



IRPSX Pty Limited trading as Bet Right
ABN: 41 087 708 898

Level 3, 7 Bridge Street
Sydney NSW 2000

3 October 2022

Manager, Interactive Gambling Team
Australian Communications and Media Authority
PO BOX Q500 Queen Victoria Building NSW 1230

Sent by email: info@acma.gov.au

Complaint about Prohibited Interactive Gambling Services

I am writing to lodge a complaint under s 16 of the *Interactive Gambling Act 2001* (Cth) (Act) in relation to an event, the Brownlow Medal Awards Ceremony and the advertisements which were broadcast during the ceremony on television, and the activities of certain online gambling service providers allowing in-play betting on the Brownlow Medal.

A. Facts

On Sunday 18th September 2022, Channel Seven broadcast the 2022 Brownlow Medal Awards Ceremony (Brownlow). The live broadcast contained a number of advertisements for Sportsbet. These advertisements included market updates of live prices and stated that clients were not required to place bets via the telephone as they could bet live via the Sportsbet App.

B. The provisions in the Act

1. The Act prohibits the intentional provision of a prohibited interactive gambling service (see sections 5 and 15 of the Act).
2. A service is an excluded wagering service to the extent to which the service relates to betting on, or on a series of, sporting events, and to the extent to which the service is not an in-play betting service.
3. A gambling service is an in-play betting service to the extent to which the service relates to betting on the outcome of a sporting event, where the bets are placed, made, received or accepted after the beginning of the event; or the service relates to betting on a contingency that may or may not happen in the course of a sporting event, where the bets are placed, made, received or accepted after the beginning of the event.
4. There is no definition of sporting event in the Act, therefore the natural and ordinary meaning will apply. Under s 10A, the Minister may, by legislative instrument, determine that a specified thing is taken to be or not to be a sporting event. The only example of such determination is the *Interactive Gambling (Sporting Events and Excluded Wagering Services) Determination 2017*.

C. Complaint (section 16)

1. I work at IRPSX Pty Ltd trading as Bet Right, a sports bookmaker licensed in the Northern Territory.
2. Bet Right is careful to comply with all its regulatory obligations including obligations under the Act.
3. Bet Right was careful to close the betting markets on the Brownlow before the start of the Brownlow Medal Awards Ceremony.
4. It is unfair competition and not a level-playing field if a bookmaker such as Sportsbet is allowed to offer in-play betting online whilst others, like Bet Right, more circumspectively, have refrained from offering such in-play betting markets.
5. Bet Right is of the opinion that Sportsbet's actions are wrong and in breach of the online in-play betting prohibition under the Act.
6. This complaint is lodged pursuant to section 16 of the Act.

D. Request for Determination

1. Pursuant to section 10A(1), the Minister may, by legislative instrument, determine that a specified thing is taken to be a sporting event for the purposes of the Act.
2. Section 10(3) states that the Minister may, by legislative instrument, determine that a specified thing is taken not to be a sporting event for the purposes of this Act
3. Bet Right requests the Minister to make a determination under s 10A(1) or s 10A(3) that the Brownlow Medal Awards Ceremony is or is not a sporting event for the purposes of the Act.

Yours sincerely,



Legal Governance
IRPSX Pty Ltd trading as Bet Right.