

SOUTH AUSTRALIA

Gambling Codes of Practice Notice 2013

Version No. 007, as at 10 June 2016

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Version No. 007
Reprinted, incorporating variations, as at 10 June 2016

SOUTH AUSTRALIA

GR Notice No. 8 of 2013
Gambling Codes of Practice Notice 2013

By this notice, the Independent Gambling Authority prescribes advertising and responsible gambling codes of practice, as follows:

Chapter 1—General

PART 1—PRELIMINARY

1 Citation, commencement, etc

- (1) This notice may be cited as the Gambling Codes of Practice Notice 2013.
- (2) This notice comes into operation as follows:
 - (a) Chapter 1 and the schedules—upon publication;
 - (b) Chapter 2—on 1 March 2014;
 - (c) Chapter 3—
 - (i) sub-clauses (1)–(5) of clause 43—on the same day as section 135 of the *Statutes Amendment (Gambling Reform) Act 2013*;
 - (ii) clause 55(2)—on 1 October 2016;
 - (iii) Part 5, Division 1—on the same day as section 28 of the *Statutes Amendment (Gambling Reform) Act 2013*;
 - (iv) Part 5, Division 2—on the same day as section 65(1) of the *Statutes Amendment (Gambling Reform) Act 2013*;
 - (v) clause 75—on 1 July 2014;
 - (vi) all provisions other than those referred to in sub-paragraphs (i)–(v)—on 1 March 2014.

Sub-
paragraph (ii)
amended by GR
Notice No. 12 of
2015, cl. 3; GR
Notice No. 4 of
2016, cl. 3

2 Authorising provisions

- (1) This notice is authorised by—
 - (a) section 6A of the *Authorised Betting Operations Act 2000*, in particular section 6A(9);

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- (b) section 41A of the *Casino Act 1997*, in particular section 41A(9);
 - (c) section 10A of the *Gaming Machines Act 1992*, in particular section 10A(10); and
 - (d) section 13B of the *State Lotteries Act 1966*, in particular section 13B(8).
- (2) Chapter 2, when read together with this Chapter, operates as the prescribed advertising code of practice for the purposes of the provisions referred to in sub-clause (1).
- (3) Chapter 3, when read together with this Chapter, operates as the prescribed responsible gambling code of practice for the purposes of the provisions referred to in sub-clause (1).

3 Definitions

- (1) In this notice, as the context requires—

“**acceptable loyalty program**”—*see clause 55*;

“**acceptable trade promotion lottery**”—*see clause 56*;

“**approved on-screen budget reminder system**” means a system, approved in writing by the Authority, that displays specified messages at specified turnover or expenditure points on a gaming machine or automated table game terminal;

“**approved OPG campaign material**” means material approved by the OPG official for the purposes of clause 45;

“**ATM**” includes—

- (a) an automatic teller machine in or near premises containing a gambling area;
- (b) an electronic funds transfer device in or near premises containing a gambling area—

over which the relevant gambling provider could reasonably be expected to exercise control;

“**authorised interstate betting operator**” has the same meaning as in the *Authorised Betting Operations Act 2000*;

*Definition
inserted by GR
Notice No. 1 of
2014, cl. 3(a)*

*Definition
inserted by GR
Notice No. 1 of
2014, cl. 3(a)*

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Clause 3

“Broadcasting Services Act” means the *Broadcasting Services Act 1992* (Commonwealth) as in force from time to time;

“casino licensee” means the holder of the casino licence under the *Casino Act 1997*;

“celebrity commentary” means any commentary on radio or television about the performance or prospects of an entrant in an event on which betting takes place made directly or indirectly by a person expressly or impliedly representing a gambling provider;

“code” means the code of practice prescribed by the Chapter in which the expression appears, and **“advertising code”** and **“responsible gambling code”** have corresponding meanings;

“condensed warning message” means the following message—

“Gamble Responsibly.”;

“dedicated sports channel” means a radio broadcasting service or a television broadcasting service principally operated for the purpose of promoting gambling products of the nature of a gambling provider’s products, or events related to those gambling products;

“direct customer communication” means a message (including an email message) sent to an account holder or a person enrolled in a loyalty program at an address provided for that purpose;

“expanded warning message”—see sub-clause (5);

“gambling advertising”—see sub-clause (2);

“gambling area” means—

- (a) a gaming area as defined in the *Casino Act 1997*;
- (b) a gaming area as defined in the *Gaming Machines Act 1992*;
- (c) the immediate environs of—
 - (i) the point of sale for a totalisator product;
 - (ii) the point of sale for a fixed odds betting product; and
 - (iii) a bookmaker’s stand or a betting ring; and
- (d) the immediate environs of the point of sale for a product authorised under the *State Lotteries Act 1966*;

*Definition
substituted by
GR Notice No. 1
of 2014, cl. 3(b)*

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“gambling provider”, except in Part 4 of Chapter 3, means—

- (a) an authorised interstate betting operator;
- (b) the casino licensee;
- (c) a gaming machine licensee;
- (d) a licensed bookmaker;
- (e) the Lotteries Commission;
- (f) a licensed racing club; and
- (g) SA TAB;

“gaming machine licensee” means a holder of a gaming machine licence under the *Gaming Machines Act 1992*;

“gaming area” means—

- (a) a gaming area as defined in the *Casino Act 1997*; and
- (b) a gaming area as defined in the *Gaming Machines Act 1992*;

“gaming provider” means—

- (a) the casino licensee; and
- (b) a gaming machine licensee;

“helpline card” means a card of approximately 90 mm by 50 mm giving the name and telephone number of a widely available gambling help service, identified by its usual name;

* * * * *

“licensed bookmaker” means the holder of a bookmaker’s licence under the *Authorised Betting Operations Act 2000*;

“licensed racing club” means a holder of an on-course totalisator betting licence under the *Authorised Betting Operations Act 2000*;

“logo”, in relation to a gambling provider, means—

- (a) a design or device which identifies the gambling provider; or

Definition inserted by GR Notice No. 1 of 2014, cl. 3(c)

Definition of “helpline sticker” omitted by GR Notice No. 1 of 2014, cl. 3(d)

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(b) the name of the gambling provider, whether or not in stylised text—

and any combination of them;

“Lotteries Commission” means the Lotteries Commission of South Australia established under the *State Lotteries Act 1966*;

“management plan”—*see clause 6*;

“mandatory warning message” means the condensed warning message or the expanded warning message;

“non-skill gambling” means any form of gambling to which this notice applies, apart from skill gambling;

“OPG official” means a nominated senior officer of the department supporting the minister administering section 73BA of the *Gaming Machines Act 1992*¹;

*Definition
inserted by
GR Notice No. 1
of 2014, cl. 3(e)*

“peak body” includes—

(a) a genuine association formed to protect or promote the interests of a section of the gambling industry;

(b) in relation to gaming machine licensees, a body recognised for the purposes of section 10B(1)(a) of the *Gaming Machines Act 1992*;²

(c) in relation to a person who is an agent of a gambling provider, the principal in the agency relationship;³

(d) in relation to a licensed racing club receiving totalisator services from SA TAB, SA TAB;

“permitted external sign” means a sign—

(a) affixed to the outside of a building containing a gambling area; or

(b) affixed to the outside of a permanent structure, within the immediate environs of a building containing a gambling

¹ This provision establishes the Gamblers Rehabilitation Fund.

² Club Safe or Gaming Care.

³ See also clause 4.

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area, being a structure under the control of the relevant gambling provider—

which—

- (c) identifies the gambling provider; or
- (d) indicates the availability of a gambling activity inside the building;

“plug” means—

- (a) any mention on radio or television which—
 - (i) includes information about a gambling provider’s gambling products; or
 - (ii) associates a gambling provider or one or more of the gambling provider’s gambling products with a particular program or period of programming; or
- (b) celebrity commentary;

“private webpage” means a webpage or any other computer screen to which a person may gain access only after entering a personalised confidential password issued by or registered with a gambling provider;

“radio or television” means any kind of radio or television broadcasting service within the meaning given by the Broadcasting Services Act and **“radio”** and **“television”** have corresponding meanings;

“recognised broadcasting code” means a code, or specified provisions of a code—

- (a) which is a registered code of practice within the meaning given by the Broadcasting Services Act;
- (b) with which a licensee under the Broadcasting Services Act is required to comply (whether by licence condition or otherwise); and
- (c) which has been recognised by the Authority by instrument in writing;

“responsible gambling agreement” has the same meaning as in the *Gaming Machines Act 1992*;

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GR Notice No. 8 of 2013**Clause 3**

“**SA TAB**” means the holder of the major betting operations licence under the *Authorised Betting Operations Act 2000*;

“**skill gambling**” means—

(a) in respect of casino games—

(i) a card game where the outcome of one round of play can limit the outcomes available in the next round of play;⁴

(ii) a card game where players compete against each other rather than against the house;⁵

(b) any betting authorised by the *Authorised Betting Operations Act 2000* where the outcome does not involve an element of lottery;

“**small logo**” means a logo occupying no more than 5400 mm² with no linear dimension longer than 180 mm;

“**suggest**” includes—

(a) imply; and

(b) state;

“**text message**” means an electronic message of 160 characters or less in length;

“**virtual gambling area**” means a webpage, or a display on an internet-enabled device, which provides for a person to gamble with a gambling provider.

(2) For the purposes of this notice, gambling advertising includes—

(a) advertising by a gambling provider of a particular gambling product or particular gambling products;

(b) advertising by a gambling provider which does not refer—

(i) to particular gambling or products; or

(ii) to products which are not gambling—

⁴ This would include Blackjack played against the house where successive rounds of play are drawn from the same shoe of cards (without being shuffled between rounds of play).

⁵ This would include both commission poker and tournament poker (but not, for example, Caribbean Stud poker), and all other card tournaments.

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but does draw attention to the name of the gambling provider which, due to the nature of the name, brings gambling to mind;

- (c) advertising by a gambling provider of the opportunity to open a gambling account with the gambling provider—

and a provision of this notice which requires that gambling advertising have (or not have) a particular quality or attribute must be read as imposing a corresponding obligation on a gambling provider to ensure that its gambling advertising has (or does not have) that quality or attribute.

- (3) For the purposes of this notice, a gambling provider will be regarded as advertising—
- (a) if a provider of radio or television runs—
 - (i) a plug (other than celebrity commentary) in exchange for a payment or for some other form of valuable consideration (including an agreement to purchase advertising); or
 - (ii) a plug in the nature of celebrity commentary; and
 - (b) if a provider of radio or television, or a publisher, includes content in exchange for a payment or for some other form of valuable consideration (including an agreement to purchase advertising).
- (4) For the purposes of this notice, a gambling provider will not be regarded as advertising when—
- (a) the gambling provider sends a direct customer communication;
 - (b) the gambling provider draws attention, on a private webpage, to its gambling products;
 - (c) the gambling provider draws attention, in printed point of sale material, to its gambling products; or
 - (d) a person, by use of an internet search engine, an automated indexing system or any like facility, views or retrieves a link or reference to the gambling provider (whether or not the gambling provider has paid for the link to appear or to have greater prominence than it would otherwise).

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Chapter 1—General

GR Notice No. 8 of 2013**Clause 4**

- (5) A message listed as an expanded warning message in the table in Schedule 1 is the expanded warning message for the purposes of this notice during—
- (a) the period of 6 months listed beside it as the first relevant period; and
 - (b) the period of 6 months commencing on every third anniversary of the commencement of the first relevant period.
- (6) A gambling provider which—
- (a) provides gambling services by telephone, internet or other electronic means; and
 - (b) has taken reasonable steps to ensure that it records valid addresses for its account holders—
- will only be regarded, for the purposes of this notice, as providing those gambling services to a person in South Australia (being an account holder) if the person's address as recorded in good faith by the gambling provider has a postcode in the range 5000–5999.
- (7) Nothing in this notice is intended to apply to the non-gaming activities of an entity which is a gambling provider by virtue of being a sporting club which holds a gaming machine licence.

4 Codes to apply to actions of gambling provider's agent as though agent were principal

- (1) If a gambling provider routinely provides a gambling product via an agent, the gambling provider is required by this clause to ensure that the actions of its agent conform with this code as though the agent were the gambling provider.
- (2) For the purposes of sub-clause (1), if the agency arrangement involves one or more intermediate agency appointments, the gambling provider's obligations under that clause extend to the actions of all of the agents.

5 Indirect liability

- (1) If a person other than a gambling provider (“**third party**”) is under an obligation to comply with, or to facilitate compliance with, an advertising code or a responsible gambling code, the obligation extends only to matters within the reasonable control of the third party and in respect of which the third party has received a payment or some other

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Clause 6**GR Notice No. 8 of 2013**

form of valuable consideration (including an agreement to purchase advertising).

- (2) This clause does not apply to obligations arising from—
- (a) contractual arrangements for the provision by a third party to a gambling provider of services other than advertising;
 - (b) arrangements under which a third party is the agent of a gambling provider.

PART 2—ADMINISTRATIVE PROVISIONS

6 Management plans

- (1) A management plan sets out—
- (a) variable requirements with which the gambling provider proposes not to comply; and
 - (b) substitute requirements with which the gambling provider proposes to comply—
 - (i) as compensation for non-compliance with the variable requirements; or
 - (ii) as the equivalent of the variable provisions—

and during a period in which the management plan is effective—

- (c) the gambling provider is exempted in the terms set out in the management plan from compliance with the variable requirements; and
- (d) the gambling provider is required to comply with the substitute requirements—

by operation of this clause.

- (2) A management plan must recite the basis on which the gambling provider says substitute requirements compensate for, or are the equivalent of, variable requirements.
- (3) For the purposes of this clause, a variable requirement is a requirement of Chapter 2 or Chapter 3 which the Chapter expressly identifies as being variable by a management plan.
- (4) A management plan is constituted by one or more documents filed by a gambling provider with the Authority.
-

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GR Notice No. 8 of 2013**Clause 7**

- (5) Subject to sub-clauses (6) and (7), the establishment, alteration or revocation of a management plan is effective from the commencement date or dates set out in the relevant filing.
- (6) A commencement date under sub-clause (5) cannot be earlier than 42 days after the date on which filing was made, unless the Authority specifically authorises that commencement.
- (7) The Authority may disallow a management plan in whole or in part by notice of disallowance given to the gambling provider.
- (8) A notice of disallowance under sub-clause (7) is operative—
- (a) in the case of a notice given in respect of the establishment or alteration of a management plan before the date on which the plan or variation commences, forthwith;
 - (b) in the case of a notice given in respect of provisions of a management plan which have commenced—
 - (i) 28 days after the notice is given; or
 - (ii) on the date (no earlier than 28 days after notice is given) set out in the notice.

Clause 6(6)
amended by GR
Notice No. 6 of
2015, cl. 3(1)

7 Dispensations

- (1) The Authority may, on such terms as it sees fit and subject to conditions, grant—
- (a) a dispensation from a requirement of Chapter 2 if the Authority is satisfied that a regulatory requirement of another State, or of a Territory, in which the gambling provider advertises, presents a suitable alternative;
 - (b) a dispensation from—
 - (i) the radio blackout requirement of clause 23, in respect of advertising on a radio broadcasting service; and
 - (ii) the television blackout requirement of clause 24, in respect of advertising on a television broadcasting service—
 if the Authority is satisfied that the advertising will not be incompatible with family time or that the dispensation is otherwise in the public interest;
 - (c) a dispensation from a requirement of Chapter 3 (other than a requirement relating to pre-commitment) if the Authority is

Paragraph (c)
amended by GR
Notice No. 6 of
2015, cl. 9(1)(a)

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satisfied that a regulatory requirement of another State, or of a Territory, in which the gambling provider operates presents a suitable responsible gambling alternative;

*Paragraph (ca)
inserted by GR
Notice No. 1 of
2014, cl. 4*

(ca) a dispensation from a requirement of Subdivision A of Division 2 of Part 2 of Chapter 3 if the Authority is satisfied that a gambling provider or class of gambling providers cannot practicably comply with the requirement or that, despite the requirement being variable by management plan, the filing of a management plan in the circumstances would be onerous;

*Paragraph (cb)
inserted by GR
Notice No. 6 of
2015, cl. 4*

(cb) a dispensation from the operation of clause 54 where the Authority is satisfied that the dispensation does not present a material risk of an increase in problem gambling; and

(d) a time limited or transitional dispensation from the application of a new requirement or obligation.

Example: A “new” requirement would be, on 1 March 2014, the requirement for the mandatory warning message to be spoken at the same time as it appears on television, because that is not a requirement of any of the codes this notice replaces.

(2) A dispensation may be granted under sub-clause (1) on the application of a gambling provider or an agent of a gambling provider, or on the initiative of the Authority.

(3) A dispensation under sub-clause (1) may be granted for the benefit of the applicant, for the benefit of a class of gambling providers or for the benefit of gambling providers generally.

8 Role of peak bodies

(1) A gambling provider may satisfy a code of practice obligation through the actions of a peak body.

(2) This clause—

(a) applies to obligations which—

(i) are amenable to satisfaction through the actions of a peak body; and

(ii) are consistent with the actual relationship between the gambling provider and the peak body;

*Example
amended by GR
Notice No. 4 of
2016, cl. 7*

Examples: Clause 51(2)(c) requires a gambling provider to maintain management level contact with an appropriate gambling rehabilitation agency. This provision would allow the necessary relationship to be established for a gaming machine licensee by Club Safe or Gaming Care. In the case of an SA TAB agent, the relationship could be established by SA TAB on behalf of its agents. In the case of an SA Lotteries agent, the relationship could be

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Clause 9

established by either Tatts (as master agent) or the Lotteries Commission
itself.

(b) does not apply to the training obligations in Part 5 of Chapter 3.

PART 3—GAMING MACHINE LICENSING

9 Designations as mandatory provisions

For the purposes of section 47 of the *Gaming Machines Act 1992*—

- (a) a provision of Chapter 2 or Chapter 3 listed in Column A of the table in Schedule 2 is designated as a mandatory provision;
- (b) if the letter “A”, “B”, “C” or “D” appears in Column B of the table in Schedule 2 next to the listing of a mandatory provision, contravention or failure to comply with the mandatory provision is declared to be an offence in the category corresponding to that letter;
- (c) if the letter “A”, “B”, “C” or “D” appears in Column C of the table in Schedule 2 next to the listing of a mandatory provision, the offence of contravention or failure to comply with the mandatory provision is declared to be an expiable offence in the category corresponding to that letter;
- (d) the other provisions of Schedule 2 have effect in their terms.

Paragraph (b)
amended by GR
Notice No. 6 of
2015, cl. 9(1)(b)

Gambling Codes of Practice Notice 2013
Chapter 2—Advertising code of practice

Clause 10**GR Notice No. 8 of 2013**

Chapter 2—Advertising code of practice**PART 1—PURPOSE OF THE ADVERTISING CODE****10 Objects stated**

This Chapter provides a framework through which gambling providers can ensure that their advertising—

- (a) 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
- (b) is socially responsible.

11 Objects as an aid to interpretation

Interpretations of this code which promote the objects stated in clause 10 are to be preferred to any other interpretations.

PART 2—CONTENTS OF GAMBLING ADVERTISING**12 Compliance with general laws and codes**

- (1) Gambling advertising must be compliant with applicable State and Federal laws.
- (2) Gambling advertising must be compliant with relevant industry codes of practice (whether mandatory or voluntary).

13 Specific provisions

- (1) Gambling advertising—
 - (a) must not encourage a breach of the law;
 - (b) must not depict children gambling;
 - (c) must not be false, misleading or deceptive;
 - (d) must not suggest that winning will be a definite outcome of participating in gambling activities;
 - (e) must not suggest that participation in gambling activities is likely to improve a person's financial prospects;
 - (f) must not promote the consumption of alcohol while engaging in gambling activities;
-

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Chapter 2—Advertising code of practice

GR Notice No. 8 of 2013**Clause 14**

- (g) must be published in accordance with decency, dignity and good taste; and
 - (h) must not offer any credit, voucher or reward as an inducement to participate, or to participate frequently, in any gambling activity (including as an inducement to open a gambling account).
- (2) Gambling advertising must not make claims related to winning or the prizes that can be won—
- (a) that are not based on fact; or
 - (b) that are unable to be proven; or
 - (c) that are exaggerated.
- (3) Gambling advertising must not—
- (a) in relation to non-skill gambling, suggest that a player’s skill can influence the outcome of gambling activity; or
 - (b) in relation to skill gambling, exaggerate the extent to which skill can influence the outcome of gambling activity.
- (4) Gambling advertising must not include the sounds of, or sounds suggestive of, coins landing in the tray of a gaming machine.

14 Unqualified use of “WIN” and “\$”

- (1) A gambling provider must not include, in any gambling advertising, material which includes one or more of the following expressions (or anything analogous to them)—
- (a) “win”; and
 - (b) “\$”—
- unless that expression is used in relation to—
- (c) a particular prize which has been determined or is payable; or
 - (d) a reasonable approximation or estimate of a prize which can be won.
- (2) For avoidance of any doubt, this clause applies to signs on the exterior of a gambling provider’s premises or in their immediate environs.

15 Prize promotions and advertising—specific obligations

- (1) If gambling advertising refers to, or relies on, the value or nature of one of the prizes which are available to be won (whether or not the prize is a
-

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Chapter 2—Advertising code of practice

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prize of money) or the frequency with which the prize might be won, the advertising—

- (a) must include sufficient information to allow a reasonably informed person to understand the overall return to player or, if the product does not have an overall return to player, the odds of winning; and
 - (b) must, if the advertising is intended to encourage a person to gamble during a particular period, include sufficient information to allow a reasonably informed 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 gambling provider—
- (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 gambling provider than that theoretical outcome; and
 - (c) obtains an actual outcome more favourable than that which was advertised—
- the gambling provider 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 trade promotion lottery are—
- (a) affected by the number of entrants; or
 - (b) dependent on similar factors beyond the control of the gambling provider.

16 Permissible advertising of loyalty programs

- (1) A gambling provider may, despite clause 13(1)(h), advertise an inducement in the form of participation in an acceptable loyalty program by—
- (a) drawing attention to the name of the loyalty program and its availability to customers of the gambling provider;
 - (b) publishing the program's terms, conditions and benefits—
 - (i) on a public webpage; or
 - (ii) on signs in or near a gambling area; or
-

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(iii) in a document available in or near a gambling area—
so long as the terms, conditions and benefits are published in their entirety.

- (2) A gambling provider may, despite clause 13(1)(h), advertise an inducement in the form of participation in an acceptable trade promotion lottery, or of a complimentary gambling product, by drawing attention to the prizes.

*Sub-clause (2)
amended by GR
Notice No. 6 of
2015, cl. 5(1)*

PART 3—MANDATORY WARNING MESSAGES

Division 1—All gambling advertising to include mandatory warning message

17 General position—expanded warning message to be used

- (1) Gambling advertising must include the expanded warning message.
- (2) This clause does not require the inclusion of the expanded warning message if, in the case of particular gambling advertising, that would not be reasonable or practicable.

18 Condensed warning message

If gambling advertising does not include the expanded warning message, the gambling advertising must include the condensed warning message.

19 Warning message to be respected

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.

20 Relationship between general and special provisions

When a provision of another Division of this Part is inconsistent with this Division, that provision will prevail over this Division to the extent of the inconsistency.

Division 2—Special provisions for radio and television

21 Presentation of message on radio

- (1) Gambling advertising on radio—
- (a) despite clause 17, may always be accompanied by the condensed warning message; and

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-
- (b) in the case of a plug, must end with the condensed warning message and the national gambling helpline number 1800 858 858.
- (2) When announced on radio, a mandatory warning message must be—
- (a) spoken in a neutral tone; and
 - (b) otherwise presented in a way which reflects the importance of a warning message.
- (3) A gambling provider must ensure, through the provision of instructions about its obligations under this code, that a mandatory warning message is appropriately respected—
- (a) in live announcements of its gambling advertising on radio;
 - (b) when mentioned by radio announcers before or after the broadcast of its gambling advertising.
- (4) The requirement in sub-clause (1)(b) is variable by a management plan.

22 Presentation of message on television**(1) Gambling advertising on television—**

- (a) in the case of an advertisement longer than 15 seconds—must, despite anything in clause 17(2), always be accompanied by the expanded warning message;
- (b) in the case of a plug other than celebrity commentary—must feature the superimposition, for the duration of the plug, of the condensed warning message and the national gambling helpline number 1800 858 858;
- (c) in the case of celebrity commentary—must include the person expressly or impliedly representing the gambling provider mentioning the national gambling helpline number 1800 858 858 and the need to gamble responsibly;
- (d) in the case of the presence of a logo on screen (other than as part of a television commercial which includes a mandatory warning message)—must include the placement of the condensed warning message adjacent to the logo, occupying no less space than that occupied by the logo.

Paragraph (a)
amended by GR
Notice No. 6 of
2015, cl. 9(1)(c)

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- (2) When a mandatory warning message appears in gambling advertising (other than as described in sub-clauses (1)(b), (c) or (d)) on television—
- Sub-clause (2) amended by GR Notice No. 4 of 2016, cl. 8(1)*
- (a) the message must—
- (i) occupy at least 25% of the screen area for at least one-sixth of the length of the advertisement;⁶ or
- (ii) occupy the whole of the screen area for at least one-tenth of the length of the advertisement;⁷ and
- (b) the message must be spoken in a neutral tone at the same time as it appears on the screen.
- (3) A gambling provider must ensure, through the provision of instructions about its obligations under this code, that the mandatory warning message is appropriately presented.
- (4) The following provisions do not apply in respect of gambling advertising which appears on television only because the broadcast image is of a public event at which the gambling advertising has been placed—
- (a) clauses 17 and 18 [gambling advertising to include expanded or condensed warning message];
- (b) sub-clause (2)(a) [mandatory warning message to appear for at least one-sixth of the time and occupy at least 25% of the screen]; and
- (c) sub-clause (2)(b) [mandatory warning message to be spoken].
- (5) Sub-clauses (1)(d) and (4) do not apply to logos regulated by clause 29 [participant uniforms].
- (6) The requirements in sub-clauses (1) and (2) are variable by a management plan.
- Sub-clause (6) amended by GR Notice No. 6 of 2015, cl. 3(1)*

23 Radio blackout

- (1) Gambling advertising must not be placed on radio between 6.00am and 8.30am, Monday to Friday (both days inclusive).

⁶ For example, for 5 seconds in a 30 second advertisement.

⁷ For example, for 1.5 seconds in a 15 second advertisement.

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- (2) This clause does not apply to gambling advertising on a dedicated sports channel.

24 Television blackout

- (1) Gambling advertising must not be placed on television between 4.00pm and 7.30pm, Monday to Friday (both days inclusive).
- (2) This clause does not apply to gambling advertising on a dedicated sports channel.

Division 3—Special provisions for print media, outdoor, etc, advertising**25 National helpline number to be included with condensed message**

If the condensed warning message is used in advertising to which this Division applies, it must be accompanied by the national gambling helpline number 1800 858 858.

26 Print media

- (1) In gambling advertising in print (including in newspapers, magazines and on handbills), the mandatory warning message—
- (a) must be presented in a font, in a colour and with sufficient contrast such as to make it distinct; and
 - (b) must occupy at least 10% of the space occupied by the advertising.
- (2) The requirement in sub-clause (1)(b) is variable by a management plan.

27 Outdoor signage generally

- (1) In outdoor gambling advertising (other than a permitted external sign or advertising covered by clause 28), the mandatory warning message—
- (a) must be presented in a font, in a colour and with sufficient contrast such as to make it distinct; and
 - (b) must occupy at least 10% of the space occupied by the advertising.
- (2) Gambling advertising in the form of a permitted external sign need not be accompanied by a mandatory warning message.

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GR Notice No. 8 of 2013**Clause 28**

28 Ground signage

- (1) This clause applies to gambling advertising which is an outdoor or indoor display or sign at a place which is the venue—
 - (a) for any sort of event which is broadcast on television; or
 - (b) for an event on which betting takes place.
- (2) Subject to sub-clause (3), in gambling advertising to which this clause applies, the mandatory warning message—
 - (a) must be presented in a font, in a colour and with sufficient contrast such as to make it distinct; and
 - (b) must occupy at least 10% of the space occupied by the advertising.
- (3) If gambling advertising to which this clause applies is presented by means of a display which—
 - (a) is constantly moving, scrolling or changing; or
 - (b) is capable of immediate or scheduled systematic change—
the mandatory warning message—
 - (c) must be presented in a font, in a colour and with sufficient contrast such as to make it distinct; and
 - (d) must occupy at least 25% of the space occupied by the advertising.
- (4) The requirements in sub-clauses (2) and (3) are variable by a management plan.

29 Participant uniforms

- (1) This clause applies to gambling advertising which is the placement of a logo on the apparel of a participant (including an official) in—
 - (a) an event which is broadcast on television in South Australia;
 - (b) an event on which gambling takes place; or
 - (c) a class of event on which gambling takes place—
and, in this clause, “**participant**” and “**event**” have corresponding meanings.
 - (2) Subject to sub-clause (3), gambling advertising to which this clause applies 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.
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- (3) Gambling advertising in the form of a small logo need not be accompanied by a mandatory warning message.
- (4) A gambling provider must ensure that participants do not wear its logo on occasions (other than events) when they are engaging solely or mainly with children.
- (5) The requirement in sub-clause (2) is variable by a management plan.

30 Exemption for inclusion of sponsor's identity in event or venue name

- (1) Gambling advertising which is no more than the inclusion in—
 - (a) the title of an event or the name of a team participating in an event; or
 - (b) the name of a place—
 of—
 - (c) a sponsor's name; or
 - (d) the name of a sponsor's brand—
 without design elements which distinguish it within the event title, team name or place name, need not be accompanied by a mandatory warning message.
- (2) This clause does not apply to gambling advertising regulated by clause 29 [participant uniforms].

Division 4—Special provisions for short messages

31 Messages of 160 characters or less

Sub-clause (1)
amended by GR
Notice No. 4 of
2016, cl. 6(1)(a)

- (1) Gambling advertising which is a text message must be concluded with the condensed warning message.

Sub-clause (2)
inserted by GR
Notice No. 4 of
2016, cl. 6(1)(b)

- (2) The requirements of this clause are variable by a management plan.

32 Messages longer than 160 characters

Sub-clause (1)
amended by GR
Notice No. 4 of
2016, cl. 6(2)(a)

- (1) Gambling advertising which is an electronic message of more than 160 characters must be concluded with the condensed warning message and the national gambling helpline number 1800 858 858.

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GR Notice No. 8 of 2013**Clause 33**

- (2) The requirements of this clause are variable by a management plan.

*Sub-clause (2)
inserted by GR
Notice No. 4 of
2016, cl. 6(2)(b)*

PART 4—LIVE ODDS

33 Live odds—application

- (1) Subject to sub-clause (2), this Part applies to gambling advertising which—
- (a) encourages betting on a form of gambling to which clause 34 states this Part applies; and
 - (b) is undertaken at a time to which clause 35 states this Part applies.
- (2) This Part does not apply to gambling advertising placed in a live sporting broadcast in a manner which complies with a recognised broadcasting code.

34 Live odds—forms of gambling

- (1) The forms of gambling to which this Part applies are—
- (a) betting on a contingency as to the outcome of an event;

Examples: These forms of betting include predicting the winner of a match, the winning margin for a match, etc.
 - (b) betting on a contingency which is dependent on the holding of an event; and

Examples: These forms of betting include predicting the lead at particular intervals (quarter-by-quarter scores, etc), the identity of the first scorer in an event, the number of possessions, kicks, catches, wickets achieved by a player, etc.
 - (c) betting on a contingency which is dependent on the outcomes of multiple related events or rounds of events (a **“tournament”**).

Examples: These forms of betting include predicting the outcome of a whole year or series of competition, which teams will make a finals series, or a particular level in a finals series, etc.
- (2) For the purposes of this Part, gambling advertising encourages betting on a form of gambling if—
- (a) it quotes a price; or
 - (b) it draws attention to the time period in which the form of gambling is available; or
 - (c) it draws attention in any way to the availability of the form of gambling; or

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(d) it otherwise encourages the betting—

regardless of whether that form of gambling is approved, or capable of being approved, for the gambling provider in South Australia.

35 Live odds—applicable times

The times to which this Part applies are—

(a) in respect of an event which is completed in a single period of 24 hours—any time after the commencement of the event;

Example: Live odds on any outcome of a football game could not be advertised once play has commenced in the first quarter.

(b) in respect of an event which is scheduled to be completed over more than one period of 24 hours—

(i) if the relevant contingency relates to the actual outcome of the event—any time after the commencement of the event during the 24 hour period in which the event is scheduled to conclude; and

Example: Live odds on the outcome of a 5 day test cricket match could not be advertised after the start of play on the fifth day.

(ii) if sub-paragraph (i) does not apply—any time between the commencement of the event in a particular period of 24 hours and the end of the event in that period; and

Example: This relates to the “derivative” forms of betting—the identity of the first scorer in an event, the number of possessions, kicks, catches, wickets achieved by a player, etc—and also to contingencies such as that the event will conclude early, or on the day of the bet.

(c) in respect of a tournament—the commencement of the related event or round of events (as the case requires) by or in which the relevant contingency will be determined.

Example: Live odds on a tennis player reaching the semi-finals of a tournament could not be advertised after the start of the player’s quarter-final round match.

36 Regulation of live odds advertising

Gambling advertising to which this Part applies may only be undertaken—

- (a) in print media;
- (b) on a public webpage;
- (c) by telephone voice call; or
- (d) in a gambling area.

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Clause 37

PART 5—GAMING MACHINE LICENSING

37 On premises advertising

Unless a gaming machine licensee is party to a responsible gambling agreement—

- (a) the licensee must ensure that there is no advertising of its gambling product on the exterior of its premises or in their immediate environs;
- (b) the licensee must ensure that there is no advertising of its gambling product within its premises except for—
 - (i) material in gambling areas within the premises; and
 - (ii) directional signage in areas of the premises other than gambling areas; and
- (c) its gambling advertising must not refer to factors that might induce a person to engage in gambling activity including, but not limited to, prizes or benefits other than those available on gaming machines.

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PART 1—PURPOSE OF THE RESPONSIBLE GAMBLING CODE

38 Object stated

This Chapter provides a framework through which gambling providers can ensure that their general gambling practices are consistent with the community's expectations that their gambling businesses will be conducted in a responsible manner so as to minimise the harm caused by gambling.

39 Object as an aid to interpretation

Interpretations of this code which promote the object stated in clause 38 are to be preferred to any other interpretations.

PART 2—RESPONSIBLE GAMBLING OPERATIONS

Division 1—General

40 Compliance with general laws and codes

A gambling provider must—

- (a) conduct its business in accordance with all applicable laws and legal requirements; and
- (b) co-operate with regulatory bodies and government agencies in all matters, including their investigations of compliance with legal obligations.

41 Responsible gambling documents

- (1) A gambling provider must, for any gambling areas, virtual gambling areas and gambling telephone lines through which it provides its gambling products, ensure the existence of a document or documents (whether hard copy or otherwise) detailing—
 - (a) the manner in which staff training and measures for intervention with problem gamblers are implemented; and
 - (b) the roles of staff (described by name or by job title) in the implementation of this code.
 - (2) A document required by sub-clause (1) must be—
 - (a) readily available to; and
-

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GR Notice No. 8 of 2013**Clause 42**

(b) made known to—
the staff to which it relates.

- (3) A document required by sub-clause (1) may be incorporated with any other operational document maintained by the gambling provider.

42 Internal reporting of problem gamblers

- (1) A gambling provider must establish a reporting process in respect of the identification of suspected problem gamblers by staff and the recording of those gamblers' details.
- (2) A gambling provider must ensure that a manager (however described)—
- (a) reviews the record of suspected problem gamblers on a regular basis; and
 - (b) documents, as part of the record—
 - (i) the fact of the review; and
 - (ii) any steps taken to intervene in suspected problem gamblers' gambling behaviour.
- (3) Reviews will be regarded as being conducted on a regular basis, for the purposes of sub-clause (2)(a), if—
- (a) the reviews are conducted fortnightly or more frequently; or
 - (b) the gambling provider can substantiate, in the context of the location of the venue and the nature of the gambling business conducted there, that a longer frequency for review is appropriate and the reviews are actually conducted on that frequency.

43 Duty to offer barring

- (1) The purpose of this clause is to impose duties in respect of the making of barring orders under Part 4 of the *Independent Gambling Authority Act 1995*.
- (2) A gambling provider must facilitate the operation of the barring orders scheme in Part 4 of the *Independent Gambling Authority Act 1995* for the benefit of problem gamblers, their family members dependent upon them, and those with a genuine interest in the welfare of problem gamblers and their families.
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Clause 44**GR Notice No. 8 of 2013**

- (3) Without limiting sub-clause (2), a gambling provider must—
- (a) if a gambler requests voluntary exclusion, bar the person forthwith unless there is good reason not to;
 - (b) if a person requests the involuntary barring of a gambler, promptly make a considered decision.
- (4) Without limiting sub-clause (2), a gambling provider must document and implement procedures to ensure that it responds to enquiries about barring (regardless of who initiates them) and approaches for the making of barring orders in a manner which is—
- (a) informative;
 - (b) timely, with the aims of—
 - (i) dealing with a telephone enquiry in one call; and
 - (ii) dealing with an in-venue approach while the person is in the venue; and
 - (c) culturally appropriate, including by the use of a telephone interpretation service.
- (5) A gambling provider may respond to enquiries or approaches for barring under Part 4 of the *Independent Gambling Authority Act 1995* with flexible informal arrangements to limit, manage or control a gambler's access to gambling if—
- (a) the gambling provider has adequate resources; and
 - (b) it is reasonable to expect that informal arrangements would be better for the gambler.
- (6) A gambling provider must ensure that any loyalty program database and any like list does not include a person who is excluded (whether by formal barring order or otherwise).

44 Direct customer communications

- (1) A gambling provider must include in or with a direct customer communication—
- (a) in the case of a direct customer communication which is not a text message—information about how the customer could obtain help for a gambling problem; and
 - (b) in the case of a text message—the condensed warning message or the national gambling helpline number 1800 858 858.

Sub-clause (1)
amended by GR
Notice No. 4 of
2016, cl. 6(3)(a)

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GR Notice No. 8 of 2013**Clause 45**

- (2) The requirements of this clause are variable by a management plan.

*Sub-clause (2)
 inserted by GR
 Notice No. 4 of
 2016, cl. 6(3)(b)*

Division 2—Venue operations

Subdivision A—Casino and Gaming

*Division 2
 substituted by
 GR Notice No. 1
 of 2014, cl. 5*

45 Gaming areas—regulatory signs

*Clause 45
 substituted by
 GR Notice No. 1
 of 2014, cl. 5*

- (1) A gaming provider must, at each entrance to a gaming area, display an A3 equivalent sign (“**perimeter sign**”) including—
- (a) a statement that the gaming area is restricted to people aged 18 and more (18+ only); and
 - (b) a statement that the gaming area is regulated by state law and codes of practice and that it is subject to inspection by an agency of the State, along with advice as to a telephone number to call to register a complaint.
- (2) If the Commissioner determines, in respect of particular premises or a class of premises, form and content for the perimeter sign, an affected gaming provider may only display the perimeter sign in that form.
- (3) A gaming provider must place in a prominent position in each gaming area at least one A3 equivalent sign (“**multi-lingual sign**”)—
- (a) containing information about the availability of free, confidential and professional help with gambling problems and related issues; and
 - (b) expressed in—
 - (i) english, arabic, chinese, greek, italian and vietnamese (the “**core languages**”); and
 - (ii) any other locally relevant language.
- (4) For the purposes of sub-clause (1)—
- (a) a requirement to display a sign identified by reference to the equivalent of an international standard paper size will be satisfied if the sign displayed occupies the same area as the size of the paper and is legible; and

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Clause 45A**GR Notice No. 8 of 2013**

- (b) a gaming provider may satisfy a requirement to display one A3 equivalent sign by displaying two A4 equivalent signs.
- (5) For the purposes of sub-clause (3)—
 - (a) if the OPG official publishes recommended content for the multi-lingual sign in respect of particular premises, or a class of premises, an affected gaming provider may only display a multi-lingual sign containing that content; and
 - (b) a gaming provider must, taking account of the typical cultural and linguistic composition of the patrons of each gaming area, give consideration to whether any language other than the core languages is another locally relevant language, and must record that consideration in writing.

*Clause 45A
 inserted by GR
 Notice No. 1 of
 2014, cl. 5*

45A Gaming areas—help and other information

- (1) A gaming provider must ensure that each ATM which is available for operation by patrons operates so that—
 - (a) when the ATM is idle the screen displays—
 - (i) a full screen responsible gambling message approved by the OPG official; or
 - (ii) if there is no current approval under sub-paragraph (i), the condensed warning message and the national gambling helpline number 1800 858 858—
 at least 20% of the time; and
 - (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) A gaming provider must—
 - (a) ensure the prominent display of the condensed warning message and the national gambling helpline number 1800 858 858 on or near—
 - (i) each automated coin dispensing machine in or near a gaming area; and
 - (ii) each customer service point at which money is exchanged for coins, for tickets or for credit on a recognised account based cashless gaming system; and
 - (b) ensure that a quantity of helpline cards is available at or near—

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GR Notice No. 8 of 2013**Clause 45B**

- (i) each ATM;
 - (ii) each automated coin dispensing machine in or near a gaming area;
 - (iii) each customer service point at which money is exchanged for coins, for tickets or for credit on a recognised account based cashless gaming system; and
 - (iv) each gaming machine.
- (3) A gaming provider must ensure that the time of day is—
- (a) prominently displayed; and
 - (b) visible—
- throughout gaming areas.
- (4) A gaming provider must ensure that a copy of this code (or a summary document approved in writing by the Authority) is made available on request.

*Sub-clause (4)
amended by GR
Notice No. 4 of
2016, cl. 9(1)*

45B In-venue messaging

- (1) A gaming provider must prominently display approved OPG campaign material on two classes of signs—
- (a) primary responsible gambling signs—which must be displayed in gaming areas; and
 - (b) additional responsible gambling signs—which the gaming provider may elect to display in gaming areas or to display in other parts of the gaming provider’s premises accessible to the public—
- as follows—
- (c) for a gaming machine licensee operating 10 or fewer gaming machines: at least one A1 equivalent primary responsible gambling sign, ensuring that there is at least one sign in each gaming area;
 - (d) for a gaming machine licensee operating more than 10 gaming machines—
 - (i) at least one A1 equivalent primary responsible gambling sign, ensuring that there is at least one sign in each gaming area;

*Clause 45B
inserted by GR
Notice No. 1 of
2014, cl. 5*

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- (ii) for each 10 (or part thereof) gaming machines in excess of 10, one A1 equivalent additional responsible gambling sign;
 - (e) for the casino licensee—
 - (i) at least 25 A1 equivalent primary responsible gambling signs, ensuring that there are at least two signs in each gaming area which is not a premium gaming area⁸;
 - (ii) for each 10 gaming machines in excess of 250 offered in gaming areas that are not premium gaming areas, one A1 equivalent additional responsible gambling sign; and
 - (iii) for each premium gaming area, one A1 primary responsible gambling sign.
 - (2) For the purposes of sub-clause (1)—
 - (a) a requirement to display a sign identified by reference to the equivalent of an international standard paper size will be satisfied if the sign displayed occupies the same area as the size of the paper and is legible; and
 - (b) a gaming provider 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 purposes of—
 - (a) sub-clause (1), the display of full screen OPG campaign material on a 16:9 format electronic display having a diagonal measurement of 1270 mm or more for at least 3 minutes per hour is the equivalent of one A1 equivalent sign;
 - (b) paragraph (a), the display of full screen OPG campaign material on multiple 16:9 format electronic displays having a diagonal measurement of less than 1270 mm may be aggregated (by reference to surface area) to be the equivalent of a 1270 mm display.
 - (4) For the purposes of sub-clause (1), a gaming provider which installs an approved on-screen budget reminder system will be regarded as having satisfied half of its obligations in respect of additional responsible gambling signs.

⁸ For the definition of “premium gaming area” see section 3 of the *Casino Act 1997*.

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GR Notice No. 8 of 2013**Clause 46**

(5) The requirements of this clause are variable by a management plan.

46 Multiple gaming machine play

*Clause 46
substituted by
GR Notice No. 1
of 2014, cl. 5*

A gaming provider—

- (a) must take all reasonable and practicable steps to ensure that a person plays no more than one gaming machine at a time; and
- (b) without limiting paragraph (a), must—
 - (i) in respect of a patron offending for the first time on a given day, give a warning; and
 - (ii) in respect of a patron who does not heed a warning, require the patron to leave the gaming area for 24 hours.

47 Cashing cheques in gaming areas

*Clause 47
substituted by
GR Notice No. 1
of 2014, cl. 5*

- (1) Subject to sub-clause (2), a gaming provider must not cash a cheque in a gaming area.
- (2) The Authority may, on the application of a gaming provider, give an exemption in respect of a gaming area by notice in writing stating—
 - (a) the reason for the exemption (such as the location of the premises containing the gaming area); and
 - (b) any conditions attached to the exemption.

47A Provision of cheques for winnings

*Clause 47A
inserted by GR
Notice No. 1 of
2014, cl. 5*

- (1) Subject to sub-clause (2), a gaming provider must, if requested to provide a cheque on premises in respect of an undisputed prize, winnings or redemption of credits in aggregate of \$1 000 or more, provide the cheque—
 - (a) as soon as practicable; and
 - (b) in any event, within 30 minutes after the patron makes the request and completes any formalities required by law.
- (2) The Authority must, if satisfied on application by a gaming provider that exceptional circumstances exist, fix a period longer than 30 minutes for the purposes of sub-clause (1)(b).

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Clause 48**GR Notice No. 8 of 2013**

Clause 48 substituted (without amendment) by GR Notice No. 1 of 2014, cl. 5

48 Young children in and around premises

A gaming provider must—

- (a) establish and keep current; and
- (b) implement—

a written procedure addressing the issue of young children (being children aged 10 years or less) who might, but for the procedure, be left unattended on the gaming provider's premises or in a motor vehicle parked in a car park over which the gaming provider has direct power and control.

Clause 49 substituted (without amendment) by GR Notice No. 1 of 2014, cl. 5

49 Gaming machines and coin availability

A gaming provider must ensure that coin can only be obtained from—

- (a) a cashier; or
- (b) an automated coin dispensing machine which is located so as to enable patron activity to be monitored.

Subdivision B—Wagering and Lotteries

Clause 50 substituted by GR Notice No. 1 of 2014, cl. 5

50 Gambling areas, customer information and signage

(1) A gambling provider (other than a gaming provider) must—

- (a) ensure the prominent display of the condensed warning message and the national gambling helpline number 1800 858 858—
 - (i) on or near each point of sale of its gambling product; and
 - (ii) on any electronic display in a gambling area which is used for displaying venue generated messages in the nature of internal advertising;
- (b) in each gambling area—
 - (i) display prominently a message (whether alone or in combination with one or more other mandated messages) indicating that gambling operations are governed by a code of practice; and
 - (ii) ensure that a copy of this code (or a summary document approved in writing by the Authority) is made available on request;

Sub-para-graph (ii) amended by GR Notice No. 4 of 2016, cl. 9(2)

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GR Notice No. 8 of 2013**Clause 50A**

- (c) ensure that a quantity of helpline cards is available on or near each ATM and at other places throughout gambling areas; and
 - (d) ensure that the time of day is—
 - (i) prominently displayed; and
 - (ii) visible—
 throughout gambling areas.
- (2) A gambling provider (other than a gaming provider) must—
- (a) prominently display and renew responsible gambling materials (including a poster and a pamphlet) in gambling areas in a form which includes—
 - (i) the expanded warning message; or
 - (ii) if it is not reasonable or practicable to include the expanded warning message, the condensed warning message; and
 - (b) make available a short form of its responsible gambling materials in the following 5 languages other than english—
 - (i) arabic;
 - (ii) chinese;
 - (iii) greek;
 - (iv) italian;
 - (v) vietnamese—
 together with any other language which the gambling provider considers appropriate.

50A Self-service terminals

If a gambling provider (other than a gaming provider) installs, in a place in which it is otherwise authorised to provide its gambling product, a device which allows customers to purchase the gambling product and process winnings without the assistance of an operator, the gambling provider must ensure that—

- (a) subject to paragraph (b), the device is configured to allow the gambling product to be purchased using a customer's gambling account; and
- (b) if the device is configured to allow the gambling product to be purchased other than by using a gambling account, enhanced

Clause 50A
inserted by GR
Notice No. 6 of
2015, cl. 6(1)

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Clause 51**GR Notice No. 8 of 2013**

responsible gambling measures approved by the Authority in respect of the device (or class of device) are being implemented; and

- (c) the device is not operated by the insertion of cash.

Subdivision C—General and Co-located activities

*Clause 51
substituted by
GR Notice No. 1
of 2014, cl. 5*

51 Customer information and interaction

- (1) A gambling provider must take all reasonable steps to ensure that a person who demonstrates difficulty in controlling his or her personal expenditure on gambling products has his or her attention drawn to the name and telephone number of a widely available gambling help service.
- (2) A gambling provider must—
- (a) identify a gambling rehabilitation agency that gamblers and their family members can readily access (including the location of the agency and a key operational contact who can be asked for by name);
 - (b) ensure that staff are sufficiently informed about the identity and location of the gambling rehabilitation agency so as to be able to direct patrons to the agency; and
 - (c) ensure that management level contact is established and maintained with the gambling rehabilitation agency about problem gambling matters.
- (3) A gambling provider must reinforce its responsible gambling policy in appropriate customer newsletters and other communications.

*Clause 51A
inserted by GR
Notice No. 1 of
2014, cl. 5*

51A Alcohol and gambling

- (1) A gambling provider must take all practicable steps—
- (a) to prevent a person from being allowed to gamble if the person's speech, balance, coordination or behaviour is noticeably impaired and it is reasonable to believe that the impairment is the result of the consumption of liquor or some other substance;
 - (b) to prevent the entry of a person into a gambling area, or a person remaining in a gambling area, if the person's speech, balance, coordination or behaviour is noticeably impaired and it is reasonable to believe that the impairment is the result of the consumption of liquor or some other substance; and

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GR Notice No. 8 of 2013**Clause 51B**

- (c) to ensure that liquor is not supplied to reward, promote or encourage continued gambling.
- (2) The casino licensee must ensure that a person is not served liquor while seated or standing at a gaming machine or at automated table game equipment, unless—
- (a) the machine or equipment is in a premium gaming area⁹; or
- (b) the automated table game is conducted by a dealer.
- (3) A gaming machine licensee must ensure that a person is not served liquor while seated or standing at a gaming machine.

Sub-clause (2)
amended by GR
Notice No. 8 of
2015, cl. 3

51B Co-location

If a gaming provider—

- (a) is also the agent of SA TAB or the Lotteries Commission; and
- (b) 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 Lotteries Commission—

SA TAB or the Lotteries Commission (as the case may be) is deemed to have complied with the requirements of sub-clauses (1)(a) and (2) of clause 50.

Clause 51B
inserted by GR
Notice No. 1 of
2014, cl. 5

Division 3—Virtual and telephone operations

52 Virtual gambling areas and account holder information and signage

- (1) A gambling provider must in each virtual gambling area—
- (a) display prominently a message indicating that its gambling operations are governed by a code of practice; and
- (b) ensure that a copy of this code (or a summary document approved in writing by the Authority) is available from the webpage or screen that constitutes the virtual gambling area.
- (2) A gambling provider must provide prominent access to its responsible gambling materials on each website which includes a virtual gambling area.

Paragraph (b)
amended by GR
Notice No. 4 of
2016, cl. 9(3)

⁹ For the definition of “premium gaming area” see section 3 of the *Casino Act 1997*.

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Clause 52**GR Notice No. 8 of 2013**

- (3) A gambling provider must ensure the prominent display of the condensed warning message at every point of sale in its virtual gambling areas.
- (4) A gambling provider must—
- (a) at the time of establishing a gambling account—
 - (i) indicate that its gambling operations are governed by a code of practice; and
 - (ii) provide its responsible gambling materials (including a printed or electronic pamphlet) to the account holder; and
 - (b) when providing a statement for a gambling account, include a mandatory warning message as part of the statement.
- (5) For the purposes of sub-clauses (2) and (4), a gambling provider must—
- (a) publish its responsible gambling materials in a form which includes the contents of a helpline card and the expanded warning message; and
 - (b) make available a short form of its responsible gambling materials in the following 5 languages other than english—
 - (i) arabic;
 - (ii) chinese;
 - (iii) greek;
 - (iv) italian;
 - (v) vietnamese—together with any other language which the gambling provider considers appropriate.
- (6) A gambling provider must take all reasonable steps to ensure that an account holder who demonstrates difficulty in controlling his or her personal expenditure on gambling products has his or her attention drawn to the name and telephone number of a widely available gambling help service.
- (7) A gambling provider must reinforce its responsible gambling policy in account holder newsletters and other communications.
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GR Notice No. 8 of 2013**Clause 53****53 Alcohol and gambling**

A gambling provider which is operating a gambling telephone line must take all practicable steps to prevent a person from being allowed to gamble if the person's speech, balance, coordination or behaviour is noticeably impaired and it is reasonable to believe that the impairment is the result of the consumption of liquor or some other substance.

*Clause 53
amended by GR
Notice No. 1 of
2014, cl. 6*

PART 3—INDUCEMENTS AND LOYALTY

54 Inducements

- (1) A gambling provider must not offer or provide any inducement—
 - (a) directed at encouraging patrons to gamble;
 - (b) directed at encouraging people to open gambling accounts.
- (2) Sub-clause (1)(a) does not apply to—
 - (a) the offering or provision of participation in an acceptable loyalty program;
 - (b) the offering or provision of participation in an acceptable trade promotion lottery or of a complimentary gambling product;
 - (c) the offering or provision in a gambling area of an inducement in the form of complimentary non-alcoholic beverages and refreshments of nominal value; or
 - (d) the offering or provision of an inducement in respect of a pre-commitment trial approved in writing by the Authority, within and subject to the terms of the instrument of approval.
- (3) This clause does not prevent the payment of commissions to, or in respect of, identified high value patrons.

*Sub-clause (2)
amended by GR
Notice No. 6 of
2015, cl. 5(1)*

55 Acceptable loyalty programs

- (1) A loyalty program is an acceptable loyalty program—
 - (a) if it is a structured program which—
 - (i) is conducted in accordance with published terms and conditions;
 - (ii) is advertised in a manner consistent with the advertising requirements for the gambling provider's gambling products;

*Clause 55 is to
be amended by
GR Notice No. 4
of 2016, but the
amendment is
not yet in force—
see Note 6*

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Clause 56**GR Notice No. 8 of 2013**

- (iii) offers rewards proportionate to gambling activity (including non-monetary privileges attached to tiers in a stepped rewards system);
- (iv) offers regular activity statements; and
- (v) offers “high value patron” status only to those who meet and, on periodic review, maintain numerical and narrative tests of high value play; or

Sub-clause (2)
not presently in
operation—see
Note 6

- (2) In addition to the matters required by sub-clause (1)(a), an acceptable loyalty program must include a facility for predictive monitoring of the patterns of gamblers’ gambling activity, with the purpose of intervening in cases where there is a risk of problem gambling.

56 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 Lottery and Gaming Regulations 2008, it is an authorised lottery or an exempted lottery under the *Lottery and Gaming Act 1936*;
 - (b) its dominant purpose is to reward or retain existing patrons rather than to encourage patrons to gamble more than they would otherwise; and
 - (c) it has been approved by the Authority—
 - (i) specifically, by reference to its rules and conditions and the manner in which it will be advertised; or
 - (ii) by reference to a class of lottery meeting minimum standards for its rules and conditions and the manner in which it will be advertised.
- (2) The grant of an approval under sub-clause (1)(c) may be made contingent on the grant, in particular terms, of a licence under the Lottery and Gaming Regulations 2008.

57 High value patron

For the purposes of this Part, a high value patron is a gambling customer—

- (a) whose expected annual gambling activity will exceed—
 - (i) \$16 000 net expenditure over a year; or

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GR Notice No. 8 of 2013**Clause 58**

(ii) \$160 000 gross turnover over a year—

when assessed by reference to the most recent three months of activity or by another method specifically approved by the Authority; and

(b) who, in the informed opinion of the gambling provider, has the means or resources to sustain the expected level of gambling activity indefinitely.

PART 4—PRE-COMMITMENT, ETC

Division 1—Account based gambling operations

58 Application to particular gambling providers

This Part applies to—

- (a) an authorised interstate betting operator;
- (b) a licensed bookmaker;
- (c) the Lotteries Commission;
- (d) a licensed racing club; and
- (e) SA TAB—

and a reference in this Part to a gambling provider is to be construed accordingly.

59 Certain gambling to be account based gambling

A gambling provider must not provide gambling services to a person in South Australia by telephone, internet or other electronic means unless the gambling provider has established a gambling account for the person.

Note: By operation of section 3(3) of the *Authorised Betting Operations Act 2000*, a reference to telephone, Internet or other electronic means is a reference to a means of communicating at a distance by the use of electronic devices.

Note inserted by GR Notice No. 6 of 2015, cl. 6(2)

60 Elimination of duplicate accounts

A gambling provider must ensure that each account holder has no more than one gambling account except where—

- (a) the account holder has a fortnightly turnover consistent with an annual turnover of more than \$1 million and the gambling provider is satisfied that there is good reason for the account holder to have more than one gambling account; or

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Clause 61**GR Notice No. 8 of 2013**

- (b) the gambling provider offers only the net betting losses pre-commitment option referred to in clause 61(2)(b)(i).

Division 2—Limits and periods

61 Gambling provider to offer weekly pre-commitment

- (1) A gambling provider must, in respect of account based gambling, provide a pre-commitment scheme.
- (2) A pre-commitment scheme referred to in sub-clause (1) must meet the following minimum requirements—
- (a) an account holder must be able to set a pre-commitment limit for a fixed period of 7 days (the “**relevant period**”);
 - (b) the pre-commitment limit set by the account holder may apply, at the election of the gambling provider, to—
 - (i) net betting losses by the account holder (regardless of the number of accounts held) during the relevant period;
 - (ii) deposits made to the account during the relevant period; or
 - (iii) a combination of both;
 - (c) a gambling account must not be able to be used until the account holder has set a pre-commitment limit or chosen not to set a pre-commitment limit;
 - (d) the gambling provider, at intervals of no less than 2 years, must contact each account holder who has chosen not to set a pre-commitment limit to offer the choice to set a pre-commitment limit;
 - (e) a decision by an account holder to—
 - (i) increase or revoke a pre-commitment limit; or
 - (ii) change the start day for the relevant period—must not come into effect for a period of 7 days;
 - (f) a decision by an account holder to decrease a pre-commitment limit must be given effect as soon as practicable.
- (3) A pre-commitment scheme referred to in sub-clause (1) may include additional limits and features so long as they do not conflict with the minimum requirements set out in sub-clause (2).
-

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GR Notice No. 8 of 2013**Clause 62**

62 Account balances

A gambling provider must provide an account holder with an account balance—

- (a) whenever money is withdrawn (other than for the purchase of a gambling product); and
- (b) whenever money is deposited into a gambling account via an online transaction; and
- (c) in the case of a bet placed by internet—whenever a bet is made from the account; and
- (d) upon request by the account holder.

63 Pre-commitment to be promoted

A gambling provider must promote the availability of the pre-commitment scheme—

- (a) on any brochures, pamphlets or marketing information (other than advertising) that provides information on how a gambling account may be established;
- (b) as part of the welcome pack (however described) provided to an account holder upon account establishment;
- (c) on the gambling provider's website—both on the homepage and on any point of sale page; and
- (d) on account balances (when provided in writing) and activity statements.

*Paragraph (a)
amended by GR
Notice No. 6 of
2015, cl. 9(1)(d)*

Division 3—Activity statements

64 Gambling provider to send activity statements

(1) A gambling provider must send an account holder a routine activity statement—

- (a) for each calendar month in which there are 50 or more transactions conducted on a gambling account; and
- (b) for each period of consecutive calendar months (up to three calendar months) in which more than 40 transactions are conducted on a gambling account (which statement may be combined with a statement required by paragraph (a)); and

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Clause 65**GR Notice No. 8 of 2013**

- (c) at least once in each period of 12 months following the provision of an activity statement—
so as to provide a continuous record of gambling activity.
- (2) A gambling provider must, in addition to activity statements required by sub-clause (1), send a special activity statement to an account holder upon request for the period nominated by the account holder.
- (3) Despite sub-clause (1), a gambling provider may meet the requirements for routine activity statements by sending activity statements on a rolling monthly basis (whether or not the statement periods are calendar months).
- (4) The frequency requirements of sub-clauses (1)(a), (b) and (c) are variable by a management plan.
- (5) Despite sub-clause (1)(c), a gambling provider is not required to send an annual activity statement in respect of an account—
- (a) which has a credit balance of \$10 or less at the end of the relevant year; and
 - (b) in respect of which there has been no gambling activity in the relevant year.

65 Statement to be in writing

- (1) An activity statement must be sent in writing.
- (2) A gambling provider may satisfy the requirement to send an activity statement in writing by sending the statement—
- (a) if the gambling provider is able to send the statement by email and the account holder elects to receive the statement that way—by email; or
 - (b) by facsimile transmission; or
 - (c) by post or some other form of physical delivery.
- (3) If—
- (a) a gambling provider is able to send activity statements by email;

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GR Notice No. 8 of 2013**Clause 66**

- (b) an account holder elects to receive activity statements by post or some other form of delivery—

the gambling provider is not prevented by this code from recovering the additional cost occasioned by the mode of delivery.

66 Contents of activity statement

- (1) An activity statement must include details of each transaction in the statement period, including the amount, date, time and a description of the transaction.
- (2) If—
- (a) an account holder elects to receive activity statements by email;
 - (b) on any one day during the relevant period, the statement would record 20 or more transactions; and
 - (c) the gambling provider offers a facility by which the account holder may view individual transactions online—

the gambling provider may provide the statement in a form which aggregates on a daily basis the amounts deposited, withdrawn, bet and won.

PART 5—STAFF AND TRAINING***Division 1—Casino*****67 Training**

- (1) The casino licensee must ensure that—
- (a) each casino gaming employee—
 - (i) within the 3 months before or after starting, completed basic training; and
 - (ii) at intervals of no more than 2 years after first completing basic training, commences and completes basic training or advanced training; and
 - (b) each casino supervisor—
 - (i) within the 3 months before or after starting, completed basic training (if the casino supervisor has not already completed basic training) and advanced training; and

*Sub-paragraph (i)
 amended by GR
 Notice No 6 of
 2015, cl. 9(2)(a)*

*Sub-paragraph (i)
 amended by GR
 Notice No 6 of
 2015, cl. 9(2)(b)*

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Clause 68**GR Notice No. 8 of 2013**

- (ii) at intervals of no more than 2 years after first completing advanced training, commences and completes further advanced training.
- (2) The casino licensee may make the following applications for the purposes of section 41A(2)(e)(ii) of the *Casino Act 1997*—
 - (a) for an exemption that deems training undertaken and experience acquired prior to, or within the 12 months after, the transition day as whole or partial satisfaction of a requirement under sub-clause (1); and
 - (b) for an exemption that deems—
 - (i) partial completion of particular basic training or advanced training by a class of casino gaming employee as whole or partial satisfaction of a requirement under sub-clause (1)(a)(ii);
 - (ii) partial completion of particular advanced training by a class of casino supervisor as whole or partial satisfaction of a requirement under sub-clause (1)(b)(ii).
- (3) An application under sub-clause (2)—
 - (a) must be made in writing to the Authority; and
 - (b) must be accompanied by supporting documentary material.

68 Staff welfare

The casino licensee must take reasonable steps to ensure that staff with a potential or actual gambling problem (not limited to a casino gaming problem) are identified and referred for counselling, support or therapy.

69 Definitions and transitional

- (1) In this Division—
 - “**advanced training**” means a course of training recognised as advanced training under section 33A(1)(b) of the *Casino Act 1997*;
 - “**basic training**” means a course of training recognised as basic training under section 33A(1)(a) of the *Casino Act 1997*;
 - “**casino gaming employee**” means a person approved under Part 4, Division 2 of the *Casino Act 1997* to hold a sensitive position in

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GR Notice No. 8 of 2013**Clause 69**

table games, gaming machines, surveillance or security operations or perimeter control;

“casino supervisor” means a person approved under Part 4, Division 2 of the *Casino Act 1997* to hold a sensitive position or a position of responsibility—

- (a) in host responsibility;
- (b) in a premium gaming area¹⁰; or
- (c) managing or supervising casino gaming employees in table games, gaming machines, surveillance or security operations at the casino;
- (d) managing the licensee’s marketing function (however described);

“starting” means the later of—

- (a) the day on which this Division comes into operation under clause 1(2); and
- (b) the day a person first works as a casino gaming employee or as a casino supervisor;

“transition day” means 1 July 2014.

- (2) Where clause 67(1) imposes an obligation in respect of a person who—
- (a) was a casino gaming employee or a casino supervisor on the transition day; or;
 - (b) started as a casino gaming employee or a casino supervisor between 1 July 2014 and 31 December 2014—

*Sub-clause (2)
substituted by
GR Notice No. 6
of 2015, cl. 7*

the gambling provider will be deemed to have complied with the obligation if by—

- (c) 31 March 2015, at least 30% of those casino gaming employees and casino supervisors;
- (d) 30 September 2015, at least 60% of those casino gaming employees and casino supervisors;
- (e) 31 March 2016, at least 90% of those casino gaming employees and casino supervisors;

¹⁰ For the definition of “premium gaming area” see section 3 of the *Casino Act 1997*.

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Clause 70**GR Notice No. 8 of 2013**

(f) 30 June 2016, 100% of those casino gaming employees and casino supervisors—

have undertaken the training which is the subject of the obligation.

Division 2—Gaming machines

70 Training

(1) A gaming machine licensee must ensure that—

(a) each gaming employee—

- (i) within the 3 months before or after starting, completed basic training; and
- (ii) at intervals of no more than 2 years after first completing basic training, commences and completes basic training or advanced training; and

(b) each gaming manager—

- (i) 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
- (ii) at intervals of no more than 2 years after first completing advanced training, commences and completes further advanced training.

(2) A gaming machine licensee or a peak body (in respect of gaming machine licensees it represents) may make the following applications for the purposes of section 10A(2)(ca)(ii) of the *Gaming Machines Act 1992*—

(a) for an exemption that deems training undertaken and experience acquired prior to, or within the 12 months after, the transition day as whole or partial satisfaction of a requirement under sub-clause (1); and

(b) for an exemption that deems—

- (i) partial completion of particular basic training or advanced training by a class of gaming employee as whole or partial satisfaction of a requirement under sub-clause (1)(a)(ii);
- (ii) partial completion of particular advanced training by a class of gaming manager as whole or partial satisfaction of a requirement under sub-clause (1)(b)(ii).

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GR Notice No. 8 of 2013**Clause 71**

- (3) An application under sub-clause (2)—
- (a) must be made in writing to the Authority; and
 - (b) must be accompanied by supporting documentary material.

71 Staff welfare

A gaming machine licensee must take reasonable steps to ensure that staff with a potential or actual gambling problem (not limited to a gaming machine problem) are identified and referred for counselling, support or therapy.

72 Definitions and transitional

- (1) In this Division—

“**advanced training**” means a course of training recognised as advanced training under section 10B(1)(b)(ii) of the *Gaming Machines Act 1992*;

“**APGIT**” means training recognised as a course of advanced problem gambling intervention training under section 10B of the *Gaming Machines Act 1992* or training which would have had that status but for the commencement of section 65 of the *Statutes Amendment (Gambling Reform) Act 2013* on 1 July 2014;

Definition inserted by GR Notice No. 6 of 2015, cl. 8(1)(a)

“**basic training**” means a course of training recognised as basic training under section 10B(1)(b)(i) of the *Gaming Machines Act 1992*;

“**starting**” means the day a person first works as a gaming employee or as a gaming manager in South Australia (regardless of where or for whom);

Definition amended by GR Notice No. 6 of 2015, cl. 8(1)(b)

“**transition day**” means 1 July 2014.

- (2) Until 60 days after the second course of basic training is recognised by publication of a notice in the Government Gazette, completion of the nationally accredited training identified as SITHGAM201 and SITHGAM202 is to be regarded as completion of basic training.
- (3) Until 60 days after the first course of advanced training is recognised by publication of a notice in the Government Gazette, completion of APGIT is to be regarded as completion of advanced training.

Sub-clauses (2)–(6) substituted for sub-clause (2) by GR Notice No. 6 of 2015, cl. 8(2)

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Clause 72**GR Notice No. 8 of 2013**

(4) For the purposes of sub-clause (5) in the period ending on 30 June 2016, the requirements of clause 70(1) are deemed to be satisfied in the following circumstances in the manners described—

(a) a person who, as an approved gaming machine employee or approved gaming machine manager prior to the transition day, had undertaken—

(i) training which complied with clause 10 of the Gaming Machines Responsible Gambling Code of Practice; or

(ii) the nationally accredited training identified as SITHGAM201 and SITHGAM202—

will meet the requirements for—

(iii) a gaming employee, if the person completes basic training or advanced training; and

(iv) a gaming manager, if the person completes advanced training;

Note: This assumes that a person, in order to satisfy the requirements for APGIT or advanced training, will have demonstrated the competencies required for basic training.

(b) a person has never undertaken training which complied with clause 10 of the Gaming Machines Responsible Gambling Code of Practice, or basic training, will meet the requirements for—

(i) a gaming employee, if the person completes basic training; and

(ii) a gaming manager, if the person completes basic training and advanced training.

(5) A gaming machine licensee must ensure that by—

(a) 31 March 2015, at least 30% of its gaming employees and gaming managers;

(b) 30 September 2015, at least 60% of its gaming employees and gaming managers;

(c) 31 March 2016, at least 90% of its gaming employees and gaming managers;

(d) 30 June 2016, 100% of its gaming employees and gaming managers (excluding those who started after 31 March 2016)—

have received the training required by sub-clause (4).

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GR Notice No. 8 of 2013**Clause 73**

- (6) Sub-clauses (2)–(5) apply regardless of whether particular training was commenced and completed, or required to be commenced or completed, before or after the commencement of clause 8(2) of the Gambling Codes of Practice (General) Variation Notice 2015.

Division 3—Wagering and Lotteries

73 Training

- (1) A gambling provider (other than a gaming provider) must—
- (a) ensure that all people involved in selling its gambling products, or otherwise dealing with patrons, receive problem gambling training—
 - (i) for all staff at induction—basic training which identifies problem gambling and which explains the role and process of barring and exclusion; and
 - (ii) for supervisory and managerial staff (including the person in charge of a call centre, a physical point of sale or a physical gambling area)—advanced training on the identification of, and intervention techniques for, problem gambling;
 - (b) provide refresher courses for all staff at least each 2 years;
 - (c) include responsible gambling information in employee newsletters and magazines; and
 - (d) provide responsible gambling materials in the workplace to remind staff of policies and their responsibilities.
- (2) If the gambling provider uses an external provider for training, that training provider must be a registered training organisation under the *National Vocational Education and Training Regulator Act 2011* (Commonwealth).
- (3) For the purposes of sub-clause (1), basic and advanced training programs must be designed to—
- (a) provide information about the potential effect of gambling on customers;
 - (b) include information on the recognition and identification of problem gambling traits; and
 - (c) ensure that the processes for approach, intervention, referral and follow-up are clear and well understood.
-

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Chapter 3—Responsible gambling code of practice

Clause 74**GR Notice No. 8 of 2013**

- (4) A gambling provider (other than a gaming provider) must—
- (a) make arrangements to ensure that training programs provided to its staff are the subject of an annual review of or audit for their compliance with the requirements of this code; and
 - (b) provide a report of the outcome of each review or audit to the Authority within 28 days after completion.
- (5) The Authority, on the application of a gambling provider (other than a gaming provider) or a relevant peak body, may grant exemptions from the operation of this clause—
- (a) in respect of the deferral of training required on induction by up to 3 months; and
 - (b) in respect of transitional issues arising on the enactment of the *Statutes Amendment (Gambling Reform) Act 2013*.
- (6) Sub-clauses (1)(a) and (b) do not apply (at the election of the gambling provider) in respect of a person on the staff of an agent which is coincidentally a gaming provider if that person has received, and is current with, training required by Division 1 or Division 2 of this Part.

74 Staff welfare

A gambling provider (other than a gaming provider) must take reasonable steps to ensure that staff with a potential or actual gambling problem (involving any sort of gambling) are identified and referred for counselling, support or therapy.

PART 6—INTERVENTION INITIATIVES**75 Casino**

- (1) The casino licensee must maintain a host responsibility program.
- (2) For the purposes of sub-clause (1), a host responsibility program and its circumstances must meet the following minimum requirements—
- (a) there must be at least one program employee available to attend in a gambling area whenever the casino is operating;
 - (b) the casino licensee must provide program employees with free and unrestricted access to the licensee's premises, other staff and patrons at all times the casino is open for business;
-

Gambling Codes of Practice Notice 2013
Chapter 3—Responsible gambling code of practice

GR Notice No. 8 of 2013**Clause 76**

- (c) the casino licensee must undertake to its staff that they will in no way be the subject of prejudice or unfavourable treatment due to making reports of problem gambling behaviour or suspected problem gambling behaviour;
- (d) the casino licensee must consent to, and must facilitate, comprehensive annual and more frequent periodic reporting to the Authority by program staff of their activities, as required by the Authority from time to time; and
- (e) the casino licensee must notify the Authority of the terms of reference for the program, and procure the Authority's acceptance of them.

76 Gaming machine licensees

Unless a gaming machine licensee is party to a responsible gambling agreement—

- (a) the licensee must ensure that it is not possible to see into a gambling area from within other parts of the premises or from outside the premises;
- (b) the licensee must ensure that, to the greatest extent practicable, sounds associated with gambling are not audible in parts of the premises other than gambling areas or in any area outside the premises;
- (c) the licensee must ensure that patron activity on automated coin dispensing machines is routinely and regularly monitored; and
- (d) the licensee must not allow participation in a loyalty program other than one which includes a pre-commitment program approved by the Authority.

Schedule 1

<i>Expanded warning message</i>	<i>First relevant period</i>
Know when to stop. Don't go over the top. Gamble responsibly.	1 January 2014–30 June 2014
Think of the people who need your support. Gamble responsibly.	1 July 2014–31 December 2014
Don't chase your losses. Walk away. Gamble responsibly.	1 January 2015–30 June 2015
Don't let the game play you. Stay in control. Gamble responsibly.	1 July 2015–31 December 2015

Schedule 1
amended by GR
Notice No. 4 of
2016, cl. 8(2)

*Gambling Codes of Practice Notice 2013***Schedule 2****GR Notice No. 8 of 2013**

<i>Expanded warning message</i>	<i>First relevant period</i>
Stay in control. Leave before you lose it. Gamble responsibly.	1 January 2016–30 June 2016
You know the score. Stay in control. Gamble responsibly.	1 July 2016–31 December 2016

Schedule 2

TABLE
Gaming Machines Act 1992
Mandatory Provisions, Categories of Offences and Expiations

<i>Item No.</i>	<i>Column A Clause No.</i>	<i>Column B Offence category</i>	<i>Column C Expiation category</i>	<i>Additional provisions</i>
1	6	A	A	
2	12(1)	A	A	
3	12(1)	A	A	
4	13(1)(a)	B	B	
5	13(1)(b)	D	D	
6	13(1)(c)	A	A	
7	13(1)(d)	C	C	
8	13(1)(e)	D	D	
9	13(1)(f)	D	D	
10	13(1)(g)	D	D	
11	13(1)(h)	D	D	
12	13(2)	C	C	
13	13(3)(a)	C	C	
14	13(3)(b)	C	C	
15	13(4)	C	C	
16	14(1)(a)	C	C	
17	14(1)(b)	C	C	
18	15(1)(a)	C	C	
19	15(1)(b)	C	C	

*Gambling Codes of Practice Notice 2013***GR Notice No. 8 of 2013****Schedule 2**

<i>Item No.</i>	<i>Column A Clause No.</i>	<i>Column B Offence category</i>	<i>Column C Expiation category</i>	<i>Additional provisions</i>
20	17(1)	D	D	This penalty applies where the condensed message is used when the expanded warning message should have been used.
21	18	B	B	This penalty applies where no warning message appears.
22	19	C	C	
23	21(1)(b)	B	B	
24	21(2)	C	C	
25	21(3)(a)	C	C	
26	21(3)(b)	C	C	
27	22(1)(a)	B	B	
28	22(1)(b)	B	B	
29	22(1)(c)	B	B	
30	22(1)(d)	B	B	
31	22(2)(a)	C	C	
32	22(2)(b)	C	C	
33	22(3)	C	C	
34	23(1)	B	B	
35	24(1)	B	B	
36	25	B	B	
37	26(1)	C	C	
38	27(1)	C	C	
39	28(2)	C	C	
40	28(3)	C	C	
41	29(2)	B	B	
42	29(4)	C	C	
43	31	B	B	
44	32	B	B	

*Gambling Codes of Practice Notice 2013***Schedule 2****GR Notice No. 8 of 2013**

<i>Item No.</i>	<i>Column A Clause No.</i>	<i>Column B Offence category</i>	<i>Column C Expiation category</i>	<i>Additional provisions</i>
45	37(a)	A	A	
46	37(b)	B	B	
47	37(c)	D	D	
48	40	A	A	
49	41(1)	B	B	
50	41(2)	B	B	
51	42(1)	A	A	
52	42(2)	D	D	
53	43(2)	A	A	
54	43(3)(a)	A	A	
55	43(3)(b)	D	D	
56	43(4)	D	D	
57	44	D	D	
58	45(1)	A	A	
59	45(3)	D	D	
60	45A(1)(a)	D	D	
61	45A(1)(b)	D	D	
62	45A(2)(a)	D	D	
63	45A(2)(b)	D	D	
64	45A(3)	D	D	
64A	45A(4)	D	D	
65	45B(1)(a)	B	B	
66	45B(1)(b)	B	B	
67	46	D	D	
68	47(1)	B	B	
69	47A	D	D	
70	48	B	B	
71	49	A	A	

*Schedule 2, items
58–78 substituted
by GR Notice
No. 1 of 2014,
cl. 7*

*Gambling Codes of Practice Notice 2013***GR Notice No. 8 of 2013****Schedule 2**

<i>Item No.</i>	<i>Column A Clause No.</i>	<i>Column B Offence category</i>	<i>Column C Expiation category</i>	<i>Additional provisions</i>
72	51(1)	B	B	
73	51(2)(a)	B	B	
74	51(3)	D	D	
75	51A(1)(a)	B	B	
76	51A(1)(b)	D	D	
77	51A(1)(c)	D	D	
78	51A(3)	D	D	
79	54(1)	B	B	
80	70(1)	D	D	
81	71	A	A	
82	76(a)	A	A	
83	76(b)	A	A	
84	76(c)	B	B	
85	76(d)	D	D	

Schedule 2, items 58–78 substituted by GR Notice No. 1 of 2014, cl. 7

NOTES

1. The Gambling Codes of Practice Notice 2013 was published in the South Australian Government Gazette on 18 December 2013 (No. 81 of 2013) at pages 4798–4844.
2. Further to clause 1(2), all provisions of this notice, with the exception of clause 55(2), were in operation as at 10 June 2016 (the date of Version No. 007).

The commencement dates referred to in clause 1(2) are as follows:

- paragraph (a)—18 December 2013 [Chapter 1 and the schedules];
- paragraph (b)—1 March 2014 [Chapter 2];
- paragraph (c)(i)—1 July 2014 [clauses 43(1)–(5)];
- paragraph (c)(ii)—1 October 2016 [clause 55(2)];
- paragraph (c)(iii)—1 July 2014 [Chapter 3, Part 5, Division 1];
- paragraph (c)(iv)—1 July 2014 [Chapter 3, Part 5, Division 2];

*Gambling Codes of Practice Notice 2013***Note 3****GR Notice No. 8 of 2013**

- paragraph (c)(v)—1 July 2014 [clause 75];
- paragraph (c)(vi)—1 March 2014 [remainder of Chapter 3].

Clause 55(2) is uncommenced. Subject to a further variation notice, that clause will come into operation on 1 October 2016.

3. Clauses 72(2)–(6), which are transitional provisions relating to gaming machine training, will be deleted when clause 8(3) of the Gambling Codes of Practice (General) Variation Notice 2015 comes into operation on 1 July 2016. That clause also deletes “and transitional” from the heading to clause 72 and deletes the definition of “APGIT”.

Clauses 72(2) and (3) refer to the occurrence of certain events—the second recognition of basic training and the first recognition of advanced training. Both events occurred on 22 January 2015.

4. This version (Version No. 007) incorporates variations made to the Gambling Codes of Practice Notice 2013, between initial publication and 10 June 2016, by the following notices:

<i>GR Notice No.</i>	<i>Title, making and gazettal details</i>	<i>Commencement details</i>
1 of 2014	Gambling Codes of Practice (In-Venue Messaging) Variation Notice 2014 20 February 2014 (Government Gazette, No. 14 of 2014, 20 February 2014, pages 1014–1024)	Whole of notice on 1 July 2014.
6 of 2015	Gambling Codes of Practice (General) Variation Notice 2015 26 March 2015 (Government Gazette, No. 19 of 2015, 26 March 2015, pages 1266–1271)	All provisions other than clause 8(3), on 27 March 2015. Clause 8(3) on 1 July 2016.
8 of 2015	Gambling Codes of Practice (Premium Gaming) Variation Notice 2015 7 May 2015 (Government Gazette, No. 28 of 2015, 7 May 2015, pages 1665–1666)	Whole of notice on 8 May 2015.
12 of 2015	Gambling Codes of Practice (Predictive Monitoring) Variation Notice 2015 30 July 2015 (Government Gazette, No. 46 of 2015, 30 July 2015, page 3586)	Whole of notice on 1 December 2015.

*Gambling Codes of Practice Notice 2013***GR Notice No. 8 of 2013****Note 5**

<i>GR Notice No.</i>	<i>Title, making and gazettal details</i>	<i>Commencement details</i>
1 of 2016	Gambling Codes of Practice (Account Gambling) Variation Notice 2015 30 July 2016 (Government Gazette, No. 10 of 2016, 18 February 2016, page 541)	The notice is not in force. Clause 1(2) provides for it to come into operation on 1 July 2016.
4 of 2016	Gambling Codes of Practice (General) Variation Notice 2016 9 June 2016 (Government Gazette, No. 35 of 2016, 9 June 2016, pages 2049–2052)	Clauses 1, 2, 3, 6, 7, 8 and 9 on 10 June 2016. Clause 4 on 1 October 2016. Clause 5 on 1 July 2016.

5. Commencement certificates have been granted under section 10AA of the *Subordinate Legislation Act 1978* by the relevant ministers as follows:
- in respect of clause 1(2) of this notice—by the Minister for Finance on 9 December 2013 (in respect of the operation of the notice under the *State Lotteries Act 1966*) and by the Minister for Business Services and Consumers on 4 December 2013 (in all other respects);
 - in respect of clause 1(2) of the Gambling Codes of Practice (General) Variation Notice 2015—by the Minister for Finance on 18 March 2015 (in respect of the operation of the notice under the *State Lotteries Act 1966*) and by the Minister for Business Services and Consumers on 16 January 2015 (in all other respects);
 - in respect of clause 1(2) of the Gambling Codes of Practice (Premium Gaming) Variation Notice 2015—by the Minister for Business Services and Consumers on 1 May 2015 (in respect of the operation of the notice under the *Casino Act 1997*);
 - in respect of clause 1(2) of the Gambling Codes of Practice (General) Variation Notice 2016—by the Minister for Consumer and Business Services on 2 June 2016 (in respect of the operation of the notice under the *Authorised Betting Operations Act 2000*, the *Casino Act 1997* and the *Gaming Machines Act 1992*) and by the Minister for Finance on 10 June 2016 (in respect of its operation under the *State Lotteries Act 1966*).
6. On 1 October 2016, when clause 4 of the Gambling Codes of Practice (General) Variation Notice 2016 comes into operation—
- the following definition will be added to clause 3(1):
 - “automated risk monitoring system” means—
 - (a) a system recognised under section 40B(1)(b) of the *Casino Act 1997*;

*Gambling Codes of Practice Notice 2013***Note 7****GR Notice No. 8 of 2013**

- (b) a system recognised under section 10B(1)(c)(ii) of the *Gaming Machines Act 1992*; or
- (c) a system which the Authority has recognised by instrument in writing to be the equivalent for wagering or lotteries as a system mentioned in paragraph (a) or (b);

- clause 55 will say:

55 Acceptable loyalty programs

- (1) A loyalty program is an acceptable loyalty program—
 - (a) if it is a structured program which—
 - (i) is conducted in accordance with published terms and conditions;
 - (ii) is advertised in a manner consistent with the advertising requirements for the gambling provider's gambling products;
 - (iii) offers rewards proportionate to gambling activity (including non-monetary privileges attached to tiers in a stepped rewards system);
 - (iv) offers regular activity statements; and
 - (iva) includes a facility for predictive monitoring of the patterns of gamblers' gambling activity, with the purpose of intervening in cases where there is a risk of problem gambling, which meets the minimum requirements set out in sub-clause (2);
 - (v) offers "high value patron" status only to those who meet and, on periodic review, maintain numerical and narrative tests of high value play; or
 - (b) if it has been specifically approved by the Authority by reference to its rules and conditions, the way (if any) in which it facilitates predictive monitoring and the manner in which it is advertised and promoted.
- (2) A facility meets the minimum requirements if it provides, in respect of each person participating in the loyalty program, for the identification changes of significance between the most recent month (whether or not a calendar month) and past months in measures of the—
 - (a) amount of money spent;
 - (b) amount of time spent; and
 - (c) intensity of the person's activity—
 with parameters which are able to be adjusted to produce a manageable number of cases for consideration of intervention.
- (3) Sub-paragraph (iva) of sub-clause (1)(a) does not apply if the loyalty program operates in conjunction with an automated risk monitoring system.
- (4) Sub-paragraphs (iv) and (iva) of sub-clause (1)(a) do not apply if the loyalty program is managed manually, is limited to a single site and provides benefits of no more than \$100 each day.

7. On 1 July 2016, when the Gambling Codes of Practice (Account Gambling) Variation Notice 2016 comes into operation—

*Gambling Codes of Practice Notice 2013***GR Notice No. 8 of 2013****Note 7**

- the following definitions will be added to clause 3(1):

“**account holder**” means a person for whom a gambling provider has established a gambling account under Part 4 of Chapter 3;

“**credit facility**” means a documented arrangement between a gambling provider and an account holder—

(a) by which the account holder’s gambling account is, to a specified extent—

(i) credited with funds deposited by the gambling provider or a close associate¹¹ of the gambling provider; or

(ii) allowed to have a negative balance—

for the purpose of allowing the account holder to gamble on credit; and

(b) under which the account holder is required to make payments on demand or as specified—

and an extension of a credit facility is any change favourable to the account holder (including a lengthening of the time for a required payment or a reduction in the amount of a required payment);

“**spotters’ fees**”, in respect of a gambling provider and an account holder—

(a) means amounts paid or payable, by commission or otherwise, to third parties in respect of the attraction or retention of the account holder’s business (including the establishment or extension of a credit facility);

(b) includes amounts paid or payable to such of the gambling provider’s employees whose remuneration includes a component variable by reference to the account holder’s activity—

and a requirement to disclose spotters’ fees at a time when the actual amount is not ascertainable is a requirement to disclose a good faith estimate identified as such.

- clause 7(1) will read:

7 Dispensations

(1) The Authority may, on such terms as it sees fit and subject to conditions, grant—

(a) a dispensation from a requirement of Chapter 2 if the Authority is satisfied that a regulatory requirement of another State, or of a Territory, in which the gambling provider advertises, or of the Commonwealth, presents a suitable alternative;

(b) a dispensation from—

(i) the radio blackout requirement of clause 23, in respect of advertising on a radio broadcasting service; and

¹¹ The concept of “close associate” is defined in section 5 of the *Authorised Betting Operations Act 2000*.

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- (ii) the television blackout requirement of clause 24, in respect of advertising on a television broadcasting service—
 - if the Authority is satisfied that the advertising will not be incompatible with family time or that the dispensation is otherwise in the public interest;
 - (c) a dispensation from a requirement of Chapter 3 if the Authority is satisfied that a regulatory requirement of another State, or of a Territory, in which the gambling provider operates, or of the Commonwealth, presents a suitable responsible gambling alternative;
 - (ca) a dispensation from a requirement of Subdivision A of Division 2 of Part 2 of Chapter 3 if the Authority is satisfied that a gambling provider or class of gambling providers cannot practicably comply with the requirement or that, despite the requirement being variable by management plan, the filing of a management plan in the circumstances would be onerous;
 - (cb) a dispensation from the operation of clause 54 where the Authority is satisfied that the dispensation does not present a material risk of an increase in problem gambling; and
 - (d) a time limited or transitional dispensation from the application of a new requirement or obligation.
 - the following clauses will be inserted after clause 58:
 - 58A Gambling accounts**
 - (1) If a gambling provider has established a gambling account for a person—
 - (a) subject to clause 58B—
 - (i) the account may only be credited with funds deposited by the person or at the person's direction from a third party (not being a person in a close associate relationship with the gambling provider); and
 - (ii) the account must not be allowed to have a negative balance;
 - (b) the terms and conditions governing the account must not operate—
 - (i) to impose a waiting period on withdrawals from the account;
 - (ii) to allow funds pending withdrawal to be used for gambling; or
 - (iii) to require a particular level of gambling, or a particular use of funds in the account, as a condition of withdrawal; and
 - (c) the gambling provider must ensure that its business systems—
 - (i) facilitate withdrawals from the account as soon as practicable;
 - (ii) do not allow funds pending withdrawal to be applied to any purpose other than the withdrawal; and
 - (iii) do not allow the establishment or extension of a credit facility while there are funds pending withdrawal.
 - (2) Sub-clause (1) does not operate—
 - (a) to preclude the following routine transactions on a gambling account—
 - (i) the crediting of winnings or prizes, the making of refunds, the re-settling of bets on the outcome of a protest or like transaction;
-

*Gambling Codes of Practice Notice 2013***GR Notice No. 8 of 2013****Note 7**

- (ii) the redemption of rewards as part of the operation of an acceptable loyalty program;
 - (iii) the redemption of prizes won in an acceptable trade promotion lottery; and
 - (iv) the making of *ex gratia* payments resolving complaints or disputes;
- (b) to preclude a gambling provider from implementing—
- (i) procedures reasonably necessary to ensure compliance with laws relating to the handling of money or the reporting of financial transactions;
 - (ii) procedures required by or under the licence or other authority authorising the gambling provider to conduct its gambling business;
 - (iii) procedures for the holding of a major prize pending identification of those entitled to claim the prize; or
- (c) to preclude a gambling account having a negative balance as the result of the reversal of an individual transaction.

58B Credit gambling

- (1) Subject to any regulatory provision prohibiting or regulating the extension of credit for gambling, a gambling provider may only establish or extend a credit facility for an account holder if—
- (a) the account holder has requested the establishment or the extension in writing;
 - (b) the gambling provider has disclosed all spotters' fees relating to the establishment or extension; and
 - (c) an acceptable due diligence process has been completed.
- (2) If a credit facility has been established for an account holder—
- (a) the account holder must not be allowed access to the credit facility until the account holder has set a relevant pre-commitment limit;
 - (b) if the credit facility is extended—
 - (i) the account holder must not be allowed access to the extension of the facility until a positive step has been taken by the account holder to review the relevant pre-commitment limit; and
 - (ii) pending compliance with sub-paragraph (i), the relevant pre-commitment limit must be capped at \$500;
 - (c) the terms and conditions of the facility, or the conduct of the gambling provider, must not operate to require a particular level of activity in order to maintain the facility;
 - (d) the terms and conditions of the facility must operate to limit the gambling provider's credit recovery activities to the extent of the reasonable expectations identified in the acceptable due diligence process;
 - (e) the gambling provider must not extend the credit facility at any time when the credit facility is not maintained in good standing in the manner identified in the acceptable due diligence process; and
 - (f) the relevant pre-commitment limit must not exceed the prudential limit identified in the acceptable due diligence process.

*Gambling Codes of Practice Notice 2013***Note 7****GR Notice No. 8 of 2013**

- (3) A gambling provider must not solicit a request for the establishment or extension of a credit facility, except—
- (a) by inclusion in its advertising of a statement that the gambling provider offers credit gambling to account holders subject to completion of a due diligence process; and
 - (b) by publication of the terms and conditions on which it offers credit gambling.
- (4) For the purposes of this clause, an acceptable due diligence process is a documented process undertaken by a gambling provider directed to providing reasonable assurance in respect of an account holder as to—
- (a) the extent to which the account holder can afford to gamble on credit before experiencing harm;
 - (b) the routine payments the account holder can afford to make to maintain the credit facility in good standing;
 - (c) the times in which it would be reasonable to expect the account holder to satisfy a demand for payment in respect of the whole or part of the facility (credit recovery activities); and
 - (d) the account holder's maximum prudent weekly gambling expenditure (the “**prudential limit**”)—
- having regard, after reasonable enquiry, to the account holder's means and other circumstances.
- (5) For the purposes of this clause—
- (a) a relevant pre-commitment limit is a weekly limit under clause 61; and
 - (b) if a relevant pre-commitment limit is assessed by reference to deposits made to the account during the relevant period [clause 61(2)(b)(ii)], the account holder will be deemed (for the purpose of determining whether the limit has been reached) to have made deposits to the same extent as he or she has accessed credit.
- clause 66(1) will say:
 - (1) An activity statement must include—
 - (a) details of each transaction in the statement period, including the amount, date, time and a description of the transaction; and
 - (b) the amounts of spotters' fees relating to the account holder in the statement period.