

Public consultation on the Green Paper on on-line gambling in the Internal Market

You are invited to reply to the on-line questionnaire. The questions listed in the Green Paper are reproduced in the same order hereunder. A pdf version of the [Green Paper](#) is available in all EU languages for guidance to the questions.

There are 51 questions in the consultation document. You may reply to those questions in any one of the EU languages. You may focus your contributions on the areas of most interest to you; you are not obliged to answer all the questions.

Please save this document on your computer. Once you have completed the questionnaire, come back to the on-line questionnaire. You will be able to upload your answers on page 3 of the on-line questionnaire.

The consultation will close on 31/07/2011.

We thank you for your participation.

Your name / Your organisation:

The Association of the Swedish-Speaking Pensioners in Finland (registered organisation in Finland)

Questions from the Green Paper on on-line Gambling in the Internal Market

1. Regulating on-line gambling in the EU: Recent developments and current challenges from the Internal Market standpoint
 - 1.1. Purpose of the consultation
 - 1.2. On-line gambling in the EU: current situation

(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?

Yes, the Ministry of Social and Health Affairs and The Institute of Welfare and Health has reports on this issue.

(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)

No

(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?

I think it is important that gambling, no matter if it is on-line or on physical machines, is coordinated under a national monopoly. The situation in Finland is that we have such a good experience from interaction between the Ministries controlling our monopolies for gambling (Veikkaus, RAY and Finn-toto), so they get money from the Ministries which they can give to the third sector organizations, which otherwise would not have the possibility of funding at the same level. The Association of Swedish-Speaking Pensioners suggest that the monopolies in gambling sustain forever.

(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?

Some of the operators have very aggressive marketing and compete with the national monopolies. The licensed non-EU on-line do not support the third sector organisations and charity, which the Finnish on-line gambling operators do.

(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?

Yes, the important issue is that gambling can still be monopolized in Finland, because the third sector organisations depend on the income from the gambling companies.

(6) Do you consider that existing national and EU secondary law applicable to on-line 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?

We do not support on-line gambling by others than those who belong to the Finnish gambling companies which are under monopoly.

Other comments on issues raised in section 1

2. Key policy issues subject to the present consultation

2.1. Definition and organisation of on-line gambling services

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

The Green Paper wants to legalise on-line gambling in all European union countries regardless of monopoly, and we do not support that.

(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?

No, there is no distinction.

(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?

(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?

The Finnish game monopoly is at risk to be abolished.

Other comments on issues raised in section 2.1

2.2. Related services performed and/or used by on-line gambling services providers

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

Monopoly. Even games from the Åland islands are not legalised in Finland.

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

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

(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?

It important to counteract gamble dependence.

Other comments on issues raised in section 2.2

2.3. Public interest objectives

2.3.1. Consumer protection

(15) Do you have evidence that the factors listed in the Green Paper 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)

On-line gambling services are more accessible and lead to larger scales of game dependence when the games are played anywhere, at home, in the restaurants, etc. and it is easy to access your money at the account.

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

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

Yes, there are several problems of excessive use of gambling dependence at individual and EU level.

(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?

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

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

(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?

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

(23) What is the statutory age limit for having access to on-line gambling services in your Member State? Are existing limits adequate to protect minors?

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

(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 video-sharing for marketing purposes.

(26) Which national regulatory provisions on license conditions and commercial communications for on-line gambling services account for the risks described in the Green Paper and seek to protect vulnerable consumers? How do you assess them?

Other comments on issues raised in section 2.3.1

2.3.2. Public order

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

Raha-automaattiyhdistys in Finland have a good website, www.ray.fi, where there are statistics and help for gambling dependencies.

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

(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?

(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?

(31) What issues should in your view be addressed in priority?

(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?

(33) What concrete cases are there that 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?

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

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

(37) Are national e-commerce transparency requirements enforced to allow for illegally operated services to be tracked and closed? How do you assess this situation?

Other comments on issues raised in section 2.3.2

2.3.3. Financing of benevolent and public interest activities as well as events on which on-line sports betting relies

(38) Are there other gambling revenue channeling schemes than those described in the Green Paper for the public interest activities at national or EU level?

(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?

IN ENGLISH:

There are three gambling monopolies on the Finnish mainland that can practice gambling: Finn-Toto (supports horse games and sports), Veikkaus (supports culture and sports) and Raha-automaattiyhdistys (supports social and health issues). The equivalent monopoly gambling organisation Penningautomatföreningen on the Åland Islands distributes its profit to sports, cultural and youth activities on the Åland Islands.

The profit from the gambling monopoly organisation Raha-automaattiyhdistys in Finland is distributed wholly to the Finnish welfare through organisations and stakeholders. The Ministry of Social and Health affairs co-ordinates the distribution to the third sector organisations. Yearly about 400 million euro is distributed, of which 300 million to the third sector organisations within the social and health sector in Finland and 100 million to Finnish war veterans and invalids from war in Finland.

Svenska pensionärsförbundet rf (SPF), The Association of the Swedish-Speaking Pensioners in Finland, receives allowances from Raha-automaattiyhdistys. The most important issue for SPF is to guard the pensioners' interests in Finland and in the European Union, SPF is a member of AGE Platform Europe. We also want to create an inspiring and stimulating environment for our eighty member organisations and 20 000 members in the whole of Finland. These organisations and our five regions arrange social events and watches the pensioners' possibilities to share of their experience and resources to society at large.

SPF is one of the about 1 000 organisations that receive allowances from Raha-automaattiyhdistys, which can divide money thanks to the Finnish game monopoly and the profit it makes. If the European Union decides to abolish the monopoly on gambling, then the Finnish government should guarantee the same allowances to the recent receivers. In that case the allowances would decrease substantially, because the Ministry of Social and Health Affairs would not have the possibility of receiving the same profits and this would cost the tax payers much.

This is the reason why SPF opposes the development where government gambling in its recent system is in hazard. We support the way in which the profit from gambling is used in society in a sovereign and creative manner.

IN SWEDISH:

Vinsten från Raha-automaattiyhdistys (RAY) spelverksamhet utdelas i sin helhet till den finska välfärden. Den årliga, utdelningsbara potten är cirka 400 miljoner euro. Av potten utdelas närmare 300 miljoner euro som understöd till organisationer inom social- och hälsovårdsorganisationer för främjande av hälsa och social välfärd. Resten av potten, cirka 100 miljoner euro, riktas till krigsinvalidier och krigsveteraner. Penningautomatföreningen (PAF) på Åland fördelar bidrag bl.a. till idrotts-, kultur- och ungdomsverksamhet.

Svenska pensionärsförbundet rf:s viktigaste uppgift är att bevaka pensionärernas intressen och skapa förutsättningar för en aktiv och inspirerande föreningsverksamhet för pensionärsföreningarna i Svenskfinland. Förbundet har åttio medlemsföreningar i hela landet. Rörelsen omspannar cirka 20 000 medlemmar och har fem regioner och arrangerar både sociala tillställningar och bevakar möjligheterna att ta pensionärernas erfarenhet i betraktande i samhället.

Svenska pensionärsförbundet rf är en av cirka 1 000 organisationer vars verksamhet till stor del finansieras av statliga medel som allokeras via Penningautomatföreningen RAY (som till större delen består av vinsten från statliga spelföretag). Om utvecklingen på EU-nivå är den att statligt monopol på lotteri upphävs, ligger det på staten att tillgodose samma understöd till samma mottagare. Tyvärr är sanningen den att understöden skulle minska radikalt, då Social- och hälsovårdsministeriets (som delar ut statliga understöd till social- och hälsovårdsorganisationerna) budget till större delen består av vinsten från de statliga spelföretagen.

Därför motsätter sig Svenska pensionärsförbundet rf en utveckling där det nuvarande systemet med statligt lotteri skulle riskeras. Vi anser att spelverksamhetens vinst i detta nu kommer samhället tillgodo på ett lämpligt och uppbyggande sätt.

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

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

(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?

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

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

(45) Do there exist 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?

Other comments on issues raised in section 2.3.3

2.4. Enforcement and related matters

(46) Which form of regulatory body exists in your Member State and what are its competences, its scope of action across the on-line gambling services as defined in the Green Paper?

(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?

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

(49) Are you aware of enhanced cooperation, educational programmes or early warning systems as described in the Green Paper that are aimed at strengthening integrity in sport and/or increase awareness among other stakeholders?

(50) Are any of the methods mentioned in the Green Paper, 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 on-line gambling?

(51) What are your views on the relative merits [in terms of suitability and efficiency] of the methods mentioned in the Green Paper as well as any other technical means to limit access to gambling services or payment services?

Other comments on issues raised in section 2.4

Other comments on issues raised in the Green Paper

