

TASMANIAN GAMING
COMMISSION
LICENSED PREMISES GAMING
LICENCE RULES

Effective 1 April 2014

Liquor and Gaming Branch
Department of Treasury and Finance



Tasmanian
Government

1 PRELIMINARY

- 1.1 These Rules apply to the conduct of keno and gaming machine gaming in all hotels or clubs operating under a Licensed Premises Gaming Licence (Licence), and are in addition to the conditions imposed on the Licence by the Tasmanian Gaming Commission and the *Gaming Control Act 1993* (the Act).
- 1.2 A licensed premises gaming (LPG) operator and its employees (including special employees) must adhere to these Rules. Failure to comply with this requirement may result in disciplinary action against the operator or special employee. Disciplinary action may include a letter of censure, a fine, and/or the suspension, cancellation or amendment of a licence.
- 1.3 An LPG operator must ensure that a copy of these Rules is available for free public inspection and must ensure that they are enforced or caused to be enforced at all times.
- 1.4 A term used in these Rules has the same meaning as the same term used in the Act or the *Responsible Gambling Mandatory Code of Practice for Tasmania*.
- 1.5 These Rules supersede all previous Licensed Premises Gaming Licence Rules issued by the Commission in relation to the terms explained in section 1.1 of this document.

2 GAMING MACHINE AREA

- 2.1 The physical boundaries of a restricted gaming area must be clearly defined and clearly separated from other areas of the licensed premises.
- 2.2 A restricted gaming area must not be the only thoroughfare to the exits, toilets, a public bar or any other part of the venue.
- 2.3 A coin change area must only be used in connection with gaming – food or drinks must not be served from this area. The public must be prevented from accessing any approved equipment located in this area (including the site controller) and must not be permitted to enter any coin change area.
- 2.4 Pool tables, bingo ticket machines, machines commonly known as “arcade amusement machines” and any gaming equipment which is not of a type approved by the Commission under the Act cannot be placed or operated within a restricted gaming area.
- 2.5 A restricted gaming area must contain the following number of analogue clocks.

Number of gaming machines in a restricted gaming area	Number of clocks required
1 – 20	1
21 – 40	2

- 2.6 Any clock in a restricted gaming area must have a diameter of not less than 30 centimetres, with clearly displayed numbers, in good working order and set to, or within, 10 minutes of the correct time. Any clock located in a restricted gaming area must be clearly visible to patrons participating in gambling.
- 2.7 A restricted gaming area must have sufficient lighting to enable clocks and signs to be easily read and the faces of people within the area to be easily identified. Where possible, this is to be achieved by maintaining or utilising natural light as a source of lighting.

- 2.8 Food or alcohol must not be served to patrons while they are playing on, or sitting at, a gaming machine in a restricted gaming area between the hours of 6pm and the close of business each day.

3 KENO AREA

- 3.1 Keno must not be operated in an area that is used primarily for liquor off-sales in connection with the licensed premises.
- 3.2 An analogue clock with a diameter of not less than 30 centimetres, with clearly displayed numbers, in good working order and set to, or within, 10 minutes of the correct time must be located in any area where a keno terminal is operated outside of the restricted gaming area. Any clock located in these areas must be clearly visible to patrons participating in gambling.

4 DURATION OF HOURS OF GAMING

- 4.1 Gaming can only be conducted at the licensed premises within the hours of operation specified in the liquor licence or permit issued under the *Liquor Licensing Act 1990*.
- 4.2 Gaming facilities can only be operated at the licensed premises for a maximum of 20 hours within any 24-hour period. There must be at least four continuous hours each day when gaming machines and/or keno are not operating.

5 PATRONS

- 5.1 Any patron who appears to be intoxicated or has been refused the service of alcohol must not be permitted to participate in keno or gaming machine gaming.
- 5.2 No minor (whether employed by a LPG operator or working at a licensed premises) can take part in the conduct of gaming or enter a restricted gaming area.
- 5.3 No fee of any kind (direct or indirect) can be charged for entry into a restricted gaming area.

6 COMPLIANCE WITH THE VENUE OPERATING PROCEDURES

- 6.1 The procedures found in the document titled *Venue Operating Procedures – Gaming Machines and Keno* (as approved by the Commission from time to time) must be adhered to at all times. This document must be physically located on any premises where gaming occurs.
- 6.2 Any matters concerning non-compliance with any requirements of the Act or any licence, code, directions or rules made under the Act must be reported to the Commission within 24 hours of being identified.

7 STAFF

- 7.1 All staff performing the duties of a special employee in the licensed premises must have a Special Employee Licence that is current and appropriate for the duties that the employee is required to undertake.
- 7.2 At least one special employee who holds a certificate of competence as a Gaming Machine Supervisor must be on duty and present at the licensed premises at all times that gaming machine operations are conducted.

- 7.3 At least one special employee who holds a certificate of competence as a Senior Writer must be on duty and present at the licensed premises at all times that keno operations are conducted.
- 7.4 An LPG operator must ensure that all special employees who are employed or working in the licensed premises, whether for remuneration or reward or not, have completed the Responsible Conduct of Gambling (RCG) training course within 90 days of being licensed as a special employee.
- 7.5 An LPG operator must ensure that all special employees who are employed or working in the licensed premises, whether for remuneration or reward or not, undertakes a RCG Course at least every five years from the date they received their most recent RCG qualification.
- 7.6 An LPG operator must ensure that at least one person, who has completed either the RCG training course (version 2) along with the RCG 2012 Update or the RCG training course (version 3), is on duty in each restricted gaming area where gaming machines operate.
- 7.7 An LPG operator must maintain a register of all special employees employed by the LPG operator, detailing the most recent RCG training completed, along with a copy of the most recent RCG certificate, and produce these records to the Commission or Liquor and Gaming Inspectors when requested.
- 7.8 An LPG operator must ensure that a person who is employed or working in the licensed premises, whether for remuneration or reward or not, complies with these Rules, the conditions of their Special Employee Licence (if applicable), the conditions of the LPG Licence and the Act.

8 PROVISION OF CASH TO PATRONS

- 8.1 An LPG operator must not provide, authorise or permit anyone to provide, for use in or on the licensed premises or in any adjoining premises which are owned, operated, occupied, leased or otherwise controlled by the LPG operator, an automatic teller machine or other device (with the exception of an electronic funds transfer point of sale (EFTPOS) terminal) that can be used to provide access to cash from a patron's credit or debit card account.
- 8.2 EFTPOS terminals must not be accessible within a restricted gaming area or located in a coin change area, unless otherwise approved by the Commission.
- 8.3 EFTPOS transactions must not be used for the provision of cash from credit accounts.
- 8.4 No more than one EFTPOS transaction is permitted to be provided to each patron, each day, for gambling purposes and any EFTPOS transaction that is provided for gambling purposes must not exceed \$200 in value.
- 8.5 If a subsequent EFTPOS cash transaction is provided in good faith for non gambling purposes and the patron then uses the cash for gambling, staff must ensure that the patron leaves the restricted gaming area immediately and does not bet on keno or return to the restricted gaming area during the same day.
- 8.6 Cash provided as part of an EFTPOS transaction for gambling purposes must, as far as possible, be provided as notes, not coins.

- 8.7 Staff must take all reasonable steps to observe the gambling behaviour of their patrons and must not provide funds to a patron requesting any EFTPOS transaction for gambling purposes if that patron appears to be experiencing difficulties controlling his or her gambling.
- 8.8 An LPG operator, or its staff, must not cash more than one cheque per patron per day for gambling purposes and any cheque cashed must not exceed \$200 in value.
- 8.9 The name of any patron wishing to complete a cheque cashing transaction for gambling purposes must be checked against the Tasmanian Gambling Exclusion Scheme (TGES) database prior to the transaction being completed.
- 8.10 Cheque cashing transactions for gambling purposes must not be completed for any patron who is excluded under the TGES. Staff must ensure that any patron excluded under the TGES who is attempting to cash a cheque for gambling purposes, leaves the venue or restricted gaming area immediately (in accordance with their exclusion requirements).

9 PAYMENT OF WINNINGS

For the purposes of these Rules, winnings from gaming machines and keno are defined as any individual gaming machine payout that requires a hand-pay voucher or the payout value of any individual keno ticket.

- 9.1 Payouts to patrons from any individual gaming machine or keno ticket must not exceed \$1 000 cash. Where any required payout exceeds \$1 000, the amount of the payout that is above \$1 000 must be paid by cheque.
- 9.2 Patrons must be provided with the opportunity for any payout from gaming machines or keno in excess of \$300 to be paid by cheque.
- Venues have up to 24 hours to provide any cheque for payouts, except in the case of weekends or public holidays, where payment may be made by the next business day.*
- 9.3 All cheques provided to patrons for payouts from gaming machine or keno gaming must have the words “Gaming Machine Payout” or “Keno Payout” written on the front of the cheque.
- 9.4 The details of any patron requiring a cheque for a payout must be checked against the TGES database prior to being issued. Any patron identified as being excluded under the TGES must be paid their payout and then be required to leave the venue or restricted gaming area immediately (in accordance with their exclusion requirements).
- 9.5 Any cheque issued for a payout, regardless of which venue it has been issued from, must not be cashed on the same trading day that the cheque was issued.

10 INDUCEMENTS, PROMOTIONS & PRIZES

For the purposes of these Rules, an inducement includes a voucher, ticket, token or any other form of reward which can be exchanged or used for gambling purposes.

- 10.1 An LPG operator must not enter into any incentive based sponsorship arrangement where the level of sponsorship to be provided is linked to the use of gambling products at the licensed premises.

- 10.2 Patrons must not be offered or allowed to use any inducement greater than \$10 for gambling purposes or offered multiple vouchers for gambling at the same time where the combined value would exceed \$10.
- 10.3 Any inducement, regardless of the amount that it is issued for, must be redeemable for services other than just gambling, for example accommodation, dining, entertainment.
- 10.4 Any inducement offered, other than one for a specific event, must be valid for a minimum of 30 days.
- 10.5 Patrons must not be offered the supply of free or discounted alcohol for consumption on the premises (including vouchers for the purchase of alcohol) as an inducement or reward for gambling, unless the alcohol is provided with food at a location outside of a restricted gaming area.
- 10.6 Patrons must not be required to gamble in excess of \$10 for a specific period of time in order to receive an inducement, obtain a prize or be eligible to enter a specific prize draw.
- 10.7 Patrons must not be required to be at a draw, or on the premises at the time of a prize draw, in order to be eligible to win any individual prize that is greater than \$1 000 in value.

II PLAYER LOYALTY PROGRAMS

For the purpose of these Rules, a player loyalty program (PLP) is a formal arrangement which includes any club, membership or program that provides rewards to patrons for participating in gambling at the premises.

- 11.1 An LPG operator must ensure that any PLP which operates at the premises complies with the following:
 - a) Patrons must be provided with detailed information about the operation of any PLP at the time of joining the PLP, including but not limited to terms and conditions, points accrual details and rewards.
 - b) Patrons must have the ability to opt out of being a “member” of a PLP at any time and must be notified in writing at least once each year of their right to cease participation in the PLP.
 - c) PLP members must be provided with a player activity statement annually, where points, or the equivalent, are accrued as a result of the patron gambling.
 - d) PLP player activity statements must clearly identify and differentiate points that have been accrued from gambling and non-gambling activities. Player activity statements must show the amount, in dollars, of any expenditure on gambling during the statement period.
 - e) PLP members must be sent self exclusion and responsible gambling information that incorporates the name and telephone number for the Gambling Helpline at least once each year.
 - f) PLP members must be able to access any information that the PLP operator holds about them.
 - g) All information held about a PLP and its members must be made available to the Commission upon request.

- h) PLP points accumulation must not result exclusively from gambling activities where other activities, such as accommodation or dining, are available under the PLP.
- i) The accumulation rate of PLP points as a result of gambling and any benefits offered by a PLP must be the same for all PLP members and must not vary.
- j) Responsible gambling messages that incorporate the name and telephone number for the Gambling Helpline must be incorporated and prominently displayed in PLP documentation.
- k) PLPs operating at the premises must not be offered to minors or excluded persons and must not offend prevailing community standards.
- l) PLP members must not be offered rewards greater than \$10 which can be used for gambling purposes.

12 INFORMATION TO PLAYERS

An LPG operator must ensure that the following signs, brochures, stickers or information is affixed or placed as required.

- 12.1 Sign ORS02 “Minors Warning (Entrance)” must at all times be clearly displayed at every entrance to a restricted gaming area.
- 12.2 Sign ORS03 “Minors Warning” must at all times be clearly displayed at the location of each keno terminal.
- 12.3 Sign ORS04 “EFTPOS” must at all times be clearly displayed at the location of all EFTPOS terminals on the licensed premises which provide a “cash out” facility.
- 12.4 Sign ORS05 “Payment of Winnings” must at all times be clearly displayed at every keno terminal and coin change area.
- 12.5 Sign ORS06 “No Credit” must at all times be clearly displayed at every keno terminal and coin change area.
- 12.6 Sign ORS07 “No Tipping” must at all times be clearly displayed at every keno terminal and coin change area.
- 12.7 Poster ORP01 “Gamblers Help” must be displayed throughout the venue as instructed by the Commission from time to time.
- 12.8 Contact Card ORC01 “Gamblers Help” must be displayed throughout the venue in prominent positions and discreet locations, including toilets and gambling areas or as instructed by the Commission from time to time.
- 12.9 Brochure ORB01 “Gambling Regulations” must be available to patrons at all times and supplies of the brochure must be located in prominent positions wherever keno or gaming machine gaming occurs.
- 12.10 Brochure ORB02 “Low Risk Gambling” must be available to patrons at all times and supplies of the brochure must be located in prominent positions wherever keno or gaming machine gaming occurs.

- 12.11 Brochure ORB03 “Need to Take a Break from Gambling” must be available to patrons at all times and supplies of the brochure must be located in prominent positions wherever keno or gaming machine gaming occurs.
- 12.12 Brochure ORB04 “Gaming Machines – Chances of Winning” must be available to patrons at all times and supplies of the brochure must be located in prominent positions wherever gaming machine gaming occurs.
- 12.13 Brochure ORB05 “Keno – Chances of Winning” must be available to patrons at all times and supplies of the brochure must be located in prominent positions wherever keno gaming occurs.
- 12.14 Brochure ORB09 “Complaints” must be available to patrons at all times and supplies of the brochure must be located in prominent positions wherever keno or gaming machine gaming occurs.
- 12.15 Sticker ORM01 or ORM02 “Minors Warning (Gaming Machines)” must at all times be displayed in a prominent location on the front of every gaming machine.
- 12.16 Any other sign, brochure, sticker or information as required from time to time by written notice from the Commission.

13 ADVERTISING

- 13.1 All advertising of gambling products by LPG operators must:
- a) Comply with the ‘Code of Ethics’ adopted by the Australian Association of National Advertisers.
 - b) Be socially responsible and consistent with the expectation that gambling will be conducted responsibly so as to minimise harm.
 - c) Not be offensive or indecent in nature, and not offend prevailing community standards.
 - d) Not be false, misleading or deceptive, including not misrepresenting the odds, the probability of winning a prize, or the prizes that can be won.
 - e) Not give the impression that gambling is a reasonable strategy for financial betterment or enhancing social situation.
 - f) Not challenge or dare a person to play.
 - g) Not suggest that skill can influence games that are games of chance.
 - h) Not encourage or target people under 18 years of age to gamble.
 - i) Not show or promote the consumption of alcohol while engaged in the activity of gambling. Any gambling advertising that shows the incidental consumption of alcohol in a gambling venue must reflect responsible customary behaviour and must be accompanied by a message which highlights the dangers of gambling whilst intoxicated.

This does not apply to advertising that shows celebrating a win in a responsible manner outside of a gambling venue.

- j) Not show people who are under 25 years of age in gambling advertising unless:
- their appearance is incidental as part of a natural situation; and
 - they are not located in a gambling venue; and
 - there is no implication that the person will participate in gambling.
- This does not apply to a person engaged to advertise or promote gambling as part of a sponsorship agreement, however the person must be over 18 years of age and must not be shown participating in gambling.*
- k) Not be directed at vulnerable or disadvantaged groups, where people may not have a capacity to fully understand the information, such as refugees or people with intellectual disabilities.
- l) Not procure, incite or encourage a person to commit an offence.
- m) Include responsible gambling messages in all media (including internet) advertising that incorporates the name and telephone number for the Gambling Helpline, to a size and form which meets the requirements of the *Tasmanian Gaming Commission Gambling Product Advertising Standards* document.
- n) Not be directed at, or provided to, excluded persons.
- o) Not involve irresponsible trading practices.
- p) Not violate the confidentiality of information relating to, or the privacy of, players without the consent of the player.
- q) Not occur on television and/or radio between:
- 6:00am - 8:30am and 4:00pm - 7:00pm weekdays; and
 - 6:00am - 8:30am and 4:00pm - 7:30pm on weekends.
- The following forms of advertising are exempt from the above periods:*
- advertising during a racing or sports broadcast; and
 - advertising that focuses specifically on entertainment or dining facilities and does not depict or refer to gambling in any way.
- r) Sounds associated with gaming machine operation must not be included in any television or radio advertising.

14 SURVEILLANCE

- 14.1 An LPG operator must ensure that a surveillance system is operating at the licensed premises at all times that gaming is conducted and that the system meets the Commission's *Technical Standards for Recorded Surveillance in Gaming Premises*. An LPG operator must comply with any requirement listed in the standards.

DATED this 1st day of April 2014.

A handwritten signature in black ink, appearing to read 'P Hout', written in a cursive style.

P Hout
Chairman
TASMANIAN GAMING COMMISSION

Tasmanian Gaming Commission

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