



Gambling Business Group's response to the Gambling Commission's Autumn 2023 consultation on proposed changes to LCCP and RTS

The GBG's response was submitted via the Commission's online system and it focused on three of the sections only:

- Empowering Consumers – customer led tools
- Removing obsolete Commission requirements due to the government's upcoming statutory levy
- Changes to the frequency of regulatory returns submissions

We did not respond to the questions relating to

- Improved transparency on customer funds in the event of insolvency
- Socially responsible initiatives

Empowering consumers - customer-led tools (changes to RTS 12)

Account level customer led limits

To what extent do you agree with the proposal that offering facilities to set limits should be a requirement rather than implementation guidance?

Strongly agree/ Agree/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

The GBG believes that offering facilities to set limits is a socially responsible step that should be offered to **all** consumers. They should then make the personal choice whether to use them or disregard them.

Enabling customers to determine their own limits

To what extent do you agree with the proposal that for access media (such as interactive TV) limits must only be offered to consumers using free text?

Strongly agree/ Agree/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

The GBG believes that limits must be offered in the most accessible and easily usable format possible for all consumers, and without supporting evidence from testing, we are not informed to know the optimum solution to this.

To what extent do you agree with the proposal that implementation guidance states that operators could provide links to tools or resources to support limit-setting as part of the process?

Strongly agree/ Agree/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

The GBG strongly believes that proposed changes such as this should be trialled in live environments and the impact assessed as to whether the success criteria has been met. This process will then inform the answer to this question.

Improving consistency and understanding of the type of limits offered

To what extent do you agree with the proposal that limits must be applied at the account level?

Strongly agree/ Agree/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

The GBG agrees that this change will remove any confusion relating to the scope of limit setting.

To what extent do you agree with the proposal that gambling licensees can also continue to offer financial limits at the product or channel level in addition to account level limits?

Strongly agree/ **Agree**/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

The GBG is a strong believer in improving consumer choice. Having the ability to set limits at account and product level gives the consumer that choice - to manage their gambling activity in a way that suits them best.

To what extent do you agree with the proposal that gambling licensees should clearly communicate to customers how product/channel limits work?

Strongly agree/ **Agree**/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

Consumers should always have access to information that explains how products work, in all/any areas of commerce and gambling is no exception. Consumer choice should be informed, and such information pages are critical to achieving this.

To what extent do you agree with the proposal that the gambling licensees should determine whether customers holding multiple accounts wish to apply limits across all accounts held?

Strongly agree/ **Agree**/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

Our reasons are similar to those in earlier questions in this section. The GBG is a strong believer in improving consumer choice. Having the ability to set limits across multiple accounts gives the consumer that choice - to manage their gambling activity in a way that suits them best.

To what extent do you agree with the proposal that gambling licensees should inform customers about how limits set across simultaneous timeframes work, when a customer chooses to set multiple limits?

Strongly agree/ **Agree**/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

Our reasons are similar to those in earlier questions in this section. Consumers should always have access to information that explains how products work, in all/any areas of commerce and gambling is no exception. Consumer choice should be informed, the availability of such information is critical to achieving this.

Offering deposit limits to all customers

To what extent do you agree with the proposal that the gambling system must offer deposit limits as a minimum?

Strongly agree/ **Agree**/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

Deposit limits are the lowest level of gambling management tools that should be available to ALL consumers.

To what extent do you agree with the proposal that the gambling licensees should continue to have the option to offer spend and/or loss limits, in order to maximise consumer choice?

Strongly agree/ **Agree**/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

Our reasons are similar to those given earlier in this section. The GBG is a strong believer in improving consumer choice. Having the ability to set spend and loss limits gives the consumer that choice - to manage their gambling activity in a way that suits them best.

To what extent do you agree with the proposed definition of spend limits as a tool “where the amount a customer spends on gambling (or specific gambling products) is restricted for the period/duration of the limit applied”, for the purpose of RTS 12 – Financial limits?

Strongly agree/ Agree/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

This should be tested with live consumers to determine whether this is the correct and understandable definition.

To what extent do you agree with the proposed definition of loss limits as a tool “where the amount lost is restricted, i.e. winnings subtracted from the amount spent for the period/duration of the limit applied”, for the purpose of RTS 12 – Financial limits?

Strongly agree/ Agree/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

The GBG believes that consumers will understand a description that says; loss = money staked including any replayed winnings. But if we want the optimum description, then these should be tested with consumers first.

Increasing visibility and reducing friction in accessing customer-led tools

To what extent do you agree with the proposal that financial limit facilities must be provided via link on the homepage and clearly visible and accessible?

Strongly agree/ Agree/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below

We agree with the logic as set out in the consultation document

To what extent do you agree with the proposal that financial limit facilities must be provided on or via link on deposit pages/screens and clearly visible and accessible?

Strongly agree/ Agree/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

We agree with the logic as set out in the consultation document

To what extent do you agree with the proposal that links to limit setting facilities from communications should link directly to the facilities unless security settings require an intermediate log in?

Strongly agree/ Agree/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

We agree with the logic as set out in the consultation document

Reviewing limits and feedback on gambling activity

To what extent do you agree with amended wording in relation to controls around actioning customers’ requests to increase limits?

Strongly agree/ Agree/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

We agree with the logic as set out in the consultation document

To what extent do you agree with the proposal that customer-led reductions in limits must be implemented immediately?

Strongly agree/ Agree/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

There should be no delay in making reductions.

To what extent do you agree with the revised wording of the implementation guidance, specifically to inform customers when the limit reduction will take effect, if not automated or due to technical issues?

Strongly agree/ **Agree**/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

Effective and accurate communication is important from a trust perspective.

Reminders when approaching limits

To what extent do you agree with the proposed implementation guidance that gambling licensees should alert customers when they are approaching their limits?

Strongly agree/ **Agree**/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

We agree with the logic as set out in the consultation document

Do you have any evidence to offer regarding the optimum point when approaching a limit that a customer should receive an alert?

No comment

Activity Statements

To what extent do you agree with the new requirement for operators to provide activity statements to customers, including information currently required to be made available under RTS 1 – Customer account information?

Strongly agree/ **Agree**/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

We agree with the logic as set out in the consultation document

To what extent do you agree with the new requirement for this information to be provided every six months for accounts with activity within a rolling 12 month period?

Strongly agree/ **Agree**/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

We believe consumers are entitled to transparency where possible

To what extent do you agree with the new requirement for operators to provide facilities for customers to set the frequency of reminders?

Strongly agree/ **Agree**/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

We agree with offering more consumer choices.

To what extent do you agree with the new implementation guidance that operators should also provide activity statements to prompt a review of limits at additional appropriate points in the customer journey?

Strongly agree/ Agree/ **Neither agree nor disagree**/Disagree/Strongly disagree

Please give your reasons for your answer below.

Whilst we agree with the provision of activity statement, consumers are more than capable of drawing their own conclusions from the information in those activity statements without being told.

To what extent do you agree with the new implementation guidance that operators should consider ways to share activity statements with customers in order to maximise engagement?

Strongly agree/ Agree/ **Neither agree nor disagree**/Disagree/Strongly disagree

Please give your reasons for your answer below.

Whilst we agree to the suggested timings to review activity statements, we do not believe that the consumers need to be told to review their limits as they are quite capable of doing that for themselves, should they need to.

To what extent do you agree with the new implementation guidance that operators should monitor engagement and interaction with activity statements to inform good design and best practice?

Strongly agree/ Agree/ **Neither agree nor disagree**/Disagree/Strongly disagree

Please give your reasons for your answer below.

The GBG is of the view that monitoring engagement and interaction with activity statements may be the right thing to do for consumers. However we have an opportunity to evaluate this practice before making it into a RTS, thus ensuring that there are no unintended consequences or unnecessary burden on operators.

Options for implementation presentation of customer-led tools as the default option

To what extent do you agree with the implementation option 1 – presentation of customer-led tools as the default option?

Strongly agree/ **Agree**/ Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below.

Whilst the GBG agrees with Option 1 it is with some reservation.

Please add any further comments.

The GBG is also strongly of the view that the effectiveness of this default should be evaluated to identify potential improvements and any ineffective elements.

Options for implementation presentation of customer-led tools as required to participate

To what extent do you agree with the implementation option 2 – presentation of customer-led tools as required to participate?

Strongly agree/ Agree/ Neither agree nor disagree/**Disagree**/Strongly disagree

Please give your reasons for your answer below.

The proposal contains no evidence to support this proposal other than identifying other jurisdictions where all accounts have financial limits applied, with no supporting context. This is an unnecessary barrier to play. It should be established whether this type of proposal is effective before considering implementation.

Please add any further comments.

No further comment

If you have a clear preference for implementation option 1 or 2, please indicate below?

- **Implementation option 1 – presentation of customer-led tools as the default option**
- Implementation option 2 – presentation of customer-led tools as required to participate

Please give your reasons for your answer below.

No additional comments to those already made.

Proposed changes to the wording of the aim

To what extent do you agree with the proposed new wording of the RTS 12 aim, to reflect the detailed changes set out in this section of the consultation?

Strongly agree/ Agree/ **Neither agree nor disagree**/Disagree/Strongly disagree

Please give your reasons for your answer below.

This wording change will make no difference to the consumer.

Customer-led tools - Other questions

We believe that the questions in this Empowering Consumers section from here onwards are appropriate for Operators to answer.

Removing obsolete Commission requirements due to the government's upcoming Statutory Levy Proposal to remove paragraph 2 of SR Code Provision 3.1.1 (*applies to all licences*)

To what extent do you agree with the proposed change to remove paragraph 2 of SR Code Provision 3.1.1?

Strongly agree/**Agree**/Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below

Given the introduction of (potentially higher for some licensees) RPT contributions under the statutory levy, one system needs to be switched off when the new one starts, so that there is no duplication.

Can you foresee any issues related to the proposed timing for removing this SR Code Provision?

Careful management of the transition period from voluntary to statutory payments is needed to ensure no duplication of payments within one financial year, whilst maintaining continuity of funding.

Are there any additional issues related to the removal of this SR Code Provision, or other practical considerations that we should consider?

The proposed statutory levy percentage model is rightly designed to be proportionate to the GGY of a business, meaning smaller businesses will naturally pay much less than larger businesses, with some not in scope at all. Removing paragraph 2 of the SR Code provision means that there are likely to be some operators who will not be making contributions whether as a condition of their licence or voluntarily. Clarification is sought as to whether these operators can still choose to make voluntarily contributions and how that would work alongside the statutory system.

Attaching additional information:

If you have any further documents in support of your responses to this section of the consultation on removing obsolete Commission requirements due to the government's upcoming statutory levy (LCCP RET list), please use the 'choose file' button below.
[choose file option]

Do you have any evidence or information which might assist the Commission in considering any equalities impacts, within the meaning of section 149 of the [Equality Act 2010](#), in the context of the proposal considered in this section of the consultation? **No comment**

Consultation on changes to the frequency of regulatory returns submissions

Proposal to amend licence condition 15.3.1 to allow for submission of only quarterly returns and remove the requirement for annual returns. (*applies to All operating licences*)

To what extent do you agree or disagree with the proposed change to regulatory return submissions from annual to quarterly?

Strongly agree/Agree/Neither agree nor disagree/Disagree/Strongly disagree

Please give your reasons for your answer below

This proposal for increased reporting is at odds with the Government's policy of reducing regulatory and reporting burdens on businesses.

The Commission's desire for harmonisation of reporting periods across the industry has considerable equality implications. Quarterly submissions might not be a major issue for larger licensees with suitable resource pools, but it is going to be a fourfold time and effort burden for small and medium operators who don't have huge teams.

For small, medium and some larger licensees there will be a time and cost impact to submit the same number of data pieces on a quarterly basis. The workload per return will not necessarily reduce just because the reporting period has. For those holding more than one licence the workload will be even greater,

The Commission's suggested benefits from this change – (forecasting/budgeting/policy) do not outweigh the additional burdens that will be placed on small and medium licensees.

Whilst we understand from the consultation that the question set will be reduced to offset the increase in frequency of returns, it is not clear how streamlined the data set will be in future and therefore these responses reflect the volume of work involved in the current data set.

When will the Commission advise which questions they are not going to ask in future and, in the interests of transparency, will they set out why they are no longer interested in the data? The GBG recommends that the Commission undertakes the other proposed changes first i.e. reducing the range of data requested and improving the functionality for submission, and then ask for views on increasing the frequency of submissions.

Do you have any comments about implementation issues, timelines, and practicalities?

The proposed dates are unlikely to fit in with an operator's year end and may add a burden to the cost of licensees who use their accountants to process the data for them.

It would require (smaller) operators to conduct empties on the last day of the month before the filing date and which is more likely than not to be inconvenient at the least and impossible in many cases.

Annual fees are due on the anniversary of the issue of an operating licence and are based on the annual permitted GGY. How will the Commission use the information to calculate if an operator is in breach of a condition on GGY limits?

Some Members indicate that although the data for submissions is generated from their systems, the compilation and sense checking is done in person. Moving to quarterly returns will add a weeks' worth of extra work for each licence held.

It is not clear how the proposed timelines will align with the timescales for payment of the Statutory Levy when that is introduced.

Please provide an estimate of the direct costs associated with implementing this proposal

This is yet another burden at a time of other economic pressures and pending White Paper proposals, particularly for smaller operators and those using their accountants to submit the returns.

There is a risk of further penalties if the submission dates are missed.

Questions have been raised about the Commission's capacity to digest and analyse a four-fold increase in data, especially when it would arrive from all operators at the same time rather than in line with financial years. Our Members' experience is that when any data in the submissions is challenged by the Commission it is usually at least 6 months after the submission has been made.

Given the Commission's commitment to transparency, how will the information collated from the submissions be published in future?

Do you have any evidence or information which might assist the Commission in considering any equalities impacts, within the meaning of section 149 of the Equality Act 2010, in the context of any proposal considered in this section of the consultation?

As stated in earlier responses the proposal will have a disproportionate impact on those (SME) operators that do not have the resources to deal with a four-fold increase in data submissions, even with a reduced question set.

Attaching additional information:

If you have any further documents in support of your responses to this section of the consultation on changes to the frequency of regulatory return submissions, please use the 'choose file' button below.

[choose file option]