



Authority Secretariat
Australian Communications and Media Authority

Submission to the Australian Communications and Media Authority on 2026-27 Compliance and Enforcement Priorities

Responsible Wagering Australia (**RWA**) is the peak body representing Australian-licensed online wagering service providers operating within a comprehensive regulatory framework that includes licensing oversight, harm minimisation obligations, advertising restrictions and AML/CTF compliance. Our members include Australia's major online wagering service providers (**WSPs**): bet365, Betfair, CrownBet, Picklebet, PointsBet, Sportsbet, and Unibet.

In recent years, a growing share of gambling activity available to Australian consumers has been promoted and accessed through online communications channels that sit within the Australian Communications and Media Authority's (**ACMA**) regulatory environment, yet occur outside Australia's licensed gambling framework. This reflects broader technological and market developments that are reshaping how consumers discover and engage with gambling services. In this context, RWA welcomes the opportunity to provide input into ACMA's 2026-27 compliance and enforcement priorities and submits that illegal offshore gambling should be recognised as a stand-alone compliance and enforcement priority for the coming year.

A growing body of evidence suggests that offshore wagering servicing Australian consumers has grown materially. While minimising gambling harm remains an enduring priority, the increasing accessibility and visibility of offshore services presents a distinct compliance and consumer protection challenge. Where gambling activity occurs outside licensed environments, the availability and consistency of consumer safeguards (including behavioural monitoring, self-exclusion integration and regulatory accountability) is significantly reduced. Maintaining effective pathways into the regulated system is a critical component of ensuring harm minimisation settings operate as intended.

Illegal offshore gambling in Australia's online communications environment

The ACMA plays a crucial role in supporting compliance, transparency and consumer confidence across Australia's online communications landscape. Illegal offshore gambling services are commonly visible to Australian consumers through online advertising, social media content, search environments and other digital content distribution pathways. These channels shape how consumers discover and engage with gambling services in practice and influence perceptions of legitimacy and risk.

Australian-based influencer promotion is becoming an increasingly visible gateway to illegal offshore gambling. Content originating from licensed gaming venues is at times used to direct audiences toward unregulated online wagering and casino services, creating confusion about regulatory status and reinforcing the perceived legitimacy of offshore operators.

Where consumers engage with unlicensed offshore providers encountered through these channels, they may be exposed to environments that do not reflect Australian regulatory expectations. Unlike Australian-licensed WSPs, illegal offshore operators:

- operate outside Australian law and regulatory oversight
- do not contribute tax revenue or product fees that support racing, sport and public services
- are not required to provide robust consumer safeguards, including age and identity verification, deposit limits, self-exclusion integration or responsible gambling interventions
- do not participate in information-sharing frameworks that support sports integrity or financial crime detection
- may offer credit betting, sign-up inducements, online in-play betting on sport or other products that are prohibited domestically

Recognising offshore gambling as a stand-alone compliance and enforcement priority would align with ACMA's broader role in encouraging compliant behaviour, deterring non-compliance and supporting informed consumer engagement in online environments. It would also reinforce the Authority's ongoing efforts to ensure regulatory approaches remain responsive to technological change and evolving patterns of service delivery.

Scale and Growth of Offshore Gambling

Offshore wagering participation among Australian consumers is now estimated at approximately \$3.9 billion annually, representing around 36 per cent of the online wagering market¹. This indicates that unlicensed operators are capturing a material and growing share of gambling activity occurring through digital channels.

Other international studies have reached comparable conclusions. In France, PwC research found the illegal market now exceeds the regulated sector, with 4 million black market participants compared to 3.5 million legal ones². Similarly, in Poland, research by EY³ estimated the illegal online casino market generated nearly PLN 26 billion (about AUD 9.5 billion) in turnover in 2023.

At the same time, offshore operators are increasingly discoverable through mainstream online environments, including search engines, social media platforms and influencer-led content. The growing scale of illegal gambling advertising on social media services has made it significantly easier for these operators to reach Australian consumers at scale. The global nature of major platforms can make it difficult for the ACMA to secure the removal of this material. As offshore operators become more visible and more accessible within the digital communications environment, traditional regulatory approaches designed for geographically bounded service models face increasing pressure. This reinforces the need for targeted regulatory action to disrupt the availability and visibility of unlicensed gambling services targeting Australian consumers.

¹ H2 Gambling Capital (2025), *Illegal Offshore Gambling: A Growing Threat*

² PwC (2023) *Study on the illegal online gambling offer in France*. Autorité Nationale des Jeux.

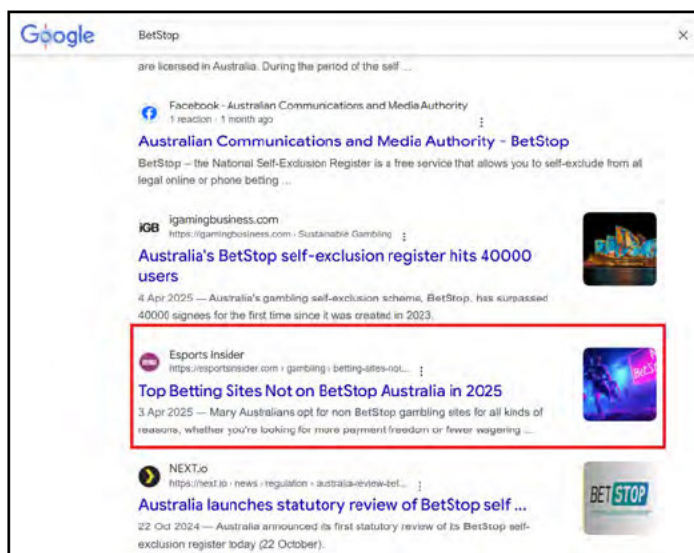
³ EY (2024) *Illegal online casino market in Poland*. Association for the Elimination of the Shadow Gambling Sector.

Implications for Consumers

As offshore gambling services become more visible within online environments, Australian consumers are not always able to distinguish between licensed and unlicensed providers. 44 per cent of Australian consumers are unable to confidently identify whether a wagering operator is licensed⁴, increasing the likelihood that consumers may engage with services operating outside Australia's regulatory safeguards.

In some cases, offshore operators offer features that are prohibited or tightly restricted domestically. These may include large sign-up bonuses and ongoing promotional incentives, betting on credit or borrowed funds, acceptance of cryptocurrency or alternative payment mechanisms, and access to higher-risk wagering products. Offshore providers also generally operate outside information-sharing arrangements that support sports integrity monitoring and financial crime detection. Consumers engaging with these services may have limited transparency, dispute resolution options or regulatory recourse where issues arise.

The impact of offshore participation is particularly evident in relation to harm minimisation measures. For example, simple online searches for "BetStop" can return results promoting unlicensed operators that explicitly advertise themselves as being "not on BetStop", alongside content that explains how individuals can circumvent self-exclusion⁵. These pathways create a direct route back into gambling for consumers who have actively sought to limit their participation.



This environment underscores the need for sustained regulatory focus on limiting consumer engagement with unlicensed operators operating outside Australia's harm minimisation system.

⁴ H2 Gambling Capital (2025), *Illegal Offshore Gambling: A Growing Threat*

⁵ How to Get Around Betstop, <https://nonbetstop.net/how-to-get-around-betstop/>

Why Offshore Gambling Warrants Stand-alone compliance priority

The ACMA's annual compliance priorities play an important role in signalling emerging risks, guiding regulatory effort and maintaining public confidence that enforcement settings are keeping pace with technological and market change. Recognition as a priority therefore shapes not only operational focus, but also how industry, platforms and consumers understand regulatory expectations.

Illegal offshore gambling presents a distinct compliance challenge because it operates across digital environments that enable unlicensed services to reach Australian consumers at scale while remaining outside traditional jurisdictional controls. As offshore participation grows, addressing these dynamics will increasingly require coordinated regulatory attention and sustained visibility over evolving market behaviour.

The ACMA has had a sustained focus on illegal offshore gambling over several years. For example, disruption of offshore wagering services has been recognised within the Minimising Gambling Harm compliance priority in 2023-24⁶ and continued as an enforcement focus within broader harm minimisation settings in subsequent compliance cycles. This has included disruption activity such as website blocking and enforcement under the *Interactive Gambling Act*.

RWA recognises this existing work and the outcomes ACMA has delivered. This submission seeks to build on that foundation by proposing that the growing scale, evolution and increasing risks of offshore gambling warrant recognition as a stand-alone compliance and enforcement priority to sharpen regulatory focus and signalling across online environments.

Recognising offshore gambling as a stand-alone compliance priority would acknowledge the material scale of the issue and support a more structured focus on limiting the provision and promotion of unlicensed services targeting Australian consumers. It would also reinforce the importance of maintaining effective pathways into licensed environments where consumer protections can be consistently applied.

Opportunities to strengthen enforcement approaches

ACMA has taken important steps in recent years to disrupt illegal gambling through website blocking and other measures. Recognition of this issue as a stand-alone compliance priority would enable more targeted regulatory focus on the pathways through which Australian consumers encounter unlicensed operators. Areas of consideration may include:

- **Prioritising the identification, disruption and removal of illegal gambling advertising and sponsored content** across digital platforms, including influencer-led promotion
- **Requiring platform providers and content creators to comply with Australian gambling laws**, including timely removal of illegal promotional material targeting Australian users

⁶ ACMA Outcomes: compliance priorities 2023-24, <https://www.acma.gov.au/outcomes-compliance-priorities-2023-24#minimising-gambling-harm>

- **Working with payment and technology providers** to block or prevent financial transactions with illegal offshore gambling services
- **Improving consumer awareness of licensing status and regulatory protections**, given evidence that many Australians cannot distinguish between licensed and unlicensed providers

These areas highlight the need for sustained regulatory focus on disrupting the visibility and accessibility of illegal offshore operators and support consumer engagement within licensed environments where protections can be consistently applied.

Conclusion

Illegal offshore gambling is becoming an increasingly embedded feature of the digital environments through which Australian consumers encounter wagering services. As participation grows and unlicensed operators expand their reach, maintaining effective consumer protections will depend on ensuring that regulatory attention keeps pace with evolving patterns of service delivery and market engagement. Without targeted disruption of visibility and access, illegal offshore operators will continue to normalise participation in gambling environments that sit outside Australian consumer protection and regulatory oversight.

RWA therefore encourages ACMA to recognise illegal offshore gambling as a stand-alone compliance and enforcement priority for 2026-27. Doing so would support more targeted regulatory focus on limiting the availability and promotion of unlicensed services targeting Australian consumers and reinforce public confidence that enforcement settings are adapting to technological and market change.

We would welcome the opportunity to engage further with ACMA on practical approaches to strengthen compliance outcomes and to share industry insights and data that may assist in shaping an effective and proportionate regulatory response. Should you require any further information about these issues, please contact Mr Mike Websdane, Head of Policy and Operations, at [REDACTED].

Yours sincerely,

[REDACTED]

Kai Cantwell
Chief Executive Officer

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