

Investigation Report – Puntaa Pty Ltd

Summary	
Entity	Puntaa Pty Ltd trading as Picklebet (Picklebet)
Australian Company Number	56 601 575 240
Relevant legislation	<i>Interactive Gambling Act 2001</i>
Type of activity	Part 7B – National Self-Exclusion Register
Findings	1 contravention of subsection 61KA(3) [Provision of licensed interactive wagering services to registered individuals] No contraventions of subsection 61LA(4) [Sending regulated electronic messages to registered individuals – recklessness of provider] No contraventions of subsection 61MB(5) [Not closing wagering accounts held by registered individuals – no outstanding bets]

Publication note: '[...]' indicates that text has been removed from the publication version of this report of investigation. The removed text is commercially or operationally sensitive information or personal information.

Background

1. BetStop – the National Self-exclusion Register™ (**NSER**) was established under Part 7B of the *Interactive Gambling Act 2001* (**IGA**) and allows Australians to self-exclude from all interactive licensed wagering service providers (**IWPs**) in a single process. Given the serious consumer harm that could result from non-compliance with the obligations imposed by Part 7B of the IGA, the ACMA expects IWPs to maintain their systems to enable full compliance.
2. On 26 August 2025, the ACMA commenced an investigation into Picklebet's compliance with the IGA following complaints received by the ACMA. The complainants alleged that their licenced interactive service accounts were not closed following their self-exclusion.
3. On 4 September 2025, under paragraph 173(b) of the *Broadcasting Services Act 1992*, the ACMA gave Picklebet a Notice requiring it to provide information pursuant to the investigation (the **Notice**).
4. The investigation initially considered 3 complaints and a sample of 100 customer accounts. On 20 February 2026, the ACMA expanded the scope of the investigation to include an additional consumer complaint received on 9 February 2026.

5. Picklebet made 5 submissions in response to the Notice and clarification requests on:

- > 28 September 2025 (Submission 1)
- > 26 January 2026 (Submission 2)
- > 6 March 2026 (Submission 3)
- > 24 April 2026 (Submission 4)
- > 9 June 2026 (Submission 5).

6. The ACMA's findings are based on:

- > Submissions 1 – 5;
- > Submission in response to preliminary findings dated 17 July 2026; and
- > NSER records, extracted by the ACMA, which record when the complainants became registered individuals and when the Register operator informed Picklebet that the complainants were registered individuals in response to requests that Picklebet made in accordance with subsection 61NC(1) of the IGA.

7. [...]

8. The reasons for the ACMA's findings, including the key elements which establish the contraventions are set out below.

Relevant legislative provisions

9. Obligations related to the NSER are set out in Part 7B of the IGA. The provisions relevant to this investigation are provided at **Attachment A** including, where necessary, references to the *Interactive Gambling (National Self-exclusion Register) Register Rules 2022 (Register Rules)*. Unless otherwise specified, all references to provisions within legislation in the report are a reference to provisions within the IGA.

Reasons for Findings

Finding 1 - Breach: Prohibition of the provision of licenced interactive wagering services to registered individuals (subsections 61KA(3))

Regulatory obligation

10. Subsection 61KA(3), which is a civil penalty provision, provides that an IWP must not provide licensed interactive wagering services to registered individuals. Subsection 61KA(4) provides that a person commits a separate contravention of subsection (3) in respect of each day during which the contravention occurs.

Is Picklebet a licensed interactive wagering service provider for the purposes of the IGA?

11. A licensed interactive wagering service is defined by section 61GB as a regulated interactive gambling service (defined by section 8E) that:

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

12. Picklebet is licenced by the Northern Territory Racing and Wagering Commission to provide licensed interactive wagering services in Australia and was licensed at the

time the matter under investigation occurred.¹ For this reason, Picklebet is included on the ACMA's Register of IWPs maintained under section 68 during the period subject to investigation.²

13. It is not disputed that Picklebet is an IWP for the purposes of the IGA and that the obligations under Part 7B apply.

Did Picklebet provide licensed interactive wagering services to a registered individual?

Complaints 1 – 3

14. NSER records show that Complainants 1, 2 and 3 became registered individuals on 21 August 2023.
15. Picklebet submitted it identified Complainants 1, 2 and 3 as registered individuals for the first time on 10 July 2025.
16. Picklebet also submitted that no wagering services were provided to Complainants 1, 2 and 3 following their self-exclusion registrations as their accounts were closed in July 2021, March 2023 and July 2022 respectively, prior to the commencement of the NSER. The ACMA also notes that Complainants 1 – 3 made no allegations of provision of wagering.

Complaint 4

17. NSER records confirm that Complainant 4 became a registered individual on 9 February 2026 [...].
18. Picklebet confirmed that Complainant 4 had an existing licenced interactive wagering service account which was opened on 25 January 2026.
19. In Submission 4, Picklebet confirmed that it accepted bets from Complainant 4 on 9 February 2026 between 11:39 AM and 11:54 AM (AEDT).³
20. Therefore, the ACMA is of the view that Picklebet provided licenced interactive wagering services to Complainant 4 on 1 occasion.

Conclusion

21. The ACMA found that Picklebet contravened subsection 61KA(3) on 1 occasion by providing licensed interactive wagering services to Complainant 4 while a registered individual on 9 February 2026.

Finding 2 – No Breach: Regulated electronic message must not be sent to an electronic address of a registered individual – recklessness of provider (subsection 61LA(4))

Regulatory obligation

22. Subsection 61LA(4) of the IGA provides that an IWP must not send, or cause to be sent, a regulated electronic message to an electronic address if:
- > the electronic address is an electronic address of a registered individual; and
 - > the person is reckless as to the fact that the electronic address is an electronic address of the registered individual.

¹ A list of licensed providers is contained on the NTRC's website: [Sports bookmakers, betting exchange operators and totalisators | Department of Tourism and Hospitality](#). Accessed 15 May 2026.

² This register is available on the ACMA's website: <https://www.acma.gov.au/check-if-gambling-operator-legal>. Accessed 15 May 2026.

³ Picklebet submitted that the bets were placed at 10:39 AM AEST and 10:54 AM AEST on 9 February 2026. The ACMA understands this to be 11:39 AM AEDT and 11:54 AM AEDT.

23. In Submissions 1 and 4, Picklebet provided the details of

- > 2 electronic SMS messages it sent at 09:33 AM (AEDT) and 11:22 AM (AEDT)⁴ to Complainant 4 on 9 February 2026;
- > 5 'betstop-closed-account' notification emails sent to Complainants 1 – 4; and
- > 1 activity statement notification email sent to Complainant 1.

Are the messages electronic messages?

24. Section 61GE of the IGA defines an electronic message as a message sent:

- (a) using:
 - i) an internet carriage service; or
 - ii) any other listed carriage services, and
- (b) to an electronic address in connection with:
 - i) an email account; or
 - ii) an instant messaging account; or
 - iii) a telephone account; or
 - iv) a similar account.

Note: Email addresses and telephone numbers are examples of electronic addresses.

SMS and email messages

25. SMS messages are messages sent using a listed carriage service or internet carriage service to a telephone number in connection with a telephone account. The ACMA is therefore of the view that 2 SMS messages that were sent by Picklebet are electronic messages under subparagraphs 61GE(1)(a)(i) and (b)(iii) and 61GE(1)(a)(ii) and (b)(iii).

26. Email messages are messages sent using an internet carriage service to an email address in connection with an email account. Picklebet submitted that it sent 6 email messages to Complainants 1 – 4 and the ACMA's view is that these emails are electronic messages under subparagraphs 61GE(1)(a)(i) and (b)(i).

Were the messages regulated electronic messages?

27. A regulated electronic message is defined, in section 61GF, as an electronic message where, having regard to:

- > the content of the message;
- > the way in which the message is presented; and
- > the content that can be located using the links, telephone numbers or contact information (if any) set out in the message;

it would be concluded that the purpose, or one of the purposes, of the message is:

- > to offer to provide licensed interactive wagering services; or
- > to advertise or promote licensed interactive wagering services; or

⁴ Picklebet submitted that the SMS messages were sent at 08:33 AM AEST and 10:22 AM AEST. The ACMA understands this to be 09:33 AM AEDT and 11:22 AM AEDT.

- > to advertise or promote a provider, or prospective provider, of licensed interactive wagering services.
28. In Submissions 1 and 4, Picklebet provided the details and content of the electronic messages sent and described the purpose of these electronic messages to be:
- > 'marketing' for 2 SMS messages; and
 - > '*betstop-closed-account*' for 5 emails and '*user activity statement issued*' for 1 email.
29. The ACMA's review of the content of the SMS messages shows they included promotions with offers and incentives. The ACMA agrees with Picklebet's assessment that the purpose of the SMS messages was marketing. The ACMA is of the view that the 2 SMS messages are regulated electronic messages as the purpose or one of the purposes was to promote or advertise licensed interactive wagering services.
30. The ACMA's also reviewed
- > the content and details of the automatically generated email notifications Picklebet sent to Complainants 1 – 4 informing them of their account closures due to their NSER registrations. The emails contain the subject title "*Account Closed - BetStop National Self-Exclusion Register*" and the following text in the body of the email:
- Due to your details appearing on the BetStop National Self-Exclusion Register, we are required to close your betting account immediately, in accordance with the Interactive Gambling Act 2001. What happens now? Any available balance in your closed account will be refunded to the nominated bank account you have provided for withdrawals. If there are no current withdrawal details nominated, Support will be in contact to collect them. Pending bets will stand and be settled post their completion. Any winnings from these events will be withdrawn to your nominated bank account, post settlement.*
- The ACMA is of the view that these account closure notification emails are not regulated electronic messages as they were sent in accordance with section 24 of the Register Rules to advise registered individuals that their accounts were closed in accordance with the IGA following their self-exclusion with the NSER.
- > the details of 1 email containing an activity statement sent to Complainant 1. Based on the content of this email, containing only the text "Your Activity Statement is ready" and a hyperlink to the activity statement in the body of the email (along with BetStop information in the signature of the email), and considering the requirement under the National Consumer Protection Framework for IWPs to send activity statements, the ACMA is of the view that the email containing an activity statement is not a regulated electronic message.
31. Therefore, the ACMA has formed the view that 6 emails, titled "*Account Closed - BetStop National Self-Exclusion Register*" and "*Your Activity Statement is ready*" are not regulated electronic messages.

Did Picklebet send, or cause to be sent, the regulated electronic messages?

32. Picklebet submitted that it sent the 2 SMS messages. Copies of the 2 electronic messages provided by Picklebet evidenced that the sender of the electronic messages was Picklebet. On this basis, it is the ACMA's view that Picklebet sent, or caused to be sent, the 2 regulated electronic messages.

Were the regulated electronic messages sent to electronic addresses of registered individuals?

33. Submission 4 provided information about the 2 electronic messages sent to Complainant 4, including the electronic addresses to which the electronic messages were sent.
34. The ACMA has cross referenced this customer information with the NSER entry of Complainant 4. The ACMA has confirmed the date and time Complainant 4 became a registered individual to determine if the messages were sent when they were a registered individual.
35. The ACMA considers that the 2 regulated electronic SMS messages sent by Picklebet, were sent to the mobile number that belonged to Complainant 4 who was a registered individual at the time the respective messages were sent.
36. The ACMA found that the electronic address was an electronic address of a registered individual, because it was listed in Complainant 4's NSER record and recorded as an electronic address of Complainant 4 by Picklebet.

Was Picklebet reckless to the fact that the electronic addresses belonged to registered individuals?

37. Subsection 61LA(4) prohibits IWPs from sending, or causing to be sent, regulated electronic messages where the IWP is reckless to the fact that the electronic address is an electronic address of the registered individual.
38. Subsection 61LA(5) sets out the relevant test for recklessness, where for the purposes of subsection 61LA(4), a person is reckless as to the fact mentioned in paragraph (b) of that subsection if:
 - (a) the person is aware of a substantial risk that the fact exists; and
 - (b) having regard to the circumstances known to the person, it is unjustifiable to take the risk.
39. The NSER was established to provide a one-stop process for consumers to exclude themselves from all IWPs. Consumers registered with the service have a reasonable expectation that by registering, IWPs will comply with their legal obligations to not open wagering accounts, provide wagering services, or market to them.
40. Picklebet is an established IWP operating in a regulated environment that requires it to put in place robust consumer protection measures under relevant Commonwealth, State and Territory law, including the IGA, to protect its users.
41. The ACMA is of the view that Picklebet's submissions demonstrate it was aware of the general risk that the Complainant's electronic addresses (i.e. email address and phone number) could belong to a registered individual from 21 August 2023, when the NSER was launched and its customers were able to become registered individuals from this time, including that it needed to have processes in place to identify registered individuals and not send them marketing messages.
42. In Submission 1, Picklebet submitted that it has designed its systems and processes to ensure that electronic addresses belonging to registered individuals are excluded before sending any regulated electronic message. Picklebet submitted that when a Customer is identified as a registered individual, an "NSER Excluded" account tag is applied to their account profile, and their electronic addresses are automatically removed from all marketing lists. The account tag operates as a global exclusion across all communication channels ensuring the exclusion lists are applied to every digital marketing campaign with requirement that messages are only sent to accounts

with an open account status. Picklebet submitted that all electronic addresses associated with registered individuals are removed from marketing lists at the same time a permanent account closure is affected following identification of a customer as a registered individual.

43. Picklebet submitted that all outbound marketing communications are automatically screened to exclude any Electronic Address belonging to registered individuals as an additional control measure, and addresses linked to Customers with an “NSER Excluded” account tag are automatically removed from those marketing communications.
44. Picklebet further submitted that its personnel are trained to err on the side of caution and its internal procedures direct that:
 - > any electronic address flagged as potentially belonging to a registered individual, even in the absence of a positive match from the Register operator, is removed from marketing lists until further investigation into the customer’s self-exclusion status is completed; and
 - > where an NSER request returns an error response, the account is treated as belonging to an excluded individual and the associated electronic addresses are removed from all marketing lists.
45. The ACMA acknowledges Picklebet’s submissions and considers it demonstrated an awareness that it needed internal systems and processes to address and eliminate the risk of sending marketing to electronic addresses that may belong to registered individuals. If that risk amounted to a substantial risk that this fact exists, then it would have been unjustifiable for it to take the risk of sending regulated electronic messages to an electronic address of a registered individual.
46. As detailed in Finding 1, Complainant 4 became a registered individual [...] on the morning of 9 February 2026. Picklebet submitted an NSER request to the Register operator a minute later [...] however as the Complainant 4’s self-exclusion had not yet become effective, the Register operator informed Picklebet that the Complainant was not a registered individual. Picklebet did not identify the Complainant as a registered individual until almost 7 hours later when the Register operator responded with a positive match at 13:54 AEDT on 9 February 2026.⁵ During that 7 hour period, Picklebet submitted that it sent 2 regulated electronic messages to Complainant 4 at 09:33 and 11:22 AEDT on 9 February 2026.
47. With respect to Complainant 4, Picklebet submitted

On identifying Complainant 4 as a registered individual, an “NSER Excluded” account tag was immediately and automatically applied to Complainant 4’s Licensed Account. This triggered the immediate and automated removal of all Electronic Addresses associated with Complainant 4, including email addresses and phone numbers, from all marketing and communication lists used by Picklebet to send regulated electronic messages to its customers.

Conclusion

48. The ACMA accepts that, in the circumstances of Complainant 4, while Picklebet was aware of a risk that the electronic address it was sending regulated electronic messages to could be an electronic address of a registered individual, it was not aware of a substantial risk of that fact. Therefore, for the purposes of subsections

⁵ Picklebet submitted that it identified Complainant 4 as a registered individual at 12:54 AEST on 9 February 2026. The ACMA understands this to be 13:54 AEDT on 9 February 2026.

61LA(4) and (5), Picklebet was not reckless as to the fact that Complainant 4's electronic address was an electronic address of a registered individual.

49. While the ACMA has found that 2 regulated electronic messages were sent to the electronic address of a registered individual, the ACMA accepts that in the circumstances Picklebet was not reckless to the fact that the electronic address belonged to a registered individual and did not contravene subsection 61LA(4).

Finding 3 – No Breach: Failure to close licensed interactive wagering service accounts of registered individuals – no outstanding bets (subsection 61MB(5))

Regulatory obligation

50. Under subsection 61MB(5) an IWP must, as soon as practicable after an individual with no outstanding or pending bets becomes a registered individual:
- > close the individual's account;⁶ and
 - > pay the individual:
 - the credit balance of the individual's account (if any);⁷ or
 - the credit balance of the individual's account remaining after the deduction of any debts owed to the IWP immediately prior to the individual becoming a registered individual (if any).⁸
51. What is regarded as 'as soon as practicable' may vary on a case-by-case basis depending on relevant circumstances.
52. Subsection 61MB(7) provides that subsection 61MB(5) does not apply if the licensed interactive wagering service provider took reasonable precautions, and exercised due diligence, to avoid the contravention.
53. Subsection 64B(1) provides that each civil penalty provision of the IGA is enforceable under Part 4 of the *Regulatory Powers (Standards Provisions) Act 2014 (RPA)*, including subsections 61MB(5) and 61MC(5).
54. Subsection 93(1) in Part 4 of the RPA provides that if an act or thing is required under a civil penalty provision to be done within a particular period or before a particular time, then the obligation to do that act or thing continues until the act or thing is done (even if the period has expired or the time has passed). Subsection 93(2) of the RPA provides that a person who contravenes a civil penalty provision that requires an act or thing to be done within a particular period or before a particular time commits a separate contravention of that provision in respect of each day during which the contravention occurs.
55. Accordingly, an IWP that contravenes subsection 61MB(5) by failing to close a wagering service account of a registered individual that has no outstanding bets and failing to pay any credit balance as soon as practicable after the individual becomes a registered individual will be committing a separate contravention of that provision for each day that it fails to close the account after the expiration of the 'as soon as practicable' period.

⁶ See subparagraphs 61MB(5)(c)(i) & (d)(i), with the former applicable where the individual did not owe any debts to the IWP immediately prior to becoming a registered individual and the latter applicable where such debts were owed to the IWP.

⁷ See subparagraph 61MB(5)(c)(ii).

⁸ See subparagraph 61MB(5)(d)(ii).

Did individuals have any outstanding or pending bets attributable to the provision of a licensed interactive wagering service by the provider?

56. The ACMA considered a sample of 100 Picklebet customers in addition to the 4 complaints (one Complainant having had a duplicate account). Of the 105 licenced interactive wagering service accounts examined as part of the investigation, Picklebet's Submissions 1 – 4 indicate that none had outstanding or pending bets.

Did Picklebet close the accounts and pay any credit balance as soon as practicable after the individuals became registered individuals?

What is considered to be "as soon as practicable" for Picklebet to close accounts after an individual becomes a registered individual?

57. In Submission 1, Picklebet submitted that when 'a Customer is identified as a registered individual, an "NSER Excluded" account tag is automatically and immediately added to their Licensed Account which triggers' account closure, prevention from further access to the account and block preventing reopening or reinstatement, removal from marketing lists and a notification to the Customer in accordance with section 24 of the Register Rules advising them that Picklebet identified them as a registered individual and that their account was permanently closed in accordance with the IGA requirements.
58. The ACMA reviewed the circumstances surrounding the closure of 105 accounts examined as part of this investigation, the customer closure notification email and the time taken for Picklebet to close the 105 licenced wagering services accounts after the relevant customers were identified as registered individuals. This review confirmed that account closure is automatic as submitted by Picklebet and occurs immediately when the Register operator informs Picklebet that a customer is a registered individual. For example, Complainant 4's account was closed at the same time Picklebet submitted that it became aware that Complainant 4 was a registered individual.⁹
59. In Submission 1, Picklebet detailed that is has:
- ... automated system controls to ensure that NSER requests are triggered based on Customer interactions with [Picklebet's] platform and interval-based checks for inactive Customers. The timing and frequency of requests are tailored to the status of a Customer's Licensed Account (e.g. at the account opening request stage, at various trigger points for active and inactive Accounts, at the point of account closure, and periodic checks for closed accounts that may in future be reopened).*
60. Picklebet submitted that its processes were to regularly check customers against the NSER, including checks of:
- > all open accounts (including inactive or dormant accounts) against the NSER [at set intervals] where an NSER request has not otherwise been triggered [by account activity]; and
 - > previously closed accounts [at set intervals (Closed Account Checks)], such that it could identify registered individuals in a timely manner and subsequently close accounts to comply with its obligations.
61. Picklebet submitted that the [Closed Account Checks were] introduced on 10 July 2025, when Picklebet conducted its first checks of this type. In doing so, Picklebet

⁹ Picklebet recorded that it identified Complainant 4 as a registered individual at 12:54 AEST on 9 February 2026, and that it closed their account at the same time. The ACMA understands this time to be 13:54 AEDT.

identified some of its former customers as registered individuals for the first time. These accounts are examined below in further detail.

62. Based on the evidence Picklebet provided in its submissions, the ACMA is of the view is that it is practicable for Picklebet to close accounts held by registered individuals within 24 hours of it identifying them as registered individuals.

Were registered individual's accounts closed "as soon as practicable" after they became a registered individual?

Complainant 4 and 11 customer accounts from the sample of 100 customers

63. The licenced wagering accounts belonging to Complainant 4 and a sample of 11 customers that Picklebet identified as registered individuals for the first time, were closed between approximately 5.5 hours and 16.5 hours of their self-exclusion with the NSER.
64. The ACMA's assessment is that Picklebet closed these 12 accounts within 24 hours of the relevant individuals becoming registered individuals.
65. Therefore, the ACMA's view is that Picklebet closed these 12 accounts as soon as practicable.

Complainants 1, 2, 3 and 89 customer accounts from the sample of 100 customers

66. The remaining 93 accounts considered as part of this investigation, belonging to Complainants 1, 2, 3 and a sample of 89 customers, were identified as belonging to registered individuals for the first time by Picklebet on 10 July 2025 as a result of Picklebet's new [Closed Account Checks].
67. Based on the evidence provided by Picklebet in its submissions, these 93 accounts were all closed prior to commencement of the NSER as follows:
- > Complainant 1's account was closed on 22 July 2021 as a result of Picklebet receiving confirmation of Complainant 1's self-exclusion with the Northern Territory Self-exclusion program. Complainant 1 attempted to open a new account on 12 August 2023, however Picklebet identified it as a duplicate account and closed it within 15 minutes of the account creation attempt.
 - > Complainant 2's account was closed on 31 March 2023 via self-service by Complainant 2.
 - > Complainant 3's account was closed on 30 July 2022 per request of Complainant 3.
 - > Accounts belonging to the remaining 89 customers were all closed in 2020, 2021, 2022 and 2023 for reasons of state or territory self-exclusion, customer request or for being detected as duplicate accounts.
68. As these accounts were closed prior to commencement of the NSER, and were not subject to reopening or reinstatement attempts, they were not included in any of Picklebet's NSER checks.
69. Following the introduction of the [Closed Account Checks] on 10 July 2025, these accounts were identified as belonging to registered individuals for the first time and, following the usual closure process outlined in Picklebet's submissions, automated email notifications were sent to those customers in accordance with section 24 of the Register Rules advising them that Picklebet identified them as a registered individual and that their account was now permanently closed in accordance with the IGA requirements.

70. While Complainants 1, 2 and 3 raised concerns that their accounts may have remained open during their self-exclusion, the evidence provided by Picklebet shows the relevant accounts

- > were closed prior to the NSER commencement on 21 August 2023;
- > remained closed as there were no attempts to reinstate or reopen the accounts which would also have triggered NSER requests; and
- > the notifications of permanent account closure due to NSER registration status were sent in accordance with section 24 of the Register Rules.

71. Subsection 24(1) of the Register Rules provides that if a licensed interactive wagering service provider is informed by the Register operator that a current customer is a registered individual, it must inform the individual that it has been advised by the Register operator that the customer is registered on BetStop, and that their account is closed in accordance with section 61MB or 61MC (as the case may be) of the IGA.

72. The ACMA acknowledges that receiving an account closure notification email from an IWP much later after the self-excluding may be triggering for some consumers. The ACMA notes that the reason for this in the circumstances of Complainants 1 – 3 and 89 other customers is because their wagering accounts were already closed prior to commencement of the NSER and Picklebet only became aware of their self-exclusion status when it introduced an additional NSER checking process for previously closed accounts on 10 July 2025.

Conclusion

73. It is the ACMA's view that Picklebet closed:

- > 12 accounts as soon as practicable after the relevant individuals became registered individuals.
- > 93 accounts prior to the commencement of the NSER.

74. Accordingly, the ACMA found that Picklebet did not contravene subsection 61MB(5).

Conclusions

75. The ACMA found that Picklebet:

- > Has contravened subsection 61KA(3) on 1 occasion in relation to the provision of licensed interactive wagering services to a registered individual on 9 February 2026.
- > Has not contravened subsection 61LA(4) in relation to sending of regulated electronic messages promoting its wagering services to a registered individual.
- > Has not contravened subsection 61MB(5) in relation to closure of licensed interactive wagering service accounts of registered individuals with no outstanding or pending bets.

Attachments

Attachment A – Extract of relevant provisions

Attachment A

Key provisions of the IGA***Section 61KA – Prohibition of the provision of licensed interactive wagering services to registered individuals****Offence*

(1) A person commits an offence if:

- (a) the person is a licensed interactive wagering service provider; and
- (b) the person provides a licensed interactive wagering service to an individual; and
- (c) the individual is a registered individual.

Penalty: 500 penalty units.

(2) A person who contravenes subsection (1) commits a separate offence in respect of each day (including a day of conviction for the offence or any later day) during which the contravention continues.

Civil penalty provision

(3) A licensed interactive wagering service provider must not provide a licensed interactive wagering service to a registered individual.

Civil penalty: 750 penalty units.

(4) A person who contravenes subsection (3) commits a separate contravention of that provision in respect of each day during which the contravention occurs (including the day the relevant civil penalty order is made or any later day).

Exception

(5) Subsections (1) and (3) do not apply if the licensed interactive wagering service provider took reasonable precautions, and exercised due diligence, to avoid the contravention.

Note 1: The Register operator must, if requested to do so by a licensed interactive wagering service provider, inform the provider whether an individual is a registered individual (see section 61NC).

Note 2: In a prosecution for an offence against subsection (1), a defendant bears an evidential burden in relation to the matter in this subsection (see subsection 13.3(3) of the *Criminal Code*).

Note 3: In proceedings for a civil penalty order for a contravention of subsection (3), a defendant bears an evidential burden in relation to the matter in this subsection (see section 96 of the Regulatory Powers Act).

Offence—extended geographical jurisdiction

(6) Section 15.4 of the *Criminal Code* (extended geographical jurisdiction—category D) applies to an offence against subsection (1).

Section 61LA – Regulated electronic message must not be sent to an electronic address of a registered individual

Offence—knowledge of provider

(1) A person commits an offence if:

- (a) the person is a licensed interactive wagering service provider; and
- (b) the person sends, or causes to be sent, a regulated electronic message to an electronic address; and
- (c) the electronic address is known by the person to be an electronic address of a registered individual.

Penalty: 120 penalty units.

Civil penalty provision—knowledge of provider

(2) A licensed interactive wagering service provider must not send, or cause to be sent, a regulated electronic message to an electronic address that is known by the provider to be an electronic address of a registered individual.

Civil penalty: 180 penalty units.

Offence—recklessness of provider

(3) A person commits an offence if:

- (a) the person is a licensed interactive wagering service provider; and
- (b) the person sends, or causes to be sent, a regulated electronic message to an electronic address; and
- (c) the electronic address is an electronic address of a registered individual; and
- (d) the person is reckless as to the fact that the electronic address is an electronic address of the registered individual.

Penalty: 60 penalty units.

Civil penalty provision—recklessness of provider

(4) A licensed interactive wagering service provider must not send, or cause to be sent, a regulated electronic message to an electronic address if:

- (a) the electronic address is an electronic address of a registered individual; and
- (b) the person is reckless as to the fact that the electronic address is an electronic address of the registered individual.

Civil penalty: 90 penalty units.

(5) For the purposes of subsection (4), a person is **reckless** as to the fact mentioned in paragraph (b) of that subsection if:

- (a) the person is aware of a substantial risk that the fact exists; and
- (b) having regard to the circumstances known to the person, it is unjustifiable to take the risk.

Exception

(6) Subsections (1), (2), (3) and (4) do not apply if the licensed interactive wagering service provider took reasonable precautions, and exercised due diligence, to avoid the contravention.

Note 1: The Register operator must, if requested to do so by a licensed interactive wagering service provider, inform the provider whether an individual is a registered individual (see section 61NC).

Note 2: In a prosecution for an offence against subsection (1), a defendant bears an evidential burden in relation to the matter in this subsection (see subsection 13.3(3) of the *Criminal Code*).

Note 3: In proceedings for a civil penalty order for a contravention of subsection (2) or (4), a defendant bears an evidential burden in relation to the matter in this subsection (see section 96 of the Regulatory Powers Act).

Offences—extended geographical jurisdiction

(7) Section 15.4 of the *Criminal Code* (extended geographical jurisdiction—category D) applies to an offence against subsection (1) or (3).

Section 61MB – Closure of a licensed interactive wagering service account held by a registered individual—no outstanding or pending bets

Offence

(1) If:

- (a) an individual becomes a registered individual; and
- (b) immediately before becoming a registered individual:
 - (i) the individual had a licensed interactive wagering service account with a licensed interactive wagering service provider; and
 - (ii) the individual did not have any outstanding or pending bets that are attributable to the provision of a licensed interactive wagering service by the provider;

then:

- (c) if, immediately before becoming a registered individual, the individual did not owe any debts to the provider that could lawfully be recovered by way of deduction from the account—the provider must, as soon as practicable after the individual becomes a registered individual:
 - (i) close the account; and
 - (ii) if the account has a credit balance—pay the individual an amount equal to the credit balance; and

(d) if, immediately before becoming a registered individual, the individual owed one or more debts to the provider that could lawfully be recovered by way of deduction from the account—the provider must, as soon as practicable after the individual becomes a registered individual:

(i) close the account; and

(ii) if the account would have a credit balance if the total amount of those debts were deducted from the account—pay the individual an amount equal to the difference between the balance of the account and the total amount of those debts; and

(e) if the individual ceases to be a registered individual before the closure of the account—the provider must ensure that the account is not used in relation to the provision, or prospective provision, of one or more licensed interactive wagering services to the individual after the cessation; and

(f) if the account has been closed—the provider must not reopen, reactivate, or reinstate the account.

(2) Paragraph (1)(e) does not prevent the licensed interactive wagering service provider from opening a new licensed interactive wagering service account for the individual if the individual ceases to be a registered individual.

(3) A person commits an offence if:

(a) the person is subject to a requirement under subsection (1); and

(b) the person engages in conduct; and

(c) the person's conduct breaches the requirement.

Penalty: 120 penalty units.

(4) Subsection (3) does not apply if the person took reasonable precautions, and exercised due diligence, to avoid the contravention.

Note 1: The Register operator must, if requested to do so by a licensed interactive wagering service provider, inform the provider whether an individual is a registered individual (see section 61NC).

Note 2: In a prosecution for an offence against subsection (3), a defendant bears an evidential burden in relation to the matter in this subsection (see subsection 13.3(3) of the *Criminal Code*).

Civil penalty provision

(5) If:

(a) an individual becomes a registered individual; and

b) immediately before becoming a registered individual:

(i) the individual had a licensed interactive wagering service account with a licensed interactive wagering service provider; and

(ii) the individual did not have any outstanding or pending bets that are attributable to the provision of a licensed interactive wagering service by the provider;

then:

(c) if, immediately before becoming a registered individual, the individual did not owe any debts to the provider that could lawfully be recovered by way of deduction from the account—the provider must, as soon as practicable after the individual becomes a registered individual:

(i) close the account; and

(ii) if the account has a credit balance—pay the individual an amount equal to the credit balance; and

(d) if, immediately before becoming a registered individual, the individual owed one or more debts to the provider that could lawfully be recovered by way of deduction from the account—the provider must, as soon as practicable after the individual becomes a registered individual:

(i) close the account; and

(ii) if the account would have a credit balance if the total amount of those debts were deducted from the account—pay the individual an amount equal to the difference between the balance of the account and the total amount of those debts; and

(e) if the individual ceases to be a registered individual before the closure of the account—the provider must ensure that the account is not used in relation to the provision, or prospective provision, of one or more licensed interactive wagering services to the individual after the cessation; and

(f) if the account has been closed—the provider must not reopen, reactivate, or reinstate the account.

Civil penalty: 180 penalty units.

(6) Paragraph (5)(e) does not prevent the licensed interactive wagering service provider from opening a new licensed interactive wagering service account for the individual if the individual ceases to be a registered individual.

(7) Subsection (5) does not apply if the licensed interactive wagering service provider took reasonable precautions, and exercised due diligence, to avoid the contravention.

Note 1: The Register operator must, if requested to do so by a licensed interactive wagering service provider, inform the provider whether an individual is a registered individual (see section 61NC).

Note 2: In proceedings for a civil penalty order for a contravention of subsection (5), a defendant bears an evidential burden in relation to the matter in this subsection (see section 96 of the Regulatory Powers Act).

Offence—extended geographical jurisdiction

(8) Section 15.4 of the *Criminal Code* (extended geographical jurisdiction—category D) applies to an offence against subsection (3).

Debt recovery not affected

(9) To avoid doubt, the closure of a licensed interactive wagering service account under this section does not prevent the recovery of a debt owed by an individual to a licensed interactive wagering service provider.

Acquisition of property

(10) The provisions of this section have no effect to the extent (if any) to which their operation would result in an acquisition of property (within the meaning of paragraph 51(xxxi) of the Constitution) from a person otherwise than on just terms (within the meaning of that paragraph).

Key Provisions of the Interactive Gambling (*National Self-exclusion Register*) Register Rules 2022

Section 24 Notifications where current or prospective customer is a registered individual

(1) If a licensed interactive wagering service provider is informed by the Register operator that a current customer is a registered individual, the provider must:

- (a) inform the individual that the provider has been advised by the Register operator that the customer is registered on BetStop; and
- (b) inform the individual that the provider is prevented from providing licensed interactive wagering services to the customer; and
- (c) inform the individual that their licensed interactive wagering service account with the provider will be closed in accordance with section 61MB or section 61MC of the Act (whichever is applicable), and that any credit in the account will be refunded to them under section 61MC (if applicable); and
- (d) provide the individual with information about relevant available support services, as soon as practicable after being so informed.

Note: Licensed interactive wagering service providers have various obligations relating to the closure of an account where an individual becomes a registered individual, which are set out in sections 61MB and 61MC of the Act.

(2) If a licensed interactive wagering service provider is informed by the Register operator that a prospective customer is a registered individual, the provider must:

- (a) inform the individual that they are registered on BetStop; and
- (b) inform the individual that they cannot open a new licensed interactive wagering service account; and
- (c) provide the individual with information about relevant available support services, as soon as practicable after being so informed.