

Tasmanian Liquor and Gaming Commission

Annual Report 2019-20

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COMMISSION CHAIR'S REPORT

On behalf of the Tasmanian Liquor and Gaming Commission, I present the annual report for the year ending 30 June 2020.

Impact of COVID-19

The past year has seen the impact of the unprecedented COVID-19 pandemic on many aspects of Tasmanian life and, particularly of relevance to this report, on licensed venues in the State. The Commission is aware of the significant financial and emotional stresses experienced by liquor and gaming venue owners and their staff during this time and acknowledges that the adverse impacts on their businesses and livelihoods that have arisen as a result of the pandemic are not yet over.

In March 2020, the Tasmanian Government implemented public health restrictions to help stop the spread of the virus. All liquor and gambling venues were closed, other than to offer takeaway sales of alcohol, where authorised.

By late June 2020, restrictions in Tasmania had gradually eased to allow all liquor and gambling venues to reopen, provided that a COVID safety plan was in place and that ongoing public health restrictions were observed.

The Commission's approach to compliance as venues re-opened in this new environment was to ensure that licensees and permit holders had all the information they needed to maximise the safety of everyone at their venues. Advice on the liquor and gambling regulatory requirements to reopen and links to the public health requirements was made available on Treasury's website.

The Commission also responded by implementing flexible arrangements such as extending the requirement for Responsible Conduct of Gambling re-accreditation for special employees by six months, in the event it fell due between 15 March and 31 July 2020.

The Commission reminds liquor and gambling operators of their duty of care to patrons. Some patrons may be vulnerable at this time and may be at risk of harm from gambling or intoxication. The Commission expects that venues are particularly watchful of patrons who may be showing signs of harm in the new environment and will support them appropriately.

Future Gaming Market policy

The Tasmanian Liquor and Gaming Commission met with Treasury staff a number of times during 2019-20, providing high-level input into the proposed regulatory model of the future gaming market policy.

On 25 February 2020, Government released a public consultation paper, providing details of the future gaming market regulatory model that will implement the Government's policy. The Commission's proposal in relation to the future allocation of

the increased Community Support Levy was included in the information that was released.

The Commission noted the Government's announcement on 28 March 2020 that, due to COVID-19, implementation of reforms to the gaming industry will be deferred.

Casino Premium Player Program review

As reported last year, the Commission is reviewing the operation of the Premium Player Program (PPP) – a player loyalty program at Wrest Point Hotel Casino and Country Club Casino. The aim of the review is to ensure that patrons accessing the benefits of a premium player environment at the casinos are afforded enhanced protections with higher monitoring, allowing players to have full information about their own gambling patterns and to spend what they intend to spend.

The major component of the review is the introduction of mandatory pre-commitment functionality into the Program that will be the first of its kind in Australia. Developing this component has been complex, and this has resulted in the review taking an extended period of time to complete.

The Commission approved a new set of Rules and Standards for the operation of the PPP in November 2019. A start date was set for 1 May 2020 but the impacts of the pandemic intervened and casinos were closed from March – June 2020. This has delayed the implementation of the new PPP.

Following the re-opening of the casinos, the Commission approved a new start date for implementation of the Program, including the introduction of mandatory pre-commitment, for 1 November 2020 with full implementation by 1 May 2021.

Disciplinary Matters

In 2019-20, there were six operators/licensed premises gaming licence (LPGL) holders (across all licence types) who were subject to disciplinary actions by the Commission. Of these, three related to the licence holder allowing an unlicensed person to perform the functions of a special employee.

The Commission also took disciplinary action against six special employees for contravening the conditions of their licences. Of these, five breaches related to special employees playing keno while on duty and on two occasions extending credit to themselves. A further special employee was fined for playing a gaming machine at the venue of their employment.

Contraventions by licensed special employees continue to be the most numerous disciplinary issues dealt with by the Commission.

A significant matter considered by the Commission during the year related to failure of harm minimisation and player protection. This resulted in a large fine of \$9 780. The Commission will continue to ensure that all gambling providers ensure that all required harm minimisation measures are in place and effective.

Liquor Licensing Matters

The Commission determined two appeals (pursuant to section 211(1)(c) of the *Liquor Licensing Act 1990*) against decisions made by the Commissioner for Licensing. The first related to the refusal by the Commissioner to grant an application for a special licence for the premises known as QiE Asian Grocery located in the Hobart CBD. The Commission upheld the appeal and directed the Commissioner to grant a special licence allowing the sale of a very limited range of Asian liquor from these premises.

The second appeal related to the Commissioner's decision to take disciplinary action against the licensee of Mobius nightclub for contraventions of section 46C of the Act regarding the sale and consumption of liquor not causing undue annoyance, disturbance or disorderly conduct. The Commission confirmed the Commissioner's decision.

Written reasons for both these decisions of the Commission can be found at www.liquorlicensing.tas.gov.au.

Conclusion

This reporting period has been a time where Commission members and staff of the Liquor and Gaming Branch have been required to work from home with the April, May and June meetings of the Commission conducted via online technology, which was not without its challenges. I thank Branch staff and Commission members for their collective patience – and creativity – during this time and acknowledge the work of a number of Treasury staff called on to assist the Government response to the health crisis in varying ways outside their usual roles.

The Commission also welcomes to the team Fiona McIntyre who was appointed Director of the Liquor and Gaming Branch in June 2020. Fiona brings strong legal experience to the role and I'm sure the Commission will benefit from these skills in the future.

As always, the Commission expresses its sincere thanks to the members of the Liquor and Gaming Branch who support its work in a diligent and professional manner. We are grateful for the development of a strong team approach between members of the Branch and the Commission.



Ms Jenny Cranston
Chair

THE TASMANIAN LIQUOR AND GAMING COMMISSION

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

The Commission has three members. For the 2019–20 year they were:

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

The Commission:

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



- performs such other functions as are imposed on it by the Gaming Control Act, *TT-Line Gaming Act 1993*, Liquor Licensing Act or any other Act.

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



ACTIVITIES IN 2019-20

Stakeholder meetings

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

In 2019-20, the Commission met with: the Federal Group, including on-site visits to Network Gaming and the Country Club Casino; the Gambling Support Program; Anglicare Tasmania (Social Action and Research Centre); the Tasmanian Hospitality Association (Gaming Sub-committee); and Tabcorp.

Communications

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

In 2019-20, two Liquor and Gaming Newsletters were published on the Liquor and Gaming Branch website www.gaming.tas.gov.au and emailed to over 2 000 subscribers each time. A further newsletter was held over due to temporary closure of the liquor and gambling industries due to COVID-19. Interest in subscribing to the newsletter can be registered by emailing: gaming@treasury.tas.gov.au.

Social and Economic Impact Study (SEIS)

The Gaming Control Act requires that an independent review of the social and economic impact of gambling in Tasmania (the study) is conducted every three years. This is the responsibility of the Minister for Finance and coordination of the study is undertaken by the Liquor and Gaming Branch.

The Commission reviewed the draft Terms of Reference for the fifth study prior to the public tender process late last year. The Commission notes that a consortium led by the South Australian Centre for Economic Studies was appointed in June 2020 to undertake the study. As a key stakeholder, the Commission will be involved in further consultation with SACES during 2020-21.

National Consumer Protection Framework

As noted in the 2018-19 Annual Report, the Commission has been tasked by the Tasmanian Government with implementing the National Consumer Protection Framework for online wagering in Tasmania. The Framework was endorsed by all Australian jurisdictions in November 2018, with the first six harm minimisation measures under the Framework implemented during 2018-19.

The Australian Government has advised that delays to the engagement of researchers and the impact of the COVID-19 will unfortunately extend timeframes for the remaining measures by six to 12 months (now to be implemented by mid-2021).

The final four measures to be implemented are:

- a requirement for operators to provide activity statements for online wagering on demand and on a regular basis;

- nationally consistent responsible gambling messaging;
- staff training in the responsible conduct of gambling; and
- a national self-exclusion register for online wagering.

As agreed, the Australian Government commenced a review of the customer verification period (measure 3) during 2019-20, with a view to further reducing the verification timeframe for customers opening a wagering account from 14 days to 72 hours. This work will continue in 2020-21.

Mandatory Code of Practice - new access to cash measure

The Commission, after considering the intent of the access to cash provisions, determined to amend the Responsible Gambling Mandatory Code of Practice for Tasmania to clarify the existing requirements with regard to cashless technology.

Bank deposits, electronic funds transfers and similar digital payments must not be accepted from customers for gambling purposes. This amendment ensures customers are only able to access additional funds through typical withdrawal methods such as ATMs and EFTPOS, which have withdrawal limitations.

A copy of the Mandatory Code is available at from www.gaming.tas.gov.au > Gambling > Reduce Harm from Gambling > Mandatory Code of Practice.

Amendments to Rules and other regulations

Commission Rules

To give practical effect to the non-acceptance of cashless deposits from customers for gambling purposes, Commission Rules for gambling in hotels, clubs, casinos, TAB venues and on the Spirit of Tasmania vessels were amended.

A minor amendment was also made to the Commission Rules for TAB venues to improve compliance enforcement by prescribing a minimum 1.5m x 1.5m area for the 'buffer zone' around TAB self-service terminals. The size is consistent with previous practice.

A copy of all the Commission Rules are available from www.gaming.tas.gov.au > Gambling > Resources for Licence Holders > Rules and Standards for Gambling.

Standards

On 1 June 2020, the Commission introduced a Keno System Technical Standard prescribing the minimum keno system technical requirements for the purpose of approving keno gaming equipment under section 81 of the Gaming Control Act.

The standard has been developed in consultation with key stakeholders and applies to licensed suppliers of keno equipment when developing new or upgraded keno products for use in Tasmania. Additionally, Accredited Testing Facilities are required to independently certify new keno system products to ensure they comply with this standard.

A copy of the new standard is available at www.gaming.tas.gov.au > Gambling > Resources for Licence Holders > Rules and Standards for Gambling.

The Commission amended the Tasmanian Gaming Licence Technical Standard to give practical effect to legislative changes made in November 2019 strengthening wagering

regulation. In particular, prescribing parameters requiring wagering operators to offer deposit limits to customers and removing the ability for trading accounts. These are consistent with the protection measures introduced under the National Consumer Protection Framework. Other amendments related to the provision for totalizator minimum pool guarantees and compliance requirements for gaming equipment and control systems.

A minor amendment was also made to the Minimum Casino Surveillance Standards to remove obsolete requirements.

Community Support Levy

The Gaming Control Act requires that four per cent of the gross profit derived from gaming machines in hotels and clubs is paid as the Community Support Levy.

In 2019-20, \$3 459 374 was paid as CSL from the profits of gaming machines in clubs and hotels. The amount received was negatively impacted by the closure of gaming venues from late March until late June 2020.

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

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

A summary of the CSL funds receipted and disbursed during 2019-20 is provided in Table 3. Below is a summary of CSL expenditure during 2019-20, with further detail in Table 4.

Problem gambling category (50 per cent)

In 2019-20, \$1 329 935 was expended by the Department of Communities Tasmania for the provision of services to communities, including services to assist those persons and families affected by problem gambling. This includes funding of the Gamblers Help counselling service in Tasmania. An amount of \$67 444 was expended by Treasury to meet the cost of administration of the Tasmanian Gambling Exclusion Scheme, Tasmania's annual contribution to Gaming Research Australia and tender costs for the fifth Social and Economic Impact Study of Gambling in Tasmania. A further amount of \$392 556 was retained by Treasury to meet the cost of the fifth SEIS and future studies, which occur three-yearly.

Charitable organisations category (25 per cent)

In 2019-20, \$883 264 was expended by Communities Tasmania to support charitable organisations, including the Neighbourhood House Program (refer below). A list of 2019-20 grant recipients can be found on the Communities Tasmania website at:



https://www.communities.tas.gov.au/disability/gambling/grants/recipients_of_charitable_organisations_grant_programs/projects-funded-under-the-2019-2020-csl-grants-program

Sport and recreation category (25 per cent)

In 2019-20, \$866 905 was expended by Communities Tasmania for the provision of sport and recreation charitable grants. Grant recipients can be found on the Communities Tasmania website at:

- Major grants recipients:
https://www.communities.tas.gov.au/csr/sportrec/funding_grants/major_grants/major_grants_previous_recipients
- Minor grants recipients:
https://www.communities.tas.gov.au/csr/sportrec/funding_grants/minor_grants/minor_grants_previous_recipients

Neighbourhood House Program

As reported in the 2018-19 Annual Report, the Treasurer approved the allocation of \$1.5 million per annum to the Neighbourhood House Program from the CSL budget until 2022-23.



GAMING AND WAGERING TABLES

2019-20 data reflects the closure of gambling venues from 23 March 2020 due to COVID-19 public health restrictions. All forms of gambling were able to reopen from 26 June 2020.

Table I: Player expenditure 1 July 2015 to 30 June 2020

PLAYER EXPENDITURE ⁵					
CASINOS	2015-16	2016-17	2017-18	2018-19	2019-20
	\$	\$	\$	\$	\$
Table Gaming	9 634 948	9 623 212	9 647 120	10 312 832	7 926 757
Gaming Machines ¹	76 778 915	71 294 572	69 247 141	67 331 915	50 800 821
Keno Gaming	3 120 623	2 909 825	2 806 986	2 763 005	2 116 573
Total Casinos	89 534 486	83 827 609	81 701 247	80 407 752	60 844 151
HOTELS AND CLUBS					
Gaming Machines	114 096 799	109 940 255	106 054 512	104 271 830	79 485 431
Keno Gaming	32 098 133	32 254 322	31 588 697	33 082 333	25 644 193
Total Hotels and Clubs	146 194 932	142 194 577	137 643 209	137 354 163	105 129 624
WAGERING					
Betting Exchange ²	n/a	n/a	n/a	n/a	n/a
Wagering (based on point of consumption) ³	n/a	n/a	n/a	n/a	41 161 372
Total Wagering					41 161 372
LOTTERIES					
Lotteries	40 451 870	38 575 651	39 985 185	49 712 890	52 952 298
Soccer Pools ⁴	79 412	100 952	113 936	0	0
Total Lotteries	40 531 282	38 676 603	40 099 121	49 712 890	52 952 298
TOTAL EXPENDITURE	276 260 700	264 698 789	259 443 577	267 474 805	260 087 445

Notes:

1. The figures reported for casino gaming machines include gaming conducted on the Spirits of Tasmania ferries.
2. The only betting exchange operating from Tasmania moved its operations interstate in September 2016.
3. The total includes only operators who exceeded the tax free threshold of \$75 000.
4. Soccer pools ceased operating in 2018-19.
5. Expenditure and taxation tables have been separated to improve clarity and consistency with monthly online reporting. Previous annual reports have shown expenditure monthly in arrears to align with tax collected. Expenditure data for each year is now shown in the month that the activity occurred. There may be minor differences in totals compared to previous Annual Reports reflecting the difference in timing of capture of activity.

Table 2: Taxation and fees 1 July 2015 to 30 June 2020

TAXATION AND FEES⁷					
CASINOS	2015-16	2016-17	2017-18	2018-19	2019-20
	\$	\$	\$	\$	\$
Table Gaming	86 281	83 091	82 781	93 601	75 275
Gaming Machines ¹	19 768 938	18 486 881	17 722 797	17 398 244	14 021 095
Keno Gaming	184 067	172 556	164 586	162 511	134 123
Casino Unclaimed Prizes ²	5 517	3 865	43 616	38 300	36 418
Total Casinos	20 044 803	18 746 393	18 013 780	17 692 656	14 266 911
HOTELS AND CLUBS					
Gaming Machines	29 566 357	28 552 857	27 455 073	27 043 814	22 382 148
Keno Gaming	1 948 552	1 868 227	1 823 223	1 941 950	1 631 371
Keno Unclaimed Prizes ²	300 868	736 735	- 150 832	319 244	175 338
Gaming Machines Unclaimed Prizes ²					0
Total Hotels and Clubs	31 815 777	31 157 818	29 127 465	29 305 008	24 188 856
WAGERING					
Betting Exchange ³	2 944 504	724 064	0	0	0
Wagering (based on point of consumption)	n/a	n/a	n/a	n/a	4 711 505
Total Wagering	2 944 504	724 064	0	0	4 711 505
LOTTERIES					
Lotteries	30 246 276	28 772 541	29 840 594	36 532 231	40 403 069
Soccer Pools	46 738	56 470	65 033	6 232	0
Total Lotteries	30 293 014	28 829 010	29 905 626	36 538 464	40 403 069
TOTAL TAXATION	85 098 097	79 457 287	77 046 871	83 536 127	83 570 341
LICENCE FEES AND PENALTIES					
Casino Licence Fees	3 604 800	3 652 800	3 739 200	3 813 600	2 919 600
Casino Penalties ⁴	67 550	1 570	11 875	59 710	- 21 190
Hotel and Club Fees	318 456	322 913	292 065	319 900	244 234
Hotel and Club Penalties	6 240	32 499	15 901	21 705	5 053
Minor Gaming Fees	20 630	38 066	22 096	30 117	18 840
Wagering Fees ⁵	182 458	164 926	0	0	0
Tasmanian Gaming Licence Fees	0	0	0	0	806
Annual Totalizator Wagering Levy	7 097 000	7 191 000	7 285 000	7 426 000	4 556 250
Totalizator / Wagering Penalties ⁶	4 620	0	22 684	51 120	0
Total Licence Fees and Penalties	11 301 754	11 403 774	11 388 821	11 722 152	7 723 592
TOTAL	96 399 852	90 861 060	88 435 692	95 258 279	91 293 933

Notes:

1. The figures reported for casino gaming machines include gaming conducted on the Spirits of Tasmania ferries.
2. Casino unclaimed prizes includes casino gaming machine unclaimed prizes. Prior to 2019-20, it also included gaming machine unclaimed prizes for hotels and clubs (now reported separately). All keno unclaimed prizes including for casinos are reported under hotels and clubs.
3. The only betting exchange operating from Tasmania moved its operations interstate in September 2016.
4. Includes refund of fines of \$32 600.
5. Includes three year Betting Exchange endorsement fee payment.
6. Penalties include players winnings forfeited to the Crown.
7. All figures are reported in nominal terms and reflect tax on player expenditure for the period June to May, as tax is collected monthly in arrears.

Table 3: Summary of CSL receipts and disbursements - Public Account

	50 per cent of funds - problem gambling	25 per cent of funds - charitable organisations	25 per cent of funds - sport and rec organisations	TOTAL
	\$	\$	\$	\$
Opening balance	505 726	0	0	505 726
Add CSL receipts 2019-20	1 729 687	864 843	864 843	3 459 373
Total	2 235 413	864 843	864 843	3 965 099
Less CSL funds disbursed to GSP and CSR	1 269 687	864 843	864 843	2 999 373
Less funds disbursed by Treasury ¹	67 444	0	0	67 444
Balance of CSL in Public Account as at 30 June 2020²	898 282	0	0	898 282

Notes

¹ Funds disbursed by Treasury were for the cost of administration of Tasmanian Gambling Exclusion Scheme (\$53 568), annual contribution to Gambling Research Australia (\$6 498) and advertising of the tender of the Social and Economic Impact Study (\$7 378).

² An allocation is made annually to meet the cost of the three-yearly Social and Economic Impact Study of Gambling in Tasmania. Delay in commencement of the SEIS due to COVID-19 has meant that the SEIS contract price of approximately \$750 000 will be fully met in 2020-21.

Table 4: Summary of Community Support Levy expenditure

	GSP	GSP	CSR	TOTAL
	50 per cent to Problem gambling	25 per cent to Charitable organisations	25 per cent to Sporting organisations	
	\$	\$	\$	\$
CSL monies held from 2018–19 allocation for future expenditure	60 247	18 421	77 736 ¹	156 403
2019–20 CSL funds received	1 269 687	864 843	864 843	2 999 373
Total CSL funds available 2019–20	1 329 934	883 264	942 579	3 155 776²
Less funds allocated for:				
Administration costs	22 871			22 871
Gambling support services	637 366			637 366
Gambling community education	24 619			24 619
Gambling research	0			0
Neighbourhood House Program	645 079	854 921		1 500 000
Charitable Organisations Grant Program		28 343		28 343
Sport and recreation charitable grants			866 905	866 905
Total CSL expenditure 2019–20	1 329 935	883 264	866 905	3 080 104³
Monies held by GSP and CSR from 2019–20 for future expenditure	(0)	(0)	75 673	75 673

Notes

¹ The amount reported in the 2018–19 Annual Report as being held by CSR for future expenditure in 2019–20 was under-reported by \$1 070 due to a miscalculation of GST.

² Gambling venue closures due to COVID-19 reduced CSL receipts resulting in GSP receiving \$514 970 less than projected.

³ Reflects the CSL funds dispersed to and expended by the Department of Communities Tasmania. Additional non-CSL funding sourced by Department of Communities Tasmania is not reflected.

Table 5: Hotel and club gaming machine numbers at 30 June 2019 and 30 June 2020

	Hotels		Clubs		Total	
	No of venues	No of machines	No of venues	No of machines	No of venues	No of machines
30 June 2019	88	2 218	7	127	95	2 345
30 June 2020	87	2 203	6	97	93	2 300

Table 6: Special employee's and technician's licences issued or renewed

During 2019-20, 571 special employee's licences and 98 technician's licences were issued (including renewal applications). The Commission refused to consider 51 applications due to the applications being incomplete.

The total number of licensed special employees decreased from 2 932 as at 30 June 2019 to 2 822 as at 30 June 2020.

The total number of licensed technicians increased from 291 as at 30 June 2019 to 337 as at 30 June 2020.

	Special employees				Technicians
	Casino	Licensed premises gaming ²	Gaming operator	Tasmanian gaming licence operatives ³	
Licences issued for period 2019-20 ¹	87	447	2	35	98
Applications refused for period 2019-20	0	51	0	0	0
Licences issued as at 30 June 2020	439	2 280	32	71	337

Notes:

- Licences issued include all new licences issued, renewed licences as well as existing licences that have been upgraded to a new category of licence.
- Licensed premises gaming is hotel and club employees.
- Tasmanian gaming licence is betting exchange and totalizator employees.

Table 7: Minor gaming permits

As at 30 June 2020 there were 273 minor gaming permits on issue. The table below lists the approvals for authorised games during 2019-20.

Game	Authorised Game Approvals
Raffles	25
Bingo	24
Lucky Envelopes	34
Calcutta Sweepstakes	16
Instant Draw Bingo	2

Further information on minor gaming, including permit applications, is available at www.gaming.tas.gov.au (under “Apply for a Gaming Licence or Permit”).

Table 8: Complaints received and investigated by the Commission

Licence type	Table games	Keno	Gaming machines	Exclusion	Wagering	Other (general)	Minor gaming	Total
Casino	1	0	2	0	1	0	0	4
Hotel/club	N/A	3	3	0	2	4	3	15
Gaming operator	N/A	0	0	0	N/A	0	N/A	0
Tasmanian gaming licence	N/A	N/A	N/A	0	5	0	N/A	5
							Total	24

Note: N/A means gambling activity is not applicable to the licence type.

Table 9: Disciplinary action against casino licence holders

Licence Holder	Venue	Section of Act	Breach	Outcome
Tasmanian Country Club Casino Pty Ltd	Country Club Casino	137(4)	Not complying with the requirements of the Internal Control and Accounting Manual	Fined \$9 780
Australian National Hotels Pty Ltd	Wrest Point Hotel Casino	92(2)	Allowing a non-premium player program member to access a premium player program ATM	Letter of censure

Table 10: Disciplinary action against gaming operator licence holders

Licence Holder	Venue	Section of Act	Breach	Outcome
Australian National Hotels Pty Ltd	Network Gaming	50(2)	Allowing an unlicensed person to perform the functions of a special employee	Fined \$1 630

Table 11: Disciplinary action against Tasmanian gaming licence holders

Licence holder	Section of Act	Breach	Outcome
UBET TAS Pty Ltd	92(2)	Allowing advertising to occur which did not contain a responsible gambling message	Letter of censure

Table 12: Disciplinary action against licensed premises gaming licence holders

Licence Holder	Venue	Section of Act	Breach	Outcome
Rossim Pty Ltd	Beach Hotel	50(2)	Allowing an unlicensed person to perform the functions of a special employee	Fined \$1 304
Grassroots Café Pty Ltd	Crown Inn	112S(1)(h)	Licence holder affected by control action under the Corporations Act	Licence cancelled
Jubco Pty Ltd, Wyscan Pty Ltd, New Norfolk Hotels Pty Ltd and Noxid Pty Ltd	Central Hobart Hotel	50(2)	Allowing an unlicensed person to perform the functions of a special employee	Fined \$1 304

Table 13: Disciplinary action against special employees

Licence Holder	Section of Act	Breach	Outcome
Hannah Saunders	Licence condition 2.3.2	Playing gaming machine at the venue of employment	Fined \$815
Nathan Cooney	Licence condition 2.3.1 and s94(1)	Playing keno prior to or during a shift and extending credit to himself	Licence suspended for six month
Benjamin Berry	Licence condition 2.3.1 and s94(1)	Playing keno prior to or during a shift and extending credit to himself	Licence suspended for one month
Erin Clark	Licence condition 2.3.1	Playing keno while on duty	Letter of censure
John Howlett	Licence condition 2.3.1	Playing keno while on duty	Letter of censure
Linda Harriss	Licence condition 2.3.1	Playing keno while on duty	Letter of censure

In addition, 149 special employee's licences were suspended during 2019-20 for non-attendance at an approved Responsible Conduct of Gambling course, in accordance with a condition of their licences.

LIQUOR LICENSING INFORMATION 2019-20

Regulation of liquor - *Liquor Licensing Act 1990*

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

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

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

Regulatory activities are undertaken by the Commissioner for Licensing and the Commission. The Commissioner is an independent statutory body appointed by the Minister under the Act. The Commissioner is responsible for matters relating to liquor licensing and enforcement. This includes: considering licence and permit applications; granting, refusing, transferring, administering and cancelling licences and permits; investigating complaints about the sale and service of liquor in and around licensed premises; and undertaking disciplinary action.

Under the Act, the Commission operates as an appeal body for decisions of the Commissioner. It also determines licence applications referred to it by the Commissioner, if he or she is of the opinion that it is in the public interest to do so.

Liquor licensing appeals

During 2019-20, the Commissioner for Licensing made in the order of 2 400 decisions that could be appealed to the Commission. This number was down from last year given the impact of COVID-19 on the last four months of the year. Of these, two decisions were appealed.

Appeal Date	Applicant	Premises	Municipality	Decision Date	Decision
12 June 2019	Xuan Zhao	QiE Asian Grocery	Hobart	20 August 2019	Upheld
26 December 2019	Ben Hickey	Mobius	Hobart	2 March 2020	Dismissed

Liquor licensing applications referred to the Commission

In 2019-20, the Commissioner for Licensing did not refer any applications to the Commission for determination on public interest grounds.

GLOSSARY

Casino gaming

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

Electronic gaming machine (EGM)

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

Gamblers Help

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

Gambling

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

Gaming

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

Interactive gambling

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

Keno

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

Lotteries

A scheme or device for the distribution of a prize, where the distribution of the prize involves an element of chance for which payment or consideration is given (that is, the sale of a ticket). Lottery products include things such as lotto, pools and instant lotteries and these products are sold either online or by lottery operators at various outlets around Australia, such as newsagents.

Minor gaming

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

Player expenditure

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

Racing

Is the legal conduct of thoroughbred, harness or greyhound racing.

Special employee

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

Tasmanian Gambling Exclusion Scheme (TGES)

A means for patrons to be excluded from gambling venues or from participating in gambling in four different ways; self-exclusion, venue operator exclusion, third party exclusion and exclusion by the Commissioner of Police. The Scheme is supported by the *Gaming Control Act 1993* and is managed by the Tasmanian Liquor and Gaming Commission. Access to exclusion information for venue operators and the Gamblers Help Program is through the TGES online database.

Technician

The holder of a licence under the *Gaming Control Act 1993* who may install, repair or maintain gaming equipment, including gaming machines, security systems and gaming and wagering equipment.

Totalizator wagering

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

Wagering

All legal forms of gambling on racing and sporting events.

Tasmanian Liquor and Gaming Commission

Phone: (03) 6166 4040

Fax: (03) 6173 0218

Email: gaming@treasury.tas.gov.au

Web: www.gaming.tas.gov.au

