

TASMANIAN LIQUOR AND  
GAMING COMMISSION  
TASMANIAN GAMING LICENCE  
RULES

**Effective 1 March 2020**

CM: 20/36773



## **I PRELIMINARY**

- 1.1 These Rules apply to the holders of a Tasmanian Gaming Licence (TGL) as well as the conduct of wagering under a TGL in totalizator agencies (approved outlets) and are in addition to the conditions imposed on the TGL by the Tasmanian Liquor and Gaming Commission and the *Gaming Control Act 1993* (the Act).
- 1.2 A TGL holder, its employees and totalizator agents must adhere to these Rules. Failure to comply with this requirement may result in disciplinary action against the TGL holder or special employee or prosecution against the totalizator agent. Disciplinary actions or prosecution may include the issuance of a fine, and/or the suspension, cancellation or amendment of a licence.
- 1.3 A TGL holder must ensure that its employees have access to these Rules and ensure that they are enforced or caused to be enforced at all times.
- 1.4 Where applicable, a TGL holder and its totalizator agents must ensure that a copy of these Rules is available for free public inspection in approved outlets and ensure that they are enforced or caused to be enforced at all times.
- 1.5 A term used in these Rules has the same meaning as the same term used in the Act or the *Responsible Gambling Mandatory Code of Practice for Tasmania*.
- 1.6 These Rules supersede all previous Tasmanian Gaming Licence Rules issued by the Commission in relation to the terms explained in section 1.1 of this document.
- 1.7 In addition to these Rules, TGL holders must ensure they comply with requirements stipulated in the Commission's approved technical standards, including the Tasmanian Gaming Licence Technical Standard.
- 1.8 Unless otherwise stipulated by the Commission, where a requirement conflicts with other approved standards, these Rules prevail.

## **2 INDUCEMENTS, PROMOTIONS & PRIZES**

*For the purposes of these Rules, an inducement includes a voucher, ticket, token or any other form of reward which can be exchanged or used for gambling purposes.*

- 2.1 With the exception of arrangements with totalizator agents of approved outlets, a TGL holder or its totalizator agent must not offer or provide incentives or benefits to any other licensee and/or persons employed or working for the TGL holder or its totalizator agent as a reward to encourage patrons to gamble, re-invest or replay winnings. An incentive or benefit includes, but is not limited to, money, salary bonuses and gift vouchers that are designed to encourage those working in the industry to deliberately elicit patrons to gamble.
- 2.2 A TGL holder must not enter into any incentive based sponsorship arrangement where the level of sponsorship to be provided is linked to the use of gambling products offered by the TGL holder.
- 2.3 In an approved outlet, patrons must not be offered or allowed to use any inducement that is greater than \$15 for gambling purposes or offered multiple vouchers for gambling at the same time where the combined value would exceed \$15.

- 2.4 Any inducement that is redeemable in an approved outlet, regardless of the amount that it is issued for, must be redeemable for services other than just gambling, if these services are offered, for example accommodation, dining, entertainment.
- 2.5 Any inducement that is redeemable in an approved outlet, other than one for a specific event, must be valid for a minimum of 30 days.
- 2.6 Patrons must not be offered the supply of free or discounted alcohol for consumption at an approved outlet (including vouchers for the purchase of alcohol) as an inducement or reward for gambling.
- 2.7 Patrons must not be required to gamble in excess of \$10 for a specific period of time in an approved outlet in order to receive an inducement, obtain a prize or be eligible to enter a specific prize draw.
- 2.8 With the exception of arrangements with totalizator agents of approved outlets, the TGL holder or its totalizator agent must not offer a person any credit, voucher, or other benefit as an incentive to open an account and refer another person to open an account with the licensed provider.
- 2.9 Patrons must be able to withdraw their entitlements (i.e. betting credits or tokens) upon eligibility without being subject to further turnover requirements.
- 2.10 Patrons must not be required to be at a draw, or on the premises of an approved outlet at the time of a prize draw, in order to be eligible to win any individual prize that is greater than \$1 000 in value.

### 3 **PLAYER LOYALTY PROGRAMS**

*For the purpose of these Rules, a player loyalty program (PLP) is a formal arrangement which includes any club, membership or program that provides rewards to patrons for participating in gambling with the TGL holder. An “inactive” PLP member is a patron who has not gambled within the previous six-month activity statement reporting period or a PLP member who holds an account that has been frozen. An “active” PLP member is a patron who has gambled within the previous six-month activity statement reporting period.*

- 3.1 A TGL holder must ensure that any PLP which is operated or offered by the TGL holder complies with the following:
  - a) Patrons must be provided with detailed information about the operation of any PLP at the time of joining the PLP, including but not limited to terms and conditions, points accrual details and rewards.
  - b) Any credit, voucher, reward or other benefit made available to PLP members under membership arrangements must be available to all program members.
  - c) The accumulation rate of PLP points as a result of gambling and any benefits offered by a PLP must be the same for all PLP members and must not vary.
  - d) Patrons must have the ability to opt out of being a “member” of a PLP at any time.
  - e) PLP members must be able to access any information that the PLP operator holds about them.
  - f) All information held about a PLP and its members must be made available to the Commission upon request.

- g) PLP points accumulation must not result exclusively from gambling activities where other activities, such as accommodation or dining, are available under the PLP.
- h) Be operated in a manner that ensures PLP members are not provided with any advertising or direct marketing material unless they have expressed their consent to receive the material.
- i) Responsible gambling messages, as approved and/or prescribed by the Commission, must be incorporated and prominently displayed in PLP documentation.
- j) PLPs must not be offered to minors or excluded persons and must not offend prevailing community standards.
- k) PLP members must not be offered rewards greater than \$15 which can be used for gambling purposes.
- l) Gambling related contact must not be initiated by a TGL holder, totalizator agents or their staff with an inactive PLP member at any time by any method, including in-writing, in-person, by telephone, internet or other electronic means. This includes the issue of player activity statements. Non-gambling communication is permissible so long as the contact or information distributed does not refer to gambling in any way.
- m) An active PLP member must be:
  - i ) notified in writing at least once each year of their right to cease participation in the PLP.
  - ii ) sent self-exclusion and responsible gambling information that incorporates the name and telephone number for the Gambling Helpline at least once each year; and
  - iii ) sent a player activity statement to their home postal address every six months if a Tasmanian resident, where points, or the equivalent, are accrued as a result of the patron gambling.
- n) PLP player activity statements must provide concise and meaningful information about the player's gambling history including at a minimum:
  - i ) the turnover amount, in dollars, for the previous six months,
  - ii ) the net amount, in dollars, won or lost during the previous six months,
  - iii ) five year cumulative tallies of the same information above, and
  - iv ) clearly identify and differentiate points that have been accrued from gambling and non-gambling activities (where applicable).
- o) PLP player activity statements must not contain gambling advertising and any other irrelevant information that is not related to the gambling record of the player.

## 4 STAFF

- 4.1 Employees of a TGL holder performing the duties of a special employee must have a special employee's licence that is current and appropriate for the duties that the employee is required to undertake.

- 4.2 Where applicable, a TGL holder and its totalizator agents must ensure that any non-licensed servers of wagering products at an approved outlet, undertakes a RCG course within 90 days of commencing work.
- 4.3 Where applicable, a TGL holder and its totalizator agents must ensure that any non-licensed servers of wagering products, undertakes a RCG course at least every five years, from the date they received their most recent RCG qualification.
- 4.4 Where applicable, a TGL holder and its totalizator agents must maintain a record of all special employees and non-licensed servers of wagering products, detailing their name, date of commencement of employment, special employee licence number, expiry date of licence and expiry date of RCG qualification, and produce this record to a Liquor and Gaming Inspector if requested.
- 4.5 Where applicable, a TGL holder and its totalizator agents must ensure that a person who is employed or working at an approved outlet, whether for remuneration or reward or not, complies with these Rules, the conditions of their Special Employee Licence (if applicable) and the requirements of the Act.

## **5 INFORMATION TO PLAYERS**

*Where applicable, a TGL holder and its totalizator agents must ensure that the following signs, brochures, stickers or information are affixed or placed at locations described, or located on the homepage of a TGL holder's website, as required.*

- 5.1 Sign ORS03 "Minors Warning" must at all times be clearly displayed at the location of each totalizator terminal at an approved outlet.
- 5.2 Poster ORP01 "Gamblers Help" must be displayed throughout the approved outlet wherever totalizator wagering occurs as instructed by the Commission from time to time.
- 5.3 Contact Card ORC01 "Gamblers Help" must be available to patrons at all times and supplies of the card must be located in prominent positions wherever totalizator wagering occurs.
- 5.4 Brochure ORB01 "Gambling Regulation" must be available to patrons at all times and supplies of the brochure must be located in prominent positions wherever totalizator wagering occurs.
- 5.5 Brochure ORB03 "Need to Take a Break from Gambling" must be available to patrons at all times and supplies of the brochure must be located in prominent positions wherever totalizator wagering occurs.
- 5.6 Brochure ORB04 "Chances of Winning" must be available to patrons at all times and supplies of the brochure must be located in prominent positions wherever totalizator wagering occurs.
- 5.7 Brochure ORB09 "Complaints" must be available to patrons at all times and supplies of the brochure must be located in prominent positions wherever totalizator wagering occurs.

- 5.8 The homepage of a TGL holder's website must clearly display a link to the Department of Treasury and Finance, Liquor and Gaming Branch's responsible gambling webpage.
- 5.9 A TGL holder's website must contain a responsible gambling page that displays responsible gambling information, including the name and telephone number of the Gambling Helpline with a link to the Department of Treasury and Finance, Liquor and Gaming Branch's responsible gambling webpage.
- 5.10 Any other sign, brochure, sticker or information as required from time to time by written notice from the Commission.

## 6 ADVERTISING

- 6.1 All advertising of gambling products by a TGL holder must:
- a) comply with the 'Code of Ethics' adopted by the Australian Association of National Advertisers.
  - b) be socially responsible and consistent with the expectation that gambling will be conducted responsibly so as to minimise harm.
  - c) not be offensive or indecent in nature, and not offend prevailing community standards.
  - d) not be false, misleading or deceptive, including not misrepresenting the odds, the probability of winning a prize or the prizes that can be won.
  - e) not give the impression that gambling is a reasonable strategy for financial betterment or enhancing social situation.
  - f) not challenge or dare a person to play.
  - g) not advertise to a person any credit, voucher, or other benefit as an incentive to open an account or refer another person to open an account with the licensed provider.
  - h) not provide account holders with any advertising or direct marketing material unless they have expressed their consent to receive the material.
  - i) ensure that no further direct marketing materials are sent to account holders at any time after five business days from the day they have requested to no longer receive the material or their account has been closed.
  - j) not suggest that skill can influence games that are games of chance.
  - k) not encourage or target people under 18 years of age to gamble.
  - l) not portray, condone or encourage gambling in combination with the consumption of alcohol.  
*This does not apply to advertising that shows celebrating a win in a responsible manner outside of a gambling venue.*
  - m) not show people who are under 25 years of age in gambling advertising unless:
    - their appearance is incidental as part of a natural situation; and
    - they are not located in a gambling venue; and
    - there is no implication that the person will participate in gambling.

*This does not apply to a person engaged to advertise or promote gambling as part of a sponsorship agreement, however the person must be over 18 years of age and must not be shown participating in gambling.*

- n) not be directed at vulnerable or disadvantaged groups, where people may not have a capacity to fully understand the information, such as refugees or people with intellectual disabilities.
- o) not procure, incite or encourage a person to commit an offence.
- p) include responsible gambling messages in all media (including internet) advertising that incorporates a standalone gambling message, for example, “Gamble Responsibly” and the name and telephone number for the Gambling Helpline, to a size and form which meets the requirements of the *Tasmanian Liquor and Gaming Commission Gambling Product Advertising Standards* document.
- q) not be directed at, or provided to excluded persons, or persons who have had their accounts closed or frozen.
- r) not involve irresponsible trading practices.
- s) not violate the confidentiality of information relating to, or the privacy of, players without the consent of the player.
- t) not occur on television and/or radio between:
  - 6:00am - 8:30am and 4:00pm - 7:00pm weekdays; and
  - 6:00am - 8:30am and 4:00pm - 7:30pm on weekends.

*The following forms of advertising are exempt from the above periods:*

- *advertising during a racing or sports broadcast; and*
- *advertising that focuses specifically on entertainment or dining facilities and does not depict or refer to gambling in any way.*

6.2 For the purposes of these Rules, ‘affiliated organisations and related body corporate(s)’ means subsidiary companies and related entities within the meaning of section 50 of the *Corporations Act 2001* (Cth) of the TGL holder and/or organisations with whom the TGL holder has commercial advertising arrangements.

A TGL holder (and their affiliated organisations and related body corporate(s)) are prohibited from:

- advertising or marketing small credit providers on the TGL holder’s website, or in other forms of communications; and/or
- referring a customer to a credit provider; and/or
- providing a customer’s details to a credit provider.

## 7 PROVISION OF CASH TO PATRONS

- 7.1 A TGL holder and its totalizator agents must not provide, authorise or permit anyone to provide, for use in or on the approved outlet or in any adjoining premises which are owned, operated, occupied, leased or otherwise controlled by the TGL holder, an automatic teller machine or other device (with the exception of an electronic funds transfer point of sale (EFTPOS) terminal) that can be used to provide access to cash from a patron's credit or debit card account.
- 7.2 A TGL holder and its totalizator agents must not accept bank deposits, electronic funds transfers or any form of digital payments from patrons to use for gambling purposes in terrestrial outlets. This does not apply to online wagering.
- 7.3 EFTPOS transactions must not be used for the provision of cash from credit accounts.
- 7.4 No more than one EFTPOS transaction is permitted to be provided to each patron, each day, for any purpose and must not exceed \$200 in value (this restriction does not apply to the part of the premises specifically designed for off-sales, ie bottle shops).
- 7.5 Where totalizator facilities exist in a hotel or club, a TGL holder and its totalizator agents or their staff must not suggest or encourage patrons that have reached the above withdrawal limits to access the EFTPOS facilities in the venue's bottle shop for further cash withdrawals.
- 7.6 Cash provided as part of an EFTPOS transaction for gambling purposes must, where practically possible, be provided as notes, not coins.
- 7.7 Staff must take all reasonable steps to observe the gambling behaviour of their patrons and must not provide funds to a patron requesting any EFTPOS transaction for gambling purposes if that patron appears to be experiencing difficulties controlling their gambling.
- 7.8 A TGL holder and its totalizator agents or their staff must not cash a patron's cheque for any purpose unless the patron is an international visitor or an exemption from this requirement has been approved by the Commission. (For guidance on the exemption process, refer to the *Tasmanian Liquor and Gaming Commission Guidelines for seeking exemption to cash cheques* document.)
- 7.9 In circumstances where cashing a cheque is permissible (ie in an approved outlet granted prior exemption or the patron is an international visitor) a TGL holder, its totalizator agents and staff:
- a) must not cash more than one cheque per patron per day for gambling purposes and any cheque cashed must not exceed \$100 in value; and
  - b) must check the name of any patron wishing to complete a cheque cashing transaction for gambling purposes against the Tasmanian Gambling Exclusion Scheme (TGES) database prior to the transaction being completed.
- 7.10 Cheque cashing transactions for gambling purposes must not be completed for any patron who is excluded under the TGES. Staff must ensure that any patron excluded under the TGES who is attempting to cash a cheque for gambling purposes, leaves the approved outlet immediately (in accordance with their exclusion requirements) and the details of the exclusion breach entered in the TGES database.

## **8 PATRONS**

- 8.1 Any patron who appears to be intoxicated or has been refused the service of alcohol must not be permitted to participate in wagering at an approved outlet.
- 8.2 No minor (whether employed by a TGL holder or its totalizator agent and working at an approved outlet) can take part in the conduct of wagering.
- 8.3 No fee of any kind (direct or indirect) can be charged for entry into an approved outlet.

## **9 STAFF IDENTIFICATION**

- 9.1 During the operating hours of the approved outlet, a person who provides wagering services to patrons must wear a name badge that details their first name.

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

- 10.1 Any matters concerning non-compliance with any requirements of the Act or any licence, code, directions or rules made under the Act must be reported by a TGL holder or the totalizator agent to the Commission within 24 hours of being identified.
- 10.2 The procedures found in the document titled *Outlet Operations Manual* (as approved by the Commission from time to time) must be adhered to at all times.

## **11 TASMANIAN BETTING RULES**

- 11.1 A Tasmanian Gaming Licence holder, holding a totalizator endorsement, must comply with the *Tasmanian Betting Rules*, as approved by the Commission.

## **12 APPROVED OUTLETS**

- 12.1 A surveillance system that meets the Commission's *Technical Standards for Recorded Surveillance in Gaming and Wagering Premises* must be operating at the approved outlet at all times that wagering is available.
- 12.2 Each Self Service Terminal (SST) operated in an approved outlet must be located in a designated prohibited area if in a licensed venue, or if that is not possible, in an area with a designated 'buffer zone' around the SST. The 'buffer zone' designation must be clearly identifiable by a delineated area in front of the SST with a minimum size of 1.5 x 1.5 metres.
- 12.3 Each SST operated in an approved outlet must be located in clear line of sight of staff operating the Orion terminal at the approved outlet.
- 12.4 Analogue clocks with a diameter of not less than 30 centimetres, with clearly displayed numbers, in good working order and set to, or within, 10 minutes of the correct time must be located in any area where a totalizator terminal is operated. A clock located in these areas must be clearly visible to patrons participating in gambling.

## **13 DURATION OF HOURS OF GAMBLING**

- 13.1 Wagering facilities can only be operated at the approved outlet for a maximum of 20 hours within any 24-hour period. There must be at least four continuous hours each day when wagering is not available in each approved outlet.

**DATED** 1 March 2020



**Jenny Cranston**  
**Chair**  
**TASMANIAN LIQUOR AND GAMING COMMISSION**

Liquor and Gaming Branch contact details:

**HOBART**

Phone: (03) 6166 4040

Fax: (03) 6173 0218

**LAUNCESTON**

Phone: (03) 6777 2777

Fax: (03) 6173 0218

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

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

