

## Working Towards Voluntary Compliance

It is the responsibility of the Department of Internal Affairs to ensure that the gambling sector operates with integrity, and that gambling activities are fair and lawful (see Fact Sheet 4 for information about our role). However, the Department aims to be a leader and educator rather than a sheriff. Above all we want to create an environment where gambling providers want to, know how to, and can comply with the Gambling Act 2003. Our enforcement focus is on those who fail / refuse to comply or who engage in dishonest or criminal practices.

### Our regulatory strategy

We recognise the need to work with gambling operators, problem gambling service providers, and others in the community with an interest in gambling issues, to build relationships of trust, mutuality and respect.

We want to actively engage stakeholders and communities so we can be informed about issues in the gambling sector and effectively consult over gambling related decisions.

Our aim is for gambling operators, service providers, community, government stakeholders and the Department to have a common understanding of issues and work together to resolve them.

### Our regulatory tools

The Regulatory Pyramid (see Fact Sheet 4) represents the tools that are available to all regulators. The Regulatory Tool Model below illustrates how the Department uses these tools to cultivate voluntary compliance with gambling legislation.



All regulatory tools are underpinned by enforcement. Our goal is to apply the appropriate regulatory tool to the situation. The level of enforcement required depends upon the seriousness of the issue and the actions of the gambling provider.

Our objective is to achieve maximum **voluntary compliance**.

However, voluntary compliance may not always be achieved either because a gambling provider may lack understanding of the legislative requirements, or be unwilling to submit to voluntary controls. To facilitate better understanding the Department undertakes **joint problem solving exercises, education and training**.

**Investigations, warnings and sanctions**, being nearer the top of the scale, are generally not undertaken unless necessary to bring about compliance or deter others from behaving in a similar manner.

Prosecutions are appropriate either as a last step in cases of serious and / or deliberate non-compliance by gambling operators, or when the non-compliance is by an individual.

### Our regulatory outcome

As the flowchart illustrates, the overall outcome we are working towards (using the tools in the Regulatory Tool Model) is **safer / sustainable communities**.

### Working with stakeholders

We intend to work alongside stakeholders to achieve our long-term outcome of safer / sustainable communities.

We aim to:

- Develop further opportunities for community engagement at a local level to better inform our regulatory efforts
- Engage with the gambling sector, local authorities and key community stakeholders in a problem-solving manner
- Inform the gambling sector of emerging themes / issues so they can comply voluntarily

- Identify and address non-compliance using intelligence and appropriate regulatory tools
- Prioritise the investigation and prosecution of crime and dishonesty associated with gambling
- Have systems that ensure money flows from gambling are transparent
- Work towards the Department audit findings becoming records of public interest.

Our overall goals are: good consultation and clear and effective communication, consistent application of the rules, timeliness and fair processes.

## Benefits of voluntary compliance for stakeholders

In addition to voluntarily complying with gambling legislation we want gambling operators to take responsibility for continuous improvement in the quality of their services and maximising returns to the community.