Gaming Machine Harm Minimisation Measures Consultation Paper
Response Form

Interested persons and organisations can make a submission on the issues raised in the Gaming Machine Harm Minimisation Measures Consultation Paper by completing this submission form.

This response form includes the questions from the Gaming Machine Harm Minimisation Measures Consultation Paper.

If you have any queries about this process please email the following address with the subject heading – Harm Minimisation Consultation Paper.

Email: liquorgamingandracingenquiries@justice.vic.gov.au

Submissions must be received by 5pm, Monday 16 January 2017.

Your details

<table>
<thead>
<tr>
<th>Name</th>
<th>Amanda Lean, General Manager Government Relations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organisation (If applicable)</td>
<td>Tabcorp Holdings Limited</td>
</tr>
<tr>
<td>Email address</td>
<td><a href="mailto:amanda.lean@tabcorp.com.au">amanda.lean@tabcorp.com.au</a></td>
</tr>
<tr>
<td>Address</td>
<td>5 Bowen Crescent, Melbourne  Vic  3004</td>
</tr>
<tr>
<td>Telephone</td>
<td>03 9868 2142</td>
</tr>
</tbody>
</table>

Please note:

All submissions will be published on the Department of Justice and Regulation’s website.

Please ensure that your submission does not include confidential, commercial-in-confidence or personal information.

The department reserves the right to not publish information that could be seen to be defamatory, discriminatory or unrelated to the review.
Questions: Gaming Machine Harm Minimisation Measures

These questions should be read in conjunction with the Gaming Machine Harm Minimisation Measures Consultation Paper

Q.1. Is the current $200 per EFTPOS transaction limit appropriate? If not, what other regulatory measures would support the objectives of the Act?

Tabcorp believes that the current $200 per EFTPOS transaction limit strikes an appropriate balance between fostering responsible gambling and ensuring that venue patrons, who use a range of venue services such as purchasing meals and drinks, have access to cash.

Reducing the limit to one $200 transaction per day, as in Tasmania, would potentially negatively affect those patrons who frequent venues for purposes other than gambling, such as seeing live shows, dining and social occasions. These patrons should have the option to use EFTPOS facilities rather than having to carry cash or use credit cards.

Q.2. Is the current $1,000 threshold for the payment of winnings by cheque appropriate? If not, what should be the limit and why?

Tabcorp believes the current $1,000 threshold for the payment of winnings should be increased to $5,000 in line with NSW. The mechanism used to determine the threshold should be flexible enough to enable it to be readily amended as circumstances require.

Q.3. Should payment by EFT be permitted in addition to, or as a replacement for, payment by cheque?

Tabcorp is supportive of allowing payment by EFT to be permitted in addition to payment by cheque.

The use of cheques has significantly decreased. The Australian Payments Clearing Association Milestones Report The Digital Economy (November 2016) notes that over the past ten years, cheque use has declined by nearly 73%. The report also notes that the rate of decline is accelerating, with cheque use in the year to June 2016 dropping by 17.2%, the greatest annual drop in the last decade. Of non-cash payments in the year to June 2016, cheques represented only 1.2%, with debit and credit card payments totalling 66.7% and transfers including direct credit, debit and BPay representing 33.2%. The addition of EFT as a payment option would reflect societal acceptance of electronic payment methods as a means of transferring funds and would also reduce the regulatory burden imposed on venue operators by the need to issue cheques.

The mechanism used to determine acceptable payment options should be flexible enough to readily enable the addition of new payment methods (e.g. Apple Pay) as they become available.
Q.4. Are there other payment methods that should be considered for the payment of credits / winnings?

As noted above, Tabcorp believes that the mechanism used to determine acceptable payment options should be flexible enough to readily enable the addition of new payment methods as they become available.

Q.5. Should venue operators be able to exchange personal cheques for cash?

While unaware of any compelling reason to alter the current cheque cashing arrangements, Tabcorp believes this is a matter for consideration by venue operators.

Q.6. If cashless gaming and or TITO is introduced, how should they be regulated so that they are consistent with other measures that limit access to cash? What harm minimisation measures should apply?

As there is no evidence from other jurisdictions where TITO or cashless features are offered that harms are exacerbated by their use, Tabcorp is of the view that the same harm minimisation measures that apply to cash should apply to TITO and any other forms of cashless gaming.

As an example, the arrangements in Queensland for TITO (i.e. the maximum ticket value that can be redeemed for cash; the maximum ticket value that can be redeemed to the credit meter; the maximum value of a printed ticket by a ticket out device) are consistent with the arrangements in place for cash in Queensland.

This would also be consistent with the arrangements for a casino operator under section 81AAB of the Casino Control Act 1991 (Vic) in that winnings or accumulated credits above a certain amount cannot be paid out to a person except by cheque, regardless of whether that person is playing with cash or using TITO.

Any limits applied should be consistent for both cashless and TITO.
Q.7. What opportunities are there to improve the way codes operate in Victoria?

- Are there other models that would be more effective? If so, what are they?
- Would a more prescriptive approach for all venue operators be better? Could the operation of codes be simplified?
- Are there other matters that should be provided for in the Ministerial Direction for codes?
- What requirements for loyalty schemes should be included in a code to promote responsible gambling?
- Does the annual review process contribute to fostering responsible gambling? If not, why not? Are there other options to ensure that the codes meet this aim?

Tabcorp believes that the operation of Codes could be improved by making them more customer focused, for example, by the use of simpler language.

The Codes also need to be more flexible to enable timely responses to both changes in consumer behaviour and evolving technology.

It is unclear from the consultation paper why requirements for loyalty schemes should be included in a Code.

Tabcorp is of the view that the annual review process is a useful mechanism to measure the effectiveness of the Codes in fostering responsible gambling.

Q.8. Should the requirement to interact with customers who are showing signs of distress from gambling be part of codes, or should a separate offence be created for venue operators who fail to respond to suspected problem gambling?

Tabcorp believes that the requirement to interact with customers who are showing signs of distress should remain part of Codes. The Victorian Commission for Gambling and Liquor Regulation (VCGLR) already has the power to take disciplinary action and apply significant penalties to a venue operator who repeatedly breaches a Code.

Q.9. Are self-exclusion programs best administered by the industry or by another body?

Tabcorp is of the view that self-exclusion programs are best administered by industry. Venue staff are ideally placed to offer assistance to patrons regarding the operation and administration of self-exclusion programs.
Q.10. Should there be one self-exclusion program in Victoria?

Tabcorp believes that the single data base that operates in Victoria negates the need to mandate a single self-exclusion program.

Q.11. How could self-exclusion programs be improved?

The current administration of self-exclusion provides for timely responses to those requiring use of the service, whether it be through Community Clubs Victoria or the Australian Hotels Association (Victoria), via a shared data arrangement. Recent annual reviews of the programs have not identified any concerns with the timely availability of the self-exclusion programs.

Q.12. Is the annual review useful or are there other ways to report on program trends and compliance?

Tabcorp is of the view that the annual review process is a useful mechanism to measure the effectiveness of self-exclusion programs.

Q.13. Should there be a separate offence for venue operators who knowingly allow self-excluded persons to enter or remain in the venue?

Tabcorp notes that the introduction of an offence provision for allowing self-excluded persons to enter or remain in a venue may present difficulties if those patrons wish to attend the venue for other purposes such as dining.

Q.14. Should a new requirement to undertake advanced responsible service of gaming training be introduced?

As changes to the arrangements for responsible service of gaming (RSG) training have only recently been introduced, Tabcorp is of the view that these should be given time to settle before further changes to RSG training are contemplated.
Q.15. If so, who should be required to complete the advanced training and what content should the training include?

N/A

Q.16. Who should be responsible for the development and provision of the advanced training?

N/A

Q.17. Do you think regional caps and municipal limits should be maintained? Why?

Tabcorp does not believe regional caps or municipal limits should be extended, and submits that any mechanism used to determine distribution limits needs to be flexible enough to consider and be able to respond to matters such as changes in consumer behaviour and population growth.

Q.18. Should regional caps be extended beyond the existing capped areas and if so, why?

Tabcorp is of the view that there is no need to extend regional caps beyond the existing capped areas while the statewide limit and municipal limits continue to apply.

As noted in the consultation paper, the 2009 study by Storer et al indicates that with no change in gaming machine density, problem gambling prevalence will decrease with time. Rather than remaining static, gaming machine density in Victoria has been steadily decreasing since the implementation of the statewide limit. Accordingly, there is a reasonable basis to assume that problem gambling prevalence in Victoria will decrease over time.

The VCGLR process for determining the socio-economic impact of increases in gaming machine numbers is in place to ensure that additional gaming machines are not moved into locations where they may increase harm.
Q.19. Are the current regional cap and municipal limit levels appropriate?

As noted previously, Tabcorp is of the view that any mechanism used to determine distribution limits needs to be flexible enough to consider and be able to respond to matters such as changes in consumer behaviour and population growth. The mechanism should also be transparent.

The consultation paper provides information on the outcomes of the first round of regional caps but does not provide any information on the outcomes of the second round in which the reductions in gaming machine numbers were both larger and targeted at venues with a higher level of average expenditure per machine. Noting the key finding that a “small decrease in the number of gaming machines in an area is unlikely to reduce accessibility in a way that would positively affect problem gambling prevalence rates in that area”, it would be useful if information about the outcomes of the second round of regional caps were made publicly available in order to inform discussion about the appropriateness of the current regional cap and municipal limit levels.