

Gaming Machines Gambling Code of Practice

Part 1—Preliminary

1. Scope

This code of practice is prescribed under section 15 of the *Gambling Administration Act 2019*, for the purposes of the *Gaming Machines Act 1992*, and is inclusive of the advertising code of practice and the responsible gambling code of practice.

2. Commencement

This code of practice is operational from 3 December 2020 and varied on 30 March 2023.

3. Purpose of the code

- (1) The purpose of this code of practice is to promote the objects of the *Gambling Administration Act 2019* and, in particular—
 - (a) to reduce the prevalence and severity of harm associated with the misuse and abuse of gambling activities; and
 - (b) to foster responsible conduct in relation to gambling and in particular, to ensure that gambling is conducted responsibly, fairly and honestly, with regard to minimising the harm associated with gambling; and
 - (c) to facilitate the balanced development and maintenance, in the public interest, of an economically viable and socially responsible gambling industry in the State recognising the positive and negative impacts of gambling on communities; and
 - (d) to ensure that gambling is conducted honestly and free from interference, criminal influence and exploitation; and
 - (e) to ensure, as far as practicable, that the conduct of gambling is consistent with the expectations and aspirations of the public.
- (1a) For the purposes of clause 3(1)(a) harm associated with the misuse and abuse of gambling activities includes—
 - (a) the risk of harm to children, vulnerable people and communities (whether to a community as a whole or a group within a community); and
 - (b) the adverse economic, social and cultural effects on communities (whether on a community as a whole or a group within a community); and
 - (c) the adverse effects on a person's health or welfare; and
 - (d) the adverse effects on a person's family, friends and work colleagues.

- (2) The intention of this code of practice is to commit the holder of a gaming machine licence (licensee) to:
- (a) ensure that their gambling practices are consistent with the community's expectations that gambling businesses will be conducted in a responsible manner so as to minimise the harm caused by gambling;
 - (b) ensure that their advertising is consistent with the community's expectations that gambling businesses will be conducted in a responsible manner so as to minimise the harm caused by gambling and is socially responsible;
 - (c) consider and implement measures to minimise harm associated with gambling activities;
 - (d) maintain standards of operational practice that, as a matter of course, address harm minimisation;
 - (e) not undertake operational practices involving unacceptable risk of harm.

4. Interpretation

- (1) Unless the contrary intention appears, expressions defined in the *Gambling Administration Act 2019* and *Gaming Machines Act 1992* have the same meanings in this code of practice.

closed circuit television (CCTV) means a digital closed circuit television system that complies with the technical specifications approved by the Liquor and Gambling Commissioner.

condensed warning message means the following message - "*Gamble responsibly*"

gambling advertising means any advertising by a licensee of a particular gambling product, products or gambling activity, whether in print or electronic form, including media (internet and all electronic and social media), radio, television, print media, signs and billboards, and any advertising on radio or television in the nature of a plug or program content which is in exchange for payment, or some other form of valuable consideration.

inducement means any credit, voucher or reward offered to a person as an inducement to participate, or to participate frequently, in any gambling activity.

permitted external sign means a sign affixed to the outside of a building containing a gaming area or affixed to the outside of a permanent structure within the immediate environs of a building containing a gaming area, which is under the control of the licensee that—

- (a) displays the licensee's logo or name; or
- (b) indicates the availability of a gambling activity inside the premises.

private webpage means a page which a person may gain access only after entering a password issued by or registered with a licensee.

5. Mandatory nature of the code

- (1) Under section 15 of the *Gambling Administration Act 2019*, the Liquor and Gambling Commissioner (the Commissioner) may prescribe advertising codes of practice and responsible gambling codes of practice.
- (2) A gambling provider must not contravene or fail to comply with a mandatory provision of a code of practice.
- (3) For the purposes of section 16 of the *Gambling Administration Act 2019*—
 - (a) if the letter “A”, “B”, “C” or “D” appears in column B of the table in Schedule 2 next to the listing of a provision, contravention or failure to comply with the provision is declared to be an offence in the category corresponding to that letter;
 - (b) if the letter “A”, “B”, “C” or “D” appears in column C of the table in Schedule 2 next to the listing of a provision, the offence of contravention or failure to comply with the provision is declared to be an expiable offence in the category corresponding to that letter.

6. Application of this code of practice under section 15 of the *Gambling Administration Act 2019*

- (1) Part 2 of this code of practice operates as the prescribed advertising code of practice for the purposes of section 15(1)(a) of the *Gambling Administration Act 2019*.
- (2) Part 3 of this code of practice operates as the prescribed responsible gambling code of practice for the purposes of section 15(1)(b) of the *Gambling Administration Act 2019*.
- (3) The Commissioner may vary or revoke a code of practice or a provision of a code of practice by notice in the Government Gazette.
- (4) The Commissioner may, at any time, undertake a review of the codes of practice.

7. Responsible gambling agreement

It is a condition of a gaming machine licence that the licensee will not conduct gaming operations pursuant to the licence unless the licensee has entered into a responsible gambling agreement.

The form of the responsible gambling agreement is an agreement between the licensee and an industry body which has been approved by the Commissioner under section 40C of the *Gaming Machines Act 1992*.

Club Safe and Gaming Care are industry bodies currently approved under the *Gaming Machines Act 1992* for this purpose.

A licensee may satisfy a code of practice obligation through the actions of an approved industry body, except in relation to the licensee’s obligations in respect to staff training.

Part 2—Required advertising practices

Licensees are to ensure that gambling advertising is conducted in a responsible manner that takes into account the potential adverse impact it may have on the community, particularly minors, people experiencing gambling-related harm or at risk of developing negative consequences associated with their gambling.

Gambling advertising must be compliant with applicable State and Federal laws and any relevant industry codes of practice.

8. Responsible gambling advertising

- (1) Licensees must ensure that gambling advertising—
 - (a) does not encourage a breach of law;
 - (b) does not depict children gambling;
 - (c) is not false, misleading or deceptive;
 - (d) does not suggest that winning will be a definite outcome of participating in gambling activities;
 - (e) does not suggest that participation in gambling activities is likely to improve a person's financial prospects;
 - (f) does not promote the consumption of alcohol while engaging in gambling activities;
 - (g) does not offer any credit, voucher or reward as an inducement to participate, or to participate frequently, in any gambling activity;
 - (h) does not make claims related to winning or the prizes that can be won that are not based on fact, are unable to be proven or that are exaggerated;
 - (i) does not suggest that a player's skill can influence the outcome of gambling activity;
 - (j) does not include images or sounds suggestive of:
 - (1) coins being inserted or dispensed from a gaming machine;
 - (2) banknotes being inserted into a gaming machine; or
 - (3) tickets being printed or dispensed from a gaming machine;
 - (k) does not include the expressions "Win" or "\$", unless these expressions specifically relate to a prize that has been determined or is payable, or to an estimate of a prize which can be won.
- (2) For the purposes of this clause, a licensee will not be regarded as advertising when—
 - (a) the licensee sends communication direct to a customer, and the customer has provided their express consent to receiving advertising material;
 - (b) the licensee draws attention, on a private webpage, to its gambling products or gambling activities;
 - (c) the licensee draws attention, in printed point of sale material, to its gambling products or gambling activities.

- (3) Licensees must keep a copy (in print or electronic form) of any gambling advertising, including advertising of acceptable trade promotion lotteries, available for inspection for a period of 12 months following the conclusion of the advertising campaign.
- (4) This clause does not apply to the advertising of other products and services offered by the licensee that are not gambling related, as long as the advertising does not include any credit, voucher or reward as an inducement to participate in any gambling activity.

9. Prize promotions and advertising

- (1) Gambling advertising that refers to, or relies on prizes which are available to be won, or the frequency the prize may be won (whether or not the prize is a prize of money)—
 - (a) must include sufficient information for a reasonable person to understand the overall return to player or odds of winning; and
 - (b) if intended to encourage a person to gamble during a particular period, include sufficient information for a reasonable person to appreciate how likely it is that the prize will be won by someone during that period.
- (2) If, in seeking to comply with this clause, a licensee—
 - (a) calculates the theoretical number, value and frequency of prizes to be won;
 - (b) in the advertising suggests an outcome no less favourable to the licensee than that theoretical outcome; and
 - (c) obtains an actual outcome more favourable than that which was advertised,the licensee will still be regarded as complying with this clause.
- (3) Sub-clause (1)(a) does not apply to advertising of a trade promotion lottery offered in conjunction with the purchase of a gambling product if the odds or chance of winning the lottery are affected by the number of entrants, or dependent on similar factors beyond the control of the licensee.

10. Permissible advertising of loyalty programs, trade promotion lotteries and complimentary gambling products

- (1) Despite clause 8(1)(g), a licensee may advertise an inducement for participation in an acceptable loyalty program by drawing attention to the name of the loyalty program, its availability to customers and the benefits to members of the program, as long as the customer is directed to the program's full terms, conditions and benefits that are published on a public website, or on signs in or near a gaming area, or in a document available in or near a gaming area.
- (2) Despite clause 8(1)(g), a licensee may advertise an inducement in the form of participation in an acceptable trade promotion lottery by drawing attention to the prizes, or of the offering of a complimentary gambling product.

11. Mandatory warning messages

- (1) Expanded warning messages, as set out in Schedule 1 for the stated periods, must be included in gambling advertising, unless the inclusion of the expanded warning message in that particular advertising would be unreasonable or impracticable.
- (2) If gambling advertising does not include an expanded warning message, the gambling advertising must include the condensed warning message.
- (3) When a mandatory warning message is included in gambling advertising, the manner of its inclusion must be consistent with the message being a warning message.
- (4) Gambling advertising which is a text message, tweet, email or social media posting of less than 160 characters must be concluded with the condensed warning message. If the text message is more than 160 characters it must be concluded with the condensed warning message and the national gambling helpline number 1800 858 858.

12. Gambling Advertising on Radio and Television

- (1) Gambling advertising is not permitted on radio or television (including subscription television and streaming services) between 6.00am to 8.30am and 4.00pm to 7.30pm on any day.
- (2) Despite clause 11, gambling advertising on radio may be accompanied by the condensed warning message and in the case of a plug or commentary, must end with the condensed warning message and the national gambling helpline number 1800 858 858.
- (3) Despite clause 11, gambling advertising on television that is longer than 15 seconds, must be accompanied by the expanded warning message and in the case of a plug or commentary, must end with the condensed warning message and the national gambling helpline number 1800 858 858.
- (4) A mandatory warning message announced on radio or television must be spoken in a neutral tone at a speed that is clear and easily understood and otherwise presented in a way which reflects the importance of a warning message.
- (5) A licensee must ensure, through instructions about their obligations under this code, that a mandatory warning message is appropriately respected for gambling advertising in live announcements and when mentioned by announcers before or after the broadcast of its gambling advertising.
- (6) In the case of the presence of a gambling related logo on a screen, other than as part of a commercial which includes a mandatory warning message, the logo must include the condensed warning message adjacent to the logo occupying no less space than that occupied by the logo. This does not include logos on participants uniforms (*see clause 13(7), (8) and (9)*).
- (7) A mandatory warning message appearing in gambling advertising on television must occupy at least 25% of the screen area for at least 1/6th of the length of the advertisement, or occupy the whole screen area for at least 1/10th of the length of the advertisement.
- (8) The mandatory warning message must be spoken at the same time as it appears on a television screen.
- (9) Clauses 12 (6), (7) and (8) do not apply where gambling advertising appears on television only because the broadcast image is of a public event at which the advertising has been placed.

13. Additional requirements for print media, outdoor and other forms of advertising

- (1) If the condensed warning message is used in advertising to which this clause applies, it must be accompanied by the national gambling helpline number 1800 858 858.
- (2) In printed gambling advertising, the mandatory warning message must be presented in a font and colour with sufficient contrast as to make it distinct, and must occupy at least 10% of the space occupied by the advertising.
- (3) In outdoor gambling advertising (other than a permitted external sign) the mandatory warning message must be presented in a font and colour with sufficient contrast as to make it distinct, and must occupy at least 10% of the space occupied by the advertising.
- (4) Gambling advertising in the form of a permitted external sign need not be accompanied by a mandatory warning message.
- (5) An outdoor or indoor display or sign at a venue for any sort of event which is broadcast on television; or for an event on which betting takes place, the mandatory warning message must be presented in a font and colour with sufficient contrast as to make it distinct, and must occupy at least 10% of the space occupied by the advertising.
- (6) If the gambling advertising referred to in sub-clause (5) is presented by means of a display which is constantly moving, scrolling or changing, or is capable of immediate or scheduled systematic changes, the mandatory warning message must be presented in a font and colour with sufficient contrast as to make it distinct and must occupy at least 25% of the space occupied by the advertising.
- (7) Gambling advertising which is the placement of a logo on the apparel of a participant (including an official) in an event which is broadcast on television in South Australia or at an event at which gambling takes place, must be accompanied by the placement of the condensed warning message adjacent to the logo, occupying no less than half the space occupied by the logo.
- (8) Gambling advertising in the form of a small logo (no larger than 5400mm² with no linear dimension longer than 180mm) need not be accompanied by a mandatory warning message.
- (9) The licensee must ensure that participants do not wear gambling advertising in the form of a logo on occasions when they are engaging solely or mainly with children.
- (10) Gambling advertising must not occur at Cinemas when films rated G, PG, M or MA(15+) are showing.

Part 3—Responsible gambling practices

Licensees must ensure that their general gambling practices are consistent with community expectations that their gambling operations will be conducted responsibly and in a manner that minimises the harm caused by gambling, and is socially responsible.

Licensees must conduct their businesses in accordance with all applicable State and Federal laws and legal requirements, and co-operate with regulatory bodies and government agencies in all matters, including compliance with legal obligations.

14. Responsible gambling operations

- (1) Licensees must, for all gaming areas, ensure the existence of a document or documents (whether hard copy or otherwise) detailing—
 - (a) the manner in which staff training and measures for interventions with people displaying indicators of gambling harm are implemented; and
 - (b) the roles of staff (by job title) in the implementation of this code.
- (2) A document required by sub-clause (1) may be incorporated with any other operational document maintained by the licensee, but must be made known to and readily available to staff and staff must be trained and ensure compliance with the documents.
- (3) Licensees must develop and implement effective policies and procedures that enable staff to—
 - (a) identify people displaying indicators of gambling harm by, but not limited to, reviewing loyalty data including any pre-commitment arrangements and breaches of limits, observing gambling behaviour, and engaging in general conversation to determine whether the persons behaviour indicates that they may be experiencing harm due to their gambling;
 - (b) respond to people displaying indicators of gambling harm by, but not limited to, engaging in a conversation about their gambling behaviour, offering pre-commitment and barring options and referring them to a gambling help service; and
 - (c) be trained in and carry out their functions in accordance with such policies and procedures.
- (4) Licensees must establish a reporting process for the identification of and interaction with people displaying indicators of gambling harm by staff and the recording of their details. This record must be reviewed by a manager (however described) at least weekly including the details of the review and any steps taken to intervene. Any data captured by a system used for this purpose may only be used for the purpose of harm minimisation and no other purpose.
- (5) The record of people displaying indicators of gambling harm must include sufficient detailed information to enable staff to identify the patron that is readily available to staff at any time and to the Commissioner or an Inspector upon request.
- (6) If a person requests voluntary exclusion, licensees or their delegates must bar the person forthwith in accordance with Part 6 of the *Gambling Administration Act 2019*.
- (7) If a third party requests involuntary barring of a gambler, licensees or their delegates must promptly make a considered decision.
- (8) Licensees must document and implement procedures to ensure that enquiries about barring (regardless of who initiates them) and approaches for the making of barring orders, are responded to in a manner that is informative, timely and culturally appropriate, with the aim of dealing with an in-venue approach while the person is in the venue and dealing with telephone enquiries in one call where possible, using an interpretation service if required.

- (9) Licensees may make flexible informal arrangements with patrons, only if the arrangements limit, manage or control a gamblers access to gambling and the licensee reasonably expects that informal arrangements would be beneficial for the gambler.
- (10) Licensees must note the details of any informal arrangements in writing and provide these details to their industry body within 7 business days of being made. The details of any informal arrangements must be available to the Commissioner upon request.
- (11) Gaming staff must log into the barring register each time when on duty, or be provided with a current consolidated barring list from the barring register printed in colour, to review any new or updated barring information.
- (12) Licensees must ensure that at least two gaming managers and/or gaming employees have “Administrator” access for the purpose of updating employee/personnel information and recording information into the barring register within the prescribed timeframe.
- (13) Licensees must ensure that a person who is excluded (whether by formal barring order or otherwise) is not sent any direct marketing communications.
- (14) Licensees must take reasonable steps to ensure that staff displaying indicators of gambling harm (involving any sort of gambling) are identified and referred for counselling, support or therapy.
- (15) Licensees must ensure that there is adequate natural or artificial lighting in gaming areas to enable clocks and signs to be easily read and the faces of people within the room to be easily identified.
- (16) Licensees must not permit a second-hand dealer or pawnbroker to conduct business on premises that is subject to a gaming machine licence.

15. Signage in gaming areas

- (1) Licensees must, at each entrance to a gaming area, display an A3 equivalent size sign that includes—
 - (a) a statement that the gaming area is restricted to people aged 18 years and over (18+ only);
 - (b) a statement that the gaming area is regulated by state law and codes of practice and that it is subject to inspection by a State Government agency, including a telephone number to call to register a complaint.
- (2) If the Commissioner determines the form and content for a sign required in sub-section (1), the licensee must display the sign(s) in this form.
- (3) The licensee must place in a prominent position in each gaming area at least one A3 equivalent size sign—
 - (a) containing information about the availability of free, confidential and professional help with gambling problems and related issues, and
 - (b) written in English, Arabic, Chinese, Greek, Italian, Vietnamese and any other locally relevant language.
- (4) If the welfare agency publishes recommended content for a sign under sub-clause (3), in respect of a particular premises or a class of premises, the licensee may only display a sign containing that content.

The **welfare agency** for the purposes of this code is the Office for Problem Gambling.

16. In-venue messaging

- (1) Licensees must prominently display two classes of signs approved by the welfare agency—
 - (a) primary responsible gambling signs, which must be displayed in gaming areas; and
 - (b) additional responsible gambling signs, which the licensee may elect to display in gaming areas or other public areas of the premises; as follows –
 - (1) for licensees operating 10 gaming machines or less: at least one A1 equivalent size primary responsible gambling sign in each gaming area;
 - (2) for licensees operating more than 10 gaming machines: at least one A1 equivalent size primary responsible gambling sign in each gaming area and for each 10 (or part thereof) gaming machines in excess of 10, one A1 equivalent size additional responsible gambling sign.
- (2) For the purpose of sub-clause (1) a licensee may satisfy a requirement to display one A1 equivalent sign by displaying two A2, four A3 or eight A4 equivalent signs or any logical combination thereof.
- (3) For the purpose of sub-clause (1) the display of full screen welfare agency material on a 16:9 format electronic display having a diagonal measurement of 1270mm or more for at least 3 minutes per hour is the equivalent of one A1 equivalent sign. Displays of less than 1270mm may be aggregated (by size) to be the equivalent of a 1270mm display.
- (4) If a licensee is also the agent of SA TAB or the SA Lotteries Commission and has placed additional responsible gambling signage and a multi-lingual sign in areas which are gambling areas for the purposes of SA TAB or the SA Lotteries Commission, SA TAB or the SA Lotteries Commission (as the case may be) is deemed to have complied with the relevant provisions of the Authorised Betting Operations and SA Lotteries Commission's codes of practice.

17. Help information in gaming areas

- (1) Licensees must ensure that—
 - (a) each automatic teller machine (ATM) which is available for operation by patrons operates so when the ATM is idle, the screen displays a responsible gambling message approved by the welfare agency at least 20% of the time, or if there is no current approval the condensed warning message and the national gambling helpline number 1800 858 858 at least 20% of the time;
 - (b) when the ATM prints a transaction slip (however described) the transaction record includes the condensed warning message and the national gambling helpline number 1800 858 858.
- (2) Licensees must ensure that—
 - (a) each cashable ticket redemption terminal (CRT) which is available for operation by patrons operates so when the CRT is idle at least half of the available screen space displays a responsible gambling message approved by the welfare agency, or if there is no current approval the condensed warning message and the national gambling helpline number 1800 858 858;
 - (b) when the CRT prints a transaction slip (however described) the transaction record includes the condensed warning message and the national gambling helpline number 1800 858 858.
- (3) Licensees must ensure—
 - (a) that the condensed warning message and national gambling helpline number 1800 858 858 and website address are prominently displayed on or near—

- (1) each automated coin dispensing machine; and
- (2) each customer service point at which money is exchanged for coin, banknotes, tickets or credit on an approved account based cashless gaming system; and
- (b) that a quantity of helpline cards are available at or near—
 - (1) each ATM, EFTPOS facility and CRT;
 - (2) each automated coin dispensing machine;
 - (3) each customer service point at which money is exchanged for coin, banknotes, tickets or credit on an approved account based cashless gaming system; and
 - (4) each gaming machine.
- (4) Sub-clauses (1), (2) and (3) apply to any ATM, EFTPOS facility or CRT, in or near a gaming area, over which the licensee could reasonably be expected to exercise control.
- (5) An expanded warning message, as set out in Schedule 1, must be used to populate the dynamic message field on tickets issued from gaming machines being operated in connection with a ticket-in ticket-out (TITO) system.
- (6) Licensees must ensure that the time of day is prominently displayed and visible throughout gaming areas.
- (7) Licensees must ensure that a copy of this code is available within the gaming area.

18. Multiple gaming machine play

- (1) Licensees must take all reasonable and practicable steps to ensure that a person plays no more than one gaming machine at a time.
- (2) Without limiting sub-clause (1), a licensee must give a warning to a patron offending for the first time on a given day and if that patron does not heed a warning, require the patron to leave the gaming area for 24 hours.

19. Practices relating to minors

- (1) Licensees must not conduct, promote, advertise or permit the conduct, promotion or advertisement of their gambling operations in a way that could encourage minors to gamble.
- (2) Licensees must establish, keep current and implement written procedures to address the issue of young children (being children aged 10 years or less) who might be left unattended on the licensee's premises or in a motor vehicle parked in a car park which is under the licensee's control.

20. Cheques and winnings

- (1) Cheques must not be cashed in gaming areas.
- (2) A licensee must offer a patron payment of undisputed winnings or redemptions of credits of \$500 or more by cheque or electronic funds transfer (EFT), which is to be paid as soon as practicable after the formalities required by law are completed and in any event within 1 business day.

21. Cash availability

- (1) Within a gaming area, licensees must ensure that cash can only be obtained from—
 - (a) a cashier; or
 - (b) an EFTPOS facility; or
 - (c) an automated coin dispensing machine; or
 - (d) a cashable ticket redemption terminal.
- (2) In respect to cash obtained from an EFTPOS facility—
 - (a) a licensee must ensure that cash may only be obtained directly from an EFTPOS facility on the licensed premises, by a person (being the licensee, an employee of the licensee or another person acting on behalf of the licensee) operating the EFTPOS facility, or from a dispenser in the immediate vicinity of the EFTPOS facility (not being a dispenser that forms part of an ATM);
 - (b) a person operating an EFTPOS facility (being the licensee, an employee of the licensee or another person acting on behalf of the licensee) must confirm the withdrawal amount with the person obtaining cash from the EFTPOS facility immediately before the amount is withdrawn.

22. Customer information and interaction

- (1) A licensee must take all reasonable steps to ensure that a patron who displays signs of gambling harm is provided with the name and telephone number of a widely available gambling help service.
- (2) A licensee must—
 - (a) identify a gambling help service that their patrons and families can readily access (including the location of the help service and a key contact who can be asked for by name);
 - (b) ensure that staff are sufficiently informed about the identity and location of the gambling help service so as to be able to direct patrons to the service; and
 - (c) ensure that management level contact is established and maintained with the gambling help service about problem gambling matters.
- (3) A licensee must reinforce its commitment to providing gambling products in a responsible and safe environment, and in a manner to minimise the harm caused by gambling, in appropriate customer newsletters and other communications.

23. Alcohol and Gambling

- (1) A licensee must take all practicable steps—
 - (a) to prevent a person from being allowed to gamble if their speech, balance, coordination or behaviour is noticeably affected and it is reasonable to believe that the affected speech, balance, coordination or behaviour is the result of the consumption of liquor or some other substance;
 - (b) to prevent a person entering or remaining in a gaming area if their speech, balance, coordination or behaviour is noticeably affected and it is reasonable to believe that the affected speech, balance, coordination or behaviour is the result of the consumption of liquor or some other substance;
 - (c) to ensure that liquor is not supplied to reward, promote or encourage continued gambling.

- (2) The licensee must ensure that a person is not served liquor while seated or standing at a gaming machine.
- (3) If the licensed premises, where a gaming area is situated, is not authorised to sell liquor under the *Liquor Licensing Act 1997* after 2.00am, the licensee must ensure that if the gaming area remains open for trade, that the gaming area is monitored by closed circuit television (CCTV).

24. Inducements

- (1) A licensee must not offer or provide any inducement directed at encouraging patrons to gamble.
- (2) Sub-clause (1) does not apply to—
 - (a) the offering or provision of participation in an acceptable loyalty program (see clause 25);
 - (b) the offering or provision of participation in an acceptable trade promotion lottery (see clause 26) by drawing attention to the prizes, or of the offering of a complimentary gambling product;
 - (c) the offering or provision in a gaming area of complimentary non-alcoholic beverages and refreshments of nominal value.

25. Acceptable loyalty programs

- (1) A loyalty program is an acceptable loyalty program if it is a structured program which—
 - (a) is conducted in accordance with published terms and conditions;
 - (b) is advertised in a manner consistent with the advertising requirements for the licensees gambling products;
 - (c) offers rewards proportionate to gambling activity (including non-monetary privileges attached to tiers in a stepped rewards system);
 - (d) provides periodic activity statements to active members at least quarterly to their email address or by ordinary post within 7 days after the end of the activity period; and
 - (e) it has been approved by the Commissioner in terms of its rules and conditions, promotions, risk monitoring processes and the manner in which it is to be advertised and promoted.
- (2) The activity statement must include segmented information that is clear and easily understood by the active member using common terms that they are familiar with and include—
 - (a) totals of the active member's monthly gambling activity; including—
 - (1) total amount bet;
 - (2) total amount won;
 - (3) overall net win (illustrated as a (+) amount) or loss (illustrated as a (-) amount);
 - (4) total number of days gambled during the activity period; and
 - (5) total amount of time the loyalty card was used during the activity period.
 - (b) a column graph (or some other diagrammatic representation) to show the active member's gambling activity comparing the total amount bet against the net result over time for the last 6 months (cumulative) and show a clear comparison tracking to the same time from the previous year.

- (c) links and information on—
 - (1) support services available to active customers
 - (2) safe gambling messaging that promotes available consumer protection tools
 - (3) a hyperlink, QR code or information on how to obtain, the member's detailed transaction history for the statement period.
- (3) Activity statements must not be sent to a person who is barred under section 44 of the *Gambling Administration Act 2019*, a person whose loyalty membership has been cancelled, locked, disabled or deactivated, or if they have not used their account in more than 12 months.
- (4) An activity statement or detailed transaction history must not include any promotional or direct marketing information.
- (5) Activity statements must be made available to a member, whether active or not, at any time on request.
- (6) The provider of an acceptable loyalty program must within 7 days at the request of the Commissioner provide activity statements, detailed transaction history and any other relevant information sought by the Commissioner that may assist in determining a request for barring of a person under section 44 of the *Gambling Administration Act 2019*.
- (7) For the purposes of this clause—

active member means a member of an acceptable loyalty program that has used their loyalty card within the preceding 12 months but does not include a member whose membership has been cancelled, locked, disabled or deactivated or is barred under section 44 of the *Gambling Administration Act 2019*

26. Acceptable trade promotion lotteries

- (1) A lottery is an acceptable trade promotion lottery if—
 - (a) being a trade promotion lottery within the meaning of the Lotteries Regulations 2021, it is a licensed lottery or a permitted lottery under the Lotteries Act 2019;
 - (b) its dominant purpose is to reward or retain existing patrons, rather than attracting new patronage or encouraging patrons to gamble more than they would otherwise;
 - (c) the advertising is limited to promotion to members of a loyalty program, on a private webpage on the licensee's own website, by direct communication to customers that have expressly agreed to receiving advertising and within a designated gaming area;
 - (d) the advertising of the promotion draws attention to the prize(s) of the promotion, rather than the gambling product itself;
 - (e) the promotion does not encourage people to gamble for a minimum period or for a minimum amount to qualify for a reward or benefit, unless part of an acceptable loyalty program; and
 - (f) in respect of an authorised lottery referred to in (a) above, it has been approved by the Commissioner in terms of its rules, conditions and the manner in which it will be advertised.

27. Required training

- (1) The licensee must ensure that all staff engaged by the licensee as gaming managers and gaming employees have successfully completed courses of training approved by the Commissioner under section 40B of the *Gaming Machines Act 1992*—
 - (a) for each gaming employee—
 - (1) within the 3 months before or after starting, completed basic training; and
 - (2) at intervals of no more than 2 years after first completing basic training, commences and completes basic training or advanced training; and
 - (b) for each gaming manager—
 - (1) within the 3 months before or after starting, completed basic training (if the gaming manager has not already completed basic training) and advanced training; and
 - (2) at intervals of no more than 2 years after first completing advanced training, commences and completes further advanced training.
- (2) The licensee must ensure that all successful completion of training is recorded within the mandated platform as determined by the Commissioner within 28 days of receipt of the training certificate.

28. Individual exemptions

- (1) The Commissioner may, on application by the licensee, exempt the licensee from a specified provision of this code of practice.
- (2) The Commissioner may impose conditions in respect of an exemption.
- (3) The Commissioner may on the Commissioner's own initiative, by written notice to the licensee or on application by the licensee, vary or revoke an exemption.

Schedule 1—

Gaming Machines Act 1992

Expanded warning messages

Stay in control. Leave before you lose it. Gamble responsibly. 1 January 2022 to 30 June 2022

You know the score. Stay in control. Gamble responsibly. 1 July 2022 to 31 December 2022

Know when to stop. Don't go over the top. Gamble responsibly. 1 January 2023 to 30 June 2023

Think of the people who need your support. Gamble responsibly. 1 July 2023 to 31 December 2023

Don't chase your losses. Walk away. Gamble responsibly. 1 January 2024 to 30 June 2024

Don't let the game play you. Stay in control. Gamble responsibly. 1 July 2024 to 31 December 2024

Schedule 2—

Gaming Machines Act 1992

Categories of Offences and Expiations

Column A Clause No.	Column B Offence category	Column C Expiation category
8(1)(a)	A	A
8(1)(b)	B	B
8(1)(c)	A	A
8(1)(d)	B	B
8(1)(e)	D	D
8(1)(f)	D	D
8(1)(g)	D	D
8(1)(h)	C	C
8(1)(i)	C	C
8(1)(j)	C	C
8(1)(k)	C	C
8(3)	C	C
9(1)(a)	C	C
9(1)(b)	C	C
11(1) <small>This penalty applies where the condensed message is used when the expanded warning message should have been used.</small>	D	D
11(2) <small>This penalty applies where no warning message appears.</small>	B	B
11(3)	C	C
11(4)	B	B
12(1)	B	B
12(2)	B	B
12(3)	B	B

12(4)	B	B
12(5)	C	C
12(6)	B	B
12(7)	C	C
12(8)	C	C
13(1)	B	B
13(2)	C	C
13(3)	C	C
13(5)	C	C
13(6)	C	C
13(7)	B	B
13(9)	C	C
13(10)	B	B
14(1)	B	B
14(2)	B	B
14(3)	A	A
14(4)	D	D
14(5)	C	C
14(6)	A	A
14(7)	D	D
14(8)	D	D
14(10)	C	C
14(11)	D	D
14(12)	D	D
14(13)	A	A
14(14)	A	A
14(15)	C	C
14(16)	C	C
15(1)	A	A
15(3)	D	D
16(1)(a)	B	B
16(1)(b)	B	B
17(1)	D	D

17(2)	D	D
17(4)	D	D
17(5)	D	D
17(6)	D	D
17(7)	D	D
18	D	D
19(2)	B	B
20(1)	B	B
20(2)	B	B
21(1)	A	A
22(1)	B	B
22(2)(a)	B	B
22(3)	D	D
23(1)(a)	B	B
23(1)(b)	D	D
23(1)(c)	D	D
23(2)	D	D
23(3)	A	A
24(1)	B	B
27(1)	D	D
27(2)	D	D

Revision History

Version	Changes	Government Gazette publication details	Effective Date
1	Gaming Machines Gambling Code of Practice Prescription Notice 2020 <ul style="list-style-type: none"> Original Document 	3 December 2020 (No. 93 of 2020)	3 December 2020
2	Gaming Machines Gambling Code of Practice Variation Notice 2022 <ul style="list-style-type: none"> Amendments to language from 'problem gambling' to 'risk of harm' Clarification around warning messages Further detail relating to identifying patrons at risk of harm Certain cinema advertising prohibited Various administrative amendments 	29 July 2022 (No. 53 of 2022)	31 July 2022
3	Gaming Machines Gambling Code of Practice Variation Notice 2023 (No.1) <ul style="list-style-type: none"> Amendment to requirements to display warning messages on ATMs and CRTs Amendments to requirements of an acceptable loyalty program 	30 March 2023 (No. 21 of 2023)	30 March 2023