

From: [REDACTED]
To: [REDACTED]
Subject: RE: FOR CLEARANCE - Request for information from Paramount+ for gambling ads during A Leagues Soccer Game [SEC=OFFICIAL]
Date: Tuesday, 18 February 2025 9:21:01 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.jpg](#)

[REDACTED]
[REDACTED]
Manager
Gambling Compliance Team

Australian Communications and Media Authority

[REDACTED]
acma.gov.au



The ACMA acknowledges First Nations peoples as the Traditional Owners and Custodians of Australia. We respect and celebrate First Nations peoples as the original storytellers and content creators of the lands on which we work and honour the enduring strength and commitment of Aboriginal and Torres Strait Islander peoples to the land, waters and their communities. We pay our respects to Elders past, present, and emerging.



From: [REDACTED]
Sent: Tuesday, 18 February 2025 9:19 AM
To: [REDACTED]
Subject: FW: FOR CLEARANCE - Request for information from Paramount+ for gambling ads during A Leagues Soccer Game [SEC=OFFICIAL]

Please see draft below. I am not sure whether to keep the paragraph about [REDACTED] calling?

+++++

Hi [REDACTED] and [REDACTED]

As you are aware, we received a media enquiry from a [REDACTED] journalist about the Australian coverage of an A Leagues game between Wellington Phoenix and Brisbane Roar that was streamed on Paramount+ and included virtual advertisements for 8XBet.

Please see below draft email for clearance requesting information from Paramount+ about this matter.

Please let me know if you need any further information.

Thanks

++++

Dear [REDACTED]

Gambling advertising during the live stream of A Leagues game between Wellington Phoenix and Brisbane Roar

The Australian Communications and Media Authority (ACMA) has received information which suggests that gambling advertisements occurred during live Australian coverage of the A Leagues game between Wellington Phoenix and Brisbane Roar played in Wellington, New Zealand on Thursday 6 February (**A Leagues Soccer Game**), provided by Paramount+. Specifically that virtual advertisements for 8XBet were inserted into the stream.

We note that you contacted the ACMA on Monday 10 February about this matter in your capacity as regulatory affairs manager of Paramount+ in Australia. You advised that Paramount+ has a broadcast agreement with the professional league which inserts the advertisements into the stream. In this case the 8xbet ads were inserted into the international feed and it appears that feed was erroneously streamed into Australia. [REDACTED]

[REDACTED]

[REDACTED]

ACMA's role in administering gambling advertising rules

As you are aware, the ACMA administers the *Broadcasting Services Act 1992 (BSA)* and [*Broadcasting Services \(Online Content Service Provider Rules\) 2018 \(the Online Rules\)*](#) which (amongst other things) place certain restrictions on gambling advertising streamed during live sports online.

On 30 August 2024 the ACMA published Investigation report [BI-688](#). Notably, in that report the ACMA articulated its expectations that if virtually overlaid gambling advertising is a feature of international live sports feeds, the ACMA expects service providers to explore options for receiving a feed that is free of virtually inserted gambling advertising, or for establishing a technical system for removal of inserted virtual gambling advertising from the livestreamed matches that are provided to subscribers in Australia. Further details about the ACMA's expectations in this regard are set out in Attachment A at the end of this email for your information, along with another matter which is relevant to the ACMA's consideration of the gambling advertising rules.

The ACMA also administers the [*Interactive Gambling Act 2001 \(IGA\)*](#) which (amongst other things) prohibits certain interactive gambling services being provided or advertised to Australians. The advertising prohibitions are set out in Part 7A of the IGA. Further information about the IGA is available on the ACMA website [here](#). The 8XBet service does

not appear to be licensed in Australia. Please see the register of Australian licensed wagering services maintained by the ACMA on its website [here](#)

Request for information

The ACMA is considering whether to commence an investigation:

- under the BSA, into whether gambling advertisements were streamed during a live sporting event in breach of the any of the relevant Code or Online Rules
- under the IGA, into whether interactive gambling services were being advertised to Australians in contravention of the IGA.

To assist with our further consideration, we would appreciate it if you could provide the following:

- The name of the Paramount+ entity which provides the Paramount+ streaming service into Australia.
- Details about the live coverage of the A Leagues Soccer Game, including start and end times of play each day and any scheduled or unscheduled breaks (Full Coverage).
- Details about how the Full Coverage could be watched using Paramount+ services, including:
 - > details of all the broadcast channels and streaming services on which it was available
 - > details of whether coverage on any of the streaming services was a simulcast.
- A copy of the stream of the Full Coverage (no edits) on each broadcast channel and streaming service it was available.
- Confirmation whether there were any gambling advertisements shown during Full Coverage on any of the above broadcast channels and streaming services it was available, including if so:
 - > details of any 8XBet advertisements as set out above
 - > details of the placement of any gambling advertisements (such as virtual insertion)
 - > the times of any gambling advertisements shown
 - > details of the gambling services being advertised, including names and its website.
- If gambling advertisements were included in the Full Coverage, details of efforts made by Paramount+ to seek alternative feeds free of any virtual ads and to explore options to remove these ads.
- Substantiation of the advertised scheduled start time of play each day in the Full Coverage.

You may, of course, make any other submissions, or provide any other documents, that you think relevant to the ACMA's consideration of this matter.

Next steps



Please provide your response to this email by **cob [2 weeks]**.

If you have any questions, please contact me by phone [REDACTED] or email at [REDACTED].

[SIGNOFF]

ATTACHMENT A

1. International feeds

The ACMA recently considered the issue of virtually overlaid gambling advertising (**virtual advertising**) in international live sporting feeds in its investigation into [Optus Sport](#).

It is understood that the insertion of virtual advertising was not contemplated when the incidental/accidental exceptions in the Online Rules, Codes of Practice and the IGA were developed. The ACMA is aware of concerns that the insertion of virtual advertising goes beyond what was anticipated to be an 'incidental accompaniment to other matter'. This is particularly the case in circumstances where the virtual advertising is in addition to any gambling advertising that is physically present at the venue.

In the Optus Sport investigation report, we explained that if virtually overlaid advertising is a feature of international feeds, the Authority would expect an online content provider to take proactive efforts to seek access to an alternative feed that is free of virtually overlaid gambling advertising (and to be able to evidence this).

Alternatively, we also explained that the online content provider should explore options to implement a technical system for removing inserted virtual advertising from the livestreamed live sport events that it provides to audiences in Australia.

Going forward, these are matters that the ACMA will consider if an online content provider or broadcaster seeks to rely on the relevant incidental/ accidental exceptions in relation to gambling advertising.

2. The determination of contraventions under the Online Rules

The ACMA has recently, for the first time, identified the number of contraventions of the Online Rules in an investigation report.

The number of contraventions was based on the maximum number of times each non-compliant, specific gambling advertisement was provided to any single end-user during the relevant live sporting event/s. The ACMA's reference to a 'specific gambling advertisement' is to each unique advertisement of identical length and content.

To illustrate, if a specific gambling advertisement is provided a single time to one or more end-users during the live coverage of the sporting event, that constitutes a single

contravention.

If that specific gambling advertisement is provided multiple times (ie repeated during the coverage of the relevant live sporting event), that constitutes multiple contraventions, and the number of contraventions will be based on the maximum number of times the advertisement was provided to any single end-user or multiple users. So, if during the stream of a live sporting event, end-user A receives a specific gambling advertisement 4 times and end-user B receives that same gambling advertisement 6 times, the number of contraventions would be 6.

When assessing compliance with the Online Rules in the future, the ACMA will be requesting online content providers provide sufficient detail to enable an accurate assessment of the number of times that specific advertisements were provided to end-users. This will include a summary that lists the maximum number of times, relevant to each time zone, a gambling advertisement was provided as well as the corresponding dataset to substantiate submissions.

Our investigation reports, which will include details of the number of contraventions, will continue to be published on the ACMA website.