

# Our Club

## Licensee responsibilities



Our gaming venue

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# Our gaming venue

## Overview

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### Introduction

This section has been designed for clubs operating gaming machines, with an overview of the role requirements for a nominated nominee.

The section contains information to assist you in understanding and fulfilling your obligations as a gaming venue operator. It includes:

- general information that applies to gaming venue operators and employees
- information about the responsibilities and obligations for gaming venue operators
- specific information around gaming operations
- other important information for gaming venue operators.

### Resources

It should be noted that not all resources or reading materials have been included in this section. It is intended to be an overview only. If you require additional information to what is provided in this section, please refer to the VCGLR website at [vcglr.vic.gov.au](http://vcglr.vic.gov.au).

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## Overview

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## General obligations

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### Introduction

As a committee member of a club, you have certain obligations associated with your club's liquor licence.

**See:** 'General obligations' (section 3 page 7).

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## Venue operator's licence

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### Licence issued by VCGLR

The VCGLR is responsible under the *Gambling Regulation Act 2003* (the Act) for the issue of licences to manage and operate a venue that has been approved as suitable to be used for gaming.

A venue operator's licence may be granted to a person who is a body corporate, such as a company or an incorporated association. This includes a company limited by guarantee. In each case the applicant must be assessed to be a suitable person to be concerned in, or associated with, the management and operation of a gaming venue.

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### Licence not transferable

A venue operator's licence applies only to the person it has been issued to and cannot be sold or transferred.

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### Licensee responsible

Venue operators must follow the requirements placed on them by the Act and related regulations, and can be prosecuted in court or have disciplinary action taken against their licence if they do not. The nominee of a venue operator is responsible as though he or she was the licence holder.

The role and responsibilities of venue operators and nominees are summarised in the following pages.

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## Check your understanding 1 – venue operator's licence

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### Checkpoint

It's time to check your understanding of what has been covered so far. Please complete the questions below and check your answers against the answers provided at the end of this section of the resource kit.

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### Questions

1. Who can be granted a venue operator's licence?

- a. \_\_\_\_\_
- b. \_\_\_\_\_

2. A venue operator's licence issued to you can be sold or transferred to another person or company at any time.

True  False

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### Venue manual

The venue manual is designed to assist gaming venue operators meet their regulatory and compliance responsibilities. For detailed information on your obligations as a gaming venue operator, refer to this online resource on the VCGLR website at [vcglr.vic.gov.au](http://vcglr.vic.gov.au)

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## Becoming a nominee

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### Who is a nominee?

Under the Act, an individual must be nominated to be the responsible person to manage and operate a gaming venue

That individual is referred to as the nominee.

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### Role of nominee

The nominee plays an important role in ensuring responsible, honest and crime-free gambling takes place in his or her venue.

Once an application to be a nominee is approved by the VCGLR, that person is accountable for the management and control of the gaming venue and is also liable under the Act as a licensee.

The nominee is liable under the Act as a licensee and may be prosecuted for any breaches of the Act by the licensee.

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### Who should be a nominee?

Generally, the person best placed to be a nominee is one who has an understanding of the requirements of the position, coupled with the capacity to influence the business direction of the venue operator. A person nominated to be the nominee is usually a director of the company or committee member of the club that holds the venue operator's licence. Alternatively, they may be employed as the venue manager.

Before a nominee is approved, the VCGLR must consider whether the nominated person, and each of the persons associates, is suitable to be concerned in, or associated with, the management and operation of a gaming venue. The VCGLR must consider whether the nominated person and the person's associates are of good reputation by assessing their character, honesty and integrity. It must consider if the nominated person has a business association with anyone who may be regarded as not of good standing or as having unsatisfactory financial resources.

Using information obtained through the application and other checks, the VCGLR assesses each nominated person and confirms their suitability.

Before they can take on the role, all nominated individuals must receive a letter from the VCGLR approving their nomination.

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### When to nominate a nominee

Venue operators must nominate a nominee for each venue linked to their licence. All nominees must have their nominations approved by the VCGLR in the following instances:

- when a venue operator is granted a licence with an approved venue
- after the licence conditions have been amended to add an approved venue
- when the VCGLR notifies the venue operator it has refused to approve a nominated person
- when an approved nominee dies, resigns, is dismissed or stops managing the venue.

Applications to the VCGLR must be made within 60 days of any of the above circumstances arising. If unable to meet that timeline, venues must apply to the VCGLR for an extension.

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## Becoming a nominee continued

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### What if there isn't a nominee?

In instances where there is no nominee, the company's board of directors or the incorporated association's committee members are all separately responsible and liable as the licensee until an individual is nominated and approved by the VCGLR. In such a situation, each member of the board of directors or club's committee could be prosecuted if the Act or Regulations are breached.

### Applying to be a nominee

All nominee applications must be submitted on a '*Venue operator's licence approval as a nominee*' form. There is no fee for making this application.

Together with the completed form, all applications must include:

- an original National Police Certificate from Victoria Police
- an original credit report
- an original Australian Securities and Investments Commission personal historical record extract.

Applicants must also consent to having their fingerprints taken to satisfy identification requirements.

To download the nominee application forms, visit the VCGLR website at [vcglr.vic.gov.au](http://vcglr.vic.gov.au).

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## Check your understanding 2 – becoming a nominee

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### Checkpoint

It's time to check your understanding of what has been covered so far. Please complete the questions below and check your answers against the answers provided at the end of this section of the resource kit.

### Questions

1. A venue operator must nominate a nominee for each venue linked to their licence.

True  False

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## Licence responsibilities

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### Governance

For clubs that operate gaming machines, the changes to the regulation of gaming venues in 2012 have presented new challenges. The new venue operator model requires clubs to undertake a much broader range of responsibilities. Gaming venues are involved in a large industry that generates approximately \$3 billion in aggregate revenue per year, and as a consequence, governance by boards and committees should reflect the extent of financial risk and opportunities of these new and substantially expanded businesses.

Governance by boards and committees now require a new level of sophistication and vigilance. These bodies have to be properly constituted, meet regularly and have the skills necessary to perform their roles. Boards and committee members should consider the training and skills required for their new roles to ensure that club affairs are managed diligently and responsibly.

### Complying with licence conditions

Venue operators are required to comply with all the conditions relevant to their licence, as identified at the time the licence is granted. Amendments to licence conditions may be proposed by the venue operator in writing to the VCGLR.

### Notice of certain liquor licence applications

Venue operators must notify the VCGLR in writing about certain liquor licence applications concerning their approved gaming venue. These include applications:

- to grant, vary, transfer, relocate, suspend, cancel or surrender a liquor licence
- to release a liquor licence holder from his or her obligations
- to remove a partner's name from a liquor licence
- for an inquiry about the licensee or licensed premises
- for approval of a person as a director of the liquor licensee.

If a liquor licence for an approved venue is cancelled, transferred, relocated, surrendered or released, the venue operator's licence is automatically and immediately amended to remove the premises that were the approved venue.

In addition, where the liquor licence is cancelled, relocated, surrendered or released, the approval of the premises is immediately revoked.

In these circumstances, gaming at those premises would have to cease immediately.

### Notice of changes in venue operator's structure or status

Venue operators must notify the VCGLR in writing if they change or plan to change their structure in the following ways:

- an incorporated association decides to amalgamate with another incorporated association, or to convert itself into a company
- a venue operator is one of two or more clubs applying for an amalgamated club liquor licence
- an application has been made by executors, trustees or administrators to have their name or that of their agent endorsed on the liquor licence.

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## Licence responsibilities continued

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### Reporting other changes in circumstance

Through the nominee, venue operators are responsible for notifying the VCGLR of certain changes in their situation.

Whenever any of the specific changes take place, a written notice must be given to the VCGLR within 14 days of the change occurring.

Individual nominees and associates are also required to tell the VCGLR about certain changes in their situation. Nominees can help by reminding associates from time to time about their reporting obligations.

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### Address for mail

Official mail for the venue operator is sent to the registered office or place of business. The VCGLR has also developed electronic means of communicating with venue operators for those that have provided a contact email address.

Venue operators that have not provided an email address can contact the VCGLR at [contact@vcglr.vic.gov.au](mailto:contact@vcglr.vic.gov.au) to provide this information.

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### Renewing a venue operator's licence

Before a venue operator's licence is due to expire, they will receive a letter from the VCGLR advising that the licence needs to be renewed. Nominees should be aware of the licence expiry date, as printed on the 'Notice of venue operator's licence'.

If a venue operator does not receive a renewal notification approximately three months before the licence is due to expire, the VCGLR should be contacted.

It is the nominee's responsibility to lodge the application to renew the venue operator's licence and submit all forms and lodge the information requested with the VCGLR before the licence is due to expire. This allows gaming to continue past the expiry date of the existing licence and until the application for renewal of the licence is determined by the VCGLR.

If there are any changes in the information provided with an application before it is determined, the applicant must immediately inform the VCGLR.

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### Resigning as a nominee

A nominee must provide the VCGLR with 14 days notice of their intention to resign. Notification of any changes in status, such as a nominee having been dismissed or no longer managing the venue, must also be given within this timeframe.

Within 60 days, or a longer time as allowed by the VCGLR, a new nominee must be nominated for approval by the venue operator and the required documentation lodged with the VCGLR. If the VCGLR allows an extension of time for the nomination of a new nominee and a person has not yet been nominated, the venue operator should seek a further extension of time prior to the current extension lapsing.

A proposed nominee must receive a letter of approval from the VCGLR before taking on the role.

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## Licence responsibilities continued

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### Approving new associates

Through its nominee, a venue operator must ensure that a person does not become an associate of the venue operator before the VCGLR approves the appointment in writing. This applies, but is not limited to, business partners, executive officers such as a director, secretary, committee member or part of a management body and significant shareholders of the venue operator.

Any new person associated with the venue operator must not participate in the management or operation of gaming at the venue until they are approved by the VCGLR. For further advice on who may be considered to be an associate, contact the VCGLR on 1300 182 457.

### False or misleading information

A person – including a venue operator, nominee or associate – must not give false or misleading information when:

- applying for a licence or other approval
- complying with a notice given by the VCGLR
- answering a question by a VCGLR inspector
- providing information to the VCGLR.

### Amending licence conditions

At any time, a venue operator can make an application to the VCGLR to amend the conditions of their licence to:

- include or remove approved venues
- increase or decrease the number of gaming machines at a venue or
- vary the days or dates when 24-hour gaming is permitted.

The forms that need to be completed by a venue operator to amend any licence conditions can be obtained from the VCGLR website at [vcglr.vic.gov.au](http://vcglr.vic.gov.au).

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## Check your understanding 3 – licence responsibilities

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### Checkpoint

It's time to check your understanding of what has been covered so far. Please complete the questions below and check your answers against the answers provided at the end of this section of the resource kit.

### Questions

1. What happens when a liquor licence for an approved venue is cancelled, transferred, relocated, surrendered or released?

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2. A new nominee must be nominated for approval by the venue operator and the required documentation lodged with the VCGLR within 14 days of the resignation of the previous nominee.

True  False

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## Gaming industry employees

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### Licensing gaming industry employees

Venue operators must ensure all those employed to undertake prescribed gaming related duties in their venue are appropriately licensed.

Provided they are wearing appropriate identification, as approved by the VCGLR, a nominee can undertake all duties performed by a gaming industry employee.

If a venue operator or nominee is advised by the VCGLR that an employee's licence has been suspended, cancelled or has expired, the venue operator must, within 24 hours, stop that employee from continuing to fill the role of a gaming industry employee.

It is important to note that this does not mean the employee must cease performing all duties at the approved venue, but only those for which a gaming industry employee licence is required.

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### Gaming industry training

It is a venue operator's responsibility to ensure that anyone performing the functions of a gaming industry employee in a gaming machine area has completed an approved training course, Responsible Service of Gaming (RSG).

The training course must be completed by the employee within six months after commencing work in the gaming machine area of an approved venue.

All employees must complete a refresher course every three years after completing the initial training course.

Venue operators are required to keep a register containing a copy of the relevant course certificate for each gaming industry employee employed in the gaming machine area of the venue. This register is inspected by gambling and liquor inspectors as part of the regular gaming venue inspection program.

Providers of approved RSG training are listed on the VCGLR website at [vcglr.vic.gov.au](http://vcglr.vic.gov.au).

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## Check your understanding 4 – gaming industry employees

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### Checkpoint

It's time to check your understanding of what has been covered so far. Please complete the questions below and check your answers against the answers provided at the end of this section of the resource kit.

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### Questions

1. An employee working in the gaming machine area of an approved venue must complete the RSG training course within 12 months.

True  False

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## Community Benefit Statements

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### Community Benefit Statements

Each year, club and racing club venue operators must lodge an audited Community Benefit Statement (CBS) for each venue reporting on how much revenue it has used for community benefits and how.

This statement must be lodged with the VCGLR by 30 September each year. As the date is set down in legislation, it is not possible for the VCGLR to allow an extension of time to lodge a CBS.

Club and racing club venues that do not lodge an audited CBS by the required date will be taxed at the pub venue rate. The higher tax rate is payable from the time the CBS was required to be lodged until the time that the CBS is actually lodged. The VCGLR can also take disciplinary action against the venue operator for contravening the Act for failing to lodge an audited CBS by the required date.

A CBS can be lodged electronically on the VCGLR website. A username and password is provided in July each year to every venue operator required to lodge a CBS. Forms can also be downloaded from the website for those not lodging electronically.

The Ministerial Order sets out what can be claimed as a community benefit or purpose in a CBS. The Ministerial Order is available on the VCGLR website at [vcglr.vic.gov.au](http://vcglr.vic.gov.au) together with a 'Notes and frequently asked questions' booklet.

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## Check your understanding 5 – Community Benefit Statements

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### Checkpoint

It's time to check your understanding of what has been covered so far. Please complete the questions below and check your answers against the answers provided at the end of this section of the resource kit.

### Questions

1. By what date each year should club and racing club venue operators lodge an audited Community Benefit Statement to the VCGLR for each venue, reporting on how much revenue it has used to benefit the community and how?
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## Records

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### Financial and accounting records

The VCGLR has determined Accounting & Auditing Venue Requirements ('requirements') under section 10.1.5C of the *Gambling Regulations Act 2003* ('the Act') which provide gaming venues with key requirements with regards to maintaining financial gaming records, reconciling gaming activities, and monitoring the accuracy and completeness of gaming data and the validity of gaming operations.

Section 3.4.1B of the Act requires a venue operator to comply with an operational requirement determined by the Commission under section 10.1.5C.

Key matters outlined in the requirements include:

- general venue accounting conditions, such as the requirement to maintain a separate bank account for gaming transactions
- record keeping and maintenance of gaming transactions and reported data
- gaming data reconciliation requirements, such as the reconciliation of reported gaming data by the monitoring licensee
- cash handling and collection with regard to gaming activities.

For further information or to obtain a copy of the requirements, please visit the VCGLR website.

Venue operators should also be familiar with any additional requirements of other regulators and Authorities, such as the Australian Taxation Office and Australian Transaction Reports and Analysis Centre (AUSTRAC), which may impact on the venues accounting and record keeping activities.

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## Check your understanding 6 – records

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### Checkpoint

It's time to check your understanding of what has been covered so far. Please complete the questions below and check your answers against the answers provided at the end of this section of the resource kit.

### Questions

1. At the end of each financial year, a venue operator must prepare financial statements and accounts that include:
  - a. \_\_\_\_\_
  - b. \_\_\_\_\_
  - c. \_\_\_\_\_

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## Gaming operations

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### Gaming machine areas

The nominee is responsible for applications to modify a gaming machine area in an approved venue.

Gaming machines can only be played in approved gaming machine areas.

Any modifications to gaming machine areas must be approved by the VCGLR taking into account the size, layout or facilities of an approved venue. Venue operators should be aware that there is a permanent ban preventing gaming machines being situated outdoors.

### Installing and sealing gaming machines

A gaming machine must be installed by a gaming operator in the manner outlined in the Act. Gaming must not take place on a machine that has been incorrectly installed.

Venue operators must not allow gaming machines to be played unless the machine's computer cabinet is securely sealed in the manner **approved** by the VCGLR.

Cabinets are electronically locked and monitored by the gaming operator. If the cabinet opens, gaming should be automatically disabled, and a 'door-open' message displayed. Venue operators must advise their gaming operator if a cabinet is faulty.

### Gaming tokens

Only approved gaming tokens, Australian currency or an approved token or credit can be used to make a bet on a gaming machine.

Venue operators must ensure the sale or redemption of gaming tokens is carried out in a manner that ensures the integrity of all transactions.

### Gaming machine malfunctions

A venue operator must not allow payments to be made to anyone playing on a gaming machine that is reasonably suspected to have malfunctioned. Disputes must be resolved by the gaming operator using procedures approved by the VCGLR and contacting the appropriate service provider.

If a gaming machine is not functioning in the manner it was designed and programmed to, the venue operator must not allow it to be played, and should report the fault to their service provider immediately.

Faults in gaming machines include, but are not limited to, coin and note acceptors not working, player information displays not working, monitor problems such as light flickering, and partial game displays.

### Gaming hours

Venue operators may only allow gaming machines to be played during the period outlined in their liquor licences.

The Act requires that there be a continuous four-hour break from gaming after every 20 hours of gaming and that there must be no more than 20 hours of continuous gaming each day, unless expressly approved by the VCGLR and indicated in the *Notice of approved venue*.

Gaming machines must not be played when the venue is closed to the public.

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## Gaming operations continued

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### Unlawful payments, inducements and cheating

Venue operators must not receive benefit from any individuals or organisations listed on the Roll of Manufacturers, Suppliers and Testers, their employees or associates.

A nominee or venue operator must not dishonestly persuade an individual or organisation to provide them with money, gaming tokens, benefit, advantage, valuable consideration or security. They must also ensure they do not cause gaming equipment to do this either.

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### Unfettered access to gaming areas

When gaming is offered to the public, the venue operator must give unrestricted access to the gaming areas to anyone 18 years and over. This means that no fee or charge can be made for a person to enter the gaming areas of the venue. However, the venue operator may:

- a. impose and enforce a reasonable dress code for the gaming venue
  - b. exclude from the venue a person whose behaviour is unacceptable in a public place
  - c. exclude from the venue a person who has sought to be excluded from gaming venues under a voluntary self-exclusion scheme
  - d. exclude a person engaged in 'syndicate play'. (Syndicate play occurs when two or more persons act in concert to affect the chance of any person or persons winning a linked jackpot arrangement).
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### Ejecting people from gaming venues

A venue operator may refuse entry or eject from their venue anyone who:

- breaks the VCGLR's rules
- damages or vandalises a gaming machine
- behaves in a manner likely to cause offence to other persons or
- is reasonably suspected of being in the venue with the intention of committing an offence.

A venue operator may use no more force than is reasonably necessary to remove a person.

This is in no way intended to limit or restrict the general common law right a venue operator has to refuse entry or evict a person from their venue.

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## Gaming operations

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### Minors in gaming areas

A venue operator or gaming employee must not knowingly allow or assist a minor to gamble or knowingly allow, assist or enable a minor to obtain entry to or remain in a gaming machine area of an approved venue.

Apprentices aged under 18 are permitted to enter a gaming machine area if they are to receive professional training in the venue.

Proof of age and identification may be required from anyone in an approved venue suspected of being a minor.

Venue operators are responsible for placing approved signs in the venue advising that those aged under 18 must not enter. Signs must be displayed at each place a person could enter the gaming machine area, or on the boundary of this area. The sign must be clearly visible at all times, and must follow these standards:

- be at least A4 size
- have clear and legible wording, in black on a white background
- use the same font size for wording throughout
- use wording of a size to fill the background on which it is printed.

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## Check your understanding 7 – gaming operations

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### Checkpoint

It's time to check your understanding of what has been covered so far. Please complete the questions below and check your answers against the answers provided at the end of this section of the resource kit.

### Questions

1. Venue operators can place gaming machines outdoors to cater for their patrons.

True  False

2. The Act requires that there be a continuous break of how many hours after every 20 hours of gaming?

\_\_\_\_\_

3. Venue operators may refuse entry to or eject from their venue anyone who:

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

d. \_\_\_\_\_

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## Responsible gambling

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### Self-exclusion program

It is a condition of all venue operator licences to conduct a self-exclusion program. An applicant for a new venue operator's licence must submit, as part of their application, a self-exclusion program that the applicant intends to conduct if the licence is granted by the VCGLR.

The self-exclusion program must detail how persons may voluntarily exclude themselves from a gaming venue or venues.

The program must comply with the Ministerial Direction and be approved by the VCGLR.

The Ministerial Direction details what venue operators must specify in their self-exclusion program. Guidelines are included with the Ministerial Direction that provides practical information for meeting the standards required by the direction.

A copy of the Ministerial Direction and guidelines are available on the VCGLR website at [vcglr.vic.gov.au](http://vcglr.vic.gov.au).

Alternatively, an approved self-exclusion program can be adopted by completing a '*Statement of adoption*' form.

### Responsible Gambling Code of Conduct

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It is a condition of all venue operator licences to have a Responsible Gambling Code of Conduct (Code) put into practice at approved venues. An applicant for a new venue operator's licence must submit, as part of their application, a Code that the applicant intends to implement if the licence is granted by the VCGLR.

A venue operator can either adopt a VCGLR Code or submit their own.

A venue operator's Code must detail how the venue operator will foster responsible gambling at its gaming venue or venues. The Code must comply with the Ministerial Direction and be approved by the VCGLR.

The Ministerial Direction details what venue operators must specify in their Codes. Guidelines are included with the Ministerial Direction that provides practical information for meeting the standards required by the direction.

The Code must also state the review process that will be undertaken by the venue operator in assessing its operation and effectiveness.

If venue operators intend to amend their Codes, they will need to be submitted to the VCGLR for approval.

Venue operators must amend their Codes if there is an amendment to the Ministerial Direction that results in a change, or addition to, requirements to be met by venue operators. In these circumstances, a venue operator must submit the amended Code to the VCGLR for approval within six months of the date of the direction change.

A copy of the Ministerial Direction and Guidelines are available on the VCGLR website at [vcglr.vic.gov.au](http://vcglr.vic.gov.au).

Alternatively, an approved Code can be adopted by completing a '*Statement of adoption*' form.

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## Responsible gambling continued

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### Payment of accumulated credits and cashing cheques

Venue operators must:

- pay accumulated credits of \$1,000 or more on a gaming machine by cheque (the entire amount must be paid by cheque, not part by cheque and part by cash), and
- at the request of a person, pay accumulated credits of less than \$1,000 by cheque.

In either case, the cheque must not be payable to cash. Venue operators must not give cash or gaming tokens in exchange for a cheque drawn on their account or that of the gaming operator to enable a person to play a gaming machine.

Venue operators can give cash for a cheque up to the value of \$400, but must not give a greater amount of cash if the value of the cheque is for more than \$400. Venue operators must only exchange one cheque for cash per person in a 24-hour period.

### Playing of gaming machines by intoxicated persons prohibited

A venue operator must not knowingly allow an intoxicated person to play a gaming machine. A person can be identified as being in an intoxicated state if his or her speech, balance, coordination or behaviour is noticeably affected and there are reasonable grounds for believing that this is the result of the consumption of alcohol.

### Credit for gaming, limiting withdrawals and cash advances

It is an offence to provide credit for gaming. Venue operators must not make a loan or extend credit in any form to someone in order for them to play a gaming machine.

A venue operator must not allow a person to obtain a cash advance from a credit account at a cash facility in their venue.

More information about where ATMs can be located outside the approved gaming area can be viewed on the VCGLR website at [vcglr.vic.gov.au](http://vcglr.vic.gov.au).

### Time displays, lighting and external views

Every gaming machine must display the time. Should a time display on a gaming machine malfunction, a venue operator must immediately supply details of that malfunction to the relevant gaming operator.

Lighting in the gaming room must be kept at the prescribed level as set out in Schedule 2 of the *Gambling Regulation Regulations 2005*.

The venue operator must not remove a window or block the view from a window that gives a view out of the gaming machine area. Using blinds to block out heat or glare, however, is allowed.

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## Responsible gambling continued

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### Printed information

As outlined in the regulations, player information posters must be displayed in the venue by the operator.

Player information talkers on gaming machines that can be seen from the front of the machine must also be displayed. Venue operators must also ensure player information brochures can be obtained at each cashier's desk.

There must be at least as many brochures as there are gaming machines in the gaming room available at all times.

Posters, talkers and brochures detail how gaming machines work and the chances of winning. The venue operator must have them available in English, and may also provide them in other commonly spoken community languages. They must contain the information specified by the Minister.

For a copy of brochures, talkers and posters, visit the VCGLR website at [vcglr.vic.gov.au](http://vcglr.vic.gov.au).

### Gaming machine advertising and signs

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Venue operators are forbidden from advertising gaming machines outside the venue's gaming machine area.

This refers to any form of advertising that promotes or is intended to promote the playing of gaming machines. It does not include information or advertisements on problem gambling or technical details relating to the operation of a gaming machine.

A venue operator is permitted to send advertising to anyone who has requested it.

Displaying a gaming machine related sign is also not allowed. This refers to any sign expressed in words, symbols or pictures that:

- draws attention to the availability of gaming machines for gaming or
- uses terms or expressions often associated with gaming machines.

A limited number of signs are exempt from this prohibition, as outlined in the *Gambling Regulation (Signage) Regulations 2005*.

Venue operators can obtain further information on this from the VCGLR service provider.

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## Check your understanding 8 – responsible gambling

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### Checkpoint

It's time to check your understanding of what has been covered so far. Please complete the questions below and check your answers against the answers provided at the end of this section of the resource kit.

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### Questions

1. What type of program must be conducted by all venue operators of approved venues?

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2. A venue operator must pay a cheque to customers with accumulated credits won on a gaming machine when the value of the credits reaches what amount?

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3. Venue operators can advertise gaming machines anywhere inside their venue.

True  False

## Inspection of the VCGLR's rules and guidelines

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## Rules and directions

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Venue operators must ensure a notice is prominently displayed informing patrons that they can inspect a copy of the VCGLR's rules from the venue's cashier station. This notice must be in a form approved by the VCGLR.

The notice must be clearly visible at all times and must follow these standards:

- be at least A4 size
- have clear and legible wording in black on a white background
- use the same font size for wording throughout
- wording of a size to fill the background on which it is printed.

A venue operator must:

- allow a patron to inspect the VCGLR's rules on request
- ensure the rules are enforced.

For the VCGLR rules, please refer to the Venue Manual and website at [vcglr.vic.gov.au](http://vcglr.vic.gov.au).

## VCGLR directions

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A venue operator must comply with any written direction given by the VCGLR that relates to:

- how gaming is conducted
- keeping or inspecting financial records  
or
- the administration of the venue.

As an example, directions issued on 13 July 2004 required venue operators to:

- display publicly a copy of the venue operator's licence or a *Notice of approved venue* at the entrance of the gaming machine area or adjacent to the cashier's station
- complete in the approved form, a weekly summary of gaming transactions, to match the period of the venue operator's weekly venue report
- retain the weekly transaction summary reports as per requirements in the Act for other records
- ensure a gaming machine area is physically separated from other areas of the venue
- ensure that it is possible for a patron to enter or leave the venue, or gain access to such amenities as a toilet or smoking area, without having to pass through a gaming machine area.

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## Check your understanding 9 – rules and directions

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### Checkpoint

It's time to check your understanding of what has been covered so far. Please complete the questions below and check your answers against the answers provided at the end of this section of the resource kit.

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### Questions

1. A venue operator must comply with any written direction given by the VCGLR that relates to:

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

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## Other information

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### Disciplinary action

The VCGLR may take disciplinary action against a venue operator for failing to comply with the requirements of the Act.

This may result in:

- cancellation or suspension of a venue operator’s licence
- variation of the terms of a venue operator’s licence
- issuing a letter of censure  
or
- issuing of a fine of up to 5,000 penalty units.

Disciplinary action could also be taken against the nominee in instances when they also hold a gaming industry employee licence. The VCGLR may review the ongoing suitability of the nominee as an associate of the venue operator.

Results of disciplinary action, including the venue operator’s name and licence number are made public on the VCGLR website, newsletter and annual report.

### Contacts

#### For more information

Victorian Commission for Gambling and Liquor Regulation

Telephone number: 1300 182 457

Email: [contact@vcglr.vic.gov.au](mailto:contact@vcglr.vic.gov.au)

**For more information on the general operations of the VCGLR, visit**  
[vcglr.vic.gov.au](http://vcglr.vic.gov.au)

#### For assistance with problem gambling

Gambler’s Help

Telephone number: 1800 858 858

Visit: [www.problemgambling.vic.gov.au](http://www.problemgambling.vic.gov.au)

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## Check your understanding 10 – other information

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### Checkpoint

It’s time to check your understanding of what has been covered so far. Please complete the questions below and check your answers against the answers provided at the end of this section of the resource kit.

### Questions

1. What may the outcome be if disciplinary action is taken against a venue operator as a result of failure to comply with the Act?

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## Summary

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### Summary

Nominees of licensed gaming venues play an important role in the regulation of Victoria's gaming industry. It is vital for nominees to gain a full understanding of their roles and responsibilities. The VCGLR advises all nominees to know what is expected of them and if any uncertainty exists the advice from the VCGLR or an independent legal adviser should be sought.

### Additional resources

Directions to the relevant references of the Act, Regulations and VCGLR directions or guidelines are available on the VCGLR website at [vcglr.vic.gov.au](http://vcglr.vic.gov.au).

The resources listed below are available on the VCGLR website:

- *Self-assessment checklist: Gaming venue Responsible Gambling Codes of Conduct and Self-Exclusion Programs*
  - *Best practice guidelines for the implementation of Responsible Gambling Codes of Conduct and Self-Exclusion Programs*
  - *Responsible Gambling Register: Gaming venue Responsible Gambling Codes of Conduct and Self-Exclusion Programs*
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## Check your understanding answers

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### 1 – Venue operator's licence

1. Who can be granted a venue operator's licence?
  - a. a company
  - b. an incorporated association.
2. A venue operator's licence issued to you can be sold or transferred to another person or company at any time.

False. A venue operator's licence applies only to the person to whom it was issued.

### 2 – Becoming a nominee

1. A venue operator must nominate a nominee for each venue linked to its licence.

True.

### 3 – Licence responsibilities

1. What happens when a liquor licence for an approved venue is cancelled?

The venue operator's licence is automatically and immediately amended to remove the premises that was the approved venue.
2. A new nominee must be nominated for approval by the venue operator and the required documentation lodged with the VCGLR within 14 days of the resignation of the previous nominee.

False. The new nominee must be nominated for approval by the venue operator and the required documentation lodged with the VCGLR within 60 days of the resignation of the previous nominee.

### 4 – Gaming industry employees

1. An employee working in the gaming machine area of an approved venue must complete the RSG training course within 12 months.

False. The employee must complete the RSG training course within six months of working in the gaming machine area.

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## Check your understanding answers continued

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### 5 – Community Benefit Statements

1. By what date each year should club and racing club venue operators lodge an audited Community Benefit Statement to the VCGLR for each venue, reporting on how much revenue it has re-invested into the community and how?

30 September.

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### 6 – Records

1. At the end of each financial year, a venue operator must prepare financial statements and accounts which include:

- a. cash flow statements
- b. profit and loss accounts
- c. a balance sheet.

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### 7 – Gaming operations

1. Venue operators can place gaming machines outdoors to cater for their patrons.

False. There is a permanent ban preventing gaming machines being situated outdoors.

2. The Act requires that there be a continuous break of how many hours after every 20 hours of gaming?

The Act requires that there be a continuous four-hour break from gaming after every 20 hours of gaming.

3. A venue operator may refuse entry to or eject from their venue anyone who:

- a. breaks the VCGLR's rules
- b. damages or vandalises a gaming machine
- c. behaves in a manner likely to cause offence to other persons
- d. is reasonably suspected of being in the venue with the intention of committing an offence.

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## Check your understanding answers continued

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### 8 – Responsible gambling

1. What type of program must be conducted by all venue operators of approved venues?

It is a condition of all venue operator's licences to conduct a self-exclusion program at approved venues.

2. A venue operator must pay a cheque to customers with accumulated credits won on a gaming machine when the value of the credits reaches what amount?

Venue operators must pay accumulated credits of \$1,000 or more on a gaming machine by cheque.

3. Venue operators can advertise gaming machines anywhere inside their venue.

False. Venue operators are forbidden from advertising gaming machines outside the venue's gaming area.

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### 9 – Rules and directions

1. A venue operator must comply with any written direction given by the VCGLR that relates to:

- a. how gaming is conducted
- b. keeping or inspecting financial records  
or
- c. the administration of the venue.

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### 10 – Other information

1. What may the outcome be if disciplinary action is taken against a venue operator as a result of a failure to comply with the Act?

Disciplinary action may result in the:

- cancellation or suspension of a venue operator's licence
- variation of the terms of a venue operator's licence
- issuing a letter of censure  
or
- issuing of a fine of up to 5,000 penalty units.