

RGA challenges Greek Threat to Interim Gambling Licensees

The Remote Gambling Association has written to the Hellenic Gaming Commission to ask it to stop reviewing the licences of companies held by legitimate operators in Greece.

The trade association believes that the real reason for interviewing the operators who have been granted an interim online gambling licence is to prepare a blacklist. The RGA has argued that this is premature given that the Greek Government has not addressed the issues already raised by the European Commission in relation to its review of the gambling regulations.

The RGA thinks that the review is being undertaken with a view to creating a blacklist that will require:

1. Internet Service Providers („ISPs“) to block access to websites operated by these blacklisted gambling operators.
2. Payment and credit institutions operating in Greece (Payment Service Providers or „PSPs“) to stop processing payments to and from blacklisted accounts held by gambling operators not licensed in Greece.
3. Sanctions against individual players and media owners that publicise online gambling sites on the blacklist.

The authority to draw up this blacklist is set out in draft regulations notified to the European Commission. The regulations (“Amendments to the regulatory framework regarding the games of chance market”) received a detailed opinion from both Malta and the European Commission which set out the reasons why the law was not compatible with European regulations. To date no amendments to the draft regulations have been passed by the Greek Government and therefore the

concerns expressed in the detailed opinion have not been addressed.

The Hellenic Gaming Commission has drawn up a list of 402 websites to go onto a black list. The RGA believes that this is contrary to European Commission law and will open up the Greek authorities to legal challenge.

The RGA fears that the real reason for review of the licences and the creation of the blacklist is to provide the current offline monopoly, OPAP, with a de facto online betting and gaming monopoly. The RGA refutes the existence of a legal online gambling monopoly in favour of OPAP because the legal basis for the concession has not been demonstrated. Even if the concession does have a legal basis the awarding of it to OPAP has not been transparent or in accordance with European directives. The RGA believes that if OPAP were given a legal online monopoly, it would be a step back from the current situation where there is a licensing scheme in place and operating.

Clive Hawkswood, CEO of the RGA said: *“There is no justification for the review of interim licences at this stage. All that the Hellenic Gaming Commission will achieve is the closure of legitimate and well regulated gambling companies. In all other jurisdictions that have sought to maintain online gambling monopolies a significant proportion of the population have chosen to bet on more attractive sites based in other jurisdictions. We have no doubt this will happen in Greece too.*

It must be obvious that the Greek people, the Greek Government and the Greek licensed industry would all benefit from a competitive and successful domestic market. That is not even a possibility if interim licences are removed and OPAP is gifted an online monopoly.”

List of the Hellenic Gaming Commission