



TCF submission to Governance and Administration Committee

Online Casino Gambling Bill

14 August 2025

Introduction

1. Thank you for the opportunity to make a submission on the [Online Casino Gambling Bill](#). This submission is provided on behalf of the New Zealand Telecommunications Forum (TCF).
2. The TCF is the telecommunications sector's industry body which plays a vital role in bringing together the telecommunications industry and key stakeholders to resolve regulatory, technical and policy issues for the benefit of the sector and consumers. TCF member companies represent 95 percent of New Zealand telecommunications customers. Our members include network operators, retail service providers and the tower companies that own and operate cell towers.
3. Our submission concerns a matter not included in the Bill that may be raised by other stakeholders, and that could be introduced later via regulation, without the benefit of full parliamentary scrutiny. The issue is network blocking, sometimes referred to as website, domain, URL or content blocking, or filtering.

Network blocking is a blunt tool for online gambling

4. Submissions from casino operators looking to become licensed under the new regime may propose that the websites of non licensed operators be blocked by telecommunications providers, to limit unlicensed competition not complying with the rules of the new regime. Others may suggest it as a way to minimise harm from online gambling.
5. The Bill is currently silent on network blocking. We understand the Government did not include network blocking because of its limited effectiveness and the ease with which it can be circumvented. We agree with this assessment.
6. Network filtering can work in some contexts - such as blocking scam websites - because users generally don't want to access those sites. In contrast, users seeking unlicensed gambling sites are likely to be highly motivated to bypass blocks. This can easily be done using VPNs.

7. There is also a growing trend toward the use of encrypted websites, which makes it impossible for ISPs to see the content of most internet traffic (including from online gambling sites) and be able to filter it.
8. Another technical limitation is that current network blocking technology generally only allows for blocking entire websites, not individual pages. Technology changes (encrypted DNS) may reduce the effectiveness of this type of blocking in the longer term too.
9. No blocking technology is foolproof; it can only ever be best efforts. As noted above, VPNs and encryption can be used, and the operators of non-registered sites can easily change their URLs to avoid detection from a block list. It can be a game of whack-a-mole.

What needs to be in place if network blocking is considered

10. If the Committee is considering network blocking as a remedy (despite the limitations), or the government of the day wanted to bring it in via regulation, the following conditions would need to be met from a network operator perspective:
 - a. Government direction: network operators must be clearly directed by government to block content, while acknowledging the technical limitations of network blocking. This ensures operators have a legal mandate and are not making discretionary decisions about restricting customer access.
 - b. Trusted authority: a trusted authority, who follows robust and auditable processes, is needed to tell operators what to block. This avoids ambiguity and ensures consistency, robustness in what is blocked, and clear operational process.
 - c. Safe harbour: there must be a liability shield for network operators. If a legitimate website is blocked due to a mistake by a third party, operators should not be liable for the losses caused by the blocking. The costs to legitimate businesses or online payment gateways of having their sites blocked are significant.
 - d. Cost recovery: blocking incurs operational costs for network operators. Any regime must include provisions for cost recovery.
11. The above conditions would need to be legislated for, as has been done in the Australian Interactive Gambling Act 2001. While the Australian approach provides a precedent for blocking unlicensed gambling websites, with 1,279 illegal gambling and affiliate websites blocked as at 17 July 2025¹, it also highlights the need for clear legal authority, oversight, and safeguards to protect network operators and consumers when network blocking is required.
12. Network blocking would be a significant intervention that should be debated and legislated for, not left for regulation. If the Committee is interested in this option it should commission a formal risk and proportionality assessment.

¹ <https://www.acma.gov.au/articles/2025-07/latest-illegal-online-gambling-websites-blocked>

Closing remarks

13. We support the Government's intent to regulate online gambling in a way that minimises harm. However, network blocking is a blunt and limited tool. If it is to be considered, it must be done transparently, with clear legislative authority, and with appropriate safeguards for consumers and network operators.
14. We welcome further engagement with the Committee on these matters. Please contact kim.connolly-stone@tcf.org.nz if there are any questions.