

SOUTH AUSTRALIA

**Advertising (SA TAB)
Code of Practice**

Version 001, as in force on 1 June 2009

TABLE OF CONTENTS

1.	Purpose	1	5.	Prize advertising—specific obligations.....	2
2.	General principle	1	6.	Definitions and interpretation	3
3.	Specific provisions	1	7.	Operative dates and transitional	5
4.	Electronic media—time periods	2	8.	Application to agents	5

SOUTH AUSTRALIA

AUTHORISED BETTING OPERATIONS ACT 2000

Advertising (SA TAB) Code of Practice *[Version 001, as in force on 1 June 2009]*

This code of practice is prescribed for the holder of the major betting operations licence under section 6A(1)(a) of the *Authorised Betting Operations Act 2000* for the purposes of section 48 of that Act:

1. Purpose

This code provides a framework through which SA TAB Pty Ltd as the holder of the major betting operations licence (“**gambling provider**”) can ensure that its advertising activities are consistent with the community’s expectations that its licensed business will be conducted in a responsible manner so as to minimise the harm caused by gambling.

2. General principle

The gambling provider must ensure that all gambling related advertising is undertaken in a manner that—

- (a) is socially responsible; and
- (b) does not mislead or deceive the customer.

3. Specific provisions

- (1) The gambling provider must ensure that, when it advertises its gambling products, the advertising complies with—
 - (a) applicable Commonwealth and State laws; and
 - (b) relevant advertising industry codes of practice—as in force from time to time.
- (2) The gambling provider will ensure that, when it advertises its gambling products, the advertising includes either—
 - (a) if it is not reasonable or practicable to include an expanded warning message, the condensed warning message; or
 - (b) an expanded warning message, rotated according to the protocol set out in clause 6(4).
- (3) The gambling provider must ensure that, when it advertises its gambling products, the advertising—
 - (a) is not directed at minors;

Authorised Betting Operations Act 2000
Advertising (SA TAB)
Code of Practice

Clause 4

Version 001, as in force on 1 June 2009

- (b) does not portray minors participating in gambling activities;
- (c) is not explicitly or exclusively directed at vulnerable or disadvantaged groups (including recovering problem gamblers);
- (d) does not promote gambling as a means of funding routine household purchases or costs of living (including mortgage repayments and rent or education and clothing costs) or for relieving financial or personal difficulties;
- (e) does not promote gambling as a means of enhancing social standing or employment, social or sexual prospects;
- (f) does not make claims related to winning or the prizes that can be won—
 - (i) that are not based on fact; or
 - (ii) that are unable to be proven; or
 - (iii) that are exaggerated;
- (g) does not state or imply that a player's skill can influence the outcome of a gambling activity;
- (h) does not associate gambling with excessive alcohol consumption;
- (i) does not exaggerate the connection between the gambling activity and the use to which the gambling provider's profits may be put; and
- (j) does not draw attention to any inducement to gamble.

4. Electronic media—time periods

The gambling provider will, in relation to advertising on radio or television, refrain from advertising its gambling products during the following periods:

- (a) for radio advertising, between 6.00am and 8.30am, Monday to Friday (both days inclusive);
- (b) for television advertising, between 4.00pm and 7.30pm, Monday to Friday (both days inclusive).

5. Prize advertising—specific obligations

- (1) If, when it advertises a gambling product, the gambling provider refers to, or relies on, the value or nature of one of the prizes which are available to be won (whether or not the prize is a prize of money) or the frequency with which the prize might be won, the advertising—
 - (a) must include sufficient information to allow a reasonably informed person to understand the overall return to player or, if

Authorised Betting Operations Act 2000
Advertising (SA TAB)
Code of Practice

Clause 6

Version 001, as in force on 1 June 2009

the product does not have an overall return to player, the odds of winning; and

- (b) in addition, if the advertising is intended to encourage a person to gamble during a particular period, must include sufficient information to allow a reasonably informed person to appreciate how likely it is that the prize will be won by someone during that period.

- (2) If, in seeking to comply with this clause, the gambling provider—
 - (a) calculates the theoretical number, value and frequency of prizes to be won;
 - (b) in the advertising or promotion, suggests an outcome no less favourable to the gambling provider than that theoretical outcome; and
 - (c) obtains an actual outcome more favourable than that which was advertised—

the gambling provider will still be regarded as complying with this clause.

- (3) Sub-clause (1)(a) does not apply to advertising of a trade promotion lottery offered in conjunction with the purchase of a gambling product if the odds or chance of winning the trade promotion lottery are dependent on factors beyond the control of the gambling provider.

6. Definitions and interpretation

- (1) In this code—

“condensed warning message” means the following message—

“Gamble Responsibly.”;

“expanded warning message” means one of the following messages—

- (a) “Don’t chase your losses. Walk away. Gamble responsibly.”;
- (b) “Don’t let the game play you. Stay in control. Gamble responsibly.”;
- (c) “Stay in control. Leave before you lose it. Gamble responsibly.”;
- (d) “You know the score. Stay in control. Gamble responsibly.”;
- (e) “Know when to stop. Don’t go over the top. Gamble responsibly.”;

Authorised Betting Operations Act 2000
Advertising (SA TAB)
Code of Practice

Clause 6

Version 001, as in force on 1 June 2009

(f) “Think of the people who need your support. Gamble responsibly.”;

“inducement to gamble” means any inducement designed to encourage a person to establish a gambling account, and includes an inducement in the nature of—

- (a) a credit, voucher, reward or rebate; and
- (b) any other valuable consideration—

but does not include a trade promotion lottery;

“plug” means an announcement on radio or television which includes information about the gambling provider’s gambling products or which associates one of the gambling provider’s gambling products with a particular program or period of programming;

“radio or television”—

- (a) means any kind of radio or television broadcasting service within the meaning given by the *Broadcasting Services Act 1992* (Commonwealth); but
- (b) does not include a radio or television broadcasting service principally operated for the purpose of promoting gambling products of the nature of those provided by the gambling provider, or related events—

and **“radio”** and **“television”** have corresponding meanings;

“trade promotion lottery” means—

- (a) a minor trade promotion lottery conducted so as to comply with regulation 30 of the *Lottery and Gaming Regulations 2008*; and
- (b) a major trade promotion lottery or a trade promotion (instant prize) lottery for which a licence has been granted under regulation 17 of the *Lottery and Gaming Regulations 2008*.

(2) For the purposes of this code, the gambling provider will be regarded as advertising—

- (a) if a provider of radio or television runs a plug in exchange for a payment or for some other form of valuable consideration (including an agreement to purchase advertising);
- (b) if a provider of radio or television or a publisher includes content in exchange for a payment or for some other form of valuable consideration (including an agreement to purchase advertising).

Authorised Betting Operations Act 2000
Advertising (SA TAB)
Code of Practice

Clause 7

- (3) Advertising will be regarded as offending against clause 3(3)(f) if it contains material which includes one or more of the following expressions (or anything analogous to them)—
- (a) “Win”; and
 - (b) “\$”—
- and that expression is not used in relation to—
- (c) a particular prize which has been determined or is payable; or
 - (d) a reasonable approximation or estimate of a prize which can be won.
- (4) For the purposes of rotating the six expanded warning messages over 3 years, the gambling provider will—
- (a) to the greatest extent practicable, always use the same expanded warning message at the same time;
 - (b) to the greatest extent practicable, use an expanded warning message for six months at a time;
 - (c) take reasonable steps to consult with other gambling providers required to use expanded warning messages with a view to ensuring, to the greatest extent practicable, that all gambling providers are using the same expanded warning message at the same time.

7. Operative dates and transitional

This code comes into operation on 1 June 2009.

8. Application to agents

In respect of the provision of the gambling products of the gambling provider by an agent, the gambling provider will ensure that the actions of its agent conform with this code as though the agent were the gambling provider.