



# Victoria Government Gazette

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## **Gambling Regulation Act 2003** DECISION-MAKING GUIDELINES

### Pursuant to Section 5 of the **Victorian Commission for Gambling and Liquor Regulation Act 2011** Assessment of children's play areas in gaming premises

I, Edward O'Donohue, being the Minister for Liquor and Gaming Regulation and the Minister responsible for administering the **Gambling Regulation Act 2003** (the Act), publish the following guidelines representing the policy of the Victorian Government concerning the appropriate design and location of children's play areas within premises approved for gaming.

The Act serves, among other objectives, to foster responsible gambling in order to minimise harm caused by problem gambling, accommodate those who gamble without harming themselves or others and ensure that minors are neither encouraged to gamble nor allowed to do so.

Clubs and hotels with gaming machines typically offer a range of services other than gaming for the enjoyment of individuals and families, such as dining, recreation and entertainment facilities. Some venue operators provide children's play areas in which minors can be kept entertained while they are in the venue with their families and under the appropriate supervision of their parents or guardians.

The Victorian Government requires venue operators to provide a responsible gambling environment for the wellbeing of all patrons. The Government is particularly concerned to ensure that appropriate safeguards are in place for children who attend venues with a responsible adult.

A number of harm minimisation and responsible gambling measures in Victoria are aimed at ensuring the wellbeing of minors, including:

- the prohibition on minors gambling;
- the prohibition on minors entering a licensed gaming machine area or casino;
- the requirement that gambling providers display notices relating to these prohibitions;
- the requirement that venue operators specify in their Responsible Gambling Codes of Conduct the steps that the venue operator will take to ensure compliance with these prohibitions; and
- the requirement that vending machines that are used for gambling must be reasonably supervised.

In addition, venue operators making an application to the Victorian Commission for Gambling and Liquor Regulation for approval of premises as suitable for gaming are required to specify in their application how the proposal will provide a responsible gambling environment, including outlining the location and appropriateness of a children's play area.

The Victorian Government is concerned to ensure that provisions for the wellbeing of minors in gaming venues remain adequate, and to this end supports the adoption of appropriate measures that further ensure that:

- gaming venues are not designed or operated in such a way that encourages a responsible adult to gamble while children in their care are on the premises;
- children are not left unattended on the premises while their responsible adult gambles; and
- children are not exposed to the sights and sounds of gaming machines while on the premises.

The Government believes that the following decision-making guidelines accord with these objectives and will serve to enhance the provision of a responsible gambling environment in Victorian gaming venues for the benefit of venue operators and their patrons alike.

**SPECIAL**

**Matters to be considered by the Victorian Commission for Gambling and Liquor Regulation when assessing the suitability of premises for gaming that contain a children's play area**

It is the policy of the Government that, when the Victorian Commission for Gambling and Liquor Regulation is assessing the suitability of premises for gaming that contain, or will contain, a children's play area, the Commission should, in the course of making its decision on the suitability of the premises, have regard to the objectives of ensuring, as far as practicable, that the children's play area is designed such that it:

- (1) is located as far away as practicable from the gaming machine area;
- (2) does not have a line of sight from the play area into the gaming machine area or from the gaming machine area into the play area;
- (3) does not permit sounds from gaming machines to be heard in the children's play area;
- (4) is not directly accessible from the gaming machine area; and
- (5) is conducive to being monitored by venue staff to help ensure that minors are not left unattended.

The Victorian Commission for Gambling and Liquor Regulation should have regard to any other aspect of the design and location of a children's play area that it deems relevant to ensuring that the approved premises for gaming will provide a responsible gambling environment.

For the purposes of these decision-making guidelines:

- 'children's play area' means any area or facility designed specifically for children or that could reasonably be expected to be used by children; and
- 'venue' or 'premises' means the gaming venue and any other facility provided by the venue operator for use by patrons, including car parks.

**Commencement**

These guidelines apply on and after the date of their gazettal.

Dated 14 October 2013

EDWARD O'DONOHUE MLC  
Minister for Liquor and Gaming Regulation

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