



New South Wales

Casino Control Amendment (Responsible Gambling Practices) Regulation 2002

under the

Casino Control Act 1992

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Casino Control Act 1992*.

J. RICHARD FACE, M.P.,

Minister for Gaming and Racing

Explanatory note

The objects of this Regulation are as follows:

- (a) to specify certain requirements in relation to player activity statements provided to participants in a player reward scheme conducted by a casino operator,
- (b) to prescribe certain matters with respect to the provision of problem gambling counselling services to casino patrons,
- (c) to provide that certain offences under the *Casino Control Regulation 2001*, including offences relating to the display of gaming machine signage, may be dealt with by way of penalty notice,
- (d) to make a number of other amendments to the *Casino Control Regulation 2001* that are of a minor or consequential nature.

This Regulation is made under the *Casino Control Act 1992*, including sections 72A, 76A and 170 (the general regulation-making power).

2002 No 190

Clause 1 Casino Control Amendment (Responsible Gambling Practices)
Regulation 2002

Casino Control Amendment (Responsible Gambling Practices) Regulation 2002

1 Name of Regulation

This Regulation is the *Casino Control Amendment (Responsible Gambling Practices) Regulation 2002*.

2 Commencement

This Regulation commences on 2 April 2002.

3 Amendment of Casino Control Regulation 2001

The *Casino Control Regulation 2001* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clause 23 Gambling inducements

Insert “similar” after “other” in clause 23 (b).

[2] Clauses 32A and 32B

Insert after clause 32:

32A Provision of player activity statements under player reward schemes

- (1) This clause commences on 2 October 2002.
- (2) Player activity statements are required to be provided by a casino operator under section 76A (4) of the Act only if the player reward scheme being conducted by the casino operator is one in which a participant’s activity in relation to playing gaming machines is recorded by electronic means.
- (3) A casino operator must comply with the requirements of this clause.
Maximum penalty: 100 penalty units.
- (4) Player activity statements relating to the playing of gaming machines by the participants in a player reward scheme conducted by a casino operator must:
 - (a) be made available, on request by the participant to whom any such statement relates, on a monthly basis, and
 - (b) include, as a minimum, the information referred to in subclause (5).
- (5) The following information, provided in the form approved by the Authority, is the minimum information that must be included in a participant’s player activity statement:
 - (a) the total amount of turnover by the participant during the monthly period covered by the statement,
 - (b) the total wins recorded during the period,

2002 No 190

Casino Control Amendment (Responsible Gambling Practices) Regulation 2002

Schedule 1 Amendments

- (c) the net expenditure (ie turnover less wins) during the period,
 - (d) the total points earned and redeemed during the period as the result of playing gaming machines under the scheme,
 - (e) the total length of time over each 24-hour period during the monthly period when the participant's player card was inserted in gaming machines under the scheme (*the daily record*),
 - (f) the total length of time that the participant's player card was inserted in gaming machines under the scheme during the monthly period.
- (6) The daily record is required to be included in the player activity statement only in respect of those days that the participant's player card was used.
- (7) A player activity statement is to also include a note stating that the information detailed in the statement:
- (a) only relates to the occasions on which the participant used his or her player card under the player reward scheme to play a gaming machine, and
 - (b) does not necessarily relate to all of the participant's gaming machine activity during the monthly period.
- (8) Information to the effect that player activity statements are available on request must:
- (a) be given to each participant at the time the participant joins the player reward scheme conducted by the casino operator, and
 - (b) be included in any promotional material relating to the player reward scheme.
- (9) A player activity statement must include the G-line information referred to in clause 33 (2).

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- (10) Player activity statements must be provided free of charge by the casino operator. However, if a participant requests a subsequent player activity statement to be provided in respect of a monthly period, the casino operator may charge for providing the subsequent statement in accordance with the scale of charges approved by the Authority.
- (11) A casino operator must keep a record or copy of each player activity statement provided by the casino operator under section 76A (4) of the Act for such period as is determined by the Authority.

32B Disclosure of information in player activity statements

- (1) This clause applies in relation to a player activity statement that relates to the playing of gaming machines under a player reward scheme (within the meaning of section 76A of the Act) conducted by a casino operator regardless of whether the statement is provided under section 76A (4) of the Act.
- (2) A casino operator must not disclose any information contained in a player activity statement to any person unless that person:
- (a) is the person to whom the information relates, or
 - (b) is lawfully entitled to have access to the information.
- (3) A person who acquires information contained in a player activity statement provided by a casino operator must not disclose the information to any person unless the person disclosing the information:
- (a) is the person to whom the information relates, or
 - (b) is authorised or required to do so by law.

Maximum penalty: 100 penalty units.

[3] Clause 33 Prohibitions on gambling-related advertising

Omit the definition of *casino advertising* from clause 33 (7). Insert instead:

casino advertising means advertising that is directly related to the operation of the casino, but does not include an advertisement relating to gaming machines within the meaning of section 70A of the Act.

2002 No 190

Casino Control Amendment (Responsible Gambling Practices) Regulation 2002

Schedule 1 Amendments

[4] Part 4, Division 4

Insert after Division 3 of Part 4:

Division 4 Problem gambling counselling services

34A Provision of problem gambling counselling services

- (1) This clause commences on 2 July 2002.
- (2) The classes of persons who are to provide problem gambling counselling services as referred to in section 72A of the Act include, but are not limited to, persons who are employed or engaged by any of the following bodies (referred to in this clause as *service providers*):
 - (a) BetSafe,
 - (b) any other body that receives funding from the Casino Community Benefit Fund for the specific purpose of providing gambling-related counselling or treatment services.
- (3) A casino operator is required to make available at all times to the patrons of the casino information as to the name and contact details of a problem gambling counselling service made available by a service provider.
- (4) A casino operator must also provide the information referred to in subclause (3):
 - (a) to each person who is the subject of an exclusion order given on the voluntary application of the person under section 79 (3) of the Act (such information being provided at the time the person becomes subject to the exclusion order or as soon as practicable after that time), and
 - (b) to any other person when requested to do so.
- (5) A casino operator must display a notice that complies with subclause (6) in any area of the casino in which gaming machines are located.

Maximum penalty: 50 penalty units.

(6) The notice must contain the following information:

- (a) the name and contact details of the problem gambling counselling service referred to in subclause (3),
- (b) a statement advising patrons that an exclusion order under section 79 of the Act may be made on the voluntary application of a person.

[5] Clause 40 Casino precinct

Omit clause 40 (1) (c). Insert instead:

- (c) Fortunes Buffet Restaurant.

[6] Clause 40 (2)

Omit “*Lifesavers*”. Insert instead “*Fortunes Buffet Restaurant*”.

[7] Schedule 6 Applied provisions of Liquor Act 1982 as modified

Insert “such a pinball machines” after “amusement devices” in section 23AD (6) (d).

[8] Schedule 8 Penalty notice offences

Omit the matter relating to clause 32 of the *Casino Control Regulation 2002* from Part 2.

Insert instead:

Clause 32 (1) (a)	Fail to notify person that request may be made for prize money to be paid by cheque	—	\$550
Clause 32 (1) (b)	Fail to pay prize money by cheque if requested	—	\$550
Clause 32A (3)	Fail to comply with player activity statement requirements	—	\$1,100
Clause 32B (2)	Disclose information in player activity statement (offence by casino operator)	—	\$1,100

2002 No 190

Casino Control Amendment (Responsible Gambling Practices) Regulation 2002

Schedule 1 Amendments

Clause 32B (3)	Disclose information in player activity statement (offence by other person)	—	\$1,100
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[9] Schedule 8, Part 2

Insert at the end of the Part:

Clause 33A (1)	Display/cause to be displayed gambling-related sign	—	\$1,100
Clause 33A (2)	Enter into/extend duration of contract/arrangement to display sign	—	\$1,100
Clause 34A (5)	Fail to display counselling services notice	—	\$550

[10] Schedule 8, Part 3

Omit the matter relating to section 114 (1) of the *Liquor Act 1982*.

Insert instead:

Section 114 (1)	Sell/supply liquor to minor	—	\$550	—
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BY AUTHORITY