



Notification Number: 2013/486/UK

## Gambling (Licensing & Advertising) Bill

Date received : 28/08/2013

End of Standstill : Closed

### Message

Message 001

Communication from the Commission - TRIS/(2013) 02199

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2013/0486/UK - Notificare.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201302199.EN)

#### 1. Structured Information Line

MSG 001 IND 2013 0486 UK EN 28-08-2013 UK NOTIF

#### 2. Member State

UK

#### 3. Department Responsible

Department for Business, Innovation and Skills  
Knowledge & Innovation Group  
1 Victoria Street, London, SW1H 0ET.

Email: 9834@bis.gsi.gov.uk.

#### 3. Originating Department

Department for Culture, Media & Sport  
Gambling Team  
100 Parliament Street  
London, SW1A 2BQ



Email: [kate.jones@culture.gsi.gov.uk](mailto:kate.jones@culture.gsi.gov.uk) or [saima.mirza@culture.gsi.gov.uk](mailto:saima.mirza@culture.gsi.gov.uk)

#### **4. Notification Number**

2013/0486/UK - H00

#### **5. Title**

Gambling (Licensing & Advertising) Bill

#### **6. Products Concerned**

Gambling services provided by means of remote communication, where remote communication means communication using -

- (a) the internet,
- (b) telephone,
- (c) television,
- (d) radio, or
- (e) any other kind of electronic or other technology for facilitating communication.

#### **7. Notification Under Another Act**

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#### **8. Main Content**

The draft Gambling (Licensing & Advertising) Bill was notified by the UK on 3 December 2012 (Notification 2012/673/UK). As already notified, the bill extends the category of remote gambling operators who will require a remote gambling operating licence to include all remote gambling operators (whether based domestically or abroad) who make their remote gambling products available to consumers in GB or advertise their remote gambling services to consumers in GB. Those operators will be required to pay operating licence fees and expected to contribute to research, education and treatment in relation to British problem gambling.

The bill is being re-notified as it has been amended since its initial notification. It has been amended to:

- restrict the new licensing requirement to remote gambling operators who know or should know their facilities are being used, or would be used by consumers in GB, rather than those operators whose facilities are 'capable of being used' by consumers in GB; and
- introduce a new offence of advertising unlicensed remote gambling in Northern Ireland which brings Northern Ireland into line with the position in relation to the advertising of remote gambling that applies in GB.

#### **9. Brief Statement of Grounds**

As already notified, the extension of the licensing requirements is a necessary measure to ensure the effective protection of all British based consumers of remote gambling products. Consumers in Great Britain currently face different consumer protection arrangements, and have to deal with different regulators, depending on where the remote gambling they are taking part in is regulated. This problem is growing as more countries permit online gambling.

The Bill will simplify remote gambling regulation in Great Britain by shifting regulation from the 'point of supply' to the 'point of consumption'. As above, the effect of this is that all operators who transact with consumers based



in Great Britain or advertise to British based consumers where the gambling advertised would require an operating licence from the Gambling Commission will require an operating licence regardless of where they are located. These operators will therefore be subject to the robust and consistent regulation by the Gambling Commission, increasing protection for British based consumers and supporting action against illegal activity (including sports betting integrity).

The UK's detailed grounds are contained in basic texts and the UK's responses to the Commission and Detailed Opinion submitted by Malta in Notification 2012/673/UK.

#### **10. Reference Documents - Basic Texts**

References of the Basic Texts: 1) Gambling (Licensing & Advertising) Bill  
2) Gambling (Licensing & Advertising) Bill Explanatory Notes  
3) ECHR Memorandum  
4) Gambling Act 2005

Basic Texts have been forwarded within the framework of a previous notification: 2012/673/UK

#### **11. Invocation of the Emergency Procedure**

No

#### **12. Grounds for the Emergency**

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#### **13. Confidentiality**

No

#### **14. Fiscal measures**

No

#### **15. Impact assessment**

Yes

#### **16. TBT and SPS aspects**

TBT aspect

No - The draft is not a technical regulation nor a conformity assessment

SPS aspect

No - The draft is not a sanitary or phytosanitary measure

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European Commission



**EUROPEAN COMMISSION**  
GROWTH DIRECTORATE-GENERAL

**Single Market for goods**  
Prevention of Technical Barriers

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