



New South Wales

Totalizator Amendment (Gambling-related Notices and Information) Regulation 2009

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*.

KEVIN GREENE, MP
Minister for Gaming and Racing

Explanatory note

The object of this Regulation is to amend the *Totalizator Regulation 2005* so as to change the wording of:

- (a) gambling information brochures, and
- (b) gambling information and warning notices, and
- (c) counselling signage, and
- (d) gambling helpline information in totalizator advertising.

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

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1 Name of Regulation

This Regulation is the *Totalizator Amendment (Gambling-related Notices and Information) Regulation 2009*.

2 Commencement

This Regulation commences on 1 June 2009 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Totalizator Regulation 2005

[1] Clause 5 Definitions

Insert in alphabetical order in clause 5:

Authority means the Casino, Liquor and Gaming Control Authority constituted under the *Casino, Liquor and Gaming Control Authority Act 2007*.

[2] Clause 5, definition of “problem gambling information”

Omit “G-line (NSW) help line phone number operated under contractual arrangements made by the Department of Gaming and Racing”.

Insert instead “Gambling Help line phone number operated under contractual arrangements made by the NSW Office of Liquor, Gaming and Racing”.

[3] Clause 6 Approval of gambling information brochures

Omit “Minister” wherever occurring in clause 6 (1), (4) and (5).

Insert instead “Authority”.

[4] Clause 6 (2) and (4)

Omit “Arabic, Croatian, Chinese, Greek, Italian, Korean, Macedonian, Maltese, Serbian, Spanish, Turkish and Vietnamese” wherever occurring.

Insert instead “Arabic, Chinese, Korean, Turkish and Vietnamese”.

[5] Clause 7 Provision of problem gambling information brochures

Omit “Minister” from clause 7 (a). Insert instead “Authority”.

[6] Clause 7 (2) and (3)

Insert at the end of clause 7:

(2) The brochure must be in a form approved by the Authority and be obtained from the NSW Office of Liquor, Gaming and Racing.

(3) Despite subclause (1), a brochure that complied with this clause, as in force immediately before 1 June 2009, may continue to be used until the end of the period of 12 months from that date or until the date the brochure is replaced, whichever happens first.

[7] Clause 8 Provision of community language problem gambling information brochures

Omit “Minister” from clause 8 (1). Insert instead “Authority”.

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[8] Clause 8 (3) and (4)

Insert after clause 8 (2):

- (3) The brochure must be in a form approved by the Authority and be obtained from the NSW Office of Liquor, Gaming and Racing.
- (4) Despite subclause (2), a brochure that complied with this clause, as in force immediately before 1 June 2009, may continue to be used until the end of the period of 12 months from that date or until the date the brochure is replaced, whichever happens first.

[9] Clause 9

Omit the clause. Insert instead:

9 Gambling information and warnings

- (1) A licensee must ensure that each printed entry form (however described) and betting ticket in a totalizator conducted by the licensee contains the following:
Think! About your choices
Call Gambling Help
1800 858 858
www.gamblinghelp.nsw.gov.au
Maximum penalty: 50 penalty units.
- (2) Despite subclause (1), a printed entry form or betting ticket that complied with this clause, as in force immediately before 1 June 2009, may continue to be used until the end of the period of 12 months from that date or until the date the entry form or betting ticket is replaced, whichever happens first.

[10] Clause 10 Counselling signage—notice to be displayed

Omit clause 10 (2). Insert instead:

- (2) The notice must contain the following:
Think! About your choices
Gambling More, enjoying it less?
For free and confidential information and advice about problem gambling, please contact Gambling Help
1800 858 858
www.gamblinghelp.nsw.gov.au

[11] Clause 10 (3) and (4)

Omit the subclauses. Insert instead:

- (3) The notice must be in a form approved by the Authority and be obtained from the NSW Office of Liquor, Gaming and Racing.
- (4) Despite subclause (1), a notice that complied with this clause, as in force immediately before 1 June 2009, may continue to be used until the end of the period of 12 months from that date or until the date the notice is replaced, whichever happens first.

[12] Clause 11 ATM and EFT signage

Omit clause 11 (2). Insert instead:

- (2) The notice must contain the following:
Think! About your choices
Call Gambling Help
1800 858 858
www.gamblinghelp.nsw.gov.au

[13] Clause 11 (6)

Insert after clause 11 (5):

- (6) Despite subclause (1), a notice that complied with this clause, as in force immediately before 1 June 2009, may continue to be used until the end of the period of 12 months from that date or until the date the notice is replaced, whichever happens first.

[14] Clause 13 Prohibitions on totalizator advertising

Insert at the end of clause 13 (2) (g):

, or

- (h) offers any credit, voucher or reward as an incentive:
 - (i) to participate in gambling activities, or
 - (ii) to create an account for the purposes of gambling activities.

[15] Clause 13 (3)

Omit the subclause. Insert instead:

- (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:
Think! About your choices

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Call Gambling Help
1800 858 858
www.gamblinghelp.nsw.gov.au

[16] Clause 13 (4)

Omit “(g)”. Insert instead “(h)”.

[17] Clause 13 (6)

Omit the subclause.

[18] Clause 13 (8)

Insert after clause 13 (7):

- (8) Despite subclause (3), a licensee, or an employee or agent of a licensee who, before 1 June 2010, publishes or causes to be published any totalizator advertising that complied with this clause, as in force immediately before 1 June 2009, is not guilty of an offence under that subclause.