

Responsible Gambling Code of Conduct

Information for commercial licence holders in the gaming industry

A VCGR Responsible Gambling fact sheet



Victorian Commission
for Gambling Regulation

What is a Responsible Gambling Code of Conduct?

A Responsible Gambling Code of Conduct (Code) is a mandatory code of self-governance that augments relevant legislation (the *Gambling Regulation Act 2003*), regulations, rules, procedures and the Ministerial Directions.

The VCGR administers Victoria's gambling legislation by licensing, educating and advising members of the gambling industry and the general public.

The VCGR works with commercial licence holders and industry peak bodies to enable compliance under the Ministerial Directions with approved Codes.

A wide range of those involved in the industry participated in a consultation process with the VCGR to assist in the development of 'model' Codes.

A complete list of generic and approved Codes can be downloaded from the Responsible Gambling section of the VCGR website at www.vcgr.vic.gov.au/responsiblegambling.

Who is required to have a Code?

The Gambling Regulation Act makes it compulsory for certain organisations that hold gambling industry licences to have a Responsible Gambling Code of Conduct.

Accordingly, adopting a Code is now a mandatory condition of holding a commercial licence, and the VCGR may take disciplinary action against licensees who do not comply with the actions and responsibilities set out in them.

Note that in the case of gaming venue operators, it is compulsory to have a Self-Exclusion Program (SEP) in addition to a Code. To find out more, see the VCGR fact sheet *Responsible Gambling Self-Exclusion Programs*.

The requirement to have a Code applies to:

- ▶ gaming venue operators
- ▶ bingo centre operators
- ▶ commercial raffle organisers
- ▶ the casino operator
- ▶ the holder of the wagering licence or the wagering operator
- ▶ public lotteries licence holders
- ▶ Club Keno participants
- ▶ interactive gaming licensees and
- ▶ registered bookmakers.

For the purposes of this publication, the term 'commercial licence holder' refers to the above types of organisations.

Why have a Code?

An approved Code is designed to provide gambling providers with a minimum set of standards they must meet when offering a gambling product to customers.

The Ministerial Directions recognise that some people require information and assistance in relation to problem gambling. The Code provisions establish a consistent approach that ensures a specified minimum level of consumer information must be available at the customer's request. They also establish a framework for commercial licence holders to offer additional assistance for those customers who have identified as problem gamblers.

The Code enhances gambling providers' awareness of the importance of providing adequate and accurate information to customers about gambling products, the gambling environment and the importance of gambling responsibly.

The Codes must reflect 'at a minimum' the mandated requirements and standards set out in the Ministerial Directions. Licensees must ensure that in practice, the Code meets the Ministerial Directions at all times. The accompanying Guidelines suggest ways of implementing the requirements and how to minimise compliance risks.

Is a Code compulsory?

Yes. As a licence condition, all commercial licence holders must adopt an approved Code. The VCGR will monitor all aspects of compliance with approved Codes.

If a breach of the Code occurs, the licensee may be subject to disciplinary action under the Gambling Regulation Act and, in the case of the casino operator, the *Casino Control Act 1991*. Disciplinary action is defined as the cancellation or suspension of the licence, variation of the terms of the licence, the issuing of a letter of censure, or the imposition of a fine.

What issues does a Code cover?

A Code covers many gambling issues, but not all matters may be applicable to all licensees. In general terms, the Ministerial Directions state that a Code must include (at a minimum) information on the following matters:

- The Responsible Gambling Message
- Information on:
 - Responsible Gambling
 - the gambling products offered
 - the customer loyalty scheme
- Pre-commitment strategies – how to assist customers to set limits
- Interaction with:
 - customers
 - staff
 - problem gambling support services
- A transparent process for recording and resolving customer complaints
- How to comply with the prohibition of gambling by minors
- The gambling environment – how to discourage extended gambling
- Responsible advertising and promotions

I am applying for a commercial operator's licence. Do I need to adopt an approved Code?

Yes. Commercial gambling operators must have a Code approved as part of their operator's licence application. An applicant must therefore do one of the following:

- Adopt a VCGR approved Code developed by an industry peak body (refer to the Responsible Gambling section of the VCGR website for a list of approved Codes); or
- Amend a generic Code and submit it to the VCGR for approval; or
- Develop their own Code and submit it to the VCGR for approval.

Licensees must have an approved Code in place at all times. A licensee who wishes to amend a generic Code, or develop their own Code, must have a currently approved Code in place while they are seeking approval for the proposed replacement Code.

How do I adopt a Code?

1. Visit the the Responsible Gambling section of the VCGR website at www.vcgr.vic.gov.au/responsiblegambling to view a complete list of approved Codes developed by industry peak bodies and select the approved Code that is appropriate for your operations.
2. All commercial bingo centre operators, registered bookmakers and venue operators must complete a Statement of Adoption Form confirming that an approved Code has been formally adopted. These are available to download from the Responsible Gambling section of the VCGR website and once complete must be lodged with the VCGR for approval.

Submit this documentation to the VCGR by post (c/o Commercial Licensing and Monitoring, VCGR, PO Box 1988, Melbourne 3001), by email to commercial.licensing@vcgr.vic.gov.au or by fax to (03) 9651 3777.
3. Notify the administrator of the Code you have adopted.

How do I amend a Code?

Any changes to an approved Code must be submitted in writing to the VCGR for approval. The Ministerial Directions set out the minimum standards that each Code must address in order to be approved.

Note that if there is an amendment to the Ministerial Direction which results in an addition or amendment to the requirements to be met in the Code, then the commercial licence holder must amend their Code. In these circumstances, the licensee must submit the amended Code to the VCGR for approval within six months of the date of the direction change.

Submit this documentation to the VCGR by post (c/o Commercial Licensing and Monitoring, VCGR, PO Box 1988, Melbourne 3001), by email to commercial.licensing@vcgr.vic.gov.au or by fax to (03) 9651 3777.

How do I change from one Code to another?

To change from your current approved Code to another generic approved Code, you must provide to the VCGR:

- a copy of the minutes from the board/committee meeting which state the board/committee's decision to cease using the current Code
- a copy of the minutes, which must be from the same board/committee meeting, which confirm adoption of the new generic approved Code
- a 'Statement of Adoption Form' completed by the Nominee or Authorised Officer.

Statement of Adoption Forms are available to download from the VCGR website. Note that there are different versions of the form for registered bookmakers, bingo centres and venue operators.

Submit this documentation to the VCGR by post (c/o Commercial Licensing and Monitoring, VCGR, PO Box 1988, Melbourne 3001), by email to commercial.licensing@vcgr.vic.gov.au or by fax to (03) 9651 3777.

Once the change has been approved by the VCGR, you must notify the administrators of the Code you are exiting and the Code you are adopting.

Is there a review process built into my Code?

Yes. An approved Code must stipulate that a review process be undertaken at least once a year by each of the following stakeholders:

- ▶ the individual commercial licence holder; and
- ▶ the administrator for your Code.

The approved Codes outline the scope and method of each of these reviews. For example, the review of the operation of the Code by the commercial licence holder (including the venue operator) should use a process that includes input and feedback from all staff and a sample of customers.

For more information visit the Responsible Gambling section of the VCGR website at www.vcgr.vic.gov.au/responsiblegambling and choose the Ministerial Directions for Codes of Conduct (including Guidelines), which suggest ways of implementing the requirements.

Disclaimer

The Victorian Commission for Gambling Regulation has responsibilities in relation to several pieces of legislation and associated regulations.

This publication is designed as a quick reference tool and offers a summary only of some of the more common topics associated with Responsible Gambling that are dealt with under the *Gambling Regulation Act 2003* and the *Casino Control Act 1991*.

The information provided in this fact sheet is general in nature and is not meant to replace the information contained in the relevant pieces of legislation.

For more information, including the Ministerial Directions and the VCGR's Criteria and Benchmarks on Responsible Gambling Codes of Conduct and Self-Exclusion Programs, refer to the Responsible Gambling section of the VCGR website at www.vcgr.vic.gov.au/responsiblegambling.

For more information on Responsible Gambling Codes of Conduct and Self-Exclusion Programs, contact the Responsible Gambling Project Team at the Victorian Commission for Gambling Regulation on (03) 9651 3112, or email responsible.gambling@vcgr.vic.gov.au.

Copyright in this publication is vested in the right of the State of Victoria and no part of the document is to be reproduced except with the written permission of the VCGR or as otherwise provided in the *Copyright Act 1968*.