

Liquor & Gaming NSW

# Responsible Gambling Officer (RGO)

Position Paper

December 2023

[liquorandgaming.nsw.gov.au](http://liquorandgaming.nsw.gov.au)

# Contents

<b>Responsible Gambling Officer (RGO)</b> .....	<b>a</b>
<b>Introduction</b> .....	<b>3</b>
<b>Context</b> .....	<b>4</b>
Relevant legislation.....	4
Current harm minimisation obligations .....	4
Factors considered in developing the requirements .....	4
<b>Proposed measures and implementation timeframe</b> .....	<b>7</b>
Summary of venue requirements.....	8
Proposed RGO duties.....	9
Advanced RCG training.....	10
Gambling incident register .....	11
Gaming Plans of Management .....	12
<b>Implementation timeframes</b> .....	<b>13</b>
<b>Enforcement of the new requirements</b> .....	<b>14</b>
<b>Further information</b> .....	<b>14</b>

# Introduction

The NSW Government has committed to a comprehensive range of gambling reforms, to reduce gambling harm and stop money laundering and criminal activity associated with gaming machines in NSW.

In NSW, gaming machines represent the highest risk of gambling harm.<sup>1</sup> One in three people who gamble regularly are considered to be moderate or problem gamblers according to the Problem Gambling Severity Index. Recent research has shown that late-night gaming machine play is strongly linked to problematic gambling behaviour.<sup>2</sup>

As part of its package of gambling reforms, the Government committed to requiring hotels and registered clubs with more than 20 gaming machines to have a Responsible Gambling Officer (**RGO**). By introducing this requirement, NSW is moving toward a more proactive approach to identifying and helping patrons at risk of gambling harm.

To complement this requirement, Liquor & Gaming NSW (**L&GNSW**) is proposing to require any venue with gaming machines to:

- maintain an incident register which records instances of potential or actual gambling harm identified in the venue, and
- maintain a Gaming Plan of Management.

In addition, L&GNSW is proposing to mandate Advanced Responsible Conduct of Gambling (**RCG**) training for RGOs and other senior roles within hotels and clubs that operate gaming machines.

These additional requirements reflect the increased risk of gambling harm that gaming machines represent, including during late trading periods, and L&GNSW considers these to be the minimum measures venues with gaming machines should implement.

These measures will help instil a culture of proactive harm minimisation in venues.

This document outlines the approach L&GNSW is proposing to take to implement the Government's commitment to introduce RGOs, and other broader harm minimisation requirements, while ensuring all venue staff have sufficient support and training to carry out their duties.

Targeted stakeholder consultation has informed this Position Paper.

As is required for all government initiatives, the RGO initiative will be reviewed at appropriate intervals.

<sup>1</sup> Browne et al, *NSW Gambling Survey 2019*, NSW Responsible Gambling Fund, 2020 (rev), p. 54.

<sup>2</sup> Stevens, M. & Roy Morgan Research. (2023). Impact of electronic gaming machine (EGM) late night play on EGM player behaviours. Commissioned by the NSW Responsible Gambling Fund.

# Context

## Relevant legislation

The *Gaming Machines Act 2001* has a clear objective to minimise gambling harm. Two objects of the Act are to minimise harm associated with the misuse and abuse of gambling activities, and to foster responsible conduct in relation to gambling.

The Act also exists to facilitate the balanced development, in the public interest, of the gaming industry and to ensure the integrity of the gaming industry. When considering what is in the public interest, the Act requires that due regard be given to the need for gambling harm minimisation.

## Current harm minimisation obligations

The key harm minimisation obligations that currently exist are focussed on assisting patrons who seek help and who are often already experiencing severe gambling harm.

Venues in NSW are required to offer a self-exclusion program and provide information about gambling counselling services. Venue staff who work on the gaming floor, hotel licensees and club secretaries are required to complete RCG training as well as an online refresher course every 5 years which outlines their obligations for supporting patrons.

There are several obligations placed on venues and industry to prevent gambling harm and assist patrons experiencing gambling harm. More recently, venues seeking increased hours relating to the operation of gaming machines have been required to adopt RGOs and maintain a gambling incident register and gaming plan of management.

## Factors considered in developing the requirements

L&GNSW is proposing a staged implementation of the proposed requirements. This is to ensure that harm minimisation benefits are realised for the NSW community, while allowing NSW venues, staff, management, and training providers time to adjust.

---

### Scale

There are currently 2,181 venues that are allowed to operate gaming machines in NSW (as of 31 October 2023).

Of these, 1,152 venues have an entitlement to operate more than 20 gaming machines.

Category	Hotels	Clubs	Total venues	Ave. gaming profit per venue
Venues with 1-20 GMEs	643	386	1,029	\$640,210
Venues with 21-99 GMEs	537	410	947	\$4,080,735
Venues with 100 - 299 GMEs	0	159	159	\$10,602,846
Venues with 300+ GMEs	0	46	46	\$42,427,013

## Notes:

- Of 1,152 total affected venues, 21-99 GME = 82.2%, 100-299 GMEs = 13.8% and 300+ GMEs = 3.9%  
Data for period 31 October 2022 to 31 October 2023

Currently, there are 9 registered training organisations (RTO) approved to deliver the Advanced RCG training in NSW. Advanced RCG training takes a minimum of 6 hours to complete and can be undertaken through face to face or virtual delivery. Current course costs are set by the individual RTOs and range from around \$300 to \$400.

Venues will need to have more than the minimum number of staff complete the Advanced RCG course, to allow for sufficient coverage of different shifts and unplanned staff absences. Additionally, more than a thousand club and hotel licensees, floor managers, directors and secretaries will need to complete the training.

As such, it is estimated that more than 3,600 individuals will need to complete Advanced RCG training. While it is expected this demand will result in an increased number of authorised providers, L&GNSW proposes to stage implementation to allow sufficient time for this to occur.

## Expanded scope to managers and directors

The shift to a more proactive gambling harm minimisation approach requires a cultural change driven and supported from the ‘top’.

In 2020, a survey of over 2,000 hotel and club employees with RCG training showed that over 20% of the survey respondents reported seeing patrons with problematic gambling behaviour always or most of the time.<sup>3</sup> Some of the identified barriers to approaching patrons were fear of violent behaviour, making an incorrect judgement and upsetting a patron.<sup>4</sup> A commonly recommended course of action for employees is to report the behaviour to their supervisor, however the survey respondents indicated there are barriers, including that supervisors are often busy with their duties. It was also found that while very few patrons ask for help with gambling, when they do ask, most employees are prompt to respond and follow venue procedures.<sup>5</sup>

<sup>3</sup> Hing N, Russell A and Rawat V (2020) Responsible conduct of gambling study, Central Queensland University. Commissioned by the NSW Responsible Gambling Fund, p. iv.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid, p iii.

Currently, hotel licensees and club secretaries are required to complete RCG training, along with staff whose duties involve gaming machines. Under this proposal, training requirements will be expanded so that approved managers, staff member/s who are responsible for the management of gaming machine operations, hotel licensees and club secretaries are required to complete both RCG and Advanced RCG. This requirement will also extend to directors of a company that owns a hotel where the directors are involved operationally, and to club directors unless they have completed ClubsNSW Responsible Gambling Board Oversight training.

Similar to existing requirements for licensee training under liquor laws, this will require those with greater responsibilities and obligations to have completed advanced training to better prepare and support their venue, staff and patrons.

As the Advanced RCG training builds on the standard RCG training, approved managers and some directors will need to complete the RCG training first in order to then complete the Advanced RCG training. Extended timeframes have been proposed to allow sufficient time for those in these roles to complete the required training.

---

## Minimum RGO requirements

It is proposed that venues with significantly more gaming machines will be required to staff additional RGOs, to ensure there are enough trained staff available to help patrons and to ensure RGOs have a reasonable workload across larger gaming floors.

Recent research into late-night gaming by Dr Matthew Stevens and Roy Morgan Research revealed that the risk of playing gaming machines increases notably after midnight, with almost two thirds of people playing gaming machines between 2am and 8am experiencing significant negative consequences.<sup>6</sup>As this research shows late-night gaming machine use is strongly linked to problematic gambling behaviour, there is a greater need for RGOs during the late-night period. As such, nominated RGOs should be required to assist their patrons during that higher risk period.

<sup>6</sup> Stevens, M. & Roy Morgan Research. (2023). Impact of electronic gaming machine (EGM) late night play on EGM player behaviours. Commissioned by the NSW Responsible Gambling Fund, p. 13.

# Proposed measures and implementation timeframe

To ensure a proactive and supporting venue culture, it is important hotels and clubs proactively work to minimise gambling harm. The proposed requirements outlined below are designed to support venues to discharge this obligation.

## Summary of venue requirements

Venues with 21 or more gaming machine entitlements will be required to have an RGO on duty during the hours gaming machines are operating.

Venues with significantly more gaming machines will be required to staff additional RGOs, to ensure enough sufficiently trained staff are available to help patrons and to ensure RGOs have a reasonable workload across larger gaming floors.

For venues with 21 or more gaming machine entitlements, between 8am and midnight, it is proposed that RGOs will be able to discharge their RGO duties while performing other roles in the venue. However, the RGO must have reasonable capacity to be available to discharge their RGO duties promptly when required.

Between midnight and 8am ('late-night'), it is proposed that nominated RGOs will be required. Nominated RGOs will still be permitted to perform gaming-related tasks that allow them to interact with, and monitor, gaming patrons. This may include incidental tasks, such as emptying bins on the gaming room floor. Nominated RGOs will also be able to discharge their other statutory duties such as Responsible Service of Alcohol obligations.

RGOs will be required to have completed the Advanced RCG training course.

This approach seeks to minimise unnecessary burden on industry by increasing the focus of RGOs during the higher risk late-night period while allowing RGOs to perform other duties during lower risk periods. This escalating approach also seeks to minimise the ongoing challenges being faced by industry in relation to staffing and skills shortages.

For registered clubs with more than one premises, these requirements apply to each premises (and are governed by the number of GMEs at each individual premises).

---

### Venue with fewer than 21 gaming machine entitlements (GMEs)

All hotels and registered clubs with fewer than 21 GMEs will need to:

- maintain a gambling incident register, and
- maintain a Gaming Plan of Management.

Whilst venues with fewer than 21 GMEs will not be required to have an RGO, venues are encouraged to have staff on the gaming floor with Advanced RCG training, and RGOs on a voluntary basis.

---

### Venue with 21 – 99 GMEs

All hotels and registered clubs with GMEs between 21 to 99 (inclusive) will need to:

- maintain a gambling incident register,



- maintain a Gaming Plan of Management,
  - have at least one (1) RGO on duty when gaming machines are operating, and
  - ensure the nominated RGO employee is dedicated to their RGO duties for any time gaming machines are operating between midnight and 8am.
- 

## Venue with 100 – 299 GMEs

All registered clubs with GMEs between 100 to 299 (inclusive) will need to:

- maintain a gambling incident register,
  - maintain a Gaming Plan of Management,
  - have at least two (2) RGOs on duty when gaming machines are operating, and
  - ensure at least one (1) nominated RGO employee is dedicated to their RGO duties for any time gaming machines are operating between midnight and 8am.
- 

## Venue with 300 + GMEs

All registered clubs with 300 or more GMEs will need to:

- maintain a gambling incident register,
- maintain a Gaming Plan of Management,
- have at least three (3) RGOs on duty when gaming machines are operating, and
- ensure at least two (2) nominated RGO employees are dedicated to their RGO duties for any time gaming machines are operating between midnight and 8am.

## Proposed RGO duties

All hotel and club staff, including those working on the floor and senior management, have a shared responsibility to proactively engage with patrons and monitor them for potential gambling harm. An RGO will be expected to have a higher level of responsibility than other gaming staff on the floor, however they are able to seek assistance from any other staff member.

The duties an RGO will be expected to perform include:

- Identifying patrons who are at risk of harm or displaying problematic gambling behaviour,
- Proactively checking-in and engaging with patrons where the RGO suspects they might be experiencing gambling harm,
- Being available if staff members need assistance regarding patrons they suspect might be experiencing gambling harm,
- Escalating serious instances of gambling harm to senior management to intervene (e.g., aggressive behaviour etc),
- Facilitating the provision of gambling help information,
- Facilitating any requests for self-exclusion,
- Recording instances of potential gambling harm in a gambling incident register,
- Reviewing the gambling incident register on a regular basis and 'discussing any actions required with venue management

- Working with staff and management to ensure the venue fulfils its harm minimisation obligations, and
  - Promoting harm minimisation measures and procedures within the venue and with other staff.
- 

## Training

- To ensure RGOs have sufficient support and training, they will be required to complete Advanced RCG training. This training will provide them with the resources and practical skills required to identify and proactively intervene to support patrons.
- 

## Employee protections

- To ensure a transparent and proactive harm minimisation approach in venues, staff should feel supported in their roles and be able to freely report any violations.
  - RGOs will have a right to notify L&GNSW where they reasonably believe there is a breach of harm minimisation requirements or they are being impeded from performing their role.
  - It will be prohibited for an employer to take adverse action against an RGO for carrying out their duties, for example, for banning a patron who is experiencing gambling harm. This is intended to recognise the inherent conflict of interest for venues where supporting a patron experiencing harm may impact venue profitability.
  - Whistleblower protections will also be introduced to protect staff from adverse action if they report their employer or previous employer for any violation of the applicable laws including harm minimisation obligations.
- 

## Other venue obligations

Hotels and clubs will have overarching responsibilities to:

- take reasonable steps to ensure that the RGO is carrying out their duties
- assist patrons who are at risk of gambling harm or displaying problematic gambling behaviours
- inform the RGO about patrons reasonably believed to be experiencing gambling harm.

## Advanced RCG training

To create a proactive environment focussed on harm minimisation and provide support for RGOs, it is proposed that other individuals related to venue operations will also be required to complete an Advanced RCG course, including:

- Club secretaries
- Club directors, unless they have completed ClubsNSW Responsible Gambling Board Oversight training
- Directors of a company that owns one or more hotels, where those directors have an operational role in the hotel business
- Hotel licensees
- Hotel 'approved managers' (as defined in section 91(1A) of the *Liquor Act 2007*)

- Staff who are responsible for the management of gaming machine operations (if they are separate to and not undertaking RGO duties), e.g., gaming floor managers.

This ensures that senior management is aware of their harm minimisation obligations, can help drive venue culture, and are equipped to support RGOs in circumstances where RGOs may need to escalate serious instances of gambling harm to senior management.

The costs associated with Advanced RCG training is to be covered by the employee or the employer, as is the current practice for RCG training.

The requirement for individuals in the above positions to undertake Advanced RCG will be gradually introduced to ensure sufficient time for training to be obtained (see further below).

## Gambling incident register

A venue with gaming machines, regardless of the number, will be required to keep a record of all gambling incidents in a register.

The purpose of a gambling incident register is harm minimisation.

Maintaining a register to record incidents of problematic gambling behaviour and other gambling incidents will help RGOs and senior management to better understand issues affecting their patrons and proactively offer assistance. It will place an onus on them to be more attentive to patrons on the gaming room floor.

L&GNSW Inspectors will be able to use the register to identify issues a venue may be facing in relation to problematic gambling behaviour, what a venue understands about gambling harm in their premises, trends in how they respond to problematic gambling behaviour, and whether their register or their harm minimisation procedures meet the required standards.

All staff will be responsible for recording incidents in the register and this is a key duty for RGOs. Across all venues with gaming machines, the hotel licensee or club secretary will be responsible for maintaining the register.

The types of incidents that will need to be recorded are:

- Any incident where the patron displays or engages in problematic gambling behaviour,
- Any requests for information about exclusion and requests for intervention by the venue in relation to a patron, made by the patron themselves or a family member of a patron (however no personal details of family members are allowed to be recorded),
- Any breach or attempted breach of a self-exclusion arrangement,
- Any offence, alleged offence or incident involving a minor,
- What action has been taken in response to an incident.

Guidance will be provided on what classifies problematic gambling behaviour.

Hotel licensees and club secretaries will be required to review the incident register on at least a monthly basis and consider whether there is harm minimisation action that can be taken in relation to trends in recorded incidents.

The register must be kept for three years and be made available to police and inspectors. Some venues are already required to keep a gambling incident register and many are required to keep a register for liquor related incidents. Venues can choose to maintain their liquor and gambling incident registers in the same register and may use a digital format.

Venues are subject to the *Privacy Act 1988* (Cth) and related Australian Privacy Principles in their collection and use of information for the incident register. NSW public sector agencies are required to abide by the *Privacy and Personal Information Protection Act 1998* (NSW).

# Gaming Plans of Management

A Gaming Plan of Management (GPOM) is a framework for patrons and venue staff to understand a venue's responsible conduct of gambling obligations. It will provide guidance to staff on how to meet these obligations and how to respond to particular gaming-related situations.

All hotels and clubs with GMEs will be required to create and maintain a GPOM, and all staff must comply with the GPOM from 1 July 2024.

The minimum requirements for the GPOM will be outlined in the Gaming Machines Regulation.

The GPOM must include:

- the date
- clear headings and page and paragraph numbers
- the contact details of local Licensing Police

The GPOM must outline how the licensee will implement and manage the following legislative requirements:

- Venue gambling signage and information
- Player assistance, including information about exclusion and counselling
- Prevention of minors using gaming machines
- How prizes will be paid and how cheques will be cashed
- Player reward/account schemes including provision of activity statements
- RCG certification and refresher training for venue staff
- Responsible Gambling Officers
- Gambling Incident Registers
- A premises plan including the location of the gaming room, gaming machines and cash dispensing facilities (ATM and CRT)

The GPOM must include responsibilities and procedures for maintaining and updating the GPOM.

The GPOM must be always available at the venue.

The GPOM must be easily accessible and provided to staff.

The GPOM must be immediately produced for inspection upon request by NSW Police or L&GNSW inspectors.

The GPOM is not required to be given to the Authority for approval.

The GPOM must be reviewed and updated annually and when changes are required to reflect emerging risks and legislative changes.

Hotels and clubs must ensure that staff involved with the conduct of gaming are trained on the plan in that hotel and club and their RCG responsibilities.

# Implementation timeframes

Requirement	Details	Key dates
Hotels and clubs must nominate RGOs  RGOs and staff member/s who are responsible for the management of gaming machine operations are required to complete an Advanced RCG course	The staff required to complete the Advanced RCG course are: <ul style="list-style-type: none"> <li>• RGOs</li> <li>• Staff member/s who are responsible for the management of gaming machine operations (if they are separate to and not undertaking RGO duties)</li> </ul>	<b>By 30 June 2024</b>
Hotels and clubs with 21 or more GMEs are required to have RGO/s on duty when gaming machines are operating.  <b>All</b> hotels and clubs with gaming machines are required to have a gambling incident register and Gaming Plan of Management (GPOM), including hotels and clubs with fewer than 21 GMEs.		<b>From 1 July 2024</b>
Hotel licensees, club secretaries and approved managers are required to complete an Advanced RCG course	<ul style="list-style-type: none"> <li>• Hotel licensees</li> <li>• Club secretaries</li> <li>• Approved managers</li> </ul>	<b>By 30 September 2024</b>
Directors are required to complete a standard RCG course	<ul style="list-style-type: none"> <li>• Club directors, if they have not completed ClubsNSW Responsible Gambling Board Oversight training</li> <li>• Directors of a corporation that owns one or more hotels, where they have an operational role in the hotel business</li> </ul>	<b>By 31 December 2024</b>
Directors are required to complete an Advanced RCG course	<ul style="list-style-type: none"> <li>• Club directors, if they have not completed ClubsNSW Responsible Gambling Board Oversight training</li> <li>• Directors of a corporation that owns one or more hotels, where they have an operational role in the hotel business</li> </ul>	<b>By 30 June 2025</b>

# Enforcement of the new requirements

Proportionate penalties will be applied to venues and/or responsible person/s for the venue (as defined in the *Liquor Act 2007*) for non-compliance with these requirements. Maximum penalties under gaming laws can be up to 100 penalty units for more serious offences, while others are set at a maximum of 50 penalty units.

L&GNSW understands that there is a degree of subjectivity regarding what measures RGOs and other venue staff can use to identify a person who may be at risk of, or experiencing, gambling harm. RGOs and other venue staff can refer to the Signs of risky and problem gambling behaviour fact sheet published on [gambleaware.nsw.gov.au](http://gambleaware.nsw.gov.au) for support in identifying risk of gambling harm.

It is expected that venues will demonstrate a culture of compliance, which reflects the positive obligations set out in the Objects of the Gaming Machines Act. Attempts by venues to circumvent these or display a culture of non-compliance will be subject to escalated enforcement action.

## Further information

For further information about the new requirements please contact [contact.us@liquorandgaming.nsw.gov.au](mailto:contact.us@liquorandgaming.nsw.gov.au).

## Liquor & Gaming NSW

---

4 Parramatta Square  
12 Darcy Street  
Parramatta NSW 2415

GPO Box 7060  
Sydney NSW 2001

Office hours:  
Monday to Friday  
9.00am – 4.00pm

T: 1300 024 720  
E: [gaming.policy@liquorandgaming.nsw.gov.au](mailto:gaming.policy@liquorandgaming.nsw.gov.au)  
W: [liquorandgaming.nsw.gov.au](http://liquorandgaming.nsw.gov.au)

---