Over the past month, the Inter-Departmental Working Group on Future Licensing and Regulation of Gambling has published its long-awaited report (the “Report”), and the Government has introduced the much-anticipated Gaming and Lotteries Amendment Bill 2019 (“Bill”). In this briefing, we consider the key highlights of the Report and the developments to watch out for as the Bill progresses.

**REPORT ON THE FUTURE LICENSING AND REGULATION OF GAMBLING – KEY RECOMMENDATIONS**

**An Independent Statutory Regulator**

As expected, the Report has recommended the establishment of an independent regulatory authority to be tasked with licensing and regulating all offline and online gambling activities in Ireland (the “Regulator”), a proposal that the Government approved in January 2018.

It is envisaged that the revised Gambling Control Bill would provide for the establishment of this Regulator. If the recommendations in the Report are followed, the Regulator would have a significant suite of responsibilities, including:

- Operating and enforcing the licensing regimes for all gambling activities;
- Setting appropriate licence fees and duties;
- Ensuring the protection of consumers, children and vulnerable persons;
- Implementing an Alternative Dispute Resolution mechanism to settle disputes between consumers and gambling operators;
- Establishing a social fund to raise awareness and provide support for the treatment of gambling addiction;
- Developing policies and regulations in relation to advertising, sponsorship and promotions;
- Addressing sports betting issues such as match fixing via a specialised Sports Betting Integrity Unit; and
- Combating money laundering issues.
FUTURE LICENSING REGIME
The Report recommends that six broad licence categories be established: betting, gaming and lotteries, gaming machines, bingo, casino and online gambling.

The Report also suggests that licence applicants should submit more information over and above what is currently required, including documentation in respect of beneficial ownership and control, and proof that their servers are located within the EEA, that they have age verification systems and that they have an indemnity bond to cover liabilities to players.

GAMING AND LOTTERIES (AMENDMENT) BILL 2019
The purpose of the Bill is to modernise the Gaming and Lotteries Amendment Act 1956. Although the Bill is likely to undergo further changes before enactment (which may be superseded by the Gambling Control Bill in any event), reforms can be expected along the following lines:

» Updates to gaming machine stake and prize limits to €10 and €750 respectively;
» A standardised minimum age of 18 for betting and gaming;
» An improved licensing and permit regime for lotteries;
» An exemption from the requirement to have a permit or licence for charitable lotteries;
» Updated offences provisions;
» A register of gaming licences/permits; and
» A non-location specific power for Garda Superintendents to issue gaming permits beyond the application of Part III of the 1956 Act where the maximum stake per player is €10 and the maximum prize is €3,000. This would address some of the issues outlined in our update on the recent seizures of gaming machines.

WHAT'S NEXT?
The Minister for Justice and Equality has acknowledged that the Bill is effectively a stopgap to provide for interim reform measures until more comprehensive change can be addressed in the long overdue Gambling Control Bill. The Minister has attributed the delays in its introduction to the fact that the area is "extraordinarily complicated," with further sector consultation required to "get it right".

As it is still unclear what the precise nature of the reforms will be, for now, affected operators should simply keep a watchful eye on developments and be prepared to implement appropriate action plans.

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