

Social Services and Other Legislation Amendment Bill 2013: Schedule 1 Department of Social Services - Questions on Notice

Measure	Proposed amendment	Comment
Precommitment	Repeal Replace with Government's commitment	<ul style="list-style-type: none"> The Government supports voluntary precommitment. The Government has committed to working with a range of stakeholders to develop and implement a voluntary pre-commitment scheme in venues nationally (and a realistic timetable for implementing this measure). This commitment is enshrined in the legislation proposed for amendment.
Gaming machine capability	Repeal Replace with the Government's commitment	<ul style="list-style-type: none"> The Government has committed to working with State and Territory Governments and the gaming industry to ensure machines are capable of supporting voluntary pre-commitment in venues nationally (and a realistic timetable for implementing this capability). This commitment is enshrined in the legislation proposed for amendment.
Dynamic Warnings	Repeal	<ul style="list-style-type: none"> This is a matter for Government.
ATM withdrawal limits	Repeal	<ul style="list-style-type: none"> The Government considers State and Territory Governments are best placed to regulate ATM in gaming venues. States and Territories already have various restrictions on ATMs in gaming venues in place – the proposed amendments will avoid unnecessary duplication in regulation. The Commonwealth will develop a self exclusion programme in gaming venues, in consultation with relevant stakeholders.
Abolishing the Regulator	Repeal	<ul style="list-style-type: none"> The Government will work with State and Territory Governments on the most appropriate way to administer the measures. This commitment is enshrined in the legislation proposed for amendment.
Supervisory levy	Repeal	<ul style="list-style-type: none"> The Government will work with State and Territory Governments on the most appropriate way to administer the measures.
ACT trial	Repeal	<ul style="list-style-type: none"> The Government does not support mandatory precommitment and therefore does not support the trial. Legislation was not required to implement this trial. However for clarity references to this in the legislation are proposed for removal.
Productivity Commission Reviews	Repeal	<ul style="list-style-type: none"> As the matters legislated to be referred to the Productivity Commission are no longer relevant or are inconsistent with the Government's policy, these are being repealed.
Australian Gambling Research Centre (AGRC)	No (substantive) amendments	<ul style="list-style-type: none"> AGRC is unaffected. Existing funding commitments remain.

* Amendments proposed in Schedule 1 of the Bill form a part of the Government's broader plan to assist problem gamblers.

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Department of Social Services - Questions on Notice

Question:

What is the current landscape across all jurisdictions in terms of ATM withdrawal limits and access to cash restrictions?

Answer:

All State and Territory Governments ban ATMs and EFTPOS facilities in the gaming area of hotel and club venues. Access to credit on ATMs (cash advances) in gaming machine premises is also prohibited. The following table indicates the range of additional withdrawal limit measures implemented by jurisdictions in gaming venues.

	State and Territory withdrawal limits in hotels and clubs*
ACT	<ul style="list-style-type: none">• Currently no ATM withdrawal limit in place.• \$250 daily withdrawal limit per card for ATMs and EFTPOS commencing 1 February 2014 (with exemption classes).
NSW	<ul style="list-style-type: none">• No ATM withdrawal limits in place.
NT	<ul style="list-style-type: none">• No ATM withdrawal limits in place.
QLD	<ul style="list-style-type: none">• No ATM withdrawal limits in place.
SA	<ul style="list-style-type: none">• \$200 withdrawal limit per transaction per card on ATMs in gaming venues.• \$200 withdrawal limit per transaction per card for EFTPOS facilities in club and hotel gaming venues.• <i>Note:</i> Recent amendments were made to allow future withdrawal limits to be set in regulations on a daily basis, although these regulations are not yet in place.
TAS	<ul style="list-style-type: none">• Ban on ATMs in all hotel and club gaming venues.• \$200 withdrawal limit on EFTPOS transactions per day for gaming in hotels, clubs (and casinos).
VIC	<ul style="list-style-type: none">• Ban on ATMs in all hotel and club gaming venues.
WA	<ul style="list-style-type: none">• Crown Casino Perth is the only gaming machine venue in WA.

*Please note, this is based on the information the Department of Social Services has available and State and Territory Governments could provide further detailed advice on their ATM withdrawal limits.

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Question:

Can the Department confirm whether ATMs were discussed in the context of the Council of Australian Governments (COAG) Select Council on Gambling Reform?

Answer:

At the third meeting of the COAG Select Council on Gambling Reform, held on 27 May 2011, Ministers noted the existing arrangements in place for restricting ATMs and cash withdrawals in gaming venues across a number of states and territories. Ministers agreed to work together on the issue of ATM withdrawals.

The Communiqué from this meeting is at [Attachment A](#).

Council of Australian Governments Select Council on Gambling Reform

Communiqué

Canberra

27 May 2011

The Council of Australian Governments (COAG) Select Council on Gambling Reform held its third meeting in Canberra today.

Ministers noted the progress made by all states and territories on a range of harm minimisation measures and committed to continuing to work closely together on reforms aimed at making poker machines safer for all players.

Select Council members have requested that the Council of Australian Governments agree to extend the time period of the Select Council to allow discussions to continue.

Changes in venues with poker machines

Pre-commitment

Ministers agreed that pre-commitment is a useful tool to help people set limits on how much they want to spend on poker machines and stick to them, and discussed the pre-commitment arrangements already being put in place in a number of states and territories.

Ministers agreed to support the required infrastructure for pre-commitment technology in all jurisdictions, to be available to all players in all venues.

Ministers also agreed that small venues may need special consideration.

Ministers also agreed that all new gaming machines will be required to have the pre-commitment functionality from a date to be agreed.

Ministers asked senior officials to do further work on developing the required functionality for pre-commitment and a timetable for implementation and report back to Ministers at their next meeting.

Ministers noted that members do not agree on whether such technology should be used on a voluntary or mandatory basis.

These are practical first steps in making pre-commitment technology available to all poker machine players.

Dynamic warning displays and cost of play displays

Ministers agreed to further consider the implementation of dynamic warning and cost of play displays for poker machines, once results from the trial being led by the Commonwealth Government and facilitated by the Queensland Government, become available in early 2012.

ATM withdrawal limits

Ministers noted the existing arrangements in place for restricting ATMs and cash withdrawals in gaming venues across a number of states and territories.

Ministers agreed to continue to work together on the issue of ATM withdrawals.

Online gambling and advertising of gambling

Live odds promotion

Ministers have agreed to take action to reduce and control the promotion of live odds during sports coverage.

Governments are concerned that promotion, including commentary by sporting role models, is becoming insidious in live sports coverage. We are concerned that this can significantly influence vulnerable and young people and normalise gambling behaviour.

Ministers agreed consultation will be undertaken with industry as to the scope of the measures designed to reduce and control the promotion of live odds during sports coverage.

Ministers acknowledge that racing will be exempt due to its long standing integral connection with wagering.

In the first instance, industry will be provided with the opportunity to address this issue through amendments to their existing industry codes.

However, if satisfactory amendments are not in place by the end of June 2012, the Australian Government will consider the need for legislation, noting that the measures would not apply to pre-existing contracts for the promotion of live odds during sports coverage as of 1am today.

Review of Interactive Gambling Act

The Australian Government, after consultation with the states and territories, has decided that the Department of Broadband, Communications and the Digital Economy will undertake a review of the operation of the *Interactive Gambling Act 2001*.

The review will include examination of the operation of the IGA and the effectiveness of the current provisions. It will also include further consideration of international regulatory approaches to online gambling and their potential applicability to the Australian context. It will also examine the ability to improve harm minimisation measures for online gambling services.

The review will also look at the enforcement of existing prohibitions on certain types of online gambling, the way the Act applies to different technological platforms, and the growing number of Australian consumers gambling online in an unregulated environment.

The Australian Government will consult widely with key stakeholders, states and territories, and the broader community in undertaking the review. Terms of Reference of the review will be announced shortly.

Date: 27 May 2011