



Notification Number: 2016/259/F

Draft Law for a Digital Republic: Article 41ter: time limitation mechanism for poker players

Date received : 03/06/2016

End of Standstill : 05/09/2016

Message

Message 002

Communication from the Commission - TRIS/(2016) 01642
Directive (EU) 2015/1535
Translation of the message 001
Notification: 2016/0259/F

No abre el plazo - Nezahajuje 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 - Não inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201601642.EN)

1. Structured Information Line

MSG 002 IND 2016 0259 F EN 03-06-2016 F NOTIF

2. Member State

F

3. Department Responsible

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3. Originating Department

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4. Notification Number

2016/0259/F - SERV

5. Title

Draft Law for a Digital Republic: Article 41ter: time limitation mechanism for poker players

6. Products Concerned

Online gambling services

7. Notification Under Another Act

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8. Main Content

The measure involves asking online games operators approved by ARJEL to implement an effective game-time limitation mechanism for online non-banking games.

9. Brief Statement of Grounds

Taking into account the characteristics of “cash game poker”, the experience of the last five years reveals that the stake recycling rate, in other words the ratio of reconstitution of buy-in to winnings per hand played, is significantly higher for “cash game poker” than for other regulated activities. Thus, “cash game poker” players are unable to see clearly the amount of the stakes that they are betting, since the latter do not resemble losses or a budget that could be allocated to the game. Therefore, the stake limitation mechanism provided for in Article 26 of Law No 2010-476 does not seem to suit the specificities of this form of poker game when it comes to preventing excessive or pathological gambling behaviour. On the other hand, for this form of game, managing the time spent at the poker table constitutes a means of defining gaming practice. It is therefore proposed that Article 26 of Law No 2010-476 be amended by removing the stake limitation mechanism for online non-banking games and replacing it with an effective game-time limitation mechanism.

The implementation decree for the proposed provision shall establish the conditions for implementing the game-time limitation mechanism for online poker.

10. Reference Documents - Basic Texts

Reference(s) to basic text(s): - Law No 2010-476 of 12 May 2010 on the opening-up to competition and regulation of the online gambling sector

The basic texts were forwarded with an earlier notification: 2010/167/F

11. Invocation of the Emergency Procedure

No



12. Grounds for the Emergency

-

13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

-

16. TBT and SPS aspects

TBT aspect

No - the draft is neither a technical provision nor a conformity assessment procedure.

SPS aspect

No - the draft is neither a sanitary nor phytosanitary measure.

European Commission

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