

# European Commission pessimistic on common gambling rules

The European Commission does not see any real possibility that its member states will, in the near future, agree on common rules regulating online gambling, a lucrative business which is also growing at a fast pace in Malta.

Speaking during a debate at the European Parliament, Internal Market Commissioner Charlie McCreevy said that although he wishes there would be consensus over the issue, he is also realistic.

„The first starting point would be to get some form of consensus among the 25 member states. We can start off by getting consensus in this big Parliament, but I do not think we will. I am sure we will not get it at the Council of Ministers. Not a chance,“ he said in a very straight and plain manner.

A few weeks ago, the European Commission started investigating seven EU member states over claims they are preventing online betting companies established in other member states, such as Malta, from profiting from the EU basic principle of free movement of services.

The local remote gaming industry has repeatedly complained that certain EU member states, mainly Italy and France, are trying to enact laws intended to protect their own industries and exclude outside competition.

The European Court of Justice has already ruled that any restriction which seeks to protect general interest objectives, such as the protection of consumers, must be consistent and systematic in how they seek to limit betting

activities.

Participating in the debate, Labour MEP Louis Grech said that the Commission should intervene to stop the abuse promulgated by certain member states. He said such member states are going against the spirit of one of the most important principles of the EU, free movement of services.

Mr Grech asked Mr McCreevy to state what stage has the Commission's investigation into this issue reached.

While confirming that his services were now examining the replies received from each of the member states queried, Mr McCreevy noted that at the present stage he cannot pre-empt the outcome of this examination.

„I expect it to be completed in the next few weeks. However, the Commission's actions should by no means be perceived as a move towards liberalising the gambling sector.“

Instead, he noted that „it is the Commission's aim to ensure that whatever measures member states have in place are fully compatible with existing EU law“.

Earlier this year the European Parliament had voted to exclude the gambling sector from the scope of the services directive. This eventually limited the leverage the Commission has over this issue.

However, member states are still bound to ensure that there is no discrimination in their legislation on gambling services.