

RACING AND GAMING — BREACHES AND COMPLAINTS — UNLAWFUL LOTTERIES

1557. Hon Dr Brad Pettitt to the parliamentary secretary to the Minister for Racing and Gaming:

I refer to complaints and breaches of section 106(2) of the *Gaming and Wagering Commission Act 1987*. For each of the years 2020, 2021, 2022 and the first six months of 2023, will the Minister table the respective:

- (a) annual total number of:
  - (i) complaints received related to alleged breaches of section 106(2)(b), (c)(i), or (d);
  - (ii) investigations related to alleged breaches of section 106(2)(b), (c)(i), or (d);
  - (iii) determined breaches of section 106(2)(b), (c)(i), or (d) prosecuted; and
  - (iv) penalties issued for breaches of section 106(2)(b), (c)(i), or (d); and
- (b) a summary of details of each breach of section 106(2)(b), (i), or (d) giving rise to a penalty being issued (i.e., party, date, nature of advertisement)?

**Hon Darren West replied:**

2020

- (a)–(b) Nil.

2021

- (a)
  - (i) Two complaints were received in 2021 relating to alleged breaches of sections 106(2)(b) and (c)(i) of the *Gaming and Wagering Commission Act 1987*. A further complaint was received relating to alleged breaches of sections 106(2)(b), (c)(i) and (d) of the *Gaming and Wagering Commission Act 1987*.
  - (ii) Two investigations were initiated in 2021 relating to alleged breaches of sections 106(2)(b) and (c)(i) of the *Gaming and Wagering Commission Act 1987*. A further one was initiated relating to alleged breaches of sections 106(2)(b), (c)(i) and (d) of the *Gaming and Wagering Commission Act 1987*.
  - (iii) Two breaches were determined in 2021 relating to breaches of sections 106(2)(b) and (c)(i) of the *Gaming and Wagering Commission Act 1987*. A further one was determined relating to breaches of sections 106(2)(b), (c)(i) and (d) of the *Gaming and Wagering Commission Act 1987*.
  - (iv) One caution was issued in 2021 relating to breaches of sections 106(2)(b) and (c)(i) of the *Gaming and Wagering Commission Act 1987*. A further one was issued relating to breaches of sections 106(2)(b), (c)(i) and (d) of the *Gaming and Wagering Commission Act 1987*.
- (b) One breach of sections 106(2)(b) and (c)(i) of the *Gaming and Wagering Commission Act 1987* related to an individual who had commenced advertising and offering tickets for sale in a lottery to win a car via Facebook. Ticket offering and advertising ceased immediately once the individual involved was contacted. The individual was cautioned for these breaches.  
  
One further breach of sections 106(2)(b) and (c)(i) of the *Gaming and Wagering Commission Act 1987* related to an individual who had commenced advertising and offering tickets for sale in a lottery to win fishing gear via a private Facebook page on a closed Facebook group. Due to the closed nature of the Facebook group, details of the offender were unable to be determined in this instance.  
  
One breach of sections 106(2)(b), (c)(i) and (d) of the *Gaming and Wagering Commission Act 1987* related to an individual based in Tasmania, on behalf of a fundraising organisation, who commenced offering, advertising and selling tickets in a lottery via a private Facebook page. Ticket sales and advertising to WA residents ceased with all monies refunded to WA residents who had purchased a ticket in the lottery once the individual involved was contacted. The individual was cautioned for these breaches.

2022

- (a)–(b) Nil.

The first 6 months of 2023

- (a)
  - (i) One complaint was received in 2023 relating to an alleged breach of section 106(2)(b) of the *Gaming and Wagering Commission Act 1987*. A further complaint was received relating to alleged breaches of sections 106(2)(b), (c)(i) and (d) of the *Gaming and Wagering Commission Act 1987*.

- (ii) One investigation was initiated in 2023 relating to an alleged breach of section 106(2)(b) of the *Gaming and Wagering Commission Act 1987*. A further was initiated relating to alleged breaches of sections 106(2)(b), (c)(i) and (d) of the *Gaming and Wagering Commission Act 1987*.
  - (iii) One breach was determined in 2023 relating to a breach of section 106(2)(b) of the *Gaming and Wagering Commission Act 1987*. A further was determined relating to alleged breaches of sections 106(2)(b), (c)(i) and (d) of the *Gaming and Wagering Commission Act 1987*.
  - (iv) One caution was issued in 2023 relating to a breach of section 106(2)(b) of the *Gaming and Wagering Commission Act 1987*. A further caution issued relating to breaches of sections 106(2)(b), (c)(i) and (d) of the *Gaming and Wagering Commission Act 1987*.
- (b) The breach of section 106(2)(b) of the *Gaming and Wagering Commission Act 1987* related to an individual who commenced offering, advertising and selling tickets in a lottery. The individual was unaware that a permit to conduct a lottery of this nature was required and subsequently applied for and was granted a standard lottery permit. The individual was cautioned for this breach.
- The breaches of sections 106(2)(b), (c)(i) and (d) of the *Gaming and Wagering Commission Act 1987* related to a fundraising organisation, based in New South Wales, who commenced offering, advertising and selling tickets in a lottery. The individual was unaware that a permit to conduct a lottery of this nature was required. Ticket sales and advertising to WA residents ceased with all monies refunded to WA residents who had purchased a ticket in the lottery. The organisation was cautioned