

LOTERIE NATIONALE - NATIONALE LOTERIJ
CONTRIBUTION TO THE
CONSULTATION ON GEO-BLOCKING AND OTHER GEOGRAPHICALLY-BASED
RESTRICTIONS WHEN SHOPPING AND ACCESSING INFORMATION IN THE EU

(Brussels 9 December, 2015)

La Loterie Nationale – de Nationale Loterij wants to thank the European Commission to allow her to participate to the debate on geo-blocking which is a very important matter in her eyes.

She welcomes the approach followed by the European Commission in its Digital Single Market strategy to boost the digital economy in the EU context where 28 jurisdictions coexist, and where therefore consideration of subsidiarity and of sector-specificity are needed, in the interests of European consumers.

She would like to recall the European Commission that, in gambling matters, Member States are free to set up their own gambling regime in line with a gambling policy they see fit for their own citizens and taking into account national specificities and cultural habits. The European Parliament, the Court of Justice of the EU and the Council of the European Union have recognised many times the specific nature of gambling and the primary competence of Member States and their discretionary margin in determining their gambling policy for consumer protection and public order purposes.

She considers that it is up to Member States to assess and decide whether geographically-based restrictions should or could be used as part of their gambling regulatory framework. Those regulatory restrictions are inherently part of the national regulatory framework put in place to preserve the interests of the consumers and consequently to block access to illegal operators (IP blocking).

She supports the European Commission's strategy which follows a proportionate and appropriate approach aiming to remove unjustified cross-border barriers online, whilst confirming that in some specific areas, national regulations must prevail in the interest of the consumers as Commissioner Ansip recognised it for online gambling where justified restrictions i.e. geo-blocking may be applied, according to the national regulatory framework in place.

Finally, she wants to stress that the Commission has failed to achieve a high level of consumer protection when she didn't proposed in her Action plan for online gambling measures to fight illegal operators who are posing a real threat for consumers and endangering the sustainable financing of good causes by lotteries for the benefit of Society.

La Loterie Nationale - De Nationale Loterij is a professional provider of recreational pleasures. Since her establishment in 1934, La Loterie Nationale - De Nationale Loterij organises in a secure, reliable and socially- responsible way public lotteries, betting, competitions and games of chance. La Loterie Nationale - De Nationale Loterij is present in more than 5000 point of sales equipped with terminals where the players are offered with the possibility to play and to be informed. Since 2010, her offering has been successfully extended to the internet with www.e-lotto.be where the players can access their favourite games in a secure and always accessible environment.

La Loterie Nationale - De Nationale Loterij has more than 400 employees performing different tasks spread over 9 locations in Belgium. With a turnover of €1,25 billion in 2012, La Loterie Nationale - De Nationale Loterij, a limited company under public law, performs her mission entrusted to her by the State to provide a safe, reliable and responsible alternative in the gaming market and returns more than €350 million/year to Society. In order to dynamically respond to new market trends, the technological and commercial development of modern and attractive products (e.g. Euro Millions, Win For Life) has been central to La Loterie Nationale - De Nationale Loterij but without losing sight of her mission to promote "responsible gaming".