

Senate Standing Committee on Economics
ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Inquiry into the Treasury Laws Amendment (2022 Measures No. 4) Bill 2022

2022 - 2023

Division: Department of the Treasury
Topic: DGTO eligibility - classification and gambling
Reference: Written
Senator: Jess Walsh

Question:

Will the DGTO be claimable for games unable to achieve a classification rating or that have gambling elements, including loot boxes that can be cashed out or traded for currency?

Answer:

The DGTO will operate in parallel with the Classification system and will not be available to games that contain material likely to lead to the game being refused classification under the *Classification (Publications, Films and Computer Games) Act 1995*.

The DGTO will not be available to games that are a gambling service under the *Interactive Gambling Act 2001* or substantially comprise gambling or gambling-like practices.

- Loot boxes that most closely resemble gambling (involving trading the ‘loot’ for real currency or assets) will be excluded from eligibility, as made clear in the EM (see Paragraph 1.44-46).
- The legislation provides for the Arts Minister to issue additional guidance about what constitutes gambling and gambling-like practices.