

ONLINE GAMBLING & CREDIT CARDS: KEY INFORMATION FOR CONSUMERS



→ LAW & REGULATION IN AUSTRALIA

The *Interactive Gambling Act 2001* (Cth) regulates online gambling services in Australia. Certain interactive wagering services cannot provide credit to consumers, however, there are no legislative provisions which do not allow for gambling services to accept credit cards (as long as they are independent).

If you do choose to gamble online, you should check that the provider is on the register of licensed interactive gambling providers, as published on the Australian Communications and Media Authority's (ACMA) website. The ACMA also publishes a list of illegal online gambling service providers. If you encounter a prohibited or unlicensed regulated gambling service online, or are offered credit of online wagering services - file a complaint through the ACMA website.

→ BANKS & FINANCIAL INSTITUTIONS

in light of the lack of legislative protection prohibiting consumers from using credit cards to gamble online, some financial institutions have implemented specific policies with respect to use of their credit cards to gamble online.

Importantly, providers who do not block credit card use on gambling transactions classify these transactions as a 'cash advance'. Cash advances will incur higher interest rates than standard transactions on credit cards, as well as one-off fees.

Over the next two pages the authors outline which banks and financial institutions prohibit gambling transactions on their credit cards, which offer opt-in gambling blocks and additional fees and interests you'll incur for using credit cards to gamble.

→ SELF-EXCLUSION OPTIONS BEYOND BANKS

A National Self Exclusion Register is coming! Following changes to the *Interactive Gambling Act* in 2019, the ACMA is currently undertaking to establish a Register that will allow consumers to exclude themselves from licensed interactive wagering services for a minimum of 3 months, up to a lifetime. These services will not be able to let you place a bet, open any new accounts, send you marketing or advertising. It is due for completion in mid-2022.

The more reputable online wagering providers (Neds, Ladbrokes, Unibet, Bet365 and Sportsbet) have services limiting deposits and self-exclusion.

→ ONE FOR THE PARENTS - BE AWARE OF EMERGING FORMS OF ONLINE GAMBLING

Loot boxes and skin gambling are currently unregulated, but potentially dangerous emerging forms of online gambling targeting youth. Loot boxes and skin gambling appear in popular video games and are largely used as a way to monetise otherwise free to play games (e.g., FIFA, Fortnite, Candy Crush, Call of Duty). It may act as a gateway to further gambling harm for children and adolescents as they become young adults.



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Banks & Financial Institutions	Allows gambling transactions?	Opt-in gambling block	Considered a cash advance?	Additional fees & higher interest?	Additional comments
Bank Australia	NO	N/A			
Bank of Australia and New Zealand (ANZ)	YES	YES	YES	YES – one-off fee of 3% or the minimum fee of \$4.00 (whichever is greater) & higher interest rate of 21.24% p.a.	ANZ does not allow customers to use their credit card for transactions they identify as for gambling or gaming purpose (including online) when, at the time of transacting, the customer has used more than 85% or more of their credit card limit, or if the transaction (if processed) would take the customer's balance to 85% or more of their credit limit
Bank of Melbourne	YES	YES	YES	YES - one-off fee of 2% of each amount with a \$2.50 minimum (whichever is greater) & higher interest rate of 21.49% p.a.	
Bank of Queensland	NO	N/A			
Bendigo Bank	YES	YES	YES	YES - one-off fee of \$3.25 or 0.5% of the transaction amount (whichever is greater) & higher interest rate – 13.99% for Low Rate Credit Card & 21.99% for other credit cards	
Citibank	NO	N/A			
Commonwealth Bank of Australia (CBA)	YES*	YES	YES	YES – one-off fee of either \$3.00 or 3.00% of the transaction amount – up to a maximum of \$300, whatever is greater & higher interest rate of 21.24% p.a.	* Gambling transactions are only blocked on Commbank Essentials and CommBank Neo credit cards. 48-hour cooling off period applies when a consumer turns on the opt-in gambling block (prevents them from turning off the gambling block for 2 days).
Great Southern Bank	NO	N/A			



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imb Bank	NO			N/A	
ING	YES	See comments	YES	YES – one-off fee of the greater of \$3 or 3% of the amount & higher interest rates – 11.99% p.a. (Low Rate Classic & Premium cards) & 16.99% p.a. (Rewards Platinum card).	A customer must 'opt-in' to allow cash advances (what gambling transactions are classified as) on a credit card. Therefore, instead of opting out or blocking gambling transactions, the consumer must opt-in.
Latitude Financial	NO			N/A	
Macquarie Bank	NO			N/A	
National Australia Bank (NAB)	YES*	YES	YES	YES – one-off fee of 2% of the cash advance amount or \$2.50, whichever is greater & higher interest rate of 21.74% p.a.	*NAB StraightUp card is the only credit card which does not allow gambling transactions. If consumers turn off their gambling block, preferences take 48 hours to update.
Newcastle Permanent	YES	Unclear	YES	YES - one-off fee of the greater of 2.00% of the transaction value or \$2.50, whatever is greater & higher interest rate of 11.99% p.a.	
St. George	YES	YES	YES	YES – one-off fee * & higher interest rate of 21.49% p.a.	One off fee is 3% of the cash advance amount where the account is a negative balance. Where the account has a zero or credit balance after the cash advance, the minimum fee applies.
Suncorp	NO			N/A	
Virgin Money	NO			N/A	
Westpac	YES*	YES	YES	YES – one-off fee of 3% of the value & higher interest rate of 21.49%.	* Gambling transactions blocked on Lite Credit Card and Flex Card
American Express (AMEX)	NO			N/A	Prohibits merchants from accepting AMEX cards for gambling transactions.

REPORTING



Remember: the ACMA are the consumer watchdogs

The Australian Communication and Media Authority (ACMA) are responsible for enforcing the *Interactive Gambling Act*. You can submit anonymous complaints to the ACMA for breaches to the Act.



Prohibited online gambling services

Even though you can access some online gambling services does not mean that they are legal. As a result, you won't have the same consumer protection if you gamble on these sites (e.g. you may not be able to recover the money you're owed).

Illegal online services include: casino-style games (e.g., blackjack, poker and roulette), scratchies, in-play betting on sporting events, and any betting and lottery services that are not licensed in Australia.

Check legal online gambling operators here: <https://www.acma.gov.au/check-if-gambling-operator-legal>



How do I report?

You can submit an anonymous complaint online or via post to the ACMA if you encounter a prohibited or unlicensed regulated gambling service online, or see ads from these services, or if a provider of online wagering provides a line of credit. **The best way to protect yourself and others is to report.**

See the link below for information on how to lodge a complaint online:

<https://www.acma.gov.au/interactive-gambling-complaint-form>