



Department for  
**Social  
Development**

5<sup>th</sup> Floor  
Lighthouse Building  
1 Cromac Place  
Gasworks Business Park  
Ormeau Road  
BELFAST  
BT7 2JB

Fax: (028) 9082 9548  
e-mail: private.office@dndni.gov.uk

Tel: (028) 9082 9034

Mr Alex Maskey MLA  
Chairperson  
Social Development Committee  
Northern Ireland Assembly  
Parliament Buildings  
BELFAST  
BT4 3XX

Our ref: SUB/1017/2011

21 May 2011

*Dear Alex*

## **EU GREEN PAPER ON ON-LINE GAMBLING IN THE INTERNAL MARKET**

I am writing to advise you that the European Commission has launched a Green Paper on online gambling in the Internal Market. The link to the relevant website is below: [http://ec.europa.eu/internal\\_market/services/gambling\\_en.htm](http://ec.europa.eu/internal_market/services/gambling_en.htm). A hard copy of the paper is attached as an **Appendix**.

The Northern Ireland law on gambling is contained in the Betting, Gaming, Lotteries and Amusements (NI) Order 1985. The corresponding law in GB is the Gambling Act 2005 which applies to England, Scotland and Wales. While gambling in Northern Ireland is a devolved matter, the following provisions of the 2005 Act apply throughout the UK:

- section 43 which prohibits chain-gift schemes;
- section 331 which prohibits the advertising of foreign gambling;
- section 340 and the related entry in schedule 17 which repeal obsolete provisions of the Betting and Gaming Duties Act 1981 in relation to foreign betting.

You will be aware that a consultation paper on possible reforms to the gambling law in Northern Ireland was published by my predecessor in February. As the current law predates the development of the internet views were sought on introducing a licensing scheme for online providers who wish to establish their operations in Northern Ireland.



The purpose of the EU consultation is to seek views on relevant public challenges and possible Internal Market issues resulting from the rapid development of authorised and unauthorised online gambling offers directed at people living in the EU. The consultation runs until 31 July. The Commission's objective is to contribute to the emergence in the Member States of a legal framework for on-line gambling providing for greater legal certainty for all stakeholders. The Commission has stressed that, in the absence of harmonisation in the field, it is for each Member State to determine in those areas, in accordance with its own scale of values, what is required in order to ensure that the interests in question are protected, in line with the subsidiarity principle.

The UK Government will be responding to the consultation following discussion with the devolved administrations. The detailed drafting of the response will be taken forward by the Department for Culture Media and Sport and my officials will be involved in this process. In terms of broad principles I intend to adopt the line that while Northern Ireland should benefit from any new measures to protect the public from the harmful effects of gambling any decisions to increase opportunities to gamble here should be taken by the local Assembly, in accordance with its own scale of values.

I would be pleased to consider any comments the Committee may have on this issue.

*Yours sincerely*

*Nelson McCausland*

**NELSON McCAUSLAND MLA**  
**Minister for Social Development**

**Enc** Appendix – EU Paper