

Formal Warning

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

To: Mirage Corporation N.V.

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

Attention:

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):

HEREBY issue Mirage Corporation N.V. a formal warning under section 64A of the IGA, for one or more contraventions of each of subsections 15(2A) and 15AA(3) of the IGA, being civil penalty provisions.

Details of the contravention/s

Obligations under the IGA

1. Subsection 15(2A) of the IGA provides that a person must not provide a prohibited interactive gambling service that has an Australian customer link.
2. A 'prohibited interactive gambling service' is defined in section 5 of the IGA and 'gambling service' is defined in section 4 of the IGA.
3. Subsection 5(3) of the IGA lists services that are not prohibited interactive gambling services, including an excluded wagering service (paragraph 5(3)(aa)).
4. A service is an excluded wagering service for the purposes of the IGA, to the extent that it relates to betting on a sporting event except to the extent the service is an in-play betting service (subsection 8A(3) of the IGA).
5. Paragraph 10B(a) of the IGA relevantly provides that a gambling service is an in-play betting service to the extent to which:
 - ... the service relates to betting on the outcome of a sporting event, where the bets are placed, made, received or accepted after the beginning of an event...
6. Subsection 15AA(3) of the IGA provides that a person must not provide a particular kind of regulated interactive gambling service if:
 - (a) the service has an Australian customer link; and
 - (b) the person does not hold a licence (however described) under a law of a State or Territory that authorises the provision of that kind of service in the State or Territory.

7. 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

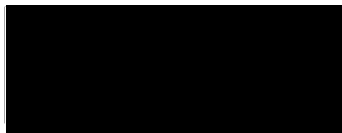
Investigation

1. Under section 21 of the IGA, on 5 March 2022 the ACMA commenced an investigation into whether the:
 - > the Betroom, 777Bay and Space Lilly services provided prohibited interactive gambling services in contravention of the IGA
 - > the 777Bay service provided unlicensed regulated interactive gambling services in contravention of the IGA
 - > the 777Bay service provided a prohibited interactive gambling service, in the form of in-play betting services in contravention of the IGA.
2. During the period of investigation the Betroom, 777Bay and Space Lilly services were available via the URLs: <https://www.betroom24.com>, <https://www.777bay.com> and <https://www.spacelilly.com>.
3. Mirage Corporation N.V. is the provider of the Betroom, 777Bay and Space Lilly services.

Contravention of subsections 15(2A) and 15AA(3) of the IGA

4. The Betroom, 777Bay and Space Lilly services offered 'gambling services', including casino-style games of chance or mixed chance and skill, played for money where the customer gave consideration to play the game (paragraph (e) of the definition of 'gambling service' in section 4 of the IGA). In addition, the 777Bay service offered services for the placing, making, receiving or acceptance of bets (paragraph (a) of the definition of 'gambling service' in section 4 of the IGA) including in-play betting services.
5. The gambling services were provided in the course of carrying on a business and were provided to customers using an internet carriage service (section 5 and paragraph 8E(1)(i)-(j)) of the IGA.
6. The Betroom, 777Bay and Space Lilly services had an Australian customer-link.
7. Mirage Corporation N.V. is not licensed by an Australian State or Territory to provide regulated interactive gambling services to Australians (paragraph 15AA(3)(b)).
8. The ACMA found that, as the provider of the Betroom, 777Bay and Space Lilly services, Mirage Corporation N.V. has contravened subsection 15(2A) and 15AA(3) of the IGA by providing prohibited interactive gambling services and unlicensed regulated interactive gambling services to customers physically present in Australia

Dated this 31 May 2022



Rochelle Zurnamer
Delegate of the Australian Communications and Media Authority