Question for written answer E-009727/2014
to the Commission
Rule 130
Massimo Paolucci (S&D)

Subject: Proportionality principle and public gaming sector

In Italy, the AAMS (Autonomous Administration of State Monopolies) grants concessions in the public gaming sector to private companies, which are systematically monitored, in a proportionate manner and without discrimination.

However, the Court of Auditors has been sentencing these concession holders in a manner that is neither proportionate nor appropriate and has been circumventing the limitations laid down by Article 3 of Regulation (EC) No 1/2003 of 16 December 2002 and by Article 145 of Presidential Decree 207/10 by adopting, for the calculation of turnover, the sum of the amounts collected by the concession holders rather than the amount they are actually entitled to retain for their services. This is distorting competition and freedom of establishment for companies which have identical business in different countries, and is exposing Italian companies to uncontrolled risks.

Public gaming concessions generate a large amount of revenue, which is used by government authorities to fund worthy public causes (such as sport).

Does the Commission therefore not agree that:

– the Italian Government is failing to comply with its obligations under the Treaties regarding the criteria for calculating penalties adopted by the Court of Auditors, which are actually higher than the companies' proceeds? Should it not, therefore, take action under Article 258 TFEU?

– such failure to comply results in a breach of competition rules, thus encouraging the growth of illegal gambling (the primary cause of gambling addiction, a dangerous dependence which is rapidly growing among young people and which undermines the well-being of families)?