

Three Referrals to the ECJ from the Administrative Court of Stuttgart

References for a preliminary ruling from the Verwaltungsgericht Stuttgart (Germany), lodged on 2 August 2007

Kulpa Automatenservice Asperg GmbH v Land Baden-Württemberg (Case C-358/07)

SOBO Sport & Entertainment GmbH v Land Baden-Württemberg (Case C-359/07)

Andreas Kunert v Land Baden-Württemberg (Case C-360/07)

Questions referred:

1. Are Articles 43 and 49 EC to be interpreted as precluding a national monopoly on certain gaming, such as sports betting and lotteries, where there is no consistent and systematic policy to limit gaming in the Member State concerned as a whole, because the operators which have been granted a licence within that Member State encourage and advertise participation in other gaming – such as State-run sports betting and lotteries – and, moreover, other games with the same or even higher potential danger of addiction – such as betting on certain sporting events (horse racing), slot machines and casino games – may be provided by private service providers?

2. Are Articles 43 and 49 EC to be interpreted as meaning that authorisations to operate sports betting, granted by the competent State bodies of the Member States, which are not restricted to the particular national territory, entitle the holder of the authorisation and third parties appointed by it to make and implement offers to conclude contracts in other

Member States as well without any additional national authorisations being required?