

WRITTEN QUESTION E-4249/06
by Christoph Konrad (PPE-DE)
to the Commission

Subject: Freedom of establishment in the European gambling market

1. Does the Commission consider that the rules governing the basic freedoms of the European internal market have been sufficiently implemented in the gambling market in Europe?
2. The German Länder are planning to conclude a new state treaty on lotteries. What view does the Commission take of the proposals of the Länder in the light of (a) the decision taken by the Federal Cartel Office on 23 August 2006 in consultation with the Commission and (b) the case law of the Court of Justice of the EC, which is summarised in the submissions of Advocate General Ruiz-Jarabo Colomer of 16 May 2006 in the case of Placanica et al.?
3. Does the Commission endorse the opinion of Advocate General Colomer that the country-of-origin principle should apply on European gambling markets, so that regulatory supervision in the country where an operator is based is sufficient to prevent undesirable consequences of gambling, and therefore proposals such as that of the German Länder constitute unlawful intervention in European freedom of establishment and freedom to provide services?
4. In view of the proposals of which we have now learned, will the Commission extend the infringement proceedings against Germany concerning Germany's law on betting on sports to cover the whole of Germany's gambling legislation?