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# Responsible Gambling (SA TAB) Code of Practice

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*Version No. 003, as at 1 August 2010*

**TABLE OF CONTENTS**

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1. Purpose .....	1	8. Cheques.....	7
2. Responsible gambling documents .....	1	9. Self-exclusion facility .....	7
3. Legislation and regulation.....	2	10. Staff and training .....	8
4. Gambling operations.....	2	11. Definitions and interpretation.....	9
5. Customer information and signage .....	2	12. Operative dates and transitional .....	11
6. Alcohol and gambling.....	3	13. Application to agents .....	12
6A. Inducements .....	4	<b>NOTES.....</b>	<b>12</b>
7. Gambling accounts .....	4		



**Version No. 003**  
**Reprinted, incorporating amendments, as at 1 August 2010**

## **Responsible Gambling (SA TAB) Code of Practice**

This code of practice is prescribed for the holder of the major betting operations licence under section 6A(1)(b) of the *Authorised Betting Operations Act 2000* for the purposes of section 49 of that Act:

### **1. Purpose**

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

### **2. Responsible gambling documents**

The gambling provider must—

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

*Sub-paragraph  
(i) amended by  
No. 2 of 2010,  
cl. 5(2)*

*Responsible Gambling (SA TAB) Code of Practice  
(South Australia)*

**Clause 3**

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**3. Legislation and regulation**

The gambling provider must—

- (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 operations**

- (1) The gambling provider must ensure the prominent display of a warning message in the form of the condensed warning message—
  - (a) on or near each point of sale terminal in a gambling area; and
  - (b) at the point of sale page on each of its gambling websites.
- (2) The gambling provider must ensure that the time of day is prominently displayed throughout gambling areas.
- (3) The gambling provider must ensure that a copy of the gambling rules is available for inspection—
  - (a) upon request; and
  - (b) on its website.

**5. Customer information and signage**

- (1) The gambling provider must—
    - (a) prominently display responsible gambling materials (including a poster and a pamphlet) in gambling areas; and
    - (b) prominently display its responsible gambling materials on its website.
  - (2) The gambling provider must—
    - (a) at the time of establishing a gambling account, provide its responsible gambling materials (including a pamphlet) to the account holder; and
    - (b) when providing a statement for a gambling account, include an expanded warning message as part of the statement.
  - (3) For the purposes of sub-clauses (1) and (2), the gambling provider must—
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*Responsible Gambling (SA TAB) Code of Practice  
(South Australia)*

**Clause 6**

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- (a) publish its responsible gambling materials in a form which includes a helpline message and—
    - (i) if it is not reasonable or practicable to include an expanded warning message, the condensed warning message; or
    - (ii) an expanded warning message, rotated according to the protocol set out in clause 11(2); and
  - (b) make available its responsible gambling materials in the following 5 languages other than english—
    - (i) arabic;
    - (ii) chinese;
    - (iii) greek;
    - (iv) italian;
    - (v) vietnamese—together with any other language which the gambling provider considers appropriate.
- (4) The gambling provider must—
- (a) ensure the prominent display of the condensed warning message and (or within) a helpline sticker on or near each ATM;
  - (b) ensure that a quantity of helpline cards is available at each point of sale terminal and on or near each ATM.
- (5) The gambling provider must take all reasonable steps to ensure that a patron who demonstrates difficulty in controlling his or her personal expenditure on gambling products has his or her attention drawn to the name and telephone number of a widely available gambling help service.
- (6) The gambling provider must from time to time file with the Authority its responsible gambling materials referred to in sub-clause (1).
- (7) The gambling provider must reinforce its responsible gambling policy in customer newsletters and other communications.

**6. Alcohol and gambling**

- (1) The gambling provider must take all practicable steps—
  - (a) to prevent a person from being allowed to gamble if—
    - (i) the person is intoxicated; or

*Clause 6  
amended by  
No. 2 of 2010,  
cl. 5(3)*

*Responsible Gambling (SA TAB) Code of Practice  
(South Australia)*

**Clause 7**

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(ii) the person's speech, balance, coordination or behaviour is noticeably impaired and it is reasonable to believe that the impairment is the result of the consumption of liquor.

(b) to ensure that alcohol is not supplied to reward, promote or encourage continued gambling.

*Sub-clause 2  
inserted by  
No. 2 of 2010,  
cl. 5(3)(c)*

(2) What it is reasonable for the gambling provider to notice, for the purpose of clause 6(1)(a), will depend on the circumstances in which the bet is accepted (for example, whether the engagement is by telephone or internet).

*Clause 6A  
inserted by  
No. 2 of 2009,  
cl 5(2)*

**6A. Inducements**

The gambling provider must not offer any inducement to gamble.

**7. Gambling accounts**

*Sub-clause (1)  
amended by  
No. 2 of 2009,  
cl. 5(4)*

(1) The gambling provider must not provide gambling services to a person by telephone, internet or other electronic means unless the gambling provider has established a gambling account for the person.

*Sub-clause (2)  
substituted by  
No. 2 of 2010,  
cl. 5(4)(a)*

(2) The gambling provider must ensure that each account holder has no more than one gambling account except where—

(a) the account holder has a fortnightly turnover consistent with an annual turnover of more than \$1 million and the gambling provider is satisfied that there is good reason for the account holder to have more than one gambling account; or

(b) the gambling provider offers only the net betting losses pre-commitment option referred to in sub-clause (3)(b)(i).

*Sub-clause (3)  
amended by  
No. 2 of 2010,  
cl. 5(4)(b)*

(3) The gambling provider must, in relation to a gambling account, provide a pre-commitment scheme which includes the following features—

(a) an account holder must be able to set a pre-commitment limit for a fixed period of 7 days (the “**relevant period**”);

(b) the pre-commitment limit set by the account holder may apply to—

(i) net betting losses by the account holder (regardless of the number of accounts held) during the relevant period;

(ii) deposits made to the account during the relevant period; or

(iii) a combination of both;

*Sub-paragraph  
(i) substituted  
by No. 2 of  
2010,  
cl. 5(4)(c)*

*Responsible Gambling (SA TAB) Code of Practice  
(South Australia)*

**Clause 7**

- (c) a gambling account must not be able to be used until the account holder has set a pre-commitment limit or chosen not to set a pre-commitment limit;
  - (d) the gambling provider, at intervals of no less than 2 years, must contact each account holder who has chosen not to set a pre-commitment limit to offer the choice to set a pre-commitment limit;
  - (e) a decision by an account holder to—
    - (i) increase or revoke a pre-commitment limit; or
    - (ii) change the start day for the relevant period—
 must not come into effect for a period of 7 days;
  - (f) a decision by an account holder to decrease a pre-commitment limit must be given effect as soon as practicable.
- (4) The gambling provider must provide to an account holder—
- (a) an account balance—
    - (i) whenever money is withdrawn (other than for the placement of a bet); and
    - (ia) whenever money is deposited into a gambling account via an online transaction; and
    - (ii) in the case of a bet placed by internet—whenever a bet is made from the account; and
    - (iii) upon request by the account holder; and
  - (b) an activity statement—
    - (i) for each calendar month in which there are 25 or more transactions conducted on a gambling account; and
    - (ii) for each period of consecutive calendar months (up to three calendar months) in which more than one transaction is conducted on a gambling account (which statement may be combined with a statement required by sub-paragraph (i)); and
    - (iii) at least once in each period of 12 months following the provision of an activity statement.
- (4A) A gambling provider will, in addition to activity statements required by sub-clause (4) provide an activity statement to the account holder upon request for the activity period nominated by the account holder.

*Sub-clause (4)  
substituted by  
No. 2 of 2010,  
cl. 5(4)(d)*

*Responsible Gambling (SA TAB) Code of Practice  
(South Australia)*

**Clause 7**

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- Sub-clause (5)  
substituted by  
No. 2 of 2010,  
cl. 5(4)(d)*
- (5) An activity statement must include details of each transaction since the last issued statement, including the amount, date, time and a description of the transaction.
- Sub-clause (5A)  
substituted by  
No. 2 of 2010,  
cl. 5(4)(d)*
- (5A) An activity statement must be provided in writing—
- (a) if the account holder elects to receive the statement by email and the gambling provider is able to transmit it—by email; or
  - (b) by facsimile transmission; or
  - (c) by post or some other form of physical delivery.
- Sub-clause (5B)  
substituted by  
No. 2 of 2010,  
cl. 5(4)(d)*
- (5B) If—
- (a) an account holder elects to receive activity statements by email; and
  - (b) on any one day during the relevant period, the statement would record 20 or more transactions; and
  - (c) the gambling provider offers a facility by which the account holder may view individual transactions online—
- the gambling provider may provide the statement in a form which aggregates on a daily basis the amounts deposited, withdrawn, bet and won.
- Sub-clause (5C)  
substituted by  
No. 2 of 2010,  
cl. 5(4)(d)*
- (5C) If a gambling provider offers to provide an activity statement by email and the account holder elects to receive the statement by post or some other form of delivery, the gambling provider is not prevented by this code from recovering the additional cost occasioned by the mode of delivery.
- Sub-clause (6)  
amended by  
No. 2 of 2010,  
cl. 5(4)(e)*
- (6) The gambling provider must promote the availability of the the pre-commitment scheme to account holders and prospective account holder—
- (a) on any brochures, pamphlets or marketing information (other than advertising) that provides information on how a gambling account may be established; and
  - (b) as part of the welcome pack (however described) provided to an account holder upon account establishment; and
  - (c) on the gambling provider’s website—both on the homepage and on any point of sale page; and
  - (d) on account balances (when provided in writing) and activity statements.
- Paragraph (d)  
amended by  
No. 2 of 2010,  
cl. 5(4)(f)*
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*Responsible Gambling (SA TAB) Code of Practice*  
(South Australia)

**Clause 8**

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**8. Cheques**

- (1) The gambling provider must 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 must, if requested to provide a cheque in respect of an undisputed prize or winnings in aggregate of \$1 000 or more, provide the cheque as soon as practicable and, in any event, within 30 minutes after the patron makes the request and completes any formalities required by law.

**9. Self-exclusion facility**

- (1) A gambling provider must facilitate the voluntary exclusion of customers from one or more identified gambling areas or one or more of its gambling websites or gambling telephone lines for—
    - (a) a fixed period; or
    - (b) an indefinite period.
  - (2) The gambling provider must ensure that every approach by a customer about self-exclusion is responded to—
    - (a) while the customer is on premises or on the telephone; or
    - (b) in the case of an approach made by the internet—within 24 hours of the approach being made.
  - (3) Self-exclusion must 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 gambling help service;
    - (c) provision for the review of self-exclusion notices with customers before notices are rescinded; and
    - (d) removal of excluded people from loyalty mailing databases.
  - (4) A gambling provider must ensure, to the extent reasonably possible, that—
    - (a) excluded persons are not allowed to enter, or remain in, gambling areas from which they have been excluded; and
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*Responsible Gambling (SA TAB) Code of Practice  
(South Australia)*

**Clause 10**

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- (b) the gambling provider does not provide gambling services to a person who has been excluded.

**10. Staff and training**

- (1) The gambling provider must—
- (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) provide responsible gambling materials in the workplace 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 must be designed to—
- (a) provide information about the potential effect of gambling on customers;
  - (b) include information on the recognition and identification of problem gambling traits; and
  - (c) ensure that the processes for approach, intervention, referral and follow-up are clear and well understood.
- (4) The gambling provider must ensure that problem gambling training programs are regularly reviewed and revised.
- (5) The gambling provider must—
- (a) make arrangements to ensure that training programs provided to its staff are the subject of an annual audit of their compliance with the requirements of this code; and

*Responsible Gambling (SA TAB) Code of Practice  
(South Australia)*

**Clause 11**

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- (b) provide a report of the outcome of each audit to the Authority within 28 days after completion.
- (6) The gambling provider must 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), (4) and (5) through the activities of that external provider.

**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;

**“condensed warning message”** means the following message—

“Gamble Responsibly.”;

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

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

**“gambling area”** means—

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*Responsible Gambling (SA TAB) Code of Practice  
(South Australia)*

**Clause 11**

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- (a) in relation to gambling on a racecourse—a public area of a racecourse in which provision is made for people to make bets;
- (b) in relation to gambling other than on a racecourse—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 help service”** means a gambling help service that is physically located in South Australia;

**“gambling rules”** means the rules applying to a gambling product or type of gambling product and includes the rules from time to time approved under section 41(1)(a) of the *Authorised Betting Operations Act 2000*;

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

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

**“helpline card”** means a card of approximately 9 cm by 5 cm that includes a helpline message;

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

**“helpline sticker”** means a sticker that includes a helpline message;

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

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

but does not include a trade promotion lottery;

**“trade promotion lottery”** means—

- (a) a minor trade promotion lottery conducted so as to comply with regulation 30 of the Lottery and Gaming Regulations 2008; and

*Definition of  
“helpline  
message”  
amended by  
No. 2 of 2009,  
cl. 5(3)*

*Definition of  
“inducement to  
gamble”  
inserted by  
No. 2 of 2009,  
cl. 5(3)(c)*

*Definition of  
“trade  
promotion  
lottery”  
inserted by  
No. 2 of 2009,  
cl. 5(3)(c)*

*Responsible Gambling (SA TAB) Code of Practice  
(South Australia)*

**Clause 12**

- (b) a major trade promotion lottery or a trade promotion (instant prize) lottery for which a licence has been granted under regulation 17 of the Lottery and Gaming Regulations 2008.
- (2) For the purposes of rotating the six expanded warning messages over 3 years, the gambling provider must—
- (a) to the greatest extent practicable, always use the same expanded warning message at the same time;
  - (b) to the greatest extent practicable, use an expanded warning message for six months at a time;
  - (c) take reasonable steps to consult with other gambling providers required to use expanded warning message with a view to ensuring, to the greatest extent practicable, that all gambling providers are using the same expanded warning message at the same time.

**12. Operative dates and transitional**

- (1) This code comes into operation on 1 March 2009. *Sub-clause (1)  
amended by  
No. 3 of 2009,  
cl. 4(3)*
- (2) Clauses 7(2) to 7(6) inclusive of this code come into operation on 1 September 2010. *Sub-clause (2)  
substituted by  
No. 3 of 2009,  
cl. 4(4)*
- (3) Despite the commencement of clause 7(2) on 1 September 2010, a gambling provider is deemed, in respect of an account holder having more than one existing gambling account in the period 1 September 2010 to 31 August 2011, not to be in breach of clause 7(2) if— *Sub-clause (3)  
inserted by  
No. 3 of 2009,  
cl. 4(4)*
- (a) the gambling operator has, on or before 1 September 2010, instituted a data integrity program designed to eliminate duplicate account holdings by the end of 31 August 2011; and
  - (b) the gambling operator can demonstrate that the program is being effectively prosecuted.
- (4) Despite the commencement of clause 7(3)(c) on 1 September 2010, a gambling provider is deemed, in respect of an account holder being able to use an existing gambling account without the account holder having set a pre-commitment limit or having made the choice not to set a pre-commitment limit, not to be in breach of clause 7(3)(c) if— *Sub-clause (4)  
inserted by  
No. 3 of 2009,  
cl. 4(4)*

*Responsible Gambling (SA TAB) Code of Practice  
(South Australia)*

### Clause 13

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- (a) the gambling operator has, on or before 1 September 2010, instituted a program designed to ensure that contact is made with each existing account holder to offer the choice to set a pre-commitment limit by the end of 28 February 2011; and
- (b) the gambling operator can demonstrate that the program is being effectively prosecuted.

Sub-clause (5)  
inserted by  
No. 3 of 2009,  
cl. 4(4)

- (5) In sub-clauses (3) and (4), “**existing account**” means a gambling account which was opened before 1 September 2010 and “**existing account holder**” has a corresponding meaning.

### 13. Application to agents

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

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### NOTES

1. The Responsible Gambling (SA TAB) Code of Practice was prescribed by the Independent Gambling Authority on 27 February 2009, under section 6A(1)(a) of the *Authorised Betting Operations Act 2000*, and came into operation on 1 March 2009. It was published in the South Australian Government Gazette, No. 14 of 2009, on 27 February 2009, at pages 903–910.
2. Marginal annotations to revoked clauses will not necessarily include all amendment history of the revoked clause. An earlier reprint or version should be consulted for pre-revocation amendment history.
3. This reprint incorporates amendments made to the Advertising (Authorised Interstate Betting Operators) Code of Practice, since 1 March 2009, by the following notices:

<i>No.</i>	<i>Title, making and gazettal details</i>	<i>Commencement details</i>
2 of 2009	Responsible Gambling Code of Practice (Inducements) Variation Notice 2009 14 May 2009 (Government Gazette, No. 33 of 2009, 14 May 2009, pages 1723–1727)	Whole of notice on 1 June 2009.

*Responsible Gambling (SA TAB) Code of Practice  
(South Australia)*

**Note 3**

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<i>No.</i>	<i>Title, making and gazettal details</i>	<i>Commencement details</i>
3 of 2009	Responsible Gambling Code of Practice (Pre-commitment) Variation Notice 2009 23 December 2009 (Government Gazette, No. 97 of 2009, 23 December 2009, pages 6416–6425)	Whole of notice on 1 September 2010.
2 of 2010	Responsible Gambling Code of Practice (Miscellaneous) Variation Notice 2010 15 July 2010 (Government Gazette, No. 46 of 2010, 15 July 2010, pages 3424–3432)	Whole of notice on 1 August 2010.