



Leigh Barrett and Associates Venue e-Newsletter May 2018

Business Management Issues

** Compliance Health Checks Available

The most famous speech ever given by former US Secretary for Defence, Donald Rumsfeld, one that politicians and theorists will rely on for decades to come, went as follows.

*“There are **Known Knowns** (the things we are pretty sure we know). Then there are the **Known Unknowns**. These are the things we know that we need to know but don’t know. Then there are the **Unknown Unknowns** – the things that we don’t even know that we should know but don’t know!”*

The Known Knowns are easy. Venue managers and staff deal with them everyday. They are “Business as Usual”.

The Known Unknowns are often readily identifiable, but unless you have the time and knowledge to deal with the issue, then you may need help. We have found most venue partners identify these and contact us to fill the void.

It’s the Unknown Unknowns that fester quietly away until there is an issue with a patron, a Committee member, a staff member or a regulator that can cause not only much heartache but also potential substantial costs or penalties.

LBA would like to add a category to the classic Rumsfeld trio – we **think** we know when, in reality, we **don’t know at all!**

Many venue operators (not LBA current venue partners) who visited our stand at the recent Australasian Gaming Expo admitted that “We really don’t know where we stand with our compliance, policies and procedures on X, Y and Z.”

Some even said “We use Apex (not its real name) for our OH&S/Gambling Compliance/AML but they cost a fortune and the hoops we have to go through!”

www.leighbarrett.com.au

The Compliance Health Check is the *first* activity we undertake for any venue. We provide a report stating where your venue is strong in compliance and where there are holes.

For more information or to book a compliance health check for your venue email emma@leighbarrett.com.au or call 03 9404 1642.

Gambling Issues

**** Make Sure Your Re-furb Plans Are Compliant**

LBA is regularly requested to provide expert evidence in applications for new EGM gaming venues or top-ups. In very many cases, these applications involve a refurbishment of the venue and changes to the “Green Line” area.

Recently, Jan Frawley from LBA has found venue floor plans that have been approved by the local planning authority (Council) that do not comply with the *Gambling Regulation Act 2003* or the technical standards for EGMs in Victoria, forcing the applicant to spend even more money on the expensive application exercise than the need to.

If your venue does not receive services from LBA and you would like advice and assistance with your application, contact emma@leighbarrett.com.au

**** Proposed Changes to the GRA in Parliament**

There is currently a Bill before the Legislative Council in Victoria to amend the *Gambling Regulation Act 2003*. The amendments will include a number of changes to the current legislation, including;

- Changes to the VCGLR’s reporting requirement to the Minister for Gaming regarding the annual evaluation and review of the Responsible Gambling Codes of Conduct; and
- More detail regarding the advent of cashless gaming and associated functionality.

When the new legislation passes, it is believed that there will no longer be a requirement for the VCGLR to report to the Minister annually about the evaluation of the Codes, however, that, apparently, will not reduce the obligation on Code Administrators to conduct an evaluation on an annual basis.

Another potential change, pertaining to “cashless gaming systems”, specifically prohibits a venue operator from offering a cashless gaming system ticket or credit as an incentive to gamble. It is LBA’s interpretation that this means the current practice of providing complimentary venue vouchers to patrons that can be redeemed anywhere in the venue, will no longer be permitted to be used to obtain gaming credits in the cashless gaming environment.

LBA will keep venue partners updated regarding the amended legislation and what will and will not be permitted in the new gaming environment.



**** Updated Large Win Forms Available**

Following requests from some venue partners that are still using outdated Large Win forms LBA has developed a new form for easy use.

Until the Venue Toolbox is active via the LBA website, any venue partner can obtain the new form by emailing simone@leighbarrett.com.au

**** Updated Conditions of Play Posters Available**

Following the implementation of changes to the *Gambling Regulation Act 2003* that increased the minimum mandatory amount for EGM cheque payouts from \$ 1,000 to \$ 2,000, LBA has updated the Conditions of Play poster for display by venues. The original posters, developed in 2012, were A2 in size and could, for a fee, be made venue-specific.

LBA has decided to reduce the size of the updated poster to A3 so it can be printed at the venue, although, as with other regulatory collateral, LBA auditors will have copies of the poster for supply during venue audits.

All LBA venue partners will be emailed the poster for printing. Venues that are not LBA clients that would like the updated poster should email simone@leighbarrett.com.au

Liquor Issues

**** Changes to the Liquor ACT**

Venue partners are probably aware of the Victorian Government's recent announcements regarding changes to the *Liquor Control Reform Act 1998*. The changes mainly focus on removing the current anomaly where an adult can purchase alcohol, in certain circumstances, for a minor under their supervision on licensed premises.

However, the Act will also be amended to remove the requirement for hotel venues to maintain a prescriptive Responsible Service of Alcohol (RSA) Register. Failure to comply with the stringent requirements of the RSA Register has attracted penalties in the past for licensed (mainly hotel) venues. LBA welcomes the proposed changes to the Act.

LBA will ensure that venue partners are kept up to date with the changes to the legislation and their new obligations.

**** Keep the Correct RSA Certificates On File**

The VCGLR do not recognize and Responsible Service of Alcohol (RSA) qualifications that have been completed on-line. Interstate certificates are only recognized *after* a Victorian "bridging course has been completed – after which a VCGLR certificate is issued.

All Victorian RSA courses **are required** to issue the VCGLR certificate.

Venues should view Statements of Attainment with suspicion because they do not necessarily mean that the training provider is VCGLR-approved. It is safest and best to just accept the VCGLR certificate. If staff say that they have lost their certificate, you can request that they get a copy from the VCGLR. If they are not on the VCGLR RSA database, they have not completed an approved course.

For information or assistance on RSA training email julie@somerselitetraining.com.au

OH&S Issues

**** Return to Work Posters to be Displayed**

Recent Workplace Health and Safety audits conducted by LBA have found that many venues are not displaying the WorkSafe “Return to Work” posters required by Victorian *Occupational Health and Safety Act 2004*.

The poster must be displayed in an area where all workers have access (for example, a lunch room).

If your venue does not have a “Return to Work” poster displayed, they can be ordered by emailing info@worksafe.vic.gov.au

**** Workplace Health and Safety Management**

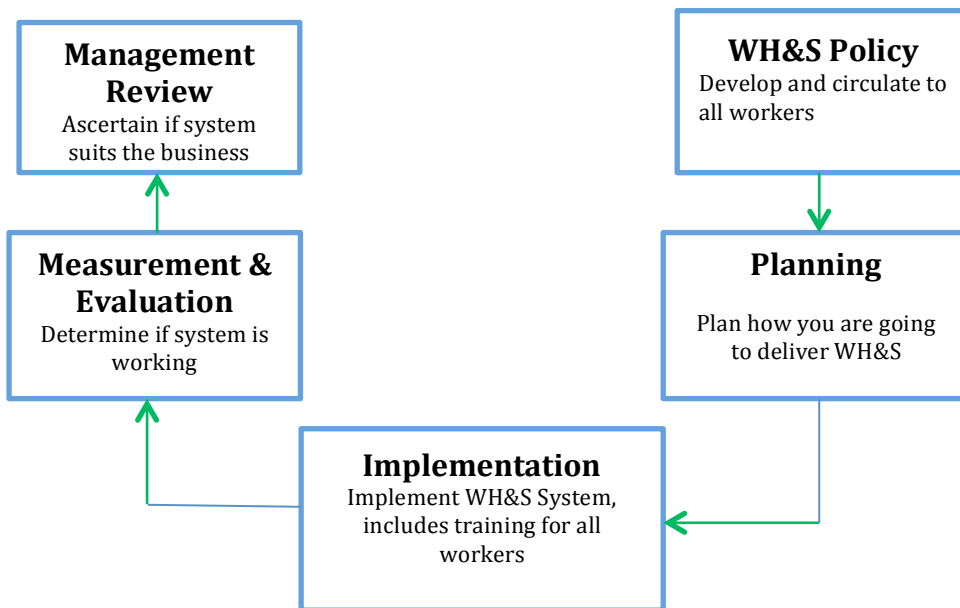
The primary objective of ongoing Health and Safety Management is to minimise the risk to all workers, contractors, patrons and visitors to venues, and to identify, eliminate or control known hazards.

If elimination is not possible the venue must endeavour, in consultation with workers, to control all hazards associated with its operations to a level as low as is reasonably practicable. The compliance level will be monitored by the venue’s WH&S committee (if it exists) on a regular basis and with a desktop review on a 12 month basis by LBA

LBA can conduct an in depth review your WH&S system as shown below to ensure that it is compliant and suits the business. This is separate from annual WH&S review.

Continual Improvement





For more WH&S information email jim@leighbarrett.com.au

AML/CTF Issues

** Report Anything Suspicious

At a recent meeting between Austrac officers and LBA, the officers reiterated the need for venues to report anything and everything that is abnormal about a patron's gambling activity. For example, all LBA-written AML/CTF Programs include a threshold number of cheque payouts to individual customers above which a Suspicious Matter Report must be lodged with Austrac.

LBA also recommends that venues use their Suspicious Matter Register to record all matters pertaining to the operation of the AML/CTF Program in their venue.

For more information about your AML/CTF obligations, email leigh@leighbarrett.com.au



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