

New harm minimisation regulations and fines

The key changes are:

- A problem gambling sign now includes withdrawing cash on 2 or more occasions in 1 day to use for gambling at the venue. When a gambling sign is observed, the venue staff must have a conversation with the player. A \$1,000.00 fine applies if the conversation does not occur.
- A record must be kept of each sign identified (including each time a player makes a second withdrawal). This must include the staff member name, date and time, player's name or description, the sign observed, the date and time of the conversation and a summary of the conversation. The records must be reviewed by the venue manager weekly. The venue manager must record the date of the review and action taken as a result of the review. A \$1,000.00 fine applies if the record is not made.
- Gaming room sweeps must be undertaken 3 times per hour. Staff must identify a player who has been in the gaming room during 9 consecutive sweeps (typically a person who has been playing for 3 hours).
- Each sweep must be recorded, including who undertook the sweep, date and time, how many players were present, and a note of players who have been in the room during prior sweeps. A \$1,000.00 fine applies for failing to fully record each sweep.
- Harm minimisation training must now be more comprehensive. It must include practical and interactive sessions on how to interact with players, information on why gaming machines can be addictive, and first-hand accounts from problem gamblers. The training must be provided to venue staff before they start supervising the gamblers (induction training is required for new staff). Refresher training must be provided annually.
- ATMs must be in line of sight from the main bar or main service area.

Gaming machines must not be visible from outside the venue.

Signs of gambling harm

These are deemed to include, but are not limited to, the following:

- withdrawing, or attempting to withdraw, cash from an automatic teller machine or EFTPOS on 2 or more occasions in 1 day to use for gambling at the venue:
- gambling during 9 or more consecutive gambling area sweeps:
- attempting to borrow money from venue personnel or other venue customers to use for gambling:
- leaving children in a car or otherwise unattended at the venue:
- waiting to gamble as soon as the venue opens:
- refusing to stop gambling at the venue when the venue is closing, or otherwise appearing unable to stop gambling:
- appearing visibly distressed or angry either during or after gambling (for example, crying, holding their head in their hands, or hitting a machine).

Minimum Training requirements

Training must be provided to venue staff **before they first start supervising gambling in the course of their duties at the venue** (induction training is required for new staff). It must be repeated at least once a year.

Changes Coming into Effect 1 December 2023

ATMs

Automatic teller machines available in the venue must be in the line of sight of staff at the main bar area of the venue or, if the venue does not have a bar area, the main customer service area of the venue.

Gaming machines must not be visible from outside the venue

If the venue licence has a defined gaming area, the gaming machines must not be visible from outside the venue (except intermittently when an external door is in use).

Sweeps

Sweeps must be conducted at least 3 times per hour while the gambling area is operating, with each sweep being at least 10 minutes after the previous sweep.

When conducting a sweep, the venue personnel must take all reasonable steps to identify whether any player has been gambling during 9 or more consecutive sweeps.

A sweep is not required if the personnel can verify through other means (e.g., CCTV) that the gambling area is unoccupied by players.

Sweep records

The following information must be recorded:

- the name or ID of the venue personnel who conducted the sweep:
- the date and time that the venue personnel conducted the sweep:
- how many players were present in the gambling area during the sweep:
- evidence of the steps taken by the venue personnel to monitor and identify whether players have been gambling during consecutive gambling area sweeps:
- if a gambling area sweep is not conducted because venue personnel could verify through other means that the gambling area was unoccupied by players, a record must be provided showing:
 - the method by which venue personnel verified that the gambling area was unoccupied by players; and
 - the date and time that the gambling area sweep was not conducted.

Conversation requirement

After identifying that a player is exhibiting 1 or more of the signs of harm (including making 2 cash withdrawals), a conversation must be had with that player to assist with identifying whether the player is a problem gambler.

Records of signs of harm identified

The following must be recorded:

- the name of the venue personnel who identified the sign of harm;
- the date and time that the venue personnel identified the sign of harm;
- information that would help venue personnel to identify a player who displayed the sign of harm (for example, their name, if known, or a general description of their appearance);
- which sign of harm was identified;
- the name of the venue personnel who had the required conversation with the player;
- the date and time that the venue personnel talked to the player;
- a summary of the conversation with the player; and
- any further action taken in respect of the player.

Venue manager must review every 7 days

The venue manager must review, or ensure that a person reviews on their behalf, the records for at least the previous 7 days, at least once each week, to—

- assess whether the venue personnel have taken appropriate action following the identification of 1 or more signs of harm in a player; and
- assess whether further action is required in respect of a player; and
- determine whether there are any players whom the venue manager, or the person acting on their behalf, has reasonable grounds to believe are problem gamblers.

After reviewing the records the venue manager or person acting on their behalf must record:

- the date of the review; and
- any further action taken as a result of the review.

The venue operator must ensure that information recorded is retained for a period of 3 years after the date on which it was recorded.

New Venue Manager Fines

The venue manager is personally liable to a \$1,000.00 fine in each of the following events:

- failure to undertake a sweep.
- failure to record the required information in relation to a sweep.
- failure to have a conversation with a player who has exhibited 1 or more signs of harm.
- failure to record the required information in relation to identified signs of harm.
- failure to review incident records, or ensure another person reviews records, for at least the previous 7 days, at least once each week.

New Venue Operator Fines

The venue operator is liable to a \$1,000.00 fine in each of the following events:

- failure to ensure that gaming machines are not visible from outside the venue (except intermittently when an external door is in use).
- failure to ensure that records are kept for at least 3 years after the date on which they were recorded.

The gaming society is liable to a \$1,000.00 fine for failures in meeting the requirements for problem gambling awareness training.

November 2023