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The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

**Broadcasting Services Amendment
(Advertising for Sports Betting) Bill 2013**

No. , 2013

(Mr Bandt)

**A Bill for an Act to amend the *Broadcasting
Services Act 1992*, and for related purposes**

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1 **A Bill for an Act to amend the *Broadcasting***
2 ***Services Act 1992, and for related purposes***

3 The Parliament of Australia enacts:

4 **1 Short title**

5 This Act may be cited as the *Broadcasting Services Amendment*
6 *(Advertising for Sports Betting) Act 2013*.

7 **2 Commencement**

8 This Act commences on the day this Act receives the Royal
9 Assent.

1 **3 Schedule(s)**

2 Each Act that is specified in a Schedule to this Act is amended or
3 repealed as set out in the applicable items in the Schedule
4 concerned, and any other item in a Schedule to this Act has effect
5 according to its terms.
6

1 **Schedule 1—Amendments in relation to**
2 **quoting and advertising odds for**
3 **sports betting**
4

5 ***Broadcasting Services Act 1992***

6 **1 After clause 7A of Schedule 2**

7 Insert:

8 **7AB Conditions about advertisements or information relating to**
9 **gambling and odds for sports betting**

- 10 (1) A licence allocated under section 38C is subject to the condition
11 that the licensee must not broadcast:
- 12 (a) an advertisement providing information about odds for sports
13 betting; or
 - 14 (b) an advertisement about the provision of gambling services at
15 any time before 9 pm; or
 - 16 (c) information about odds for sports betting during (or in the
17 period of 30 minutes before or after):
 - 18 (i) the broadcast of a sporting event; or
 - 19 (ii) a broadcast that relates to one or more sporting events.

20 Note 1: These conditions mean that a licensee cannot provide on-screen
21 captions about odds in respect of sports betting during the broadcast of
22 a sporting event, or during a broadcast that relates to one or more
23 sporting events.

24 Note 2: A general broadcast about issues arising in respect of a particular sport
25 (for example, a show about Australian rules football) is a broadcast
26 that relates to one or more sporting events for the purpose of
27 subparagraph (1)(b)(ii).

- 28 (2) For the purpose of subclause (1):

29 ***odds*** means the comparative odds provided in respect of the
30 likelihood of one or more events occurring.

31 ***sports betting*** means gambling services provided in relation to one
32 or more sporting events (other than horse racing or greyhound
33 racing), including gambling in relation to:

- 1 (a) the likelihood that an individual or team will win or lose one
2 or more sporting events; and
3 (b) the likelihood that a particular event will occur (or not occur)
4 during one or more sporting events.

5 **7AC Conditions about the promotion of gambling services during**
6 **broadcasts**

- 7 (1) A licence allocated under section 38C is subject to the condition
8 that the licensee must not broadcast information about sports
9 betting during a broadcast if:
10 (a) the information is provided by a commentator during the
11 broadcast; and
12 (b) the licensee receives a payment or other consideration for
13 broadcasting the information.

14 Note: An agreement or understanding to purchase increased advertising
15 from a licensee if a commentator discusses sports betting during a
16 broadcast is a situation where the licensee receives “other
17 consideration” for the purpose of paragraph (1)(b).

- 18 (2) For the purpose of subclause (1):

19 *commentator* means the host of a sports broadcasting program or a
20 broadcast about a sporting event and includes any guests or other
21 persons participating in the broadcast.

22 *sports betting* means gambling services provided in relation to one
23 or more sporting events (other than horse racing or greyhound
24 racing), including gambling in relation to:

- 25 (a) the likelihood that an individual or team will win or lose one
26 or more sporting events; and
27 (b) the likelihood that a particular event will occur (or not occur)
28 during one or more sporting events.

29 **2 At the end of Part 4 of Schedule 2**

30 Add:

31 **8A Additional conditions about advertisements or information**
32 **relating to gambling and odds for sports betting**

- 33 (1) Each commercial radio broadcasting license is subject to the
34 conditions that the licensee must not broadcast:
-

- 1 (a) an advertisement providing information about odds for sports
2 betting; or
3 (b) an advertisement about the provision of gambling services at
4 any time before 9 pm; or
5 (c) information about odds for sports betting during (or in the
6 period of 30 minutes before or after):
7 (i) the broadcast of a sporting event; or
8 (ii) a broadcast that relates to one or more sporting events.

9 Note 1: These conditions mean that a licensee cannot provide on-screen
10 captions about odds in respect of sports betting during the broadcast of
11 a sporting event, or during a broadcast that relates to one or more
12 sporting events.

13 Note 2: A general broadcast about issues arising in respect of a particular sport
14 (for example, a show about Australian rules football) is a broadcast
15 that relates to one or more sporting events for the purpose of
16 subparagraph (1)(b)(ii).

17 (2) For the purpose of subclause (1):

18 **odds** means the comparative odds provided in respect of the
19 likelihood of one or more events occurring.

20 **sports betting** means gambling services provided in relation to one
21 or more sporting events (other than horse racing or greyhound
22 racing), including gambling in relation to:

- 23 (a) the likelihood that an individual or team will win or lose one
24 or more sporting events; and
25 (b) the likelihood that a particular event will occur (or not occur)
26 during one or more sporting events.

27 **8B Additional conditions about the promotion of gambling services**
28 **during broadcasts**

29 (1) Each commercial radio broadcasting license is subject to the
30 condition that the licensee must not broadcast information about
31 sports betting during a broadcast if:

- 32 (a) the information is provided by a commentator during the
33 broadcast; and
34 (b) the licensee receives a payment or other consideration for
35 broadcasting the information.

36 Note: An agreement or understanding to purchase increased advertising
37 from a licensee if a commentator discusses sports betting during a

1 broadcast is a situation where the licensee receives “other
2 consideration” for the purpose of paragraph (1)(b).

3 (2) For the purpose of subclause (1):

4 **commentator** means the host of a sports broadcasting program or a
5 broadcast about a sporting event and includes any guests or other
6 persons participating in the broadcast.

7 **sports betting** means gambling services provided in relation to one
8 or more sporting events (other than horse racing or greyhound
9 racing), including gambling in relation to:

- 10 (a) the likelihood that an individual or team will win or lose one
11 or more sporting events; and
12 (b) the likelihood that a particular event will occur (or not occur)
13 during one or more sporting events.

14 **3 At the end of Part 6 of Schedule 2**

15 Add:

16 **10A Additional conditions about advertisements or information** 17 **relating to gambling or odds for sports betting**

- 18 (1) Each subscription television broadcasting license is subject to the
19 conditions that the licensee must not broadcast:
- 20 (a) an advertisement providing information about odds for sports
21 betting; or
22 (b) an advertisement about the provision of gambling services at
23 any time before 9 pm each night; or
24 (c) information about odds for sports betting during (or in the
25 period of 30 minutes before or after):
26 (i) the broadcast of a sporting event; or
27 (ii) a broadcast that relates to one or more sporting events.

28 Note 1: These conditions mean that a licensee cannot provide on-screen
29 captions about odds in respect of sports betting during the broadcast of
30 a sporting event, or during a broadcast that relates to one or more
31 sporting events.

32 Note 2: A general broadcast about issues arising in respect of a particular sport
33 (for example, a show about Australian rules football) is a broadcast
34 that relates to one or more sporting events for the purpose of
35 subparagraph (1)(b)(ii).

36 (2) For the purpose of subclause (1):

1 **odds** means the comparative odds provided in respect of the
2 likelihood of one or more events occurring.

3 **sports betting** means gambling services provided in relation to one
4 or more sporting events (other than horse racing or greyhound
5 racing), including gambling in relation to:

- 6 (a) the likelihood that an individual or team will win or lose one
7 or more sporting events; and
8 (b) the likelihood that a particular event will occur (or not occur)
9 during one or more sporting events.

10 **10B Additional conditions about the promotion of gambling services**
11 **during broadcasts**

12 (1) Each subscription television broadcasting license is subject to the
13 condition that the licensee must not broadcast information about
14 sports betting during a broadcast if:

- 15 (a) the information is provided by a commentator during the
16 broadcast; and
17 (b) the licensee receives a payment or other consideration for
18 broadcasting the information.

19 Note: An agreement or understanding to purchase increased advertising
20 from a licensee if a commentator discusses sports betting during a
21 broadcast is a situation where the licensee receives “other
22 consideration” for the purpose of paragraph (1)(b).

23 (2) For the purpose of subclause (1):

24 **commentator** means the host of a sports broadcasting program or a
25 broadcast about a sporting event and includes any guests or other
26 persons participating in the broadcast.

27 **sports betting** means gambling services provided in relation to one
28 or more sporting events (other than horse racing or greyhound
29 racing), including gambling in relation to:

- 30 (a) the likelihood that an individual or team will win or lose one
31 or more sporting events; and
32 (b) the likelihood that a particular event will occur (or not occur)
33 during one or more sporting events.

34 **4 Application**

Schedule 1 Amendments in relation to quoting and advertising odds for sports betting

1 The amendments in this Act apply from the date this Act receives the
2 Royal Assent.