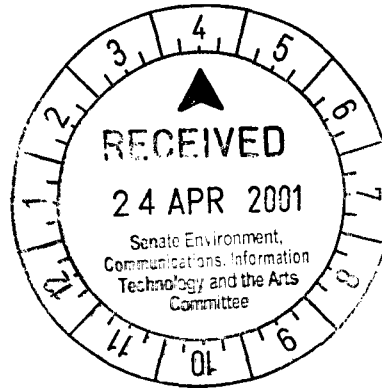




**Gary Humphries** MLA



Chief Minister  
Minister for Community Affairs  
Treasurer  
Attorney-General

Member for Molonglo  
Australian Capital Territory

Ms Andrea Griffiths  
Secretary  
Environment, Communications, Information  
Technology and the Arts  
Legislation Committee  
Australian Senate  
Parliament House  
CANBERRA ACT 2600

Dear Ms Griffiths

Thank you for your letter of 10 April 2001 conveying the Committee's invitation to make a submission on issues relating to the Interactive Gambling Bill 2001 (the Bill).

The Committee will be well aware from various media reports of many of the issues that the Bill raises. Notwithstanding, I intend to canvas a number of them.

Of major concern is Clause 15 of the Bill. This provision appears to make it an offence for the transmission of data over any telecommunication carriage service, thereby rendering both on-line and off-line services illegal. As presented, the Bill seems to outlaw data transmissions across wide area networks such as that used by totalisator agencies and lottery organisations.

The prohibition of on-line services also has further implications for the wagering industry and adverse flow-on effects to the racing industry in particular. On-line services provided by sports betting operators and totalisator agencies merely provide a more efficient alternative to betting by telephone. It is illogical to allow one form of communication and prohibit the more efficient alternative when both are to convey the same information.

Similarly, the purchase of a lottery ticket via on-line means is more efficient than that of presenting oneself at a lottery outlet. Lotteries are an off-line form of gambling. The on-line service provided by lottery operators is an efficient e-commerce application for entry to an off-line form of gambling. It does not constitute interactive gambling any more than does the purchase of some other good via on-line means.

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The ACT Government shares the concern of the Federal Government about problem gambling. However, the proposal to prohibit Australians accessing Internet gaming sites that are subjected to the most rigorous licensing and ongoing regulatory regime in the world defies logic and is incomprehensible.

When account is taken of the fact that Internet gaming technology can provide higher levels of player protection and harm minimisation than is currently possible in a terrestrial gaming venue, the proposal is even more incredulous.

Further, the perception of a double standard in relation to the provision of Internet gaming services to non-Australian residents that are deemed to be unsuitable for Australian residents is a matter the Federal Government should earnestly reconsider.

If a ban is not enforceable because it is not technically feasible and the cost of enforcement to the maximum extent possible is prohibitive, the situation suggests that an alternative approach to the perceived problem should be examined. One such approach might be the re-examination of the revamped national model for interactive gambling (AUSMODEL) recently formulated through the cooperative efforts of State and Territory regulators.

The ACT does not support the prohibition of interactive gambling and in 1998, after three years of examining the issues by State and Territory regulators, has legislated for an appropriate regulatory regime.

Yours sincerely

A handwritten signature in black ink, consisting of a series of fluid, connected strokes that form a stylized name, followed by a horizontal line extending to the right.

23 APR 2001