

APPENDIX 4: Role of State Governments

The regulation of Wagering and Gaming has a two-tiered structure, with the State and Territory Governments and Racing Authorities responsible for day to day regulatory provisions, including licensing and general oversight of the industries. The Commonwealth Government's role is restricted to matters relating the use of online services.

Accordingly, the current Review is restricted to matters relating to the Interactive Gambling Act and the impact of illegal offshore gambling and the recommendations of the Review will be directed to the relevant Commonwealth Government agencies.

Irrespective of the final recommendations of the Review, it is felt that some action could be taken in respect of the inconsistencies in the various State and Territory legislation on matters relating to wagering and gaming.

Such inconsistencies could have the effect of providing an opening into the overall Australian market by illegal overseas operators where the legislation of one State or Territory is seen to be deficient.

Although not all-inclusive some examples include advertising restrictions against overseas operators and penalty provisions relating to Australian based residents betting with overseas operators.

To ensure that that any legislative response to the threat posed by illegal overseas operators is effective it is essential that it be complimented with uniform State and Territory wagering and gaming legislation. It is therefore recommended that in its report the Review Panel recommend that State and Territory Governments examine all existing wagering and gaming legislation with a view to achieving uniformity.