

WHPARTNERS

ITALIAN GAMBLING FRAMEWORK

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LICENSING AND REGULATION OF GAMBLING IN ITALY

Legal Framework

Under Italian law, gambling activities are regulated by Agenzia delle Dogane e dei Monopoli (ADM), which oversees the licensing and regulation of both land-based and online gambling.

The legal framework for gambling in Italy is primarily governed by the Public Security Law (TULPS), the Budget Law, and various other legislative decrees and regulations.

TYPES OF GAMES SUBJECT TO LICENSING

The types of games that require licensing in Italy include:

- Lotto, lotteries and other numerical games
- Betting activities (sports betting, horse racing, betting on virtual events, etc.)
- Casino games
- Slot machines and video lottery terminals (VLTs)
- Poker and other card games
- Bingo
- Skill games (including poker tournaments) and fantasy sports
- Online gambling (including all the above categories)

LICENSING GENERAL REQUIREMENTS

To operate gambling activities in Italy, an operator must obtain the following:

1. **Concession:** A concession granted by ADM, which is necessary to offer gambling services. Concessions are awarded by way of public tender and usually last 9 years
2. **Authorisation:** Specific authorisations for each type of gambling activity intended to be offered

SPECIFIC REQUIREMENTS

Operators must meet several specific requirements, including:

- **Legal Entity:** The operator must be a legal entity established in Italy or in another EU/EEA member state.
- **Financial Stability:** Proof of financial stability and the ability to cover potential liabilities.
- **Technical Standards:** Compliance with technical standards set by ADM, including certification of gaming software and systems.
- **Anti-Money Laundering:** Adherence to anti-money laundering regulations
- **Antimafia statements** to be updated annually
- **Possession of adequate past experience and morality** in the management and collection of games, in one of the States of the EU, having its registered office or operational office there, on the basis of a valid and effective authorisation issued in accordance with the provisions in force in the legal system of that State, with total revenues of no less than the sum of EUR 3 million achieved during the last two financial years
- **Possession of a technical-infrastructural capacity** minimum environmental, social, technological innovation and cybersecurity requirements, as well as minimum parameters for the adoption of a structured policy of responsible gaming
- **Residence of the technological infrastructure, hardware and software**, and in particular servers, dedicated to the licensed activities in one of the States of the EU
- **Possession of quality system certifications** in compliance with European standards and current national legislation, issued by accredited bodies, and possession of certifications in terms of corporate social responsibility and safety and responsible gaming systems
- **Notification to ADM** of the data of natural or legal persons holding, directly or indirectly, a participation in the capital or assets of more than 2 per cent

FINANCIAL OBLIGATIONS - TAXES AND FEES

Operators are subject to various taxes and fees, including:

- **Concession Fee:** A one-off concession fee upon licence grant
- **Annual Fees:** Annual fees based on the type of gambling activity to be paid in two installments respectively on the 16th of January and 16th of July of each year
- **GGR Tax:** A tax on Gross Gaming Revenue (GGR), which varies depending on the type of game.

GUARANTEE FUND

Operators are requested to post a bank or insurance bond in favour of ADM - to be adjusted annually – to guarantee any potential non-fulfillment of the payment obligations towards either ADM itself (such as biannual licence fee and gaming taxes) and/or player wins

ADVERTISING RESTRICTIONS

Ever since 2018 a blanket gambling advertising ban on real money gambling has been in place in Italy prohibiting any type of marketing thereof including traditional advertising, sponsorship and any other publicity in any way, shape or form.

PLAYER PROTECTION AND RESPONSIBLE GAMBLING

Operators are required to implement measures to protect players and promote responsible gambling.

These measures include:

- **Self-Exclusion:** Providing players with the option to self-exclude from gambling activities.
- **Deposit and Time Limits:** Allowing players to set deposit and time limits.
- **Information and Support:** The operator must invest annually a sum equal to 0.2 percent of net revenues, however capped at €1mln per year in information promotions or responsible advertising and communication activities
- **Operators must run consumer protection devices** aimed at safeguarding and protecting the player from pathological gaming.
- Through the strengthening of **responsible gaming tools** also through the use AI technology, operators are required to perform a constant monitoring of the players gambling patters intervening in real time on the gaming account of those players identified as possibly compulsive and temporarily restricting their ability to place more bets.

B2B SUPPLIERS

The Italian regulatory model does not require B2B providers to hold a licence, yet any online gaming platform-related services as well as any games they perform to Italian licensees will need to be certified and approved under ADM standards and regulations.

CONCLUSION

The Italian gambling framework is comprehensive and requires operators to comply with a range of legal, financial, and technical requirements. Operators must obtain the necessary concessions and authorisations, comply with the severe advertising restrictions, and implement measures to protect players and promote responsible gambling. B2B suppliers must also be licensed to provide services to gambling operators in Italy.

For more information please contact:



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