

## Formal Warning

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

To: Mr Joshua Walker  
Chief Executive Officer  
LegitGamblingSites.com

[REDACTED]

I, Rochelle Zurnamer, delegate of the Australian Communications and Media Authority (ACMA), being satisfied that you have contravened subsection 15(2A) of the *Interactive Gambling Act 2001* (the IGA):

HEREBY issue you a formal warning under section 64A of the IGA, for one or more contraventions of subsection 15(2A) being a civil penalty provision.

#### Details of the contravention

##### *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 (see section 8).
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. 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.
3. By operation of subsection 92(2) of the *Regulatory Powers (Standard Provisions) Act 2014* (RPA) and subsection 64B(1) of the IGA, it is also prohibited under the IGA to be an ancillary to a contravention of subsection 15(2A), by 'being in any way, directly or indirectly, knowingly concerned in, or party to, a contravention' of subsection 15(2A) by another person.
4. Under subsection 92(2), an ancillary is taken to have contravened the relevant civil penalty provision.

##### *Investigation*

5. Under section 21 of the IGA, on 11 February 2022, the ACMA commenced an investigation into whether LegitGamblingSites.com provided prohibited interactive gambling services in contravention of the IGA by operation of subsection 92(2) of the RPA.
6. During the period of the investigation the LegitGamblingSites.com service was available via the URL <https://www.legitgamblingsites.com/>.
7. You are stated to be the founder and Chief Executive Officer of the LegitGamblingSites.com service on its website, and as such are the provider of the LegitGamblingSites.com service.

##### *Contravention of subsection 15(2A) of the IGA*

8. The ACMA has previously found that a number of the casino-style services advertised on LegitGamblingSites.com are prohibited interactive gambling services that have an Australian-customer link (prohibited services), which are provided in breach of subsection 15(2A) of the IGA.

9. The LegitGamblingSites.com service publishes information that is intentionally aimed at enabling customers to access and play on the prohibited services, including customers from Australia. By providing links on its website to the prohibited services, the LegitGamblingSites.com service assists the prohibited services to sign up Australian consumers to their gambling services.
10. The ACMA is satisfied that you, as the provider of the LegitGamblingSites.com service, had actual knowledge of the essential matters constituting the contravention of subsection 15(2A) of the IGA by the prohibited services. Consequently, you are knowingly concerned in and are an intentional participant in, the contraventions of subsection 15(2A) of the IGA.

Dated this 13 May 2022.



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**Rochelle Zurnamer**  
**Delegate of the Australian Communications and Media Authority**