

Guidance on notable persons in wagering advertising content

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Introduction

The Australian Government has established new reforms to protect vulnerable Australians, particularly children and young people, from online gambling harms.

On 26 August 2026, the Parliament of Australia enacted the [Interactive Gambling Amendment \(Gambling Reform\) Act 2026](#) (the Gambling Reform Act), introducing a new Part 7C into the [Interactive Gambling Act 2001](#) (the Interactive Gambling Act).

Part 7C enacts a package of restrictions on wagering advertising content across broadcast television, radio and online platforms, as well as on sporting uniforms and at sporting venues.

Section 62W of the Act prohibits the use of ‘notable persons’ in wagering advertising content. This means that licensed interactive wagering service providers (LIWSPs) are prohibited from entering into contracts or arrangements, or arriving at an understanding that involves a notable person promoting wagering advertising content.

This initial guidance is to assist LIWSPs to prepare for the commencement of the legislation, so far as it relates to wagering advertisements involving notable persons and to achieve compliance with those regulatory requirements from 1 January 2027. Formal guidance about the operation of Part 7C generally may be made under section 62ZF of the Interactive Gambling Act at a later date.

This initial guidance goes to:

- the definition of a notable person, including examples of individuals who may be considered in and out of scope
- relevant considerations the Australian Communications and Media Authority (ACMA) may use to assess alleged contraventions
- the operation of the prohibition, including the cause or authorise subsection
- relevant exceptions.

This guidance should be read alongside the Interactive Gambling Act, the Gambling Reform Act, the revised explanatory memorandum for the Gambling Reform Act and the ACMA’s other corporate documents, including our compliance and enforcement priorities.

Background

Prohibition on notable persons in wagering advertising content

Section 62W¹ sets out prohibitions relating to notable people promoting wagering advertising content.

The Act states that a notable person includes a:

- current or former professional sports player or athlete
- current or former celebrity
- current or former social media influencer
- current or former prominent individual
- person included in a class of persons that the Minister for Communications determines.

The definition of a notable person is purposefully broad to capture a wide range of notable people that may be used by LIWSPs to encourage a person to gamble through association.

It is not restricted to notable persons that appeal to children, as notable people are also likely to appeal to individuals at risk of gambling harm, as well as growing segments of the online wagering market, such as younger men.

Wagering advertising, whether broadcast or provided online, must not feature a notable person, and LIWSPs must not enter into contracts or arrangements or arrive at an understanding that relates to the sponsorship, participation in or involvement of a notable person in connection with the promotion of wagering advertising content in Australia.

These rules apply on all platforms, including broadcast television, radio, news websites, online games and social media.

An LIWSP will also contravene subsection 62W(2) by authorising or causing wagering advertising content featuring a notable person to be broadcast, datacast or provided on an online content service in Australia.

The obligations to prevent the use of notable people in wagering advertising rest with the LIWSP, not the notable person. This means that any enforcement action and penalties for breaching the rules would apply to the LIWSP.

¹ A licensed interactive wagering service provider contravenes this subsection if:

(a) the licensed interactive wagering service provider makes a contract or arrangement, or arrives at an understanding; and
(b) the contract, arrangement or understanding relates to the sponsorship, participation or involvement of a notable person in connection with the promotion of wagering advertising content in Australia.

a licensed interactive wagering service provider contravenes this subsection if the licensed interactive wagering service provider authorises or causes:

(a) either
(i) wagering advertising content to be broadcast or datacast in Australia; or
(ii) wagering advertising content to be included in content provided in Australia on an online content service; and
(b) a notable person is featured or represented, or can be seen or heard, in connection with the promotion of the wagering advertising content.

Subsections (1) and (2) do not apply if the sponsorship, participation or involvement of a notable person relates to the promotion of wagering advertising content that:

(a) relates solely or principally to racing; and
(b) is or will be:
(i) broadcast or datacast on a dedicated racing program or channel; or
(ii) provided on a dedicated racing online content service.

What is a licensed interactive wagering service provider?

Under section 61GB of the Interactive Gambling Act a LIWSP is a person who provides a licensed interactive wagering service.²

What is wagering advertising content?

Wagering advertising content means any advertising, sponsorship or promotional content that relates to a licensed interactive wagering service.

Subsection 62C(2) provides that any content that relates to a licensed interactive wagering service is taken to be wagering advertising content if it has the purpose of, or has the effect of, promoting the licensed interactive wagering service and is by, on behalf of or for the benefit of the LIWSP.

This definition is purposefully broad to capture the various types of advertising content that may be provided. It would, for example, apply to advertising spots, banner advertisements, sponsored segments and in-program references.

The term 'for the benefit of' in paragraph 62C(2)(b) is intended to exclude private communications about wagering services between individuals, discussions on chat forums about wagering services and other similar user-generated content (where there is no involvement with a LIWSP). Similarly, it does not capture advertising content that includes incidental wagering advertising content, such as advertising a horse racing event that is sponsored by a LIWSP or advertising a venue that offers wagering services.

Subsection 62C(5) creates an exception to the definition, where content is taken not to be wagering advertising content if section 62D applies in relation to the content; for example:

- content that relates solely to government or political matters
- content that ordinarily appears as part of ordinary business matters, such as on invoices, online profiles, or internal management and staffing arrangements
- content in premises that are owned or occupied by a LIWSP and not used in conjunction with a live sporting event (unless the premises is associated with a place-based gambling service as defined in section 8BA)
- content that discourages the use of wagering services.

² Section 61GB Definitions

licensed interactive wagering service means a regulated interactive gambling service that:

- (a) is a wagering service (see section 4); and
- (b) has an Australian - customer link (see section 8); and
- (c) is not provided in contravention of subsection 15AA(3).

Section 4 Definitions

wagering service means a service covered by paragraph (a) or (b) of the definition of gambling service.

gambling service means:

- (a) a service for the placing, making, receiving or acceptance of bets; or
- (b) a service the sole or dominant purpose of which is to introduce individuals who wish to make or place bets to individuals who are willing to receive or accept those bets;...

Section 8 Australian-customer link

For the purposes of this Act, a gambling service has an **Australian-customer link** if, and only if, any or all of the customers of the service are physically present in Australia.

Section 15AA Unlicensed regulated interactive gambling services not to be provided to customers in Australia

(3) A person must not provide a particular kind of regulated interactive gambling service if:

- (a) the service has an Australian-customer link (see section 8); and
- (b) the person does not hold a licence (however described) under a law of a State or Territory that authorises the provision of that kind of service in the State or Territory.

Does it include 'in-program' content?

Yes, all content that is advertising, sponsorship or promotional content that relates to a licensed interactive wagering service is considered to be 'wagering advertising content' unless a specific exemption applies.

What is an online content service?

An online content service is defined in subsection 10C(1) to mean a service that satisfies both of the following conditions:

(a) the service is:

- (i) a service that delivers content to persons having equipment appropriate for receiving that content, where the delivery of the service is by means of an internet carriage service; or
- (ii) a service that allows end-users to access content using an internet carriage service; and

(b) the service is provided to the public (whether on payment of a fee or otherwise).

Each of the following (within the meaning of the *Online Safety Act 2021*) are taken to be an online content service:

- an on-demand program service, such as a subscription on demand service (SVOD) or broadcasting video on demand service (BVOD)
- a social media service
- a relevant electronic service, such as communication tools like emails, text messages, and chat rooms, as well as online multiplayer video games
- a designated internet service, such as any website or app that lets users access or receive online material via the internet, provided it is not already classified as a social media, messaging, or gaming service.³

When is content provided in Australia?

A service is not an online content service if none of the content on the service is accessible or delivered to one or more end-users in Australia⁴.

End-user in this context has its ordinary meaning. This is intended to have the broadest reach of coverage capturing Australian end users.

³ See subsection 10C(2) of the Interactive Gambling Act

⁴ See subsection 10C(5) of the Interactive Gambling Act

Operation of notable person provision

The Interactive Gambling Act defines a notable person at subsection 62F as a current or former:

- professional sports player or athlete
- celebrity
- social media influencer
- prominent individual.

The examples given in the definition are expressed to be inclusive, rather than exhaustive, of the scope of the people who are notable persons but are nevertheless illustrative of that broad scope. In line with its approach in existing investigative contexts, the ACMA would assess alleged contraventions on a case-by-case basis and would take a commonsense approach to the notable person obligations in the Act⁵.

Relevant facts and circumstances

Overall, if a LIWSP has entered into a contract, arrangement or understanding with a person to promote wagering advertising content in Australia – whether they appear as themselves, or as a character – in order to benefit from the recognisability and favour (or, possibly, notoriety) the person enjoys with a segment of the general public, then it is likely that person will be a notable person.

The ACMA will assess all relevant considerations, including, but not limited to:

Context of an individual's appearance in the advertisement

- Whether a person is engaged (including through payment or other benefit) to appear in connection with wagering advertising or to represent the LIWSP.
- Whether a person is engaged to promote the LIWSP in close association with their personal or professional life.

Public recognition and profile

- The extent of the person's recognisability and public profile. This could include people who have prominence in the general community (that is, a household name) but could also include people who have prominence within a specific community or demographic.

Media exposure

- Whether a person is frequently featured in media, including television, news, radio, cinema, or online.

Professional achievements

- Whether a person has any notable achievements, including honours, awards, prizes in a field of interest to a segment of the public.

⁵ Following commencement of the provisions, the ACMA will publish compliance alerts as appropriate and investigation reports, providing additional guidance following our observations of specific industry questions or practices.

Ability to influence

- Whether a person has the potential to increase the perceived appeal of a certain product or brand, by their association with it
- Whether a person has the ability to influence the decision-making, preferences or attitudes of others.

These considerations are intended to be read as a guide only. It is not an exhaustive list of considerations, and relevant considerations may vary depending on the facts of an individual matter.

What is a current or former professional sports player or athlete?

A current or former professional sports player or athlete may refer to a person who currently earns, or has previously earned, their living by playing a professional sport.

There is no fixed definition or timeframe for when a person is considered a former professional athlete. The category may include individuals who retired a long time ago and who may not have had a lengthy professional career but remain notable due to their sporting achievements, public profile or other contributions.

The term 'professional' is not intended to include individuals who participate in sport solely at a recreational, amateur or social level.

Example 1

Person X is a former Australian cricket player who represented the country in international tournaments over 10 years ago. At the time, they earned their living from playing sport. Since then, they have regularly appeared in television interviews, sports broadcasts and social media campaigns for major sporting brands.

While Person X retired from their sporting career over 10 years ago, they would likely be considered a former professional athlete as they earned a living from playing sports. Further, their continued appearance in media and advertising may make them a prominent individual with the ability to increase the appeal of a product. Therefore, it is likely that person X would be considered notable.

Example 2

Person A played in a national sporting competition for a short period over 25 years ago and only appeared in a small number of televised first-grade matches. They were given some prize money but did not make a living from the sport. Since retiring, they have worked in a different industry and have had little to no involvement in the sporting world. They have remained out of the public eye and do not have a public social media following.

While Person A received some payment for playing at an elite level, they are unlikely to be considered a professional athlete, as they did not earn a living from their sporting career. Further, while they appeared in some televised games, they have not maintained any media or online presence. Their lack of public profile and little capacity to attract attention or influence would mean that they are unlikely to be considered notable.

What is a current or former celebrity?

The term celebrity captures a person who has a level of public recognition or fame such that their identity, persona, reputation or public profile is likely to generate or increase the appeal

of products and services they are linked with and may influence consumers' purchasing decisions. This may include, but is not limited to, former and current media personalities, film and television actors, radio personalities, models, comedians and entertainers, authors and musicians. This is likely to include anyone that a LIWSP contracts or engages to promote wagering advertising based on their recognisability.

Example 1

Person G is a well-known radio-presenter who hosts a daily breakfast radio show. They have been on air for many years and have won industry awards for their show. They are widely recognisable throughout Australia, with young people often calling in to try to feature on the show. They are asked to read an in-program advertisement for a LIWSP in their morning show.

It is likely that Person G would be considered a celebrity due to the widespread public recognition they have received through their long-standing media career. As they are being asked to represent themselves and read the advertisement during their popular morning radio show, their public profile is likely to be recognised and able to carry influence with listeners.

Example 2

Person V is an aspiring actor. They have worked as an extra in a number of movies and some television advertisements. While they have appeared on screen, they have not had any speaking roles or been credited in a prominent way.

Person V is unlikely to be considered a celebrity and therefore unlikely to be considered a notable person. Although they have appeared in a number of movies, their background involvement means they are unlikely to have garnered any meaningful public recognition. There is little evidence that their name or image would be capable of capturing significant public attention.

What is a current or former social media influencer?

A social media influencer may include a person who has developed an audience or following through social media. This may include content creators, vloggers, podcasters and brand ambassadors.

Is anyone with a social media profile an influencer?

In general, where a person is engaged (including through payment or other benefit) in their personal capacity to promote wagering advertising, they are more likely to fall within the scope of the notable person definition. Therefore, if a person with a social media presence has been paid by a LIWSP to appear in advertising it is likely that they are a notable person.

There is no prescribed number of followers or subscribers that a person must have to be considered an influencer. A relevant consideration will be their ability to influence actions or decision-making of others because of attributes, such as profile or reputation.

This means there is no specific follower count or level of verification that an individual must have to be considered notable. An individual with a 'low' follower count may be well known in certain contexts and, therefore, considered notable under the Interactive Gambling Act. Each matter will depend on the relevant circumstances or range of applicable circumstances.

Example 1

Person H is an online comedy content creator. They often post clips of their shows and announce ticketing information via their public social media account, using hashtags to increase reach. Their content is particularly popular with university-aged males and young people. Person H is approached to promote a wagering service where you can ‘bet with mates’.

Person H is likely to be considered a social media influencer and, therefore, a notable person, due to their public profile and online popularity. Person H is approached by a LIWSP to appear in their personal capacity. This is likely based on their appeal to the demographic of young men who would be interested in a wagering product centred around betting with friends. They may have an increased ability to influence audience attitude and decision-making through their established credibility and reach.

Example 2

Person Q is a young content creator. They have a relatively low social media following (less than 10k followers) and only a few posts and videos. Their content focuses exclusively on a niche esports league, on which they provide commentary and predictions about upcoming games. While their overall audience is limited, they are recognised within the esports community and their content is regularly shared by fans and distributed on esports discussion forums.

While Person Q has a relatively low number of followers, they may still be considered a notable person because of their prominence and recognition within a specific demographic. This increases their appeal and ability to influence decision-making within their community.

What is a current or former prominent individual?

A prominent individual may include someone who has a significant public profile, potentially within a specific community, industry, or sector. Their name, reputation, professional expertise and knowledge, image, or opinions may be capable of capturing attention and/or influencing the decision making of others. Prominent individuals may include – but are not limited to – politicians, academics, business leaders and senior executives of major companies and organisations, high-wealth individuals and advocates.

Example 1

Person V is a young male aged between 24–35. He is called to appear in a generic ad for a new LIWSP by an advertising agency. The advertising agency casts him knowing that he has no public social media accounts and has only ever had non-speaking, incidental roles in other film, television or commercial productions.

Person V would be unlikely to be considered a notable person as he does not have public prominence or influence. He has not been hired to promote the LIWSP as himself in the advertisement and is unlikely to have the ability to influence decision-making.

Example 2

Person L is a former local mayor who served on the local community council round 10 years ago. They are a well-known public figure in the community, having attended many community events and contributed to implementing significant projects relating to local issues. Since leaving office, they have not been involved in politics and have maintained a relatively quiet life outside of the public eye. As part of a new grass-roots campaign, a LIWSP

contracts the former local mayor to appear in radio advertisements broadcast on local commercial radio stations.

While Person L no longer holds a public position, their enduring recognition within the community means they may still be able to capture attention and influence decision-making. As a result, Person L is likely to be considered a prominent individual and therefore notable.

Can a person become notable over time?

Yes, whether someone is notable or not may also evolve over time and will depend on the context of their use in wagering advertising content. This is likely to be the case with influencers in particular.

The Interactive Gambling Act contemplates that a LIWSP may enter into an arrangement with a person who is not a notable person at the time of making the contract but who could become a notable person over the life of the contract. If a person included in wagering advertising content who was not a notable person goes on to become a notable person, the advertising content could no longer be broadcast, datacast or provided online after the point in time when the relevant person has become a notable person.

LIWSPs must not 'authorise or cause' wagering advertising content featuring a notable person (including if they can be seen or heard) to be broadcast, datacast or provided online in Australia⁶.

In considering reasonable timeframes to phase out that content, the ACMA may consider the likely impact of the advertisement, including its length, scope, scale and reach. Further guidance around these timeframes may be published under 62ZF.

Non-compliance with this provision might arise in circumstances where a LIWSP (or someone acting on their behalf, such as an advertising agency) has contracted an individual to appear in wagering advertising content. At the time the agreement was executed, the individual was not a notable person. However, part-way through the advertising campaign the individual becomes a notable person. A LIWSP may contravene the 'authorise or cause' provision if they do not take all reasonably available steps to cease or withdraw any advertising that is being broadcast or provided online following the point in time in which the relevant person has become a notable person.

Example

A LIWSP enters into a 12-month contract with an actor from a casting agency for advertisements to be shown on national television and social media. At the time the contract is entered, the actor has little-to-no social media presence or public profile and is not recognised in the community. Six months into the contract, the actor lands a leading role in a well-known successful international television series. They subsequently gain a substantial increase in social media followers, appear in mainstream media interviews and are recognisable through advertising campaigns.

It is unlikely that the actor would be considered a notable person at the time the contract was entered, due to their limited social media presence and lack of public profile. Therefore, it is

⁶ See subsection 62W(2) of the Interactive Gambling Act.

unlikely that the LIWSP would breach 62W(1) when the contract was made. However, their increased public profile, recognition and ability to influence consumers following their new role may mean that they are likely to be considered a notable person. Although there are still 6 months of the contract left, the LIWSP must stop further advertising content from being shown. Subsection 62W(4) provides that there is a separate contravention of subsection 62W(2) each time that wagering advertising content featuring a notable person is broadcast, datacast or provided on an online content service.

Contraventions of this provision may also occur where LIWSPs have not been clear with third-party advertising and creative agencies about the prohibitions on the use of notable people and the broad scope of the notable persons definition. Where the development of advertising content is outsourced, LIWSPs will need to take particular care to ensure the final product does not breach the notable person rules before it is shared with audiences, to avoid potentially contravening the 'authorise or cause' provision.

Relevant matters, including risks that someone appearing in wagering advertising content may subsequently become notable and the implications of ceasing an advertising campaign early, should be considered as part of contract negotiations with talent and in relation to purchasing advertising spots.

Exceptions

Subsection 62W(3) of the Interactive Gambling Act provides exceptions to the notable persons provision if the sponsorship, participation or involvement of a notable person relates to the promotion of wagering advertising content that:

- relates solely or principally to racing
- is or will be either:
 - broadcast or datacast on a dedicated racing program or channel
 - provided on a dedicated racing online content service.

Both of these criteria must be met for this exception to apply.

Relates solely or principally to racing

The revised explanatory memorandum explains that these exceptions recognise the intrinsic link between wagering and racing and the reasonable expectation that individuals engaging with racing content are likely to be seeking out wagering advertising content.

Subsection 62W(3) applies a qualitative threshold of 'solely or principally' related to racing, meaning only minor or incidental content other than racing would be permitted (to be considered on a case-by-case basis).

Dedicated racing program, channel and online content service

Section 62E provides that a channel or program or online content service is taken to be dedicated to racing if the content provided wholly or principally relates to racing.

A dedicated racing channel may include racing.com (Foxtel 519) and a dedicated racing program would be the Melbourne Cup coverage (currently on Channel 9).

Example 1

A professional rugby league player is hired for an advertisement about racing. The ad is broadcast on a racing channel entirely dedicated to horse-racing content, including live race broadcasts, racing news and interviews with trainers and jockeys.

The professional rugby league player would likely be considered a notable person; however, as the advertisement is broadcast on a channel that is principally dedicated to racing, this would likely fall within the racing exception and not be in contravention of subsection 62W(1) or (2).

Example 2

An Australian Olympian and TV personality feature in a wagering advertisement. The ad occurs during a program that discusses racing and broadcasts some live horse races. It also contains coverage of the NRL, AFL and other sporting competitions.

The Olympian is likely to be considered a notable person due to their successful sporting and television career. Although the program in which they appear features racing content, the inclusion of NRL and AFL content means that it is unlikely to meet the 'solely or principally related to racing' threshold. Therefore, the racing exception is unlikely to apply and the advertisement would not be exempt from the restrictions on the use of notable persons.

Interaction with venues and uniforms provisions

The Gambling Reform Act introduces into the Interactive Gambling Act a new prohibition on displaying wagering advertising content on uniforms and at venues in connection with a live sporting event (section 62V). The prohibition captures all levels of sporting events in Australia, including professional, semi-professional and grassroots. The ban on uniforms covers all participants and officials associated with a sporting event, including players, coaches, umpires, trainers, and security and venue staff.

Under the transitional provisions in the Gambling Reform Act, the prohibitions on venue and uniform advertising do not apply to any wagering advertising content on uniforms and at venues if it is associated with a contract or arrangement entered into before the introduction of the Interactive Gambling Amendment (Gambling Reform) Bill 2026 on 2 July 2026. This transitional arrangement applies until 31 December 2031 and is referred to as grandfathering.

This means that a notable person may be seen with wagering advertising displayed on their uniform under a grandfathered contract. The ACMA is scoping the possibility of publishing a list of grandfathered arrangements to assist compliance with the legislation and help audiences identify where wagering advertising arrangements have been grandfathered.