



**Comment  
on the  
Review of the  
Race and  
Sports  
Bookmaking  
Act 2001**

**February 2006**

**INTRODUCTION**

ACTCOSS acknowledges that modern day Canberra has been built on the traditional lands of the Ngunnawal people. We pay our respects to their elders and recognise the displacement and disadvantage they have suffered since European settlement. ACTCOSS celebrates the Ngunnawal's living culture and valuable contribution to the ACT community.

The ACT Council of Social Service Inc. (ACTCOSS) is the peak representative body for not-for-profit community organisations, people living with disadvantage, and low-income citizens of the Territory. ACTCOSS is a member of the nationwide COSS network, made up of each of the state Councils and the national body, the Australian Council of Social Service (ACOSS).

ACTCOSS' objectives are representation of people living with disadvantage, the promotion of equitable social policy, and the development of a professional, cohesive and effective community sector.

The membership of the Council includes the majority of community based service providers in the social welfare area, a range of community associations and networks, self-help and consumer groups and interested individuals.

ACTCOSS receives funding from the Community Services Program (CSP) which is funded by the ACT Government.

ACTCOSS advises that this document may be publicly distributed, including by placing a copy on our website.

ACTCOSS is a community representative on the Gambling and Racing Commission consultative group.

## ***Introduction***

All forms of gambling have the potential to cause and compound social disadvantage and exacerbate poverty. It is because of this potential, and the actual harm caused, that ACTCOSS continues to call for increased support services and tighter regulation of all forms of gambling.

ACTCOSS has made comment on the earlier stages of this review, and refers the Gambling and Racing Commission to those comments. We also urge the Commission to ensure that its policy decisions are based on sound research and the lived experience of those people who deal with the outcomes of problem gambling.

This organisation remains concerned that the Race and Sports Bookmaking rules still allow betting on credit. This is particularly the case with spread betting, where losses can escalate rapidly as people chase losses. ACTCOSS strongly objects to the idea that a sports bookmaker is an appropriate person to be providing credit. We wish to restate our objections to the provision of credit, even though it is outside the scope of this particular review.

### ***Should dormant sports bookmaking licences be surrendered to the Commission; and, if so, under what circumstances***

ACTCOSS believes that any gambling licence that becomes dormant should be immediately cancelled and subject to re-examination should the licensee attempt to reinstate the said licence.

ACTCOSS does not believe that the core policy objective for granting sports bookmaking licences should be to gain revenue for the ACT; the core objective of licensing is to ensure that the person operating the business is a fit and proper person, that they understand and fulfil their obligations under the relevant laws and regulations, including the need for harm minimisation in gambling, and that they act conscientiously. Such licences should not become tradable commodities, but should remain as a regulatory tool.

### ***Comments are sought on the proposed revision of the current disciplinary provisions***

It seems unsettling to ACTCOSS that the rate of taxation on race sports bookmaking is set at zero, given the GRC's previously mentioned statement that it sees the main policy objective of licensing as being to gain revenue for the ACT. ACTCOSS would like clarification on this point, as it would seem that current licence holders are not helping to offset the cost of regulation.

ACTCOSS does believe that small technical breaches of the Act need to have penalties that are commensurate to the "crime". The Casino Control Bill 2005 attempts to provide a framework for disciplinary action, however ACTCOSS finds this outline very vague. If such a disciplinary regime is being considered for the Sports Bookmaking Act, there needs to be public

notification of the breach and the penalty involved, including information on the number of previous breaches and the severity of the penalty imposed at that time.

***Should race bookmaker on-course telephone betting remain as a matter for government regulation or is it a matter best regulated by industry***

ACTCOSS does not believe that any gambling activity should be left to industry self-regulation.

***What should be the respective roles of the Commission and the Racing Club in relation to regulation of race bookmakers with Commission approval to engage in race bookmaking at a designated sports bookmaking venue***

ACTCOSS could not find any determinations under Section 47 post-dated 2002, and therefore believes that there are actually two sports bookmaking venues with approval to host race bookmaking. If this is the case, it would appear that the status quo has served the community to date. If that is not the case, there should be more convincing arguments in favour of any change.

### ***Conclusion***

This is the second submission ACTCOSS had made on the proposed changes to the Sports Bookmaking Act in the past 6 months. There has been little explanation of the proposed changes from the September 2005 and January 2006 discussion papers. ACTCOSS refers the GRC back to those previous submissions for comment on other specific issues.

This brings ACTCOSS to another issue: the publication of submissions to GRC reviews. Unfortunately ACTCOSS is not in a position to discuss arguments put up by the gambling industry on the issues of legislation review, as the GRC does not provide collated submissions on its site. ACTCOSS would like to see its' and other commentator's submissions on the website, as happens with parliamentary inquiries, and with the Independent Competition and Consumer Commission reviews.

Once again, thank you for the opportunity to comment on the latest review of race and sports bookmaking laws.