

2022-2023-2024-2025

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

**Interactive Gambling Amendment
(Know Your Losses Activity Statement)
Bill 2025**

No. , 2025

(Ms Sharkie)

A Bill for an Act to amend the *Interactive Gambling Act 2001*, and for related purposes

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1 **A Bill for an Act to amend the *Interactive Gambling***
2 ***Act 2001, and for related purposes***

3 The Parliament of Australia enacts:

4 **1 Short title**

5 This Act is the *Interactive Gambling Amendment (Know Your*
6 *Losses Activity Statement) Act 2025*.

7 **2 Commencement**

8 (1) Each provision of this Act specified in column 1 of the table
9 commences, or is taken to have commenced, in accordance with
10 column 2 of the table. Any other statement in column 2 has effect
11 according to its terms.
12

Commencement information

Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this Act	The day after the end of the period of 6 months beginning on the day this Act receives the Royal Assent.	

1 Note: This table relates only to the provisions of this Act as originally
2 enacted. It will not be amended to deal with any later amendments of
3 this Act.

4 (2) Any information in column 3 of the table is not part of this Act.
5 Information may be inserted in this column, or information in it
6 may be edited, in any published version of this Act.

7 **3 Schedules**

8 Legislation that is specified in a Schedule to this Act is amended or
9 repealed as set out in the applicable items in the Schedule
10 concerned, and any other item in a Schedule to this Act has effect
11 according to its terms.

1 **Schedule 1—Amendments**
2

3 ***Interactive Gambling Act 2001***

4 **1 Section 3**

5 After:

6 (f) licensed interactive wagering services must not be
7 provided to an individual who is registered in the
8 National Self-exclusion Register.

9 insert:

10 ; (g) licensed interactive wagering service providers must
11 ensure that customers have real time access to
12 information about bets made and that information must
13 be prominently displayed at all times.

14 **2 After paragraph 16(d)**

15 Insert:

16 or (e) Part 7C;

17 **3 At the end of paragraph 21(1)(a)**

18 Add:

19 or (v) Part 7C;

20 **4 After Part 7B**

21 Insert:

22 **Part 7C—Real time activity statement information**
23

24 **61RA Simplified outline of this Part**

- 25 • Licensed interactive wagering service providers must ensure
26 that individuals who use a licensed interactive wagering
27 service using an app or website have access in real time to

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information contained in activity statements (including about betting activity, amounts spent and losses and wins).

- That information must be prominently displayed on the app or website at all times.

61RB Definitions

(1) In this Part:

activity statement, for an individual, means a statement containing activity statement information and prepared by a licensed interactive wagering service provider in accordance with:

- (a) State or Territory legislation giving effect to the statement (called the National Policy Statement) of agreed commitments to provide a National Consumer Protection Framework for Online Wagering in Australia; and
- (b) any requirements prescribed by regulations made for the purposes of this paragraph; and
- (c) any requirements under this Part.

Note 1: The National Policy Statement could in 2025 be viewed on the Department’s website (<http://www.dss.gov.au>).

Note 2: The operation of State or Territory law is supported by section 69 of this Act to the extent to which it can operate concurrently with the provisions of this Act.

activity statement information: see subsections (2) and (3).

licensed interactive wagering service means a regulated interactive gambling service that:

- (a) is a wagering service (see section 4); and
- (b) has an Australian-customer link (see section 8); and
- (c) is not provided in contravention of subsection 15AA(3).

licensed interactive wagering service provider means a person who provides a licensed interactive wagering service.

(2) For the purposes of this Part, **activity statement information**, in relation to an individual, means information required to be included in an activity statement in accordance with:

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- 1 (a) State or Territory legislation giving effect to the statement
2 (called the National Policy Statement) of agreed
3 commitments to provide a National Consumer Protection
4 Framework for Online Wagering in Australia; and
5 (b) any requirements prescribed by regulations made for the
6 purposes of this paragraph; and
7 (c) any requirements under this Part.
- 8 (3) Without limiting subsection (2), **activity statement information**
9 includes information about the individual's total net losses and
10 wins, at a particular time, for each of the following periods:
11 (a) the most recent calendar month;
12 (b) the most recent calendar year;
13 (c) from commencement of this subsection to the particular time.

14 **61RC Requirements about accessibility of activity statement**
15 **information**

16 *Requirements about accessibility of activity statement information*

- 17 (1) If a licensed interactive wagering service provider provides a
18 licensed interactive wagering service to an individual at a
19 particular time using an app or a website, the provider must ensure
20 that:
21 (a) access to the activity statement information for the individual
22 that covers the individual's use of the service up to that time
23 is available on the app or website; and
24 (b) the activity statement information is updated in real time; and
25 (c) the activity statement information is prominently displayed
26 on the app or website in accordance with regulations made
27 for the purposes of this paragraph; and
28 (d) the activity statement information is displayed on the app or
29 website at all times while the individual is using the service
30 and is not able to be removed, minimised or covered by other
31 content.
- 32 Note: An example of when information is prominently displayed is a banner
33 at the top of the screen of the app or website in legible text with a font
34 size of at least 10 points.

1 (2) A licensed interactive wagering service provider who is subject to
2 a requirement under subsection (1) in relation to the availability or
3 display on an app or website of activity statement information for
4 an individual must not require the individual to pay a fee, charge or
5 any other consideration for, or in connection with, the app or
6 website complying with those requirements.

7 *Offence*

8 (3) A person commits an offence if:
9 (a) the person is subject to a requirement under subsection (1) or
10 (2); and
11 (b) the person fails to comply with the requirement.

12 Penalty: 500 penalty units.

13 (4) A person who contravenes subsection (3) commits a separate
14 offence in respect of each day (including a day of conviction for
15 the offence or any later day) during which the contravention
16 continues.

17 *Civil penalty*

18 (5) A person contravenes this subsection if:
19 (a) the person is subject to a requirement under subsection (1) or
20 (2); and
21 (b) the person fails to comply with the requirement.

22 Civil penalty: 750 penalty units.

23 (6) A person who contravenes subsection (5) commits a separate
24 offence in respect of each day (including a day of conviction for
25 the offence or any later day) during which the contravention
26 continues.

27 *Exception*

28 (7) Subsections (3) and (5) do not apply if the licensed interactive
29 wagering service provider took reasonable precautions, and
30 exercised due diligence, to avoid the contravention.

- 1 Note 1: In a prosecution for an offence against subsection (3), a defendant
2 bears an evidential burden in relation to the matter in this
3 subsection (see subsection 13.3(3) of the *Criminal Code*).
- 4 Note 2: In proceedings for a civil penalty order for a contravention of
5 subsection (5), a defendant bears an evidential burden in relation to
6 the matter in this subsection (see section 96 of the Regulatory Powers
7 Act).

8 (8) Section 15.4 of the *Criminal Code* (extended geographical
9 jurisdiction—category D) applies to an offence against
10 subsection (3).

11 *Acquisition of property*

12 (9) The provisions of this section have no effect to the extent (if any)
13 to which their operation would result in an acquisition of property
14 (within the meaning of paragraph 51(xxxi) of the Constitution)
15 from a person otherwise than on just terms (within the meaning of
16 that paragraph).

17 **5 At the end of section 64A**

18 Add:
19 ; or (x) subsection 61RC(5).

20 **6 After paragraph 64C(1)(w)**

21 Insert:
22 ; (x) subsection 61RC(5).

23 **7 After paragraph 64D(1)(w)**

24 Insert:
25 ; (x) subsection 61RC(5).

26 **8 Application provision**

27 The amendments made by this Schedule apply in relation to the
28 provision of a licensed interactive wagering service on or after the
29 commencement of this item.