

Minister Stanton announces Government approval for establishment of gambling regulatory authority

You are here: Home (/en/JELR/Pages/home) / Media & Publications

/ Press Releases (/en/JELR/Pages/Press-releases)

/ Legislation, Law Reform & EU (/en/JELR/Pages/Press-releases-legislation-law-reform-and-EU)

/ Minister Stanton announces Government approval for establishment of gambling regulatory authority

Minister Stanton announces Government approval for establishment of gambling regulatory authority

- ***Legislation will now be drafted to establish authority***
- ***Gaming and Lotteries (Amendment) Bill 2019 to modernise range of other issues in interim including standardising minimum gambling age at 18***

20 March 2019

The Minister of State with special responsibility for gambling regulation, David Stanton TD, has announced that the Government has today approved the establishment of an Irish gambling regulatory authority. The decision is part of two initiatives agreed at cabinet in relation to the future regulation of gambling in Ireland.

Establishing the gambling regulatory authority, as an independent statutory body under the auspices of the Department of Justice and Equality, is the key recommendation of the report of the Inter-Departmental Working Group on the Future Licensing and Regulation of Gambling.

The Minister said: **"A modern and effectively regulated gambling environment will ensure, to the greatest extent possible, that gambling will be a safe, fair and entertaining activity for the majority of those who choose to take part in it. We must ensure that it will provide enhanced consumer protection for players while limiting to the greatest extent possible the harmful effects on young people and those who may be susceptible to addiction."**

It is intended that the authority will develop and enforce necessary and appropriate licensing and regulatory measures in respect of all gambling activities, including online. The authority will also regulate the industry in respect of protection of vulnerable persons, including age restrictions, staff training, self-exclusion measures and controls on advertising, promotions and sponsorship. It will also allow for the establishment of a Social Fund which will support research, information campaigns and even treatment. The Fund is expected to be supported by levies on licensed operators.

The Department of Justice and Equality will now draft the necessary heads of legislation. In parallel, work will be advanced on scoping the resources needed to establish an effective regulatory regime.

The Minister added: **“The Government has made a major commitment to the modernisation of our licensing and regulatory environment for gambling. It will require resources. However, the ultimate aim is that the regulatory authority will be self-financing through fees and levies imposed on licensed gambling operators”.**

Government also today approved the publication of the Gaming and Lotteries (Amendment) Bill 2019, which provides for the modernisation of the Gaming and Lotteries Act 1956 by way of, among other matters, bringing clarity to the permit and licensing approach to small scale, local gaming and lottery activity, updating certain stake and prize limits and standardising the minimum gambling age at 18.

The Minister said: **“The amendments to the 1956 Act published today will help the promoters of local gaming and lottery activity, primarily sporting clubs, by bringing much needed clarity to the application process for permits and licences. This is an interim reform measure pending development of comprehensive reform in this area. The issue of underage gambling is one that I am particularly anxious to address. I propose to standardise the age limit for participating in all activities under the Gaming and Lotteries Act 1956 at 18 years of age. In addition, the Totalisator Act 1929 will be amended to provide for an age limit of 18 years for betting with the Tote.”**

The Bill increases the stake and prize limits to €10 and €750 respectively (from 3c and 50c) for those gaming machines permitted under the conditions of Part III of the Act. These limits have not been increased since 1956.

The Minister concluded: **“Gambling activity is of considerable economic impact in Ireland. The value of the Irish gambling market annually has been estimated as being between €6 billion and €8 billion. The industry is large, growing and evolving from a largely land-based manifestation to an online one. The measures announced today will help ensure the proper licensing and regulation of the many varied forms of gambling available in the State”.**

The full report of the the Inter-Departmental Working Group on the Future Licensing and Regulation of Gambling http://www.justice.ie/en/JELR/Inter-Departmental_Working_Group_on_Future_Licensing_and_Regulation_of_Gambling.pdf/Files/Inter-Departmental_Working_Group_on_Future_Licensing_and_Regula-

ENDS

Note for Editors:

a. *Inter-Departmental Working Group Report on the Future Licensing and Regulation of Gambling*

Background

On 10 January 2018, the Government approved the establishment of an Inter-Departmental Working Group on the Future Licensing and Regulation of Gambling, chaired by Minister of State Stanton.

Membership of Group

The following Departments and Agencies were represented on the Group:

Justice and Equality; Tourism, Transport and Sport; Public Expenditure and Reform;

Taoiseach; Finance; Communications, Climate Action & Environment; Health;

Employment Affairs and Social Protection; Agriculture, Food and the Marine; Business, Enterprise and Innovation; Culture, Heritage and the Gaeltacht;

Education and Skills; Housing, Planning and Local Government; Rural and Community Development; Office of the Attorney General; Revenue Commissioners; An Garda Síochána.

Group meetings

Over six meetings between February 2018 and January 2019, the Group reviewed the provisions of the General Scheme of the Gambling Control Bill 2013 to determine if they remained fit for purpose in light of the significant developments in the gambling industry, both domestic and international, in the intervening period. Department of Justice and Equality officials also visited gambling regulators in the UK, Malta and France as part of the process.

Issues discussed

The Working Group devoted considerable effort to examining the modalities, including resource implications, of the establishment of an independent regulatory authority for gambling

The Group considered whether the number of proposed licensing categories for gambling activities might be rationalised from those recommended in the 2013 Scheme, given the increasing move to online gambling.

The Group discussed the issue of advertising, sponsorship and promotion of gambling products and activities and examined a range of possible options on the future approach to regulating these activities.

The Group discussed national efforts in combatting money laundering attempts through gambling activities.

The Group also discussed media and other reports of possible attempts at “match fixing” concerning Irish sporting events. It considered that maintaining integrity in sports betting was of critical importance.

The Group noted the current minimal effective protection for consumers of gambling products and was concerned that reform should increase significantly consumer protection and ensure fairness for all parties involved.

The Group acknowledged the raised public awareness of the issue of problem gambling and the harms caused to individuals, families and communities in this regard.

Working Group Recommendations

The Recommendations of the Working Group are set out in Chapter 10 of its Report.

The primary recommendation is for the establishment of an independent regulatory authority for gambling. The Group identified that effective modern licensing, regulation and enforcement of the Irish gambling industry will require additional significant resources. A gambling regulatory authority will have to be, to a large degree, ultimately self-financing, with income from licence fees, fines imposed on operators.

The Group recommended the development of licensing conditions that would be clear, fair, legitimate and transparent to all.

The Report contains a number of recommendations in relation to the future approach to regulating advertising, sponsorship and promotion of gambling products.

In relation to maintaining integrity in sports betting, the establishment of a dedicated sports betting integrity unit within the regulatory authority is recommended.

Consumer protection is a key focus of the report. In this regard, the development of an alternative dispute resolution mechanism to settle disputes is recommended. The enforcement of new licensing conditions and other provisions designed to prevent unfair practices by operators through gambling offers, is also recommended.

A number of regulatory measures for the gambling industry in respect of vulnerable persons are recommended. These include age restrictions, staff training, self-exclusion measures and controls on advertising, promotions and sponsorship. A further recommendation is the establishment and operation of a social fund supported by industry levies.

EU support for regulatory reform

The legal firm McCann FitzGerald was contracted by the Structural Reform Support Service of the European Commission to conduct a research project entitled Establishment of Modern Regulatory Environment and Authority for Gambling Activities in Ireland. The project was commenced in early December 2018 and is expected to conclude by mid-summer 2019. It is intended to contribute to the development of the optimum structure for the proposed gambling regulatory authority. This project will form one of many inputs into the process for establishment of the regulatory authority.

b. *Gaming and Lotteries (Amendment) Bill 2019*

The Gaming and Lotteries (Amendment) Bill 2019 amends the Gaming and Lotteries Act 1956, which contains the existing provisions governing the permit and licence approach to gaming and lottery activity.

It is intended to provide an updated regulatory system for local gaming and lottery activity promoted under a permit or licence in Ireland. The modernisation of the permit and licence systems for local gaming and lotteries will serve an important public interest in assisting the better promotion of gaming and lotteries, prevent potential criminal or fraudulent behaviour and enhance consumer protection.

A uniform statutory minimum age limit for engaging in gambling is to be set at 18 years. This will be achieved both through the amendments proposed to the 1956 Act, in addition to the imposition, for the first time, of an age limit for betting with the Tote in accordance with the Totalisator Act 1929.

For gaming machines permitted under Part III of the Gaming and Lotteries Act 1956, the stake and prize limits for licensed gaming machines are adjusted upwards (to €10 and €750 respectively); they have remained unchanged since the 1956 Act came into effect. This is the only current function of the Minister for Justice and Equality in this regard. (The Working Group on the Future Licensing and Regulation of Gambling recommended the transfer of all future responsibility for authorising and licensing of all forms of gambling to the proposed new gambling regulatory authority. In regard to gaming machines, the licensing and regulatory role of the Local Authorities, the District Court and the Revenue Commissioners would cease).

There is no change proposed to the prize amounts of €5,000 for lotteries held under Garda permit or €30,000 (weekly limit) under a District Court licence. The Bill makes provision for a prize fund limit of €360,000, where a one-off annual lottery is promoted under a District Court licence.

The Bill does not propose any changes with regard to sections 12 and 13 of the 1956 Act concerning the power of Local Authorities to adopt resolutions permitting, or not, the possibility of gaming in their administrative areas. The Department of Justice and Equality has no current role or responsibility with regard to gaming machines.