

# TASMANIAN LIQUOR AND GAMING COMMISSION FOREIGN GAMES PERMIT RULES

**Effective 1 November 2018**

CM: 18/173924

## **I PRELIMINARY**

- 1.1 These Rules apply to the holder of a Foreign Games Permit (the Permit), authorised under Part 4C of the *Gaming Control Act 1993* (the Act) to sell tickets in Tasmania in a foreign game, and are in addition to the conditions imposed on the Permit by the Tasmanian Liquor and Gaming Commission and the Act.
- 1.2 The holder of a Permit must ensure that their accredited representatives adhere to these Rules. Staff of the Permit holder and accredited representatives must also adhere to these Rules. Failure to comply with this requirement may result in disciplinary action against the Permit holder. Disciplinary actions may include a letter of censure, a fine, and/or the suspension, cancellation or amendment of a permit.
- 1.3 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*.
- 1.4 These Rules supersede all previous Foreign Games Permit Rules issued by the Commission in relation to the terms explained in section 1.1 of this document.

## **2 COMPLIANCE WITH THE ACT, CODE, DIRECTIONS AND RULES**

- 2.1 Any matters concerning non-compliance with any requirements of the Act or any permit, code, directions or rules made under the Act must be reported to the Commission within 24 hours of being identified.

## **3 RESPONSIBLE CONDUCT OF GAMBLING**

- 3.1 A Permit holder must ensure that at least one staff member from any new accredited representative has completed the Permit holder's responsible conduct of gambling training.
- 3.2 A Permit holder must ensure that each accredited representative has available a copy of the Permit holder's responsible conduct of gambling training manual, including the appendix *Tasmanian Responsible Conduct of Gambling Training Manual - Foreign Games Permit Holders and Accredited Representatives*, at the location where its lottery tickets are sold.

## **4 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.*

- 4.1 With the exception of arrangements with accredited representatives, a Permit holder or an accredited representative must not offer or provide incentives or benefits to any other prescribed licence holder and/or persons employed or working for the Permit holder or accredited representative as a reward to encourage patrons to gamble, re-invest or replay winnings. An incentive or benefit includes but is not limited to, money, salary bonuses and gift vouchers that are designed to encourage those working in the industry to deliberately elicit patrons to gamble
- 4.2 A Permit 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 of the Permit holder.
- 4.3 A Permit holder or its accredited representative must not offer any inducement greater than \$15 to be used for gambling purposes or offer multiple vouchers for gambling at the same time where the combined value would exceed \$15.

- 4.4 Any inducement that is redeemable by an accredited representative, 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.
- 4.5 Patrons must not be offered the supply of free or discounted alcohol (including vouchers for the purchase of alcohol) for consumption on premises where lottery tickets are sold as an inducement or reward for gambling.
- 4.6 Any inducement offered, other than one for a specific event, must be valid for a minimum of 30 days.
- 4.7 Any prize draw offered or conducted by a Permit holder or its accredited representative must not require patrons to be at a draw, or on the premises 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.

## 5 **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 a Permit holder. An “inactive” PLP member is a patron who has not gambled within the previous six-month activity statement reporting period.*

- 5.1 A Permit holder that conducts, provides or facilitates the operation of a PLP must ensure that the PLP 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) PLP members must be able to access any information that the PLP operator holds about them.
  - c) All information held about a PLP and its members must be made available to the Commission upon request.
  - d) PLP points accumulation must not result exclusively from gambling activities where other activities, such as accommodation or dining, are available under the PLP.
  - e) 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.
  - f) Responsible gambling messages, as approved and/or prescribed by the Commission, must be incorporated and prominently displayed in PLP documentation.
  - g) PLPs operated must not be offered to minors or excluded persons and must not offend prevailing community standards.
  - h) PLP members must not be offered rewards greater than \$15 which can be used for gambling purposes.

- i) Gambling related contact must not be initiated by a Permit holder or their staff with an inactive PLP member at any time by any method, including in-writing, in-person, by telephone, internet or other electronic means. This includes the issue of player activity statements (unless requested by the PLP member). Non-gambling communication is permissible so long as the contact or information distributed does not refer to gambling in any way.
- j) PLP members must have the ability to request an activity statement every six months, where points, or the equivalent, are accrued as a result of the patron gambling.
- k) PLP player activity statements must be delivered to the PLP member's home postal address and provide concise and meaningful information about the player's gambling history including at a minimum:
  - i) the turnover amount, in dollars, for the previous six months;
  - ii) the net amount, in dollars, won or lost during the previous six months;
  - iii) five year cumulative tallies of the same information above; and
  - iv) clearly identify and differentiate points that have been accrued from gambling and non-gambling activities (where applicable).
- l) PLP player activity statements must not contain gambling advertising and any other irrelevant information that is not related to the gambling record of the player.

## 6 ADVERTISING

6.1 All advertising of gambling products by a Permit 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 portray, condone or encourage gambling in combination with the consumption of alcohol.
 

*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 a standalone gambling message, for example, “Gamble Responsibly” and the name and telephone number for the Gambling Helpline, to a size and form which meets the requirements of the *Tasmanian Liquor and 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.

## **7 INFORMATION TO PLAYERS**

*Permit holders and accredited representatives must ensure that the following signs, brochures, stickers or information are affixed or placed as required.*

- 7.1 Sign ORS03 “Minors Warning” must at all times be clearly displayed wherever lottery tickets are sold.
- 7.2 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 lottery tickets are sold.
- 7.3 Brochure ORB01 “Gambling Regulations” must be available to patrons at all times and supplies of the brochure must be located in prominent positions wherever lottery tickets are sold.
- 7.4 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 lottery tickets are sold.
- 7.5 Brochure ORB04 “Chances of Winning” must be available to patrons at all times and supplies of the brochure must be located in prominent positions wherever lottery tickets are sold.
- 7.6 Brochure ORB09 “Complaints” must be available to patrons at all times and supplies of the brochure must be located in prominent positions wherever lottery tickets are sold.
- 7.7 Any other sign, brochure, sticker or information as required from time to time by written notice from the Commission.

**DATED** | November 2018.

*J. M. Cranston*

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**TASMANIAN LIQUOR AND GAMING COMMISSION**

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