Interactive Gambling Amendment Bill 2016

(Amendments to be moved by Senator Xenophon, on behalf of the Nick Xenophon Team, in committee of the whole)

(1) Schedule 1, item 6, page 4 (lines 26 and 27), omit paragraph (e), substitute:

(e) unlicensed regulated interactive gambling services must not be advertised;
(f) a restricted wagering service must not offer credit to use the service.

(2) Schedule 1, item 7, page 5 (after line 18), after the definition of civil penalty provision, insert:

credit has the meaning given by section 11A.

(3) Schedule 1, item 12, page 6 (after line 25), after the definition of Regulatory Powers Act, insert:

restricted wagering service means a gambling service that:
(a) is provided to customers using any of the following:
   (i) an internet carriage service;
   (ii) any other listed carriage service;
   (iii) a broadcasting service;
   (iv) any other content service;
   (v) a datacasting service; and
(b) relates to the placing, making, receiving or acceptance of bets on, or on a series of, any or all of the following:
   (i) a horse race;
   (ii) a harness race;
   (iii) a greyhound race;
   (iv) a sporting event.

(4) Schedule 1, page 16 (after line 12), after item 32, insert:
32A After section 11

Insert:

11A Meaning of *credit*

For the purposes of this Act, *credit* is provided by a restricted wagering service if under a contract or other arrangement:

(a) payment of a debt owed by one person to another is deferred; or
(b) one person incurs a deferred debt to another.

[credit betting]

(5) Schedule 1, page 31 (after line 19), after item 138, insert:

138A After Part 7A

Insert:

**Part 7B—Restricted wagering services**

**Division 1—Simplified outline of this Part**

61G Simplified outline of this Part

This Part bans a restricted wagering service from providing or offering credit. The ban aims to ensure that restricted wagering services do not engage in a predatory practice, particularly in relation to problem gamblers, and that sports betting services are provided in a responsible manner.

Restricted wagering services that contravene the restriction may commit an offence or contravene a civil penalty provision.

**Division 2—Prohibition of credit betting**

61GA Restricted wagering service must not offer credit

(1) A person contravenes this subsection if:

(a) the person intentionally provides a restricted wagering service in Australia; and
(b) the service provides, or offers to provide, credit to individuals to use the service.

*Fault-based offence*

(2) A person commits an offence if the person contravenes subsection (1).

Penalty: 500 penalty units.

*Civil penalty provision*

(3) A person is liable to a civil penalty if the person contravenes subsection (1).

Civil penalty: 500 penalty units.
Continuing offences or contraventions

(4) A person who contravenes subsection (1) is guilty of a separate offence or contravention of a civil penalty provision in respect of each day (including a day of a conviction for the offence, or the day the relevant civil penalty order is made, or any later day) during which the contravention continues.

[credit betting]

(6) Schedule 1, item 139, page 33 (line 13), at the end of subsection 64C(1), add:
; (j) section 61GA.

[credit betting]

(7) Schedule 1, item 139, page 34 (line 18), at the end of subsection 64D(1), add:
; (j) section 61GA.

[credit betting]