



Australian Government  
Australian Communications  
and Media Authority

## Remedial Direction issued under subsection 64F(2) of the Interactive Gambling Act 2001

TO: David Ian McLauchlan (ABN 72 035 461 089) trading as TempleBet Wagering  
OF: [REDACTED]

### Direction

The Australian Communications and Media Authority (**the ACMA**) is satisfied that David Ian McLauchlan (ABN 72 035 461 089) trading as TempleBet Wagering (**TempleBet**), a licensed interactive wagering service provider, has contravened subsections 61KA(3) and 61MA(2) of the *Interactive Gambling Act (the IGA)*, details of which are found within the ACMA's investigation report into TempleBet (**the investigation report**) and attached to this Remedial Direction; and

HEREBY directs TempleBet under subsection 64F(2) of the IGA, to take the actions specified below, directed towards ensuring that TempleBet does not contravene subsections 61KA(3) and 61MA(2) of the IGA, or is unlikely to contravene those provisions in the future.

### Definitions

1. Unless the contrary intention appears, terms used in this Remedial Direction have the same meanings as are ascribed to those terms in section 61GB of the IGA.

### Independent audit

2. Within 30 days from the date of this direction, TempleBet must, for the purposes of paragraph 6, provide the following to the ACMA for approval:
  - (a) the name and qualifications of an independent auditor which TempleBet proposes be engaged to conduct the audit and prepare the written audit report required by this direction; and
  - (b) the draft terms of reference for the independent auditor which must comply with paragraph 5.
3. At the same time as providing the information required under paragraph 2, TempleBet must provide the ACMA with a statement addressing whether TempleBet (or David Ian McLauchlan individually) has a prior or existing relationship with any proposed auditor and advise of any potential conflicts of interest that may affect the performance of the duties of the proposed auditor (or their employer). The statement must also include a description of the proposed auditor's experience which is relevant to the terms of reference described in paragraph 5.
4. Should the ACMA not approve the independent auditor proposed by TempleBet in accordance with paragraph 2, TempleBet must, within 30 days from when the ACMA gives written notice to that effect, propose an alternative independent auditor under

paragraph 2. This process continues until the ACMA has provided notice that it has approved the appointment of the independent auditor.

*Terms of reference*

5. The terms of reference for the approved independent auditor must include requirements to:
  - (a) assess the extent to which TempleBet' systems, processes and practices are directed towards ensuring TempleBet' compliance with subsections 61KA(3) and 61MA(2) of the IGA – this will include (but is not limited to) the auditor assessing the functioning of the systems (including third party systems used by TempleBet), processes and practices, and conducting a review of the contraventions identified in the Investigation Report to ascertain the factors which contributed to those contraventions;
  - (b) assess how TempleBet uses its systems to ensure compliance with subsections 61KA(3) and 61MA(2) of the IGA, including assessing whether its systems:
    - (i) record instances where an individual is prevented from opening an account because they are identified as a registered individual;
    - (ii) verify the information of a new customer before making requests to the Register operator under section 61NC of the IGA; and
    - (iii) after having identified an individual as a registered individual, identify and link this information to future attempts by that individual to open a licensed interactive wagering service account;
  - (c) assess the quality and effectiveness of remedial actions that TempleBet has taken to date to address non-compliance with subsections 61KA(3) and 61MA(2) of the IGA, including (but not limited to) the contraventions identified in the Investigation Report;
  - (d) provide recommendations as to the improvement or maintenance of TempleBet' systems, processes and practices to ensure best practice compliance with subsections 61MA(2) and, 61KA(3) of the IGA; and

may also include:

  - (e) any other terms of reference which are considered to be appropriate by TempleBet or the independent auditor to assist in assessing TempleBet's capability to comply with Part 7B of the IGA, so long as these do not in any way limit the scope of the terms of reference in paragraphs (a)-(d).

*Timeframes and Reports*

6. TempleBet must require that the independent audit be completed in accordance with the terms of reference, and the independent auditor's written report be provided to TempleBet, no later than 3 months after the day that TempleBet is provided with approval as contemplated in paragraph 2 (the **independent audit report**).
7. TempleBet must provide a copy of the independent audit report to the ACMA within 10 days of TempleBet receiving the independent audit report.
8. TempleBet must implement all audit recommendations within 6 months of receiving the independent audit report (**audit recommendations**).
9. TempleBet must provide a written report to the ACMA within 30 days after the end of the 6-month period referred to in paragraph 88, which includes TempleBet's responses to all audit recommendations (the **implementation report**).

10. If there are any audit recommendations that TempleBet cannot reasonably implement in the timeframe in paragraph 8, TempleBet should record its reasons in the implementation report and specify the time period within which it proposes to implement the recommendation(s) (**delayed implementation**). If there are any recommendations that TempleBet does not consider are reasonable to implement, it must record its reasons in the implementation report.
11. For each audit recommendation where there is a delayed implementation, TempleBet must notify the ACMA in writing within 10 days after the recommendation has been implemented and include the date of implementation in its notification.
12. Any notice or approval required or permitted to be given by the ACMA under this Undertaking must be in writing and may be given by any ACMA Authority member or by any ACMA staff member who is a member, or acting member, of the Senior Executive Service.

#### *Self-reporting*

13. For 12 months from the date of this direction, TempleBet must self-report to the ACMA any potential or alleged non-compliance with subsections 61KA(3) and 61MA(2) of the IGA within 30 days after TempleBet becomes aware of it, including any complaints regarding regulated electronic messages. Any self-report must include:
  - (a) for any potential or alleged non-compliance identified following a complaint made to TempleBet – the details of the complaint, steps taken by TempleBet to investigate the complaint and the outcome; and
  - (b) for any self-identified potential non-compliance – the details of the potential non-compliance, any steps taken to investigate and the remediation measures taken.

#### **TAKE NOTE**

14. Subsection 64F(1) of the IGA provides that section 64F applies if the ACMA reasonably believes that a person has contravened, or is contravening, a civil penalty provision of the IGA (other than subsection 64(F)(4)).
15. Subsections 61KA(3) and 61MA(2) of the IGA are civil penalty provisions.
16. Under subsection 64F(2) of the IGA, the ACMA may give a person a written direction requiring the person to take specified action directed towards ensuring that the provider does not contravene the provision, or is unlikely to contravene the provision, in the future.
17. Subsection 64F(3) of the IGA provides that a person commits an offence if:
  - (a) the person is subject to a direction under subsection 64F(2);
  - (b) the person engages in conduct; and
  - (c) the person's conduct contravenes the direction.
18. A contravention of subsection 64F(3) has a penalty of up to 50 penalty units (currently \$16,500).
19. Subsection 64G(1) of the IGA provides that a person who contravenes subsection 64F(3) commits a separate offence in respect of each day (including a day of conviction for the offence or any later day) during which the contravention continues. Under subsection 64G(2), if an offence against subsection 64F(3) is a continuing offence, the maximum penalty for each day that the offence continues is 10% of the maximum penalty that could be imposed in respect of the principal offence.
20. Subsection 64F(4) of the IGA provides that a person must not contravene a direction to which the person is subject under subsection 64F(2). The civil penalty for a contravention of subsection 64F(4) is up to 75 penalty units (currently \$24,750).

21. Subsection 64G(3) of the IGA provides that a person who contravenes subsection 64F(4) engages in a separate contravention of that subsection in respect of each day during which the contravention occurs (including the day the relevant civil penalty order is made or any later day). Under subsection 64G(4), if a contravention of subsection 64F(4) is a continuing contravention, the maximum civil penalty for each day that the contravention continues is 10% of the maximum civil penalty that could be imposed in respect of the principal contravention.

**BACKGROUND ON FINDINGS**

22. On 17 March 2025, the ACMA commenced an investigation into whether TempleBet, a licensed interactive wagering provider, had contravened the IGA following the receipt of consumer complaint.
23. On 11 July 2025, the ACMA notified TempleBet that the ACMA has reasonable grounds to believe that, on 12 October 2024, TempleBet:
- (a) opened 1 licensed interactive wagering service account for a registered individual in contravention of subsection 61MA(2) of the IGA; and
  - (b) provided licensed interactive wagering services to a registered individual on 1 occasion in contravention of subsection 61KA(3) of the IGA.
24. Details of the investigation and the basis for the findings are detailed in the ACMA's investigation report.

**CONTACTING THE ACMA**

25. Should you require further information, please contact:

Rochelle Zurnamer  
Executive Manager  
Gambling & Mis/Disinformation Branch  
Australian Communications and Media Authority  
PO Box Q500, Queen Victoria Building, NSW 1230



Dated this 5 December 2025



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Carolyn Lidgerwood

Member

Australian Communications and Media Authority