



## **GBGA announces intended JR challenge to new remote gambling regulatory regime**

The Gibraltar Betting and Gaming Association, a trade body that represents Gibraltar-based online gambling operators, has (through its solicitors) written to the Secretary of State for Culture, Media and Sport, Sajid Javid MP, the Attorney General, Dominic Grieve QC MP and the Gambling Commission to declare its intention to challenge the Gambling (Licensing and Advertising) Act 2014 by way of judicial review proceedings. The Act (expected to come into force in Great Britain in September) obliges all remote/online gambling operators to obtain an operating licence from the Gambling Commission if they intend to transact with, or advertise to, British customers.

The GBGA press release can be read at <http://gbga.gi/unlawful-gambling-law-poses-new-danger-for-consumers/> It contains links to the letters before action, in which it is argued that the new licensing regime established under the above-mentioned Act breaches Article 56 of the Treaty on the Functioning of the European Union (TFEU) and is unlawful.

Peter Howitt, Chief Executive of the GBGA is quoted as saying: *"We know of no precedent where any regulator in any industry will be granted the role of licensing and regulating operators all over the world in this way, threatening to criminalise companies and people who fail to submit to its regime. This is plainly unworkable. The likely impact of this legislation will be to drive UK consumers towards unregulated or poorly regulated operators, leaving them exposed to unnecessary risks. This Act allows operators from 165 new jurisdictions to gain licences to operate and advertise in the UK and the Gambling Commission is supposed to regulate this industry with no extra-territorial information gathering or enforcement powers. Clearly that spells a new danger for British consumers."*

The letters before action were despatched on 18 June, giving the Government and the Gambling Commission 14 days within which to respond. More news when we have it.

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