

## Formal Warning

### under section 64A of the *Interactive Gambling Act 2001*

**To:** Proxous Advanced Solutions Limited (formerly Arrontech Software Limited)

**Of:** 14/F China Hong Kong Tower  
8 Hennessy Road, Wan Chai  
Hong Kong

**Attention:** [REDACTED]

I, Anthony Murray, delegate of the Australian Communications and Media Authority (ACMA), being satisfied that Proxous Advanced Solutions Limited, has contravened subsection 15(2A) of the *Interactive Gambling Act 2001* (the IGA):

HEREBY issue Proxous Advanced Solutions Limited a formal warning under section 64A of the IGA, for one or more contraventions of subsection 15(2A) of the IGA, being a civil penalty provision.

#### Details of the contravention/s

##### *Obligations under the IGA*

1. Subsection 15(2A) of the IGA provides that a person must not provide a prohibited interactive gambling service that has an Australian customer link. Subsection 15(2A) is a civil penalty provision.
2. A 'prohibited interactive gambling service' is defined in section 5 of the IGA and 'gambling service' is defined in section 4 of the IGA. Under section 8 of the IGA, 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.
3. Subsection 64B(1) of the IGA provides that each civil penalty provision under the IGA is enforceable under Part 4 of *Regulatory Powers (Standard Provisions) Act 2014* (the RPA). Paragraph 92(1)(d) of the RPA provides that a person must not 'be in any way, directly or indirectly, knowingly concerned in, or party to, a contravention of a civil penalty provision'.
4. Under subsection 92(2) of the RPA, an ancillary who contravenes subsection 92(1) in relation to a civil penalty provision is taken to have contravened the relevant civil penalty provision.

##### *Investigation*

5. Under section 21 of the IGA, on 15 February 2021, the ACMA commenced an investigation into whether Proxous Advanced Solutions Limited was an ancillary to the provision of interactive gambling services in contravention of the IGA by operation of section 92 of the RPA.
6. Proxous Advanced Solutions Limited is the master licence holder for Realtime Gaming (RTG) branded software products (including online games) and is involved in the production and sub-licensing of these games.

7. The ACMA has previously found that the following 13 online casino-style services are prohibited interactive gambling services that have an Australian-customer link, and which are provided in breach of subsection 15(2A) of the IGA: Fair Go Casino, Two Up Casino, Free Spin, BoVegas, Uptown Pokies, Uptown Aces, Red Dog Casino, Slots Empire, Cherry Gold Casino, Play Croco, Aussie Play, Ozwin Casino and Reels Of Joy (the Contravening Services). Each of these online casino-style services was available during the investigation via the URLs set out in **Attachment A**.

***Contravention of subsection 15(2A) of the IGA***

8. The Contravening Services rely primarily on RTG branded software products (including online games) to deliver their online casino-style services to customers, including to Australian-based customers in contravention of the IGA.
9. Proxous Advanced Solutions Limited was, in a real and practical sense, involved in the primary contraventions of the Contravening Services, through its participation in the production and sub-licensing and of the RTG branded software products, and was practically involved in the provision of prohibited interactive gambling services by the Contravening Services to Australian customers.
10. The ACMA is satisfied that Proxous Advanced Solutions Limited, through its communications with the ACMA as well as its sub-licensing activities, had actual knowledge of the essential matters constituting the contraventions of subsection 15(2A) of the IGA by the prohibited services. Consequently, Proxous Advanced Solutions Limited is knowingly concerned in and is an intentional participant in, the contraventions of subsection 15(2A) of the IGA by the Contravening Services.

Dated this 5 August 2022



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**Anthony Murray**  
**Delegate of the Australian Communications and Media Authority**

### Contravening Services

- > Two Up Casino, available at the website <https://www.twoupcasino.com>
- > BoVegas, available at the website <https://www.bovegas.com>
- > Free Spin, available at the website <https://www.freepin.com>
- > Fair Go Casino, available at the website <https://www.fairgocasino.com>
- > Uptown Aces, available at the website <https://uptownaces.eu>
- > Uptown Pokies, available at the website <https://www.uptownpokies.com>
- > Red Dog Casino, available at the website <https://www.reddogcasino.com>
- > Slots Empire, available at the website <https://www.slotsempire.com>
- > Play Croco, available at the website <https://www.playcroco.com>
- > Aussie Play, available at the website <https://www.aussieplay.com>
- > Cherry Gold Casino, available at the website <https://www.cherrygoldcasino.com>
- > Ozwin Casino, available at the website <https://www.ozwincasino.com>
- > Reels of Joy, available at the website <https://www.reelsofjoy.com>

and also available at alternate websites that provide the same, or substantially similar, internet content and service as these original websites.