

## **Explanation of Process**

The Statutes Amendment (Gambling Regulation) Act 2001 was enacted on 31 May 2001. It made provision, among other things, for the functions and objects of the Independent Gambling Authority and for the approval by the Authority of mandatory advertising and responsible gambling codes of practice to apply to the casino, lotteries, TAB, licensed racing clubs and gaming machine venues (hotels and clubs).

On 1 October 2001, transitional codes of practice were established for gaming machine venues under the Gaming Machines Act 1992. These codes, approved by the then Minister, were derived from voluntary codes that the gaming machine industry had been following prior to that time. It was understood that these codes would remain in place until the Independent Gambling Authority completed a thorough review. No provision was made for transitional codes for the other industries.

Consultation to establish codes of practice for the Casino under the Casino Act 1997 began in October 2001 with written submissions received for a public hearing held on 28 November 2001. On 3 May 2002, the Authority provided an inquiry report to the Minister for Gambling along with finalised approved codes for tabling in parliament.

Following this, in June 2002, public consultation was commenced for lotteries and wagering.

On 1 August 2002, a public hearing was held in relation to establishing codes of practice for the Lotteries Commission under the State Lotteries Act 1966. Written submissions had been received prior to the hearing.

On 28 August 2002, a public hearing was held in relation to establishing codes of practice for the wagering sector (i.e. TAB and licensed racing clubs) under the Authorised Betting Operations Act 2000. As with previous inquiries, written submissions had been received prior to the hearing.

During the public consultations for the casino, lotteries and wagering a number of general responsible gambling principles were identified, which also needed to be considered in relation to gaming machine venues. In addition, the Authority determined during the public consultations that there were a number of principles that should be applied uniformly across all sectors.

Following circulation of an information document in relation to these matters, written submissions were received in preparation for a public hearing held on 11 December 2002. In response to requests from some presenters at that hearing, additional time to prepare supplementary material was allowed. The deadline for supplementary submissions was 31 March 2003.

Following consideration of all the material (including those supplementary submissions) the Authority, on 30 May 2003, provided the Minister for Gambling with an inquiry report setting out uniform measures for inclusion in advertising and responsible gambling codes of practice applicable to all areas of the gambling and

wagering sector. The uniform measures, referred to as 'stage one' issues, included several initiatives that were largely supported by stakeholders.

The inquiry report also identified twelve issues that needed further consultation. These are referred to as 'second stage issues'. The Authority received presentations in relation to the second stage issues at a public hearing held on 29 July 2003.

During the public hearing for the second stage issues held on 29 July 2003, Senior Counsel appearing for the Australian Hotels Association and Racing SA requested the opportunity to make further submissions of a legal nature, in relation to the stage one issues. A public hearing to receive those submissions was held on 10 September 2003.

During the 29 July 2003 hearing, stakeholders were also encouraged by the Authority to meet and discuss an agreed position regarding codes issues that would be considered by the Authority in its deliberations. Representatives from the Concern sector began to meet weekly with representatives from each of the Industry sectors, firstly regarding a preferred position for the stage one issues and then in relation to the second stage.

On Friday 31 October 2003, an open meeting was held by the Authority to receive a report on discussions between major stakeholders regarding the second stage issues.

During November 2003, a final formal process was completed for the stage one issues for each industry sector.

On 4 December 2003, the Authority provided the Minister for Gambling with its First Supplementary Report—December 2003, which settled the issues considered in stage one. The stage one codes of practice for advertising and responsible gambling became operational on 30 April 2004.

On 21 July 2004 the Authority continued its consultation for the second stage issues with a public hearing. The second stage issues now comprise the twelve issues identified in the Authority's May 2003 report, with the addition of another three.

A final public hearing for the second stage issues was held on 24 November 2004.

Mirror provisions in each of the *Gaming Machines Act 1992*, the *Casino Act 1997*, the *State Lotteries Act 1966* and the *Authorised Betting Operations Act 2000*, provide that the Authority must review the advertising and responsible gambling codes of practice at least every 2 years. The two year anniversary of the first stage codes is on 30 April 2006. The Authority will settle the second stage issued during that review.