling Mandatory Code of Practice for Tasmania

The Gaming Control Act requires that the Commission review the *Responsible Gambling Mandatory Code of Practice for Tasmania* at least once every five years to ensure the harm minimisation measures continue to be effective, relevant and sufficient. The first review of the Code was completed in 2017. For the second review, the Commission was mindful it would be occurring at a unique point in time as the gaming industry is about to undergo significant reform, replacing a single gaming operator model with individual venue licences for electronic gaming machines.

In late 2021, the Commission commenced its review through an independent desktop review comparing Tasmania's Code with harm minimisation frameworks in other Australian

jurisdictions, including identifying key changes since the 2017 review and potential improvements to the Code that could support the new reforms.

The desktop research concluded that the Code continues to compare favourably nationally, with most areas covered by the Code being equal to or stronger than other Australian jurisdictions. The Commission reviewed all 10 measures of the Code against the desktop research findings and determined to focus on the areas of the Code relating to advertising, inducements and player loyalty programs, in the context of the incoming licensing changes.

In May 2022, a Consultation Paper was released for public comment identifying a number of proposals to strengthen player protection for these three areas. Fourteen submissions were received in June 2022 and helped inform the Commission's report on the outcome of the review. Work on the outcomes report continued in 2022-23 and was finalised and provided to licence holders and via the Liquor and Gaming Branch website on 4 October 2022.

Preparing for the new regulatory model

Amendments to the Gaming Control Act to give effect to the Government's gaming market reforms passed in late 2021 and the new arrangements will commence from 1 July 2023.

The Commission has been implementing the changes to allow industry to transition to the new licensing arrangements. This has included the development of a new venue licensing process, and new Commission rules and standards to support the new requirements and responsibilities to be imposed upon licence holders from 1 July 2023. The Commission met with key industry stakeholders through the year to discuss the transition for industry and the Commission's role in the new licensing environment.

This work continues in 2022-23 and the Commission will be assessing all venue licence applications received from 1 July 2022.

Ongoing casino inquiries

The Commission continued to monitor closely the progress and outcomes of various casino inquiries investigating the integrity of casino governance and operations across Australia. In 2021-22, Royal Commission inquiries in Victoria and Western Australia concluded and recommended the implementation of a suite of measures targeting the regulation and organisational structure of the licence holders, as well as improvements to the responsible service and conduct of gambling.

Tasmania has in place measures to detect suspicious activities and transactions in gambling venues, and the Gaming Control Act provides the Commission with powers to safeguard the integrity of gaming in all venues. Further, the Commission will consider how the findings of these inquiries may best inform the establishment of the new regulatory requirements for casino licence operators under the gaming market reforms.

The Commission will continue to monitor and consider the findings of current and future inquiries to best identify potential opportunities to strengthen the Tasmanian regulatory environment.

National Consumer Protection Framework

The Commission continued to oversee the implementation of the National Consumer Protection Framework for online wagering in Tasmania. The requirement for wagering service providers to provide customers with meaningful, user-friendly activity statements was implemented from 31 July 2022. Three remaining measures relating to consistent responsible gambling messaging; staff training in the responsible conduct of gambling; and a national self-exclusion register are expected to be finalised in 2022-23.

Stakeholder meetings

Each year the Commission conducts meetings with stakeholders. These meetings are designed to allow both parties to raise issues of interest or concern, and for key stakeholders to discuss the activity of the Commission.

In 2021-22, the Commission met with:

- the Federal Group;
- the South Australian Centre for Economic Studies (SACES);
- Tabcorp Holdings Limited;
- Stenning & Associates Pty Ltd;
- the Future Gaming Markets Project Team;
- the Tasmanian Hospitality Association;
- Gaming Consultants International; and
- Anglicare Tasmania.

Communications and consultation

Consultation

The Commission sought public input on three matters during 2021-22. Between March and May 2022, feedback was sought on the implementation of harm minimisation technologies, specifically facial recognition technology and card-based gaming. Forty-nine written submissions were received, and three face-to-face sessions were held with industry (Federal Group and the Tasmanian Hospitality Association) and community sector organisations (Anglicare, TasCOSS, Salvation Army and the Uniting Church).

The Commission also sought feedback on the review of the *Responsible Gambling Mandatory Code of Practice for Tasmania*, between May and June 2022. Fourteen submissions were received in response to this topic.

Links to this consultation and submissions not marked confidential can be found at: <https://www.treasury.tas.gov.au/liquor-and-gaming/community-interest/public-consultation/mandatory-code-review-2022>.

The Commission sought targeted feedback from industry stakeholders in April 2022 regarding changes to the Closed Circuit Television (CCTV) Surveillance Rules. These Rules apply to casinos, clubs, hotels and TAB outlets. The primary change is extending the requirement to retain footage from 14 days to 30 days. Licence holders have been given six months notice of the change, with the new Rules to commence from 1 March 2023.

Newsletters

The Commission, through the Branch, contributes to newsletters to bring readers timely and up-to-date information about policy and regulatory initiatives, disciplinary actions and reminders.

In 2021-22, three Liquor and Gaming Newsletters were published on the Liquor and Gaming website and emailed to over 2 000 subscribers. Subscribe to the newsletter by emailing: gaming@treasury.tas.gov.au.

Community Support Levy

At the request of the Treasurer, the Commission reviews allocation of funds under the Community Support Levy (CSL) to ensure it is in line with the requirements of the Gaming Control Act. The Act requires that four per cent of the gross profit derived from gaming machines in hotels and clubs is paid as the Community Support Levy.

In 2021-22, \$4 323 035 was paid as CSL from the profits of gaming machines in clubs and hotels.

Under the Act, the Treasurer must distribute the CSL in the following manner:

- 25 per cent for the benefit of sport and recreation clubs;
- 25 per cent for the benefit of charitable organisations; and
- 50 per cent for the provision of -
 - research into gambling;
 - services for the prevention of compulsive gambling;
 - treatment for the rehabilitation of compulsive gamblers;
 - community education concerning gambling; and
 - other health services.

A summary of the CSL funds receipted and disbursed during 2021-22 is provided in Table 3.

A summary of CSL expenditure during 2021-22 is provided in Table 4.

At risk gambling category (50 per cent)

In 2021-22, expenditure under this category was administered by the Department of Treasury and Finance (refer to Table 3) and the Department of Communities Tasmania (refer to Table 4 for details).

Charitable organisations category (25 per cent)

Refer to Table 4 for details of expenditure. Grant recipients can be found on the Premier and Cabinet website at:

<https://www.dpac.tas.gov.au/divisions/cpp/community-and-disability-services/gambling-support-program/grants>

Sport and recreation category (25 per cent)

Refer to Table 4 for details of expenditure. Grant recipients can be found on the Department of State Growth¹ website at:

- COVID-19 Sport and Recreation Grants Program - Tranche 3:
https://www.sportrec.tas.gov.au/grants_and_funding_programs/sport_and_recreation_grants_programs/covid-19_sport_and_recreation_grants_program_tranche_3
- COVID-19 Sport and Recreation Grants Program - Tranche 4:
https://www.sportrec.tas.gov.au/grants_and_funding_programs/sport_and_recreation_grants_programs/covid-19_sport_and_recreation_grants_program_tranche_4
- Sport and Active Recreation Equipment Grants Program
https://www.sportrec.tas.gov.au/grants_and_funding_programs/sport_and_recreation_grants_programs/2021-2022_sport_and_active_recreation_equipment_grants_program
- Sport and Recreation Minor Grants Program
https://www.sportrec.tas.gov.au/grants_and_funding_programs/grants_and_funding/minor_grants/minor_grants_recipients

Neighbourhood Houses Program

As previously reported, the Treasurer approved the allocation of \$1.5 million per annum to the Neighbourhood Houses Program from the CSL budget until 2022-23.

¹ Grants during this reporting period were administered by the Department of Communities Tasmania. Communities, Sport and Recreation functions were transferred to the Department of State Growth in July 2022 and information about grant recipients are available on that Agency's website.

Gaming and Wagering Tables

Table I: Player expenditure | July 2017 to 30 June 2022¹

	2017-18 \$	2018-19 \$	2019-20 ² \$	2020-21 \$	2021-22 \$
CASINOS					
Table Gaming	9 647 120	10 312 832	7 926 757	7 513 911	8 186 796
Gaming Machines ³	69 247 141	67 331 915	50 800 821	74 658 139	69 488 606
Keno Gaming	2 806 986	2 763 005	2 116 573	3 284 293	3 239 446
Total Casinos	81 701 247	80 407 752	60 844 151	85 456 343	80 914 848
HOTELS AND CLUBS					
Gaming Machines	106 054 512	104 271 830	79 485 431	117 286 007	108 632 079
Keno Gaming	31 588 697	33 082 333	25 644 193	38 263 120	37 795 049
Total Hotels and Clubs	137 643 209	137 354 163	105 129 624	155 549 127	146 427 128
WAGERING					
Wagering (based on point of consumption) ⁴	n/a	n/a	41 161 372	99 888 933	104 568 256
Total Wagering	n/a	n/a	41 161 372	99 888 933	104 568 256
LOTTERIES					
Lotteries	39 985 185	49 712 890	52 952 298	56 948 473	61 287 807
Soccer Pools ⁵	113 936	n/a	n/a	n/a	n/a
Total Lotteries	40 099 121	49 712 890	52 952 298	56 948 473	61 287 807
TOTAL EXPENDITURE	259 443 577	267 474 805	260 087 445	397 842 876	393 198 039

Notes:

1. Since 2019-20, expenditure and taxation tables have been separated to improve clarity and consistency with monthly online reporting. Previous annual reports showed expenditure monthly in arrears to align with tax collected. Annual expenditure data is now shown in the month the activity occurred. There may be minor differences in totals compared to earlier Annual Reports reflecting the difference in timing of capture of activity.
2. In 2019-20, gambling venues were closed from 23 March 2020 due to COVID-19 public health restrictions. All forms of gambling were able to reopen from 26 June 2020.
3. The figures reported for casino gaming machines include gaming conducted on the Spirits of Tasmania ferries, which ceased on 21 June 2021.

4. The total only includes expenditure for operators who exceeded the annual tax free threshold of \$150 000. Adjustments relating to a previous annual return lodged after the close of that period are included in the year in which the adjustment occurred.
5. Soccer pools ceased operating in 2018-19.

Table 2: Taxation and fees | July 2017 to 30 June 2022¹

	2017-18 \$	2018-19 \$	2019-20 ² \$	2020-21 \$	2021-22 \$
Taxation					
Casinos					
Table Gaming	82 781	93 601	75 275	60 925	72 095
Gaming Machines ³	17 722 797	17 398 244	14 021 095	18 201 372	17 988 760
Keno Gaming	164 586	162 511	134 123	182 956	186 453
Casino Unclaimed Prizes ⁴	43 616	38 300	36 418	45 328	68 118
Total Casinos	18 013 780	17 692 656	14 266 911	18 490 581	18 315 426
Hotels and Clubs					
Gaming Machines	27 455 073	27 043 814	22 382 148	28 413 657	27 970 039
Keno Gaming	1 823 223	1 941 950	1 631 371	2 126 785	2 213 988
Keno Unclaimed Prizes ⁴	(150 832)	319 244	175 338	421 479	362 998
Gaming Machines Unclaimed Prizes ⁴	-	-	0	0	0
Total Hotels and Clubs	29 127 465	29 305 008	24 188 856	30 961 921	30 547 025
Wagering					
Wagering (based on point of consumption) ^{5, 6}	n/a	n/a	4 711 505	14 789 007	15 277 433
Total Wagering	n/a	n/a	4 711 505	14 789 007	15 277 433
Lotteries					
Lotteries	29 840 594	36 532 231	40 403 069	43 353 097	46 043 033
Soccer Pools	65 033	6 232	0	0	0
Total Lotteries	29 905 626	36 538 463	40 403 069	43 353 097	46 043 033
Total Taxation	77 046 871	83 536 127	83 570 341	107 594 606	110 182 917

	2017-18 \$	2018-19 \$	2019-20 ² \$	2020-21 ⁷ \$	2021-22 \$
Licence Fees and Penalties					
Casino Licence Fees	3 739 200	3 813 600	2 919 600	670 400	4 068 000
Casino Penalties ⁸	11 875	59 710	(21 190)	16 800	26 170
Hotel and Club Fees	292 065	319 900	244 234	28 350	358 817
Hotel and Club Penalties	15 901	21 705	5 053	8 520	27 010
Minor Gaming Fees	22 096	30 117	18 840	7 922	17 892
Tasmanian Gaming Licence Fees	0	0	806	162	0
Annual Totalizator Wagering Levy ⁹	7 285 000	7 426 000	4 556 250	1 498 500	1 526 250
Totalizator / Wagering Penalties ⁹	22 684	51 120	0	0	4 890
Total Licence Fees and Penalties	11 388 821	11 722 152	7 723 592	2 230 654	6 029 029
TOTAL	88 435 692	95 258 279	91 293 933	109 825 260	116 211 946

Notes:

1. All taxes are paid monthly in arrears, except the Annual Totalizator Wagering Levy. Taxation data is shown in the month it is received. This ensures consistency with Tasmania's reporting to the Australian Gambling Statistics.
2. In 2019-20, gambling venues were closed from 23 March 2020 due to COVID-19 public health restrictions. All forms of gambling were able to reopen from 26 June 2020.
3. The figures reported for casino gaming machines include gaming conducted on the Spirits of Tasmania ferries, which ceased on 21 June 2021.
4. Casino unclaimed prizes includes casino gaming machine unclaimed prizes. Prior to 2019-20, it also included gaming machine unclaimed prizes for hotels and clubs (now reported separately). All keno unclaimed prizes including for casinos are reported under hotels and clubs.
5. The Wagering tax commenced from 1 January 2020. As it is paid monthly in arrears, 2019-20 only captures five months of tax revenue. 2020-21 onwards reflects 12 months of revenue. Small variations in totals may be apparent between this Report and Government financial reporting due to differences in the timing of recording of the monthly tax.
6. Adjustments relating to a previous annual return lodged after the close of that period are included in the year in which the adjustment occurred.
7. Government support for businesses impacted by COVID-19 restrictions included financial support for the gaming industry through waiver/refund of most fees from March 2020 to 2 April 2021.
8. Includes refund of fines of \$32 600 in 2019-20.
9. Reflects the Totalizator Wagering Levy of 4.7 million fee units up to 31 December 2019. From 1 January 2020, this levy was replaced with the Wagering POC tax and a new Annual Levy of 925 000 fee units. The levy is paid annually in advance.

Table 3: Summary of Community Support Levy receipts and disbursements – Public Account 2021-22

	50 % of funds - at risk gambling	25 % of funds - charitable organisations	25 % of funds - sport and recreation organisations	TOTAL
	\$	\$	\$	\$
Opening balance	86 201	0	0	86 201
CSL receipts 2021-22	2 161 517	1 080 759	1 080 759	4 323 035
Total	2 247 718	1 080 759	1 080 759	4 409 236
Funds disbursed to GSP and CSR ¹	(1 770 518)	(1 080 759)	(1 080 759)	(3 932 036)
Funds disbursed to Treasury ²	(89 832)	0	0	(89 832)
CSL balance in Public Account at 30 June 2022³	387 368	0	0	387 368

Notes:

1. Gambling Support Program (GSP) and Community Sport and Recreation (CSR).
2. Funds spent by Treasury were for the cost of printing the Fifth Social and Economic Impact Study of Gambling in Tasmania (SEIS) (\$2 828), the second review of the Responsible Gambling Mandatory Code of Practice (\$31 000), and the administration of the Tasmanian Gambling Exclusion Scheme (\$56 004).
3. An allocation is made annually to meet the cost of the SEIS.

Table 4: Summary of Community Support Levy expenditure 2021-22

	Gambling Support Program (GSP) \$		Communities, Sport and Recreation (CSR) \$	TOTAL \$
	50 % to at risk gambling	25 % to charitable organisations	25 % to sporting organisations	
Carry forward of funds from 2020-21	583 126	395 247	1 123 573	2 101 946
Funding allocation for 2021-22	1 770 518	1 080 759	1 080 759	3 932 036
Total funds available	2 353 644	1 476 006	2 204 332	6 033 982
Funding allocation				
Administration costs	(24 546)	-	(26 400)	(50 946)
Gambling support services	(682 473)	-	-	(682 473)
Gambling community education	(41 764)	-	-	(41 764)
Gambling research	(45 738)	-	-	(45 738)
Neighbourhood Houses Program	(833 244)	(666 756)	-	(1 500 000)
Charitable Organisations	-	(301 031) ¹	-	(301 031)
Grant Program	-	-	-	-
Sport and recreation charitable grants	-	-	(2 121 676) ²	(2 121 676)
Total expenditure 2021-22	(1 627 765)	(967 787)	(2 148 076)	(4 743 628)
Carry forward of funds as at 30 June 2022³	725 879	508 219	56 256	1 290 354

Notes:

1. This figure reflects a rollover of funding originally allocated to support charitable organisations in 2020-21.
2. This figure reflects a rollover of \$983 553 from 2020-21, and \$1 138 123 from 2021-22 allocated for sport and recreation grants.
3. Funds carried forward from 2021-22 by GSP reflect rolled-over grant funding allocated for 2021-22 (see note 1) and rolled-over funding for community education and gambling research. Funds carried forward from 2021-22 for CSR reflect unspent administrative costs and committed grants not disbursed.

Table 5: Hotel and club gaming machine numbers at 30 June 2021 and 30 June 2022

	Hotels		Clubs		Total	
	No. of venues	No. of machines	No. of venues	No. of machines	No. of venues	No. of machines
30 June 2021	87	2 208	6	97	93	2 305
30 June 2022	87	2 218	6	97	93	2 315

Table 6: Total number of excluded persons issued under the Tasmanian Gambling Exclusion Scheme 2021-22

	As at 30 June 2020	As at 30 June 2021	As at 30 June 2022
Self-exclusions	266	264	249
Third party exclusions	1	1	1
Venue operator exclusions ¹	127	120	110
People with both venue and self-exclusions	11	9	6
TOTAL Excluded people²	383	376	354

Notes:

1. Venue operator exclusions only count excluded people once, regardless of the number of venues they are excluded from.
2. The totals for excluded people do not account for multiple exclusions held by one person (e.g. a person with both venue and self-exclusions is only counted once).

Table 7: Special employee and technician licences issued or renewed 2021-22

During 2021-22, 720 Special Employee’s Licences and 154 Technician Licences were issued (including renewal applications). As a consequence of incomplete applications, the Commission refused to consider 48 applications.

The total number of licensed special employees decreased from 2 831 in 2020-21 to 2 779 in 2021-22.

The total number of licensed technicians increased from 425 in 2020-21 to 511 in 2021-22.

	<i>Special employees</i>				<i>Technicians</i>
	Casino	Licensed premises gaming operative	Gaming operator	Tasmanian gaming licence operative	
Licences issued for period 2021-22	97	604	10	9	154
Applications refused for period 2021-22	1	47	0	0	0
Licences issued as at 30 June 2022	475	2 209	41	54	511

Chart 1: Minor gaming permits approved 2021-22

As at 30 June 2022 there were 238 issued minor gaming permits. The chart below illustrates the approval for authorised games during 2021-22.

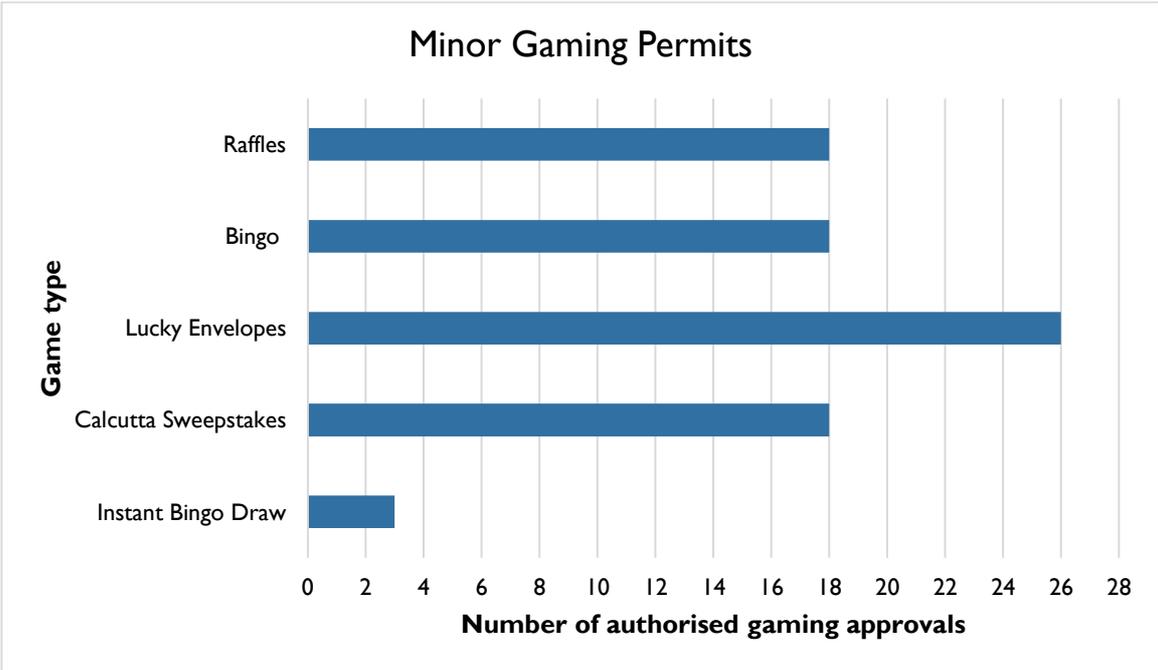


Table 8: Complaints received and investigated by Commission 2021-22¹

The following complaints were investigated by the Commission.

If it is found a breach has occurred after concluding an investigation, the Commission will then determine if there are grounds to take disciplinary action.

Licence type	Table games	Keno	EGM	Exclusions	Wagering	Other general ²	Minor gaming	Total
Casino	2	0	3	2	0	0	0	7
Hotel/Club	n/a	5	3	0	0	3	6	17
Gaming Operator	n/a	0	0	0	n/a	0	n/a	0
Tasmanian Gaming Licence	n/a	n/a	n/a	1	4	0	n/a	5
TOTAL								29

Notes:

1. n/a indicates the gambling activity is not applicable to that licence type.
2. Other general includes complaints regarding free poker, a customer service issue at a venue and the auction of an obsolete gaming machine.

Table 9: Disciplinary action against casino licence holders 2021-22

Licence holder	Venue	Section of Act	Breach	Outcome
Tasmanian Country Club-Casino Pty Ltd	Country Club Casino	112(2)	Allowing a person who is the subject of a self-exclusion notice to participate in a game	Fined \$1 720
Australian National Hotels Pty Ltd	Wrest Point Hotel Casino	92(2)	Allowing a cash payment to a patron to exceed \$1 000	Letter of censure

Table 10: Disciplinary action against Tasmanian gaming licence holders 2021-22

Licence holder	Section of Act	Breach	Outcome
UBET TAS Pty Ltd	92(2)	Failure to comply with Tasmanian Gaming Licence Technical Standards by failing to ensure gaming equipment was able to be certified as approved equipment	Letter of censure
UBET TAS Pty Ltd	92(2)	Failure to comply with Tasmanian Gaming Licence Technical Standards by allowing the operation of unapproved gaming equipment	Letter of censure

Table 11: Disciplinary action against licensed premises gaming licence holders 2021-22

Licence holder	Venue	Section of Act	Breach	Outcome
PGH Tas Operations Pty Ltd	Foreshore Tavern, Lauderdale	50(2)	Using the services of a person to perform a function of a special employee while that person was not authorised by a special employee's licence	Letter of censure
KJF Enterprises Pty Ltd	Wharf Hotel, Wynyard	50(2)	Using the services of a person to perform a function of a special employee while that person was not authorised by a special employee's licence	Letter of censure
Mornington Inn Pty Ltd	Mornington Inn, Mornington	50(2)	Using the services of a person to perform a function of a special employee while that person was not authorised by a special employee's licence	Fined \$2 580
Peter Gray	Welcome Stranger Hotel, Hobart	92(2)	Failing to provide CCTV surveillance footage	Fined \$3 440
All Pro Carpet and Upholstery Cleaners Pty Ltd and David Marshall	Kendalls Hotel Motel, Scottsdale	117(1)	Allowing a minor to enter the restricted gaming area of the approved venue	Fined \$1 720

Licence holder	Venue	Section of Act	Breach	Outcome
Ulverstone Returned Services Club Inc	Ulverstone Returned Servicemen's Club, Ulverstone	50(2)	Using the services of a person to perform a function of a special employee while that person was not authorised by a special employee's licence	Fined \$1 720
RJ's Hospitality Enterprises Pty Ltd	Westbury Hotel, Westbury	50(2)	Using the services of a person to perform a function of a special employee while that person was not authorised by a special employee's licence	Fined \$1 720
Kingston Hotel (Tas) Pty Ltd	Kingston Hotel, Kingston	50(2)	Using the services of a person to perform a function of a special employee while that person was not authorised by a special employee's licence	Fined \$2 580
Garich Pty Ltd	Moonah Hotel, Moonah	92(2)	Failing to provide CCTV surveillance footage	Fined \$5 160
Huon Ex-Servicemen's and Women's Club Inc	Huon Ex-Servicemen's and Women's Club, Huonville	92(2)	Failure to ensure a special employee complies with a condition of their special employee's licence	Letter of censure
Peter Gray	Welcome Stranger Hotel, Hobart	50(2)	Using the services of a person to perform a function of a special employee while that person was not authorised by a special employee's licence	Fined \$1 730
Myles Baker and Ricky Cooke	George Town Motor Inn, George Town	50(2)	Using the services of a person to perform a function of a special employee while that person was not authorised by a special employee's licence	Fined \$1 730
Myles Baker and Ricky Cooke	George Town Motor Inn, George Town	92(2)	Failing to provide CCTV surveillance footage	Letter of censure
Hobart Workers Club Inc	Hobart Workers Club, Hobart	50(2)	Using the services of a person to perform a function of a special employee while that person was not authorised by a special employee's licence	Fined \$1 730
Blackman's Bay Motors Pty Ltd	Cygnets Hotel, Cygnets	92(2)	Failing to maintain a record of special employees employed by the LPG operator	Letter of censure
Blackman's Bay Motors Pty Ltd	Cygnets Hotel, Cygnets	92(2)	Failing to provide CCTV surveillance footage	Letter of censure

Table 12: Disciplinary action against special employees 2021-22

Licence holder	Venue	Section of licence condition	Breach	Outcome
Renee Clark	Huon Ex-Servicemen's and Women's Club, Huonville	2.3.1	Playing keno in a casino, hotel or club during a shift	Letter of censure

In addition, 227 special employee's licences were suspended during 2021-22 for non-attendance at an approved Responsible Conduct of Gambling course, in accordance with a condition of their licence.

Disciplinary action against foreign gaming permit holders

There was no disciplinary action taken against a foreign gaming permit holder in 2021-22.

Liquor Licensing Information 2021-22

Regulation of liquor - Liquor Licensing Act 1990

The object of the *Liquor Licensing Act 1990* is to regulate the sale, supply, promotion and consumption of liquor in Tasmania, so as to:

- minimise harm arising from the misuse of liquor; and
- facilitate the responsible development of the liquor and hospitality industries.

The Act requires that decisions consider what is in the best interests of the community.

Regulatory activities are undertaken by the Commissioner for Licensing and the Commission. The Commissioner is appointed by the Minister under the Act and is responsible for liquor licensing and enforcement. This includes:

- considering licence and permit applications;
- granting, refusing, transferring, administering and cancelling licences and permits;
- investigating complaints about the sale and service of liquor in and around licensed premises;
- and undertaking disciplinary action.

Under the Act, the Commission can hear appeals against decisions of the Commissioner, and determine licence applications referred to it by the Commissioner, if of the opinion that it is in the public interest to do so.

Liquor licensing referrals

During 2021-22, the Commissioner for Licensing referred one application to the Commission for determination on public interest grounds, due to the number and type of concerns raised in the representations against the application.

Table 13: Liquor referrals heard by the Commission

Referral Date	Applicant	Premises	Municipality	Decision date	Decision
24 September 2021	James Scott-Mackenzie	BWS Lauderdale	Clarence	25 January 2022	Grant the off licence

Liquor licensing appeals

During 2021-22, the Commissioner for Licensing made approximately 2 550 decisions that could be appealed to the Commission. During the reporting period, the Commission determined seven appeals which had been made to it.

Table 14: Liquor appeals heard by the Commission

Appeal Date	Appellant	Premises	Municipality	Decision Date	Decision
13 September 2021	Derek Rolls	Empire Lounge & Garden Bar	Hobart	23 November 2021	Confirmed the original decision
13 September 2021	Guy Dann	Empire Lounge & Garden Bar	Hobart	23 November 2021	Confirmed the original decision
9 November 2021	Yizhou Wang	Mango Bar and Karaoke	Hobart	9 February 2022	Confirmed the original decision
24 October 2021	Minwei Fang	Star & Garter Bottleshop	Derwent Valley	18 February 2022	Directed the Commissioner to approve the transfer of the liquor licence to the appellant
7 January 2022	Jared Dickason	Amici Restaurant	Hobart	22 March 2022	Directed the Commissioner to approve the transfer of the liquor licence to the appellant
24 December 2021	Sancia Porretta	Ivory Lounge Bar	Hobart	2 May 2022	Directed the Commissioner to grant an Out of Hours Permit with conditions to the appellant
7 April 2022	James Hoyle	Phoenix	Launceston	6 June 2022	Directed the Commissioner to revoke the suspension on the appellant's liquor licence

Glossary

Casino gaming

Includes wagers on table games, gaming machines and keno at a casino. Casino games have set rules and fixed odds, designed to return a percentage from each wager to the casino operator.

Electronic gaming machine (EGM)

A device where a player may place a wager on a game of pure chance or a game of both chance and an application of skill, but not pure skill or manual dexterity with potential to win a prize either in cash or in kind. In most jurisdictions, including Tasmania, operators must return at least 85 per cent of wagers to players as winnings, either by cash or a mixture of cash and product. Gaming machines have the capacity to be linked in order to offer major jackpots.

Gamblers Help

A group of gambling support service providers, contracted by the Department of Communities Tasmania and funded through the Community Support Levy, offering counselling services and support to anyone affected by gambling (see the Tasmanian Gambling Exclusion Scheme below). The Gamblers Help services are currently offered through a partnership between Relationships Australia and Anglicare Tasmania.

Gambling

The lawful placement of a wager or bet on the outcome of a game of chance or future uncertain event (for example, horse race or sports event). The term gambling covers both gaming and wagering.

Gaming

All legal forms of gambling on games of chance or part games of chance, such as lotteries, poker, gaming machines, keno, casino gaming, minor gaming and some forms of interactive gaming.

Interactive gambling

The act of gambling or wagering via a telecommunications device (such as the internet or telephone) in a contingency relating to a sports event, race wagering event (horse or greyhound racing), simulated game, major lottery, pools, brokered wagering (betting exchange) or totalizator wagering.

Keno

A game where a player wagers that their chosen numbers match any of the 20 numbers randomly selected from a group of 80 numbers via a computer system. Keno is linked to all licensed gaming venues in Tasmania enabling the operator to offer large jackpot prizes. Keno has a fixed pay-scale such that the payout for each wager is established by rules, and is independent of the total wagers made on the game.

Lotteries

A scheme or device for the distribution of a prize, where the distribution of the prize involves an element of chance for which payment or consideration is given (that is, the sale of a ticket). Lottery products include things such as lotto and instant lotteries and these

products are sold either online or by lottery operators at various outlets around Australia, such as newsagents.

Minor gaming

The collective name given to raffles, bingo, lucky envelopes and calcutta sweepstakes. The proceeds must be used for a not-for-profit organisation or for charitable reasons and not for the private gain or benefit of any person.

Player expenditure

The amount of money that players have lost gambling during a given period. It is calculated as the total amount gambled (turnover) less the amount won by players.

Racing

The legal conduct of thoroughbred, harness or greyhound racing.

Special employee

The holder of a licence under the *Gaming Control Act 1993* who may be employed by a hotel or club, casino or totalizator operator to undertake prescribed duties in relation to gaming or wagering operations.

Tasmanian Gambling Exclusion Scheme (TGES)

A means for patrons to be excluded from gambling venues or from participating in gambling in four different ways; self-exclusion, venue operator exclusion, third party exclusion and exclusion by the Commissioner of Police. The Scheme is supported by the Gaming Control Act and is managed by the Tasmanian Liquor and Gaming Commission. Access to exclusion information for venue operators and the Gamblers Help Program is through the TGES online database.

Technician

The holder of a licence under the Gaming Control Act who may install, repair or maintain gaming equipment, including gaming machines, security systems and gaming and wagering equipment.

Totalizator wagering

A form of wagering that allows bets on runners in a race or an event, with all the bets from that bet type going into a pool. At the end of the race or event, the totalizator operator deducts a commission from the pool and the rest is distributed to all persons with winning bets.

Wagering

All legal forms of gambling on racing and sporting events.

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