

Submission from
The Internet Service Providers Association of New Zealand Inc
(ISPANZ)
for the Governance and Administration Committee

on
The Online Casino Gambling Bill

15th August 2025

ISPANZ is the industry organisation representing internet service providers (ISPs). We currently have 30 members. Our membership consists of a wide range of ISPs, ranging from large entities such as Mercury, through medium sized operators to small ISPs serving specialist or local markets.

ISPANZ takes no position on the ethics of gambling. Instead, this submission will focus on an aspect of the Bill that is of direct relevance to all our members; how legal restrictions on access to certain internet content can be implemented effectively, efficiently and fairly.

Part 4 of the Bill sees enforcement being effected through the issue of take-down notices. These notices are seen as the means to

- prevent the gambling platform through which the person is conducting online casino gambling from being accessible to persons in New Zealand; and

- prevent the advertisement from being brought to the attention of persons in New Zealand.

If the ‘person conducting online casino gambling’ is not physically located in, and does not host their gambling site in, New Zealand, such take-down notices are unlikely to have any result. If a take-down notice were to be ignored by someone overseas then, without a centralised digital filtering system, the Secretary’s only recourse would be to issue further take-down notices to every New Zealand based ISP, and there is no central registry of ISPs.

Our members already prevent access to some internet sites (those featuring child pornography) by using the Department of Internal Affairs’ (DIA’s) Digital Child Exploitation Filtering System (DCEFS).

There has been discussion about blocking other objectionable content. See for example https://www.parliament.nz/en/pb/sc/submissions-and-advice/document/54SCPETI_EVI_130133_PETI1483/ispanz-petition-of-holly-brooker.

There has also been discussion on amending the Copyright Act to provide explicitly for website blocking injunctions and provide guidance to the courts on the granting of these injunctions and any subsequent actions.

Expanding the DCEFS to include all material that needs to be legally blocked is the most practical way of filtering such material. Without incurring significant costs that would have to be passed on to end customers, ISPANZ members would not have the time or skills to develop their own filtering systems.

Reliance on a filtering system developed, managed and updated by a specialist agency would therefore be necessary. It makes no sense to effectively duplicate the DCEFS to filter other illegal material. Also, if filtering becomes mandatory, implementing a single filtering system for all illegal material would be easier than having to implement multiple filtering systems.

The simplest solution is for the existing DIA filter to be expanded to include all legally blocked content. Note that no filter will be perfect as they can be bypassed by those with technical skills, but having a filter will prevent access by much of the population.

The provisions in the Bill relating to take-down notices need to be retained, especially as on-line advertising cannot be blocked by blocking access to a web site. However, central management of a filtering system for all illegal content needs to be implemented.

It is recommended that:

- the Bill's enforcement provisions be expanded by giving the Secretary to power to have offending sites included in a digital filter that will prevent their access from within New Zealand; and
- this committee recommend to the Secretary that DCEFS be enhanced to enable it to block all legally prohibited content.

END