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# Responsible Gambling (Authorised Interstate Betting Operators) Code of Practice

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*Version 001, as in force on 1 June 2009*

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## SOUTH AUSTRALIA

### AUTHORISED BETTING OPERATIONS ACT 2000

# Responsible Gambling (Authorised Interstate Betting Operators) Code of Practice

*[Version 001, as in force on 1 June 2009]*

This code of practice is prescribed under section 6A(1)(b) of the *Authorised Betting Operations Act 2000* as the code for the purposes of section 62C of that Act:

## 1. Purpose

- (1) This code provides a framework through which an authorised interstate betting operator (“**gambling provider**”) can ensure that its general gambling practices are consistent with the South Australian community’s expectations that its authorised business will be conducted in a responsible manner so as to minimise the harm caused by gambling.
- (2) This code applies only to betting operations authorised under section 40A(4) of the *Authorised Betting Operations Act 2000*.

## 2. Responsible gambling documents

A gambling provider must—

- (a) on each of its gambling websites—
  - (i) display prominently a message indicating that its gambling operations are governed by a code of practice; and
  - (ii) ensure that a copy of this code is available on the website; and
- (b) at the time of establishing a gambling account, provide information indicating that its gambling operations are governed by a code of practice; and
- (c) for each of its gambling websites and gambling telephone lines, prepare and keep current a document detailing—
  - (i) the manner in which staff training and measures for intervention with problem gamblers are implemented; and
  - (ii) the roles of staff (described by name or by job title) in the implementation of this code.

## 3. Legislation and regulation

A gambling provider must—

- (a) conduct its business in accordance with all applicable laws and legal requirements; and

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**Clause 4**

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- (b) co-operate with regulatory bodies and government agencies in all matters, including their investigations of compliance with legal obligations.

**4. Gambling operations**

- (1) A gambling provider must ensure the prominent display of a warning message in the form of the condensed warning message at the point of sale page on each of its gambling websites.
- (2) A gambling provider must ensure that a copy of the gambling rules is available for inspection—
  - (a) upon request; and
  - (b) on its website (if it has one).

**5. Customer information**

- (1) A gambling provider must prominently display its responsible gambling materials on its website (if it has one).
  - (2) The gambling provider must—
    - (a) at the time of establishing a gambling account, provide its responsible gambling materials (including a pamphlet) to the account holder; and
    - (b) when providing a statement for a gambling account, include an expanded warning message as part of the statement.
  - (3) For the purposes of sub-clauses (1) and (2), a gambling provider must—
    - (a) publish its responsible gambling materials in a form which includes a helpline message and an expanded warning message, rotated according to the protocol set out in clause 11(2); and
    - (b) make available its responsible gambling materials in the following 5 languages other than english—
      - (i) arabic;
      - (ii) chinese;
      - (iii) greek;
      - (iv) italian;
      - (v) vietnamese—together with any other language which the gambling provider considers appropriate.
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- (4) A gambling provider must take all reasonable steps to ensure that a patron who demonstrates difficulty in controlling his or her personal expenditure on gambling products has his or her attention drawn to the name and telephone number of a widely available gambling help service.
- (5) A gambling provider must reinforce its responsible gambling policy in customer newsletters and other communications.

**6. Alcohol and gambling**

A gambling provider who is operating a gambling telephone line must take all practicable steps to prevent a person who appears to be intoxicated from being allowed to gamble.

**6A. Inducements**

The gambling provider must not offer any inducement to gamble.

**7. Gambling accounts**

- (1) A gambling provider must not provide gambling services to a person by telephone, internet or other electronic means unless the gambling provider has established a gambling account for the person.
- (2) A gambling account established under sub-clause (1) must allow the holder of the account to set gambling limits for the account.

**8. *Not included***

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**9. Self-exclusion facility**

- (1) A gambling provider must facilitate the voluntary exclusion of customers from one or more of its gambling websites or gambling telephone lines for—
  - (a) a fixed period; or
  - (b) an indefinite period.
- (2) A gambling provider must ensure that every approach by a customer about self-exclusion is responded to—
  - (a) while the customer is on the telephone; or
  - (b) in the case of an approach made by the internet—within 24 hours of the approach being made.

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- (3) Self-exclusion must include—
- (a) in the case of a gambling telephone line—provision of a translation service (which may be a telephone interpreter service) during the application process, if requested;
  - (b) provision for immediate referral to, or liaison with, a gambling help service;
  - (c) in the case of indefinite exclusion—provision for the review of self-exclusion notices with customers before notices are rescinded; and
  - (d) removal of excluded people from loyalty mailing databases.
- (4) A gambling provider must ensure, to the extent reasonably possible, that the gambling provider does not provide gambling services to a person who has been excluded.

**10. Staff and training**

- (1) A gambling provider must—
- (a) ensure that all people involved in selling its gambling products receive problem gambling training;
  - (b) provide refresher courses for all staff at least each two years;
  - (c) include responsible gambling information in employee newsletters and magazines; and
  - (d) provide responsible gambling materials in the workplace to remind staff of policies and their responsibilities.
- (2) If a gambling provider is to use an external provider for training, that training provider must be appropriately accredited in a manner acceptable to the Authority.
- (3) Problem gambling training programs must be designed to—
- (a) provide information about the potential effect of gambling on customers;
  - (b) include information on the recognition and identification of problem gambling traits; and
  - (c) ensure that the processes for approach, intervention, referral and follow-up are clear and well understood.

## 11. 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.”;

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

**“gambling help service”** means a gambling help service that is physically located in South Australia;

**“gambling telephone line”** means a telephone line operated by a gambling provider on which persons may gamble;

**“gambling website”** means a website operated by a gambling provider on which persons may gamble;

**“gambling rules”** means the rules applying to a gambling product or type of gambling product;

**“helpline message”** means a message giving the national gambling helpline 1800 858 858;

**“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;

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**“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 rotating the six expanded warning messages over 3 years, the gambling provider must—
- (a) 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 the holder of the major betting operations licence with a view to ensuring, to the greatest extent practicable, that the gambling provider is using the same expanded warning message as the holder of the major betting operations licence.

**12. Operative dates and transitional**

- (1) This code, other than clause 7(2), comes into operation on 1 June 2009.
- (2) Clause 7(2) of this code comes into operation on 1 January 2010.

**13. Dispensations**

The Authority may grant a dispensation to a gambling provider, on such conditions as it sees fit, from a provision of this code if the Authority is satisfied that the conditions of the gambling provider’s prescribed interstate licence are equivalent to the provision in their effect.