

CEN

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WORKSHOP

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AGREEMENT

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Responsible Remote Gambling Measures

This CEN Workshop Agreement has been drafted and approved by a Workshop of representatives of interested parties, the constitution of which is indicated in the foreword of this Workshop Agreement.

The formal process followed by the Workshop in the development of this Workshop Agreement has been endorsed by the National Members of CEN but neither the National Members of CEN nor the CEN Management Centre can be held accountable for the technical content of this CEN Workshop Agreement or possible conflicts with standards or legislation.

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Contents

Foreword	3
Introduction	6
1 Scope	7
2 Terms and Definitions	8
3 Responsible Remote Gambling Control Measures	12
1. The protection of vulnerable customers	13
2. The prevention of underage gambling	15
3. Combating fraudulent and criminal behaviour	16
4. Protection of customer privacy and safeguarding of information	17
5. Prompt and accurate customer payments	18
6. Fair gaming	19
7. Responsible marketing	20
8. Commitment to customer satisfaction and support	21
9. Secure, safe and reliable operating environment	21
4 Annex A (Informative) – Non Exhaustive List of Existing Responsible Gambling Regulations, Measures and Codes	24

Foreword

The CEN Workshop offers a mechanism whereby stakeholders can submit their standardisation and specification requirements and develop a result by consensus, validated in an open process.

In a CEN Workshop all the decision-making powers rest with the interested parties themselves, the members of the Workshop. These include all stakeholders (for example industry representatives, service providers, administrators, users) and can come from any part of the globe. They are responsible for the funding and direction of the Workshop and for the approval of the deliverables.

The main activity of a CEN Workshop is the development and publication of the CEN Workshop Agreement (CWA). The CWA is a voluntary standard applicable internationally and does not have the force of regulation.

This CWA sets out the Control Measures required to achieve the promotion of responsible remote gambling.

The CEN Workshop commenced in May 2010 and held its plenary meeting on 6 September 2010.

Participant comments and a public consultation process took place between 25 July and 25 November 2010.

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A list of the individuals and organizations which supported the technical consensus represented by the CEN Workshop Agreement is available to purchasers from the CEN-CENELEC Management Centre. The CEN Workshop involved 27 participants from the remote gambling sector, including representatives of trade associations, licensing authorities, experts on gaming behaviour, associations of players, software providers and operators. In addition, three parties were involved in the development as an observer, namely the European Commission, Gamcare UK and the French National Standards Body AFNOR. The secretariat was held by the Dutch National Standards Body NEN.

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Comments or suggestions from the users of the CEN Workshop Agreement are welcome and should be addressed to the CEN-CENELEC Management Centre.

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Introduction

The objective of the CEN Workshop on 'Responsible Remote Gambling Measures' is to develop Control Measures that are:

1. capable of adequately protecting customers and ensuring that the remote gambling operators, software suppliers and associated service providers behave responsibly; and
2. provide policy makers with easy access to a set of measures that are readily and consistently understood and can be used to address the challenges of creating a safe and secure remote gambling environment.

Some aspects of remote gambling in the EU have been harmonised by specific EU directives, including the Third Money Laundering Directive, the Directive on Data Protection, the Distance Selling Directive, the Unfair Commercial Practices Directive, the Unfair Contract Terms Directive and the 8th Company Directive.

However, these directives do not cover all aspects of remote gambling and as a result, multiple different regulations, standards, codes and rules govern the European remote gambling market. In the absence of pan-European regulation, a further objective of this Workshop is to develop evidence based (to the extent possible) self-regulatory control measures as an effective complement to existing legislative requirements in order to develop and maintain - cross border - a safe and secure environment for customers throughout the EU.

Application

The requirements of this CWA are generic and are intended to be applicable to trade associations, licensing authorities, operators, software providers and associated service providers in the field of remote gambling.

This document does not in itself impose any obligation upon anyone to follow it. However, such an obligation may be imposed, for example, by legislation or by a contract. In order to be able to claim compliance with this document, the user needs to be able to identify the requirements he/she is obliged to satisfy. The user also needs to be able to distinguish these requirements from other provisions where there is a certain freedom of choice.

Contents of the informative Annex should not in any way be construed as being Control Measures.

1 Scope

This CWA specifies the Responsible Remote Gambling Measures for operators, software providers, associated service providers and other relevant industry stakeholders.

The Workshop only concerns remote gaming and betting, and the scope does not include land-based gambling activities. Remote gambling is defined as gaming and betting activities accessed by the customers via the use of the internet, telephone, television and other electronic devices used for facilitating communication.

The Control Measures contained within this CWA are not intended to replace existing legislation, but rather guide and facilitate future regulatory efforts.

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