

Question on Notice

No. 355

Asked on 18 March 2020

MS S BOLTON ASKED THE ATTORNEY-GENERAL AND MINISTER FOR JUSTICE (HON Y D'ATH) –

QUESTION:

Will the Attorney-General outline what measures are in place to ensure online gambling has the same protections in place to minimise harm to individuals and communities as newsagencies do, such as responsible gambling and buyer's remorse?

ANSWER:

I thank the Member for Noosa for her question.

Online gambling is generally illegal under Commonwealth legislation. However, there are exemptions that allow for the sale of lottery and wagering products, if those activities are authorised under a State or Territory law. The majority of online wagering providers who lawfully offer wagering services in Australia are licensed in the Northern Territory.

I can advise that wagering and lotteries authorised by the Queensland Government are conducted in accordance with responsible gambling and harm minimisation measures outlined in the relevant Queensland legislation and conditions applied to the exclusive Queensland wagering and lottery licences. In addition to these measures, the Queensland Responsible Gambling Code of Practice (the Code) provides a proactive whole-of-industry approach to the promotion of responsible gambling practices.

In regard to lotteries, the *Lotteries Act 1997* allows for the sale of lottery products by an exclusive lottery licensee, which is Golden Casket Lottery Corporation Limited (trading as the Lott). The licensee may sell entries online or via a retail agency network of predominantly newsagencies.

I am advised that Golden Casket requires its agents to observe a Responsible Play Program that is consistent with the Code. This ensures, for example, that information on game rules and odds of winning, and where to find help for gambling problems, can be obtained on request from newsagencies that sell lottery tickets. The lottery licensee observes similar requirements when selling products online, by providing links to information of this nature on its website and via its call centre. Newsagents are also obligated to display responsible gambling messaging, which the lottery licensee also does via its website.

While the Code contains a range of practices applicable to online and terrestrial lottery sales, some practices (such as restrictions around the cashing of cheques by gambling operators) are not relevant to an online environment. On the other hand, online sales platforms provide system functionalities that exceed the requirements of the Code, and which could not be practically implemented with regard to terrestrial lottery sales.

For example, online system functionality allows players to self-exclude from online lottery purchases, and to set maximum weekly spend limits that are enforced by the lottery licensee.

Online system functionality also allows lottery tickets purchased online to be cancelled automatically via the lottery licensee's website or app without the requirement to visit an

agent or contact the lottery licensee, provided the circumstances of the cancellation meet relevant legislative requirements. This may assist players who experience buyer's remorse prior to the closure of the cancellation period.

With regard to online wagering, I can advise that Queensland's sole licensed wagering provider, UBET Qld Limited (trading as TAB), is obligated to comply with the following consumer protection and harm minimisation measures:

- all new customers of an online wagering provider must be offered the opportunity to set limits on their spending, with these limits to be enforced by the wagering provider;
- all customers must have the ability to easily cease their dealings with the wagering provider through easily identifiable account closure procedures that are accessible through the same channels customers use to place bets;
- all customers of online wagering providers must verify their identity within 14 days of opening an account, else winnings cannot be obtained and participation in wagering may not continue; and
- the offer of inducements to open an account, or refer a friend to open an account, is prohibited.

These wagering measures are part of a National Consumer Protection Framework for Online Wagering as agreed between the Ministers responsible for wagering in all Australian states and territories. The Framework provides for these consumer protections when wagering providers licensed in other jurisdictions transact with Queenslanders.

The Palaszczuk Government's commitment to gambling harm minimisation is ongoing and includes the future implementation of the following National Consumer Protection framework measures for online wagering, subject to the completion of trialling and development work by the Commonwealth:

- activity statements describing a customer's wagering expenditure must be provided to the customer on a periodic basis;
- all staff involved in online wagering are to be trained in the responsible service of gambling; and
- wagering providers will be unable to provide services to people registered on a national self-exclusion register.