

Judgement by EFTA Court underlines narrow limits for gaming monopolies in Europe

The EFTA Court today passed down a further judgement on the Norwegian gaming monopoly. The court was called upon to decide whether monopolies were admissible for horse betting, sports betting and lotteries.

The reasoning behind the EFTA Court's judgement is entirely in line with the judgements by the European Court of Justice in the Gambelli and Placanica cases. According to these judgements, a monopoly may be permissible if a country's entire gaming policy is consistently designed to reduce gaming opportunities. Besides, any measures introduced by a government must also be necessary, proportionate and coherent. In this context, the court also laid down detailed criteria, stating that the burden of proof lay with each member state.

The court also went on to emphasize that an international provider cannot be denied access to any market if that country's monopolistic system is neither appropriate, proportionate nor necessary.

„The court's judgement confirms the criticism already expressed by the European Commission of the national restrictions that still exist in some cases,“ commented Norbert Teufelberger, bwin Co-CEO. „As long as national legislators are unable to agree on uniform pan-European regulations for the gaming market, national regulations will continue to be evaluated in the light of the freedoms of establishment and services anchored in the Treaty on European Community and the prohibition of discrimination.“

The bwin Group has over 11 million registered customers (including 7 million „play money“ customers) in over 20 core

target markets. Operating under international and regional licences in countries like Gibraltar, Kahnawake (Canada), Belize and Germany, Italy, Mexico, Argentina, Austria and the United Kingdom, the Group is the number one address for sports betting, games and entertainment via digital distribution channels. The Group offers sports betting, poker, casino games, soft and skill games, as well as audio and video streams on top sporting events such as the German Bundesliga. The parent company, bwin Interactive Entertainment AG, has been listed on the Vienna Stock Exchange since March 2000 (ID code „BWIN“, Reuters ID code „BWIN.VI“). All details about the company can be found on its investor relations website at www.bwin.ag.

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