

Responsible Gambling Mandatory Code of Practice for Tasmania

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Preamble

The *Responsible Gambling Mandatory Code of Practice for Tasmania* has been developed to minimise harm from gambling in the Tasmanian community. It 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 the Commission has associated with each gambling product.

In developing the Code, the 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.

The Code is being introduced at a time when the gambling environment in Australia is changing rapidly. The Commission acknowledges, for example, that should the recommendations from the 2010 Productivity Commission Report into gambling be adopted (including uniform “pre-commitment” smart card technology), the gambling environment in Tasmania will shift significantly.

The Commission recognises that the Code will need to adapt to this changing environment as issues evolve and new information around gambling and harm minimisation comes to light. The Commission seeks to ensure that the Code remains contemporary, practical and effective.



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Definitions

Term	Description
Casino	For the purposes of the Code, this includes a premises where a casino operator licence has been issued or where there are gaming facilities on Bass Strait ferries operated by the TT-Line Company Pty Ltd.
Community standard	Includes but is not limited to, not: <ul style="list-style-type: none"> • involving minors; • offending people of different religions or ethnic backgrounds; • being linked to the irresponsible service of alcohol; • being sexually explicit in nature; and/or • being illegal.
Enhanced Responsible Conduct of Gambling training course	Either completion of the Responsible Conduct of Gambling training course (Version 2 – prior to 1 March 2012) and the 2012 Update or completion of the Responsible Conduct of Gambling training course (Version 3 – after 1 March 2012).
Gambling	The participation in either gaming or wagering.
Gaming Control Act 1993	An Act to make provision generally in respect of gaming and wagering, to provide for the supervision and control of casinos, gaming machines, keno, lotteries, lucky envelopes, gaming by telephone and other electronic means and other gaming and to provide for related matters. The Act is available at www.thelaw.tas.gov.au .
Incentive-based sponsorship	Is a sponsorship arrangement where the level of sponsorship to be provided is linked to the patronage or use of a prescribed licence holder's gambling product.

Term	Description
Prescribed licence holder	<p>The holder of a prescribed licence. These are:</p> <ul style="list-style-type: none"> • casino licence; • gaming operator licence (Network Gaming); • gaming licence (TT-Line) • licensed premises gaming licence; • special employee licence; • technician licence; • listing on the roll; • Tasmanian gaming licence; • minor gaming permit; and • foreign games permit.
Private gaming area	<p>A separate area at a casino, approved by the Commission, where invited players participate in table gaming and/or machine gaming.</p>
Problem gambling	<p>“...is characterised by difficulties in limiting money and/or time spent on gambling, which leads to adverse consequences for the gambler, others, or for the community.”</p> <p>The national definition of problem gambling developed by Gambling Research Australia and endorsed by the Ministerial Council on Gambling (October 2005).</p> <p>For further information go to www.gamblingresearch.org.au.</p>
Productivity Commission Report	<p>Productivity Commission Inquiry Report 2010, <i>Gambling</i>, Report no 50, Canberra, 26 February 2010.</p>
Racing or sports broadcast	<p>Includes any broadcast dedicated to a particular racing or sports event (eg Melbourne Cup, AFL football match or the Australian Open tennis tournament) or any radio or television station that is dedicated to racing or sports coverage.</p>
Relevant prescribed licence holder	<p>A holder of a prescribed licence that is relevant to the Code.</p> <p>Minor gaming permit holders, technicians and persons listed on the roll of recognised manufacturers, suppliers and testers of gaming equipment have not been included as relevant prescribed licence holders in the Code.</p>

Term	Description
Responsible gambling	<p>Is a concept that is described differently across jurisdictions. It involves:</p> <ul style="list-style-type: none"> • minimising the harm from gambling; • ensuring safe gambling environments; and • people understanding the nature of gambling and making informed decisions about participating in gambling. <p>For further information go to <i>Problem Gambling and Harm: Towards a National Definition</i>, commissioned by Gambling Research Australia for the Ministerial Council on Gambling, December 2005.</p> <p>The report is available at www.gamblingresearch.org.au.</p>
Special employee	A person undertaking gaming or wagering functions in an approved venue or for a licensed provider or a gaming operator.
Table gaming tournament	An event where players pay an entry fee to play a casino table game against other players and to compete for prizes.

Accountability and review

Commitment to the Code is mandatory and all relevant prescribed licence holders in Tasmania are responsible for ensuring their compliance with the Code. The Commission may take disciplinary action against a relevant prescribed licence holder for failing to comply with any requirement contained within the Code.

The Code will be amended from time to time in response to new research findings, best practice, community expectations and national gambling agendas. The Commission will ensure that it remains contemporary, practical and effective. The Code will be reviewed by the Commission at least every five years and will be independently assessed for its effectiveness in:

- Contributing to minimising the harm from gambling and promoting responsible gambling practices in Tasmania.
- Providing for gambling environments that are safer, and presenting gambling products in a responsible manner.
- Ensuring that the public and the gambling industry have an understanding of their rights and responsibilities in relation to the matters covered by the Code.
- Assisting people to make informed decisions about their gambling practices.
- Ensuring that gambling staff have the opportunity to develop additional skills to assist them to engage with people who may be displaying problem gambling behaviours.

Application

The Code applies to all prescribed licence holders in Tasmania (excluding minor gaming permit holders, technicians and persons listed on the roll of recognised manufacturers, suppliers and testers of gaming equipment) and impacts on 10 areas of gambling operations:

- advertising
- inducements
- player loyalty programs
- access to cash
- payment of winnings
- lighting
- service of food and alcohol
- clocks in gambling areas
- staff training in recognising people with gambling problems
- information to players

The Code **does not** apply to the operations of a Premium Player Program conducted by a casino operator and approved by the Commission.

Commission Rules

The practices required by the Commission are contained in the Code, but the means by which the practices are to be implemented are contained in the Commission Rules for each gaming and wagering licence type.

Specific Commission Rules apply to the operations of a casino operator Premium Player Program. The Rules ensure that a Premium Player Program continues to operate in the manner approved by the Commission and also provides for enhanced player protection measures to be imposed on these operations.

I. Advertising

Relevant prescribed licence holders must ensure that gambling advertising is conducted in a manner that takes account of the potential adverse impact that it can have on minors, people with gambling problems, people at risk of developing gambling problems and the community.

I. Advertising	Gaming machines	Table gaming	Keno	Terrestrial wagering	Online wagering	Lotteries
All advertising of gambling products by relevant prescribed licence holders must:						
I.1 Comply with the 'Code of Ethics' adopted by the Australian Association of National Advertisers.	✓	✓	✓	✓	✓	✓
I.2 Be socially responsible and consistent with the expectation that gambling will be conducted responsibly so as to minimise harm.	✓	✓	✓	✓	✓	✓
I.3 Not be offensive or indecent in nature, and not offend prevailing community standards.	✓	✓	✓	✓	✓	✓
I.4 Not be false, misleading or deceptive, including not misrepresenting the odds, the probability of winning a prize, or the prizes that can be won.	✓	✓	✓	✓	✓	✓
I.5 Not give the impression that gambling is a reasonable strategy for financial betterment or enhancing social situation.	✓	✓	✓	✓	✓	✓
I.6 Not challenge or dare a person to play.	✓	✓	✓	✓	✓	✓
I.7 Not suggest that skill can influence games that are games of chance.	✓	✓	✓	✓	✓	✓
I.8 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. <i>This does not apply to advertising that shows celebrating a win in a responsible manner outside of a gambling venue.</i>	✓	✓	✓	✓	✓	✓
I.9 Not encourage or target people under 18 years of age to gamble.	✓	✓	✓	✓	✓	✓
I.10 Not show people that are under 25 years of age in gambling advertising unless: a) their appearance is incidental as part of a natural situation; and b) they are not located in a gambling venue; and c) there is no implication that the person will participate in gambling. <i>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.</i>	✓	✓	✓	✓	✓	✓
I.11 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.	✓	✓	✓	✓	✓	✓
I.12 Not procure, incite or encourage a person to commit an offence.	✓	✓	✓	✓	✓	✓
I.13 Include responsible gambling messages in all media advertising that incorporates the name and telephone number for the Gambling Helpline, to a size and form as approved by the Commission.	✓	✓	✓	✓	✓	✓
I.14 Not be directed at or provided to excluded persons.	✓	✓	✓	✓	✓	✓

I. Advertising	Gaming machines	Table gaming	Keno	Terrestrial wagering	Online wagering	Lotteries
I.15 Not involve irresponsible trading practices.	✓	✓	✓	✓	✓	✓
I.16 Not violate the confidentiality of information relating to, or the privacy of, players without the consent of the player.	✓	✓	✓	✓	✓	✓
I.17 Not occur on television and/or radio between: a) 6:00am - 8:30am and 4:00pm - 7:00pm weekdays; and b) 6:00am - 8:30am and 4:00pm - 7:30pm on weekends. <i>The following forms of advertising are exempt from the above period:</i> a) advertising during a racing or sports broadcast; and b) advertising that focuses specifically on entertainment or dining facilities and does not depict or refer to gambling in any way.	✓	✓	✓	✓	✓	*
I.18 Sounds associated with gaming machine operation must not be included in any television or radio advertising.	✓	*	*	*	*	*

2. Inducements

Relevant prescribed licence holders must not provide specific inducements that may lead to problem gambling or exacerbate existing gambling problems. This includes persuading people to gamble when they wouldn't gamble normally or gamble outside of their normal gambling patterns.

2. Inducements	Gaming machines	Table gaming	Keno	Terrestrial wagering	Online wagering	Lotteries
2.1 Incentive-based sponsorship must not be offered.	✓	✓	✓	✓	✓	✓
2.2 People must not be offered free vouchers (or tokens and the like) of a value greater than \$10 which can be used for gambling purposes. This includes multiple vouchers at the same time where the combined value would exceed \$10. <i>Any voucher or token, regardless of the amount that it is issued for, must be redeemable for services other than just gambling, for example, accommodation, dining or entertainment. Any voucher offered, other than for a specific event, must be valid for a minimum period of 30 days.</i>	✓	✓	✓	✓	*	✓
2.3 People must not be offered free or discounted alcohol for consumption on the premises (including vouchers for the purchase of alcohol) as an inducement or a reward for gambling. <i>This practice does not apply to private gaming areas at a casino, to players participating in a casino table gaming tournament or where alcohol is provided with food at a location outside of a gaming area.</i>	✓	✓	✓	✓	*	✓
2.4 People must not be required to gamble more than \$10 for a specific period of time in order to receive an inducement, obtain a prize or enter a specific prize draw.	✓	✓	✓	✓	*	*
2.5 An entrant in a promotional prize draw, where the value of any individual prize is greater than \$1 000, must not be required to attend the draw in order to win a prize in that draw.	✓	✓	✓	✓	*	✓

3. Player loyalty programs

In addition to the practices under Section 2 – Inducements, relevant prescribed licence holders who operate player loyalty programs must not contribute to the development of problem gambling or exacerbate existing gambling problems.

3. Player loyalty programs	Gaming machines	Table gaming	Keno	Terrestrial wagering	Online wagering	Lotteries
3.1 Where player activity is recorded, player activity statements must be provided to members at least once a year and must show point's accrual separately for gambling and non-gambling activities (where applicable). For any gambling activity, the statement must show the amount, in dollars, of any expenditure during the period.	✓	✓	✓	✓	✓	*
3.2 Foreign games permit holders must provide a player activity statement on request, but no more than once per year. The statement must show the amount, in dollars, of any expenditure during the period.	*	*	*	*	*	✓
3.3 Detailed information about the operation of the program must be made available at the time of joining.	✓	✓	✓	✓	✓	✓
3.4 Program members must be sent self-exclusion and responsible gambling information, as approved and/or prescribed by the Commission, at least once each year.	✓	✓	✓	✓	✓	*
3.5 Program members must be able to opt out of the program at any time and members must be notified at least once each year of their right to cease participation in the program.	✓	✓	✓	✓	✓	*
3.6 Program members must be able to access any program information that the operator holds about them.	✓	✓	✓	✓	✓	✓
3.7 Information held about the program and its members must be made available to the Commission upon request. Where personal information is provided, the Commission will ensure that the Tasmanian Government's Information Privacy Principles will apply. Any information provided for research purposes must not identify individuals.	✓	✓	✓	✓	✓	✓
3.8 Program point accrual must not focus exclusively on gambling activities where other venue activities are available (for example, accommodation, dining or entertainment).	✓	✓	✓	✓	✓	✓
3.9 The accumulation rate of reward points for gambling activities and any benefits offered must be the same for all members of the program and must not vary.	✓	✓	✓	✓	✓	✓
3.10 Membership in a program must not be available to minors or excluded people.	✓	✓	✓	✓	✓	✓
3.11 Responsible gambling messages, as approved by the Commission, must be incorporated and prominently displayed in all program documentation.	✓	✓	✓	✓	✓	✓
3.12 Programs must not offer rewards to members greater than \$10 which can be used for gambling purposes.	✓	✓	✓	✓	✓	✓
3.13 Programs must not offend prevailing community standards.	✓	✓	✓	✓	✓	✓

4. Access to cash

Relevant prescribed licence holders must undertake practices to help minimise the potential for people to spend more than intended by limiting the:

- opportunity to make impulsive withdrawals of cash; and
- amount of cash that may be accessed at the venue.

4. Access to cash		Gaming machines	Table gaming	Keno	Terrestrial wagering	Online wagering	Lotteries
4.1	Automatic teller machines must not be located on any premises (other than a casino) that operates gaming machines, keno or totalisator wagering.	✓	✓	✓	✓	*	*
4.2	Casino operators must ensure that customers are not able to withdraw more than \$400 per day from any debit or credit card at automatic teller machines located at a casino.	✓	✓	✓	✓	*	*
4.3	A casino operator must not allow a person to obtain, from a cash facility, a cash advance from a credit account.	✓	✓	✓	✓	*	*
4.4	Responsible gambling messages must be clearly visible on or near all automatic teller machines located on a casino premises.	✓	✓	✓	✓	*	*
4.5	EFTPOS cash withdrawal transactions for gambling purposes are limited to a maximum amount of \$200 and no more than one EFTPOS transaction is permitted, per day, per customer, for gambling purposes.	✓	✓	✓	✓	*	*
4.6	No more than one cheque for a maximum amount of \$200 is permitted to be cashed, per day, per customer, for gambling purposes. <i>This practice does not apply to approved cheque cashing facilities operated at a casino.</i>	✓	✓	✓	✓	*	*
4.7	Before a cheque is cashed for gambling purposes, the operator must check whether the person is excluded from gambling.	✓	✓	✓	✓	*	*

5. Payment of winnings

Relevant prescribed licence holders must undertake practices to help minimise the potential for people to spend more than intended by:

- checking the Tasmanian Gambling Exclusion Scheme database before winnings are paid;
- discouraging people from using large winnings to continue gambling;
- discouraging people from gambling longer than intended and accumulating losses; and
- providing people with a cooling off period after large wins.

5. Payment of winnings		Gaming machines	Table gaming	Keno	Terrestrial wagering	Online wagering	Lotteries
5.1	A maximum cash limit of \$1 000 applies for all keno and gaming machine payouts at any venue. Any payments above \$1 000 must be made by cheque.	✓	*	✓	*	*	*
5.2	People must be provided with the option of having gambling winnings in excess of \$300 paid by cheque. <i>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 must be made by the next business day.</i>	✓	*	✓	*	*	*
5.3	Before a cheque for the payment of winnings is issued, the exclusion database must be checked to identify whether the person has been excluded from gambling.	✓	*	✓	*	*	*
5.4	All cheques provided to patrons for the payment of winnings from gaming machine or keno gaming must have the words "Gaming Machine Payout" or "Keno Payout" on the front of the cheque.	✓	*	✓	*	*	*
5.5	Cheques for the payment of winnings must not be cashed on the same trading day that they are issued. <i>This restriction does not apply to international customers at a casino.</i>	✓	*	✓	*	*	*

6. Lighting

Relevant prescribed licence holders must provide adequate lighting in gaming machine and table gaming areas.

Adequate lighting is important to assist in the identification of excluded people.

As it is important that gamblers retain a sense of their surrounding environment, operators are encouraged to provide people with:

- natural light (where possible), to enable people to be aware of the environment outside (that is, whether it is day or night);
- adequate light to readily identify consumer information (such as signs); and
- an environment to enable a connection with people and other things inside gaming rooms, other than gaming equipment.

6. Lighting	Gaming machines	Table gaming	Keno	Terrestrial wagering	Online wagering	Lotteries
6.1 There must be adequate lighting in gaming machine and table gaming areas to enable clocks and signs to be easily read and the faces of people within the room to be easily identified. This can be achieved by: <ol style="list-style-type: none"> not removing natural light sources from gaming rooms; and using natural light as a source of lighting, where possible. 	✓	✓	*	*	*	*

7. Service of food and alcohol

Relevant prescribed licence holders must limit the service of food and alcohol to people while playing gaming machines to create more opportunities for people to take a break from gambling.

Operators must prevent people who appear intoxicated from gambling at the venue as their ability to make informed decisions around gambling may be reduced.

7. Service of food and alcohol		Gaming machines	Table gaming	Keno	Terrestrial wagering	Online wagering	Lotteries
7.1	A person must not be served food or alcohol while playing, or seated at, a gaming machine between 6 pm and close of gambling each day.	✓	*	*	*	*	*
7.2	Any person who appears to be intoxicated must be prevented from gambling.	✓	✓	✓	✓	*	✓

8. Clocks in gambling areas

Relevant prescribed licence holders must ensure that clocks, that can be readily viewed by those people participating in gambling, are located in each area where gambling takes place, to assist people to be aware of the passage of time.

8. Clocks in gambling areas	Gaming machines	Table gaming	Keno	Terrestrial wagering	Online wagering	Lotteries
8.1 Analogue clocks must be located in each area where gambling takes place.	✓	✓	✓	✓	✘	✘
8.2 A clock must be clearly visible to any person participating in gambling.	✓	✓	✓	✓	✘	✘

9. Staff training in recognising people with gambling problems

Relevant prescribed licence holders must ensure that all special employees, along with staff in totalisator outlets and lottery agents, are trained in the responsible conduct of gambling.

This will assist staff to recognise and deal with people with gambling problems and people who are at risk of developing problems.

9. Staff training in recognising people with gambling problems	Gaming machines	Table gaming	Keno	Terrestrial wagering	Online wagering	Lotteries
9.1 Special employees are required to undertake the Responsible Conduct of Gambling training course.	✓	✓	✓	✓	✓	*
9.2 Totalisator employees are required to undertake the Responsible Conduct of Gambling training course.	*	*	*	✓	✓	*
9.3 At least one person who has completed the enhanced Responsible Conduct of Gambling training course must be on duty at all times in each area where gaming machines operate.	✓	*	*	*	*	*
9.4 Gambling operators must ensure that employees and agents are appropriately trained in the responsible conduct of gambling.	✓	✓	✓	✓	✓	✓

10. Information to players

Relevant prescribed licence holders must ensure that people are provided with information about gambling, regulatory requirements for gambling and gambling support services so that they can understand the nature of gambling and make informed decisions about participating in gambling.

10. Information to players		Gaming machines	Table gaming	Keno	Terrestrial wagering	Online wagering	Lotteries
10.1	Information must be made available to players on:						
a)	responsible gambling (including how to limit the amount of money that can be lost);	✓	✓	✓	✓	✓	✓
b)	where to get help if gambling becomes a problem;	✓	✓	✓	✓	✓	✓
c)	exclusion from gambling;	✓	✓	✓	✓	✓	*
d)	odds, pay scales, return to player and take out rates (where applicable).	✓	✓	✓	✓	✓	✓
10.2	Information must be displayed in high traffic areas, prominent positions and places of relative privacy.	✓	✓	✓	✓	*	*
10.3	Information must be displayed in prominent positions.	*	*	*	*	*	✓
10.4	Information must be accessible through a gambling operator's internet website, if one exists.	✓	✓	✓	✓	✓	✓

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