

Fact Sheet

Tasmanian Gambling Exclusion Scheme

Liquor and Gaming Branch

The Tasmanian Gambling Exclusion Scheme allows people to be excluded from gambling venues or from participating in gambling.

The Scheme is supported by the *Gaming Control Act 1993* and is managed by the Tasmanian Liquor and Gaming Commission. The Act allows a person to be excluded from venue-based gambling in four different ways:

- self-exclusion;
- venue operator exclusion;
- third party exclusion; and
- exclusion directed by the Commissioner of Police.

A person may be excluded either from:

- a whole venue – the person cannot enter or be on the premises; or
- participating in gambling at a venue - the person cannot engage in gaming activities, and cannot enter a restricted gaming area.

The Scheme is supported by an online database managed by the Liquor and Gaming Branch. The database allows venue operators, Gamblers Help service providers (Anglicare and Relationships Australia) and the Liquor and Gaming Branch immediate and secure access to information about excluded people. Venue operators have fast and accurate information about people excluded from their venue.

SELF-EXCLUSION

Self-exclusion is where a person chooses to exclude themselves. This is done via a Gamblers Help provider.

Gamblers Help providers offer counselling and assist in the completion of the self-exclusion process.

The self-exclusion places responsibility on the excluded person not to enter gambling venues or participate in gambling.

Venue operators have a responsibility to enforce the exclusion. Breaches of the exclusion by a person or an operator may result in penalties.

Self-exclusion process

- A person can contact Gamblers Help providers or the Gambling Helpline on 1800 858 858 to make an appointment to discuss and arrange a self-exclusion.

- The Gamblers Help provider ensures that the person is fully informed about the exclusion, its implications and their rights and responsibilities.
- Gamblers Help providers assist with the completion of the self-exclusion notice. It lists gambling venues and whether the exclusion is from the whole venue or from participating in gambling. They will also take photos of the person that will appear on the online database.
- A self-exclusion lasts for a maximum of three years and may not be revoked within the first six months. After it has been in place for six months it may be revoked through a Gamblers Help counsellor.
- A self-exclusion may be strengthened at any time through a Gamblers Help counsellor by adding a venue, changing to whole of venue or extending the time period. Weakening a self-exclusion during the first six months is difficult and requires an assessment by the Commission.
- Venues from which the person is excluded are able to see the person's photos and other details through the online database.
- A venue operator must make sure that all employees who are required to enforce exclusions are aware of the identity of excluded people.
- Venue operators will 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 exclusion.

VENUE EXCLUSION

Venue operators may exclude a person from entering or remaining on their premises or from participating in gambling at their premises.

This exclusion can be used when a person is jeopardising their own safety and welfare or that of others and/or when property has been damaged by them or is at risk **as a result of a gaming related issue.**

It can be used in addition to a self-exclusion if a person attempts to breach their self-exclusion notice. A venue exclusion will override a self-exclusion.

A person may request a venue operator to exclude them, pending a self-exclusion being completed.

Venue exclusion process

- A venue exclusion must be made orally or in writing and lodged with the Commission through the online database. It only applies to that venue. The person should be provided with a copy if requested.
- Valid gaming related reasons for exclusion must be provided when making an oral or written venue exclusion request.
- A venue operator must make sure that all employees who are required to enforce the exclusion are aware of the identity of the excluded person.
- Venue operators will 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 exclusion.
- A venue exclusion lasts for a maximum of three years or until revoked by the venue operator. There is no minimum period.
- When a venue exclusion expires, a venue operator can make a new exclusion for that person if it is still appropriate.
- **Within 28 days** after receiving the exclusion order, the excluded person may:
 - appeal to the Commission to revoke the order; or
 - when the exclusion was issued by direction of the Commissioner of Police, apply to the Magistrates Court (Administrative Appeals Division) for a review of that order.

THIRD PARTY EXCLUSION

A person with close personal interest in the welfare of another may apply to the Commission for an order to prevent the person they have an interest in from gambling. Breaches of this exclusion may incur penalties.

Third party exclusion process

- Liquor and Gaming Branch staff are available to give information to people interested in applying for a third party exclusion. In particular they will discuss the:
 - rights and responsibilities of applicants; and
 - consequences of a third party exclusion.
- If the person wishes to make an application, a Liquor and Gaming Branch staff member will prepare a report to the Commission on their behalf. If the affected person is

undergoing counselling, their counsellor can also contribute to the application. The affected person may be invited to make a submission to the Commission.

- When the Commission receives the application it will provide both the applicant and the affected person concerned with a written notice. The Commission will:
 - consider the report and may invite one or more parties to report to it in person;
 - assess the effects of the gambling behaviour on the person and those with a close personal interest in them;
 - assess the nature and extent of the gambling activity; and
 - need to be satisfied that the exclusion is in the best interest of the person affected by gambling and in the public interest.
- If the application is enforced, a new exclusion will be entered into the online database and all relevant venues will be informed of the identity of the person.
- A venue operator must make sure that all employees who are required to enforce the exclusion are aware of the identity of the excluded person.
- Venue operators will 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 exclusion.
- A third party exclusion lasts for a maximum of three years or until revoked by the Commission. Application to revoke the exclusion may be made to the Commission.

CONTACTS

Gamblers Help - 1800 858 858

Freecall (24 hours)

Anglicare Tasmania Inc - 1800 243 232

Hobart, Launceston, Burnie and Devonport

Relationships Australia - 1300 364

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Tasmanian Liquor and Gaming Commission

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