

Information to be published on ACMA website

No contravention of subsection 15(2A) of the *Interactive Gambling Act 2001* – Sportsbet did not provide a prohibited interactive gambling service in the form of an in-play betting service

No contravention of subsections 61DA(1A) and (3) of the *Interactive Gambling Act 2001* – Sportsbet did not broadcast a designated interactive gambling service advertisement or authorise, or cause, a designated interactive gambling service advertisement to be broadcast in Australia

The ACMA conducted an investigation into whether, during the Brownlow medal count broadcast by Channel 7 on 18 September 2022, Sportsbet:

- > provided a prohibited interactive gambling service, in the form of an online in-play sports betting service, to customers in Australia in contravention of subsection 15(2A) of the IGA
- > broadcast a designated interactive gambling service advertisement in Australia in contravention of subsection 61DA(1A) or authorised, or caused, a designated interactive gambling service advertisement to be broadcast in Australia in contravention of subsection 61DA(3) of the IGA

In-Play betting service

Section 10B of the IGA provides that a gambling service is an *in-play betting service* to the extent to which:

- (a) *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 an event; or*
- (b) *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.*

The IGA does not include a definition of a sporting event. However, the ACMA has considered its ordinary meaning and determined that in terms of the IGA, the Brownlow Medal Count is not a sporting event itself.

We have also formed the view that the outcome of the Brownlow Medal Count is a contingency which is determined by the votes awarded by umpires at the conclusion of each match. This is based on the individual performance of players and is not dependent on the outcome of the match. Therefore, this is not a contingency which may or not happen in the course of a sporting event.

For these reasons the ACMA has found that Sportsbet did not offer a prohibited interactive gambling service, in the form of in-play betting during the Brownlow Medal Count.

Given this finding, it follows that Sportsbet did not contravene the advertising prohibitions in the IGA by authorising the broadcast of betting markets during the Brownlow medal count.

Consideration of betting on other awards relating to sporting events

For completeness, the ACMA also considered betting markets offered by Sportsbet on other awards relating to sporting events. These include the Norm Smith medal (AFL) and the Clive Churchill medal (NRL).

We note that these awards are made based on the performance of players during an individual match, with the award winner selected and announced at the conclusion of the event by officials or independent persons. The selection of the winner is not dependant on the outcome of the event.

While we will consider each matter on its merits, for the reasons outlined above in relation to the Brownlow Medal Count, we would generally not consider an award determined at the conclusion of an event to be a sporting event, or a contingency which may or may not happen in the course of a sporting event.