



Global Gambling Update

Update on **Developing Issues** for the Gambling Industry

July 2012

It is easy to get overwhelmed with the amount of news and gossip in the gambling world – particularly because gambling law and regulation is so international, and often infused with hyperbole, false information and rumour.

The Squire Sanders Gambling Team has therefore decided to issue a periodic newsletter highlighting a selection of developments and news items designed to give industry players, clients and contacts a swift resume of pertinent matters which we think may be of interest. Please feel free to pass on to colleagues. If you would like further information about any of the items mentioned below, please feel free to contact [Carl Rohsler](#), whose details are at the foot of this Alert.

In This Issue:

Advertising Gambling at the Olympics

With the Games only a few days away, many gambling organisations will be running themed promotions. The law in this field is difficult. Not only are Olympic symbols granted specific legal protections, but the London Olympic Organising Committee (LOCOG) has been aggressively pursuing potential infringers and those whom it thinks are engaged in illegal “ambush” marketing. As you will probably be aware, LOCOG has issued guidance to gambling organisations thinking of running promotions during the period of the Games. A copy can be found [here](#). If you are thinking of running a promotion in the period of the Games and would like to discuss legal and regulatory issues arising please feel free to contact us.

We have drafted two user friendly guides for businesses about the strict laws on Olympic marketing. The first, which can be found [here](#), is an at-a-glance overview of the rights protecting the exclusivity of the Games and how to avoid infringing them. In the second guide, which can be found [here](#), we focus on the broad restrictions on advertising which will temporarily have effect at each of the Games venues. The restrictions do not, however, extend to non-event areas or the torch relay currently making its way across the UK.

New UK Gambling Legislation – Tax

The well publicised policy of the UK Government to change the basis of gambling taxation for offshore operators took a step closer last week with the publication of a Bill. A copy of the draft legislation can be found [here](#). A group of Gibraltar Licensees is said to be in the early stages of co-ordinating opposition to the change.

Consultation on Adult Content Blocking

Also last week, the UK Government launched a consultation in relation to rules which would potentially impose an obligation on ISPs to seek an active consent from customers to have adult content available to them over the internet (rather than being automatically filtered) as part of a child protection policy. Details of the consultation process can be found [here](#) and [here](#):

Although the current focus is on adult content and, most expressly pornography, one can see how

such rules might easily be expanded to cover other adult content (including gambling). If you wish to make a contribution to the consultation on an anonymous basis, we may be able to assist in that process. The consultation remains open until September 6th 2012.

India – First Steps on a Road to Regulation?

Something perhaps less well-publicised in the wider gambling community is the beginning of a discussion within India about the potential for the legalisation and regulation of sports betting. On 6th June 2012 Carl Rohsler presented a paper at a conference in Delhi organised by the Federation of Indian Chambers of Commerce and Industry which was the first public debate on the potential for legalising and regulating gambling in India. The Indian gambling market is estimated to be as much as \$60bn per annum – with the large proportion being unlicensed and illegal bookmaking. Unfortunately, also, India is historically one of the centres of match fixing scandals – and so the proposals outlined in the knowledge paper, which can be found [here](#) were designed to offer an introduction to the subject matter and suggest a potential structure for regulation. We will keep you informed of developments in this important jurisdiction.

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The contents of this update are not intended to serve as legal advice related to individual situations or as legal opinions concerning such situations. Counsel should be consulted for legal planning and advice.

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