

Government approves establishment of new Gambling Regulator

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Sports betting in Ireland is currently regulated by the Betting Act 1931. While this Act was amended in 2015 to provide for a limited licensing regime for bookmakers and betting exchanges, there is no regulation of the industry in any real sense.

Last week, and not before time, the Government approved the establishment of an Irish gambling regulator and published an Inter-Departmental Working Group on Gambling Regulation (the "Report").

The Report recommends that:

- The regulator would ultimately be self-funding through fees and levies on licensed gambling operators.
- There would also be a 'social fund' which could be used to fund additional services to treat gambling addiction and to fund research, training and education and awareness programmes around gambling.
- The regulator develops:
 - Regulations in respect of all gambling advertising, sponsorships and promotions.
 - Specific licence terms and conditions to counter the potential for manipulation of sports events for gain through betting activities.

The Report also recommends that the regulator would include a dedicated Sports Betting Integrity Unit which will:

- Be responsible for ensuring the betting related integrity of sporting events.
- Require, as a licensing condition, that betting operators share information with the regulator, An Garda Síochána, etc. for the purposes of carrying out investigations into suspicious betting activity
- National governing bodies of sport would continue to set and enforce their own rules of competition.

There is no up-to-date data available on problem gambling in Ireland. A UCD study from 2015 indicated that 40,000 people in Ireland are known to have a gambling addiction. Just last month, the Government released the results of a survey carried out in 2014/15 which indicate that the prevalence of problem gambling in the general population was 0.8% (1.4% for men vs 0.2% for women), but that problem gambling was most common in young men (an extraordinary 2.9% in men aged 25-34). The figures have most likely gotten much worse since, given the abundance of gambling opportunities and almost pervasive marketing.

Technology and innovation means that you can now bet 24/7 from anywhere in the world on almost any conceivable aspect of a sporting event. Not just that but you can 'lay' or bet on a team, player, athlete, horse or greyhound to lose. The 2013 General Scheme of the Gambling Control Bill in 2013 provided for an offence of 'manipulation with intent to alter outcome'. This will presumably be retained in the new Bill and would make it an offence for any participant in sport, including players, management, medical and technical support personnel, to accept any payment, gift or reward in return for agreeing to or, in so far as that person can, bring about a particular score or outcome.

As we have advocated previously, when it comes to the integrity of sport, national measures are only one piece of a much larger puzzle. A coordinated global response to gambling in sport is required to ensure that the integrity of sport in general is protected from this growing problem. The National Sports Strategy recently committed to considering the ratification and signature of the Convention on the Manipulation of Sports Competition, known as the Macolin Convention, which the UK signed in December 2018.

Legislation in this area is long overdue and while the Report is a positive step, there is much work to be done to establish the regulator and to ensure a comprehensive and co-ordinated approach to the challenges presented by betting, not only to sport, but to society as a whole.

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