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Featured insight – NSER penalties: What for? How much?

Bookmakers have expressed a strong interest in understanding the penalties for contravening self-exclusion obligations.

We have listened and this infographic outlines your potential civil penalties in a simple, easy guide.

There are nine separate actions (or inactions) which can attract considerable fines – almost \$160,000.

As a value add, we have distinguished those actions which ought to impact your general business approach versus others which impact your relationships with punters.

Infographic
Regime of fines under the Interactive Gambling Amendment (National Self-exclusion Register) Bill 2019

A fine for...	How much		Growth factor	Legislative justification
	In penalty units	In dollars (AUD)		
General business				
Not having a computer system with continuous connectivity to the NSER (this means 24/7)	180	\$37,800	per day	61NC
Not promoting the NSER to your own customers (in accordance with rules not yet set)	180	\$37,800	per day	61JP
Bribing a customer to not register on the NSER in the first instance or to cease being registered on the NSER	180	\$37,800	per offence	61JD
Influencing a customer to not register on the NSER in the first instance or to cease being registered on the NSER	90	\$18,900	per offence	61JD
Disclosing information about a customer registered on the NSER, including for marketing purposes * without reasonable precautions in place to exercise due diligence	180	\$37,800	per offence	61LD, 61NB
Specific trading				
Opening an account for a customer registered on the NSER * without reasonable precautions in place to exercise due diligence	180	\$37,800	per offence	61MA
Providing an interactive wagering service to a customer registered on the NSER	750	\$157,500	per day	61KA
Not closing an account for a customer who becomes registered on the NSER	180	\$37,800	per offence	61MB, 61MC
Marketing to registered individuals (email, voice calls or direct marketing material) * without reasonable precautions in place to exercise due diligence	180	\$37,800	per offence	61LA, 61LB, 61LC

Source: Australian Wagering Compliance Pty Ltd

We hope this guide provides an insight into our rationale for taking a conservative, whole-of-business approach to your self-exclusion obligations.

Notes:

- The value of penalty units is governed by section 4AA of the *Crimes Act 1914*. From 1 July 2017 the value is set at \$210, to be indexed in accordance with the Consumer Price Index (CPI) on 1 July every three years thereafter

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