

16 August 2025

Submission on the Online Casino Gambling Bill

The Governance and Administration Committee

Who we are and what we stand for

InternetNZ | Ipurangi Aotearoa manages the .nz domain name system (DNS). We ensure all domain names ending in .nz are available for people and businesses in Aotearoa New Zealand. As a purpose-driven community organisation, we invest back into the community through grants and collaborative partnerships. We also advocate for an accessible and safe Internet that benefits everyone in Aotearoa New Zealand.

As part of the technical community, we regularly submit to the Government on matters concerning the Internet. We are sending this submission to support the Government in balancing positive online interventions with the technical practicalities of the Internet.

Our submission largely focuses on the technical feasibility and practical implications of restricting access to unlicensed online casinos. In particular, the use of internet blocking and filtering, clarification of prevention obligations, and the need to explore alternative approaches such as payment restrictions.

We will be using the terms ‘block’ and ‘filter’ defined as follows:

- A ‘block’ is the practice of restricting access to a particular website or content for a group of users, this includes ‘geoblocks’ which impose a regional restriction on content.
- A ‘filter’ is the practice of scanning internet traffic using a list of predetermined blocked URLs, domain names, or keywords from which the filter will redirect a user to a stop page or page not found.

Support for the Legislative Intent

InternetNZ | Ipurangi Aotearoa supports the general intent of the Online Casino Gambling Bill (the Bill) and to put in place a regulatory framework for online casinos. Specifically, clauses 3 (c) “prevent and minimise harm from online casino gambling” and (d) “protect consumers who participate in online casino gambling”.

Regulating Online Spaces is Challenging

Creating cohesive and effective national-level online policies or regulations is difficult. The regulation of online spaces presents unique challenges due to the interconnected global nature of the Internet, where regulating across national borders and various government and legal systems is complex. This includes difficulties in enforcement or confusion over which jurisdiction’s law applies. Balancing the protection of users and free expression adds another layer of intricacy to the task of effectively regulating digital spaces.

InternetNZ supports regulation that effectively minimises harm, where that regulation does not undermine the functionality and accessibility of an open and secure Internet. Regulating online activity often results in interventions at an infrastructure level where identity validation is required, and this contributes to

the fragmentation of an open and global internet through actions that reduce access to the Internet, ie, using geoblocks or a market withdrawal.

We would like to highlight three key areas of regulatory improvement for the Bill that the Committee should consider:

- understanding any unintended consequences of regulatory actions placed on online casino operators, ie, mandated use of geoblocks
- ensuring any interventions are technically feasible, effective and implementable
- avoid regulatory interventions that rely on internet infrastructure providers, including ensuring they are not liable for content they host, unless they knowingly enable content to be pushed out to users.

Technical feasibility: Blocking, Filtering and Alternatives

InternetNZ works globally to support an open, interoperable, and secure Internet. Our submission is grounded in our long-standing stance against Internet fragmentation, including blocking and filtering of the Internet. Our detailed view is articulated in our paper [To Block or Not to Block](#). In September 2024, we [advised](#) the Minister for Internal Affairs of the risks of blocking and filtering tools for online casino gambling.

InternetNZ does not support the use of a ‘block’ or a ‘filter’ because these types of intervention lead to a fragmentation of the Internet. For InternetNZ to consider a block or filter as an appropriate response, we believe relevant content must demonstrate a clear and high degree of harm, and be widely recognised by society as objectionable - this might include acts of terrorism and violent extremist content.

The advice we provided to the Minister of Internal Affairs recommended that the Government consider other options to prevent unauthorised online casinos from operating in New Zealand. We are pleased to see that this advice appears to have been accepted, as the use of blocking and filtering technologies is not explicitly noted in the Bill. However, we are cognisant that a key method of preventing access to an unlicensed online casino might be the use, required by the Government, of a geoblock¹ by any unlicensed online casino operator.

Geoblocking and other forms of filtering, create regional ‘silos’ of Internet access that fracture the global nature of the network, risking the interoperability an open Internet relies on to function well. We encourage officials to further investigate practical options that unlicensed online casinos can use to prevent New Zealanders accessing their services and content, such as restrictions on New Zealand-based payment methods.

We strongly advise that the development of regulations for online casino gambling and advertising content would benefit from undertaking an [Internet Impact](#)

¹ Internet Society <https://www.internetsociety.org/resources/doc/2017/internet-content-blocking/> (where geoblocking a particular geographic area prevents access to content)

[Assessment](#), and that the technical community be consulted on this Assessment in relation to any online gambling regulatory proposals.

Clarity Needed on Prevention Obligations

We think the Bill should provide more clarity on the unlicensed operation and advertising of online casino gambling.

We note that infrastructure providers, such as DNS and ISP providers, will not have arranged, or profited from, the prohibited acts and generally do not have knowledge or control over such activity. We generally support a notice and takedown approach for regulations that require action from internet infrastructure providers.

The civil liability framework outlined in the Bill regarding prohibited online casino gambling and advertising content appears to be complex and unclear. It would be beneficial for the Bill to provide greater clarity on which parties have obligations to prevent prohibited online casino activities and advertising content, and who may be expected to respond to takedown requests from the Secretary for Internal Affairs. It is important to note that there are defences available for an individual (referred to as person A) under the penalty provisions if the illegal advertising act was conducted by another person beyond person A's control, as outlined in Section 61 (3)(a)(i).

We oppose any approach that makes online content hosts and/or infrastructure providers liable for the actions of those who use their services. If the Bill envisages that online content hosts and/or infrastructure providers are intended to take preventive measures, this policy intent must be clearly identified and articulated in the Bill.

Mitigating the Gambling Harms for New Zealand Communities

As a charity, we acknowledge the work of NGOs, philanthropic organisations and individual communities in addressing gambling harms. We note that online casino gambling is already causing real harm to New Zealanders, particularly in vulnerable communities². We believe it is important that the Online Casino Gambling Bill aligns with the Purposes of the Gambling Act 2003 (section 3(g)), which is to “ensure that money from gambling benefits the community”, including the requirement that casinos and other forms of gambling that are able to operate in New Zealand must disburse a minimum amount of funds to the community

This Bill presents an opportunity to provide a pathway and funding for mitigating harms in New Zealand’s communities especially those most affected by online gambling. The Bill should recognise this harm and require the licensed online casino operators to return a proportion of their proceeds towards addressing gambling harm within the communities in which they operate.

² Problem Gambling Foundation

<https://www.pgf.nz/knowledge-hub/online-gambling-position-paper>

Recommendations

InternetNZ recommends:

- 1. Undertaking an Internet Impact Assessment:** We recommend that officials developing any proposed regulations for online casino gambling and advertising content undergo an [Internet Impact Assessment](#), and that this be consulted on extensively with the technical community.
- 2. Exploration of technically feasible options that do not use blocking or filtering should continue to be explored:** Officials should continue to work with casino operators to understand the feasibility of other options to prevent New Zealanders from accessing unlicensed online casinos, such as payment-related responses that do not constitute a block or filter of the Internet.
- 3. Prevention obligations regarding unlicensed online casino gambling operations and advertising be made explicit:** If there are expectations of infrastructure providers, they need to be clearer in the Bill.
- 4. Mitigating gambling harms from online casino gambling:** Require licensed operators to provide a proportion of their proceeds towards mitigating gambling harm in New Zealand communities.

Want more details? Get in touch.

We welcome the opportunity for further dialogue on the Online Casino Gambling Bill. Please contact us at policy@internetnz.net.nz.