



Guidance and Template: Harm Minimisation Policy

Regulatory Services, Gambling



June 2024



Disclaimer

The template is general guidance and is not intended to replace the Act or Regulations. While the Department has taken great care in preparing this guide, it is educational and provides guidance only and should not be relied on to establish compliance with all the requirements of the Act, the Regulations, and all other applicable law. It must be read in conjunction with the Act, the Regulations, and all other applicable law.

For specific situations or problems, it may be necessary to seek independent legal or other direct advice. The Department will not be held responsible for any action arising out of reliance on this guidance. For the avoidance of doubt, the Department reserves its rights to discharge its enforcement and other functions with respect to the Act, the Regulations, and all other applicable law notwithstanding anything to the contrary in this guidance without prior notice to any person.

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ISBN: 978-1-7386229-2-4 (Digital)

Introduction

Te Tari Taiwhenua Internal Affairs (the Department) has developed this template policy and guidance to support you in writing your Harm Minimisation and Prevention Policy (HPM policy) and help ensure you are meeting all your legal obligations.

You may also wish to refer to the Department's [Guidance](#) on the Harm Minimisation Regulations for pokies gambling.

Requirements

Your gambling harm prevention and minimisation (HPM) policy must explain how your society, club or venue will meet its obligations under the Gambling Act (the Act) and the Gambling (Harm Minimisation and Prevention) Regulations 2004 (the Regulations). It covers how you will:

- minimise the risk of problem gambling at both the society and venue level,
- identify problem gamblers, and
- minimise the risk of underage gambling at the venue level.

The purpose of the HPM policy is to support societies, clubs, and venues in making day-to-day decisions to achieve these goals and provide a safe and responsible gambling environment.

About this template policy

This template sets out the Department's view of what would constitute the key elements of a compliant HPM policy. It is just one example, and societies and venues are encouraged to add to and adapt this template to your own circumstances, as long as the key legal obligations outlined in the template are met.

This template is a general guidance to support those involved in implementing the 2023 amendments to the Regulations (primarily class 4 gambling venue operators). It covers relevant aspects of the Act and Regulations and is not intended to replace them.

You do not have to use a specific format for your HPM policy - some societies may separate out the venue, society, and problem gambler identification policies, or they may incorporate all these requirements into one document. As long as the key legal requirements are clearly covered – the format used doesn't matter.

You don't need to use the specific wording in this template policy - you may choose to use different wording which captures the same meaning. However, parts of your policy will need to include wording which reflect the relevant wording of the Act and Regulations.

While the template policy contains some suggested procedures, you may need to adapt this template to include the procedures you use at your venues.

Aspects of the template policy, and some of the procedures included, are not express requirements of the Act or Regulations. They represent one example of how your organisation could achieve compliance with the requirements of the Act or Regulations at your venues, in practice.

The template policy covers the following main areas:
<ul style="list-style-type: none"> • Definition of a problem gambler and the purpose of the policy
<ul style="list-style-type: none"> • Who this policy applies to
<ul style="list-style-type: none"> • Harm minimisation training – who must be trained and what training must be delivered
<ul style="list-style-type: none"> • Advertising, documentation, and information to be available in class 4 venues
<ul style="list-style-type: none"> • Monitoring and identifying gambling harm, including signs of harm and sweeps
<ul style="list-style-type: none"> • Responding to harm-conversations and interventions
<ul style="list-style-type: none"> • Managing exclusions/excluded players
<ul style="list-style-type: none"> • Managing risk to underage players
<ul style="list-style-type: none"> • Physical layout of venues
<ul style="list-style-type: none"> • Game machine requirements
<ul style="list-style-type: none"> • Other requirements
<ul style="list-style-type: none"> • Schedule 1 - Regulation 13 of the Gambling (Harm Prevention and Minimisation) Regulations 2004
<ul style="list-style-type: none"> • Glossary

Example of a compliant Harm Minimisation Policy

1. Purpose of harm minimisation policy

The purpose of this HPM policy is to set out what the society and venue will do to meet their gambling host responsibilities to:

- minimising the risk of problem gambling at the venue
- identifying problem gamblers
- minimising the risk of underage gambling.

A **problem gambler** is a person whose gambling causes harm or may cause harm.

Harm means harm or any distress of any kind arising from, or caused or exacerbated by, a person's gambling.

This includes personal social or economic harm suffered by any person, their spouse or partner, family, whanau, workplace, community, or society at large.

2. Who this policy applies to

This policy is designed to apply to:

- The corporate society licenced for class 4 (non-casino pokies) gambling at the venue.
- The venue operator, who holds a class 4 venue agreement with a corporate society to operate gambling at a venue.

- The venue, a place where class 4 gambling is licenced to happen within the conditions on the licence.
- The venue manager, or person acting on behalf of the venue manager (there will always be someone acting on behalf of the venue manager to allow prompt action to be taken to minimise harm).
- Venue staff responsible for **supervising gambling***.

What is supervising gambling?

Supervising gambling is supervising people while they are gambling on pokies and, those whose actions are showing an intention to start gambling. When someone becomes a player, their behaviour before and after gambling could be relevant to assessing signs of harm. For example, if they are waiting outside a venue to open up so they can start gambling.

Supervising gambling includes staff responsible for doing sweeps of the gaming area, along with the staff responsible for monitoring players making ATM/EFTPOS transactions to use for gambling at the venue.

3. Problem gambling awareness training – who will be trained and what training will be delivered

The society will ensure:

- No one **supervises gambling** without first being trained in problem gambling awareness, and this training must happen once a year.
- A person trained in problem gambling awareness is always present when gambling activities are available.

The society will ensure that problem gambling awareness training will meet the regulations (attached as **Schedule 1** to this policy). This training covers capabilities, practical and interactive training, certain information, and guidance.

4. Advertising, documentation, and information to be made available

The venue's policy for identifying problem gamblers will be made available on request, and signage will be displayed stating this. [This reference is optional in the Policy, but signage must be displayed at the venue advising that a copy of the policy is available on request].

Brochures and signage must be available at a venue that inform players about problem gambling, including encouraging players not to spend more than they can afford and set out information on how to seek assistance for gambling problems. The signage and brochures must be clearly visible to players. No advertising relating to a gaming machine jackpot will be published either outside the venue, or inside the venue in a way that is visible or audible to persons outside the venue.

In any advertising related to the class 4 venue, the word jackpot will not be published in a way that implicitly or explicitly conveys the impression there is a gaming machine jackpot at the venue.

5. Monitoring and identifying problem gambling

The venue manager and venue staff will monitor players effectively, recognise the signs of gambling harm quickly, and intervene early to prevent or minimise gambling harm occurring at the venue.

5.1 Signs of harm

A person may be identified as a problem gambler if any signs of harm are present. A non-exhaustive list of signs of harm are set out in the schedule to the Harm Minimisation Regulations:

The signs of gambling harm include (but are not limited to):

- withdrawing or attempting to withdraw cash from an automatic teller machine (“ATM”) or EFTPOS device on two or more occasions in one day to use for gambling at the venue,
- gambling during 9 or more consecutive gambling area sweeps,
- attempting to borrow money from staff or other venue customers to use for gambling,
- leaving children in a car or otherwise unattended at the venue,
- waiting to gamble as soon as the venue opens,
- refusing to stop gambling at the venue when the venue is closing, or otherwise appearing unable to stop gambling,
- appearing visibly distressed or angry either during or after gambling (for example crying, holding their head in their hands, or hitting a machine).

Venue staff will also be monitoring for other signs of gambling harm. These are set out in [Gamble Host resources](#) available from the Health Promotion Directorate.

5.2 Monitoring and sweeps

A gambling area sweep is the physical observation of a place where gaming machines are located to observe player behaviour and monitor for signs of harm, including the signs of harm shown above.

Venue staff will conduct required sweeps of the gambling area, at least 3 times per hour and at least 10 minutes after the previous sweep. The hour starts whenever the venue makes gambling available. The venue manager is responsible to ensure these sweeps occur and meet the requirements of the regulations.

If the gambling area is unoccupied, staff will record the method they used to verify the gambling area is unoccupied.

The venue manager will have a procedure in place to ensure staff consider – both during and between sweeps – whether any player is exhibiting signs of harm. On each occasion a player shows a sign of harm (whether the same or a different sign), the venue manager will ensure that a staff member has a conversation with that player, to assist with identifying whether the player’s gambling is causing harm.

Staff will keep records of sweeps and conversations as required by the Regulations.

Templates which meet the record-keeping requirements of the regulations are available on [the DIA website](#).

5.3 Monitoring EFTPOS and ATM transactions

The venue manager also has a procedure in place on what steps staff need to take to consider how to monitor players who are making or attempting to make EFTPOS and ATM transactions:

- Staff will keep records of EFTPOS and ATM transactions where they see that customers go from withdrawing cash to the gambling area, or gaming machine. This will allow staff to keep track of when someone has made two or more withdrawals to use for gambling or has attempted to make two or more withdrawals, for what staff suspect is to use for gambling.
- Where someone withdraws twice to use for gambling, or where staff suspect the withdrawals or attempted withdrawals are to use for gambling, staff will have a conversation to determine if the gambling may be causing the player harm.
- On every subsequent withdrawal, or attempt, staff will have a conversation to determine if the gambling may be causing the player harm.

Note: The particular procedure used to monitor EFTPOS and ATM transactions is not set out in the Regulations or Act, so you may set out details of your own procedure here.

5.4 Identifying players present for 9 sweeps

The venue will have a procedure for identifying players present for 9 consecutive sweeps:

- When a player is first observed during a sweep of the gambling area, staff may note an identifying feature of the person in the sweep records. This could be their name or nickname or some other unique feature sufficient for staff to identify that person in subsequent sweeps. For example, a particular item of clothing may be noted.
- Only enough information to identify the player is required, as staff only need to know if that person is present for 9 or more consecutive sweeps.
- At each sweep, staff note in the records whether the player is present.
- When a player has been noted as present for 9 consecutive sweeps, and for every subsequent sweep, staff will have a conversation with the player.

Note: The particular procedure used to record the results of sweeps is not set out in the Regulations or Act, so you may set out details of your own procedure here.

Templates which meet the record-keeping requirements of the regulations are available on [the DIA website](#).

6. Conversations and interventions if a sign of harm identified

if a sign of harm is seen, including but not only the 7 signs shown above, staff will have a conversation with the player to assist in identifying if their gambling is causing harm. It is the venue manager's responsibility to ensure these conversations occur.

The purpose of the conversation is to assist staff to work out whether the player's gambling is causing harm.

Staff will record a summary of each conversation they have had with players who have been identified as displaying signs of harm.

Templates which meet the record-keeping requirements of the regulations are available on [the DIA website](#)

6.1 Where gambling harm is or may be occurring

The venue manager (or person acting on their behalf) will take appropriate action when they identify a person's gambling is or may be causing harm. The types of action include:

- providing information about the characteristics and dangers of problem gambling,
- providing information about how to access problem gambling services,
- explaining or reminding the player about the self-exclusion processes (including multi-venue exclusions),
- supporting a player through this process (including multi-venue exclusion),
- deciding whether to issue a venue manager exclusion.

6.2 Ongoing duty to assist

There is an ongoing duty of venue managers (or people acting on their behalf) to assist where a player is still showing signs of harm after an approach, and the information set out above in clause 6.1 has been provided.

The venue manager, and staff, will take further action or steps where someone's ongoing gambling or behaviour means there are still reasonable grounds to believe they are a problem gambler. This includes considering whether the player should be excluded (see more on exclusion options below).

6.3 Venue manager weekly review

Venue managers, (or a person they are confident is appropriately trained and experienced that they have delegated to act on their behalf), will review the records at least once a week, for at least the previous seven days, and record this review.

Templates which meet the record-keeping requirements of the regulations are available on [the DIA website](#).

Through carrying out this review weekly, the venue manager will be checking whether staff are carrying out the monitoring procedures correctly, and deciding if any more steps are required where it has been identified that a player's gambling is or may be causing harm.

The venue manager should also consider if there is evidence of other players who may be problem gamblers with whom conversations were not held despite their exhibiting one or more signs of potential harm and ensure that staff have conversations with them in future.

7. Managing exclusions/excluded players

The exclusion process operates in two ways, either self-exclusion or venue manager exclusion:

- **self-exclusion order:** A player can “self-identify” as a problem gambler and ask the venue to exclude them from the gambling area for up to 2 years. If so, the venue manager (or a person acting on their behalf) will issue a self-exclusion order.
- **venue-initiated or venue manager exclusion order:** The venue manager (or a person acting on their behalf) may issue an exclusion order which will prohibit the person from entering the gambling area for a period of up to 2 years.

Both self-exclusion and venue manager exclusions must be issued by the venue manager or a person acting on their behalf. There will always be a trained staff member acting on behalf of the venue manager at the venue.

Exclusion orders under the Gambling Act restrict entry to the gaming area of a venue only. If a gaming area is not defined as a condition on the venue licence, then an exclusion order does not prevent entry to the non-gaming area of the venue.

Once issued, exclusion orders can't be revoked, rescinded, or withdrawn. Exclusion orders are issued for a maximum of 2 years.

7.1 Issuing a self-exclusion

- The Venue Manager or person acting on their behalf will issue an exclusion order **immediately** if a person has identified themselves as being a problem gambler and has requested that the venue exclude them from entering the gambling area.

A self-exclusion order can be declined if:

- the player fails or refuses to provide name or date of birth,
- the player refuses to provide a recent photograph or refuses to give consent to a photograph being taken).

Multi venue exclusions (MVE)

Multi venue exclusion is an extension to self-exclusion. An MVE cannot be imposed on a player without their explicit request for a MVE being obtained in accordance with the MVE exclusion process. It allows gamblers to self-exclude from multiple venues without having to visit each individual site.

When a MVE request is received, the venue manager (or person authorised by the venue manager to act on their behalf) should immediately:

- Follow the “issuing a self-exclusion” process (an MVE request is not an exclusion in itself).
- Forward the exclusion order to the [MVE coordinator](#) and the society.
- Communicate the exclusion order to relevant venue staff.

7.2 Venue-initiated exclusion orders

If the venue manager, or person acting on their behalf, has reasonable grounds to believe a player is a problem gambler, they will approach the person and offer information or advice to the person about problem gambling. This will include a description of the self-exclusion procedure.

After providing such information and advice to the player, the venue manager or person acting on their behalf may decide to issue an exclusion order which will prevent the person from entering the gambling area of the class 4 venue for a specified period of time.

7.3 Ongoing assistance

The Venue Manager or staff will take all reasonable steps to assist a person including, if appropriate, issuing a person with an exclusion order if:

- A player has already been approached and provided information or advice about problem gambling.
- A player has not requested to be issued with an exclusion order, or
- A player's ongoing gambling or other behaviour at the venue means that the Venue Manager or staff still have reasonable grounds to believe that the person is a problem gambler.

7.4 Exclusion records

A record must be kept at the venue of each person excluded from the venue and must include the following:

- the person's name and date of birth
- whether the person has self-excluded or is venue excluded
- date of exclusion order issue and date of its expiry
- any conditions imposed on the person's re-entry to the venue, and
- the excluded person's photo (if provided).

7.5 Monitoring for excluded gamblers

Excluded persons must not be permitted to enter the gambling area and will be removed if they do so. Staff must actively monitor the gambling area for excluded gamblers during their regular sweeps.

Staff will familiarise themselves with the records/photos of excluded gamblers at the beginning of each shift and particularly check whether there are any new excluded gamblers.

Facial Recognition Technology (FRT) can be used to assist venue staff in recognising excluded persons if they enter gaming areas. We recognise that while FRT is a useful tool, it does not replace the responsibilities of the Venue manager and staff to actively monitor for the presence of excluded gamblers.

If staff suspect an excluded person has entered the gambling area, staff will alert the duty manager or venue manager. The duty manager or venue manager will:

- approach the person discreetly ask to talk to the person in private outside the gaming area,
- explain their concerns and request the person to show suitable photo identification to verify their identity.

- The photo identification must be one of the following:

- A valid, current passport
- New Zealand driver's licence
- Kiwi Access Card
- Hospitality NZ 18+ Card.

- Any person who fails or refuses to provide photo identification which establishes they are not the excluded person of concern will be asked to leave the gaming area and not re-enter the gaming area.

Where FRT is in use, a notice stating that FRT is in use, and the purposes for which the technology is in use (allowing us to comply with our obligations under the Act and Regulations), must be prominently displayed at all entrances to the area(s) where FRT is in use, which must advise those entering that by entering they consent to their biometric information being captured for use for those purposes. Any use of FRT for these purposes, and storage of personal information (like photographs of people who have been excluded) will be done strictly in accordance with the Privacy Act 2020 and related legislation.

8. Minimising underage gambling

People under 18 years of age are not permitted to participate in class 4 gambling. Societies and venues are not permitted to allow people under 18 to participate in class 4 gambling.

A sign must be visible at the entry to the venue, or gaming area, that states it is an offence for persons under 18 years of age to play gaming machines.

Before they commence gaming, and/or during sweeps of the gaming area, venue staff should monitor for players who appear to be under 25.

If anyone who looks under 25 enters or is seen in the gambling area, staff must ask for photo identification to show their age (**as shown above under photo identification**).

If player is unable to provide acceptable ID, the Venue Manager or venue staff must ask them to leave the gambling area immediately.

If the venue manager or staff have reasonable grounds to suspect a person looks under 25 and if a player cannot prove (via acceptable identification) that they are 18 or over, money or prizes must not be paid to that player.

- The prize money must be held along with details of the individual's name, address, and the date the prize was won.
- The prize must be held for 7 days and paid to the individual if photo identification is provided confirming that the individual is 18 years of age or older.
- If suitable identification is not provided within 7 days, the funds must be banked into the society's gaming account.

9. Physical requirements for the venue and its machines

No ATMs are permitted in the gambling area of a venue.¹

All ATMs must be in line of sight of the staff at the main bar area of the venue.

[If you have a defined gaming area on your licence] Pokies must not be visible from outside the venue (except intermittently when an external door is in use).

Gaming machines must display the time.

Gaming machines must display player information displays (PIDs) that interrupt play at irregular intervals at least every 30 minutes. The PID must include:

- the odds of winning the game including the 5 top and bottom winning combinations,
- average winnings paid out during the last [choose a number of days, or number of plays, such as the last 7 days or the average number of plays a player would play on a day on that machine]
- duration of players information
- amount the player has spent expressed in dollars and cents and,
- the net wins or losses during play.

The PID must require the player to positively confirm that they wish to keep playing. Stake and prize limits for class 4 gambling are:

- \$2.50 max for a single play
- \$500 max prize for a single gaming machine
- \$1000 max for a linked jackpot

Gaming machines must not have bank notes acceptor devices that accept notes of more than \$20 denomination.

10. Other requirements

No venue staff will offer or provide credit if the person knows or ought to know the credit is intended to be used for gambling. Credit is when a player can obtain cash towards gambling on machines in advance, trusting they will provide repayment in the future.

No syndicated play is permitted at the venue. Syndicated play means behaviour where 2 or more persons are acting together to affect the opportunity of any person to win a jackpot prize.

¹ In the case of a TAB venue, no ATMs may be available in the venue at all.

Schedule 1 - Regulation 13 of the Gambling (Harm Prevention and Minimisation) Regulations 2004

13 Requirement to provide problem gambling awareness training: class 4 venues

13(1) [.....]

13(2) As a minimum, the training referred to in subclause (1) must enable the venue manager or venue personnel to whom the training has been provided to—

- (a) approach a player that the venue manager or venue personnel have reasonable grounds to believe may be experiencing difficulties relating to gambling; and
- (b) provide information to a player about the characteristics of problem gambling (including recognised signs of problem gambling); and
- (c) provide information to a player about the potential dangers of problem gambling; and
- (d) provide information to a player about how to access problem gambling services; and
- (e) remind a player that the venue manager or a person acting on the manager's behalf may identify a person who they have reasonable grounds to believe is a problem gambler and exclude the player from the gambling area of the venue for up to 2 years; and
- (f) remind a player that they can identify themselves as a problem gambler and request that the venue manager or a person acting on the manager's behalf exclude them from the gambling area of the venue for up to 2 years; and
- (g) monitor for signs of harm, including through conducting gambling area sweeps.

(3) As a minimum, the training referred to in subclause (1) must include—

- (a) practical and interactive sessions on—
 - (i) interacting with players to gain familiarity and build rapport with them; and
 - (ii) initiating conversations with a player who may be experiencing harm; and
 - (iii) how to interact with a player who is distressed or agitated; and
 - (iv) how venue personnel can support problem gamblers through the exclusion process, including how to start conversations with players about the exclusion process and how players can access multi-venue exclusion; and
- (b) the following information:
 - (i) information about identifying the signs of harm (including those described in the [schedule](#))
 - (ii) basic information about how gaming machines work, including why they can be addictive:
 - (iii) first-hand accounts (which may be pre-recorded) from people who have experienced or been affected by harm:

(iv) information about the types of harm:

(v) information about local and national problem gambling services and other organisations that can provide support to people affected by harm:

(vi) information about what harm resources are available to support venue managers or venue personnel to help prevent and minimise harm:

(vii) the procedure for self-exclusion and venue-initiated exclusion, including when it is appropriate for the venue manager or a person acting on their behalf to consider excluding an individual; and

(c) guidance on the following matters:

(i) how to maintain records to ensure that information is retained so that actual or potential problem gamblers can be identified, and obligations under the Privacy Act 2020 can be complied with:

(ii) how to conduct gambling area sweeps.

(4) The holder of a class 4 venue licence must ensure that a person who has received problem gambling awareness training is present at the class 4 venue at all times when gambling activities are available to players.

Glossary

Term	Definition
HPM	Harm prevention and minimisation
Harm Minimisation Regulations	Gambling (Harm Prevention and Minimisation) Regulations 2004.
Harm	Harm or distress of any kind caused or exacerbated by a person's gambling. This includes personal, social, or economic harm suffered by any person, their spouse or partner, family, whanau, workplace, community, or society at large.
Problem gambler	A person whose gambling causes harm or may cause harm (see 'harm' above)
Player	A person who is gambling on Electronic Gaming Machines (EGMs).
Venue or Class 4 venue	A place used to operate Class 4 (pokies) gambling: a pub, club, or TAB outlet
Venue operator	The primary business owner of a business in which a class 4 (pokies) gambling venue is operating: a public venue (pub).
Venue manager	The individual responsible for the supervision of class 4 (pokies) gambling and venue personnel within a licenced venue
Venue personnel/staff	A person or persons who works at a class 4 (pokies) gambling venue and whose work involves dealing with gambling equipment, gamblers, or the proceeds of gambling
FRT	Facial Recognition Technology
PID	Player Information Displays

