



# 2024-25 Compliance and Enforcement Priorities

This document outlines the current enforcement powers, priorities and regulatory posture of the Gaming and Wagering Commission of Western Australia (GWC).

The GWC is responsible for administering the law relating to gambling, gaming and wagering, including the *Gaming and Wagering Commission Act 1987*, the *Casino Control Act 1984*, the *Betting Control Act 1954* and the *Racing and Wagering Western Australia Act 2003*. The GWC is an independent statutory authority governed by a board appointed by and reporting to the Minister for Racing and Gaming in the Government of Western Australia.

Our work spans many different areas, including community gaming, casino gaming, wagering, and responding to instances of unlawful gaming.

Our role is to protect the welfare of Western Australians by regulating activities under the above legislation. This includes ensuring the integrity of gambling, protecting state revenues, taking steps to minimise gambling-related harm to the community, and educating the community about the incidence of gambling and its effect on the community.

## PRIORITIES

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Support the Government in responding to the recommendations of the Perth Casino Royal Commission and ensuring the actions decided are fully implemented.

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Ensure that casino operations operate at the highest level of probity, integrity and accountability.

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Prosecute breaches of casino-related laws.

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Support and work with the Independent Monitor in scrutiny of casino operations.

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Raise the level of compliance within the wagering industry.

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Educate consumers about responsible gambling and research and implement initiatives to minimise harm in the community.

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In regulating the gambling industry, the GWC will also give particular consideration to matters involving:

- conduct by industry participants thought to be of significant public concern;
- conduct affecting indigenous, vulnerable or at-risk groups of Western Australians;
- conduct by gambling industry participants that results in substantial gambler or public detriment; and
- conduct involving a significant new or emerging market issue.

## PRINCIPLES UNDERLYING THIS POLICY

### Accountability

The GWC's decision-making takes place within rigorous corporate governance processes. Our actions are open to review by a range of government bodies, the courts and Parliament.

### Transparency

All enforcement matters that are finalised by litigation or other formal resolution are made public. This may include media statements, or notification online.

### Proportionality

The GWC's enforcement responses are proportionate to the conduct and the resulting (or potential) harm and its consequences.

### Confidentiality

The GWC seeks to conduct investigations in confidence, and we do not generally publicly comment on matters that we may or may not be investigating, unless the matter is already in the public domain.

### Timeliness

The GWC's investigations and the resolution of enforcement matters are done as efficiently as possible, to avoid costly delays and uncertainty for all parties.

### Fairness

In conducting our investigations and other activities, our response will fit the specific circumstances but we will seek to avoid taking inconsistent approaches where it cannot be justified.

### Improvement

We aim for continuous quality improvement in our work, drawing on the experience and best practice of other jurisdictions.

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## Our Expectations of Regulated Entities

We recognise that our responsibilities cover a wide range of activities run by many different organisations. These range from large, sophisticated for-profit entities with large turnovers, staff and considerable resources through to small, community, charitable and non-profit organisations largely run by volunteers.

We expect all entities to recognise their responsibility to be fully compliant with the law and expect the former group to proactively go beyond this to promote a safe gambling culture. We recognize that the latter group may need assistance to understand and fulfill their legal requirements. While not sanctioning noncompliance, we will actively work with community and charitable organisations to help them meet their responsibilities

## Our Compliance, Enforcement and Education Tools

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### Education & Community Engagement

The GWC uses targeted education to provide information and advice to service providers and gamblers, and to encourage compliance with the relevant laws. We consider that prevention of a breach of the law is always preferable to taking action after it has occurred.

The GWC also seeks to assist gamblers and the WA community to be aware of their rights and responsibilities under the laws through clear and targeted communications. We will actively engage with relevant external stakeholders, including community groups, harm reduction groups, other government agencies, industry bodies and gambling service providers.

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### Research

The GWC advocates evidence-based policy development. Accordingly, the GWC may commission research into potential new or emerging gambling policy issues in line with a priority area which may require broader policy considerations, research and analysis.

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### Administrative resolution

In some cases, and depending on the circumstances, we may warn or seek a commitment from a party to cease an action. Administrative resolutions generally involve the party agreeing to stop the conduct of concern, and to ensure that the conduct does not recur. This is usually only used in limited cases and will not usually be offered if the party has previously breached a similar prior undertaking. In some instances, a formal censure may be warranted.

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### Infringement notices

The GWC may issue an infringement notice under some circumstances. This involves payment of a financial penalty.

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### Fines

The GWC may recommend the imposition of a substantial fine under some circumstance where the legislation provides that option.

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### Court cases

We are more likely to use litigation where the conduct is by a large gambling or wagering service provider and has the potential to result in substantial detriment to gamblers or the community.

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### Referral to other enforcement agencies

The GWC works closely with other gambling regulators and state and federal law enforcement agencies, and may refer potential breaches of laws to them where those agencies are better placed to seek effective sanctions, including criminal penalties, against individuals involved

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