



**Kansspelautoriteit**

**Datum**

17 november 2014

**Ons kenmerk**

8632 / 00.040.559

## **Bijlage 27**

Brief van de Ksa aan een aanbieder van 5 augustus 2014 met als onderwerp 'Remote gambling; information about recent undertaken actions'



Gaming Authority

> Return address PO Box 298 2501 CG Den Haag



**Gaming Authority**

Wijnhaven 24  
2511 GA Den Haag  
PO Box 298  
2501 CG Den Haag  
[www.kansspelautoriteit.nl](http://www.kansspelautoriteit.nl)

**Contact**  
Enforcement Department



Date 5 August 2014

Concerning Remote gambling; information about recent undertaken actions

**Our reference**  
00.033.163

*Please quote date of letter  
and our ref. when replying. Do  
not raise more than one  
subject per letter.*

Dear Sir/Madam,

Recently, the Netherlands Gaming Authority (hereinafter: NGA) noticed a change in the behaviour of some providers of remote gambling, which conflicted with the objectives of the Dutch public policy in the field of gambling. As a result, the NGA was forced to take action. With this letter I would like to inform you in more detail about this. I would also like to emphasise the importance of keeping the objectives of Dutch public gambling policy in mind in your offering of remote gambling. In the following, I will go into more details.

First of all I would like to once again point out the following.

In previous correspondence with you and other operators, the NGA notified you about the enforcement priority criteria which are used to set the order in which enforcement activities against illegal remote gambling operators are conducted. Also mentioned was that not, or no longer, meeting these criteria does not safeguard an operator against enforcement. Enforcement may still be possible in the event that the NGA believes activities are being conducted contrary to the objectives of public gambling policy. For example, this may be the case when there are changes in the behaviour of the market which may harm the interests of the Dutch consumers. The NGA is then forced to take action. Contrarieties, as mentioned above, which are conducted within the gambling market or by providers and noticed by the NGA, may lead us to further investigate the market or specific providers. The NGA can ultimately take enforcement measures under administrative law against violations. In addition, ongoing investigations and administrative penalties could have consequences for a license or license application in the future.

Recently, such a contrariety arose and therefore the NGA was forced to act. Reason for this was that in the run-up to the 2014 FIFA World Championship (hereinafter: FIFA WC) a substantial intensification of online promotion and advertising activities targeting the Netherlands became evident. Dutch consumers were intensively recruited to participate in gambling activities without a license issued under the (Dutch) Betting and Gaming Act; so it is unclear whether these gambling activities are reliable enough and whether they protect (potential) consumers sufficiently. In the light of risk and problem based regulatory supervision and enforcement, (promotion and advertising activities of) some providers came to be placed high in our enforcement priority list.



These providers were requested to cease (or cause to be ceased) (online) promotion and advertising activities targeting the Netherlands gravitating around (inter)national (sport)events so as to prevent any further harm to consumer interests. It pertained for example promotion and advertising, regardless of language, through social media, banners and affiliate websites and other activities promoting their services by means of advertorials and promoting activities by means of interviews.

Follow-up of this request has led to a visible evident decrease of the excessive promotion and advertising activities gravitating around the FIFA WC. For more information I refer you to the following information (in Dutch) on our website: <http://www.kansspelautoriteit.nl/nieuws/alle-nieuwsberichten/2014/juli/tussenstand-reclames/>.

I trust I have informed you sufficiently. I also trust that you will keep the objectives of Dutch public gambling policy in mind in your offering of remote gambling and you will avoid changes that may harm the interests of the Dutch consumers.

Yours sincerely,

[Redacted signature block]