

OLGR Update

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From the executive director

Welcome to the 'OLGR Update', the quarterly newsletter from the Office of Liquor, Gaming and Racing. On 1 July 2008, the Liquor Licensing Division, Queensland Office of Gaming Regulation and Office of Racing, integrated to form the Office of Liquor, Gaming and Racing (OLGR), heralding a new chapter

in the liquor, gaming and racing industries in Queensland. The full implementation of the integration will take place in two stages with the alignment of the compliance and licensing functions of the liquor and gaming offices being the initial major focus. With these functions well established, the Office of Racing will be fully integrated with OLGR from 1 July 2009.

With OLGR encompassing three industries and a wide spectrum of stakeholders, in the future, a printed newsletter will not be a viable option. Instead, it will transition to an electronic-only format. With this in mind, I encourage all readers to subscribe to the electronic notification of the newsletter on the OLGR website www.olgr.qld.gov.au. Printed copies of the newsletter will cease production in the course of 2009.

You will notice the *OLGR Update* contains news on both the liquor and gaming industries in the State. News from the racing industry will be included from 1 July 2009, after the full integration of the Office of Racing.

Those of you who are familiar with the offices' websites will be aware of a change since 1 July 2008. Access to the former Liquor Licensing Division, Queensland Office of Gaming Regulation and Office of Racing websites is now via the homepage of OLGR. Over time, the three separate websites will become non-operational and their contents will be fully integrated into the one Liquor, Gaming and Racing website. The Responsible Gambling and Gambling Community Benefit Fund websites will follow in the same manner.

I urge all readers to become familiar with the Liquor, Gaming and Racing website. As the advance of technology enables ease of access, other services will, in time, transition to online formats.

I look forward to working with you all in embracing the industry challenges ahead. I also look forward to getting to know many of you from the liquor and racing industries, as I have done, over recent years, with those of you in the gaming industry.

Mike Sarquis
Executive Director

OLGR contact list

Head office:
33 Charlotte Street
Brisbane
(Liquor enquiries located on Level 1)

Postal address:
Locked Bag 180
CITY EAST QLD 4002

General phone number for liquor
- 13 13 04

General phone number for gaming
- (07) 3872 0999

General phone number for racing
- (07) 3234 1400

Website: www.olgr.qld.gov.au

GCBF funding applications now easier

In response to feedback from key stakeholders, closing dates for lodgement of applications in the Gambling Community Benefit Fund grant funding rounds have changed.

The new closing dates for applications will be:

- 28 February
- 31 May
- 31 August
- 30 November

During the transition to the new closing dates, the 30 June 2008 closing date will be extended to 31 August 2008. Consequently, 2008-09 will have three funding rounds, with the annual level of funding to be distributed across the three funding rounds instead of the traditional four. Subsequent years will return to the four round funding format.

Gaming industry reforms

The Queensland Government is leading the way towards taking control of the social impacts associated with gambling in the State with the announcement of a new package of gambling harm minimisation measures.

Gaming machine cap

The central item in this package is a two year moratorium on an overall increase in electronic gaming machines in the club and hotel sectors of the gaming industry. The release of the remaining 690 gaming machine operating authorities for hotels currently held by the Government will be delayed for two years, until 30 April 2010. The operating authority scheme will continue to the extent that hotels will be allowed to buy and sell authorities that have already been released or are already in the industry pool. Complementing this scheme will be a newly introduced cap on club gaming machine numbers.

The cap on gaming machine numbers in clubs will remain in place until 30 April 2010. The cap number for clubs will be the number of gaming machines presently approved for operation in addition to any valid applications for increases and new sites received up to the close of business on 15 April 2008 and subsequently approved. A reallocation scheme will be developed to permit movement of gaming machines between sites. Subject to Queensland Gaming Commission approval and availability of gaming machines within the cap, new clubs and existing licensees will be able to access machines.

Other initiatives announced include:

Exclusions regime enhancements

The Government will enforce a zero tolerance approach to casino, club and hotel operators who are found to be

allowing patrons to gamble who have previously asked to be excluded. Additionally, all venues with gaming machines will now be required to correlate their database of excluded patrons with their promotions and rewards databases, to ensure that excluded persons do not receive advertising and promotional material from the gaming venue.

Responsible Service of Gambling training

The Government has also announced the introduction of gambling requirements similar to the Responsible Service of Alcohol (RSA) provisions. This will make Responsible Service of Gambling (RSG) training mandatory for venue employees with direct responsibility for gaming, including Client Liaison Officers. The possibility of an integrated RSA and RSG course is currently being investigated.

Evaluation of the Queensland Responsible Gambling Strategy

In recognition of the changing nature of the Queensland gambling environment, OLGR is undertaking an evaluation of the Strategy. This evaluation will examine the performance and effectiveness of the Strategy, and the ongoing relevance of its content, structure and vision. The evaluation will also look at revising the Strategy to better reflect current social, environmental and technological changes, and align with contemporary public health approaches to responsible gambling. Such revisions will help to ensure that the Queensland government

maintains a robust and innovative Strategy that continues to address the adverse impacts of gambling on individuals, families and communities.

While the evaluation of the Strategy will be informed by various research methodologies, the most significant is the opportunity to engage with stakeholders throughout Queensland. A Discussion Paper has been developed to facilitate consultations which can be downloaded from the OLGR website on www.olgr.qld.gov.au.

Hours of gaming

Another initiative relates to the hours of machine gaming. The Government will amend the Gaming Machine Regulation 2002 to prohibit machine gaming before 10.00am effective from 1 January 2009.

Other initiatives

A number of other aspects of the gaming machine industry will be examined. A trial of pre-commitment card based gaming technology is currently being conducted to investigate changes in a patron's gambling activities and behaviour while using the card based system. The system allows players to set the maximum amount they are willing to spend per day, a limit on the amount of money that can be transferred from their card to the gaming machine per session, and the maximum card amount.

Additionally, an examination of withdrawal limits for ATMs at venues will be undertaken, and an investigation of spin rates (the rate at which a gaming machine recovers after a play) will be conducted to ensure that Queensland remains in line with other jurisdictions.

Current gaming fees and charges

On 1 July 2008 fees and charges under the various gaming Acts increased by 4.8 per cent in line with the CPI increase for the period March 2007–March 2008.

A list of all gaming fees and charges applicable from 1 July 2008 is available on the Liquor Gaming and Racing website www.olgr.qld.gov.au

Following are some of the more common gaming machine fees applicable to clubs and hotels from 1 July 2008.

Application fee for:

Grant of gaming nominee licence	\$383.00
Renewal of gaming nominee licence	\$191.00
Grant/renewal of gaming employee licence	\$191.00
Gaming machine licence for a premises that is not licensed	\$4,835.00
Gaming machine licence for a premises that is licensed	\$2,291.00
Clubs increasing number of gaming machines by < 20	\$127.00
Clubs increasing number of gaming machines by > 20	\$637.00
- For each additional machine	\$13.00
Hotels increasing number of gaming machines by < 20	\$127.00
Hotels increasing number of gaming machines by > 20	\$637.00
- For each additional machine	\$13.00

Fees for replacement/copies of licences:

Gaming machine licence	\$64.00
Gaming nominee and gaming employee licence	\$27.00

Gaming promotions not for excluded persons

In response to the Government's recent announcement of gaming industry reforms, OLGR requires gaming licensees to correlate their venues' exclusions and promotions/rewards databases to ensure that excluded persons do not receive promotional gaming material. OLGR inspectors will review exclusion registers against databases or mailing lists which gaming venues use for distributing gaming promotional material.

The gaming exclusions legislation provides two pathways for exclusions:

- self-exclusion – a patron requests to be excluded or
- venue-initiated exclusion – the venue operator has reasonable grounds to believe a patron is a problem gambler and legally bars a person from entering all or part of their premises.

In either case, it is the responsibility and obligation of gambling providers to actively enforce exclusion procedures.

Gambling providers should respond immediately and in a supportive manner to a person requesting to be excluded from a venue. This means following through with the exclusion process and preventing correspondence or promotional material from being sent to those persons who are excluded or known to have formally requested that

promotional material not be sent to them (Section 3.4 of the Code of Practice).

The promotion and advertising of gambling can influence and entice problem gamblers. It is important, therefore, that all gaming venues are vigilant in ensuring that any person who has been excluded from the venue does not receive gaming related advertising or gaming promotional material and is not active in player reward schemes.

If a person can register online for a promotion, the gambling provider has the responsibility to include mechanisms into the registration process to ensure that the patron is both over 18 and not excluded from the venue.

The social and economic benefits and costs of gambling in Queensland can only be balanced if all providers consistently and proactively promote responsible gambling. OLGR is focused on achieving and maintaining this commitment.

Care needed accepting verbal keno wagers

A recent incident at a gaming venue has highlighted the importance of ensuring that details of verbal wagers made on keno are clearly identified before the wager is processed.

The incident arose when the venue's employee inadvertently processed a verbal wager on keno for an amount sizeably larger than the patron had requested. The wager was placed just prior to the commencement of the game and the patron was provided with their ticket upon payment. However, by the time the employee identified that the payment did not match the wager processed, the game was underway and the wager could not be cancelled. The result was an

embarrassing and confusing situation for both the venue and patron.

To avoid confusion over verbal wagers, licensees should ensure that employees clearly identify the amount and type of the wager before processing it in the keno system. It is also suggested that employees request payment for the wager and check that the payment is correct, prior to processing the wager and providing the patron with their keno ticket.

Licensees are also reminded to ensure that all relevant staff are thoroughly trained in the operation of keno terminals and that adequate internal controls are in place.

Accurate information needed in exclusion forms

To ensure the integrity of the exclusions regime, it is important that exclusion forms are completed fully with accurately recorded information and that gaming licensees and their staff enforce exclusion procedures at their licensed premises.

Since the legislative amendments took effect on 1 May 2005 all gaming licensees are required to report to OLGR persons who contravene an exclusion order. OLGR acknowledges that most gaming licensees have shown diligence in reporting exclusion breaches. However, in recent times, some investigative actions have not been possible due to incomplete or inaccurate information being contained in these forms. The exclusion forms referred to are:

- Self-exclusion notice (Form 3A)
- Self-exclusion order (Form 3B)
- Exclusion direction (Form 3D) and

- Notice of contravention of exclusion order/direction (Form 3H).

Some of the errors encountered by OLGR include:

- not completing all information fields
- failing to issue an order (Form 3B) when presented with a notice (Form 3A) by a person
- not providing the most up-to-date contact details of the excluded person i.e. address and/or telephone number
- not specifying the gaming activity which the person is excluded from i.e. wagering, keno and/or machine gaming and, in one case
- mistakenly identifying and subsequently reporting the wrong person as having breached their exclusion order.

Additionally, gaming licensees are commonly issuing exclusion orders for a one year period. Legislation requires an exclusion order to be issued for a five year period. An excluded person has the opportunity to revoke their exclusion order after 12 months.

In the event that a gaming licensee has incorrectly issued an exclusion order for a period other than the required five years, the gaming licensee is expected to contact the person to arrange for a replacement exclusion order to be issued. Alternatively, the gaming licensee must issue a venue-based exclusion direction.

With accurate reporting and the enforcement of exclusion procedures, gaming licensees will continue to assist in the provision of responsible gambling services, whilst ensuring that appropriate action is taken when excluded persons contravene their exclusion order.

Court case outcomes

Failure by licensee to have appropriately licensed person to carry out gaming duties

On 9 January 2008, the licensee of the Cunnamulla Hotel, Gemglass Pty Ltd, was summoned to appear before the Cunnamulla Magistrates Court. The court heard a complaint that, between 1 January 2007 and 20 November 2007, the licensee contravened section 189(3) (Licensing requirements for carrying out gaming duties on licensed premises) of the *Gaming Machine Act 1991* by failing to ensure that at least two appropriately licensed persons were employed to carry out gaming duties at the hotel. The court heard a further complaint that, on 19 July 2007, the licensee contravened section 189(7) of the Act by failing to ensure that at least one appropriately licensed person employed by the licensee was present at the hotel or readily available to carry out gaming duties.

The licensee failed to appear at the court and the matter was heard ex-parte. The licensee was found guilty and was convicted and fined \$2,500 in total plus \$66.50 costs of court. A conviction was recorded.

Gaming taxes not met as directed

On 15 February 2008, the licensee of the Withcott Hotel, Gaoky Pty Limited, was summoned to appear before the Toowoomba Magistrates Court in relation to contraventions of sections 317(1) (Payment of taxes) and 317(3) (Failure to comply with a direction) of the *Gaming Machine Act 1991*. The court heard that, in August 2007, the licensee failed to pay monthly gaming taxes and levies for July 2007 and penalties, unpaid taxes and levies from previous months.

Prior to the hearing date, the licensee lodged a written guilty plea and, as such, did not appear at the court. The licensee was convicted and fined \$1,600 in total plus \$64 costs of court. No conviction was recorded on either count.

Employee extending credit and playing keno

On 17 March 2008, an employee of the Coronation Hotel, West Ipswich, pleaded guilty in the Ipswich Magistrates Court to contravening sections 148(2) (Extending credit) and 159A (Keno gaming by keno agent or keno agent's employees) of the *Keno*

Act 1996. The court heard that the employee admitted to extending himself credit on 7 October 2007 in the amount of \$12,800 to take part in approved keno gaming at the hotel, placing at least 15 bets.

The employee was convicted and fined \$1000 plus \$75 costs of court. No conviction was recorded.

Gaming nominee extending credit to patrons to wager on TAB

On 24 April 2008, the former gaming nominee of the Boomerang Motor Hotel, Mackay, pleaded guilty in the Mackay Magistrates Court to 11 counts of contravening section 209(1) (Extending credit) of the *Wagering Act 1998*. The court heard that the employee admitted to providing credit totalling \$2,648 between 3 and 26 May 2007 to select patrons to enable them to wager on the TAB at the hotel. The court also heard that the employee admitted to instructing other staff at the hotel to extend credit to those select patrons for wagering purposes.

The former gaming nominee was convicted and fined \$1,000 plus \$69 costs of court. No conviction was recorded.

Liquor reform update

Following consultation with industry stakeholders earlier this year, OLGR has released the final policy proposals for the Liquor Act review. The following proposals will now progress to Parliament over the next few months for consideration, with the new legislation anticipated to come into force later this year.

Ministerial banning power

The reforms will allow the Minister to prevent the sale of 'undesirable products' which are considered to encourage rapid intoxication or directed at minors. A consultation process will be undertaken prior to implementing a ban, and it is intended the manufacturer will have an opportunity to respond to a request to show why the product should not be banned.

Mandatory Responsible Service of Alcohol (RSA) and Responsible Management of Licensed Venues (RMLV) training

Under the reforms RSA training will be mandatory for employees of licensed premises, excluding volunteers operating under a community licence who are being supervised by an individual with RSA training. RMLV training will be compulsory for all individual licensees and approved managers. A transition period is available

to enable licensees to meet the mandatory requirements which will commence on 1 January 2010.

Licence type restructure

A restructure of licence categories will allow for the development of the industry. Two streams of licences are available - commercial and community, with subcategories for each.

The commercial special facility licence will include casinos. This licence type will accommodate special tourism facilities and will be restricted to significant tourist developments such as airports and casinos.

Ordinary trading hours

- Ordinary trading hours of 10am-12midnight are proposed for all licensed premises with the exception of commercial special facility licences, such as airports and casinos, which have approval to trade 24 hours per day.
- Post-midnight trade will require approval and payment of the relevant fee.
- Trading between 7am-9am will be granted by exception, only to clubs that can demonstrate a specific need in the community (i.e. to cater for specific sports or shift workers in certain circumstances).

- Trading is also available between 7am-9am on approval for all licences where the licensee holds bona fide functions.
- Trading between 9am-10am will be available to commercial and community licensees on proven need.
- Trading from 5am-7am will be prohibited, with the exception of commercial special facility licences with authority to trade 24 hours per day, such as airports and casinos.

Approved manager

Every premises must have an individual licensee or approved manager on site at all times. It is proposed the manager's approval will have a five year currency.

Annual licence fees

Licensees will pay a base fee according to their licence type, with additional loadings added for variables which increase their operational risk. Risks include late trading approval and compliance history.

Full details on the changes are available at www.olgr.qld.gov.au under 'liquor licensing', 'what's new'.

Gold Coast glassing forum

Between December 2007 and May 2008, 18 glassing assaults at the Gold Coast were identified in local police reports.

The former Liquor Licensing Division held a forum at the Gold Coast City Council Chamber in June, which allowed licensees to take part in the decision-making process to address issues related to the glassing assaults.

Licensees and managers from 18 premises on the Gold Coast identified by Police as being linked to glassing assaults were invited.

The Gold Coast City Council, Queensland Police Service, Queensland Hotels Association and other community representatives also attended and

assisted in developing proposed solutions in relation to this issue.

It is hoped the discussions and strategies discussed at the forum will assist in a decrease of glassings at the Gold Coast.

Shooters Saloon Bar “Smart Shout”

The Gold Coast’s Shooters Saloon Bar is giving away free bottled water, 11pm-2am on weekends in a concept labelled the “Smart Shout”.

This is a fantastic addition to their house policy, and its successful implementation will assist in promoting a safer environment and responsible drinking for their patrons.

OLGR commends Shooters Bar and encourages other licensed premises to follow suit in the proactive promotion of responsible consumption of alcohol.

Indigenous liquor reforms update

Liquor restrictions introduced

From 1 July 2008, ten licensed premises that sell takeaway liquor in the Cooktown region had restrictions added to their liquor licences. Cask wine takeaway sales were restricted in the region in a bid to reduce alcohol-related harm in nearby Indigenous communities Hope Vale and Wujal Wujal.

Doomadgee

Both the Doomadgee Aboriginal Shire Council and local police have noticed “dramatic changes” and a “much more peaceful” Doomadgee, following the introduction of alcohol restrictions in December 2007, according to the North West Star newspaper in Mt Isa.

In October 2007, the former Liquor Licensing Division completed investigations which identified extreme levels of alcohol related harm and violence occurring in the community of Doomadgee. The investigation strongly linked this harm to thousands of litres of cask wine being purchased from the Burketown Pub.

In April 2008, the trading conditions banning the sale of cask wine from the Burketown Pub were upheld by the Commercial and Consumer Tribunal. Since the Division placed conditions on the Burketown Pub to ban cask wine, the situation in Doomadgee has drastically improved:

- police have reported a significant decline in calls for service for alcohol-related incidents

Don’t get smashed campaign

The Gold Coast City Council is running a community safety campaign, titled *Don’t get smashed – get home safely*, which includes wallet cards and posters encouraging local patrons to think ahead and plan the trip home with public transport.

OLGR applauds the Gold Coast City Council for their pro-active campaign and encourages other councils to promote public transport options.

Kids absorb your drinking campaign

The Federal Government and Drink Wise Australia began their joint social change advertising campaign titled *Kids absorb your drinking* in June 2008.

The campaign, which aims to influence generational change, is currently being aired on television nationwide.

View the advertisement at the Drink Wise website: www.drinkwise.com.au

Liquor Accords news

Violence down in the Wide Bay area

Following the tireless work of local Liquor Accords groups, assaults and police call-outs have decreased dramatically in the Wide Bay region.

Since the Bundaberg Liquor Accord formed in February 2008, police have reported a 31 per cent drop in assaults*. Bundaberg Accord members found that imposing blanket bans for repeat or violent offenders is an effective harm minimisation strategy that works for their local area.

There has also been a 52 per cent reduction in police call outs to licensed premises in Hervey Bay, as well as a slight reduction in the number of people taken to the watchhouse since the liquor accord formed in December 2007**.

* For the period 1 February to 31 May 2008 when compared to the same period of 1 February to 31 May 2007.

** When comparing the six-month period to 20 December 2007.

Funding

Liquor Accord funding was announced in June 2008. More than \$20,000 was provided to Liquor Accord groups in Queensland, to strengthen and provide assistance with various projects. Funds went towards projects as varied as the production of posters and beer mats promoting responsible attitudes towards serving alcohol, to awareness programs held in schools.

New additions

OLGR would like to welcome the latest addition to the Liquor Accords group – Mundubbera Liquor Accord, located northwest of Brisbane was formed in July 2008.

Mornington Island

According to *North West Country* newspaper in Charters Towers, rates of violence and crime have plummeted in Mornington Island since the community’s tavern had its liquor licence suspended in January 2008.

Elders, police and community workers alike agree that the alcohol ban has made a “huge improvement” to their well-being.

- hospital staff report less people are attending the hospital for emergency care due to violence and more people are remembering to take their general medication
- the Doomadgee grocery store reported a weekly sales increase of over \$25,000 in January 2008 as families spent their money on food instead of alcohol
- the drinking camps on the Nicholson river bed have been replaced by children with fishing lines.

Strong Community Life events



As part of OLGR's longstanding *Strong Community Life* campaign, Indigenous heroes and Government agencies have travelled to Queensland's Indigenous communities to educate and encourage residents to make strong community choices.

In July, Australian rugby league hero Darren Lockyer joined Treasurer Andrew Fraser in Doomadgee, located 500 kilometres from Mt Isa. The campaign's ambassador, former Rabbitohs fullback David Peachey also attended to help spread the *Strong Community Life* message and encourage the people of Doomadgee to continue on their positive path.

Earlier this year, the Woorabinda community requested a complete ban on alcohol, which commenced on 1 July 2008, as part of the Premier's Indigenous Alcohol Reform program.

In June 2008, former football greats, David Peachey and Steve Renoulf put aside their state of origin rivalries and visited the community, located 175km west of Rockhampton. The seven hour alcohol and drug free festival brought local acts together with Indigenous acts from all around the country to entertain the people from Woorabinda.

In addition to the events, the *Strong Community Life* campaign includes a series of locally produced radio programs that provide each community with the opportunity to talk about alcohol issues with strong and positive messages from community leaders, service providers, young people and Indigenous heroes.

Do you want up-to-date information from the Office of Liquor, Gaming and Racing?

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