

Formal Warning

under section 64A of the *Interactive Gambling Act 2001*

To: Mirage Corporation N.V. (Curacao)

Of: c/o Xecutive Corporate Management B.V.
Fransche Bloemweg 4
Curacao

Attention: [REDACTED] Managing Directors of Xeutive Corporate Management B.V., Statutory Director of Mirage Corporation N.V.

I, Rochelle Zurnamer, delegate of the Australian Communications and Media Authority (ACMA), being satisfied that Mirage Corporation N.V., has contravened subsection 15(2A) of the *Interactive Gambling Act 2001* (the IGA):

ISSUE Mirage Corporation N.V a formal warning under section 64A of the IGA, for one or more contraventions of subsection 15(2A) of the IGA, being a civil penalty provision (see Attachment A).

Details of the contravention/s

Background

1. Under section 21 of the IGA, on June 2021 the ACMA commenced an investigation into whether the Lucky Star and Horus Casino services provided prohibited interactive gambling services.

Obligation under the IGA

2. Subsection 15(2A) of the IGA provides that:

A person must not provide a prohibited interactive gambling service that has an Australian-customer link (see section 8)

3. A 'prohibited interactive gambling service' is defined in section 5 of the IGA and 'gambling service' is defined in section 4 of the IGA. Under section 8 of the IGA, a gambling service has an Australian-customer link if, and only if, any or all of the customers of the service are physically present in Australia.

Contravention of subsection 15(2A) of the IGA

- a. During the period of investigation, the Lucky Star and Horus Casino services were available via the URLs <https://www.luckystar.io> and <https://www.horuscasino.com>.
- b. The Lucky Star and Horus Casino services offered 'gambling services', including casino-style games of mixed chance and skill, played for money where the customer gave consideration to play the game (paragraph (e) of the definition of 'gambling services' in section 4 of the IGA).

- c. The gambling services were provided in the course of carrying on a business and were provided to customers using an internet carriage service (see section 4 of the IGA).
- d. The Lucky Star and Horus Casino services had an Australian customer-link.
- e. Mirage Corporation N.V. is providing the Lucky Star and Horus Casino services.
- f. The ACMA found that, as the provider of the Lucky Star and Horus Casino services, Mirage Corporation N.V. has contravened subsection 15(2A) of the IGA by providing prohibited interactive gambling services to customers physically present in Australia.

Dated this 20th December 2021



Rochelle Zurnamer
Delegate of the Australian Communications and Media Authority