

# The French gambling regulation model

Comprehensive overview focused on a public health perspective



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Research chair on  
**gambling studies**  
Chaire de recherche sur l'étude du jeu

# Gambling legal framework in France since 2020

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- ✓ Defines the scope of the legal offer, the nature of the games offered and that of the operators according to the type of game offered.
- ✓ Enacts the obligations of operators according to the objectives of the State policy on gambling
- ✓ Specifies reinforced obligations for monopoly operators
- ✓ Entrusts an independent administrative authority (ANJ) with the regulation of gambling according to the legal and regulatory framework set by the State

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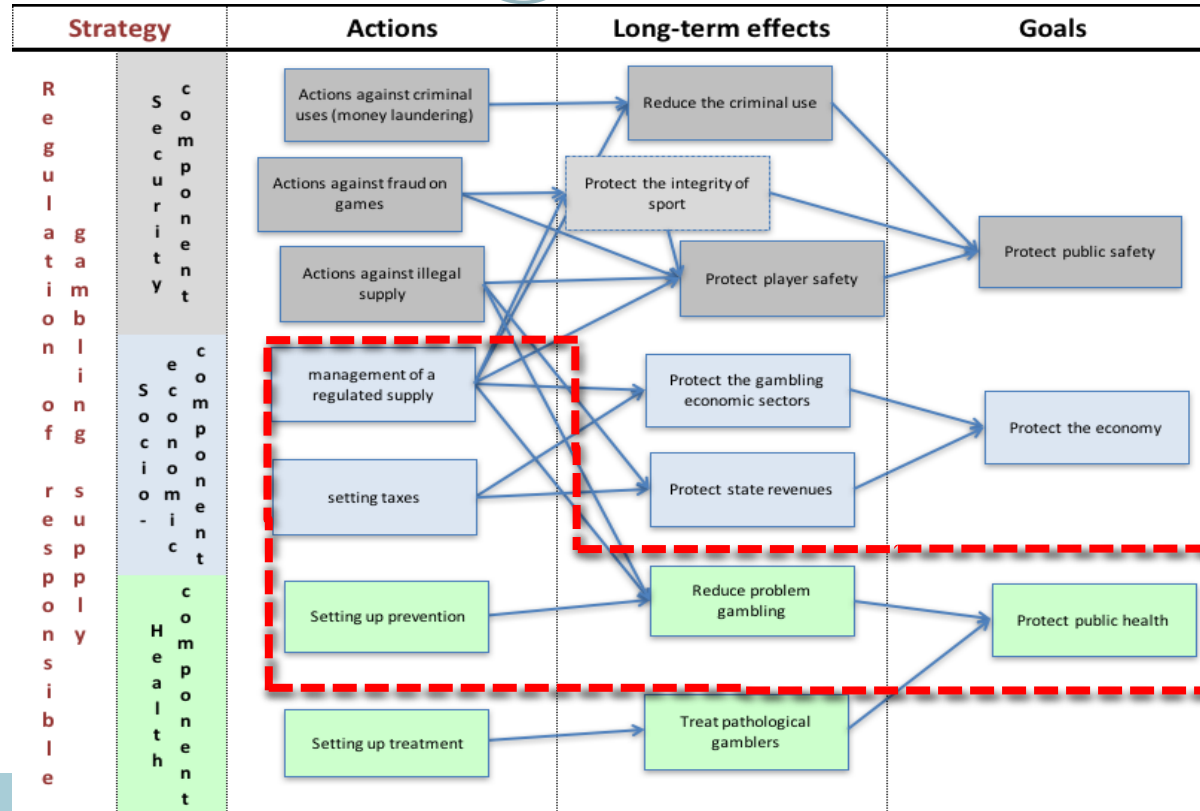


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# Logic model of the French gambling policy

## “regulation of a legal supply”

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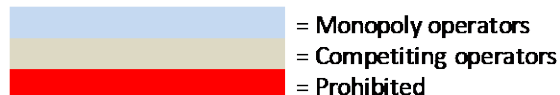
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# Legal gambling offer: games and operators

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	Lotteries, scratch cards	Sports betting	Horse racing	Casinos (Tables games, Slot machines)   Poker	Gross revenue 2021
Off line	FDJ (Française des jeux)	FDJ (Française des jeux)	PMU (Pari mutuel urbain)	Authorization/Concession	74,8%
On line	FDJ (Française des jeux)	Licensed operators	Licensed operators	 Licensed operators	25,2%
Gross revenue 2021	47,1%	20,7%	18,0%	14,2%	100,0%



2021 gambling gross revenue  
€10.7 billion



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# ANJ skills

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- Issue the approvals allowing online gaming or betting licensed operators to offer a legal offer for: sports and horse betting, and poker (the legal offer of online lottery games and scratch cards is provided, according to the law, by the FDJ, a monopoly operator).
- Authorize games offered by monopoly operators with exclusive rights (FDJ, PMU) and certify the related rules (Lotteries, scratch cards and sports and horse betting offline)
- Monitor compliance by operators with their public health obligations (reinforced obligations for monopoly operators)
  - ✓ **Approve the action plan of all operators, including casinos, with regard to the prevention of excessive or pathological gambling and the protection of minors;**
  - ✓ **Approve the promotional strategy of licensed operators and exclusive rights holders (FDJ and PMU);**
- Approve the action plan of licensed operators and holders of exclusive rights in the fight against money laundering, the financing of terrorism and sports manipulation;
- Manage gambling bans and make available to gambling operators the file of gambling bans
- Fight illegal supply

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# ANJ skills

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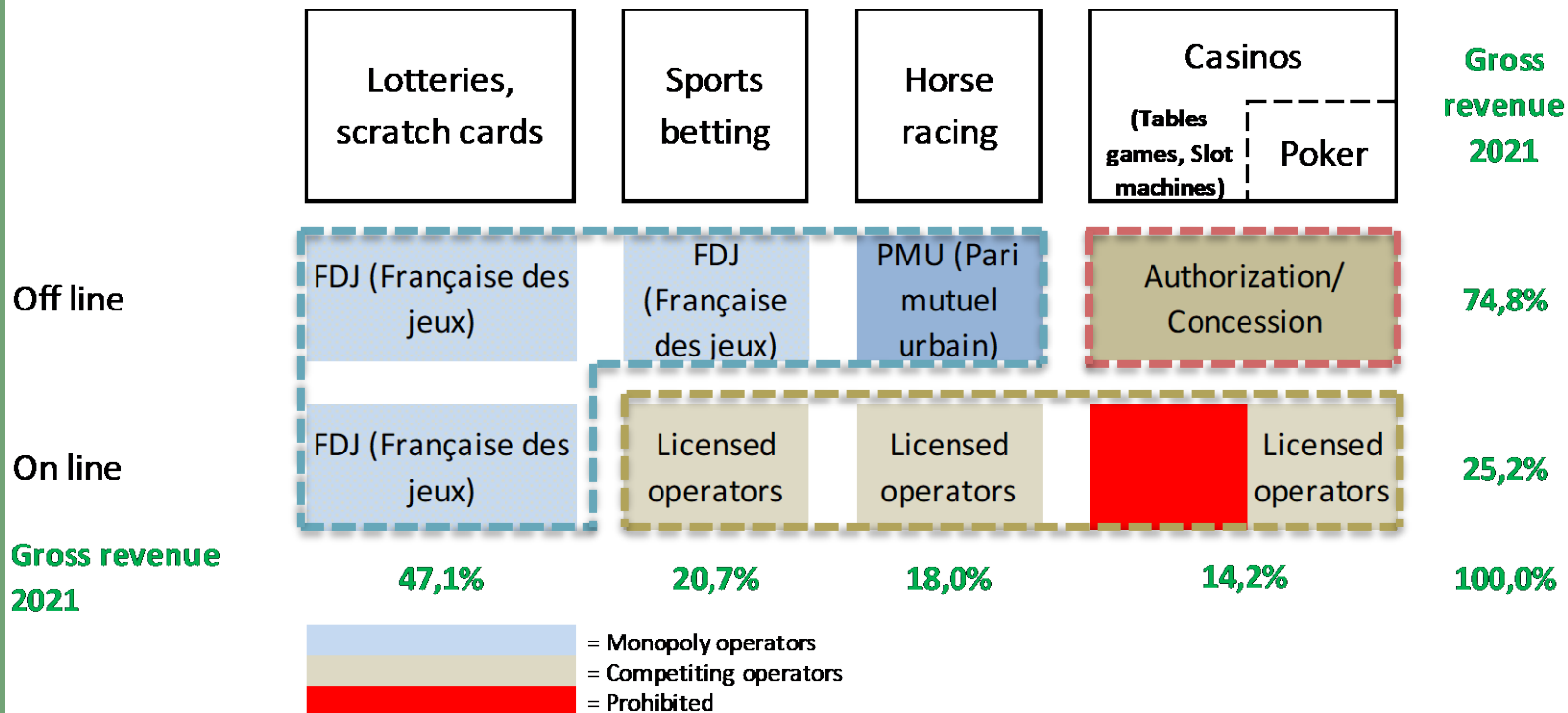


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# Legal gambling offer: games and operators

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# Problem gambling prevention

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## Main tools of the regulator

1. Licensing process
2. Games authorizations
3. Annual assessment of operators prevention plans
  - ✓ The ANJ's reference framework "Prevention of excessive or pathological gambling and protection of minors"
4. Annual assessment of operators marketing strategies
  - ✓ Guidelines and recommendations relating to marketing communications
  - ✓ Guidelines and recommendations relating to commercial offers

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ANJ - French Gambling Commission



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# Licensing process

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- ✓ technical requirements relating to the security of information systems
- ✓ technical requirements for software certification (game integrity, review of random number generators, etc.)
- ✓ technical requirements for the provision of data; all digital gaming activity data must be transmitted in real time to the ANJ
- ✓ technical requirements relating to the interrogation of the file of gamblers banned from gambling

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# Games autorizations (monopololy operators)

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1) Overall approach: review and approval of the games program for the year N+1

2) Game-by-game approach: authorization of new games

- **A priori assessment of potential risks**
  - ✦ criteria: return rate, winning structure, game speed, unit bet amount, accessibility, emotional factors, risk exposure (potential number of players), player profile
- **Post-evaluation**
  - ✦ by operator
  - ✦ by independent researchers
- **Decision :**
  - ✦ game allowed unconditionally
  - ✦ play allowed with conditions
  - ✦ experimental authorization (accompanied by an evaluation)
  - ✦ refusal

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## Main tools of the regulator

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Cadre de référence pour  
la prévention du jeu  
excessif ou pathologique  
et la protection des  
mineurs



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# The ANJ's reference framework

## "Prevention of excessive or pathological gambling and protection of minors »

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- The reference framework consists of 7 thematic articles relating to an obligation;
- Annual action plans
- Design of the game offer
- Supervision of the promotion of the game offer
- Moderation and protection mechanisms
- Warning messages on the risks associated with excessive or pathological gambling
- Identification and support of excessive or pathological gamblers
- Internal organization and training

Each of these articles recalls the general principles defined by the texts as well as their interpretation by the ANJ and offers recommendations and examples of good practice to implement them. Reinforced obligations are provided for operators holding exclusive rights (FDJ and PMU).

- In the appendix, two documents facilitating the drafting of the action plan with a view to preventing excessive or pathological gambling and gambling by minors and the document presenting the promotional strategy.

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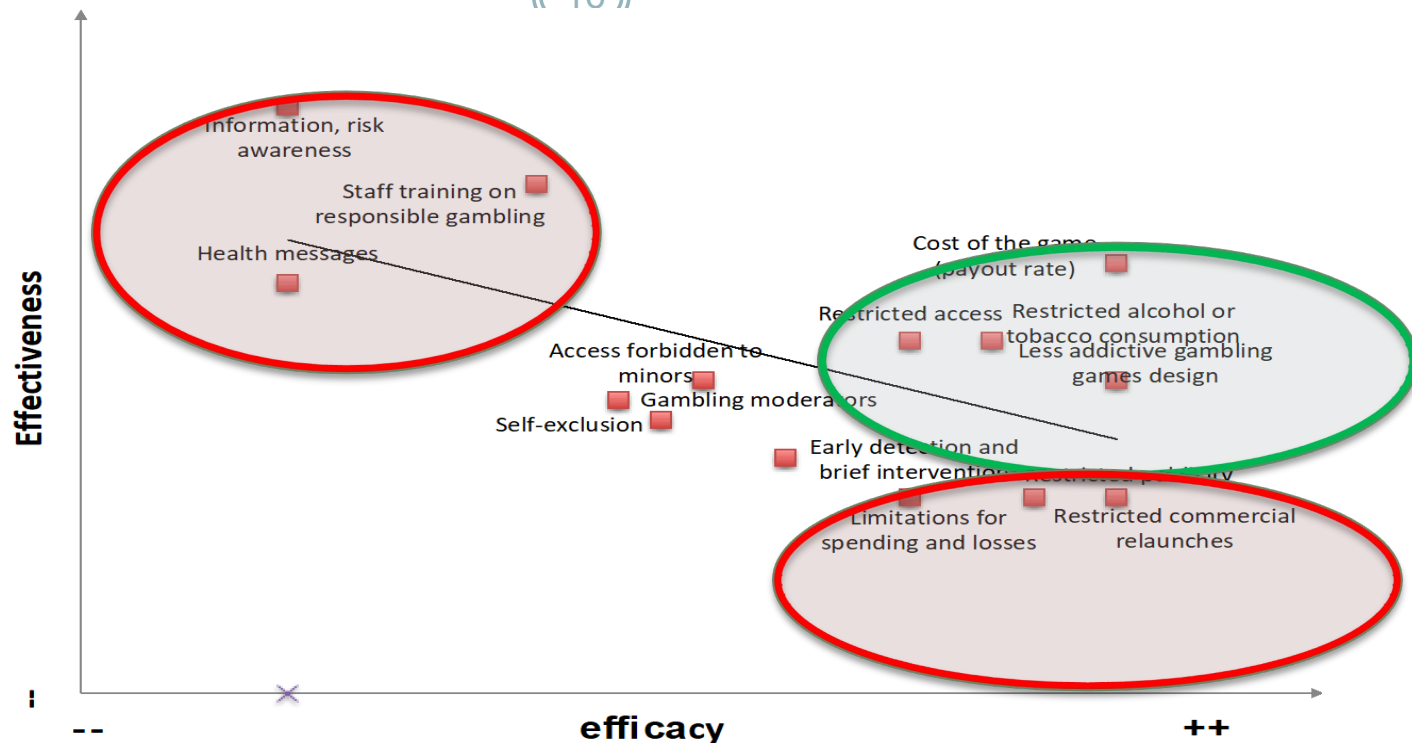


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Association Française des Joueurs de Casino

# Effectivité et efficacité des mesures de prévention du JP en France

(16)

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Costes, Jean-Michel. « A Logical Framework for the Evaluation of a Harm Reduction Policy for Gambling ». In *Harm Reduction for Gambling: A Public Health Approach*. Routledge, 2020.



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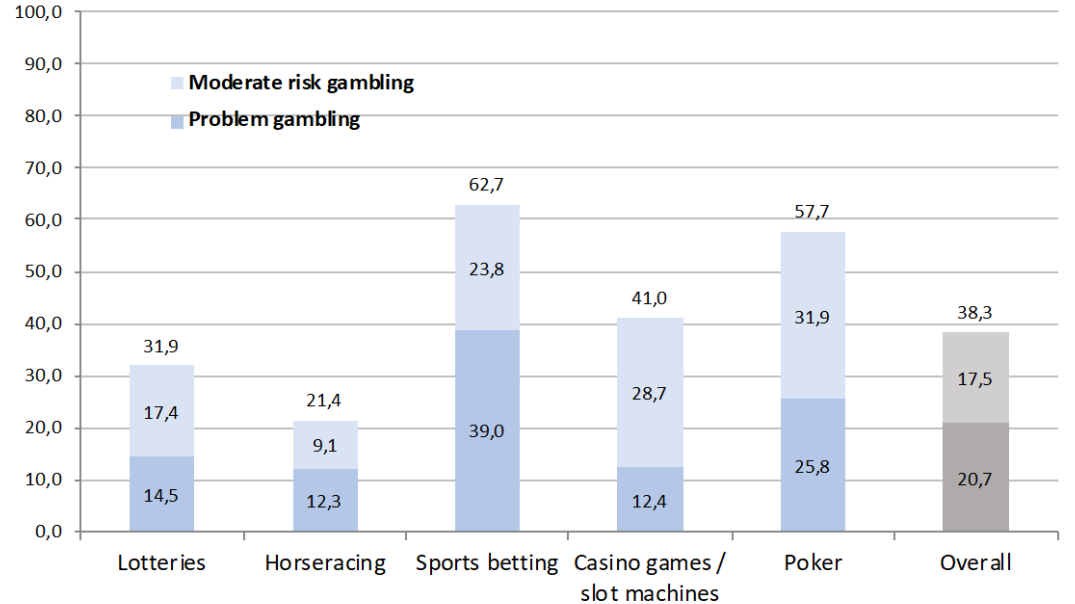


# An overall assesment indicator

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Problem gambling revenue share



Source : Baromètre Santé 2019, Santé publique France - analyse ODJ



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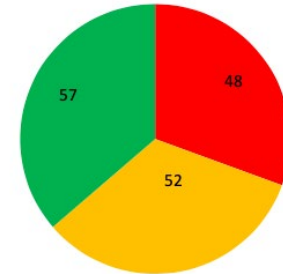
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4. Annual assessment of operators market
  - ✓ Guidelines and recommendations relating to
  - ✓ Guidelines and recommendations relating to commercial offers

Taux de mise en œuvre global  
des 157 prescriptions par les 17 opérateurs



■ Réalisé ■ Partiellement réalisé ■ Non réalisé



973 722 joueurs problématiques  
théoriques

117 052 joueurs effectivement  
détectés



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# Promotional strategy

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Approve the promotional strategy of licensed operators and exclusive rights holders (FDJ and PMU);

- **Guidelines**

May prescribe the withdrawal of a commercial communication (for incitement to gambling of minors or persons prohibited from gambling or if it involves excessive incitement to the practice of gambling)

May limit commercial offers involving financial rewards, including bonuses

- **Guidelines**

*Construction of a doctrine relating to the promotional and advertising strategy of operators thus involves work on interpreting texts, mastering the scientific literature to progressively increase ANJ skills*



## LIGNES DIRECTRICES ET RECOMMANDATIONS SUR LA PUBLICITÉ DES JEUX D'ARGENT ET DE HASARD

### Synthèse



#### « Lorsqu'elle incite à une pratique de jeu excessive, banalise ou valorise ce type de pratique » (D. 320-9, 1°)

Ces dispositions prohibent notamment la représentation :

- de personnes ou de personnages présentant des symptômes de jeu excessif ou pathologique (nervosité, anxiété, mentir, se cacher pour dissimuler ses habitudes de jeu ou rejouer pour tenter de recouvrer ses pertes au jeu ;
- de situations de jeu répétitives, incontrôlées, immodérées ou compulsives ;
- de scènes d'excitation ou d'émotion d'une intensité disproportionnée ou excessive directement liées à la pratique du jeu d'argent et de hasard (à distinguer de l'excitation ou de l'émotion suscitée par le déroulement d'une compétition sportive) ;
- d'une incitation à miser de manière excessive et au-delà de ses capacités financières ;
- d'une association de la pratique du jeu avec une situation d'exploit ou le joueur à un sportif de l'extrême.

#### « Lorsqu'elle suggère que jouer contribue à la réussite sociale » (D. 320-9, 2°)

Ces dispositions prohibent notamment la représentation :

- de la réussite sociale entendue comme la réussite financière, le succès sentimental ou sexuel, la gloire, le pouvoir, le respect, l'admiration des tiers ou un signe de maturité ;
- de signes extérieurs de richesses ou de produits de luxe (voitures de sport, villas de rêve...);
- de la possibilité de changer de statut social, de vivre des expériences hors du commun (voyage dans l'espace) ou d'accéder à des services habituellement considérés comme réservés à des personnes très fortunées (voyage en jet privé ou en croisière en yacht de luxe).

#### « Lorsqu'elle contient des déclarations infondées sur les chances qu'ont les joueurs de gagner ou les gains qu'ils peuvent espérer remporter » (D. 320-9, 3°)

Ces dispositions prohibent notamment de :

- présenter les chances de gagner comme plus élevées que dans la réalité ;
- laisser entendre que le jeu ne comporte aucun ou peu de risque de perte ;
- prétendre ou laisser entendre que la compétence, l'expérience ou le savoir-faire du joueur lui permettraient d'éliminer ou de réduire fortement l'aléa dont dépend le gain et qui est inhérent au contrat de jeu ou de pari ;
- prétendre ou laisser entendre que la répétitivité du jeu accroîtrait significativement la probabilité de gagner.

#### « Lorsqu'elle présente le jeu comme une activité permettant de gagner sa vie ou comme une alternative au travail rémunéré » (D. 320-9, 5°)

Ces dispositions prohibent notamment de présenter ou laisser entendre que la pratique du jeu, qu'elle soit régulière ou ponctuelle, permettrait de gagner sa vie ou de se substituer à un emploi rémunéré.

Cette interdiction appelle des précisions s'agissant des jeux donnant lieu au paiement du gain sous la forme de versements périodiques, d'une rente par exemple. Si une telle modalité de paiement n'est pas en soi interdite, la promotion commerciale que l'opérateur en fait ne saurait avoir pour objet ou pour effet de méconnaître l'interdiction édictée au 5° de l'article D. 320-9 précité.

# Conclusions

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- ✓ Recommendations and best practices are limited by the economic imperatives of operators
- ✓ From an obligation of means to an obligation of results
- ✓ Regulation is limited by law
  - ✧ Change the law: advertising, betting limits, etc.

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