

Questions:

(1) Are you aware of any available data or studies on the EU on-line gambling market that would assist policy-making at EU and national level? If yes, do the data or study include licensed non-EU operators in the EU market?

No.

(2) Are you aware of any available data or studies relating to the nature and size of the black market for on-line gambling services? (Unlicensed operators)

The Italian Regulatory (AAMS) gives some estimations yearly.

(3) What, if any, is your experience of EU-based on-line gambling operators licensed in one or more Member State and providing and promoting their services in other EU Member States? What are your views on their impact on the corresponding markets and their consumers?

First of all a competition point: competitors which play on Italian market will play with a different set of rules than those we are obliged to follow by the Regulator. Beside the competition aspect, there's also an impact on the taxes these operators won't pay and which a) will affect the payout level they can afford (higher than the "regular" operators) b) are normally used by AAMS to reignite the gaming business itself and to advertise responsible gaming

(4) What, if any, is your experience of licensed non-EU on-line gambling operators providing and promoting their services in EU Member States? What are your views on their impact on the EU market and on consumers?

The main fact is that users don't differentiate advertising messages between legal and non legal operators in Italy: all are on the same level and this increases the confusion and misleads players. Not all are aware that there are strict rules and that they should play only on authorized operators.

(5) If any, which are the legal and/or practical problems that arise, in your view, from the jurisprudence of national courts and the CJEU in the field of online gambling? In particular, are there problems of legal certainty on your national and/or the EU market for such services?

a) different treatments among competitors

b) invalidating approach vs countries Regulator: they lose the power to rule

c) social impact especially in regards to responsible gaming and prevention of addictions

d) more space for collusion and illegal behaviors

(6) Do you consider that existing national and EU secondary law applicable to online gambling services adequately regulates those services? In particular, do you consider that coherence / consistency is ensured between, on one hand, the public policy objectives pursued by Member States in this field and, on the other hand, the national measures in force and/or the actual behaviour of public or private operators providing on-line gambling services?

Currently EU secondary law creates more inconsistency since it comes from different sources/directives where the Italian Regulatory has its own specific set of rules. Restrictions – both pan-European and national

– should have multiple aims: protection of citizens (towards fraud and illegal operators), prevention of addictions and grant common competition ground

(7) How does the definition of on-line gambling services above differ from definitions at national level?

In Italy it's used the concept of remote gaming instead of online going from the definition of the channel itself to the type of relation between the games (and the operators) and the users.

(8) Are gambling services offered by the media considered as games of chance at national level? Is there a distinction drawn between promotional games and gambling?

The type of operators offering gaming services shouldn't differentiate but the fact that money earning are involved should. There is a distinction in terms of winning money respect to promotional games.

(9) Are cross-border on-line gambling services offered in licensed premises dedicated to gambling (e.g. casinos, gambling halls or a bookmaker's shop) at national level?

No, in licensed premises the legal framework is concerned but there are some locations that seem legal premises and customers can't distinguish.

(10) What are the main advantages/difficulties associated with the coexistence in the EU of differing national systems of, and practices for, the licensing of on-line gambling services?

Advantages:

- Preservation of differences and cultures
- Incentive on completion growth and therefore a market growth and a push to innovate products offer given by the contamination of different experiences

Disadvantages:

- Different treatments among competitors
- De-legitimizing (Invalidating) approach versus countries' Regulator they loose the power to rule
- Social impact especially in regards to responsible gaming and prevention of addictions
- More space for collusion and illegal behaviors

(11) With focus on the categories mentioned above, how are commercial communications for (on-line) gambling services regulated for at national level? Are there specific problems with such cross-border commercial communications?

Currently they're not regulated although the Regulator pays a lot of attention to this aspect. Overall the legal framework should ensure consistency among industries on that including the recent online marketing trends and how the EU is approaching them.

Coupons and bonuses should be treated separately on gaming industry: eg. bonuses should only been used to play and cannot be withdraw.

All commercials and direct marketing shouldn't push to addiction to game and should pay specific attention to address the messages to young people

(12) Are there specific national regulations pertaining to payment systems for online gambling services? How do you assess them?

AAMS, the Italian Regulator, has deeply understood the link between online gaming and payment systems and has introduced some strong guidelines in the recent legislation to ensure consumers' rights warranty. Inspiration should come from EU directives on payments providers, anti-money laundering and banking regulations which locally are also translated into central banks implementing guidelines: online gaming operators should directly been included into these set of rules too.

(13) Are players' accounts a necessary requirement for enforcement and player protection reasons?

Yes, they should be compared at least to e-payments institutions (electronic payments institutions) and grant more warranties to consumers.

(14) What are the existing national rules and practices relating to customer verification, their application to on-line gambling services and their consistency with data protection rules? How do you assess them? Are there specific problems associated with customer verification in a cross-border context?

In Italy the Customers verification (KYC: Know your Customer) processes are ruled by AAMS: Operators must receive Customers' documents beside the underwritten contract within a precise and limited number of days after the online registration process is finalized (30 days). In this elapse of time money coming from successful tickets cannot be withdrawn. Besides all Customers details are also sent to SOGEI which is AAMS IT provider who can also run cross checks on them.

In Italy there's a code (i.e, codice fiscale) which determines the fiscal situation of a citizen and identify people in a unique way. It's used as unique code key to run checks.

(15) Do you have evidence that the factors listed above are linked to and/or central for the development of problem gambling or excessive use of on-line gambling services? (If possible, please rank them)

1. Payout interval. The time between placing of the stake and the result. The shorter this is the greater the risk.

2. Chasing losses or being close to winning. The greater the pay-out and probability of winning, the greater the delusion that lost stakes can be won back and therefore the increased risk (this is also linked to "excitement" or "dream effect").

3. Perceived skills and "involvement". The possibility of getting involved in the event being gambled on and of using one's own skills to assess the chances of winning provide evidence of the 'near-miss' psychology. This strengthens the feeling that one is in control of the game, thus increasing the risk. This includes variation of the stake. Note that this effect may be enhanced when some element of skill rather than purely chance is perceived to be a characteristic of the game.

4. Commercial communications that could trigger vulnerable groups.

5. Event frequency. The briefer the time between the game taking place and the opportunity to place a stake the greater the risk.

6. Accessibility and social environment.

(16) Do you have evidence that the instruments listed above are central and/or efficient to prevent or limit problem gambling relating to on-line gambling services? (If possible, please rank them)

#1. Banning the use of credit,

#2. Age limits,

#3. Self-limitation (financial and time) and self-exclusion,

#4. Information/warnings/self tests (more easily applied on-line than off-line),

#5. Diligence obligation for the on-line operator,

#6. Reality checks,

#7. Other (e.g. limits on commercial communication – restrictions on the use of certain media, sales promotions and sign-up bonuses or free practice games).

#8. Restricting certain forms of games or bets that are considered to be the most risky (e.g. casino games or in sports betting restricting bets to final results only)

(17) Do you have evidence (e.g. studies, statistical data) on the scale of problem gambling at national or EU level?

No.

(18) Are there recognised studies or evidence demonstrating that on-line gambling is likely to be more or less harmful than other forms of gambling for individuals susceptible to develop a pathological gaming pattern?

No.

(19) Is there evidence to suggest which forms of on-line gambling (types of games) are most problematic in this respect?

No.

(20) What is done at national level to prevent problem gambling? (E.g. to ensure early detection)?

The Regulator gives specific rules at this regards in Italy such as:

- communication: operators must warn users on the risks of addiction and can never advertise promoting a compulsive way of playing; AAMS itself runs specific campaigns on the good of play to have fun and the bad of getting addicted to gaming

- limits: all users are required to set their own weekly/monthly limits of deposits/amount of money they want to play before starting to play for money on a web site. Users can also ban themselves indefinitely if they want too.

(21) Is treatment for gambling addiction available at national level? If so, to what extent do on-line gambling operators contribute to the funding of such preventive actions and treatment?

Yes, some operators run specific programs at this regards with experts and providing free-phone numbers players can call to fight their addiction to gaming

(22) What is the required level of due diligence in national regulation in this field? (E.g. recording on-line players' behavior to determine a probable pathological gambler?).

In Italy is required to be licensed from AAMS before starting offering your gaming services on the market with very strict rules: a process of certification of the platform is also in place in order to grant all requirements are fulfilled before the go to market.

Every bet is checked by AAMS for each operator, every registration is authorized by AAMS. In this way AAMS has a clear picture of player behavior to determine a pathological gambler.

(23) Are the age limits for having access to on-line gambling services in your or any other Member State in your view adequate to attain the objective sought?

Yes: In our opinion younger people can be influenced more easily than adults.

(24) Are on-line age controls imposed and how do these compare to off-line 'face-to face' identification?

Our legislation on on-line gaming forbid to minors to have a payers' account and to play on line. The control of the respect of this obligation is done by the ceck of "Codice fiscale". KYC (Know your Customer) processes in line with the online banking one are enough: it could be evaluate if a credit card txn could be enough (where a KYC process has already been done on top of giving the credit card to the users).

(25) How are commercial communications for gambling services regulated to protect minors at national or EU level? (E.g. limits on promotional games that are designed as on-line casino games, sports sponsorship, merchandising (e.g. replica jerseys, computer games etc) and use of social on-line networks or videosharing for marketing purposes.

There are wider laws on communication targeting minors or against promoting addicting behaviors. AAMS pays also much attention to these matters. AAMS obliges the operator to set forth in every kind of communication with every means that gaming on line is forbidden to minors.

Facebook, being the biggest social network on Earth, has its own policy on gambling promotion on his platform.

We should always distinguish playing for fun versus playing for money and the attention on the way "playing for money" is communicated should be higher .

(26) Which national regulatory provisions on licence conditions and commercial communications for on-line gambling services account for these risks and seek to protect vulnerable consumers? How do you assess them?

Go to answer 16, 20, 21, 24, 25

(27) Are you aware of studies and/or statistical data relating to fraud and on-line gambling?

No

(28) Are there rules regarding the control, standardisation and certification of gambling equipment, random generators or other software in your Member State?

Yes. Almost everything is ruled by AAMS: accounts platform, games platforms, RNG etc ...

(29) What, in your opinion, are the best practices to prevent various types of fraud (by operators against players, players against operators and players against players) and to assist complaint procedures?

- Control on data & analysis on path users do to recharge their accounts/withdraw funds, the way they play (like which games and how easy it is to win) etc ...
- Higher cooperation with payments providers: for instance, in the recent economic and financial measures, it has been introduced a line regarding the duty of all payment providers to communicate the data of all accounts moving money versus .com (illegal in Italy). A stricter cooperation among the gaming operators and the payment provider can close the doors and the loop on many illegal activities
- Anti-money laundering rules applied to all gaming operators giving the similarity in nature between gaming accounts and bank accounts

(30) As regards sports betting and outcome fixing - what national regulations are imposed on on-line gambling operators and persons involved in sport events/games to address these issues, in particular to prevent 'conflicts of interest'? Are you aware of any available data or studies relating to the magnitude of this problem?

No. Before being an issue related to betting this is an issue related to sports and all its economical interests. It's important, as it is for responsible gaming initiative, to create a cooperative environment where bookmakers can participate and have a role to prevent, educate and fight any illegal behavior on sports. Working at EU level to create a table of discussion and working on a code of conduct accepted by bookmakers and sports federations, athletes etc ... beside sharing initiatives and funds against match fixing and other forms of collusions can definitely help.

(31) In your view what issues should be addressed as a priority?

Money laundering and all types of frauds which are also linked to the infiltration of illegal organizations in the gaming industry

A common EU legal framework to have the same principles on safety & protection among operators plus have stronger institutions in place

(32) What risks are there that a (on-line) sports betting operator, which has entered into a sponsorship agreement with a sports club or an association, will seek to influence the outcome of a sports event directly or indirectly for profitable gain?

The risk is low where a strong code of conduct is in place: bookmakers and risk managers are mainly moved by a strong passion for sports rather than a passion of easy earnings because they know that a correct "clean" event is a guarantee serious collecting bets that they're part and linked to betting itself.

(33) What cases have demonstrated how on-line gambling could be used for money laundering purposes?

(34) Which micro-payments systems require specific regulatory control in view of their use for on-line gambling services?

Cash at retail to recharge gaming accounts and prepaid cards especially anonymous ones.

(35) Do you have experience and/or evidence of best practice to detect and prevent money laundering?

KYC processes required by AAMS in Italy, anti money laundering directives, controls on transactions data also crossing the usage of products/operators.

(36) Is there evidence to demonstrate that the risk of money laundering through online gambling is particularly high in the context of such operations set up on social web-sites?

No, there is no evidence to demonstrate that the risk is higher. Obviously it's easier where there's no control.

(37) Are there national on-line gambling transparency requirements? Do they apply to cross border supply of on-line gambling services and are these rules enforced effectively in your view?

In Italy all operations (charging, withdraws, game txns) are tracked through communication protocols with Sogei. At EU level we would expect cross borders operators to provide reports of citizens playing to the respective countries authorities.

(38) Are there other gambling revenue channeling schemes for the public interest activities at national or EU level?

Corporate Social Responsibility

(39) Is there a specific mechanism, such as a fund, for redistributing revenue from public and commercial on-line gambling services to the benefit of society?

Yes it happens very often in Italy: for instance "Decreto Abruzzi" or periodically in all economic and financial measures by the government gaming is used as a source of incomes for Italy and for the public interest.

For example the initiative Telethon is a way to donate money to charity.

(40) Are funds returned or re-attributed to prevention and treatment of gambling addiction?

Yes. AAMS should be able to provide any data or specification on this matter.

(41) What are the proportions of on-line gambling revenues from sports betting that are redirected back into sports at national level?

We don't know. AAMS should be able to provide any data or specification on this matter.

(42) Do all sports disciplines benefit from on-line gambling exploitation rights in a similar manner to horse-racing and, if so, are those rights exploited?

We don't know. AAMS should be able to provide any data or specification on this matter.

(43) Do on-line gambling exploitation rights that are exclusively dedicated to ensuring integrity exist?

Yes, at company level there are specific code of conduct. AAMS request a specific documentation that ensure the "Company" Integrity as a condition to obtain the Licence. Moreover AAMS also run during the License some checks on company involvements in illegal organizations (antimafia) before allowing a license.

(44) Is there evidence to suggest that the cross-border "free-riding" risk noted above for on-line gambling services is reducing revenues to national public interest activities that depend on channelling of gambling revenues?

We don't know. AAMS should be able to provide any data or specification on this matter.

(45) Are there transparency obligations that allow for gamblers to be made aware of whether and how much gambling service providers are channelling revenues back into public interest activities?

Yes, the information in Italy is public and media often give evidence and reports to citizen the amount of incomes have come from gaming. If an operator wants to give more details on its own specific contribution can do it.

(46) Is there a regulatory body in your Member State, what is its status, what are its competences and its scope of action across the on-line gambling services as defined in this Green Paper?

Yes, the Regulator body is very detailed and establish the communication between operator and Regulator.

(47) Is there a national register of licensed operators of gambling services? If so, is it publicly accessible? Who is responsible for keeping it up to date?

Yes on AAMS site www.aams.it AAMS also Keep it up to date

(48) Which forms of cross-border administrative cooperation are you aware of in this domain and which specific issues are covered?

When a non Italian Operator is authorized to offer its service in Italy AAMS ask to close the ".com sites. "

(49) Are you aware of such enhanced cooperation, educational programs or early warning systems that are aimed at strengthening integrity in sport and/or increase awareness among other stakeholders?

For example [European Sports Security Association](#) ("ESSA"), [European Elite Athletes Association](#) ("EU Athletes"), CONI ...

(50) Are any of the methods mentioned above, or any other technical means, applied at national level to limit access to on-line gambling services or to restrict payment services? Are you aware of any cross-border initiative(s) aimed at enforcing such methods? How do you assess their effectiveness in the field of online gambling?

They all help to reduce the freedom to go against regulatory rules but all are avoidable from users, too. There's a constant activity from users to look for "solutions" to avoid restrictions on the internet. Transparencies and cooperation among operators at EU level and asked by law is a much better and stronger way to act against illegal activities.

(51) What are your views on the relative merits of the methods mentioned above as well as any other technical means to limit access to gambling services or payment services?

The answer is similar to the #50: they all help to reduce risks but a stronger cooperation among operators and payment providers or checks done at transaction level would work better: for instance, in the recent economic and financial measures currently under approval by the Italian government, it has been introduced a line regarding the duty of all payment providers to communicate the data of all accounts

moving money vs .com (illegal in Italy). A stricter cooperation among the gaming operators and the payment provider can close the doors and the loop on many illegal activities