



Tasmanian Liquor and Gaming Commission

Accredited Testing Facilities Standards

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Tasmanian Liquor and Gaming Commission 2023

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Contents

Accredited Testing Facilities Standards	1
1. Scope and Purpose.....	1
2. Interpretation.....	1
3. Requirements for testing of gaming machines, games, monitoring systems and associated in-venue gaming equipment.....	1
4. Requirements for testing of internet gaming and wagering system gaming equipment.....	4
5. Glossary	8

Preliminary

The Accredited Testing Facilities Standards are made in accordance with section 112PA of the *Gaming Control Act 1993* (the Act) and apply to the conduct of gaming and gaming activities. A prescribed licence holder and its employees must adhere to and enforce these Standards. Failure to comply may result in disciplinary action against the prescribed licence holder.

A term used in these Standards has the same meaning as the same term used in the Act. A reference in these Standards to 'wagering' means a 'gaming activity' under the Act. For the avoidance of doubt, a reference to an 'employee of the licence holder' includes the licence holder's agent or, where the licence holder is a natural person, itself.

These Standards are in addition to the conditions imposed on each licence by the Tasmanian Liquor and Gaming Commission and any other requirement under the Act.

Accredited Testing Facilities Standards

1. Scope and Purpose

- 1.1.1. These standards have been approved pursuant to section 112PA of the *Gaming Control Act 1993* and sets out minimum requirements that ATFs must comply with.
- 1.1.2. These standards are applicable to the ATF's approved accreditation scope to perform independent testing of:
 - a) gaming machines, games, monitoring and associated in-venue gaming equipment; and
 - b) internet gaming and wagering systems.
- 1.1.3. These standards will be used by the Commission to evaluate ATF compliance.
- 1.1.4. Compliance with these standards does not exempt an ATF from compliance with other laws (e.g. laws relating to privacy, consumer protection, prohibited content, copyright, electrical safety).

2. Interpretation

Any comment or questions relating to understanding or interpretation of any aspect of these standards should be referred to the Liquor and Gaming Branch for clarification.

3. Requirements for testing of gaming machines, games, monitoring systems and associated in-venue gaming equipment

The following standards apply to ATFs that have been accredited by the Commission to conduct testing of gaming machines, games, monitoring systems and associated in-venue gaming equipment:

- 3.1 The Accredited Testing Facility (ATF) must ensure that the highest levels of skill, impartiality, care and diligence are applied in testing, evaluating and certifying gaming equipment and systems. Any certification or evaluation of equipment must include detail of any non compliance with the Commission's standards or requirements.
- 3.2 The ATF must continue to operate its business consistently with the ATF's responses in its Expression of Interest seeking accreditation as an ATF.
- 3.3 The ATF must remain independent from and not aligned to or influenced by any person or body in the gambling industry.
- 3.4 The ATF must not:
 - a) enter into any commercial dealing with a manufacturer of gaming equipment;
 - b) participate in or be involved in any engagement, arrangement, or contract with a manufacturer of gaming equipment or gaming systems;
 - c) have any direct or indirect pecuniary interest in a manufacturer or operator of gaming equipment;

- d) participate in or be involved in a manufacturer's design, manufacture, selection, purchase, supply, installation, service or operation of any gambling products or services anywhere in the world.
- 3.5 Standards 3.4(a) and 3.4(b) do not apply if:
- a) the ATF is testing, evaluating and certifying gaming equipment in accordance with these standards;
 - b) the ATF has obtained the previous approval in writing from the Commission.
- 3.6 If any person attempts, directly or indirectly, to improperly influence the ATF or any of its employees or contractors in or in connection with the evaluation of any gaming equipment or systems, the ATF must immediately provide full details thereof to the Commission.
- 3.7 The ATF must not assign, delegate, subcontract or otherwise engage any person not directly employed by the ATF to carry out testing, evaluating or certifying gaming equipment or systems except for:
- a) the testing of electromagnetic, electrostatic, radio frequency, magnetic or similar interference;
 - b) the testing against electricity standards;
 - c) other testing functions previously approved in writing by the Commission.
- 3.8 The ATF must maintain comprehensive records of all testing, evaluating and certifying of gaming equipment where the purpose is to establish whether the equipment or systems are suitable for approval.
- 3.9 The ATF must, if requested, provide to the Commission a copy of any relevant record that is a record associated with the ATF's activities with the Commission.
- 3.10 If the ATF maintains a testing facility outside the Commission's jurisdiction:
- a) the ATF must satisfy the Commission that it has the capacity to oversee the conduct of field trials of gaming equipment in the Commission's jurisdiction;
 - b) the ATF must satisfy the Commission that any relevant records associated with the testing of gaming equipment, any gaming equipment or personnel must be made available in the Commission's jurisdiction.
- 3.11 The ATF must give prior notification in writing to the Commission of any premises to be used in the Commission's jurisdiction for the purpose of testing of gaming equipment.
- 3.12 The Commission or an inspector appointed under the *Gaming Control Act 1993* must at any time during normal business hours, be allowed to attend the ATF's premises to:
- a) inspect the ATF's premises;
 - b) oversee the testing, evaluating and certifying of any relevant gaming equipment or systems;
 - c) examine any record associated with the ATF's activities with the Commission.
- 3.13 The ATF acknowledges that:
- a) no warranty as to the term of the accreditation is made;
 - b) accreditation does not guarantee ongoing accreditation or the granting of a licence in the event that the legislative licensing of ATFs occurs;

- c) no work is guaranteed as a result of this accreditation;
- d) the selection of an ATF by a manufacturer or operator to undertake testing on its behalf will usually be a matter entirely for that manufacturer or operator.

Note: an example where that would not apply is if the Commission directs that equipment be retested by an ATF other than the ATF that undertook the original testing;

- e) payment for any evaluation work undertaken by the ATF is entirely a matter between the ATF and the person/organisation who requested the provision of that service;
- f) the Commission and the National Assessment Panel for Accreditation of Testing Facilities (the National Assessment Panel) are not committed contractually in any way to the ATF as a result of this accreditation;
- g) any failure to comply with these conditions or any unsatisfactory performance as an ATF may result in the accreditation being withdrawn. However, accreditation will not be withdrawn without the ATF being given an opportunity to be heard in respect of any proposal to withdraw the accreditation.

- 3.14 There must be no change of directors, secretary or shareholders (5% or greater) of the ATF without prior written notification to the Commission.
- 3.15 There must be no change to the location of the ATF's premises used for the purpose of testing gaming equipment, without prior written notification to the Commission.
- 3.16 When directed by the Commission or the National Assessment Panel, the ATF must agree to undergo periodic review by an entity nominated by the Commission to ascertain the ATF's ability to comply with, and its actual compliance with, these standards. The ATF must cooperate with the entity nominated (at the ATF's premises) and will meet its own costs in providing the time and resources required to provide effective cooperation.
- 3.17 The ATF must maintain a level of professional indemnity insurance to a minimum cover of \$5 000 000 or such other amount as the Commission may from time to time determine and notify in writing.
- 3.18 The ATF must have procedures and maintain records to ensure that all principals, directors and staff employed in the testing of gaming equipment, satisfy the requirements of the Commission in regard to any probity checking and the obtaining of any necessary licences or approvals.
- 3.19 The ATF must maintain procedures and processes to ensure that:
 - a) any significant reduction in employee levels is advised to the Commission as soon as practicable after this is known;
 - b) if the ATF loses the services of any technical employee whose skills and experience are not possessed by other employees, the Commission is to be promptly informed of that fact and notified of the action to be taken to rectify that situation;
 - c) a written Standard of conduct binding on principals, directors and employees is in place and complied with;
 - d) each employee is made aware of and acknowledges their obligations under the secrecy provisions of any relevant gambling legislation;

- e) each employee has entered into an individual confidentiality undertaking in respect of commercial in confidence information obtained as a result of their employment;
 - f) each employee has entered into an individual conflict of interest undertaking in respect of any work performed outside of their employment with the ATF;
 - g) key performance indicators fixed by the Commission are met, or if not met, addressed at a level which is satisfactory to the Commission;
 - h) evaluation reports and certifications are in the form specified by the Commission.
- 3.20 The ATF must develop a Compliance Committee which is empowered and appropriately staffed to undertake probity investigations, investigate business policies and practices as they relate to the testing of gaming equipment, and to investigate instances of the improper or inadequate conduct of evaluating, testing and certifying gaming equipment and systems.
- 3.21 The Compliance Committee must undertake investigations as requested by the Commission and provide the results of those investigations in a written report to the Commission as required.
- 3.22 The Commission may amend these standards provided the ATF is given:
- a) at least four weeks notice of intention to amend; and
 - b) the opportunity to comment on any intended amendment.
- 3.23 The ATF must actively pursue and/or maintain accreditation to AS ISO/IEC 17025 by the National Association of Testing Authorities (NATA) Australia (or equivalent body recognised by NATA) in the field of testing of gaming machines and gaming systems.

4. Requirements for testing of internet gaming and wagering system gaming equipment

The following requirements apply to ATFs that have been accredited by the Commission to conduct testing of internet gaming and wagering system gaming equipment:

- 4.1 The Accredited Testing Facility (ATF) must ensure that the highest levels of skill, impartiality, care and diligence are applied in testing, evaluating and certifying internet gaming and wagering systems. Any certification or evaluation must include detail of any non compliance with the Commission's standards or requirements.
- 4.2 The ATF must continue to operate its business consistently with the ATF's responses in its application seeking accreditation as an ATF.
- 4.3 The ATF must remain independent from and not aligned to or influenced by any person or body in the gambling industry.
- 4.4 The ATF must not:
 - a) enter into any commercial dealing with a manufacturer, supplier or operator of internet gaming and wagering systems;
 - b) participate in or be involved in any engagement, arrangement, or contract with a manufacturer, supplier or operator of internet gaming and wagering systems;
 - c) have any direct or indirect pecuniary interest in a manufacturer, supplier or operator of internet gaming and wagering systems;

- d) participate in or be involved in a manufacturer's or supplier's design, manufacture, selection, purchase, supply, installation, service or operation of any gambling products or services anywhere in the world.
- 4.5 Standards 4.4(a) and 4.4(b) do not apply if:
- a) the ATF is testing, evaluating and certifying gaming equipment and internet gaming and wagering systems in accordance with these standards;
 - b) the ATF has obtained approval in writing from the Commission.
- 4.6 If any person attempts, directly or indirectly, to improperly influence the ATF or any of its employees or contractors in or in connection with the evaluation of any internet gaming and wagering systems, the ATF must immediately provide full details thereof to the Commission.
- 4.7 The ATF must meet, and continue to meet the requirements specified in the current version of the document Tasmanian Gaming Licence Standards.
- 4.8 The ATF must not assign, delegate, subcontract or otherwise engage any person not directly employed by the ATF to carry out testing, evaluating or certifying internet gaming and wagering systems except for:
- a) the testing of electromagnetic, electrostatic, radio frequency, magnetic or similar interference;
 - b) the testing against electricity standards;
 - c) other testing functions previously approved in writing by the Commission.
- 4.9 The ATF must maintain comprehensive records of all testing, evaluating and certifying of internet gaming and wagering systems where the purpose is to establish whether the systems are suitable for approval.
- 4.10 The ATF must, if requested, provide to the Commission a copy of any relevant record that is a record associated with the ATF's activities with the Commission.
- 4.11 If the ATF maintains a testing facility outside the Commission's jurisdiction:
- a) the ATF must satisfy the Commission that it has the capacity to oversee the conduct of field trials of internet gaming and wagering systems in the Commission's jurisdiction;
 - b) the ATF must satisfy the Commission that any relevant records associated with the testing of internet gaming and wagering systems, or personnel must be made available in the Commission's jurisdiction
- 4.12 The ATF must give prior notification in writing to the Commission of any premises to be used in the Commission's jurisdiction for the purpose of testing of internet gaming and wagering systems.
- 4.13 The Commission must at any time during normal business hours, be allowed to attend the ATF's premises to:
- a) inspect the ATF's premises;
 - b) oversee the testing, evaluating and certifying of any relevant internet gaming and wagering systems;
 - c) examine any record associated with the ATF's activities with the Commission.

4.14 The ATF acknowledges that:

- a) no warranty as to the term of the accreditation is made;
- b) accreditation does not guarantee ongoing accreditation or the grant of a licence in the event that the legislative licensing of ATFs occurs;
- c) no work is guaranteed as a result of this accreditation;
- d) the selection of an ATF by a manufacturer, supplier or operator to undertake testing on its behalf will usually be a matter entirely for that manufacturer, supplier or operator.

Note: an example where that would not apply is if the Commission directs that equipment and systems be retested by an ATF other than the ATF that undertook the original testing;

- e) payment for any evaluation work undertaken by the ATF is entirely a matter between the ATF and the person/organisation who requested the provision of that service;
- f) the Commission is not committed contractually in any way to the ATF as a result of this accreditation;
- g) any failure to comply with these conditions or any unsatisfactory performance as an ATF may result in the accreditation being withdrawn. However, accreditation will not be withdrawn without the ATF being given an opportunity to be heard in respect of any proposal to withdraw the accreditation.

4.15 There must be no change of directors, secretary or shareholders (5% or greater) of the ATF without prior written notification to the Commission.

4.16 There must be no change to the location of the ATF's premises used for the purpose of testing internet gaming and wagering systems, without prior written notification to the Commission.

4.17 When directed by the Commission, the ATF must agree to undergo periodic review by an entity nominated by the Commission to ascertain the ATF's ability to comply with, and its actual compliance with, these Standards. The ATF must cooperate with the entity nominated (at the ATF's premises) and will meet its own costs in providing the time and resources required to provide effective cooperation.

4.18 The ATF must maintain a level of professional indemnity insurance to a minimum cover of \$5 000 000 or such other amount as the Commission may from time to time determine and notify in writing.

4.19 The ATF must have procedures and maintain records to ensure that all principals, directors and staff employed in the testing of internet gaming and wagering systems and equipment, satisfy the requirements of the Commission in regard to any probity checking and the obtaining of any necessary licences or approvals.

4.20 The ATF must maintain procedures and processes to ensure that:

- a) any significant reduction in employee levels is advised to the Commission as soon as practicable after this is known;
- b) if the ATF loses the services of any technical employee whose skills and experience are not possessed by other employees, the Commission is to be promptly informed of that fact and notified of the action to be taken to rectify that situation;

- c) a written standard of conduct binding on principals, directors and employees is in place and complied with;
 - d) each employee is made aware of and acknowledges their obligations under the secrecy provisions of any relevant gambling legislation;
 - e) each employee has entered into an individual confidentiality undertaking in respect of commercial in confidence information obtained as a result of their employment;
 - f) each employee has entered into an individual conflict of interest undertaking in respect of any work performed outside of their employment with the ATF;
 - g) key performance indicators fixed by the Commission are met, or if not met, addressed at a level which is satisfactory to the Commission; and
 - h) evaluation reports and certifications are in the form agreed by the Commission.
- 4.21 The ATF must develop a Compliance Committee which is empowered and appropriately staffed to undertake probity investigations, investigate business policies and practices as they relate to the testing of internet gaming and wagering systems and equipment, and to investigate instances of the improper or inadequate conduct of evaluating, testing, and certifying internet gaming and wagering systems and equipment.
- 4.22 The Compliance Committee must undertake investigations as requested by the Commission and provide the results of those investigations in a written report to the Commission as required.
- 4.23 The Commission may amend these standards provided the ATF is given:
- a) at least four weeks notice of intention to amend; and
 - b) the opportunity to comment on any intended amendment.
- 4.24 The ATF must actively pursue and/or maintain accreditation to AS ISO/IEC 17025 by the National Association of Testing Authorities (NATA) Australia (or equivalent body recognised by NATA) in the field of testing of internet gaming and wagering systems.

5. Glossary

Term or Abbreviation	Description
ATF	Accredited testing facility approved by the Tasmanian Liquor and Gaming Commission and listed on the Roll of Recognised Manufacturers, Suppliers and Testers of gaming equipment under section 71 of the <i>Gaming Control Act 1993</i> .
Certifying	ATF certification of those matters that the Tasmanian Liquor and Gaming Commission must regulate in accordance with the requirements of the <i>Gaming Control Act 1993</i> and technical standards approved by the Commission.
Commission	Tasmanian Liquor and Gaming Commission
Evaluating	Evaluation of those matters that the Tasmanian Liquor and Gaming Commission must regulate in accordance with the requirements of the <i>Gaming Control Act 1993</i> and technical standards approved by the Commission.
Standards	Tasmanian Liquor and Gaming Commission's Accredited Testing Facilities Standards.
Testing	Testing of those matters that the Tasmanian Liquor and Gaming Commission must regulate in accordance with the requirements of the <i>Gaming Control Act 1993</i> and technical standards approved by the Commission

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