

November 18, 2012 10:14 pm

Belgium must obey EU law on online gambling

From Mr Michael Carlton and others.

Sir, We write with reference to “EU must act over protectionist rules” (Lombard, FT.com, November 13). The events that took place last Tuesday in Brussels, a stone’s throw from the European parliament and the office of Michel Barnier, European commissioner for internal market and services, are a stark reminder of the legal uncertainty that prevails in the European online gaming market.

While the Belgian authorities are free to intimidate Europe’s leading online gaming groups with threats about the consequences of challenging their domestic gambling laws, the European Commission has yet to receive an answer to its own concerns regarding the regulatory regime in Belgium that have remained unresolved since issuing its detailed opinion back in 2009.

A direct complaint against Belgium was lodged in 2010. In Commissioner Barnier’s own words: “ ... ensuring compliance of national law with the Treaty on the Functioning of the EU (TFEU) is a prerequisite of a successful EU policy on online gambling” and “if blatant infringements persist, I will not hesitate to propose to my colleagues that the appropriate proceedings be taken or relaunched”.

We hope that the commission will now enforce compliance with the European treaty and do so swiftly. Countries such as Belgium and Greece that are in clear breach of EU law and that are seeking to enforce those laws domestically are likely to be at the top of the list. The time for polite rhetoric is now over. It is time for deeds not words.

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