

Gambling Administration Guidelines

Authorised Betting Operations Act 2000

Activity statements and gambling account detailed transaction history

Effective 31 July 2022

The following guidelines have been published by the Liquor and Gambling Commissioner (Commissioner) under section 17 of the *Gambling Administration Act 2019* for the purposes of the Authorised Betting Operations Gambling Code of Practice.

1. Introduction

The National Consumer Protection Framework (**NCPF**) for online wagering is an agreement between the Commonwealth of Australia and States and Territories of Australia which aims to reduce the harm that can occur to Australian online wagering customers.

The NCPF is the end result of a process which began on 7 September 2015, when the Commonwealth Government asked the Hon Barry O'Farrell to conduct a "Review of Illegal Offshore Wagering" (the Review).

On 28 April 2016, the Commonwealth Government publicly released its response to the Review accepting, 18 of the 19 recommendations, either in full or in-principle, and noting one.

Following that, with respect to the recommendations relating to onshore wagering services, the Commonwealth Government has been working with state and territory governments to establish a nationally consistent framework of consumer protections for Australian online wagering customers.

This resulted in Ministers from the Commonwealth Government and states and territories releasing a National Policy Statement (**NPS**) of agreed commitments to provide for a NCPF for interactive wagering in Australia.

Some of the measures of the NCPF have already been implemented by the Commonwealth through the *Interactive Gambling Act 2001*, while other measures have been enacted by state and territory governments through various regulatory instruments.

One of the measures of the NCPF is for the provision of activity statements (and gambling account detailed transaction history) to ensure that customers receive meaningful information about their wagering activity from each interactive wagering service they use including how regularly and how much money they are spending on gambling. This information is aimed to assist consumers to reflect and consider their wagering activity and, if necessary, make decisions surrounding that activity.

2. Overview



South Australia enacts the measures of the NCPF, that individual states and territories are responsible to implement, via the Authorised Betting Operations Gambling Code of Practice (**the Code**) prescribed by the Commissioner.

These guidelines are intended to provide authorised betting operators, that provide their services via an account, with practical guidance about the provision of activity statements and gambling account detailed transaction history in accordance with the requirements of the Code.

The Commissioner may by notice in the Government Gazette vary or revoke these guidelines at any time in accordance with section 17(3) of the *Gambling Administration Act 2019*.

The NPS of the NCPF provides that an interactive wagering service provider is required to provide account holders with an activity statement, via email, on a monthly basis which gives the account holder clear information about their activity on the account when the customer has actively used their account during the previous month.

The information in these guidelines is provided on the understanding that the Commissioner is not giving legal opinion, interpretation, or other professional advice.

When considering whether an activity statement or gambling account detailed history is compliant with the Code, the Commissioner will have regard to any relevant information provided in these guidelines.

It is the responsibility of gambling providers to consider the content of an activity statement and gambling account detailed transaction history that is proposed to be provided to a person or an account holder and if necessary, seek independent legal advice on whether the documents or the method of delivery of them may be contrary to the Code.

Any matters arising from the regulation of the provision of activity statements and gambling account detailed history not covered by these guidelines will be resolved at the discretion of the Commissioner.

3. Activity statements

- (1) Clause 33 of the Code requires gambling providers to provide an active account holder with an activity statement within 7 days of the preceding month.
- (2) An active account holder is an account holder that has used their gambling account, that a gambling provider has established, including to settle a bet, within the preceding month but does not include a person whose gambling account has been closed.
- (3) Activity statements must be sent to an active account holder's email address, unless the account holder does not use the internet to make transactions on their account, in which case the activity statement must be sent to them by ordinary post.
- (4) Once an activity statement has been sent to an active account holder for a particular month, it must be accessible by the customer on request at any time in the format of the customer's choosing (e-statement or paper statement) or online via their account at any time (if the customer uses the internet to make transactions on their account).

Frequency of providing activity statements

- (1) Activity statements are required to be provided to an active account holder when they have made a transaction on their gambling account during the preceding month.
- (2) If an active account holder has been provided with an activity statement, they must also be able to access it on request at any time in the format of the customer's choosing (e-statement or paper statement) or online via their account at any time (if the customer uses the internet to make transactions on their account).

Method of the provision of activity statements

- (1) The NPS for the NCPF provides that activity statements are required to be provided to active account holders via email.
- (2) It is acknowledged that not all active account holders use the internet to make transactions on their gambling account (e.g. transactions may be made by telephone). If an active account holder does not use the internet to make transactions on their gambling account, an activity statement must be sent by ordinary post.

Timeframe to issue activity statements

- (1) Active account holders who use the internet to make transactions on the account, must be provided with an activity statement no later than 7 days after the end of the preceding month.
- (2) Active account holders who do not use the internet to make transactions on their account, must be physically sent an activity statement by ordinary post no later than 7 days after the end of the preceding month.

Uninhibited access to electronic activity statements

- (1) Passwords or similar restrictions to access electronic activity statements has the potential to be a barrier for consumers accessing them.
- (2) Activity statements are sent to a consumer's nominated email address, which has existing security measures in place.
- (3) The use of additional passwords or other layers of security to activity statements is prohibited.

Cost of providing activity statements

- (1) Activity statements must be provided to active account holders free of charge except for an activity statement which is sent by ordinary post, in which case the costs purely associated with sending it by ordinary post may be recovered from the account holder.

Treatment of wins and losses on activity statements

- (1) Wins and losses (including from complimentary gambling products) are to be treated on activity statements as follows;
 - (a) Amount spent (displayed as "You spent") is the sum of stakes and complimentary gambling products for the statement's period.
 - (b) Amount won (displayed as 'You won') is the sum of net results from winning bets (payout less stake) including from complimentary gambling products.
 - (c) Amount lost (displayed as 'You lost') is the sum of net results from losing bets (stake). A losing bet from a complimentary gambling product gives a zero net result.
 - (d) Overall net win or loss result (displayed as 'Your net result') for the period is the sum of net results from all bets (Amount won less amount lost).

Example of a compliant activity statement

- (1) The activity statement measure is based on research published in December 2020 by the Behavioural Economics Team of the Australian Government (**BETA**).
- (2) BETA has developed a prototype of an activity statement which is considered best practice and complies with the NPS of the NCPF as follows:



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[Click here for detailed transaction list](#)



- (3) Gambling providers which wish to use a different format must ensure that the design is compliant with the principles of the NPS of the NCPF for activity statements.

4. Gambling account detailed transaction history

- (1) Activity statements must include a link to an active account holder's detailed transaction history for the statement period.
- (2) In addition to activity statements (and the associated link to a detailed transaction history), a record of gambling account transactions must also be available to account holders (and to persons whose gambling account has been closed) for at least the preceding 7 years.

Frequency of providing gambling account detailed transaction history

- (1) Activity statements are required to be provided to an account holder monthly when they have actively used their gambling account during the preceding month. If an activity statement is required to be sent to an active account holder, it must include a link to a gambling account detailed transaction history for the statement period.
- (2) In addition to a gambling account detailed transaction history being provided in conjunction with an activity statement (via a link) a gambling account detailed transaction history must also be made available on request by the account holder or former account holder.

Method of provision of gambling account detailed transaction history

- (1) Activity statements must include a link to an active account holder's gambling account detailed transaction history for the statement period.
- (2) A gambling account detailed transaction history must be made available to an account holder that uses the internet to make transactions on their account via their 'My Account' window or its equivalent.
- (3) A gambling account detailed transaction history must be made available to an account holder or former account holder that does not, or did not, use the internet to make transactions on their account (e.g. transactions were made by telephone) by email or ordinary post.

Timeframe for providing gambling account detailed transaction history

- (1) A gambling account detailed transaction history must be made available to an account holder that uses the internet to make transactions on the account immediately.
- (2) A gambling account detailed transaction history must be made available to a person that does not, or previously did not, use the internet to make transactions on their gambling account, within 14 days of the person's request.

Uninhibited access to electronic gambling account detailed transaction history

- (1) Passwords or similar restrictions to access an electronic gambling account detailed transaction history has the potential to be a barrier for consumers accessing them.
- (2) Gambling account detailed transaction history is sent to a consumer's nominated email address or within their secure gambling account, which have existing security measures.
- (3) The use of additional passwords or other layers of security to electronic versions of a gambling account detailed transaction history is prohibited.

Cost of providing gambling account detailed transaction history

- (1) A gambling account detailed transaction history must be provided to an account holder or former account holder free of charge except for a gambling account detailed transaction history which is sent by ordinary post; in which case, the costs purely associated with sending it by ordinary post, may be recovered from the account holder or former account holder.

Example of a compliant gambling account detailed transaction history

- (1) The format of a gambling account detailed transaction history is not prescribed in the NPS of the NCPF, however, the following example is considered to be compliant and best practice:

DETAILED TRANSACTION LIST							
Date	Description	Deposit/ Withdrawal	Free Bets	Stake	Pay Out	Net Result	Balance
1-Aug-20	Opening Balance						\$100.00
2-Aug-20	Bet Horse A			\$10.00	\$190.00	\$180.00	\$280.00
2-Aug-20	Withdrawal	-\$200.00					\$80.00
5-Aug-20	Bet Horse B			\$50.00	\$0.00	-\$50.00	\$30.00
6-Aug-20	Bet Sport A			\$30.00	\$0.00	-\$30.00	\$0.00
8-Aug-20	Deposit	\$500.00					\$500.00
8-Aug-20	Bet Sport B			\$20.00	\$0.00	-\$20.00	\$480.00
9-Aug-20	Bet Horse C		\$50.00		\$0.00	\$0.00	\$480.00
14-Aug-20	Bet Sport C			\$30.00	\$80.00	\$50.00	\$530.00
14-Aug-20	Bet Horse D			\$50.00	\$0.00	-\$50.00	\$480.00
15-Aug-20	Bet Sport D			\$30.00	\$0.00	-\$30.00	\$450.00
18-Aug-20	Bet Horse E			\$20.00	\$100.00	\$80.00	\$530.00
19-Aug-20	Bet Horse F			\$40.00	\$120.00	\$80.00	\$610.00
19-Aug-20	Bet Sport E		\$60.00		\$0.00	\$0.00	\$610.00
20-Aug-20	Bet Novelty A			\$60.00	\$0.00	-\$60.00	\$550.00
20-Aug-20	Bet Horse G			\$40.00	\$0.00	-\$40.00	\$510.00
20-Aug-20	Bet Sport F			\$150.00	\$0.00	-\$150.00	\$360.00
21-Aug-20	Bet Novelty B			\$30.00	\$110.00	\$80.00	\$440.00
23-Aug-20	Bet Horse H		\$50.00		\$150.00	\$100.00	\$540.00
25-Aug-20	Bet Sport G			\$10.00	\$0.00	-\$10.00	\$530.00
25-Aug-20	Bet Novelty B			\$110.00	\$0.00	-\$110.00	\$420.00
25-Aug-20	Bet Sport H			\$120.00	\$0.00	-\$120.00	\$300.00
28-Aug-20	Bet Novelty C			\$140.00	\$0.00	-\$140.00	\$160.00
31-Aug-20	Bet Sport I			\$40.00	\$0.00	-\$40.00	\$120.00
31-Aug-20	Bet Sport J			\$30.00	\$0.00	-\$30.00	\$90.00
31-Aug-20	Closing Totals		\$1,170.00			-\$310.00	\$90.00

5. References

[Gambling Administration Act 2019](#)

[Authorised Betting Operations Act 2000](#)

[Authorised Betting Operations Codes of Practice](#)

[National Consumer Protection Framework for Online Gambling](#)



6. Revision History

Version	Details	Government Gazette publication details	Effective Date
1	Authorised Betting Operations (Activity Statements and Gambling Account Detailed Transaction History Guidelines) Notice 2022 <ul style="list-style-type: none">• Original document	29 July 2022 (No. 53 of 2022)	31 July 2022