



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Single Market Enforcement

Notification of Regulatory Barriers

Notification Number : 2024/0405/IT (Italy)

Technical regulations on the concession report for the operation and collection of games referred to in Article 6(3) of Legislative Decree No 41 of 25 March 2024

Date received : 17/07/2024

End of Standstill : 18/10/2024 (18/11/2024)

Message

Message 001

Communication from the Commission - TRIS/(2024) 1924

Directive (EU) 2015/1535

Notification: 2024/0405/IT

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késéset - Non fa decorrere la mora - Atidējimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20241924.EN

1. MSG 001 IND 2024 0405 IT EN 17-07-2024 IT NOTIF

2. Italy

3A. Ministero delle imprese e del Made in Italy

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scommesse



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4. 2024/0405/IT - H10 - Games of chance

5. Technical regulations on the concession report for the operation and collection of games referred to in Article 6(3) of Legislative Decree No 41 of 25 March 2024

6. Remote operation and collection of public games with cash prizes, referred to in Legislative Decree No 41 of 25 March 2024

7.

8. The draft technical regulations contain the technical specifications defining the tasks and functions and the technical requirements to be ensured by the concession holder for the remote operation and collection of public games.

The first part describes the concession holder's obligations to be able to offer the game; in particular, Chapter 1 and paragraph 1.1 address these aspects, while paragraph 1.2 sets out the content of the technical report of the telematics infrastructure.

Chapter 2 deals with the exchange of information between the concession holder's system and the centralised system, Chapter 3 contains the rules for technical verification of compliance.

The second part sets out the minimum technical requirements: in particular, Chapter 4 sets out the concession holder's IT structure and the characteristics that the relevant computerised system must have, which consists of a number of subsets such as: the gaming system(s), responsible for the provision of gaming services, the gaming offer system (website and/or app), the gaming accounts system, the accounting system for determining the amounts due in accordance with the legislation in force, the monitoring and control system, including in automatic mode, of the hardware and software infrastructure enabling the proper functioning of all components, the computerised connection network for information transmission.

It has been established that the resources needed for the deployment of the concession holder's system infrastructure must be located within the territory of the European Economic Area, even if implemented with cloud computing solutions. Specific provisions are then laid down to ensure maximum guarantees in terms of capacity, availability, scalability, performance, security and controllability, including the confidentiality of players' data.

Specific provisions and measures are further provided to ensure that supervision and control actions are carried out by the Agency.

Particular emphasis was placed on specific means (self-limitations, self-exclusions, blocking) to prevent pathological gaming.

All operational infrastructures are then identified in their different forms: Chapter 5 represents the gaming system, Chapter 6 the gaming platform, Chapter 7 the gaming applications, Chapter 8 the game acceptance system.

Chapter 9 is devoted to concession holders who are service providers for other concession holders.

In such cases, where a concession holder that provides services makes its own gaming systems available to other concession holders, they must be physically or logically separated, where possible according to the type of game. It must always be possible to isolate the data relevant to each concession holder.

Chapter 10 concerns the system for the presentation of the gaming offer, depending on whether it is developed on a website or in applications and its technical characteristics.

Chapter 11 concerns the computerised connection network for information transmission and Chapter 12 the gaming accounts system.

In this last regard, the specific rules aimed at preventing compulsive gaming, especially for players aged between 18 and 24, in terms of spending and time limits, as well as timely recording of all operations carried out, are highlighted.

9. Pursuant to Article 6(5) of Legislative Decree No 41 of 25 March 2024, the Customs and Monopolies Agency must, in accordance with the regulatory principles laid down in Article 3 of that decree and the principles derived from European law, issue, following a public tendering procedure, a concession for the remote operation and collection of one or more of the public games referred to in Article 6(3) of the same Legislative Decree, under which the remote operation and collection of public games are permitted for persons meeting the requirements and who assume the obligations referred to in paragraph 5, to whom the Agency shall award the concession for a maximum duration of nine years, excluding



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renewal, following appropriate public tendering procedures in accordance with national and Union provisions.

At present, remote gaming operation and collection is entrusted to 89 companies, of which 63 are holders of concessions issued following the previous tender procedure, carried out pursuant to Article 1(935) of Law No 208 of 28 December 2015, and the other 26 concessionaires hold concessions issued following the tendering procedure carried out pursuant to Article 24(13) et seq. of Law No 88 of 7 July 2009.

The concessions are extended until 31 December 2024, in accordance with Article 1(123) of Law No 197 of 29 December 2022.

The Legislative Decree imposes certain requirements and conditions on those who manage remote gaming and provides for a number of technical indications regarding the IT systems that made it necessary to adopt the draft technical regulations subject to the information procedure.

10. References to basic texts:

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

European Commission

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