

Formal Warning

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

To: Dama N.V.

Of: Scharlooweg 39 U.3
Curaçao

Attention: [REDACTED] and [REDACTED]
Statutory Directors of Allyant Group B.V., Statutory Director of Dama N.V.

I, [REDACTED], delegate of the Australian Communications and Media Authority (ACMA), being satisfied that Dama N.V. has contravened subsection 15(2A) of the *Interactive Gambling Act 2001* (the IGA):

HEREBY issue Dama N.V. a formal warning under section 64A of the IGA, for one or more contraventions of subsection 15(2A) of the IGA, being civil penalty provisions.

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.
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.
3. 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.

Investigation

4. Under section 21 of the IGA, in July 2024, the ACMA commenced an investigation into whether the Lucky Ones service (the Service) provided prohibited interactive gambling services in contravention of the IGA.
5. During the period of the investigation the Service was available via the URL www.luckyones.com.
6. Dama N.V. is the provider of the Service.

Contravention of subsection 15(2A) of the IGA

7. The Service offered 'gambling services,' including casino-style games of chance or mixed chance and skill, played for money where the customer gave consideration to play the game (paragraph (e) of the definition of 'gambling service' in section 4 of the IGA).
8. The Service was provided in the course of carrying on a business and were provided to customers using an internet carriage service (section 5 of the IGA).
9. The Service had an Australian customer-link.
10. The ACMA found that, as the provider of the Service, Dama N.V. has contravened subsection 15(2A) of the IGA by providing a prohibited interactive gambling service to customers physically present in Australia.

Dated this 31 October 2024





Delegate of the Australian Communications and Media Authority