

Dear Ms McDonald,

Thank you for the opportunity to provide feedback on the *Communications Legislation Amendment (Online Content Services and Other Measures) Bill 2017 (Bill)*.

Tabcorp shares the community's view that there is too much gambling advertising, and therefore we support the principle of this Bill.

As Tabcorp's media arm Sky Racing is a member of ASTRA, Tabcorp has provided some feedback on the Bill as part of ASTRA's consolidated submission (**ASTRA Submission**).

Class exemptions for racing, lotteries and fantasy sports betting products

We support the need for consistency between the online restrictions and those applied to subscription and free-to-air television. Accordingly, we echo the ASTRA Submission to seek legislative exemptions from the gambling advertising restrictions for racing broadcasts and government regulated lottery draws which is consistent with current regulations. We would also support a legislative exemption for fantasy sports betting products from the gambling advertising restriction for the reasons outlined in the ASTRA Submission.

Synthetic lotteries should not be granted class exemptions

Furthermore, Tabcorp is concerned that the proposed Bill may provide an avenue for the granting of a class exemption for synthetic lotteries, which are not government regulated lottery draws but rather bets on the outcomes of overseas lotteries.

FreeTV Australia's proposed "Commercial Television Industry Code of Practice" (released 17 November 2017) currently excludes commercials relating to synthetic lotteries from the definition of a "Commercial relating to Betting or Gambling", thereby removing any restriction on advertising synthetic lotteries. We do not support this carve-out as there are a number of consumer protection concerns about the offering and advertising of synthetic lotteries. In addition to this, synthetic lotteries are a potential threat to the viability of over 4,000 news and lottery agents across Australia who rely on income from the sale of tickets in government regulated lottery draws. They are also contributing to the cannibalisation of over \$1.6 billion of State revenues from government regulated lottery draws which is used for hospitals, mental health and charities.

A number of State Governments have recently announced that they will be taking steps to ban synthetic lotteries, and there have also been questions raised about whether they are permitted under Section 8 (A) of the *Interactive Gambling Act 2001*. In this environment, we do not think it is prudent to provide any exemption for synthetic lotteries in the Bill.

Please do not hesitate to contact me if you have any queries about our submission and thank you for the opportunity to contribute to this review of the Bill.

Yours sincerely,

The logo for Tabcorp, featuring the word "Tabcorp" in a bold, dark blue, sans-serif font.