

EN  
E-004184/2019  
Answer given by Mr Reynders  
on behalf of the European Commission  
(16.3.2020)

As the Commission pointed out in its reply to written question E-003254/2019, there is no sector-specific EU gambling legislation. Member States are free to regulate gambling activities as long as they are in line with the rules on the internal market as established by the Treaties and as interpreted by the Court of Justice of the EU. Therefore, Member States need to assess on a case-by-case basis under which circumstances loot boxes actually constitute gambling within their national legal frameworks.

In some countries, loot boxes, in which in-game items acquired were considered having monetary value, have been declared gambling activities and have been forbidden in line with national gambling legislation. Game developers have also been asked to modify the loot box to take out the monetary benefit<sup>1</sup>. In other Member States, certain loot boxes are not considered gambling.

The Commission has also taken a number of initiatives to enhance the protection of consumers of online gambling services such as the Recommendation of 14 July 2014 on principles for the protection of consumers and players of online gambling services and the prevention of minors from gambling<sup>2</sup>. Moreover, under the European Strategy for a Better Internet for Children, the Commission funded Safer Internet Centres provide trainings, offer free helplines and give advice on responsible gaming<sup>3</sup>.

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<sup>1</sup> Example: the Netherlands, Belgium, Finland

<sup>2</sup> These include the Recommendation of 14 July 2014 on principles for the protection of consumers and players of online gambling services and the prevention of minors from gambling, OJ L 214, 19.7.2014, p. 38-46.

<sup>3</sup> [www.betterinternetforkids.eu](http://www.betterinternetforkids.eu)