



**ENPA submission to the Commission Green Paper on
“On-line gambling in the Internal Market” COM (2011) 128 final**

The European Newspaper Publishers' Association (ENPA) is an international non-profit association, advocating the interests of the European newspaper and news media sector towards different European and international institutions. ENPA promotes the interests of news media publishers on all platforms. The Association's mission is to ensure a legislative environment in which the industry can develop a successful and sustainable future. Newspaper companies are linked to ENPA through its 29 member associations.

ENPA and its Members welcome the opportunity to comment on the Commission Green Paper on online gambling in the Internal Market. As the questions in the Green Paper which are relevant for the newspaper sector across Europe are specifically addressing national legislation, ENPA would like to refer to the responses submitted by ENPA members, the national newspaper publishers associations. ENPA will therefore not answer the specific questions but will provide the Commission with a general view on the online gambling market in Europe.

The newspaper publishing sector in Europe is at the forefront of the digital revolution in providing the recognised value of their content on all platforms. At the same time, publishers have to ensure that the existing print business consolidates its position as a cornerstone of the industry and continues to generate revenues which are not yet available in the digital environment.

Advertising revenues are indispensable for a vibrant and independent press sector in Europe accounting for up to 50% of newspaper revenues in the printed environment and almost 100% in the digital area, since revenues from paid-for products or services are not yet significant enough to sustain these digital offers. Yet publishers are under increasing legal and political pressure regarding the introduction of new advertising restrictions (e.g. mandatory information requirements) and threatened bans. At the same time publishers are facing strong competition in the advertising market especially with the expansion of activities of other players in this area. Not only do these new players use newspaper content for their commercial services, but they also develop on top of this their own advertising services and marketing tools which directly compete with publishers.

In view of the technological and social developments of the last years, newspaper publishing houses are faced with many challenges. The radical changes connected with the digitisation, in particular the gradual shift of the readership to the digital press make it necessary for the press to distribute its editorial content on all relevant channels. Publishers are journalistically very successful and the reach of the print and digital offers is increasing. However, the refinancing of the digital offers poses still a considerable challenge to publishers as they need to ensure that their newspapers, whether printed or digital, remain an important point of reference and a brand that is attractive for advertisers. At the same time, publishers need to have the legal and market conditions which allow them to remain competitive in the commercial marketplace.

Newspaper publishers in all Member States would like to have the opportunity to publish advertisements of legal (online) gambling services in their print and online publications. ENPA therefore supports the liberalisation and admission of private sports betting and gaming markets in all member states, including the freedom to advertise in print and online newspaper publications.

In many Member States the existing legal framework for gambling, including online gambling, and advertising of gambling services is very restrictive and legislation is an obstacle to the free movement of online gambling services throughout the European Union. Existing bans and restrictions on gambling advertising in print or online publications in many Member States are cutting off significant revenues from advertising for newspapers, which are urgently needed, particularly for the financing of the online press. Any Commission action in the field of online gambling should not put at risk already liberalised markets, but rather promote a liberalisation of advertising rules as regards advertising in print and digital newspapers, as well as admission of private sports betting and gaming markets in all Member States.

The liberalisation of advertising rules could help the press in Europe to achieve a gain in advertising revenues and strengthen their financial position. In addition, the admission of attractive legal private betting and gambling offers would redirect betting money from illegal betting and gambling sites to new legal services and thus increase the volume of the legal market as well as the financing possibilities of the online press from advertising for legal offers.

The national conditions under which newspapers are allowed to offer sales promotions, gambling services, and in-house prize contests for regular readers vary from country to country. In some countries there are specific exceptions in the national Marketing Acts, which allow newspapers to run readers contests etc. ENPA welcomes any initiative to open up all markets, through liberalising rules to allow more gambling promotions in the media without putting at risk existing liberal markets already allowing for those.

Promotional games are offered by newspapers in mutual trust with their readers. Furthermore ENPA is of the view that free promotional games that are offered by and/or published in print media should be subject to self-regulation and not to strict gambling-legislation. Promotional games offered by newspapers to their readers are different from online gambling as they do not require wagering a stake with monetary value and therefore do not contribute to any risk of gambling addiction of the population.

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