Gambling Harm Prevention and Minimisation Guidelines

August 2015

The Department has developed the following guidelines to assist societies in self-checking levels of compliance against the Gambling Act 2003 (the Act) and regulations relating to Harm Prevention and Minimisation. Societies should be seeking information in relation to these guidelines from staff members at society venues as appropriate.

## Problem Gambler Identification Policy and Exclusion Provisions (Content)

The policy **should** contain the following:

* Venue-based indicators of problem gambling;
* Self-exclusion procedure;
* Venue-initiated exclusion procedure;
* Procedure for dealing with persons that re-enter the gambling area in breach of an exclusion order.

The policy **should not** contain the following:

* Policy for issuing trespass orders instead of exclusion orders. This is not acceptable because it excludes the person without addressing the issue, and is also contrary to the requirement of the Act.
* Any kind of statement that indicates the venue is attempting to contract out of any liability under the Act, e.g. statements such as, “I recognise this exclusion order does not guarantee that I will be prevented from entering the venue in future”, or, “I will not hold the venue responsible if I re-enter the venue in breach of my exclusion order.”

## Problem Gambler Identification Policy and Exclusion Provisions (Practice)

Trained staff members should understand how the Problem Gambler Identification Policy defines problem gambling.

Trained staff members should be able to recognise signs that might indicate a person in your venue is, or might be, a problem gambler. Such signs could include:

* Attempts to borrow money on site;
* Requests to cash cheques;
* Disorderly or agitated behaviour;
* Comments from family and friends;
* Long sessions playing the machines;
* Children left unattended while adults gamble.

Your problem gambler identification policy should contain additional indicators and staff should be aware of these. Trained staff members should know what to do if they see someone exhibiting signs of problem gambling.

Under section 309 staff must:

* Approach the person and offer information or advice about problem gambling;
* Ensure the information provided includes a description of the self-exclusion procedure.

Under section 309A, the venue manager, or staff acting on their behalf, must take all reasonable steps to assist a gambler (including issuing an exclusion were appropriate) when they have ongoing concerns about that gambler and:

* They have previously approached the patron about their gambling; and
* The gambler hasn’t asked to be excluded

Trained staff members should know:

* Where the exclusion orders are held;
* What to do when someone tells them they think they have a gambling problem;
* What to do when a person writes in requesting to be excluded;
* What to do when a person identified as a possible problem gambler refuses to self-exclude;
* What to do when a third party (e.g. family, friend, whanau) contacts the venue and requests that their friend, partner, etc. be issued with an exclusion order.
* What to do when they have ongoing concerns about a gambler
* How to record details of excluded persons

Staff members should know where to find the exclusion order/s, when to issue them, and how to issue them. Staff must issue an exclusion order, promptly, to:

* Someone who says they are a problem gambler and who wishes to be excluded from the gambling area (s.310);
* Someone who makes the same request in writing

Staff may issue an exclusion order to someone identified by venue staff as a possible problem gambler, but who refuses to self-exclude (s. 309), and can do so if they have ongoing concerns about a gambler (s. 309A)

Staff should treat third party notification as a significant indicator that someone is experiencing harm, and begin observation of the person against the Problem Gambling Identification Policy.

Staff should be aware that the period of exclusion can be no longer than two years. However, where appropriate, a fresh exclusion order can be issued to a gambler as soon as the previous exclusion has expired.

Staff members must know what to do when an excluded person re-enters the gambling area in breach of an exclusion order.

* Under s.311 the requirement is for the person to be removed, by the Police if necessary.

## Problem Gambling Awareness Training

There must be a trained staff member/s available at venues at all times the gaming machines are in operation. All new staff should receive appropriate training as required.

The training should be sufficient so that staff know, in the case of a person experiencing difficulty with gambling:

* What to tell or give them about the characteristics of problem gambling;
* What information to tell or give them about the potential risks and consequences of problem gambling;
* What information to tell or give them about how to access problem gambling support services;
* What to remind people about in relation to exclusion orders.

## Requirement to provide information about Problem Gambling

Venue staff are required to provide pamphlets that contain information on the odds of winning, information on the characteristics of problem gambling and how to seek advice. This information should be readily available to players, i.e. pamphlets should be generally and freely available without the players having to request them.

Signage should be located in areas generally frequented by players, i.e. principal entrances, or gambling area, or cash facilities – not locked in an office. Signage also needs to be of a reasonable size so that it can be easily read.

## Record Keeping (Exclusion Orders)

Records of excluded persons must be maintained at venues. All staff involved in the gaming machine operation should know where the records of excluded persons are kept and should be able to access these records easily. In relation to every excluded person, staff must record details of:

* The person’s name and date of birth (if provided); and
* Whether the person was excluded from the venue under section 309 (venue initiated exclusion) or 310 (self-exclusion); and
* The date on which the exclusion order was issued and the date of its expiry; and
* Any conditions imposed on the person’s re-entry to the venue.

## Jackpot Instruction Notices (Linked Jackpot Systems)

A Jackpot Instruction Notice (as specified under GR 29) is required for all venues that have a linked jackpot system.

## Jackpot Advertising/Branding

Any jackpot advertising inside venues must only be visible or audible from within the venue. This includes any electronic jackpot displays.

Jackpot advertising is prohibited in any advertising (newspapers, magazines, websites, street signage, sandwich boards, etc.) relating to class 4 gambling conducted at venues. Such advertising, irrespective of whether or not it contains the word ‘jackpot’, must not suggest that there is a gaming machine jackpot at the venue.

## Suitable Venue

Refer to Regulation 4 and Fact Sheet 6 for guidelines as to what is **not** a suitable venue.

## ATMs

There must not be an ATM in the gambling area of any venue. The gambling area is either:

* That part of the venue specified by the Secretary under section 70(2)(h); or
* If the Secretary does not specify an area, the class 4 venue itself.

The Department of Internal Affairs produces comprehensive information on a wide variety of topics relating to gambling. This can be accessed online at [www.dia.govt.nz/gambling](http://www.dia.govt.nz/gambling)