

Senate Standing Committee on Environment and Communications

Answers to Senate Estimates Questions on Notice

Additional Estimates Hearings February 2015

Communications Portfolio

Australian Communications and Media Authority

Question No: 28

Program No. Australian Communications and Media Authority

Hansard Ref: Written

Topic: Interactive Gambling Content

Senator Xenophon asked:

1. Regarding internet gambling content hosted outside of Australia, I note in the period 1 January 2010 – 30 April 2014, ACMA investigated 118 different URLs which hosted content outside of Australia. Each was referred to the ACMA by a single valid complaint, except for six URLs which were referred by two or more valid complaints. During this time frame, one URL was referred to the ACMA by 12 valid complaints.

a. How does ACMA assess whether a complaint is valid?

b. Can the ACMA reveal these URLs to consumers? If not, why not?

2. How much funding is designated to investigating internet gambling content hosted outside of Australia?

a. Can you provide a breakdown in funding?

b. What is ACMA's role in promoting to consumers the risk of gambling on overseas web sites with regards to the lack of regulation and consumer protections?

c. Is funding designated to public awareness campaigns? If so, how much?

Answer:

1.

a. Under section 16 of the *Interactive Gambling Act 2001* (the IGA), a complaint about interactive gambling content must identify the internet content, set out how the internet can be accessed (for example, via a URL), provide the country where the internet content is hosted (if known), and set out the reasons for believing that the internet content is prohibited interactive gambling content.

The ACMA's complaint form satisfies the requirements for a valid complaint set out at section 16 of the IGA. The information provided in the complaint form is used to assess the validity of the complaint prior to an investigation being commenced. On occasion, the ACMA receives complaints which do not satisfy the requirements at section 16 of the IGA and may be found to be invalid if the ACMA is unable to obtain additional information from a complainant.

b. Publication of URLs or consumer advice by the ACMA on individual prohibited interactive gambling websites is not contemplated under the IGA.

Under section 24 of the IGA, the ACMA is required to refer overseas-hosted prohibited interactive gambling content to the AFP and accredited internet filter providers. Under subsection 21(2) of the IGA, the ACMA is required to refer a complaint to the Australian Federal Police if it concerns potentially prohibited interactive gambling content hosted in Australia.

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2.
 - a. The ACMA has allocated an ASL of 0.58 in 2014-15 to administer its responsibilities under IGA.
 - b. The IGA does not specify in its provisions or simplified outline a role for the ACMA in raising the awareness of consumers to the risks of interactive gambling.
 - c. Consistent with the answer to (b), the ACMA has never designated any funding for public awareness campaigns.