

Complaint and Investigation Assessment (CIA) for Interactive Gambling Matter

COMPLAINT/MATTER DETAILS

Date complaint received by the ACMA (if relevant)	6 September 2022
CRM Reference (i.e. complaint ID)	IGA-2022-00587
URLs	https://mystake.com
Provider (registrant/advertiser/broadcaster)	Santeda International B.V. (Curacao) Santeda International Limited (Cyprus)
Service name	My Stake
Relevant provision/s of the <i>Interactive Gambling Act 2001</i> (IGA)	- Subsection 15(2A) – providing a prohibited interactive gambling service that has an Australian-customer link - Subsection 15AA(3) – providing an unlicensed regulated interactive gambling service that has an Australian-customer link
Relevant investigations (previous and current investigations)	N/A
Comments	
Complaint The ACMA has received a complaint alleging that My Stake is a prohibited and unlicensed regulated interactive gambling service being provided to customers in Australia in contravention of subsections 15(2A) and 15AA(3) of the IGA. The complaint is valid under Division 1 of Part 3 of the IGA.	
Initial Assessment Initial observations of the site indicate that the My Stake service is likely to be contravening the IGA under subsections 15(2A) and 15AA(3) as the website offers casino-style games for money and wagering on sporting events, including in-play betting. [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	

STAFF RECOMMENDATION

Section 21 of the *Interactive Gambling Act 2001* (IGA) provides that the ACMA, on its own initiative or in response to a complaint, may investigate relevant IGA matters if the ACMA thinks it is desirable to do so.

[REDACTED]

[REDACTED]

[REDACTED]

Risk management

Having considered the *ACMA Risk Management Guide*, the operational level risk of not investigating this matter is low.

Risk category and key examples	Key risk and consequence	Likelihood	Consequence
Compliance e.g. the consequence may be greater if the matter: - is of significant public interest - may impact on the community at large - may be novel and/or have precedent value - may concern systemic non-compliance - may involve formal enforcement action - may raise concerns about the adequacy of the relevant provision or involve policy considerations	Decision not to investigate not adequately informed by Authority views / Level of compliance with Australian laws and regulations not adequate and/or consistent		
Stakeholder management e.g. the consequence may be greater if the matter has, or may develop, strong community, political, media or industry sensitivity because, for example, of the issues raised, the context and/or broader environmental considerations	Stakeholder expectations not met and/or not managed at appropriate level / Reduced confidence in the ACMA and/or legislative framework		

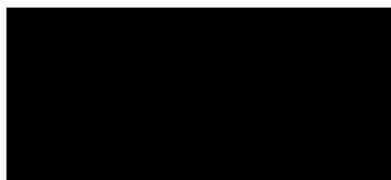
It is anticipated that the investigation findings will be made by:

- ☐ **A delegate**, where the power is delegated in the *Instrument of Delegation*; or
- ☐ **The Authority**; or
- ☒ **Not applicable** (for matters that will not be investigated).

DECISION WHETHER TO INVESTIGATE MATTER

I, [REDACTED], being at the appropriate level in the *Instrument of Delegation*, and noting the public interest considerations in the *IGA Investigation Manual and Toolkit*, including the matters listed above in the staff recommendation, decide that the matter:

- ☐ will be investigated under section 21 of the *Interactive Gambling Act 2001*; or
- ☒ will not be investigated.



Date: 14 / 09 / 2022

[REDACTED]
Manager, Interactive Gambling Team