

Disciplinary action against SportsBet – Order of the Commissioner

Respondent

Sportsbet Pty Ltd (ACN 088 326 612)

Regarding

Disciplinary action taken under section 39(2) of the *Gambling Administration Act 2019* (SA)(**GA Act**).

Findings of the Commissioner

The Commissioner finds that there are grounds for taking disciplinary action against the Respondent under section 39(2) of the GA Act as set out in the Reasons for Decision dated 21 September 2026 and is satisfied the following disciplinary action should be taken.

Orders of the Commissioner

The following disciplinary action is taken:

1. In respect of Sportsbet Pty Ltd (**Sportsbet**) offering bets in South Australia between 17 April 2023 and 15 September 2024 on **e-Sports events**, being events that were not approved contingencies under the *Authorised Betting Operations Act 2000* (SA)(**ABO Act**), the Commissioner:
 - **reprimands** Sportsbet pursuant to section 39(2)(a) of the GA Act.
 - imposes a **\$100 000 fine** on Sportsbet pursuant to section 39(2)(b)(i) of the GA Act.
2. In respect of Sportsbet offering bets in South Australia 1 July 2023 and 23 October 2023 on **Novelty events**, being events that were not approved contingencies under the ABO Act, the Commissioner:
 - **reprimands** Sportsbet pursuant to section 39(2)(a) of the GA Act; and
 - imposes a **\$25 000 fine** on Sportsbet pursuant to section 39(2)(b)(i) of the GA Act.
3. In respect of Sportsbet offering bets in South Australia between 17 April 2023 and 15 September 2024 on **LIV Golf events**, being events that were not approved contingencies under the ABO Act, the Commissioner:
 - **reprimands** Sportsbet pursuant to section 39(2)(a) of the GA Act; and
 - imposes a **\$100 000 fine** on Sportsbet pursuant to section 39(2)(b)(i) of the GA Act.



4. In respect of Sportsbet offering bets in South Australia between 17 April 2023 and 15 September 2024 on **UFC-MMA events**, being events that were not approved contingencies under the ABO Act, the Commissioner:
- **reprimands** Sportsbet pursuant to section 39(2)(a) of the GA Act; and
 - imposes a **\$100 000 fine** on Sportsbet pursuant to section 39(2)(b)(i) of the GA Act.

This order will come into effect on the date of service of the order on Sportsbet.

A handwritten signature in blue ink, appearing to read "B. Humphrey".

Brett Humphrey
Liquor and Gambling Commissioner
21 September 2026



Disciplinary action against SportsBet – Reasons for decision

1. These are my reasons taking disciplinary action against Sportsbet Pty Ltd, ACN 088 326 612, trading as Sportsbet (**Sportsbet**), pursuant to section 39(2) of the [Gambling Administration Act 2019](#) (SA) (**GA Act**).
2. The disciplinary action concerns Sportsbet's acceptance that between 17 April 2023 and 15 September 2024 (**the relevant period**) it accepted wagers by South Australian residents on four different categories of events that were not, at the relevant time, “approved contingencies” for the purposes of the [Authorised Betting Operations Act 2000](#) (SA) (**ABO Act**). This was a breach of the condition on Sportsbet’s authority to operate in South Australia and therefore grounds for disciplinary action.
3. The disciplinary action concerns 4 separate grounds each of which relates to a separate category of contingencies or events. These were:
 - 3.1. Ground 1 – The offering of bets in South Australia on **e-Sports events** between 17 April 2023 and 15 September 2024. A total of 385 238 wagers were taken and the total amount wagered was \$8 292 947.54.¹
 - 3.2. Ground 2 – The offering of bets in South Australia on **Novelty events** between 1 July 2023 and 23 October 2023. A total of 1192 wagers were taken and the total amount wagered was \$11 723.10.²
 - 3.3. Ground 3 – The offering of bets in South Australia on **LIV Golf events**, namely LIV Golf 2023 and LIV Golf 2024, between 17 April 2023 and 15 September 2024. A total of 15 581 wagers were taken and the total amount wagered was \$229 070.50.³

¹ Letter from B Humphrey to Sportsbet dated 31 October 2025; Letter from Sportsbet to B Humphrey dated 28 November 2025.

² See Letter F Stroud to Sportsbet dated 26 July 2024; Letter from Sportsbet to F Stroud dated 23 August 2024.

³ Letter S Halliday to Sportsbet dated 6 December 2024; Letter from Sportsbet to B Humphrey dated 31 January 2025.



- 3.4. Ground 4 – The offering of bets in South Australia **UFC-MMA events**, namely UFC-MMA 2023 and UFC-MMA 2024, between 17 April 2023 and 15 September 2024. A total of 540 664 wagers were taken and the total amount wagered was \$7 690 231.31.⁴
4. Under all 4 grounds, a total of 942 675 wagers were taken. The total revenue⁵ received by Sportsbet from the wagers on LIV Golf Events, UFC Events and e-Sports was \$2 440 649.48. The revenue derived by Sportsbet from the Novelty events is unknown.⁶
5. For the reasons which follow, I am satisfied that there is proper cause for disciplinary action against Sportsbet pursuant to section 36(1)(d) of the GA Act and I have decided to:
- 5.1. reprimand Sportsbet pursuant to section 39(2)(a) of the GA Act in respect of each of Grounds 1 to 4; and
- 5.2. impose the following fines on Sportsbet pursuant to section 39(2)(b)(i) of the GA Act:
- 5.2.1. Ground 1 (e-Sports) – a fine of \$100 000.
- 5.2.2. Ground 2 (Novelty events) – a fine of \$25 000.
- 5.2.3. Ground 3 (LIV Golf) - a fine of \$100 000.
- 5.2.4. Ground 4 (UFC-MMA) – a fine of \$100 000.

being fines totalling \$325 000, payable within 28 days of the date of service of the order giving effect to this decision.

Legislative background

6. Sportsbet has been permitted to conduct betting operations within South Australia as an authorised interstate betting operator (**AIBO**) pursuant to section 40A of the ABO Act, since 9 September 2010 (**the Authorisation**). As an AIBO, Sportsbet is a gambling provider for the purposes of section 5 of the GA Act and is amenable to disciplinary action under Part 5 of that Act.

⁴ Letter S Halliday to Sportsbet dated 6 December 2024; Letter from Sportsbet to B Humphrey dated 31 January 2025.

⁵ Being the total amount retained by Sportsbet after paying out all winning bets.

⁶ Sportsbet has not advised CBS of what revenue it received in respect of the Novelty Events.



7. Sportsbet, like all ABOs, must comply with the ABO Act when operating in South Australia. Section 40A provides that Sportsbet may only conduct betting operations in South Australia in relation to “races held by licensed racing clubs” or other “approved contingencies”.⁷
8. An “approved contingency” is an event or contingency I have approved as being an appropriate event in respect of which an ABO can take bets. Before I can approve an event as an “approved contingency” I must consider, among other things, the standards of probity that apply to the event and how appropriate the event is for the taking of bets.⁸ I must also consider the purposes of the ABO and GA Acts⁹ and be satisfied that betting operations in relation to the contingencies do not allow betting in relation to amateur sporting events or sporting events where the only participants are children.¹⁰
9. The Minister can give me binding directions preventing or restricting the approval of contingencies, and I cannot approve a contingency without giving prior written notice of the proposal to the Minister.¹¹
10. The restriction on ABOs accepting bets only on “approved contingencies” is therefore a key mechanism for achieving the protective purposes of the ABO and GA Acts. It ensures that betting operations are only conducted in respect of events which, on the Commissioner’s assessment, the taking of bets would be consistent with the objectives of those Acts, including ensuring that gambling is conducted honestly and free from interference, that minors are not encouraged to gamble, that harm caused by gambling is minimised and that gambling is conducted consistently with expectations and aspirations of the public.¹²
11. The events which have been approved as “approved contingencies” are consolidated and published in the [Approved Betting Contingencies Notice \(ABCN\)](#), a copy of which can be found on the CBS website.

⁷ ABO Act s 40A(4).

⁸ The full considerations are set out in section 4(3) of the ABO Act and include the standards of probity applying the event; available evidence of the past conduct of the event (if any); the likely nature and scale of betting operations in relation to the event; whether betting operations in relation to the contingencies are lawful in another State or a Territory; and the appropriateness in other respects of the contingencies for the conduct of betting operations generally or the particular betting operations concerned.

⁹ Noting that the ABO and GA Acts are to be read together: ABO Act s 3A. I must also have regard to the objects of the GA Act when exercising powers under it or the ABO Act: GA Act s 3(3).

¹⁰ ABO Act s 4(3)(ab).

¹¹ ABO Act s 4(4).

¹² For the full list of statutory objectives see GA Act s 3 and ABO Act s 2.

Sportsbet's contraventions

12. The contraventions dealt with in this disciplinary action were the subject of show cause notices and responses sent by Sportsbet between 26 July 2024 and 28 November 2025 (inclusive). As noted, they involve wagers on 4 distinct categories of events: Novelty Events, LIV Golf events, UFA-MMA events and e-Sports events.

13. None of these events were “approved contingencies” at the time the bets were offered by Sportsbet.

Ground 1 - e-Sports events

14. On 21 April 2023, CBS became aware that a South Australian resident had been permitted to place bets via the Sportsbet website on events listed under 'e-Sports'.¹³ CBS investigated the matter”.¹⁴ During the investigation, Sportsbet disclosed the initial data they had provided to CBS was incomplete and provided an updated dataset.¹⁵

15. Sportsbet has accepted that the bets it offered and accepted on e-Sports events were in respect of events that were not approved contingencies. Because of the Ministerial Direction prohibiting the approval of contingencies related to computer games, none of the e-Sport events or contingencies were capable of approval.¹⁶

16. Relevantly, on 1 August 2016, the then Attorney-General and Minister for Consumer and Business Services, the Hon John Rau MP, issued such a direction to the then Independent Gambling Authority, prohibiting the Authority from approving, for any betting operations, any contingencies related to “computer games” (**Ministerial Direction**). “Computer games” was defined as including (without limitation) any sporting event where primary

¹³ Including eSoccer/FIFA e-Sports, League of Legends, Counter-Strike, Dota 2, Valorant, Call of Duty, Rainbow Six, StarCraft II, Overwatch and Rocket League.

¹⁴ Including by way of a 17 September 2024 notice to Sportsbet pursuant to section 26 of the GA Act requiring the production of documents identifying wagers placed by South Australian residents on events and bet types listed on the Sportsbet platform under the market of 'e-Sports' during the period 17 April 2023 to 15 September 2024.

¹⁵ Sportsbet's initial response to that investigation, provided on 11 October 2024, detailed 27,758 wagers totalling \$623,655.75. On 29 January 2025, Sportsbet advised that this response was incomplete as a result of an administrative error and provided a corrected dataset. The corrected data identified that between 17 April 2023 and 15 September 2024 Sportsbet accepted 385,238 wagers from South Australian account holders on at least 16 different e-Sports titles across some 319 events. The total amount wagered was \$8,292,947.54. Sportsbet has advised that the net revenue for the wagers (being the total amount Sportsbet retained after paying out all winning bets) was \$844,682.58: see letter Sportsbet to B Humphrey dated 31 January 2025 at paras [2.1]-[2.3] and [7.2(a)]; confirmed in letter Sportsbet to M Daly dated 28 November 2025 at para [2].

¹⁶ Letter Sportsbet to B Humphrey dated 31 January 2025 [1.2]; letter Sportsbet to M Daly dated 28 November 2025 at para [8].



aspects of the sport are facilitated by electronic systems, regardless of where the event occurs. The effect of the Ministerial Direction is that contingencies related to e-Sports have not been, and could not lawfully have been, approved contingencies in South Australia at any time since 1 August 2016.

17. On the material before me, I find that:

17.1. Between 17 April 2023 and 15 September 2024 (inclusive), Sportsbet offered bets in South Australia on e-Sports events across some 319 events.

17.2. Total wagers amounted to 385 238, and the total amount wagered was \$8 292 947.54. The net revenue for Sportsbet (being the total amount Sportsbet retained after paying out all winning bets) was \$844 682.58.

17.3. None of the e-Sports events were an approved contingency under section 4 of the ABO Act. The offering of the bets, and their acceptance, was therefore a breach of the condition created by section 40A(4)(c) of the ABO Act and, it follows, was conduct falling outside the authorisation conferred by section 40A(4).

17.4. This constituted a contravention of a condition of a relevant authorisation, and I am satisfied that there is proper cause for disciplinary action against Sportsbet pursuant to section 36(1)(d) of the GA Act.

Ground 2 - Novelty events

18. On 23 August 2023, CBS became aware that a South Australian resident had been permitted to place bets via the Sportsbet website on events listed under 'Novelties and Entertainment' (referred to in these reasons as "Novelty events").¹⁷ A CBS investigation of the matter confirmed bets of this kind had been offered and accepted by Sportsbet.¹⁸

19. Sportsbet accepts these wagers were taken and the events to which they related were not approved contingencies.¹⁹

¹⁷ Comprising reality television programs (including SAS Australia, The Masked Singer and The Block), entertainment and music award events (including the Triple J Hottest 100 and the ARIA Awards) and other contingencies (including Time Person of the Year and World's Most Liveable City).

¹⁸ The investigation included a 15 November 2023 notice to Sportsbet pursuant to section 26 of the GA Act requiring the production of documents identifying wagers placed by South Australian residents on events and bet types listed on the Sportsbet platform as 'Novelties and Entertainment' during the period 1 July 2023 to 23 October 2023.

¹⁹ Letter Sportsbet to F Stroud dated 23 August 2024 at para [1.3].



20. On the material before me, I find that:

- 20.1. Between 1 July 2023 and 23 October 2023 (inclusive), Sportsbet offered bets in South Australia on Novelty events which comprised of 92 propositions across 11 events.
- 20.2. Total wagers amounted to 1192 wagers from 610 South Australian account holders. and the total amount wagered was \$11 723.10.
- 20.3. None of the Novelty events were an approved contingency under section 4 of the ABO Act. The offering of the bets, and their acceptance, was therefore a breach of the condition created by section 40A(4)(c) of the ABO Act and, it follows, conduct falling outside the authorisation conferred by section 40A(4).
- 20.4. This constituted a contravention of a condition of a relevant authorisation, and I am satisfied that there is proper cause for disciplinary action against Sportsbet pursuant to section 36(1)(d) of the GA Act.

Ground 3 - UFC/MMA events

21. On 21 April 2023, CBS became aware that a South Australian resident had been permitted to place bets via the Sportsbet website on events listed under 'UFC-MMA' that were suspected not to be approved contingencies. CBS investigated the matter.²⁰
22. Sportsbet accepts the wagers identified by those investigations were taken and that the events to which they related were not approved contingencies.²¹
23. On the material before me, I find that:

- 23.1. Between 17 April 2023 and 15 September 2024 (inclusive), Sportsbet offered bets in South Australia on UFC-MMA events and markets.

²⁰ Including by way of a 17 September 2024 notice to Sportsbet pursuant to section 26 of the GA Act requiring the production of documents identifying wagers placed by South Australian residents on events and bet types listed on the Sportsbet platform under the market of 'UFC-MMA' during the period 17 April 2023 to 15 September 2024. Sportsbet responded on 11 October 2024.

²¹ Letter Sportsbet to B Humphrey dated 31 January 2025 at para [1.2].



23.2. Total wagers accepted was 540 664, and the total amount wagered was \$7 690

231.31. Sportsbet's net revenue for the wagers was \$1 463 972.90.

23.3. None of the UFC-MMA events were an approved contingency under section 4 of the ABO Act.²² The offering of the bets, and their acceptance, was therefore a breach of the condition created by section 40A(4)(c) of the ABO Act and, it follows, conduct falling outside the authorisation conferred by section 40A(4).

23.4. This constituted a contravention of a condition of a relevant authorisation, and I am satisfied that there is proper cause for disciplinary action against Sportsbet pursuant to section 36(1)(d) of the GA Act.

Ground 4 - LIV Golf events

24. After becoming aware of the taking of bets in respect of the e-Sports and Novelty Events contingencies CBS conducted a further review of products offered by Sportsbet. This review, and a subsequent investigation by CBS,²³ identified that Sportsbet had offered bets in South Australia on LIV Golf 2023 and LIV Golf 2024 being events which, at the relevant time, were not approved contingencies.

25. Sportsbet accepts these wagers were taken and that the events to which they related were not approved contingencies at the time the wagers were accepted.²⁴

26. On the material before me, I find that:

26.1. Between 17 April 2023 and 15 September 2024 (inclusive), Sportsbet offered bets in South Australia on LIV Golf events.

26.2. Total wagers amounted to 15 581. The total amount wagered was \$229 070.50 and the total revenue for Sportsbet was \$131 994.²⁵

26.3. Although golf contingencies were approved under the ABCN during the relevant period, LIV Golf events were not among the events approved for that sport. LIV

²² Contingencies relating to mixed martial arts (Ultimate Fighting Championship) were first approved by variation notice published in the Gazette in May 2025, after the relevant period.

²³ Including by way of a 17 September 2024 notice to Sportsbet pursuant to section 26 of the GA Act requiring the production of documents identifying wagers placed by South Australian residents on events and bet types listed on the Sportsbet platform under the market of LIV Golf during the period 17 April 2023 to 15 September 2024.

²⁴ Letter Sportsbet to B Humphrey dated 31 January 2025 at para [1.2].

²⁵ Letter Sportsbet to B Humphrey dated 31 January 2025 at para [7.2(b)].



Golf events were first approved by variation notice published in the Gazette on 24 January 2025, after the relevant period and after the issue of the Grounds for Disciplinary Action notice. That subsequent approval did not, and could not, authorise the conduct during the relevant period. The offering of the bets, and their acceptance, was a breach of the condition created by section 40A(4)(c) of the ABO Act and, it follows, conduct falling outside the authorisation conferred by section 40A(4).

- 26.4. This constituted a contravention of a condition of a relevant authorisation, and I am satisfied that there is proper cause for disciplinary action pursuant to section 36(1)(d) of the GA Act.

Relevant considerations for determining disciplinary action

27. Section 39(2) of the GA Act is in the following terms:

After considering the submissions (if any) made by the gambling provider under subsection (1)(b), the Commissioner may, by order, take disciplinary action in 1 or more of the following ways:

- (a) the Commissioner may reprimand the gambling provider;
- (b) the Commissioner may impose a fine on the gambling provider not exceeding—
 - (i) in the case of the holder of a major betting operations licence, or an authorised interstate betting operator, under the Authorised Betting Operations Act 2000—\$100 000;
 - ...
- ...
- (c) the Commissioner may —
 - (i) vary the conditions of the relevant authorisation; or
 - (ii) give directions to the gambling provider as to the winding up of operations under the relevant authorisation; or
 - (iii) suspend the relevant authorisation for a specified or unlimited period; or
 - (iv) cancel or revoke the relevant authorisation; or
 - (v) if a relevant authorisation is cancelled or revoked—disqualify a person from holding the relevant authorisation or from being approved under a gambling Act permanently or for a specified time;
- (d) in the case of an authorised interstate betting operator under the Authorised Betting Operations Act 2000, the Commissioner may—
 - (i) give written directions to the operator as to the winding up of betting operations in this State;
 - (ii) or prohibit the operator from conducting betting operations in this State for a specified or unlimited period;
 - ...

28. The disciplinary jurisdiction conferred by Part 5 of the GA Act is protective in purpose. Its purpose is not to punish Sportsbet for past conduct, but to protect the public, preserve the effectiveness of the safeguards established by the GA Act and ABO Act, and uphold and promote the standards, norms and objectives those Acts establish. It follows that any disciplinary action I take must be limited to what I consider to be reasonably necessary to achieve the objects and purposes of those Acts, having regard to the nature and gravity of the contravention.²⁶
29. This requires me to consider, among other things, what is reasonably necessary to deter Sportsbet from again engaging in the kind of conduct the subject of this disciplinary action (specific deterrence), and what is reasonably necessary to deter other authorised interstate betting operators from engaging in such conduct (general deterrence). As the High Court has said, “the essence of the task is to put a price on the contravention sufficiently high to deter repetition by the contravener and others who might be tempted to contravene”.²⁷
30. In *Trade Practices Commission v CSR Ltd*²⁸ French J set out several factors that can be taken into account when considering this question. Relevantly, they include:
- 30.1. The size of the contravening company.
 - 30.2. The deliberateness of the contravention and the period over which it extended.
 - 30.3. Whether the contravention arose out of the conduct of senior management or at a lower level.
 - 30.4. Whether the company has a corporate culture conducive to compliance with the Act, as evidenced by educational programs and disciplinary or other corrective measures in response to an acknowledged contravention.
 - 30.5. Whether the company has shown a disposition to co-operate with the authorities responsible for the enforcement of the Act in relation to the contravention.

²⁶ See *Comcare v Banerji* (2019) 93 ALJR 900 at 914.

²⁷ *Ibid* at 914.

²⁸ [1990] FCA 762; See also *NW Frozen Foods v ACCC* (1996) 71 FCR 285 at 292–293; For an example of these factors being applied in a disciplinary context, see Victorian Gambling and Casino Control Commission, *Reasons for the decision in the matter of disciplinary action against Crown Melbourne Ltd pursuant section 20(1)(dc) of the Casino Control Act 1991*, 7 November 2022.

31. While any penalty I imposed needs to be reasonable, in order for any deterrent effect to be real, it must be more than an acceptable cost of doing business.²⁹ This is to ensure that the adoption of a business model that involves contraventions, or the real risk of contraventions, does not become a rational commercial choice.³⁰ To this end, the High Court has noted that:

...it is simply undeniable that, all other things being equal, a greater financial incentive will be necessary to persuade a well-resourced contravenor to abide by the law rather than to adhere to its preferred policy than will be necessary to persuade a poorly resourced contravenor that its unlawful policy preference is not sustainable.³¹

32. The maximum fine I can impose for each ground of disciplinary action is \$100 000.³² However, the maximum fine is not reserved for the most serious instances of misconduct.³³ The maximum fine is a matter to be considered when determining what amounts to an appropriate disciplinary outcome. That is, “considerations of deterrence, and the protection of the public interest, justify the imposition of the maximum penalty where it is apparent that no lesser penalty will be an effective deterrent”.³⁴ What is required is “some reasonable relationship between the theoretical maximum and the final penalty imposed”.³⁵

33. Lastly, it is to be observed that authorised interstate betting operators conduct business in South Australia only by telephone, internet or other electronic means, from platforms largely operated interstate. Given this, the Commissioner has limited capacity to observe, in real time, what markets those platforms make available within the State. The condition imposed by section 40A(4)(c) of the ABO Act is, as a practical matter, the principal control over what betting products are offered to South Australian residents through those platforms, and its efficacy depends on operators applying it to their own conduct. In these circumstances, general deterrence assumes a greater significance in determining the penalty to be imposed.³⁶

²⁹ *Australian Building and Construction Commissioner v Pattinson* (2022) 274 CLR 450 at 460.

³⁰ *Ibid* at 475.

³¹ *Ibid* at 474.

³² GA Act s 39(2)(b)(i).

³³ *Australian Building and Construction Commissioner v Pattinson* (2022) 274 CLR 450 at 471-472.

³⁴ *Ibid* at 471.

³⁵ *Ibid* at 472.

³⁶ See *ACCC v ABB Transmission* (2002) 190 ALR 169 at [13].

Sportsbet's submissions

34. Sportsbet made detailed written submissions in its responses to the show cause notices served on it. Sportsbet's responses were dated 23 August 2024, 31 January 2025 and 28 November 2025. I have considered all Sportsbet's submissions in full. What follows is a summary of its principal contentions.
35. In relation to Novelty events, Sportsbet accepted the markets were not approved contingencies and apologised for having offered them in South Australia. It said that the markets were offered on its platform because they were assessed as compliant with the *Northern Territory Racing and Wagering Commission Novelty Guideline 2019*. Sportsbet advised that after receiving CBS' show cause notice, it had ceased offering novelty markets of the same or a similar kind nationally "while potential technological solutions are explored".³⁷
36. Similarly, Sportsbet acknowledged that it had operated contrary to the conditions of its authorisation when it offered betting markets in e-Sports, LIV Golf and UFC/MMA events. Sportsbet submitted that this was not a deliberate breach and that the ABCN "lacks clarity in certain respects". To this end, Sportsbet noted the ABCN made reference to "international tournaments" which, it submitted, included these events "on an open reading".
37. Sportsbet noted that all the events the subject of this disciplinary action were permissible in other Australian jurisdictions and, given that, available technology made this a "significant compliance challenge". Sportsbet indicated that it had now undertaken a "significant volume of technological development work" to enable markets to be turned on and off in each jurisdiction.
38. Sportsbet submitted that the contingencies the subject of these disciplinary proceedings were all suitable for approval in South Australia and consequently the offering of betting markets on them "has not infringed any public policy imperatives". Further, Sportsbet noted that LIV Golf was subsequently made an approved contingency by the Commissioner. It submitted that this decision and its "good faith efforts to comply with regulatory expectations" should be taken into account.
39. As to outcome, Sportsbet submitted in January 2025 that, if disciplinary action were taken, a compliance notice under section 37 of the GA Act would be the appropriate and

³⁷ Ibid, [1.4].

proportionate response, or alternatively that a written assurance or undertaking be accepted. In its November 2025 submission, Sportsbet revised that position. It said that, given that it is now compliant, a compliance notice may no longer be apt and that a reprimand under section 39(2)(a) would represent a proportionate and appropriate response. Finally, Sportsbet submitted that if the Commissioner were minded to impose a fine, the e-Sports conduct should be considered together with the LIV Golf, MMA and Novelty events matters as a single course of conduct, so that any financial penalty is calibrated to a consolidated view of the conduct.

Consideration

40. The gravamen of the contraventions here is the taking of bets on contingencies that had not yet been approved by the Commissioner as “approved contingencies” under the ABO Act. As I have explained, that approval is an important step in the legislative scheme that permits the Commissioner to ensure that authorised betting activity has the characteristics Parliament has determined are acceptable and meets the expectations of the community. This is not an assessment for authorised betting operators to make themselves. It is a judgment Parliament has entrusted to the Commissioner.
41. This is important to note because it shows that the relevant harm in this case is the undermining of the statutory scheme Parliament created. It also indicates that the fact that the contingencies could have been approved, are contingencies which (in Sportsbet’s opinion) should have been approved, or are contingencies that were subsequently approved, does not mitigate the contravention or reduce the penalty that would otherwise be warranted. What matters is that at the time the bets were taken, the contingencies had not been approved, and the legislative scheme was consequently undermined. That is so whether the contingency, had it been submitted for the Commissioner’s assessment under section 4 of the ABO Act, would in fact have satisfied that assessment. The mischief lies in the taking of the decision out of the Commissioner’s hands, not in the character of the product Sportsbet chose to offer.
42. I reject Sportsbet’s submission that the ABCN was unclear such that a view could have reasonably been formed that the contingencies the subject of this disciplinary action were authorised by it.
43. It is incumbent on all authorised interstate betting operators to ensure they are operating systems and practices which comply with their legal obligations, including section 40A of the ABO Act.

44. In its submission Sportsbet specifically referred to the reference to “international tournaments” in the ABCN. That appears in the following way:

(9) International Tournaments	Gold Medal Tally, Total Medal Tally
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45. As the ABCN indicates, the contingency (in this case International Tournaments) are approved by reference to the by reference the events listed in the document (in this case medal tallies).³⁸ “Gold medal tally” is defined by the ABCN as “the proposition that a specified country will win a specified number of gold medals (or number of gold medals within a range) at particular Olympic Games or particular Commonwealth Games”.³⁹

46. As the above makes clear, it could not reasonably be concluded that this category authorised the taking of bets on the markets the subject of this disciplinary action. In any event, Sportsbet has acknowledged its conduct contravened section 40A of the ABO Act and therefore was not authorised by the ABCN.

47. I have determined to deal with the matter by way of four separate grounds for disciplinary action representing four categories of betting offered, namely, e-Sports events (Ground 1), Novelty events (Ground 2), LIV Golf events (Ground 3) and UFC/MMA events (Ground 4). In my view, the conduct is sufficiently distinguishable to warrant being dealt within this way and it is appropriate I do so. I reject Sportsbet’s submission that all matters be dealt with as one ground. That would not be appropriate given the extent of the conduct, the time over which it took place and the different markets offered.

48. In coming to this conclusion, I note that other characterisations were arguably open. Each of the 942 675 bets offered and accepted was, potentially, a discrete contravention of the condition, and it may have been open to treat each wager, or each market or event within the four categories which comprise Grounds 1 to 4, as a separate ground. Had I done so, the maximum penalty available would have been of an altogether different order. I have not adopted that course. Dealing with the matter as four grounds reflects the way the conduct was investigated and the way Sportsbet was given the opportunity to respond.

49. Sportsbet is a large company with significant revenue. It has told CBS that the net revenue it received from taking bets on the unapproved contingencies was at least \$2 440 649.48.⁴⁰

³⁸ ABCN, clause 2(1).

³⁹ ABCN, sch 3 (definition of “*gold medal tally*”).

⁴⁰ CBS is not aware of Sportsbet’s revenue for the taking of bets on Novelty Markets. Given the total amount wagered on those events was \$11,723.10, any revenue derived was necessarily modest.



As explained above, these are matters I must consider to ensure any penalty has an appropriate deterrent effect and cannot be seen as just a cost of doing business.

50. Conversely, Sportsbet acknowledged its conduct at an early stage, apologised for it, and demonstrated a willingness to change its practices and procedures to ensure future compliance. Sportsbet should receive credit for this and it reduces the weight I need to give to specific deterrence in determining the appropriate penalty.
51. Section 39(2) provides a graduated range of disciplinary responses. Before determining that a fine is appropriate for each ground, I have considered the alternatives Sportsbet proposed and the more severe options available to me.
52. A compliance notice under section 37 of the GA Act operates prospectively: it identifies specified action by which disciplinary action may be avoided. Sportsbet has already ceased offering the relevant markets and has implemented the technological controls such a notice would sensibly have required. Sportsbet itself now accepts that a compliance notice may no longer be appropriate and I agree. Fundamentally, and having regard to the size and extent of the contraventions, a compliance notice by itself would be insufficient to achieve the objects and purposes of the statutory scheme.
53. Nor do I consider this an appropriate matter in which to accept a written assurance or undertaking in lieu of disciplinary action. The conduct extended over some 17 months, involved a significant amount of contraventions across four distinct categories of market, and generated substantial revenue. An outcome that involved no formal disciplinary action would not reflect the seriousness of that conduct, nor would it provide the general deterrence which required.
54. A reprimand alone would be insufficient for the same reasons.
55. Conversely, I do not consider that the more severe options available under sections 39(2)(c) and (d) are warranted, including the variation of conditions of Sportsbet's authorisation, its suspension or cancellation, or a prohibition from conducting betting operations in this State. The conduct has ceased, effective controls are in place, Sportsbet co-operated with the investigation, apologised for its conduct, and nothing before me suggests it is otherwise unsuitable to hold the Authorisation. Those responses would exceed what the protective purposes of the GA and ABO Acts require.
56. Given the extent and gravity of the conduct, I consider the only appropriate disciplinary action for each ground is the imposition of a fine and the giving of a reprimand.

Ground 1 - e-Sports events

57. For the reasons in paragraph 17, I am satisfied there is a proper cause for disciplinary action in respect of the offering of bets in South Australia on e-Sports events.

58. I reprimand Sportsbet for this conduct, pursuant to section 39(2)(a) of the GA Act. Pursuant to section 39(2)(b)(i), I impose a fine of \$100 000. In arriving at this figure, I have had regard to the scale and extent of the conduct, the revenue it generated and the size of Sportsbet.

Ground 2 – Novelty Events

59. For the reasons in paragraph 20, I am satisfied there is a proper cause for disciplinary action in respect of the offering of bets in South Australia on Novelty events. Sportsbet has advised a total of \$11 723.10 was wagered on these events. No net revenue figure has been provided for the conduct the subject of this ground, but any revenue derived from that turnover was necessarily modest.

60. I reprimand Sportsbet for this conduct, pursuant to section 39(2)(a) of the GA Act. Pursuant to s 39(2)(b)(i) of the GA Act, I impose a fine of \$25 000 for this ground. The scale and extent of this conduct is smaller than the other grounds and therefore a lesser penalty is warranted.

Ground 3 – LIV Golf events

61. For the reasons set in paragraph 26, I am satisfied there is a proper cause for disciplinary action in respect of the offering of bets in South Australia on LIV Golf events.

62. I reprimand Sportsbet for this conduct, pursuant to section 39(2)(a) of the GA Act. Pursuant to section 39(2)(b)(i) of the GA Act, I impose a fine of \$100 000. In arriving at this figure, I have also had regard to the scale and extent of this conduct, the revenue it generated and the size of Sportsbet.

Ground 4 – UFC-MMA events

63. For the reasons in paragraph 23, I am satisfied that there is a proper cause for disciplinary action in respect of the taking of wagers from South Australian account holders on UFC and MMA Events.



64. I reprimand Sportsbet for this conduct, pursuant to section 39(2)(a) of the GA Act. This ground also involves conduct of a significant scale. A significant fine is warranted. Pursuant to section 39(2)(b)(i) of the GA Act, I impose a fine of \$100 000 for this ground.

Other matters

65. I have imposed the maximum penalty (\$100 000) for Grounds 1, 3 & 4. Two things should be noted about this First, as noted in paragraph 32, the maximum penalty is not reserved for the worse case. Rather, it is a factor to be considered when setting the appropriate penalty. For the reasons I have mentioned, including the gravity and extent of the conduct covered by each ground, I consider those amounts to be the appropriate penalty in the circumstances. Second, the maximum fine for each ground is \$100 000 because of the way the grounds for disciplinary action have been characterised. Had they been characterised in a different way (see paragraph 48), the maximum penalty would have been much greater.

66. I acknowledge that Sportsbet admitted its contraventions at an early stage, has demonstrated contrition and its willingness to cooperate and remediate its practices. This reduces the need to achieve specific deterrence in the penalty I impose. I have taken this into account in my decision not to take any action under section 39(2)(c) and in determining the size of penalty to be imposed for Ground 2. However, having regard to the circumstances of the conduct comprising Grounds 1, 3 and 4, including the volume of wagers accepted and the revenue Sportsbet derived, I do not consider those matters warrant a reduction in the fines I have imposed that would reduce them below the statutory maximum.

67. Pursuant to s 39(3) of the GA Act my determination takes effect on the day it is served on Sportsbet. Section 54 of the Act provides that if Sportsbet is dissatisfied with my decision it may apply to the Licensing Court of South Australia for a review of my decision. Such an application must be made within 30 days of Sportsbet receiving notice of my decision.