



EUROPEAN PARLIAMENT

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Committee on the Internal Market and Consumer Protection

2011/2087(INI)

27.9.2011

OPINION

of the Committee on the Internal Market and Consumer Protection

for the Committee on Culture and Education

on the European dimension in sport
(2011/2087(INI))

Rapporteur: Eija-Riitta Korhola

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SUGGESTIONS

The Committee on the Internal Market and Consumer Protection calls on the Committee on Culture and Education, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

- A. whereas sport is a dynamic growth sector and constitutes a real instrument of social cohesion and has a very important social, health and financial impact in the EU and its regions, where it can greatly contribute to local development of both infrastructure and economy and serve as a major tourist attraction;
 - B. whereas gambling services are excluded from the scope of the Services Directive (2006/123/EC) and the new Consumer Rights Directive (approved by the European Parliament on 23 June 2011), due to their specificity;
 - C. whereas funding for grassroots sport is only secured if holders of the necessary national gambling licences, who pay taxes and finance other public interest objectives in Member States, are legally obliged to pay ‘public interest’ levies and are effectively protected against illegal competition;
 - D. whereas infringements of intellectual property rights constitute a real threat to the long-term funding of European sport;
1. Welcomes the Commission study on the implications of internal market policies on the funding of grassroots sports and calls for a bridging of the gap between ‘rich’ and ‘poor’ sports by means of financial solidarity mechanisms; calls for the development of a European dimension of the integrity of sport with the initial focus on the fight against match-fixing;
 2. Calls on the Commission and the Member States to create a system for the recognition of qualifications gained by volunteers and of qualifications required for regulated sport-related professions;
 3. Believes that, in the constantly evolving economic dimension of the sport industry, immediate improvements to sport-related issues are needed in crucial areas such as the free movement of workers and services, freedom of establishment, recognition of professional qualifications, intellectual property rights and state aid rules in order to guarantee that the sports industry takes full advantage of the benefits of the internal market;
 4. Calls for better recognition of the contribution of sport to the overall goals of the Europe 2020 Strategy, given the sector’s strong potential to contribute to smart, sustainable and inclusive growth and new jobs and considering its positive effects on social inclusion, education and training as well as public health and active ageing;
 5. Insists that the right to grant exclusive rights for lottery and other number games remains with the Member States, given that umbrella sports organisations in the EU consider the contributions made by national lotteries to the financing of sport and especially grassroots

sport to be indispensable;

6. Calls on the Commission to propose concrete measures to secure the funding of sport generated by lotteries;
7. Recommends that the Member States and sports federations introduce, where not already applicable, the collective selling of media rights, the compatibility of which with EU law has been recognised on several occasions by the Commission;
8. Respects the right of Member States to draw up penalising measures to repress illegal online gambling; calls for a regulatory principle whereby a gambling company can only operate (or bid for the necessary national licence) in a Member State if it does not contravene the law in any other EU Member State;
9. Stresses the importance of education in sport and encourages initiatives by sporting organisations and games operators to teach sportspeople good sports betting practice;
10. Welcomes the introduction in European football of the Financial Fair Play concept as a major step forward in achieving financial stability and preventing unfair competition in sport;
11. Expresses its concern about the broadcasting of sporting events in public places on channels broadcasting in the territory of a Member State for which they do not have retransmission rights;
12. Stresses that, in an increasingly competitive global sports market, sufficient monitoring and proper enforcement of intellectual property rights related to the media, trademarks, commercial communications and others must be protected; asks the Commission and the Member States to redouble their efforts to protect sports organisations' intellectual property rights to create a level playing field in the EU, while respecting the freedom of expression and the press, and to take into account the importance of this revenue for the funding of grassroots sport, as this in turn enables professional clubs to engage in charity work for the benefit of local communities and grassroots sports;
13. Calls on the Commission and the Member States to ensure effective implementation of Article 20(2) of the Services Directive, as well as proper enforcement by national authorities and courts of the national provisions implementing the non-discrimination rule in the legal systems of Member States, with regard to the cross-border selling of tickets for sports events;
14. Supports the Commission's move to carry out a study into the economic and legal aspects of player transfers and their impact on sports competitions, in particular on the training policy for young players in clubs;
15. Recalls that, under the terms of Article 165 TFEU, the European Union has a duty to promote fairness and protect the integrity of sport; takes the view, therefore, that the European Union should establish structural cooperation at European level to coordinate the fight against fraud and corruption in sport; calls, furthermore, on the Commission to study the desirability of a legislative instrument based on Article 114 TFEU seeking to

secure harmonised rules on sound financial management for European professional sports clubs;

16. Considers that European citizens and in particular young people should be given more information on the availability of sports programmes, projects, scholarships and training; calls on the Commission, the Member States and sports organisations to consolidate easily accessible information mechanisms which will help people make full use of the opportunities offered by community programmes in the internal market;
17. Urges the Member States to ensure that the fraudulent manipulation of results for financial or other advantage is prohibited by establishing as a criminal offence any threat to the integrity of competitions, including those linked to betting operations;
18. Believes that one of the key ways of securing dynamic, good healthy living for European consumers and citizens is to ensure that citizens are actively involved in health-enhancing sport and recreational activities across Europe, particularly in the case of children, considering that obesity and other health-related illnesses are on the rise in younger age groups; calls on the Commission to allocate more health-related incentives and funds for projects, in particular those involving cross-border sports activities;
19. Calls on the Commission to clarify the *acquis communautaire* in the field of sport through guidelines while basing itself on the Communication on sport;
20. Calls on the Commission to start a dialogue with all European professional sports organisations on how to tackle problems arising from differences in the Member States regarding employment contracts (e.g. the minimum age for signing an employment contract), working conditions and salary schemes for professional sportspeople, as well as the rules on state aid and the competition rules for professional sport (e.g. the maximum number of players to use for the whole season in all competitions, transfer windows, etc.).

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	26.9.2011
Result of final vote	<div><div>+: 33</div><div>–: 0</div><div>0: 2</div></div>
Members present for the final vote	Pablo Arias Echeverría, Adam Bielan, Lara Comi, Anna Maria Corazza Bildt, António Fernando Correia De Campos, Jürgen Creutzmann, Cornelis de Jong, Evelyne Gebhardt, Mikael Gustafsson, Małgorzata Handzlik, Malcolm Harbour, Philippe Juvin, Sandra Kalniete, Edvard Kožušník, Kurt Lechner, Toine Manders, Phil Prendergast, Mitro Repo, Heide Rühle, Christel Schaldemose, Andreas Schwab, Emilie Turunen, Bernadette Vergnaud, Barbara Weiler
Substitute(s) present for the final vote	Frank Engel, Marielle Gallo, Anna Hedh, María Irigoyen Pérez, Othmar Karas, Constance Le Grip, Antonyia Parvanova, Sylvana Rapti, Olle Schmidt, Kyriacos Triantaphyllides, Anja Weisgerber