



New South Wales

Totalizator Amendment (Responsible Gambling) Regulation 2001

under the

Totalizator Act 1997

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Totalizator Act 1997*.

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

This Regulation is made under the *Totalizator Act 1997*, including sections 117 (the general regulation-making power) and 117A.

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Clause 1 Totalizator Amendment (Responsible Gambling) Regulation 2001

**Totalizator Amendment (Responsible Gambling)
Regulation 2001**

1 Name of Regulation

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

2 Commencement

This Regulation commences on 2 February 2001.

3 Amendment of Totalizator Regulation 1998

The *Totalizator Regulation 1998* 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, heading

Insert after clause 3:

Part 2 Relevant interests in shares

[3] Part 3

Insert after clause 4A:

Part 3 Responsible gambling practices

Division 1 Problem gambling signage and information

4B 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.

4C 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*).

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- (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
 - (b) advises that the information will be supplied by the licensee in the relevant language on request.
- (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.

4D Provision of problem gambling information brochures

A licensee must ensure that:

- (a) copies of at least one type of problem gambling information brochure approved by the Minister under clause 4C (1) are made available in each part of the premises on which totalizator betting is being conducted under the licence, 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 premises in which the brochures are displayed would be alerted to their presence.

Maximum penalty: 50 penalty units.

4E Provision of community language problem gambling information brochures

- (1) A person may request a licensee to supply a community language problem gambling information brochure approved by the Minister under clause 4C (3) in one of the languages specified in that subclause.

- (2) A licensee 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.

4F Counselling signage—notice to be displayed

- (1) A licensee that conducts totalizator betting on any premises must ensure that:
 - (a) a notice that complies with this clause is displayed in each part of the premises in which the totalizator 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.

4G ATM and EFT signage

- (1) A licensee 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 on the premises on which totalizator betting is being conducted under the licence:

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

4H 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 communications system).

4I Prohibitions on gambling-related advertising

- (1) A licensee, or an employee or agent of a licensee, 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
 - (e) that suggests that participation in gambling activities is likely to improve a person's financial prospects, or

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- (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 licensee, or an employee or agent of a licensee, 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 licensee, or an employee or agent of a licensee, 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 licensee and the publication of the advertising was approved in writing by the licensee or an employee or agent of the licensee.
- (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.
- (6) A licensee, or an employee or agent of a licensee, 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.

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Schedule 1 Amendments

4J Gambling inducements

A licensee, or an employee or agent of a licensee, must not offer or supply any free or discounted liquor as an inducement to participate, or to participate frequently, in any totalizator betting.

Maximum penalty: 50 penalty units.

[4] Part 4, heading

Insert before clause 5:

Part 4 Miscellaneous

BY AUTHORITY