



Independent Gambling Authority

Social Effect Inquiry 2011

Social effects inquiry process and principles

Guide for making submissions

Disclaimer

This document has been prepared for the purposes of public consultation in connection with a review being undertaken by the Independent Gambling Authority. Information provided and statements contained in this document are published solely for the purposes of the inquiry and should not be relied upon for any other purpose.

Date

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CONTENTS

1. INTRODUCTION.....	1
1.1 Overview	1
1.2 Statutory context	1
1.3 Policy context	2
1.4 Regulatory process.....	2
2. INQUIRY PROCESS	3
2.1 Overview	3
2.2 The public hearing	3
2.2.1 Overview	3
2.2.2 Registration	4
2.2.3 Presentation outlines.....	4
2.2.4 Audio visual materials.....	4
2.2.5 Venue and times	5
2.3 Written submissions	5
2.4 Information about the inquiry.....	5
3. ABOUT SUBMISSIONS AND ISSUES IN THE INQUIRY	6
3.1 Submitter profile	6
3.2 What submissions might address	6
3.2.1 Generally and specifically	6
3.2.2 Available research and reports	6
3.3 Evidence.....	7
4. SUMMARY.....	7
APPENDIX 1	8
Extracts of sections 13–15 of the Independent Gambling Authority Act	8
APPENDIX 2	10
Gaming machine licensing guidelines (2 November 2005)	10
APPENDIX 3	12
Extracts of the Review 2006 report	12

1. INTRODUCTION

1.1 Overview

The Independent Gambling Authority is undertaking an inquiry in relation to changes to the *Gaming Machines Act 1992* in relation to the processes of applying for and granting gaming machine licences, to address the social effect of the proposed licence.

The inquiry provides the mechanism by which the Authority will engage with stakeholders on the statutory instruments it will be required to make in response to those amendments. It provides the opportunity for stakeholders to consider and make representations concerning the relevant harm minimisation measures.

1.2 Statutory context

The *Gaming Machines (Miscellaneous) Amendment Act 2010* received Royal Assent on 9 December 2010. When section 10 is commenced, section 10A of the *Gaming Machines Act 1992* will say (in part)—

10A—Principles, codes of practice, etc

- (1) For the purposes of this Act, the Authority may, by notice in the Gazette, prescribe—
- (a) an inquiry process that must precede an application for a social effect certificate or, if required by the Commissioner, a variation of a gaming machine licence (a *social effect inquiry*); and
 - (b) principles for assessing the social effect of the grant or variation of a gaming machine licence (*social effect principles*);

...

The section requires the Independent Gambling Authority to establish an inquiry process to precede, and principles for the assessment of, the social effect of the grant of what will be called a *social effect certificate*. A social effect certificate is required to obtain a *premises certificate* which is in turn required for the grant of a licence. The Liquor and Gambling Commissioner has the function of determining the applications for the grant of a social effect certificate, premises certificate and licence.

These arrangements replace the present provisions of section 15 of the Gaming Machines Act which require the Liquor and Gambling Commissioner to have regard to social effect in determining an application for a licence and to do so having regard to guidelines issued by the Authority.

The changes mean that the Authority is required to prescribe an inquiry process and social effect principles to replace the Gaming Machine Licensing Guidelines issued

by the Authority for the purposes of section 15(5) of the Gaming Machines Act on 2 November 2005.

1.3 Policy context

The December 2010 amendments make structural changes to the licensing process for gaming machines in hotels and clubs process while retaining the substance of the underlying policy intent.

The present form of section 15(5) of the Gaming Machines Act—requiring that regard must be had to social effect when determining an application for a gaming machine licence—derives from the *Gaming Machines (Miscellaneous) Amendment Act 2004*, which largely implemented the Authority’s 2003 recommendations for the management of gaming machine numbers.

Although, viewed superficially, the new structure is more complex than what it replaces, it will be better for both licence applicants and community stakeholders because it enables early engagement on the key licensing issue of social effect and thereby reduces risk for all concerned.

Under the present model, an applicant for a licence is required to demonstrate compliance with all requirements for licensing at the same time (every issue from social effect to whether the layout of the venue is conducive to secure management of cash) and this means that all of these issues are potentially “live” issues until building works are complete and a licence can be granted.

The new model allows the question of social effect to be considered at the start of the process. If a social effect certificate is granted, the next stage is a premises certificate (incorporating plans for the venue) upon which building work can go ahead. Subject to the premises being finished in conformance with the premises certificate and those responsible for the business being found suitable, a licence will be granted.

The amendments have also clarified that the Process and principles proposed by the Authority (initially in the guidelines) are intended to be followed.

These changes accompany amendments designed to enliven the trading system for gaming machine entitlements which, in turn, will accelerate the reduction in the numbers of gaming machines and in the numbers of premises for which gaming machines are licensed. The Authority understands that, as part of this, there should be a straightforward pathway by which new premises can be licensed—one which appropriately encourages development having regard to the social effect.

Stakeholders making submissions to the Authority about the content of the inquiry process and the social effect principles should have regard to these considerations, as they will underpin the Authority’s deliberations.

The starting point for the Authority’s considerations will be the present Gaming Machine Licensing Guidelines, extracted in Appendix 2, starting on page 12.

1.4 Regulatory process

This inquiry allows the Authority to consult with all stakeholders generally.

Following the public hearing for the inquiry, the Authority will prepare regulatory instruments in draft. The process set out in section 10A of the Gaming Machines Act then anticipates—

- ◆ licensees being given 28 days to comment on the draft regulatory instruments;
- ◆ the Authority considering any representations made by the peak bodies before finalising the regulatory instruments;
- ◆ the regulatory instruments being prescribed by publication in the *Government Gazette*.

These regulatory instruments are, as with the codes of practice for which the Authority is responsible, subject to Parliamentary review through the work of the Legislative Review Committee and the disallowance process.

The Authority aims to have regulatory instruments in place by 30 June 2011.

2. INQUIRY PROCESS

2.1 Overview

The Authority will gather evidence by—

- ◆ holding a public hearing;
- ◆ receiving written submissions; and
- ◆ other research.

Stakeholders can become involved in the inquiry by appearing before the public hearing or making a written submission.

The inquiry is being conducted under the powers set out in sections 13–15 of the *Independent Gambling Authority Act 1995*, which are extracted in Appendix 1. These provisions allow for witnesses to attend and documents to be produced, for evidence to be taken under oath or affirmation, for protection against self-incrimination and for legal representation before the inquiry.

2.2 The public hearing

2.2.1 Overview

The Authority will hold a public hearing on Tuesday 22 February 2011.

The hearing provides an opportunity for the members of the Authority to engage in a public dialogue with stakeholders.

It is not necessary to make a written submission to appear before the public hearing. However, to participate in the hearing stakeholders must—

- ◆ register with the Authority;
- ◆ provide a presentation outline of the topics they intend to cover; and

- ◆ provide any additional presentation materials, such as Microsoft Powerpoint files, before midday on the day preceding the hearing.

These arrangements are subject to change, depending on the nature of responses to the call for participation in the inquiry.

2.2.2 Registration

The Authority encourages all stakeholders who wish to attend the public hearing to register by email beforehand. Registration enables participants to keep up to date with any unanticipated changes to the hearing process.

Stakeholders who wish to make a submission either in person at the February hearing or in writing, are required to register their interest in advance. The preferred method for registration is by email to socialeffect@iga.sa.gov.au.

Stakeholders are urged to register their interest no later than **4.00pm on Thursday 23 December 2010**. This is because the office of the Authority will need to circularise participants about the hearing arrangements during January 2011.

The following information should be provided when registering—

- ◆ name of registrant;
- ◆ organisation (if relevant);
- ◆ an email address; and
- ◆ a contact telephone number.

2.2.3 Presentation outlines

Registered participants who wish to make a presentation at the hearing must provide a one page outline of their major points, in dot point form, and the material upon which they will rely.

If published research or other detailed material is to be relied upon, participants will be asked to provide a citation (and if possible a copy) of that material on or before 31 January 2011.

Advance notice of presentation outlines and of the research material to be relied upon will assist in the orderly conduct of the hearing by enabling the order of presentation to follow logical themes.

The preferred mode of submission of presentation outlines is by email to socialeffect@iga.sa.gov.au by **4.00pm on 31 January 2011**.

2.2.4 Audio visual materials

As with past inquiries, the Authority will be assisted by electronic presentations being finalised and provided to the office of the Authority beforehand.

The preferred mode of submission of Powerpoint presentations is by email to **socialeffect@iga.sa.gov.au** by **12.00 noon** on **21 February 2011**. Other media (DVDs, video tape, etc), should be supplied by mail or by hand.

2.2.5 Venue and times

The venue for the hearing will be the **Adelaide Convention Centre, Riverbank Rooms 1 and 2**.

The hearing is scheduled to commence at 9.30am, and the hearing room will be available for participants and observers from 9.00am. The Authority will take a 45 minute break for lunch at some convenient time after 12.30pm. The Authority expects to conclude the proceeding before 4.00pm.

2.3 Written submissions

Stakeholders may make written submissions to the inquiry instead of appearing before the public hearing.

The Authority requires written submissions to be provided both electronically (email or disk) and on A4 paper (one copy only).

Acceptable electronic formats for submission include Microsoft Word “document” format (*.doc), “rich-text” document format (*.rtf) and Adobe Acrobat portable document format (*.pdf). Please note that files submitted in Microsoft Word Vista format (*.docx) may lose their formatting in translation to document (*.doc) format.

Electronic documents must match the A4 paper version.

One reason for requiring submissions to be provided in an electronic format is that they will be published on the Authority’s website. The format for publication will be Adobe Acrobat format. The Authority will undertake conversion of submissions provided in Word document and rich-text formats.

Written submissions are due by **4.00pm** on **31 January 2011**.

2.4 Information about the inquiry

On 9 December 2010 advertisements appeared in the *Advertiser* and the *Australian*, repeated on 11 December 2010, as part of a call for submissions.

Stakeholders who have previously provided an email address to the Authority as part of earlier inquiries will also be advised by email of the call for submissions.

The Authority will use its website as the principal means of communication with stakeholders over the progress of, and any changes to, the process for this inquiry.

3. ABOUT SUBMISSIONS AND ISSUES IN THE INQUIRY

3.1 Submitter profile

It will assist the conduct of the review greatly to receive, in a uniform format, some minimum basic information about the people making submissions. This will be required, by email, from people who register their interest (see section 2.2.2). Please make sure you are able to respond to email queries during January 2011.

3.2 What submissions might address

3.2.1 Generally and specifically

Submissions might address some or all of the aspects of social effects and the gaming machine licensing guidelines—

- (1) perspectives of the—
 - ◆ local community – represented by, but not limited to, the local council, churches, gambling support services
 - ◆ demographics of the community and social profile
 - ◆ the proximity to other venues and the number of licensed venues and machines in the locality
 - ◆ what support services are available in the area and what is the gambling profile of the area
 - ◆ what level of engagement and impact the venue will have on gambling support services
- (2) unforeseen outcomes consequent to the implementation of the measure, both positive and negative;
- (3) issues arising and suggested resolution;
- (4) improvements, additions, etc.

The Authority draws attention to a research report it commissioned from South Australian Centre for Economic Studies and published as *Social Impacts of Gambling: A comparative study*, available on the Authority's website at <http://www.iga.sa.gov.au/research.html>.

3.2.2 Available research and reports

The Authority wishes to be advised of any reviews, studies or research conducted which might be relevant to the review.

Such material might be integral to a stakeholder's submission and should therefore be included. However, it also might not be, in which case stakeholders are asked to list the material and provide a reference, if known.

3.3 Evidence

The Authority's public hearings are conducted using the Authority's inquiry powers. In an inquiry, evidence may be received under oath or affirmation. As has been the Authority's practice in other inquiry hearings, if evidence is led at the public hearing, the Authority will allow it to be tested by appropriate questioning from affected stakeholders.

In the case of a problem gambler giving evidence about behaviour or conduct, this could include conventional cross examination.

4. SUMMARY

The key elements to this consultation are:

- ◆ participant registration [preferred by email to **socialeffect@iga.sa.gov.au**] by 4.00pm on **23 December 2010**;
- ◆ presentation outlines (or written submissions) submitted [preferably to **socialeffect@iga.sa.gov.au**] by 4.00pm on **31 January 2011**;
- ◆ Powerpoint files and other media for presentations to be provided by **midday** on **21 February 2011**;
- ◆ one-day hearing at 9.30am on **22 February 2011**.

APPENDIX 1

Extracts of sections 13–15 of the Independent Gambling Authority Act

13. Inquiries by Authority

- (1) The Authority—
 - (a) may hold an inquiry whenever it considers it necessary or desirable to do so for the purpose of carrying out its functions; and
 - (b) must, if requested to do so by the Minister, hold an inquiry into any matter relating to—
 - (i) the operations of a licensee under a prescribed Act; or
 - (ii) the operation, administration or enforcement of a prescribed Act.
- (2) On completing an inquiry under this section, the Authority must submit to the Minister a report of the inquiry and the findings of the Authority on the inquiry, and any such report may include recommendations for action to be taken.
- (3) Unless the Authority recommends that the report should remain confidential, the Minister must, within six sitting days of receiving a report under subsection (2), cause a copy of the report to be laid before each House of Parliament.

14. Powers and procedures of Authority on an inquiry or appeal

- (1) For the purposes of proceedings before the Authority (whether under this Act or any other Act), the Authority may—
 - (a) by summons signed on behalf of the Authority by the Secretary of the Authority, require the attendance before the Authority of any person; or
 - (b) by summons signed on behalf of the Authority by the Secretary of the Authority, require the production of any equipment or other item, or any books, papers or documents; or
 - (c) inspect any equipment or other item, or any books, papers or documents produced before it and retain them for such reasonable period as it thinks fit, and, in the case of books, papers or documents, make copies of any of them, or of any of their contents; or
 - (d) require any person to make oath or affirmation that he or she will truly answer all questions put to him or her by the Authority relating to any matter being inquired into or that is before the Authority; or
 - (e) require any person appearing before the Authority to answer any relevant questions put to him or her by any member of the Authority or by any person appearing before the Authority.
- (2) If a person—
 - (a) who has been served with a summons to appear before the Authority, fails without reasonable excuse (proof of which lies on the person) to attend in obedience to the summons; or
 - (b) who has been served with a summons to produce equipment or any other items, or books, papers or documents, fails without reasonable excuse (proof of which lies upon the person) to comply with the summons; or
 - (c) misbehaves before the Authority, wilfully insults the Authority or any member of the Authority or interrupts the proceedings of the Authority; or
 - (d) refuses to be sworn or to affirm or to answer any relevant question when required to do so by the Authority,

Appendix 1: Extracts of sections 13–15 of the Independent
Gambling Authority Act—continued

the person is guilty of an offence.

Maximum penalty: \$10 000 or imprisonment for 6 months.

- (3) A person is not excused from answering a question or from producing books, papers or documents under this section—
- (a) on the ground that the answer to the question or the contents of the books, papers or documents would tend to incriminate the person; or
 - (b) on the ground of legal professional privilege,
- but if the person objects to answering a question on the ground that the answer would tend to incriminate him or her, the answer will not be admissible against him or her in criminal proceedings (except in proceedings for perjury) or, if the person objects to answering a question on the ground of legal professional privilege, the answer will not be admissible in civil or criminal proceedings against the person who would, but for this subsection, have the benefit of the legal professional privilege.
- (4) The Authority may, if requested to do so by a person who has been required to answer a question by the Authority or who has produced books, papers or documents to the Authority, by order prohibit the publication in any newspaper or by radio or television of the name of the person, any answer given by him or her in proceedings before the Authority or the contents of any book, paper or document produced by him or her to the Authority.
- (5) A person who contravenes an order under subsection (4) is guilty of an offence.
- Maximum penalty: \$10 000.
- (6) The Authority may sit at any time and in any place (including a place outside this State) and may adjourn its sittings from time to time and from place to place.
- (7) In the course of any proceedings, the Authority may—
- (a) receive in evidence any transcript of evidence in proceedings before a court or tribunal and draw any conclusions of fact from the transcript that it thinks proper; or
 - (b) adopt, as in its discretion it considers proper, any findings, decision or judgment of a court or tribunal that may be relevant to the matter before the Authority.

15. Representation before Authority

- (1) A person appearing before the Authority may appear—
- (a) personally;
 - (b) by counsel;
 - (c) if a body corporate—by an officer or employee of the body corporate who has obtained leave of the Authority to appear on behalf of the body corporate;
 - (d) if the party is a member of a genuine association formed to promote or protect the interests of a section of the liquor industry or the gaming machine industry or of employees in those industries—by an officer or employee of that association.
- (2) The Commissioner of Police may be represented before the Authority—
- (a) by a member of the police force; or
 - (b) by counsel.

APPENDIX 2

Gaming machine licensing guidelines (2 November 2005)

SOUTH AUSTRALIA

Gaming Machines Act 1992

Section 86A

Gaming machine licensing guidelines

[2 November 2005]

The Independent Gambling Authority issues the following guidelines:

1. Purpose

The purpose of these guidelines is, without limiting the scope of the enquiries or actions which might be taken by the Liquor and Gambling Commissioner, to promote the intent of section 15(5) of the *Gaming Machines Act 1992* that the process of granting gaming machine licences have appropriate regard to the likely social effect the grant of a proposed licence might have on the local community and, in particular, the likely effect of problem gambling within the local community.

2. Application contents

- (1) Prior to completing an application, the applicant should have—
 - (a) consulted with the relevant local government council;
 - (b) consulted with funded gambling rehabilitation providers likely to provide services to the people of the locality of the proposed licensed premises.
- (2) Applications should include—
 - (a) a demographic and social profile of the locality¹ of the proposed licensed premises;

¹ The locality should be matched to existing statistical sources—so as to enable analysis and comparison on a statistical local area, or local government area, basis.

Appendix 2: Gaming machine licensing guidelines (2 November 2005)—continued

- (b) the business plan² for the proposed gaming business, accompanied by an explanation of how the demographic and social profile of the anticipated patron group relates to the profile of the locality;
 - (c) an explanation of the proposed premises design, including any features designed to assist in monitoring for problem gambling behaviour and for barred persons;
 - (d) details of the consultations with local government and gambling rehabilitation providers, including their suggestions and feedback, and how those matters have been taken into account in the application;
 - (e) enforceable undertakings proposed by the applicant to be included as conditions of the licence when granted, relating to venue-based responsible gambling measures to be undertaken by the applicant.
- (3) All applications should be required to be advertised, including by the placement of notices in daily newspapers and on the proposed premises.

3. Determination process

- (1) The Commissioner should take steps to ensure that a full range of opinion of the appropriateness or otherwise of premises licensed for gaming is available in the application and determination process. For that purpose, the Commissioner should give consideration to inviting the participation of the relevant local government council and agencies with skill and expertise in responsible gambling or gambling rehabilitation. This is a matter which would need to be assessed on a case by case basis.
- (2) The Commissioner should give consideration to the imposition of licence conditions to ensure that, if a licence is granted, the licensed gaming business is, and continues to be, conducted in the manner foreshadowed in the application, noting that a change in the manner of operation would then be able to be scrutinised through a process to amend licence conditions.
- (3) The Commissioner should give consideration to the imposition of licence conditions to ensure that, if a licence is granted, any proposed venue-specific harm minimisation measures are, and continue to be, implemented. A change in the harm minimisation program would then be able to be scrutinised through a process to amend licence conditions.

² This would be expected to include projections of gaming revenue over the following 3 years and an indication of where this revenue might come from.

APPENDIX 3

Extracts of the Review 2006 report

Page 8

Following the commencement of the Statutes Amendment (Gambling Regulation) Act, the Minister for Gambling in June 2002 directed the Authority to conduct an inquiry into the management of gaming machine numbers. After extensive consultation, the Authority reported, in December 2003, with a series of recommendations. The government's response to the report was to undertake to introduce a Bill which would enable each of those recommendations to become law. The Bill was introduced into the Parliament in the Spring 2004 session. Following Parliamentary deliberations, the Royal Assent was granted on 9 December 2004 to the *Gaming Machines (Miscellaneous) Amendment Act 2004* (the 2004 Act).

So far as is relevant to this inquiry, the key changes made by the 2004 Act were to amend paragraph (b) of the objects to which the Authority must have regard when exercising discretions, to provide for the Authority to issue guidelines to the Liquor and Gambling Commissioner with respect to taking into account the social impact of the grant of a gaming machine licence, and making procedural changes with respect to any guidelines given by the Authority under the Gaming Machines Act. As a result, from 1 February 2005, the objects to which section 11(2a) of the Independent Gambling Authority Act requires the Authority to have regard when performing statutory functions or exercising statutory powers are:

- (a) the fostering of responsibility in gambling and, in particular, the minimising of harm caused by gambling, recognising the positive and negative impacts of gambling on communities; and
- (b) the maintenance of an economically viable and socially responsible gambling industry (including an economically viable and socially responsible club and hotel gaming machine industry) in this State.

The 2004 Act also amended section 15(5) of the Gaming Machines Act to require the Liquor and Gambling Commissioner to take into account the social impact of the grant of a gaming machine licence and to have regard to guidelines issued by the Authority for that purpose.

The procedures for issuing guidelines under the Gaming Machines Act now mirror the procedure for the alteration of codes of practice. The guidelines instrument is required to be laid before each of the Houses of Parliament, and is subject to disallowance. The 2004 Act also amended Schedule 1 of the Gaming Machines Act adding one additional matter that could be the subject of responsible gambling code of practice.

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Page 51

The Gambling Taskforce commented on the gaming machine licensing guidelines. The Gambling Taskforce was generally supportive of the existing guidelines, and made a number of suggestions for improvement. A definition of "local community" was suggested as being a 5 kilometre radius from the proposed venue or, in rural areas, a 45 minute drive. In addition to applicants for licences being required to consult with local government and gambling rehabilitation providers, it was also suggested that applicants contact the three closest churches to the proposed venue. It was suggested that the contents of applications would be enhanced by the inclusion of a statement explaining the applicant's understanding of problem gambling behaviours and potential impacts, outlining how the venue will prevent underage people from becoming involved in gambling; and where the social profile of the community indicated significant indigenous or culturally and linguistically diverse communities, evidence of further consultation with bodies appropriate to those community interests. The Gambling Taskforce concluded its observations on the guidelines by recommending that the Liquor and Gambling Commissioner be guided in his deliberative process by consultation with the local government association and the South Australian Council of Social Service.

Appendix 3: Extracts of the Review 2006 report—continued

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Page 60

Duty of Care

In the context of the existing gaming machine licensing guidelines, Duty of Care submitted that a licence applicant's business plan should include a comprehensive assessment of potential positive and negative impacts of increased access to gambling opportunities upon the residents identified as the business's targeted patron group.

City of Port Adelaide Enfield

In a short submission, the city of Port Adelaide Enfield addressed one matter concerning venue signage and two matters concerning gaming machine licensing guidelines.

The council agreed that on or in venue signage should be discreet and minimalist, and offered its detailed signage policy as an example of the way in which signage might be controlled. The council supported the notion that local governments should be involved in the gaming machine licensing process, and sought greater specificity about consultation periods and the criteria for consultation.

Wattle Range Council

The issues set out in the Guide for making submissions had been considered by the Social Issues Subcommittee of Wattle Range Council, which offered a number of comments to the inquiry. The committee supported the "Gamble Responsibly" message with a tagline, noting that in the absence of a tagline the message was ambiguous. It was suggested that a standardised sign indicating the presence of a gambling facility would be preferable to the wide variety of signage presently evident, including some which was described as "obtrusive in the extreme". It was suggested that training for venue staff should be undertaken by the local counselling agency, and that this would help foster the necessary links between help services and gaming machine venues. It was also suggested that this would assist in the identification and referral of problem gamblers. Concerning Keno, the Council expressed concern at the manner in which Keno was heavily promoted and the widespread distribution of gaming forms within licensed premises, including the dining rooms of hotels. It was suggested that a model similar to the way SA TAB outlets operate would be preferable. The council argued for either no or restricted availability of automated coin dispensing machines and better separation between gaming areas and cash facilities.

Hon. Nick Xenophon MLC

Hon. Nick Xenophon MLC opened his submission by reiterating his primary position that the total removal of poker machines from South Australia was the most effective way to dramatically reduce the harm caused by gambling. He went on to acknowledge that there exists a legislative framework governing gambling activity and its regulation in South Australia, and that the codes of practice and guidelines form part of that framework.

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Page 63

Mr Xenophon argued that the guidelines should operate so that the Liquor and Gambling Commissioner is obliged to obtain independent expert evidence on the social impacts of an application before forming a view about the grant of a license. He also argues that the guidelines should be structured in such a way that enforceable licence conditions with respect to responsible gambling programs should be incorporated in the grant of any new licence.

LEGAL ISSUES

Mr Xenophon responded to other stakeholders' submissions as to the legal framework within which the Authority operates and the extent of its powers. He did this both when addressing the Authority at the

Appendix 3: Extracts of the Review 2006 report—continued

hearing, and in a subsequently provided written opinion authored by Mr Andrew Tokley of counsel. In summary, those arguments were supportive of the approach presently taken by the Authority to its consultative processes and the scope of the proposed codes of practice measures.

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Page 107

Section 15(5) of the Gaming Machines Act requires the Liquor and Gambling Commissioner to take into consideration, in an application for a licence, any guidelines issued by the Authority in regard to the likely social effect on the relevant local community and, in particular, the likely effect on problem gambling within that local community.

The gaming machine licensing guidelines have yet to be fully tested, due principally to the very small number of new licence applications being made since they were issued and to a suggestion made, in one of the first two applications, that the guidelines as made were incapable of being followed.

Without going into the fine detail of that submission, it was put to the Commissioner that the guidelines should have been confined to setting out broad criteria for social impact rather than, as they do, directing the Commissioner to avenues of investigation for the social impact.

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While there is little material with which to assess the substance of the existing guidelines, the Authority was persuaded by a submission that the Liquor and Gambling Commissioner would be assisted, in deciding whether to approve a particular application for a licence, by having the applicant for a licence articulate his or her understanding of problem gambling behaviours and how those behaviours would be identified and addressed if a licence were to be granted. The Authority is also exploring other regulators' social impact assessment models in detail, and this work may form the basis for further modification to the gaming machine licensing guidelines in the future. A number of essentially procedural insertions to the guidelines were urged upon the Authority—that the Local Government Association, the SA Council for Social Service and nearby churches be consulted, and that particular time periods be allowed for contributions to be made. Not only is it likely that such measures would not be supported by the statutory framework, but they are also not necessary to enable the participation of those stakeholders. There already exist a number of notification requirements for applications for gaming machine licences. It is open to any person aware of a licence application to seek to intervene in the process. Once engaged in the process, it is then open to those stakeholders (subject to them establishing an appropriate interest in the outcome of the application) to request such time as is necessary for them to prepare for the hearing of the merits of the matter. Accordingly, those matters will not be made part of the guidelines at this time..



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