

Two separate bills were laid before the Australian Senate today (16 May) which, if passed, will have significant implications for the online sector.

The first Bill was presented by Senator Di Natale, a Greens Senator. This Bill, entitled the Broadcasting Services Amendment (Advertising for Sports Betting) Bill, will introduce restrictions on the broadcast of odds and advertisements (including through the use of commentators promoting the services) of a betting operator. Among other things, these restrictions will prohibit advertisements containing information about odds being broadcast at all and gambling advertisements being broadcast before 9.00 pm (i.e. during the times when children are likely to be watching or listening to those broadcasts). These prohibitions will apply to broadcasts on free-to-air and pay television, as well as on radio.

These provisions will enshrine in law provisions which are already in place to a significant degree under industry codes of conduct or through practice. They are targeted at advertising engaged in by one betting operator in particular which has been very extensive in the context of sports broadcasts and, in some cases, has been viewed as overly intrusive.

The second Bill has been presented by Senator Xenophon, an independent Senator who was elected initially on a harm minimisation platform. It is entitled the Interactive Gambling Amendment (Virtual Credits) Bill and seeks to prohibit social games to the extent they allow virtual tokens or the like to be purchased and used in the course of the game.

This prohibition is introduced in the Bill by expanding the prize element of the gambling trifecta definition (as used in the Australian Interactive Gambling Act) to include non-monetary prizes. To our knowledge, this is the first law of this type proposed throughout the world which targets specifically social games and its progress will be watched with interest.

The timing of these Bills will be known soon. Australia will have a Federal election on 14 September and there are very few parliamentary sittings days before Parliament is prorogued (or suspended) until after the Federal election.

For further information about these Bills, please contact Jamie Nettleton at Addisons on + 61 2 8915 1030 or on jamie.nettleton@addisonslawyers.com.au