

Formal Warning

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

To: Carl Millett
C/o Pat Brown Legal
PO Box 266 Spring Hill QLD 4004

By email only: [REDACTED] [REDACTED]

Attention: Carl Millett

I, Rochelle Zurnamer, delegate of the Australian Communications and Media Authority (**ACMA**), being satisfied that the wagering service operated by Carl Millett, trading as BetChamps, (**BetChamps**) has contravened subsection 61LA(2) of the *Interactive Gambling Act 2001* (the **IGA**):

HEREBY issue Carl Millett a formal warning under section 64A of the IGA, for one contravention of subsection 61LA(2) of the IGA, being a civil penalty provision.

Details of the contravention

Investigation

1. Under section 21 of the IGA, on 16 January 2025, the ACMA commenced an investigation following a complaint alleging that BetChamps had contravened the IGA.

Obligations under the IGA

2. Subsection 61LA(2) of the IGA provides that a licensed interactive wagering service provider must not send, or cause to be sent, a regulated electronic message to an electronic address that is known by the provider to be an electronic address of a registered individual.
3. 'Licensed interactive wagering service provider' means a person who provides a licensed interactive wagering service (see section 61GB).
4. 'Licensed interactive wagering service' means:
 - a regulated interactive gambling service (see section 8A)
 - that is a wagering service (see section 4),
 - has an Australian-customer link (see section 8) and
 - is not provided in contravention of subsection 15AA(3). (That is, the provider of the regulated interactive gambling service must 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) (see section 61GB).
5. 'Electronic message' means a message sent using the internet or any other listed carriage service, to an electronic address in connection with an email, instant messaging, telephone or similar account (see section 61GE).

6. 'Regulated electronic message' means an electronic message, where the purpose or one of the purposes of the message is to offer to provide, or to advertise or promote licensed interactive wagering services, or a provider or prospective provider of such services. The purpose of the message is determined having regard to its content, the way in which the message is presented, and the content that can be accessed using links, telephone numbers of contact information set out in the message (see section 61GF).
7. A 'registered individual' means an individual registered in the National Self-exclusion Register under Part 7B of the IGA (see section 61GB).

Contravention of subsection 61LA(2) of the IGA

8. It is not disputed that the interactive wagering service operated by BetChamps satisfies the key elements of a licensed interactive wagering service provider.
9. In their submission, BetChamps conceded that it sent, or caused to be sent, an email message to the complainant's email address at 5:53 pm (AEDT) on 21 December 2024.
10. The email message satisfies the key elements of an electronic message as a message sent using an internet carriage service to an electronic address in connection with an email account.
11. The email message included promotions of upcoming racing events and included links such as 'CLICK HERE TO BET' and 'BET NOW' directing the recipient to the BetChamps website. As such, the message satisfies the key elements of a regulated electronic message, as it would be concluded that the purpose, or one of the purposes, of the message is to offer to provide or advertise or promote licensed interactive wagering services.
12. Under section 61NC of the IGA, a licenced interactive wagering service provider may request the Register operator (the body corporate who keeps the National Self-exclusion Register) to inform it if a specified individual is a registered individual at the time the request is made.
13. In response to a request made to the Register operator on 26 June 2024, BetChamps was notified that the complainant was a registered individual. As such, and in the absence of subsequent checks of the NSER prior to sending the email message on 21 December 2024, BetChamps knew that the email address it held for the complainant was the electronic address of a registered individual from 26 June 2024. BetChamps did not dispute that this email address was known to be the email address of a registered individual.
14. Accordingly, the ACMA finds that BetChamps contravened subsection 61LA(2) of the IGA on one occasion by sending a regulated electronic message to an electronic address that was known by BetChamps to be the electronic address of a registered individual.

Dated 9 December 2025



Rochelle Zurnamer
Executive Manager
Gambling & Mis/Disinformation Branch
Delegate of the Australian Communications and Media Authority