

Social Effect Inquiry 2011

Joint Submission of Senator Nick Xenophon & John Darley MLC, Overview

Social Effect Principles:

- Upon the commencement of the recent changes to the *Gaming Machines Act 1992*, the IGA will be required to prescribe an inquiry process that must precede an application for a social effect certificate, or if required by the Commissioner, a variation of a gaming machine licence. The IGA may also be required to prescribe principles for assessing the social effect of the grant or variation of a gaming machine licence (social effect principles) and principles for assessing whether a game is likely to lead to an exacerbation of problem gambling.
- Minimum benchmarks ought to be incorporated into the principles that may be prescribed by the Independent Gambling Authority.
- Those benchmarks would require the Independent Gambling Authority to establish principles which require the socio-economic characteristics of the local community to be taken into account. They should also include principles which describe the level of social effect on a local community and, in particular, on problem gambling within a local community, that is considered unacceptable.
- This approach is consistent with amendments moved by John Darley during the parliamentary debate into the *Gaming Machines (Miscellaneous) Amendment Bill 2009*.
- Such minimum benchmarks would ensure that the Office of Liquor and Gambling Commissioner take into account principles set by the Independent Gambling Authority that relate specifically to the socio-economic characteristics of the local community. They would further strengthen the social effect test by ensuring any adverse effects of problem gambling within a community are given appropriate weight and consideration prior to the granting of a gaming machine licence.

Greenfield Sites

- A ballot or poll of persons residing within two kilometres of a proposed venue (that falls within a greenfield site) should be conducted and the majority of persons responding to the ballot or poll should favour the granting of the application prior to it being approved.
- Applicants should provide residents with a copy of the proposal for the proposed premises within a reasonable time prior the ballot or poll.
- Additionally, independent expert evidence on the social impacts of an application should be considered prior to the granting of a gaming machine licence. This should include consideration of the level of gambling addiction as well as the level of problem gambling resources that are available within the locality of the proposed premises. It should also include consideration of the number of existing venues in the area.