



New South Wales

Totalizator Amendment (Gambling Signage) Regulation 2001

under the

Totalizator Act 1997

Her 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 objects of this Regulation are:

- (a) to amend the signage and advertising requirements regarding the G-line counselling service in the *Totalizator Regulation 1998*, and
- (b) to require totalizator entry forms and betting tickets to contain certain information in relation to problem gambling.

The Regulation also contains amendments by way of law revision.

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

2001 No 884

Clause 1 Totalizator Amendment (Gambling Signage) Regulation 2001

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

1 Name of Regulation

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

2 Commencement

This Regulation commences on 9 November 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] Clause 4B Definitions

Omit “toll-free” from the definition of *problem gambling information*.

[2] Clause 4EA

Insert after clause 4E:

4EA Gambling information and warnings

- (1) On and after 1 May 2002, a licensee must ensure that each printed entry form (however described) and betting ticket in a totalizator conducted by the licensee contains the following:

Is gambling a problem for you?
CALL G-line (NSW)
counselling service
1800 633 635

Maximum penalty: 50 penalty units.

- (2) Subclause (1) does not apply to any printed entry form or betting ticket supplied to the licensee concerned under a contract or arrangement entered into before 1 May 2002.
- (3) A licensee or agent of a licensee must not, on or after 1 May 2002, extend the duration of any contract or arrangement entered into before that date for the supply of entry forms or betting tickets that do not contain the matter required by subclause (1).

Maximum penalty (subclause (3)): 50 penalty units.

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Schedule 1 Amendments

[3] Clauses 4F and 4G

Omit the clauses. Insert instead:

4F Counselling signage—notice to be displayed

- (1) A licensee must:
 - (a) display a notice that complies with this clause in each part of the premises in which totalizator betting is conducted by the licensee, and
 - (b) display the notice in such a manner and in such a place that it would be reasonable to expect that a person using 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)
counselling service
1800 633 635
- (3) Subclause (2) does not prevent a notice under this clause containing other information.
- (4) 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 display a notice 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.

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

[4] Part 3, Division 2, heading

Omit “**Gambling**”. Insert instead “**Totalizator**”.

[5] Clause 4H

Omit the clause. Insert instead:

4H Definitions

In this Division:

publish includes disseminate in any way, whether by oral, visual, written, electronic or other means (for example, disseminate by means of cinema, video, radio, television or the Internet).

totalizator advertising means advertising that is directly related to the conduct of a totalizator.

[6] Clause 4I Prohibitions on totalizator advertising

Omit clause 4I (1)–(4). Insert instead:

- (1) The requirements of subclauses (2), (3) and (4) are prescribed as requirements for the purposes of section 80 (1) of the Act.

Note. Section 80 (1) of the Act makes it an offence for a licensee or other person to publish, or cause to be published, any totalizator advertising that is in contravention of a requirement of the regulations or the rules. The maximum penalty for the offence is 50 penalty units.

- (2) A licensee, or an employee or agent of a licensee, must not publish, or cause to be published, any totalizator advertising that:

- (a) encourages a breach of the law, or
- (b) depicts children gambling, or
- (c) that is false, misleading or deceptive, or
- (d) suggests that winning will be a definite outcome of participating in gambling activities, or
- (e) suggests that participation in gambling activities is likely to improve a person's financial prospects, or
- (f) promotes the consumption of alcohol while engaging in gambling activities, or
- (g) 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 totalizator advertising is published.

- (3) A licensee, or an employee or agent of a licensee, is not to publish, or cause to be published, any totalizator advertising in writing in a newspaper, magazine, poster or other printed form that does not contain the following in capital letters:

IS GAMBLING A PROBLEM FOR YOU?
G-LINE (NSW) IS A COUNSELLING SERVICE
CALL 1800 633 635

- (4) A person other than a licensee, or an employee or agent of a licensee, must not publish any totalizator advertising that does any of the things referred to in subclause (2) (a)–(g).

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Amendments

Schedule 1

(4A) Subclause (4) does not apply if the licensee conducting the totalizator to which the advertising relates, or an employee or agent of the licensee, approved in writing of the publication of the advertising.

[7] Clause 4I (5) and (6)

Omit “gambling” wherever occurring. Insert instead “totalizator”.