



FACT SHEETS

Tasmanian Gambling Exclusion Program



Tasmanian
Gaming
Commission

BREAK EVEN
Help when Gambling becomes a Problem



 The Federal Group

 The TOTE

JULY 2002

Self-exclusion

Individuals may choose to exclude themselves from gambling venues or gambling activities in Tasmania.

This exclusion means that venue operators will prevent an excluded person from entering gambling premises or participating in gambling activities. Breaches by an individual or an operator may incur penalties under the Tasmanian *Gaming Control Act 1993*.

The process involves:

- ensuring the individual is fully informed about the Exclusion Program;
- contacting the local service providers listed on page 10 or the **Gambling Helpline Tasmania 1800 000 973** to make an appointment to discuss and arrange a Self-exclusion.

The service provider will:

- explain the Self-exclusion Program and its implications;
- explain the individual's rights and responsibilities;
- assist with the completion of the Self-exclusion Deed and the Self-exclusion Notice (Form 1) which will list the chosen excluded gambling venues or gambling activities;
- arrange to have free passport size photos taken;
- provide the individual with a copy of the signed Deed and Notice and send a copy of the Notice to the Australian Hotels Association for distribution to the nominated venues and to the Tasmanian Gaming Commission.

The venue operator will:

- as soon as is reasonably practicable, after receiving the notice, advise all employees who may have to enforce the order;
- prevent entry or remove an excluded person from a nominated venue using no more force than is reasonably necessary should the excluded person breach the notice.

The Self-exclusion Notice:

- is usually for a period of three (3) years;
- can be extended beyond three (3) years;
- can be revoked at any time;
- can be revoked by completing a Revocation of Self-exclusion Notice (Form 2) which is available from a service provider.

Note

While a person may choose to exclude themselves from particular gambling activities, rather than the whole venue, a licensee may have a policy in place which excludes any self-excluded person from the whole venue. This would be done by issuing a Venue Exclusion Order.

SELF-EXCLUSION IS:

- **the most common exclusion**
- **completed with a gambling counsellor**

" I wanted to take control of my gambling so I called the Gambling Helpline and asked about having myself excluded..."

Venue Operator Exclusion

Venue operators may exclude a person from entering or remaining on their premises or from participating in gambling activities. The Exclusion is used when an individual is in breach of the *Gaming Control Act 1993* or is jeopardising the safety and welfare of themselves, others and/or property.

Breaches by an individual or a venue operator may incur penalties under the Tasmanian *Gaming Control Act 1993*.

In an emergency, an individual may request a venue operator to exclude them, pending commencement of the Self-exclusion process (see page 2).

The process involves a venue operator:

- giving the order to the excluded individual orally or in writing;
- then lodging an Exclusion Order by Specified Licence Holder (Form 5) with the Tasmanian Gaming Commission;
- providing the excluded person with a written order, should it be requested. (An oral order is suspended until a copy of the Order (Form 5) is provided to the individual.)

Once the order is issued the venue operator should:

- as soon as is reasonably practicable, advise all employees who may have to enforce the order;
- prevent entry or remove an excluded person from a nominated venue or gaming area using no more force than is reasonably necessary should the excluded person breach the order.

Revocation and appeal

- A venue operator may revoke an order by giving notice to the Tasmanian Gaming Commission (Form 6);
- The excluded individual may appeal to the Tasmanian Gaming Commission to revoke the order.

Note

An Exclusion Order by Specified Licence Holder may be issued which could override a current Self-exclusion Notice.

Under the revised *Gaming Control Act 1993* a venue operator has the authority to exclude a person from a venue or gambling activity. This could be for causing a disturbance, or damage to property, or if an individual's behaviour affects his or her own welfare, or the welfare of others, within the venue.

Venue operators should carefully consider whether other exclusion types are more appropriate and ensure that excluded patrons are given full information on the Tasmanian Exclusion Program.

Third Party Exclusion

A person with a close personal interest in the welfare of another individual may apply to the Tasmanian Gaming Commission for an order prohibiting that other person from participating in gaming or wagering.

If the order is granted, breaches by the individual or the venue operator may incur penalties under the Tasmanian *Gaming Control Act 1993*.

The process involves:

- contacting an officer of the Tasmanian Gaming Commission to confirm the nature of the request and ensure rights and responsibilities under the *Gaming Control Act 1993* are explained;
- if the applicant wishes to proceed, arranging a referral for the applicant to see a Senior Case Manager appointed by the Tasmanian Gaming Commission.

The Senior Case Manager will:

- explain the effect and potential consequences of a Third Party Exclusion;
- explain other options available;
- suggest ways to limit unnecessary duress on both parties;
- prepare a report to the Tasmanian Gaming Commission on behalf of the applicant. If the applicant is undergoing counselling the Senior Case Manager will assist the counsellor in preparing the report;
- send the report, along with the signed Third Party Exclusion Application Form (Form 3), to the Tasmanian Gaming Commission.

The Tasmanian Gaming Commission will:

on receipt of this application and report, provide both the applicant and the gambler with written notice. The Commission will consider the report and may invite representation from one or more parties.

In considering the application the Tasmanian Gaming Commission will take into account:

- the nature and extent of the gambling activity of the affected person;
- the social, psychological, emotional and physical effects of the gambling behaviour on the affected person;
- the social, psychological, emotional and physical effects of the gambling behaviour on the affected person's immediate and their wider personal contacts;
- steps taken to reduce negative effects of gambling on the affected person and their wider personal contacts;
- prior assistance given to the affected person and their wider personal contacts.

The commission will need to be satisfied that this exclusion is in the interest of the affected person and in the public interest.

The venue operator will:

- as soon as is reasonably practicable after receiving a Third Party Exclusion Order (Form 3A), advise all employees who may have to enforce the order;
- prevent entry or remove an excluded person from a nominated venue using no more force than is reasonably necessary should the excluded person breach the order.

Revocation and appeal

Application to revoke a Third Party Exclusion (Form 4) may be made to the Tasmanian Gaming Commission.

In special cases a Third Party Exclusion permits somebody with 'a close personal interest' to apply to have another person excluded from gambling.

Applying for a Third Party Exclusion is a very serious undertaking. Close attention must be given to providing full and factual information for the Commission.

Police Exclusion

The Commissioner of Police may direct a venue operator to exclude a person from entering premises.

Breaches by the individual or the venue operator may incur penalties under the Tasmanian *Gaming Control Act 1993*.

The process involves:

- the Commissioner of Police giving an order in writing to a venue operator to exclude an individual;
- the venue operator lodging an Exclusion Order by Specified Licence Holder (Form 5) with the Tasmanian Gaming Commission (see page 4);
- the venue operator giving the excluded individual a copy of this order.

The venue operator will:

- as soon as is reasonably practicable after receiving the order, advise all employees who may have to enforce the order;
- remove or prevent an excluded person from entering the premises, using no more force than is reasonably necessary, should the excluded person breach the order.

Revocation and appeal

- An Exclusion Order made at the direction of the Commissioner of Police can only be revoked with written approval from the Commissioner of Police.

A Police Exclusion would override any current Venue Exclusion, Self-exclusion or Third Party Exclusion.

MORE INFORMATION

Contacts

For free and confidential assistance for exclusions, counselling and support contact:

Gambling Helpline Tasmania (24 hours)
Free crisis counselling and referral service
Freecall 1800 000 973

Service Providers

HOBART

Anglicare Tasmania Inc 6234 3510

Relationships Australia 6211 4050

Gambling and Betting Addiction Inc (G.A.B.A.) 1800 802 834

LAUNCESTON

Anglicare Tasmania Inc 6334 6060

Relationships Australia 6336 7000

Gambling and Betting Addiction Inc (G.A.B.A.) 1800 676 565

BURNIE

Anglicare Tasmania Inc 6431 8804

Gambling and Betting Addiction Inc (G.A.B.A.) 1800 676 565

DEVONPORT

Anglicare Tasmania Inc 6424 8581

Relationships Australia 1800 002 222

Gambling and Betting Addiction Inc (G.A.B.A.) 1800 676 565

Relevant organisations

DEPARTMENT OF HEALTH AND HUMAN SERVICES
COMMUNITY SUPPORT LEVY
4/99 Bathurst Street Hobart TAS 7000
Enquiries: 6233 2790 Fax 6233 7360
Email: gambling@dhhs.tas.gov.au
Website: <http://www.dhhs.tas.gov.au/gambling>

TASMANIAN GAMING COMMISSION
80 Elizabeth Street, Hobart TAS 7000
Enquiries: 6233 6119 Fax: 6234 1728
Email: gaming@treasury.tas.gov.au
Website: <http://www.gaming.tas.gov.au>

AUSTRALIAN HOTELS ASSOCIATION
176 New Town Rd
New Town Hobart TAS 7008
Enquires: 6278 1930
Website: <http://www.AustralianHotels.asn.au>