



**COUNCIL OF
THE EUROPEAN UNION**



Conclusions on the framework for gambling and betting in the EU member states

*3057th COMPETITIVENESS (Internal Market, Industry, Research and Space) Council meeting
Brussels, 10 December 2010*

The Council adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN UNION,

1. CONSIDERING the EU treaties and the relevant jurisprudence of the Court of Justice of the European Union;
2. RECALLS the need for a discussion on the European level on gambling services and issues related to gambling services, in particular with regard to online gambling which is a service in principle accessible in various Member States.
3. NOTES that online gambling services by their very nature pose global challenges which should also be taken into account;
4. UNDERLINES the relevance and usefulness of the Council working group and its discussions during the French, Czech, Swedish and Spanish presidencies which have allowed for an enhanced understanding among the Member States and a reflection on the future of their gambling policy;
5. WELCOMES the announcement of a broad consultation by the European Commission on online gambling in the internal market which will allow for an in-depth discussion on issues raised by online gambling services in particular;
6. RECOGNISES that Member States are confronted with different cross-border issues, and AGREES that progress can be achieved in order to tackle them;

P R E S S

I. ROLE OF REGULATORY PUBLIC AUTHORITIES

7. The need to effectively regulate gambling services requires that Member States supervise the provision of gambling services in their territories through regulatory public authorities, established according to national legislation.
8. The following tasks could be undertaken by such authorities:
 - If the allocation of gambling licenses is applicable, the allocation of such licenses according to transparent, objective and non-discriminatory criteria in accordance with the jurisprudence of the Court of Justice of the European Union
 - Ensuring operators comply with the specific licensing conditions (if applicable)
 - Enforcement of the regulatory regime through effective measures at the national level.
9. Taking into account the role of other domestic authorities the following potential tasks could also be considered for the regulatory public authorities:
 - Advising the political and legislative actors about the gambling policy and player protection
 - To check the integrity of sport betting and gambling in general
 - Impact assessment, including in terms of the social impact on society and their effects on consumer health and behavior, of new games as well as the evaluation of games once they are brought on the market
 - Implementation of the requirements of the national legislation transposing the Third Money Laundering Directive.

II. COOPERATION BETWEEN REGULATORY AUTHORITIES

10. The cross-border nature of the different issues requires Member States to work more closely together, and with third countries where appropriate, in order to address them.
11. Cooperation between the Member States seems required to assess the scope, possibilities and mechanisms, in order:
 - (a) to share information on gambling operators
 - (b) to protect consumers, minors and ensure the integrity of games
 - (c) to minimize, where possible, any unnecessary administrative burdens
 - (d) to identify and share best practices in relation to for example player protection, technological tools for effective regulation and responsible gambling measures.
12. The Internal Market Information system could become a useful tool in order to facilitate this administrative cooperation.

III. THE SUSTAINABLE CONTRIBUTION OF LOTTERY AND RELATED SERVICES TO SOCIETY

13. RECALLS that all EU Member States have different types of state lotteries or lotteries licensed by the competent state authorities, providing lottery services.

14. NOTES that a few Member States temporarily or permanently authorize smaller scale lotteries for the benefit of charitable or philanthropic purposes. In the same manner, certain Member States allow for other games of chance to fund such benefits.
 15. RECOGNIZES that contributions, in particular from state lotteries or lotteries licensed by the competent state authorities play an important role for society, via for example the funding of good causes, directly or indirectly where applicable.
 16. AGREES that this specific role should be recognized in discussions at the European level.
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