

Racing Administration Regulation 1999

[1999-110]



New South Wales

Status Information

Currency of version

Historical version for 2 February 2001 to 24 May 2001 (accessed 19 December 2024 at 22:48)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 2 February 2001

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Contents

Part 1 Preliminary	4
1 Name of Regulation	4
2 Commencement	4
3 Definition	4
4 Notes	4
Part 2 Responsible gambling practices	4
Division 1 Problem gambling signage and information	4
4AA Definitions	4
4AB Approval of gambling information brochures	4
4AC Provision of problem gambling information brochures	5
4AD Provision of community language problem gambling information brochures	5
4AE Counselling signage—notice to be displayed	5
4AF ATM and EFT signage	6
Division 2 Gambling advertising and inducements	6
4AG Definitions	7
4AH Prohibitions on gambling-related advertising	7
4AI Gambling inducements	8
Part 3 Miscellaneous	8
4A Exemption from prohibition on publication of information relating to dividends or betting odds: sec 28 (2)	8

5 Exemption from offence provision relating to on-line service providers: sec 30 (4)9

Racing Administration Regulation 1999



New South Wales

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Racing Administration Regulation 1999*.

2 Commencement

This Regulation commences on 1 March 1999.

3 Definition

In this Regulation:

the Act means the *Racing Administration Act 1998*.

4 Notes

The explanatory note does not form part of this Regulation.

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
- (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.

- (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
 - (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.
- (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.

4A1 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.

Part 3 Miscellaneous

4A Exemption from prohibition on publication of information relating to dividends or betting odds: sec 28 (2)

The following are prescribed for the purposes of section 28 (2) of the Act:

- (a) TAB Limited,
- (b) Seven Network Limited,
- (c) 2KY Broadcasters Pty Ltd,
- (d) Network 10 Limited,
- (e) Sky Channel Pty Ltd,
- (f) TCN Channel 9 Pty Ltd,

- (g) Capital Television Pty Ltd,
- (h) WIN Television Pty Ltd,
- (i) Prime Television Pty Ltd,
- (j) Australian Broadcasting Corporation.

5 Exemption from offence provision relating to on-line service providers: sec 30 (4)

- (1) Any person who:
 - (a) is a member of the Internet Industry Association of Australia, and
 - (b) is bound by the *Internet Industry Code of Practice* prepared by that Association, as in force from time to time,is exempt from the operation of section 30 (3) of the Act.
- (2) If the Minister is satisfied that any such member has failed to comply with the Code referred to in subclause (1), the Minister may, by notice in writing given to the member, exclude the member from the exemption under this clause for such period as is specified in the notice.