



Casino Gaming Control Section
Department of Justice, Equality and Law Reform
Floor 4, Phoenix House
7 - 9 Leinster Street South
Dublin 2

Dublin, 05 August 2009

Re: Core Principles for a new gambling code for Ireland

The membership of the Gaming and Leisure Association, namely the Fitzwilliam Card Club, Silks Casino Club, Atlantis Casino Club, the Westbury Club, the Riverside Club, the Eglinton Club, Vuetec, the Gold Club Casino, the Victoria Sporting Club and Irish Eyes Poker, respectfully submit the following core principles which it believes must form part of a review and eventual achievement of a new gambling code for Ireland. As existing operators, we do have unique knowledge of the realities of the Irish casino sector – both land-based and online – and as such look forward to sharing this expertise to help bring about a regulated gambling environment in Ireland. Specific position papers on the vast majority of the principles set down here will be provided to the Department of Justice in the coming weeks and months.

The members of the Gaming & Leisure Association adhere to a self-regulatory code of conduct (in Annex). Our members have used best endeavours to ensure proper consumer protection during a time when no attempts were being made to regulate our sector. Equally, our members have invested considerably in establishing best practice in their businesses and in the development of their staff. Members of the GLAI have also invested significant funds over the past four years to lobby Government to regulate the casino sector in line with our 26 EU neighbours, and many would agree that this involvement by the industry provided the necessary impetus at political level to address the need to regulate casinos.

We firmly believe that the efforts made by our members should be rewarded under a new regime, i.e. those members who have no criminal involvement and who have demonstrated good corporate social responsibility should be awarded a licence. We will strenuously oppose a tendering system approach to the initial award of licences which would discriminate against our membership and which would only serve to attract larger scale operations inappropriate to the Irish Market in the initial phase of its development.

The membership of the Gaming and Leisure Association believe:

- Existing Irish gaming and betting legislation is outdated and should be replaced by a 21st Century Gambling Code, and this within 18 months
- The application of the Gambling Code should be overseen by an independent Regulator established specifically to regulate and control the gambling sector as a whole

- The Gambling Code should be generic enough so as to allow the Regulator to adapt to trends in the sector; also any proposed structures for the land based sector should be appropriate to the Irish market, taking into account consumer demand, social, cultural, and political sensitivities.
- The regulation of the casino sector and the remote gambling sector – the two currently unregulated gambling activities – should happen as a matter of urgency and should be given priority. Depending on how long this process takes, interim licensing measures should be considered in the interests of consumer protection.
- Consumer protection, protection of the vulnerable, keeping gambling crime free and Corporate Social Responsibility in the provision of gambling services must form the corner stone of the new Gambling Code
- Parity of treatment between all forms of gambling in terms of operating conditions, including, but not exclusively, licence fees, taxation, advertising rules, anti-money laundering obligations, must form part of the new Gambling Code
- Analysis of other gambling regulation regimes, but not exclusively the UK regime, should form part of the achievement of a new Gambling Code
- The regulation of gaming and betting should ensure that these services remain commercially viable; taxation, for example, must be appropriate to the scale of operation or sustainable in the market
- Members of the Gaming and Leisure Association should, in recognition of their efforts to self regulate over the past five years, be given favourable status to apply for casino and/or remote gambling licenses under any new code
- Licences to operate land based casinos should not be limited in number, should be flexible to allow for innovation and should not be limited in time.
- Remote Gambling operators should be incentivised through an interim scheme to establish in Ireland in anticipation of a workable regulatory regime
- The EC Treaties and the freedom to provide services must be respected when regulating remote gambling
- The regulation of remote gambling should not be approached from the narrow angle of tax revenue from some operators active in Ireland but rather from the angle that Ireland can compete with jurisdictions such as the Isle of Man or Malta and become the European Hub for remote gambling operators

The achievement of a Gambling Code which protects the vulnerable, allows for innovation and attracts investment into Ireland is urgently required. The members of the Gaming and Leisure Association are committed to doing their part in ensuring this comes about in a timely manner.

Yours sincerely,

David Hickson,
Director, GLAI

Steven Merrick,
Director, GLAI

Annex I

Code of Practice

Each member of the GLAI accepts and allows full access to an agreed, independent, inspection committee on behalf of the Association, with a view to verifying and confirming compliance with this Code of Practice.

Membership

- The membership of member clubs shall be restricted to persons 18 years of age or older.
- Any person wishing to join a member club must complete a membership application form. This completed membership form will be kept on file.
- The only ID accepted is a valid passport, a valid driver's licence or a valid Garda ID. No person will be accepted as a member without first producing one of the above- mentioned forms of ID.
- Each club member shall have their photograph taken, which will then be attached to their membership application.
- Each club member must register or be registered upon each entry to any member club. Records of each visit must be kept on file and be available for inspection.
- Member clubs will share their database of excluded or self-excluded members in accordance with the law.
- Member clubs will monitor unusual transactions by individual club members.
- Members will ensure that those in charge of the operation of the clubs are of suitable character / integrity. The persons concerned shall have received training in health and safety requirements.

Transparency

- Each member club shall establish a Members' Committee.
- Each member club shall conduct their business with integrity, courtesy, and professionalism.
- Member clubs shall act with due care, skill, and diligence at all times.
- Member clubs shall have regard for the interests of their members and treat them fairly.
- Member clubs shall manage potential conflicts of interest fairly.
- Member clubs shall ensure that staff are properly trained and supervised, so that games are conducted in a proper manner and in accordance with best practice.
- Member clubs shall ensure that the accounts/funds of club members are segregated or 'ringfenced' from the member clubs' own funds.
- While member clubs are permitted to advertise, they shall endeavour to ensure that advertising is not targeted at vulnerable groups.
- Social contact outside the club between employees and club members is not encouraged, so as to ensure that no employee is compromised by receiving services or gifts of any kind from club members.

Management Structures

In accordance with best practice each member club shall have an appropriate visible management structure in place.

This may include:

- CEO / Managing Director
- Financial Controller
- Gaming Manager / Pit Boss

A compliance officer whose responsibility is to ensure that the member club adheres to the Association's Code of Practice shall be appointed.

Security/Cash handling

- Member clubs shall have 24-hour video recording of all activities within their club.
- Member clubs shall have appropriate management systems in place.
- Any person opening an account with a club must provide a utility bill (from within the Republic of Ireland) confirming their address and must present their driver's licence, passport or Garda ID.
- All appropriate security measures should be taken to ensure staff and club members are safe.
- Member clubs should have an appropriate cash tracking system.
- Staff shall be trained in money laundering legislation.
- Member clubs shall appoint a Money Laundering Reporting Officer a reporting officer for money laundering issues, in accordance with the 3rd Money Laundering Directive.
- Member Clubs will record and monitor any unusual cash transactions by individual members of their club.

Environmental

- Member clubs shall ensure that appropriate health & safety measures are in place for staff and club members (health & safety statement, fire certificates, pest control).
- Member clubs shall ensure that appropriate security measures are in place to safeguard staff and club members.

Protecting vulnerable persons from being harmed or exploited from gaming

- Members of the club shall be 18 years or older and must provide valid ID (see membership section above).
- Employees shall endeavour to verify the age of any club member or applicant who appears to be under 18 years of age.
- Member clubs shall make available reasonable assistance and guidance to club members or employees who are, or may be, affected by problems related to addictive gaming behaviour.
- Member clubs shall display contact details for appropriate help and advice centres in an open manner.

- Member clubs shall adopt an exclusion policy for persons with, or showing signs of, addictive gaming behaviour.
- A register of persons who have self-excluded on grounds of addictive behaviour shall be maintained by all member clubs.
- Any 'at risk' behaviour which may require intervention should be noted/ recorded by staff.
- Club members shall not be provided with credit.
- Alcohol shall not be sold on the Member club premises.

Staff Welfare

- Member clubs shall be equal opportunity employers.
- Member clubs shall provide staff with a safe working environment.
- Member clubs shall ensure their staff is properly on a PAYE payroll system.
- Member clubs shall provide separate toilet facilities for staff where required.
- Member clubs shall provide staff with a suitable rest area.
- Member clubs shall ensure that their staff is given appropriate training.

Data Protection

- Members should ensure that all computerised data on individuals is secure and that they are in compliance with data protection rules.