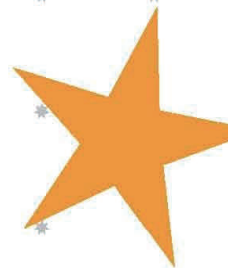
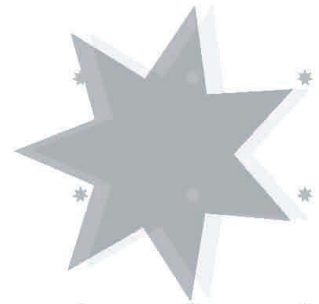
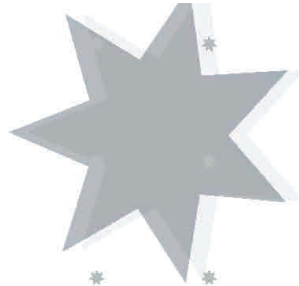


AUSTRALASIAN
Gaming Council

ABN 64 092 720 753



A Database
on Australia's Gambling Industry

Chapter 10 **2009/10**

A Database

On Australia's Gambling Industry

Published and Prepared by the Australasian Gaming Council (AGC).

Address: Level 40/140 William Street
Melbourne 3000
Victoria Australia

Phone +61 3 9229 3801

Fax +61 3 9607 8282

Email info@austgamingcouncil.org.au

Web www.austgamingcouncil.org.au

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The Australasian Gaming Council welcomes comments and suggestions on this publication.

Please contact info@austgamingcouncil.org.au

Chapter 10

Regulatory and Policy Environment

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CURRENT LEGISLATIVE INSTRUMENTS & CODES OF PRACTICE

Gambling is one of the most heavily regulated past-times and industries in Australia. The number of relevant Acts, Regulations, Codified Practices and Ministerial Directions which address gambling, responsible gambling and problem gambling harm minimisation are many. Links to major Acts, Regulations and Codes throughout Australia are listed below however this is not an exhaustive list:

Australian Capital Territory

[Casino Control Act 2006](#)

[Gambling and Racing Control Act 1999](#)

[Gaming Machine Act 2004](#)

[Gaming Machine Regulation 2004](#)

[Gaming and Racing Control \(Code of Practice\) Regulation 2002](#)

The [ACT Gambling & Racing Code of Practice](#) (in force from 1 December 2002) is designed to provide minimum standards of harm minimisation across all gambling providers. The Code is mandatory and has penalties for breach. The penalties may be in the form of prosecution or by way of disciplinary action under specific regulatory legislation.

New South Wales

[Casino Control Act 1992](#)

[Casino, Liquor and Gaming Control Authority Act 2007](#)

[Gambling \(Two-Up\) Act 1992](#)

[Gaming Machine Act 2001](#)

[Gaming Machine Tax Act 2001](#)

[Gaming Machines Regulation 2002](#)

Northern Territory

[Gaming Control Act](#)

[Gaming Machine Act](#)

[Gaming Machine Regulations](#)

[Gaming Machine Rules](#)

The mandatory [Northern Territory Code of Practice for Responsible Gambling \(2003\)](#) reflects a partnership between Northern Territory gambling providers, Government, regulators and counseling services. It represents a whole-of-industry commitment to the provision of responsible gambling. The Code contains specific clauses and expected outcomes. Detailed descriptions of responsible gambling practices relevant to each sector of the gambling industry are contained in the associated Responsible Gambling Manual 2003.

Queensland

[Cairns Casino Agreement Act 1993](#)

[Casino Control Act 1982](#)

[Charitable & Non-Profit Gaming Act 1999](#)

[Gaming Machine Act 1991](#)

[Gaming Machine Regulation 2002](#)

The voluntary [Queensland Responsible Gambling Code of Practice](#) commits the gambling industry to implement and adhere to responsible gambling practices, with a particular focus on customer protection measures. The voluntary Code was launched 29 May 2002 by Queensland Government and was developed

by the Responsible Gambling Advisory Committee. The May 2004 version of the Code is currently in operation in this jurisdiction. The Code is supplemented by the [Responsible Gambling Advertising and Promotions Guideline](#) as well as Resource Manuals for both [clubs](#) and [hotels](#).

South Australia

[Casino Act 1997](#)

[Gaming Machines Act 1992](#)

[Gaming Machines Regulations 2005](#)

Mandatory Codes of Practice are in operation for gambling providers in this jurisdiction and are published to the website of the [Independent Gambling Authority](#). The Codes, in operation since 30 April 2004, have undergone revision with new Codes in operation from December 1 2008.

[Responsible Gambling \(Adelaide Casino\) Code of Practice](#)

[Adelaide Casino Advertising Code of Practice](#)

[Responsible Gambling \(Gaming Machine Venues\) Code of Practice](#)

[Advertising \(Gaming Machine Venues\) Code of Practice](#)

[State Lotteries Responsible Gambling Code of Practice](#)

[Responsible Gambling \(Bookmakers\) Code of Practice](#)

[SA TAB Responsible Gambling Code of Practice](#)

[Responsible Gambling \(Licensed Racing Clubs\) Code of Practice](#)

[Authorised Interstate Betting Operators Responsible Gambling Code of Practice](#)

Tasmania

[Gaming Control Act 1993](#)

[Gaming Control Regulations 2004](#)

[Tasmanian Gaming Commission Rules](#)

[Racing \(Bookmaker Betting\) Regulations 2004](#)

[Racing \(Miscellaneous\) Regulations 2004](#)

Tasmania also has a voluntary Code of Practice and Advertising Code of Ethics adopted by the Tasmanian Gambling Industry Group.

Victoria

[Casino Control Act 1991](#)

[Casino Control \(Junkets and Premium Players\) Regulations 1999](#)

[Gambling Regulation Act 2003](#)

[Gambling Regulation Regulations 2005](#)

[Gambling Regulation \(Signage\) Regulations 2005](#)

[Gambling Regulation \(Commercial Raffle Organisers\) Regulations 2006](#)

[Racing \(Bookmakers\) Regulations 2002](#)

[Racing \(Racing Integrity Assurance\) Regulations 2010](#)

From the commencement of EGM gaming in Victoria the Code of Practice applicable to Gaming Machine Venues at hotels and clubs was the voluntary, industry based Victorian Gaming Machine Industry (VGMI) accord. Industry participants have since been required to have a Responsible Gambling Code of Conduct approved by the Victorian Commission for Gambling Regulation (VCGR). The requirement came into effect on 1 December 2008. While the individual venue Codes may vary, their proscribed content is outlined in the relevant [Victorian Ministerial Direction for Responsible Gambling Codes of Conduct](#).

Western Australia

[Casino Control Act 1984](#)

[Casino \(Burswood Island\) Agreement Act 1985](#)

[Gaming & Wagering Commission Act 1987](#)

[Gaming & Wagering Commission \(Continuing Lotteries Levy\) Act 2000](#)

[Racing & Wagering Western Australia Act 2003](#)

[Racing Restriction Act 2003](#)

STATE & TERRITORY REGULATORY BODIES

Across Australia various agencies share the responsibility for all facets of policy, regulation and review pertaining to the gambling industries. Key agencies for each jurisdiction are listed below, together with links to relevant websites.

New South Wales

The Office of Liquor, Gaming and Racing (OLGR) is responsible for gambling regulation and policy in New South Wales. As a result of the passage of revised liquor laws, The Casino Liquor and Gaming Control Authority commenced operations on 1 July 2008. This Authority replaces the previous NSW Casino Control Authority, Liquor Administration Board and the Licensing Court of NSW.

Office of Liquor, Gaming and Racing

www.olgr.nsw.gov.au

Level 7, 323 Castlereagh Street,
Haymarket NSW 2000

GPO Box 7060
Sydney NSW 2001

Phone: 02 9995 0300

Email: olgr@communities.nsw.gov.au

Casino Liquor and Gaming Control Authority

www.clgaca.nsw.gov.au

Level 5, 323 Castlereagh Street,
Haymarket NSW 2000

GPO Box 3970
Sydney NSW 2001

Phone: (02) 8234 8800

Email: info@clgaca.nsw.gov.au

Victoria

In Victoria gambling regulation and policy is the responsibility of the Minister for Gaming while racing regulation and administration is the responsibility of the Minister for Racing. Administrative and policy support is provided by the Office of Gaming and Racing (Department of Justice). The day-to-day regulation of gaming is the responsibility of the Victorian Commission for Gambling Regulation, an independent statutory authority.

Office of Gaming and Racing (Department of Justice)

www.justice.vic.gov.au

121 Exhibition Street,
Melbourne VIC 3000

PO Box 18055
Melbourne VIC 8003

Phone: 03 8684 1910

Email: GamingandRacingEnquiries@justice.vic.gov.au

Victorian Commission for Gambling Regulation

www.vcgr.vic.gov.au

Level 5, 35 Spring Street,
Melbourne VIC 3000

PO Box 1988
Melbourne VIC 3001

Phone: 03 9651 3333

Email: vcgr.contact@vcgr.vic.gov.au

Queensland

Queensland has experienced a number of changes in regulatory structure since publication of the AGC's *2008-09 Database on Australia's Gambling Industry*. The Queensland Office of Gambling Regulation (QOGR) has been renamed the Office of Liquor and Gaming Regulation (OLGR) and has moved from Queensland Treasury to the Department of Employment, Economic Development and Innovation (DEEDI). DEEDI was established on 26 March 2009.

Queensland Office of Liquor and Gaming Regulation

www.olgr.qld.gov.au

Level 4, 33 Charlotte Street,
Brisbane QLD 4000

Locked Bag 180
City East QLD 4002

Gaming: 07 3872 0999

Email: info@gogr.qld.gov.au

Queensland Office of Racing

www.racing.qld.gov.au

Level 4, 33 Charlotte Street,
Brisbane QLD 4000

Locked Bag 180
City East QLD 4002

Phone: 07 3234 1400

Email: info@racing.qld.gov.au

South Australia

In South Australia the Office of the Liquor and Gambling Commissioner is responsible for the administration of a number of Acts pertinent to gambling while the Department of Treasury and Finance provides policy advice to the Government on economic, social and regulatory issues associated with gambling. This jurisdiction is also served by the Independent Gambling Authority. The Authority's regulatory and supervisory role relates to the operations in the casino, gaming machines in hotels and clubs and wagering on races and other events (SA TAB, licensed racing clubs and licensed bookmakers).

Department of Treasury and Finance

www.treasury.sa.gov.au

(http://www.treasury.sa.gov.au/dtf/about_us/departamental_programs.jsp)

State Administration Centre
200 Victoria Square
Adelaide SA 5000

GPO Box 1045
Adelaide South SA 5001

Phone: 08 8226 9500

Email: treasuryweb@saugov.sa.gov.au

Office of the Liquor and Gambling Commissioner

www.olgc.sa.gov.au

9th Floor, East Wing,
Zurich Building
50 Grenfell Street
Adelaide SA 5000

GPO Box 2169
Adelaide SA 5001

Phone: 08 8226 8410

Email: olgc@agd.sa.gov.au

Independent Gambling Authority

www.iga.sa.gov.au

Level 4,
45 Grenfell Street
Adelaide SA 5000

PO Box 67
Rundle Mall
Adelaide SA 5001

Phone: 08 8226 7233

Email: iga@iga.sa.gov.au

Office for Problem Gambling (Department of Families and Communities)

www.problemgambling.sa.gov.au

Riverside Centre
North Terrace
Adelaide SA 5000

GPO Box 292
Adelaide SA 5001

Phone: 08 8207 0716

Email: enquiries@dfc.sa.gov.au

Western Australia

In Western Australia the Department of Racing, Gaming and Liquor is the State Government agency responsible for regulating the liquor, wagering and gaming service providers. The Gaming and Wagering Commission of Western Australia is responsible for regulating the conduct of on and off-course wagering in Western Australia.

Department of Racing, Gaming & Liquor

www.rgl.wa.gov.au

Level 1, 87 Adelaide Terrace
East Perth WA 6004

PO Box 6119
East Perth WA 6892

Phone: 08 9425 1888

Email: rgl@rgl.wa.gov.au

Gaming and Wagering Commission

www.gamingandwageringcommission.wa.gov.au (website under construction)

Phone: 08 9425 1888

Racing and Wagering Western Australia

www.rwwa.com.au

14 Hassler Road
Osborne Park WA 6017

Phone: 08 9445 5333

Email: info@rwwa.com.au

Tasmania

The Liquor and Gaming Branch of the Tasmanian Department of Treasury and Finance is responsible for policy and compliance. The Branch also provides administrative support to the Commissioner for Licensing, the Licensing Board and the Tasmanian Gaming Commission. The Tasmanian Gaming Commission is an independent body comprised of three persons responsible for the regulation of gaming in Tasmania.

Department of Treasury & Finance, Liquor & Gaming Branch

www.gaming.tas.gov.au

80 Elizabeth Street
Hobart TAS 7000

GPO Box 1374
Hobart TAS 7001

Phone: 03 6233 6119

Email: gaming@treasury.tas.gov.au

Gambling Support Program (Department of Health & Human Services)

www.dhhs.tas.gov.au

Level 3, 99 Bathurst Street
Hobart TAS 7000

GPO Box 125
Hobart TAS 7001

Phone: 03 6233 2790

Email : gambling@dhhs.tas.gov.au

Australian Capital Territory

Gambling and racing activities are regulated by the ACT Gambling and Racing Commission which also reviews gaming laws and oversees compliance.

ACT Gambling and Racing Commission

www.gamblingandracing.act.gov.au

Level 2, Canberra Nara Centre
1 Constitution Avenue
Canberra City ACT 2601

PO Box 214
Civic Square ACT 2608

Phone: 02 6207 0359

Email: grc@act.gov.au

Northern Territory

In the Northern Territory the Department of Justice oversees licensing, regulation and strategy for a range of industries including gambling. The Licensing Commission is an independent statutory authority with powers to regulate and enforce legislation.

Racing, Gaming and Licensing Division (Department of Justice)

<http://www.nt.gov.au/justice/licenreg/index.shtml>

Northern Territory Licensing Commission (Department of Justice)

www.nt.gov.au/justice/commission

GPO Box 1754
Darwin NT 0801

Phone: 08 8999 1826

Email: licensingcommission@nt.gov.au

NATIONAL POLICY

The National Framework on Problem Gambling¹

In November 2000, the Council of Australian Governments (COAG) requested that the Ministerial Council on Gambling (MCG) develop a national framework on problem gambling to be implemented by State and Territory Governments based on four central themes:

- Prevention;
- Early intervention and continuing support;
- Building effective partnerships; and
- National research and evaluation.

In 2004, a four-year national framework on problem gambling was approved. The aim of the framework was to minimise the negative consequences of problem gambling to individuals, families and the community through a national approach.

Principles

The National Framework on Problem Gambling (NFPG) 2004-2008 was built upon the following principles:

- The community has a right to accurate and balanced information on gambling, on the risks associated with gambling, and on available support services;
- Gamblers, the gambling industry, the community, support service providers, Australian, State and Territory governments all share the responsibility for minimising the harm associated with problem gambling;
- While State and Territory governments are responsible for ensuring regulatory frameworks minimise problem gambling, harm minimisation measures can be enhanced when developed and implemented through collaborative partnerships that build on current best practice; and
- Research and evaluation are essential to ensure that initiatives are likely to minimise problem gambling without unintended negative consequences for the community.

Key Focus Areas, Objectives and Strategies

Four key focus areas were outlined as part of the framework:

1. **Public Awareness, Education and Training** - to promote a greater understanding of the nature of the gambling product, the potential for harm and the availability of help and support.
2. **Responsible Gambling Environments** - to minimise the likelihood of recreational gamblers developing problem gambling behaviours.
3. **Intervention, Counselling and Support Services** - to enhance problem gambling support and treatment services that are effective, accessible and culturally appropriate.
4. **National Research and Data Collection** - to inform the implementation and further development of the national framework and its strategies.

¹ Taken from www.fahcsia.gov.au (http://fahcsia.gov.au/sa/gamblingdrugs/progserv/problemgambling/Pages/gambling-national_framework_problem_gambling_2004_08.aspx)

Responses to the national framework have now been largely implemented by the States and Territories. Over the past five years more than \$200 million has been spent on responsible gambling and harm minimisation measures, such as telephone and face-to-face counselling services, public awareness and education campaigns, research, partnerships with community groups and support for problem gamblers and their families.

Details of these focus areas, objectives and strategies can be obtained by visiting the website of the Department of Families, Housing, Community Services and Indigenous Affairs at www.fahcsia.gov.au.

The fourth focus area, national research and data collection, was to be achieved through the implementation and development of a National Gambling Research Program (NGRP), to be jointly funded by all jurisdictions. The program's objective is to increase understanding of the nature and extent of problem gambling and effective intervention strategies in Australia as well as providing a clearinghouse for gambling research.

As a result of a Ministerial Council on Gambling meeting in October 2005, the NGRP was renamed Gambling Research Australia (GRA).

The Victorian Department of Justice, Office of Gaming and Racing provide secretariat services to GRA.

Details of the GRA's six priority research areas outlined by the NFGP, together with completed and ongoing GRA research projects, and other, state level, projects are outlined in Chapter 10 (Gambling Research) of the Database on Australia's Gambling Industry.

The Ministerial Council on Gambling (MCG)²

The Council of Australian Governments (COAG) established the Ministerial Council on Gambling in April 2000, following the Productivity Commission's 1999 Inquiry into Australia's Gambling Industries.

The aim of the MCG is to minimise the negative social impacts of problem gambling, by exchanging information on responsible gambling strategies, and discussing common issues to facilitate the development of effective interventions and responses.

The Commonwealth Government works closely with state and territory governments through the MCG to develop a national approach to tackling problem gambling in Australia. State and territory governments are responsible for the regulation of gambling in Australia.

Membership of the MCG consists of Ministers with responsibility for gambling in each of the Australian states and territories and a nominated representative of the Community & Disability Services Ministers Conference (CDSMC). It reports to the Council of Australian Governments (COAG) and is chaired by the Commonwealth Minister for Families, Housing, Community Services and Indigenous Affairs.

MCG Working Groups

The MCG currently has five working groups to progress key issues in five priority areas.

- Access to Cash and Pre-commitment Tools working group - chaired by Victoria.
- Responsible Gambling Environments working group - chaired by ACT.
- Electronic Gaming Machine Consumer Protection working group - chaired by Queensland.
- Early Intervention and Prevention working group – chaired by the Commonwealth.
- Interactive and Online Gambling working group – chaired by the Commonwealth.

² Taken from www.fahcsia.gov.au (http://fahcsia.gov.au/sa/gamblingdrugs/progserv/problemgambling/Pages/gambling-national-framework-problem-gambling-2004_08.aspx)

The working groups consist of state and territory officials as well as a representative from FaHCSIA and the Community and Disability Services Ministers' Advisory Council (CDSMAC) Gambling Working Party, and report to the MCG.

Response of the Federal Government to the 2010 Productivity Commission Report on Gambling

In February of 2010 the Productivity Commission handed a second report on gambling in Australia to the Federal Government. In an initial response the Australian Government supported the use of pre-commitment technology to tackle problem gambling and noted its commitment to working with State and Territory Governments, and industry, in implementing new technologies.

The Australian Government also advised that it will recommend the establishment of a new high-level Council of Australian Governments (COAG) Select Council of Ministers on Gambling Reform to progress a national approach to harm minimisation.³

³ Press Release of Ministers Sherry, Macklin & Conroy, *Productivity Commission Report into Gambling*, 23 June 2010, Canberra