



Independent Gambling Authority

Review 2006—Regulatory Functions

**Codes of practice, game approval and
gaming machine licensing guidelines**

Guide for making submissions

Disclaimer

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

Date

This Guide was issued on 25 January 2006.



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1. INTRODUCTION

The Independent Gambling Authority is undertaking a review of the following—

- ◆ Advertising Codes of Practice;
- ◆ Responsible Gambling Codes of Practice;
- ◆ Game Approval Guidelines;
- ◆ Gaming Machine Licensing Guidelines.

The review provides the opportunity for stakeholders to consider the harm minimisation aspects of all of the Authority’s regulatory functions.

When settling the advertising and responsible gambling codes of practice, the Authority identified a range of issues for further consultation, referred to as the second stage issues. These issues have not yet been settled.

The Authority will use this review to finalise the second stage codes of practice issues, pending ongoing consultation. This guide therefore also provides a statement of the Authority’s current position regarding the second stage issues, and seeks comment on the codes as a whole.

1.1 Codes of practice review—background

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

Following widespread consultation, including public hearings and submissions from stakeholders, the Authority provided the Minister for Gambling on 30 May 2003 with an inquiry report setting out uniform measures for inclusion in advertising and responsible gambling codes of practice applicable to all areas of the gambling and wagering sector. The uniform measures, referred to as the ‘first stage’ codes of practice, included several initiatives that were largely supported by stakeholders.

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

Information documents, stakeholder submissions, and the Authority’s reports, can be viewed on the Authority’s website at — <http://www.iga.sa.gov.au/pubcons.html>.

A copy of a consolidated version of the advertising and responsible gambling codes of practice, identifying codes clauses applicable to each gambling provider, is provided at Appendix 3 to this guide.

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

This guide provides information about the review process including how to make a submission.

1.2 Codes of practice—second stage issues

The 30 May 2003 inquiry report also identified twelve issues that needed further consultation. These are referred to as ‘second stage issues’.

The second stage issues now comprise the twelve issues identified in the Authority’s May 2003 report, with the addition of another three. A final public hearing for the fifteen second stage issues was held on 24 November 2004.

The Authority has reached a position on a number of the second stage issues. A summary is provided as Appendix 4.

This position recognises the Skycity host responsibility initiative and includes a proposed requirement that Skycity report on the initiative annually.

As part of this review, the Authority seeks comment about its position regarding the second stage issues.

1.3 Game approval guidelines review—background

Under section 37A(1) of the *Casino Act 1997* and section 40(2) of the *Gaming Machines Act 1992*, the Authority has a function to give guidelines to the Liquor and Gambling Commissioner for the purpose of assessing whether a game is likely to lead to an exacerbation of problem gambling. The Liquor and Gambling Commissioner must have regard to any such guidelines when determining an application for a game to be played in the casino or a gaming venue.

In April 2002, the Authority gave interim guidance to the Commissioner.

Beginning in March 2003, the Authority undertook consultation with stakeholders, and on 2 June 2003, issued on-going guidelines with respect to games to be played on electronic gaming machines under the relevant provisions of both Acts.

The guidelines took effect on 1 July 2003. They are—

- ◆ Game Approval (Gaming Machine) (No. 1) Guidelines 2003
- ◆ Game Approval (Casino) (No. 1) Guidelines 2003.

The guidelines are identical except in one respect, the Game Approval (Casino) (No. 1) Guidelines 2003 have an additional clause—clause 2(3).

While the review provides scope for re-examination of the existing guidelines, it is expected that there will be other functional characteristics of gaming machine games that stakeholders will identify as needing to be dealt with within the guidelines.

Both sets of guidelines can be viewed on the Authority's website at—<http://www.iga.sa.gov.au/rulesguide.html>—and are also attached to this Guide as Appendix 5 and Appendix 6 respectively.

1.4 Gaming machine licensing guidelines review—background

Under section 15(5) of the *Gaming Machines Act 1992*, the Authority has a function to give guidelines to the Liquor and Gambling Commissioner to which regard must be had when determining an application for a gaming machine licence. Section 15(5) was a measure included in the *Gaming Machines (Miscellaneous) Amendment Act 2004*—a package of amendments to the Gaming Machines Act implementing the Authority's recommendations for the management of gaming machine numbers.

On 2 November 2005, the Authority issued gaming machine licensing guidelines to the Commissioner.

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

Although these guidelines are new, they are being included in this review because of their potential interrelationship with the codes of practice and because there had been was no opportunity for general consultation at the time they were provided to the Liquor and Gambling Commissioner.

The guidelines can be viewed on the Authority's website at—<http://www.iga.sa.gov.au/rulesguide.html>—and are also attached to this Guide as Appendix 7.

2. REVIEW PROCESS

2.1 Overview

The process for this review will involve—

- ◆ an announcement of the review and a call for submissions by way of advertisements in the *Advertiser* and the *Australian* on Wednesday 25 January 2006, repeated on Saturday 4 February 2006, and an email advising of the review, to all stakeholders who have made submissions to earlier inquiries;
- ◆ a public hearing on 23 and 24 May 2006 at which stakeholders will be given the opportunity to present to their submission and respond to those made by others.

The Authority is providing just over 13 weeks for provision of written submissions. The submissions will be made public, via the Authority's website, at—<http://www.iga.sa.gov.au/pubcons.html>.

When people make their written submissions, they will also be able to register interest in making an oral presentation at the public hearing, to be held three weeks after the close of submissions.

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

2.2 Making submissions

Submissions need to be in writing.

The Authority requires submissions to be provided both as a hard copy and electronically.

The hard copy must be provided on A4 paper (one copy only), and must be accompanied by an original, signed **Form A**. Form A is set out in Appendix 1 to this guide and is able to be downloaded separately as a Word document from the Authority's website at—<http://www.iga.sa.gov.au/pubcons.html>.

The electronic version must be provided either on disk or by email to—**review2006@iga.sa.gov.au**. Form A is not required to be included in the electronic version of a submission.

Acceptable electronic formats for submission include Microsoft Word “document” format (*.doc), “rich-text” document format (*.rtf) and Adobe Acrobat portable document format (*.pdf). Electronic documents must match the A4 paper version.

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

Submissions are due by 4.00pm on Monday, 1 May 2006.

2.3 Hearing

The Authority has included an opportunity for stakeholders who have made written submissions to speak to their submissions at a public hearing over two days—Tuesday, 23 May 2006 and Wednesday 24 May 2006.

The hearing provides an opportunity for the members of the Authority to engage in a public dialogue with the stakeholders. It also provides the opportunity by which one stakeholder might comment on other stakeholders' submissions.

It should be noted that a presentation at the hearing is not a substitute for a written submission.

Registration of interest in making a presentation to the May public hearing must be made by the last time for providing a submission, 4.00pm on Monday, 1 May 2006.

2.4 Authority's inquiry powers

The review is being conducted under the powers set out in sections 13–15 of the *Independent Gambling Authority Act 1995*, which are extracted in Appendix 2. These sections include provision for witnesses to attend and documents to be produced, for evidence to be taken under oath or affirmation, for protection against self-incrimination and for legal representation before the inquiry.

3. ABOUT SUBMISSIONS AND ISSUES IN THE INQUIRY**3.1 Submitter profile**

It will assist the conduct of the review greatly to receive, in a uniform format, some minimum basic information about the people making submissions. The submission form (**Form A**, which is included in Appendix 1) has been designed for this purpose. It also sets out the terms on which the Authority requires the submission to be made.

The information collected on Form A is—

- (1) contact details—
 - ◆ name and title of contact person;
 - ◆ name of organisation making the submission;
 - ◆ address;
 - ◆ telephone and facsimile number(s);
 - ◆ email;
- (2) other formal information about the submission, including whether it is the official submission of an organisation or a private submission, and whether the person making it wishes to remain anonymous;
- (3) whether your submission is addressing some or all of the areas of review; and
- (4) whether you wish to present at the public hearing being held on 23 and 24 May 2006.

If you want to make your submission on an anonymous basis, please ensure that identifying details do not appear in the body of the submission—that is that they appear only on the Form A. In the case of anonymous submissions, the Form A submitter profile information will not be published.

3.2 What submissions might address**3.2.1 Generally and specifically**

Submissions might address some or all of the regulatory measures (ie. first stage advertising and responsible gambling codes, second stage codes, game approval guidelines, gaming machine licensing guidelines), with regard to the following—

- (1) perspectives of the role of the particular regulatory measure—

- ◆ with regard to its individual purpose;
 - ◆ in the context of all regulatory functions under review;
 - ◆ with regard to individuals, population cohorts, gamblers, communities, the State, service providers, industry, regulatory bodies, etc;
- (2) perspectives of the effect of the particular regulatory measure—
- ◆ with regard to its individual purpose;
 - ◆ in the context of all regulatory functions under review;
 - ◆ with regard to individuals, population cohorts, gamblers, communities, the State, service providers, industry, regulatory bodies, etc;
- (3) unforeseen outcomes consequent to the implementation of the measure, both positive and negative;
- (4) issues arising and suggested resolution;
- (5) improvements, additions, etc.

3.2.2 Available research and reports

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

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

3.3 Evidence

3.3.1 What evidence includes

Evidence is the probative material on which we base conclusions and findings.

Evidence can be—

- ◆ an opinion of an expert;
- ◆ a person's own story or experience—

and it can appear in the following forms (among others)—

- ◆ a printed report;
- ◆ the spoken testimony of a person.

3.3.2 Evidence provided in the submissions

Submissions must identify whether comments made are supported by evidence.

If so, access or a means of access to that evidence should be made available to the Authority. For instance, if the evidence exists only in a hard copy format such as in a

book, a copy of an extract should be provided. If the evidence is contained in a report in the public domain on the internet, an electronic copy should be provided.

Where such evidence cannot be made available to the Authority, the submission needs to explain how this is the case.

3.3.3 Evidence provided at public hearings

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

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

4. SUMMARY

4.1 Provision of submissions

Submissions must be provided by 4.00pm on **Monday, 1 May 2006**.

Submissions must be provided both as a hard copy with a completed **Form A**, and electronically either on disk or by email to—**review2006@iga.sa.gov.au**

4.2 Registration for hearing

Registration of interest in making an oral presentation at the public hearing must be made at the time of providing a written submission. People who make submissions before the deadline are able to register interest up until the submission deadline.

4.3 Provisional hearing details

The hearing has been fixed for 2 days—

- ◆ 9.00am on Tuesday, 23 May 2006, and
- ◆ 10.00am on Wednesday 24 May 2006.

The place for the hearing has been provisionally fixed for the Adelaide Convention Centre, North Terrace, Adelaide.

4.4 Further information

Enquiries about submissions and the inquiry process should be directed to the Authority's Manager, Responsible Gambling, on (08) 8226 7233.

APPENDIX 1

Form A (Submission form)



Independent Gambling Authority
Form A
Review 2006—Regulatory Functions
(Please read the notes overleaf before completing)

1. Personal details

<i>Name of contact person (please include titles and qualifications)</i>	
<i>Street address (include postcode)</i>	<i>Home phone</i>
	<i>Work phone</i>
	<i>Facsimile</i>
	<i>Mobile phone</i>
<i>Email address</i>	
<i>Do you wish to remain anonymous? (circle/strike out as appropriate—a blank is a "NO")</i> YES NO	

2. Organisation details

<i>If you are making this submission on behalf of a body (such as a government department, a service provider, a recognised charity), on behalf of a group of people (such as an informal association of people with a specific interest in gambling) or in some other capacity (for example, as a university lecturer) please provide the details of the body and indicate whether your submission is the body's OFFICIAL position or simply your own UNOFFICIAL view.</i>
<i>Name of body, association or organisation</i>
<i>Your title, designation or position</i>
<i>Is the submission OFFICIAL or UNOFFICIAL</i>

Appendix 1: Form A (Submission form)—continued

3. Submission details

This submission addresses the following areas of the review (tick as appropriate)

- FIRST STAGE CODES OF PRACTICE
- SECOND STAGE CODES OF PRACTICE
- GAME APPROVAL GUIDELINES
- GAMING MACHINE LICENSING GUIDELINES

This submission is made by (circle/strike out as appropriate)

HARD COPY AND DISK

HARD COPY AND EMAIL

HAND WRITTEN COPY ONLY

If the submission has been provided as a handwritten version only, it will need to be typed to enable ease of reading and placement on the Authority's website. Do you permit the Authority to produce a typed version of your handwritten submission?

(circle/strike out as appropriate—a blank is a "YES") YES NO

4. Hearing

Do you or your organisation intend to present at the public hearing on 23 and 24 May 2006?

(circle/strike out as appropriate—a blank is a NO) YES NO

Who will be presenting at the hearing (including position held if representing an organisation)?

Will you require any equipment for your presentation, such as Powerpoint?

(circle/strike out as appropriate—a blank is a NO) YES NO

If you require any equipment other than Powerpoint, please specify.

Acknowledgment and consent

1. I have read the submission guidelines for the inquiry and make this submission on the basis set out in that document.
2. I take responsibility for the correctness and accuracy of statements made in this submission.
3. Unless specifically attributed to others, the opinions, comments and observations in this submission are my own.
4. I consent to the whole or any part of this submission being published by the Independent Gambling Authority.

Date

Signature

Appendix 1: Form A (Submission form)—continued

NOTES FOR COMPLETION OF SUBMISSIONS

1. Personal details

If you want to be **anonymous**, Form A will be separated from the attached submission and only the submission will be shown to the participants or otherwise published. However, you will need to be careful with your submission to make sure that you do not inadvertently identify yourself. Please note that your details may be disclosed to certain members of the board and staff of the Authority.

2. Organisation details

- (1) This section has two purposes: while it allows a person to make an official submission on behalf of an organisation, it also allows people whose role in an organisation makes them experts or opinion leaders (or both) to credential their submissions appropriately.
- (2) If the submission is made as the official submission of a group, please expect the Office of the Authority to seek independent verification of the status of the submission.

3. Submission details

When supplying your submission on disk or by email, please make the submission as a Word for Windows (*.doc) or rich-text format (*.rtf) document or as an Adobe Acrobat format document—in the case of email, supplied as an attachment

4. Acknowledgment

The acknowledgment is important. It makes sure that you understand some of the issues involved in making comments which might be published. Please read it carefully.

APPENDIX 2**Extracts of sections 13–15 of the Independent Gambling Authority Act****13. Inquiries by Authority**

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

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

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

Appendix 2: Extracts of sections 13–15 of the Independent Gambling Authority Act—continued

the person is guilty of an offence.

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

- (3) A person is not excused from answering a question or from producing books, papers or documents under this section—

- (a) on the ground that the answer to the question or the contents of the books, papers or documents would tend to incriminate the person; or
- (b) on the ground of legal professional privilege,

but if the person objects to answering a question on the ground that the answer would tend to incriminate him or her, the answer will not be admissible against him or her in criminal proceedings (except in proceedings for perjury) or, if the person objects to answering a question on the ground of legal professional privilege, the answer will not be admissible in civil or criminal proceedings against the person who would, but for this subsection, have the benefit of the legal professional privilege.

- (4) The Authority may, if requested to do so by a person who has been required to answer a question by the Authority or who has produced books, papers or documents to the Authority, by order prohibit the publication in any newspaper or by radio or television of the name of the person, any answer given by him or her in proceedings before the Authority or the contents of any book, paper or document produced by him or her to the Authority.

- (5) A person who contravenes an order under subsection (4) is guilty of an offence.

Maximum penalty: \$10 000.

- (6) The Authority may sit at any time and in any place (including a place outside this State) and may adjourn its sittings from time to time and from place to place.

- (7) In the course of any proceedings, the Authority may—

- (a) receive in evidence any transcript of evidence in proceedings before a court or tribunal and draw any conclusions of fact from the transcript that it thinks proper; or
- (b) adopt, as in its discretion it considers proper, any findings, decision or judgment of a court or tribunal that may be relevant to the matter before the Authority.

15. Representation before Authority

- (1) A person appearing before the Authority may appear—

- (a) personally;
- (b) by counsel;
- (c) if a body corporate—by an officer or employee of the body corporate who has obtained leave of the Authority to appear on behalf of the body corporate;
- (d) if the party is a member of a genuine association formed to promote or protect the interests of a section of the liquor industry or the gaming machine industry or of employees in those industries—by an officer or employee of that association.

- (2) The Commissioner of Police may be represented before the Authority—

- (a) by a member of the police force; or
- (b) by counsel.

APPENDIX 3**Codes of practice (first stage, in force)****ADVERTISING CODE****1. Purpose**

This code provides a framework through which *[name of gambling provider]* the holder of *[a/the] [type of 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.

In Lotteries Code—“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;

Appendix 3: Codes of practice (first stage, in force)—
Advertising Code—continued

- (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 or rent, or to meet mortgage commitments;
- (g) does not make claims related to winning or the prizes that can be won—
 - (i) that are not based on fact; or
 - (ii) that are unable to be proven; or
 - (iii) that are exaggerated;
- (h) does not exaggerate the extent to which a player’s skill can influence the outcome of a gambling activity;

In Gaming Machines Code: “does not state or imply that a player’s skill can influence the outcome of a gambling activity”.

In Lotteries Code, same as for Gaming Machines Code.

- (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.

SA TAB Code: sub-clause (3) not included.

Racing Clubs Code: sub-clause (3) not included

Lotteries Code: sub-clause (3) not included

4. Electronic media—time periods

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

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

5. Prize advertising—specific obligations

- (1) If, when it advertises a gambling product, the gambling provider refers to, or relies on, the value or nature of one of the prizes which are available to be won

Appendix 3: Codes of practice (first stage, in force)—
Advertising Code—continued

(whether or not the prize is a prize of money) or the frequency with which the prize might be won, the advertising—

- (a) will include sufficient information to allow a reasonably informed person to understand the overall return to player or, if the product does not have an overall return to player, the odds of winning; and

Lotteries Code: for “odds”, substitute “chance”

- (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 or chance of winning the trade promotion lottery are dependent on factors beyond the control of the gambling provider.

Lotteries Code: add “or to a radio advertisement which includes a warning message”.

6. Definitions and interpretation

- (1) In this code—

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

Gaming Machines Code: “... means a gaming area within the meaning of the Gaming Machines Act 1992”.

SA TAB Code: “... 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”.

Racing Clubs Code: “... means a public area of a racecourse in which provision is made for people to make bets”.

Lotteries Code: “... 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”.

Appendix 3: Codes of practice (first stage, in force)—
Advertising Code—continued

“gambling product” means a bet which can be accepted by the gambling provider as part of on-course totalisator betting operations, and **“gamble”** and **“gambling”** have corresponding meanings;

Casino Code: not included.

Gaming Machines Code: not included.

SA TAB Code: not included.

Lotteries Code: not included.

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

“radio or television”—

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

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

- (2) For the purposes of this code, the gambling provider will be regarded as advertising—
 - (a) if a provider of radio or television runs a plug in exchange for a payment or for some other form of valuable consideration (including an agreement to purchase advertising);
 - (b) if a provider of radio or television or a publisher includes content in exchange for a payment or for some other form of valuable consideration (including an agreement to purchase advertising).
- (3) Subject to sub-clause (4), advertising will be regarded as offending against clause 3(2)(g) if it contains material—
 - (a) which is neither information which is reasonably believed to be factual nor opinion which is reasonably held; and
 - (b) which includes one or more of the following expressions (or anything analogous to them)—
 - (i) “Win”;
 - (ii) “\$”.

Appendix 3: Codes of practice (first stage, in force)—
Advertising Code—continued

- (4) For the avoidance of doubt, sub-clause (3) does not apply to a sign or display which is in, or is visible from, a gambling area and which states the amount of—
- (a) a particular prize which has been determined or is payable; or
 - (b) an approximation or estimate of a prize which can be won.

Lotteries Code: add paragraph to state that sub-clause (3) does not apply “to the provision of information in relation to a draw for a gambling product, to a telecast of a draw for a gambling product or to the publication of the results arising from a draw for a gambling product.”

7. Operative dates and transitional

This code comes into operation on 30 April 2004.

Casino Code: “The provisions of clauses 1–7 of this code as substituted by the Code Alteration (Adelaide Casino) (Advertising) (No. 1) 2003 apply from 30 April 2004”.

Gaming Machines Code: “The provisions of clauses 1–7 of this code as substituted by the Code Alteration ([name of venue]) (Advertising) (No. 1) 2003 apply from 30 April 2004”.

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.

Clause not included in Casino Code.

Clause not included in Gaming Machines Code.

Clause not included in Racing Clubs Code.

RESPONSIBLE GAMBLING CODE

1. Purpose

This code provides a framework through which *[name of gambling provider]* the holder of *[a/the] [type of licence]* licence (“**gambling provider**”) can ensure that its general gambling practices 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.

In Lotteries Code—“This code provides a framework through which 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 conducted in a responsible manner so as to minimise the harm caused by gambling.”

Appendix 3: Codes of practice (first stage, in force)—
Responsible Gambling Code—continued

2. Venue responsible gambling documents

The gambling provider will—

- (a) in each gambling area—
 - (i) display prominently a sign indicating that gambling operations are governed by a code of practice; and
 - (ii) ensure that a copy of this code is made available to people in the gambling area, on request; and
- (b) for each gambling area, prepare and keep current a document detailing—
 - (i) the manner in which staff training and measures for intervention with problem gamblers are implemented; and
 - (ii) the roles of staff (described by name or by job title) in the implementation of this code.

3. Legislation and regulation

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;
 - (ii) if the gaming machine is capable of displaying a message on a second game screen in a manner approved by the Authority—on that second screen;
 - (b) in the form of a helpline sticker on or near each gaming table.

Gaming Machines Code: omit paragraph (b) and redesignate sub-paragraphs (a)(i) and (a)(ii) as paragraphs (a) and (b) respectively.

SA TAB Code: “The gambling provider will ensure the display of a helpline sticker on or near each point of sale terminal”.

Racing Clubs Code: “The gambling provider will ensure the display of a helpline sticker on or near each point of sale terminal of the on-course totalisator”.

Appendix 3: Codes of practice (first stage, in force)—
Responsible Gambling Code—continued

Lotteries Code: "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 take all reasonable and practicable steps to ensure that a person plays no more than one gaming machine at a time, including—
 - (a) the gambling provider displaying a warning sign that it does not permit any person to play more than one gaming machine at a time; and
 - (b) the gambling provider giving a warning to a patron offending for the first time and, should such a warning not be heeded, asking the patron to leave the gaming room for 24 hours.

SA TAB Code: not included.

Racing Clubs Code: not included.

Lotteries Code: not included.

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

Gaming Machines Code: not included—Act contains no concept of "rules".

Racing Clubs Code: "The gambling provider will ensure that a copy of the gambling rules is available for public inspection at the Secretary's office on the racecourse."

5. Customer information and signage

- (1) The gambling provider will—
 - (a) prominently display responsible gambling materials (including a poster and a pamphlet) in an agreed form in gambling areas; and
 - (b) make available its responsible gambling poster and pamphlet 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;

Appendix 3: Codes of practice (first stage, in force)—
Responsible Gambling Code—continued

- (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.

Casino Code: “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”.

Gaming Machines Code: “ensure that a quantity of helpline cards is available at or near each gaming machine, on or near each ATM and other places throughout gambling areas”.

- (3) The gambling provider will take all reasonable steps to ensure that a patron who demonstrates difficulty in controlling his or her personal expenditure on gambling products has his or her attention drawn to the name and telephone number of a widely available gambling 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) If the gambling provider is a member of a peak body, the gambling provider may comply with sub-clauses (4) and (5) through the activities of the peak body.

Casino Code: not included.

SA TAB Code: not included.

Racing Clubs Code: not included.

Lotteries Code: not included.

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 people into gambling areas, or them remaining there; and

SA TAB Code: not included.

Racing Clubs Code: not included.

Lotteries Code: paragraph (b) not included.

Appendix 3: Codes of practice (first stage, in force)—
Responsible Gambling Code—continued

(c) to ensure that alcohol is not supplied to reward, promote or encourage continued gambling; and

(d) to provide education to staff about the effect of alcohol on patrons; and

Gaming Machines Code: not included.

SA TAB Code: not included.

Racing Clubs Code: not included.

Lotteries Code: not included.

(e) to include guidelines to recognise excessive alcohol consumption in staff training programs.

Gaming Machines Code: not included.

SA TAB Code: not included.

Racing Clubs Code: not included.

Lotteries Code: not included.

(2) The gambling provider will ensure that a person is not served alcohol while seated or standing at a gaming machine.

SA TAB Code: not included.

Racing Clubs Code: not included.

Lotteries Code: not included.

7. Children

It is recommended that the gambling provider develop a protocol addressing the issue of young children (being children aged 10 years or less) who may otherwise be left unattended on the gambling provider's premises or in a motor vehicle parked in a car park over which the gambling provider has direct power and control.

SA TAB Code: not included.

Racing Clubs Code: not included.

Lotteries Code: not included.

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).

Appendix 3: Codes of practice (first stage, in force)—
Responsible Gambling Code—continued

- (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.

SA TAB Code: “if requested to provide a cheque in respect of a prize or winnings in aggregate...”.

Racing Clubs Code: “if requested to provide a cheque in respect of a prize or winnings in aggregate...”.

Lotteries Code: sub-clause (2) not included.

- (3) For the avoidance of doubt, nothing in this clause shall prevent the gambling provider cashing a cheque in the Secretary’s office on the racecourse.

Casino Code: not included.

Gaming Machines Code: not included.

SA TAB Code: not included.

Lotteries Code: not included.

9. Self-exclusion facility

- (1) The gambling provider will facilitate the indefinite voluntary exclusion of customers from one or more identified gambling areas.
- (2) The gambling provider will ensure that every approach by a customer about self-exclusion is responded to while the customer is on premises or on the telephone.
- (3) Self-exclusion 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 people from loyalty mailing databases.

Appendix 3: Codes of practice (first stage, in force)—
Responsible Gambling Code—continued

- (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.

Lotteries Code: In lieu of the whole of clause 9 substitute: "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—

Casino Code

- (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;

Gaming Machines Code

- (a) ensure that all approved gaming managers and all approved gaming employees receive problem gambling training—
- (i) for all approved gaming employees—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;

Appendix 3: Codes of practice (first stage, in force)—
Responsible Gambling Code—continued

(b) if the gaming provider—

- (i) is a member of a peak body or has access to on-going training and support by the peak body, ensure that all gaming staff are kept up to date on responsible gambling initiatives and information provided by the peak body, and conduct in-house training where necessary;
- (ii) does not have access to on-going training and support by the peak body, provide formal refresher courses for all staff at least each 2 years;

Racing Clubs and SA TAB Codes

- (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;

Lotteries Code

- (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;
- (b) provide refresher courses for all staff at least each two years;
- (c) include responsible gambling information in employee newsletters and magazines; and

Appendix 3: Codes of practice (first stage, in force)—
Responsible Gambling Code—continued

- (d) display responsible gambling material in back of house areas to remind staff of policies and their responsibilities.
- (2) If the gambling provider is to use an external provider for training, that training provider must be appropriately accredited in a manner acceptable to the Authority.
- (3) Problem gambling training programs 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; and
 - (d) reinforce the obligations on agents under the terms of the *State Lotteries Act 1966* and will include, but not be limited to, selling tickets to minors and seeking to ensure that they do not sell tickets to people purchasing on behalf of minors and at the request of minors.
- Casino Code: paragraph (d) not included.
- Gaming Machines Code: paragraph (d) not included.
- SA TAB Code: paragraph (d) not included.
- Racing Clubs Code: paragraph (d) not included.
- (4) The gambling provider will ensure that problem gambling training programs are regularly reviewed and revised.
- (5) 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.
- (6) The gambling provider will take reasonable steps to ensure that staff with a potential or actual gambling problem are identified and referred for treatment.
- (7) If the gambling provider provides training through an appropriately accredited external provider, the gambling provider may comply with sub-clauses (3) and (4) through the activities of that external provider.
- (8) If the gambling provider is a member of a peak body or has access to on-going training and support by a peak body, the gambling provider may comply with sub-clauses (3), (4) and (5) through the activities of the peak body.

Appendix 3: Codes of practice (first stage, in force)—
Responsible Gambling Code—continued

Casino Code: not included.

SA TAB Code: not included.

Racing Clubs Code: not included.

Lotteries Code: not included.

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;

Gaming Machines Code: “... means a gaming area within the meaning of the *Gaming Machines Act 1992*”.

SA TAB Code: “... 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”.

Racing Clubs Code: “... means a public area of a racecourse in which provision is made for people to make bets”.

Lotteries Code: “... 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 approved under section 41(1)(a) of the *Authorised Betting Operations Act 2000*;

Casino Code: definition reads “means the rules of games from time to time approved by the Liquor and Gambling Commissioner”.

Gaming Machines Code: definition not included (concept of rules does not exist in *Gaming Machines Act*).

Lotteries Code: “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;

Appendix 3: Codes of practice (first stage, in force)—
Responsible Gambling Code—continued

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

“peak body” means a genuine association formed to protect or promote the interests of a section of the gambling industry.

Casino Code: not included.

SA TAB Code: not included.

Racing Clubs Code: not included.

Lotteries Code: not included.

12. Operative dates and transitional

- (1) This code comes into operation on 30 April 2004.

Clause in Casino Code reads “The provisions of clauses 1–12 of this code as substituted by the Code Alteration (Adelaide Casino) (Responsible Gambling) (No. 1) 2003 apply from 30 April 2004”.

Clause in Gaming Machines Code reads “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 30 April 2004”.

- (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*.

Casino Code: sub-clause (2) not included.

Gaming Machines Code: sub-clause (2) not included.

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.

Clause not included in Casino Code.

Clause not included in Gaming Machines Code.

Clause not included in Racing Clubs Code.

APPENDIX 4

Second stage issues—starting point for discussion

	Codes issue	Starting point for discussion
1	<p>Mandatory warnings in advertising</p> <p>The Authority decided in the first stage of the codes of practice that all gambling advertising, across all forms of gambling, should include one mandatory warning, to be reviewed on an annual basis. Submissions were invited as to the precise wording of the mandatory warning.</p>	<p>Suggestions to date have not been particularly helpful in putting forward practical options for warning messages. In the absence of particular suggestions agreed between industry and the Concern Sector or argued convincingly in individual stakeholder submissions, the Authority will adopt the wording researched and adopted in Queensland, which has the consistent words of “gamble responsibly” followed by a tagline; for example—</p> <p style="text-align: center;"><i>Gamble responsibly: don't let the game play you.</i></p>
2	<p>On- and in- venue signage</p> <p>The Authority decided in the first stage of the codes of practice 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 were invited as to the extent of those limitations, for each form of gambling.</p>	<p>Discreet and minimalist signage only should be allowed, sufficient only to enable a person looking for a gaming machine venue to be able to locate a venue.</p> <p>Submitters are encouraged to suggest how this might be specified.</p>
3	<p>Mandatory breaks in play</p> <p>The Authority decided in the first stage of the codes of practice that there should be a mandatory break in play of 5 minutes every 2 hours. Submissions were 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.</p>	<p>In view of some of the technical and administrative difficulties with this proposal, and the recently new requirement in New Zealand that machines stop every 30 minutes, the IGA will not proceed at this time but will monitor the New Zealand experience.</p> <p>(Stakeholders may wish to address break in play technology when addressing the game approval guidelines.)</p>

Appendix 4: Second stage issues—starting point for discussion—continued

	Codes issue	Starting point for discussion
4	<p>Screening of sights and sounds of gambling</p> <p>The Authority decided in the first stage of the codes of practice that the sight and sound of gambling activity should not be visible outside the licensed or designated gambling area. Submissions were invited on how best to achieve this.</p>	<p>Industry has already indicated that screening sights and sounds could this could be incorporated prospectively (that is, for all new venues or venue redevelopments).</p> <p>However, for this to be part of a serious harm minimisation strategy, it would need to be applied to all venues.</p> <p>Submissions to date have not adequately dealt with how this would be done or alternatively, why the principle should not be applied to all venues.</p> <p>The Authority seeks further submissions in this area.</p>
5	<p>Six hour break—common closing hours for gaming machine venues</p> <p>The Authority invited submissions on a proposal that gaming machine licensees' mandatory closing hours be between 6.00am and 12.00 midday.</p>	<p>The Authority is inclined to accept an industry position that chains of hotels (hotels under joint ownership) will not seek, through applications to the Liquor and Gambling Commissioner, to stagger their opening hours so as to provide a 24 hour gaming experience.</p> <p>If the Authority can be satisfied that this will be implemented, it is not presently inclined to regulate for a common 6 hour break.</p>
6	<p>Inducements and loyalty programs</p> <p>The Authority invited 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.</p>	<p>The codes should prohibit all forms of inducements to gamble on gaming machines in hotels and clubs (including formal loyalty programs).</p>

Appendix 4: Second stage issues—starting point for discussion—continued

	Codes issue	Starting point for discussion
7	<p>Co-location of gambling activity</p> <p>The Authority sought submissions, with respect to hotel and club gaming venues, on the co-location of other gambling opportunities (SA TAB and State Lotteries) in the areas licensed for gaming machines.</p>	Co-location will not be mandated at this time.
8	<p>Relationship with counselling agencies</p> <p>The Authority decided in principle that gambling establishments should form a relationship with a local counselling agency. Submissions were sought on how this should be implemented.</p>	The codes should operate to require hotel and club gaming machine licensees to form appropriate relationships with local gambling rehabilitation agencies.
9	<p>Reporting of potential problem gamblers</p> <p>The Authority 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 were sought on how the proposal might be implemented and what its impact would be.</p>	The codes should operate to require there to be internal reporting processes, within hotel and club gambling businesses, for the identification of people showing signs of problem gambling behaviour.

Appendix 4: Second stage issues—starting point for discussion—continued

	Codes issue	Starting point for discussion
10	<p>Keno in newsagencies, pharmacies and similar environments</p> <p>The availability of Keno was raised in the July 2002 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 hotel 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.)</p> <p>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.</p> <p>The Authority remained concerned about the widespread availability of Keno and thus sought submissions on whether Keno should continue to be allowed to be provided in places such as newsagencies, pharmacies and public areas of shopping centres.</p>	<p>The codes applying to the Lotteries Commission should provide for the withdrawal of Keno from non-licensed premises (newsagencies, shopping centre kiosks, pharmacies &c) over a period of 5 years.</p>
11	<p>Age for sale of gambling products</p> <p>The Authority sought submissions on whether lotteries products should continue to be sold by persons under the age of 18 years.</p>	<p>The codes should require lotteries products to be sold by adults only.</p>

Appendix 4: Second stage issues—starting point for discussion—continued

	Codes issue	Starting point for discussion
12	<p>Smoking</p> <p>The Authority is in principle disposed to the proposition that smoking should not be permitted in places where gambling products are provided. Submissions were sought on the implications of such an imposition.</p>	<p>This issue has been superseded by health legislation, which will result in a total ban by 31 October 2007, beginning with phased bans on 6 December 2004.</p>
13	<p>Automated coin dispensing machines, automatic teller machines and cheque cashing facilities</p> <p>The Authority received a letter from Hon Nick Xenophon MLC requesting a reopening of the discussion on coin machines, ATMs and cheque cashing facilities in licensed premises. The Authority agreed to revisit discussion of these issues as part of the second stage.</p>	<p>That the codes should require of hotel and club licensees that, within 6 months, coin should only be able to be obtained from a cashier or from an automated coin dispensing machine which is located outside the gaming area (and not adjacent to a gaming machine) and located so as to enable those who may be demonstrating problem gambling behaviours to be detected (subject to such individual exemptions as the Authority might determine).</p>
14	<p>Linking the service of alcohol and gambling</p> <p>A complaint was drawn to the attention of the Authority in which it was alleged that a venue made service of alcohol conditional on a patron playing gaming machines. In the circumstances of the particular complaint, the gaming room was the only licensed area open in the premises at the time. The complaint raised a more general issue of whether the responsible gambling codes of practice should prohibit the linking of service of alcohol to provision of a gambling product.</p>	<p>This issue, which may have been confined in any event to the inappropriate behaviour of one licensee, has apparently been resolved by the Liquor and Gambling Commissioner imposing licence conditions. Stakeholders are asked to submit if it is their view that the matter is resolved.</p>

Appendix 4: Second stage issues—starting point for discussion—continued

	Codes issue	Starting point for discussion
15	<p>Facial recognition and smart card technologies</p> <p>It had been suggested, both in general public debate and in past submissions to hearings, that there is technology available to support harm minimisation measures, with particular reference to support of barring initiatives.</p> <p>Two of the suggestions relate to facial recognition technology, which relates particularly to barring, and card based gambling technology, which may have wider application.</p>	<p>This issue has been dealt with through the Inquiry into Smartcard Technology, which was required as a product of the Parliamentary consideration of the gaming machine numbers legislation.</p>
Additional matter		
16	<p>Recognition of the casino host responsibility initiative</p>	<p>The casino codes should include reference to the role of the host responsibility officers initiative, including a requirement that the licensee provide a report on the effectiveness of the initiative following the first anniversary of its commencement.</p>

APPENDIX 5

Game Approval (Gaming Machines) (No.1) Guidelines 2003

SOUTH AUSTRALIA

GAMING MACHINES ACT 1992

Game Approval (Gaming Machines (No. 1) Guidelines 2003

[2 June 2003]

The Independent Gambling Authority issues guidelines to the Liquor and Gambling Commissioner as follows:

1. Preliminary

- (1) These guidelines may be cited as the Game Approval (Gaming Machines) (No.1) Guidelines 2003.
- (2) These guidelines come into operation on 1 July 2003.
- (3) These guidelines are issued for the purposes of section 40(2) of the *Gaming Machines Act 1992*, for the purposes of the Liquor and Gambling Commissioner assessing whether a game is likely to lead to an exacerbation of problem gambling.

2. Game characteristics tending to an exacerbation

- (1) If a proposed game has one or more of the characteristics listed in sub-clause (2), approval of the game will be likely to lead to an exacerbation of problem gambling unless there is evidence to the contrary.
- (2) The characteristics referred to in sub-clause (1) are—
 - (a) **[non-linear]** that the statistical return to player for the game changes depending on the amount bet;
 - (b) **[illusion of control]** that the player may be induced to believe that his or her level of skill will affect the outcome of the game when this is not the case;
 - (c) **[win truncation]** that there are circumstances in which a prize provided for by the rules of the game would, but for a provision that provided that prizes would be truncated to the maximum prize permitted by law, exceed the maximum prize permitted by law;

Appendix 5: Game Approval (Gaming Machines) (No.1)
Guidelines 2003—continued

- (d) **[feature entry bet]** that the game has a special feature which is only available if the player bets at or above a particular level;
- (e) **[paid-for feature game]** that the game has a special feature which will only commence if a further bet or bets are made;
- (f) **[metamorphic]** that the game will transform into a different game when certain game events (requiring further play) have occurred;
- (g) **[free spins]** that the game has a special feature which includes more than 25 automated free reel spins or bets;
- (h) **[rate of play]** that the reel spin interval of the game is less than 3.5 seconds or, in the case of a game which does not display reels, a bet can be placed more than 17 times per minute;
- (i) **[game screen meters]** that the game does not display the value in money of the credit balance, bet and win, using a “\$” symbol and numerals of the same size and intensity as the display of the credit balance, bet and win.

3. Assessment of new characteristics

If a proposed game has a feature or characteristic which is new, or which causes the proposed game to differ materially from the games already approved at the time the application for approval is made, the Liquor and Gambling Commissioner should require the applicant to provide a responsible gambling impact analysis of the game and the role of the feature or characteristic.

APPENDIX 6

Game Approval (Casino) (No.1) Guidelines 2003

SOUTH AUSTRALIA

CASINO ACT 1997

Game Approval (Casino) (No. 1) Guidelines 2003

The Independent Gambling Authority issues guidelines to the Liquor and Gambling Commissioner as follows:

1. Preliminary

- (1) These guidelines may be cited as the Game Approval (Casino) (No.1) Guidelines 2003.
- (2) These guidelines come into operation on 1 July 2003.
- (4) These guidelines are issued for the purposes of section 37A(1) of the *Casino Act 1997*, for the purposes of the Liquor and Gambling Commissioner assessing whether a gaming machine game is likely to lead to an exacerbation of problem gambling.

2. Game characteristics tending to an exacerbation

- (1) If a proposed game has one or more of the characteristics listed in sub-clause (2), approval of the game will be likely to lead to an exacerbation of problem gambling unless there is evidence to the contrary.
- (2) The characteristics referred to in sub-clause (1) are—
 - (a) **[non-linear]** that the statistical return to player for the game changes depending on the amount bet;
 - (b) **[illusion of control]** that the player may be induced to believe that his or her level of skill will affect the outcome of the game when this is not the case;
 - (c) **[win truncation]** that there are circumstances in which a prize provided for by the rules of the game would, but for a provision that provided that prizes would be truncated to the maximum prize permitted by law, exceed the maximum prize permitted by law;
 - (d) **[feature entry bet]** that the game has a special feature which is only available if the player bets at or above a particular level;

Appendix 6: Game Approval (Casino) (No.1) Guidelines 2003—
continued

- (e) **[paid-for feature game]** that the game has a special feature which will only commence if a further bet or bets are made;
 - (f) **[metamorphic]** that the game will transform into a different game when certain game events (requiring further play) have occurred;
 - (g) **[free spins]** that the game has a special feature which includes more than 25 automated free reel spins or bets;
 - (h) **[rate of play]** that the reel spin interval of the game is less than 3.5 seconds or, in the case of a game which does not display reels, a bet can be placed more than 17 times per minute;
 - (i) **[game screen meters]** that the game does not display the value in money of the credit balance, bet and win, using a “\$” symbol and numerals of the same size and intensity as the display of the credit balance, bet and win.
- (3) For the purpose of sub-clause (2)(h), in assessing the likelihood that approval of a game with a particular rate of play will exacerbate problem gambling, it is relevant, and the Commissioner must take into account, whether the premises into which the game will be introduced are subject to a mandatory requirement for gamblers to be subject to responsible gambling supervision and whether there is an early intervention process available and ready access in that environment to counselling or an effective referral service.

3. Assessment of new characteristics

If a proposed game has a feature or characteristic which is new, or which causes the proposed game to differ materially from the games already approved at the time the application for approval is made, the Liquor and Gambling Commissioner should require the applicant to provide a responsible gambling impact analysis of the game and the role of the feature or characteristic.

CONSOLIDATION NOTES

1. This consolidation incorporates amendments made by the Authority on 20 August 2004.

APPENDIX 7

Gaming machine licensing guidelines (2 November 2005)

SOUTH AUSTRALIA

Gaming Machines Act 1992

Section 86A

Gaming machine licensing guidelines [2 November 2005]

The Independent Gambling Authority issues the following guidelines:

1. Purpose

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

2. Application contents

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

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

Appendix 7: Gaming machine licensing guidelines (2 November 2005)—continued

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

3. Determination process

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

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



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