

## 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:

Timothy Coffey GAMBLEPIE a ngo,voluntary organisation that seeks to prevent gambling addiction through information and education.

### 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?**

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)**

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?**

They are disregarding E U citizens and authorities. They are creating danger to children and adults and should be dealt with by the law .

**(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?**

They are mis informing the authorities regarding their operation and have had no real regulation .They are creating gamblng addicts in EU citizens and there has to be better regulation .

**(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?**

The outstanding factor is that EU law is based on a reasonable minded person in principal ,if the EU do not address opening hours for gambling on-line the EU may in future be open to suits from Citizens that the EU failed to protect them.

**(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?**

Nothe laws are very poor and ther is no real punishment deterrents already there are major abuses .And no ther is no coherence or consistency ,in fact there is now a mess being made in the whole area.

#### **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 fact that not all nations have made an equal contribution has made many countries feel ignored .

**(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?**

There is no difference they are simply trying to rebrand products because they know gambling products have to be regulated and they are avoiding social responsibility for the negative affects of gambling.

**(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?**

N/A

**(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?**

There has to be EU paid for National Gambling Impact Studies in all EU member countries and also there has to be a separate body with appropriate powers that all nations agree will have overriding control.

#### **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?**

Some countries do not and are not behaving responsibly towards EU citizens and others do not care about being responsible to consumers. Yes all communications companies involved in gambling have to be made pay a levy so they act responsibly.

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

The systems are not transparent enough and also the identity checks are very weak.

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

Yes from fraudulent companies and also to limit the damage to the gambler. We object to the phrase player being used to gambler by your survey.

**(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?**

Yes there has to be a separate independent body that verifies that a person identifies otherwise parents may sue the EU Commission for losses if their children were allowed to gamble

### **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)**

Here in Ireland there are reports from Gamblers Anonymous of huge increases of people seeking their services. We at GAMBLEPIE have observed huge increases in gambling addiction particularly women and children. Evidence as you ask costs money many governments in the EU including Ireland are ignoring their responsibility because gambling is a 'soft tax'

**(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)**

No we do not have monetary sources to conduct studies.

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

Yes

**(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?**

Yes a Scottish survey that identified that females in Scotland were becoming addicted to gambling via their phones to online companies. A treatment centre for adolescents and all treatment centres have had huge increases.

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

No they are all addictive.

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

None in Ireland as the Government do not recognise problem gambling.

**(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?**

No the Irish government do not provide any funds .None from operators.

**(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?).**

There must be multiple levels of screening in place.

**(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?**

18 ,no it is obvious no one has the will to do this properly.

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

They are as poor as face to face identification is.

**(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.**

They must be made pay a premium levy for every communication they make across the spectrum so all are made responsible.

**(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?**

No they are unrealistic and obviously from the dramatic rises in addiction already they are not working.

#### **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?**

Yes there are many showing corruption is still in place .

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

Some but none of intentional level .

**(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?**

That numerous organisation should have a conference with studies in this area provided ,recommendations made and a constant feedback faculty used to improve this area,with rewards provided for information given.

**(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?**

None ,Yes in various parts of the world corruption is rampant regarding fixing .

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

All countries in EU to hold National Gambling Impact studies to be held,an embargo to temporarily stop online gambling until the EU Commission works out the whole area for long term security of its citizens.

**(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?**

Real Madrid are already sponsored by a gambling company why is this allowed ?It reprsents a dangerous precendent for all and also what lessons of social responsibilty were learnt from the drinks and cigarettes industris that used sports to sell their products.

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

The OSCE organisation state in their statistics that Gambling revenue is the fourth area supplying money to terrorism .

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

Credit cards and Debit cards should not be allowed to be used only a set amount in a seperate account should be allowed to be used.

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

None

**(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?**

Yes The OSCE state that terrorists are using gambling to launder money.

**(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?**

No ,nations are reluctant to interfere because they earn tax money from transaction .

**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?**

None in Ireland

**(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?**

None in Ireland

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

None in Ireland

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

None in Ireland

**(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?**

No

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

No

**(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?**

None in Ireland

**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?**

None ,Department of Justice is presntly working in this area

**(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?**

.Department of Justice

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

None

**(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?**

None

**(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?**

Not aware

**(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?**

In my that they will not work because you are makeing the rules without asking the people themselves. whom will be using them.

**Other comments on issues raised in section 2.4**

A seperate authority to control on line gambling with specail powers ,to verify identity and the gambler is given information about the impacts of gambling, where to get help and to be sent texts /emails to remind them every time they gamble.

**Other comments on issues raised in the Green Paper**

Also as a deomnstration of social repsonsiblity that casinos on line to operate only as pub hours are .There must be a legal review held that twenty four gambling is reasonable under EU law.