

# European Commission told that if Greece gives OPAP an online gambling monopoly it would breach EU law

The RGA has complained to the European Commission about the Greek Government's plans to extend OPAP's land based monopoly to online gambling products.

The complaint focuses on the extension of OPAP's off line monopoly to online products, including sports betting and other gambling products such as casino and poker. The main arguments are that the Greek Gambling Act allows for the licensing of online gambling operators but the Ministerial Decisions and administrative measures undertaken prevent any operator other than OPAP from being granted a full licence. In effect the Government has granted an exclusive right to OPAP and that infringes Article 56 of the Treaty on the Functioning of the European Union (TFEU).

The complaint criticises the failure of the Greek state to implement fully the Gambling Law of 2011 which provides for the regulation of the Greek online betting and gambling market. This failure means that operators who currently have licences in other EU Member States will not be able to apply for licences in Greece until 2020 at the earliest.

Clive Hawkswood, CEO of the RGA said: *"We believe that the failure to offer licences for online gambling is not because of any concerns about consumer protection but is rather to ensure that from the privatisation of OPAP the Greek government gets the highest possible price for its 33% shareholding."*

*Again and again the Greek Government has failed to comply with*

*basic EU law. As recently as Friday 1 March, they made significant revisions to the draft Law and yet these have not even been notified to the European Commission. We have written to the Commission asking them to intervene and get this latest draft notified to them in accordance with the provisions of Directive 98/34/EC.*

*Until the Hellenic Republic complies fully with EU law, the Greek people will not get the benefits of a regulated and competitive market; the Government will miss out on long term revenues; and legitimate online gambling operators will be excluded from the market."*

The RGA had previously complained to the European Commission about the internet and payment blocking mechanisms that have been set up to protect this monopoly. These mechanisms disproportionately restrict the freedom to provide services, the free movement of capital and payments, and the fundamental freedoms to conduct a business, provide and receive information and of respect for privacy, in violation of EU law.

Hawkswood went on to say: *"Members of the RGA expect all operators to be offered a level playing field across Europe. No one could suggest that is unreasonable. In Greece we have OPAP's monopoly being protected and extended for a short term gain when in the long run the Greek people will benefit from additional choice and better value if the remote gambling market is opened up."*