

Licensee Bulletin

Amendments to the *Gaming Machines Act 1992* and the *Casino Act 1997*

Licensees would be aware that gambling reforms that took effect from 1 January 2014, changed the way that automated table games, gaming machines and games under both the *Casino Act 1997* (the Casino Act) and the *Gaming Machines Act 1992* (the GM Act) are approved, and introduced new requirements for gaming machines regarding on-screen messaging capability.

Five year game approvals - Games due to expire on 31 December 2018

Since 1 January 2014, new games have been approved for a limited period of five years, after which they are no longer able to be operated. However, upon application, the Commissioner may extend the approval for a further period of up to five years.

Games that were approved immediately before 1 January 2014, were from that date, taken to be approved for a period of five years. Unless the approval period of those games is extended, their approval period will expire on 31 December 2018, meaning that they will not be able to be operated.

The Commissioner has approved a joint application made by the Australian Hotels Association SA (AHA SA), Clubs SA and the Adelaide Casino under section 40A(9) of the Casino Act and section 40(6) of the GM Act, requesting an extension of the approval period for games that were as part of the gambling reforms, taken to be approved for five years from 1 January 2014.

Notwithstanding the current requirement under both the Casino Act and the GM Act that in order for games to be approved they must meet the *Australian and New Zealand Gaming Machine National Standard version 10.0* (or any subsequent version), games taken to be approved for five years from 1 January 2014 were not required to comply with this requirement. While the extension of the approval period for these games includes games that do not meet the current standard, the Commissioner is satisfied that the technological limitations of such games does not in this instance, pose any greater risk to players from a responsible gambling and harm minimisation perspective.

Licensees are reminded, however, that moving forward, all new games will be required to comply with the current version of the Gaming Machine National Standard.

On-screen messaging capability

From 31 December 2018, all gaming machines must be capable of displaying on-screen messages.

For the purposes of compliance with this requirement, industry may wish to consider the use of third party equipment together with the gaming machine, to enable the delivery of on-screen messaging.



Consumer and Business Services (CBS) is open to discussions with industry regarding the available options and type of equipment that would satisfy the requirements to ensure that licensees are compliant by 31 December 2018.

The Commissioner has had initial discussions with the AHA SA, Clubs SA and the Adelaide Casino in relation to this and licensees with questions regarding on-screen messaging capability may wish to contact their relevant industry representative body or CBS for further information.

Incorrect information on Barring and Online Employee Notification System (BOEN)

In mid-2014, licensees began using the BOEN system to notify the Commissioner of the appointment of gaming managers and gaming employees.

Since the notification system began, CBS and the Independent Gambling Authority (the Authority) have been reviewing notifications on the BOEN system and have noticed that some gaming managers and/or gaming employees have listed their residential address as the address of the gaming venue. This makes it difficult for South Australia Police to undertake integrity checks on the person being appointed as a gaming manager and/or gaming employee.

While some gaming managers and gaming employees may reside at the premises, on most occasions that would not be the case.

Inspectors have also noted that some gaming managers and/or gaming employees have not had their 'Employee Declarations and Consents' form uploaded onto the BOEN system.

In December 2016, Licensees were asked to review the information provided on the 'Employee Declarations and Consents' form. Since that time, there has only been a small improvement in relation to the necessary information being available on the BOEN system.

Licensees are reminded that the Commissioner has determined that the recording of the initial appointment of each gaming manager and gaming employee will be satisfied by a licensee uploading a copy of the Employee Declaration and Consent Form to the BOEN system.

Licensees are again asked to review the information provided and if a person has provided an incorrect residential address, they should complete a new 'Employee Declarations and Consent' form available at iga.sa.gov.au/boen and the BOEN system should be updated to reflect the correct information.

Acceptable Trade Promotion Lotteries

In addition to approvals required under the Lottery and Gaming Regulations 2008 (the Regulations), trade promotion lotteries conducted by licensed gaming operators must be approved under the Gambling Codes of Practice Notice 2013 as acceptable trade promotions.

The Authority previously issued these approvals but has now delegated this function to CBS to streamline the approval process.

A lottery is an acceptable trade promotion lottery if:

- it is an authorised lottery or an exempted lottery under the *Lottery and Gaming Act 1936*;
- it complies with the minor or major trade promotion lottery rules set out in the Regulations;
- its dominant purpose is to reward or retain existing patrons rather than to encourage patrons to gamble more than they would otherwise; and
- it has been approved by CBS as the Authority's delegate, subject to the assessment of the terms and conditions and the manner in which it will be advertised.

Applications for the approval of an acceptable trade promotion lottery can be made online at www.sa.gov.au/topics/business-and-trade/running-a-business/trade-promotions.

It should be noted that approval of an acceptable trade promotion lottery is a separate approval that is required by the Regulations.

A trade promotion lottery with a total prize value exceeding \$5,000 must be licensed.

Trade promotion lotteries with a prize value of up to \$5,000 do not require to be licensed under the Regulations, however, they must comply with the rules contained in Regulation 30.

Trade promotion lotteries that have instant prizes require a lottery licence regardless of prize value.

Licensed gaming operators include the SKYCITY casino, SA TAB, Lotteries Commission, bookmakers, authorised interstate betting operators, racing clubs with on-course totalisator betting licences and the holders of gaming machine licences.

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