

Formal Warning

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

To: Best Bookies' Price Pty Ltd

Of: 10 Kexby Strret
Balcatta WA 6021

Attention: [REDACTED]

I, Cathy Rainsford, delegate of the Australian Communications and Media Authority (ACMA), being satisfied that Best Bookies' Price Pty Ltd has contravened subsection 15AA(3) of the *Interactive Gambling Act 2001* (the IGA):

HEREBY issue Best Bookies' Price Pty Ltd a formal warning under section 64A of the IGA, for one or more contraventions of subsection 15AA(3) of the IGA, being civil penalty provisions.

Details of the contravention/s

Obligations under the IGA

1. Subsection 15AA(3) of the IGA provides that a person must not provide a particular kind of regulated interactive gambling service if:
 - (a) the service has an Australian-customer link (section 8); and
 - (b) the person does not hold a licence (however described) under a law of a State or Territory that authorises the provision of that kind of service in the State or Territory.
2. A regulated interactive gambling service is defined in section 8E of the IGA to include an excluded wagering service where the service is provided in the course of carrying on a business using an internet carriage service (paragraphs 8E(1)(b) and 8E(1)(i) and subparagraph 8E(1)(j)(i)).

Investigation

3. On 25 January 2023, under section 21 of the IGA, the ACMA commenced an investigation into whether Best Bookies Price Pty Ltd provided an unlicensed regulated interactive gambling service in contravention of the IGA.
4. During the period of the investigation the Best Bookies service was available via the URL <https://www.bookies.com.au>.
5. Best Bookies Price Pty Ltd. is the provider of the Best Bookies service.

Contravention of subsection 15AA(3) of the IGA

Regulated interactive gambling service

6. The Best Bookies service offered 'gambling services', including:
 - > a service for the placing, making, receiving or acceptance of bets (paragraph (a) of the definition of 'gambling service' in section 4 of the IGA), and
 - > a service the sole or dominant purpose of which is to introduce individuals who wish to make or place bets to individuals who are willing to receive or

accept those bets (paragraph (b) of the definition of 'gambling service' in section 4 of the IGA).

7. The gambling services were provided in the course of carrying on a business and were provided to customers using an internet carriage service (paragraphs 8E(1)(i)-(j) of the IGA).
8. The Best Bookies service is an excluded wagering service for the purposes of the IGA as it enables betting on horse and greyhound racing and sporting events (paragraphs 8A(1)(a)-(c)) and paragraph 8A(3)(a).
9. In accordance with section 8E of the IGA the Best Bookies service is a regulated interactive gambling service.

Australian-customer link

10. The Best Bookies service has an Australian-customer link as it has customers that are physically present in Australia (section 8 of the IGA).

State or Territory licence

11. The provider of the Best Bookies service does not hold a licence (however described) under a law of a State or Territory for the provision of this kind of service in the State or Territory (paragraph 15AA(3)(b)).

Conclusion

12. The ACMA found that, as the provider of the Best Bookies service, Best Bookies Price Pty Ltd, contravened subsection 15AA(3) of the IGA by providing an unlicensed regulated interactive gambling services to customers physically present in Australia

Dated this 10 July 2023



Cathy Rainsford
Delegate of the Australian Communications and Media Authority