

SOUTH AUSTRALIA

GAMBLING CODES OF PRACTICE (SELF-SERVICE TERMINALS) VARIATION NOTICE 2020

NOTES ON CLAUSES

On 26 March 2015, the Gambling Codes of Practice Notice 2013 (Principal Notice) was varied¹ to, *inter alia*, allow gambling providers (other than gaming providers) to provide its gambling products via self-service terminals, if the device is configured to allow the gambling product to be purchased using a customer's gambling account (with which pre-commitment is required to be available) or in the absence of that under approved enhanced responsible gambling measures.

The sorts of enhanced measures which can be used, either alone or in combination, are automated risk monitoring, card-based pre-commitment (assuming that a re-usable stored value card is used), additional training for cashiers on problem gambler identification and the provision of special messaging, either on the system or on associated collateral (such as the card itself).

The variation also made it clear that note acceptors cannot be installed on a self-service terminal.

In 2016, the Honourable Tim Anderson QC, conducted an independent review of the administrative arrangements for the regulation of commercial gambling in South Australia.

Mr Anderson's review resulted in the State Government committing to a broad review of all gambling regulations and laws which resulted in State Parliament passing legislation in December 2018 to significantly reform the regulation of gambling in South Australia.

Delivery of the reforms is occurring in stages to allow for operational changes and further consultation on different aspects of the changes.

Currently banknote acceptors are not permitted to be installed on gaming machines operating at the casino or in hotels and clubs.

The reforms have changed that so gaming machines will be able to be operated using banknotes as well as coin. Banknote denominations of up to \$50 will be allowed subject to a credit balance limit of \$100.

¹https://governmentgazette.sa.gov.au/sites/default/files/public/documents/gazette/2015/March/2015_019.pdf

This means that no additional banknotes will be able to be inserted into the gaming machine until the cash value of the credit balance on the gaming machine drops below \$100.

The regulation of banknote acceptors on gaming machines is set out in relevant legislation (*Casino Act 1997* and *Gaming Machines Act 1992*), while the regulation of self-service terminals for wagering and lotteries is set out in the Principal Notice.

Given that banknote acceptors will soon be allowed to be used on gaming machines at the casino and in hotels and clubs, it is considered that there are no good reasons for banknote acceptors not to be available on self-service terminals subject to some complementary responsible gambling measures such as monetary deposit limits and appropriate messaging.

It is proposed that if a self-service terminal is able to be operated by the insertion of cash, the following requirements will apply:

- the device must have a maximum cash deposit limit of \$100
- 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 a barred patron, is demonstrating difficulty controlling their gambling or is intoxicated
- the device must display the relevant expanded warning message on the screen at no more than 10 minute intervals
- the device must display the relevant expanded warning message alternating with the condensed warning message and the national gambling helpline number, at the bottom of the screen at all times, at no more than 10 minute intervals
- when the device's screen has been idle for a period of time, approved by the Commissioner, a message must be displayed including:
 - a statement that the device is restricted to people aged 18 and more (18+ only)
 - 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
- 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
- the device must be installed in line of sight of the gambling provider's staff
- there must be electronic surveillance of the device

- gambling provider's which install self-service terminals which can be operated by the insertion of cash must have enhanced training for their staff to ensure the use of the devices are adequately monitored and additional harm minimisation measures are understood and implemented as required.

Clause 1 sets out the title of the notice, its commencement and the statutory provisions which authorise it.

Sub-clause (1) provides for the citation.

Sub-clause (2) provides for commencement of the variations made by the notice.

Sub-clause (3) recites the authorising provisions.

Clause 2 sets out the purpose of the notice.

Clause 3 makes variations to the Principal Notice to achieve the purpose of this notice.

Sub-clause (1) removes the prohibition on self-service terminals which must not be operated by the insertion of cash subject to implementing certain additional harm minimisation measures.

Sub-clause (2) varies the training requirements for gambling providers which install self-service terminals, and are able to be operated by the insertion of cash, to include enhanced training materials for their staff to ensure the use of the devices are adequately monitored and additional harm minimisation measures are understood and implemented as required.

SOUTH AUSTRALIA

GR Notice No. 6 of 2020 Gambling Codes of Practice (Self-service terminals) Variation Notice 2020

By this notice, I, Dini Soulio, Liquor and Gambling Commissioner, vary the notice prescribing advertising and responsible gambling codes of practice, as follows:

1 Preliminary

- (1) This notice may be cited as the Gambling Codes of Practice (Self-service terminals) Variation Notice 2020.
- (2) This notice comes into operation on 6 August 2020.
- (3) This notice is authorised by-
 - (a) section 6A of the *Authorised Betting Operations Act 2000*, in particular section 6A(9);
 - (b) section 13B of the *State Lotteries Act 1966*, in particular section 13B(8).

2 Purpose

This notice varies the Gambling Codes of Practice Notice 2013¹ to remove the prohibition on self-service terminals which must not be operated by the insertion of cash subject to implementing additional harm minimisation

¹ GR Notice No. 8 of 2013, *South Australian Government Gazette*, 18 December 2013 (No. 81 of 2013), pages 4798–4844, varied by—Gambling Codes of Practice (In-Venue Messaging) Variation Notice 2014 (GR1/2014), 20 February 2014, *Gazette No. 14 of 2014*, pages 1014–1024; Gambling Codes of Practice (General) Variation Notice 2015 (GR6/2015), 26 March 2015, *Gazette No. 19 of 2015*, pages 1266–1271; Gambling Codes of Practice (Premium Gaming) Variation Notice 2015 (GR8/2015), 7 May 2015, *Gazette No. 28 of 2015*, pages 1665–1666; Gambling Codes of Practice (Predictive Monitoring) Variation Notice 2015 (GR12/2015), 30 July 2015, *Gazette No. 46 of 2015*, page 3586; Gambling Codes of Practice (Account Gambling) Variation Notice 2016 (GR1/2016), 18 February 2016, *Gazette No. 10 of 2016*, page 541–546; Gambling Codes of Practice (General) Variation Notice 2016 (GR4/2016), 9 June 2016, *Gazette No. 35 of 2016*, page 2049–2052; Gambling Codes of Practice (Tranche 1—South Australian variations for the National Consumer Protection Framework for Online Wagering in Australia) Variation Notice 2019 (GR5/2019), 23 May 2019 (No. 23 of 2019), pages 1303–1305; Gambling Codes of Practice (Complimentary gambling products—interactive wagering service providers) Variation Notice 2020 (GR5/2020), 9 July 2020 (No. 58 of 2020), page 3782.

measures and require gambling providers which install banknote acceptors on self-service terminals to have enhanced training materials for staff to ensure the use of the devices are adequately monitored and additional harm minimisation measures are understood and implemented as required.

3 Self-service terminals

(1) In clause 50A of the Gambling Codes of Practice Notice 2013, **delete** subclause (c) and **insert**—

“(c) if the device is able to be operated by the insertion of cash—

- (i) the device must have a maximum cash deposit limit of \$100; and
- (ii) 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
- (iii) the device must display the relevant expanded warning message on the screen at no more than 10 minute intervals; and
- (iv) 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
- (v) 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:
 - a. a statement that the device is restricted to people aged 18 and more (18+ only)
 - b. 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
- (vi) 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

- (vii) the device must be installed in line of sight of the gambling provider's staff; and
- (viii) there must be electronic surveillance of the device with recordings to be kept for a period of time approved by the Commissioner."

4 Training—Wagering and Lotteries

(1) In clause 73(1) of the Gambling Codes of Practice Notice 2013, **insert—**

- “(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.”