



Notification Number: 2018/390/F

Draft decree on the methods of liquidation and recovery of unclaimed gambling assets which are owed to the state by Française des Jeux from online lotteries and by online gambling or betting operators which have been approved by the regulatory authority for online gambling

Date received : 31/07/2018

End of Standstill : 05/11/2018

Message

Message 002

Communication from the Commission - TRIS/(2018) 02136

Directive (EU) 2015/1535

Translation of the message 001

Notification: 2018/0390/F

No abre el plazo - Nezaahajuje 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: 201802136.EN)

1. Structured Information Line

MSG 002 IND 2018 0390 F EN 31-07-2018 F NOTIF

2. Member State

F

3. Department Responsible

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3. Originating Department



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4. Notification Number

2018/0390/F - SERV

5. Title

Draft decree on the methods of liquidation and recovery of unclaimed gambling assets which are owed to the state by Française des Jeux from online lotteries and by online gambling or betting operators which have been approved by the regulatory authority for online gambling

6. Products Concerned

Online gambling or betting operators

7. Notification Under Another Act

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8. Main Content

Article 17 of Act No 2010-476 of 12 May 2010 on the opening-up to competition and regulation of the online gambling sector stipulates that operators of online gambling are obligated, after a player's account has been closed for six years, to pay the sums to the State which have been held in reserve and could not be repaid to the player. In practice, operators close a clearing account if they can no longer validate it in line with the requisite supporting documents or formalities - which make it possible in particular to verify the player's identity, address and age - or at the player's request. Some accounts have also been validated but then abandoned by the holder.

The purpose of the notified draft decree is to enable the aforementioned article to be applied by specifying the procedure to be followed when recovering sums. This would involve implementing, annually and for accounts which have been closed for more than six years, a procedure for a spontaneous cash payment from a public accountant. The procedure will be different depending on whether it relates to online player accounts which are regulated by the French regulatory authority for online gambling (ARJEL) or Française des Jeux online lottery accounts regulated by the budget department. In either case, the authorising officer will be the regulator.

9. Brief Statement of Grounds

The adoption of this decree is key in order to:

- enable the implementation of Article 17 of Act No 2010-476 of 12 May 2010 on the opening-up to competition and regulation of the online gambling sector;
- recover the sums held by operators which do not belong to them and which accrue to the State after six years.

10. Reference Documents - Basic Texts

Reference(s) to basic text(s): Article 17 of Act No 2010-476 of 12 May 2010 on the opening-up to competition and regulation of the online gambling sector



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 has no significant impact on international trade.

SPS aspect

No - the draft has no significant impact on international trade.

European Commission

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