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NSW Department of Enterprise Investment and Trade

Regulator warns higher fines on the cards for illegal gambling ads

Online betting operators have been issued with more than \$100,000 in fines over the past week as Liquor & Gaming NSW continues to take a zero-tolerance approach to the publication of illegal gambling inducements.

Most recently, online betting provider BetDeluxe has been fined \$70,000 for publishing illegal gambling inducements after being prosecuted by Liquor & Gaming NSW.

This follows the successful prosecution of PointsBet, which was fined a total of \$35,000 for publishing illegal gambling inducements last week, after receiving a \$20,000 fine for the same offences in 2019.

Hospitality and Racing CEO, Anthony Keon said Liquor & Gaming NSW was continuing to pro-actively monitor online betting providers and it was completely unacceptable that seven bookmakers have been prosecuted on multiple occasions since 2018.

“Liquor & Gaming NSW will continue to actively pursue operators for illegal advertisements and advocate for the courts to issue higher penalties,” Mr Keon said.

“In 2018 the NSW Government introduced new laws to significantly increase penalties for wagering operators who are found guilty of promoting inducements to gamble, with maximum fines now set at \$110,000 per offence for a corporation.

“Clearly some of these operators think gambling inducements are just the cost of doing business, but they are wrong, and they are pushing their luck. We will continue to bring these matters before the courts and seek higher penalties that reflect community expectations.”

In Downing Centre Local Court yesterday (18/5), BetDeluxe pleaded guilty to five offences that included 21 Facebook promotions for bonus bets on sports games and enhanced odds on horse racing.

In addition to the \$70,000 in fines, BetDeluxe has also been ordered to pay \$8,500 in legal costs. This is the first time the company has been prosecuted for this type of offence.

PointsBet pleaded guilty to two advertisements that included an Instagram promotion to get \$50 back in bonus bets, similar to those it offered in 2019 on the Apple App Store, promising \$100 cash back on certain bets.

“Prohibitions on gambling inducements are an important harm minimisation measure and the increase in maximum penalties, along with our continued prosecution action, should send a clear message to wagering operators about how seriously we view these matters,” Mr Keon said.

“Reoffenders run the risk of the higher range penalties, and more scrutiny, so let me be clear that patterns of poor compliance are not worth the trouble.

“We hope this is the first and last time we see BetDeluxe in court for gambling inducements.”

Since 2015, Liquor & Gaming NSW has successfully prosecuted 37 matters for prohibited gambling advertising, resulting in over \$642,500 in fines, with nine betting providers currently before the courts.

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