



14 November 2012

Ms Lyn Beverley
Joint Select Committee on Gambling Reform
PO Box 6100
Parliament House
Canberra ACT 2600

Deputy Premier
Attorney-General
Minister for Planning
Minister for Business Services
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Dear Ms Beverley

South Australian (SA) Government Submission - Inquiry into the *National Gambling Reform Bill 2012* and related Bills

Thank you for the opportunity to provide a submission on the *National Gambling Reform Bill 2012* (the Bill) and related Bills.

SA's Responsible Gambling Working Party has evaluated five trials involving automated and manual budget reminder (pre-commitment) systems. This followed the Working Party identifying pre-commitment in 2007 as a strategy that could assist customers to manage their level of gambling, and committing to evaluate trials.

The evaluations and the Working Party's lessons from the trials have provided significant evidence for the work of the Select Council on Gambling Reform. Three automated budget reminder systems are currently available in South Australia, covering 25% of gaming machines.

The SA Government supports the introduction of automated budget reminder systems that are mandatory for larger venues to provide, and voluntary for customers to use. This position is based on the lessons learnt from the trials.

South Australia provided feedback at officer level about pre-commitment in the exposure draft of the Bill. Specific concerns raised at that time remain.

Further, the Bill provides for delegation to State or Territory regulators, and the Bill's explanatory memorandum states that this is the preferred approach. However, the SA Government is concerned that the Commonwealth's proposal will lead to regulatory duplication and confusion.

If the Bill could provide a mechanism whereby State legislation could apply, provided this meets the minimum requirements, regulation would be clearer and confusion would be minimised.

Part IIIA of the *Competition and Consumer Act 2010* provides an example of such a mechanism. Part IIIA provides for a State to seek to develop and seek to have certified as effective a state based regime for third party access to infrastructure services. A Premier or Chief Minister may apply to the National Competition Council to have a State or Territory access regime certified as effective. The National Competition Council provides advice on the matter to the designated Commonwealth Minister, who then decides whether to certify the regime and, if granted, specify the period for which certification will apply. Recent examples of regimes that have been certified as effective include the South Australian ports (2011) and rail network services (2011).

Please contact me if you wish to discuss this proposal further.

Yours sincerely

John Rau
Deputy Premier
Minister for Business Services and Consumers