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**THE SOUTH AUSTRALIAN
GOVERNMENT GAZETTE**

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CONTENTS

STATE GOVERNMENT INSTRUMENTS

Gambling Administration Act 2019 2428

All instruments appearing in this gazette are to be considered official, and obeyed as such

STATE GOVERNMENT INSTRUMENTS

GAMBLING ADMINISTRATION ACT 2019

South Australia

Authorised Betting Operations Gambling Code of Practice Variation Notice 2022

under section 15 of the *Gambling Administration Act 2019*

1—Short title

This notice may be cited as the *Authorised Betting Operations Gambling Code of Practice Variation Notice 2022* (**Variation Notice**).

2—Commencement

This Variation Notice comes into operation on 31 July 2022.

The Authorised Betting Operations Code of Practice Prescription Notice 2021 remains in force until that date.

3—Variation of existing Authorised Betting Operations Gambling Code of practice

This Variation Notice will have the effect that the *Authorised Betting Operations Gambling Code of Practice* contained in this notice will supersede the *Authorised Betting Operations Code of Practice* published in the *Gazette* on 23 December 2021.

4—Authorised Betting Operations Gambling Code of practice

The Authorised Betting Operations Gambling Code set out in this notice is varied for the purposes of s15 of the *Gambling Administration Act 2019*, for the purposes of the *Authorised Betting Operations Act 2000*.

In accordance with ss 48, 49, 60A, 60B, 62B and 62C of the *Authorised Betting Operations Act 2000*, an authorised betting operator must ensure, in the performance of its functions, that it conforms with the provisions of the applicable responsible gambling codes of practice or the applicable advertising codes of practice prescribed under the *Gambling Administration Act 2019*.

Authorised Betting Operations Gambling Code of Practice

Part 1 – Preliminary

1. Scope

This code of practice is prescribed under section 15 of the *Gambling Administration Act 2019*, for the purposes of the *Authorised Betting Operations Act 2000* and is inclusive of the advertising code of practice and the responsible gambling code of practice.

2. Commencement

This code of practice came into operation on 23 December 2021 and varied on 31 July 2022.

3. Purpose of the code

- (1) The purpose of this code of practice is to promote the objects of the *Gambling Administration Act 2019* and, in particular—
 - (a) to reduce the prevalence and severity of harm associated with the misuse and abuse of gambling activities; and
 - (b) to foster responsible conduct in relation to gambling and in particular, to ensure that gambling is conducted responsibly, fairly and honestly, with regard to minimising the harm associated with gambling; and
 - (c) to facilitate the balanced development and maintenance, in the public interest, of an economically viable and socially responsible gambling industry in the State recognising the positive and negative impacts of gambling on communities; and
 - (d) to ensure that gambling is conducted honestly and free from interference, criminal influence and exploitation; and
 - (e) to ensure, as far as practicable, that the conduct of gambling is consistent with the expectations and aspirations of the public.
- (1a) For the purposes of clause 3(1)(a) harm associated with the misuse and abuse of gambling activities includes—
 - (a) the risk of harm to children, vulnerable people and communities (whether to a community as a whole or a group within a community); and
 - (b) the adverse economic, social and cultural effects on communities (whether on a community as a whole or a group within a community); and
 - (c) the adverse effects on a person's health or welfare; and
 - (d) the adverse effects on a person's family, friends and work colleagues.
- (2) The intention of this code of practice is to commit gambling providers to—
 - (a) ensure that their gambling practices are consistent with the community's expectations that gambling businesses will be conducted in a responsible manner so as to minimise the harm caused by gambling;
 - (b) ensure that their gambling advertising is consistent with the community's expectations that gambling businesses will be conducted in a responsible manner so as to minimise the harm caused by gambling and is socially responsible;
 - (c) consider and implement measures to minimise harm associated with gambling activities;
 - (d) maintain standards of operational practice that, as a matter of course, address harm minimisation; and
 - (e) not undertake operational practices involving unacceptable risk of harm.

4. Interpretation

- (1) Unless the contrary intention appears, expressions defined in the *Gambling Administration Act 2019* and *Authorised Betting Operations Act 2000* have the same meanings in this code of practice.

account holder means a person for whom a gambling provider has established a gambling account.

condensed warning message means the following message – “Gamble responsibly”

dedicated sports channel means a radio broadcasting service or a television broadcasting service principally operated for the purpose of broadcasting sporting events, or sporting related content.

direct marketing includes any advertising, promotion or offer made by, or on behalf of, an interactive wagering service provider directly to a person by means of telephone, email, SMS, text message, post, electronic transmission, data cast or other direct means, including to a telephone, internet or other electronic means that can be used by an account holder to make a bet (but does not include those parts of a telephone, internet or other electronic means that can only be accessed by an existing account holder).

gambling advertising means any advertising by a gambling provider of a particular gambling product, products or gambling activity (including to open a gambling account), whether in print or electronic form, including media (internet and all electronic and social media), radio, television, print media, signs and billboards, and any advertising on radio or television in the nature of a plug or endorsement, celebrity commentary, or program content which is in exchange for payment, or some other form of valuable consideration.

gambling provider for the purpose of this code means an authorised interstate betting operator, a licensed bookmaker, a licensed racing club and the holder of the major betting operations licence (SA TAB).

gambling area means the immediate environs of the point of sale for a totalisator product or fixed odds betting product, and a bookmaker's stand or a betting ring.

inducement means any credit, voucher, bonus bet or reward (however described), offered as an inducement to encourage a person to participate, or to participate frequently, in any gambling activity (including as an inducement to open a gambling account, or as an inducement to not close a gambling account).

interactive wagering service means the services provided to an account holder by an interactive wagering service provider.

interactive wagering service provider is an authorised interstate betting operator, a licensed (interactive) bookmaker and the holder of the major betting operations licence (SA TAB).

licensed (interactive) bookmaker is a licensed bookmaker under the *Authorised Betting Operations Act 2000*, authorised to accept bets made by telephone, internet or other electronic means.

permitted external sign means a sign affixed to the outside of a building containing a gambling area or affixed to the outside of a permanent structure within the immediate environs of a building containing a gambling area, which is under the control of the gambling provider, or that gambling provider's agent, that—

- (a) displays the gambling provider's logo or name; or
- (b) indicates the availability of a gambling activity inside the building.

private webpage means a page which a person may gain access only after entering a password, identification number or other form of authentication to verify the person's identity, issued by or registered with a gambling provider.

spotters' fees are amounts paid or payable by commission or otherwise to third parties for attracting or retaining the account holder's business (including the establishment or extension of a credit facility). This includes amounts paid or payable to gambling provider's employees whose remuneration includes a component variable by reference to the account holder's activity. If a spotter's fee is required to be disclosed at a time when the actual amount is not ascertainable, a good faith estimate, identified as such, is required.

unsubscribe means to withdraw consent to receiving direct marketing from, or on behalf of, an interactive wagering service provider.

virtual gambling area means a webpage, application or a display on an internet-enabled device, which provides for a person to gamble with a gambling provider.

5. Mandatory nature of the code

- (1) Under section 15 of the Gambling Administration Act 2019, the Liquor and Gambling Commissioner (the Commissioner) may prescribe advertising codes of practice and responsible gambling codes of practice.
- (2) A gambling provider must not contravene or fail to comply with a provision of a code of practice.
- (3) For the purposes of section 16 of the Gambling Administration Act 2019—
 - (a) if the letter "A", "B", "C" or "D" appears in column B of the table in Schedule 2 next to the listing of a provision, contravention or failure to comply with the provision is declared to be an offence in the category corresponding to that letter;
 - (b) if the letter "A", "B", "C" or "D" appears in column C of the table in Schedule 2 next to the listing of a provision, the offence of contravention or failure to comply with the provision is declared to be an expiable offence in the category corresponding to that letter.

6. Application of this code of practice under section 15 of the Gambling Administration Act 2019

- (1) Part 2 of this code of practice operates as the prescribed advertising code of practice for the purposes of section 15(1)(a) of the *Gambling Administration Act 2019*.
- (2) Part 3 of this code of practice operates as the prescribed responsible gambling code of practice for the purposes of section 15(1)(b) of the *Gambling Administration Act 2019*.
- (3) The Commissioner may vary or revoke a code of practice or a provision of a code of practice by notice in the Government Gazette.
- (4) The Commissioner may, at any time, undertake a review of the codes of practice.

7. Liability for act or default of agent

For the purposes of this code, an act or default of an agent of a gambling provider will be taken to be an act or default of that gambling provider unless the Commissioner is satisfied that the agent acted outside the scope of the agent's actual, usual and ostensible authority, or in a manner inconsistent with obligations imposed by the gambling provider on the agent.

8. Role of peak bodies

A gambling provider may satisfy a code of practice obligation through the actions of a peak body, except in relation to the gambling provider's obligations in respect to training.

A peak body is a genuine association formed to protect or promote the interests of a section of the gambling industry.

Peak body includes, in relation to a person who is an agent of a gambling provider, the principal in the agency relationship, and in relation to a licensed racing club receiving totalisator services from SA TAB, SA TAB.

Part 2 – Required advertising practices

The gambling provider is to ensure that gambling advertising is conducted in a responsible manner that takes into account the potential adverse impact it may have on the community, particularly minors, people experiencing gambling-related harm or at risk of developing negative consequences associated with their gambling.

Gambling advertising must be compliant with applicable State and Federal laws and any relevant industry codes of practice.

9. Responsible gambling advertising

- (1) The gambling provider must ensure that gambling advertising—
 - (a) does not encourage a breach of law;
 - (b) does not depict children gambling;
 - (c) is not false, misleading or deceptive;
 - (d) does not suggest that winning will be a definite outcome of participating in gambling activities;
 - (e) does not suggest that participation in gambling activities is likely to improve a person's financial prospects;
 - (f) does not promote the consumption of alcohol while engaging in gambling activities;
 - (g) must be published in accordance with decency, dignity and good taste;
 - (h) does not offer any credit, voucher or reward as an inducement to participate, or to participate frequently in any gambling activity (including as an inducement to open a gambling account, or as an inducement to not close a gambling account);
 - (i) that includes any inducement offered with a disclaimer that the offer is not available to South Australian residents, is to the greatest extent practicable not published or communicated in SA;
 - (j) does not make claims related to winning or the prizes that can be won that are not based on fact, are unable to be proven or that are exaggerated;
 - (k) does not suggest that a player's skill can influence the outcome of gambling activity in relation to gambling where a player's skill cannot influence the outcome of the gambling activity;
 - (l) does not exaggerate the extent to which skill can influence the outcome of gambling activity in relation to betting where the outcome does not involve an element of lottery;
 - (m) does not include images of cash, or images suggestive of increased account balances;
 - (n) does not include the expressions "Win" or "\$", unless these expressions specifically relate to a prize that has been determined or is payable, or to an estimate of a prize which can be won.
- (2) For the purposes of this clause, a gambling provider will not be regarded as advertising when—
 - (a) the gambling provider sends communication direct to an account holder, and the account holder has provided their express consent to receiving advertising material;
 - (b) the gambling provider draws attention, on a private webpage, to its gambling products or gambling activities;
 - (c) the gambling provider draws attention, in printed point of sale material, to its gambling products or gambling activities.
- (3) The gambling provider must keep a copy (in print or electronic form) of any gambling advertising, including advertising of acceptable trade promotion lotteries, available for inspection for a period of 12 months following the conclusion of the advertising campaign.

10. Prize promotions and advertising

- (1) Gambling advertising that refers to, or relies on prizes which are available to be won, or the frequency the prize may be won (whether or not the prize is a prize of money)—
 - (a) must include sufficient information for a reasonable person to understand the overall return to player or odds of winning; and
 - (b) if intended to encourage a person to gamble during a particular period, include sufficient information for a reasonable person to appreciate how likely it is that the prize will be won by someone during that period.
- (2) If, in seeking to comply with this clause, the gambling provider—
 - (a) calculates the theoretical number, value and frequency of prizes to be won;
 - (b) in the advertising suggests an outcome no less favourable to the gambling provider than that theoretical outcome; and
 - (c) obtains an actual outcome more favourable than that which was advertised,the gambling provider will still be regarded as complying with this clause.
- (3) Sub-clause (1)(a) does not apply to advertising of a trade promotion lottery offered in conjunction with the purchase of a gambling product if the odds or chance of winning the lottery are affected by the number of entrants, or dependent on similar factors beyond the control of the gambling provider.

11. Permissible advertising of inducements and complimentary gambling products

- (1) Despite clause 9(1)(h), a gambling provider may advertise an inducement for participation in an acceptable loyalty program by drawing attention to the name of the loyalty program, its availability to customers and the benefits to members of the program, as long as the customer is directed to the program's full terms, conditions and benefits that are published on a public website, or on signs in or near a gambling area, or in a document available in or near a gambling area.
- (2) Despite clause 9(1)(h), a gambling provider may advertise an inducement in the form of participation in an acceptable trade promotion lottery (see clause 25), or of the offering of a complimentary gambling product.
- (3) For the purpose of sub-clause (2) above, a gambling provider may only advertise an inducement as a complimentary gambling product in the form of a bonus bet, if—
 - (a) the inducement advertised is only available for a bet placed on a racing event and not a bet placed on any other sport or fixture; and
 - (b) the advertisement has been published or communicated on a platform which provides predominantly thoroughbred horse, harness or greyhound racing (that is, dedicated racing television channels, websites, written publications or radio stations and within the boundaries of racetracks; and

- (c) the advertisement has been published or communicated on the part of the platform that exclusively contains racing-related content.

12. Mandatory warning messages

- (1) Expanded warning messages, as set out in Schedule 1 for the stated periods, must be included in gambling advertising, unless the inclusion of the expanded warning message in that particular advertising would be unreasonable or impracticable.
- (2) If gambling advertising does not include an expanded warning message, the gambling advertising must include the condensed warning message.
- (3) When a mandatory warning message is included in gambling advertising, the manner of its inclusion must be consistent with the message being a warning message.
- (4) Gambling advertising which is a text message, tweet, email or social media posting of less than 160 characters must be concluded with the condensed warning message. If the text message is more than 160 characters, it must be concluded with the condensed warning message and the national gambling helpline number 1800 858 858.

13. Advertising on Radio and Television

- (1) Gambling advertising must not be placed on radio between 6.00am and 8.30am, Monday to Friday (both days inclusive). This clause does not apply to gambling advertising on a dedicated sports channel.
- (2) Gambling advertising must not be placed on television between 4.00pm and 7.30pm, Monday to Friday (both days inclusive). This clause does not apply to gambling advertising on a dedicated sports channel.
- (3) Despite clause 12, gambling advertising on radio may be accompanied by the condensed warning message and in the case of a plug or commentary, must end with the condensed warning message and the national gambling helpline number 1800 858 858.
- (4) Despite clause 12, gambling advertising on television that is longer than 15 seconds, must be accompanied by the expanded warning message and in the case of a plug or commentary, must end with the condensed warning message and the national gambling helpline number 1800 858 858.
- (5) A mandatory warning message announced on radio or television must be spoken in a neutral tone, at a speed that is clear and easily understood and otherwise presented in a way which reflects the importance of a warning message.
- (6) The gambling provider must ensure, through instructions about their obligations under this code, that a mandatory warning message is appropriately respected for gambling advertising in live announcements and when mentioned by announcers before or after the broadcast of its gambling advertising.
- (7) In the case of the presence of a gambling provider's logo on a screen, other than as part of a commercial which includes a mandatory warning message, the logo must include the condensed warning message adjacent to the logo occupying no less space than that occupied by the logo. This does not include logos on participant's uniforms (see clause 14(7), (8) and (9)).
- (8) A mandatory warning message appearing in gambling advertising on television must occupy at least 25% of the screen area for at least 1/6th of the length of the advertisement, or occupy the whole screen area for at least 1/10th of the length of the advertisement.
- (9) The mandatory warning message must be spoken at the same time as it appears on a television screen.
- (10) Clauses 13(6), (7) and (8) do not apply where gambling advertising appears on television only because the broadcast image is of a public event at which the advertising has been placed.

14. Additional requirements for print media, outdoor and other forms of advertising

- (1) If the condensed warning message is used in advertising to which this clause applies, it must be accompanied by the national gambling helpline number 1800 858 858.
- (2) In printed gambling advertising, the mandatory warning message must be presented in a font and colour with sufficient contrast as to make it distinct, and must occupy at least 10% of the space occupied by the advertising.
- (3) In outdoor gambling advertising (other than a permitted external sign) the mandatory warning message must be presented in a font and colour with sufficient contrast as to make it distinct, and must occupy at least 10% of the space occupied by the advertising.
- (4) Gambling advertising in the form of a permitted external sign need not be accompanied by a mandatory warning message.
- (5) An outdoor or indoor display or sign at a venue for any sort of event which is broadcast on television; or for an event on which betting takes place, the mandatory warning message must be presented in a font and colour with sufficient contrast as to make it distinct, and must occupy at least 10% of the space occupied by the advertising.
- (6) If the gambling advertising referred to in sub-clause (5) is presented by means of a display which is constantly moving, scrolling or changing, or is capable of immediate or scheduled systematic changes, the mandatory warning message must be presented in a font and colour with sufficient contrast as to make it distinct and must occupy at least 25% of the space occupied by the advertising.
- (7) Gambling advertising which is the placement of a logo on the apparel of a participant (including an official) in an event which is broadcast on television in South Australia, or at an event at which gambling takes place, must be accompanied by the placement of the condensed warning message adjacent to the logo, occupying no less than half the space occupied by the logo.
- (8) Gambling advertising in the form of a small logo (occupying no more than 5400mm² with no linear dimension longer than 180mm) need not be accompanied by a mandatory warning message.
- (9) Gambling providers must ensure that participants do not wear its logo on occasions when they are engaging solely or mainly with minors.
- (10) Gambling advertising which is no more than the inclusion in—
 - (a) the title of an event or the name of a team participating in an event; or
 - (b) the name of a place of a sponsor's name or brand,need not be accompanied by a mandatory warning message. This does not apply to gambling advertising in relation to participant uniforms, as set out in sub-clauses (7) and (8).
- (11) Gambling advertising must not occur at Cinemas when films rated G, PG, M or MA(15+) are showing.

15. Live odds

- (1) Gambling advertising placed on radio or television which encourages betting on a form of gambling that—
 - (a) quotes a price; or

- (b) draws attention to the time period in which the form of gambling is available; or
- (c) draws attention in any way to the availability of the form of gambling; or
- (d) otherwise encourages the betting;

must comply with the following communications and media industry codes of practice as registered by the Australian Communications and Media Authority from time to time;

- Subscription Broadcast Television Codes of Practice;
- Subscription Narrowcast Television Codes of Practice;
- Subscription Narrowcast Radio Codes of Practice;
- Commercial Radio Code of Practice;
- SBS Codes of Practice;
- Free TV Commercial Television Industry Code of Practice;
- Subscription broadcast television codes of practice.

- (2) Gambling advertising placed on an online platform which encourages betting on a form of gambling that—
 - (a) quotes a price; or
 - (b) draws attention to the time period in which the form of gambling is available; or
 - (c) draws attention in any way to the availability of the form of gambling; or
 - (d) otherwise encourages the betting;

must comply with the *Broadcasting Services (Online Content Service Provider Rules) 2018* (Commonwealth).

Part 3 – Responsible gambling practices

The gambling provider must ensure that their general gambling practices are consistent with community expectations that gambling operations will be conducted responsibly and in a manner that minimises the harm caused by gambling, and is socially responsible.

The gambling provider must conduct their business in accordance with all applicable State and Federal laws and legal requirements, and co-operate with regulatory bodies and government agencies in all matters, including compliance with legal obligations.

16. Responsible gambling operations

- (1) The gambling provider must, for all gambling areas, virtual gambling areas, gambling telephone lines and internet sites, through which it provides its gambling products, ensure the existence of a document or documents (whether hard copy or otherwise) detailing—
 - (a) the manner in which staff training and measures for interventions with problems gamblers are implemented; and
 - (b) the roles of staff (by job title) in the implementation of this code.
- (2) A document required by sub-clause (1) may be incorporated with any other operational document maintained by the gambling provider, but must be made known to and readily available to staff and staff must be trained and ensure compliance with the documents.
- (3) The gambling provider must develop and implement effective policies and procedures that enable staff to—
 - (a) identify people displaying signs of gambling harm by, but not limited to, reviewing player accounts for risky patterns of play (e.g. increase in frequency of betting, increase in bet size), reviewing pre-commitment arrangements (including requests to increase limits), and reviewing customer communication (written and verbal) that may indicate the person may be experiencing harm; and
 - (b) respond to people displaying signs of gambling harm by engaging in a conversation about their gambling behaviour, offering pre-commitment and barring options, and referring them to a gambling help service; and
 - (c) ensure staff are trained in and carry out their functions in accordance with such policies and procedures.
- (4) The gambling provider must establish a reporting process for the identification of suspected problem gamblers by staff and the recording of their details.
- (5) The gambling provider must ensure they have a system in place to identify and monitor problem gambling indicators and review the record of suspected problem gamblers at least weekly, including the details of the review and any steps taken to intervene. Data captured by this system may only be used for the purpose of harm minimisation and no other purpose.
- (6) The record of suspected problem gamblers must include sufficient detailed information to enable staff in gambling areas to identify the patron and must be readily available to staff at any time and the Commissioner upon request.
- (7) If any loyalty program data or account data indicate that a person may be at risk of harm from gambling, a gambling provider must limit the person's gambling activities (e.g. by suspending the account) until the customer is able to verify that they are able to sustain an increased level of gambling;
- (8) If a person requests voluntary exclusion, the gambling provider must bar the person forthwith in accordance with Part 6 of the *Gambling Administration Act 2019*.
- (9) If a person requests third party involuntary barring of a gambler, the gambling provider must promptly make a considered decision.
- (10) The gambling provider must document and implement procedures to ensure that enquiries about barring (regardless of who initiates them) and approaches for the making of barring orders, are responded to in a manner that is informative, timely and culturally appropriate, with the aim of dealing with an in-venue approach while the person is in the venue and dealing with telephone enquiries in one call where possible, using an interpretation service if required.
- (11) The gambling provider may make flexible informal arrangements with patrons, only if the arrangements limit, manage or control a gambler's access to gambling and the gambling provider reasonably expects that informal arrangements would be beneficial for the gambler. This clause does not apply if a person requests a voluntary exclusion.
- (12) The gambling provider must note the details of any informal arrangements, including details of any agreed pre-commitment arrangements, and make them available to the Commissioner upon request.

- (13) All staff involved in selling the gambling provider's gambling products, or otherwise dealing with customers must log into the barring register each time when on duty, or be provided with a current consolidated barring list from the barring register to review any new or updated barring information.
- (14) The gambling provider must ensure that at least one employee has "Administrator" access for the purpose of updating and registering information into the barring register within the prescribed timeframe.
- (15) The gambling provider must ensure that any loyalty program database, account holders' database or any like list identifies a person who is excluded (whether by formal barring order or otherwise) and ensures that a person is not sent any marketing communications.
- (16) The gambling provider must take reasonable steps to ensure that staff with a potential or actual gambling problem (involving any sort of gambling) are identified and referred for counselling, support or therapy.
- (17) The gambling provider (other than an interactive wagering service provider) must ensure that there is adequate natural or artificial lighting in gambling areas to enable clocks and signs to be easily read and the faces of people within the gambling area to be easily identified.
- (18) The gambling provider (other than an interactive wagering service provider) must not permit a second-hand dealer or pawnbroker to conduct business in gambling areas.

17. Customer information and signage in gambling areas

- (1) The gambling provider (other than an interactive wagering service provider) must—
 - (a) ensure the prominent display of the condensed warning message and the national gambling helpline number 1800 858 858 on or near each point of sale of its gambling product and on any electronic display in a gambling area which is used for displaying venue generated messages in the nature of internal advertising;
 - (b) in each gambling area display prominently a message indicating that gambling operations are governed by a code of practice and ensure that a copy of this code is made available on request;
 - (c) ensure that a quantity of helpline cards are available on or near each ATM and other places throughout gambling areas; and
 - (d) ensure that the time of day is prominently displayed and visible throughout gambling areas.
- (2) The gambling provider must—
 - (a) prominently display and renew responsible gambling materials (including a poster and pamphlet) in gambling areas in a form which includes the expanded warning message, or if it is not reasonable or practicable to include the expanded warning message, the condensed warning message; and
 - (b) make available its responsible gambling poster written in English, Arabic, Chinese, Greek, Italian, Vietnamese, and any other relevant language.
- (3) If a gaming machine or casino licensee is also the agent of SA TAB and has placed additional responsible gambling signage and a multi-lingual sign in areas which are gambling areas for the purposes of SA TAB, SA TAB is deemed to have complied with the requirements of sub-clauses (1) and (2).

18. Self-service terminals

- (1) If a gambling provider installs, in a place in which it is otherwise authorised to provide its gambling product, a device which allows customers to purchase the gambling product and process winnings without the assistance of an operator, the gambling provider must ensure that—
 - (a) subject to sub-paragraph (b), the device is configured to allow the gambling product to be purchased using a customer's gambling account; and
 - (b) if the device is configured to allow the gambling product to be purchased other than by using a gambling account, enhanced responsible gambling measures approved by the Commissioner in respect of the device (or class of device) are being implemented; and
 - (c) if the device is able to be operated by the insertion of cash—
 - (1) the device must have a maximum cash deposit limit of \$100; and
 - (2) the device must have pause functionality if the gambling provider's staff suspect the customer may be under the age of 18 years old, may be barred, is demonstrating difficulty controlling their gambling or is intoxicated; and
 - (3) the device must display the relevant expanded warning message on the screen at no more than 10-minute intervals; and
 - (4) the device must display the relevant expanded warning message alternating with the condensed warning message and the national helpline number 1800 858 858, at the bottom of the screen at all times, at no more than 10-minute intervals; and
 - (5) when the device's screen has been idle for a period of time, the length of which is approved by the Commissioner, a message must be displayed including:
 - i. a statement that the device is restricted to people aged 18 or more (18+ only)
 - ii. a statement that the device is regulated by state law and codes of practice and that it is subject to inspection by an agency of the State, along with advice as to a telephone number to call to register a complaint; and
 - (6) the device must have the functionality to send high volume alerts, at levels approved by the Commissioner, to the gambling provider's staff, for the purpose of monitoring patrons who may be demonstrating behaviours indicative of having problems controlling their gambling; and
 - (7) the device must be installed in line of sight of the gambling provider's staff; and
 - (8) there must be electronic surveillance of the device with recordings to be kept for a period of time approved by the Commissioner.

19. Customer interaction and help information

- (1) A gambling provider must take all reasonable steps to ensure that a patron who demonstrates difficulty in controlling their personal expenditure on gambling products has their attention drawn to the name and telephone number of a widely available gambling help service.
- (2) The gambling provider must—

- (a) identify a gambling rehabilitation agency that their patrons and families can readily access (including the location of the agency and a direct number to a contact person at the agency);
- (b) ensure that staff are sufficiently informed about the identity and location of the gambling rehabilitation agency so as to be able to direct patrons to the agency; and
- (c) ensure that management level contact is established and maintained with the gambling rehabilitation agency about problem gambling matters.

20. Account holder information and signage for virtual gambling areas

- (1) A gambling provider must in each virtual gambling area—
 - (a) display prominently a message indicating that its gambling operations are governed by a code of practice; and
 - (b) ensure that a copy of this code is available from the webpage or screen that constitutes the virtual gambling area.
- (2) A gambling provider must provide prominent access to its responsible gambling materials on each website which includes a virtual gambling area.
- (3) A gambling provider must ensure the prominent display of the condensed warning message at every point of sale in its virtual gambling areas.
- (4) A gambling provider must—
 - (a) at the time of establishing a gambling account indicate that its gambling operations are governed by a code of practice and provide its responsible gambling materials (including a printed or electronic pamphlet) to the account holder; and
 - (b) when providing a statement for a gambling account, include a mandatory warning message as part of the statement.
- (5) For the purposes of sub-clauses (2) and (4), a gambling provider must—
 - (a) publish its responsible gambling materials in a form which includes the contents of a helpline card and the expanded warning message;
 - (b) make available a short form of its responsible gambling materials written in English, Arabic, Chinese, Greek, Italian, Vietnamese, and any other language which the gambling provider considers appropriate.
- (6) A gambling provider must take all reasonable steps to ensure that an account holder who demonstrates difficulty in controlling their personal expenditure on gambling products has their attention drawn to the name and telephone number of a widely available gambling help service.
- (7) A gambling provider must reinforce its responsible gambling policy in account holder newsletters and other communications.

21. Alcohol and Gambling

- (1) In gambling areas, gambling providers must take all practicable steps—
 - (a) to prevent a person from being allowed to gamble if their speech, balance, coordination or behaviour is noticeably affected and it is reasonable to believe that the affected speech, balance, coordination or behaviour is the result of the consumption of liquor or some other substance;
 - (b) to prevent a person entering or remaining in a gambling area if their speech, balance, co-ordination or behaviour is noticeably affected and it is reasonable to believe that the affected speech, balance, coordination or behaviour is the result of the consumption of liquor or some other substance;
 - (c) to ensure that liquor is not supplied to reward, promote or encourage continued gambling.
- (2) A gambling provider which is operating a gambling telephone line must take all practicable steps to prevent a person from being allowed to gamble if the person's speech, coordination or behaviour is noticeably impaired and it is reasonable to believe that the impairment is the result of the consumption of liquor or some other substance.

22. Inducements

- (1) The gambling provider must not offer or provide any inducement directed at encouraging a person to gamble.
- (2) Sub-clause (1) does not apply to—
 - (a) the offering or provision of participation in an acceptable loyalty program (*see clause 23*);
 - (b) the offering or provision of participation in an acceptable trade promotion lottery (*see clause 25*), by drawing attention to the prizes;
 - (c) the offering or provision of a complimentary gambling product, and in respect of an interactive wagering service provider, only if winnings from a bet made with a complimentary gambling product can be withdrawn by an account holder without being subject to a requirement that the account holder continue to bet with those winnings;
 - (d) the offering or provision of an inducement on platforms which contain exclusively thoroughbred horse, harness or greyhound racing content;
 - (e) the offering or provision in a gambling area of complimentary non-alcoholic beverages and refreshments of nominal value; or
 - (f) the offering or provision of an inducement in respect of a pre-commitment trial approved by the Commissioner, subject to the terms of the approval.

23. Acceptable loyalty programs

- (1) A loyalty program is an acceptable loyalty program if it is a structured program which—
 - (a) is conducted in accordance with published terms and conditions;
 - (b) is advertised in a manner consistent with the advertising requirements for the gambling providers gambling products;
 - (c) offers rewards proportionate to gambling activity (including non-monetary privileges attached to tiers in a stepped rewards system);
 - (d) offers regular activity statements;
 - (e) includes a facility for predictive monitoring of the patterns of gamblers' gambling activity, with the purpose of intervening in cases where there is a risk of problem gambling, which provides in respect of each person participating in the loyalty program—

- (1) the identification of changes of significance between the most recent month (whether or not a calendar month) and past months of the amount of money spent;
- (2) the amount of time spent; and
- (3) the intensity of the person's activity, with parameters which are able to be adjusted to produce a manageable number of cases for consideration of intervention;
- (f) offers "high value patron" status only to those who meet the amounts set out in clause 24(1), and on periodic review, maintain numerical and narrative test of high value play and
- (g) it has been approved by the Commissioner in terms of its rules, conditions, promotions, predictive monitoring processes and the manner in which it is to be advertised and promoted.

24. High value patrons

- (1) In addition to clause 23(f) a gambling provider may offer "high value patron" status to a gambling customer whose expected annual gambling activity will exceed \$20,000 net expenditure over a year, or \$200,000 gross turnover over a year when assessed on the most recent three months of activity, or by another method approved by the Commissioner and predictive monitoring measures are in place in relation to these customers.
- (2) The gambling provider must be satisfied that a person to which this clause applies has the means or resources to sustain the expected level of gambling activity indefinitely.

25. Acceptable trade promotion lotteries

- (1) A lottery is an acceptable trade promotion lottery if—
 - (a) being a trade promotion lottery within the meaning of the Lotteries Regulations 2021, it is a licensed lottery or a permitted lottery under the *Lotteries Act 2019*;
 - (b) its dominant purpose is to reward or retain existing patrons, rather than attracting new patronage or encouraging patrons to gamble more than they would otherwise;
 - (c) the advertising is limited to promotion to account holders, on a private webpage on the gambling provider's own website, by direct communication to customers that have expressly agreed to receiving advertising, within gambling areas and, on platforms which provide predominantly thoroughbred horse, harness or greyhound racing content and the advertisement has been published or communicated on the part of the platform that exclusively contains racing-related content (*see clause 11*).
 - (d) the advertising of the promotion draws attention to the prize(s) of the promotion, rather than the gambling product itself;
 - (e) the promotion does not encourage people to gamble for a minimum period or for a minimum amount to qualify for a reward or benefit; and
 - (f) in respect of an authorised lottery referred to in (a) above, it has been approved by the Commissioner in terms of its rules, conditions and the manner in which it will be advertised.

26. Gambling accounts

Where this clause, and any following clauses, makes reference to account holders being able to place a bet with interactive wagering service providers or gambling providers providing gambling services by telephone, internet or other electronic means, this is a reference to a means of communicating at a distance by the use of electronic devices.

- (1) A gambling provider must not provide gambling services to a person in South Australia by telephone, internet or other electronic means unless the gambling provider has established a gambling account for the person.
- (2) If a gambling provider has established a gambling account for a person—
 - (a) Subject to clause 27—
 - (1) the account may only be credited with funds deposited by the person, or at the person's direction from a third party (not being a person in a close associate relationship with the gambling provider); and
 - (2) the account must not be allowed to have a negative balance;
 - (b) the terms and conditions governing the account must not operate—
 - (1) to impose a waiting period on withdrawals from the account;
 - (2) to allow funds pending withdrawal to be used for gambling; or
 - (3) to require a particular level of gambling, or a particular use of funds in the account, as a condition of withdrawal; and
 - (c) the gambling provider must ensure that its business systems—
 - (1) facilitate withdrawals from the account as soon as practicable;
 - (2) do not allow funds pending withdrawal to be applied to any purpose other than the withdrawal; and
 - (3) do not allow the establishment or extension of a credit facility while there are funds pending withdrawal.
- (3) Sub-clause (2) does not operate—
 - (a) to preclude the following routine transactions on a gambling account—
 - (1) the crediting of winnings or prizes, the making of refunds, the re-settling of bets on the outcome of a protest or like transaction;
 - (2) the redemption of rewards as part of the operation of an acceptable loyalty program;
 - (3) the redemption of prizes won in an acceptable trade promotion lottery; and
 - (4) the making of ex gratia payments resolving complaints or disputes;
 - (b) to preclude a gambling provider from implementing—
 - (1) procedures reasonably necessary to ensure compliance with laws relating to the handling of money or the reporting of financial transactions;
 - (2) procedures required by or under the licence or other authority authorising the gambling provider to conduct its gambling business;
 - (3) procedures for the holding of a major prize pending identification of those entitled to claim the prize; or

- (c) to preclude a gambling account having a negative balance as the result of the reversal of an individual transaction.

27. Credit gambling

- (1) Subject to any regulatory provision prohibiting or regulating the extension of credit for gambling, a gambling provider may only establish or extend a credit facility for an account holder if—
 - (a) the account holder has requested the establishment or the extension in writing;
 - (b) the gambling provider has disclosed all spotters' fees relating to the establishment or extension; and
 - (c) an acceptable due diligence process, including 'know your customer' requirements has been completed.
- (2) If a credit facility has been established for an account holder—
 - (a) the account holder must not be allowed access to the credit facility until the account holder has set a relevant limit;
 - (b) if the credit facility is extended—
 - (1) the account holder must not be allowed access to the extension of the facility until a positive step has been taken by the account holder to review the relevant limit; and
 - (2) pending compliance with sub-paragraph (1), the relevant limit must be capped at \$500;
 - (c) the terms and conditions of the facility, or the conduct of the gambling provider, must not operate to require a particular level of activity in order to maintain the facility;
 - (d) the terms and conditions of the facility must operate to limit the gambling provider's credit recovery activities to the extent of the reasonable expectations identified in the acceptable due diligence process;
 - (e) the gambling provider must not extend the credit facility at any time when the credit facility is not maintained in good standing in the manner identified in the acceptable due diligence process; and
 - (f) the relevant limit must not exceed the prudential limit identified in the acceptable due diligence process.
- (3) A gambling provider must not solicit a request for the establishment or extension of a credit facility, except—
 - (a) by inclusion in its advertising of a statement that the gambling provider offers credit gambling to account holders subject to completion of a due diligence process; and
 - (b) by publication of the terms and conditions on which it offers credit gambling.
- (4) For the purposes of this clause, an acceptable due diligence process is a documented process undertaken by a gambling provider directed to providing reasonable assurance in respect of an account holder as to—
 - (a) the extent to which the account holder can afford to gamble on credit before experiencing harm;
 - (b) the routine payments the account holder can afford to make to maintain the credit facility in good standing;
 - (c) the times in which it would be reasonable to expect the account holder to satisfy a demand for payment in respect of the whole or part of the facility (credit recovery activities); and
 - (d) the account holder's maximum prudent weekly gambling expenditure (the "prudential limit"), having regard, after reasonable enquiry, to the account holder's means and other circumstances.
- (5) For the purposes of this clause—
 - (a) a relevant limit is a weekly limit set under clause 30; and
 - (b) if a relevant limit (as defined in clause 30(8)) is assessed by reference to deposits made to the account during the period (set under clause 30(3)(b)), the account holder will be deemed (for the purpose of determining whether the limit has been reached) to have made deposits to the same extent as he or she has accessed credit.
- (6) This clause does not apply to interactive wagering service providers.

28. Direct marketing by interactive wagering service providers

- (1) An interactive wagering service provider, or a person acting on behalf of an interactive wagering service provider, must not send any direct marketing to a person unless that person has provided their express consent to receive direct marketing.
- (2) An interactive wagering service provider, or person acting on behalf of an interactive wagering service provider, must not provide direct marketing to person who has consented to receive direct marketing unless that person can unsubscribe and the process of unsubscribing is easy to access and use.
- (3) An interactive wagering service provider, or a person acting on behalf of an interactive wagering service provider, must not send direct marketing to a person at any time after 5 business days from the day it has received notification from the person that they have unsubscribed.
- (4) An interactive wagering service provider must not provide any credit, voucher or reward or other benefit to encourage a person to consent or to continue to receive direct marketing.

29. Account closure and duplicate accounts

- (1) An interactive wagering service provider must not provide wagering services to an account holder unless the process available to the account holder for closing their gambling account with the interactive wagering service provider—
 - (a) is clearly explained and prominently displayed on—
 - (1) the interactive wagering service provider's website;
 - (2) where an account holder is able to place a bet, either on the account holder's 'My Account' window or its equivalent;
 - (b) is simple and easy for the account holder to use;
 - (c) allows the account holder to make a request to close their gambling account by telephone, email and where the account holder is able to place a bet using a telephone, internet or other electronic means, using that telephone, internet service or other electronic means;
 - (d) results in the closure of the account holder's gambling account as soon as practicable after the request is received by the interactive wagering service provider and after all bets made using that gambling account is settled.
- (2) An interactive wagering service provider or a person acting on behalf of an interactive wagering service provider must not encourage or offer any credit, voucher or reward or other benefit to induce an account holder to keep a gambling account open after an account holder

has made a request to close their gambling account (an interactive wagering service provider may however explain the consequences of closing a gambling account and ask the account holder if they wish to proceed).

- (3) An interactive wagering service provider or a person acting on behalf of an interactive wagering service provider must not provide any direct marketing to a person at any time after 5 business days from the day it has received a request from that person to close their gambling account.
- (4) A gambling provider must ensure that each account holder has no more than one gambling account except where—
 - (a) the account holder has a fortnightly turnover consistent with an annual turnover of more than \$1 million and the gambling provider is satisfied that there is good reason for the account holder to have more than one gambling account; or
 - (b) the gambling provider offers only the net betting losses pre-commitment option referred to in clause 30(2)(b)(1).

30. Pre-commitment

- (1) A gambling provider must not open a gambling account for a person or provide wagering services to an account holder unless the person or account holder has set a relevant limit.
- (2) Notwithstanding sub-clause (1), a gambling provider may open a gambling account for a person and provide wagering services to an account holder where the person or account holder has expressly indicated that they do not wish to set a relevant limit (opt-out).
- (3) The process for setting a relevant limit must—
 - (a) be clearly explained and prominently displayed—
 - (1) on the gambling provider's website (if applicable);
 - (2) either on the account holder's 'My Account' window or its equivalent (if applicable), or a via a single link from the account holder's 'My Account' window or its equivalent (if applicable); or
 - (3) in person.
 - (b) be simple and easy for the account holder to use to set and change a relevant limit;
 - (c) allow the account holder to choose the period during which the relevant limit applies (for example a week, fortnight, calendar month or calendar year or a combination of these);
 - (d) allow the account holder to set a relevant limit by email, telephone, in person and where the person is able to place a bet by using the internet or other electronic means using that internet service or other electronic means;
 - (e) require a person or account holder who wants to opt-out of setting a relevant limit pursuant to sub-clause (2) to do so only after being given by the required method approved information about the benefits of setting a pre-commitment limit.
- (4) A gambling provider must not allow a person to exceed a relevant limit where the applicable relevant limit set by the account holder has been, or would be, exceeded if the relevant transaction was to be made
- (5) A gambling provider must ensure that a request to lower a relevant limit set for an account holder is applied to the account holder's gambling account immediately after the request is received by the gambling provider.
- (6) A gambling provider must ensure that a request to increase a relevant limit set by an account holder is not applied to the account holder's gambling account until 7 days after the day the request is received by the gambling provider, and the gambling provider is satisfied that the account holder can sustain an increased level of gambling activity.
- (7) A gambling provider must, within the required time and using the required method, ensure that an account holder with an active gambling account is asked—
 - (a) where the account holder has set a relevant limit, if they wish to change their relevant limit;
 - (b) where the account holder has not set a relevant limit, if they wish to set a relevant limit.

- (8) In this clause—

active gambling account means a gambling account that a gambling provider has established that has been used, including to settle a bet, within the preceding 12 months but does not include a gambling account that has been closed.

approved information means information approved by the Commissioner.

relevant limit means a limit set by the account holder may apply, at the election of the gambling provider, to net betting losses by the account holder (regardless of the number of accounts held), deposits made to the account, or a combination of both.

except for sub-clause (3)(e)—

required time means on or before the day that is 12 months after the day the account holder placed their first bet using the gambling account and on or before that date each subsequent year, except where the account holder's gambling account is not an active gambling account on that date.

required method means the method the account holder usually used to place a bet (for example, using a telephone, internet or other electronic means or in person).

for the purpose of sub-clause (3)(e)—

required method means—

- (a) where a person can open an account or make a bet using a telephone, internet or other electronic means by navigating to a new application screen, web page or the pages on electronic services that contains the approved information and after viewing the approved information the person or account holder can provide their express indication that they wish to opt-out of setting a relevant limit;
- (b) where a person can open an account or make a bet using the telephone or in person, by the approved information being provided verbally to the person or account holder and after being provided with the approved information the person or account holder is expressly asked if they still wish to opt-out of setting a relevant limit.

31. Account balances

- (1) A gambling provider must provide an account holder with an account balance—
 - (a) whenever money is withdrawn (other than for the purchase of a gambling product); and
 - (b) whenever money is deposited into a gambling account via an online transaction; and
 - (c) in the case of a bet placed by internet, whenever a bet is made from the account; and

- (d) upon request by the account holder.

32. Pre-commitment to be promoted

- (1) A gambling provider must promote the availability of the pre-commitment scheme—
 - (a) on any brochures, pamphlets or marketing information (other than advertising) that provides information on how a gambling account may be established;
 - (b) as part of the welcome pack (however described) provided to an account holder upon account establishment;
 - (c) on the gambling provider's website, both on the homepage and on any point of sale page; and
 - (d) on account balances (when provided in writing) and activity statements.

33. Activity statements

- (1) A gambling provider must provide a monthly activity statement to an active account holder—
 - (a) who uses the internet to make transactions on the account, to their email address within 7 days after the end of the preceding month; or
 - (b) who does not use the internet to make transactions on the account (e.g., by telephone), to their email address, or by physically sending by ordinary post, within 7 days after the end of the preceding month.
- (2) The activity statement must include segmented information that is clear and easily understood by the active account holder using common terms that they are familiar with and include—
 - (a) totals of the active account holder's monthly gambling activity (inclusive of the use of complimentary gambling products); including—
 - (1) amount spent and the total number of bets placed for that spend;
 - (2) amount won and the total number of bets that resulted in those winnings;
 - (3) amount lost and the total number of bets that resulted in those losses;
 - (4) overall net win or loss result.
 - (b) a summary of the active account holder's monthly transaction activity, including—
 - (1) opening balance;
 - (2) total of settled deposits;
 - (3) total of settled withdrawals;
 - (4) total net result;
 - (5) closing balance.
 - (c) a column graph to show the active account holder's gambling activity comparing the amount spent against the net result over time for the last 6 months (cumulative) and shows a clear comparison tracking to the same time from the previous year.
 - (d) links and information on—
 - (1) support services available to active account holders; and
 - (2) safe gambling messaging that promotes available consumer protection tools.
 - (e) a link to an active account holder's detailed transaction history, for the statement period, that includes—
 - (1) the date of the transaction;
 - (2) the account's opening balance;
 - (3) a description of each transaction (e.g., what type of bet was placed or whether a deposit or withdrawal was made);
 - (4) the amount of the deposit or withdrawal;
 - (5) the amount staked for a bet if a complimentary gambling product was used;
 - (6) the amount staked for a bet if a complimentary gambling product was not used;
 - (7) the amount of the payout (if any);
 - (8) the net result of the transaction;
 - (9) the account's running balance after each transaction;
 - (10) the account's totals for each transaction type;
 - (11) the account's closing balance.

Note—

A prototype of an activity statement and a detailed transaction history considered to be compliant for the purposes of this clause are included in the Gambling Administration Guidelines – Activity statements and gambling account detailed transaction history).

- (3) A gambling provider must not send an activity statement to an account holder if they are not an active account holder; or if they have not used their account in more than 12 months.
- (4) An activity statement or detailed transaction history must not include any promotional or direct marketing information.
- (5) Red text or shading must be used to show losses on an activity statement and detailed transaction history and black text to show wins. No use of green text or shading to depict wins is permitted on an activity statement or detailed transaction history.
- (6) Once a gambling provider has provided an activity statement to an active account holder as required by clause 33(1), the activity statement must be made available to the active account holder—
 - (a) on request at any time, by email or telephone, in a format of their choosing (i.e., e-statement or paper statement); or
 - (b) if they use the internet to make transactions on the account, at any time via the 'My account' window or its equivalent.
- (7) A gambling provider must not implement layers of security, including a requirement for the use of a password, for an active account holder to access an activity statement.

- (8) A gambling provider must not require or accept a fee for providing an activity statement unless it has been requested to be provided by ordinary post; in which case, the costs purely associated with sending it by ordinary post, may be recovered from the active account holder.

- (9) For the purposes of this clause—

active account holder means an account holder that has used their gambling account that a gambling provider has established, including to settle a bet, within the preceding month but does not include an account holder whose gambling account has been closed;

34. Gambling account detailed transaction history

- (1) A gambling provider must ensure that the holder, or former holder, of a gambling account has access to a record of all transactions made on their account as follows—

- (a) for an account holder who uses the internet to make transactions on their account, immediately at all times via the 'My Account' window or its equivalent;
- (b) in any other case, by email or ordinary post within 14 days of the account holder or former account holder's request.

- (2) A record of all transactions for a gambling account must include the same information as required by clause 33(2)(e)(1)-(11).

- (3) Despite clause 34(1), a gambling provider is only required to provide a gambling account detailed transaction history to an account holder, or former account holder, for the 7 years immediately preceding the day on which the request is made; or from the day on which their gambling account was opened with the gambling provider, whichever is the later date.

- (4) A gambling account detailed transaction history must not include any promotional or direct marketing information.

- (5) Red text or shading must be used to show losses on a gambling account detailed transaction history and black text to show wins. No use of green text or shading to depict wins is permitted on a gambling account detailed transaction history.

- (6) A gambling provider must not implement layers of security, including a requirement for the use of a password, for the holder, or former holder, of a gambling account to access a gambling account detailed transaction history.

- (7) A gambling provider must not require or accept a fee for providing a gambling account detailed transaction history unless it has been requested to be provided by ordinary post; in which case, the costs purely associated with sending it by ordinary post, may be recovered from the account holder or former account holder.

- (8) For the purposes of this clause—

gambling account means a gambling account that a gambling provider has established that has been used, including to settle a bet, by the account holder or former account holder, and for the avoidance of doubt includes a gambling account that has been closed.

35. Required training

- (1) The gambling provider must—

- (a) ensure that all people involved in selling its gambling products, or otherwise dealing with patrons, receive problem gambling training—

- (1) for all staff at induction—
basic training which identifies problem gambling and which explains the role and process of barring and exclusion; and
- (2) for supervisory and managerial staff (including the person in charge of a call centre, a physical point of sale or a physical gambling area)—
advanced training on the identification of, and intervention techniques for, problem gambling;

- (b) provide refresher courses for all staff at least each 2 years;

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

- (d) provide responsible gambling materials in the workplace to remind staff of policies and their responsibilities; and

- (e) if the gambling provider installs, in a place in which it is otherwise authorised to provide its gambling products, a device which allows customers to purchase the gambling product and process winnings without the assistance of an operator and the device is able to be operated by the insertion of cash, must have enhanced training for staff to ensure the use of the devices are adequately monitored and additional harm minimisation measures are understood and implemented as required.

- (2) If a gambling provider uses an external provider for training, that training provider must be a registered training organisation under the *National Vocational Education and Training Regulator Act 2011* (Commonwealth).

- (3) For the purposes of sub-clause (1), basic and advanced training programs must be designed to—

- (a) provide information about the potential effect of gambling on customers;
- (b) include information on the recognition and identification of problem gambling traits; and
- (c) ensure that the processes for approach, intervention, referral and follow-up are clear and well understood.

- (4) The gambling provider must—

- (a) make arrangements to ensure that training programs provided to its staff are the subject of an annual review of or audit for their compliance with the requirements of this code; and

- (b) provide a report of the outcome of each review or audit to the Commissioner within 28 days after completion.

- (5) The Commissioner, on the application of a gambling provider or a relevant peak body, may grant exemptions from the operation of this clause in respect to the deferral of training required on induction by up to 3 months.

- (6) Sub-clauses (1)(a) and (b) do not apply (at the election of the gambling provider) in respect of a person on the staff of an agent which is coincidentally a gaming machine or casino licensee, if that person has received and is current with the training required by their relevant code of practice.

- (7) The gambling provider must ensure that records of all successful completion of training are maintained and available for inspection upon request by an inspector.

36. Individual exemptions

- (1) The Commissioner may, on application by a gambling provider, exempt the gambling provider from a specified provision of this code of practice.

- (2) The Commissioner may impose conditions in respect of an exemption.

- (3) The Commissioner may on the Commissioner's own initiative, by written notice to a gambling provider or on application by a gambling provider, vary or revoke an exemption.

Schedule 1 –

Authorised Betting Operations Act 2000

Expanded warning messages

Stay in control. Leave before you lose it. Gamble responsibly. 1 January 2022 to 30 June 2022

You know the score. Stay in control. Gamble responsibly. 1 July 2022 to 31 December 2022

Know when to stop. Don't go over the top. Gamble responsibly. 1 January 2023 to 30 June 2023

Think of the people who need your support. Gamble responsibly. 1 July 2023 to 31 December 2023

Don't chase your losses. Walk away. Gamble responsibly. 1 January 2024 to 30 June 2024

Don't let the game play you. Stay in control. Gamble responsibly. 1 July 2024 to 31 December 2024

Schedule 2 –

Authorised Betting Operations Act 2000

Categories of Offences and Expiations

Column A Clause No.	Column B Offence category	Column C Expiation category
9(1)(a)	A	A
9(1)(b)	B	B
9(1)(c)	A	A
9(1)(d)	B	B
9(1)(e)	D	D
9(1)(f)	D	D
9(1)(g)	D	D
9(1)(h)	D	D
9(1)(i)	D	D
9(1)(j)	C	C
9(1)(k)	C	C
9(1)(l)	C	C
9(1)(m)	C	C
(9)(1)(n)	C	C
9(3)	C	C
10(1)(a)	C	C
10(1)(b)	C	C
12(1) This penalty applies where the condensed message is used when the expanded warning message should have been used.	D	D
12(2) This penalty applies where no warning message appears.	B	B
12(3)	C	C
12(4)	B	B
13(1)	B	B
13(2)	B	B
13(3)	B	B
13(4)	B	B
13(5)	B	B
13(6)	C	C
13(7)	B	B
13(8)	C	C
13(9)	C	C
14(1)	B	B
14(2)	C	C
14(3)	C	C
14(5)	C	C
14(6)	C	C
14(7)	B	B
14(9)	C	C

Column A Clause No.	Column B Offence category	Column C Expiation category
14(11)	B	B
16(1)	B	B
16(2)	B	B
16(3)	A	A
16(4)	D	D
16(5)	C	C
16(8)	A	A
16(9)	D	D
16(10)	D	D
16(12)	C	C
16(13)	D	D
16(14)	D	D
16(15)	A	A
16(16)	A	A
16(17)	C	C
16(18)	C	C
17(1)(a)	D	D
17(1)(b)	D	D
17(1)(c)	D	D
17(1)(d)	D	D
17(2)(a)	B	B
17(2)(b)	D	D
18(1)(b)	B	B
18(1)(c)	A	A
19(1)	B	B
19(2)(a)	B	B
20(1)	D	D
20(2)	C	C
20(3)	D	D
20(4)(a)	D	D
20(4)(b)	D	D
20(5)(a)	D	D
20(5)(b)	D	D
20(6)	B	B
20(7)	D	D
21(1)(a)	B	B
21(1)(b)	D	D
21(1)(c)	D	D
21(2)	D	D
22(1)	B	B
26(1)	B	B
26(2)	B	B
28	A	A
29(1)	D	D
29(2)	B	B
30(1)	A	A
30(3)	D	D
30(4)	A	A
30(5)	A	A
30(6)	A	A
30(7)	D	D
31	D	D
32	C	C
33(1)	A	A
33(2)	C	C
33(3)	A	A
33(4)	B	B
33(5)	C	C
33(6)	D	D
33(7)	C	C
33(8)	D	D

Column A Clause No.	Column B Offence category	Column C Expiation category
34(1)	A	A
34(2)	C	C
34(4)	B	B
34(5)	C	C
34(6)	C	C
34(7)	D	D
35(1)	D	D
35(4)	D	D
35(7)	C	C

Dated: 29 July 2022

DINI SOULIO
Liquor and Gambling Commissioner

GAMBLING ADMINISTRATION ACT 2019

South Australia

Authorised Betting Operations (Activity Statements and Gambling Account Detailed Transaction History Guidelines) Notice 2022

under section 17 of the *Gambling Administration Act 2019*

1—Short title

This notice may be cited as the Authorised Betting Operations (Activity Statements and Gambling Account Detailed Transaction History Guidelines) Notice 2022.

2—Commencement

This Variation Notice comes into operation on 31 July 2022.

3—Inducements and Complimentary Gambling Products Guidelines

The guidelines set out in this notice are prescribed by the Liquor and Gambling Commissioner under section 17 of the *Gambling Administration Act 2019* for the purpose of the *Authorised Betting Operations Gambling Code of Practice*, prescribed under section 15 of the *Gambling Administration Act 2019*.

Gambling Administration Guidelines

Authorised Betting Operations Act 2000

Activity statements and gambling account detailed transaction history

Effective 31 July 2022

1. Introduction

The National Consumer Protection Framework (NCPF) for online wagering is an agreement between the Commonwealth of Australia and States and Territories of Australia which aims to reduce the harm that can occur to Australian online wagering customers.

The NCPF is the end result of a process which began on 7 September 2015, when the Commonwealth Government asked the Hon Barry O’Farrell to conduct a “Review of Illegal Offshore Wagering” (the Review).

On 28 April 2016, the Commonwealth Government publicly released its response to the Review accepting, 18 of the 19 recommendations, either in full or in-principle, and noting one.

Following that, with respect to the recommendations relating to onshore wagering services, the Commonwealth Government has been working with state and territory governments to establish a nationally consistent framework of consumer protections for Australian online wagering customers.

This resulted in Ministers from the Commonwealth Government and states and territories releasing a National Policy Statement (NPS) of agreed commitments to provide for a NCPF for interactive wagering in Australia.

Some of the measures of the NCPF have already been implemented by the Commonwealth through the *Interactive Gambling Act 2001*, while other measures have been enacted by state and territory governments through various regulatory instruments.

One of the measures of the NCPF is for the provision of activity statements (and gambling account detailed transaction history) to ensure that customers receive meaningful information about their wagering activity from each interactive wagering service they use including how regularly and how much money they are spending on gambling. This information is aimed to assist consumers to reflect and consider their wagering activity and, if necessary, make decisions surrounding that activity.

2. Overview

South Australia enacts the measures of the NCPF, that individual states and territories are responsible to implement, via the Authorised Betting Operations Gambling Code of Practice (**the Code**) prescribed by the Commissioner.

These guidelines are intended to provide authorised betting operators, that provide their services via an account, with practical guidance about the provision of activity statements and gambling account detailed transaction history in accordance with the requirements of the Code.

The Commissioner may by notice in the Government Gazette vary or revoke these guidelines at any time in accordance with section 17(3) of the *Gambling Administration Act 2019*.

The NPS of the NCPF provides that an interactive wagering service provider is required to provide account holders with an activity statement, via email, on a monthly basis which gives the account holder clear information about their activity on the account when the customer has actively used their account during the previous month.

The information in these guidelines is provided on the understanding that the Commissioner is not giving legal opinion, interpretation, or other professional advice.

When considering whether an activity statement or gambling account detailed history is compliant with the Code, the Commissioner will have regard to any relevant information provided in these guidelines.

It is the responsibility of gambling providers to consider the content of an activity statement and gambling account detailed transaction history that is proposed to be provided to a person or an account holder and if necessary, seek independent legal advice on whether the documents or the method of delivery of them may be contrary to the Code.

Any matters arising from the regulation of the provision of activity statements and gambling account detailed history not covered by these guidelines will be resolved at the discretion of the Commissioner.

3. Activity statements

- (1) Clause 33 of the Code requires gambling providers to provide an active account holder with an activity statement within 7 days of the preceding month.
- (2) An active account holder is an account holder that has used their gambling account, that a gambling provider has established, including to settle a bet, within the preceding month but does not include a person whose gambling account has been closed.
- (3) Activity statements must be sent to an active account holder's email address, unless the account holder does not use the internet to make transactions on their account, in which case the activity statement must be sent to them by ordinary post.
- (4) Once an activity statement has been sent to an active account holder for a particular month, it must be accessible by the customer on request at any time in the format of the customer's choosing (e-statement or paper statement) or online via their account at any time (if the customer uses the internet to make transactions on their account).

Frequency of providing activity statements

- (1) Activity statements are required to be provided to an active account holder when they have made a transaction on their gambling account during the preceding month.
- (2) If an active account holder has been provided with an activity statement, they must also be able to access it on request at any time in the format of the customer's choosing (e-statement or paper statement) or online via their account at any time (if the customer uses the internet to make transactions on their account).

Method of the provision of activity statements

- (1) The NPS for the NCPF provides that activity statements are required to be provided to active account holders via email.
- (2) It is acknowledged that not all active account holders use the internet to make transactions on their gambling account (e.g. transactions may be made by telephone). If an active account holder does not use the internet to make transactions on their gambling account, an activity statement must be sent by ordinary post.

Timeframe to issue activity statements

- (1) Active account holders who use the internet to make transactions on the account, must be provided with an activity statement no later than 7 days after the end of the preceding month.
- (2) Active account holders who do not use the internet to make transactions on their account, must be physically sent an activity statement by ordinary post no later than 7 days after the end of the preceding month.

Uninhibited access to electronic activity statements

- (1) Passwords or similar restrictions to access electronic activity statements has the potential to be a barrier for consumers accessing them.
- (2) Activity statements are sent to a consumer's nominated email address, which has existing security measures in place.
- (3) The use of additional passwords or other layers of security to activity statements is prohibited.

Cost of providing activity statements

- (1) Activity statements must be provided to active account holders free of charge except for an activity statement which is sent by ordinary post, in which case the costs purely associated with sending it by ordinary post may be recovered from the account holder.

Treatment of wins and losses on activity statements

- (1) Wins and losses (including from complimentary gambling products) are to be treated on activity statements as follows;
 - (a) Amount spent (displayed as "You spent") is the sum of stakes and complimentary gambling products for the statement's period.
 - (b) Amount won (displayed as "You won") is the sum of net results from winning bets (payout less stake) including from complimentary gambling products.
 - (c) Amount lost (displayed as "You lost") is the sum of net results from losing bets (stake). A losing bet from a complimentary gambling product gives a zero net result.
 - (d) Overall net win or loss result (displayed as "Your net result") for the period is the sum of net results from all bets (Amount won less amount lost).

Example of a compliant activity statement

- (1) The activity statement measure is based on research published in December 2020 by the Behavioural Economics Team of the Australian Government (BETA).
- (2) BETA has developed a prototype of an activity statement which is considered best practice and complies with the NPS of the NCPF as follows:



[Click here for information on safe gambling support services and consumer protection tools](#)

[Click here for detailed transaction list](#)

- (3) Gambling providers which wish to use a different format must ensure that the design is compliant with the principles of the NPS of the NCPF for activity statements.

4. Gambling account detailed transaction history

- (1) Activity statements must include a link to an active account holder's detailed transaction history for the statement period.
- (2) In addition to activity statements (and the associated link to a detailed transaction history), a record of gambling account transactions must also be available to account holders (and to persons whose gambling account has been closed) for at least the preceding 7 years.

Frequency of providing gambling account detailed transaction history

- (1) Activity statements are required to be provided to an account holder monthly when they have actively used their gambling account during the preceding month. If an activity statement is required to be sent to an active account holder, it must include a link to a gambling account detailed transaction history for the statement period.
- (2) In addition to a gambling account detailed transaction history being provided in conjunction with an activity statement (via a link) a gambling account detailed transaction history must also be made available on request by the account holder or former account holder.

Method of provision of gambling account detailed transaction history

- (1) Activity statements must include a link to an active account holder's gambling account detailed transaction history for the statement period.
- (2) A gambling account detailed transaction history must be made available to an account holder that uses the internet to make transactions on their account via their 'My Account' window or its equivalent.
- (3) A gambling account detailed transaction history must be made available to an account holder or former account holder that does not, or did not, use the internet to make transactions on their account (e.g. transactions were made by telephone) by email or ordinary post.

Timeframe for providing gambling account detailed transaction history

- (1) A gambling account detailed transaction history must be made available to an account holder that uses the internet to make transactions on the account immediately.
- (2) A gambling account detailed transaction history must be made available to a person that does not, or previously did not, use the internet to make transactions on their gambling account, within 14 days of the person's request.

Uninhibited access to electronic gambling account detailed transaction history

- (1) Passwords or similar restrictions to access an electronic gambling account detailed transaction history has the potential to be a barrier for consumers accessing them.
- (2) Gambling account detailed transaction history is sent to a consumer's nominated email address or within their secure gambling account, which have existing security measures.
- (3) The use of additional passwords or other layers of security to electronic versions of a gambling account detailed transaction history is prohibited.

Cost of providing gambling account detailed transaction history

- (1) A gambling account detailed transaction history must be provided to an account holder or former account holder free of charge except for a gambling account detailed transaction history which is sent by ordinary post; in which case, the costs purely associated with sending it by ordinary post, may be recovered from the account holder or former account holder.

Example of a compliant gambling account detailed transaction history

- (1) The format of a gambling account detailed transaction history is not prescribed in the NPS of the NCPF, however, the following example is considered to be compliant and best practice:

DETAILED TRANSACTION LIST							
Date	Description	Deposit/ Withdrawal	Free Bets	Stake	Pay Out	Net Result	Balance
1-Aug-20	Opening Balance						\$100.00
2-Aug-20	Bet Horse A			\$10.00	\$190.00	\$180.00	\$280.00
2-Aug-20	Withdrawal	-\$200.00					\$80.00
5-Aug-20	Bet Horse B			\$50.00	\$0.00	-\$50.00	\$30.00
6-Aug-20	Bet Sport A			\$30.00	\$0.00	-\$30.00	\$0.00
8-Aug-20	Deposit	\$500.00					\$500.00
8-Aug-20	Bet Sport B			\$20.00	\$0.00	-\$20.00	\$480.00
9-Aug-20	Bet Horse C		\$50.00		\$0.00	\$0.00	\$480.00
14-Aug-20	Bet Sport C			\$30.00	\$80.00	\$50.00	\$530.00
14-Aug-20	Bet Horse D			\$50.00	\$0.00	-\$50.00	\$480.00
15-Aug-20	Bet Sport D			\$30.00	\$0.00	-\$30.00	\$450.00
18-Aug-20	Bet Horse E			\$20.00	\$100.00	\$80.00	\$530.00
19-Aug-20	Bet Horse F			\$40.00	\$120.00	\$80.00	\$610.00
19-Aug-20	Bet Sport E		\$60.00		\$0.00	\$0.00	\$610.00
20-Aug-20	Bet Novelty A			\$60.00	\$0.00	-\$60.00	\$550.00
20-Aug-20	Bet Horse G			\$40.00	\$0.00	-\$40.00	\$510.00
20-Aug-20	Bet Sport F			\$150.00	\$0.00	-\$150.00	\$360.00
21-Aug-20	Bet Novelty B			\$30.00	\$110.00	\$80.00	\$440.00
23-Aug-20	Bet Horse H		\$50.00		\$150.00	\$100.00	\$540.00
25-Aug-20	Bet Sport G			\$10.00	\$0.00	-\$10.00	\$530.00
25-Aug-20	Bet Novelty B			\$110.00	\$0.00	-\$110.00	\$420.00
25-Aug-20	Bet Sport H			\$120.00	\$0.00	-\$120.00	\$300.00
28-Aug-20	Bet Novelty C			\$140.00	\$0.00	-\$140.00	\$160.00
31-Aug-20	Bet Sport I			\$40.00	\$0.00	-\$40.00	\$120.00
31-Aug-20	Bet Sport J			\$30.00	\$0.00	-\$30.00	\$90.00
31-Aug-20	Closing Totals		\$1,170.00			-\$310.00	\$90.00

5. References

[Gambling Administration Act 2019](#)

[Authorised Betting Operations Act 2000](#)

[Authorised Betting Operations Codes of Practice](#)

[National Consumer Protection Framework for Online Gambling](#)

Dated: 29 July 2022

DINI SOULIO
Liquor and Gambling Commissioner

GAMBLING ADMINISTRATION ACT 2019

South Australia

Casino Gambling Code of Practice Prescription Notice 2022

under section 15 of the *Gambling Administration Act 2019*

1—Short title

This notice may be cited as the *Casino Gambling Code of Practice Prescription Notice 2022 (Prescription Notice)*.

2—Commencement

This Prescription Notice comes into operation on 31 July 2022.

The *Gambling Codes of Practice Notice 2013* remains in force until that date.

3—Revocation of existing codes of practice

In accordance with section 15(6) of the *Gambling Administration Act 2019*, the provisions of an advertising code of practice or a responsible gambling code of practice made and in force under the *Casino Act 1997* are, insofar as they apply to the holder of the casino licence under the *Casino Act 1997*, revoked effective from 31 July 2022.

4—Code of practice

The Casino Gambling Code of Practice as set out in this notice is prescribed under section 15 of the *Gambling Administration Act 2019*, for the purposes of the *Casino Act 1997*.

In accordance with s41B of the *Casino Act 1997*, it is a condition of the casino licence that the licensee must ensure, in the performance of its functions, that it conforms with the provisions of the applicable responsible gambling codes of practice and applicable advertising codes of practice prescribed under the *Gambling Administration Act 2019*.

Casino Gambling Code of Practice

Part 1—Preliminary

1. Scope

This code of practice is prescribed under section 15 of the *Gambling Administration Act 2019*, for the purposes of the *Casino Act 1997*, and is inclusive of the advertising code of practice and the responsible gambling code of practice.

2. Commencement

This code of practice is operational from 31 July 2022.

3. Purpose of the code

- (1) The purpose of this code of practice is to promote the objects of the *Gambling Administration Act 2019* and, in particular—
 - (a) to reduce the prevalence and severity of harm associated with the misuse and abuse of gambling activities; and
 - (b) to foster responsible conduct in relation to gambling and in particular, to ensure that gambling is conducted responsibly, fairly and honestly, with regard to minimising the harm associated with gambling; and
 - (c) to facilitate the balanced development and maintenance, in the public interest, of an economically viable and socially responsible gambling industry in the State recognising the positive and negative impacts of gambling on communities; and
 - (d) to ensure that gambling is conducted honestly and free from interference, criminal influence and exploitation; and
 - (e) to ensure, as far as practicable, that the conduct of gambling is consistent with the expectations and aspirations of the public
- (1a) For the purposes of clause 3(1)(a) harm associated with the misuse and abuse of gambling activities includes—
 - (a) the risk of harm to children, vulnerable people and communities (whether to a community as a whole or a group within a community); and
 - (b) the adverse economic, social and cultural effects on communities (whether on a community as a whole or a group within a community); and
 - (c) the adverse effects on a person's health or welfare; and
 - (d) the adverse effects on a person's family, friends and work colleagues.
- (2) The intention of this code of practice is to commit the holder of the casino licence (the licensee) to:
 - (a) ensure that gambling practices are consistent with the community's expectations that gambling businesses will be conducted in a responsible manner so as to minimise the harm caused by gambling;
 - (b) ensure that gambling advertising is consistent with the community's expectations that gambling businesses will be conducted in a responsible manner so as to minimise the harm caused by gambling and is socially responsible;
 - (c) consider and implement measures to minimise harm associated with gambling activities;
 - (d) maintain standards of operational practice that, as a matter of course, address harm minimisation;
 - (e) not undertake operational practices involving unacceptable risk of harm.

4. Interpretation

- (1) Unless the contrary intention appears, expressions defined in the *Gambling Administration Act 2019* and *Casino Act 1997* have the same meanings in this code of practice.

condensed warning message means the following message - “*Gamble responsibly*”

gambling advertising means any advertising by the licensee of a particular gambling product, products or gambling activity, whether in print or electronic form, including media (internet and all electronic and social media), radio, television, print media, signs and billboards, and any advertising on radio or television in the nature of a plug or program content which is in exchange for payment, or some other form of valuable consideration.

inducement means any credit, voucher or reward offered to a person as an inducement to participate, or to participate frequently, in any gambling activity.

permitted external sign means a sign affixed to the outside of the casino premises or affixed to the outside of a permanent structure within the immediate environs of the casino premises that—

- (a) displays the licensee's logo or name; or
- (b) indicates the availability of a gambling activity inside the casino premises.

private webpage means a page which a person may gain access only after entering a password issued by or registered with the licensee

5. Mandatory nature of the code

- (1) Under section 15 of the *Gambling Administration Act 2019*, the Liquor and Gambling Commissioner (the Commissioner) may prescribe advertising codes of practice and responsible gambling codes of practice.
- (2) A gambling provider must not contravene or fail to comply with a mandatory provision of a code of practice.
- (3) For the purposes of section 16 of the *Gambling Administration Act 2019*—
 - (a) if the letter “A”, “B”, “C” or “D” appears in column B of the table in Schedule 2 next to the listing of a provision, contravention or failure to comply with the provision is declared to be an offence in the category corresponding to that letter;
 - (b) if the letter “A”, “B”, “C” or “D” appears in column C of the table in Schedule 2 next to the listing of a provision, the offence of contravention or failure to comply with the provision is declared to be an expiable offence in the category corresponding to that letter.

6. Application of this code of practice under section 15 of the *Gambling Administration Act 2019*

- (1) Part 2 of this code of practice operates as the prescribed advertising code of practice for the purposes of section 15(1)(a) of the *Gambling Administration Act 2019*.
- (2) Part 3 of this code of practice operates as the prescribed responsible gambling code of practice for the purposes of section 15(1)(b) of the *Gambling Administration Act 2019*.
- (3) The Commissioner may vary or revoke a code of practice or a provision of a code of practice by notice in the Government Gazette.
- (4) Before the Commissioner publishes a notice in the Government Gazette, pursuant to section 15 of the *Gambling Administration Act 2019*, the Commissioner must give notice and consider any representations made, as set out in section 15(7) of the *Gambling Administration Act 2019*.
- (5) The Commissioner may, at any time, undertake a review of the codes of practice.

7. Host responsibility services

- (1) The licensee must maintain a host responsibility program, with the program’s Terms of Reference approved by the Commissioner.
- (2) For the purposes of sub-clause (1), the licensee must —
 - (a) ensure that there is at least one host responsibility employee available to attend in each gaming area whenever the casino is operating;
 - (b) provide host responsibility employees with free and unrestricted access to the licensee’s premises, other staff and patrons, at all times the casino is open for business;
 - (c) undertake to its staff that they will in no way be the subject of prejudice or unfavourable treatment due to making reports of problem gambling behaviour or suspected problem gambling behaviour; and
 - (d) consent to and facilitate comprehensive annual or more frequent periodic reporting to the Commissioner by program staff of their activities, as required by the Commissioner.

Part 2—Required advertising practices

The licensee is to ensure that gambling advertising is conducted in a responsible manner that takes into account the potential adverse impact it may have on the community, particularly minors, people experiencing gambling-related harm or at risk of developing negative consequences associated with their gambling.

Gambling advertising must be compliant with applicable State and Federal laws and any relevant industry codes of practice.

8. Responsible gambling advertising

- (1) The licensee must ensure that gambling advertising—
 - (a) does not encourage a breach of law;
 - (b) does not depict children gambling;
 - (c) is not false, misleading or deceptive;
 - (d) does not suggest that winning will be a definite outcome of participating in gambling activities;
 - (e) does not suggest that participation in gambling activities is likely to improve a person’s financial prospects;
 - (f) does not promote the consumption of alcohol while engaging in gambling activities;
 - (g) does not offer any credit, voucher, or reward as an inducement to participate, or to participate frequently, in any gambling activity;
 - (h) does not make claims related to winning or the prizes that can be won that are not based on fact, are unable to be proven or that are exaggerated;
 - (i) does not suggest that a player’s skill can influence the outcome of gambling activity in relation to gambling where a player’s skill cannot influence the outcome;
 - (j) does not exaggerate the extent to which skill can influence the outcome of gambling activity in relation to gambling where a player’s skill can influence the outcome;
 - (k) does not include sounds or images of:
 - (1) coins landing in the tray of a gaming machine;
 - (2) banknotes being inserted into or dispensed from a gaming machine or automated table game equipment; or
 - (3) tickets being printed or dispensed from a gaming machine or automated table game equipment;
 - (l) does not include the expressions “Win” or “\$”, unless these expressions specifically relate to a prize that has been determined or is payable, or to an estimate of a prize which can be won.
- (2) For the purposes of this clause, the licensee will not be regarded as advertising when—
 - (a) the licensee sends communication direct to a customer, and the customer has provided their express consent to receiving advertising material;
 - (b) the licensee draws attention, on a private webpage, to its gambling products or gambling activities;

- (c) the licensee draws attention, in printed point of sale material, to its gambling products or gambling activities.
- (3) The licensee must keep a copy (in print or electronic form) of any gambling advertising, including advertising of acceptable trade promotion lotteries, available for inspection for a period of 12 months following the conclusion of the advertising campaign.
- (4) This clause does not apply to the advertising of other products and services offered by the licensee that are not gambling related, as long as the advertising does not include any credit, voucher or reward as an inducement to participate in any gambling activity.

9. Prize promotions and advertising

- (1) Gambling advertising that refers to, or relies on prizes which are available to be won, or the frequency the prize may be won (whether or not the prize is a prize of money)—
 - (a) must include sufficient information for a reasonable person to understand the overall return to player or odds of winning; and
 - (b) if intended to encourage a person to gamble during a particular period, include sufficient information for a reasonable person to appreciate how likely it is that the prize will be won by someone during that period.
- (2) If, in seeking to comply with this clause, the licensee—
 - (a) calculates the theoretical number, value and frequency of prizes to be won;
 - (b) in the advertising suggests an outcome no less favourable to the licensee than that theoretical outcome; and
 - (c) obtains an actual outcome more favourable than that which was advertised,the licensee will still be regarded as complying with this clause.
- (3) Sub-clause (1)(a) does not apply to advertising of a trade promotion lottery offered in conjunction with the purchase of a gambling product if the odds or chance of winning the lottery are affected by the number of entrants, or dependent on similar factors beyond the control of the licensee.

10. Permissible advertising of loyalty programs, trade promotion lotteries and complimentary gambling products

- (1) Despite clause 8(1)(g), the licensee may advertise an inducement for participation in an acceptable loyalty program by drawing attention to the name of the loyalty program, its availability to customers and the benefits to members of the program, as long as the customer is directed to the program's full terms, conditions and benefits that are published on a public website, or on signs in or near a gaming area, or in a document available in or near a gaming area.
- (2) Despite clause 8(1)(g), the licensee may advertise an inducement in the form of participation in an acceptable trade promotion lottery by drawing attention to the prizes, or of the offering of a complimentary gambling product.

11. Mandatory warning messages

- (1) Expanded warning messages, as set out in Schedule 1 for the stated periods, must be included in gambling advertising, unless the inclusion of the expanded warning message in that particular advertising would be unreasonable or impracticable.
- (2) If gambling advertising does not include an expanded warning message, the gambling advertising must include the condensed warning message.
- (3) When a mandatory warning message is included in gambling advertising, the manner of its inclusion must be consistent with the message being a warning message.
- (4) Gambling advertising which is a text message, tweet, email or social media posting of less than 160 characters must be concluded with the condensed warning message. If the text message is more than 160 characters it must be concluded with the condensed warning message and the national gambling helpline number 1800 858 858.

12. Advertising on Radio and Television

- (1) Gambling advertising is not permitted on radio or television (including subscription television and live streaming services) between 6.00am to 8.30am and 4pm to 7pm on any day, except on a dedicated in-house television channel that is broadcast in hotel rooms and restricted to adults via a sign-in process confirming they are over the age of 18.
- (2) Despite clause 11, gambling advertising on radio may be accompanied by the condensed warning message and in the case of a plug or commentary, must end with the condensed warning message and the national gambling helpline number 1800 858 858.
- (3) Despite clause 11, gambling advertising on television that is longer than 15 seconds, must be accompanied by the expanded warning message and in the case of a plug or commentary, must end with the condensed warning message and the national gambling helpline number 1800 858 858.
- (4) A mandatory warning message announced on radio or television must be spoken in a neutral tone and otherwise presented in a way which reflects the importance of a warning message.
- (5) The licensee must ensure, through instructions about their obligations under this code, that a mandatory warning message is appropriately respected for gambling advertising in live announcements and when mentioned by announcers before or after the broadcast of its gambling advertising.
- (6) In the case of the presence of the licensee's logo on a screen, other than as part of a commercial which includes a mandatory warning message, if the logo includes images of gambling it must include the condensed warning message adjacent to the logo occupying no less space than that occupied by the logo. This does not include logos on participant's uniforms (*see clause 13(7), (8) and (9)*).
- (7) A mandatory warning message appearing in gambling advertising on television must occupy at least 25% of the screen area for at least 1/6th of the length of the advertisement, or occupy the whole screen area for at least 1/10th of the length of the advertisement.
- (8) The mandatory warning message must be spoken at the same time as it appears on a television screen.
- (9) Clauses 12(6), (7) and (8) do not apply where gambling advertising appears on television only because the broadcast image is of a public event at which the advertising has been placed.

13. Additional requirements for print media, outdoor and other forms of advertising

- (1) If the condensed warning message is used in advertising to which this clause applies, it must be accompanied by the national gambling helpline number 1800 858 858.
- (2) In printed gambling advertising, the mandatory warning message must be presented in a font and colour with sufficient contrast as to make it distinct, and must occupy at least 10% of the space occupied by the advertising.
- (3) In outdoor gambling advertising (other than a permitted external sign) the mandatory warning message must be presented in a font and colour with sufficient contrast as to make it distinct, and must occupy at least 10% of the space occupied by the advertising.
- (4) Gambling advertising in the form of a permitted external sign need not be accompanied by a mandatory warning message.

- (5) An outdoor or indoor display or sign at a venue that includes gambling advertising, for any sort of event which is broadcast on television; or for an event on which betting takes place, the mandatory warning message must be presented in a font and colour with sufficient contrast as to make it distinct, and must occupy at least 10% of the space occupied by the advertising.
- (6) If the gambling advertising referred to in sub-clause (5) is presented by means of a display which is constantly moving, scrolling or changing, or is capable of immediate or scheduled systematic changes, the mandatory warning message must be presented in a font and colour with sufficient contrast as to make it distinct and must occupy at least 25% of the space occupied by the advertising.
- (7) Gambling advertising which is the placement of the licensee's logo on the apparel of a participant (including an official) in an event which is broadcast on television in South Australia, or at an event at which gambling takes place, must be accompanied by the placement of the condensed warning message adjacent to the logo, occupying no less than half the space occupied by the logo if the logo includes images of gambling.
- (8) Gambling advertising in the form of a small logo (no larger than 5400mm² with no linear dimension longer than 180mm) need not be accompanied by a mandatory warning message.
- (9) The licensee must ensure that participants in the event do not wear the licensee's logo if it includes images of gambling on occasions when they are engaging solely or mainly with children.
- (10) Gambling advertising which is no more than the inclusion in –
 - (a) the title of an event or the name of a team participating in an event; or
 - (b) the name of a place of a sponsor's name or brand,need not be accompanied by a mandatory warning message. This does not apply to gambling advertising in relation to participant uniforms, as set out in sub-clause (7).

Part 3—Responsible gambling practices

The licensee must ensure that its general gambling practices are consistent with community expectations that gambling operations will be conducted responsibly and in a manner that minimises the harm caused by gambling, and is socially responsible.

The licensee must conduct its business in accordance with all applicable State and Federal laws and legal requirements, and co-operate with regulatory bodies and government agencies in all matters, including compliance with legal obligations.

14. Responsible gambling operations

- (1) The licensee must, for all gaming areas, ensure the existence of a document or documents (whether hard copy or otherwise) detailing—
 - (a) the manner in which staff training and measures for interventions with problem gamblers are implemented;
 - (b) the roles of staff (by job title) in the implementation of this code.
- (2) A document required by sub-clause (1) may be incorporated with any other operational document maintained by the licensee, but must be made known to and readily available to staff that are employed in gambling related roles.
- (3) The licensee must develop and implement effective policies and procedures that enable staff employed in gambling related roles to—
 - (a) identify people displaying signs of gambling harm by, but not limited to, reviewing loyalty data, pre-commitment arrangements (including breaches of limits), observing gambling behaviour and engaging in general conversation that may signal that the person may be experiencing harm due to their gambling; and
 - (b) respond to people displaying signs of gambling harm by engaging in a conversation about their gambling behaviour, offering pre-commitment and barring options and referring them to a gambling help service.
- (4) The licensee must establish a reporting process for the identification of suspected problem gamblers by staff. This record must be reviewed by a manager (however described) at least weekly, including the details of the review and any steps taken to intervene. Any data captured by a system used for this purpose may only be used for the purpose of harm minimisation and no other purpose, except where required by law enforcement agencies and regulators.
- (5) The record of suspected problem gamblers must include sufficient detailed information to enable staff to identify the patron, that is readily available to staff.
- (6) If a person requests voluntary exclusion, the licensee must bar the person forthwith in accordance with Part 6 of the *Gambling Administration Act 2019*.
- (7) If a person requests third party involuntary barring of a gambler, the licensee must promptly make a considered decision and enter the details into the barring register.
- (8) The licensee must document and implement procedures to ensure that enquiries about barring (regardless of who initiates them) and approaches for the making of barring orders, are responded to in a manner that is informative, timely and culturally appropriate, with the aim of dealing with an in-venue approach while the person is in the venue and dealing with telephone enquiries in one call where possible, using an interpretation service if required.
- (9) The licensee may make flexible informal arrangements with patrons, only if the arrangements limit, manage or control a gambler's access to gambling and the licensee reasonably expects that informal arrangements would be beneficial for the gambler.
- (10) The licensee must note the details of any informal arrangements, including details of any agreed pre-commitment arrangements, and make them available to the Commissioner upon request.
- (11) Host responsibility employees must log into the barring register each time when on duty, to review any new or updated barring information.
- (12) The licensee must ensure that any loyalty program database and any like list held by the licensee identifies a person who is excluded (whether by formal barring order or otherwise) and ensures that person is not sent any marketing communications.
- (13) The licensee must take reasonable steps to ensure that staff with a suspected or actual gambling problem (not limited to a casino gambling problem) are identified and referred for counselling, support or therapy.
- (14) The licensee must ensure that there is adequate natural or artificial lighting in gaming areas to enable clocks and signs to be easily read and the faces of people within the room to be easily identified.
- (15) The licensee must not permit a second-hand dealer or pawnbroker to conduct business on the casino premises.

15. Signage in gaming areas

- (1) The licensee must, at each entrance to the gaming areas of the casino premises, display an A3 equivalent size sign (or two A4 equivalent signs) that includes -
 - (a) a statement that the gaming areas of the casino premises are restricted to people aged 18 years and over (18+ only);
 - (b) a statement that these gaming areas are regulated by state law and codes of practice and that they are subject to inspection by a State Government agency, including a telephone number to call to register a complaint.
- (2) If the Commissioner determines a form and content for a sign required in sub-section (1), the licensee must display the sign(s) in this form.
- (3) The licensee must place in a prominent position in each gaming area of the casino premises at least one A3 equivalent size sign -
 - (a) containing information about the availability of free, confidential and professional help with gambling problems and related issues, and
 - (b) written in English, Arabic, Chinese, Greek, Italian, Vietnamese, and any other relevant language.
- (4) If the welfare agency publishes recommended content for a sign under sub-clause (3), in respect to the casino premises, the licensee may only display a sign containing that content.

The *welfare agency* for the purposes of this code is the Office for Problem Gambling.

16. In-venue messaging

- (1) The licensee must prominently display two classes of signs approved by the welfare agency—
 - (a) primary responsible gambling signs, which must be displayed in gaming areas; and
 - (b) additional responsible gambling signs, which the licensee may elect to display in gaming areas or other public areas of the premises; as follows -
 - (1) at least 25 A1 equivalent primary responsible gambling signs, ensuring that there are at least two signs in each gaming area which is not a premium gaming area;
 - (2) for each 10 gaming machines in excess of 250 offered in gaming areas that are not premium gaming areas, one A1 equivalent additional responsible gambling sign; and
 - (3) for each premium gaming area, one A1 primary responsible gambling sign.
- (2) For the purpose of sub-clause (1) the licensee may satisfy a requirement to display one A1 equivalent sign by displaying two A2, four A3 or eight A4 equivalent signs or any logical combination thereof.
- (3) For the purpose of sub-clause (1) the display of full screen welfare agency material on a 16:9 format electronic display having a diagonal measurement of 1270mm or more for at least 3 minutes per hour is the equivalent of one A1 equivalent sign. Displays of less than 1270mm may be aggregated (by size) to be the equivalent of a 1270mm display.
- (4) For the purposes of sub-clause (1), an approved on-screen budget reminder system installed by the licensee will be regarded as having satisfied half of the obligations in respect of additional responsible gambling signs.
- (5) If the licensee is also the agent of SA TAB or the SA Lotteries Commission and has placed additional responsible gambling signage and a multi-lingual sign in areas which are gambling areas for the purposes of SA TAB or the SA Lotteries Commission, SA TAB or the SA Lotteries Commission (as the case may be) is deemed to have complied with the relevant provisions of the Authorised Betting Operations and SA Lotteries Commission's codes of practice.

17. Help information in gaming areas

- (1) The licensee must ensure that each automatic teller machine (ATM) or cash redemption terminal (CRT) which is available for operation by patrons operates so that—
 - (a) when the ATM or CRT is idle, at least half of the available screen space displays a responsible gambling message approved by the welfare agency that includes the national gambling helpline number 1800 858 858;
 - (b) when the ATM or CRT prints a transaction slip (however described) the transaction record includes the condensed warning message and national gambling helpline number 1800 858 858.
- (2) The licensee must ensure—
 - (a) that the condensed warning message and national gambling helpline number 1800 858 858 are prominently displayed on or near—
 - (1) each automated coin dispensing machine; and
 - (2) each customer service point at which money is exchanged for cash, tickets or credit on an approved account based cashless gaming system; and
 - (b) that a quantity of helpline cards are available at or near—
 - (1) each ATM, EFTPOS facility and CRT;
 - (2) each automated coin dispensing machine;
 - (3) each customer service point at which money is exchanged for cash, tickets or credit on an approved account based cashless gaming system;
 - (4) each gaming machine; and
 - (5) each automated table game equipment.
- (3) Sub-clauses (1) and (2) apply to any ATM, EFTPOS facility or CRT, in or near a gaming area, over which the licensee could reasonably be expected to exercise control.
- (4) An expanded warning message, as set out in Schedule 1 for the stated period, must be used to populate a message field on tickets issued from gaming machines and automated table game equipment being operated in connection with a ticket-in ticket-out (TITO) system.
- (5) Despite sub-clause (4), if batches of pre-printed tickets are used for this purpose, the expanded warning message must be replaced with the relevant expanded message for that period on each subsequent batch of tickets re-ordered. It is acceptable for any stocks of tickets which were pre-printed to comply immediately before the commencement of the required period, to be exhausted.

- (6) The licensee must ensure that the time of day is prominently displayed and visible throughout gaming areas.
- (7) The licensee must ensure that a copy of this code is made available on request.

18. Multiple gaming machine play

- (1) The licensee must take all reasonable and practicable steps to ensure that a person plays no more than one gaming machine at a time.
- (2) Without limiting sub-clause (1), the licensee must give a warning to a patron offending for the first time on a given day and if that patron does not heed a warning, require the patron to leave the gaming area for 24 hours.

19. Practices relating to minors

- (1) The licensee must not conduct, promote, advertise or permit the conduct, promotion or advertisement of their gambling operations in a way that could encourage minors to gamble.
- (2) The licensee must establish, keep current and implement written procedures to address the issue of young children (being children aged 10 years or less) who might be left unattended on the casino premises or in a motor vehicle parked in a car park which is under the licensee's control.

20. Cheques and winnings

- (1) Cheques must not be cashed in gaming areas.
- (2) The licensee must offer a patron payment of an undisputed prize, winnings or redemptions of credits of \$2000 or more at a casino cashier, by cheque or electronic funds transfer (EFT), which are to be paid as soon as practicable after the formalities required by law are completed and in any event within 1 hour to provide a cheque and within 1 business day for an EFT.
- (3) Sub clause (2) does not apply in premium gaming areas in respect to identified premium customers, and premium customers only, as set out in the Approved Licensing Agreement.

21. Cash availability

- (1) The licensee must ensure that cash can only be obtained from—
 - (a) a cashier; or
 - (b) an EFTPOS facility; or
 - (c) an automated coin dispensing machine; or
 - (d) a cash redemption terminal,which is located so that patron activity can be monitored.
- (2) In respect to cash obtained from an EFTPOS facility in the gaming area of the casino premises, the licensee must ensure that cash may only be obtained directly from an EFTPOS facility by a person (being a person notified to the Commissioner as a special employee) operating the EFTPOS facility, or from a dispenser in the immediate vicinity of the EFTPOS facility (not being a dispenser that forms part of an ATM).

22. Customer information and interaction

- (1) The licensee must take all reasonable steps to ensure that a patron who displays signs of gambling harm is provided with the name and telephone number of a widely available gambling help service.
- (2) The licensee must—
 - (a) identify a gambling help service that their patrons and families can readily access (including the location of the agency and a key contact who can be asked for by name);
 - (b) ensure that staff that are engaged in customer facing roles are sufficiently informed about the identity and location of the gambling help service so as to be able to direct patrons to the service; and
 - (c) ensure that management level contact is established and maintained with the gambling help service about problem gambling matters.
- (3) The licensee must reinforce its responsible gambling policy in appropriate customer newsletters and other communications.

23. Alcohol and Gambling

- (1) The licensee must take all practicable steps—
 - (a) to prevent a person from being allowed to gamble if their speech, balance, coordination or behaviour is noticeably affected and it is reasonable to believe that the affected speech, balance, coordination or behaviour is the result of the consumption of liquor or some other substance;
 - (b) to prevent a person entering or remaining in a gaming area if their speech, balance, coordination or behaviour is noticeably affected and it is reasonable to believe that the affected speech, balance, coordination or behaviour is the result of the consumption of liquor or some other substance; and
 - (c) to ensure that liquor is not supplied to reward, promote or encourage continued gambling.
- (2) The licensee must ensure that a person is not served liquor while seated or standing at a gaming machine or at automated table game equipment, unless —
 - (a) the machine or automated table game equipment is in a premium gaming area; or
 - (b) the automated table game is conducted by a dealer.

24. Inducements

- (1) The licensee must not offer or provide any inducement directed at encouraging patrons to gamble.
- (2) Sub-clause (1) does not apply to—
 - (a) the offering or provision of participation in an acceptable loyalty program (*see clause 25*);
 - (b) the offering or provision of participation in an acceptable trade promotion lottery by drawing attention to the prizes, or of the offering of a complimentary gambling product (*see clause 26*); and
 - (c) the offering or provision in a gaming area of complimentary non-alcoholic beverages and refreshments of nominal value.

Sub-clause (1) does not apply in respect to identified premium customers, and premium customers only as set out in the Approved Licensing Agreement.

25. Acceptable loyalty programs

- (1) A loyalty program is an acceptable loyalty program if it is a structured program which—
- (a) is conducted in accordance with published terms and conditions;
 - (b) is advertised in a manner consistent with the advertising requirements for the licensee's gambling products;
 - (c) offers rewards proportionate to gambling activity (including non-monetary privileges attached to tiers in a stepped rewards system);
 - (d) offers regular activity statements; and
 - (e) it has been approved by the Commissioner in terms of its rules and conditions, promotions, risk monitoring processes and the manner in which it is to be advertised and promoted.

26. Acceptable trade promotion lotteries

- (1) A lottery is an acceptable trade promotion lottery if—
- (a) being a trade promotion lottery within the meaning of the Lotteries Regulations 2021, it is a licensed lottery or a permitted lottery under the *Lotteries Act 2019*;
 - (b) its dominant purpose is to reward or retain existing patrons, rather than attracting new patronage or encouraging patrons to gamble more than they would otherwise;
 - (c) the advertising is limited to promotion to members of an acceptable loyalty program, on a private webpage on the licensee's own website, by direct communication to customers that have expressly agreed to receiving advertising and within the casino premises;
 - (d) the advertising of the promotion draws attention to the prize(s) of the promotion, rather than the gambling product itself;
 - (e) the promotion does not encourage people to gamble for a minimum period or for a minimum amount to qualify for a reward or benefit; and
 - (f) in respect of an authorised lottery referred to in (a) above, it has been approved by the Commissioner in terms of its rules, conditions and the manner in which it will be advertised.

27. Required training

- (1) The licensee must ensure that a staff member who is a special employee has successfully completed a course of training approved by the Commissioner under section 40C of the Act –
- (a) for each staff member carrying out the duties defined by paragraph (a) – (e) of the definition of special employee under section 28 of the Act –
 - (1) within the 3 months before or after starting, completed basic training; and
 - (2) at intervals of no more than 2 years after first completing basic training, commences and completes basic training or advanced training; and
 - (b) for each staff member carrying out the duties defined by paragraph (f) and (g) of the definition of special employee under section 28 of the Act and any person supervising a person carrying out the duties defined by paragraph (a) – (g) of the definition of special employee under section 28 of the Act –
 - (1) within the 3 months before or after starting, completed basic training (if they have not already completed basic training) and advanced training; and
 - (2) at intervals of no more than 2 years after first completing advanced training, commences and completes further advanced training.
- (2) The course of training to be undertaken for the purposes of this clause may contain mandatory elements of training and provisions which may be adapted with the approval of the Commissioner to reflect the categories of special employee under the Act.
- (3) The licensee must ensure that records of all successful completion of training are maintained and available for inspection upon request by an inspector.

28. Individual exemptions

- (1) The Commissioner may, on application by the licensee, exempt the licensee from a specified provision of this code of practice.
- (2) The Commissioner may impose conditions in respect of an exemption.
- (3) The Commissioner may on the Commissioner's own initiative, by written notice to the licensee or on application by the licensee, vary or revoke an exemption.

Schedule 1—***Casino Act 1997*****Expanded warning messages**

Don't let the game play you. Stay in control. Gamble responsibly. 1 July 2021 to 31 December 2021

Stay in control. Leave before you lose it. Gamble responsibly. 1 January 2022 to 30 June 2022

You know the score. Stay in control. Gamble responsibly. 1 July 2022 to 31 December 2022

Know when to stop. Don't go over the top. Gamble responsibly. 1 January 2023 to 30 June 2023

Think of the people who need your support. Gamble responsibly. 1 July 2023 to 31 December 2023

Don't chase your losses. Walk away. Gamble responsibly. 1 January 2024 to 30 June 2024.

Schedule 2—**Casino Act 1997****Categories of Offences and Expiations**

Column A Clause No.	Column B Offence category	Column C Expiation category
8(1)(a)	A	A
8(1)(b)	B	B
8(1)(c)	A	A
8(1)(d)	B	B
8(1)(e)	D	D
8(1)(f)	D	D
8(1)(g)	D	D
8(1)(h)	C	C
8(1)(i)	C	C
8(1)(j)	C	C
8(1)(k)	C	C
8(1)(l)	C	C
8(3)	C	C
9(1)(a)	C	C
9(1)(b)	C	C
11(1) This penalty applies where the condensed message is used when the expanded warning message should have been used.	D	D
11(2) This penalty applies where no warning message appears.	B	B
11(3)	C	C
11(4)	B	B
12(1)	B	B
12(2)	B	B
12(3)	B	B
12(4)	B	B
12(5)	C	C
12(6)	B	B
12(7)	C	C
12(8)	C	C
13(1)	B	B
13(2)	C	C
13(3)	C	C
13(5)	C	C
13(6)	C	C
13(7)	B	B
13(9)	C	C
14(1)	B	B
14(2)	B	B
14(3)	A	A
14(4)	D	D
14(5)	C	C
14(6)	A	A
14(7)	D	D
14(8)	D	D
14(10)	C	C
14(11)	D	D
14(12)	A	A
14(13)	A	A
14(14)	C	C
14(15)	C	C
15(1)	A	A
15(3)	D	D
16(1)(a)	B	B
16(1)(b)	B	B
17(1)	D	D
17(2)	D	D
17(4)	D	D

Column A Clause No.	Column B Offence category	Column C Expiation category
17(5)	D	D
17(6)	D	D
17(7)	D	D
18	D	D
19(2)	B	B
20(1)	B	B
20(2)	C	C
21(1)	A	A
22(1)	B	B
22(2)(a)	B	B
22(3)	D	D
23(1)(a)	B	B
23(1)(b)	D	D
23(1)(c)	D	D
23(2)	D	D
24(1)	B	B
27(1)	D	D
27(3)	C	C

Dated: 29 July 2022

DINI SOULIO
Liquor and Gambling Commissioner

GAMBLING ADMINISTRATION ACT 2019

South Australia

Gaming Machines Gambling Code of Practice Variation Notice 2022under section 15 of the *Gambling Administration Act 2019***1—Short title**This notice may be cited as the *Gaming Machines Gambling Code of Practice Variation Notice 2022* (**Variation Notice**).**2—Commencement**

This Variation Notice comes into operation on 31 July 2022.

The *Gaming Machines Code of Practice Prescription Notice 2020* remains in force until that date.**3—Variation of existing codes of practice**This Variation Notice will have the effect that the *Gaming Machines Gambling Code of Practice* contained in this notice will supersede the *Gaming Machines Gambling Code of Practice* published on 3 December 2020.**4—Code of practice**The Gaming Machines Gambling Code of Practice as set out in this notice is varied under section 15 of the *Gambling Administration Act 2019*, for the purposes of the *Gaming Machines Act 1992*.**Gaming Machines Gambling Code of Practice****Part 1—Preliminary****1. Scope**This code of practice is prescribed under section 15 of the *Gambling Administration Act 2019*, for the purposes of the *Gaming Machines Act 1992*, and is inclusive of the advertising code of practice and the responsible gambling code of practice.**2. Commencement**

This code of practice is operational from 3 December 2020 and amended on 31 July 2022.

3. Purpose of the code

- (1) The purpose of this code of practice is to promote the objects of the *Gambling Administration Act 2019* and, in particular —
- (a) to reduce the prevalence and severity of harm associated with the misuse and abuse of gambling activities; and
 - (b) to foster responsible conduct in relation to gambling and in particular, to ensure that gambling is conducted responsibly, fairly and honestly, with regard to minimising the harm associated with gambling; and
 - (c) to facilitate the balanced development and maintenance, in the public interest, of an economically viable and socially responsible gambling industry in the State recognising the positive and negative impacts of gambling on communities; and
 - (d) to ensure that gambling is conducted honestly and free from interference, criminal influence and exploitation; and
 - (e) to ensure, as far as practicable, that the conduct of gambling is consistent with the expectations and aspirations of the public
- (1a) For the purposes of clause 3(1)(a) harm associated with the misuse and abuse of gambling activities includes—
- (a) the risk of harm to children, vulnerable people and communities (whether to a community as a whole or a group within a community); and

- (b) the adverse economic, social and cultural effects on communities (whether on a community as a whole or a group within a community); and
 - (c) the adverse effects on a person's health or welfare; and
 - (d) the adverse effects on a person's family, friends and work colleagues.
- (2) The intention of this code of practice is to commit the holder of the gaming machine licence (the licensee) to:
- (a) ensure that their gambling practices are consistent with the community's expectations that gambling businesses will be conducted in a responsible manner so as to minimise the harm caused by gambling;
 - (b) ensure that their gambling advertising is consistent with the community's expectations that gambling businesses will be conducted in a responsible manner so as to minimise the harm caused by gambling and is socially responsible;
 - (c) consider and implement measures to minimise harm associated with gambling activities;
 - (d) maintain standards of operational practice that, as a matter of course, address harm minimisation;
 - (e) not undertake operational practices involving unacceptable risk of harm.

4. Interpretation

- (1) Unless the contrary intention appears, expressions defined in the *Gambling Administration Act 2019* and *Gaming Machines Act 1992* have the same meanings in this code of practice.

closed circuit television (CCTV) means a digital closed circuit television system that complies with the technical specifications approved by the Liquor and Gambling Commissioner.

condensed warning message means the following message - "*Gamble responsibly*"

gambling advertising means any advertising by a licensee of a particular gambling product, products or gambling activity, whether in print or electronic form, including media (internet and all electronic and social media), radio, television, print media, signs and billboards, and any advertising on radio or television in the nature of a plug or program content which is in exchange for payment, or some other form of valuable consideration.

inducement means any credit, voucher or reward offered to a person as an inducement to participate, or to participate frequently, in any gambling activity.

permitted external sign means a sign affixed to the outside of a building containing a gaming area or affixed to the outside of a permanent structure within the immediate environs of a building containing a gaming area, which is under the control of the licensee that—

- (a) displays the licensee's logo or name; or
- (b) indicates the availability of a gambling activity inside the premises.

private webpage means a page which a person may gain access only after entering a password issued by or registered with a licensee.

5. Mandatory nature of the code

- (1) Under section 15 of the *Gambling Administration Act 2019*, the Liquor and Gambling Commissioner (the Commissioner) may prescribe advertising codes of practice and responsible gambling codes of practice.
- (2) A gambling provider must not contravene or fail to comply with a mandatory provision of a code of practice.
- (3) For the purposes of section 16 of the *Gambling Administration Act 2019*—
- (a) if the letter "A", "B", "C" or "D" appears in column B of the table in Schedule 2 next to the listing of a provision, contravention or failure to comply with the provision is declared to be an offence in the category corresponding to that letter;
 - (b) if the letter "A", "B", "C" or "D" appears in column C of the table in Schedule 2 next to the listing of a provision, the offence of contravention or failure to comply with the provision is declared to be an expiable offence in the category corresponding to that letter.

6. Application of this code of practice under section 15 of the *Gambling Administration Act 2019*

- (1) Part 2 of this code of practice operates as the prescribed advertising code of practice for the purposes of section 15(1)(a) of the *Gambling Administration Act 2019*.
- (2) Part 3 of this code of practice operates as the prescribed responsible gambling code of practice for the purposes of section 15(1)(b) of the *Gambling Administration Act 2019*.
- (3) The Commissioner may vary or revoke a code of practice or a provision of a code of practice by notice in the Government Gazette.
- (4) The Commissioner may, at any time, undertake a review of the codes of practice.

7. Responsible gambling agreement

It is a condition of a gaming machine licence that the licensee will not conduct gaming operations pursuant to the licence unless the licensee has entered into a responsible gambling agreement.

The form of the responsible gambling agreement is an agreement between the licensee and an industry body which has been approved by the Commissioner under section 40C of the *Gaming Machines Act 1992*.

Club Safe and Gaming Care are industry bodies currently approved under the *Gaming Machines Act 1992* for this purpose.

A licensee may satisfy a code of practice obligation through the actions of an approved industry body, except in relation to the licensee's obligations in respect to staff training.

Part 2—Required advertising practices

Licensees are to ensure that gambling advertising is conducted in a responsible manner that takes into account the potential adverse impact it may have on the community, particularly minors, people experiencing gambling-related harm or at risk of developing negative consequences associated with their gambling.

Gambling advertising must be compliant with applicable State and Federal laws and any relevant industry codes of practice.

8. Responsible gambling advertising

- (1) Licensees must ensure that gambling advertising—

- (a) does not encourage a breach of law;
 - (b) does not depict children gambling;
 - (c) is not false, misleading or deceptive;
 - (d) does not suggest that winning will be a definite outcome of participating in gambling activities;
 - (e) does not suggest that participation in gambling activities is likely to improve a person's financial prospects;
 - (f) does not promote the consumption of alcohol while engaging in gambling activities;
 - (g) does not offer any credit, voucher or reward as an inducement to participate, or to participate frequently, in any gambling activity;
 - (h) does not make claims related to winning or the prizes that can be won that are not based on fact, are unable to be proven or that are exaggerated;
 - (i) does not suggest that a player's skill can influence the outcome of gambling activity;
 - (j) does not include images or sounds suggestive of:
 - (1) coins being inserted or dispensed from a gaming machine;
 - (2) banknotes being inserted into a gaming machine; or
 - (3) tickets being printed or dispensed from a gaming machine;
 - (k) does not include the expressions "Win" or "\$", unless these expressions specifically relate to a prize that has been determined or is payable, or to an estimate of a prize which can be won.
- (2) For the purposes of this clause, a licensee will not be regarded as advertising when—
- (a) the licensee sends communication direct to a customer, and the customer has provided their express consent to receiving advertising material;
 - (b) the licensee draws attention, on a private webpage, to its gambling products or gambling activities;
 - (c) the licensee draws attention, in printed point of sale material, to its gambling products or gambling activities.
- (3) Licensees must keep a copy (in print or electronic form) of any gambling advertising, including advertising of acceptable trade promotion lotteries, available for inspection for a period of 12 months following the conclusion of the advertising campaign.
- (4) This clause does not apply to the advertising of other products and services offered by the licensee that are not gambling related, as long as the advertising does not include any credit, voucher or reward as an inducement to participate in any gambling activity.

9. Prize promotions and advertising

- (1) Gambling advertising that refers to, or relies on prizes which are available to be won, or the frequency the prize may be won (whether or not the prize is a prize of money)—
- (a) must include sufficient information for a reasonable person to understand the overall return to player or odds of winning; and
 - (b) if intended to encourage a person to gamble during a particular period, include sufficient information for a reasonable person to appreciate how likely it is that the prize will be won by someone during that period.
- (2) If, in seeking to comply with this clause, a licensee—
- (a) calculates the theoretical number, value and frequency of prizes to be won;
 - (b) in the advertising suggests an outcome no less favourable to the licensee than that theoretical outcome; and
 - (c) obtains an actual outcome more favourable than that which was advertised,
- the licensee will still be regarded as complying with this clause.
- (3) Sub-clause (1)(a) does not apply to advertising of a trade promotion lottery offered in conjunction with the purchase of a gambling product if the odds or chance of winning the lottery are affected by the number of entrants, or dependent on similar factors beyond the control of the licensee.

10. Permissible advertising of loyalty programs, trade promotion lotteries and complimentary gambling products

- (1) Despite clause 8(1)(g), a licensee may advertise an inducement for participation in an acceptable loyalty program by drawing attention to the name of the loyalty program, its availability to customers and the benefits to members of the program, as long as the customer is directed to the program's full terms, conditions and benefits that are published on a public website, or on signs in or near a gaming area, or in a document available in or near a gaming area.
- (2) Despite clause 8(1)(g), a licensee may advertise an inducement in the form of participation in an acceptable trade promotion lottery by drawing attention to the prizes, or of the offering of a complimentary gambling product.

11. Mandatory warning messages

- (1) Expanded warning messages, as set out in Schedule 1 for the stated periods, must be included in gambling advertising, unless the inclusion of the expanded warning message in that particular advertising would be unreasonable or impracticable.
- (2) If gambling advertising does not include an expanded warning message, the gambling advertising must include the condensed warning message.
- (3) When a mandatory warning message is included in gambling advertising, the manner of its inclusion must be consistent with the message being a warning message.
- (4) Gambling advertising which is a text message, tweet, email or social media posting of less than 160 characters must be concluded with the condensed warning message. If the text message is more than 160 characters it must be concluded with the condensed warning message and the national gambling helpline number 1800 858 858.

12. Gambling Advertising on Radio and Television

- (1) Gambling advertising is not permitted on radio or television (including subscription television and streaming services) between 6.00am to 8.30am and 4.00pm to 7.30pm on any day.
- (2) Despite clause 11, gambling advertising on radio may be accompanied by the condensed warning message and in the case of a plug or commentary, must end with the condensed warning message and the national gambling helpline number 1800 858 858.

- (3) Despite clause 11, gambling advertising on television that is longer than 15 seconds, must be accompanied by the expanded warning message and in the case of a plug or commentary, must end with the condensed warning message and the national gambling helpline number 1800 858 858.
- (4) A mandatory warning message announced on radio or television must be spoken in a neutral tone at a speed that is clear and easily understood and otherwise presented in a way which reflects the importance of a warning message.
- (5) A licensee must ensure, through instructions about their obligations under this code, that a mandatory warning message is appropriately respected for gambling advertising in live announcements and when mentioned by announcers before or after the broadcast of its gambling advertising.
- (6) In the case of the presence of a gambling related logo on a screen, other than as part of a commercial which includes a mandatory warning message, the logo must include the condensed warning message adjacent to the logo occupying no less space than that occupied by the logo. This does not include logos on participants uniforms (*see clause 13(7), (8) and (9)*).
- (7) A mandatory warning message appearing in gambling advertising on television must occupy at least 25% of the screen area for at least 1/6th of the length of the advertisement, or occupy the whole screen area for at least 1/10th of the length of the advertisement.
- (8) The mandatory warning message must be spoken at the same time as it appears on a television screen.
- (9) Clauses 12 (6), (7) and (8) do not apply where gambling advertising appears on television only because the broadcast image is of a public event at which the advertising has been placed.

13. Additional requirements for print media, outdoor and other forms of advertising

- (1) If the condensed warning message is used in advertising to which this clause applies, it must be accompanied by the national gambling helpline number 1800 858 858.
- (2) In printed gambling advertising, the mandatory warning message must be presented in a font and colour with sufficient contrast as to make it distinct, and must occupy at least 10% of the space occupied by the advertising.
- (3) In outdoor gambling advertising (other than a permitted external sign) the mandatory warning message must be presented in a font and colour with sufficient contrast as to make it distinct, and must occupy at least 10% of the space occupied by the advertising.
- (4) Gambling advertising in the form of a permitted external sign need not be accompanied by a mandatory warning message.
- (5) An outdoor or indoor display or sign at a venue for any sort of event which is broadcast on television; or for an event on which betting takes place, the mandatory warning message must be presented in a font and colour with sufficient contrast as to make it distinct, and must occupy at least 10% of the space occupied by the advertising.
- (6) If the gambling advertising referred to in sub-clause (5) is presented by means of a display which is constantly moving, scrolling or changing, or is capable of immediate or scheduled systematic changes, the mandatory warning message must be presented in a font and colour with sufficient contrast as to make it distinct and must occupy at least 25% of the space occupied by the advertising.
- (7) Gambling advertising which is the placement of a logo on the apparel of a participant (including an official) in an event which is broadcast on television in South Australia or at an event at which gambling takes place, must be accompanied by the placement of the condensed warning message adjacent to the logo, occupying no less than half the space occupied by the logo.
- (8) Gambling advertising in the form of a small logo (no larger than 5400mm² with no linear dimension longer than 180mm) need not be accompanied by a mandatory warning message.
- (9) The licensee must ensure that participants do not wear gambling advertising in the form of a logo on occasions when they are engaging solely or mainly with children.
- (10) Gambling advertising must not occur at Cinemas when films rated G, PG, M or MA(15+) are showing.

Part 3—Responsible gambling practices

Licensees must ensure that their general gambling practices are consistent with community expectations that their gambling operations will be conducted responsibly and in a manner that minimises the harm caused by gambling, and is socially responsible.

Licensees must conduct their businesses in accordance with all applicable State and Federal laws and legal requirements, and co-operate with regulatory bodies and government agencies in all matters, including compliance with legal obligations.

14. Responsible gambling operations

- (1) Licensees must, for all gaming areas, ensure the existence of a document or documents (whether hard copy or otherwise) detailing—
 - (a) the manner in which staff training and measures for interventions with people displaying indicators of gambling harm are implemented; and;
 - (b) the roles of staff (by job title) in the implementation of this code.
- (2) A document required by sub-clause (1) may be incorporated with any other operational document maintained by the licensee, but must be made known to and readily available to staff and staff must be trained and ensure compliance with the documents.
- (3) Licensees must develop and implement effective policies and procedures that enable staff to —
 - (a) identify people displaying indicators of gambling harm by, but not limited to, reviewing loyalty data including any pre-commitment arrangements and breaches of limits, observing gambling behaviour, and engaging in general conversation to determine whether the persons behaviour indicates that they may be experiencing harm due to their gambling;
 - (b) respond to people displaying indicators of gambling harm by, but not limited to, engaging in a conversation about their gambling behaviour, offering pre-commitment and barring options and referring them to a gambling help service; and
 - (c) be trained in and carry out their functions in accordance with such policies and procedures.
- (4) Licensees must establish a reporting process for the identification of and interaction with people displaying indicators of gambling harm by staff and the recording of their details. This record must be reviewed by a manager (however described) at least weekly including the details of the review and any steps taken to intervene. Any data captured by a system used for this purpose may only be used for the purpose of harm minimisation and no other purpose.
- (5) The record of people displaying indicators of gambling harm must include sufficient detailed information to enable staff to identify the patron that is readily available to staff at any time and to the Commissioner or an Inspector upon request.
- (6) If a person requests voluntary exclusion, licensees or their delegates must bar the person forthwith in accordance with Part 6 of the *Gambling Administration Act 2019*.
- (7) If a third party requests involuntary barring of a gambler, licensees or their delegates must promptly make a considered decision.

- (8) Licensees must document and implement procedures to ensure that enquiries about barring (regardless of who initiates them) and approaches for the making of barring orders, are responded to in a manner that is informative, timely and culturally appropriate, with the aim of dealing with an in-venue approach while the person is in the venue and dealing with telephone enquiries in one call where possible, using an interpretation service if required.
- (9) Licensees may make flexible informal arrangements with patrons, only if the arrangements limit, manage or control a gamblers access to gambling and the licensee reasonably expects that informal arrangements would be beneficial for the gambler.
- (10) Licensees must note the details of any informal arrangements in writing and provide these details to their industry body within 7 business days of being made. The details of any informal arrangements must be available to the Commissioner upon request.
- (11) Gaming staff must log into the barring register each time when on duty, or be provided with a current consolidated barring list from the barring register printed in colour, to review any new or updated barring information.
- (12) Licensees must ensure that at least two gaming managers and/or gaming employees have “Administrator” access for the purpose of updating employee/personnel information and recording information into the barring register within the prescribed timeframe.
- (13) Licensees must ensure that a person who is excluded (whether by formal barring order or otherwise) is not sent any direct marketing communications.
- (14) Licensees must take reasonable steps to ensure that staff displaying indicators of gambling harm (involving any sort of gambling) are identified and referred for counselling, support or therapy.
- (15) Licensees must ensure that there is adequate natural or artificial lighting in gaming areas to enable clocks and signs to be easily read and the faces of people within the room to be easily identified.
- (16) Licensees must not permit a second-hand dealer or pawnbroker to conduct business on premises that is subject to a gaming machine licence.

15. Signage in gaming areas

- (1) Licensees must, at each entrance to a gaming area, display an A3 equivalent size sign that includes—
 - (a) a statement that the gaming area is restricted to people aged 18 years and over (18+ only);
 - (b) a statement that the gaming area is regulated by state law and codes of practice and that it is subject to inspection by a State Government agency, including a telephone number to call to register a complaint.
- (2) If the Commissioner determines the form and content for a sign required in sub-section (1), the licensee must display the sign(s) in this form.
- (3) The licensee must place in a prominent position in each gaming area at least one A3 equivalent size sign—
 - (a) containing information about the availability of free, confidential and professional help with gambling problems and related issues, and
 - (b) written in English, Arabic, Chinese, Greek, Italian, Vietnamese, and any other relevant language.
- (4) If the welfare agency publishes recommended content for a sign under sub-clause (3), in respect of a particular premises or a class of premises, the licensee may only display a sign containing that content.

The *welfare agency* for the purposes of this code is the Office for Problem Gambling.

16. In-venue messaging

- (1) Licensees must prominently display two classes of signs approved by the welfare agency—
 - (a) primary responsible gambling signs, which must be displayed in gaming areas; and
 - (b) additional responsible gambling signs, which the licensee may elect to display in gaming areas or other public areas of the premises; as follows –
 - (1) for licensees operating 10 gaming machines or less: at least one A1 equivalent size primary responsible gambling sign in each gaming area;
 - (2) for licensees operating more than 10 gaming machines: at least one A1 equivalent size primary responsible gambling sign in each gaming area and for each 10 (or part thereof) gaming machines in excess of 10, one A1 equivalent size additional responsible gambling sign.
- (2) For the purpose of sub-clause (1) a licensee may satisfy a requirement to display one A1 equivalent sign by displaying two A2, four A3 or eight A4 equivalent signs or any logical combination thereof.
- (3) For the purpose of sub-clause (1) the display of full screen welfare agency material on a 16:9 format electronic display having a diagonal measurement of 1270mm or more for at least 3 minutes per hour is the equivalent of one A1 equivalent sign. Displays of less than 1270mm may be aggregated (by size) to be the equivalent of a 1270mm display.
- (4) If a licensee is also the agent of SA TAB or the SA Lotteries Commission and has placed additional responsible gambling signage and a multi-lingual sign in areas which are gambling areas for the purposes of SA TAB or the SA Lotteries Commission, SA TAB or the SA Lotteries Commission (as the case may be) is deemed to have complied with the relevant provisions of the Authorised Betting Operations and SA Lotteries Commission’s codes of practice.

17. Help information in gaming areas

- (1) Licensees must ensure that each automatic teller machine (ATM) or cashable ticket redemption terminal (CRT) which is available for operation by patrons operates so that—
 - (a) when the ATM or CRT is idle at least half of the available screen space displays a responsible gambling message approved by the welfare agency, or if there is no current approval the condensed warning message and the national gambling helpline number 1800 858 858;
 - (b) when the ATM or CRT prints a transaction slip (however described) the transaction record includes the condensed warning message and the national gambling helpline number 1800 858 858.
- (2) Licensees must ensure —
 - (a) that the condensed warning message and national gambling helpline number 1800 858 858 and website address are prominently displayed on or near —
 - (1) each automated coin dispensing machine; and

- (2) each customer service point at which money is exchanged for coins, banknotes, tickets or credit on an approved account based cashless gaming system; and
- (b) that a quantity of helpline cards are available at or near—
 - (1) each ATM, EFTPOS facility and CRT;
 - (2) each automated coin dispensing machine;
 - (3) each customer service point at which money is exchanged for cash, tickets or credit on an approved account based cashless gaming system; and
 - (4) each gaming machine.
- (3) Sub-clauses (1) and (2) apply to any ATM, EFTPOS facility or CRT, in or near a gaming area, over which the licensee could reasonably be expected to exercise control.
- (4) An expanded warning message, as set out in Schedule 1, must be used to populate the dynamic message field on tickets issued from gaming machines being operated in connection with a ticket-in ticket-out (TITO) system.
- (5) Licensees must ensure that the time of day is prominently displayed and visible throughout gaming areas.
- (6) Licensees must ensure that a copy of this code is available within the gaming area.

18. Multiple gaming machine play

- (1) Licensees must take all reasonable and practicable steps to ensure that a person plays no more than one gaming machine at a time.
- (2) Without limiting sub-clause (1), a licensee must give a warning to a patron offending for the first time on a given day and if that patron does not heed a warning, require the patron to leave the gaming area for 24 hours.

19. Practices relating to minors

- (1) Licensees must not conduct, promote, advertise or permit the conduct, promotion or advertisement of their gambling operations in a way that could encourage minors to gamble.
- (2) Licensees must establish, keep current and implement written procedures to address the issue of young children (being children aged 10 years or less) who might be left unattended on the licensee's premises or in a motor vehicle parked in a car park which is under the licensee's control.

20. Cheques and winnings

- (1) Cheques must not be cashed in gaming areas.
- (2) A licensee must offer a patron payment of undisputed winnings or redemptions of credits of \$500 or more by cheque or electronic funds transfer (EFT), which is to be paid as soon as practicable after the formalities required by law are completed and in any event within 1 business day.

21. Cash availability

- (1) Within a gaming area, licensees must ensure that cash can only be obtained from—
 - (a) a cashier; or
 - (b) an EFTPOS facility; or
 - (c) an automated coin dispensing machine; or
 - (d) a cashable ticket redemption terminal.
- (2) In respect to cash obtained from an EFTPOS facility—
 - (a) a licensee must ensure that cash may only be obtained directly from an EFTPOS facility on the licensed premises, by a person (being the licensee, an employee of the licensee or another person acting on behalf of the licensee) operating the EFTPOS facility, or from a dispenser in the immediate vicinity of the EFTPOS facility (not being a dispenser that forms part of an ATM);
 - (b) a person operating an EFTPOS facility (being the licensee, an employee of the licensee or another person acting on behalf of the licensee) must confirm the withdrawal amount with the person obtaining cash from the EFTPOS facility immediately before the amount is withdrawn.

22. Customer information and interaction

- (1) A licensee must take all reasonable steps to ensure that a patron who displays signs of gambling harm is provided with the name and telephone number of a widely available gambling help service.
- (2) A licensee must—
 - (a) identify a gambling help service that their patrons and families can readily access (including the location of the help service and a key contact who can be asked for by name);
 - (b) ensure that staff are sufficiently informed about the identity and location of the gambling help service so as to be able to direct patrons to the service; and
 - (c) ensure that management level contact is established and maintained with the gambling help service about problem gambling matters.
- (3) A licensee must reinforce its commitment to providing gambling products in a responsible and safe environment, and in a manner to minimise the harm caused by gambling, in appropriate customer newsletters and other communications.

23. Alcohol and Gambling

- (1) A licensee must take all practicable steps—
 - (a) to prevent a person from being allowed to gamble if their speech, balance, coordination or behaviour is noticeably affected and it is reasonable to believe that the affected speech, balance, coordination or behaviour is the result of the consumption of liquor or some other substance;
 - (b) to prevent a person entering or remaining in a gaming area if their speech, balance, coordination or behaviour is noticeably affected and it is reasonable to believe that the affected speech, balance, coordination or behaviour is the result of the consumption of liquor or some other substance;
 - (c) to ensure that liquor is not supplied to reward, promote or encourage continued gambling.

- (2) The licensee must ensure that a person is not served liquor while seated or standing at a gaming machine.
- (3) If the licensed premises, where a gaming area is situated, is not authorised to sell liquor under the *Liquor Licensing Act 1997* after 2.00am, the licensee must ensure that if the gaming area remains open for trade, that the gaming area is monitored by closed circuit television (CCTV).

24. Inducements

- (1) A licensee must not offer or provide any inducement directed at encouraging patrons to gamble.
- (2) Sub-clause (1) does not apply to—
 - (a) the offering or provision of participation in an acceptable loyalty program (*see clause 25*);
 - (b) the offering or provision of participation in an acceptable trade promotion lottery (*see clause 26*) by drawing attention to the prizes, or of the offering of a complimentary gambling product;
 - (c) the offering or provision in a gaming area of complimentary non-alcoholic beverages and refreshments of nominal value.

25. Acceptable loyalty programs

- (1) A loyalty program is an acceptable loyalty program if it is a structured program which—
 - (a) is conducted in accordance with published terms and conditions;
 - (b) is advertised in a manner consistent with the advertising requirements for the licensee's gambling products;
 - (c) offers rewards proportionate to gambling activity (including non-monetary privileges attached to tiers in a stepped rewards system);
 - (d) offers regular activity statements; and
 - (e) it has been approved by the Commissioner in terms of its rules and conditions, promotions, risk monitoring processes and the manner in which it is to be advertised and promoted.

26. Acceptable trade promotion lotteries

- (1) A lottery is an acceptable trade promotion lottery if—
 - (a) being a trade promotion lottery within the meaning of the Lotteries Regulations 2021, it is a licensed lottery or a permitted lottery under the *Lotteries Act 2019*;
 - (b) its dominant purpose is to reward or retain existing patrons, rather than attracting new patronage or encouraging patrons to gamble more than they would otherwise;
 - (c) the advertising is limited to promotion to members of a loyalty program, on a private webpage on the licensee's own website, by direct communication to customers that have expressly agreed to receiving advertising and within a designated gaming area;
 - (d) the advertising of the promotion draws attention to the prize(s) of the promotion, rather than the gambling product itself;
 - (e) the promotion does not encourage people to gamble for a minimum period or for a minimum amount to qualify for a reward or benefit, unless part of an acceptable loyalty program; and
 - (f) in respect of an authorised lottery referred to in (a) above, it has been approved by the Commissioner in terms of its rules, conditions and the manner in which it will be advertised.

27. Required training

- (1) The licensee must ensure that all staff engaged by the licensee as gaming managers and gaming employees have successfully completed courses of training approved by the Commissioner under section 40B of the *Gaming Machines Act 1992*—
 - (a) for each gaming employee—
 - (1) within the 3 months before or after starting, completed basic training; and
 - (2) at intervals of no more than 2 years after first completing basic training, commences and completes basic training or advanced training; and
 - (b) for each gaming manager—
 - (1) within the 3 months before or after starting, completed basic training (if the gaming manager has not already completed basic training) and advanced training; and
 - (2) at intervals of no more than 2 years after first completing advanced training, commences and completes further advanced training.
- (2) The licensee must ensure that all successful completion of training is recorded within the mandated platform as determined by the Commissioner within 28 days of receipt of the training certificate.

28. Individual exemptions

- (1) The Commissioner may, on application by the licensee, exempt the licensee from a specified provision of this code of practice.
- (2) The Commissioner may impose conditions in respect of an exemption.
- (3) The Commissioner may on the Commissioner's own initiative, by written notice to the licensee or on application by the licensee, vary or revoke an exemption.

Schedule 1—

Gaming Machines Act 1992

Expanded warning messages

Stay in control. Leave before you lose it. Gamble responsibly. 1 January 2022 to 30 June 2022

You know the score. Stay in control. Gamble responsibly. 1 July 2022 to 31 December 2022

Know when to stop. Don't go over the top. Gamble responsibly. 1 January 2023 to 30 June 2023

Think of the people who need your support. Gamble responsibly. 1 July 2023 to 31 December 2023

Don't chase your losses. Walk away. Gamble responsibly. 1 January 2024 to 30 June 2024

Don't let the game play you. Stay in control. Gamble responsibly. 1 July 2024 to 31 December 2024

Schedule 2—

Gaming Machines Act 1992

Categories of Offences and Expiations

Column A Clause No.	Column B Offence category	Column C Expiation category
8(1)(a)	A	A
8(1)(b)	B	B
8(1)(c)	A	A
8(1)(d)	B	B
8(1)(e)	D	D
8(1)(f)	D	D
8(1)(g)	D	D
8(1)(h)	C	C
8(1)(i)	C	C
8(1)(j)	C	C
8(1)(k)	C	C
8(3)	C	C
9(1)(a)	C	C
9(1)(b)	C	C
11(1) This penalty applies where the condensed message is used when the expanded warning message should have been used.	D	D
11(2) This penalty applies where no warning message appears.	B	B
11(3)	C	C
11(4)	B	B
12(1)	B	B
12(2)	B	B
12(3)	B	B
12(4)	B	B
12(5)	C	C
12(6)	B	B
12(7)	C	C
12(8)	C	C
13(1)	B	B
13(2)	C	C
13(3)	C	C
13(5)	C	C
13(6)	C	C
13(7)	B	B
13(9)	C	C
13(10)	B	B
14(1)	B	B
14(2)	B	B
14(3)	A	A
14(4)	D	D
14(5)	C	C
14(6)	A	A
14(7)	D	D
14(8)	D	D
14(10)	C	C
14(11)	D	D
14(12)	D	D
14(13)	A	A
14(14)	A	A
14(15)	C	C
14(16)	C	C
15(1)	A	A
15(3)	D	D
16(1)(a)	B	B

Column A Clause No.	Column B Offence category	Column C Expiation category
16(1)(b)	B	B
17(1)	D	D
17(2)	D	D
17(4)	D	D
17(5)	D	D
17(6)	D	D
18	D	D
19(2)	B	B
20(1)	B	B
20(2)	B	B
21(1)	A	A
22(1)	B	B
22(2)(a)	B	B
22(3)	D	D
23(1)(a)	B	B
23(1)(b)	D	D
23(1)(c)	D	D
23(2)	D	D
23(3)	A	A
24(1)	B	B
27(1)	D	D
27(2)	D	D

Dated: 29 July 2022

DINI SOULIO
Liquor and Gambling Commissioner

All instruments appearing in this gazette are to be considered official, and obeyed as such
