

Formal Warning

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

To: Chestoption Sociedad De Responsabilidad Limitada

Of: San Pedro, Los Yoses, Avenidas Ocho Y Diez,
Calle Treinta Y Nueve, Segunda Oficina A Mano Derecha, LY Center
San Pedro
Costa Rica

Attention: Chestoption Sociedad De Responsabilidad Limitada

I, Rochelle Zurnamer, delegate of the Australian Communications and Media Authority (ACMA), being satisfied that Chestoption Sociedad De Responsabilidad Limitada has contravened subsections 15(2A) and 15AA(3) of the *Interactive Gambling Act 2001* (the IGA):

HEREBY issue Chestoption Sociedad De Responsabilidad Limitada a formal warning under section 64A of the IGA, for one or more contraventions of each of subsection 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. An 'excluded wagering service' is defined in section 8A of the IGA and includes betting on a sporting event except to the extent it is an in-play betting service (subsection 8A(3) of the IGA).
5. An excluded wagering service is a kind of regulated interactive gambling service (as defined in section 8E of the IGA).
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 (see section 8); 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

8. Under section 21 of the IGA, on 14 February 2025, the ACMA investigated whether the:
 - a. Hell Spin service provided prohibited interactive gambling services in contravention of the IGA
 - b. Vave service provided prohibited interactive gambling services and unlicensed regulated interactive gambling services in contravention of the IGA.
9. During this period the Hell Spin and Vave services were available via the URLs www.hellspin222.com and www.vave.com.
10. Chestoption Sociedad De Responsabilidad Limitada is the provider of the Hell Spin and Vave services.

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

11. The Hell Spin and Vave 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).
12. The Vave service also 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).
13. The Hell Spin and Vave 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).
14. The Hell Spin and Vave services had an Australian customer-link.
15. Chestoption Sociedad De Responsabilidad Limitada is not licensed by an Australian State or Territory to provide regulated interactive gambling services to Australians (paragraph 15AA(3)(b)).
16. The ACMA found that, as the provider of the Hell Spin and Vave services, Chestoption Sociedad De Responsabilidad Limitada 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 1 April 2025.



Rochelle Zurnamer
Delegate of the Australian Communications and Media Authority