



SITHGAM001

Provide responsible gambling service

NSW

Responsible Conduct of Gambling

STUDENT WORKBOOK

Table of Contents

1.0 Provide Responsible Gambling Services	5
1.1 RCG Competency Card.....	6
1.2 Getting your RCG Competency Card.....	6
2.0 Introduction	7
2.1 Course structure.....	7
2.2 Gambling in Australia.....	7
2.3 Gambling in NSW.....	11
3.0 Section 1	13
3.1 Module 1 – Government, gambling and legislation	13
3.1.1 Assessment criteria.....	13
3.1.2 Harm minimisation (harm reduction).....	13
3.1.2.1 Gambling legislation in NSW.....	14
3.1.2.2 Government inquiries into gambling.....	15
3.1.2.3 Liquor & Gaming NSW.....	17
3.1.2.4 The Responsible Gambling Fund.....	18
3.1.2.5 The Independent Liquor and Gaming Authority (the ‘Authority’).....	18
3.1.2.6 Secretary, NSW Department of Industry.....	19
3.1.2.7 NSW Police.....	19
3.1.2.8 Legislative provisions.....	19
3.1.2.9 Test your knowledge.....	20
3.1.2.10 Penalties under the legislation.....	20
3.1.2.11 Reporting gambling conduct in venues.....	21
3.2 Module 2 – Statutory signage requirements	23
3.2.1 Assessment criteria.....	23
3.2.2 Statutory signage requirements.....	23
3.2.3 Gambling signage types and placement.....	24
3.2.4 Problem gambling and self-exclusion notice.....	25
3.2.5 Venue.....	28
3.2.6 Test your knowledge.....	30
3.2.7 Advertising of gaming machines.....	31
3.2.7.1 Gaming machine advertising.....	31
3.2.7.2 Prohibitions on gaming machine advertising.....	31
3.2.7.3 Exemptions to the advertising prohibitions.....	31
3.2.7.4 Prohibition on displaying gambling-related signs.....	32
3.2.7.5 Location of gaming machines in venues.....	33
3.2.8 Hotel gaming rooms.....	34
3.2.9 Mandatory shutting down of gaming machines.....	34
3.3 Module 3 – Gambling inducements, player prizes, reward schemes, cash and cheque dispensing	36
3.3.1 Assessment criteria.....	36
3.3.2 Gambling inducements.....	36
3.3.3 Guidelines for inducements.....	37
3.3.4 Promotional prizes and player reward schemes.....	37
3.3.5 Player accounts.....	37
3.3.6 Player activity statement.....	38
3.3.7 Cheques and cash dispensing facilities.....	39
3.3.8 Prohibition on extension of credit for gambling.....	39
3.3.9 Misrepresentation or false description of credit transactions.....	39
3.3.10 Payment of prizes by cheque or electronic funds transfer.....	40
3.3.11 Cheque cashing franchises.....	40
3.3.12 Guidelines for payment of winnings.....	40

3.3.13	Publicity for prize-winners.....	41
3.3.14	Location of cash dispensing facilities away from gaming machines	41
3.3.15	Exemptions.....	41
3.3.16	Test your knowledge.....	42
3.4	Module 4 - Minors.....	43
3.4.1.1	Assessment criteria	43
3.4.1.2	Minors.....	43
3.4.1.3	Evidence of age.....	44
3.4.1.4	Minors and responsibilities of staff.....	45
3.4.1.5	Recovery of certain money involving minors.....	45
4.0	Section 2	47
4.1	Module 5 – Responsible and problem gambling.....	47
4.1.1	Assessment criteria	47
4.1.2	Responsible gambling.....	47
4.1.2.1	Industry overview.....	48
4.1.2.2	Benefits of RCG to business.....	48
4.1.2.3	Venue staff – Why they are at greater risk.....	48
4.1.2.4	What is problem gambling?.....	49
4.1.2.5	Signs of problem gambling for patrons	50
4.1.2.6	Indicators of problem gambling	50
4.1.2.7	The impact of problem gambling ⁶	52
4.1.2.8	Social and financial costs of problem gambling.....	53
4.1.2.9	Impact on the workplace	54
4.1.2.10	Impact on the family.....	54
4.1.2.11	Crime.....	55
4.1.2.12	Betiquette.....	55
4.1.2.13	Impacts on groups such as women and people from culturally and linguistically diverse (CALD) communities	55
4.1.2.14	Alcohol and gambling	57
4.1.2.15	Test your knowledge.....	58
4.2	Module 6 – Responding to potential problem gamblers.....	59
4.2.1.1	Assessment criteria	59
4.2.1.2	Responding to potential problem gamblers.....	59
4.2.1.3	Working with distressed patrons.....	60
4.2.1.4	De-escalating the conflict.....	60
4.2.1.5	Communication skills	62
4.2.1.6	Effective communication	64
4.2.1.7	Active listening.....	64
4.2.1.8	Hearing.....	65
4.2.1.9	Non-verbal behaviour	66
4.2.1.10	Understand the context (scenario).....	66
4.2.1.11	Challenge.....	66
4.3	Module 7 – Self-exclusion and counselling.....	67
4.3.1.1	Assessment criteria	67
4.3.1.2	Self-exclusion schemes	67
4.3.1.3	Request for self-exclusion	67
4.3.1.4	Policies and procedures to deal with customers wanting to enter a self-exclusion.....	68
4.3.1.5	Documentation for self-exclusion scheme	69
4.3.1.6	Third party requests for the exclusion	69
4.3.1.7	Problem gambling counselling services.....	70
4.3.1.8	Gambling incident logs.....	71
5.0	Further reading and quick references.....	75
6.0	Quick Reference Contacts.....	75

1.0 Provide Responsible Gambling Services

To work in the liquor and gaming industry in NSW, you need to undertake training. Depending on your duties you may require to have Responsible Conduct of Gambling (RCG) training. Gaming machines are allowed in registered clubs and hotels and venue staff has additional responsibilities when operating gaming machines.

The RCG course helps to promote safety (harm minimisation) in venues where there are gaming machines, including how to recognise gambling problems and addiction. The course has been designed to satisfy the requirements of clause 59 of the Gaming Machines Regulation 2010.

It is a requirement of the legislation that if work duties involve gaming machines, a person shall complete RCG training. RCG training applies to:

- Licensees of a full hotel licence
- Secretaries of a registered club
- Club directors
- Staff with gaming machine duties
- Staff who pay out winnings
- Staff who patrol or serve in the gaming machine area

There are a number of consequences, if a registered club or hotel does not satisfy the above requirements:

- The Independent Liquor and Gaming Authority (ILGA) will refuse any application to keep gaming machines from a registered club or hotel;
- A registered club or hotelier can't employ a person whose duties involve the conduct of gaming machines;

There are a number of conditions required to deliver RCG course:

- The course must be delivered over a minimum of six hours;
- An assessment of the competency of the students must be undertaken;
- The student-trainer ration must not exceed 30:1.

The topics covered in the RCG course include:

- Benefits of RCG
- Problem gambling
- Harm minimisation
- Gambling laws
- Minors
- Offences and penalties
- Gaming signage
- Self-exclusion
- Strategies to conduct gambling responsibly
- Venue self-audit checklists
- Player prizes and winnings payment, and
- How gaming laws affect employees of licensed premises.

Once you complete your training, we will provide you with a Statement of Attainment that you can work immediately. To prove your competency, you can show your:

- Statement of Attainment
- Physical photo NSW competency card
- Digital competency card

1.1 RCG Competency Card

It is requirements that individuals who successfully completed approved RCG courses in NSW must obtain a photo competency card, issued by Liquor & Gaming NSW, to work in roles that require this qualification. A competency card features your photo and your personal details, the competency you have obtained and an expiry date. It is issued as both a physical card and an optional digital licence that you need to carry with you and present when asked.

The digital version of the photo competency card makes it easier to carry, display, update, and renew a licence using a smart phone or tablet. If you have a digital competency card you don't need to carry the photo card.

The benefits of having your digital competency card:

- Is free, quick to download, and legally valid;
- Provides a solution to forgetting to bring your competency card to work or recently losing them;
- Enables compliance officers to conduct real time inspections on a compatible checker;
- Allows you to access your inspection history.

1.2 Getting your RCG Competency Card

1. Successfully complete an RCG training course. On course completion Short Courses Australia will give you a Statement of Attainment allowing you to work in the industry for 90 days.
2. Apply for a card at a participating Service NSW Service Centre, where you will have your identity verified and a photo taken that will appear on your card. Visit www.service.nsw.gov.au and search 'Get started with digital licences' to learn more about the digital NSW competency card.
3. Download the app to your smartphone available on iTunes® or at the 'Google Play'™ store. Once you have the app, you will need to CCH number to add your competencies. Your CCH number is displayed on your photo card and the transaction receipt from your visit to Service NSW.

Liquor & Gaming NSW (L&GNSW) partnered with Service NSW to deliver a free and secure digital card for RSA and RCG competency cardholders.

2.0 Introduction

2.1 Course structure

There are two sections in the Responsible Conduct of Gambling (RCG). Each section has a number of modules explaining the different harm minimisation requirements of the legislation. This course is based on the nationally recognised Unit of Competency *SITHGAM001 Provide responsible gambling services*, which describes the performance outcomes, skills and knowledge required to provide responsible gambling services, and to assist those customers who have issues with problem gambling.

On successful completion of this course, participants will be awarded a Statement of Attainment.

By the end of the Responsible Conduct of Gambling students should be able:

- Describe the context of gambling in New South Wales.
- Describe the legislative framework for the responsible conduct of gambling.
- Explain the indicators and impact of problem gambling.
- Implement responsible gambling strategies and practices.
- List the benefits of implementing responsible conduct of gambling practices.
- Provide information and assistance to customers about problem gambling.

2.2 Gambling in Australia

“Gambling is a common recreational pursuit and an enjoyable one for many. Around 70% of Australians participated in some form of gambling...” (Source: Australian Productivity Commission Report on Gambling 2010)

Gaming refers to all legal forms of gambling other than wagering (i.e. race and sports betting), such as lotteries, Electronic Gaming Machines (EGMs), casino games, keno, poker and minor gaming (which is the collective name given to raffles, bingo and lucky envelopes and the like)³.

Gambling refers to the placement of a wager or bet on the outcome of a future uncertain event. Gambling includes lawful gaming, racing and sports betting activities³.



Melbourne Institute of Applied Economic & Social Research has conducted 'The Household, Income and Labour Dynamics in Australia' survey in 2017. The results of the survey show that 39.1% of the Australian adult population engages in at least some form of gambling activity on a regular (monthly) basis¹. In terms of problem gambling, they survey found that:

- The incidence of gambling is higher among men than women (43.3% versus 35.2%).
- The incidence of gambling rises with age, at least until individuals reach their late-40s.
- Expenditure among young persons (aged 18 to 24) who gamble is above the average for the gambling population.
- The highest incidence of participation is lottery type games (such as Powerball or Oz Lotto), with almost 30% of adults in Australia reporting that they purchase lotto or lottery tickets in a typical month.
- Betting on poker machines comes a distant second, with just over 8% of Australian adults reporting playing the pokies in a typical month.
- Betting on the races, with 5.5% of Australian reporting having a regular punt on the horses or the dogs.

For most Australians, gambling has few adverse consequences. However, for some, gambling can have very disastrous consequences, not only for personal and household finances, but also for the health and wellbeing of the gambler and his or her family¹:

- The problem gambling population is quite small – just 1.5% of men and 08.% of women, however, at the population level this still equates to almost 200,000 people.
- Close to 8% of the population (10.3% of men and 5.6% of women) report at least one harmful consequence as a result of their gambling, which equates to almost 1.4 million people.

Definitions

Term	Description
Football Pools (Pools)	The Pools is a numbers game of chance where the winning numbers are based on the results of the United Kingdom or Australian soccer matches.
Instant lottery	Commonly known as 'scratchies', where the player scratches a coating off the ticket to identify whether the ticket is a winner.
Interactive gaming	Defined as gambling on activities conducted via the internet. It specifically excludes wagering in the form of racing and sports betting, and lotteries via the internet. Interactive gambling services provided to Australian residents by an internet casino are banned under the Commonwealth Interactive Gambling Act 2001 (IGA) which came into effect in August 2001.
Keno (clubs and hotels)	A computerised keno system operates in clubs and hotels. In 1998-99, Keno was introduced into Start City Casino (Sydney). Keno is a game where a player wagers that their chosen numbers match any of the 20 numbers randomly selected from a group of 80 numbers via a computer system or a ball-draw device.
Lotteries	Lotteries are conducted Australia-wide by both government and commercial operators. There are three components to a lottery: the purchase of a ticket, a draw and a prize. A person whose ticket is selected in a lottery wins a prize based on the total amounts wagered after deduction of a set percentage by the operator to cover costs.
Lotto	A variety of lottery games, commonly known as Tattslotto, Gold Lotto, X-Lotto or Powerball depending on the jurisdiction. Lotto is a game where a player selects

	any six numbers from 1 to 45 in anticipation that those numbers will be among eight numbered balls, randomly drawn from a ball-draw device containing 45 balls numbered from 1 to 45. The first six of the eight balls drawn are known as the 'winning numbers' and the last two balls are called 'supplementary numbers'.
Minor gaming	The collective name given to raffles, bingo, lucky envelopes and the like.
Gaming machines	All jurisdictions, except Western Australia, have a state-wide gaming machine (poker machine) network operating in clubs, hotels and casinos. Electronic Gaming Machines (EGMs), also known as pokies, are controlled by a computer program that generates thousands of random combinations every second. To place a bet on a pokie machine a player must insert cash or credit into the machine and press the button. The machine will randomly determine the position of symbols on the game and generate one outcome. If the machine determines a win, credits are paid. If not, the machine continue to generate outcomes until the button is pressed again.
Racing betting	Racing betting comprises legal betting with bookmakers and totalisators, both on racecourses and off-course (TAB). It is related to betting on the outcome of horse and greyhound races.
Sports betting	The wagering on approved types of local, national or international sporting activities (other than the established forms of horse and greyhound racing), whether on or off-course, in person, by telephone, or via the internet.
Totalisator Agency Board (TAB)	This form of wagering is Australia-wide and is the amount wagered at TAB outlets (other than those on a race track). Totalisator wagering is where a player makes a 'unit' wager (a unit being any multiple of 50 cents or one dollar depending on the jurisdiction). Totalisator betting is sometimes called pari-mutuel betting. The operator deducts a percentage of the total units wagered (for costs including tax), and the remainder is returned as dividends (winnings) to players in multiples of the unit wagered.
Wagering	All legal forms of gambling on racing and sporting events.
Casino games	Casino games including poker, roulette, blackjack and craps are offered by major licence holders.

What are the odds?

When you gamble you bet that the unexpected will happen, but do you know what your chances of winning really are? Odds are a numerical expression, usually expressed as a pair of numbers, used in both gambling and statistics. In gambling, the odds are the ratio of payoff to stake, and do not necessary reflect exactly the probabilities. The table below shows the odds of winning on some of the common forms of gambling available in Australia. No matter what the form of gambling you should always expect to lose.

Bet	Odds of Winning
1 st division of the lottery	1 in 13,900,00
1 st division in Gold Lott (one game)	1 in 8,145,060
Top prize on a poker machine (playing maximum lines)	1 in 10,000,000
1 st division in Powerball (one game):	1 in 54,900,000
The trifecta in a 13 horse race	1 in 1,716
The 10 number jackpot on Keno (one game)	1 in 8,911,711

Source: <https://www.gamblinghelponline.org.au/understanding-gambling/what-are-the-odds>

What is Return to Player?

The 'Return to Player' (RTP) rate is the percentage of the money gambled in games of chance that is required by law to be paid back to gamblers as 'winnings', over time. If the RTP is 50 per cent this single gambler could expect to lose, averaged out over many bets, half of everything they bet. The other half would come back as 'winnings'.

Also note that millions of games may be played before a machine pays out its RTP.

In Australia, RTP is regulated in all states and territories, but the actual percentage returned differs across jurisdictions, and by the form of gambling. The legislated RTP for different types of gambling in Victoria is displayed below.

Legislated Return to Player (RTP) percentages in NSW by type of gambling

Gambling type	Return to Player percentage (RTP)
Electronic Gaming Machines (EGMs)	85 per cent
Keno	75 per cent
Lotteries (Soccer pools)	50 per cent
Lotteries (All other lotteries)	60 per cent

Forms of gambling in Australia by state/ territory³

Gambling Form	ACT	NSW	NT	QLD	SA	TAS	VIC	WA
Betting exchange	Australia's only betting exchange (Betfair) is licensed in Tasmania but may be accessed throughout the Australian states/ territories							
Casino gaming	✓	✓	✓	✓	✓	✓	✓	✓
Football pools		✓	✓	✓	✓	✓	✓	✓
Gaming machines	(Hotels and Clubs only)	✓	✓	✓	✓	✓	✓	(Casino only)
Keno	✓	✓	✓	✓	✓	✓	✓	(Casino only)
Lotteries	✓	✓	✓	✓	✓	✓	✓	
Minor gaming	✓	✓	✓	✓	✓	✓	✓	
Online/ Interactive gambling	Interactive gambling in Australia is governed by the Interactive Gambling Act 2001 (Cth). The Act prohibits the offer of interactive gaming (online casinos, EGMs etc...) to Australian residents but makes an exception for wagering in the form of race and sports betting. Lotteries may also offer ticket sales online.							
Racing and betting	✓	✓	✓	✓	✓	✓	✓	✓
Sports betting	✓	✓	✓	✓	✓	✓	✓	✓

For more information please visit <https://www.austgamingcouncil.org.au/>

2.3 Gambling in NSW

There are many different forms of gambling, with lotteries having the largest participation and approved gaming machines producing the largest expenditure¹.

In NSW legal forms of gambling are:

1. Wagering on racing and sport events, including:
 - TAB activities
 - Calcutta's and sweepstakes
 - Online
2. Gaming, including:
 - Approved gaming machines (including multi-terminal gaming machines (MTGMs))
 - Linked progressive jackpot systems
 - Keno and lottery games
 - Football pools
 - Casino table games
 - Miscellaneous games of chance
 - Bingo
 - Lucky envelopes.
3. Casino gaming

Tax revenue share for different forms of gambling in NSW in 2017-2018²:

- Racing – \$112 millions
- EGMs:
 - Club gaming devices – \$779 millions
 - Hotel gaming devices - \$793 millions
- Lotteries and lotto – \$356 millions
- Casino – \$294 millions
- Other gambling & betting - \$16 millions

It is widely acknowledged that gambling is an important social issue in Australia. HILDA's survey suggests while the incidence of gambling may be in decline, it is still an activity engaged in by most Australian at least once a year. More significantly, the amount spent on gambling is substantial. According to government estimates, \$22.7 billion was spent on gambling activities in Australia in 2014-15, which represents about \$1,240 for every person aged 18 years or older.

As in everything else, there are two sides in each story. The gambling industry employs tens of thousands of people Australia wide and generates billions dollars in taxes. For example, in NSW registered clubs contribute up to 1.85% of their gaming revenue to fund community and sporting organisations and in return they can receive a tax rebate.

On 30 June 2017 NSW registered 92,805 approved gaming machines operating in hotels and registered clubs (excluding The Star Casino).

On negative side, the gambling industry creates for many people a number of problems. These people:

- Spend increasing amounts of time and money on gambling.
- May lie about their gambling.
- Find it difficult to control the impulse to gamble, and
- Demonstrate anti-social behaviour, including crime, loss of assets and relationship breakdown.

Primary role of working in gaming areas of hotels and registered clubs is observing, monitoring and communication with patrons and management. The government focuses on implementation and improving harm minimisation legislation. The purpose of harm minimisation is to reduce the harm associated with the abuse and misuse of gambling activities and facilitate the development and implementation of responsible gambling policies and procedures.

The purpose of the legislation is:

- Ensuring responsible gambling practices by gambling providers and manufacturers.
- Providing assistance to venue patrons experiencing problems with their gambling.
- Enforce consequences for non-compliance by applying fines, criminal convictions and the revocation of the authority to operate gaming machines at the premises.

Venue staff play very important role in meeting all of the legislative requirements because they know their venue, the popular machines, regular patrons and their usual behaviour. Staff knowledge can help with harm minimisation related to gambling activities.

L&GNSW will prioritise its work as follows for 2018-2019⁴:

- Gaming & Wagering:
 - Responsible conduct of gambling
 - Gambling related advertising and inducements
 - Gambling exclusion schemes
- Clubs:
 - Oversight by governing bodies
- Casino:
 - Internal Control

In July 2018 the NSW Government commenced new laws to bolster enforcement tools and increase penalties for non-compliance with restrictions around gambling related advertising and inducements. Government objective is to prevent and reduce inappropriate and unlawful gambling-related advertising and inducements through influencing industry behaviour.

The following statistics confirms Government intention:

- Total number of people trained in RCG in NSW – 207,088
- The number of venues with authorised EGMs as at 30 June 2018:
 - Clubs – 1,094
 - Hotels – 1,419
 - Casinos 1

3.0 Section 1

This section has four modules:

- Module 1 – Government, gambling and legislation
- Module 2 – Statutory signage requirements
- Module 3 – Gambling inducements, player prizes, reward schemes and cash and cheque dispensing
- Module 4 - Minors

3.1 Module 1 – Government, gambling and legislation

3.1.1 Assessment criteria

Students should be able to demonstrate knowledge required to complete the tasks outlined in elements and performance criteria of this unit:

- Current legislation
- Industry and organisational policies and procedures in regard to responsible provision of gambling services

3.1.2 Harm minimisation (harm reduction)

“Problem gambling is characterised by difficulties in limiting money and/or time spent on gambling which lead to adverse consequences for the gambler, others, or for the community.”⁵

There has been a shift toward the concepts of harm minimisation or harm reduction and responsible gambling that reflects a shift towards viewing problem gambling as a community health issue. A typical definition of harm reduction is the following definition adapted by the Canadian Public Health Association from the definition used by the Canadian Centre on Substance Abuse:

“Harm reduction refers to a policy or program directed towards minimising or decreasing the adverse health, social and economic consequences of gambling behaviour for individuals, families, communities and society. A harm reduction strategy does not require abstention from gambling”⁵.

However, some stakeholders are very critical of the concepts of harm minimisation and harm reduction because of the vagueness of notion of harms. The bottom line is that all stakeholders must take responsibility, including the product producers, the venues providing the product, the public using the product and the government allowing the product.

The government has introduced legislation to make sure that all stakeholders take appropriate measures to assist in protecting the general public.

The objects of the Gaming Machines Act 2001:

1. (a) to minimise harm associated with the misuse and abuse of gambling activities
- (b) to foster responsible conduct in relation to gambling
- (c) to facilitate the balanced development, in the public interest, of the gaming industry
- (d) to ensure the integrity of the gaming industry
- (e) to provide for an on-going reduction in the number of gaming machines in the State by means of the tradeable poker machine entitlement scheme.

2. The Authority, the Minister, the Secretary, the Commissioner of Police and all other persons having functions under this Act are required to have due regard to the need for gambling harm minimisation and the fostering of responsible conduct in relation to gambling when exercising functions under this Act.
3. In particular, due regard is to be had for the need for gambling harm minimisation when considering the purposes of this Act and what is or is not in the public interest.

3.1.2.1 Gambling legislation in NSW

Legislations governing the regulation, supervision and control of gambling activities in New South Wales includes³:

- Betting Tax Act 2001
- Casino Control Act 1992
- Charitable Fundraising Act 1991
- Gambling (Two-Up) Act 1998
- Gaming and Liquor Administration Act 2007
- Gaming Machines Tax Act 2001
- Liquor Act 2007
- Lotteries and Art Unions Act 1901
- Public Lotteries Act 1996
- Betting and Racing Act 1998
- Registered Clubs Act 1976
- Totalisator Act 1997
- Unlawful Gambling Act 1998

In 1956 poker machines were legalised for NSW registered clubs. This is the beginning of the gaming machine industry relation.

In 1984 hotels were permitted to operate approved amusement devices (card machines). Changes to the law in 1997 allowed hotels to also operate approved gaming machines the following year.

In 1992 the NSW Government introduced legislation to allow the operation of one casino in the state. One of the major provisions was the establishment of a responsible gambling fund which is funded by a levy placed on the Casino. The fund is used for research and treatment of problem gambling in NSW.

New Developments:

- On 15 July 2016, an amendment was made to the Betting and Racing Regulation 2012 to increase the fee that a racing controlling body may require a person who holds a race field information use approval to pay for the use of race field information. Previously, a racing controlling body could require a fee of 2.5% of an approval holder's turnover in relation to non-totalisator odds betting. The amendment increased this percentage to 3% of turnover for race meetings at which at least one race carries prize money of \$1,000,000 or more.
- On 1 September 2016, the Public Lotteries Regulation 2016 was remade with minor amendments to revise various prescribed monetary amounts that trigger certain requirements of the Public Lotteries Act 1996.
- On 14 December 2016, pursuant to section 37A of the Public Lotteries Act 1996, the NSW Minister for Racing approved the expansion of the Keno Jackpot Pooling Agreement to include Queensland.

3.1.2.2 Government inquiries into gambling

In November 1999, the Productivity Commission released the final Report into Australia's Gambling Industries. The 1999 Australia's Gambling Industries report is available at:

<https://www.pc.gov.au/inquiries/completed/gambling/report>

The key finding of the report were⁶:

- Gambling provides enjoyment to most Australians, over 80% of whom gambled in the last year – spending about \$11 billion – with 40% gambling regularly.
- Gambling is a big and rapidly growing business in Australia, with the industries currently accounting for an estimated 1.5% of GDP, and employing over 100,000 people in more than 7000 businesses throughout the country.
- The main source of national benefit from the liberalisation of gambling has been the consumer gains from access to a service that gives people enjoyment:
 - Net gains in jobs and economic activity are small when account is taken of the impact on other industries of the diversion of consumer spending to gambling.
- The principal rationales for regulating the gambling industries any differently than other industries relate to:
 - Promoting consumer protection;
 - Minimising the potential for criminal and unethical activity; and
 - Reducing the risks and costs of problem gambling.
- Around 130,000 Australians (about 1% of the adult population) are estimated to have severe problems with their gambling. A further 160,000 adults are estimated to have moderate problems, which may not require 'treatment' but warrant policy concern.
 - Taken together, 'problem gamblers' represent just over 290,000 people, or 2.1% of Australian adults.
- Problem gamblers comprise 15% of regular (non-lottery) gamblers and account for about \$3.5 billion in expenditure annually – about one-third of the gambling industries market.
 - They lose on average around \$12,000 each per year, compared with just under \$650 for other gamblers.
- The prevalence of problem gambling is related to the degree of accessibility of gambling, particularly gaming machines.
- The costs include financial and emotional impacts on the gamblers and on others, with on average at least five other people affected to varying degrees. For example:
 - One in ten said they have contemplated suicide due to gambling; and
 - Nearly half those in counselling reported losing time from work or study in the past year due to gambling;
- The adverse impacts on individuals and the community, help explain the ambivalence of most Australians about the gambling industries, despite their widespread involvement:
 - Around 70% of people surveyed believed that gambling did more harm than good; and
 - 92% did not want to see further expansion of gaming machines.
- Quantification of the costs and benefits of the gambling industries is hazardous. Uncertainty about key parameters constrained the Commission to providing low and high estimates. For the gambling industries as a whole, estimates of their net contribution to society, ranged from a net loss of \$1.2 billion to a net benefit of \$4.3 billion.
 - This masks divergent results for different gambling modes, with lotteries revealing clear net benefits, whereas gaming machines and wagering include the possibility of net losses.
- Policy approaches for the gambling industries need to be directed at reducing the costs of problem gambling – through harm minimisation and prevention measures – while retaining as much of the benefit to recreational gamblers as possible.

- Restrictions on completion have not reduced the accessibility of gambling other than for casino games. With the possible exception of casinos, current restrictions on competition have little justification.
- Venue caps on gaming machines are preferable to state-wide caps in helping to moderate the accessibility drivers of problem gambling. However, more targeted consumer protection measure – if implemented – have the potential to be much more effective, with less inconvenience to recreational gamblers.
- Existing arrangements are inadequate to ensure the informed consent of consumers, or to reduce the risks of problem gambling. Particular deficiencies relate to:
 - Information about the ‘price’ and nature of gambling products (especially gaming machines)
 - Information about the risks of problem gambling;
 - Controls on advertising (which can be inherently misleading);
 - Availability of ATMs and credit; and
 - Pre-commitment options, including self-exclusion arrangements.
- Counselling services for problem gamblers serve an essential role, but there is a lack of monitoring and evaluation of different approaches, and funding arrangements in some jurisdictions are too short term.
- An ideal regulatory model would separate clearly the policy-making, control and enforcement functions.
- The key regulatory control body in each state or territory should have statutory independence and a central role in providing information and policy advice, as well as in administering gambling legislation. It should cover all gambling forms and its principal operating criteria should be consumer protection and the public interest.

Other Government Inquires into Gambling:

Year	Inquiry
July 2004	The independent Pricing and Regulatory Tribunal (IPART) finalised a review of the effectiveness of regulated gambling harm minimisation measures in the state. In July 2004 the Tribunal released its report <i>Gambling: Promotion a Culture of Responsibility</i> ⁷ .
2007	The project was commissioned by Gambling Research Australia and the Victorian Department of Justice. Gambling Research Australia published a research report <i>Identifying Problem Gamblers in Gambling Venues</i> ⁸ . The purpose of the project was to: <ul style="list-style-type: none"> • Summarise and review existing published material relating to the identification of problem gamblers within venues; • To conduct empirical research into the nature of possible visible indicators of visible indicators within venues. It found that almost 60% of venue staff indicated it was moderate or easy to identify problem gamblers in the venue.
February 2010	The Productivity Commission completed a second inquiry into gambling in Australia titled <i>‘Gambling’</i> ⁹ . The Productivity Commission’s report is available at: https://www.pc.gov.au/inquiries/completed/gambling-2010/report
2011	The research commissioned by the NSW Government examined the prevalence of gambling and problem gambling in NSW. The <i>Prevalence of Gambling and Problem Gambling in New</i>

	<p>South Wales¹⁰ was a survey with 10,000 adults taking part.</p> <p>The research is available at: https://www.responsiblegambling.nsw.gov.au/_data/assets/pdf_file/0018/138123/Prevalence-of-gambling-and-problem-gambling-in-NSW.pdf</p>
--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

In February 2010, the Productivity Commission provided a second report into gambling in Australia. Some of the key findings of the report are:

- While it is not possible to be definitive about the costs and benefits of gambling, the Commission estimates that in 2008-09:
 - The benefits from tax revenue and the enjoyment of gambling for recreational gamblers ranged between \$12.1 and \$15.8 billion.
 - The costs to problem gamblers ranged between \$4.7 and \$8.4 billion.
 - The overall net benefits ranged between \$3.7 and \$11.1 billion.
- The net benefits could be much larger if governments reduced the costs through effective harm minimisation and prevention policies.
- Around \$19 billion was spent by consumers on Australian gambling products in 2008-09. This an increase from almost \$17 billion in 1998-99 and around \$7 billion in 1988-89 (in 2008-09 dollars).
- Average expenditure per gambling adult in Australia \$1,500 in 2008-09.
- Gambling comprised 3.1 per cent of household consumption expenditure in 2008-09, down from 3.9 per cent in 1998-99.

In NSW the principal regulatory authorities are:

- Liquor & Gaming NSW;
- The Secretary, NSW Department of Industry;
- The Independent Liquor and Gaming Authority (LGA);
- NSW Police.

3.1.2.3 Liquor & Gaming NSW

Liquor & Gaming NSW sits within the NSW Department of Industry and is responsible for the regulation of liquor, gambling, and registered clubs in NSW. L&GNSW take an innovative and agile approach to regulation, to foster vibrant, responsible and sustainable liquor and gaming industry development, balanced with minimising risk of alcohol-related and gambling harm in line with community expectations.

L&GNSW provide¹¹:

- Licensing, compliance and enforcement functions
- Policy advice, program evaluation, and executive support to the NSW Government
- Administrative review and secretariat support to the Independent Liquor & Gaming Authority Board.

Liquor & Gaming NSW was formed on 1 February 2016 and took on many of the responsibilities performed by two former agencies, the Office of Liquor, Gaming & Racing and the Independent, Liquor & Gaming Authority (ILGA).

The structure of L&GNSW includes two branches:

1. Regulatory Operations, their responsibilities are:
 - Industry supervision activities include:
 - Licensing decision-making and administration

- Compliance operations
 - Investigations
 - Regulatory education
 - Customer experience
 - Revenue assurance and integrity oversight of casino operations.
2. Regulatory Policy & Strategy, their responsibilities are:
- Administering the regulatory framework
 - Providing policy advice to Government
 - Leading strategic initiatives and planning
 - Program implementation
 - Monitoring and evaluation
 - Organisational governance
 - Providing media and communication support
 - Secretariat for the Independent Liquor & Gaming Authority Board.

3.1.2.4 The Responsible Gambling Fund

The Fund plays a key role in advising the NSW Government on the allocation of funds for initiatives and programs that promote responsible gambling and help reduce harms associated with problem gambling.

The RGF supports programs and initiatives, as part of coherent strategic approach that supports responsible gambling and prevents and minimises the risk of problem gambling related harm in the community, including through:

- A comprehensive research agenda to provide thought leadership and better inform the development of innovative responsible gambling policy, initiatives and regulatory approaches and evaluate RGF program effectiveness.
- Community education to support informed gambling choices, responsible gambling behaviour, and resilient communities as well as raise awareness of the indicators of excessive gambling and associated harms and de-stigmatise and promote problem gambling treatment.
- Intervention through provision of support and counselling services including encouraging early access through increased online and self-help tools as well as support & counselling services as part of a stepped and integrated care model.
- Supporting Liquor & Gaming NSW policy development and regulatory oversight and enforcement of responsible gambling obligations and practices.

The Fund is established by the Casino Control Act 1992 (NSW) and draws its income from a levy applied to the casino operator in NSW. Trustees are supported in their functions by Liquor & Gaming NSW within the Department of Industry.

3.1.2.5 The Independent Liquor and Gaming Authority (the ‘Authority’)

The Independent Liquor & Gaming Authority Board is remained as an independent statutory decision maker to deal with higher risk and more contentions licensing decisions, as well as maintain its merits review and disciplinary functions.

The ILGA is a statutory decision-maker responsible for a range of casino, liquor, registered club and gaming machine regulatory functions including determining licensing and disciplinary matters under the gaming and liquor legislation. Reviews of disciplinary decisions made by the Authority are determined by the Administrative Decisions Tribunal.

3.1.2.6 Secretary, NSW Department of Industry

The Department of Industry creates conditions for the NSW community to prosper, ensuring we have a highly-skilled workforce, manage our natural resources sustainably and encourage investment and competition.

The Secretary has a number of statutory powers under the NSW liquor, club and gaming machine laws. The Secretary's role in relation to the gambling industry is far reaching and includes:

- Investigation of all licence applications and their associates
- Issuing recognised competency cards after successful completion of approved RCG course
- Approving or rejecting applications for training providers to deliver RCG courses
- Investigation of all complaints against a licensee or close associate
- Issuing written notifications to licensees related to the location of approved gaming machines
- Approving the format of any statutory form
- Administering training schemes related to the responsible service of alcohol and responsible conduct of gambling.
- Determining any training requirements for licenses.

3.1.2.7 NSW Police

The NSW Police enforce the gaming and liquor laws upon liquor and gaming-related licences. Police have the power to issue infringement notices, take disciplinary action against licensees, registered clubs and/ or the secretary manager and staff of licensed venues.

3.1.2.8 Legislative provisions

In NSW, The Gaming Machines Act 2001 and the Gaming Machine Regulations 2010 are the main legislative instruments that this course will focus upon.

The objects of Gaming Machines Act 2001 are as follows¹²:

- To minimise harm associated with the misuse and abuse of gambling activities;
- To foster responsible conduct in relation to gambling,
- To facilitate the balanced development, in the public interest, of the gaming industry,
- To ensure the integrity of the gaming industry,
- To provide for an on-going reduction in the number of gaming machines in the State by means of the tradeable gaming machine entitlement scheme.

The Authority, the Minister, the Director-General, the commissioner of Police and all other persons having functions under this Act are required to have due regard to the need for gambling harm minimisation and the fostering of responsible conduct in relation to gambling when exercising functions under this Act.

3.1.2.9 Test your knowledge

Please answer the following questions in the spaces provides.

List the key government agencies involved in gambling regulation in NSW. What are their key roles.

List the key objectives of the Gaming Machines Act 2001 in relation to harm minimisation.

3.1.2.10 Penalties under the legislation

For non-compliance the legislation provides prescribed fines or penalty units. The dollar amount for each penalty unit is currently \$110.

Minimum penalties under the legislation start at 10 penalty units and can be as high as 100 penalty units for each offence.

A fine or penalty notice may be issued on the spot when a breach of the legislation is identified. The penalty notice amount is prescribed by the regulation and is generally 10% of the maximum penalty, but can be more.

The following case studies illustrate the type of activities that can result in prosecution or complaint action being taken against a venue.

Case Study One: Club provided cash advance

See page 22 of Responsible Conduct of Gambling, Student course notes, L&GNSW.

Case Study Two: Western Sydney club's change policy

See page 22 of Responsible Conduct of Gambling, Student course notes, L&GNSW.

3.1.2.11 Reporting gambling conduct in venues

Most hotels and registered clubs comply with the responsible gambling laws. However, there are cases of potentially irresponsible or illegal activities in relation to the venue's gaming machine operations. Liquor & Gaming NSW treat these matters very seriously and welcome your complaints through online complaints form or by phone **(02) 9995 0837**.

The Gaming Machines Act 2001 provides for the Secretary and NSW Policy to make a complaint to the Authority about a hotel or registered Club.

L&GNSW strongly encourage venue patrons to raise their complaint directly with venue, gaming operator of people concerned, if it is safe to do so, particularly if it relates to an unsatisfactory product or service.

Grounds for making complaint (Clause 129 of the Act):

A complaint must be in writing and specify the grounds on which it is made

- If the licensee:
 - Has contravened a provision of the Act or the regulations,
 - Has failed to comply with any requirement under the Act or the regulations that relates to the licensee, or
 - Has been convicted of an offence under the Act or the regulations or of an offence prescribed by the regulations for the purposes of this section.
- The hotelier or club has engaged in conduct that has encouraged, or is likely to encourage, the misuse and abuse of gambling activities in the hotel or on the premises of the club concerned,
- The Hotelier or club has failed to comply with any of the conditions to which an authorisation under Part 5 is subject,
- The hotelier or club has failed to pay tax within the meaning of the Gaming Machine Tax Act 2001, or an instalment of any such tax, within the time allowed by or under that Act, or has failed to pay a penalty or interest due for late payment of any such tax or instalment,
- That the gaming-related licensee:
 - Has failed to comply with a condition of the gaming-related licence, or
 - Has failed to comply with an order or direction of the Authority, or
 - Has failed to make due payment of a penalty for late payment of a fee in accordance with this Act, or
 - Is no longer a fit and proper person to hold a gaming-related licence.
- The close associate is (or has become) a close associate of a hotelier or gaming-related licensee while disqualified by the Authority from being a close associate,
- The close associate is not a fit and proper person to be a close associate of a hotelier or gaming-related licensee,
- A complaint against a hotelier or gaming-related licensee under this section has been made and that:
 - The close associate knew or ought reasonably to have known that the hotelier or gaming-related licensee was engaging (or was likely to engage) in conduct of the kind to which the complaint relates, and
 - The close associate failed to take all reasonable steps to prevent the licensee from engaging in conduct of that kind,
- A person who is interested in the business, or in the conduct or profits of the business, carried on under the gaming-related licence is not a fit and proper person to be so interested,
- The gaming-related licence has not been exercised in the public interest,
- The licensee or close associate has failed to comply with a requirement of the Director-General made under section 128 in relation to the investigation of the licensee or close associate.

To make complaint you need to:

- Provide all the relevant information at the beginning of your complaint
- Not make public comment that could influence the investigation
- Treat L&GNSW with respect
- Inform L&GNSW of new facts and let them know if you no longer require their help.

You should briefly state your concern and tell L&GNSW what happened. Make sure you also include:

- What your concern is about
- The relevant date, location and any reference number – if you have them
- What you would like us to do to resolve your complaint
- Your email address, postal address and/or contact telephone numbers
- If you would like your complaint to be handled confidentially

You can also raise your concerns with a number of other organisations, for example, if your complaint involves:

- Charitable fundraising: Fair Trading NSW
- Criminal activity: you should contact NSW Police Force
- Issues relating to smoking: you should contact NSW Health
- Noise: you should contact your local council or the NSW Police Force
- Public lotteries: NSW Lotteries
- Election of the board in a Club: Australian Securities & Investment Commission
- Racing: Racing NSW, Greyhound Racing NSW, Harness Racing NSW
- Unresolved wagering prize disputes: specific licensed wagering operators e.g. TAB

3.2 Module 2 – Statutory signage requirements

3.2.1 Assessment criteria

Students should be able to identify:

- Legal requirements for the display of prescribed notices and signs
- Provision of reality check options such as the display clocks.
- The restrictions placed on advertising and promoting gaming machines.
- Legal requirements for the location of gaming machines.
- The mandatory shut down period for gaming machines.

3.2.2 Statutory signage requirements

All hotels and clubs with gaming machines have obligation to comply with gambling harm minimisation laws. These include the display of signage, contact cards and information brochures, messaging to be included on player activity statements, location of gaming machines and even where ATMs are located. By law, in addition to displaying their own style of signage, venues must display the prescribed signs and notices produced by the L&GNSW.

According to Gaming Machines Regulation 2010¹⁹,

A hotelier or registered club must display, in accordance with this clause, notices providing information about the chances of winning a major prize from the operation of any approved gaming machine in the hotel or on the premises of the club.

Maximum penalty: 50 penalty points.


If the prescribed sign is not displayed it can result in fines of up to \$5,500 for each offence. What follows is an overview of how to make sure you comply with the laws¹³.

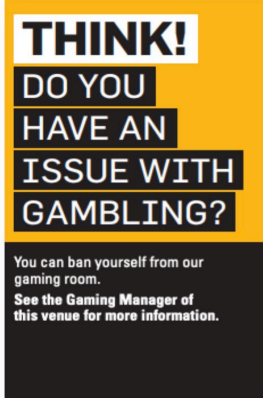

The notices must be¹⁹:

- a) displayed in each part of the hotel, or each part of the premises of the registered club, where approved gaming machines are located in such manner and in such a place that it would be reasonable to expect that a person entering the part of the hotel, or part of the premises of the club, in which the notices are displayed would be alerted to their contents, and*
- b) displayed on each approved gaming machine kept in the hotel or on the premises of the club.*

Any such notice that is required to be displayed on an approved gaming machine must be positioned so as to enable a person to clearly see the notice while playing the gaming machine.

3.2.3 Gambling signage types and placement

<p>Sign 1G – Counselling signage (Gambling Help counselling service) This sign must be displayed at the main entrance of your venue.</p>	 <p>This sign has to be displayed near the main entrance of the venue.</p>
	<p>Sign 2L – Minors signage in gaming machine areas (Minors not permitted in this area – for hotels and clubs)</p>
<p>Sign 3G – Chances of winning prizes on gaming machines (Chance of winning). This sign must be displayed in every area where gaming machines are located.</p> <p>Sign 2L and 3G have to be displayed at each entrance into the part of the premises (area) where gaming machines are located.</p>	

<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">  <p>Front</p> </div> <div style="text-align: center;">  <p>Reverse</p> </div> </div>	<p>Sign 2G – Gambling contact cards (Think! Self-exclusion contact cards)</p> <p>By law, hotels and clubs with gaming machines must display contact cards in a clear, plastic, see-through card holder which must be attached to each bank of approved gaming machines. These business-card size contact cards provide information to problem gamblers and their families on self-exclusion and counselling services available from your venue.</p> <p>Gambling contact cards must be prominently displayed and secured in a clear plastic cardholder, either:</p> <ul style="list-style-type: none"> • Attached to each gaming machines so they can be seen while playing the gaming machine, or • Each bank of gaming machines so that they can be seen upon approaching that bank gaming machines.
<p>Sign 4G – Dangers of gambling (Think! Gaming machine stickers)</p> <p>Every gaming machine must display a gambling warning and a problem gambling contact in one of the following five formats:</p> <p>Notices to be displayed on gaming machines as:</p> <ul style="list-style-type: none"> • Gambling warning notice • Problem gambling notice • Information concerning chances of winning prizes on gaming machines. <p>Note: There are certain mandatory problem gambling notices that you must produce yourself.</p> <p>Maximum penalty: 50 penalty units.</p>	

3.2.4 Problem gambling and self-exclusion notice

All hotels and clubs that operate gaming machines must establish and conduct a self-exclusion scheme. This allows patrons to voluntarily exclude themselves from nominated areas of a gaming venue or the entire venue.

At all times venues must make the name and contact details of a problem gambling counselling service available to patrons and to each participant in a self-exclusion scheme.

This information must be provided in all areas where gaming machines are located:

- The name and contact details of the problem gambling counselling service.
- Advice for patrons that a self-exclusion scheme is available.

- The name and contact details of the person or body who is able to assist patrons who wish to join the self-exclusion scheme conducted in your venue.

Examples include:



Player information brochures

According to Gaming Machines Regulation 2010, player information means the following:

- information concerning the use of approved gaming machines,
- information concerning the chances of winning prizes from the playing of approved gaming machines,
- the Gambling Help line phone number operated under contractual arrangements made by the L&GNSW.

If a hotelier or registered club is authorised to keep approved gaming machines, the hotelier or club must make copies of at least one player information brochure approved by the Authority under clause 22 (Gaming Machines Regulation 2010) available to patrons of the hotel or club in accordance with Regulation¹⁹.

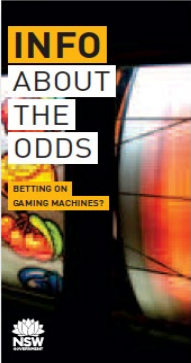
Maximum penalty: **50 penalty units**.

By law, approved player information brochures must be displayed in hotels and clubs, and must be provided as soon as possible after being requested by a patron.

The brochures must be displayed in such a manner and in such a place that it would be reasonable to expect that a person entering the part of the hotel, or part of the premises of the club, in which the brochures are required to be available would be alerted to their presence.

In addition to English, these brochures must be made available in community languages. These are the community languages currently available: Arabic, Chinese, Korean, Turkish and Vietnamese.

- In each area where gaming machines are located, **brochure 1E** (chance of winning – gaming machines) must be prominently displayed.
- If you operate Keno, **brochure 2E** (chance of winning –lotto, lotteries or Keno) must be prominently displayed at or near each keno terminal.

<p>Brochure 1E – Player Information brochures (chance of winning – gaming machines)</p> <p>This brochure must be displayed in each area of the venue where gaming machines are located.</p>	
	<p>Brochure 2E – Keno player information brochure (chance of winning – lotto, lotteries or Keno)</p>

The law also requires that the venue must provide the approved player information brochures in community languages as soon as practicable after being requested by a patron. These brochures are available in Arabic, Chinese, Greek, Italian, Korean, Turkish and Vietnamese.

There are three other non-mandatory player information brochures:

- THINK! ABOUT YOUR FAMILY – Gambling problems in your family?
- INFO ABOUT YOUR CHANCES – Betting on casino table games?
- THINK! ABOUT GETTING HELP – Gambling more enjoying it less.

Must be prominently displayed at or near each Keno terminal.

Signage to be displayed on ATM and cash-back terminals

If a hotelier or registered club is authorised to keep approved gaming machines, the hotelier or club must display a notice in accordance with the Regulation on each automatic teller machine (ATM) or cash-back terminal installed in a the hotel or on the premises of the club.

Maximum penalty: **50 penalty units.**

The notice must be positioned so as to enable a person to clearly see the notice while using the ATM or cash-back terminal. The notice must contain the following - **Notice 1G – ATM Counselling signage:**

Think! About your choices
Call Gambling Help
1800 858 858
www.gamblinghelp.nsw.gov.au

Regulation does not prevent a notice under this clause containing other information.

In the case of a cash-back terminal that can be operated by means of a player card, the notice must also contain the following – **Notice 2G – Player Activity Statement message:**

Your player activity statement is available from the cashier

The matter contained in the notice must be in letters and figures of not less than 0.2 centimetres in height. The notice may be attached to an ATM or cash-back terminal or may consist of a permanently visible light emitting display that forms part of the ATM or cash-back terminal.

3.2.5 Venue

On all player activity statements

These words must appear on every player activity statement issued by your venue:

**'Think! About your choices
Call Gambling Help 1800 858 858
www.gamblinghelp.nsw.gov.au'**

Clocks



Regulation requires that a hotelier or registered club must ensure:

- a) that a clock in good working order and that is set to, or within 10 minutes of, the correct time is kept in each part of the hotel, or part of the premises of the club, where approved gaming machines are located, and
- b) that the time shown on that clock can be readily viewed by any person operating an approved gaming machine in that part of the hotel or premises of the club.

Maximum penalty: **50 penalty units.**

Self-audit checklist

L&GNSW have developed Self-audit checklists assisting hotels and registered clubs to comply with the correct signage and harm minimisation requirements.

If you check 'No' to any of the questions in the checklist, you may be in breach of your obligations and require further inquiry.

Self-audit checklist is a valuable tool that can be used to help a venue comply with all their obligations under liquor and gaming laws. The venue can use them regularly to help monitor their compliance. L&GNSW compliance officers use the same checklist when they audit the licensed premises.

CL1002

Club licence self-audit checklist



Before you complete this checklist

What this checklist is for

It is a valuable tool you can use to help your venue comply with all your obligations under liquor laws. It covers important legislative requirements such as signage, advertising and responsible service of alcohol (RSA). We recommend that you use the checklist regularly to help monitor your compliance. If you check 'No' for any of the questions asked, you may be in breach of your obligations. Our compliance officers use this same checklist when they audit your licensed premises.

Why you need this checklist

The Secretary of the Department of Industry (the Secretary), Liquor & Gaming NSW (L&GNSW) and the Independent Liquor & Gaming Authority Board (the Authority) can impose conditions on your licence. The Secretary can order you to cease, vary or implement venue practices, order a late hour entry declaration, ban undesirable products and promotions, and require you to contribute and participate in a local liquor accord.

Definition

Unless otherwise specified, the terms 'approved', 'authorised', 'an approval' and 'an authorisation' relate to approvals and authorisations from or by the Authority or an L&GNSW delegate.

How to purchase signage and display material specified in this checklist

- shop.nsw.gov.au
- Download the CE0003 'Signage and collateral order form' at liquorandgaming.nsw.gov.au
- Liquor & Gaming NSW Level 6, 323 Castlereagh Street Haymarket NSW 2000 Monday-Friday, 9am-5pm

Need more information?

- liquorandgaming.nsw.gov.au
- Contact us online
- 1300 024 720

Your licensed premises

Liquor licence number Licence name

This checklist completed by

Full name
 Role/title Date

This checklist authorised by

Full name
 Role/title Date

Liquor & Gaming NSW Lvl 6, 323 Castlereagh St, Haymarket NSW 2000 | GPO Box 7060, Sydney NSW 2001 Page 1 of 37
 T 1300 024 720 | W liquorandgaming.nsw.gov.au

Gaming operations

- Unless otherwise specified, the first column of this gaming operations checklist refers to sections in the *Gaming Machines Act 2001* and regulations in the *Gaming Machines Regulation 2010*.
- If you check 'No' to any of the questions in this checklist, you may be in breach of your obligations and require further inquiry.

Part 18 Gaming machines	
s. 56	Do all approved gaming machines kept or disposed of by the hotel have an authorisation? <input type="checkbox"/> Yes <input type="checkbox"/> No
s. 133(1)	Are all approved gaming machines kept at the venue connected to the authorised Centralised Monitoring System? <input type="checkbox"/> Yes <input type="checkbox"/> No
s. 76 and r. 11	Do all gaming machines function in the manner for which they are designed and have an approval? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Are faulty gaming machines immediately switched off? <input type="checkbox"/> Yes <input type="checkbox"/> No
s. 77	Is an 'out of order' notice displayed? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Are patrons not allowed to play until the gaming machine is repaired? <input type="checkbox"/> Yes <input type="checkbox"/> No
s. 69(1)	Are there procedures and controls in place to prevent gaming machines being interfered with? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Does the licensee ensure all gaming machines have intact security seals? <input type="checkbox"/> Yes <input type="checkbox"/> No
s. 69(1)	Does the licensee ensure all gaming machines kept on the venue premises have an approval, and have approved button labels, artwork, compliance plates and approved software? <input type="checkbox"/> Yes <input type="checkbox"/> No

Part 19 Responsible conduct of gaming / harm minimisation	
s. 39	Does the licensee ensure all gaming machines are not operated during the general 6-hour shutdown period? <input type="checkbox"/> Yes <input type="checkbox"/> No
ss. 40, 40A, 41	If the venue's gaming machine shutdown period is 3 hours, has the licensee sought an approval? <input type="checkbox"/> Yes <input type="checkbox"/> No
s. 47(2)(d) and r. 55(a), 55(b)	Are there procedures and controls in place that prohibit gaming patrons receiving free or discounted liquor, or free credits? <input type="checkbox"/> Yes <input type="checkbox"/> No
s. 47(2)(c) and r. 55(c)	Are there procedures and controls in place that prohibit gaming patrons receiving any prize or free giveaway that is indecent or offensive? <input type="checkbox"/> Yes <input type="checkbox"/> No
r. 28(a)	Is a working clock set within 10 minutes of the correct time in all gaming areas? <input type="checkbox"/> Yes <input type="checkbox"/> No
r. 28(b)	If Yes, can a person playing any gaming machines view the clock easily? <input type="checkbox"/> Yes <input type="checkbox"/> No

Liquor & Gaming NSW CL1003 Hotel licence self-audit checklist Page 9 of 27

Part 20 Problem gambling counselling and gaming self-exclusion	
s. 46 and r. 62	Has the venue established a link with an approved gambling counselling service? <input type="checkbox"/> Yes <input type="checkbox"/> No
	If requested, can venue staff properly inform patrons of the details of the counselling service? <input type="checkbox"/> Yes <input type="checkbox"/> No
s. 49 and r. 63	Does the venue operate a self-exclusion scheme? <input type="checkbox"/> Yes <input type="checkbox"/> No
	If Yes, does the licensee ensure patrons have access to the self-exclusion scheme? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Does the licensee ensure patrons know how the self-exclusion scheme works? <input type="checkbox"/> Yes <input type="checkbox"/> No
r. 62(4)	Does the licensee publicise the gambling counselling service and self-exclusion scheme? <input type="checkbox"/> Yes <input type="checkbox"/> No
s. 46(3)	Does the licensee ensure a written agreement with a gaming counselling service is available for immediate inspection by a Liquor & Gaming NSW inspector? <input type="checkbox"/> Yes <input type="checkbox"/> No

Part 21 RCG training and competency card	
s. 47(2)(c)(i) and r. 59(2)	Does the licensee hold a current recognised RCG certification? <input type="checkbox"/> Yes <input type="checkbox"/> No
r. 59(4)	Do all staff members involved in the conduct of gambling hold a current recognised RCG certification? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Has the licensee sighted each staff member's current recognised RCG certification? <input type="checkbox"/> Yes <input type="checkbox"/> No
r. 58E	Can all staff members produce their current physical or digital RCG competency card or interim certificate? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Has the licensee sighted each staff member's physical or digital RCG competency card or interim certificate? <input type="checkbox"/> Yes <input type="checkbox"/> No
	For any staff working under an interim RCG certificate, is the interim certificate still valid for work? <input type="checkbox"/> Yes <input type="checkbox"/> No

Part 22 ATM and EFTPOS terminals	
s. 47(2)(g) and r. 27	Does the venue have ATM or EFTPOS terminals? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Is this problem gambling notice (produced by the venue) prominently displayed on or close to each ATM and EFTPOS terminal? <input type="checkbox"/> Yes <input type="checkbox"/> No

Think! About your choices
 Call Gambling Help 1800 858 858
www.gamblinghelp.nsw.gov.au

Liquor & Gaming NSW CL1003 Hotel licence self-audit checklist Page 10 of 27

Part 21 continued	
r. 27(6)	Does the club secretary ensure that the letters and figures contained in the problem gambling notice are not less than 2 millimetres high? <input type="checkbox"/> Yes <input type="checkbox"/> No
r. 33	If the hotel's ATM or EFTPOS terminal is located in an area where gaming machines are located, has an approval been obtained? <input type="checkbox"/> Yes <input type="checkbox"/> No
r. 32	Is the ATM or EFTPOS terminal located outside the gaming machine area? <input type="checkbox"/> Yes <input type="checkbox"/> No
s. 47C	Does the licensee ensure that the ATM or EFTPOS facilities prohibit cash withdrawals from a credit card account? <input type="checkbox"/> Yes <input type="checkbox"/> No

Part 23 Minors	
r. 9 and LA s. 123	Are there procedures and controls in place to ensure anyone aged under 18 does not enter or remain in the gaming areas of the hotel? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Does the licensee ensure all minors are removed immediately from the hotel's gaming area? <input type="checkbox"/> Yes <input type="checkbox"/> No
ss. 50, 51	Are there procedures and controls in place to prevent minors from playing the gaming machines? <input type="checkbox"/> Yes <input type="checkbox"/> No

Part 24 Cashing cheques	
r. 29(1)(b), (c)	Does the licensee ensure that cheque cashing is limited to one personal cheque per person per day up to a maximum of \$400? <input type="checkbox"/> Yes <input type="checkbox"/> No
r. 29(1)(a)	Does the licensee ensure that the cheque is made out to the hotel manager or hotel owner? <input type="checkbox"/> Yes <input type="checkbox"/> No
r. 29(1)(d)	If the cheque has been dishonoured, are there procedures and controls in place to prevent the same person from cashing another cheque? <input type="checkbox"/> Yes <input type="checkbox"/> No
r. 29(2)	Does the licensee ensure that all cheques are banked within 2 working days? <input type="checkbox"/> Yes <input type="checkbox"/> No
r. 33	If the venue does not comply with r. 29, has an approval been obtained? <input type="checkbox"/> Yes <input type="checkbox"/> No

Part 25 Cash advances	
LA s. 17(1)	Are there procedures and controls in place to prevent cash advances being given to patrons? <input type="checkbox"/> Yes <input type="checkbox"/> No
LA ss. 17, 109(1)	Are there procedures and controls in place to prevent false recording of cash advances for gambling as credit transactions? <input type="checkbox"/> Yes <input type="checkbox"/> No
LA s. 17 and 108	Are there procedures and controls in place to prevent staff from extending/offering credit to patrons to gamble? <input type="checkbox"/> Yes <input type="checkbox"/> No

Liquor & Gaming NSW CL1003 Hotel licence self-audit checklist Page 11 of 27

3.2.6 Test your knowledge

Revision Activity – Mandatory signage

Participants can complete this activity individually or within a small group.

1. Which two signs must be displayed at each entrance to an area where gaming machines are located?

2. Which sign or message must be displayed on each ATM?

3. Where must sign 1G, Counselling signage 'THINK ABOUT YOUR CHOICES!' be displayed?

4. What is a purpose of clocks in a gaming venue?

3.2.7 Advertising of gaming machines

Maximum penalties of \$11,000 apply for unlawful gaming machine advertising and signage under the NSW gaming machine laws.

3.2.7.1 Gaming machine advertising

By law, hotels and clubs must not publish any gaming machine advertising. This means any advertising that give publicity to, or otherwise promotes or is intended to promote, participation in gambling activities involving gaming machines.

In this context the word 'publish' has a wide meaning. It includes:

- Audio: radio
- Visual: cinema, video, TV
- Written: electronics, internet, promotional
- Any advertising that appears in a gaming machine industry trade journal or in a publication for a trade convention involving gaming machines.
- Any advertising, including signage, that is inside a club or hotel and can't be seen or heard from outside the venue
- The approved name of a club if the name was being used as at 2 April 2002
- Promotional materials provided by a club to club members that contains gaming machine advertising – if the members has expressly consented to receiving the promotional material and that consent has not been withdrawn.

3.2.7.2 Prohibitions on gaming machine advertising

Any person must not display or cause to be displayed any outdoor sign, leaflets, point of sale display material, posters, newspapers and other printed material that advertises approved gaming machines.

Maximum penalty: **100 penalty units**.

3.2.7.3 Exemptions to the advertising prohibitions

The law only excludes certain specific types of advertising:

- Any advertising that appears:
 - in a gaming machine industry trade journal that is not ordinarily available to the general public,
 - in any promotional material provided by a registered club to a member of the club.
 - in a publication for a trade convention involving gaming machines industry,
 - as part of an advertising campaign conducted by or on behalf of the State in relation to problem gambling,
 - in a publication advertising a public exhibition held at a State-owned museum or similar public institution,
 - in a publication advertising a touring public exhibition of gaming machines entitled "Gambling in Australia: thrills, spills and social ills" conducted by the Powerhouse Museum,
- Related to the supply, sale or manufacture of an approved gaming machine,
- Directed to or at a person or body in the gaming machine industry
- Is not on public display or accessible to the general public.

- Any advertising (including signage) that is inside a club or hotel and can't be seen or heard from outside the venue
- If the name (including the registered business name) of a registered club if the name was used as at 2 April 2002, the club is exempt from those sections to the extent that the publishing or displaying of the name is an offence.

According to Gaming Machines Regulation 2010, a registered club may send (whether by post or electronic means) promotional material that contains gaming machine advertising to a member of the club but only if:

- The member has expressly consented to receiving the promotional material and that consent has not been withdrawn, and
- The promotional material contains a statement to the effect that player activity statements are available on request in accordance with clause 48, and
- The promotional material contain a problem gambling notice,
- The promotional material contains a statement to the effect that the member may at any time withdraw his or her consent to receiving any further promotional material, and
- The promotional material includes information or advertising apart from gaming machine advertising, and
- The club keeps a written record of the member's consent to receiving the promotional material.

Promotional material provided by a club to club members that contains gaming machine advertising – if the member has expressly consented to receiving the promotional material and that consent has not been withdrawn.

The promotional material sent by the club must advise the member that player activity statements are available on request. The promotional material must also advise that the member may withdraw their consent to receive any further promotional material. It must also include information or advertising apart from gaming machine advertising.

3.2.7.4 Prohibition on displaying gambling-related signs

Except for TAB and Keno signage, hotels and clubs must not display any gambling-related sign – including internal signs – that can be seen from outside the venue.

A 'gambling – related sign' is any sign (using words, symbols, pictures or anything else) that:

- Draws attention to, or can reasonably be taken to draw attention to, the availability of gaming machines in a club or hotel.
- Uses a term or expression frequently associated with gambling
- Relates to a gambling franchise or gambling business.

Maximum penalty: **100 penalty units**.

Jackpot displays

A monitor such as a large plasma or LCD screen used to display the jackpot for a linked gaming system or an authorised progressive system is considered a gaming-related sign. Therefore, these monitors must not be displayed:

- Anywhere outside or close to the venue
- Anywhere inside the venue that can be seen from outside the venue

A monitor displaying a jackpot prize from a linked system or an authorised progressive system can only be located in a bar area of a hotel or club or, in the case of a hotel, the gaming room.

3.2.7.5 Location of gaming machines in venues

The Secretary, Justice, can direct you to move or screen a gaming machine if, in their opinion, its location is intended to attract the attention of people outside the venue and is 'contrary to the public interest'. You don't have to change the location of your machines, or screen them, unless the Secretary instructs you to do so in writing.

Gaming machines shouldn't be in a location that:

- Attracts the attention of people outside the venue
- Allows gaming machines to be easily seen or clearly heard from public areas outside the venue.

Some examples of this include, where gaming machines are:

- Behind a clear glass wall or window where they can be seen by the public from outside the venue on public property
- In an outdoor area next to a public place where gaming machines can be heard
- Seen at night time from a public area, due to the machine's flashing lights and artwork.

There are also requirements on using monitors:

- A large plasma or LCD screen can't be used to display the jackpot for linked gaming system or an authorised progressive system:
 - Anywhere outside or in the vicinity of the hotel or club
 - Anywhere inside the hotel or club so that they can be seen from outside the venue
- A monitor displaying a jackpot prize form a linked system or an authorised progressive system can only be located in a bar area of a club, or the gaming room of a hotel.

The Secretary of the NSW Department of Industry can direct a hotel, or club, to move or screen its gaming machines.

Each consideration for a direction by the Secretary, is done on a case-by-case basis. For example, it will be taken into account by the Secretary if:

- gaming machines are located in what would be considered an inappropriate place, for a number of years the venue is very small and doesn't have a gaming room.
- This individualised approach prevents unnecessary costs on venues that may be caused by a blanket requirement.

If you disagree with a decision of the Secretary, concerning the location of gaming machines, you can ask the Independent Liquor & Gaming Authority Board (ILGA) to review the decision.

To apply for a review, you must submit an application in writing and pay a \$250 fee.

Your application for a review by ILGA must:

- be made within 21 days of the day on which the decision by the Secretary was made
- state the grounds on which the application for review is made
- be accompanied by a copy of the decision of the Secretary
- include your payment of \$250.

You must also provide the Secretary with a copy of the application either as soon as possible after your application or at the same time.

Unless ILGA puts the directive on hold, the Secretary's directive will remain active while your request for review is being considered.

Requests for a review of a decision must be made in writing to:
Post: ILGA | GPO Box 7060 | Sydney NSW 2001

Provide the Secretary with a copy:
Post: Secretary | Department of Industry | GPO Box 5477 | Sydney NSW 2001

3.2.8 Hotel gaming rooms

If you have more than 10 gaming machines at your hotel, you will need a dedicated gaming room that is separated from the rest of your hotel. You may also have more than one gaming room. No more than five gaming machines can be located in the general bar area.

Any construction that's needed to build a gaming room will first need building approval from local council before gaming machines can be kept there.

By law, hotel gaming rooms must:

- Be free of charge to enter
- Be in a restricted area of the hotel, which means no one under 18 is allowed in the restricted area
- Be physically separated from the general bar area by a permanent floor to ceiling wall – the bottom half of the wall is allowed to be made of opaque or non-transparent material
- Be under the supervision of the hotelier or an employee at all times, either by someone being physically present or by electronic surveillance
- Have a doorway or a space to and from the gaming room to at least one operating bar in the hotel
- Have clear signage to direct people to the rest of the hotel if the gaming room has an entrance that opens directly from a public street
- Allow a person to go from a gaming room, toilets and bar without having to go outside at any point
- Not make patrons pass through it to get to another part of the hotel, or to enter or leave the hotel.

The requirement for a gaming room to be physically separated from the general bar area of a hotel does not:

- Prevent you from having a doorway or space giving access to and from the gaming room
- Require you to build the permanent wall to extend past the counter that is part of the general bar area meant to serve patrons in both the gaming room and bar area.

3.2.9 Mandatory shutting down of gaming machines

Under the Gaming Machine Act 2001, registered clubs and hotels must not operate gaming machines between 4:00am and 10:00am each day of the week. The intention of this requirement is to limit the opportunity for continuous gaming machine play and provide a 'break-in play' for gaming machine players. The legislation requires all gaming machines in registered clubs and hotels to be subject to the shutdown requirements.

Existing registered clubs and hotels may apply to the Independent Liquor & Gaming Authority (ILGA) to vary the shutdown period or apply for a three-hour shutdown period:

- 3-hour shutdown: 6:00am to 9:00am on Saturday, Sunday, and public holidays.
- 3-hour limited shutdown: 6:00am to 9:00am every day.

Approval to vary the shutdown period may be subject to conditions imposed by ILGA.

Changing shutdown period

Approval to vary the shutdown period is subject to Guidelines approved by the Minister. ILGA will only approve a variation to the shutdown period if:

- The licensed premises is located in an areas that usually attracts tourists; or
- The licensed premises is located in an area where other hospitality and entertainment venue are open until 6:00am on Saturdays or Sundays or public holidays; or
- Before April 2002, the licensed premises remained open after 4:00am on Saturdays, Sundays or public holidays; or
- The licensed premises is seeking a variation based on hardship grounds and fulfils the Guidelines.

ILGA also considers the following factors when considering a variation:

- The licensee has adopted and can demonstrate that all harm minimisation measures required under the regulatory framework are implemented.
- The licensee demonstrates participation in the local liquor accord.
- The licensee can indicate that the licensed premises will usually be trading during the hours for which the approval is sought.
- If the licensee is a club that earns more than \$1 million annually from gaming machine revenue, the licensee can demonstrate participation in the ClubGRANTS Local Committee (if a committee is in place).

The application fee for a variation is \$550.

3.3 Module 3 – Gambling inducements, player prizes, reward schemes, cash and cheque dispensing.

3.3.1 Assessment criteria

Students should be able to identify:

- Unlawful gambling related inducements
- The need to consider carefully promotional prizes or player reward schemes
- The rights of patrons to set limits
- Guidelines on the payment of prizes.

3.3.2 Gambling inducements

The Act does not provide a definition for ‘inducement’. These guidelines do not seek to limit the broad wording included in the Act¹⁴.

For the purpose of this course, L&GNSW considers that an inducement includes any offer that is capable of persuading or encouraging a person to participate, or to participate frequently, in any gambling activity, including any encouragement to open a betting account.

In considering whether an offer constitutes an inducement for the purposes of the Act, L&GNSW will have regard to the following:

- Does the advertisement offer a reward or benefit which might persuade or encourage people to open a betting account or to switch from a competitor betting service provider?
- Does the advertisement offer a reward or benefit which might persuade or encourage people to engage in gambling behaviour?
- Does the advertisement offer a reward or benefit which might persuade or encourage people to engage in gambling behaviour in a certain way, for example online or on a device, or at certain times?
- Does the advertisement offer a reward or benefit which might persuade or encourage people to continue gambling behaviour?
- Does the advertisement offer a reward or benefit which might persuade or encourage people to intensify their gambling behaviour?
- Is the advertisement offering one or more incentives which might persuade or encourage people to bet that are additional to what is normally received as part of the core wagering product?

Section 33H of the Act prohibits any inducement being offered to a person in NSW, including an inducement that includes a disclaimer that the offer is not available to NSW residents. To be clear, the use of a disclaimer that an offer is not available to NSW residents will not stop an advertisement being considered a prohibited gambling advertisement.

For example, it is prohibited for Betting Service Provider C to publish online ‘Deposit \$50 and receive \$120 PLUS a bonus \$200 in bets if team/horse wins. New customers only. T&Cs apply. Excludes NSW, WAS, SA and VIC.

The advertising of a rewards program that will not attract adverse attention from L&GNSWS:

- Does not require a person to participate, or to participate frequently in any gambling activity,
- Does not require a person to open a betting account, and
- Does not provide any voucher, credit or account for betting purposes as part of the rewards program.

The offering of an inducement to gamble to a rewards program member who does not have a betting account with the betting service provider will be considered by L&GNSW to be in breach of the legislation.

3.3.3 Guidelines for inducements

Your venue must not:

- Offer or supply any free or discounted liquor as an inducement to play gaming machines.
- Offer free credits through letterbox flyers, shopper dockets or any other form as an inducement to play gaming machines.

3.3.4 Promotional prizes and player reward schemes

A 'promotional prize' is any prize or reward (including bonus points) offered to patrons in connection with a player reward scheme or any other marketing or promotional activity that involves gaming machines.

A 'player reward scheme' is a system in which the players accumulate bonus or reward points from playing the machines.

Prizes paid as part of a player reward scheme or other gaming machine promotion must not:

- Be offered or presented in the form of cash
- Exceed \$1,000 in value
- Be able to be exchanged or redeemed for cash.
- Permit any bonus or reward points accumulated under a player reward scheme to be redeemed for cash.

Maximum penalty: **100 penalty units**.

3.3.5 Player accounts

Player account means an account opened by a person with a hotelier or registered club for the purposes of operating electronic payment gaming machines in the hotel or on the premises of the club.

The conducting of player accounts in a hotel or registered club, must comply with the following 'harm minimisation' requirements (Clause 98 of the Gaming Machines Regulation 2010):

- Not allow a person to open more than one player account at one time
- Not extend a cash advance or any other form of credit in respect of a player account
- Provide player information to the person at the time that they opened the account,
- The following information must be provided to a person in writing at the time the person opens a player account:
 - The security of money in player accounts is the responsibility of the both the hotelier/ registered club and the account holder. The government and its agencies take no responsibility for any losses that might occur from the account.
 - An account holder is solely responsible for ensuring that the account holder's personal identification number ("PIN") is kept confidential and that no other person has access to the account holder's player card. The account holder is liable for any losses that might arise from, or in connection with, the account holder's failure to comply with such responsibilities.
- Any money that is held by a hotelier or registered club in a player account must:
 - Be kept separate from any other funds or accounts held or maintained by the hotelier or registered club, and
 - Not be used by the hotelier or registered club for any purpose.

- Allow the person to set a weekly limit on the amount of net expenditure

The amount of money held in a player account or stored on a smartcard cannot exceed \$5,000.

Player card means an account card, or a Smartcard.

Issuing a player cards

- A player card must not be issued to a person who is under the age of 18 years.
- A player card must not be issued to a person unless the person provides a responsible person for the hotel or registered club with documentary proof of the person's identity.
- Only one player card per person may be issued by a hotelier or registered club. However, it does not prevent from issuing a person with another player card as a replacement from one that has been lost, stolen or destroyed.
- A hotelier or registered club must not issue a player card to a person unless the warning and information contained in the gambling warning notice and problem gambling notice is provided to the person.
- A hotelier or registered club must not issue a player card to a person unless the Gambling Help Line appeared on the card.

3.3.6 Player activity statement

If you conduct an electronic player reward scheme, you must let your player reward scheme participants know that player activity statements are available. If requested, you must provide them with a monthly player activity statement free of charge.

Every monthly player activity statement must include:

- Total amount of turnover, total wins and net expenditure for the player
- Total points earned and redeemed as the result of playing gaming machines
- The total length of time during which a participant's player card was inserted in gaming machines during each 24-hour period in the month, and the total length of time during the whole month
- A note advising that the statement only relates to the gaming machine play while the player's card was inserted into the machine
- Gambling Help information

'Think! About your choices
Call Gambling Help 1800 858 858
www.gamblinghelp.nsw.gov.au'

Information to the effect that player activity statements are available on request must:

- a) be given to each participant at the time the participant joins the player reward scheme conducted by the hotelier or registered club, and
- b) be included in any promotional material relating to the player reward scheme.

A hotelier or registered club must keep a record or copy of any player activity statement made available by the hotelier or club.

A hotelier or club must not disclose any information contained in a player activity statement to any person unless that person:

- Is the person to whom the information relates, or
- Is lawfully entitled to have access to the information.

3.3.7 Cheques and cash dispensing facilities

Cash includes credits that can be used to play an approved gaming machine

Cheque has the same meaning as it has in the Cheques Act 1986 of the Commonwealth, but does not include a traveller's cheque.

There are restrictions around writing cheques if your hotel or club has gaming machines. You must not cash:

- More than one cheque per person per day;
- A cheque made payable to any name other than the venue
- A cheque for more than \$400
- A cheque for a person who has cashed a cheque that was dishonoured, unless the amount has subsequently been paid to the venue.

Any cashed cheque must be banked within two (2) working days after it was accepted.

Maximum penalty: **50 penalty units**.

3.3.8 Prohibition on extension of credit for gambling

The Authority may, on application by a hotelier or registered club, increase the maximum amount of money that can be held in a player account or stored on a Smartcard to an amount exceeding \$200 (but not exceeding \$1,000) but only if the Authority is satisfied that the hotelier or club has in place a system, as approved by the Authority, for the safeguarding of the money held or stored.

Case Study Three: Dishonoured cheques accepted by South Coast hotel.

See page 43 of Responsible Conduct of Gambling, Student course notes, L&GNSW.

3.3.9 Misrepresentation or false description of credit transactions

A responsible person for venue or registered club must not describe or misrepresent any cash advance extended to another person by means of a credit facility, who intends to gamble, to be a payment for goods or services lawfully provided on the premises. For example, a patron uses a credit card to purchase goods or services, but is actually provided with cash by the venue. In this case the transaction is described as dinner or other type of purchase, which is false.

A transaction record must be provided on each occasion any money is paid into or withdrawn from a player account.

The transaction record must include the following information:

- a) the type of transaction completed,
- b) the amount of money involved,
- c) the time and date of the transaction,
- d) the current balance in the player account.

A hotelier or registered club may include the additional information in a transaction record.

A person who claims a prize from the playing of an approved gaming machine in a hotel or on the premises of a club knowing that the claim is false or misleading in a material respect is guilty of an offence.

Maximum penalty: **100 penalty units**.

3.3.10 Payment of prizes by cheque or electronic funds transfer

If a person wins more than \$5,000, the amount that exceeds \$5,000 must be paid within 48 hours in one of two ways:

- Crossed cheque made payable to the prize winner
 - If requested by the prize winner, electronic funds transfer (EFT) to a nominated account (if those means are available).
 - If the total prize money is more than \$5,000 and the prize winner requests to have the entire amount paid by crossed cheque or EFT (not just the amount over \$5,000), you must do so.

A prize-winning cheque must be clearly marked with the words: '**Prize winning cheque – cashing rules apply**'.

Case Study Four: Hotelier disqualified for a year over illegal cash advances.

See page 45 of Responsible Conduct of Gambling, Student course notes, L&GNSW.

3.3.11 Cheque cashing franchises

Clause 47A of the Gaming Machines Act 2001 “Prohibition on accepting transfer of prize winning cheques”, states:

- A person (other than a financial institution) must not accept the transfer of a cheque that the person knows, or could reasonably be expected to know, is a prize winning cheque. Maximum penalty: **100 penalty units**.
- A person who accepts the transfer of a prize winning cheque in, or within 500 metres of, a hotel or the premises of a club is taken to know that the cheque is a prize winning cheque unless the contrary is proven.

Gamblers have indicated that the reinvestment of winnings is a primary reason for gambling more than they had already intended, as well as chasing their losses by using these 'winnings'.

The implementation of policies and procedures for the payment of prize money to players demonstrates harm minimisation and duty of care principles for patrons by providing a cooling off period and reduces opportunities for reinvestment of large wins. This also has the benefit of providing better security for patrons who have large wins, by minimising the risk of theft or loss of the cash won.

Case Study Five: Cheque cashing business prosecuted.

See page 46 of Responsible Conduct of Gambling, Student course notes, L&GNSW.

3.3.12 Guidelines for payment of winnings

Venues need to have clear guidelines for the payment of winnings and accordingly staff and patrons need to have an awareness of these guidelines. These policies and procedures should be clearly promoted and displayed within the gaming areas to eliminate any misunderstandings.

A payout house policy should:

- Specify that a maximum amount payable in cash is \$5,000, with the remaining amount payable by 'crossed cheque', made out in the player's name, or by electronic funds transfer, within 48 hours

(venues may wish to pay by cheque on the day and accordingly arrangements should be made to ensure that a signatory is available at all times of operation).

- Encourage the player to accept a cheque for the whole amount where possible.
- Specify that payment to players of large winnings should not be made in the gaming areas and preferably players should be asked to collect at the office/ administration area (this again provides cooling of time, and minimises patron personal risk).
- Require payout forms or vouchers to be completed for prize payment being made by cheque or electronic funds transfer.

3.3.13 Publicity for prize-winners

Clause 58 of the Gaming Machines Regulation 2010 states:

A hotelier, registered club or licensee, or an employee of a hotelier, registered club or licensee, must not publish or cause to be published anything which identifies any person who:

- a) wins a prize of more than \$1,000 in value from playing an approved gaming machine in a hotel or on the premises of a club, and
- b) when claiming the prize, requests in writing to the hotelier, club or licensee, or to their employee that anything disclosing the person's identity not be published.

Maximum penalty: **50 penalty units**.

3.3.14 Location of cash dispensing facilities away from gaming machines

ATM or EFTPOS terminals in a hotel or club:

- Must not be located in an area where gaming machines are located;
- Must not be capable of providing cash from a credit card account.

Maximum penalty: **50 penalty units**.

3.3.15 Exemptions

While the Authority may grant exemptions with regard to the cashing of cheques and the location of cash dispensing facilities, there can be no exemption for the payment of prizes greater than \$5,000 by cheque or electronic funds transfer.

To be able to apply for an exemption the venue must be located outside the Sydney metropolitan area (which includes the local government areas of Wollondilly, Blue Mountains, Hawkesbury, Gosford and Wyong), and outside the local government areas of Newcastle, Lake Macquarie and Wollongong.

3.3.16 Test your knowledge

Revision activity – Prize and cheque restrictions

Participants can complete this activity individually or within a small group.

1. What statement must be recorded on each cheque issued as a prize won on a gaming machine?

2. What is the maximum cash limit allowed to be paid as a prize won on a gaming machine?

3. What are the cheque cashing restrictions for patrons cashing cheques at a gaming venue?

4. What are two other allowable methods of payment for prizes won on a gaming machine?

3.4 Module 4 - Minors

3.4.1.1 Assessment criteria

Students should be able to identify:

- The responsibility of gaming staff in relation to minors.
- Where a minor is permitted or not permitted in hotels or registered clubs.
- How to identify if a person is under 18.

3.4.1.2 Minors

A person under the age of 18 years must not operate an approved gaming machine in a hotel or on the premises of a club.

Minors are allowed in many licensed venues in NSW. However, there are strict controls in place for some types of venues, particularly:

- Small bars
- Hotels
- Registered clubs

A minor must not participate in any form of gambling¹⁸. Maximum penalty: **20 penalty units**.

If a person under the age of 18 years operates an approved gaming machine:

- a) in a hotel – the hotelier is guilty of an offence, or
- b) on the premises of a club – the club and the secretary of the club are each guilty of an offence.

Maximum penalty: **50 penalty units**.

Minors are not permitted in gaming machine areas:

1. A person under the age of 18 years must not enter or be in a gaming or machine area of a club. Maximum penalty: **10 penalty units**.
2. If a person under the age of 18 years is in a gaming machine area of a club and is not immediately removed from that area, the club and the secretary of the club are each guilty of an offence. Maximum penalty: **50 penalty units**.
3. If a person under the age of 18 years is on the premises of a club as the guest of a member of the club and is in any gaming machine area of the club, the member is guilty of an offence. Maximum penalty: **20 penalty units**.

Gambling with minors¹⁸:

A person who is of or above the age of 18 years must not:

- a) engage in any form of gambling with a minor, or
- b) engage in any form of gambling with another person on behalf of a minor, or
- c) for fee or reward, send (or cause to be sent) to a minor any inducement to gamble.

Maximum penalty: **50 penalty units**.

This is to prevent minors from getting access to alcohol and to ensure they are adequately supervised by a responsible adult.

Under NSW liquor laws, a responsible adult is defined as an adult who is:

- a parent or guardian of the minor
- the minor's spouse or de facto partner
- standing in as the parent of the minor for the time being.



Hotels and registered clubs must display the prescribed notice – **Sign 2L** – minors not permitted in this area, in each gaming area.

Exceptions:

- Minors attending a function can avoid a penalty if they prove that they believed on reasonable ground that a minors functions authorisation was in force for the hotel bar area.
- Minors attending weddings in a club bar area are permitted to attend a wedding reception of a member of the club, a child or parent of a member of the club, or for someone who a member of the club has acted as a guardian. The minor must have been formally invited to the reception.
- Apprentices and trainees can enter and remain in parts of a hotel where a minors area authorisation is in force or in a licensed public entertainment venue without being in the company of a responsible adult if they are:
 - An apprentice or trainee as defined in the Apprentice and Traineeship Act 2001 and are receiving trade training that is not training in the sale, supply or service of alcohol.
 - Receiving training and instruction in servicing, repairing, or maintaining gaming machines under the supervision of a licensed gaming machines technician.
- Minors travelling through a bar area are permitted to travel through a bar area of a hotel or club premises while in the company of a responsible adult for as long as is reasonably necessary to access another area of the hotel or club premises that the minor may lawfully enter.
- Minors performing in a bar area are permitted in a bars area of a hotel or club premises while in the company of a responsible adult to perform in a show or other live entertainment performance.

3.4.1.3 Evidence of age

Venue staff has a right and a responsibility to ask for identification if they suspect that a person is under the age of 18 years.

Acceptable forms of evidence of age in NSW are:

- Australian or International passport
- Australian or international Drivers or riders licence
- Current NSW Photo Card (issued by NSW Roads & Maritime Services)
- Proof of age card (issued by Australian state or territory except NSW)
- Keypass (over-18) identity card (issued by Australia Post).

All forms of evidence of age must contain a **photograph** and **date of birth**. Security and venue staff should check the authenticity of the provided identification and if they suspect that the patron's card could be false, ask for secondary identification.

Hotel and registered club must display a notice on the premises indicating that it is an offence for a person under 18 to enter a bar area in a hotel, or a bar or gaming machine areas.

If venue staff suspects that person is a minor, an authorised person may ask them to provide evidence of age at any time.

An authorised person is:

- A licensee
- Venue staff
- Venue security
- A police officer
- An inspector

3.4.1.4 Minors and responsibilities of staff

If venue staff suspects that a person is a minor and they can't provide evidence of age, the venue staff must treat them as if they were minor and remove them from the licensed premises.

When an authorised person asks any person suspected to be a minor, the minor must:

- State their full name and their residential address; and
- Produce then, or at a police station within a reasonable time, an evidence of age document that might be reasonably accepted as applying to the person and as evidence of his or her age.

A person the subject of a requirement must not:

- Refuse or fail to state his or her full name and residential address, or
- Without reasonable excuse, refuse or fail to produce evidence of age.

Maximum penalty: **10 penalty units**.

A person under the age of 18 years may not be imprisoned, or detailed in a detention centre, as a consequence of a failure to pay a penalty under the Act or an amount ordered to be paid in respect of a penalty notice issued under the Act.

Checklist for evidence of age:

1. Check the photo
2. Check the birth date
3. Check for any alterations
4. Check the hologram

Penalties may apply if a person refuses to comply with a request to provide information.

Under NSW liquor laws, minors can be fined for breaking the law, such as entering or remaining in a bar area of hotel or registered club and consuming alcohol on a licensed premises.

A list of offences and penalties that apply to minors who break the law are:

<https://www.liquorandgaming.nsw.gov.au/working-in-the-industry/serving-alcohol-responsibly/managing-under-18s/underage-drinking-fines>

3.4.1.5 Recovery of certain money involving minors

The Unlawful Gambling Act 1998 states¹⁸:

If:

- a) *any money is stolen or misappropriated by a minor, and*

- b) *money is subsequently spent by the minor for the purposes of gambling, the person from whom the money was stolen or misappropriated may, in any court of competent jurisdiction, recover the amount of the money so spent from the person to whom it was paid.*

4.0 Section 2

The second section of the Responsible Conduct of Gambling course has three modules that continue from the first section.

- Module 5 – Responsible and problem gambling
- Module 6 – Responding to potential problem gamblers
- Module 7 – Self-exclusion and gambling counselling

4.1 Module 5 – Responsible and problem gambling

4.1.1 Assessment criteria

Students should be able to identify:

- Indicators of problem gamblers
- The risks for venue staff to develop a gambling problem.
- The impact of problem gambling on patrons and the wider community.

4.1.2 Responsible gambling

Responsible gambling is the provision of safe, socially responsible and supportive gambling environments where the potential for harm associated with gambling is minimised and people can make informed decisions about their participation in gambling.

It occurs as a result of the collective actions and shared ownership of individuals, communities, the gambling industry and government.

Benefits associated with the introduction of gaming machines include –

- Provides employment opportunities;
- Boosting the building and construction industry through new capital investments;
- Generating taxation revenue that is injected back into community projects; and
- Providing a positive flow on effect to industries that supply gambling service providers.

While, there are many benefits to responsible gambling the industry recognises that problem gambling is a serious social issue which impacts not only on the gambler but family and friends.

Responsible gaming is each person exercising a rational and sensible choice based on his or her individual circumstances.

While gambling provides a benefit to the community and is simply a recreational pursuit for some, for others it gives rise to problems. These people:

- Spend increasing amounts of time and money on gambling
- May lie about their gambling
- Find it difficult to control the impulse to gamble, and
- Engage in socially destructive behaviour to continue to gamble, including relationship breakdown, loss of assets and crime.

Unlike alcohol-related problems, without appropriate training gambling problems can be more difficult to detect.

Staff working in gaming areas of hotels and registered clubs plays a primary role in observing, monitoring and communicating with patrons and management.

Therefore, due to community groups and the public's concerns about the negative impacts of gambling, the government introduced and continues to enact and amend harm minimisation legislation. The objects of harm minimisation aim to reduce the harm associated with the abuse and misuse of gambling activities and to foster the implementation of responsible gambling policies and procedures.

4.1.2.1 Industry overview

The regulation of responsible gambling across Australia is diverse and complex in nature¹⁶. Collectively each of the states and territories utilise a range of mechanisms to oversee, and in some cases enforce, responsible gambling initiatives. These mechanisms include legislation, regulatory bodies and codes of conduct/ practice. In some cases gambling codes of conduct and/ or practice are mandated, whilst in others operate under a voluntary framework.

Truly voluntary regulatory framework exists in Western Australia, Queensland and New South Wales. Victoria, South Australia, the Australian Capital and Northern Territories and Tasmania all have mandatory regulatory frameworks.

Four major policy positions aimed at preventing gambling problems:

- public health,
- harm reduction,
- responsible gambling, and
- consumer protection oriented policies.

Responses to problem gambling are necessarily influenced by the way in which these policies position the role of the government, the gaming industry and the individual, in preventing and addressing problem gambling.

4.1.2.2 Benefits of RCG to business

- Greater customer satisfaction
- A better reputation for hotels and registered clubs
- Potential legal problems will be eliminated
- Community and staff appreciation for assistance with potential problem gambling.

4.1.2.3 Venue staff – Why they are at greater risk

The acknowledgement of problem gambling as an important public health issue has placed increased pressure on gambling venues to improve their responsible gambling practices and provide a safer environment to gambler¹⁶. This has led to a number of unique challenges for hospitality staff in gaming venues. Given gaming room staff are potentially an important gateway to help-seeking for problem gamblers, it was deemed important to describe what is known about the challenges and stressor that are unique to gaming room employees.

Gaming room managers have indicated that although they are aware of a variety of information sources on government policy and processes, they would benefit from assistance with greater clarification to help inform their responsible gambling practices.

Frontline staff have also expressed the need for clearer procedures and direction around indicators of problem gambling and how to approach patrons of concern.

Another challenge expressed by staff relates to coping with increased negative emotional responses by patrons, especially anger and distress.

In addition to this, staff have identified role conflict and role ambiguity as a source of stress given that on the one hand they have the role of attracting patrons, while at the same time there is an expectation that they approach patrons of concern, which may ultimately lead to driving the patron away to another hotel.

Stress among gaming venue staff with regards to witnessing problem gambling behaviours, appears to be more common among newly hired staff. Interestingly, gaming room staff job satisfaction has been found to be inversely related to perceived challenges in responding to signs of problem gambling. The Canadian Responsible Gambling Council's 2011 Insight report suggested that providing feedback to employees concerning the outcomes of their interactions with patrons of concern, can help clarify the purpose of the employees' role in initiating help towards a troubled patron, and build staff pride and job satisfaction.

4.1.2.4 What is problem gambling?

Governments recognise that gambling can cause very serious problems for a small number of individuals and their families, and for that small number of individuals and their families, the problems are very significant. Problems extend from relationship breakdowns to crime, personal bankruptcies, and in serious cases to suicide.

Church and community welfare leaders have been outspoken about the rapid growth of gambling in most Australian States and Territories.

While gambling is simply a recreational pursuit for some, for others it gives rise to problems. Those people:

- spend increasing amounts of time and money on gambling;
- may lie about their gambling;
- find it difficult to control the impulse to gamble; and
- engage in socially destructive behaviour to continue to gamble, from relationship breakdown to crime.

Unlike alcohol-related problems, gambling abuse problems are more difficult to detect. Staff working in gaming areas of hotels and registered clubs, play a primary role in observing, monitoring and communicating with patrons and management.

The behaviour of a patron may not indicate a problem with gambling, as the behaviour is hard to detect. It is also a very difficult concept to define.

There have been numerous attempts over many years to state precisely what problem gambling is, with the Productivity Commission report listing numerous definitions used around the world.

In 2005, Gambling Research Australia – funded by all Australian jurisdictions – published its first research report – *Problem Gambling and Harm: Towards a National Definition*.

Following extensive research and consultation, the report recommended that the following be adopted as the Australian national definition of problem gambling:

“Problem gambling is characterised by difficulties in limiting money and/or time spent on gambling which leads to adverse consequences for the gambler, others and the community.”

References in this definition to “difficulties in limiting money and/or time spent on gambling” implies continuum of gambling behaviours from those who have no difficulty (including non-gamblers) to those who have extreme difficulty.

It is important to understand that while gambling problems do exist, it is not always easy to define or determine whether a problem exists. However, there are indications that some gambling providers promote their gambling products in a way that may exacerbate gambling problems.

4.1.2.5 Signs of problem gambling for patrons

A customer may have a gambling problem if:

- they describe gambling as a skill;
- they think about gambling everyday, or are daily customers;
- they ever ask to borrow money to gamble;
- they let their bills go unpaid to gamble; or
- Gambling is affecting their work or role as a parent.

4.1.2.6 Indicators of problem gambling

Problem gamblers often lie about their gambling to their families, undermining trust. For example, One characteristic of many problem gamblers is the high degree of involvement in other forms of addictive behaviour such as alcohol or drug abuse. Whether or not gambling creates, or contributes to other addictive behaviours is a matter of some debate, as is the question of which addiction comes first.

Suicide attempts among problem gamblers occur much more frequently than among the general population.

Frequency duration and intensity

1. Gambles every day of the week
2. Gambles for three hours or more without a break of 15 minutes or longer
3. Gambles so intensely that the person barely reacts to what was going on around them
4. Plays very fast (e.g. inserts large numbers of coins into the machine very rapidly, presses the buttons very rapidly so that the spin rate is very fast
5. Bets \$2.50 or more per spin most of the time
6. After winning on approved gaming machines, plays on quickly without even stopping to listen to the music or jingle.
7. Rushes from one machine or gaming table to another
8. Gambles on 2 or more machines at once (where this is allowed by the venue)
9. Gambles continuously
10. Spends more than \$300 in one session of gambling
11. Significant changes in expenditure pattern, e.g. sudden increases in spending

Impaired control

1. Stops gambling only when the venue is closing
2. Gambles right through usual lunch break or dinner time
3. Finds it difficult to stop gambling at closing time

4. Tries obsessively to win on a particular machine

5. Committing illegal acts to finance gambling

6. Starts gambling when the venue is opening

Social behaviours

1. Asked venue staff to not let other people know that they are there

2. Has friends or relatives call or arrive at the venue asking if the person is still there

3. Is rude or impolite to venue staff

4. Avoids contact, communicates very little with anyone else

5. Stays on to gamble while friends leave the venue

6. Become very angry if someone takes the person's favourite machine or spot

7. Brags about winning or makes a big show relating to how skilful they are as a gambler

8. Gambling that makes the home life of the player unhappy

9. Gambling to escape worry or personal problems

10. Stands over other players while waiting for his or her favourite machine

Raising funds/ chasing behaviour

1. Gets cash out on 2 or more occasions to gamble using an ATM or EFTPOS at venues

2. Asks to change large notes at venue before gambling

3. Borrows money from other people at venues

4. Asks for a loan or credit from venues

5. Puts large win amounts back into the machine and kept playing

6. Leaves the venue to find money to continue gambling

7. Observed rummaging around in purse or wallet for additional money

8. Appears to have run out of all money in purse or wallet when they leave venue

9. Uses coin machine at least 4 times

Emotional responses

1. Seen to be shaking (while gambling)

2. Sweats a lot (while gambling)

3. Looks nervous/ edgy (e.g. leg switching, bites lip continuously)

4. Vocally displays anger (e.g. swears to themselves, grunts)

5. Kicks or violently strikes machines with fists

6. Looks very sad or depressed (after gambling)

7. Cries after losing a lot of money

8. Sits with head in hand after losing

9. Plays machine very roughly and aggressively (e.g. with fists or slaps)

10. Groans repeatedly while gambling

11. Considering self-harm as a result of gambling

12. Feelings of remorse after gambling

13. Shows significant changes in mood during sessions

Other behaviours

1. Gambles after having drunk a lot of alcohol

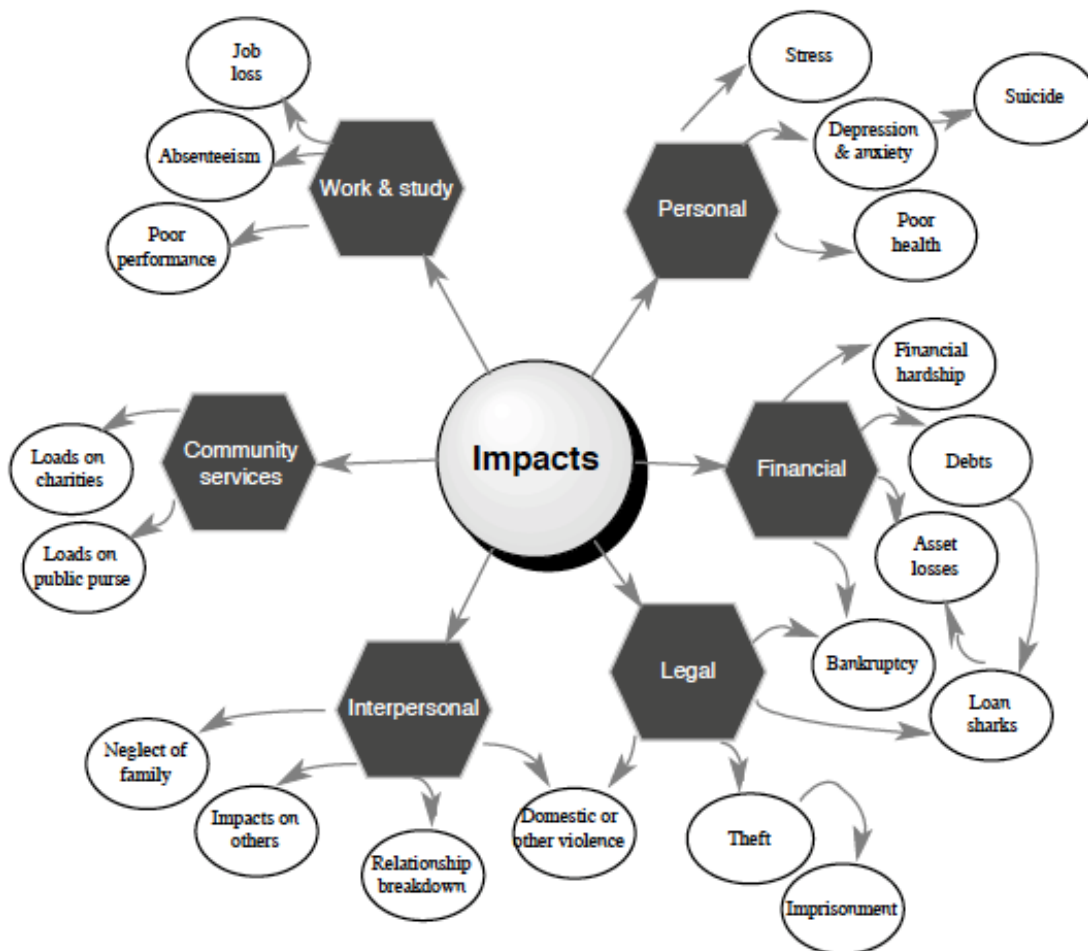
2. Appears to avoid cashier- appears evasive- only uses cash facilities

3. Significant decline in personal grooming and/ or appearance over several days
4. Bills that cannot be paid by the player due to excessive gambling
5. Changes in sleeping or eating habits due to gambling

Irrational attributions/ behaviours

1. Blames venues or machines for losing
2. Complains to staff about losing
3. Swears at machines or venue staff because they are losing
4. Compulsively rubs belly of machine or screen while playing

4.1.2.7 The impact of problem gambling⁶



Costs:

- cost of regulation;
- increased welfare demand;
- family breakdown;
- cost of crime, petty, organised or white collar;
- shift in spending away from small business.

For the individual:

- loss of self-esteem;
- a feeling of loss of control;
- financial loss;
- breakdown of personal and work relationships;
- turning to crime to support gambling;
- job opportunity lost because of gambling;
- suicide.

For family and friends:

- the death of a loved one;
- financial loss;
- helplessness;
- cost of time taken to help;
- personal relationship loss.

For gambling providers:

- increased running costs associated with attempted gaming machine fraud;
- community stigma;
- reduced staff morale.

For staff of gambling venues:

- cost of time taken to help;
- helplessness;
- problems with their own gambling;
- breakdown of personal and work relationships.

4.1.2.8 Social and financial costs of problem gambling

Problem gambling affects the gambler and their family, friends and, to a lesser extent, work colleagues and others in the community.

There is no doubt that costs imposed on others are a genuine social cost. These costs arise as a result of loss of business productivity, family breakdowns, gamblers' antisocial and/or criminal behaviour, and destitution. They take the form of loss of well-being of the problem gambler's associates, and costs to welfare and community groups.

Money arguments are frequent among problem gamblers, and many report that they are unable to look after the interests of their families sufficiently.

Calculating the financial and social costs of problem gambling is difficult. Some costs arise from treating problems directly, but many costs are indirect, such as gambling-related ailments, absenteeism at work and time spent in the courts.

4.1.2.9 Impact on the workplace

Absenteeism, theft, lower productivity and job loss felt in the workplace are a result of the financial and social impact of problem gambling affecting workers and employers.

4.1.2.10 Impact on the family

- Gambling problems affect the functioning of family and intimate relationships.
- Gambling problems affect intimate partners, as well as other family members including children, parents, siblings and grandparents.
- Impaired family relationships, emotional problems and financial difficulties are some of the most common impacts on family members of people with gambling problems.
- There is consistent evidence of an association between gambling problems and family violence.
- The children of problem gambling parents are at a much higher risk of developing gambling problems than the children of non-problem gambling parents.

The family environments of people with gambling problems are also characterised by:

- high levels of anger and conflict,
- low levels of clear and effective communication,
- less independence,
- less engagement in intellectual and cultural activities,
- a lack of commitment and support,
- little direct expression of feelings, and
- less participation in social and recreational activities.

These family environments are comparable to those of people with drinking problems. Moreover, the children of people with gambling problems are exposed to a range of family stressors, including:

- financial and emotional deprivation,
- physical isolation,
- inconsistent discipline,
- parental neglect/abuse and rejection,
- poor role modelling,
- family conflict, and
- reduced security and stability.

Effects on family member health and wellbeing:

	Intimate partners	Children
Emotional disturbances	Anger Resentment Depression Anxiety	Depression Hopelessness Anxiety Confusion Guilt
Physical complaints	Headaches Gastrointestinal ailments Hypertension	Asthma Allergies Chronic headaches
Behavioural difficulties	Excessive drinking Smoking Over/under-eating Impulsive spending	Running away Alcohol and tobacco abuse Over-eating Lower academic/ employment performance Illegal acts

4.1.2.11 Crime

The gambling industry, particularly casinos, has always been associated in the public's mind with crime, dating from the time when gambling itself was largely an illegal and unsupervised activity⁶. The legalisation of gambling and associated probity and other controls may have reduced associated criminality:

- **Street crime** in the vicinity of gambling venues does not appear to be any greater, if anything, is of less concern than in other public places.
- **Petty crime** does arise within gambling venues, but this is true of any form with concentrations of people carrying money and valuable.
- **Loan sharking** is a serious issue and may be a more prominent feature, but whether this represents a cost of the gambling industries depends on what its incidence and effects would have been with illegal gambling.
- The potential for **money laundering**, a major issue for some participants, appears to have been greatly reduced by AUSTRAC processes; although it is inevitable that proceeds of crime will be spent in gambling venues - to the extent that criminals choose that form of recreation over others.
- **Organised crime** has little opportunity to get a foothold in Australia's casinos – given their strict probity controls – or in other public corporations involved in gambling. The potential is greater in parts of the hotel gaming sector, but the Commission was provided no evidence of it happening.

4.1.2.12 Betiquette

Liquor & Gaming NSW has developed the Betiquette campaign – a mix of good old etiquette with responsible betting. It was developed to address sports betting – related gambling harm. The man with Betiquette knows that sports betting is no game. He fancies facts, sticks to his plan and always keeps uncontrolled impulse at bay.

Risk factors for sports betting – related gambling harm include:

- Being a young adult male, aged 18-30
- Family and peer pressure to bet on sports
- Greater integration of sports with gambling
- Exposure to sports betting promotions
- Impulsive responses to betting promotions and live action odds
- Easy access to digital money and sources of credit
- 24/7 access to betting sites on mobile phones and Internet connected devices.

For more information about Betiquette visit www.betiquette.nsw.gov.au

4.1.2.13 Impacts on groups such as women and people from culturally and linguistically diverse (CALD) communities

Denial or lack of awareness of having gambling problem has been widely reported across studies with some gamblers indicating they lacked an awareness of their problem's severity rather than complete denial¹⁶. There was some indication that women were more likely to acknowledge denial as a barrier to help-seeking than men and that it often took a significant negative event or crisis for problem gamblers to overcome their denial, and seek help.

A recent Australian study indicates that denial of the problem and avoidance of help-services was related to stigma, in that acknowledging the problem and seeking help would confirm the presence of the gambling problem to the individual and others.

In addition to stigma and denial, practical issues around available help were reported as a barrier to help-seeking. Lack of money, time or transportation was mentioned along with a lack of awareness of available help services.

One Australian study however, found little evidence that a lack of awareness or a dislike of services presented a barrier. On the contrary, some clients could overcome their feelings of shame, but did not have the necessary information about available help services. Lack of awareness of services was particularly apparent among individuals of culturally and linguistically diverse (CALD) backgrounds.

The following diagram summarises research examining the attitude of different cultures towards gambling:

Box 1. Differential attitudes to gambling activities across culture

Not accepted

- Russian—"reprehensible pastime"
- Tamil—not part of the culture, a sin

Somewhat accepted

- Arabic—a source of entertainment and refuge but also of shame, a source of quick money
- Caribbean—not universally accepted but seen as part of one's status, considered manly
- Italian—an individual pastime (apart from cards, which is seen as a social activity) and not generally shared with the family
- Latin American—not universally accepted but seen as part of one's status, considered manly
- Macedonian—an enjoyable activity, which sometimes results in feelings of shame

Accepted

- Aboriginal (Australia)—a source of pleasure and fun, a way to make money
- Chinese—positive, part of the culture, a way to "test one's luck", and a source of quick money
- Croatian—traditional pastime, a source of personal entertainment
- Greek—traditional pastime, an enjoyable form of social contact and entertainment shared with family and friends, a source of quick money
- Hispanic—a pleasurable hobby or social activity, part of one's status, considered manly
- Korean—a way to escape, a pleasurable and social activity
- Maori—not historically part of the culture but a common pastime currently
- Pacific/Samoan—an enjoyable, sociable activity
- Vietnamese—an enjoyable activity, a source of quick money, a game of luck and skill

Source: Abbott, 2001; Abbott & Volberg, 1999; Abbott & Volberg, 2000; Blaszczyński, Huynh, Dumlaio, & Farrell, 1998; Chui & O'Connor, 2006; Connor, 1973; Feldman et al., 2014; Hing, Breen, Gordon, & Russell, In Press; Loo, Raylu, & Oei, 2008; Tan-Quigley, et al., 1998; The Ethnic Communities' Council of NSW [ECCNSW], 1999; Tse et al., 2012; Tse et al., 2010; VCGA, 2000; Wilson, 1969

A number of unique additional barriers were reported across studies. Women reported reluctance to acknowledge their problem and seek help, due to concern that they would lose their only social outlet. In addition, the belief that the gambler's financial problems could be solved by winning, was related to avoiding help-seeking.

Another noteworthy findings was that the more recent the gambling problem was, the less likely the individual was to delay help-seeking.

Some statistics¹⁷:

- Men were more likely than women to be problem gamblers (1.4% compared with 0.1% of women) and prevalence was higher among younger age groups (e.g. 2.4% among men aged 18-24).
- The prevalence of problem gambling in NSW varied by Regional Coordination Program Region, from 0.3% in South West Sydney and the Hunter region, through to 1.6% in the Riverina/ Murray region.
- Problem gambling prevalence was associated with level of education, being lowest among those with university degrees (0.1%) and highest among those who left school before Year 10 (2.6%).
- The prevalence of problem gambling was highest among NSW residents who were single or separated/ divorced/ widowed (1.2% compared with 0.5% of those who were married or living as married).
- Problem gambling prevalence was three times as high among unemployed people (3.2%) than those who were in full time work (1.0%).
- Respondents of Aboriginal or Torres Strait Islander (ATSI) descent were more likely than others to have gambled in the last year (72% compared with 65%), and were more likely to be problem gamblers (1.7% compared with 0.8%) and also moderate risk gamblers (4.3% compared with 2.9%).

4.1.2.14 Alcohol and gambling

Gaming industry employees have a responsibility to pay special attention to any patron that is displaying signs of intoxication. Patrons that consume excessive amounts of alcohol are more likely to gamble heavily, and more likely to injure themselves and others.

The consumption of alcohol together with gambling activities may lead to:

- Social gamblers wagering more than they normally would.
- Impaired judgement on when to stop or chasing their losses.
- Excessive gambling risks.
- More distortion about the time spent on gambling.
- Anti-social behaviour due to excessive loss of money.

Clause 55 of the Gaming Machines Regulation 2010 states:

A hotelier or registered club must not:

- a) offer or supply any free or discounted liquor as an inducement to play, or to play frequently, approved gaming machines in the hotel or on the premises of the club, or

Hotels and registered clubs can lessen gambling and liquor abuses by adoption best practice principles.

4.1.2.15 Test your knowledge

Truths and myths about problem gambling

Participants can complete this activity individually or within a small group. Participants need to identify whether the following statements are true or myth.

Statement	TRUE	MYTH
Problem gambling affects only adults		
You are considered as a problem gambler if you are gambling every day.		
Problem gambling may lead to anxiety, depression and stress.		
Too much time spent gambling does not impact family and friends.		
Problem gambling can lead to relationship breakdowns and loss of friendships.		
Personal relationship may suffer because of lies and lack of trust.		
You can't say if a person has gambling problem or not.		
If you give problem gamblers money it will solve all their problems.		
Problem gamblers can manager how frequently they gamble.		

4.2 Module 6 – Responding to potential problem gamblers

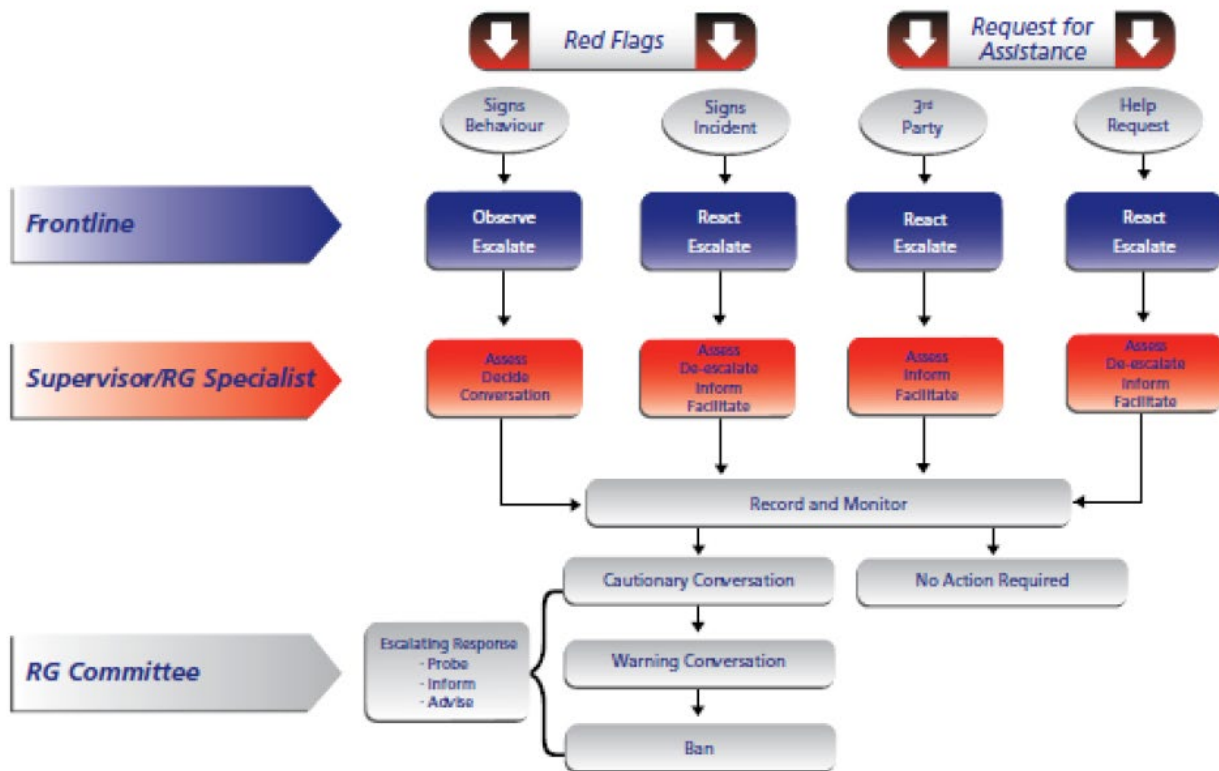
4.2.1.1 Assessment criteria

Students should be able to identify:

- The role of staff to provide support for problem gamblers
- Communication techniques to help deal with distressed patrons.

4.2.1.2 Responding to potential problem gamblers

Response Framework Schematic¹⁶



The schematic illustrates the most common pathways regarding venue staff responding to problematic gambling behaviours. Once frontline staff become aware of observable signs they pass this information to their supervisor / manager or responsible gambling specialist. At this point the supervisor may decide to approach the patron at this point, or begin the process of recording and monitoring. Based on the outcome of the monitoring period the supervisor may decide to approach the patron or that no further action is required.

Approaching the patron at this point may involve a warning conversation or imposing a formal ban. All patrons who undergo self-exclusion or venue imposed exclusion, are encouraged to make contact with a local gambling help service. Staff also have the opportunity to provide local gambling help service information at any point during patron approaches.

Successful approaches are a blend of science and art and the human element. Characteristics that were considered essential in all patrons interactions included:

- Ensuring privacy away from the gaming floor,
- Having a discussion where other patrons cannot overhear
- Using language that is non-confrontational and non-judgemental
- Being trained at dealing with resistance
- Providing take away information.

4.2.1.3 Working with distressed patrons

A person's attitude, behaviour and commitment to doing their job well is called professionalism. It's what allows a person to succeed at work.

All venues have a Gaming Managers who is always available when the venue is open. A person, who approaches a staff member for information about problem gambling services or shows signs of having a problem with their gambling, will be directed to the manager or licensee for assistance and necessary action.

A customer displaying signs of distress or unacceptable behaviour will be approached by a staff member who will offer assistance. However, a staff member needs to remember that he or she is not a trained counsellor. Second, if a customer is getting too aggressing or violent then a venue security should intervene.

The process for interacting with such customers includes measured assistance depending on case by case assessment by appropriate venue staff. This interaction may take the form of:

- encouraging the customer to consider food and beverage offers available at the venue which would allow a break in play from the gaming machine;
- offering the customer some refreshments (e.g. cup of tea or coffee) in a quieter, more private part of the gaming venue where the customer has the opportunity to request appropriate support information in a confidential manner;
- assisting the customer with travel arrangements in order to depart the venue.

Contacts with customers by the manager or licensee are recorded in Gambling Incident Register and include action taken. This register is covered by the Privacy Act.

Customers will be encouraged to take regular breaks form gaming machine play. This encouragement may take the form of an announcement on the venue's public address system and may include:

- Announcing that morning tea is now available;
- Announcing a member's draw;
- Announcing the commencement of other non-gaming related customer activities within the venue.

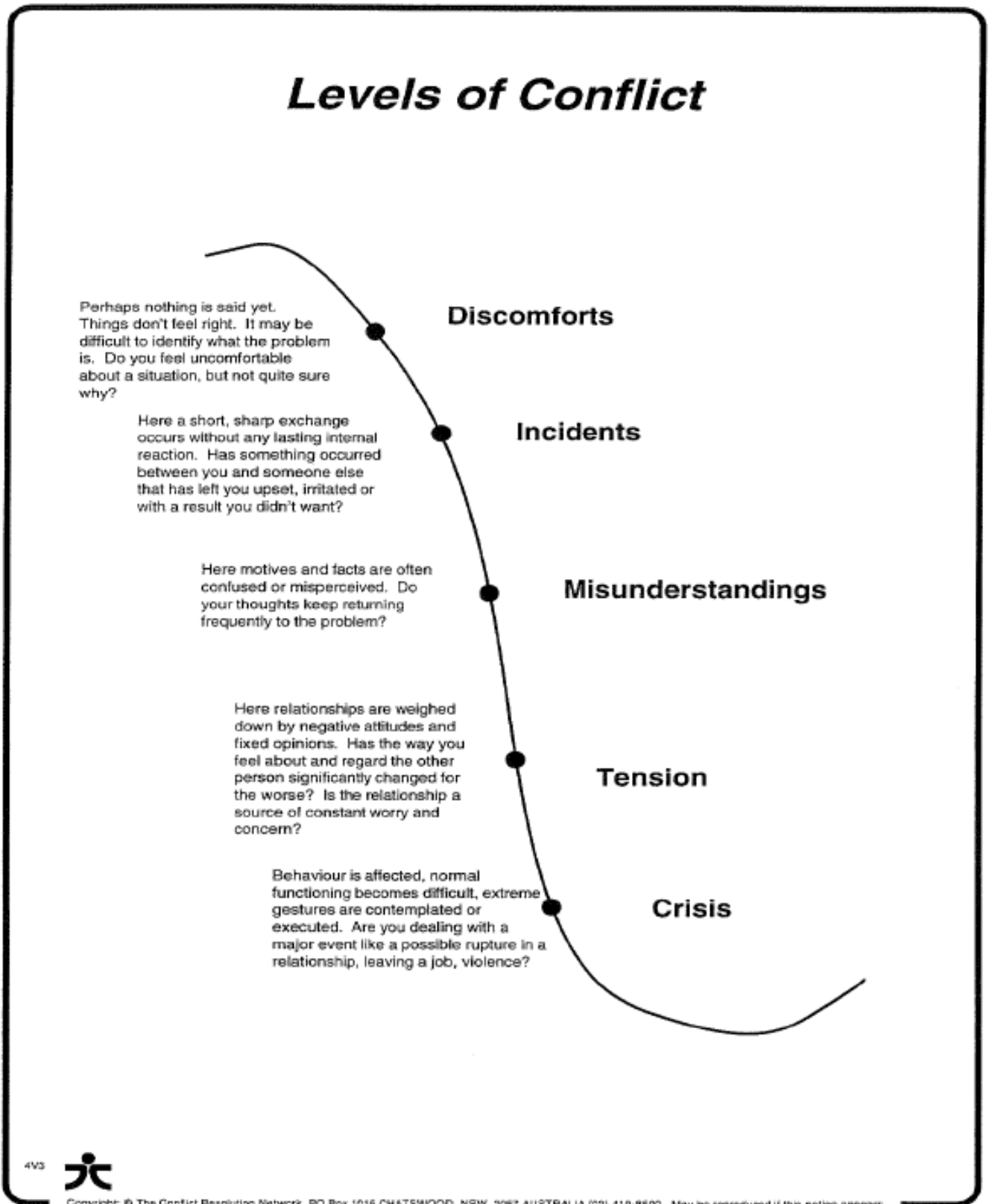
Venue staff will also monitor the activities of customers and interact as appropriate to discourage customers from engaging in extended and intensive gambling. This interaction may take the form of dialogue consistent with general hospitality engagement initiated by staff towards customers relating to the availability of food and beverage.

4.2.1.4 De-escalating the conflict

Always remember - no two people will behave in exactly the same way in the same situation. It is required to use right communication skills to de-escalate the conflict. However, it is not intention of this course to train you

in conflict resolution. By saying this, it is very important to be aware that your reaction to a distressed patron could reduce or escalate the potential conflict.

The picture below shows the stages of conflict escalation.



A venue staff need too be competent to handle customer complaints and other conflict situations to their level of responsibility and within the customer service guidelines and procedures laid down by the organisation. However, were a dispute or conflict situation is outside their scope of authority, they need to know the procedures for referring the matter to an employee authorised to handle the complaint procedures for following up the matter.

How to recognise conflict:

- Your emotions such as discomfort, frustration, anxiety, anger, etc.;
- Non-verbal cues of the patron such as lack of eye contact, avoidance, finger tapping, withdrawal, etc.;
- Extreme behaviours, irregular behaviours, or out of character behaviours.

The conflict procedures within the organisation are to ensure that conflict issues can be resolved quickly and efficiently and followed up in accordance with the procedures and rules of the organisation.

Where venue staff is unsure of what action to take in a particular conflict situation, they should seek advice form their supervisor or manager as soon as possible.

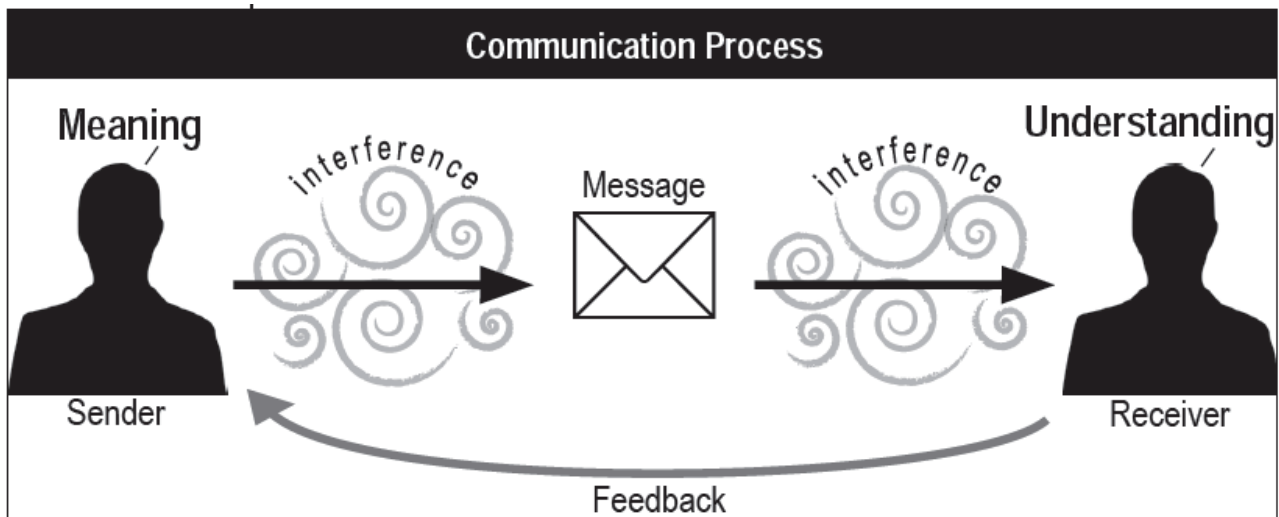
Senior staff or managers can:

- Provide assistance with solving problems;
- Provide backup in a crisis;
- Provide help and advice;
- Authorise conflict resolution solutions (e.g. providing a customer with free accommodation, a free meal, a refund or discount);
- Provide feedback on workers' conflict resolution skills;
- Exchange ideas with workers;
- Provide suggestions on courses of action;
- Provide encouragement;
- Take the situation out of workers' hands/ handle the situation for workers.

A venue staff might also approach their colleagues for advice about what to do in a conflict situation. They can offer practical assistance-providing information about the organisation's conflict resolution procedures. Colleagues can also act as a sounding board. Simply explaining the conflict situation individuals are faced with to someone else can help to bring it into focus and identify the main issues so that a solution becomes clear.

4.2.1.5 Communication skills

Communication is a two-way process. Good communication is a key component to working well with others. Since we spend a large part of our day communication through our words or actions, we can easily assume we are communicating what we mean. But that's not always the case. The cost of miscommunication can be high in any work environment, but it can be especially high in the gaming industry. By being careful about how and what you communicate, you can be more efficient in your job and contribute to a productive work environment.



To understand how to communicate with others, you need to understand the communication process. In some ways, words are a poor way of communication because there are so many opportunities for miscommunication. If you are speaking, or sending a message, you begin with an idea or meaning in your head. You try to put this meaning into words, The person who hears the words tries to understand your meaning.

To be effective in helping a patron, a venue staff member will need to identify customers' needs by asking the following questions:

- What do my customers want?
- What do my customers need?
- What do my customers think?
- What do my customers feel?
- Are my customers satisfied?
- Will they return?

To anticipate customers' needs consistently and effectively, these additional questions need to be constantly asked:

- Have we considered all of the customers' needs?
- What will the guest need next?
- How can we improve our customer service?

There are many things that can interfere with communication. First, it is hard to choose words that accurately say what you mean. Second, the listener may understand your words differently than you intended. Other things can also interfere with the message or the way it is understood. These include things like:

- Physical noise and distractions
- Previous personal experiences
- Biases or personal priorities
- Cultural differences
- Differences in understanding of the meaning of words
- Assumptions
- Defensiveness
- Contradictory non-verbal communication, such as posture.

4.2.1.6 Effective communication

Mostly 80% of our communication is non-verbal. As a result, people will trust what they observe, not what you say.

Effective communication starts with the staff member being attentive to their patrons.

When communicating, staff must remember these key points:

- Maintain eye contact and face the person they are talking to;
- Use positive, non-verbal signals such as nodding;
- Use their name;
- Demonstrate you have listened by paraphrasing, eg 'So you're saying... Is that right?';
- Ask questions for more information;
- Never criticize or judge a person but provide constructive observation about actions
- Do not interrupt;
- Where possible, consider what they will say first and modify accordingly.

4.2.1.7 Active listening

The key to active and effective listening is to ensure you give your full attention to the individual you are communicating with.

It is common to tune out of a conversation when it is not of interest to us. However, to actively listen, you must listen with your eyes and ears and with empathy.

When listening to your customers, make appropriate eye contact, let the customer finish what they are saying before you respond, concentrate on what the customer is telling you (not on what you will say next or on what you are going to do at the weekend) and give appropriate feedback. Feedback can take the form of nodding, saying 'Yes, I understand' or paraphrasing what the customer says to show that you have truly understood.

It is physiologically impossible to speak and listen at the same time.

Next time you are with friends or an acquaintance, observe how people listen to each other, or how often have you been speaking with someone and their eye contact strays. Do you feel you are being listened to? What happens if you are talking with someone and you are distracted by something else? Will the person with you feel valued?

Tips for effective listening:

- Concentrate on what is being said by giving the speaker your full attention;
- Listen with empathy;
- Encourage the speaker by asking appropriate open and closed questions;
- Be enthusiastic, responsive and kind;
- Summarise what you have heard, by paraphrasing and checking for understanding;
- Explain what actions you will take in response to what has been said;
- Show interest through your body language and facial expressions;
- Do not stereotype or block your listening because of bias or prejudice;

- Concentrate on the person, the words being spoken, do not be distracted;
- If it is necessary be ready to take notes, explain this to the speaker.

4.2.1.8 Hearing

The correct use of questions is an important key in effective and successful communication. To really listen, we must take the time to understand and ask appropriate questions to gain the full story of the request, complaint, statement or conversation.

Questions that give you a chance to explore and gain more information are known as open questions. Closed questions give you basic yes, no, single word answers. Closed questions can be useful when you need a direct response. However, effective communication often relies on a combination of both.

Patrons' stories are a combination of:

- experiences,
- behaviours and
- affects.

Open questions

Begin with words like:

- how
- what
- when
- where
- why
- explain
- describe
- tell me

Closed questions

Begin with words like:

- do you
- are you
- will you would you

Check for understanding

If you tell someone to carry out a particular procedure or task, how do you know for sure they understand what to do? If you ask a person, do you understand what to do? If they reply by saying yes or nodding their head (both positive affirmations), is that a guarantee that the person really knows what to do?

The question, 'Do you understand?' is a closed question, which gives a closed response.

Often, when people are nervous or there is a language barrier the affirmative response is not sufficient and is not a guarantee of understanding. Ask the recipient of your message to verbally respond by explaining or paraphrasing what you have said. You can also ask for a practical demonstration. Thus you will have followed up to ensure understanding.

You might need to rephrase your question, and/or add further tools to the communication process.

If understanding is poor, try another method. Perhaps you need to draw a diagram to explain the process step-by-step and have the person practice the task. If you are given instructions that you are not clear about, ask for clarification. It is far better to ask than to make mistakes because you have not fully understood an instruction.

4.2.1.9 Non-verbal behaviour

An often overlooked, but very effective, element of communication is pausing. It can be a useful tool to emphasise an important point or to give the other person time to consider what has been said. It indicates control and this elevates the communication to higher levels of respect and attention.

Non-verbal signals or body language is conveyed using eyes and body gestures. If staff members shrug their shoulders and are avoiding eye contact, they are indicating a level of disapproval, regardless of what they are saying. Often body language is interpreted more by other people than the words, which are used. Sometimes it is hard to be aware of body language. If another person's reaction to what is being said seems odd, it could be because they are reading (or misreading) body language.

4.2.1.10 Understand the context (scenario)

It is not enough to send appropriate verbal and non-verbal messages. Venue staffs needs to be empathic listener, which means that they need to show that they care for their patrons and their concerns. Nobody cares how much we know, until they know that we care for them. To be sure you understand the context of the patron, you need to ask them open questions.

4.2.1.11 Challenge

Don't expect that somebody will come to you and tell what they want. They will talk around subject and hope that you understand what they want. In this case, you need to challenge them by asking direct and open questions, paraphrase and summarise what they said.

4.3 Module 7 – Self-exclusion and counselling

4.3.1.1 Assessment criteria

Students should be able to identify:

- Procedures to follow when a patron requests self-exclusion.
- What to do when a family member or friend requests third party exclusion.
- Approved counselling services and referral procedures.

4.3.1.2 Self-exclusion schemes

All hotels and clubs that operate gaming machines must establish and conduct a self-exclusion scheme. This allows patrons to voluntarily exclude themselves from nominated areas of a gaming venue or the entire venue.

At all times venues must make the name and contract details of a problem gambling counselling service available to patrons and to each participant in a self-exclusion scheme.

This information must be provided in all areas where gaming machines are located:

- The name and contact details of the problem gambling counselling service.
- Advice for patrons that a self-exclusion scheme is available.
- The name and contact details of the person or body who is able to assist patrons who wish to join the self-exclusion scheme conducted in your venue.

To find out more about self-exclusion schemes, download the FS3012 'Gaming self-exclusion schemes' fact sheet at www.liquorandgaming.nsw.gov.au.

Your venue can run its own scheme if it meets the minimum requirements set by the Gaming Machines Regulation 2010, which only applies to hotels and clubs.

Your venue can also use a provider, which may include some counselling services financed by the Responsible Gambling Fund.

4.3.1.3 Request for self-exclusion

The Gaming Machines Regulation 2010 identified minimum requirements for a self-exclusion scheme:

- Tell patrons that you have a scheme available
- Give patrons information about how your scheme operates
- Prevent you from refusing a patron's request to participate
- Allow your patrons to specify the part(s) of your venue from which they want to be excluded
- Give participants a written and signed undertaking that you will not allow them to gamble at your venue for a specified period
- Give participants an opportunity to get independent legal or other professional advice about what the agreement means before they start
- Give participants written details about the gambling-related counselling service your venue has an arrangement with

- Make sure that responsible people at your venue can identify the participant – by a recent photograph or otherwise
- Stop a participant withdrawing from the scheme within six (6) months of asking to be involved.

People with problems with gambling who want to exclude themselves from hotels and clubs must sign a self-exclusion agreement not to gamble in your venue for a specified period. This condition does not apply to the casino. The casino operator issues exclusion notifications to people who request them.

Maximum penalty: **100 penalty units**.

4.3.1.4 Policies and procedures to deal with customers wanting to enter a self-exclusion

Self-exclusion process may include:

1. Referral to colleague, supervisor or manager (the responsible person) according to scope of responsibility.
2. Referral to counsellors and support services.
3. Initiating exclusion process when requested by customer.

According to Clause 49 of the Gaming Machines Act 2001, Responsible person means:

- a) in the case of a hotel – any of the following:
 - the hotelier,
 - the manager of the hotel,
 - an agent or employee of the hotelier or manager,
 - any other person involved in the conduct of gambling activities in the hotel, or
- b) in the case of a club – any of the following:
 - the secretary of the club,
 - a director of the club,
 - an agent or employee of the club,
 - any other person involved in the conduct of gambling activities on the club's premises.

Clause 49.4 of the Gaming Machines Act 2001 states that:

It is lawful for a **responsible person** for a hotel or club, using no more force than is reasonable in the circumstances:

- a) to prevent a participant from entering the nominated area of the hotel or the premises of the club, and
- b) to remove a participant from the nominated area or cause a participant to be removed from that areas.

Clause 49.5 states:

No civil or criminal liability is incurred by a responsible person for a hotel or club (or by the club itself):

- a) for any act done or omitted to be done in good faith, and in accordance with this section and the regulations, to or in respect of participant, or
- b) if a participant enters or remains in the nominated area of the hotel or the premises of the club.

However, this does not limit or otherwise affect the civil liability of a person for negligence that causes personal injury to a person or the death of a person.

Staff members need to be very sensitive when dealing with a problem gambler and the process should be made as confidential as possible as the patron may be feeling very anxious and embarrassed.

4.3.1.5 Documentation for self-exclusion scheme

L&GNSW has developed a standard agreement that you can use: 'gaming self-exclusion agreement'. Model Self-exclusion Scheme Agreements are available in other languages.

The venue staff must record all communication between the patron and venue. A patron may ask a venue staff to provide them with information on professional counselling services. If venue management or staff is approached by counsellor on behalf of a patron, the venue staff must record this in the incident log. The venue staff must request the counsellor to provide written authority for future action.

All these information must be remained confidential and should be available to appropriate staff.

GAMING SELF-EXCLUSION AGREEMENT

Name and address of Venue to be excluded from:

Venue Name	Venue Address

Name and address of other Venues to be excluded from* (optional):

Venue Name	Venue Address

* - these venues may not recognise this self-exclusion Agreement, or other multi-venue exclusions, because they have their own separate self-exclusion scheme service provider.

By signing this Agreement, I, _____ (Print name)

1. Agree that I will not play gaming machines at the above Venue(s) for a minimum period of 6 months from the day I sign this Agreement; and
2. I wish to be excluded from the following part(s) of the above Venue(s) for a minimum period of 6 months from the day I sign this Agreement [**mark one square as appropriate**]:
 - Any area where gaming machines are located; OR
 - Any area where gaming machines, or any other gambling facilities, are located; OR
 - The whole Venue.

Note: You may choose to be excluded from the entire venue. The Venue cannot make you exclude yourself from the entire venue.

3. I do / do not (delete as appropriate) want to receive club promotional material that refers to gaming machines. [Note: Hotels cannot distribute material in relation to gaming machines]
4. I agree to having my photo taken and stored.
5. I agree to having the following personal information collected and stored (either electronically or otherwise) for the purpose of assisting the Venue(s) to identify me:
 - my name, gender, place of residence (suburb, postcode, State), telephone contact, date of birth, and photo.
 - this information will be stored until my self-exclusion ends, will be kept securely and will only be used by the venue to assist me to comply with my self-exclusion. This information will be destroyed when this Agreement has ended.
6. I agree to the Venue forwarding the above personal information to the Venues nominated above.
7. I agree / disagree (delete as appropriate) to the Venue forwarding the above personal information to a problem gambling counsellor who will contact me by phone to discuss how I can manage my gambling problem and to assist me in complying with my self-exclusion (DELETE if you have no phone contact or DO NOT WANT TO BE CONTACTED FOR FOLLOW-UP SUPPORT).

NOTE: RESEARCH HAS SHOWN THAT YOU WILL BE BETTER ABLE TO MANAGE YOUR GAMBLING WITH TREATMENT FROM A GAMBLING COUNSELLOR.

8. I acknowledge that I have been provided with written information about gambling, counselling or treatment services by the Venue's staff.

THIS IS NOT A LEGAL DOCUMENT. You may seek legal advice before making this Agreement but you do not have to.

Download Self-exclusion Scheme Agreements from

<https://www.liquorandgaming.nsw.gov.au/working-in-the-industry/licensees-and-approved-managers/gaming-self-exclusion>

4.3.1.6 Third party requests for the exclusion

Problem gambling affects everyone, including gamblers, their families and friends. As a result, family members or friends may approach the venue staff and ask the venue to exclude the gambler from the premises. Staff

have a moral obligation to help them by providing informant about available professional counselling services, or to assist them to contact these services. (e.g. Gambling Help). The venue staff should also provide information about available self-exclusion scheme.

Staff should enter each event in an incident log. This information will be very important if problem arise later.

Note: Only individuals themselves can enter into 'self-exclusion agreement'.

4.3.1.7 Problem gambling counselling services

The person who are to provide problem gambling counselling services as referred to in section 46 of the Act are persons who are employed or engaged by, or whose services are accessed through, any of the following bodies (referred to in this clause as service provider):

- Australian Hotels Association (NSW)
- Clubs NSW,
- BetSafe,
- Any other body that receives funding from the Responsible Gambling Fund under the Casino Control Act 1992 for the specific purposes of providing gambling-related counselling or treatment services.

The Australian Hoteliers Association's program is GameCare, which is a part of the service for all hotels that are members of the AHA NSW. Contact details are: 1300 137 404.

Club NSW program is ClubSAFE. Contact details are: 1800 99 77 66.

BetSafe is a program to assist it member clubs and pubs with their harm minimisation program and to help their patrons who develop gambling problems. Contact details are: 02 9874 0744, www.betsafe.com.au

Gambling Help services can be contacted by patrons on 1800 858 858, www.gamblinghelp.nsw.gov.au

A range of counselling and specialist therapy services (e.g. specialist cognitive behavioural therapy services and targeted services for Aboriginal and CALD population) are available across New South Wales to assist people with gambling problems, along with their friends and families. Some are available 24/7 (Gambling Helpline and Gambling Help Online).

A hotelier or registered club is required to make available at all times to the patrons of the hotel or club information as to the name and contact details for a problem gambling counselling service made available by or through a service provider.

The hotelier or registered club must also provide the information:

- To each person who is a participant in a self-exclusion scheme conducted by the hotelier or club under section 49 of the Act at the time the participant undertakes to be part of the scheme or as soon as practicable after that time, and
- To any other person whenever requested to do so.

A hotelier or registered club must display a notice in any part of the hotel, or part of the premises of the club, in which approved gaming machines are located.

Maximum penalty: **50 penalty units**.

The notice must contain the following information:

- The name and contact details of the problem gambling counselling service

- A statement advising patrons that a self-exclusion scheme is available in the hotel or on the premises of the club for the benefit of patrons who wish to be prevented from entering or remaining in any nominated area of the hotel or premises of the club for the purposes of assisting patrons to control their gambling.
- The name and contact details of a person or body who is able to assist patrons with becoming participants in a self-exclusion scheme conducted in the hotel or on the premises of the club.

4.3.1.8 Gambling incident logs

An incident register is a record of certain types of incidents that occur at a licensed venue.

An incident register is mandatory if you are the licensee of a venue that is:

- Authorised to sell or supply liquor after midnight at least once a week on a regular basis
- Located in the Kings Cross or Sydney CBD Entertainment precincts – with the exception of packaged liquor licences or on-premises licences without a PSA, and is not a theatre or cinema
- Listed as a declared premises under Schedule 4 of the Liquor Act 2007
- Required to have an incident register imposed by a specific licence condition.

Maintaining an incident register will give you a better understanding of events that affect the safety of your venue and patrons. It will also help you to develop appropriate strategies to reduce the risk of alcohol-related violence and anti-social behaviour at your venue.

Incidents that must be recorded are incident that involve:

- Violence or anti-social behaviour at your venue
- Violence or anti-social behaviour occurring in the immediate vicinity of your venue and involve a person who has recently let or been refused entry to your premises
- Someone being asked to leave under section 77 of the Liquor Act
- A patron needing medical assistance
- The possession or use of suspected prohibited drugs/ plants on the premises

Venues should also report other things that help you gain a more complete understanding of events that affect the safety of your venue and patrons, and incidents that affect your venue's operations:

- Entry refusals: including minors, suspected intoxication, insufficient identification
- Approaches by patrons wanting help with their gambling
- Signage issues that were noted with staff, the date they saw when the sign was damaged or not in place and the steps that have been dealt with to rectify it.
- Breaches of self-exclusion by patrons
- Third party exclusion requests.
- Compliance issues: including missing RSA competency cards, faulty gaming machines and disturbance complaints.
- WHS issues
- Public liability cases

Your incident register should also record the details of all incidents that occur outside of the standard trading period for your licence type.

You must also record the details of any action you take in response to an incident. An incident register can be in paper or digital form.

Mandatory venues

Venues in the Kings Cross or Sydney CBD Entertainment precincts, must maintain an incident register in a format approved by L&GNSW.

Venues are permitted to maintain an incident register in either bound book or digital format. If you choose to use a digital form of incident register then you may stop entering incident in the paper book register.

Gambling Incident Report Form

This form should be completed as soon as possible after a reportable incident. This may include (but is not limited to) aggressive behaviour, verbal abuse, patron in distress, destruction of property, refusal of gaming service or threats to staff or patrons. This report should be passed onto management for review and action.

Incident Details			
Your name			Date: / /20
Room/area			
Date and time of incident	/ /20	:	am/pm
Name of patron (if known)			
Description of patron			
Who else was involved?			
What happened?			
Witnesses name(s) (if known)			
Was anyone injured?	Yes	No	If so, what action was taken?
Were police called?	Yes	No	
Property damage?	Yes	No	Detail
Management Response			
Follow up action/s <small>(e.g. contact Gamblers Help, exclude patron)</small>	Person responsible	By when?	Review?
		/ /20	/ /20
		/ /20	/ /20
		/ /20	/ /20

Use the back of this page if more space is required.

This report may not replace accident reports as required by Workplace Standards where the incident resulted in injury. Check with your manager.

The digital incident register (DIR) must include pre-designated fields for recording information on the above reportable incident types. Venues may choose to record details of other, less serious incidents for best practice.

Any DIR must display the following information on its screen directly before or after user login:

“The law requires all licensed venues in the Kings Cross and CBD precincts to keep an incident register at all times.”

The DIR must include mandatory, voluntary and / or pre-filled fields with standardised text. The required fields include – but are not limited to:

- Date and time
- Location
- Incident type
- Capacity for recording additional details when reporting on mandatory incident types 1
- Incident details, actions taken/ summary outcomes
- Witness details and
- Person of interest details.

All required incidents must be entered in the DIR as soon as possible after the event and within one hour.

A more detailed account must be completed as soon as possible, and within six hours. This should outline any reportable incident that involves violence, anti-social behaviour, when patrons are asked to leave, or when an injury occurs that requires medical assistance.

Voluntary venues

If your venue is not in a precinct, you can use any of the following:

- The incident register available from L&GNSW
- Any bound book with pre-numbered pages and the same incident report content areas as the our incident register
- A digital register provided it contains the same content as our incident register and records the time and date of any entry of data to the digital register.

Required software security and data integrity features:

- Ability to restrict access to approved staff members or users – via username/ password or other means
- A system for managing an approved user list – creating and deleting approved users
- Ability to support multiple approved users
- Automatic system log out after a set period of inactivity
- Automatic assignment of an unalterable, sequenced unique identifier for each incident record
- Automatic assignment of unalterable real-time dates and times for each register entry and updates
- Mandatory date and time fields for incidents
- Automatic assignment of an approved user name – via login- to each entry which includes incident reporting and updates.
- Non capacity to delete or edit existing incident records, but allows relevant information to be added at a later date
- An audit trail capacity that ensures all versions of any incident are saved and available for review upon request. For example an audit trail that ensures all versions are saved and can be viewed separately.
- Ability to flag incomplete entries for reportable incidents
- Ability to flag entries for reportable incidents where details were not recorded as soon as practicable (e.g. full details after six hours of occurring).

Accessing information in the register and reporting

Any information recorded in the DIR, and any reports generated from it, must be able to be:

- made immediately available upon request by a police officer or inspector
- copied, printed or sent digitally so that it can be removed from the venue upon request by a police officer or inspector, and
- retained for a period for a least three years from when the record was made.

Licensed venues must be able to access any digital data records upon request regardless of any contractual arrangements with the software or internet provider. Venues may choose to download their DIR onto their own digital devices or print out paper-based versions of incident reports.

The DIR software must also:

- support search and reporting functions for extracting incident records by date, time, date and time range, day of week, year, incident type, reportable incidents, flagged incidents, system user
- be able to be exported, upon request, in an appropriate digital form (excel or CSV) with each incident assigned to an individual row.

5.0 Further reading and quick references

1. *Prevalence of Gambling and Problem Gambling in New South Wales*. 2012. Ogilvy Illumination. Prepared by Kerry Sproston, Nerilee Hing & Chrissy Palankay
2. *NSW Budget, 2018-19 Half-Yearly Review*.
3. *Australian Gambling Statistics, 1991-1992 to 2016-2017*, 34th edition.
4. L&GNSW, *Regulatory Priorities 2018-2019*
5. *Problem Gambling and Harm: Towards a national Definition*. State of Victoria, Department of Justice 2005.
6. *Australia's Gambling Industries, Final Report*, November 1999.
7. Independent Pricing and Regulatory Tribunal. *Gambling: Promoting a Culture of Responsibility*. July 2004.
8. *Gambling Research Australia, Identifying Problem Gamblers in Gambling Venues, 2007*
9. *Gambling, 2010*
10. *Prevalence of Gambling and Problem Gambling in New South Wales, 2011*
11. Liquor & Gaming NSW, <https://www.liquorandgaming.nsw.gov.au/about-us/our-role>
12. *Gaming Machines Act 2001*, NSW.
13. *FS3008 Fact Sheet, Gaming machine harm minimisation*, NSW Department of Industry.
14. *GL4015 Gambling advertising and inducements*, NSW Department of Industry
15. *CL1002 Club licence self-audit checklist*, NSW Department of Industry
16. Flinders Centre for Gambling Research Report, Flinders University, October 2016.
17. *Prevalence of Gambling and Problem Gambling in New South Wales*, NSW Office of Liquor, Gaming and Racing, April 2012
18. *Unlawful Gambling Act 1998*, NSW
19. *Gaming Machines Regulations 2010*, NSW

6.0 Quick Reference Contacts

GameCare – 1300 137 404 or 02 9281 6922

ClubSAFE – 1800 99 77 665

BetSafe – 02 9874 0744 or www.betsafe.com.au

Gambling Help services – 1800 858 858 or www.gamblinghelp.nsw.gov.au

Culturally and linguistically diverse (CALD) communities – 1800 856 800

Aboriginal communities – 1800 752 948

Facebook – www.facebook.com/GamblingHelpNSW

Betiquette – www.betiquette.nsw.gov.au

Online counselling is available 24 hours a day through Gambling Help Online www.gamblinghelponline.org.au.