



Independent Gambling Authority

**Inquiry concerning advertising and
responsible gambling codes of practice**

Report



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1. INTRODUCTION

Among the statutory functions of the Independent Gambling Authority (“the Authority”) is the approval, and alteration from time to time, of mandatory advertising and responsible gambling codes of practice to apply to all major forms of commercial gambling activity in South Australia.

These Codes of Practice are addressed at the need for harm minimisation in respect of legal gambling activities and, in particular, at the amelioration of problem gambling.

The Authority has now concluded the first stage of an extensive revision of the provisions of the codes of practice. This general review has resulted in the presentation of new uniform codes for tabling in Parliament and adoption by gaming providers. The outcomes of the first stage and the reasons for the Authority’s decisions are set out under heading 4 below.

The Authority will now embark on the second stage of this extensive revision, in which particular reform issues will be considered and resolved. This is dealt with under headings 2.2 and 2.3 below.

2. CONSULTATION AND INQUIRY PROCESSES

2.1 The inquiries for the first stage

As part of its codes of practice consultation program, the Authority has been holding three inquiries under section 13(1)(a) of the *Independent Gambling Authority Act 1995* (“the IGA Act”).

Appendix A sets out the statutory references for the codes of practice and the terms of reference and hearing dates for each of those inquiries.

The Authority has made a determination of the form in which the codes of practice should, for the present time, be expressed. This brings to completion the first stage of implementation of uniform codes of practice to be followed by South Australia’s commercial gambling providers.

The three inquiries have therefore served their purpose. Section 13(2) of the IGA Act requires the Authority, on completion of an inquiry, to submit a report to the Minister which, under section 13(3), must be tabled in Parliament. This report is made for the purposes of those provisions in respect of each of the inquiries.

2.2 The second stage processes

The first stage of deliberation and decision having been completed, the Authority is now commencing a second stage of consultation with respect to particular reform issues.

A further inquiry is now being held to facilitate the further public consultation in this second stage.

This further public consultation has become necessary because the stakeholders (members of both the industry sector and the concern sector) have now appreciated the extent of reforms being contemplated and have made written submissions to the Authority.

The nature and content of these submissions are such that a further public hearing and related consultation is necessary in relation to particular issues.

2.3 Issues for the second stage

2.3.1 Mandatory warnings in advertising

The Authority has decided, in the first stage, that all gambling advertising, across all forms of gambling, should include one mandatory warning, to be reviewed on an annual basis.

Submissions are now invited as to the precise wording of the mandatory warning.

2.3.2 On- and in-venue signage

The Authority has decided that there should be significant limitations on the signage permissible both on the outside of, and within the immediate vicinity of, gambling venues and inside them.

Submissions are now invited as to the extent of those limitations, for each form of gambling.

2.3.3 Mandatory breaks in play

The Authority has decided, in the first stage, that there should be a mandatory break in play of 5 minutes every 2 hours.

Submissions are now invited on how this could be applied across each form of gambling. This will include manual intervention if a machine or system initiated break in play is not technically possible.

2.3.4 Screening of sights and sounds of gambling

The Authority has decided that the sight and sound of gambling activity should not be visible outside the licensed or designated gambling area.

Submissions are now invited on how best to achieve this.

2.3.5 *Six hour break—common closing hours for gaming machine venues*

The Authority now invites submissions on a proposal that gaming machine licensees' mandatory closing hours be between 6.00am and 12.00 midday.

2.3.6 *Inducements and loyalty programs*

The Authority now invites further submissions on a proposal that, in hotel and club gaming venues, no inducement be allowed which is based on the level of gambling activity or where benefits are referable to the recorded gambling activity, whether measured by turnover or otherwise.

2.3.7 *Co-location of gambling activity*

The Authority seeks submissions, with respect to hotel and club gaming venues, on the co-location of other gambling opportunities (SA TAB and State Lotteries) in the licensed gaming areas.

2.3.8 *Relationship with counselling agencies*

The Authority, has decided in principle that gambling establishments should form a relationship with a local counselling agency.

Submissions are sought on how this should be implemented.

2.3.9 *Reporting of potential problem gamblers*

The Authority, has decided in principle that gambling establishments should have an internal policy for the reporting by staff to management of persons who appear to have a gambling problem.

Submissions are sought on how the proposal might be implemented and what its impact would be.

2.3.10 *Keno in newsagencies, pharmacies and similar environments*

The availability of Keno was raised in the consultation document for the Lotteries Codes of Practice inquiry, noting that it is a continuous play game available in places which not only have not traditionally been regulated in the same way as hotels and club gaming areas but also are customarily frequented by children. (The Authority also noted that there is no parallel to the availability of Keno to be found in other Australian jurisdictions.)

In and following the August hearings, the Lotteries Commission advised that it would not be practicable to monitor or loss-limit players' access to Keno through a card-based system and also that there would be revenue consequences of confining Keno to licensed premises.

The Authority remains concerned about the widespread availability of Keno

The Authority seeks submissions on whether Keno should continue to be allowed to be provided in places such as newsagencies, pharmacies and public areas of shopping centres.

2.3.11 Age for sale of gambling products

The Authority seeks submissions on whether lotteries products should continue to be sold by persons under the age of 18 years.

2.3.12 Smoking

The Authority is in principle disposed to the proposition that smoking should not be permitted in places where gambling products are provided.

Submissions are sought on the implications of such an imposition.

3. APPROACH TAKEN

In a report of inquiry held for the purposes of approving initial advertising and responsible gambling codes of practice for the Adelaide Casino (tabled on 3 May 2002), the Authority described its processes, explained why its inquiry power was used for the purposes of public consultations and set out a number of matters, including—

- ◆ how the codes operated to impose licence or operating conditions for the gambling provider;
- ◆ that it was desirable that code provisions be expressed with certainty, and what the implications of this were for the codes;
- ◆ that there were existing mechanisms for enforcement of the codes and penalties not non-compliance;
- ◆ that it would only include in codes matters which were dealt with under other legislation if there were a particular reason for doing so;
- ◆ how the codes would be laid out;
- ◆ that the codes process was an evolving one.

The Authority's position should be regarded as continuing to be consistent with those matters as set out, except to the extent that they are specifically addressed in this report.

4. THE UNIFORM CODES

4.1 Desirability of uniformity

The Authority has adopted a policy that the codes should, to the greatest extent possible, apply uniformly across the various gambling operations regulated under the

prescribed Acts; that is, that the same, or very similar, measures should apply to each form of gambling where this is practicable or possible.

In applying the same or similar measures, the Authority has also sought to use uniform wording. By way of example, a new expression, “gambling provider”, has been adopted because it can refer both to bodies such as Sky City Adelaide and the South Australian Jockey Club which are licensees and to the Lotteries Commission, which is not.

For the purposes of the code provisions coming out of the first stage approval and review process, the Authority has assembled a suite of core provisions which have been varied as required by the needs of the particular gambling operations to which they relate.

The starting point for these core provisions was the set of advertising and responsible gambling codes of practice approved on 3 May 2002 in respect of the Adelaide Casino. The inquiry report tabled that day sets out reasons for decision in respect of the measures adopted in those codes.

The following paragraphs detail reasons for decision in respect of measures which are new or which depart from the position taken by the Authority in May 2002. The Authority is satisfied that these measures are conformable with the purposes and objects which govern the performance of its functions and the exercise of its powers.

Users of the codes may find the reasons informative in interpreting understanding the codes.

4.2 Issues—advertising code

4.2.1 Advertising standards generally

The uniform codes require a gambling provider to ensure that its advertising complies with applicable laws and with any relevant industry codes of practice. While it is not necessary that this provision be included in the uniform codes for there to be an expectation that gambling providers will meet these requirements, the inclusion of the requirement extends the disciplinary jurisdiction in relation to the gambling provider to these issues in addition to the specific matters set out in the codes.

The uniform codes also contain a list of things which advertising will not include or advertisers will not do. These include directing advertising at persons under the age of 18 years, vulnerable and disadvantaged groups (including recovering problem gamblers) and making claims about winning.

The Authority regards these as minimum standards for advertising, and encourages gambling providers to seek to exceed the requirements of the codes, rather than “barely complying” with them.

4.2.2 *Relevance of “skill”*

Clause 3(2)(h), in relevant circumstances, takes note of some gambling activities including an element of skill. In these cases, the requirement is to not exaggerate the extent to which a player’s skill can influence the outcome of an activity.

The Authority is aware that skill can play a role in some casino gambling (blackjack and its derivatives) and in betting (for example, on horse racing) activities.

However, the Authority is concerned that advertising should not in any way encourage people to overestimate the degree to which their own skill can bring them success in gambling.

While recognising that it may be legitimate for gambling providers to advert to a factor of skill in relation to these activities, the Authority expects gambling providers also to recognise that there are significant chance or random elements involved in all gambling activities and that great care must be taken in any advertising which refers to skill.

4.2.3 *Audio samples of gaming machines*

The issue of whether the sounds of gaming machines should be allowed to be used in advertising was raised in the initial consultations for the casino codes of practice and specifically raised as a question in the December 2002 hearing.

The Authority is concerned that the use of such audio samples may constitute an intrusion of gambling influences into domestic and other non-gambling environments.

Accordingly, the Authority is acting to require the use of these audio samples to be discontinued.

4.2.4 *Electronic media—breaks in advertising*

The Authority has revisited the issue of whether there should be a mandatory break in electronic advertising of gambling products, over and above that which subsists by virtue of media industry codes of practice.

In particular, clause 6.12 of the Commercial Television Industry Code of Practice prohibits the advertising of gambling products relating to gambling or betting in the periods 6.00am to 8.30am and 4.30pm to 7.30pm each day. However, there are two significant exclusions. The prohibition does not apply to advertisements broadcast during news, sporting and current affairs programs (which take up significant proportions of that time). The exclusion also does not apply to commercial lottery products.

The Authority believes that there should be a genuine breaks in gambling advertising and that times when many families will be engaging in family activities are appropriate for those breaks. The Authority also regards a commercial lottery as being as much a gambling product as those provided by the casino, gaming machines and SA TAB.

Accordingly, the Authority has acted to require unconditional breaks in electronic advertising of gambling products.

In doing so, the Authority understands that, while this measure may reduce the exposure children have to gambling products, it will not prevent children from becoming aware of gambling products or being exposed to advertising for them.

4.2.5 Disclosure of odds—trade lotteries associated with gambling products

The Authority has engaged in extensive consultation with gambling providers over the requirement to disclose the odds of winning.

It has been pointed out that in certain promotional circumstances it is not possible to accurately disclose the odds of winning particular prizes. The particular example given was where a gambling product was promoted by reference to one particular prize being able to be won each day by a participant in the gambling activity. Because one's chance of winning the prize depended on how many other persons chose to participate, the odds of winning were unpredictable. Accordingly, an exclusion has been written in to the prize advertising requirements.

Despite it not being possible to disclose the odds of winning the promotional prize, the Authority expects that the promotion will be sufficiently transparent for those participating to understand the nature of their participation.

4.3 Issues—responsible gambling code

4.3.1 Venue responsible gambling charter

In imposing a venue responsible gambling charter requirement, the Authority believes that a requirement for each gambling provider to produce a document detailing the manner of implementation of a responsible gambling code of practice will facilitate a better understanding of the issues surrounding problem gambling. It will also provide a useful inspection point for enforcement purposes.

Enforcement activities play an important role in raising gambling providers' awareness of, and response to, problem gambling. Enforcement of the codes will be closely monitored by the Authority.

4.3.2 Warning messages in gambling areas

The Authority has foreshadowed, for the second stage of the codes of practice revision, the development of a single warning message. However, rather than delay the implementation of warning messages in gambling areas and, in particular on gaming machines, the Authority has determined that the Gambling Helpline name and number should be used as an interim measure.

4.3.3 Display of time

Each of the codes of practice now includes a requirement that the time of day be visible to those participating in gambling activities.

4.3.4 One gaming machine to be played at a time

The Authority considers that there can be no “entertainment based” justification for more than one gaming machine being played at a time.

4.3.5 Coin dispensing machines

The Authority has determined that machines which will accept notes and dispense in return coins for use in gaming machines should be removed from gambling areas. This will require persons needing large amounts of coin to either leave the gambling area to obtain coin or to present themselves to a cashier.

The Authority regards this new measure as being a matter which may assist venues in identifying patrons who are at risk and may also assist at risk players to appreciate the nature and scope of their problem.

4.3.6 Multi-lingual information

The Authority has, after extensive discussions with stakeholders confirmed the principle that all gambling providers should be required to provide responsible gambling information in languages other than English.

The wording of the requirement is such that, should a gambling provider believe that languages other than those listed in the code are appropriate, those languages should also be included.

4.3.7 Alcohol and gambling

The Authority is particularly concerned that the disinhibiting influence of alcohol may impair gamblers’ ability to exercise judgement about their gambling activity. It is however beyond the scope of the powers of the Authority to review or alter the present statutory arrangements which provide for gambling to occur in licensed premises. This is a matter already determined by the Parliament.

Accordingly, the Authority has refined the existing code requirements with respect to alcohol.

In particular, there is now a specific prohibition on serving alcohol to persons who are actually gambling. The most immediate examples are of persons standing or sitting at casino tables, or at gaming machines in the casino, hotels or clubs.

While the provision clearly calls for particular responsibility on the part of those who provide gambling in the casino, hotel or club environment, the provisions do also apply to points of sale of gambling product where alcohol is not provided. The Authority accepts that gambling providers intend to be responsible in their approach to this issue.

4.3.8 Children and gambling venues

The Authority accepts that there are many places of entertainment for families where one of the forms of entertainment provided is gambling.

However, this gives rise to the prospect that harm may be caused to children when they attend such places with their parents.

It clearly should be part of the responsibility of the providers of gambling services to ensure that children are not exposed to gambling and are not left unattended, when they are with their parents in a gambling venue.

The codes impose these obligations by requiring that children not be left unattended, that checks be made for unattended children (particularly in car parks) and that children's entertainment areas, if provided, not be adjacent to gambling areas.

4.3.9 Cheques

It is an existing requirement of the Gaming Machines Codes of Practice that the licensee will not cash cheques in a gambling area. The Authority believes that this is a measure that should be extended to all providers of gambling services.

The Authority is aware that casinos often allow patrons to "buy in" by way of cheque, but is confident that a procedure for allowing "buy in" by cheque can be formulated which would not place the licensee of the Adelaide Casino in breach of this provision.

The Authority is also mindful that persons who have had a significant win should be able to require it to be paid by way of cheque. The existing code provision for a gambling provider to have 24 hours in which to provide the cheque has been retained.

4.3.10 Self exclusion arrangements

Each of the Authorised Betting Operations Act, Casino Act and Gaming Machines Act provides for the gambling provider to bar or exclude patrons who present as being at risk.

The responsible gambling code of practice seeks to complement these provisions with guidance as to the manner in which exclusion will be made available to persons with problems.

Noting the nature of the SA Lotteries distribution network and that there is no provision for exclusion in the State Lotteries Act, the Authority has not imposed self-exclusion code of practice requirements upon the Lotteries Commission. However, clause 9 of the code for the Commission will require the gambling provider to ensure that a facility is provided for the removal of persons' details from loyalty databases.

4.3.11 Training

Training requirements are imposed by clause 10 of the uniform responsible gambling codes. The matters required of the different gambling providers have been tailored to address the particular nature of the gambling product provided and the network through which the product is distributed.

The Authority is aware that there is significant distribution of SA TAB and State Lotteries gambling product in hotel and clubs which are also licensed for gaming

machines. The Authority anticipates that staff working in these places would receive common responsible gambling training.

4.3.12 Transitional arrangements

While the codes have been framed to impose obligations on the gambling provider, the Authority is aware that the principle method of retail distribution of SA Lotteries and SA TAB product is through agency networks.

4.4 Application to agents

Each of the advertising and responsible gambling codes applying to these gambling providers requires the principle provider to ensure that the provisions of the code are applied as though they bound the agents directly.

The Authority looks to SA TAB and the Lotteries Commission to ensure strict compliance with the measures set out in the codes in respect of matters initiated by or the responsibility of their agents.

5. CONCLUSION

The Authority has—

- ◆ settled for final approval an advertising code of practice and a responsible gambling code of practice for the respective purposes of section 13B and section 13C of the *State Lotteries Act 1966* (Appendix B);
- ◆ settled for final approval, in respect of the holder of the major betting operations licence (SA TAB Pty Ltd) and each licensed racing club, advertising codes of practice and responsible gambling codes of practice for the respective purposes of section 48 and section 49 of the *Authorised Betting Operations Act 2000* (Appendix C and Appendix D);
- ◆ given notice, according to the requirements of section 41C of the *Casino Act 1997*, of alterations to the advertising and responsible gambling codes of practice approved for the respective purposes of section 41A and section 41B on 3 May 2002, to bring those codes into line with the uniform codes of practice (code provisions are set out in Appendix E).
- ◆ given notice, according to the requirements of section 74A of the *Gaming Machines Act 1992*, of alterations to the advertising and responsible gambling codes of practice which gaming machine licensees were taken to have adopted on 1 October 2001, to bring those codes into line with the uniform codes of practice (code provisions are set out in Appendix F).

For and on behalf of the Authority

Stephen Howells

PRESIDING MEMBER

Adelaide, 30 May 2003

APPENDIX A

Statutory references for the codes of practice Terms of reference and hearing dates for each of the inquiries

STATUTORY REFERENCE—GAMING MACHINES

Gaming Machines Act 1992: section 27(1) imposes as statutory conditions on a gaming machine licence those provisions set out in Schedule 1 to that Act; of those , licence condition (*na*) requires that a licensee adopt and conform to an advertising code of practice approved by the Authority, licence condition (*nb*) applies similarly with respect to a responsible gambling code of practice and licence condition (*nc*) requires that the licensee adopt any alterations duly made by the Authority; section 74A provides for review and alteration of those codes by the Authority; section 74B requires the tabling in Parliament of code alterations, and makes them disallowable as though they were regulations.

Section 29 of the *Statutes Amendment (Gambling Regulation) Act 2001* (by which Act licence conditions (*na*), (*nb*) and (*nc*) and new sections 74A and 74B were inserted) provided for transitional codes of practice which licensees would be taken to have adopted on 1 October 2001. The transitional codes were set out in a notice published in the South Australian Government Gazette of 27 September 2001, at pages 4299–4301.

STATUTORY REFERENCE—CASINO

Casino Act 1997: section 41A makes it a condition of the casino licence that the licensee adopt and conform to an advertising code of practice approved by the Authority; section 41B imposes a similar condition with respect to a responsible gambling code of practice approved by the Authority; section 41C provides for review and alteration of those codes by the Authority; section 41D requires the tabling in Parliament of codes and code alterations, and makes them disallowable as though they were regulations.

Advertising and responsible gambling codes of practice were approved by the Authority on 3 May 2002 and tabled on 16 May 2002, and came into operation on 1 June 2002.

Appendix A continued

STATUTORY REFERENCE—SA TAB AND LICENSED RACING CLUBS

Authorised Betting Operations Act 2000: Section 48 makes it a condition of the major betting operations licence (the licence held by SA TAB Pty Ltd) and every on-course totalisator betting licence (the licences held by racing clubs) that the licensee adopt and conform to an advertising code of practice approved by the Authority; section 49 imposes a similar condition with respect to a responsible gambling code of practice approved by the Authority; sections 51(aa1) and 51(a1) provide for review and alteration of those codes by the Authority; section 51A requires the tabling in Parliament of codes and code alterations, and makes them disallowable as though they were regulations.

The Authorised Betting Operations Act received Royal Assent on 21 December 2000 but was not proclaimed into operation immediately. The *Statutes Amendment (Gambling Regulation) Act 2001* made amendments to section 49 and inserted sections 51(aa1), 51(a1) and 51A. While most provisions of the Authorised Betting Operations Act were operative from 14 December 2001, sections 48, 49, 51(aa1), 51(a1) and 51A remain suspended pending completion of initial approvals of codes of practice.

STATUTORY REFERENCE—STATE LOTTERIES

State Lotteries Act 1966: section 13B requires the Lotteries Commission to adopt and conform to an advertising code of practice approved by the Authority; section 13C imposes a similar requirement with respect to a responsible gambling code of practice approved by the Authority; section 13D provides for review and alteration of those codes by the Authority; section 13E requires the tabling in Parliament of codes and code alterations, and makes them disallowable as though they were regulations.

These provisions are operative from 31 May 2003.

TERMS OF REFERENCE AND HEARING DATES

Lotteries

By advertisement appearing in *The Advertiser* on 29 June 2002 submissions were called for an inquiry.

In the information document prepared for the inquiry its purpose was stated as being—

- ◆ To identify and examine a broad range of issues which relate to the advertising and responsible gambling codes to apply under the State Lotteries Act;

Appendix A continued

- ◆ To provide an opportunity for stakeholders to comment on whether, and the extent to which, the codes for lotteries should depart from the codes of practice approved in May 2002 under the *Casino Act 1997*;
- ◆ To receive, in public, submissions or explanations from members of the public, including groups with a special interest in the minimisation of harm associated with gaming or in responsible gambling;
- ◆ To allow the Lotteries Commission an opportunity to respond, in public, to the public submissions;
- ◆ To test the claims made in public explanations or public submissions—
with a view to subsequently approving the codes of practice for the purposes of sections 13B and 13C of the *State Lotteries Act 1966*.

The information document set out a number of issues on which stakeholders might wish to comment, and invited written submissions by 18 July 2002.

Written submissions were made by the following organisations and individuals: Adelaide Central Mission, Licensed Clubs Association of South Australia Inc, Lotteries Commission of South Australia, Newsagents Association of South Australia, South Australian Heads of Christian Churches Gambling Task Force, Hon. Nick Xenophon MLC.

The information document and the written submissions have been posted on the Authority's website.

A hearing was held on 11 August 2002, at which the written submissions were formally received and presentations were made by—

- ◆ Ms June Roache, Chief Executive Officer, Lotteries Commission of South Australia;
- ◆ Hon. Nick Xenophon, MLC;
- ◆ Dr Mark McCarthy, Spokesperson for the South Australian Heads of Churches Gambling Taskforce;
- ◆ Mr Mark Henley, Spokesperson for the Adelaide Central Mission;
- ◆ Mr Michael Keenan, General Manager, Licensed Clubs Association of South Australia Inc;
- ◆ Mr Christopher Rankin, Executive Officer, Newsagents Association of South Australia;
- ◆ Mrs Rosalind Phillips, Research Officer for the Festival of Light.

SA TAB and licensed racing clubs

By advertisement appearing in *The Advertiser* on 29 June 2002 submissions were called for an inquiry.

Appendix A continued

In the information document prepared for the inquiry its purpose was stated as being—

- ◆ To identify and examine a broad range of issues which relate to the advertising and responsible gambling codes to apply under the Betting Operations Act;
- ◆ To provide an opportunity for stakeholders to comment on whether, and the extent to which, the code for wagering should depart from the codes of practice approved in May 2002 under the *Casino Act 1997*;
- ◆ To receive, in public, submissions or explanations from members of the public, including groups with a special interest in the minimisation of harm associated with gaming or in responsible gambling;
- ◆ To allow the SA TAB Pty Ltd and the licensed racing clubs an opportunity to respond, in public, to the public submissions;
- ◆ To test the claims made in public explanations or public submissions—
with a view to subsequently approving the codes of practice for the purposes of sections 48 and 49 of the *Authorised Betting Operations Act 2000*.

The information document set out a number of issues on which stakeholders might wish to comment, and invited written submissions by 18 July 2002.

Written submissions were made by the following organisations and individuals: Adelaide Central Mission, Licensed Clubs Association of South Australia Inc, SA TAB Pty Ltd, South Australian Bookmakers League Inc, South Australian Heads of Christian Churches Gambling Task Force, Thoroughbred Racing SA Limited for and on behalf of licensed racing clubs, Hon. Nick Xenophon MLC.

The information document and the written submissions have been posted on the Authority's website.

A hearing was held on 28 August 2002, at which written submissions were formally received and presentations were made by—

- ◆ Mr Bruce Houston, General Manager, SA TAB Pty Ltd;
- ◆ Mr Kevin Martin, Spokesperson appointed by Thoroughbred Racing SA Limited for and on behalf of licensed racing clubs;
- ◆ Mr John McBain, Executive Officer, South Australian Bookmakers League Inc;
- ◆ Dr Mark McCarthy, Spokesperson for the South Australian Heads of Churches Gambling Taskforce;
- ◆ Mr Mark Henley, Spokesperson for the Adelaide Central Mission.

In addition, an apology was noted from Hon. Nick Xenophon MLC.

Gambling industries

By advertisement appearing in *The Advertiser* on 9 November 2002 submissions were called for an inquiry.

In the information document prepared for the inquiry its purpose was stated as being—

- ◆ To identify and examine a broad range of issues which relate to the advertising and responsible gambling codes of practice to apply under the *Gaming Machines Act 1992*;
- ◆ To examine a number of specific issues of general application to all gambling industries identified in the consultation process under the *Authorised Betting Operations Act 2000*, the *Casino Act 1997*, and the *State Lotteries Act 1966*;
- ◆ To receive, in public, submissions or explanations to more issues from members of the public, including groups with a special interest in the minimisation of harm associated with gambling or in responsible gambling;
- ◆ To allow licensees an opportunity to respond, in public, to the public submissions;
- ◆ To test the claims made in public explanations or public submissions—
with a view to amending or replacing the codes of practice presently in place.

The information document set out 43 questions which stakeholders could address and called for written submissions by 26 November 2002.

Written submissions were made by the following organisations and individuals: Adelaide Central Mission, Australian Hotels Association (SA), ALH Group Pty Ltd, Australian Medical Association (SA Branch), Anglicare Break Even Gamblers Rehabilitation Service, Mr Phil Cheney, Festival of Light, Licensed Clubs Association of South Australia Inc, Relationships Australia (SA) Inc, Sky City Adelaide Pty Ltd, South Australian Heads of Christian Churches Gambling Taskforce, Thoroughbred Racing SA Limited, Worldsmart Technology Pty Ltd, A Barred Person (anonymous) and A Problem Gambler (anonymous).

The information document and written submissions have been posted on the Authority's website.

A hearing was held on 11 December 2002, at which the written submissions were formally received and presentations were made by—

- ◆ Mr John Lewis, General Manager, Australian Hotels Association (SA Branch);
- ◆ Mr Michael Keenan, General Manager, Licensed Clubs Association of South Australia;
- ◆ Mr Steve Laidlaw and Mr James Bews-Hair, respectively General Manager, Finance and Administration Sky City Adelaide Pty Ltd and Manager, Government Relations, Sky City Entertainment Group Limited;

Appendix A continued

- ◆ Mr Wally Woelherth, General Manager, Worldsmart Technology Pty Ltd;
- ◆ Mr Mark Henley and Mr Vin Glenn, Spokespersons for the Adelaide Central Mission;
- ◆ Dr David Phillips, Mrs Rosalind Phillips and Mr David D’Lima, respectively Chairman, Research Officer and Field Officer for the Festival of Light;
- ◆ Ms Janet Firth, Manager, Anglicare Break Even Gamblers Rehabilitation Service;
- ◆ Ms Helen Carrig and Ms Belle Cheney, Counsellors, Relationships Australia (SA) Break Even Gamblers Rehabilitation Service;
- ◆ Dr Mark McCarthy and Mr Michael McCabe, Spokespersons for the South Australian Heads of Churches Gambling Taskforce;
- ◆ Mr Kevin Martin, Spokesperson appointed by Thoroughbred Racing SA Limited for and on behalf of licensed racing clubs.

At the close of the hearing, all stakeholders were invited to make supplementary submissions by 31 March 2003. Supplementary submissions were made by: Adelaide Central Mission, Australian Gaming Machine Manufacturers Association, Australian Hotels Association (SA Branch), ALH Group Pty Ltd, Sky City Adelaide Pty Ltd, South Australian Heads of Christian Churches Gambling Taskforce and Worldsmart Technology Pty Ltd

APPENDIX B

**State Lotteries
Codes of Practice settled for final approval**

SOUTH AUSTRALIA

**State Lotteries Advertising Code of
Practice**

Approved Version No. 1, as at 30 May 2003

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SOUTH AUSTRALIA

STATE LOTTERIES ACT 1966

State Lotteries Advertising Code of Practice

[Approved Version No. 1]

The Independent Gambling Authority approves the following code for the purposes of section 13B of the *State Lotteries Act 1966*:

1. Purpose

This code provides a framework through which the Lotteries Commission of South Australia (“**gambling provider**”) can ensure that its advertising activities are consistent with the community’s expectations that the SA Lotteries business will be conducted in a responsible manner so as to minimise the harm caused by gambling.

2. General principle

The gambling provider will 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 will 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—
 - (a) is not directed at minors;
 - (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 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 state or imply that gambling is a means to pay for household staples, education, rent, or to meet mortgage commitments;
- (g) 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;
- (h) does not state or imply that a player's skill can influence the outcome of a gambling activity;
- (i) does not associate gambling with excessive alcohol consumption; and
- (j) does not exaggerate the connection between the gambling activity and the use to which the gambling provider's profits may be put.

4. Electronic media—time periods

The gambling provider will, when it advertises on radio or television, confine its advertising to the following periods—

- (a) from Monday to Friday, between—
 - (i) midnight and 6.00am;
 - (ii) 8.30am and 4.00pm;
 - (iii) 7.30pm and midnight;
- (b) on Saturdays and Sundays, between—
 - (i) midnight and 6.00am;
 - (ii) 7.30pm and midnight.

5. Prize advertising—specific obligations

- (1) If, when it advertises, the gambling provider refers to, or relies on, the value or nature of a prize (whether or not the prize is a prize of money) or the frequency with which the prize is won, the advertising—
 - (a) will include sufficient information to allow a reasonably informed person to understand the overall return to player or odds of winning; and
 - (b) in addition, if the advertising is intended to encourage a person to gamble during a particular period, will 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 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—
- “**plug**” means an announcement on radio or television which includes information about the gambling provider’s gambling products or which associates the name of the gambling provider or one of its products with a particular program or period of programming;
- “**television**” means—
- (a) free-to-air broadcast television; and
 - (b) any other form of television, including television provided by cable or by satellite and whether or not a person has paid or incurs a cost to receive that television.
- (2) For the purposes of this code, the gambling provider will be regarded as advertising—
- (a) if a provider of radio or television services runs a plug in circumstances in which a reasonable person would conclude that the gambling provider was able to influence the timing of the plug;
 - (b) if a provider of radio or television or a publisher includes content over which, in the circumstances, a reasonable person would conclude the gambling provider was able to exercise influence.

(3) For the purposes of this code, advertising will be regarded as making claims related to winning or the prizes that can be won which the gambling provider will not undertake by reason of clause 3(2)(g) if it contains one or more of the following expressions—

(a) “Win”;

(b) “\$”—

or anything analogous to or derivative of those expressions.

7. Operative dates and transitional

This code comes into operation on 1 September 2003.

8. Application to agents

In respect of the provision of the gambling provider’s gambling products by or through 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.

Approved
Version

SOUTH AUSTRALIA

**State Lotteries Responsible
Gambling Code of Practice**

Approved Version No. 1, as at 30 May 2003

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SOUTH AUSTRALIA

STATE LOTTERIES ACT 1966

State Lotteries Responsible Gambling Code of Practice
[Approved Version No. 1]

The Independent Gambling Authority approves the following code for the purposes of section 13C of the *State Lotteries Act 1966*:

1. Purpose

This code provides a framework through which the Lotteries Commission of South Australia (“**gambling provider**”) can ensure that its general gambling practices are consistent with the community’s expectations that the SA Lotteries business will be operated in a responsible manner so as to minimise the harm caused by gambling.

2. Venue responsible gambling charter

The gambling provider will, for each gambling area, prepare and keep current a document detailing—

- (a) the manner in which each provision of this code will be implemented; and
- (b) the roles of staff (described by name or by job title) in the implementation of this code.

3. Legislation and regulation

The gambling provider will—

- (a) conduct its business in accordance with all applicable laws and legal requirements; and
- (b) co-operate with regulatory bodies and government agencies in all matters, including their investigations of compliance with legal obligations.

4. Gambling areas

- (1) The gambling provider will ensure the display of a helpline sticker on or near each point of sale terminal.
- (2) The gambling provider will ensure that the time of day is prominently displayed throughout gambling areas.
- (3) The gambling provider will ensure that a copy of the gambling rules is available to customers in each gambling area.

5. Customer information and signage

- (1) The gambling provider will—
- (a) prominently display responsible gambling materials (including, but not limited to, posters, pamphlets, wallet cards, and stickers) in gambling areas; and
 - (b) translate its responsible gambling posters and pamphlets into, and make them available 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.
- (2) The gambling provider will—
- (a) ensure the display of a helpline sticker on or near each ATM;
 - (b) ensure that a quantity of helpline cards is available at each point of sale terminal, on or near each ATM and at other places throughout gambling areas.
- (3) The gambling provider will ensure that a patron who demonstrates difficulty in controlling his or her personal expenditure has his or her attention drawn to the name and telephone number of a widely available gambling referral service.
- (4) The gambling provider will—
- (a) from time to time file with the Authority; and
 - (b) to the greatest extent practicable, publish on its website (if it has one) a representation of—
- the responsible gambling materials referred to in sub-clause (1).
- (5) The gambling provider will reinforce its responsible gambling policy in appropriate customer newsletters and other communications.

6. Alcohol and gambling

- (1) The gambling provider will take all practicable steps—
 - (a) to prevent a person who appears to be intoxicated from being allowed to gamble;
 - (b) to prevent the entry of intoxicated persons into gambling areas, or them remaining there; and
 - (c) to ensure that alcohol is not supplied to reward continued gambling.
- (2) The gambling provider will ensure that a person is not served alcohol while engaging in a gambling activity.

7. Children

- (1) The gambling provider will take active steps to prevent parents, guardians and care givers leaving their children without supervision by an adult or supervision provided by the gambling provider.
- (2) If the gambling provider provides a facility for the entertainment of children, that facility will not be immediately accessible from a gambling area.
- (3) The steps referred to in sub-clause (1) will include, but not be limited to, ensuring that staff patrol car parking areas.
- (4) The gambling provider will require of its employees that an employee who suspects that a child has been left unattended by a parent, guardian or care giver—
 - (a) immediately draws the matter to the attention of a manager (for the initiation of action under sub-clause (5)); and
 - (b) makes an incident report in relation to the matter.
- (5) When it is suspected that a child has been left unattended, staff will intervene to—
 - (a) take all practicable steps to locate an adult responsible for the child; and
 - (b) if unsuccessful, contact the Police.

8. Cheques

- (1) The gambling provider will not cash cheques in a gambling area unless the Authority has given an exemption from this prohibition to the gambling provider in respect of the gambling area, by notice in writing

stating the reason for the exemption (such as the location of the premises containing the gambling area).

- (2) The gambling provider will, if requested to provide a cheque in respect of a prize or winnings in aggregate of \$1 000 or more, provide the cheque within the 24 hours after the patron makes the claim.

9. Database removal facility

The gambling provider will ensure that, at each point of sale, a facility is provided for the removal, at a person's request, of his or her details from loyalty databases.

10. Staff and training

- (1) The gambling provider will—

(a) ensure that all people selling its gambling products at an office or agency receive problem gambling training, through—

(i) at least one person usually working at that place receiving training which includes a “train the trainer” module, provided—

(A) if the place is an agency conducted by an agent who had been appointed prior to the commencement of this clause, through on-site training provided by the Lotteries Commission; and

(B) if the place is an office or an agency conducted by an agent appointed on or after the commencement of this clause, through off-site training provided either by the Lotteries Commission or another person;

(ii) other staff receiving training provided on site; and

(b) provide refresher courses for all staff at least each two years;

(c) include responsible gambling information in employee newsletters and magazines; and

(d) display responsible gambling material in back of house areas to remind staff of policies and their responsibilities.

- (2) Problem gambling training programs will be designed to—

(a) provide information about the potential effect of gambling on customers; and

(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.
- (3) Problem gambling training programs will be regularly reviewed and revised.
- (4) The gambling provider will—
 - (a) arrange for its training programs to be audited annually for compliance with the requirements of this code; and
 - (b) provide a report of the outcome of each audit to the Authority within 28 days after completion.
- (5) The gambling provider will take reasonable steps to ensure that staff with a potential or actual gambling problem are identified and referred for treatment.

11. Definitions and interpretation

- (1) In this code—
 - “**ATM**” includes—
 - (a) an automatic teller machine in or near premises containing a gambling area;
 - (b) an electronic funds transfer device in or near premises containing a gambling area—
over which the gambling provider could reasonably be expected to exercise control;
 - “**gambling area**” means means a public area of an office or agency in which provision is made for people to prepare to enter or participate in lotteries, to enter or participate in lotteries and to await the outcome of their entry or participation in lotteries;
 - “**gambling rules**” means the rules from time to time in force under section 18 of the *State Lotteries Act 1966*;
 - “**helpline card**” means a card of approximately 9 cm by 5 cm giving the name and telephone number of a widely available gambling referral service, identified by its usual name;
 - “**helpline sticker**” means a sticker giving the name and telephone number of a widely available gambling referral service, identified by its usual name.

- (2) For the purposes of this code, a requirement to make an incident report in relation to a matter includes—
- (a) the making by an employee of the gambling provider, as soon as practicable, of a written record of the matter (in the form, if any, approved by the Authority for the purposes of this code); and
 - (b) the matter being drawn to the attention of, and acknowledged in writing by, a manager within the 24 hours following the making of the written record.

12. Operative dates and transitional

- (1) This code comes into operation on 1 September 2003.
- (2) For the purposes of clause 10—
- (a) the gambling provider will be taken to be in compliance with the clause within the first 12 months after its commencement if, by the end of that period, 75% of all people at that time involved in selling its gambling products have received problem gambling training; and
 - (b) a person will be deemed to have received problem gambling training if the person has received responsible gambling training (however described) in connection with employment in a hotel or club in respect of which a gaming machine licence is in force under the *Gaming Machines Act 1992*.

13. Application to agents

In respect of the provision of the gambling provider's gambling products 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.

APPENDIX C

SA TAB
Codes of Practice settled for final approval

SOUTH AUSTRALIA

**SA TAB Advertising Code of
Practice**

Approved Version No. 1, as at 30 May 2003

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SOUTH AUSTRALIA

AUTHORISED BETTING OPERATIONS ACT 2000

SA TAB Advertising Code of Practice

[Approved Version No. 1]

The Independent Gambling Authority approves the following code for the purposes of section 48 of the *Authorised Betting Operations Act 2000*:

1. Purpose

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

2. General principle

The gambling provider will 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 will 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—
 - (a) is not directed at minors;
 - (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 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 state or imply that gambling is a means to pay for household staples, education, rent, or to meet mortgage commitments;
- (g) 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;
- (h) does not exaggerate the extent to which a player's skill can influence the outcome of a gambling activity;
- (i) does not associate gambling with excessive alcohol consumption; and
- (j) does not exaggerate the connection between the gambling activity and the use to which the gambling provider's profits may be put.

4. Electronic media—time periods

The gambling provider will, when it advertises on radio or television, confine its advertising to the following periods—

- (a) from Monday to Friday, between—
 - (i) midnight and 6.00am;
 - (ii) 8.30am and 4.00pm;
 - (iii) 7.30pm and midnight;
- (b) on Saturdays and Sundays, between—
 - (i) midnight and 6.00am;
 - (ii) 7.30pm and midnight.

5. Prize advertising—specific obligations

- (1) If, when it advertises, the gambling provider refers to, or relies on, the value or nature of a prize (whether or not the prize is a prize of money) or the frequency with which the prize is won, the advertising—
 - (a) will include sufficient information to allow a reasonably informed person to understand the overall return to player or odds of winning; and
 - (b) in addition, if the advertising is intended to encourage a person to gamble during a particular period, will 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 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—
- “**plug**” means an announcement on radio or television which includes information about the gambling provider’s gambling products or which associates the name of the gambling provider or one of its products with a particular program or period of programming;
- “**television**” means—
- (a) free-to-air broadcast television; and
 - (b) any other form of television, including television provided by cable or by satellite and whether or not a person has paid or incurs a cost to receive that television.
- (2) For the purposes of this code, the gambling provider will be regarded as advertising—
- (a) if a provider of radio or television services runs a plug in circumstances in which a reasonable person would conclude that the gambling provider was able to influence the timing of the plug;
 - (b) if a provider of radio or television or a publisher includes content over which, in the circumstances, a reasonable person would conclude the gambling provider was able to exercise influence.

(3) For the purposes of this code, advertising will be regarded as making claims related to winning or the prizes that can be won which the gambling provider will not undertake by reason of clause 3(2)(g) if it contains one or more of the following expressions—

(a) “Win”;

(b) “\$”—

or anything analogous to or derivative of those expressions.

7. Operative dates and transitional

This code comes into operation on 1 September 2003.

8. Application to agents

In respect of the provision of the gambling provider’s gambling products by or through 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.

Approved
Version

SOUTH AUSTRALIA

**SA TAB Responsible Gambling
Code of Practice**

Approved Version No. 1, as at 30 May 2003

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SOUTH AUSTRALIA

AUTHORISED BETTING OPERATIONS ACT 2000

SA TAB Responsible Gambling Code of Practice

[Approved Version No. 1]

The Independent Gambling Authority approves the following code for the purposes of section 49 of the *Authorised Betting Operations Act 2000*:

1. Purpose

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

2. Venue responsible gambling charter

The gambling provider will, for each gambling area, prepare and keep current a document detailing—

- (a) the manner in which each provision of this code will be implemented; and
- (b) the roles of staff (described by name or by job title) in the implementation of this code.

3. Legislation and regulation

The gambling provider will—

- (a) conduct its business in accordance with all applicable laws and legal requirements; and
- (b) co-operate with regulatory bodies and government agencies in all matters, including their investigations of compliance with legal obligations.

4. Gambling areas

- (1) The gambling provider will ensure the display of a helpline sticker on or near each point of sale terminal.
- (2) The gambling provider will ensure that the time of day is prominently displayed throughout gambling areas.
- (3) The gambling provider will ensure that a copy of the gambling rules is available to customers in each gambling area.

5. Customer information and signage

- (1) The gambling provider will—
 - (a) prominently display responsible gambling materials (including, but not limited to, posters, pamphlets, wallet cards, and stickers) in gambling areas; and
 - (b) translate its responsible gambling posters and pamphlets into, and make them available 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.
 - (2) The gambling provider will—
 - (a) ensure the display of a helpline sticker on or near each ATM;
 - (b) ensure that a quantity of helpline cards is available at each point of sale terminal, on or near each ATM and at other places throughout gambling areas.
 - (3) The gambling provider will ensure that a patron who demonstrates difficulty in controlling his or her personal expenditure has his or her attention drawn to the name and telephone number of a widely available gambling referral service.
 - (4) The gambling provider will—
 - (a) from time to time file with the Authority; and
 - (b) to the greatest extent practicable, publish on its website (if it has one) a representation of—the responsible gambling materials referred to in sub-clause (1).
 - (5) The gambling provider will reinforce its responsible gambling policy in appropriate customer newsletters and other communications.
-

6. Alcohol and gambling

- (1) The gambling provider will take all practicable steps—
 - (a) to prevent a person who appears to be intoxicated from being allowed to gamble; and
 - (b) to prevent the entry of intoxicated persons into gambling areas, or them remaining there; and
 - (c) to ensure that alcohol is not supplied to reward continued gambling.
- (2) The gambling provider will ensure that a person is not served alcohol while engaging in a gambling activity.

7. Children

- (1) The gambling provider will take active steps to prevent parents, guardians and care givers leaving their children without supervision by an adult or supervision provided by the gambling provider.
- (2) If the gambling provider provides a facility for the entertainment of children, that facility will not be immediately accessible from a gambling area.
- (3) The steps referred to in sub-clause (1) will include, but not be limited to, ensuring that staff patrol car parking areas.
- (4) The gambling provider will require of its employees that an employee who suspects that a child has been left unattended by a parent, guardian or care giver—
 - (a) immediately draws the matter to the attention of a manager (for the initiation of action under sub-clause (5)); and
 - (b) makes an incident report in relation to the matter.
- (5) When it is suspected that a child has been left unattended, staff will intervene to—
 - (a) take all practicable steps to locate an adult responsible for the child; and
 - (b) if unsuccessful, contact the Police.

8. Cheques

- (1) The gambling provider will not cash cheques in a gambling area unless the Authority has given an exemption from this prohibition to the gambling provider in respect of the gambling area, by notice in writing

stating the reason for the exemption (such as the location of the premises containing the gambling area).

- (2) The gambling provider will, if requested to provide a cheque in respect of a prize or winnings in aggregate of \$1 000 or more, provide the cheque within the 24 hours after the patron makes the claim.

9. Self-exclusion facility

- (1) The gambling provider will establish a facility for the indefinite voluntary exclusion of customers from gambling areas.
- (2) The gambling provider will ensure that every approach by a customer about the self-exclusion facility is responded to while the customer is on premises or on the telephone.
- (3) The self exclusion facility will include—
 - (a) 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 counselling agency;
 - (c) provision for the review of self exclusion notices with customers before notices are rescinded;
 - (d) removal of self excluded persons from loyalty mailing databases.
- (4) The gambling provider will ensure, to the extent reasonably possible, that self excluded customers are not allowed to enter, or remain in, gambling areas from which they have been excluded.

10. Staff and training

- (1) The gambling provider will—
 - (a) ensure that all people involved in selling its gambling products receive problem gambling training—
 - (i) for all staff at induction—training which identifies problem gambling; and
 - (ii) for appropriate senior staff (including the person in charge of a point of sale or a gambling area)—advanced training on the identification of, and intervention techniques for, problem gambling, including administration of the self-exclusion process;
 - (b) provide refresher courses for all staff at least each two years;

- (c) include responsible gambling information in employee newsletters and magazines; and
 - (d) display responsible gambling material in back of house areas to remind staff of policies and their responsibilities.
- (2) Problem gambling training programs will be designed to—
 - (a) provide information about the potential effect of gambling on customers; and
 - (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.
- (3) Problem gambling training programs will be regularly reviewed and revised.
- (4) The gambling provider will—
 - (a) arrange for its training programs to be audited annually for compliance with the requirements of this code; and
 - (b) provide a report of the outcome of each audit to the Authority within 28 days after completion.
- (5) The gambling provider will take reasonable steps to ensure that staff with a potential or actual gambling problem are identified and referred for treatment.

11. Definitions and interpretation

- (1) In this code—
 - “ATM” includes—
 - (a) an automatic teller machine in or near premises containing a gambling area;
 - (b) an electronic funds transfer device in or near premises containing a gambling area—
over which the gambling provider could reasonably be expected to exercise control;

“gambling area” means a public area of an office, agency or branch in which provision is made for people to prepare for the making of bets, to make bets and to await the outcome of bets;

“gambling rules” means the rules from time to time approved under section 41(1)(a) the *Authorised Betting Operations Act 2000*;

“helpline card” means a card of approximately 9 cm by 5 cm giving the name and telephone number of a widely available gambling referral service, identified by its usual name;

“helpline sticker” means a sticker giving the name and telephone number of a widely available gambling referral service, identified by its usual name.

- (2) For the purposes of this code, a requirement to make an incident report in relation to a matter includes—
- (a) the making by an employee of the gambling provider, as soon as practicable, of a written record of the matter (in the form, if any, approved by the Authority for the purposes of this code); and
 - (b) the matter being drawn to the attention of, and acknowledged in writing by, a manager within the 24 hours following the making of the written record.

12. Operative dates and transitional

- (1) This code comes into operation on 1 September 2003.
- (2) For the purposes of clause 10—
- (a) the gambling provider will be taken to be in compliance with the clause within the first 12 months after its commencement if, by the end of that period, 75% of all people at that time involved in selling its gambling products have received problem gambling training; and
 - (b) a person will be deemed to have received problem gambling training if the person has received responsible gambling training (however described) in connection with employment in a hotel or club in respect of which a gaming machine licence is in force under the *Gaming Machines Act 1992*.

13. Application to agents

In respect of the provision of the gambling provider’s gambling products 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.

APPENDIX D

**Licensed Racing Clubs
Codes of Practice settled for final approval**

SOUTH AUSTRALIA

**[Licensed Racing Club] Advertising
Code of Practice**

Approved Version No. 1, as at 30 May 2003

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SOUTH AUSTRALIA

AUTHORISED BETTING OPERATIONS ACT 2000

[Licensed Racing Club] Advertising Code of Practice [Approved Version No. 1]

The Independent Gambling Authority approves the following code for the purposes of section 48 of the *Authorised Betting Operations Act 2000*:

1. Purpose

This code provides a framework through which [*name of Licensed Racing Club*], the holder of an on-course totalisator betting licence licence, (“**gambling provider**”) can ensure that its advertising activities are consistent with the community’s expectations that the licensed business will be conducted in a responsible manner so as to minimise the harm caused by gambling.

2. General principle

The gambling provider will 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 will 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—
 - (a) is not directed at minors;
 - (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 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 state or imply that gambling is a means to pay for household staples, education, rent, or to meet mortgage commitments;
- (g) 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;
- (h) does not exaggerate the extent to which a player's skill can influence the outcome of a gambling activity;
- (i) does not associate gambling with excessive alcohol consumption; and
- (j) does not exaggerate the connection between the gambling activity and the use to which the gambling provider's profits may be put.

4. Electronic media—time periods

The gambling provider will, when it advertises on radio or television, confine its advertising to the following periods—

- (a) from Monday to Friday, between—
 - (i) midnight and 6.00am;
 - (ii) 8.30am and 4.00pm;
 - (iii) 7.30pm and midnight;
- (b) on Saturdays and Sundays, between—
 - (i) midnight and 6.00am;
 - (ii) 7.30pm and midnight.

5. Prize advertising—specific obligations

- (1) If, when it advertises, the gambling provider refers to, or relies on, the value or nature of a prize (whether or not the prize is a prize of money) or the frequency with which the prize is won, the advertising—
 - (a) will include sufficient information to allow a reasonably informed person to understand the overall return to player or odds of winning; and
 - (b) in addition, if the advertising is intended to encourage a person to gamble during a particular period, will 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 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—
- “**plug**” means an announcement on radio or television which includes information about the gambling provider’s gambling products or which associates the name of the gambling provider or one of its products with a particular program or period of programming;
- “**television**” means—
- (a) free-to-air broadcast television; and
 - (b) any other form of television, including television provided by cable or by satellite and whether or not a person has paid or incurs a cost to receive that television.
- (2) For the purposes of this code, the gambling provider will be regarded as advertising—
- (a) if a provider of radio or television services runs a plug in circumstances in which a reasonable person would conclude that the gambling provider was able to influence the timing of the plug;
 - (b) if a provider of radio or television or a publisher includes content over which, in the circumstances, a reasonable person would conclude the gambling provider was able to exercise influence.

(3) For the purposes of this code, advertising will be regarded as making claims related to winning or the prizes that can be won which the gambling provider will not undertake by reason of clause 3(2)(g) if it contains one or more of the following expressions—

(a) “Win”;

(b) “\$”—

or anything analogous to or derivative of those expressions.

7. Operative dates and transitional

This code comes into operation on 1 September 2003.

Approved
Version

SOUTH AUSTRALIA

**[Licensed Racing Club] Responsible
Gambling Code of Practice**

Approved Version No. 1, as at 30 May 2003

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SOUTH AUSTRALIA

AUTHORISED BETTING OPERATIONS ACT 2000

**[Licensed Racing Club] Responsible Gambling Code
of Practice**

[Approved Version No. 1]

The Independent Gambling Authority approves the following code for the purposes of section 49 of the *Authorised Betting Operations Act 2000*:

1. Purpose

This code provides a framework through which *[name of Licensed Racing Club]*, the holder of an on-course totalisator betting licence licence, (“**gambling provider**”) can ensure that its general gambling practices are consistent with the community’s expectations that the licensed business will be operated in a responsible manner so as to minimise the harm caused by gambling.

2. Venue responsible gambling charter

The gambling provider will, for each gambling area, prepare and keep current a document detailing—

- (a) the manner in which each provision of this code will be implemented; and
- (b) the roles of staff (described by name or by job title) in the implementation of this code.

3. Legislation and regulation

The gambling provider will—

- (a) conduct its business in accordance with all applicable laws and legal requirements; and
- (b) co-operate with regulatory bodies and government agencies in all matters, including their investigations of compliance with legal obligations.

4. Gambling areas

- (1) The gambling provider will ensure the display of a helpline sticker on or near each point of sale terminal.
- (2) The gambling provider will ensure that the time of day is prominently displayed throughout gambling areas.

- (3) The gambling provider will ensure that a copy of the gambling rules is available to customers in each gambling area.

5. Customer information and signage

- (1) The gambling provider will—
- (a) prominently display responsible gambling materials (including, but not limited to, posters, pamphlets, wallet cards, and stickers) in gambling areas; and
 - (b) translate its responsible gambling posters and pamphlets into, and make them available 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.
- (2) The gambling provider will—
- (a) ensure the display of a helpline sticker on or near each ATM;
 - (b) ensure that a quantity of helpline cards is available at each point of sale terminal, on or near each ATM and at other places throughout gambling areas.
- (3) The gambling provider will ensure that a patron who demonstrates difficulty in controlling his or her personal expenditure has his or her attention drawn to the name and telephone number of a widely available gambling referral service.
- (4) The gambling provider will—
- (a) from time to time file with the Authority; and
 - (b) to the greatest extent practicable, publish on its website (if it has one) a representation of—
- the responsible gambling materials referred to in sub-clause (1).
- (5) The gambling provider will reinforce its responsible gambling policy in appropriate customer newsletters and other communications.
-

6. Alcohol and gambling

- (1) The gambling provider will take all practicable steps—
 - (a) to prevent a person who appears to be intoxicated from being allowed to gamble; and
 - (b) to prevent the entry of intoxicated persons into gambling areas, or them remaining there; and
 - (c) to ensure that alcohol is not supplied to reward continued gambling.
- (2) The gambling provider will ensure that a person is not served alcohol while engaging in a gambling activity.

7. Children

- (1) The gambling provider will take active steps to prevent parents, guardians and care givers leaving their children without supervision by an adult or supervision provided by the gambling provider.
- (2) If the gambling provider provides a facility for the entertainment of children, that facility will not be immediately accessible from a gambling area.
- (3) The steps referred to in sub-clause (1) will include, but not be limited to, ensuring that staff patrol car parking areas.
- (4) The gambling provider will require of its employees that an employee who suspects that a child has been left unattended by a parent, guardian or care giver—
 - (a) immediately draws the matter to the attention of a manager (for the initiation of action under sub-clause (5)); and
 - (b) makes an incident report in relation to the matter.
- (5) When it is suspected that a child has been left unattended, staff will intervene to—
 - (a) take all practicable steps to locate an adult responsible for the child; and
 - (b) if unsuccessful, contact the Police.

8. Cheques

- (1) The gambling provider will not cash cheques in a gambling area unless the Authority has given an exemption from this prohibition to the gambling provider in respect of the gambling area, by notice in writing

stating the reason for the exemption (such as the location of the premises containing the gambling area).

- (2) The gambling provider will, if requested to provide a cheque in respect of a prize or winnings in aggregate of \$1 000 or more, provide the cheque within the 24 hours after the patron makes the claim.

9. Self-exclusion facility

- (1) The gambling provider will establish a facility for the indefinite voluntary exclusion of customers from gambling areas.
- (2) The gambling provider will ensure that every approach by a customer about the self-exclusion facility is responded to while the customer is on premises or on the telephone.
- (3) The self exclusion facility will include—
 - (a) 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 counselling agency;
 - (c) provision for the review of self exclusion notices with customers before notices are rescinded;
 - (d) removal of self excluded persons from loyalty mailing databases.
- (4) The gambling provider will ensure, to the extent reasonably possible, that self excluded customers are not allowed to enter, or remain in, gambling areas from which they have been excluded.

10. Staff and training

- (1) The gambling provider will—
 - (a) ensure that all people involved in selling its gambling products receive problem gambling training—
 - (i) for all staff at induction—training which identifies problem gambling; and
 - (ii) for appropriate senior staff (including the person in charge of a point of sale or a gambling area)—advanced training on the identification of, and intervention techniques for, problem gambling, including administration of the self-exclusion process;
 - (b) provide refresher courses for all staff at least each two years;

- (c) include responsible gambling information in employee newsletters and magazines; and
 - (d) display responsible gambling material in back of house areas to remind staff of policies and their responsibilities.
- (2) Problem gambling training programs will be designed to—
 - (a) provide information about the potential effect of gambling on customers; and
 - (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.
- (3) Problem gambling training programs will be regularly reviewed and revised.
- (4) The gambling provider will—
 - (a) arrange for its training programs to be audited annually for compliance with the requirements of this code; and
 - (b) provide a report of the outcome of each audit to the Authority within 28 days after completion.
- (5) The gambling provider will take reasonable steps to ensure that staff with a potential or actual gambling problem are identified and referred for treatment.

11. Definitions and interpretation

- (1) In this code—
 - “ATM” includes—
 - (a) an automatic teller machine in or near premises containing a gambling area;
 - (b) an electronic funds transfer device in or near premises containing a gambling area—
over which the gambling provider could reasonably be expected to exercise control;

“gambling area” means a public area of a racecourse in which provision is made for people to prepare for the making of bets, to make bets and to await the outcome of bets;

“gambling rules” means the rules from time to time approved under section 41(1)(a) the *Authorised Betting Operations Act 2000*;

“helpline card” means a card of approximately 9 cm by 5 cm giving the name and telephone number of a widely available gambling referral service, identified by its usual name;

“helpline sticker” means a sticker giving the name and telephone number of a widely available gambling referral service, identified by its usual name.

- (2) For the purposes of this code, a requirement to make an incident report in relation to a matter includes—
- (a) the making by an employee of the gambling provider, as soon as practicable, of a written record of the matter (in the form, if any, approved by the Authority for the purposes of this code); and
 - (b) the matter being drawn to the attention of, and acknowledged in writing by, a manager within the 24 hours following the making of the written record.

12. Operative dates and transitional

- (1) This code comes into operation on 1 September 2003.
- (2) For the purposes of clause 10—
- (a) the gambling provider will be taken to be in compliance with the clause within the first 12 months after its commencement if, by the end of that period, 75% of all people at that time involved in selling its gambling products have received problem gambling training; and
 - (b) a person will be deemed to have received problem gambling training if the person has received responsible gambling training (however described) in connection with employment in a hotel or club in respect of which a gaming machine licence is in force under the *Gaming Machines Act 1992*.

APPENDIX E

**Adelaide Casino
Code of Practice provisions as they would appear if codes altered in
accordance with notice given on 30 May 2003**

SOUTH AUSTRALIA

**Adelaide Casino Advertising Code of
Practice**

Approved Version No. 1, as at 30 May 2003

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SOUTH AUSTRALIA

CASINO ACT 1997

Adelaide Casino Advertising Code of Practice

[Approved Version No. 1]

The Independent Gambling Authority approves the following code for the purposes of section 41A of the *Casino Act 1997*:

1. Purpose

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

2. General principle

The gambling provider will 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 will 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—
 - (a) is not directed at minors;
 - (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 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 state or imply that gambling is a means to pay for household staples, education, rent, or to meet mortgage commitments;
 - (g) 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;
 - (h) does not exaggerate the extent to which a player's skill can influence the outcome of a gambling activity;
 - (i) does not associate gambling with excessive alcohol consumption; and
 - (j) does not exaggerate the connection between the gambling activity and the use to which the gambling provider's profits may be put.
- (3) The gambling provider will, when it advertises on radio or television, ensure that the advertising does not include sounds normally associated with the playing of gaming machines, including but not limited to—
- (a) the sound of coins landing in a coin tray;
 - (b) any sound made by a gaming machine when a prize is won.

4. Electronic media—time periods

The gambling provider will, when it advertises on radio or television, confine its advertising to the following periods—

- (a) from Monday to Friday, between—
 - (i) midnight and 6.00am;
 - (ii) 8.30am and 4.00pm;
 - (iii) 7.30pm and midnight;
- (b) on Saturdays and Sundays, between—
 - (i) midnight and 6.00am;
 - (ii) 7.30pm and midnight.

5. Prize advertising—specific obligations

- (1) If, when it advertises, the gambling provider refers to, or relies on, the value or nature of a prize (whether or not the prize is a prize of money) or the frequency with which the prize is won, the advertising—
 - (a) will include sufficient information to allow a reasonably informed person to understand the overall return to player or odds of winning; and

- (b) in addition, if the advertising is intended to encourage a person to gamble during a particular period, will 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 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—
- “plug”** means an announcement on radio or television which includes information about the gambling provider’s gambling products or which associates the name of the gambling provider or one of its products with a particular program or period of programming;
- “television”** means—
- (a) free-to-air broadcast television; and
 - (b) any other form of television, including television provided by cable or by satellite and whether or not a person has paid or incurs a cost to receive that television.
- (2) For the purposes of this code, the gambling provider will be regarded as advertising—
- (a) if a provider of radio or television services runs a plug in circumstances in which a reasonable person would conclude that the gambling provider was able to influence the timing of the plug;

- (b) if a provider of radio or television or a publisher includes content over which, in the circumstances, a reasonable person would conclude the gambling provider was able to exercise influence.
- (3) For the purposes of this code, advertising will be regarded as making claims related to winning or the prizes that can be won which the gambling provider will not undertake by reason of clause 3(2)(g) if it contains one or more of the following expressions—
- (a) “Win”;
- (b) “\$”—
- or anything analogous to or derivative of those expressions.

7. Operative dates and transitional

The provisions of clauses 1–7 of this code as substituted by the Code Alteration (Adelaide Casino) (Advertising) (No. 1) 2003 apply from 1 September 2003.

Approved
Version

SOUTH AUSTRALIA

**Adelaide Casino Responsible
Gambling Code of Practice**

Approved Version No. 1, as at 30 May 2003

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SOUTH AUSTRALIA

CASINO ACT 1997

Adelaide Casino Responsible Gambling Code of Practice

[Approved Version No. 1]

The Independent Gambling Authority approves the following code for the purposes of section 41B of the *Casino Act 1997*:

1. Purpose

This code provides a framework through which Sky City Adelaide Pty Ltd. the holder of the casino licence, (“**gambling provider**”) can ensure that its general gambling practices are consistent with the community’s expectations that the licensed business will be operated in a responsible manner so as to minimise the harm caused by gambling.

2. Venue responsible gambling charter

The gambling provider will, for each gambling area, prepare and keep current a document detailing—

- (a) the manner in which each provision of this code will be implemented; and
- (b) the roles of staff (described by name or by job title) in the implementation of this code.

3. Legislation and regulation

The gambling provider will—

- (a) conduct its business in accordance with all applicable laws and legal requirements; and
- (b) co-operate with regulatory bodies and government agencies in all matters, including their investigations of compliance with legal obligations.

4. Gambling areas

(1) The gambling provider will ensure the display of a warning message—

- (a) on a gaming machine—
 - (i) on the cabinet of the gaming machine—in the form of a helpline sticker on or near each point of sale terminal;
 - (ii) if the gaming machine is capable of displaying a message on a second game screen—on that second screen;

- (b) in the form of a helpline sticker on or near each gaming table.
- (2) The gambling provider will ensure that the time of day is prominently displayed throughout gambling areas.
- (3) The gambling provider will ensure that a person plays no more than one gaming machine at a time.
- (4) If the gambling provider provides one or more automatic coin dispensing machines, these machines will be located in an area that is not a gambling area.
- (5) The gambling provider will ensure that a copy of the gambling rules is available to customers in each gambling area.

5. Customer information and signage

- (1) The gambling provider will—
 - (a) prominently display responsible gambling materials (including, but not limited to, posters, pamphlets, wallet cards, and stickers) in gambling areas; and
 - (b) translate its responsible gambling posters and pamphlets into, and make them available 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.
- (2) The gambling provider will—
 - (a) ensure the display of a helpline sticker on or near each ATM;
 - (b) ensure that a quantity of helpline cards is available at or near each gaming machine and gaming table, on or near each ATM and at other places throughout gambling areas
- (3) The gambling provider will ensure that a patron who demonstrates difficulty in controlling his or her personal expenditure has his or her attention drawn to the name and telephone number of a widely available gambling referral service.

- (4) The gambling provider will—
 - (a) from time to time file with the Authority; and
 - (b) to the greatest extent practicable, publish on its website (if it has one) a representation of—
the responsible gambling materials referred to in sub-clause (1).
- (5) The gambling provider will reinforce its responsible gambling policy in appropriate customer newsletters and other communications.

6. Alcohol and gambling

- (1) The gambling provider will take all practicable steps—
 - (a) to prevent a person who appears to be intoxicated from being allowed to gamble; and
 - (b) to prevent the entry of intoxicated persons into gambling areas, or them remaining there; and
 - (c) to ensure that alcohol is not supplied to reward continued gambling.
- (2) The gambling provider will ensure that a person is not served alcohol while seated or standing at a gaming machine or a gaming table.

7. Children

- (1) The gambling provider will take active steps to prevent parents, guardians and care givers leaving their children without supervision by an adult or supervision provided by the gambling provider.
- (2) If the gambling provider provides a facility for the entertainment of children, that facility will not be immediately accessible from a gambling area.
- (3) The steps referred to in sub-clause (1) will include, but not be limited to, ensuring that staff patrol car parking areas.
- (4) The gambling provider will require of its employees that an employee who suspects that a child has been left unattended by a parent, guardian or care giver—
 - (a) immediately draws the matter to the attention of a manager (for the initiation of action under sub-clause (5)); and
 - (b) makes an incident report in relation to the matter.

- (5) When it is suspected that a child has been left unattended, staff will intervene to—
- (a) take all practicable steps to locate an adult responsible for the child; and
 - (b) if unsuccessful, contact the Police.

8. Cheques

- (1) The gambling provider will not cash cheques in a gambling area unless the Authority has given an exemption from this prohibition to the gambling provider in respect of the gambling area, by notice in writing stating the reason for the exemption (such as the location of the premises containing the gambling area).
- (2) The gambling provider will, if requested to provide a cheque in respect of a prize, winnings or redemption of credits in aggregate of \$1 000 or more, provide the cheque within the 24 hours after the patron makes the claim.

9. Self-exclusion facility

- (1) The gambling provider will establish a facility for the indefinite voluntary exclusion of customers from gambling areas.
- (2) The gambling provider will ensure that every approach by a customer about the self-exclusion facility is responded to while the customer is on premises or on the telephone.
- (3) The self exclusion facility will include—
- (a) 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 counselling agency;
 - (c) provision for the review of self exclusion notices with customers before notices are rescinded;
 - (d) removal of self excluded persons from loyalty mailing databases.
- (4) The gambling provider will ensure, to the extent reasonably possible, that self excluded customers are not allowed to enter, or remain in, gambling areas from which they have been excluded.

10. Staff and training

- (1) The gambling provider will—
 - (a) ensure that all staff receive problem gambling training, provided at four distinct levels—
 - (i) for all staff at induction—training which identifies problem gambling (1 hour); and
 - (ii) for staff employed in positions associated with Gaming, Food and Beverage, Security, Surveillance, and Action Hosts—further training which identifies problem gambling (2 hours); and
 - (iii) for all supervisors within the Gaming, Food and Beverage, Security, Surveillance, and Action Scheme departments—training identifying initial procedures for first level identification, and referral, of customers and supervised staff requiring assistance (4 hours); and
 - (iv) for appropriate senior employees—advanced training on the identification of, and intervention techniques for, problem gambling, including administration of the self-bar process (8 hours);
 - (b) provide refresher courses for all staff at least each two years;
 - (c) include responsible gambling information in employee newsletters and magazines; and
 - (d) display responsible gambling material in back of house areas to remind staff of policies and their responsibilities.
 - (2) Problem gambling training programs will 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.
 - (3) Problem gambling training programs will be regularly reviewed and revised.
 - (4) The gambling provider will—
 - (a) arrange for its training programs to be audited annually for compliance with the requirements of this code; and
-

- (b) provide a report of the outcome of each audit to the Authority within 28 days after completion.
- (5) The gambling provider will take reasonable steps to ensure that staff with a potential or actual gambling problem are identified and referred for treatment.

11. Definitions and interpretation

- (1) In this code—

“**ATM**” includes—

- (a) an automatic teller machine in or near premises containing a gambling area;
- (b) an electronic funds transfer device in or near premises containing a gambling area—

over which the gambling provider could reasonably be expected to exercise control;

“**gambling area**” means a public area of the Casino;

“**gambling rules**” means the rules of games from time to time approved by the Liquor and Gambling Commissioner;

“**helpline card**” means a card of approximately 9 cm by 5 cm giving the name and telephone number of a widely available gambling referral service, identified by its usual name;

“**helpline sticker**” means a sticker giving the name and telephone number of a widely available gambling referral service, identified by its usual name.

- (2) For the purposes of this code, a requirement to make an incident report in relation to a matter includes—
- (a) the making by an employee of the gambling provider, as soon as practicable, of a written record of the matter (in the form, if any, approved by the Authority for the purposes of this code); and
 - (b) the matter being drawn to the attention of, and acknowledged in writing by, a manager within the 24 hours following the making of the written record.

12. Operative dates and transitional

The provisions of clauses 1–12 of this code as substituted by the Code Alteration (Adelaide Casino) (Responsible Gambling) (No. 1) 2003 apply from 1 September 2003.

APPENDIX F

**Gaming Machine Licensees
Code of Practice provisions as they would appear if codes altered in
accordance with notice given on 30 May 2003**

SOUTH AUSTRALIA

**[Name of Venue] Advertising Code
of Practice**

Approved Version No. 1, as at 30 May 2003

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SOUTH AUSTRALIA

GAMING MACHINES ACT 1992

[Name of Venue] Advertising Code of Practice

[Approved Version No. 1]

This is the advertising code of practice for the purposes of licence conditions (*na*) and (*nc*) set out in Schedule 1 to the *Gaming Machines Act 1992* and applying by reason of section 27(1) of that Act:

1. Purpose

This code provides a framework through which *[name of gambling provider]* the holder of a gaming machine licence (“**gambling provider**”) can ensure that its advertising activities are consistent with the community’s expectations that the licensed business will be conducted in a responsible manner so as to minimise the harm caused by gambling.

2. General principle

The gambling provider will 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 will 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—
 - (a) is not directed at minors;
 - (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 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 state or imply that gambling is a means to pay for household staples, education, rent, or to meet mortgage commitments;
 - (g) 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;
 - (h) does not state or imply that a player's skill can influence the outcome of a gambling activity;
 - (i) does not associate gambling with excessive alcohol consumption; and
 - (j) does not exaggerate the connection between the gambling activity and the use to which the gambling provider's profits may be put.
- (3) The gambling provider will, when it advertises on radio or television, ensure that the advertising does not include sounds normally associated with the playing of gaming machines, including but not limited to—
- (a) the sound of coins landing in a coin tray;
 - (b) any sound made by a gaming machine when a prize is won.

4. Electronic media—time periods

The gambling provider will, when it advertises on radio or television, confine its advertising to the following periods—

- (a) from Monday to Friday, between—
 - (i) midnight and 6.00am;
 - (ii) 8.30am and 4.00pm;
 - (iii) 7.30pm and midnight;
- (b) on Saturdays and Sundays, between—
 - (i) midnight and 6.00am;
 - (ii) 7.30pm and midnight.

5. Prize advertising—specific obligations

- (1) If, when it advertises, the gambling provider refers to, or relies on, the value or nature of a prize (whether or not the prize is a prize of money) or the frequency with which the prize is won, the advertising—
- (a) will include sufficient information to allow a reasonably informed person to understand the overall return to player or odds of winning; and
 - (b) in addition, if the advertising is intended to encourage a person to gamble during a particular period, will 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 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—
- “**plug**” means an announcement on radio or television which includes information about the gambling provider’s gambling products or which associates the name of the gambling provider or one of its products with a particular program or period of programming;
- “**television**” means—
- (a) free-to-air broadcast television; and
 - (b) any other form of television, including television provided by cable or by satellite and whether or not a person has paid or incurs a cost to receive that television.
-

- (2) For the purposes of this code, the gambling provider will be regarded as advertising—
- (a) if a provider of radio or television services runs a plug in circumstances in which a reasonable person would conclude that the gambling provider was able to influence the timing of the plug;
 - (b) if a provider of radio or television or a publisher includes content over which, in the circumstances, a reasonable person would conclude the gambling provider was able to exercise influence.
- (3) For the purposes of this code, advertising will be regarded as making claims related to winning or the prizes that can be won which the gambling provider will not undertake by reason of clause 3(2)(g) if it contains one or more of the following expressions—
- (a) “Win”;
 - (b) “\$” —
- or anything analogous to or derivative of those expressions.

7. Operative dates and transitional

The provisions of clauses 1–7 of this code as substituted by the Code Alteration ([name of venue]) (Advertising) (No. 1) 2003 apply from 1 September 2003.

Approved
Version

SOUTH AUSTRALIA

**[Name of Venue] Responsible
Gambling Code of Practice**

Approved Version No. 1, as at 30 May 2003

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SOUTH AUSTRALIA

GAMING MACHINES ACT 1992

[Name of Venue] Responsible Gambling Code of Practice

[Approved Version No. 1]

This is the responsible gambling code of practice for the purposes of licence conditions (*nb*) and (*nc*) set out in Schedule 1 to the *Gaming Machines Act 1992* and applying by reason of section 27(1) of that Act:

1. Purpose

This code provides a framework through which *[name of gambling provider]*, the holder of a gaming machine licence, (“**gambling provider**”) can ensure that its general gambling practices are consistent with the community’s expectations that the licensed business will be operated in a responsible manner so as to minimise the harm caused by gambling.

2. Venue responsible gambling charter

The gambling provider will, for each gambling area, prepare and keep current a document detailing—

- (a) the manner in which each provision of this code will be implemented; and
- (b) the roles of staff (described by name or by job title) in the implementation of this code.

3. Legislation and regulation

The gambling provider will—

- (a) conduct its business in accordance with all applicable laws and legal requirements; and
- (b) co-operate with regulatory bodies and government agencies in all matters, including their investigations of compliance with legal obligations.

4. Gambling areas

- (1) The gambling provider will ensure the display of a warning message on a gaming machine—
 - (a) on the cabinet of the gaming machine—in the form of a helpline sticker on or near each point of sale terminal;

- (b) if the gaming machine is capable of displaying a message on a second game screen—on that second screen.
- (2) The gambling provider will ensure that the time of day is prominently displayed throughout gambling areas.
- (3) The gambling provider will ensure that a person plays no more than one gaming machine at a time.
- (4) If the gambling provider provides one or more automatic coin dispensing machines, these machines will be located in an area that is not a gambling area.

5. Customer information and signage

- (1) The gambling provider will—
 - (a) prominently display responsible gambling materials (including, but not limited to, posters, pamphlets, wallet cards, and stickers) in gambling areas; and
 - (b) translate its responsible gambling posters and pamphlets into, and make them available 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.
- (2) The gambling provider will—
 - (a) ensure the display of a helpline sticker on or near each ATM;
 - (b) ensure that a quantity of helpline cards is available at or near each gaming machine and gaming table, on or near each ATM and other places throughout gambling areas.
- (3) The gambling provider will ensure that a patron who demonstrates difficulty in controlling his or her personal expenditure has his or her attention drawn to the name and telephone number of a widely available gambling referral service.

- (4) The gambling provider will—
 - (a) from time to time file with the Authority; and
 - (b) to the greatest extent practicable, publish on its website (if it has one) a representation of—
the responsible gambling materials referred to in sub-clause (1).
- (5) The gambling provider will reinforce its responsible gambling policy in appropriate customer newsletters and other communications.

6. Alcohol and gambling

- (1) The gambling provider will take all practicable steps—
 - (a) to prevent a person who appears to be intoxicated from being allowed to gamble; and
 - (b) to prevent the entry of intoxicated persons into gambling areas, or them remaining there; and
 - (c) to ensure that alcohol is not supplied to reward continued gambling.
- (2) The gambling provider will ensure that a person is not served alcohol while seated or standing at a gaming machine or a gaming table.

7. Children

- (1) The gambling provider will take active steps to prevent parents, guardians and care givers leaving their children without supervision by an adult or supervision provided by the gambling provider.
- (2) If the gambling provider provides a facility for the entertainment of children, that facility will not be immediately accessible from a gambling area.
- (3) The steps referred to in sub-clause (1) will include, but not be limited to, ensuring that staff patrol car parking areas.
- (4) The gambling provider will require of its employees that an employee who suspects that a child has been left unattended by a parent, guardian or care giver—
 - (a) immediately draws the matter to the attention of a manager (for the initiation of action under sub-clause (5)); and
 - (b) makes an incident report in relation to the matter.

- (5) When it is suspected that a child has been left unattended, staff will intervene to—
- (a) take all practicable steps to locate an adult responsible for the child; and
 - (b) if unsuccessful, contact the Police.

8. Cheques

- (1) The gambling provider will not cash cheques in a gambling area unless the Authority has given an exemption from this prohibition to the gambling provider in respect of the gambling area, by notice in writing stating the reason for the exemption (such as the location of the premises containing the gambling area).
- (2) The gambling provider will, if requested to provide a cheque in respect of a prize, winnings or redemption of credits in aggregate of \$1 000 or more, provide the cheque within the 24 hours after the patron makes the claim.

9. Self-exclusion facility

- (1) The gambling provider will establish a facility for the indefinite voluntary exclusion of customers from gambling areas.
- (2) The gambling provider will ensure that every approach by a customer about the self-exclusion facility is responded to while the customer is on premises or on the telephone.
- (3) The self exclusion facility will include—
- (a) 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 counselling agency;
 - (c) provision for the review of self exclusion notices with customers before notices are rescinded;
 - (d) removal of self excluded persons from loyalty mailing databases.

- (4) The gambling provider will ensure, to the extent reasonably possible, that self excluded customers are not allowed to enter, or remain in, gambling areas from which they have been excluded.

10. Staff and training

- (1) The gambling provider will—
- (a) ensure that all approved gaming managers and all approved gaming employees receive problem gambling training—
 - (i) for all staff at induction—training which identifies problem gambling; and
 - (ii) for appropriate senior staff (including the person in charge of a gambling area)—advanced training on the identification of, and intervention techniques for, problem gambling, including administration of the self-exclusion process;
 - (b) provide refresher courses for all staff at least each two years;
 - (c) include responsible gambling information in employee newsletters and magazines; and
 - (d) display responsible gambling material in back of house areas to remind staff of policies and their responsibilities.
- (2) Problem gambling training programs will 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.
- (3) Problem gambling training programs will be regularly reviewed and revised.
- (4) The gambling provider will—
- (a) arrange for its training programs to be audited annually for compliance with the requirements of this code; and
 - (b) provide a report of the outcome of each audit to the Authority within 28 days after completion.
- (5) The gambling provider will take reasonable steps to ensure that staff with a potential or actual gambling problem are identified and referred for treatment.
-

11. Definitions and interpretation

(1) In this code—

“**ATM**” includes—

(a) an automatic teller machine in or near premises containing a gambling area;

(b) an electronic funds transfer device in or near premises containing a gambling area—

over which the gambling provider could reasonably be expected to exercise control;

“**gambling area**” means an area licensed for gaming”.

“**helpline card**” means a card of approximately 9 cm by 5 cm giving the name and telephone number of a widely available gambling referral service, identified by its usual name;

“**helpline sticker**” means a sticker giving the name and telephone number of a widely available gambling referral service, identified by its usual name.

(2) For the purposes of this code, a requirement to make an incident report in relation to a matter includes—

(a) the making by an employee of the gambling provider, as soon as practicable, of a written record of the matter (in the form, if any, approved by the Authority for the purposes of this code); and

(b) the matter being drawn to the attention of, and acknowledged in writing by, a manager within the 24 hours following the making of the written record.

12. Operative dates and transitional

The provisions of clauses 1–12 of this code as substituted by the Code Alteration ([name of venue]) (Responsible Gambling) (No. 1) 2003 apply from 1 September 2003.



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