

# TASMANIAN LIQUOR AND GAMING COMMISSION PREMIUM PLAYER PROGRAM RULES (PRE-COMMITMENT)

**Effective 1 November 2020**

**Tasmanian Liquor and Gaming Commission**



## **I PRELIMINARY**

- 1.1 The *Tasmanian Liquor and Gaming Commission Premium Player Rules - Pre-commitment* (these Rules) apply to the conduct of a Premium Player Program (PPP) with pre-commitment functionality, for electronic gaming machine (EGM) gambling, in any casino operating under a Casino Licence issued under section 13 of the *Gaming Control Act 1993* (the Act).
- 1.2 These Rules are in addition to the requirements of the Act and any conditions imposed on the licence by the Tasmanian Liquor and Gaming Commission and must be read in conjunction with the *Tasmanian Liquor and Gaming Commission Casino Licence Rules* (Casino Licence Rules) as issued by the Commission.
- 1.3 Where any of these rules conflicts with a casino licence rule, the PPP rule will prevail in relation to PPP related matters. Casino Licence Rules 2.5, 7, 8, 9 and 10 do not apply to the conduct of a PPP.
- 1.4 A casino operator and its employees (including special employees) must adhere to these Rules. Failure to comply with this requirement may result in disciplinary action against the casino operator and/or special employee. Disciplinary action may include a letter of censure, a fine, and/or the suspension, cancellation or amendment of a licence.
- 1.5 A casino operator must ensure that a copy of these Rules is available for free public inspection and must ensure that they are enforced or caused to be enforced at all times.
- 1.6 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*.

## **2 STAFF**

- 2.1 A casino operator must ensure that a person is employed at the casino with a dedicated role to perform the functions of a Responsible Gambling Manager. The Responsible Gambling Manager's position must not be located within the organisational structure of the gaming department or any other department involved in commercial operations of any casino.
- 2.2 The casino operator must ensure that the Responsible Gambling Manager is appropriately trained in recognising and managing issues associated with responsible gambling and must report directly to the casino General Manager or a senior manager who is not associated with decision making affecting the profitability of gaming within the organisation.
- 2.3 A casino operator must ensure that at least one PPP Host appropriately trained in recognising and managing issues associated with responsible gambling is on duty at the casino at all times.

## **3 PREMIUM PLAYER PROGRAM**

### ***Membership process***

- 3.1 Any PPP in operation at a casino must comply with the following:
  - a) A prospective member must not be permitted to become a member of a PPP without establishing a limit that will apply to EGMs.
  - b) A prospective member must be provided with detailed information about the operation of the PPP.
  - c) A prospective member must not be permitted to become a member of a PPP without

being a member of the Federal Rewards Club (or any replacement program) for a period of six months.

*This Rule does not apply to non-Tasmanian residents.*

- d) The appropriate limit setting category and associated limit setting requirements are assigned to the prospective member as documented in the Tasmanian Liquor and Gaming Commission's Premium Player Program (Pre-Commitment) Limit Setting Standards.
- e) A prospective member must not be permitted to become a member of a PPP without first having their identity verified in accordance with the Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (No.1).
- f) A prospective member must not be permitted to become a member of a PPP if they are currently excluded under the Tasmanian Gambling Exclusion Scheme.
- g) A prospective member must be provided with a summary of their total gambling loss for each 12 months covering the most recent three years (where available).
- h) Prior to admission or renewal, a prospective member/member must confirm the following in writing:
  - i) they are 18 years or over;
  - ii) they have been provided with their historical average annual gambling loss (where applicable);
  - iii) they have the financial capacity to sustain the stipulated level of pre-committed loss over a 12 month period;
  - iv) they were not encouraged to increase their limit by the casino operator when setting a limit; and
  - v) they believe that long term losses at this limit will not impact their financial security.

The prospective member/member and casino operator must complete a written declaration that the above has been considered.

Where any of the prospective member/member's written responses are not in the affirmative, the prospective member/member must not be admitted or renewed as a member of the PPP.

- i) The prospective member must be required to declare whether they have previously been excluded under the Tasmanian Gambling Exclusion Scheme or have previously been subject to a gambling exclusion for electronic gaming in any other Australian jurisdiction.
- j) The prospective member/member must be provided with copies of the above signed documents within seven days of completion.
- k) A PPP membership must be subject to an annual renewal process, completed within 60 days of the member's limit anniversary date. If a PPP membership is not renewed in this time, the casino operator must suspend the PPP membership until the renewal process has been completed.
- l) At PPP membership renewal, the casino operator must ensure any electronic gaming machine activity (ie losses/wins) incurred by the member since the member's anniversary

date under Rule (3.1(k) above) must be included in the total gambling spend for the remainder of the limit term.

- m) A PPP member must have the ability to opt out of being a member at any time and must be notified in writing at least once a year of their right to cease participation in the PPP.
- n) A PPP member must be able to access any PPP information that the casino operator holds about them.
- o) At annual renewal, player activity statements must be provided to a PPP member and provide concise and meaningful information about the member's gambling history including, at a minimum:
  - i) the turnover amount, in dollars, for the previous 12 months;
  - ii) number of hours spent at EGMs for the previous 12 months (where applicable);
  - iii) the net amount, in dollars, won or lost during the previous 12 months;
  - iv) five year cumulative tallies of the same information above (where available); and
  - v) clearly identify and differentiate points that have been accrued from gambling and non-gambling activities (where applicable).
- p) Player activity statements must not contain gambling advertising and any information that is not related to the gambling record of the member.
- q) Responsible gambling messages, as approved and/or prescribed by the Commission, must be incorporated and prominently displayed in PPP documentation.

#### ***Limit setting - Tasmanian and Non-Tasmanian residents***

- 32 At admission and renewal of a prospective member (Tasmanian or non-Tasmanian resident), the casino operator must undertake a pre-commitment limit setting process for EGM gambling which meets the requirements of the Tasmanian Liquor and Gaming Commission Premium Player Program (Pre-commitment) Limit Setting Standards.

#### ***Monitoring***

- 33 The casino operator must develop, implement and keep in operation, a monitoring program for PPP members that satisfies a reasonable person test in terms of decision making to minimise gambling harm to PPP members.
- 34 The casino operator must undertake reasonable measures to ensure that PPP members use a PPP membership card at all times when gambling in the casinos.

#### ***Limit Reached***

*For the purpose of these Rules, a barred PPP member is a PPP member who has reached their limit.*

- 35 If a PPP member reaches his/her limit before their limit term has concluded, the casino operator must deactivate the PPP membership card immediately.
- 36 A barred PPP member must not be able to gamble in the PPP until the casino operator has undertaken a renewal limit setting process. The renewal limit setting process cannot occur until after the member's limit anniversary date.
- 37 Within seven days of the limit being reached, the Responsible Gambling Manager must take all reasonable measures to meet with the barred PPP member.

- 38 The casino operator must make a determination as to whether the barred PPP member is to be excluded from gambling at the casino(s) or whether to allow the member to continue gambling outside the PPP. This determination must be made by a person with superior accountability to the RGM and the PPP Host in the casino governance model.
- 39 In determining the action to be taken for a barred PPP member, the casino operator must apply a reasonable person test in its decision-making and document reasons for its decision. Action includes an enhanced monitoring and reporting regime and appropriate care arrangements to ensure the member is not experiencing harm, where applicable.
- 3.10 If the decision is made that the barred PPP member is allowed to continue gambling outside the PPP, the casino operator must prevent access to the PPP area;
- a) restrict the PPP membership card from accessing PPP gambling related benefits;
  - b) prevent the barred PPP member from accruing gambling reward points; and
  - c) not directly promote gaming or gaming activities to a barred PPP member.

#### **4 PREMIUM PLAYER AREA**

- 41 Where there is a dedicated PPP area, the casino operator must ensure that the area is physically separate from other areas of the casino.
- 42 The PPP area must only be accessible to PPP members and their guests.
- 43 A PPP member is permitted to have a maximum number of three nominated guests in the PPP area at the one time. The guests are not permitted to:
- a) enter the area unless in the company of the PPP member;
  - b) remain in the area for a period longer than 20 minutes without the PPP member being present; and
  - c) have access to an Automatic Teller Machine located in the PPP area.

#### **5 PROVISION OF CASH TO PPP MEMBERS**

- 5.1 A casino operator must ensure that ATMs used by PPP members, that operate without the \$400 withdrawal cap, require the display or swipe of the member's PPP membership card prior to any cash withdrawal occurring.
- 5.2 Such ATMs must be under constant video surveillance (operating in accordance with the Tasmanian Liquor and Gaming Commission Minimum Casino Surveillance Standards) and be located within the line of sight of a casino staff member, to ensure the PPP member accessing the ATM is identified by casino staff.
- 5.3 The casino operator must ensure that the person requesting access to the PPP ATM is a current PPP member before casino staff permit access to the PPP ATM.
- 5.4 A casino operator must take all reasonable steps to observe the gambling behaviour of PPP members and must not provide access to ATMs operated under Rule 5.1 if a member appears to be experiencing difficulties controlling their gambling.

#### **6 INDUCEMENTS, PROMOTIONS & PRIZES FOR PPP MEMBERS**

*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.*

- 6.1 A casino operator must not offer or provide incentives or benefits to any other licensee

and/or persons employed or working in the casino as a reward to encourage PPP members 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 members to gamble.

62 A casino operator must not conduct direct marketing or provide inducements to an individual PPP member which encourages the PPP member to increase their typical level of gambling expenditure in order to receive an additional reward or benefit.

63 Any promotional material sent to a PPP member must contain a responsible gambling message.

## **7 REPORTING, MONITORING AND EDUCATION REQUIREMENTS**

7.1 A casino operator must ensure that conduct of gambling, harm minimisation and problem gambling information sessions are conducted for gaming, security and surveillance staff at least once every six months and that all relevant staff attend.

7.2 A casino operator must provide to the Commission by 31 July each year, a report (in a form determined by the Commission) which provides details relating to the conduct of the PPP over the previous 12 month period.

7.3 For any PPP member who has reached their limit, the casino operator must report to the Commission under Rule 7.2 in a de-identified, non-aggregated format the following:

- a) the limit;
- b) total player loss for the PPP member limit period;
- c) period of time until next PPP membership renewal; and
- d) the PPP member's limit applied at application or renewal.

7.4 A casino operator must provide an Inspector appointed under the Act with access to PPP information and to produce reports as requested.

7.5 The casino operator must keep all PPP member documentation for seven years.

## **8 EXTERNAL AUDIT**

8.1 A casino operator must ensure an external compliance audit of the pre-commitment PPP is conducted for the 12 month period (audit period) immediately following the commencement of the pre-commitment PPP.

8.2 The Commission must endorse:

- a) the terms of reference of the external audit; and
- b) the external auditor selected by the casino operator.

8.3 The audit report must be provided to the Commission within three months of the audit period expiring.

8.4 Following the initial audit, future audit(s) must be completed within three years and thereafter as determined by the Commission.

8.5 Issues identified through an external audit must be rectified in the manner instructed by the Commission.

**DATED** 7 August 2020



**Jenny Cranston**

**Chair**

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