



# Victoria Government Gazette

No. S 430 Monday 17 September 2018  
By Authority of Victorian Government Printer

## Gambling Regulation Act 2003

### MINISTERIAL DIRECTION PURSUANT TO SECTION 10.6.1

#### Self-exclusion program

I, Marlene Kairouz MP, Minister for Consumer Affairs, Gaming and Liquor Regulation, pursuant to section 10.6.1(1) of the **Gambling Regulation Act 2003** (Act) as in force on 19 September 2018, revoke the direction made on 30 September 2008 under section 10.6.1(1)(a) and (b) and in substitution give the following direction in relation to the standards and requirements that must be met by a self-exclusion program conducted by or at the request of a venue operator.

#### Administration of a self-exclusion program

A self-exclusion program must:

- (a) meet the requirements of the Act; and
- (b) comply with this and any other relevant Ministerial direction.

A venue operator must:

- (a) provide the Victorian Commission for Gambling and Liquor Regulation (Commission) with a copy of the self-exclusion program that will be conducted by the venue operator; or
- (b) where the venue operator provides a self-exclusion program that is conducted on its behalf by another person, notify the Commission of the name of the person conducting the self-exclusion program on the venue operator's behalf.

Where a person conducts a self-exclusion program on behalf of a venue operator, that person is required to provide a copy of the self-exclusion program conducted by that person to the Commission.

A self-exclusion program may be amended by a venue operator, or by a person conducting a self-exclusion program on behalf of a venue operator.

Where a self-exclusion program is amended, the venue operator or the person conducting a self-exclusion program on behalf of a venue operator must provide a copy of the amended self-exclusion program to the Commission.

#### Preservation of self-exclusion programs conducted before 19 September 2018

A venue operator who immediately before 19 September 2018 conducted a self-exclusion program that was approved by the Commission will be deemed to be conducting that self-exclusion program from 19 September 2018 until such time as the venue operator notifies the Commission that it has amended its self-exclusion program or has implemented a new self-exclusion program.

A venue operator whose self-exclusion program was immediately before 19 September 2018 conducted on its behalf by another person will be deemed to be conducting that self-exclusion program from 19 September 2018 until such time as the venue operator notifies the Commission that it has amended its self-exclusion program or has implemented a new self-exclusion program.

#### Process for self-excluding

A self-exclusion program must establish a process for self-exclusion and must specify the steps a person:

- (a) needs to take to voluntarily self-exclude;
- (b) must take to revoke a decision to self-exclude; and
- (c) must take to vary the terms of a self-exclusion.

A self-exclusion program must be designed so that:

- (a) a person considering self-exclusion is not deterred by unnecessary administrative requirements and complexities; and
- (b) there is capacity to assist a person who chooses to self-exclude to also self-exclude from gaming venues that have a different self-exclusion program.

**SPECIAL**

**Duration of self-exclusion**

A self-exclusion program must identify:

- (a) how long a customer's decision to self-exclude will last; and
- (b) how that period can be extended or revoked.

**The provision of information to customers**

A self-exclusion program must detail:

- (a) how the venue operator will ensure that customers are made aware of the availability of the program; and
- (b) how information about the self-exclusion program will be made available to customers.

**Identification of a self-excluded person in the gaming machine area**

A self-exclusion program must:

- (a) require the venue operator to take reasonable steps to ensure that a self-excluded person does not enter the gaming machine area of the venue;
- (b) detail the procedure that will be adopted to detect self-excluded persons who enter the gaming machine area of the venue; and
- (c) detail the procedure that will be adopted when a self-excluded person is detected in the gaming machine area.

Any procedure for detecting self-excluded persons specified in a self-exclusion program must have due regard for the privacy and dignity of the self-excluded person.

**Staff training**

A self-exclusion program must detail the training that will be provided to gaming staff to enable them to:

- (a) help a person seeking information about self-exclusion or wishing to self-exclude;
- (b) identify self-excluded persons; and
- (c) understand how to appropriately manage persons who have self-excluded.

**Availability of support services**

A self-exclusion program must require a venue operator, or a person who manages a self-exclusion program on the venue operator's behalf, to maintain regular contact with problem gambling support services and to develop agreed protocols in order to facilitate:

- (a) referral of a person to problem gambling support services; and
- (b) the enhancement of the venue operator's self-exclusion program.

A self-exclusion program must detail how regular contact will occur.

**Data management**

A self-exclusion program must require the venue operator, or a person who manages a self-exclusion program on the venue operator's behalf, to keep a record of the number of:

- (a) persons who have self-excluded;
- (b) self-excluded persons detected in the gaming machine area of the venue (including data on repeated breaches); and
- (c) self-excluded persons who extend or revoke their self-exclusion.

A self-exclusion program must specify how this information will be collected, retained and provided to the Commission.

Data relating to self-exclusion must be collected and maintained in a manner that:

- (a) enables the Commission to monitor compliance by the venue operator with the self-exclusion program; and
- (b) respects the privacy of persons who have self-excluded.

**Complaints process**

A self-exclusion program must specify a process for resolving complaints from a person about the operation of the program.

The complaints process must:

- (a) specify how a complaint can be made;
- (b) specify how information about complaints will be collected and retained; and
- (c) enable the Commission to monitor compliance with the complaints process.

This direction takes effect on 19 September 2018.

Dated 10 September 2018

HON. MARLENE KAIROUZ MP  
Minister for Consumer Affairs, Gaming and Liquor Regulation  
Minister for Local Government

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