

THE NEW LEGAL REGIME FOR ONLINE GAMING AND BETTING IN PORTUGAL: REGULATION MODEL AND GLOBAL FRAMEWORK

José Duarte Cordeiro



Synopsis

In a situation of regulatory vacuum and after more than a decade of promises and expectations described in studies, discussions, reports and projects, Portugal has finally approved the legal regime that legalizes the practice and the exploitation of online gambling and betting with money. It is a landmark in Portuguese legislation on game activity since, in addition to allowing its practice in virtual environment, until now prohibited, it will also attract international cash, i.e. investors and foreign players will be allowed to operate and play online in Portugal

***The Author:** Technician at the Tax and Customs Authority (AT)-Ministry of Finance of Portugal. Currently in service in the direction of Fraud Investigation Services and Special Actions (DSIFAE) as Tax Inspector trainee. Degree in accounting and Administration (ISCAL, 2010). Master of Taxation Science (ISCAL, 2014).*

Content

1. The Online Gaming: a global phenomenon
2. From the Royal Lottery to online gaming in Portugal
3. Online gaming in the European Union
4. The new regulation model of gaming in Portugal
5. Conclusions
6. Bibliography

Gambling¹ -social phenomenon historically regarded as a harmful and unwanted activity- was the subject of absolute prohibition in contemporary societies, repressing and condemning its practice.

However, in view of the increase in underground game and the social problems that this already, just by recognizing its existence as an inescapable reality and regulating their practice and exploitation, as a form of protection of society and of individuals. Also contributed to the liberalisation environment, the realization that the human impulse to the game is a reality, while playful activity that provides pleasure and passion for risk and preferable to legalize, tax and regulate the habit.

However, the moral question has never stopped being raised, such as Climacus (2006: 482), highlighting that “notwithstanding the liberalization that has occurred in recent times, the conservative element that always involved the game for various reasons-cultural, political and above all, moral, still remains.”

For his part, Duarte (2001: 89) states, “the values protected by the regulations, in particular criminal, are morality, property and tax interest”. The author believes that, more than the addiction in the moral sense, the ideas of idleness and lack of productivity that they represents are not foreign to the purposes of the regulation of gambling or gaming.

The truth is that, in the past, the legal prohibition that in most jurisdictions focused on gambling had moral concerns about its vicious or even sinful nature, which was targeted. But not only. Other aspects also justified the ban as the safeguarding of assets, social peace and the maintenance of public order, thereby avoiding pernicious consequences often associated with gambling- disputes, fraud, scams and other crimes.

It was accordingly that, in 2015, the Portuguese Government approved the legal framework of the online gambling and betting (RJO)² -contemplating games of chance, horse betting and sports betting, as well as certain types of bets of territorial base, with definition of the terms and conditions required for the exercise of the activity of online gaming in Portugal.

The new legal framework aimed, on the one hand, to legalize comprehensively and systematically the methods of gambling and betting money still not regulated and, for another, adapt to international best practices the existing legal framework for territorially based games. The whole regulation recognizes a set of values that the State intends to preserve and guarantee, which is positive.

The regulatory powers of the entity that was already responsible for control of territorially based games- the Games Regulatory and

-
1. In this article, the mention of the word ‘ game ‘ refers to the game of chance with bets in cash. The games of chance are games in which the possibility of winning or losing depends on the skill of the player, but only the lucky or unlucky. Its essence is the decision-making under risk conditions, determined by the chosen combination and the statistical probability of getting it right.
 2. Decree-Law No. 66/2015-Diário da República nº 83/2015, series I of 4/29/2015 -Approves the Legal Regime of the gambling and betting Online and change the code of advertising and General stamp duty Table.

Inspection Service (SRIJ)³ – are expanded to cover also the online games, with the necessary powers to meet the demands that the new reality imposes. Thus, the functions of control, inspection and regulation are carried out jointly by SRIJ, which holds inspection and supervision powers on the activity of gaming, and the Gaming Commission⁴, which is the agency that supervises and coordinates the activity of the SRIJ with regulatory powers and imposing penalties.

In the solutions applied, taxation⁵ is not the only concern. Public interest issues are also

underlying, such as ensuring the protection of minors and of compulsive gamblers; to prevent fraud and money laundering; safeguarding the sport integrity and preventing the manipulation of bets associated with the handling of sports scores.

In this way, and considering the defense of the public interest and social order, a model considered sufficiently balanced and transparent has been established, to enable effective prevention and combat the unlawful practice of online gambling in Portugal.

1. THE ONLINE GAMING: A GLOBAL PHENOMENON

The evolution of the activity of gaming during the late twentieth century was marked by the possibility of offer carried out with the use of a new communication platform – the internet. It was quickly realized that this would be a privileged environment for the dissemination of the gaming practice, taking into account the characteristics related to the easy access, privacy, and the variety of offer.

Therefore, the players face a new range of opportunities, with a new format of traditional games (lotteries, bingos, Poker, casino games), now also available in virtual environment – the online gaming. ⁶.

Gambling via the internet have allowed operators to develop their activity without geographical

limitations and in a comprehensive way and players came to practice it at a distance, from their personal devices, anytime and anywhere. However, if emerging online gaming markets were important, some of them were referred to as “greys”, i.e. markets consisting of licensed operators in one country but who also provided services in other countries without authorization to do so by the receiving countries.

The need for regulation was growing along with the proliferation of games accessible through new technologies, leading many national laws to issue normative regulators about the matter, it is not always easy to reconcile with each other. Several factors have contributed significantly to the spread of gambling on the internet, such as the definition of encrypted communications

3. The regulatory and Inspection Service games (SRIJ) pursues the functions of control, inspection and regulation of exploration and practice of games of chance in casinos and bingo halls (territorial-based games), as well as games of chance, sports betting at horse betting and, mutual and dimension, when practiced remotely (gambling and betting online). © 2015 regulation and inspection services games | Turismo de Portugal.
4. The Gaming Commission is the agency responsible for guiding, monitoring and supervision of the activity of the regulatory and Inspection Service games (SRIJ), ensuring the link with the Board of tourism of Portugal, I.P.
5. The term «taxation» should be understood in the sense given to it by paragraph 2 of article 3 of the general tax law (LGT), according to which ‘taxes comprise taxes, including customs and special, and other species, notably law created tax rates and other financial contributions in favour of public entities».
6. In this article, the reference to “online gaming” refers to game with financial betting made through internet.

protocols, secure monetary transactions and brokers with sites⁷ that have been popping up on the internet, where they offer free lines for players to make their bets.

Some countries legalized (or at least began to accept) all forms of online gaming, allowing foreign operators in their market and players from any source in their jurisdictions. They are namely: Gibraltar, Malta, Antigua and Barbuda, the Netherlands Antilles and Panama. On the other hand, there are countries that prohibit most or all of the forms of online game: United States of America (USA), China, Russia and Pakistan (Wood and Williams, 2009).

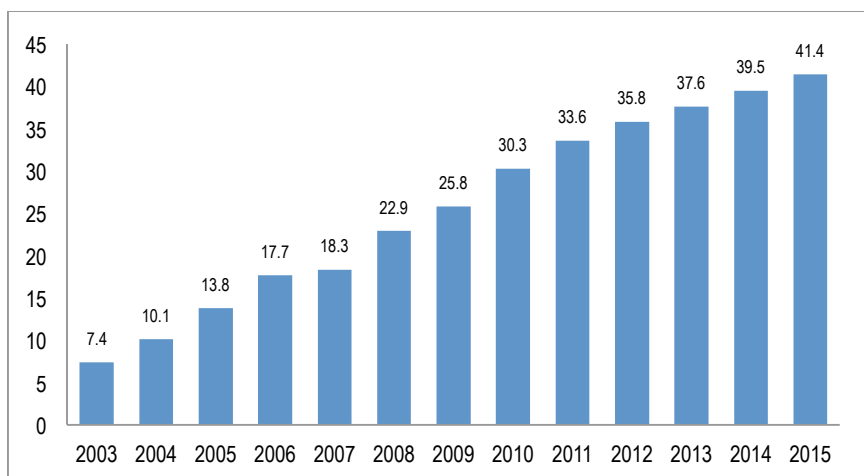
Currently⁸, there are worldwide 3,340 game sites online⁹, which exercise activity in regulated markets and the majority of them is

not associated with traditional game rooms or casinos, with physical existence. Protectionist policies imposed by several States, caused many online game to settle in small territories or principalities, known to offer more attractive tax systems, with increased interest for game companies on their territories.

According to British consultant H2 Gambling Capital (H2GC)¹⁰, the USA continue to be the nation that, despite the ban, spend the highest amount in online games for consumers, registering today about 25% of the global market value.

The best information available (graph 1) shows that, in 2015, the global market of online games will contribute about of 41.4 billion dollars, in cash game volume, tripling the value since 2005.

Chart 1
Market trends of online game in the world: 2003-2015
(1000 million USD)



Source: © Word Statista 2015.¹¹

7. A «site» (or website) is a collection of web pages, i.e. of hyperlinks accessible by HTTP protocol on the internet. The set of all sites comprise the existing public World Wide Web.
8. Information reported on 14 June 2015.
9. Listed in www.online.casinocity.com. Online Casinocity platform is a directory of information on game servicesonline, acting with complete independence from any operator and providing a continuous update of news on game sitesonline available worldwide.
10. H2 Gambling Capital (H2GC) is an international consultant, leader in providing studies and reports about the gaming industry in the global market. H2GC studies have proved to be very influential for policymakers in decision-making on the gaming sector, both in Europe and in the USA. Access available at: <http://h2gc.com/>.
11. Word Statista-The StatisticsPortal: entity that operates several databases accessible on the internet and provides its users with essential tools for quantitative survey, statistics and related information. Available at: <http://www.statista.com/statistics/270728/market-volume-of-online-gaming-worldwide/>.

According to recent statements by Simon Holliday, founder and Director of H2GC, “If all States regulate the online game sector, it is

likely grow next year by a 20% increase, with an evolutionary growth potential up to 30% within 10 years”.

2. FROM THE ROYAL LOTTERY TO ONLINE GAMING IN PORTUGAL

2.1. The first lottery and social games

The first lottery recorded in Portugal dates back to the 17th century, during the reign of King Pedro II, at a time when the public purse was lacking resources due to the war effort that he supported since the restoration¹². It was the first Royal Lottery, held in 1688¹³.

The tax purpose was already evident at the time: Properties and life annuities were offered to the winners; the participation of all, national or foreign, allied, neutral or enemies was accepted; and for the Royal Lottery to be serious, any other lotteries were forbidden, even those of the charities of Lisbon and Oporto¹⁴ (Vasques, 1999).

However, only in 1783, in the reign of Queen Mary I, the first regular lottery was created for the benefit of a Charity of Lisbon¹⁵ and the profits were to benefit some social bodies: the Royal Hospital, The Holy House of the Impaired, and the Royal Academy of Sciences. By associating the results to social support, through an institution managing its own interests, the State would fulfil functions that otherwise would have to be financed through taxation.

Nevertheless, the underground game kept existing and proliferating in the country, especially since the end of the 19th century and during World War I, becoming a sort of social plague. As reports Ataíde (1932): “Lisbon, at the expense of a lot of misery and disgrace, displays a bustling nightlife, fueled only by gaming (...) also in modest villages in the north, in the comfortable villages of Alentejo and Algarve, games are played, with passion, and again without measure”.

It was in this environment that, in 1917, the Interior Minister submitted to the Council of Ministers a bill on gaming, to which the Tourism Council gave a favorable opinion, with the recommendation to compel future dealers to build hotels with comfort and facilities recognized as indispensable (Cunha, 2010).

Throughout the 20th century, the Public Finances was gradually gaining ground in terms of distribution of profits and, in 1926, the first authorization is issued¹⁶ to regulate lotteries, assigning their management to the Holy House of Mercy of Lisbon (Santa Casa da Misericórdia de Lisboa - SCML)¹⁷ on behalf of the State. To this day, SCML holds the exclusive right to the

12. The Restoration war consisted of a set of armed clashes fought between the kingdoms of Portugal and Spain, in the period between 1640 and 1668. The clashes began at the stroke of 1 December 1640 (the restoration of independence that ended the dynasty Filipina) and ended in 1668 with the Lisbon Treaty, signed by Alfonso VI of Portugal and Carlos II of Spain where he recognized the complete independence of Portugal.

13. Royal Charter 4 may 1688.

14. However, the charity entities were rewarded with the portion of the profits corresponding to the amounts collected, pursuant to legal prohibition (author's note).

15. Decree of 18 November 1783: first game concession in Portugal-the national lottery.

16. Decree No. 12790, December 9 1926.

17. The Santa Casa da Misericórdia de Lisboa (SCML) is a collective person of private law and public administration, in accordance with their respective Statutes, approved by Decree-Law No. 235/2008, of 3 December. The SCML shall be chaired by the Member of the Government that oversees the area of Social Security and covers, in addition to the powers provided for in the Statute, the definition of the General guidelines.

exploitation of all lotteries and sweepstakes, also called “Social State Games.”

In part, it was the recognition of the impossibility to suppress the practice of underground game, on the other hand, the regulation came out to be a good source of revenue and, thus, games of chance began to be subject to an autonomous legal systematic discipline.

2.2. Taxation in the traditional game market

In games of chance, particularly in games in casinos and bingo halls, taxation has acted in Portugal through the excise duty on gaming (“Imposto Especial sobre o Jogo –IEJ”)¹⁸, taxing dealers’ results and annual counterparts, after deducting the premiums.

A system of legal deposit was established, affecting the development of tourist revenue in counties where casinos and bingo halls are located, in order to compensate them for some negative social burden that gaming represents. This way, investments in works of local interest and capacity in the tourism promotion of the regions were made possible, as well as in the construction of commercial space near the games facilities, with shops, hotels, restaurants and other hospitality services.

According to the “Gaming Law”¹⁹ (in the previous draft), both the exploitation and the practice of games of chance were only allowed in casinos with existing facilities in specific areas, called “game zones”. With the recent entry into force of the new comprehensive regulations on gaming, the Portuguese Government has drafted several amendments to the old gaming law, adjusting and framing it with the new rules.

2.3. Sports betting and sport integrity

For more than a decade, the absence of legislation on the online sports betting market has led successive Governments to create working groups in order to submit proposals for their regulation. Probably one of the most important contributions to the clarification of all the problems related to online sports betting was the study carried out in Portugal by the Centre for Research and Training in Marketing of the ISCTE, by Pedro Dionísio, Antonio Carlos Santos, Carmo Leal, Louis Graca and Marta Lousada²⁰.

This is a very detailed and thorough study about the impacts of the (no) regulation of sports betting online in Portugal. Among other findings, the authors show that legalizing sports betting online is a very positive development for all parties. In addition to compensate the financial shortcut and to provide increased tax revenues, it will be an increased contribution to the integrity of the «Sport».

The study reinforces the idea that once regulated the industry of online game in Portugal; sporting activity will become strengthened, in particular, due to the investment in advertising by clubs, and in terms of sponsorships, in favor of sporting competitions.

According to Dionysius [et al.] (2010: 79): “The truth in sports competitions is a fundamental value for the capture of attention of various audiences, hence the interest of several instances national and international leaders in this topic. The recent match-fixing sport scandal discovered in Germany – the country with the most restrictive practices with regard to online

18. Created in 1927, the excise duty on the game (IEJ) is now provided for and regulated by articles 84 and SS. of Decree-Law No 422/89. One of the features of IEJ accentuates the increased responsibility of dealers by the legality of the practice of leased to a holding game profitable for the benefit in particular of the tourist equipment and animation of the regions and the respective promotion in domestic and foreign markets.

19. Read ‘ the game ‘ or Law, framework law of Fortune and Misfortune, as the legal regime that regulates the practice of games of fortune or chance (Decree-Law No 422/89, of 2 December, successively amended by Decree-Law No. 10/95 of 19 January, law No. 28/2004, of 16 July, Decree-Law No. 40/2005, February 17 , Law No. 64-A/2008 of 31 December and Decree-Law No. 114/2011, November 30).

20. Contributions to a regulation of sports betting online in Portugal, ISCTE – Business Scholl – GIEM, December 2010.

sports betting – naturally raises question relating to the need to preserve the integrity of sports competitions, but also to know that an effectively regulated practice of online gambling is also discouraging clandestine gambling (...) “.

In view of the size of recent scandals, the supranational cooperation between sports authorities, judicial and police becomes a priority element for the implementation of sports policies and for the regulation of gambling, aimed at combating the manipulation of sporting results.

In the absence of regulation, sports agents, clubs and promoters from competition authorities, fail to leverage the potential of online game operators, who are willing to sponsor competitions. As such, the provision of betting services can benefit the sport events, because it increases their exposure

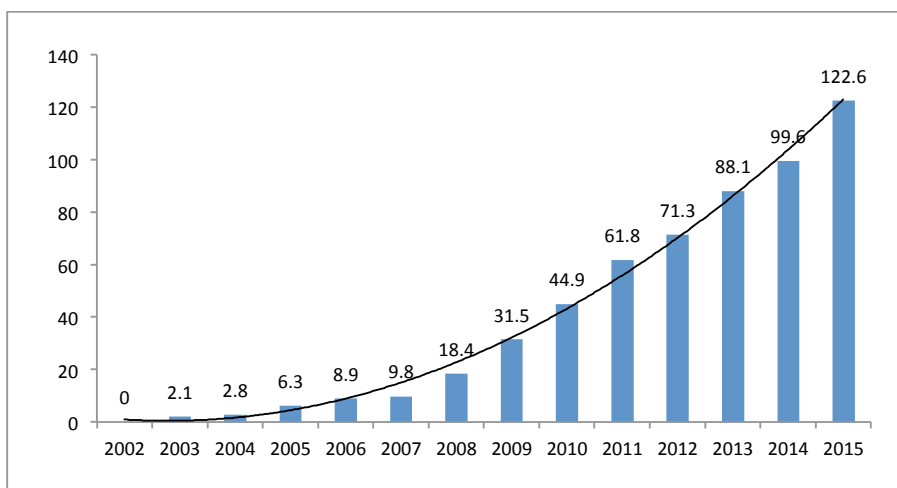
and increase public interest, however, there is consensus that inspectors would benefit from a return in accordance with the results of bets.

In the end, sports claim their due legal recognition, the protection of their rights and proper compensation for the commercial exploitation of sporting events.

2.4. Online gaming in Portugal (before the new regulation)

According to the already mentioned international consultant H2GC, the online game in Portugal has grown consistently, both in terms of the typology of games, as in terms of the weight represented by the sector and the amounts involved, following the global growing trend as shown in the following graph.²

Graph 2
Evolution of online game volume in Portugal²¹
(in millions of euros)



Fonte: H2 Gambling Capital (2014), <http://h2gc.com/>.

21. Gaming revenues correspond to the net gains of the operators, that is, the sum of the bets of the players, deducted from the total of the premiums paid and before deducted any losses or taxes. International nomenclature the GGC terms (Gross Gambling Revenue) and GGY (Gross Gambling Yield).

In the past, the State did not assume any formal position regarding safeguarding the public interests and impact on society and therefore never profited from tax revenues, both from corporate earnings of operators and the premiums paid to players.

If it is true that online games operators, by operating from abroad, did not meet with the national legislation, but it is no less true that the same legislation was older than the phenomenon of online internet gaming, had not been properly reviewed and adapted to this new phenomenon. It should also be mentioned that, in 2011, under

the Economic and Financial Assistance Program (PAEF)²², agreed by the Portuguese authorities and so-called troika²³ (International Monetary Fund, European Commission and European Central Bank), Portugal took measures with a view to balance its public accounts.

These circumstances have also contributed to the creation of the fiscal discipline of online gaming, taking into account the efforts required to Portugal in order to obtain relevant accrued tax revenues” for the fulfilment of the goals of the budget deficit.

3. ONLINE GAMING IN THE EUROPEAN UNION

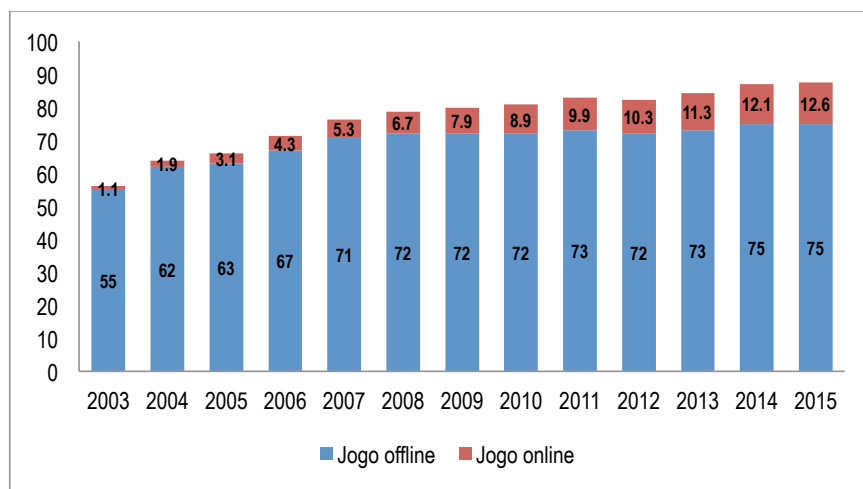
3.1. The industry context

The territorial space of the European Union (EU), both the development of the internet, as the consequent growth of the online game, combined with the fact that the rules of the Member States²⁴ differ considerably from each other, have led not only to more supply of licensed games, as well as the implementation of many unauthorized operators.

For more than a decade, different regulatory regimes of online gaming are in force in Europe, which range from the lack of legislation and complete ban, to the validity of models more or less liberalized. As a rule, the states grant licenses to entities that intend to provide online games within their territories, under various legal requirements of compliance and conditioned for the payment of fees and taxes.

-
22. The Economic and financial assistance program (PAEF), memorandum of understanding or troika Plan was agreed in May 2011 between the Portuguese State and the International Monetary Fund, the European Commission and the European Central Bank, in order to balance the public accounts and the increased competitiveness in Portugal. This was a condition for the 78 billion euros loan to be granted to the Portuguese State.
23. Troika (troika) is a Russian word, which means ‘sleigh pulled by three horses’. In politics, is an expression that represents a group of three leaders, States or entities, acting together, forming a triangular leadership. In the case of aid to Portugal, it was called Troika because the redemption process was carried out by a trio formed by the European Commission, European Central Bank and International Monetary Fund.
24. «Member State» – designation of countries belonging to the European Union. In Spelling Vocabulary. Porto Editora, 2003-2015. Available at: <http://www.infopedia.pt/dicionarios/vocabulario/estadoMember>.

Chart 3
Comparative Evolution (online/ offline) of the activity of gaming in Europe (EU28)
(in 1000 million euros)



Source: H2 Gambling Capital (2015)²⁵

Nevertheless, there is an enormous diversity of legislative solutions to the rules of online gaming, the local license scheme- local licensing market – seems to prevail over other solutions. The local license scheme is based on the existence of licensed operators that provide services in a regulated framework at national level, while the monopoly regime consists of a controlled system owned by the State.

However, regardless of the adopted models, it is noteworthy the regulation of the online game activity with financial bets is growing among European countries. The success achieved in most regimes that have legalized online games results from the revenue generated and the good policies of redistribution. A good example of game revenue affectation is channeling the value of the licensing fees (applied to online game operators) for the funding of the regulatory

authorities, what has happened in most Member States.

Although there are no regulatory models alike within the EU, taking into account the particularities of each country-demographic, economic, social and cultural – all share similarities in terms of taxes, fees, offer structures, technical requirements and product type.

However, the specific nature of the interactions in online environment and many game sites available on the internet, cause increased difficulties to the supervisory authorities.

According to Catarino and Guimarães (2012: 516): “(...) the context of globalization in which we live now requires the effort of cooperation measures between States, and the “old” DTC’s²⁶

25. In, Benchmark of Gambling Taxation and License Fees in European Member States- Final Report (2015). Available at: file:///C:/Users/Duarte/Downloads/lp-v-j-0000006125% 20 (1) .PDF.

26. The agreements or conventions for the avoidance of double taxation (ADT), are intended to mitigate or eliminate the tax on certain transactions subject to tax in more than one territory. The conventions for the avoidance of double international taxation are an important instrument of international tax law. Accessible at: <http://www.portugalglobal.pt/PT/Paginas/Index.aspx>.

have not been supplying a sufficient response capacity. Everything points to the emergence of a new international tax order, extended to areas of cooperation and of exchange of information, the unitary regulatory or closely harmonised taxation of manifestations of wealth and economic operations and the monitoring of financial flows. The phenomena of international tax competition will be mitigated, new phenomena and contact tools between agents will deal with the new ways of transacting, among others “.

Thus, the change in the paradigm of supply and growing demand for online gambling services pose many challenges to regulators, to guarantee and ensure the objectives of their policies, both locally and across borders.

The reality is that there is no harmonisation in the Community legislation relating to the universe of gaming offered on the internet. In this context, the Court of Justice of the European Union (CJUE) has considered that each Member State must define its own scale of values, to ensure their interests.

3.2. Law and case law of the European Union

Similar to the traditional game, online game has come to be regulated by many countries because of the ineffectiveness of the prohibition regimes in the past; however, the illegal online gambling remains a serious problem that keeps challenging a number of countries and jurisdictions.

The EU never intended to consider gaming as a service to harmonize and, as such, did not establish provisions for the exercise of the freedom of establishment of operators and free

access to their activity. Therefore, each Member State must outline the regime to adopt on its territory, bearing in mind the principles of EU law²⁷ (proportionality, non-discrimination, freedom of establishment and freedom to provide services) as well as the case law of the CJEU in the matter. This can be measured, firstly, in the guidelines on services in the Internal Market²⁸ that expressly disclaims their applicability to gaming activities that involve wagering a stake with monetary value in games of chance, including lotteries, gambling activities in casinos and betting transactions. Additionally, the Electronic Commerce Directive²⁹ expressly disclaims its applicability to the betting of money on games of chance. Here also, the EU decided not to include gaming in the rules relating to the Information Society services.

Thus, EU law does not require the mutual recognition of legally installed operators in a Member State, with the consequent restrictive effect on the freedom to provide services, which can be seen as a sign that the Court is not willing to replace Union law as regards the practice of gaming online in its territorial space. However, the law and the case law in force in the EU, confirm that the services related with the activities of gaming, fall within the scope of application of the Treaty on the functioning of the European Union (TFEU)³⁰ in relation to services. By applying the fundamental principle according to which “restrictions on freedom to provide services within the Union shall be prohibited in respect of nationals established in a Member State other than that of the users of the service”

The issues that have been ruled by the TJEU, related to gaming, refer precisely to the assessment of the restrictions that some

-
27. European Union law enjoys the principle of preference over national law. On this principle, the Court has been successively the comment acknowledging the following: Community law could not be invalidated by the national law, even constitutional level in effect in this or in that Member State. See Proc° par. 36 to 38 and 40/59, Case *Comptoirs de vente du Charbon de la Ruhr*, Col. 1960, p. 890.
28. Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market (2006/123/EC).
29. Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the internal market (2000/31/EC).
30. Under the treaties, the European institutions adopt legislation, which is then applied by EU countries. The full text of the treaties, legislation, case law and legislative proposals can be found in EUR-Lex database.

countries place on online gaming and the risk they can violate fundamental principles long established in EU legislation. As such, the operators authorised in one Member State can provide services to consumers in another Member State, unless they impose restrictions for reasons relating to essential public interest.

3.3. Towards a common market of gaming in Europe

In Europe (UE28), it is not possible to establish clearly a univocal trend of legislative adaptation in Member States, but it is possible to affirm that the regulation of online gambling is an imperative. However, the technical, legal and social issues that Governments face in regulating processes are not adequately addressed by Member States individually, especially due to the cross-border dimension that characterizes online gaming.

As stated, the main reasons for the regulation of online gaming in the EU reside in the need to protect citizens, especially minors and the vulnerable, and the need to combat fraud and offences, such as the handling of sports scores and money laundering.

But, when a national system aims to limit the supply, this requires technical means and legitimacy to block access to illegal operators and to control suspicious financial transactions. The political legitimacy of such measures would come out much more enhanced with a decision, preferably binding, at EU level ³¹. In this way, all aspects related to the fight against illegal gambling would be reinforced with a general approach, because the measures of restriction

of internet access and blocking financial transactions taken individually by each Member State would be much less efficient.

In Rome, on 23 April 2013, before the Committee on Culture and Education of the European Parliament, the Italian MEP Marco Scurria had the following words: “The creation of a single regulation for the whole of the European Union will also serve to promote the regulations in European countries that have not yet done so. The European Union wants to implement a regulation similar to the English one, and avoid the strangulation of the various individual markets. This will be a lengthy process, but hopefully successful”.

However, in 2013, the European Parliament adopted by absolute majority a ³² report on the games of gambling online, encouraging the EU to take greater leadership and effective performance in the sense of ensuring appropriate cooperation between the Member States. Although the report does not refer to a harmonisation of the sector in the EU, it encourages and supports proposals in some areas, such as the rules on services of electronic identification and verification of clients and the strengthening of cooperation between the Member States.

It is concluded that, although the Member States have the freedom to set their own policies, the conformity of national legislation with the TFUE as well as respect for the principle of the primacy of European law³³, constitute essential conditions for the success of the policies adopted.

31. Opinion of the European economic and Social Committee on the communication from the Commission to the European Parliament, the Council, the European economic and Social Committee and the Committee of the regions-Towards a European framework for the full game, from 22 may 2013 (2013/C 271/09).

32. Committee on the internal market and consumer protection-report on the domestic online games-11 June 2013 (2012/2322 (INI)). Rapporteur: Ashley Fox.

33. The principle of the rule applies to all European acts with binding force and, thus, no Member State may apply a national rule contrary to European law. Is a fundamental principle which, although not provided for in the treaties, was consecrated by the Court of Justice of the European Union (cjeu). <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV:114548>

4. THE NEW REGULATION MODEL OF GAMING IN PORTUGAL

The range of legislation under consideration is ample, given the scope of the included issues, from the creation of a legal regime of online gambling and betting (finally) as to a fiscal discipline, criminal and administrative offences. The measures come to establish a new legal framework in Portugal, now including and regulating the exploitation and practice of the following modalities:

- Games of chance, horse betting (accumulated³⁴ and³⁵ in quota) and sports betting in quotas, when practiced from a distance through electronic Interactive media or computers (games and online betting);
- Horse betting (accumulated and in quota) and sports betting of territorial base (offline betting).

The scheme aims to encompass all forms of practice and holding games and betting money, in all its aspects, namely:

-
- A model for the online game, open to competition, through licenses but without exclusive practices;
- A unique territorial model for casinos, without prejudice to the acquired rights and permission to publish their games;
- A unique template to social gaming in the State, operated by SCML;
- In addition, the creation of a new social game of physical sports betting (aka “gambling houses”).

According to the Government, the integrity and transparency of game operations will be ensured, safeguarding the possibility of restricting access

to online games to minors and individuals declared incapable.

One aspect that deserves to be considered: regardless of the type of model adopted, there will always be that by taking into consideration the existence of a time lapse (from 2003 to the present) in which, in practice the exclusive exploitation by the state has been derogated. The proliferation of illegal online gaming that has occurred since then makes necessary for this recent regulatory scenario to take into account that there are many online games operating in the domestic market for several years, although in a way illegal.

However, if these operators receive legal status (a very likely situation), there is no doubt that they depart for the new online market in a position of competitive advantage, since they already have experience, databases of gamblers, marketing actions targeting clients and customer loyalty systems.

4.1. The legal framework of online gambling and betting (RJO)

The Legal Regime of the online gambling and betting (RJO), approved on 29 April 2015 is the legal instrument that regulate the exploitation and practice of online games in Portugal. The RJO puts an end to the existing legal vacuum until its approval, constituting, on the one hand, a measure to combat the practice of illegal gambling and, on the other, a means to ensure a balanced and transparent exploitation of online gambling and betting.

34. Mutual bet-game in which a percentage of the total wagered amounts is reserved for awards to be distributed by gamblers who have settled on the result, reversing the remainder to the operator.

35. Bet at-game in which participants predict one or more events during a certain event, sporting or otherwise, the occurrence of which is subject to a given probability, defined by the organiser of the game for each fact, called dimension, which enables players to premiums calculated by reference to the amount of the stake held.

In the normative, other matters related to the activity would be regulated, namely: safeguarding the rights of players; illicit criminal schemes sanctions, the applicable tax regime; and provisions concerning advertising rules and the guarantees that game operators should provide.

Preventative and repressive measures will be established regarding laundering of illicit money and the financing of terrorism, transposing to the internal legal order determinations set out in EU Directives on the issue³⁶.

The exploitation of sites with sports betting and with games of chance will also be legalized. According to this scheme, the authorisation shall be made by means of the allocation of the license to “all entities which meet strict requirements of credentials, and economic, financial and technical standing “. The advertising of gaming is allowed, with some limitations in order to protect the most vulnerable groups. One of the main priorities of the legislature was to prevent the access of minors of 18 years to game floors and online betting.

In this way, any entity interested can now apply for a license to explore online cash games in Portugal, being subject to requirements that ensure compliance with the rules. The Government ensures that the new regulatory regime includes the recommendations of the European Commission³⁷ and international best practices.

4.2. An open competition model

The universal principle underlying the model implies that only the State has the right to exploit online games. Only the state can assign licenses to “any private entity established as a

limited company or equivalent, with location in the European Union or in a State signatory of the agreement on the European Economic Area that is bound to administrative cooperation in the field of taxation and the fight against fraud and money laundering. In the case of foreign companies, they must have a subsidiary in Portugal “.

We are facing a major transformation of the gambling business in Portugal, having regard to the enlargement of the offer to a cross-border scale under the model now open to the foreign market.

The sacred rules [author’s italics] long ago implanted in Portugal and that, supposedly, would keep control of online activity in the sphere of the entities that were already licensed to practice the traditional game (the casinos) and those who have held the exclusive of the betting (SCML) have been discarded.

This is not a finished model, since the revaluation of RJO and its control rules is enshrined, within a maximum period of 2 years from the date of issuance of the first license. The measure will make it possible to retrospectively, make changes, improvements and other realities that may appear after the implementation and effective exploitation of online gambling and betting.

4.3. Requirements for the activity of online gaming

The model includes the possibility of licenses conditional to compliance with certain credential requirements, economic and technical capacity. These are, namely: regular tax and fiscal situation; social capital no less than EUR 250,000; provision of guarantees for ensuring compliance with legal obligations; existence of

36. Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005, and 2006 Policy/70/EC of 1 August 2006, concerning the prevention of the use of the financial system and the activities and professions specially designated for the purpose of money laundering and terrorist financing.

37. Communication from the Commission to the European Parliament, the Council, the European economic and Social Committee and the Committee of the regions-Towards a European framework for the online games. Brussels, 23.10.2012. With (2012) 596 final.

a subsidiary or branch in the national territory. A specific web site with domain “pt.” must be set up, for the holding of games through the internet, and bank account registered in an institution authorized to exert activity on national territory.

The requisite for operators to have a subsidiary in Portugal, as well as the obligation to identify the players, aim to ensure reliability in the management of payments and the existence of systems to prevent fraud by illegal organizations. However, the measures did not stop there: the Government will also require the operators to develop more and better information in order to monitor the universe of users who register on the games sites with financial bets.

So far, anyone could register and gamble without being asked any documents as proof of age. Only if they wanted to collect the prize, bettors were bound to send an identification document. With the new law, game operators companies must require at least the player’s full name, date of birth, nationality, email address, tax identification number and the data of the bank account where payments would be debited and prizes credited.

4.4. Bingo, horse betting and sports betting

The “bingo” is a part of the universe of games of fortune or chance that, under the new legislation, will incorporate two modes-the traditional bingo and the electronic bingo³⁸. Once again, based on the latest technological advances, a new electronic bingo will be allowed. It is a more appealing mode, where the physical cards are

replaced by devices that simulate the unfolding of the game, allowing interaction with other players.

In another strand, the regulated introduction of horseracing, with “horse betting”³⁹, aims to promote activities that strengthen the areas relating to the horse industry⁴⁰. Through the horse betting, competitions on racetracks can generate wealth for all parties and contribute to promote the horseracing cluster⁴¹.

Similarly, requirements are also established for owners of hippodromes for horseracing, objects of horse betting. The state assigns, for the first time and exclusively, the right to exploit territorial horse betting to the SCML- to those who have sufficient ability, integrity and trustworthiness to develop the activity in their name and on their behalf.

Another new feature applies to «sports betting in quotas with territorial base»⁴² with the introduction of a new social game in which participants predict events in the course of one or several events and the premium is determined based on a previously defined quota. It is intended that the sports betting in quotas of territorial base be no longer prohibited. They enter into an appropriate regulatory framework, reducing interest for illegal gambling.

In this case, also, the State assigns to the SCML, through the Gaming Department, the right to exploit, in exclusivity, nationwide, sports betting in quotas of territorial base. Indeed, the

38. Decree-Law No. 65/2015-Diário da República nº 83/2015, series I of 4/29/2015 -the first amendment to Decree-Law No. 31/2011, of 4 March, which regulates the exercise of the activity of operation of the bingo game.

39. Decree-Law No. 68/2015-Diário da República nº 83/2015, series I of 4/29/2015 -Approves the legal regimes of the exploitation and practice of horse betting place-based mutual and assigning the operation of racetracks, and amending the statutes of the Santa Casa da Misericórdia de Lisboa.

40. «Horse row ‘ means the set of aspects associated with horses, since the breeders, trainers, jockeys, veterinarians, farriers, horse stables, to the own production of food for the animals.

41. According to Porter, M.E., in “The Competitive Advantage of Nations” (Free Press, New York, 1990), a cluster “is formed by companies and related sectors, through vertical relations (customer/vendor) and horizontal (technology), in a given region, and the dynamics of cooperation are composed by integrated logical synergies of cooperation perpetuate in time and relate to each other.

42. Decree-Law No. 67/2015-Diário da República nº 83/2015, series I of 4/29/2015 -Approves the legal framework of the exploration and practice of sports betting at an elevation of territorial base, and changes the General stamp duty Table, and the statutes of the Santa Casa da Misericórdia de Lisboa.

SCML already have, have long time, a network of mediators in physical locations throughout the country that offer the public the social games of the state ⁴³ without threats to the public order.

The Government understand, therefore, that the benefit from this network and from this accumulated experience to provide sports betting with territorial base a safe and controlled procedure is the solution that best preserves the public interest and protect the players.

4.5. Taxation and a new tax-the IEJO

In addition to mitigating the problem of illegal gambling, Portugal will now be able to tax revenue that were omitted, since the bets made in the past by Portuguese players in other jurisdictions were not subject to any tax payment in Portugal.

The big news in taxation is the creation of a new tax – the Duty on Online Game (IEJO in Portuguese) – whose rates will vary depending on the modalities:

- In the case of games of chance and accumulated online horse betting, it is proposed to apply a variable tax rate between 15 and 30% of gross revenue;
- In the case of bets in quota (sports and clubs) carried out online, the tax will be levied on the income amount, with a rate between 8 and 16%, depending on the total volume of bets.

It is confirmed that the existing taxation system to the entities operating the territorial based games will remain in the sphere of IEJ and the

rates (IEJO and IEJ) will vary according to the type of game but always with a premise- the gross income-. This is included in the new law as being the amount that results from deducting the amount awarded in prizes from the total value of the bets made “. Thus, according to the logic underlying the proposed taxation system, we will have more favourable rates than others:

- In IEJO (online): games of chance – 15% to 30%; sports betting at-8 % to 16%; horse bets – 15% to 30% and horse betting in quotas at-8 % to 16%.
- In IEJ (offline): horse betting at-8% to 16%; horse bets – 15% mutual 30% and video-bingo-10%.

The Government opted for progressivity, safeguarding that when revenues are smaller, also the tax payable shall be reduced, introducing the payment of fees for the licensing of operators. With these licensing fees, the tax agency will collect 18,000 euros for the approval of each technical game system and between 2 and 12,000 euros for issuing each license. The issue or extension of the term of each license will cost 12,000 euros for sports betting in quotas and horse betting, and 2,000 euros for the operation of bingo.

In short, the legislator has managed to create conditions that do not squeeze out operators with excessive taxes and fees, trying to implement solutions with the guarantees of security and protection essential to a competitive market of online gambling and betting.

43. The SCML gaming Department aims at the regulation of social games granted by the State, ensuring compliance with the national policy, in particular respecting the principle of the prohibition and the respect for public policy that seeks to preserve. The SCML contributes in this way to the satisfaction of the players and to the creation of added value to return results to society through public funding of social actions. http://www.scml.pt/pt-EN/areas_de_intervencao/Games/.

4.6. Control, inspection and regulation

Exploitation and practice of games and online gambling are subject to the authority of the State, through the SRIJ, under the Institute of tourism of Portugal I.P.⁴⁴ with functions of control, inspection and regulation.

The recent legislation brought a set of additional powers to the SRIJ, reframing it, in order to integrate new competencies (so far, it only regulated and inspected territorial based games) especially with regard to “systems and information technologies and security”. This is because the model of inspection and monitoring of online games focuses on the use of ICT tools and not on face-to-face supervision.

Thus, the functions of control, inspection and regulation of exploitation and practice of gaming in Portugal pass then be exercised jointly by:

- The Gaming Commission, a body which coordinates and supervises the activity of the SRIJ, detaining powers of inspection, inspection, regulation and sanctioning powers;
- By SRIJ, who holds powers of inspection, exercises directly control, and regulates the activity of territorial based games and online gambling and betting.

Within the framework of its competences, the SRIJ may establish cooperation mechanisms with other public or private entities, domestic or foreign, when it is necessary and convenient for the improvement of their performances. The regulatory authority has the noteworthy possibility to block access of undocumented operators with the respective internet service providers, without prejudice to the criminal liability they may incur.

The SRIJ is also in charge to create a national registration system of players who are not authorized to play, voluntarily, administratively or judicially. This registration must respect the rules in force for the protection of personal data, subject to a prior ruling by the National Commission for Data Protection (CNPd)⁴⁵.

4.7. Income redistribution

A percentage of tax revenues is attributed to the entity of control, inspection and Regulation (SRIJ) and the remaining value is assigned to various entities, seeking a balanced redistribution in order to mitigate the social costs inherent to gaming.

From the amount of IEJO calculated (the focus on gross revenues), 37% shall constitute revenue of the SRIJ and the remaining value, determined a posteriori, will be distributed as follows: 77% for Tourism of Portugal I.P.; 20% for the State budget; 2.5% for the Cultural Development Fund and 0.5% for the service of intervention in addictive behaviors (SICAD).

In the case of sports betting online, 37.5% of the tax will be allocated to clubs and sports societies (85%) and the respective federations (15%). When the competitions are organized by a professional League, this value will be allocated to sports societies (85%) and the respective leagues (15%). SRIJ is in charge of transferring these amounts.

Revenue calculated in sports betting by territorial quotas (in physical format) will be shared by clubs (85%) and respective sports federations (15%). When the competitions are organized by professional leagues, the value will be distributed among the sports societies (85%) and the

44. Turismo de Portugal I.P.-National Tourist Authority, integrated into the Ministry of economy and innovation, responsible for the promotion, enhancement and sustainability of tourism activity. The Mission of the Turismo de Portugal, I.P. consists of qualificar and develop the tourist infrastructures, develop human resources training, support investment in the sector, coordinating the internal and external promotion of Portugal as a tourist destination and regular and fiscalizar the games of fortune and misfortune.

45. The National Commission for Data Protection (CNPd) is an independent administrative authority with powers of authority, which works with the Assembly of the Republic. Has as generic assignment to control and supervise the processing of personal data, in strict respect of human rights and freedoms and guarantees enshrined in the Constitution and in the law.

respective leagues (15%). These amounts are transferred by the SCML, which is in charge of this type of betting.

In accumulated horse races betting, the IEJO will cover the amount of the gross revenue of operators and, in horse betting quotas, will transfer revenue resulting from the amount of bets made. Of the calculated amount, 15% will be income for SRIJ itself, 42.5% will be for the animal sector (Portuguese Equestrian Federation, General Directorate of Food, Veterinary, and equine genetic heritage preservation) and the remaining 42.5% shall be applied as follows: 59% for Tourism of Portugal, I.P.; 40% for the State budget and 1% for SICAD.

In bingo, the portion of the proceeds resulting from the sale of cards (traditional or digital system) not reserved for prizes of for to dealers will be registered in the following terms. In case the dealers are not sports clubs, 10% is sent to the Portuguese Institute of sport and Youth, I.P.; 45% for regional tourism organizations and 45% for tourism of Portugal, I.P.; if the dealers are sport clubs: 75% goes to the Portuguese Institute of sport and Youth, I.P. and 25% for tourism of Portugal, I.P.

Keeping the guideline that was at the origin of the redistribution of the games revenues in Portugal, now the allocation of tax revenues obtained (through the IEJO and IEJ) between various public authorities.

4.8. Games advertising

The new legal regime of gaming in Portugal provide for the possibility of advertising games and financial bets. However, this can only take place in a socially responsible manner, favoring the playful aspect of the activities and not appealing to obtaining easy profit, avoiding suggesting success or social success encouraging excessive gaming practices.

Accordingly, the promotional actions with explicit or implicit references to online gambling and

betting or territorial based gaming cannot target minors and cannot take place at a distance less than 250 meters from schools or other sites of minors.

With the new law, the (almost) general prohibition prevailing in the past is repealed, and the new legal regime will allow gambling advertising, however, the content of advertising messages should always take into account all the issues relating to consumer protection.

4.9. Sanctions

The normative framework integrates a strong and effective sanctions framework in protecting all interests involved, both private and public. It is clear that any entity without proper authorization and in whatever manner is not allowed to operate, promote, organize operations of online gambling and betting, nor provide these activities in Portugal from servers located outside the national territory.

Approved regulation describe the criminal activities, defining the respective main and accessory penalties, such as unlawful exploitation crimes of online gambling and betting, illicit exploitation of territorial gambling, crimes of online gambling and betting.

The direction and scope of unlawful administrative actions is also determined, the violations to the rules governing the exploitation and practice of online gambling and betting and place-based, are at least sanctioned as criminal offenses.

The application of the respective sanctions is based, among others, on the duration of the infringement, its gravity, (assessed in abstract according to the circumstances), the degree of guilt, the agent's behavior in eliminating the illegal practice, the agent's economic situation, the benefit that he obtained and his antecedents. The applicable sanction must be appropriate and proportionate.

4.10. Responsible Gaming

For most people, gaming, as a form of entertainment and fun, is considered a recreational activity with a perfectly normal underlying conduct. However, some players lose control in their relationship with gaming and the entertainment become a growing addiction, with serious consequences for themselves, also affecting their familiar, social, professional sphere and the community itself.

The abstract concept of ‘responsible gaming’ is associated with the behavior of the players who guide their game options consciously and rationally, exercising full control of their time and money without undermining their professional, social and family responsibilities.

In accordance with the concerns reflected in OGR, the operators have a duty to develop plans

and adopt measures to ensure the practice of responsible gaming and provide to the public, especially to players, the necessary information, promoting attitudes of moderate gaming, not compulsive.

The rules on the mandatory inclusion of warnings against excessive practices are prevalent, and there is a duty to inform players so they proceed with conscious choices, promoting moderate game behaviors, responsible and not compulsive.

The measures implemented in this area, are inspired by European recommendations⁴⁶ and are based on the best practices consolidated in other jurisdictions for the protection of players, the safeguarding of public order and control of social risks associated with gaming.

5. CONCLUSIONS

In general, the model chosen for the regulation of online gambling and betting in Portugal seems to respond efficiently to the necessary adaptations due to the natural developments in the industry sector in recent years.

On the one hand, we are dealing with the implementation of a very competitive market and open to global initiative and, on the other, we have an effective supervision of the activity at state level, as intended. In essence, this scheme is based on a model open to competition that allows the assignment of licenses with unlimited number, without restrictions on the origin of operators and without any granting of exclusivity. Currently, when talking about gambling and

betting with money - online – we don’t intend to speculate about a new commercial activity, but just about another way of providing games, now available via internet. This indiscriminate offer, often surreptitiously, divert a clientele previously attracted by games in traditional locations, such as casinos and bingo halls. This new paradigm led to strong impacts at various levels, with regard to the lack of effectiveness in the control of illegal online gambling, which has spread because of the lack of regulation.

It is known today that unregulated schemes (legal vacuum), where online games are forbidden have two consequences – an economic one and a financial one, i.e.: the release of high volumes

46. Recommendation of the European Commission of 14 July 2014-on principles with a view to the protection of consumers and users of online gambling services and prevent minors access to online gambling. (2014/478/EU).

of capital without any return for the country, and the loss of tax revenue (potential) resulting from consumption in illegal gambling sites.

Thus, the lack of regulation of online gaming, coupled with the transfer of consumer habits, has significant impacts, not only in tax collection increase that would return to the state, but also in the protection of citizens and the protection of public order.

It seems inevitable that any legal system that legalize the practice of cash games should always present an attitude of openness to possible amendments and adjustments of the law, taking into account the following fundamental aspects:

- Gambling is a special economic activity which, in the interest of the general interest and protection of public order, should be strongly restricted through effective regulation, supervision and effective sanction;
- The suitability of the operators is an essential condition to ensure the integrity of the activity, protecting consumers;
- The accreditation of gambling should be restricted to satisfying pre-existing limited demand and the money spent by the society on games must be returned through prizes and the adequate financing of social policies.

The new regime in Portugal can be considered as an open model, taking into account that the state will grant licenses to entities that, through legally defined requirements, wishes to develop

the online gambling and betting activity. As such, this liberalized model allows any operator to carry out its activity on the national territory as long as it satisfies the legal requirements to obtain a license.

The basis for establishing an online gaming framework seems sufficiently appealing to attract and legalize the international players, decrease the illegal gambling, and for the peaceful development of a framework ensuring the safety of users and the public in general.

In addition to the strong moral motivation usually associated, regulating the gaming industry is justified by the need to defend core values, such as the integrity of the sport, the protection of minors and of the most vulnerable people, the security of assets and the prevention of fraud and money laundering. Now, with these fundamental legal assets worthy of protection, the regulations of the online gaming, as maximum dimension of easing access to its practice, urgently needed legislation.

Therefore, the online gaming regulation represents an important step in the right direction, allowing a licit offer of online gaming in Portugal, although it is still early to assess the real impact of approved regulations. However, regardless the final outlook, it is fair to welcome and value positively the work undertaken for this global reform of the gaming activity in Portugal.

6. BIBLIOGRAPHY

ATAÍDE, José de - Algumas notas sobre o turismo em Portugal. Lisboa: Anuário de Turismo. Edições de 1932.

CATARINO, João Ricardo; GUIMARÃES, Vasco Branco - Lições de Fiscalidade. Almedina, Manuais Universitários, 2012. ISBN: 9789724047881.

CLÍMACO, Maria Isabel Namorado - Os jogos de fortuna e azar: o lazer tolerado ou o "vício" legalizado? In: Homenagem a José Guilherme Xavier de Basto / organização [de] J. L. Saldanha Sanches, António Martins. Coimbra Editora, 2006. ISBN: 972-32-1396-6.

CORDEIRO, José Duarte; NUNES, Vera Vieira – Apostas desportivas online – Regulação e Tributação. Revista da OTOC nº 148. Julho de 2012. ISSN 1645-9237.

CUNHA, Licínio - Desenvolvimento do Turismo em Portugal: os primórdios. Edições Universitárias Lusófonas - Fluxos & Riscos, 2010. ISSN: 1674-6131.

DIONISIO, Pedro; SANTOS, António Carlos; LEAL, Carmo; GRAÇA, Luís e LOUSADA, Marta - Contributos para uma regulação das apostas desportivas online em Portugal. GIEM - Investigação e Formação em Marketing. ISCTE, Lisboa, 2010.

DUARTE, Rui Pinto - “O Direito e o jogo”. In Themis, Ano II, n.º 3, 2001.

H2 Gambling Capital – iGaming Business and H2GC in Exclusive Interactive Gambling Data Partnership. Posted on 26/10/2013, in General News.

PALMA, Clotilde Celorico; SANTOS, António Carlos - A Tributação do Jogo em Portugal: o caso específico da (não) tributação do jogo online. Em Estudos de homenagem ao Prof. Doutor Alberto Xavier – Volume I. 2013. Edições Almedina. ISBN: 9789724049014

PFANNER, Eric - Europe Unleashes Online Gambling to Fill Coffers. July 27, 2010. The New York Times.

PIÇARRA, Nuno - A jurisprudência do Tribunal de Justiça da União Europeia em matéria de jogos de fortuna ou azar: tendências, tensões e paradoxos. Direito & Desporto, 2011, ano VIII, n.º 23.

Porter, M. E. - The Competitive Advantage of Nations. New York: Free Press, 1990. (Republished with a new introduction, 1998).

ROQUE, Vasco Vilares - A Lei do Jogo e seus Regulamentos - Anotado e Comentado. Coimbra Editora, 2011. ISBN: 9789723219708.

VASQUES, Sérgio - Os Impostos do Pecado. Coimbra: Livraria Almedina, 1999. ISBN: 9789724012452.

WOOD, R.T. e WILLIAMS, R.J. - Internet Gambling: Prevalence, Patterns, Problems, and Policy Options. Relatório final preparado para o Ontario Problem Gambling Research Centre. Guelph-Canada, 2009.