

## **Increased Regulation of Gambling Services Bill 2022**

A Bill for an Act to increase the regulation of gambling services in Victoria. Gambling advertisements have increased exponentially in the last decade, resulting in an increase of people undertaking gambling and young people being exposed to gambling at younger stages of their lives. The Bill will resolve these issues by ensuring that gambling organisations have to follow strict guidelines in how they advertise their gambling platforms, preventing political donations from gambling organisations and minimising sponsorship deals. The Bill will enforce fines for individuals, political parties or organisations that don't adhere to the code. In addition, the Bill places limits on gambling advertisements by implementing mandatory proof of identity systems in online gambling services, establishing a gambling watchdog to oversee new restrictions, and reclassifying sporting events under Victorian law. These strategies work in effort to decrease gambling rates in Victoria, to combat the link between gambling and sport, and to allow young people to enjoy sport without viewing large frequencies of gambling ads.

The aims of the Increased Regulation of Gambling Services Bill 2022 are to: limit the rise of consumption of online gambling in the state of Victoria, reduce the impacts created by excessive gambling advertisements, reduce the number of Victorians who are encouraged and exposed to gambling because of these advertisements, limit gambling advertising exemptions by ACMA, redefine sporting events and enforce stronger broadcasting regulations around gambling promotion, and add protective factors to reduce problem and underage gamblers using these services.

**A Bill for an Act relating to Increased Regulation of Gambling Services to be enacted by the YMCA Victoria Youth Parliament;**

**PART I—Preliminary**

**Clause 1 Purpose**

The main purposes of this Act are;

- (a) To increase regulation for the gambling industry;
- (b) To cease all forms of political donations from gambling organisations;
- (c) To limit sponsorship deals with gambling organisations;
- (d) To limit the frequency of, and modifying regulations around, gambling advertisements.

**Clause 2 Commencement**

This Bill shall commence one year after receiving assent from the Youth Governor of Victoria.

**Clause 3 Definitions**

In this Bill—

- (a) **Gambling** means an activity which includes the following;
  - (i) a prize of money or something else of value is offered or can be won;
  - (ii) a person pays or stakes money or some other valuable consideration to participate;
  - (iii) the outcome involves, or is presented as involving, an element of chance.
- (b) **Regulation** means rules made by a government or other authority in order to control the way something is done or the way people behave;
- (c) **Responsible** means having an obligation to do something or having control over or care for someone, as part of one's job or role;
- (d) **Advertisement** means a paid announcement for goods and/or services as presented in print and digital media;
- (e) **Proof of identity** means any photo form of identification that proves your date of birth and is accepted in the state of Victoria as evidence of a person's age being over 18 years, such as a driver's licence, passport, or proof of age card.

**PART II—Establishment**

**Clause 4 Limitation of Gambling Advertisements in Victoria**

- 4.1 Between 7.00am – 9.00am and 4.00pm – 9.00pm, gambling advertisements shall not be aired on free-to-air television.
- 4.2 A maximum of 50 gambling advertisements shall be aired on free-to-air television per day.
- 4.3 Direct advertising to consumers through SMS and email shall be banned.
- 4.4 Gambling advertisements shall be removed from the following digital media sites;
  - (a) Facebook;
  - (b) Snapchat;

- (c) Instagram.

**Clause 5 Establishment of the Regulation of Victorian Gambling Services Commission**

- 5.1 A regulatory body shall be established under the title Regulation of Victorian Gambling Services (RVGS) Commission.
- 5.2 The main purposes of the RVGS Commission shall be;
  - (a) To investigate connections between gambling organisations and companies, political parties, and other organisations;
  - (b) To investigate the donation of money from gambling organisations;
  - (c) To limit the amounts of money gambling organisations can give to other organisations or political parties.
- 5.3 The RVGS Commission shall reserve the power to enforce penalties, wherein;
  - (a) The RVGS Commission shall determine the value of penalties;
  - (b) Penalties shall be enforced in the case that an organisation breaks any rule outlined in this Bill.

**Clause 6 Modification of Gambling Advertising Regulations**

- 6.1 The existing Australian Communications and Media Authority (ACMA) broadcasting rules for gambling advertisements during live sport on TV and radio shall be extended to;
  - (a) Telephone betting services;
  - (b) Services that stream live sports over the internet;
  - (c) Pay-per-view broadcasting;
  - (d) Subscription television sports channels with a low audience share.
- 6.2 Horse racing, harness racing and greyhound racing shall be reclassified as sporting events so that the Online Content Service Provider rules apply to them.
- 6.3 Online services that are licensed in Australia and which practise services in Victoria, shall not be exempt from Parts 3 and 4 of the Online Content Service Provider Rules, including;
  - (a) The prohibition of gambling promotional content from 5:00am to 8:30pm;
  - (b) Rules and regulations for gambling promotion from 8:30pm to 5:00am.
- 6.4 During live sports, gambling advertisements or references to gambling services shall not appear on signage or on players' uniforms.
- 6.5 The following advertisements shall not be exempt from the additional ACMA broadcasting rules between 5:00am and 8:30pm;
  - (a) Advertisements or promotions for;
    - (i) Government lotteries;
    - (ii) Keno;
    - (iii) Contests.
  - (b) Gambling advertisements or references to gambling services broadcast during live sports.

- 6.6 No gambling advertising or promotion of odds shall be permitted before the published schedule's start of play, after play or during breaks.

**Clause 7 Alteration of Language and Themes in Gambling/Betting Advertisements**

- 7.1 Gambling organisations shall not direct advertisements at children as the target audience.
- 7.2 Gambling organisations shall not appeal to children in the following elements of advertisements;
- (a) Phrasing, language and terminology;
  - (b) Family-friendly themes and values;
  - (c) Jingles and slogans;
  - (d) Alignment between gambling and community or children's sport.
- 7.3 All gambling advertisements shall be accompanied by a verbal warning about the harmful effects of gambling, which shall;
- (a) Not be sped up or edited;
  - (b) Include clear and simple language;
  - (c) Be informed by facts from the Victorian Responsible Gambling Foundation;
  - (d) Have a duration of at least ten seconds.
- 7.4 All gambling advertisements shall be accompanied by a written warning about the harmful effects of gambling, which shall;
- (a) Be written in a large text that is visible throughout the duration of the advertisement;
  - (b) Include clear and simple language;
  - (c) Be informed by facts from the Victorian Responsible Gambling Foundation.

**Clause 8 Digital and/or In Person Verification System for Gambling Apps**

- 8.1 All online forms of gambling shall have proof of age and proof of identity measures before allowing anyone to;
- (a) Sign into their platform;
  - (b) Transfer any form of payment to use for gambling.
- 8.2 Evidence of age documents considered acceptable, in alignment with that of the *Liquor Control Reform Act 1998* shall include;
- (a) Australian driver licence (including NSW & SA digital driver licence);
  - (b) Victorian learner permit;
  - (c) Foreign driver licence in the English language, or if not in the English language is accompanied by an official English translation (e.g. by any NAATI accredited translator);
  - (d) International driving permit;
  - (e) Victorian proof of age card or an equivalent from another state or territory of Australia;
  - (f) Australian keypass card (including digital keypass);
  - (g) Australian or foreign passport;
  - (h) Victorian marine licence.

8.3 The owner of any online gambling service that does not comply by failing to prohibit and prevent underage gambling shall be held accountable.