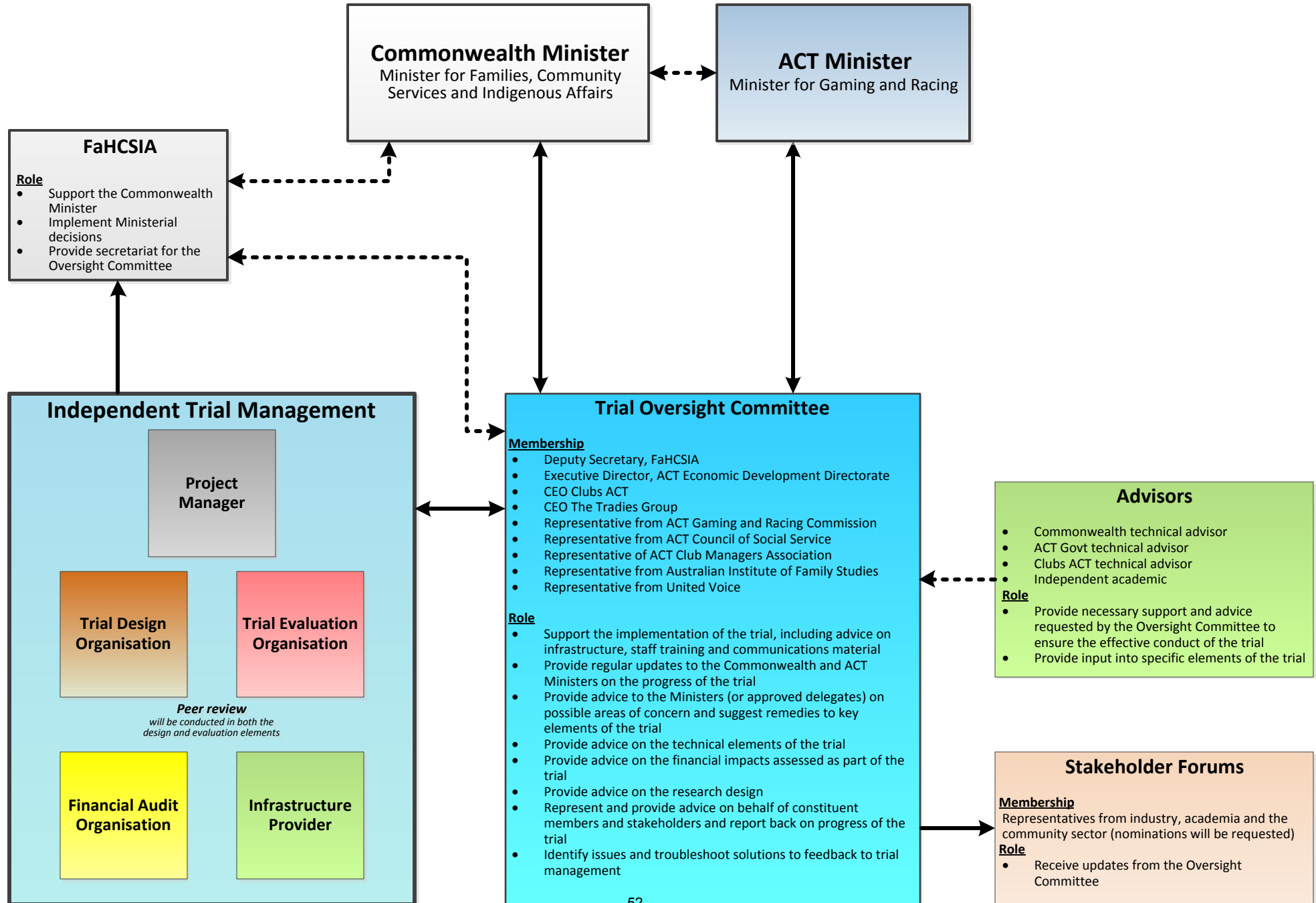


Branch Manager | Problem Gambling Taskforce
Department of Families, Housing, Community Services and Indigenous Affairs
P: s 47F

From: AGNEW, Dave
Sent: Wednesday, 28 March 2012 2:48 PM
To: s
Cc: CATTERMOLE, Amanda; BLACK, Susan
Subject: Documentation [SEC=UNCLASSIFIED]

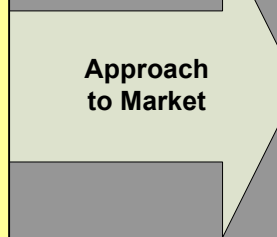
Trial Governance



Trial of Mandatory Pre-commitment in the ACT

Objectives of the Trial

- 1. Assess the effectiveness of mandatory pre-commitment in reducing harm for problem gamblers and those at risk**
 - Take-up, limit setting and expenditure.
 - Assess whether and how gamblers attempt to circumvent mandatory pre-commitment.
 - Impact on behaviour of problem and at risk gamblers and the flow on effects to families.
 - The extent to which the engagement of venues and staff impact upon patron take up and acceptance of the system.
- 2. Assess the impact of mandatory pre-commitment on venues and the community:**
 - Impact on gaming revenue.
 - Impact of other forms of venue revenue.
 - Social and economic impacts of changed spending patterns
 - Impact on employment in venues and community contributions made by venues.
 - Impact on gambling and help services.
- 3. Test design features and technology:**
 - Player usability and acceptance.
 - Cost and technical implementation of the technology including reliability
 - Privacy provisions for patron data.
 - Communicating the technology changes in venues.



Preliminary decision

Indicative Design & Management

- How the trial will be conducted
 - Features of pre-commitment
 - Stakeholder engagement strategies
 - Communication with venues and the broader community
 - Assessment of venue requirements (eg. staff training)
- Implementation plan
 - Day to day running and management of trial
 - Periodic progress reporting
 - Financial auditing

Indicative Evaluation Design & Implementation

- Robust mixed methodology to measure
 - Process
 - Outcome
 - Impact
- Collection and analysis of data (quantitative and qualitative)
 - reporting

Framework Principles

- The Trial
 - will be designed/managed and evaluated independently;
 - terms and methodology must be agreed between the designer and the evaluator;
 - the evaluation methodology an approach will be embedded in the trial design;
 - relevant data for surrounding areas will be considered;
 - will include consideration of qualitative and quantitative data; and
 - evaluation approach must accommodate/have in place methodological measures to cover any demographic differences that may exist between the trial site and the wider Australian community
- The trial will monitor gambling behaviour for not less than 12 months
- Independent financial auditors will be appointed to ensure integrity and transparency of the trial financial data
- The evaluation methodology and design will be subject to an academic peer review process
- Trial data and results, subject to appropriate privacy considerations and release arrangements will be made publically available

Assessment Criteria

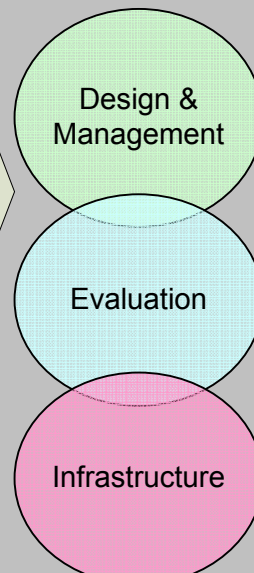
| Specific | Generic |
|--|--|
| <p>Demonstrated skills in communication and stakeholder management, access to best practice implementation tools, demonstrated example of a large scale project which they were responsible for designing</p> | <ul style="list-style-type: none"> - understanding and knowledge of the national gaming environment including relevant studies in relation to harm minimisation strategies; - understanding and knowledge of relevant international experiences; - previous experience of working in a Commonwealth Government environment, particularly the need for robust and accurate reporting, accountability and transparency; - previous experience working with state/territory governments and an appreciation of Commonwealth/State relations; - independence a key requirement for tenderers with arrangements in place to ensure that potential conflicts of interest and other probity matters are addressed; - examples of projects managed on time and within financial constraints; and - a demonstrated quality assurance process |
| <p>Demonstrated skills and example of a large scale project which they were responsible for evaluating, demonstrated skills in statistical analysis of complex data sets, descriptive statistical techniques, design and/or review of evaluation plans and frameworks including program logics and performance indicators, social research methodologies, survey design and data cleaning, coding, deriving variables and confidentialisation and reporting and presenting findings.</p> | <ul style="list-style-type: none"> - independence a key requirement for tenderers with arrangements in place to ensure that potential conflicts of interest and other probity matters are addressed; - examples of projects managed on time and within financial constraints; and - a demonstrated quality assurance process |

Final decision

Peer Review

Final Design & Management

Final Evaluation methodology



Request For Quotation process: Infrastructure

Legend

- Design and Management
- Evaluation
- Infrastructure



Australian Government

Department of Families, Housing,
Community Services and Indigenous Affairs

Trial of Mandatory Pre- commitment in the ACT



Background

- Prime Minister announced the Commonwealth would sponsor a large-scale trial of mandatory pre-commitment on 21 January 2012. The Productivity Commission recommended such a trial.
- Offer made to ClubsACT (public)
- ACT trial is not legislated (independent review proposed in legislation).
- In principle agreement secured from both ACT Government and ClubsACT



The ACT environment

- 58 venues
 - s 47G

- No poker machines in the only Casino
 - s 47G

- ClubsACT is the industry peak body in the ACT



The ACT environment

- ClubsACT represent 44 of the 58 venues in the ACT
- They have approached all venues to represent their interests for the trial
- 3 of the 58 venues remain unaffiliated with ClubsACT

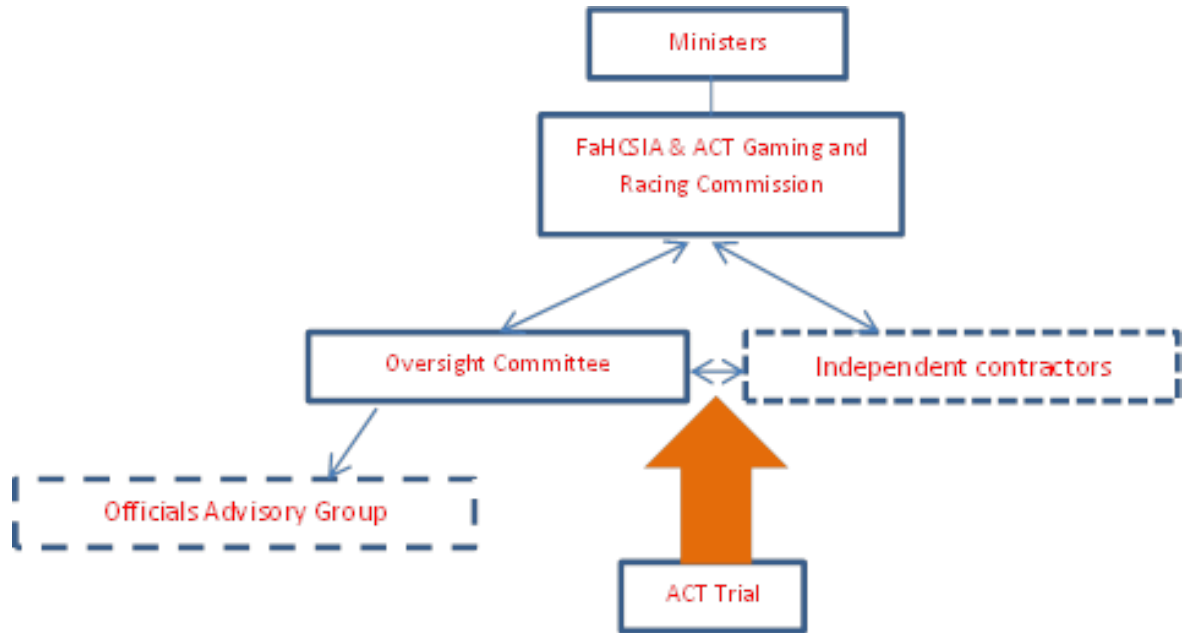


Financial assistance for the ACT Trial

- Provision of funding to secure ClubsACT and ACT Govt participation
- Infrastructure will be funded by the Commonwealth
- Participation fee for venues
- Trial design, management (including staff training, communications etc) and evaluation will be funded by the Commonwealth



Governance





Stages for the ACT Trial

- Trial negotiations
- Trial design and management
- Procure and install trial infrastructure
- Trial Evaluation
- Independent review



Procurement Activity

- Infrastructure
- Design and management
- Evaluation
- Financial Auditors



Design, Management and Evaluation Principles

- Designed/managed and evaluated independently
- Terms and methodology - agreed between the designer and the evaluator
- Evaluation methodology embedded in trial design
- Relevant data for surrounding areas will be considered
- Consideration of qualitative and quantitative data
- Evaluation approach- methodological measures to cover any demographic differences that may exist between the trial site and the wider Australian community
- The trial will monitor gambling behaviour for not less than 12 months
- Independent financial auditors will be appointed to ensure integrity and transparency of the trial financial data
- The evaluation methodology and design- subject to an academic peer review process
- Trial data and results, subject to appropriate privacy considerations and release arrangements will be made publically available



Next Steps

- Market approach for:
 - Infrastructure
 - Design and management
 - Evaluation
- Finalise governance arrangements



Australian Government

Department of Families, Housing,
Community Services and Indigenous Affairs



Questions

s 47F

From: CROKE, Leesa
Sent: Friday, 6 July 2012 9:34 AM
To: Jeff House
Cc: s 47F
Subject: RE: Trial Reference Group Meeting [SEC=IN-CONFIDENCE]
Attachments: Trial Governance (6 July 12).pdf

Hi Jeff

As per my phone message last night pls find a draft of the governance arrangements for the ACT Trial for your meeting today with the Trial Reference Group.

Thanks Leesa

Leesa Croke

Branch Manager

Problem Gambling Taskforce

Department of Families, Housing, Community Services and Indigenous Affairs

s 47F

From: Jeff House s 47F
Sent: Wednesday, 4 July 2012 1:30 PM
To: s 47F
Cc: GLARE, Scott; CROKE, Leesa
Subject: Trial Reference Group Meeting

Hi s 47F Leesa and Scott,

I'm holding the next meeting of our Trial Reference Group this Friday at 10am. The purpose is largely to update the members on what's happened since our last meeting and representatives from Aristocrat will be making a short presentation on some of the mechanical/equipment/technology issues that will need to be dealt with.

I'd also be keen to provide them with the proposed membership of the Oversight Committee and give them a heads up on the fact that the committee will be established in the next few weeks.

So if there's a possibility that the membership (at least in terms of the organisations, if not individuals) could be agreed by Friday, that would be great, though clearly not essential if it will take some more time.

Also, if there's anything you would like conveyed or distributed to the meeting, let me know.

Cheers
Jeff



s 47F

From: GLARE, Scott
Sent: Monday, 23 April 2012 5:16 PM
To: s 47F
Cc: BLACK, Susan
Subject: RE: Div of Responsibilities [SEC=IN-CONFIDENCE]
Attachments: ACTG and Division of Responsibilities - ACT Trial April 2012.doc

Hi s 47F

We haven't met as yet, but I've recently started working in the FaHCSIA Problem Gambling Taskforce with Dave Agnew and Susan.

Attached is the first draft of a division of responsibilities document for the ACT Trial. Could we get you to have a look over it and if possible, can we catch up over the phone tomorrow morning (Tuesday) to discuss it? s 47F and I have some time in the morning around 10:30am if you have half an hour? Let me know what time suits.

We'd also be interested in your views on how we progress this through EDD, noting that we need to get some advice up to the respective Ministers by tomorrow afternoon.

Thanks

Scott

From: BLACK, Susan
Sent: Monday, 16 April 2012 5:33 PM
To: s 47F
Cc: GLARE, Scott
Subject: RE: Div of Responsibilities [SEC=IN-CONFIDENCE]

Happy to do up s 47F

Would like to talk with you pre sending to ED

We'll get something to you in the next day or two – and can give you a broader update

Susan

Susan Black
Branch Manager | Problem Gambling Taskforce
Department of Families, Housing, Community Services and Indigenous Affairs
s 47F

From: s 47F
Sent: Monday, 16 April 2012 4:48 PM
To: BLACK, Susan
Cc: GLARE, Scott
Subject: RE: Div of Responsibilities [SEC=IN-CONFIDENCE]

Hi Susan

Given that you have a much better understanding of what procurement packages are required, I think it is best that you draft something first that makes sense from your perspective and I will have a quick look.

We can then send to EDD for comment; however given that they are the ones that will need to drive the procurement process from the ACT's perspective you should be prepared for a less than enthusiastic response from them. You will need to fully express your arguments for the ACT running those procurement tasks that you consider appropriate.

Happy to meet as required – are there are other matters to catch up on or go through? I assume that negotiations are continuing with Wilkie and that amendments are being done to the Bill with the aim of tabling in May if you get Wilkie across the line.

Talk again soon

Regards

s 47F

From: BLACK, Susan s 47F
Sent: Monday, 16 April 2012 3:16 PM
To: s 47F
Cc: GLARE, Scott
Subject: Div of Responsibilities [SEC=IN-CONFIDENCE]

Hi s 47F

Understand our Mins' office have been in contact and they are keen on some joint advice on the division of responsibilities between ACT and CW govt – ie. who would lead which procurement.

Believe they need advice by Mon/Tues next week

Just testing how best we take this forward. Did you want us to draft up something and send for your views and then we meet – or did you want to meet then we draft? And in any event – is it best to start with just us then move to incl your Ec Dev colleagues – happy to do what you think best.

We also have a new person starting with us – Scott Glare – so if ok any meeting we have will be an opportunity to meet Scott

Look forward to hearing from you

Susan

Susan Black
Branch Manager | Problem Gambling Taskforce
Department of Families, Housing, Community Services and Indigenous Affairs
s 47F

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Trial of full pre-commitment in the ACT

ACT Government and Commonwealth Government Division of Responsibilities

| | ACT Government | Commonwealth Government |
|---|------------------------------|---------------------------|
| <i>Negotiation</i> | | |
| Negotiation of Trial conditions with ClubsACT | | |
| Negotiation of Trial conditions with non-affiliated clubs | | |
| <i>Procurement</i> | | |
| Design and Management EOI | Advice, review and assurance | Contracts and procurement |
| Infrastructure EOI | Advice, review and assurance | Contracts and procurement |
| Evaluation EOI | Advice, review and assurance | Contracts and procurement |
| Design and Management RFT | Advice, review and assurance | Contracts and procurement |
| Infrastructure RFT | For discussion | |
| Evaluation RFT | Advice, review and assurance | Contracts and procurement |
| <i>Financial Management</i> | | |
| Trial infrastructure | | |
| ACT Government assistance package | | |
| Industry assistance package | | |
| Venue readiness and capacity package | | |
| Payment to venues of industry assistance | For discussion | |

| | ACT Government | Commonwealth Government |
|---|------------------|--------------------------|
| package payments | | |
| Trial facilitation costs | | |
| Communications | | |
| Actively support and promote the use of pre-commitment to the ACT community for the duration of the Trial | | |
| Communicate ACT regulatory impact | | |
| Conduct of Trial and Support | | |
| Oversee the operation of pre-commitment in venues for the length of the Trial | Regulatory | Contract and procurement |
| Provision of counselling services required through the Trial period | | |
| Venue staff training in pre-commitment | | |
| Manage complaints and help desk enquiries concerning the Trial. | | |
| Maintenance and upgrade of infrastructure as required after the Trial period | To be determined | |
| Contract Management | | |
| Design and management and evaluation required for the Trial | | |
| Project Management | | |
| Productivity Commission review of the | | |

| | ACT Government | Commonwealth Government |
|---|----------------|-------------------------|
| evaluation findings for the Trial to make recommendations to the Commonwealth Government by August 2014 | | |
| Provide access to relevant data and information as and when required | | |
| Regulator | | |
| Manage changes to the regulatory and legislative environments in the ACT as required | | |
| Regulatory approvals for the technical components of the pre-commitment system | | |
| Advice for venues on regulatory requirements under the Trial | | |
| Licensing of the pre-commitment infrastructure provider(s) | | |
| Governance | | |
| Establish the Oversight Committee | | |
| Participate in the Oversight Committee | | |
| Support the Oversight Committee | | |

s 47F

From: s 47F
Sent: Monday, 16 April 2012 4:48 PM
To: BLACK, Susan
Cc: GLARE, Scott
Subject: RE: Div of Responsibilities [SEC=IN-CONFIDENCE]

Hi Susan

Given that you have a much better understanding of what procurement packages are required, I think it is best that you draft something first that makes sense from your perspective and I will have a quick look.

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Talk again soon

Regards

s 47F

From: BLACK, Susan [s 47F]
Sent: Monday, 16 April 2012 3:16 PM
To: s 47F
Cc: GLARE, Scott
Subject: Div of Responsibilities [SEC=IN-CONFIDENCE]

Hi s 47F

Understand our Mins' office have been in contact and they are keen on some joint advice on the division of responsibilities between ACT and CW govt – ie. who would lead which procurement.

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We also have a new person starting with us – Scott Glare – so if ok any meeting we have will be an opportunity to meet Scott

Look forward to hearing from you

Susan

Susan Black
Branch Manager | Problem Gambling Taskforce
Department of Families, Housing, Community Services and Indigenous Affairs
s 47F

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s 47F

From: s 47F >
Sent: Thursday, 8 December 2011 3:30 PM
To: AGNEW, Dave
Cc: s 47F
Subject: Max bet Break Up

Hi Dave

My advice is that our database does not search on max bet and therefore we could not electronically identify our numbers of \$10 max bet machines vs \$5 max bets.
Sorry we could not be of more help.

Regards

s 47F

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s 47F

From: Rob Docker s 47F u>
Sent: Monday, 28 November 2011 12:13 PM
To: BLACK, Susan
Subject: RE: contact details [SEC=UNCLASSIFIED]
Attachments: Key Issues for Discussion.doc

Hi Susan

I am back on deck this week after little time away from the office.

Just wishing to confirm our meeting on Friday 2 Dec at 10.00am. s 47F will be joining us. Happy to host at my office.

A little bit of s 47F background for you.

s 47F

I note today a front page article in the CT. A little bit of background about the Tradies relationship with ClubsACT. Until June 2010 the Tradies Group was a member of ClubsACT. s 47F

Susan, I have attached a copy of the briefing I used for our last meeting. I am happy for this to be shared discreetly.

See you Friday.

Cheers

Rob



Rob Docker
CEO
The Tradies Group

TEL **s 47F**

WEB thetradies.com.au

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From: BLACK, Susan [**s 47F**]
Sent: Thursday, 24 November 2011 12:05 AM
To: Rob Docker
Subject: RE: contact details [SEC=UNCLASSIFIED]

That's great, thanks Rob
Susan

From: Rob Docker [**s 47F**]
Sent: Wednesday, 23 November 2011 10:27 AM
To: BLACK, Susan
Subject: Re: contact details [SEC=UNCLASSIFIED]

Susan

Fri 2 Dec is fine.

Cheers

Rob

Sent from my iPhone

On 23/11/2011, at 10:18 AM, "BLACK, Susan" **s 47F** > wrote:

My apologies Rob, is there any way we could do this Fri 2 Dec? If this is a problem then we will of course attend.

Regards

Susan

Susan Black

Branch Manager | Problem Gambling Taskforce

Department of Families, Housing, Community Services and Indigenous Affairs

s 47F

From: BLACK, Susan
Sent: Monday, 21 November 2011 2:43 PM
To: 'Rob Docker'
Subject: RE: contact details [SEC=UNCLASSIFIED]

Hello Rob

We can do either – but if Thurs 1 Dec works, I'll put that in Amanda and Dave's diary

Susan

Susan Black

Branch Manager | Problem Gambling Taskforce

Department of Families, Housing, Community Services and Indigenous Affairs

s 47F

From: Rob Docker s 47F
Sent: Monday, 21 November 2011 8:35 AM
To: BLACK, Susan
Subject: RE: contact details [SEC=UNCLASSIFIED]

Susan

Thur 1 Dec or Fri 2 Dec in the morning.

Cheers

Rob

Rob Docker
CEO
The Tradies Group

<image001.jpg>

TEL **s 47F**

WEB thetradies.com.au

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From: BLACK, Susan **s 47F**
Sent: Friday, 18 November 2011 1:14 PM
To: Rob Docker
Cc: CATTERMOLE, Amanda; AGNEW, Dave
Subject: FW: contact details [SEC=UNCLASSIFIED]

Dear Rob

Thank you – we'd appreciate the opportunity to meeting with Michael.

Just let us know when that's possible.

Regards

Susan

Susan Black

Branch Manager | Problem Gambling Taskforce

Department of Families, Housing, Community Services and Indigenous Affairs

s 47F

From: Rob Docker [s 47F] 1
Sent: Wednesday, 16 November 2011 9:05 PM
To: BLACK, Susan
Cc: CATTERMOLE, Amanda; AGNEW, Dave
Subject: Re: contact details [SEC=UNCLASSIFIED]

Susan/Amanda/David

Thanks for your contact details. We covered a good deal of territory yesterday. I look forward to further dialogue in the coming weeks.

I have since spoken with s 47F will be in Canberra on Thur 1 and Fri 2 Dec. This might be an opportunity for you to meet s 47F and for further discussions.

Cheers

Rob

s 47F

Sent from my iPhone

On 16/11/2011, at 6:47 PM, "BLACK, Susan" <s 47F> wrote:

Dear Rob

Thank you for your time yesterday, it was much appreciated.

As promised contact details are:

s 47F

And my details are below.

Regards

Susan

Susan Black

Branch Manager | Problem Gambling Taskforce

Department of Families, Housing, Community Services and Indigenous Affairs

s 47F

s 47F

From: Jeff House <s 47F >
Sent: Wednesday, 30 May 2012 8:45 AM
To: GLARE, Scott
Cc: CROKE, Leesa; CATTERMOLE, Amanda
Subject: RE: Follow Up Email [SEC=UNCLASSIFIED]

Hi Scott

Apologies for the delay in replying.

Thank you for letting me know of these welcome developments.

I have also received Amanda's letter regarding the warrant/search and seizure powers contained in the bill.

More than happy to catch up.

How is Monday 11 June for you?

Regards
Jeff



From: GLARE, Scott [s 47F]
Sent: Tuesday, 22 May 2012 1:45 PM
To: Jeff House
Cc: CROKE, Leesa; CATTERMOLE, Amanda
Subject: Follow Up Email [SEC=UNCLASSIFIED]

Hi Jeff,

Thanks for the quick phone chat regarding the amendments to the legislation you suggested. As a short summary, the current proposals are as follows:

- In relation to the Guide to Section 190, we've included the wording you suggested around the trial determining whether requiring people to be registered to use a gaming machine delivers sufficient advantage over allowing people to choose to be registered.
- As I said on the phone, while ClubsACT will obviously be very closely involved in the conduct of the trial, it is important that the methodology for the trial be independent. Also, as the legislation does not specify that the trial is in the ACT, it wouldn't be appropriate for ClubsACT to be specifically included.
- On Section 194, we have included your suggestion that the assessment of the impact of the trial on venues be included in the trial methodology. Additionally, the terms of reference of the Productivity Commission review will include this assessment and broader impacts on the community.

I anticipate you will receive further responses soon.

It would be good to catch up again in person in the near future if you have time. Would you be available later this week?

Don't hesitate to give me a call at any time if you have any queries.

Thanks

Scott Glare

Branch Manager

Problem Gambling Taskforce

Department of Families, Housing, Community Services and Indigenous Affairs

s 47F



Mr Jeff House
Chief Executive
ClubsACT
PO Box 4579
KINGSTON ACT 2604

Dear Mr House

Thank you for your letter to the Minister for Families, Community Services and Indigenous Affairs of 23 April 2012 about the National Gambling Reform Bill 2012 (the Bill). The Minister has asked me to reply on her behalf.

As you are aware, this is Australia's first piece of national legislation to tackle problem gambling. Thank you for your involvement in consultations on the Bill to date and for this further correspondence. I acknowledge that you have raised five main concerns regarding the monitoring and investigation powers of the Regulator/authorised officers outlined in the Bill and I have sought to clarify these matters for you below.

There is no limit on the 'things' that the Regulator/an authorised officer can search for or seize.

There are limits on the 'things' that can be searched for and seized by authorised officers. Exposure draft subsection 114(1) of the Bill sets out that an authorised person can only exercise the monitoring powers for the purposes of determining:

- a. if the Bill is being complied with; and
- b. if information given in compliance (or claimed compliance) with the Bill is accurate.

Proposed subsection 122(1) of the Bill provides that a person can only enter a premises and exercise the investigation powers if they have reasonable grounds to suspect that there is evidential material on the premises.

Accordingly, an authorised person can only enter premises and exercise their powers (which include search and seizure) for the purposes outlined above or where they have reasonable grounds to suspect there is material of an evidential nature on the premises. The power to search and seize 'any thing' does not extend to items that would not have any probative value to either the monitoring or investigative functions of the Regulator. As an extreme example, an authorised person would not be able to search and seize a pair of scissors or a water bottle.

Further, the seizure powers in proposed subsection 119(2) provide that an authorised person is only able to seize an item if the authorised officer believes 'on reasonable grounds' that:

- a. a provision (of the Bill) has been contravened in relation to that thing;
- b. the item provides evidence of a contravention of a provision; or
- c. that the item is intended to be used in contravention of the Act.

In addition, the authorised officer can only seize the item while exercising monitoring powers if they believe it is reasonably necessary to secure the item to prevent it being hidden, lost or destroyed and the circumstances are serious and urgent.

As a further safeguard, an authorised person can only seize a thing using the investigation powers if they have a warrant authorising the seizure of that thing, or if during the course of executing the warrant the authorised officer believes on reasonable grounds one or more of the matters set out in paragraphs a to c above, and that seizure is necessary to prevent the item being hidden, lost or destroyed.

Accordingly, while the provision does initially seem very broad, there are limitations on the exercise of the monitoring and investigation powers of authorised officers that are similar to those in the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (which you have referred to in your correspondence as the Counter-Terrorism Act). That is, items can only be searched for and seized where they are indicative of a breach, or potential breach, of the Bill.

Operators of gaming machine premises are required to translate documents written in a language other than English even if they don't have the ability to translate the document.

Section 155 of the current draft of the Bill provides that if a document is required to be produced by a person and that document is not written in English, the person has 28 days to provide a certified translation of that document *when requested by the authorised person*.

The 28 days allows the operator of the gaming venue to obtain the services of a qualified translator to translate and certify the translation for provision to the Regulator/authorised officer. The provision does not require the operator to translate the document personally.

The Commonwealth Regulator's powers should be the same as state powers.

As you are aware, each of the eight jurisdictions has their own gambling legislation with different monitoring and investigation powers to specifically enforce that legislation. Commonwealth legislation therefore requires an accompanying set of Commonwealth monitoring and investigation powers. Legislation and its associated powers are inextricably linked. As such, it is not possible for the Commonwealth to simply adopt the powers of the relevant state/territory from a practical or legal perspective.

The powers are excessive and out of line with similar legislation (e.g. the 'Counter Terrorism Act').

Although the Counter-Terrorism Act only allows for seizure of items for a 24-hour period under the monitoring powers, subsection 155(5) of the Counter-Terrorism Act provides that electronic equipment can be retained for as long as it takes the expert to operate it.

There is a significant difference between the Counter-Terrorism Act and the Bill, in that the Counter-Terrorism Act relates to financial information, which can, with relative ease, be copied and the originals returned to the occupier of the premises. The Bill relates to electronic gaming machines and automatic teller machines (amongst other things) which cannot simply be copied. The need to retain these types of items for longer periods to enable them to be examined is appropriate.

Additionally, the Bill is not out of line with similar Commonwealth Acts such as the *Work Health and Safety Act 2011* which provides that an authorised officer can seize any item for 24 hours when they enter a premises for inspection, which does not require the consent of the occupier or a warrant, and that 24-hour period can be extended as needed by a Judge or Magistrate. Under the Work Health and Safety Act, an authorised officer acting under a warrant can seize items and there is no limit on the length of time that the item remains seized.

The Regulator/authorised officers can enter any public place and this will disturb patrons.

Unless the Regulator/authorised officer is entering a gaming machine venue under warrant, they can only enter the 'public' areas of a gaming machine premises. A 'public' area is defined in subsection 113(3). In addition, unless the Regulator/authorised person is acting under a warrant, they can be asked to leave the premises at any time.

There are also limits on the matters that an authorised person is able to discuss with 'any person' that they meet in the public area as set out in subsection 113(2) and relates to determining whether the Act is being complied with, whether information previously provided is correct and investigating possible contraventions.

I trust that you find these clarifications helpful. On the basis that the monitoring and investigation powers are consistent with those outlined in other Commonwealth Acts and are not without limitation, no further amendments on this matter are proposed.

I look forward to continuing to work with you on gambling reform and in particular on the trial of mandatory pre-commitment in the Australian Capital Territory.

Thank you again for writing.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Amanda Cattermole', with a long horizontal flourish extending to the right.

Amanda Cattermole
Group Manager
Problem Gambling Taskforce

s 47F

From: AGNEW, Dave
Sent: Tuesday, 10 July 2012 3:35 PM
To: s 47F
Cc: s 47F
Subject: FW: MPC Trial [SEC=UNCLASSIFIED]
Attachments: ClubsACT Offer_F (2) (2).pdf

Dave Agnew
Branch Manager | Property, Environment, Procurement and Security Department of Families, Housing, Community Services and Indigenous Affairs
s 47F

PEPS - Supporting FaHCSIA's business through sustainable and effective accommodation solutions

-----Original Message-----

From: BLACK, Susan
Sent: Monday, 23 January 2012 5:32 PM
To: s 47F
Cc: CATTERMOLE, Amanda; AGNEW, Dave
Subject: RE: MPC Trial [SEC=UNCLASSIFIED]

Dear Rob

Attached is the offer that was released

We will be writing to venues shortly also in this regard

Regards

Susan

Susan Black
Branch Manager | Problem Gambling Taskforce Department of Families, Housing, Community Services and Indigenous Affairs s 47F

-----Original Message-----

From: BLACK, Susan
Sent: Monday, 23 January 2012 8:17 AM
To: s 47F
Cc: CATTERMOLE, Amanda
Subject: Re: MPC Trial

Good Morning Rob

We'll get back to you asap this morning

Regards

Susan

----- Original Message -----

From: Rob Docker [s 47F]

Sent: Monday, January 23, 2012 07:53 AM

To: BLACK, Susan

Subject: MPC Trial

Hi Susan

I have not received formally the MPC trial offer.

Cheers

Rob

Sent from my iPhone

s 47F

From: BLACK, Susan
Sent: Monday, 16 April 2012 3:16 PM
To: s 47F
Cc: GLARE, Scott
Subject: Div of Responsibilities [SEC=IN-CONFIDENCE]

Hi s 47F

Understand our Mins' office have been in contact and they are keen on some joint advice on the division of responsibilities between ACT and CW govt – ie. who would lead which procurement.

Believe they need advice by Mon/Tues next week

Just testing how best we take this forward. Did you want us to draft up something and send for your views and then we meet – or did you want to meet then we draft? And in any event – is it best to start with just us then move to incl your Ec Dev colleagues – happy to do what you think best.

We also have a new person starting with us – Scott Glare – so if ok any meeting we have will be an opportunity to meet Scott

Look forward to hearing from you

Susan

Susan Black
Branch Manager | Problem Gambling Taskforce
Department of Families, Housing, Community Services and Indigenous Affairs
s 47F

s 47F

From: BLACK, Susan
Sent: Monday, 16 April 2012 5:33 PM
To: s 47F
Cc: GLARE, Scott
Subject: RE: Div of Responsibilities [SEC=IN-CONFIDENCE]

Happy to do up s 47F

Would like to talk with you pre sending to ED

We'll get something to you in the next day or two – and can give you a broader update

Susan

Susan Black
Branch Manager | Problem Gambling Taskforce
Department of Families, Housing, Community Services and Indigenous Affairs
Phs 47F

From: s 47F
Sent: Monday, 16 April 2012 4:48 PM
To: BLACK, Susan
Cc: GLARE, Scott
Subject: RE: Div of Responsibilities [SEC=IN-CONFIDENCE]

Hi Susan

Given that you have a much better understanding of what procurement packages are required, I think it is best that you draft something first that makes sense from your perspective and I will have a quick look.

We can then send to EDD for comment; however given that they are the ones that will need to drive the procurement process from the ACT's perspective you should be prepared for a less than enthusiastic response from them. You will need to fully express your arguments for the ACT running those procurement tasks that you consider appropriate.

Happy to meet as required – are there are other matters to catch up on or go through? I assume that negotiations are continuing with Wilkie and that amendments are being done to the Bill with the aim of tabling in May if you get Wilkie across the line.

Talk again soon

Regards

s 47F

From: BLACK, Susan [s 47F]
Sent: Monday, 16 April 2012 3:16 PM
To: s 47F

Cc: GLARE, Scott
Subject: Div of Responsibilities [SEC=IN-CONFIDENCE]

Hi s 47F

Understand our Mins' office have been in contact and they are keen on some joint advice on the division of responsibilities between ACT and CW govt – ie. who would lead which procurement.

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Look forward to hearing from you

Susan

Susan Black
Branch Manager | Problem Gambling Taskforce
Department of Families, Housing, Community Services and Indigenous Affairs
s 47F

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s 47F

From: s 47F
Sent: Tuesday, 27 March 2012 10:56 AM
To: AGNEW, Dave; BLACK, Susan
Subject: ACT Component of Trial presentation
Attachments: Trial Financial Offer to ACT Government.docx

Hi Dave, Susan,

Thanks for the update this morning.

I attach for your consideration and records a copy of my small component of the trial presentation for the Regulators' Conference.

I also confirm that I am happy for you and any of your staff to attend any session of the Conference.

Regards

s 47F

This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.

ACT GOVERNMENT'S POSITION ON PRE-COMMITMENT TRIAL

The ACT Government has agreed in-principle to the conduct of the trial subject to a number of conditions:

- the ACT industry agrees to its terms and conditions;
- appropriate compensation or reimbursement is provided in relation to ACT gaming machine tax and contributions to the Problem Gambling Assistance Fund
- the level of club community contributions does not decrease;
- administrative costs of the ACT Government's involvement are covered by the Federal Government.

The Federal Government has agreed to meet all of these requirements as follows:

- the Commonwealth will fund 100% of necessary infrastructure to conduct the trial.
- a package of administrative assistance (made up of funding plus possible staff secondments) to the ACT Government recognising:
 - the increased regulatory role; and
 - additional administration costs for managing the procurement and roll-out of the infrastructure, participation on the oversight committee and additional administrative support in managing the trial.
- assistance with the possible increase in counselling required through the trial period.

In total, a \$4 million package of assistance to the ACT Government has been offered split roughly evenly between the increased regulatory role associated with the trial and the increased administration and implementation costs of the trial.

Proposed arrangements for the trial provide that the funding would be provided over several financial years as required, depending on workload commitments. Additional staff secondments from the Commonwealth will be provided on a needs/workload basis.

The ACT Government has not formally considered or agreed to this package however in-principle it seems to meet the ACT Government's initial requirements. It is expected that formal consideration will be given to the offer, along with a broader package of requirements and impacts, once the details of the trial and the timing are known.

It is not known at this stage whether ACT legislative amendments are required for the conduct of the trial. This will be considered once the final details are known. It may turn out that there are administrative and transparency advantages in having some of the requirements set out in legislation.

s 47F

From: BLACK, Susan
Sent: Monday, 19 December 2011 1:33 PM
To: s 47F
Cc: AGNEW, Dave; CATTERMOLE, Amanda
Subject: Update email [SEC=IN-CONFIDENCE]

Dear s 47F

Just wanted to drop you an email prior to Christmas with an update on matters in relation to the possible trial.

As we noted previously we have made contact with all clubs not affiliated with ClubsACT and offered to have discussions. One meeting has been scheduled prior to Christmas (the Canberra Deakin Football Club), the rest have suggested meetings post Christmas will suit better.

We continue to work on developing some of the technical and implementation details that would be required for the conduct of a trial.

We are progressing with the drafting of the legislation .

Note too that you have a new Minister , and wondered whether you had any briefings with the office with respect to the possible trial?

Really appreciate your assistance this year s 47F and Amanda, Dave and I look forward to catching up with you early in the new year.

Best wishes to you and your team for Christmas and the New Year.

Regards

Susan

Susan Black
Branch Manager | Problem Gambling Taskforce
Department of Families, Housing, Community Services and Indigenous Affairs
s 47F

s 47F

From: BLACK, Susan
Sent: Monday, 28 November 2011 10:49 PM
To: s 47F
Cc: AGNEW, Dave
Subject: Advice [SEC=IN-CONFIDENCE]

Hi s 47F

I wondered if we might just need to ask a couple of questions on the ACT environment --

- For net revenue why is it reduced to s 47B – is there a reason for s 47B being picked?
- Re the treatment of parent groups –
 - at the moment we believe that they are treated separately for licenses by the ACT regulator. However some seem to share annual reporting and don't distinguish revenue etc between their premises. Is this right?
 - Or do you have special monitoring arrangements?
 - And does your new licencing arrangements affect anything?
 - And can they be grouped ie are they the same business entity? Or do they operate as separate entities?
- And last issue, we were going to commence conversation with the non ClubsACT clubs (other than the Tradies) is there a best contact in these clubs? We were just concerned calling without a contact.

More than happy to meet or have a telecon with you to work through the above

Thank you

Susan

Susan Black
Branch Manager | Problem Gambling Taskforce
Department of Families, Housing, Community Services and Indigenous Affairs
s 47F

s 47F

From: BLACK, Susan
Sent: Tuesday, 21 February 2012 11:26 AM
To: s 47F
Cc: AGNEW, Dave
Subject: FW: Trial of Mandatory Pre-Commitment in the ACT [SEC=UNOFFICIAL]
Attachments: ACTG Offer @ 140212.doc; Trial Timeline Feb 2013 (2).pdf

Dear s 47F

Just wondering if you would like to catch up regarding the attached early next week?

Regards

Susan

Susan Black
Branch Manager | Problem Gambling Taskforce
Department of Families, Housing, Community Services and Indigenous Affairs
s 47F

From: BLACK, Susan
Sent: Tuesday, 14 February 2012 6:41 PM
To: s 47F
Cc: s 47F CATTERMOLE, Amanda
Subject: Trial of Mandatory Pre-Commitment in the ACT [SEC=UNOFFICIAL]

Hi s 47F

Thanks again for your time this afternoon.

Attached for your consideration is:

- A confidential draft offer document for the ACT Government;
- The implementation timeframes for the trial (from an infrastructure perspective);

Included in the offer document is the proposed funding to be provided by the Commonwealth to address the administrative and regulatory support required for the trial. The offer document based upon what we know at this point, noting further negotiations will be required with ClubsACT on the financial treatment of the participation fee once their position is known.

As agreed at the Minister meeting of 13 February 2012, the ACT Government will not be worse off as a result of the trial, therefore consideration will need to be given to the treatment of the state gaming machine tax revenue, community contributions and the Problem Gambling Assistance Fund once the position of ClubsACT is known and a way forward agreed.

In regards to the funding mechanism, there is a meeting booked for tomorrow with our internal budgets area to look at what would be required to enable the payments. Consideration will also need to be given as to the mechanism required to formalise the arrangements. This is something we could work on in parallel as we work through the package.

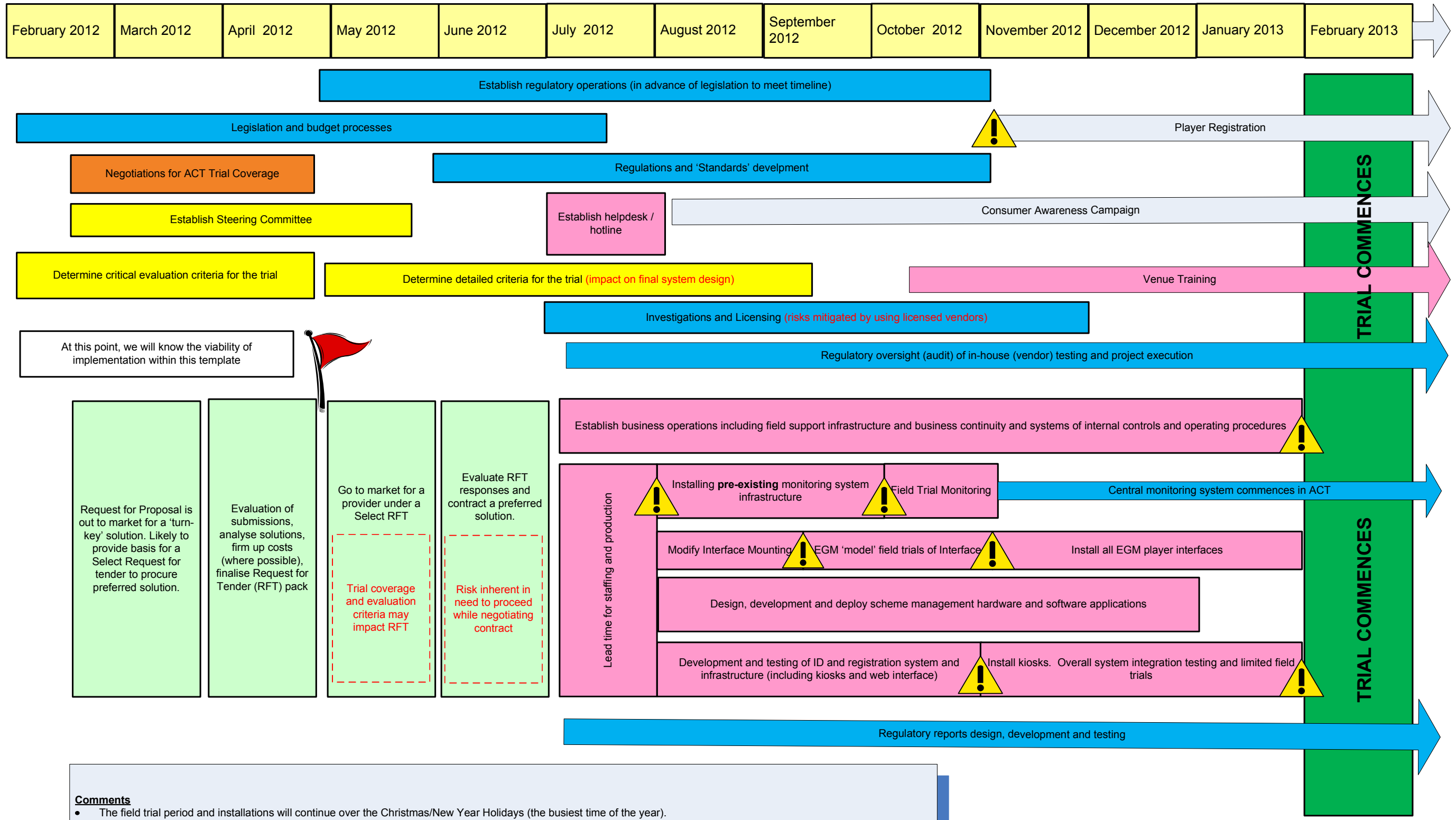
The intention is that the funding will be split across three financial years with a percentage this FY, the majority in 12/13 and the remainder in 13/14.

Once you have had some time to digest the attached information we would be happy to get together and discuss further.

Regards

Susan Black and Dave Agnew

Draft – ACT Trial pre-commitment technical infrastructure implementation timeframes (with Request for Proposal)



Comments

- The field trial period and installations will continue over the Christmas/New Year Holidays (the busiest time of the year).
- The viability of the time-frame is highly questionable if nothing is pre-existing. ID and registration is a key area of risk.
- Any technical difficulties resulting in a need for redesign and redeployment has the potential to blow out the schedule. The project will need to be tightly managed and testing must be undertaken in parallel with development – on site.
- Success will depend on the availability of product in the marketplace and a limited design and development cycle.
- For the project to be remotely achievable, it must be commenced immediately.
- There must be no impediments (e.g. ACT legislative instruments).
-
-

⚠ A regulatory technical 'approval' is required to proceed.