



New South Wales

Racing Administration Amendment (Responsible Gambling) Regulation 2001

under the

Racing Administration Act 1998

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Racing Administration Act 1998*.

J. RICHARD FACE, M.P.,

Minister for Gaming and Racing

Explanatory note

The object of this Regulation is:

- (a) to require the display of brochures approved by the Minister, that contain information about problem gambling, at racecourses where betting is conducted, and
- (b) to enable a person to request at those racecourses a copy of such a brochure in a community language, and
- (c) to require notices containing information on problem gambling to be displayed at the main entrances to racecourses where betting is conducted and in places at those racecourses at which betting is conducted, and
- (d) to prevent certain types of inducements being offered to participate in racecourse betting, and
- (e) to place restrictions on the way in which racecourse betting can be advertised and to require problem gambling information to be included in such advertising.

This Regulation is made under the *Racing Administration Act 1998*, including section 37 (the general regulation-making power).

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Racing Administration Amendment (Responsible Gambling) Regulation 2001

1 Name of Regulation

This Regulation is the *Racing Administration Amendment (Responsible Gambling) Regulation 2001*.

2 Commencement

This Regulation commences on 2 February 2001.

3 Amendment of Racing Administration Regulation 1999

The *Racing Administration Regulation 1999* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] **Part 1, heading**

Insert before clause 1:

Part 1 Preliminary

[2] **Part 2**

Insert after clause 4:

Part 2 Responsible gambling practices

Division 1 Problem gambling signage and information

4AA Definitions

In this Division:

problem gambling information means the G-line (NSW) toll-free help line phone number operated under contractual arrangements made by the Department of Gaming and Racing.

4AB Approval of gambling information brochures

- (1) The Minister may approve one or more pamphlets or brochures containing problem gambling information in the English language (a *problem gambling information brochure*).
- (2) A problem gambling information brochure must contain advice in the Arabic, Croatian, Chinese, Greek, Italian, Korean, Macedonian, Maltese, Serbian, Spanish, Turkish and Vietnamese languages that:
 - (a) indicates the substance of the information contained in English in the brochure, and

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- (b) advises that, on request, the information will be supplied in the relevant language by a non-proprietary association that conducts a race meeting at a licensed racecourse.
- (3) The Minister may approve one or more pamphlets or brochures containing problem gambling information in the Arabic, Croatian, Chinese, Greek, Italian, Korean, Macedonian, Maltese, Serbian, Spanish, Turkish and Vietnamese languages (a *community language problem gambling information brochure*).
- (4) The Minister may vary or withdraw any approval given under this clause.

4AC Provision of problem gambling information brochures

A non-proprietary association that conducts a race meeting at a licensed racecourse must ensure that:

- (a) copies of at least one type of problem gambling information brochure approved by the Minister under clause 4AB (1) are made available in each part of the racecourse on which betting is conducted, and
- (b) those copies are displayed in such a manner and in such a place that it would be reasonable to expect that a person in the part of the racecourse in which the brochures are displayed would be alerted to their presence.

Maximum penalty: 50 penalty units.

4AD Provision of community language problem gambling information brochures

- (1) A person may request a non-proprietary association that conducts a race meeting at a licensed racecourse to supply a community language problem gambling information brochure approved by the Minister under clause 4AB (3) in one of the languages specified in that subclause.

- (2) A non-proprietary association must supply a community language problem gambling information brochure in accordance with a request made under subclause (1) as soon as practicable after being requested to do so.

Maximum penalty (subclause (2)): 50 penalty units.

4AE Counselling signage—notice to be displayed

- (1) A non-proprietary association that conducts a race meeting at a licensed racecourse must ensure that:
- (a) a notice that complies with this clause is displayed in the vicinity of the main entrance to the racecourse and in each part of the racecourse on which betting is conducted, and
 - (b) each such notice is displayed in such a manner that it would be reasonable to expect that a person in the part of the premises in relation to which the notice is displayed would be alerted to its contents.

Maximum penalty: 50 penalty units.

- (2) The notice must contain the following:

Is gambling a problem for you?

CALL G-line (NSW)

A confidential, anonymous & free counselling service

FREE CALL 1800 633 635

- (3) The notice must be at least 42 centimetres by 29.5 centimetres in size, and the matter contained in the notice must be in letters and figures of not less than 0.6 centimetres in height.

4AF ATM and EFT signage

- (1) A non-proprietary association that conducts a race meeting at a licensed racecourse must ensure that a notice that complies with this clause is displayed in accordance with this clause in a prominent position on or adjacent to each automatic teller machine (ATM) and electronic funds transfer facility (EFT) located at the racecourse.

Maximum penalty: 50 penalty units.

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- (2) The notice must contain the following:
Is gambling a problem for you?
CALL G-line (NSW)
A confidential, anonymous & free counselling service
FREE CALL 1800 633 635
- (3) The matter contained in the notice must be in letters and figures of not less than 0.2 centimetres in height.
- (4) The notice may consist of a permanently visible light emitting display that forms part of the machine or facility.
- (5) A notice under this clause may contain a statement in the form of a warning as to the possible effects of excessive or problem gambling.

Division 2 Gambling advertising and inducements

4AG Definitions

In this Division:

gambling advertising means advertising that gives publicity to, or otherwise promotes or is intended to promote, participation in gambling activities.

publish includes disseminate in any way, whether by oral, visual, written or other means (for example, dissemination by means of cinema, video, radio, electronics, television or the Internet or other on-line communication system).

4AH Prohibitions on gambling-related advertising

- (1) A non-proprietary association or licensed bookmaker, or an employee or agent of a non-proprietary association or licensed bookmaker, must not publish, or cause to be published, any gambling advertising:
 - (a) that encourages a breach of the law, or
 - (b) that depicts children gambling, or
 - (c) that is false, misleading or deceptive, or
 - (d) that suggests that winning will be a definite outcome of participating in gambling activities, or

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- (e) that suggests that participation in gambling activities is likely to improve a person's financial prospects, or
 - (f) that promotes the consumption of alcohol while engaging in gambling activities, or
 - (g) that is not conducted in accordance with decency, dignity and good taste and in accordance with the Commercial Television Industry Code of Practice as in force at the time the gambling advertising is published.

Maximum penalty: 50 penalty units.

- (2) Any gambling advertising in writing published, or caused to be published, after the commencement of this clause in a newspaper, magazine, poster or other printed form by a non-proprietary association or licensed bookmaker, or an employee or agent of a non-proprietary association or licensed bookmaker, must contain the following statement in capital letters:

IS GAMBLING A PROBLEM FOR YOU?

G-LINE (NSW) IS A CONFIDENTIAL, ANONYMOUS
AND FREE COUNSELLING SERVICE

FREE CALL 1800 633 635.

Maximum penalty: 50 penalty units.

- (3) A person other than a non-proprietary association or licensed bookmaker, or an employee or agent of a non-proprietary association or licensed bookmaker, must not publish any advertising that does any of the things referred to in subclause (1) (a)–(g) after the commencement of this clause.

Maximum penalty: 50 penalty units.

- (4) Subclause (3) does not apply if the advertising relates to a non-proprietary association or licensed bookmaker and the publication of the advertising was approved in writing by the non-proprietary association or licensed bookmaker or an employee or agent of the non-proprietary association or licensed bookmaker.
- (5) This clause does not apply to the publication of any gambling advertising under a contract or arrangement entered into before the commencement of this clause.

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- (6) A non-proprietary association or licensed bookmaker, or an employee or agent of a non-proprietary association or licensed bookmaker, must not after the commencement of this clause enter into or extend the duration of any contract or arrangement for the publication of gambling advertising that does not comply with this clause.

Maximum penalty (subclause (6)): 50 penalty units.

4AI Gambling inducements

A non-proprietary association or licensed bookmaker, or an employee or agent of a non-proprietary association or licensed bookmaker, must not offer or supply any free or discounted liquor as an inducement to participate, or to participate frequently, in any gambling activity conducted at a racecourse.

Maximum penalty: 50 penalty units.

[3] Part 3, heading

Insert before clause 4A:

Part 3 Miscellaneous

BY AUTHORITY