



European Gaming and Betting Association (EGBA)

Avenue de Broqueville 12

Brussels 1150, Belgium

Antti Salminen, State Secretary

Ministry of Interior

Kirkkokatu 12, Helsinki 00170, Finland

Brussels, 16 August 2024

Re: EGBA's Opinion on the Government's Proposal for New Gambling Legislation

Dear Sir/Madam,

On behalf of the European Gaming and Betting Association ([EGBA](#)), the Brussels-based association representing the leading gaming and betting operators in the European Union, I would like to present our perspective on the Finnish government's proposal for new gambling legislation, particularly the sections related to online gambling.

We strongly welcome the proposal and its overall direction and appreciate the opportunity to provide feedback. EGBA has long advocated for a multi-licensing system for online gambling in Finland and is pleased that this milestone is now within reach. Finland remains the only EU country maintaining a fully exclusive monopoly system for online gambling, and the introduction of licensing will now align Finland with the best practices seen across the EU.

Our operator members — bet365, Betsson, Entain, Evoke, Flutter, and Kindred Group — hold online gambling licenses in over 20 European countries and rigorously comply with stringent regulatory obligations, particularly regarding consumer protection. Our members have extensive experience operating in markets similar to Finland, such as Sweden and Denmark, which have successfully transitioned from monopoly systems to licensed markets. They use advanced technologies and human expertise to protect and support their players, including robust age and identity safeguards, safety tools, messaging, and self-exclusion. Our latest annual sustainability report highlights their collective progress in promoting a strong culture of safer gambling, including record use of safety tools among customers.¹

Additionally, EGBA's advertising code² and anti-money laundering guidelines³ demonstrate the commitment of our members to responsible industry practices. Together with our members, we are also actively working towards standardising approaches to safer gambling in Europe, including developing a European standard for markers of harm.⁴

¹ [Annual Sustainability Report 2024, EGBA \(2024\)](#).

² [EGBA Members Make Responsible Advertising Progress With First Code Monitoring Exercise, EGBA \(2022\)](#).

³ [EGBA Publishes New Pan-European Anti-Money Laundering Guidelines For Online Gambling, EGBA \(2023\)](#).

⁴ [CEN To Develop A European Standard On Markers Of Harm For Online Gambling, EGBA \(2023\)](#).

We fully support the Finnish government's initiative to open the country's online gambling market to private operators and believe that effective consumer protection can be better achieved through a licensing system. We welcome the proposal and find it generally well-balanced and clear. However, we must draw attention to specific concerns about provisions that may exceed what is necessary, particularly in the areas of marketing and bonus regulation. Addressing these issues is crucial to ensuring effective consumer protection and fostering a fair, competitive, and well-regulated online gambling market.

Affiliate marketing concerns

According to section 48 of the proposal, operators will be allowed to advertise gambling only on their own behalf and through limited channels: i) on the operators' own website and social media accounts, as long as the marketing is not interactive with the customer; ii) on TV and radio; iii) at sports events; iv) in print and electronic media; v) in outdoor marketing immediately near gambling venues; and vi) at agent points, for those gambling games available at the respective agent points.

This provision would prevent operators from being promoted by third parties in the Finnish market, a role typically fulfilled by affiliates. Affiliate marketing, where third-party websites promote gambling operators in exchange for a commission, is a common tool used across Europe for directing customer traffic towards an operator's websites. If this practice is banned, there is a risk that affiliates may continue their activities for unlicensed operators, undermining the goal of achieving a high channelisation rate for the newly regulated online gambling market. For better consumer protection, we recommend including affiliates, and their activities, in the legislation, ensuring they adhere to the same marketing rulebook as operators.

Limitations on social media advertising

Additionally, section 48 permits advertising only through traditional media platforms, excluding social media and the use of influencers. EGBA believes that social media is a vital marketing tool, widely used by operators, especially for acquiring customers in a newly licensed market. In fact, social media platforms allow for more precise targeting of ads based on users' interests and behaviours, enabling operators to reach only those adults who have shown interest in gambling content, raising questions about the rationale behind this restriction.

The restriction will also hinder the ability of licensed operators to differentiate themselves meaningfully from unlicensed ones because unlicensed operators will continue to market themselves to Finns via social media, creating an uneven playing field between licensed and unlicensed operators.

Regulated advertising is an essential tool for directing consumers to licensed gambling websites and steering them away from sites that are not licensed. Substantially restricting the capabilities for licensed operators to advertise on social media will make consumers more susceptible to websites that are neither licensed, regulated, nor taxed in Finland, and do not apply the consumer protection measures required of licensed companies. This would contradict the stated objective of ensuring that Finnish consumers gamble within the regulated environment, where they are provided with a high level of protection.

Social media advertising also plays a crucial role in highlighting to consumers the risks associated with gambling and to signpost help resources. For example, EGBA members use social media advertising to drive educational programs, such as the annual European Safer Gambling Week organised by EGBA and

its members, to increase awareness about safer gambling. Last year’s edition led to over 8 million safer gambling messages being shared on social media with public audiences across Europe.⁵

While advertising is an extremely important tool for channelisation, it should also be well-regulated. Rather than severely restricting advertising, EGBA suggests alternative measures to strengthen responsibility in commercial communications and safeguard a high level of consumer protection, particularly for vulnerable groups such as excluded players and minors.

Our members are fully committed to socially responsible advertising and already adhere to a pan-European code of conduct⁶ for responsible advertising, which includes specific measures on social media advertising and for protecting minors. This code, which is monitored and was recently appraised by several national advertising authorities, was noted for being comprehensive and detailed. Advertising authorities highlighted the high compliance among EGBA members and acknowledged the code as a strong baseline for responsible advertising practices. They also provided feedback where the code could be improved further – feedback which EGBA will use to enhance the code’s effectiveness.

Concerns over bonus restrictions

Another concern is section 25 of the law which prohibits all bonuses, free spins or free play money. Bonuses are a key tool for gambling operators and a well-established practice within the online gambling industry. They contribute to the development of more attractive products and foster healthy competition, more effectively channelling consumers towards the regulated market where they are protected.

Restricting locally licensed operators from using standard marketing tools, such as bonuses, would trigger bonus-seeking customers to seek out and play on unlicensed websites, based outside of the EU, most of which lack basic consumer protections. With lower operating costs, these riskier websites entice players with substantially attractive sign-up bonuses and promotions, and appeal particularly to vulnerable players seeking unrestricted play and a ‘no questions asked’ culture. Banning bonuses would make licensed operators much less competitive against these sites.

A recent YouGov survey⁷ of UK gamblers found that a hypothetical ban on free bets would drive almost a third of players to unlicensed gambling websites. Similarly, a Copenhagen Economics survey⁸ of Swedish gamblers, found that 58% of those who used unlicensed casino websites did so because of their more competitive bonus offers. Both surveys highlight the importance of bonuses for channelisation.

Consequently, it is our view that a ban on bonuses will be extremely detrimental consumer protection as it will push players towards unregulated sites with fewer protections. For this reason, most EU member states do not prohibit bonuses but instead impose strict rules on where, when, and how bonuses can be offered and used. Neither EGBA nor its members advocate for aggressive bonusing. Instead, we believe that operators should be prohibited from offering aggressive inducements to customers displaying problematic gambling behaviour, which is a more nuanced, evidence-based alternative to the current proposal.

⁵ *European Safer Gambling Week Sets Records For Safer Gambling Promotion Across Europe*, EGBA (2024).

⁶ *EGBA Members Make Responsible Advertising Progress With First Code Monitoring Exercise*, EGBA (2022).

⁷ *Banning free bets risks pushing almost a third of punters to the black market while sucking millions out of horse racing*, YouGov (2022).

⁸ *The degree of channelization on the Swedish online gambling market*, Copenhagen Economics (2020).

We therefore advise against the proposed ban on bonuses which, along with the cumulative effects of the proposed advertising restrictions - particularly the ban on social media advertising and on the use of affiliates - will have negative unintended consequences. Though it may appear counterintuitive to those outside the industry, these measures risk damaging – not improving – consumer protection and the channelisation rate of the domestic online gambling market.

In summary, while we commend the Finnish government's initiative to open the online gambling market to private operators, and fully support the initiative, we have identified recommendations on the proposed restrictions on marketing and bonuses. Specifically:

1. **Marketing Restrictions:** We recommend including affiliates in the regulatory framework by requiring them to register with the Finnish authorities and adhere to the same marketing standards as operators. We also suggest allowing social media advertising with strict rules, such as age-gating and responsible gambling message requirements, rather than an outright ban.
2. **Bonus Restrictions:** Instead of a blanket ban, we recommend implementing strict, evidence-based guidelines for bonus use, including prohibiting bonuses for players showing signs of problematic gambling behaviour. This would allow for responsible use of bonuses as a competitive tool while prioritising consumer protection.

We urge the Finnish government to revise these aspects of the proposal to align with best practices seen across the EU and better achieve the goals of consumer protection and market regulation. We are available for further discussion and would welcome the opportunity to meet with your team to discuss these points in more detail and share our experience from other European jurisdictions.

Thank you in advance for considering our comments.

Yours sincerely,



Maarten Haijer
Secretary General

About EGBA

The European Gaming and Betting Association (EGBA) is the Brussels-based trade association representing the leading online gambling operators established, licensed, and regulated within the EU, including bet365, Betsson Group, Entain, Evoke, Flutter, and Kindred Group, while Aircash and Sumsb are associate members. EGBA works together with national and EU authorities and other stakeholders towards a well-regulated and well-channelled online gambling market which provides a high level of consumer protection and takes account of the realities of the internet and online consumer demand. EGBA members meet the highest regulatory standards and together possess 267 online gambling licenses to serve 32.5 million customers across 22 different European countries. They represent approximately one-third of Europe's online gambling gross gaming revenue (GGR). For more information, please visit [EGBA's website](#) and [LinkedIn profile](#).