



**Victorian Bookmakers' Association**

*Always a Better Bet!*

# Responsible Gambling Code of Conduct

25 September 2020

This Responsible Gambling Code of Conduct is made pursuant to the *Gambling Regulation Act 2003* (Vic).

This Code applies to all Bookmakers who are members of the Victorian Bookmakers' Association Limited and records the relevant Bookmaker's commitment to operating their business in a manner which reduces harm associated with problem gambling, by creating a responsible gambling culture and environment in line with applicable legislation, the Ministerial Direction – Responsible Gambling Codes of Conduct dated 17 September 2018, best practice and community expectations.

**Victorian Bookmakers' Association Limited**

(ABN 45 004 236 677)

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## Table of Contents

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<b>Glossary</b> .....	3
<b>1. Introduction</b> .....	8
<b>2. Aim, objective and content of the Code</b> .....	8
<b>3. Responsible Gambling commitment</b> .....	9
<b>4. Protecting the consumer to promote Responsible Gambling and to minimise harm</b> .....	10
<b>5. Provision of consumer protection information</b> .....	10
<b>6. Interaction with customers and Problem Gambling support services</b> .....	12
<b>7. Interaction with employees</b> .....	13
<b>8. Pre-Commitment Limits and Self-Exclusion</b> .....	14
<b>9. Gambling environment</b> .....	15
<b>10. Minors</b> .....	15
<b>11. Financial transactions</b> .....	16
<b>12. Responsible advertising and promotions</b> .....	16
<b>13. Customer loyalty program</b> .....	17
<b>14. Training and skill development</b> .....	17
<b>15. Customer complaints</b> .....	18
<b>16. Privacy policy</b> .....	19
<b>17. Compliance with all applicable laws and conflicts</b> .....	19

## Glossary

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**Accessible** means, in relation to any document or other information:

- (a) a hardcopy document being physically within the possession of the VBA Member; or
- (b) an electronic document being accessible to the VBA Member on a mobile device (such as an iPad or telephone), including through a link to the VBA's website;

which may be reviewed by the VBA Member and also shown to a customer;

**Act** means the *Gambling Regulation Act 2003* (Vic);

**Account** means an account established by a customer with a VBA Member to conduct wagering over the telephone and/or through digital channels;

**AML/CTF Legislation** means the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth), the *Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007* (No. 1) and any other applicable legislation, regulations or instruments;

**AML/CTF Program** means a written program complying with the AML/CTF Legislation and adopted by a VBA Member, which details the measures and procedures which that VBA Member maintains to identify, mitigate and manage money laundering / terrorism financing risks that their business may reasonably face when providing designated services to their customers;

**Bookmaker** means a person who carries on the business or vocation of or acts as a bookmaker or turf commission agent and who holds a Club Bookmaker's Licence. The term **Bookmakers** has a corresponding meaning;

**Club Bookmaker's Licence** means, in respect of a Bookmaker, an unexpired licence or permit (including a substitute licence or substitute permit) whereby that Bookmaker is licensed or permitted by the relevant Controlling Body or by any racing club or by any person having the management or control of a Racecourse or by any promoter of any sports on any sports ground to carry on the business or vocation of bookmaking on a Racecourse, any part of a Racecourse, an approved off-course premises or (as the case may be) on a sports ground, as specified in the relevant licence or permit;

**Club Betting Permit** means a club betting permit issued under section 5B of the Racing Act;

**Code** means this Responsible Gambling Code of Conduct, as adopted by VBA Members as at the Commencement Date;

**Commencement Date** means 25 September 2020;

**Controlling Body** means:

- (a) in the case of horse racing, Racing Victoria;
- (b) in the case of harness racing, Harness Racing Victoria; and
- (c) in the case of greyhound racing, Greyhound Racing Victoria;

**Customer Complaint** means a complaint from a customer about the provision of gambling and includes a complaint relating to this Code, but does not include a general request by that customer for information from the VBA Member;

**Customer Identification and Verification** means, in respect of an Account, customer identification and verification undertaken by a VBA Member in accordance with their AML/CTF Program;

**Home Office** means an approved home office location (not including a Racecourse) at which a VBA Member lawfully conducts their bookmaking business over the telephone or through digital channels;

**Ministerial Direction** means the Ministerial Direction dated 10 September 2018 by the Minister for Consumer Affairs, Gaming and Liquor Regulation pursuant to section 10.6.6 of the Act, as published in the Victorian Government Gazette on 17 September 2018;

**Minor** means any person who is under the age of 18 years;

**Mixed Sports Gathering Permit** means a mixed sports gathering permit issued under section 19 of the Racing Act;

**NCPF** means the National Consumer Protection Framework in relation to on-line Wagering as agreed to between the Commonwealth and the States and Territories in November 2018, as subsequently and progressively implemented by the State and Territories;

**Permanent Self-Exclusion** means where a customer has permanently self-excluded from betting with a VBA Member including, in relation to an Account, where a customer has requested a VBA Member to permanently close that Account, but does not include Temporary Self-Exclusion. The term **Permanently Self-Excluded** has a corresponding meaning;

**Permit** means any of the following (as applicable);

- (a) a Club Betting Permit;
- (b) a Mixed Sports Gathering Permit; or
- (c) a Restricted Harness Racing Permit;

**Pre-Commitment Decision** means a decision a person makes before commencing a session of gambling to set a specified limit on his or her expenditure or time spent gambling;

**Problem Gambling** occurs when a customer has difficulties in managing their gambling activities, particularly the scope and frequency of gambling and the amount of time spent gambling, with negative impacts potentially including:

- (a) extreme financial losses relative to their sources of income;
- (b) adverse personal effect on the customer, his or her family and friends; and/or
- (c) adverse effect on employers and work performance;

**Problem Gambling Support Services** refers to trained professionals, including psychologists, counsellors and social workers, who provide confidential counselling to individuals and/or their families in relation to a gambling related harm;

**Racecourse** means a racecourse licensed under section 24 of the Racing Act or any other relevant laws or regulations;

**Race Club** means a club registered in accordance with the rules of Racing Victoria, Harness Racing Victoria or Greyhound Racing Victoria;

**Racing Act** means the *Racing Act 1958* (Vic);

**Responsible Gambling** occurs in a regulated environment where the potential for harm associated with gambling is minimised and people make informed decisions about their participation in gambling. Responsible gambling occurs as a result of the collective actions and shared ownership of individuals, communities, the gambling industry and the government to achieve outcomes that are socially responsible and responsive to the concerns of the broader community;

**Responsible Gambling Message** means:

- (a) **Venue (on course, except in relation to betting tickets):** in relation to a VBA Member's bookmaking business conducted at a Venue (on course) , the statement prescribed by section 4.7.9 (or any other section) of the Act, provided that where no statement is prescribed then the statement is:

*"18+ only. [Name of VBA Member] gambling operations are governed by our Responsible Gambling Code of Conduct. Think! About your choices. Call Gambler's Help or Gambling Help on 1800 858 858 or visit [www.gamblershelp.com.au](http://www.gamblershelp.com.au) or [www.gamblinghelponline.org.au](http://www.gamblinghelponline.org.au). Call Gambler's Help Youthline on 1800 262 376. Gamble Responsibly."*

- (b) **Digital channels:** in relation to a VBA Member's bookmaking business conducted through digital channels:

- (i) the statement prescribed by section 4.7.9 (or any other section) of the Act, provided that where no statement is prescribed then the statement is the statement set out in item (a); and
- (ii) the following statements:

*"In relation to South Australian residents, our gambling operations are also governed by the South Australian Responsible Gambling Code of Practice. Think of the people who need your support. Gamble Responsibly."*

- (c) **Telephone (Home Office) and Betting tickets:** in relation to a VBA Member's bookmaking business conducted over the telephone and also in relation to the issuance of betting tickets, the statement prescribed by section 4.7.9 (or any other section) of the Act, provided that where no statement is prescribed then the statement is:

*"Gambler's Help 1800 858 858. Gamble responsibly."*

**Restricted Harness Racing Permit** means a restricted harness racing meeting permit issued under section 19A of the Racing Act;

**Rules** means the following rules and other documents, as may be amended and replaced from time to time:

**(a) Racing Victoria:**

- Rules of Racing 2020 (effective 1 April 2020), as constituted by the Australian Rules of Racing made by the Australian Racing Board and the Local Rules and Rules of Race Betting of Racing Victoria;
  - Club Bookmakers' Licence rules 2010 (effective 1 August 2019);
  - Bookmaker Sports Betting Rules 2007 (effective 1 August 2019);
  - Bookmakers' Telephone Betting Rules 2001 (effective 15 December 2016);
  - Bookmakers' Internet Betting Rules 2001 (effective 15 December 2016);
  - List of Approved Bet Types;
  - Victorian Bookmakers' Policies;
- (available at <https://www.racingvictoria.com.au/wagering/>)

**(b) Harness Racing Victoria:**

- Bookmakers and Betting Rules, contained within the Local Rules (Victoria) of the Australian Harness Racing Rules (effective 1 March 2008);
- (available at <https://www.harness.org.au/rules/>)

**(c) Greyhound Racing Victoria:**

- Betting and Bookmaker Rules (effective 1 October 2017); and
- (available at: <http://www.grv.org.au/rules-of-racing/>)

**(d) Permit:**

Conditions attaching to a Permit, as administered by the Department of Justice and Community Safety, Office of Liquor, Gaming and Racing.

(available at <https://www.justice.vic.au> or by telephone on (03) 8684 1910)

**Self-Exclusion** means Temporary Self-Exclusion or Permanent Self-Exclusion. The term **Self-Excluded** has a corresponding meaning;

**Temporary Self Exclusion** means where the customer has temporarily self-excluded from betting with the VBA Member including, in relation to an Account, where the customer has requested the VBA Member temporarily block access to that Account, but does not include Permanent Self-Exclusion. The term **Temporarily Self Excluded** has a corresponding meaning;

**VBA** means the Victorian Bookmakers' Association Limited (ABN 45 004 236 677);

**VBA Member** means a current member of the VBA who holds a Club Bookmaker's Licence and who is required to implement and adhere to this Code;

**VCGLR** means the Victorian Commission for Gambling and Liquor Regulation;

**Venue** means the place or place from or at which the VBA Member lawfully conducts its bookmaking business, not including a Home Office. The term **Venues** has a corresponding meaning;

**Wagering** means any activity which involves placing a bet on the outcome of a racing, sporting or other approved event at a Venue, over the telephone and/or through digital channels; and

**Winnings** means the money won by a customer on a Wagering product or service.

## 1. Introduction

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The VBA was established on 12 July 1940 and is a not-for-profit members association operated for the benefit of VBA Members (who are Victorian oncourse Bookmakers).

VBA Members operate their bookmaking businesses:

- on course at metropolitan and country race meetings and major sporting and other events; and
- in respect of some VBA Members, also over the telephone and through digital channels (internet).

It is a requirement of all VBA Members when applying for registration with the VCGLR as a Bookmaker to submit a Responsible Gambling Code of Conduct with their application, which the Bookmaker intends to implement if registered.

This Code has been prepared by VBA and adopted by VBA Members having regard to the highest levels of integrity and in accordance with all applicable legislation. It applies to all VBA Members, who are required as a condition of their membership to the VBA to strictly implement and adhere to this Code.

## 2. Aim, objective and content of the Code

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### Aim of the Code

The aim of this Code is to set out the minimum standards each VBA Member must adopt. It is designed to:

- set standards and requirements which apply across a VBA Member's business, to assist in the responsible delivery of their Wagering products;
- ensure compliance with all Australian State and Territory legislation, including the Act, as well as all applicable regulatory obligations;
- ensure alignment and compliance with the Ministerial Direction; and
- reflect the values and commitment of each VBA Member to minimising the potential harm which is associated with gambling.

### Objective of the Code

The objective of this Code is to ensure that an appropriate framework is in place that ensures, in respect of each VBA Member, that:

- their customers make informed decisions about gambling;
- where any customer requires assistance, access to gambling help services is facilitated; and

- relationships are maintained with key stakeholders in the industry to continue to enhance the understanding of VBA Members of Problem Gambling, through liaison with government, Problem Gambling Support Services, industry groups and other stakeholders.

### Content of the Code

Taking into account the above aims and objectives, this Code comprises:

- the VBA Member's commitment in relation to Responsible Gambling;
- the information each VBA Member will make available to their customers to ensure they have information concerning the VBA Member's Wagering products, Responsible Gambling and Problem Gambling Support Services;
- what each VBA Member does to implement the responsible delivery of their Wagering products;
- what each VBA Member does to deliver on their commitment, as set out in section 3 of this Code, including how each VBA Member provides support and assistance to their customers who may be seeking assistance in respect of Problem Gambling; and
- how this Code is administered for the benefit of the relevant VBA Member's customers.

This Code will be reviewed annually by VBA (for the benefit of the VBA Members and their customers) and will incorporate any new processes and practices based on best practice, evolving research, technology, business practices and regulatory amendments.

## 3. Responsible Gambling commitment

For many people, gambling is an enjoyable entertainment activity that does not cause any issues or problems. Unfortunately some people can experience a loss of control from their gambling that results in problems for themselves, their families, their employer and the community in general.

This Code aims to help protect individuals and the community and minimise the harms associated with Problem Gambling. Each VBA Member is committed to:

- operating their business in a manner which reduces harm associated with Problem Gambling, by creating a responsible gambling culture and environment in line with:
  - applicable legislation;
  - the Ministerial Direction;
  - the Rules;
  - best practice; and
  - community expectations; and
- complying with this Code.

## 4. Protecting the consumer to promote Responsible Gambling and to minimise harm

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VBA Members must have appropriate measures in place consistent with this Code to ensure customers can enjoy gambling and that systems are in place to help ensure that vulnerable individuals do not experience a loss of control from their gambling. This includes having policies, procedures and a culture of compliance in their business that promotes Responsible Gambling.

For individuals, Responsible Gambling means gambling for pleasure and entertainment, being aware of their likelihood of losing, understanding the associated risks, exercising control over their gambling activity, gambling in a manner that is in balance with other activities in their lives and not causing problems or harm for themselves or others.

Responsible Gambling for the broader community, including VBA Members, other gambling service providers, governments, and sporting associations, requires a shared responsibility for generating awareness of the risks associated with gambling, creating and promoting environments that prevent or minimise Problem Gambling and being responsive to community concerns around gambling.

## 5. Provision of consumer protection information

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The conduct of the VBA Member's business is subject to the provisions of the Act, the Racing Act, the Ministerial Direction and the Rules. Where the relevant VBA Member takes bets from residents of other States and Territories and/or takes bets on product from those other States and Territories, relevant Commonwealth, State and Territory legislation and regulations may also apply.

Each VBA member will provide accurate and meaningful information to their customers so that they are able to make informed decisions about their gambling (including whether to gamble or not) and minimise gambling harm.

Information on how a customer can place a bet with a VBA Member is available from the VBA website: <https://www.vicbookmakers.com.au/betting-with-bookmakers/>.

The following information will be readily available to all customers of a VBA Member:

### **(a) Oncourse (Venue)**

Where a VBA Member operates at a Venue, the VBA Member will ensure that:

- a copy of the Code is Accessible to the VBA Member when fielding, and either shown or made available electronically to their customers upon request;
- the Responsible Gambling Message is displayed (in the form of a sticker or other physical document recommended by VBA) where betting occurs at the Venue;
- the odds for all Wagering products offered are displayed;

- a copy of the current Rules (which governs betting between a VBA Member and its customers) is Accessible to customers upon request;
- all information relating to a Pre-Commitment Decision and the Self-Exclusion process and options are Accessible and either shown or made available electronically to a customer upon request; and
- gambling-related complaint resolution mechanisms and appropriate documentation are Accessible and either shown or made available electronically to a customer upon request.

**(b) Telephone**

Where a VBA Member operates over the telephone, the VBA Member will ensure that:

- a copy of the Code is made available electronically to each Account holder upon request over the telephone; and
- the Responsible Gambling Message is communicated to a customer each time when taking customer bets over the telephone.

**(c) Digital (online)**

Where a VBA Member operates over digital channels, the VBA Member will ensure that:

- a copy of the Code is accessible on the VBA Member's website;
- the Responsible Gambling Message is displayed in a prominent position on the VBA Member's website;
- the odds or return for all Wagering products offered is displayed on the website;
- a link to the Rules is displayed on the VBA Member's website;
- all provisions relating to the availability of Pre-Commitment Limits and Self-Exclusion processes and options are prominently displayed on the VBA Member's website;
- gambling-related complaint resolution mechanisms and appropriate documentation are prominently displayed on the VBA Member's website; and
- links to Gambling Support Services in Victoria and Nationally are prominently displayed on the VBA Member's website.

A copy of the template Code and the Rules will be available on the VBA website at: [www.vicbookmakers.com.au/vba-code-of-conduct/](http://www.vicbookmakers.com.au/vba-code-of-conduct/).

#### **(d) Written communications to Account customers**

Where the VBA Member sends out written communications, the VBA Member will ensure that:

- in the case of new Account customers, the Responsible Gambling Message will be communicated via the inclusion of the message on the relevant Account opening application form or otherwise electronically available if the Account is opened through digital channels; and
- in relation to existing Account customers, all written communications with those customers, including Account activity statements, will incorporate the Responsible Gambling Message.

## **6. Interaction with customers and Problem Gambling support services**

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VBA Members should have appropriate interaction and engagement with customers and gambling support services to foster Responsible Gambling.

#### **(a) Customers**

Each VBA Member will ensure that:

- the Responsible Gambling Message is communicated physically or electronically (as applicable), as provided for in this Code;
- all responsible gambling materials are Accessible when conducting business at a Venue, and that these materials are available to the VBA Member's customers as provided for in this Code;
- the VBA Member and any employees undertake periodic Responsible Gambling training (provided through the VBA or appropriate third party service providers) and have available at all times the contact details of Gambler's Help and similar services which they can provide to their customers;
- they do not accept any bets from any customer displaying indicators of distress that may be related to Problem Gambling, which may include;
  - gambling for an extended period;
  - changing gambling patterns;
  - increasing deposit frequency;
  - escalating sums of money deposited;
  - thinking they can control outcomes or believe myths;
  - accusing the VBA Member of changing payouts or rigging systems;
  - admitting being drunk or under the influence of other drugs;
  - exhibiting signs of distress such as crying or swearing;
  - expressing guilt or remorse for gambling;

- verbally abusing staff;
  - making threats to property or staff;
  - making remarks that may indicate serious overspending;
  - repeatedly commenting about family problems;
  - showing concern about losses and payouts;
  - indicating they need a break from gambling;
  - repeatedly self-excluding from gambling; and
  - disclosing problems with gambling;
- direct any customer who appears to show indicators of Problem Gambling to:
    - Gambler's Help or Gambling Help on 1800 858 858 or at [www.gamblershelp.com.au](http://www.gamblershelp.com.au) or [www.gamblinghelponline.org.au](http://www.gamblinghelponline.org.au); or
    - Gambler's Help Youthline on 1800 262 376.
  - immediately respond to any request by a customer (either personally, by telephone or through digital channels) for Self-Exclusion from betting with the VBA Member;
  - any customer who has Permanently Self Excluded is not permitted to open or re-open an Account;
  - where, in respect of any Account, Customer Identification and Verification has not been satisfactorily completed within 14 days from the date of application for that Account, the Account is suspended (but not closed) and no further transactions occur until such time as the Customer Identification and Verification process has been completed to the VBA Member's satisfaction; and
  - all interactions with customers occur in such a way that respect their right to privacy and comply with all applicable laws.

#### **(b) Problem Gambling support services**

Each VBA Member will review the Gambler's Help and Gambling Help websites ([www.gamblershelp.com.au](http://www.gamblershelp.com.au) and [www.gamblinghelponline.org.au](http://www.gamblinghelponline.org.au).) annually (or more frequently as required) to obtain updated copies of any publications and information they have available.

Once this information is obtained, the relevant VBA Member will ensure it is communicated to their employees (as applicable), as well as ensuring this it is Accessible (as required) to their customers, as soon as reasonably practicable after it is received.

Each VBA Member will maintain a record (either physically or electronically) of these website visits. The VCGLR may, at any time, inspect these records.

## **7. Interaction with employees**

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The employees of the relevant VBA Member \*are / are not (\* delete as applicable) permitted to participate in gambling with their employer.

Where employees of the VBA Member are permitted to participate in gambling with that VBA Member, then:

- (a) if an employee indicates that he or she is possibly experiencing Problem Gambling, then the VBA Member will direct that person to the following services and make available Responsible Gambling materials. All the interactions with that person will respect the staff member's right to privacy:
  - Gambler's Help or Gambling Help on 1800 858 858 or at [www.gamblershelp.com.au](http://www.gamblershelp.com.au) or [www.gamblinghelponline.org.au](http://www.gamblinghelponline.org.au); or
  - Gambler's Help Youthline on 1800 262 376.
- (b) the VBA Member will encourage their employees to be aware of Responsible Gambling issues. This Code will form part of the induction information given to all new employees when they commence their employment. In addition, all of the relevant VBA Member's employees will be provided with appropriate training about the purpose, content and procedures of this Code;
- (c) the VBA Member will record (either physically or electronically) details of any Responsible Gambling training undertaken by their employees, including the date and nature of the training that has been provided. The VCGLR may at any time inspect this register; and
- (d) employees who effectively implement and adopt the practices of this Code will be appropriately recognised by the relevant VBA Member. Any matters raised by those employees about the operation of this Code should be directed to that VBA Member.

## 8. Pre-Commitment Limits and Self-Exclusion

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Each VBA Member will make available to their customers the option to make a Pre-Commitment Decision and also Self-Exclude, in accordance with applicable State and Territory legislation, and will ensure that:

- (a) their customers are encouraged to take responsibility for their gambling activity;
- (b) their pre-commitment process is Accessible to their customers to enable a Pre-Commitment Decision to be made, whether at a Venue (oncourse), over the telephone or through digital channels. In the case of the latter, the requirements implemented as part of the NCPF measures require that upon Account sign-up or after that a customer can set up a pre-commitment limit;
- (c) their Self-Exclusion process is easily accessible to their customers, whether at Venue, over the telephone or through digital channels;
- (d) any supporting documentation and application forms or requests for Self-Exclusion are available directly at the Venue and/or on the VBA Member's website (if applicable). A register of customers who have Self-Excluded will also be maintained in either hardcopy or electronically (including through any approved betting systems);

- (e) completed Self-Exclusion forms or requests are maintained in hardcopy or electronically and all employees (if any) of the VBA Member are aware of all such customers. These forms or requests (as applicable) must record the name and other relevant information of the customer, together with the stated wish of the customer to be reminded of their desire to be excluded. In the case of Permanent Self-Exclusion, the VBA Member will ensure that there is no opening or re-opening by that customer of an Account;
- (f) they provide information about the following Gambler's Help and Gambling Help services to all customers who seek Self-Exclusion and/or express a concern that they have a gambling problem:
  - Gambler's Help or Gambling Help on 1800 858 858 or at [www.gamblershelp.com.au](http://www.gamblershelp.com.au) or [www.gamblinghelponline.org.au](http://www.gamblinghelponline.org.au); or
  - Gambler's Help Youthline on 1800 262 376.
- (g) they provide support and encouragement to any customer who seeks Self-Exclusion and/or expresses a concern that they have a Problem Gambling issue to also seek Self-Exclusion from other gambling providers; and
- (h) they do not send correspondence or promotional material to customers who have Self-Excluded from the VBA Member's services or who request that this information not be sent to them.

## 9. Gambling environment

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Each VBA Member will, in relation to a Venue, ensure (to the extent possible) that:

- (a) a safe environment is maintained to protect the interests of their customers and a physical environment is maintained that is consistent with Responsible Gambling; and
- (b) where accepting bets, any customer who appears to be intoxicated is not permitted to place a bet with the VBA Member.

Race and sports betting are time dependent. A customer's awareness of the passing of time is made by the programming of the particular event. The scheduling of the events themselves ensure that customers are provided with many opportunities for regular breaks.

## 10. Minors

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Each VBA Member will adopt strategies to ensure that:

- (a) Minors are prohibited from gambling and not induced to gamble;
- (b) before opening an Account with the VBA Member (as applicable), customers must provide a date of birth and assert that they are over 18 years of age;
- (c) an appropriate warning on the VBA Member's website exists (where applicable), in a prominent position, advising that minors are not permitted to bet with the VBA Member; and

- (d) they do not employ Minors.

## 11. Financial transactions

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Each VBA Member will ensure that:

- (a) all Wagering transactions are to be paid by a customer to the VBA Member in cash or, at the option of the VBA Member, by electronic transaction;
- (b) unless otherwise agreed with the VBA Member, all Winnings are to be paid by the VBA Member to the customer in the same form in which the Wagering transaction was paid for by the customer. For example, where a Wagering transaction is paid for via electronic funds transfer then any Winnings in respect of that transaction will also be paid for via electronic funds transfer;
- (c) customer cheques are only cashed by pre-arranged agreement with their existing clients;
- (d) they maintain a register of any cheques cashed. This register will be made available for inspection by the VCGLR upon request;
- (e) when conducting business at a Venue (on course), if any customer with winnings in excess of \$1,000 requests payment by cheque, a cheque is provided within a timeframe that has been mutually agreed between the VBA Member and their customer; and
- (f) they do not accept bets on credit through digital channels, and do not accept bets on credit at Venue (on course) or over the telephone except by prior arrangement between the VBA Member and the customer.

## 12. Responsible advertising and promotions

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Where the VBA Member advertises or undertakes any promotion related to betting, any such advertising or promotion will:

- (a) comply with all applicable Commonwealth, State and Territory laws, regulations and Codes relating to the advertising or promotion of Wagering products, including the Australian Association of National Advertisers Code of Ethics. Any television advertising and promotion must also comply with the Federation of Commercial Television Stations (FACTS) Code of Practice;
- (b) not be false, misleading or deceptive about odds, prizes or the chances of winning. The VBA Member must accurately detail the odds on offer and the results. Electronic odds display service will also provide meaningful and accurate information on the odds and win rates;
- (c) not be offensive or indecent in nature;
- (d) not create an impression that gambling is a reasonable strategy for financial betterment but rather should centre on entertainment purposes;

- (e) not promote the consumption of alcohol while purchasing the Wagering products (whether at the Venue (on-course), over the telephone or by digital channels);
- (f) not advertise any material that includes Minors, is directed at Minors, portrays Minors participating in gambling, or be set up in an area specifically to target Minors;
- (g) not verbally urge non-gambling customers to buy gambling products;
- (h) contain the relevant Responsible Gambling Message; and
- (i) not offer any credit, voucher, reward or other benefit as an inducement to open an Account or, in the case of Western Australia and New South Wales (where the VBA Member operates through digital channels) as an inducement to gamble more frequently.

## 13. Customer loyalty program

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- (a) Each VBA Member will determine whether or not it wishes to offer a loyalty scheme as defined in the Act to their customers. The offering of bonus bets and other similar promotions by a VBA Member to their customers does not constitute a loyalty scheme.
- (b) If a loyalty scheme were to be offered by the VBA Member, then all participating customers will be provided with full particulars of the scheme in writing or via the VBA Member's website (if applicable). Details about the VBA Member's conduct in relation to such loyalty program is available to a customer on request.

## 14. Training and skill development

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Each VBA Member will ensure that all gambling-related customer service staff receive appropriate information and training on Responsible Gambling, as set out below:

- (a) all new staff engaged in the provision of gambling services must complete appropriate Responsible Gambling training within three (3) months of commencing employment. This should include training that will allow all relevant staff to identify and respond to "red flag" Problem Gambling behaviours as well as general information in relation to gambling and gambling products offered by the relevant VBA Member;
- (b) all staff undertake annual refresher training annually regarding Responsible Gambling (either provided by the VBA or through a third party service provider);
- (c) a register be maintained (either physical or electronic) and kept as a part of Responsible Gambling records. This register will include staff name, date of training and type of training; and
- (d) policies and procedures be reviewed to ensure staff are up-to-date with current best practice.

## 15. Customer complaints

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The below complaints process is limited to compliance with the requirements of this Code.

- (a) a customer with a complaint about the operation of this Code can make this complaint to the relevant VBA Member either verbally or in writing;
- (b) the customer must state their name and provide as much information as possible about their complaint. The VBA Member reserves the right to seek further information from the customer or any third party involved;
- (c) the VBA Member will enter details of any complaint received in a complaints register (kept either physically or electronically), or in some other electronic record, which contains (as applicable) the date of the complaint and complainant information, details of the complaint, details of the relevant person receiving the complaint, date of response / resolution (as applicable), details of outcome and bookmaker sign-off (where kept physically). The VCGLR may at any time inspect this register or electronic record (as applicable) and otherwise monitor the VBA Member's dealings with customer complaints;
- (d) the VBA Member will respond to any complaint received, in writing, within 28 days of receipt of the complaint;
- (e) if the complaint is substantiated by the VBA Member, the VBA Member will inform the customer of the action that they have undertaken to remedy the complaint;
- (f) if the VBA Member determines that the complaint does not relate to the operation of this Code, the customer will be informed as to their reasons for this determination;
- (g) if the customer does not agree with the VBA Member's decision then the VBA Member will advise the customer of relevant options that are available to further pursue the complaint. These options include reporting the complaint to:
  - (i) VBA; or
  - (ii) the relevant Controlling Body (should the nature of the complaint also be relevant to the Rules under which the VBA Member conducts its bookmaking operations).

A customer will also be informed of their right to make a complaint to the VCGLR.

Where a complaint is reported to VBA, its role and powers in respect of any such complaint will be limited to assisting the parties (if possible) to seek a mutually agreed outcome in respect of the complaint. VBA, in its capacity as a member association, does not have the power or authority to sanction the relevant VBA Member or otherwise make any binding determination in respect of the complaint.

- (h) if the complaint cannot be ultimately resolved through these channels the VBA Member will, with the agreement of the customer, refer the complaint to the Institute of Arbitrators and Mediators Australia (IAMA) for resolution. Any costs associated with this process shall be shared equally between the customer and the VBA Member.

## 16. Privacy policy

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Each VBA Member will respect and protect the privacy of their customers. They will maintain the privacy of customer information and ensure, as far as possible, that there is no unauthorised or inappropriate disclosure of personal information obtained or kept under this Code.

Where a VBA Member is bound by the *Privacy Act 1988* (Cth), that VBA Member will act in accordance with that Act and ensure compliance with the Australian Privacy Principles.

## 17. Compliance with all applicable laws and conflicts

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Each VBA Member will comply with all relevant Australian State and Territory laws, regulations and other instruments relating to the provision of their Wagering products to customers, including those relating to:

- Minors;
- the provision of credit to a customer;
- the Rules;
- the National Consumer Protection Framework measures (as implemented by the States and Territories);
- advertising and promotions;
- online wagering;
- privacy; and
- Responsible Gambling Codes of Conduct and/or Practice.

Where there is any conflict which arises between any Commonwealth, State and Territory laws or regulations and this Code, the higher standard (as reasonably determined by each VBA Member in consultation with the VBA) will apply.