



responsible  
conduct of  
**gambling**  
T A S M A N I A

# Responsible Conduct of Gambling

Developed and written by *mischief business engineering pty ltd* and published by the Department of Treasury and Finance.

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All details are correct at the time of publishing. However, legislation, regulations, codes of practice and contact details are subject to change.

# Responsible Conduct of Gambling

## Provision of Responsible Gambling Services

### National unit overview

Completion of this unit and any required assessment may provide evidence or credit toward a statement of attainment for the nationally accredited unit<sup>1</sup>, *Provide Responsible Gambling Services*.

Assessment activities will need to be completed as required by the Registered Training Organisation delivering this program. Any questions regarding certification should be directed to your course facilitator.

The unit and assessment methods/activities will be explained by the course facilitator. You should read the unit outline to find out the requirements of the unit. This will be given to you by the facilitator at the beginning of the course.

If there is any reason that may prevent you from completing a written assessment, please contact your facilitator (in confidence) who will consider your circumstances and *may* arrange for you to undertake another form of assessment.

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<sup>1</sup> For information on the nationally accredited unit, visit

<https://training.gov.au/Search/Training?searchTitleOrCode=sithgam001&nrtSearchSubmit=Search&includeSupersededData=true&includeSupersededData=false&includeDeletedData=true&includeDeletedData=false&homePage=true&javaScriptEnabled=false&typeAllTrainingComponents=true>

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# Responsible Conduct of Gambling

## Welcome to the Responsible Conduct of Gambling course

This training is very important for everyone employed in the gambling industry.

This course provides you with:

- the necessary knowledge and ability to conduct gambling responsibly;
- an understanding of the law that applies to gambling;
- a general understanding of some of the problems gambling can cause people;
- an understanding of your responsibilities; and
- some tips on how to help people who may have gambling problems.

Government, industry and community organisations recognise that there can be harms associated with gambling. For most people, gambling is an enjoyable social activity. For others and their families, gambling can cause serious problems.

Working in the gambling industry comes with a duty to conduct gambling in a responsible way. You must understand these responsibilities when working in the industry.

We hope that you enjoy the course and we encourage you to ask questions, share your stories and participate in the activities.



It's more than the law;  
RCG is creating a safer  
industry for Tasmania.

# Responsible Conduct of Gambling

## Why do this course?

Whether you know it or not, every person has a '**duty of care**'. This means that we all have a responsibility to those around us to make sure that what we do (or what we fail to do) does not cause harm to others. We all have a responsibility to prevent our actions causing harm to others.

If you work in the gambling industry, you need to be aware that gambling can cause serious problems for some people.

Employers, licensees and managers have a duty under Tasmanian law to provide safe workplaces and safe methods of work. This means that those in charge are considered to be responsible for all people on the premises including:

- patrons who are gambling;
- other patrons who may be present; and
- staff.

The concept of duty of care is important.

This course is designed to give you a better understanding of your responsibilities to minimise the possibility of harm.

As a licensee, manager, supervisor, a member of staff working in a gambling venue or for an online provider, you need to understand your responsibilities.

You also need to ensure that the law and codes of practice relating to gambling are upheld.

Your duty of care also includes other staff and patrons (in person or online). You need to make sure that they are not harmed by the behaviour or actions of people who may have problems with their gambling.

### A definition of "Duty of Care"

"We all have a duty of care to take reasonable care not to cause foreseeable harm to other people or their property."

[www.legalaid.tas.gov.au](http://www.legalaid.tas.gov.au)

### Did you know?

**Vicarious liability** means that a licensee or manager may still be held legally liable for the actions of staff under their supervision.

That is, if a member of staff commits an offence under law, the licensee or manager may be deemed to have committed the same offence.

It makes sense to make sure that all staff are properly trained, fully aware of and behaving in ways which meet their duty for the responsible provision of gambling services and products.

# Responsible Conduct of Gambling

In addition to this general duty of care, it is a condition of every special employee licence that a Responsible Conduct of Gambling course, approved by the Tasmanian Liquor and Gaming Commission (formerly the Tasmanian Gaming Commission), is completed within three months of being licensed. Non licensed totalisator employees are also required to undertake the Responsible Conduct of Gambling training course. It is also a condition of every special employee licence that a Responsible Conduct of Gambling course, approved by the Tasmanian Liquor and Gaming Commission, is completed every five years.

# Responsible Conduct of Gambling

## Background to gambling in Tasmania

Gambling in Tasmania is made up of a range of activities that include:

- electronic gaming machines (also known as EGMs, pokies or just 'gaming machines');
- keno;
- lotteries;
- soccer pools;
- casino table gaming;
- minor gaming (raffles, bingo, lucky envelopes);
- totalisator wagering; and
- sports betting wagering.

Of all gambling activities, gaming machines and totalisator wagering are the most popular.

The gambling industry in Tasmania employed approximately 1 135 full-time equivalents (FTE) across the State in the delivery of gambling services in 2017.<sup>2</sup>



### Electronic gaming machines

Gaming machines were introduced to hotels and clubs in 1997. Prior to that, gaming machines had been operating in the two Tasmanian casinos since 1986.

In 2003 a cap of 3 680 machines was set on the total number of machines allowed in Tasmania. In hotels and clubs the maximum number of machines was set at 2 500.

Tasmanian Liquor and Gaming Commission

"Up to 15 per cent of each game is kept as house margin. This means that a player will lose on average 10 per cent to 15 per cent of their stake on every push of the button.

People with a gambling problem will tend to keep gambling until all of their available money is gone."

Gamblers Help counsellors 2009



# Responsible Conduct of Gambling

## The legal framework

In Tasmania, gambling is regulated under the *Gaming Control Act 1993* (gaming aboard the Spirit of Tasmania vessels is regulated by the *TT-Line Gaming Act 1993*).

### The *Gaming Control Act 1993*

The Gaming Control Act covers the following matters:

- gambling activities that are prohibited and the circumstances under which they are prohibited (Part 1A);
- licensing arrangements for casinos and gaming operators (Network Gaming) (Part 3);
- licensing arrangements for hotels and clubs, employees, technicians and manufacturers (Part 4);
- licensing arrangements for totalisators and other holders of a Tasmanian Gaming Licence (Part 4A);
- provisions for minor gaming (e.g. raffles for charitable purposes) (Part 4B);
- licensing of lottery providers outside Tasmania (Part 4C);
- the control of gambling (Part 5);
- matters associated with minors (Part 6);
- the provision of funds through the Community Support Levy;
- arrangements for patron exclusion from gambling activities or the whole venue;
- responsible gambling, including the requirement for the Commission to establish codes of practice; and
- the role, function and membership of the Tasmanian Liquor and Gaming Commission.

#### Some important definitions

##### Gambling

Placing a wager or bet on the outcome of a future event with an unknown outcome.

##### Gaming

Gambling where random chance, rather than say, sporting form, determines an outcome.

Gaming includes lotteries, gaming machines, casino table games, football pools, interactive gaming and minor gaming (e.g. raffles, bingo and lucky envelopes etc).

##### Wagering

Wagering is all legal forms of gambling on racing and sporting events (e.g. horse racing, football betting etc).

##### Speculation

Gambling on stock markets or real estate and can be related to business activities.

Australian Gambling Council, 2007

# Responsible Conduct of Gambling

## The Tasmanian Liquor and Gaming Commission

The Tasmanian Liquor and Gaming Commission is the independent, three-member body that regulates gambling (excluding bookmakers operating at racecourses) in Tasmania. It is supported by staff from the Liquor and Gaming Branch of the Department of Treasury and Finance.

The functions of the Commission include:

- regulating gambling to ensure that it is carried out with honesty and is free from criminal influence (this includes gambling in casinos, licensed premises, interactive gaming and wagering, and minor gaming);
- looking into matters related to gambling policy and reporting to the Treasurer on these matters;
- looking into matters relating to gambling, including making sure that people issued with gambling licences or those who are involved in the manufacture, supply, testing and maintenance of gambling equipment are fit to hold such licences;
- meeting with other authorities responsible for the regulation and control of gambling activities;
- overseeing the Community Support Levy and advising the Treasurer that allocation of funds from the CSL by the Department of Health and Human Services and by Community, Sport and Recreation Tasmania are made in accordance with their respective budgets;
- investigating and taking action on complaints regarding the conduct of gambling;
- dealing with disciplinary matters involving breaches of the Act and the Commission's Rules by gambling licence holders and operators, special employees and technicians, including hearing appeals against decisions of the Commissioner for Licensing; and
- overseeing the Tasmanian Gambling Exclusion Scheme.

### The Community Support Levy (CSL)

The Community Support Levy collects 4 per cent of gross profits from gaming machines in hotels and clubs and 4 per cent of Tasmanian monthly betting exchange commissions (if applicable).

This money provides funds for services for people affected by problem gambling (including family members and venue staff), community education and research into gaming.

The Gaming Control Act dictates how funds are distributed as follows:

- 25 per cent for the benefit of sport and recreation clubs.
- 25 per cent for the benefit of charitable organisations.
- 50 per cent for the provision of research into gambling, Gamblers Help services, treatment or rehabilitation and community education concerning gambling and other health services.

In 2016–17, approx. \$4.4 million was allocated for community use.

*TLGC - Annual Report 2016–17*

# Responsible Conduct of Gambling

## Law supporting responsible gambling

Many features of responsible conduct are found in law and, in particular, in the Gaming Control Act and the Tasmanian Liquor and Gaming Commission Rules.

Rules now apply to all licence types. For a copy of the rules specifically relating to your workplace go to <http://www.treasury.tas.gov.au/liquor-and-gaming/gambling/gaming-industry-requirements> and click on the relevant link.

## Rules relating to minors

One of the most important elements of the law regarding gambling is the element dealing with minors. A person who is under the age of 18 years is called a 'minor' and it is an offence to allow minors access to gambling services or facilities.

The following gives an overview of the law as it relates to minors.

- Minors are not allowed to enter or remain in restricted gaming areas for any purpose. If a person under the age of 18 'breaches' this rule, penalties apply to both the individual and the premises.
- Minors must not participate in any gaming or wagering activity. If they do, any winnings are forfeited to the Crown. Penalties for breaches apply to both the individual and the business.
- Where keno or totalisator wagering (e.g. TAB) is provided outside of a restricted gaming area, notices must be posted indicating that it is an offence for minors to play.
- Evidence of age (see next page for examples of acceptable identification) must be produced where the premises staff, management, police or compliance inspectors are not convinced that a person in a restricted gaming area or participating in gambling is 18 years of age or older.
- Online gaming and wagering requires a "100-point" identification within 90 days of registration and a "security question" when telephone transactions commence.



# Responsible Conduct of Gambling

It is one of your responsibilities to ensure that all people engaged in gambling activities are aged 18 or older. This responsibility remains the same whether you are working in a gaming venue such as a hotel or club, or in another place such as a TAB or lottery outlet.

If in doubt, you must always ask for acceptable identification. This applies even if there is security 'on the door' to check such things. Acceptable identification includes a:

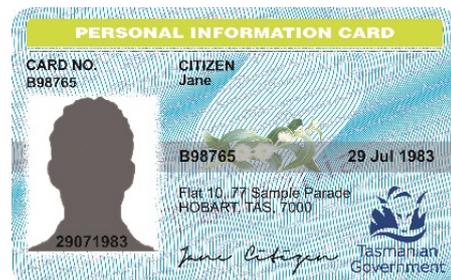
- current motorcycle or driver licence issued in Australia;
- firearms licence;
- passport;
- Keypass identity card (including Keypass in Digital iD™) ; and
- document issued by a Federal or state government department that shows the holder's name, photograph and age.

Examples appear below.

## Current Drivers Licence



## Proof of Age Card



## Passport



## Keypass Card



# Responsible Conduct of Gambling

If you are ever in any doubt about the authenticity of the identification provided to you or if identification provided can not verify the age of the person wanting to use gambling facilities or services, get help from your supervisor or refuse service.

Heavy penalties apply for allowing minors access to gambling.

# Responsible Conduct of Gambling

## Responsible Gambling Mandatory Code of Practice

### Mandatory code of practice

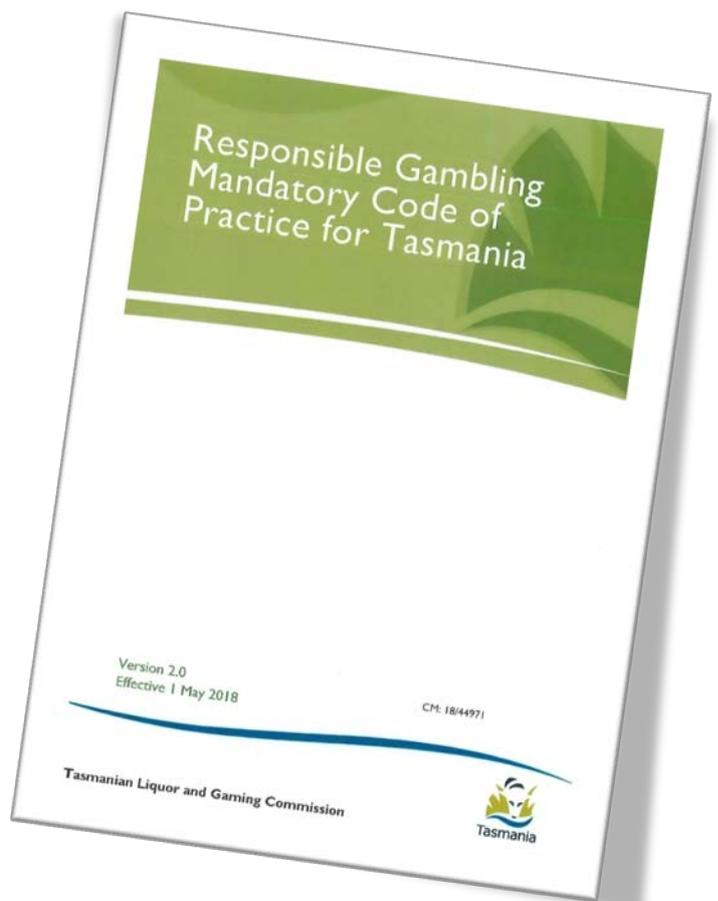
The *Responsible Gambling Mandatory Code of Practice for Tasmania* (the Code) was introduced in March 2012 and was developed to minimise harm from gambling in the Tasmanian community. It aims to make gambling environments safer.

The first review of the Code was undertaken by the Commission in 2017. New initiatives (summarised in Appendix A of the Code) build on the existing measures already well established in the industry by further ensuring that gambling is offered in a responsible way while providing informed consumer choice.

The Code applies to all 'prescribed licence holders' – that is, most providers of gambling goods and services (such as hotels and clubs with gaming machines, online betting providers and retailers selling 'scratchies'). The Code does not apply to the operations of a Premium Player Program conducted by a casino operator and approved by the Commission.

It recognises that gambling activities are different and the possible level of harm from each type of gambling is different too. Therefore, the Code applies to each form of gambling according to the different level of possible harm.

The following briefly describes the Code's content areas. You should be familiar with the content of the Code and a copy will be provided to you for your information and future reference.



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## **Advertising**

The measures covering gambling advertising are designed to make sure that representation of gambling activities is accurate, that the chances of winning are communicated and to avoid the possibility of adverse impacts on people who may be at risk of developing problems with their gambling activities.

Among other things, all gambling advertising must comply with the 'Code of Ethics' adopted by the Association of National Advertisers and must be socially responsible, inoffensive and not overstate the odds or possibility of winning a prize. All media advertising must incorporate a standalone responsible gambling message, for example 'Gamble Responsibly' and the name and telephone number for the Gambling Helpline. There are prescribed times that gambling advertising can be broadcast on television and radio to minimise exposure to people under the age of 18 years. In addition, advertising cannot portray, condone or encourage gambling in combination with the consumption of alcohol.

## **Inducements**

An inducement can be loosely described as anything that may cause someone to gamble more than they usually would or where they may not have gambled at all.

The Code limits the types and value of promotional activities allowed. This includes offering vouchers (up to \$15 in value) that can only be redeemed for gambling purposes and offers of free or discounted alcohol for consumption on the premises as a reward for gambling.

Relevant prescribed licence holders must not offer or provide incentives or benefits to other prescribed licence holders or staff as a reward to purposefully encourage other people to gamble, re-invest or replay winnings.

The Code also limits Jackpot prize amounts that can be won on gaming machines in hotels and clubs.

## **Player loyalty programs**

Loyalty programs are similar to 'frequent shopper' programs operated by supermarkets or 'frequent flyer' programs operated by airlines. They may provide benefits such as information on events, special deals or discounts for members and allow members to accrue points that may be redeemed for goods and services.

The Code identifies a range of requirements for gambling providers who operate loyalty programs. These include (but are not limited to):

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- the provision of information to potential program members;
- the opportunity to opt out of the program at any time;
- the accumulation rate of reward points must be the same for all members of the program and must not vary;
- provision of activity statements and gambling expenditure to the member;
- not allowing excluded people or minors to be members of a loyalty program;
- not allowing gambling information to be sent to loyalty program members that have not gambled within the player activity period; and
- not offering rewards to members greater than \$15 which can be used for gambling purposes.

## Access to cash

The Code includes a range of requirements to minimise the possibility of people being able to access cash on impulse or 'on the spur of the moment' and to limit the amount of cash available to people in gambling environments such as clubs, hotels and casinos (for the purposes of the Code, this includes where there are gaming facilities on Bass Strait ferries operated by the TT-Line Company Pty Ltd). These include (but are not limited to):

- limiting casino patrons to withdrawals of \$400 in cash per day from automatic teller machines;
- casinos for gambling purposes are limited to a maximum amount of \$200 and no more than one EFTPOS transaction is permissible, per day, per customer;
- all venues (except casinos) are limited to a maximum amount of \$200 for any purpose and only one EFTPOS transaction is permissible, per day, per customer. These requirements do not apply to the part of the premises specifically designed for off-sales (i.e. bottle shops)
- Cheques must not be cashed on licensed premises, unless an exemption from this requirement has been approved by the Commission or the customer is an international visitor. In such cases, no more than one cheque is permitted to be cashed, per day, per customer for gambling purposes at: all venues (excluding casinos) to the maximum value of \$100; and casinos to a maximum value of \$200. Before a cheque is cashed for gambling purposes, the operator must check whether the person is excluded from gambling.



Automatic teller machines are not to be located in any premises (other than casinos)

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that operates gaming machines, keno or totalisator wagering (TAB).

Cheques must not be cashed on licensed premises, unless an exemption from this requirement has been approved by the Commission. This restriction does not apply to international customers (other provisions also apply).

Coin change dispensing machines must be located in the line of sight of main staffed areas of the venue and in the position approved by the Commission.

## **Payment of winnings**

To discourage people from using winnings to continue gambling for longer than they might have otherwise, and to allow a 'cooling off' period after large wins, the Code identifies limits to payouts and requires gaming venues to offer options regarding the payment of winnings. This includes (but is not limited to):

- a maximum cash limit of \$1 000 is applicable for all keno and gaming machine payouts. Payments over this amount must be paid by cheque or, if requested by a customer, direct bank transfer is allowable where the venue can accommodate the transfer;
- an option to pay gambling winnings over \$300 by cheque must be provided to customers or, if requested by a customer, direct bank transfer is allowable where the venue can accommodate the transfer; and
- all cheques provided to customers for the payment of winnings from gaming machine or keno gaming must have the words "Gaming Machine Payout" or "Keno Payout" and be crossed "Account Payee Only, Not Negotiable" on the front of the cheque.

Before providing a cheque or direct bank transfer for the payment of winnings, staff must check the exclusion database to ensure that the person is not excluded from gambling. A report should be made via the online database if they have a current exclusion (see page 42 for more information).

## **Lighting**

To allow people inside gaming machine venues and in table gaming areas to read consumer information, to recognise the passage of time (read clocks) and to have a connection with other people (such as staff and other patrons), the Code requires that adequate lighting be provided.

Adequate lighting also gives gaming staff a better opportunity to recognise people who may be excluded from the venue and to take appropriate action.

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Natural light is encouraged as a form of lighting where possible.

## **Service of food and alcohol**

To provide greater opportunities to take a break from gaming machine use the Code requires that no food can be served to people while playing, or seated at, a gaming machine between 6 pm and close of gambling each day.

A person must not be served alcohol in venues (excluding casinos) while playing, seated or standing at a gaming machine at any time, or in casinos while playing, seated or standing at a gaming machine between 6 pm and close of gambling each day.

All gambling providers (except online wagering) must prevent intoxicated people from gambling.

## **Clocks in gambling areas**

People who gamble may lose a sense of the passage of time and to help prevent this, analogue clocks must be located in gambling areas and be clearly visible to people gambling. (Online and lottery providers are exempt from this requirement.)

## **Staff training in recognising people with gambling problems**

The Responsible Conduct of Gambling course has been in place for some time in Tasmania. However, as part of a range of harm minimisation measures, the Tasmanian Government directed that the course would be enhanced with a specific focus on the identification of people who may have gambling problems. This course has previously been updated to include enhanced information.

The Code further requires that all special employees and totalisator employees undertake the Responsible Conduct of Gambling course and at least one person who has completed the enhanced course must be on duty at all times in each area where gaming machines operate.

All gambling operators, including online and lottery providers, must ensure that employees and agents have undertaken appropriate training in the responsible conduct of gambling.

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## Information to players

Making an informed choice about gambling may give people more control in their gambling activities. The Code requires that people are provided with information about a range of gambling related topics including (but not limited to):

- what responsible gambling is and how to limit losses;
- where to get help if required and how to access the exclusion program; and
- the odds of winning and applicable return to player rates.

The Code also indicates where signage and information must be placed (for example in prominent positions, high traffic areas and online) to allow ready access for customers.

A number of signs and brochures are required to be displayed and be available in all gambling premises including totalisator and lottery outlets.

A copy of the Code will be provided to you. You should make yourself familiar with the content of the Code and how it impacts on you and your workplace. The Code document includes a table identifying which gambling activity is affected by each requirement of the Code.

The Code is supported by Commission Rules which have been developed for each gaming and wagering licence type. If you follow the Commission Rules, you will satisfy the requirements of the Code.

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## Types of gambling

Gambling is an enjoyable pastime for many people. Most use gambling as a means of entertainment without any problems.

There are different types of gambling you should know about and be able to recognise.

Some people will gamble now and then. The purchase of a lottery or raffle ticket once in a while or having a 'flutter' on the Melbourne Cup is called **casual gambling**.

**Social gambling** – some people occasionally play gaming machines while at the local club, or place a bet at the harness racing during a night out with friends.

**'High rolling'** or **'binge gambling'** are terms that refer to people who bet large sums of money once in a while. These gamblers may win or lose what other people might believe are large sums of money.

While most people gamble within limits or as a social activity, some people have real problems with their own (or someone else's) gambling. This is often referred to as **'problem gambling'**.

(See Problem Gambling on page 26 of this handbook).

### Did you know?

Gambling has been around almost since the dawn of time, playing a part in the culture of many civilisations.

Tools associated with gambling have been found in China and date back to 2300 BC.

A pair of ivory dice dating from 1500 BC has been found in Egypt and writings in the pyramid of Giza refer to gambling!

The first mechanical slot machine was invented in 1895 in San Francisco.



# Responsible Conduct of Gambling

## Responsibilities of people working in the gambling industry

Because you work in an industry that provides services or products that may cause harm, you have a greater duty of care, as far as possible, to ensure that patrons are kept safe from harm.

The responsibility to keep patrons safe from harm starts with the law covering gambling. It then carries through to codes of practice and to policies and procedures for individual premises, outlets and online operators.

In line with your duty of care, you must be aware of your responsibilities and obligations under the law and you must take your responsibilities seriously.

Every gambling premises, outlet and internet betting site should:

- provide all staff with the product knowledge to inform patrons about the operations of gaming machines, wagering systems and other gambling products.
- provide staff with training to allow them to identify problem gambling behaviour and assist (where appropriate) those people who may require support services to help them control their gambling activities.
- develop a culture that encourages low-risk gambling and takes proper action to protect people from risky gambling.
- have an active and open commitment to the relevant law and relevant codes of practice.
- adopt a house policy to guide the conduct of gambling and to clearly set out how staff should respond to signs of gambling problems observed within the venue.
- develop an understanding that staff have a responsibility to the community to ensure responsible gambling.

Besides moral and ethical responsibilities, there are a range of things that you or your employer must do by law, as discussed previously.

### Did you know?

Approximately \$21 billion was spent on Australian gambling products in 2013–14.

*Australian Gambling Statistics  
1988–89 to 2013–14  
31st edition, Queensland  
Government*

Since 2008–09, the amount spent on gambling by Tasmanians has declined and the proportion of household spending (as at 2017) was lower than the level for Australia as a whole.

Tasmania has the highest rate of people who don't gamble at all and the prevalence of problem gambling in Tasmania is at the lower end of other states and territories in Australia.

Around 0.6 per cent of Tasmanian adults suffer significant problems because of gambling.

*Fourth Social and Economic Impact  
Study of Gambling in Tasmania  
(December 2017)*

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## House policy on responsible gambling

A business that takes its responsibilities to its patrons seriously will have a house policy on responsible gambling. A well designed and consistently applied house policy is a good starting point for developing a culture that fosters and supports responsible gambling.

A house policy may cover the following:

- A statement supporting the gambling Mandatory Code of Practice.
- Promotion of gambling as a part of a whole range of entertainment and leisure options available at the premises.
- Processes for notifying management/ supervisors of suspected problem gambling behaviour.
- Support for the Tasmanian Gambling Exclusion Scheme (TGES).
- Procedures to help staff on the front line know what to do when they encounter an excluded person.
- Processes for responding to the observable signs of problem gambling.
- Access to and display of material advertising support services for problem gambling.
- Respect for patron privacy and dignity.
- Paying wins by cheque as per the Mandatory Code of Practice.
- Encouraging cooling-off periods and breaks.
- Staff training in Responsible Conduct of Gambling.
- Paying smaller wins (and providing change from purchases of meals and drinks) in notes and not coins.
- In the case of online gambling, all winnings deposited in a nominated account, with all withdrawals transacted via stringent procedures, including time delays and recording mechanisms.

### Did you know?

Each state and territory government receives tax revenue from the proceeds of gambling in their state. This can be in the form of direct taxes, licence fees and mandatory contributions.

Gambling generated in excess of \$96 million in tax revenue in Tasmania during 2015–16. This equates to around 9 per cent of total State tax revenue for the State during that period (that is, not including revenues from GST).

# Responsible Conduct of Gambling

## Harm minimisation and harm reduction

While there is no absolute agreement on what is meant by gambling 'harm minimisation' there are many practical measures designed to reduce the harm that may be associated with gambling. The following list identifies some of these measures.

- Gaming machines in hotels are only permitted in restricted gaming areas that are physically separate from the rest of the premises.
- Minors are not allowed to enter the restricted gaming area.
- The Mandatory Code of Practice determines how winnings should be paid.
- Other forms of gambling (e.g. lucky envelope machines, arcade amusement machines) are not to be placed inside the restricted gaming area.
- Smoking is not allowed inside any licensed premises, including gaming rooms and TAB outlets.
- Gaming machines with note acceptors are not allowed in hotels and clubs.
- Maximum bet limits are set at \$5 in hotels, clubs and casinos.
- Online gambling operators allow customers to establish pre-set loss and deposit limits.
- ATMs are not allowed in gaming premises (except in casinos and then only well outside the restricted gaming areas).
- The provision of cash from EFTPOS facilities is allowed in certain circumstances only and limits apply to the amount of cash that can be withdrawn.
- Clocks are to be located in gambling areas to assist with the recognition of the passage of time.

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- Restrictions apply to the service of food and alcohol at gaming machines.



# Responsible Conduct of Gambling

## Groups working on reducing harm from gambling

### The Tasmanian Gambling Industry Group

The Tasmanian Gambling Industry Group (GIG) is made up of representatives from the gambling industry and the government. Its aims are to make sure that management and staff of premises delivering gambling services/products conduct themselves and their business in a professional manner, minimising the opportunity for harm to their customers. Members of the group include representatives from:

- The Tasmanian Hospitality Association (formerly the Australian Hotels Association);
- Tattersalls;
- Registered Clubs Tasmania;
- Federal Hotels;
- TAB;
- Admirals Casino; and
- Non-voting Members:
  - The Department of Health and Human Services; and
  - The Department of Treasury and Finance.

#### Did you know?

Gamblers Help provides a suite of services to people affected by gambling.

Help and information is available online, over the phone or in person.

See page 52 of this handbook for contact details

### Working as a team – industry and Gamblers Help

Reducing the harm caused by problem gambling is not a simple exercise. While venues and other gambling outlets can monitor patrons when they are on the premises, it may be impossible to know the individual circumstances of patrons.

Some people who may have difficulty managing their gambling activities may be experiencing other problems such as depression, financial hardship or relationship problems. Put together, all these issues may mean that individuals need more assistance than simply being refused service or being offered exclusion options (there is more on this later).

However, as we know, each person working in the gambling industry has a duty of care to do something if they suspect someone has a problem managing their gambling activities.

Staff working in the gambling industry are not usually equipped to provide

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counselling or other interventions for patrons. This should be left to experts and professionals in the field. But they **are** equipped to provide service and a level of customer care. That's the nature of the industry and this should extend to assisting patrons to find help if they need it.

One of the best ways to get help with providing assistance to patrons with gambling issues is to partner with experts in the field. For example, Gamblers Help is available to provide information to venues and outlets about support services for people with gambling problems. Venue staff should know who their contacts at Gamblers Help and other agencies are.

A two-way exchange of information between providers of gambling services and products allows a greater level of understanding of what support is available and the difficulties of identifying, communicating with and providing assistance to those who may need support.

Problem gambling is bad for gamblers, the community and it's bad for business.

A 'team approach' is vital to addressing the complex and often difficult topic of problem gambling in our industry.

Contact numbers are available at the back of this handbook.

# Responsible Conduct of Gambling

## Problem gambling

While hard to define clearly, problem gambling is understood to be:

***“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<sup>3</sup>.”***

Problem gambling can result in:

- financial difficulties such as being unable to find enough money to pay bills and living expenses (e.g. rent, food, providing for others including children);
- psychological and emotional problems such as stress, anxiety, depression, anger, loss of self-esteem and being unable to control one’s own behaviour;
- loss of time for work or study due to gambling;
- family and relationship difficulties, missing out on family commitments due to gambling activities and causing problems with relationships with others;
- physical health problems through loss of sleep, self-neglect, poor diet, smoking and alcohol use/overuse; and
- legal issues and police involvement.

Problem gambling can be hard to identify because it may not occur in isolation.

There may be other problems being experienced by the gambler at the same time, including:

- work problems;
- depression;
- lack of other interests;
- financial problems;
- relationship issues; and
- self-esteem problems.

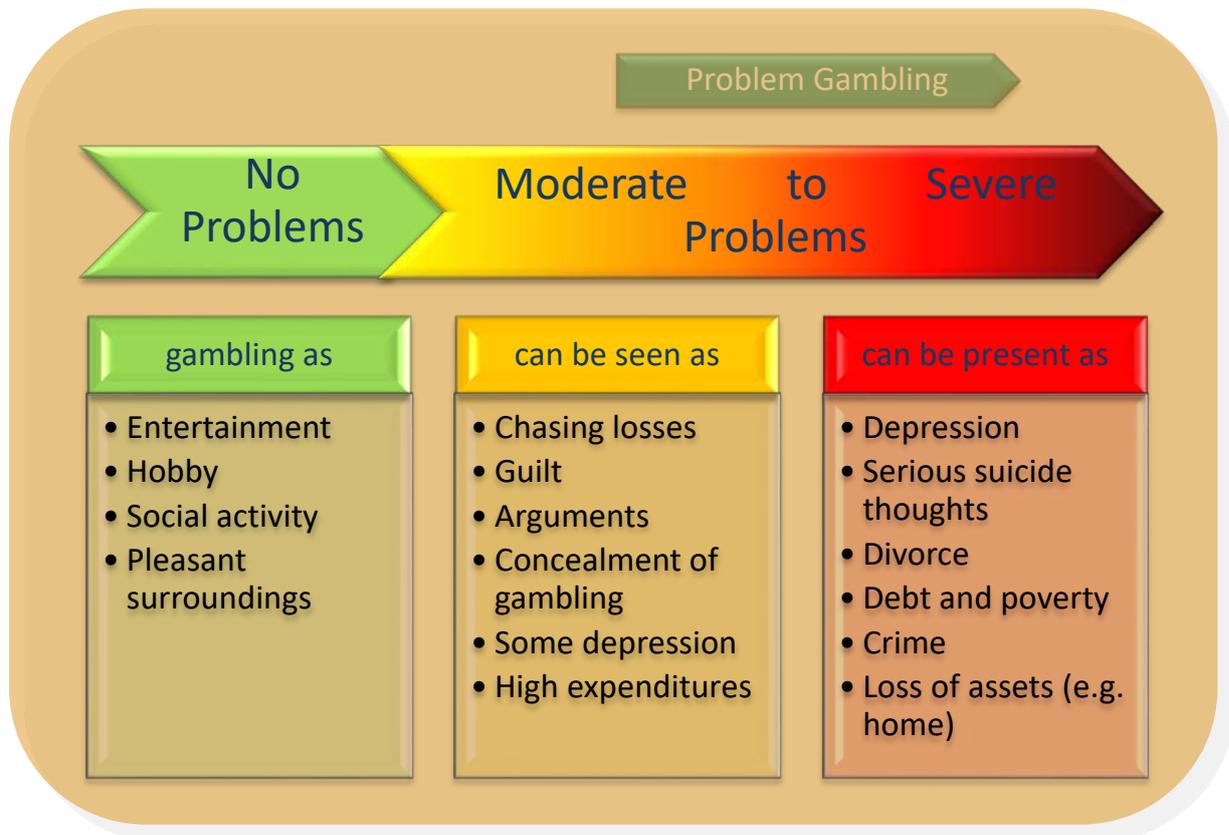
Culture, personal background and personal values play a part in an individual’s responses to problem gambling and are different for each person.

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<sup>3</sup> State of Victoria, Department of Justice. 2005. *Problem Gambling and Harm: Toward a National Definition*. Victorian Government. The Tasmanian Liquor and Gaming Commission also uses this definition.

# Responsible Conduct of Gambling

Gambling can generate a range of reactions. The diagram below<sup>4</sup> illustrates some possible responses to gambling.



Australian and international research into identifying Problem Gamblers in venues



<sup>4</sup> Adapted from McMillen & Wenzel's problem gambling continuum.

# Responsible Conduct of Gambling

has resulted in a list of observable signs which indicate gambling problems are most likely present (see pages 30 & 31).

## Reactions to gambling

Most people will have 'No Problems' with their casual or social gambling.

Others will have 'Severe Problems' – this generally occurs when people have lost the ability to control their gambling activities. People can move quickly toward the problem gambling end of the continuum, particularly when playing gaming machines. Several tests or "screens" have been developed to indicate whether a person may have a gambling problem. The following test is based on a commonly used screening tool.

# Responsible Conduct of Gambling

## The Canadian Problem Gambling Index<sup>5</sup>

*In the last 12 months how often have you [or have for item 7]...?*

1. Bet more than you could really afford to lose?
2. Needed to gamble with larger amounts of money to get the same feeling of excitement?
3. Gone back another day to try and win back the money you lost?
4. Borrowed money or sold anything to get money to gamble?
5. Felt that you might have a problem with gambling?
6. Felt that gambling has caused you health problems, including stress and anxiety?
7. People criticized your betting or told you that you have a gambling problem, whether or not you thought it was true?
8. Felt your gambling has caused financial problems for you or your household?
9. Felt guilty about the way you gamble or what happens when you gamble?

**Scoring:** 0 = Never,  
1 = Sometimes,  
2 = Most of the time,  
3 = Almost always.

Scores of 8 or more are deemed to indicate problem gambling.



<sup>5</sup> Ferris, J. & Wynne, H. 2001. *The Canadian Problem Gambling Index: Final Report*. Ottawa: Canadian Centre on Substance Abuse.

# Responsible Conduct of Gambling

## Impacts of problem gambling

Sometimes the effects of problem gambling go beyond the individual gambler. Problem gambling affects families, friends and the broader community.

Some of these may include<sup>6</sup>:

- family breakdowns including divorce, conflict and adverse effects on children;
- increased demand on community welfare funds (unemployment benefits, drawing on charity, families seeking help from welfare agencies);
- increased demand on health services (because of increased or aggravated health problems associated with problem gambling);
- criminal activity to fund gambling debt or activities ('white collar' fraud, other theft, personal attacks, armed robbery);
- reduced staff morale in premises that provide gambling services and products (due to community opinion and exposure to problem gambling);
- breakdown in social networks as people stop going out with their friends in order to gamble more frequently and alone;
- the costs to businesses from staff taking time off to gamble or to deal with the emotional or financial issues associated with their activities; and
- money lost on gambling not being spent in local communities and businesses (this can be particularly noticeable in small or regional communities).



<sup>6</sup> Adapted from Productivity Commission.1999. *Australia's Gambling Industries, Report No. 10*. Canberra: AusInfo.

# Responsible Conduct of Gambling

## How to recognise problem gambling behaviour

While the outward effects of alcohol and other drugs may be recognised as being immediately obvious to other people, problem gambling has serious effects on individuals, families and communities and may not be noticed as easily.

As a result, it is important that you understand how problem gambling might affect people and how to read the warning signs in how people behave.

This is important so that something is done quickly when patrons are identified as behaving in a way that suggests they are having difficulty controlling their gambling.

## What to look for

While each problem gambler is different from any other, the following behaviours are a good guide to the presence of problem gambling, especially in gaming machine play<sup>7</sup>.

- Regular play (once a week or more on gaming machines) can indicate an 'at risk' status<sup>8</sup>.
- Changing moods from being friendly to being rude, abusive or nasty.
- Anger and/or swearing.
- Becoming violent with others in the gaming room, TAB outlet, lottery outlet, or over the telephone.
- Losing temper with a gaming machine, a staff member or other people, or suggesting that the games are 'rigged'.
- Signs of stress (e.g. looking distressed, agitated, visibly frustrated, sweating, shaking, crying, becoming verbally aggressive).

### Did you know?

A common myth about gambling is called the "gamblers fallacy". This is where people believe that because a number or a "win" has not come up in a long time, it will come up again soon.

Gaming machines, lotto and keno rely on random number generators. There is no skill or other way to influence the outcome of these games.

Each game is statistically independent of previous outcomes.

<sup>7</sup> Adapted from GRA, 2007, *Identifying Problem Gamblers in Premises*, Report to the Ministerial Council on Gambling, State of Victoria, Department of Justice.

<sup>8</sup> The *Fourth Social and Economic Impact Study of Gambling in Tasmania* (December 2017) found 60.8 per cent of regular gamblers gamble on electronic gaming machines. The Australian Government ([www.problemgambling.gov.au](http://www.problemgambling.gov.au)) reported in 2016 that three quarters of people that have a serious problem with gambling are "pokie" players.

# Responsible Conduct of Gambling

- Blaming others for losses.
- Spending very long periods at gaming machines or in other gambling outlets (e.g. TAB) perhaps missing meals.
- Changing large sums of money to use in gaming machines.
- 'Chasing the win' to recover past losses.
- Suggesting that the gaming machine or the horses/dogs 'owe them'.
- Asking to borrow money from others (e.g. patrons or staff) or trying to sell items of value on the premises.
- Asking for credit from the premises or outlet.
- Leaving children unattended (in the premises or in cars).
- Visiting ATMs on a number of occasions for more money.
- Complaining about losses or not being able to pay bills.
- Answering phone calls outside the premises or outlet so people don't know where the person is.
- Being secretive and/or lying to others.
- Intensely focusing on gaming machines or form guides.
- Becoming secluded or isolated from others.
- If in a gaming venue, not noticing what's going on around the gaming machine, perhaps even falling asleep at the gaming machine.
- Having difficulty in leaving, even at closing time.
- In online gambling, you might also see customers accessing or using multiple accounts, accounts being closed and re-opened, admission of gambling or personal problems, sudden changes in betting patterns or requests for no "home" contact.

## Did you know?

Where regular play (once a week or more) is combined with more than one of the behaviours on pages 30 & 31, the patron is probably experiencing some problems.

The venue is obliged to act in accordance with its House Policy, relevant Acts and Laws and the Responsible Conduct of Gambling guidelines.

Referral information to the Gamblers Help Gambling Services or the Gambling Helpline Tasmania listed on page 47 may be discretely provided to patrons in such situations.

## So you think someone is experiencing gambling problems?

It could be said that most people have an instinct to help people in trouble.

# Responsible Conduct of Gambling

Lending a helping hand to people in distress is often described as part of what it is to be Australian. People in service industries (such as hospitality) are trained to provide customer care.

However, providing assistance to people who may exhibit behaviours consistent with having a problem managing their gambling is often seen as being difficult; even though it is part of the responsibility you take on when working in gaming venues or gambling outlets.

Despite this perceived difficulty, research suggests that gaming machine players thought that attention from gaming staff could assist in reducing problem gambling behaviours<sup>9</sup>.

If you think that someone has a problem controlling their gambling behaviour you are morally and legally obliged to do something about it. The following tips might be useful in approaching someone who is showing signs of having difficulties managing their gambling:

- let your manager or supervisor know your concerns and get assistance if unsure of how to approach the situation. Venues and outlets should have a guide or set of procedures for handling such situations;
- using non-threatening, open body language, approach the individual and introduce yourself with a smile;
- let them know that you've been concerned by their behaviour and you wanted to check if there was anything you could do to assist;
- suggest that they take a break, maybe go for a walk outside for fresh air or have a soft drink or coffee;
- you might ask them if they would like to speak with you in a private area away from other patrons about their behaviour. Remember, though, you are not required to provide counselling – Gamblers Help is able to do that;
- let them know that there are options to help with their gambling behaviour, such as setting spend limits or even exclusions if they prefer;
- be prepared for an emotional response. Some people may get angry, some might be upset, some might ignore you. Whatever the response, handle the

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<sup>9</sup> Caraniche Pty Ltd. 2005. *Evaluation of Electronic Gaming Machine Harm Minimisation Measures in Victoria. Final Report*. Melbourne: Victorian Government Department of Justice.

# Responsible Conduct of Gambling

situation professionally and with the knowledge this situation requires a level of customer care;

- reporting violent or abusive customer behaviour to supervisors or management (there are legal obligations for people working in licensed premises regarding this);
- contacting your supervisor or manager if you think you recognise someone who is excluded on the premises and take appropriate action;
- where requested by the customer, issuing an exclusion to a customer on the spot (contact your supervisor/manager if you need help with this);
- never making moral judgements about an individual's gambling activities – you don't know their circumstances;
- not allowing more than one EFTPOS 'cash out' for any purpose on any given day. This forms part of the Mandatory Code of Practice and is required by law;
- following rules regarding taking cheques for gambling use (see Tasmanian Liquor and Gaming Commission rules and the Mandatory Code of Practice);
- making sure that player information brochures are available and displayed in all areas where gambling is available and advertising the telephone number of Gamblers Help;
- never allowing credit for gambling purposes. **This forms part of the TLGC rules and is required by law;**
- completing an incident report (see template in this handbook) so that the manager can review the ways in which issues are dealt with in the venue or outlet; and
- respect the privacy of the individual and never discuss the issue with other staff or patrons (let your supervisor or manager know how you have handled the situation – see 'Sharing and Recording Information').

Remember, signage and printed material on support services must be displayed prominently in gambling premises and must be available and discretely accessible to patrons.

# Responsible Conduct of Gambling

You are required to be aware of the issue of problem gambling and the services that are available (both within the venue and externally) to a person who may be affected by gambling. You must also be able to respond appropriately to requests for information regarding gambling. This may mean referring them to a supervisor or manager.

In practical terms, your role is to ensure the responsible conduct of gambling. This means that where a customer's gambling behaviour is of concern, you must report it to your supervisor or manager so that it can be appropriately dealt with. Refer to your house policy or encourage your venue to adopt or develop one if there isn't one in place (there's a template incident report form at the back of this handbook).

## **Working in a gaming venue may increase your risk**

Australian research<sup>10</sup> suggests that problem gambling (for all forms of gambling) may be more common among people working in gaming venues than the general population.

Research suggests that having access to gambling activities, having a general social acceptance of gambling activity as a pastime and having the knowledge of how gambling works may have an influence on the gambling activities of gaming workers.

It might be that people who work with gambling products as part of their daily work are more likely to develop difficulties in controlling their gambling activities. It's important then, that staff and management of venues and other gambling outlets (e.g. TAB) are able to recognise and address problem gambling behaviour in their work friends and colleagues.

It is clear that the duty of care that extends to customers and guests in regard to reducing harm associated with gambling must also be provided to people working in gaming venues and gambling outlets.

To ignore the signs of problem gambling just because a person is a friend, staff member or work colleague is a breach of your duty of care. Gamblers Help and other support services are just as freely available to staff and management of

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<sup>10</sup> Hing, N. & Nisbet, S. (2009). *Testing the Link between accessibility and gambling problems: Gambling and problem gambling amongst gaming venue staff*. Report prepared for the Victorian Department of Justice, Lismore: Centre for Gambling Education and Research.

# Responsible Conduct of Gambling

gambling venues and outlets and should be used when needed.

It's a good idea for providers of gambling services and products to provide access to Gamblers Help representatives or printed material through in-house training sessions or induction programmes. This may ensure that all staff, especially new staff, have knowledge of the support available to the venue, their patrons and themselves if needed.

## Sharing and recording information

In order to note issues with patrons and gambling activities, each gambling operator should have a way to record and communicate actions taken or issues raised with patrons.

This might be in the form of a report, a 'change of shift' log book or communications diary. This enables management and different frontline staff to have access to information about patron behaviour and allows all staff to take suitable action to carry out responsible conduct of gambling.

This information should be regarded as confidential and must not be shared with others outside the organisation.

One of the best ways to record details of an incident or event regarding a person who may have a gambling problem is by an incident report. A template incident report can be found at the end of this booklet. It can be printed and used in the venue for incident reporting and recording purposes. It can also be modified for use as a generic incident report form. It may be useful for other reportable incidents such as accidents in the workplace and may be required for insurance purposes (contact WorkSafe Tasmania to find out what information you need for accident reporting). Some venues may use incident management computer software to record gambling related incidents and it is important to know how to use it.

**Keep records of patrons using the EFTPOS system to withdraw cash.**



The Mandatory Code of Practice

# Responsible Conduct of Gambling

requires that EFTPOS cash withdrawal transactions for all venues (excluding casinos), are limited to a maximum amount of \$200 for any purpose and only one EFTPOS transaction is permissible, per day, per customer. These requirements do not apply to the part of the premises specifically designed for off-sales (i.e. bottle shops)

(This information **must** be kept confidential and destroyed appropriately).

A communications diary might log details of any management action taken in response to poor patron behaviour within the venue.

## Handling complaints

Complaints are an inevitable part of working with the general public. Customers may be dissatisfied with the way that they think service has been provided in the conduct of gambling. The Liquor and Gaming Branch of the Department of Treasury and Finance provides an avenue for complaints to be heard independent of the operator. If the customer has spoken to the operator (e.g. the manager) but still has grounds for complaint, they can submit a written complaint to the Liquor and Gaming Branch. If necessary the complaint may be referred to the Tasmanian Liquor and Gaming Commission for determination.

While this process is available to customers, the best way of dealing with complaints is quickly and through the operator.

A copy of the Liquor and Gaming complaints brochure is included as part of the appendix to this handbook and should be available to customers.

## Myths and fallacies of gambling

Problem gambling may be related to the false beliefs that people have about gambling. Some of these beliefs are irrational and lead to people getting emotionally connected to the activity of gambling; making it very difficult to stop the behaviour that might be causing them harm.

# Responsible Conduct of Gambling

The Productivity Commission report<sup>11</sup> into gambling found that some people had a general lack of understanding of how gambling (particularly gaming machines) worked.

Some of the myths include:

**Hitting the button to stop the reels at the right moment will help me win.**

Modern gaming machines have no reels and are fully computerised to generate random numbers. There is no possible way a player can influence the way in which numbers are generated or the way the 'reels' appear to roll.

**The more you play, the better your odds of winning, or the game hasn't paid out in a while – it's due for a win.**

Each game is statistically independent. This means that it doesn't matter how long you play for or whether the game has paid a win or jackpot recently each time you play you have the same chance of winning or losing. It is totally random.

**Some machines are luckier than others or if I touch the machine in a certain way I'll win more often.**

All machines are just machines. Gaming machines are inanimate objects with no capacity to be lucky or to be controlled. They are no luckier than your home computer or washing machine.

**I can work out ways to beat the system and make a fortune on the machines.**

Gaming machines are programmed to pay around 85 per cent back to the player (return to player) over the life of the machine. This means that for every one dollar put into the machine it will give 85 cents back. The 15 cents 'spent' can be seen as the cost of the entertainment value of playing gaming machines.

**Gaming venues can affect the gaming machine payout at the flick of a switch.**

All games are approved by the Tasmanian Liquor and Gaming Commission and



# Responsible Conduct of Gambling

controlled and tested by the Liquor and Gaming Branch to make sure they pay out the correct percentage to the player (return to player). This is programmed into the software controlling the machine and this is not managed or accessible to the venue, its owner or management.

Knowing how gambling works (particularly gaming machines) is important so that rational decisions can be made about costs of gambling and relative entertainment value.

## **Other forms of gambling**

Of course, there are forms of gambling other than gaming machines.

Gambling such as lotteries, 'scratchies' and two up all provide random opportunities to win. Like gaming machines, the money spent on any form of gambling should be seen in the context of its entertainment value rather than as a means to make money.

Yes, some people will win, but it's random and reliant on chance and each ticket bought or dice rolled is no more 'lucky' than the one before it or the one after it.

Myths supporting the idea that picking numbers in a certain way can increase the chance of winning the lottery are just that – myths. Each number plucked from a barrel or generated by a computer has exactly the same chance of appearing as any other.

Casino card games such as blackjack may require skill but even the most skilled card player can not accurately predict the outcome of every game, every time.

There is an element of chance in each casino game – that's all part of the entertainment factor and of course, the 'house' provides that entertainment to patrons at a cost.

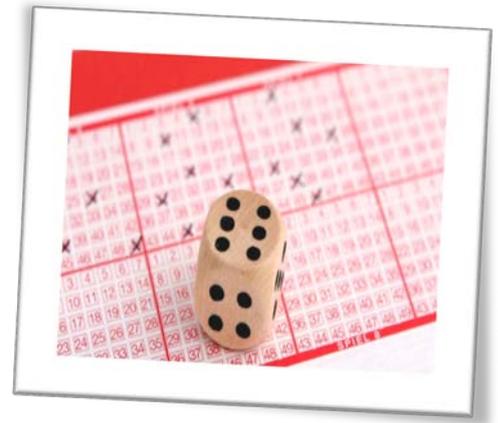
People who choose to use gambling as entertainment need to decide whether or not that entertainment is worth the money spent. It's often when the entertainment factor is overtaken by the need to win money back that problems controlling gambling activity may appear and help might be needed to control gambling behaviour.

# Responsible Conduct of Gambling

## Lotteries and 'scratchies'

Whilst we may often identify problem gambling with gaming machines, some people also have difficulty controlling their spending on 'scratchies' and lottery tickets.

People involved in the sale and supply of these forms of gambling owe just as much care to their patrons as those working in gaming venues, casinos or TAB outlets.



The provision of information on gambling support services and even refusal of service for people with gambling problems is just as important in meeting duty of care obligations in the context of a lottery outlet as it is anywhere else.

## Exclusion from gambling

The Tasmanian Gambling Exclusion Scheme is a way that people who have problems with gambling can be excluded from premises (including TAB outlets) or from participating in gambling activities. They can become excluded when they need help controlling their gambling. People can also exclude themselves from interactive environments such as on-line or phone betting.

The scheme is regulated under section 112 of the Gaming Control Act.

Types of exclusion include:

- **Self-exclusion** – individuals can exclude themselves from gambling venues or gambling activities in venues around Tasmania. A self-exclusion lasts for a minimum of six months and a maximum of three years.

Self-exclusion can be initiated by contacting Gamblers Help listed at the back of this handbook.

A person must not breach a self-exclusion notice. A fine not exceeding 20 penalty units applies.

# Responsible Conduct of Gambling

If someone has excluded themselves from the whole premises (including TAB outlets), you **must** not permit the excluded person to enter the premises. A fine not exceeding 20 penalty units applies.

If a person is excluded from gambling activities, it means that they must not enter the restricted gaming area. Staff must not permit the excluded person to enter this area. They also must not participate in keno or totalisator wagering outside of a restricted gaming area.



- **Venue exclusion** – premises can exclude a person from entering or remaining on their premises or from gambling activities (which includes the restricted gaming area). This can be done verbally or in writing by the venue operator or someone authorised by the operator. However, if the excluded person wants the order in writing, the verbal exclusion is suspended until the premises provides a written order.

**A venue exclusion lasts for a maximum of three years.** It may remain in force until the premises revokes it or until the order is revoked by the Commission after considering an appeal by the excluded person.

**Reasons for venue exclusion** – if someone appears to have problems controlling their gambling or if they are causing trouble because of their problem gambling, they can be excluded from the premises.

The Tasmanian Liquor and Gaming Commission **must** be advised of venue exclusions.

An online and 'real time' database exists to help venues and counsellors to implement the Tasmanian Gambling Exclusion Scheme. See page 39 for more information.

- **Third party exclusions** – may occur when an individual with a close personal interest in the welfare of a problem gambler can apply to the Tasmanian Liquor and Gaming Commission for an order to prohibit the gambler from gambling in venues and/or from using online betting services. This type of exclusion lasts

# Responsible Conduct of Gambling

for a maximum of three years.

- **Exclusion from online or telephone account betting** – account exclusions may be initiated by the account holder or another person (Third Party Exclusion) and, in such instances, the account is either suspended for six months or closed. Revocation and reactivation of the account can only occur by sending a written application to the betting exchange or totalisator operator. In the case of a betting exchange, if a second suspension is required, the account will be closed permanently.
- **Other exclusions** – there are also Commissioner of Police exclusions<sup>12</sup>.



<sup>12</sup> See the "Reducing Harm" section on the Liquor and Gaming Branch website [www.gaming.tas.gov.au](http://www.gaming.tas.gov.au)

# Responsible Conduct of Gambling

## Tasmanian Gambling Exclusion Scheme database

The exclusion database complements the Tasmanian Gambling Exclusion Scheme and is an easy to use online tool to help venue management and staff manage excluded patrons at their premises.

The exclusion database can be found at the following web address:

[www.treasury.tas.gov.au/gamingexclusions](http://www.treasury.tas.gov.au/gamingexclusions)

### Who can access the database?

Gamblers Help staff, Liquor and Gaming Branch staff and any authorised staff of a venue licence holder are able to access the database.

New users requiring database access need to send a request to the Liquor and Gaming Branch by emailing [licensing@treasury.tas.gov.au](mailto:licensing@treasury.tas.gov.au) or phoning (03) 6166 4040. Once you are established as a database user, you will receive an Exclusion Database Handbook that will show you how to make the most of the database.

For TAB standalone outlets, the exclusions database is accessed by TAB who has issued its own procedures for TAB outlets to follow.

### What are the benefits of using the database?

The exclusion database will enable you to identify patrons excluded from your premises. It will let you:

- Identify patrons from photos that can be enlarged.
- Produce reports that will allow you to focus on excluded people from your venue.
- Immediately report excluded patrons who have been on the premises to the Liquor and Gaming Branch, which will follow up with the patron.
- Stay up-to-date about patrons who have revoked their exclusion.

To make the most of the database to help excluded people, it is important to become familiar with and view the database regularly.

# Responsible Conduct of Gambling

## Quick tips

- Keep the Exclusions Database Handbook accessible at all times.
- Hold/attend regular staff training sessions regarding exclusions.

## Who can you contact if you need help using the database or have any questions?

If you make a mistake or need help using the database please contact the System Administrator at [gaming@treasury.tas.gov.au](mailto:gaming@treasury.tas.gov.au) or on (03) 6166 4040.

## What do you do if you don't have online access?

Venue operators that are not able to access the online database will continue to receive information about self-excluded patrons though the mail.

Your responsibility as a provider of responsible conduct of gambling has not changed. Patrons can still be excluded from premises under the manual system if required.



# Responsible Conduct of Gambling

## Refusal of gambling services – it's the law (...but how do you do it?)

Sometimes you will have to ask people who are “excluded” to leave – it is a requirement of law. It is a responsibility that all people who provide gambling services must accept as part of their job and their duty of care to patrons, their workmates and themselves.

**This is not a grey area.**

There's no two ways about it; refusal of gambling services is a fact of life and will be required of most people involved in the conduct of gambling at some point. It is very important then, that all people involved in the provision of gambling services and products are familiar with the process of refusal of gambling service to patrons.

## Refusal of gambling services to patrons who are excluded

Sometimes it's hard to make the decision to refuse service and for some people it's even harder to actually do it.

Check with your manager/supervisor regarding the house procedure on refusal of gambling services.

A simple plan can be useful, especially for people new to the industry. A procedure should be displayed in an obvious place back of house to help staff on the front line cope better.

## People can be excluded from different parts of the venue or from gambling in the venue.

Remember people can be excluded from:

- the whole venue – the person cannot enter or be on the premises;
- participating in gambling at a venue – the person cannot engage in gaming activities and cannot enter a restricted gaming area; or
- in the case of internet betting sites, from the site.

### Did you know?

The actions of one problem gambler negatively impacts the lives of between five and 10 others.

That means there are up to five million people in Australia that may be affected by problem gambling each year way.

[www.problemgambling.gov.au](http://www.problemgambling.gov.au)  
(2016)

# Responsible Conduct of Gambling

Once you identify someone as being excluded at your premises, be sure of what type of exclusion applies to the person before you approach them.

Patrons struggling to control their gambling take a courageous step in signing a Self-Exclusion Notice and making their details, including their photos, available to venue staff.

They need to be able to trust that the Self-Exclusion Notice will work for them and help them curb their gambling behaviour. It is your responsibility to support them in this. This means that an excluded patron must be treated with dignity and respect when being refused service or when being asked to leave the area or venue. The following procedure may give you some tips on how to do this.

## **Refusing service to an excluded person – a simple guide**

Deliver the message to the patron without an audience - invite the patron to a quiet area in the venue or outlet. This provides them with some privacy and removes the opportunity for them to 'make a scene'.

- Stay calm and courteous and ask for identification.
- If the identification confirms that the person is excluded, remind the patron about the rights and responsibilities of the venue and the patron in relation to the exclusion (e.g. monetary fines, penalties for the venue and venue staff).
- Advise your supervisor/manager that an excluded person is on the premises as soon as you can. They can provide you with support and assistance if the matter gets complicated.
- As the person is struggling with controlling his/her gambling, offer a Gamblers Help referral or contact Gamblers Help by phone and make a warm/hot referral if the patron agrees and a counsellor is available to talk.
- If the patron resists or gets angry or emotional, stay calm and courteous and explain that security or police may be called to assist with removing the patron from the venue or refer the matter to the manager/supervisor. If you haven't done so already, get support from your supervisor or manager.
- Make a note of the actions taken in your shift report or communications diary or use an incident report like the one provided at the end of this handbook.
- Report the removal of an excluded person from the premises on the Exclusion Database (see the section on Tasmanian Gambling Exclusion Scheme

# Responsible Conduct of Gambling

Database) and tell other staff if you or your supervisor/manager thinks it is necessary.

## Some cases for consideration

A newspaper reported on the conviction of a Tasmanian man who had stolen over \$50 000 from his daughter and had gambled it on gaming machines. The article described how the man had used the exclusion scheme to ban himself from his local hotels. Nevertheless, during his trial the man was found to be gambling at another premises where he had been a daily customer.

The man had not excluded himself from this premises. Staff knew that he would obtain \$150 of change in a cup at a time and sometimes use up to 20 cups of change per day.

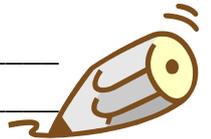
What assistance could this man have received to address his gambling problem?

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How might the premises have responded if he had asked for help from them?

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What could staff at the premises have done if they had recognised and responded to the signs of problem gambling (e.g. frequent cash changes)?

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# Responsible Conduct of Gambling

How does the concept of 'duty of care' apply to staff and management of the premises in cases like this one?

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An accountant stole almost \$2 million from client accounts and used the money to bet on horses. The accountant would transfer funds from existing customers (without their knowledge) to himself, and would then gamble the money on horses.

At his trial, the man was described as having deluded himself into thinking that he could beat the odds and make a profit for himself and perhaps others by using a system based on calculations of weights.

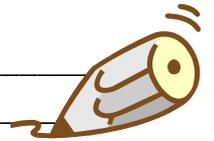
What does this show about problem gambling and a person's judgement?

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Do you think this man had a realistic understanding of gambling/wagering?

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Why? Why not?

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# Responsible Conduct of Gambling

In the past, the Tasmanian Liquor and Gaming Commission has suspended the gaming licences of a number of Tasmanian hotels for breaching Tasmanian Liquor and Gaming Commission rules on the provision of cash via EFTPOS transactions.

The breaches occurred when special employees knowingly allowed more than one EFTPOS transaction per day to patrons for gambling purposes<sup>13</sup>. Multiple transactions totalling thousands of dollars were provided to patrons and there were no procedures in place to identify patrons who attempted to obtain more than the limit of one EFTPOS transaction per day.

The seriousness of the breaches was highlighted by the fact that one of the patrons was known to have problems with controlling their gambling activities.

What are the current rules regarding the provision of cash via EFTPOS transactions in premises with gambling facilities?



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How does this relate to the concept of 'duty of care' to patrons?

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How would you deal with a gambling patron if he/she asked for more than one cash-out transaction from the EFTPOS facility?

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<sup>13</sup> Note this was applicable under the provisions of the Mandatory Code at the time, and still applies for casinos. However, since 1 May 2018, all other venues can only allow one transaction of \$100 per customer, per day for purposes other than payment of accommodation or main meals.

# Responsible Conduct of Gambling

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What could businesses do to keep track of EFTPOS transactions?

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You are working in the local gaming venue. A patron approaches you to cash in her winnings from the gaming machine she's been playing all day. She has won \$2 650 and is insistent that she receive \$500 in coin and the rest in notes. She is very excited and can't seem to wait to go back and play some more now that she has finally found her "lucky pokie".

What must you do? Why?

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How does this relate to the concept of 'duty of care' to patrons?

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How might the scenario be different if you were working in a casino with an international patron?

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# Responsible Conduct of Gambling

What will you do if the patron becomes upset with your response to her request?

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# Responsible Conduct of Gambling

## Useful contacts

### The Tasmanian Liquor and Gaming Commission

c/- Liquor and Gaming Branch

Telephone enquiries: (03) 6166 4040

Email: [gaming@treasury.tas.gov.au](mailto:gaming@treasury.tas.gov.au)

Website: [www.gaming.tas.gov.au](http://www.gaming.tas.gov.au)

### The Tasmanian Gambling Industry Group

c/- PO Box 60 NEW TOWN TAS 7008

### Department of Health and Human Services

Gambling Support Program

Telephone enquiries: (03) 6166 3564

Email: [gambling@dhhs.tas.gov.au](mailto:gambling@dhhs.tas.gov.au)

Website: [www.dhhs.tas.gov.au/gambling](http://www.dhhs.tas.gov.au/gambling)

### The Tasmanian Hospitality Association (formerly the Australian Hotels Association, Tasmanian Branch)

25/93 Salamanca Place

HOBART TAS 7000

Telephone enquiries: (03) 6220 7300

Email: [aha@australianhotels.asn.au](mailto:aha@australianhotels.asn.au)

Website: [www.australianhotels.asn.au](http://www.australianhotels.asn.au)



# Responsible Conduct of Gambling

## Support services



### **Gamblers Helpline Tasmania**

24/7, State-wide Freecall: 1800 858 858

### **Gamblers Help for Problem Gambling**

#### **Anglicare Tasmania Inc**

State-wide Freecall: 1800 243 232

Hobart: (03) 6213 3555

Burnie: (03) 6431 8299

Devonport: (03) 6424 8581

### **Gamblers Help for Problem Gambling**

#### **Relationships Australia (Tasmania)**

State-wide Freecall: 1300 364 277

Hobart: (03) 6211 4050

Launceston: (03) 6336 7000

North-East Tasmania: 1800 002 222



# Responsible Conduct of Gambling

## Useful websites

Anglicare

<http://www.anglicare-tas.org.au> (for relevant research publications on gambling)

Tasmanian Law Site (for viewing relevant Acts)

<http://www.thelaw.tas.gov.au>

Gambling Support Program

<http://www.dhhs.tas.gov.au/gambling>

Gambling Help Online

<http://www.gamblinghelponline.org.au>

Know Your Odds

<http://www.knowyourodds.net.au>

Liquor and Gaming Branch

<http://www.gaming.tas.gov.au/>

Australasian Gambling Council

<https://www.austgamingcouncil.org.au>

Gambling Research Australia

<http://www.gamblingresearch.org.au>

Victorian Responsible Gambling Foundation

<http://www.responsiblegambling.vic.gov.au>



# Responsible Conduct of Gambling

## Glossary

Term	Definition
<b>Betting exchange</b>	A form of bookmaking that is often done online and where gamblers bet with other gamblers. People can bet on horse racing and sporting events for example.
<b>Gamblers Help for problem gambling</b>	<p>A free* service offered by Anglicare Tasmania, and Relationships Australia, Tasmania with 24/7 phone support from Gambling Helpline Tasmania.</p> <p>It offers counselling and assistance to people affected by gaming problems including friends and family of a person directly affected. The service is available state-wide and is confidential.</p> <p>Gamblers Help also handle self-exclusions.</p> <p>(*funded by the CSL)</p>
<b>Casual gambling</b>	Gambling that is done only occasionally.
<b>Code of practice</b>	A “profession’s rules: a set of rules according to which people in a particular profession are expected to behave”
<b>Counselling</b>	“Counselling is a process that enables a person to sort out issues and reach decisions affecting their life. Often counselling is sought out at times of change or crisis, it need not be so, however, as counselling can also help us at any time of our life.”
<b>CSL</b>	<p>Community Support Levy.</p> <p>A levy paid by gambling providers to pay for community activities to reduce the harm caused by gambling. See page 10 for more detail.</p> <p>Go to <a href="http://www.gaming.tas.gov.au">www.gaming.tas.gov.au</a> and follow the link to Community Support Levy located under “Reducing Harm”.</p>
<b>Duty of care</b>	<p>“We all have a duty of care to take reasonable care not to cause foreseeable harm to other people or their property.”</p> <p><a href="http://www.legalaid.qld.gov.au">www.legalaid.qld.gov.au</a></p>
<b>EFTPOS</b>	Electronic funds transfer at point of sale.

# Responsible Conduct of Gambling

<b>EGM</b>	Electronic Gaming Machine Also known as 'poker' machines, pokies or 'gaming' machines.
<b>Gambling</b>	Placing a wager or bet on the outcome of a future event.
<b>Gaming</b>	Gambling where random chance, rather than say sporting form, determines an outcome.  Includes lotteries, gaming machines, casino table games, football pools, interactive gaming and minor gaming (e.g. raffles, bingo and lucky envelopes etc).
<b>GIG</b>	Gambling Industry Group  Tasmanian body made up of gambling operators with the government as non voting members. It aims to make sure that gambling is conducted in Tasmania honestly and with a view to harm minimisation.
<b>Harm minimisation</b>	Ways of reducing harm to people that might be adversely affected by certain things. In this case, ways of making sure that people are not caused excessive harm from gambling related activities, while allowing them to continue to gamble at safer levels (except in the case of exclusions).
<b>High rolling gambling</b>	Gambling that involves relatively large sums of money and may only be undertaken by individuals once in a while. May also be referred to as 'binge gambling'.
<b>House policy</b>	A house policy provides staff and patrons with a 'code of practice' and outlines what is acceptable (and unacceptable) behaviour in those particular premises.
<b>Keno</b>	A game of chance where people bet on the outcome of numbers drawn at random.
<b>Legislation</b>	The making of or enacting law. Law that is made by an appropriate authority. In this case, the Tasmanian Government makes laws to allow the Tasmanian Liquor and Gaming Commission to operate.
<b>Minor gaming</b>	Small gambling activities such as lucky envelopes, bingo and raffles.
<b>Minors</b>	People under the age of 18 years.
<b>Oasis</b>	The brand name under which hotel and club gaming machine venues operate in Tasmania.
<b>Player expenditure</b>	The player expenditure figure is the total amount of actual cash that players have lost through gaming machines. This is a real figure and the Commission feels that it better informs the public about the gambling habits of Tasmanians (Department of Treasury and Finance, Liquor and Gaming Branch.)

# Responsible Conduct of Gambling

<b>Problem gambling</b>	“Problem gambling 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” (Department of Treasury and Finance, Liquor and Gaming Branch).
<b>Responsible gambling</b>	Gambling that allows people to spend their money on this past time that does not cause them harm and that is considered with respect to their own circumstances.
<b>Restricted gaming areas</b>	Areas in a gambling venue that people under the age of 18 years are not allowed to enter. Usually, this is where gaming machines are located.
<b>Social gambling</b>	Gambling that is done in the course of other entertainment such as having a meal at a hotel and playing gaming machines as part of the night out.
<b>Special Employee</b>	A person licensed under the Gaming Control Act to work in gambling premises to provide gambling services to patrons. See <a href="http://www.gaming.tas.gov.au">www.gaming.tas.gov.au</a> ‘Applying for a Gaming Licence, Permit or Gaming Equipment Roll listing’.
<b>Speculation</b>	Gambling on stock markets or real estate and can be related to business activities.
<b>TASKeno</b>	The brand name under which keno is operated in Tasmanian gambling venues.
<b>TGES</b>	Tasmanian Gambling Exclusion Scheme  The scheme that allows people to be excluded from gambling premises so that they are not able to enter premises, or areas of premises, to gamble. This can be done by the individual themselves or by others. See page 38 for more details. Go to <a href="http://www.gaming.tas.gov.au">www.gaming.tas.gov.au</a> and follow the link to Reducing Harm.
<b>TLGC</b>	Tasmanian Liquor and Gaming Commission  The Tasmanian Liquor and Gaming Commission is an independent body responsible for the regulation of gambling in Tasmania, established under the <i>Gaming Control Act 1993</i> . Go to <a href="http://www.gaming.tas.gov.au">www.gaming.tas.gov.au</a> and follow the link to Tasmanian Liquor and Gaming Commission for more information.
<b>Vicarious liability</b>	In this context it means that a licensee or manager may still be held legally liable for the actions of staff under their supervision.  “When one person is liable for the negligent actions of another person, even though the first person was not directly responsible for the injury. For instance, an employer sometimes can be vicariously liable for the acts of a worker.”
<b>TAB</b>	TAB is the new brand of the wagering division of Tabcorp (formerly the Tatts Group Limited). UBET TAS Pty Ltd (trading as the TAB) is the licensed provider of pari-mutuel (totalisator) wagering in the State along with fixed odds sports betting and race wagering.
<b>Wagering</b>	Wagering is all legal forms of gambling on racing and sporting events (e.g. horse racing, football betting).

## Appendices/Handouts

# Responsible Conduct of Gambling

1. Template - Gambling Incident Report Form
2. The Responsible Gambling Mandatory Code of Practice for Tasmania
3. Brochures:

ORB01 - Gambling Regulation

ORB02 - Need to Take a Break from Gambling?

ORB04 - Chances of Winning

ORB09 - Complaints

Note: Brochures and Signage may periodically change. Refer to the Liquor and Gaming website for current requirements:

[www.gaming@treasury.tas.gov.au](http://www.gaming@treasury.tas.gov.au)

# Gambling Incident Report Form

This form should be completed as soon as possible after a reportable incident. This may include (but is not limited to) aggressive behaviour, verbal abuse, patron in distress, destruction of property, refusal of gaming service or threats to staff or patrons. This report should be passed onto management for review and action.

Incident Details			
Your name			Date: / /20
Room/area			
Date and time of incident	/ /20		: am/pm
Name of patron (if known)			
Description of patron			
Who else was involved?			
What happened?			
Witnesses name(s) (if known)			
Was anyone injured?	Yes	No	If so, what action was taken?
Were police called?	Yes	No	
Property damage?	Yes	No	Detail
Management Response			
Follow up action/s (e.g. contact Gamblers Help, exclude patron)	Person responsible	By when?	Review?
		/ /20	/ /20
		/ /20	/ /20
		/ /20	/ /20

Use the back of this page if more space is required.

This report may not replace accident reports as required by Worksafe Tasmania where the incident resulted in injury. Check with your manager.