

# **Commission to decide on Sports Betting Infringement Complaints**

## **The Infringement Complaints**

As reported in the last edition of Betting-Law-News, a number of complaints have been brought against Germany as well as other member states for infringements of European Law.

Under Art. 226 of the EC Treaty the EU Commission is obliged to deal with complaints raised against member states for infringements of the Treaty. The issue of „sports betting / gambling complaints“ was raised at a Commission „Infringements Meeting“ in early Summer where around 1500 complaints were raised. Due to the number of complaints in other areas, it was decided to discuss this issue at the next quarterly Infringements Meeting. This sitting is now scheduled for the 12th of October 2005. A final decision on these infringement complaints is hoped for. However, due to the complexity of the subject, it is uncertain that the sports betting / gambling issue will be resolved at this meeting.

## **The Services Directive**

The Draft Services Directive is another contentious issue which is soon to be renegotiated at an EU level.

The Draft Proposal of this directive was published in 2004 and has been the subject of intense political debate in the past number of months. Whether the service „games of chance“ remains within the regulatory scope of the Directive or is removed and made an exception to the Directive will be of considerable importance to gaming providers in the EEA.

The underlying idea behind the Services Directive is to remove

bureaucratic barriers in the cross border provision of services between the member states of the EU.

The Draft will go before the Committee on the Internal Market and Consumer Protection (IMCO) in 2 weeks in the sitting which begins on the 4th of October. This Draft still contains the service "games of chance". Whether this proposal is retained remains to be seen.

The Committee on the Internal Market and Consumer Protection is responsible for the coordination of national legislation at Community level when this relates to the internal market and the customs union. It also deals with measures aiming at the identification and removal of potential obstacles to the functioning of the internal market as well as the economic interests of consumers in the establishment of an internal market.

Following this committee meeting where the Draft is to be voted on, the Directive is expected to be brought before the full Parliament at the end of October.

We will keep you informed!