



Gambling Advertising Restrictions Act 2017

As amended

Compilation start date: 4 June 2019

About this compilation

The compiled Act

This is a compilation of the *Gambling Advertising Restrictions Act 2017* as amended and in force on 4 June 2019. It includes any amendment affecting the compiled Act to that date.

This compilation was prepared on 4 June 2019.

Uncommenced provisions and amendments

If a provision of the compiled Act is affected by an uncommenced amendment or amendments, the provision which they amend is set out in a red box with the amendments incorporated after the provision which they amend, along with the text of the amending provision.

Application, saving and transitional provisions for amendments

If the operation of an amendment is affected by an application, saving or transitional provision, this is noted after the amendment in an orange box.

Modifications

If a provision of the compiled Act is affected by a textual modification that is in force, the text of the modifying provision is set out after the provision in a blue box.

Provisions ceasing to have effect

If a provision of the compiled Act has expired or otherwise ceased to have effect in accordance with a provision of the Act, details of the provision are set out in a green box.

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A bill for an Act to restrict advertising of gambling services

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; and
- (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;
- (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.

Penalty: 50 penalty units and four years imprisonment for an individual, or 250 penalty units and four 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.

Penalty: 50 penalty units and four years imprisonment for an individual, or 250 penalty units and four years imprisonment of culpable individuals for an organisation.

7 Access to websites which facilitate gambling services

On and after the commencement date of this Act, websites which facilitate gambling services must not allow a user to view the website unless the gambling service takes reasonable steps to establish that the user is 18 years or older.

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

Section 7:

Omit “they reasonably confirm that they are 18 years or older”, substitute “the gambling service takes reasonable steps to establish that the user is 18 years or older”.

Legislation Clean-up (Omnibus) Bill 2019