

How much virtuality can a bet take?



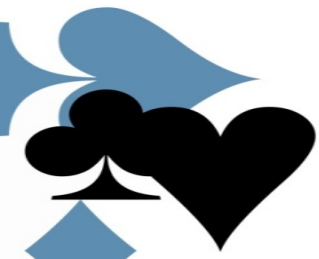
Starting points based on the subsidiarity principle

- Country features
 - Historical (Betting regulated since 2011)
 - Economical (Employment - return to society)
 - Societal (betting must be inhibited but considered as less dangerous)
 - Financial (taxes, return to horse associations)
 - Cultural (channeling policy – criminal sanctions)
- Gambling does not constitute a normal economic activity, nor a harmless pleasure – protective measures
- E-sports/fantasy sports/spread betting/binary options, poker investors



Belgian Gaming Act of 7 May 1999, modified in 2010

- Criminal Act - A prohibition unless licence
- Gaming Commission was instituted
 - Representatives from Justice/Interior/Economic Affairs/Public Health/National Lotteries
 - Permanent Chairman – Judicial officer
- Regulation of online and betting since 2011



Broad gambling definitions

- games of chance: any game by which a stake of any kind is committed, the consequence of which is either loss of the stake by at least one of the players or a gain of any kind in favour of at least one of the players, or organisers of the game and in which chance is a factor, albeit ancillary, for the conduct of the game, determination of the winner or fixing of the gain





Betting

- **bet**: game of chance where each player makes a stake and that results in gain or loss which is not dependent on the acts of the player but on the occurrence of uncertain events that occur without intervention of the players;
- **bets between players**: a bet where an organiser acts as intermediary, players who play against each other, stakes are merged and distributed after deduction of a percentage (taxes, organisation costs);
- **bets against odds**: a bet where the player bets on the result of a particular fact and where the amount of the winnings is determined depending on certain fixed or conventional odds and where the organiser is personally liable for paying the amount of the gain to the players

Impact of definitions

- Illegal Gambling
- Coherency principle
- Measures protecting players are sometimes related to sort of gambling product
- EPIS





Illegal gambling

- Aiming the Belgian market without respecting BGA
- Art. 4
 - §1 without BGC licence (6m/5 y. – 600.000 euro)
 - §2. participate, facilitate the operation, to advertise, to recruit players if you know it concerns prohibited gambling (1 m/3 y. - 150.000 euro)
 - § 3. gamble if you may have a direct influence on the result (art.4§1)
- Art. 65. Penalties may be doubled:
 - repeat offence within 5 years;
 - offence committed against - 18 y.

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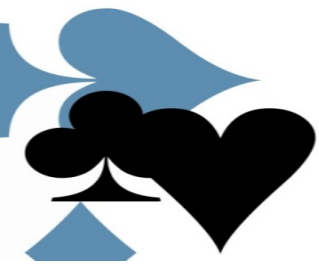
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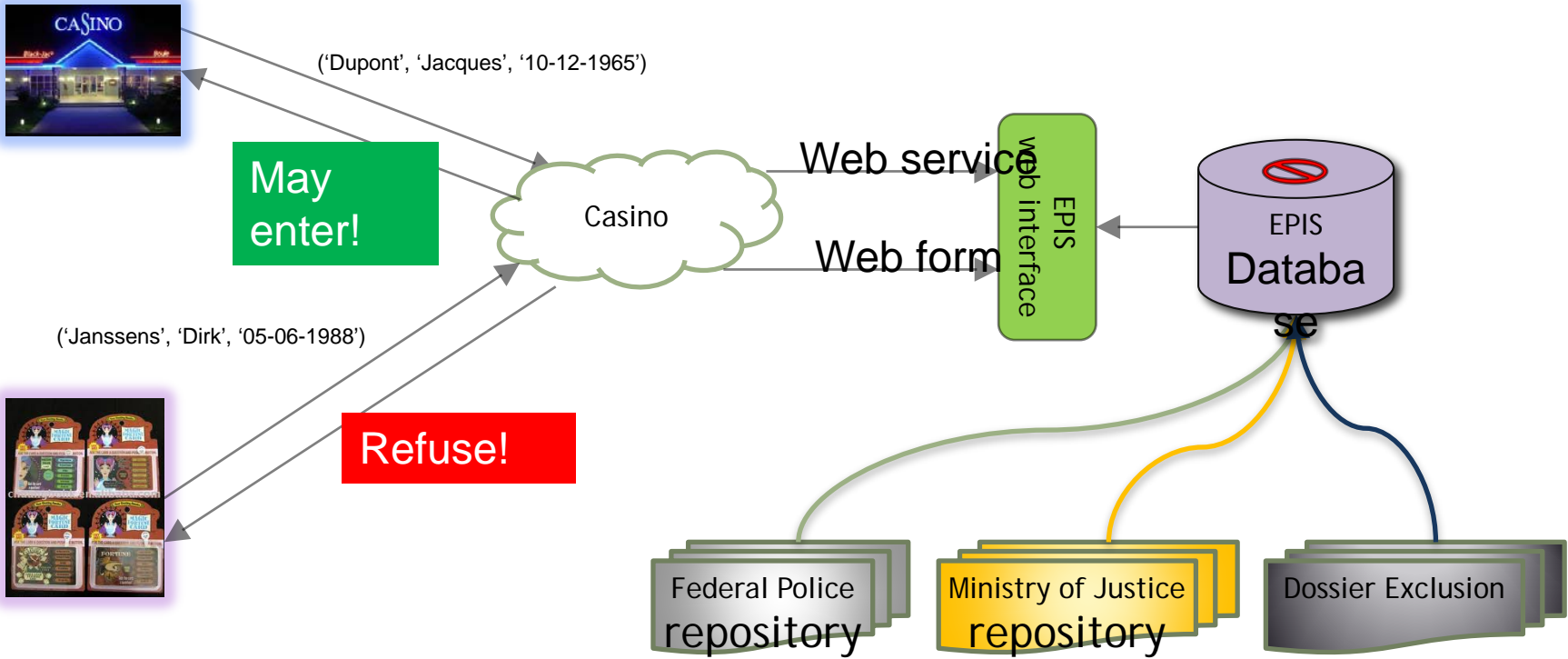
    

Measures for the protection of the player

- Age restrictions limits
- Number of machines
- Epis
- Average hourly loss



EPIS – Excluded Person Information System



EPIS

- * Voluntarily excluded persons
 - +20.000/ 3 months at least
- * Request by a third party
 - +150/One year at least
- Legal exclusions
 - police, judicial officers, notaries, bailiffs
 - judicial exclusion (+ 180.000)
 - (extended minority, legal incapacity, prohibition to exercises a profession, collective debt arrangement)



Traveled trail

- Belgium's recently amended framework on virtual betting
http://www.e-comlaw.com/world-online-gambling-law-report/article_template.asp?Contents=Yes&from=woglr&ID=2231
- First virtual online betting appeared on websites of the arcades and the bets
- Framework memorandum from the Gaming Commission, February 2012
- Modified frameworks (April 2013, September 2015) (success + growing criticism in the area of protecting the player).
More restrictions.
- Prohibition or regulation



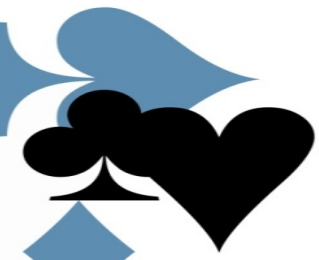
Operating conditions

- Admission from BGC
- limited number of machines
- broadcasted via a TV channel but clear indication(s) of virtuality
- server approved in advance and located in Belgium
- limitative set of hours (30h/m & 4h/d (e.g 4 time slots 1 hour)
- Age restrictions for online virtual betting



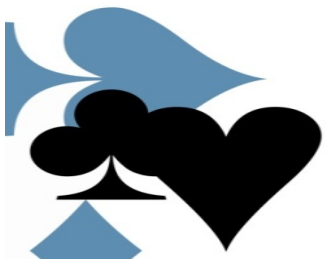
A bet?

- popular in betting shops
- related to popular (virtual) betting events
- betting ticket is issued by staff member
- The use of odd's



A vending machine?

- RNG driven
- Odds are not influenced by the event
- High playing frequency
- Average hourly loss can apply



How much virtuality?

- Serious political and regulatory concerns
- Answer by (secondary) legislation
- Machine (potentially hybrid) with protective measures following the operator (casino/gambling arcades/betting shops)
- Next question: can unpredicted outcome of event replace the use of RNG?



Q & A / Contact

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Thank you !

