**Gambling Advertising Restrictions Bill 2017**

**No. , 2017**

The Hon. dyljam MP

Amended in the House of Representatives

**A Bill for an Act to restrict advertising of gambling services.**

**Explanatory Memorandum**

The purpose of this bill is to introduce legislation to discourage predatory gambling. This will be enacted through restricting advertising of gambling services.

**Second Reading Speech**

To my fellow members

Australia has the world’s highest per-capita gambling losses. There are 80,000 – 160,000 Australians whom experience ‘significant problems’ relating to gambling, and an extra 250,000- 350,000 Australians who are at moderate risk, making them vulnerable to problem gambling.

With the advent of online gambling services, it is now easier than ever to engage in gambling activity. Also concerning, is the number of young people who are being exposed to this. Advertisements for gambling are now commonplace in Australia. People are encouraged to place bets on sporting games, politics, and even reality television shows.

I am not proposing that we ban gambling. What I do propose, however, are restrictions on the promotion of gambling activities, similar in nature to restrictions on tobacco advertising. This will ultimately decrease the desire to gamble.

**The Parliament of AustraliaSim enacts the following**

**PART 1 - PRELIMINARY**

**1.** **Short Title**

This Act may be referred to as the Gambling Advertising Restrictions Act 2017.

**2.** **Commencement**

This Act is to commence on the 1st July 2018.

**3.** **Objects of this Act**

The objects of this act are:

(a) To restrict the advertisement of gambling services on television, radio, and in physical public spaces, excluding venues where gambling is allowed to take place by law.

(b) To discourage people under the age of 18 from utilising gambling services.

**4.** **Definitions**

The definitions in this Act are:

***Advertisement*** means a notice, paid or unpaid, promoting a product, service or event. This excludes logos, but includes other materials such as slogans.

***Gambling services*** means services which provide the staking of money on uncertain events driven by chance.

***Licensed gambling venues*** means public venues such as hotels and TAB outlets where gambling is permitted according to the laws of the respective state/territory and local governments.

***Unassociated website*** means a website which is not controlled by a gambling service provider, nor used for the facilitation of promoting and/or undertaking of gambling services.

**PART 2 – APPLICATION**

**5.** **Restrictions on Advertising**

On and after the commencement date of this Act, it is unlawful for:

(a) An individual or organisation to promote gambling services on television, radio, unassociated websites or in a public space excluding licensed gambling venues, as defined in Section 4.

(b) An individual or organisation to approach an advertising company or other third person, in an attempt to solicit their services for the displaying of advertisement material, outside of licensed gambling venues.

(c) An individual or organisation to approach a property owner, lessee, or other party in an attempt to display promotional material, excluding licensed gambling venues.

Maximum penalty: 50 penalty units and/or four (4) years imprisonment for an individual, or 250 penalty units and/or four (4) years imprisonment of culpable individuals for an organisation.

**6.** **Licensed Gambling Venues**

On and after the commencement date of this Act:

(a) Advertising material promoting gambling services in licensed gambling venues must not be visible from outside of the venue. Exceptions include the logo of the gambling service provider. No other detail, such as a slogan, must be visible.

(b) Audio advertising material promoting gambling services in a licensed gambling venue must not be audible from the outside of the venue.

Maximum penalty: 50 penalty units and/or four (4) years imprisonment for an individual, or 250 penalty units and/or four (4) years imprisonment of culpable individuals for an organisation.

**7.** **Access to Websites Which Facilitate Gambling Services**

On or after the commencement date of this Act, websites which facilitate gambling services must not allow a user to view the website unless they reasonably confirm that they are 18 years or older.

Maximum Penalty: 50 penalty units for an individual, or 100 penalty units for an organisation.