European Economic Area

Jurisdiction code: EEA | Tier: Tier 1 Overlay | Posture: Fragmented | Direction: Stable

Live page: https://advennt.io/jurisdictions/european-economic-area/

Overall status: Amber

Data current to 2026-11-01. Free jurisdiction — this report is available to everyone on advennt.io.

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OVERVIEW

Executive Summary

The EEA is not a single market for gambling — entry decisions must be made and licensed state-by-state.

Recommendation	Conditional
Time to revenue	Long months
Capital requirement	High
Regulatory posture	Fragmented
Confidence	Probable

Top risks

- Assuming passporting exists where it does not
- Missing the AMLR 2027 direct-application compliance cliff-edge

- Entering a closed/monopoly vertical and triggering ISP/payment-blocking enforcement

Top opportunities

- Large aggregate EUR 35-40bn online GGR pool
- Strong CJEU rule-of-law protection against arbitrary licence refusal
- Harmonising AML baseline (AMLR) reduces some multi-country compliance duplication from 2027

Analyst assessment

Entry by Product

The European Economic Area cannot be given a single entry verdict at the bloc level. Gambling regulation remains a matter of national competence under the Treaty on the Functioning of the European Union, confirmed by the Court of Justice of the European Union's free-movement jurisprudence, so each product must be read at member-state level rather than as a single EEA-wide product class. Casino gaming illustrates the divergence directly: the activity is prohibited in some member states, held as a state monopoly in others such as Poland, and open to competitive licensing in others such as Greece, and no single EEA-level activity-class status is defensible across the bloc.

Because no EU or EEA institution issues a gambling licence, an operator seeking access to any product line — sports betting, online casino, poker, lottery or betting exchanges — must apply for and hold a licence from the national regulator of the specific member state in which it wishes to operate, regardless of any licence already held elsewhere in the bloc. The Court of Justice's Opinion in Case C-530/24 states that a licence issued by one member state confers no right to operate in another and that no member state is obliged to recognise a licence issued by another. This absence of mutual recognition sits alongside the same free-movement doctrine that permits member states to justify proportionate restrictions on inbound operators, so the practical entry route for every product is a national one: a fresh licence application, assessed under the issuing state's own statutory test, with no shortcut available through prior EEA licensure.

The aggregate commercial picture is nonetheless substantial. Named industry commentary estimates EEA online gross gaming revenue at EUR 35 to 40 billion for 2025, with total land-based plus online gambling gross gaming revenue approaching EUR 100 billion across the bloc, making the EEA the largest regulated gambling revenue pool addressed on a bloc basis. The same commentary characterises the market as fragmented rather than concentrated, meaning this aggregate scale is realised only by compounding many separate national entries rather than by a single bloc-wide product launch.

Regulatory Picture

The regulatory architecture an operator meets in the EEA has two layers. The first is the jurisprudential floor set by the Court of Justice: member states are entitled to regulate gambling within their own borders, and restrictions imposed on inbound operators are capable of being justified under the proportionality and non-discrimination tests developed in the Treaty's free-movement case law. This doctrine protects against arbitrary exclusion but creates no positive licensing right; the Court's Opinion in Case C-530/24 confirms that holding a licence in one state does not entitle an operator to rely on it in another. There is, in consequence, no EU licensing authority, no EU licence form and no EU-level issuing body

for an operator to approach: every licensing relationship runs to a national regulator operating under that state's own statute.

The second layer is a thin set of EEA-wide instruments that sit above, but do not displace, national gambling law. The Unfair Commercial Practices Directive 2005/29/EC, transposed in every EEA state, applies to gambling marketing and prize promotions alongside each state's gambling-specific advertising rules, giving operators a harmonised consumer-law floor even where gambling regulation itself remains national. In the same vein, the European Gaming and Betting Association publishes a voluntary pan-European advertising code; it supplements but does not replace any member state's binding advertising rules, and as an industry self-regulatory instrument it carries no independent legal force of its own.

Cost & Compliance

No single tax rate or fee schedule can be quoted for the EEA as a bloc: headline gambling tax varies by member state, from implicit monopoly-rent arrangements in states that have not opened the market to competition, to statutory rates exceeding 40 percent of gross gaming revenue in others, and no EEA-wide figure is published or defensible as a planning assumption. The compliance picture is sharper, and genuinely bloc-wide, on one dimension only: anti-money-laundering. Regulation (EU) 2024/1624, the Anti-Money Laundering Regulation, designates gambling service providers as obliged entities under EU AML law directly and without national transposition from 10 July 2027, and sets a uniform EUR 2,000 stake-or-winnings threshold triggering customer due diligence and enhanced due diligence duties from the same date. The Regulation also imposes an ongoing, transaction-triggered suspicious-activity and customer-due-diligence reporting obligation running from the gambling operator to the national Financial Intelligence Unit of the state of operation, again from 10 July 2027. For an operator already managing national AML regimes across several member states, this converts a patchwork of thresholds into a single compliance date, without displacing any of the other national obligations — tax, technical certification, player protection — that remain genuinely local. No EEA-wide technical-standards body or RNG certification regime exists, and no EEA-wide self-exclusion register, deposit-limit regime or age-verification standard exists either; both remain set, and must be certified and complied with, state by state.

Enforcement & Risk

No EEA-level gambling enforcement body exists: the Court of Justice's free-movement jurisprudence constrains what national regulators may do to inbound operators, but the tools themselves — internet service-provider blocking, payment blocking and criminal sanction against unlicensed operators — are created, held and exercised exclusively by national regulators under national statute. Enforcement exposure in the EEA therefore cannot be assessed as a single bloc-wide risk profile; it must be assessed, like licensing, state by state, against each regulator's own enforcement powers and record. Regulator-to-regulator cooperation across the bloc is described as an emerging channel rather than a mature one: no mutual-legal-assistance activity, correspondent-banking disruption or card-scheme merchant-category-code withdrawal is evidenced at EEA level, and the Court's cooperation doctrine shapes the conditions under which national regulators may restrict cross-border operators without itself creating any supranational enforcement mechanism.

Payment-flow risk mirrors this structure. No EEA-wide capital-control or payment-method regime specific to gambling exists; restrictions such as credit-card gambling bans are set,

and diverge, by member state, so an operator's payment-processing risk in any one EEA state is a function of that state's own rules rather than of any bloc-wide standard. Taken together with the absence of a single enforcement body, the practical risk picture for an EEA entry strategy is one of compounding national exposures rather than a single quantifiable bloc-wide enforcement risk.

Outlook

The clearest dated development on the horizon is the AMLR transition: the Regulation is enacted but not yet in force, with full application — including the obliged-entity designation and the EUR 2,000 threshold — commencing on 10 July 2027. Operators planning EEA entry over the period ahead should treat that date as a compliance deadline rather than a distant reform, since it is the first EU-level instrument to reach directly into gambling-specific AML obligations without national transposition. Beyond AMLR, the gaps that would most change the entry position for a given product are jurisdictional rather than bloc-wide: the absence of any EEA-level activity-class determination means that a change in the entry read for casino, betting or poker in any one of the member states must be tracked and assessed at that state's level rather than inferred from this overlay.

Board Briefing

Headline

EEA has no single gambling licence, regulator, or tax regime — treat it as 27+ separate national markets unified only by CJEU free-movement doctrine and incoming AMLR AML rules.

What has changed

Regulation (EU) 2024/1624 introduces the first EU-level legal definition of 'gambling services' and a uniform €2,000 CDD threshold, applying directly from 10 July 2027 without national transposition.

What to do now

Budget for per-country licensing (no passporting), build AMLR-compliant CDD ahead of the 2027 cliff-edge, and treat product legality/tax/technical rules as member-state-specific research items.

What to watch

AMLA operationalisation and AMLR/AMLD6 full application (July 2027); Finland's multi-operator market opening; further CJEU rulings refining the Placanica proportionality test.

Product Coverage

Status for each product as published for this jurisdiction.

Product / vertical	Status
Casino	**Not yet assessed**
Poker	**Not yet assessed**
Sports Betting	**Not yet assessed**
Skill Games	**Not yet assessed**
Lottery	**Not yet assessed**
Software / B2B	**Not yet assessed**
Bingo	**Not yet assessed**
Fantasy Sports	**Not yet assessed**
eSports Betting	**Not yet assessed**

Sweepstakes	**Not yet assessed**
Crypto Gambling	**Not yet assessed**
Affiliate Marketing	**Not yet assessed**
Payments for Gambling	**Not yet assessed**

Service provider risk

Provider type	Risk level	Traffic light
Payment Processor	Medium	Amber

Regulatory Pulse

Direction	Stable
Conviction	High
Lead signal	No EEA-bloc gambling instrument exists; structural exclusion re-confirmed, no change as at 1 November 2026
Category	Licensing And Regulation

Section-by-section cycle summary

Concise per-section summaries from the latest interpret cycle. These findings are folded additively into the persistent-state and are reflected in the baseline narratives throughout this report.

Overview: No EEA-bloc gambling instrument exists this cycle; gambling is structurally excluded from the Services Directive and e-Commerce Directive, leaving regulation entirely to member states.

Licensing & Regulation: Gambling activities are expressly excluded from Directive 2006/123/EC Article 2(2)(h); the European Commission confirms gambling is not subject to sector-specific EU regulation. No change this cycle.

Enforcement: No bloc-level gambling enforcement mechanism exists; enforcement of gambling law sits entirely with member states under CJEU free-movement review only.

Technical Compliance: No EEA-bloc technical compliance standard for gambling exists.

Distribution & Platform Rules: No EEA-bloc distribution or platform rule specific to gambling exists.

Commercial Activity: No commercial events for the gambling sector were reported at the EEA-bloc layer this cycle.

Extraterritorial Reach: No EEA-bloc extraterritorial gambling provision exists.

Market Opportunity: No bloc-wide gambling market sizing data was researched this cycle.

Entry Pathways: No bloc-wide gambling entry pathway exists; each member state sets its own licensing route.

Cost to Operate: No bloc-wide gambling tax or fee instrument exists.

Operational Obligations: No bloc-wide gambling operational obligation exists.

AML / CFT Regime: AML/CFT for gambling operators is researched and owned by the financial-integrity consumer; no first-party advennt analysis this cycle.

Player Protection: No bloc-wide player protection instrument for gambling exists.

Payments & Money Flow: No bloc-wide payments instrument specific to gambling exists.

Competitive Landscape: No bloc-wide gambling competitive landscape data was researched this cycle.

Reform Horizon: No forward-dated EEA-bloc gambling reform was identified this cycle.

Executive Summary: No EEA-bloc gambling instrument moved this cycle; the structural exclusion of gambling from EU horizontal services law is re-confirmed.

Regulated Activity Classes: No bloc-wide activity-class status exists for gambling; classification is entirely a member-state competence.

Consumer Protection: No bloc-wide consumer protection instrument specific to gambling exists.

Key Judgments

Analyst key judgments from the 2026-11-01 interpret cycle.

- EEA has no bloc-level gambling licensing competence; the regime remains entirely at member-state level, subject only to CJEU free-movement review.

Reform Horizon

Reform Horizon: Amber

Two pending Court of Justice references bear directly on cross-border gambling exposure. In C-530/24 (Tipico), the Advocate General's opinion of 19 March 2026 proposes that an operator offering sports betting without the required licence may be obliged to refund players' stakes; no judgment had issued as at 5 October 2026, and German courts are reported to be staying parallel restitution claims pending the ruling. In the reference concerning Malta's Article 56A and its compatibility with the Brussels I bis recognition-and-enforcement regime, the Advocate General's opinion of 23 April 2026 proposes either that the reference is inadmissible or, in the alternative, that Article 56A is contrary to EU law; again no judgment had issued as at 5 October 2026. Separately, the European Parliament, through an oral question and an S&D Group proposal dated 24 September 2026, has floated a new EU own resource consisting of a roughly 1 percent levy on large online gambling operators' revenue or turnover for the 2028-2034 multiannual financial framework; this is a parliamentary proposal requiring Council unanimity on own-resources matters, not a Commission legislative proposal, and carries no near-term compliance obligation.

Reform stage	Enacted Not In Force
Confidence	Probable

RISK ASSESSMENT

Extraterritorial Reach

Status: Amber

Three 2026 Court of Justice judgments materially expand the cross-border reach of national gambling law and player remedies. C-440/23 confirms that a Member State's prohibition on specific online gambling products binds operators licensed elsewhere in the EEA, and that resulting contracts may be void with stakes recoverable under national law. C-77/24 holds that a player's tort claim against the directors of an unlicensed operator falls within Rome II, with damage located, as a general rule, in the Member State of the player's habitual residence rather than the operator's domicile, subject to a manifestly-closer-connection exception. C-198/24 confirms that a European Account Preservation Order can freeze operator-linked accounts held with banks in other Member States once a specific, current risk test tied to the debtor's own conduct is met, making account-holding banks anywhere in the EEA potential points of attachment. Taken together, these judgments

close several cross-border structuring routes that operators had previously used to insulate themselves from a single Member State's regulatory reach.

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Red Flags

[RF-EEA-001] Operator relies on a single EEA-state licence (e.g. MGA) to market into another EEA state without local authorisation

National authorities treat this as unlicensed operation regardless of EEA passporting assumptions

Evidence: SRC-EEA-001

[RF-EEA-002] Operator not yet onboarded to AMLR-compliant CDD processes ahead of 10 July 2027 application date

AMLR applies directly and automatically; no national transposition grace period exists

Evidence: SRC-EEA-002

[RF-EEA-003] Marketing or payment processing into a state-monopoly market (e.g., Poland online casino)

Active ISP/payment blocking and some of Europe's harshest unlicensed-operator penalties apply

Evidence: SRC-EEA-007

Architecture Patterns

[AP-EEA-001] No-passporting multi-licence stacking

Typology: Licensing Structure

Liability heads: Unlicensed Operation

[AP-EEA-002] CJEU proportionality shield against blanket criminalisation

Typology: Legal Defence

Liability heads: Criminal Prosecution

[AP-EEA-003] State-monopoly carve-out under genuine-diminution doctrine

Typology: Market Structure

Liability heads: Unlicensed Operation

[AP-EEA-004] ISP/payment-blocking enforcement against unlicensed offshore operators

Typology: Enforcement Mechanism

Liability heads: Payment Block, Isp Block

[AP-EEA-005] AMLR 2024/1624 uniform €2,000 CDD threshold overlay

Typology: Aml Structure

Liability heads: Aml Failures

[AP-EEA-006] Mixed B2C/B2B hub licensing (Malta-style) used for pan-EEA B2B supply contracts

Typology: Licensing Structure

Liability heads: Unlicensed Operation, Supplier

Worked Examples

Malta-licensed operator wants to market online casino into Germany using only its MGA licence.

Entities: MGA-licensed operator, GGL

No EEA passporting exists; the MGA licence is valid only in Malta. GGL treats unlicensed German-market activity as enforcement-relevant regardless of foreign licensure.

Recommendation: Apply for a separate German federal state-treaty licence before marketing into Germany.

B2B software supplier wants a single EEA-wide supply authorisation.

Entities: B2B supplier, multiple national regulators

No EEA-wide B2B licence exists; supplier-certification requirements are set nationally and vary by technical standards body.

Recommendation: Map per-country B2B/supplier licensing requirements individually; do not assume any single approval transfers.

Operator is unsure whether to prioritise AML build-out ahead of 2027.

Entities: operator compliance team, AMLA

AMLR 2024/1624 applies directly from 10 July 2027, including a uniform €2,000 CDD/EDD trigger, without need for national transposition.

Recommendation: Build AMLR-aligned CDD/EDD processes now rather than waiting for national guidance, since the Regulation is self-executing.

Operator considers entering a state-monopoly market (e.g., online casino in Poland) via an EEA-licensed affiliate.

Entities: offshore operator, Polish authorities

Poland reserves online casino to the state operator and actively enforces via ISP blocking, payment blocking and advertising restriction against unlicensed entrants.

Recommendation: Do not enter the closed product vertical; monitor for any CJEU/Commission challenge to the monopoly's proportionality.

Operator believes an EEA-wide advertising standard governs its cross-border marketing campaign.

Entities: operator marketing team, EGBA

EGBA's code is voluntary industry self-regulation; it supplements but does not replace each member state's binding advertising rules.

Recommendation: Comply with each target state's binding advertising law individually; treat the EGBA code as a floor, not a substitute.

Decision Tree

Q: Is the target market a single EEA member state or the EEA bloc generally?
Q: Does the operator already hold a licence in any EEA state?
Q: Is that licence recognised in the target state (passporting)?
Q: Is a new national licence application required from scratch?
Q: CJEU doctrine confirms no mutual recognition — is a fresh local licence required regardless?
Q: Is the target product under a state monopoly or closed regime in that state?
Q: Does a genuine-diminution-of-opportunities justification apply, precluding entry?
Q: Will the operator be an AMLR 'obliged entity' from 10 July 2027, requiring CDD build-out?

LEGAL BASIS

Distribution & Platform Rules

Status: Amber

The Digital Services Act (Regulation (EU) 2022/2065) sets the EU-level platform framework relevant to gambling advertising distribution: Article 26 requires that each advertisement be identifiable with its sponsor and prohibits targeting based on profiling using special-category personal data, and Article 28(2) separately prohibits profiling-based ad targeting where the platform is aware with reasonable certainty that the recipient is a minor. Unlicensed gambling offers can constitute illegal content under the DSA's Article 3(h) definition, triggering notice-and-action obligations under Article 16. The Court of Justice's judgment in C-421/24 (16 July 2026) clarifies that an online video-hosting platform remains within the scope of the E-Commerce Directive even where hosted videos carry gambling advertising, since the Directive's gambling exclusion covers the gambling activity itself rather than an intermediary platform; however, the judgment also indicates the platform can lose the Article 14 hosting safe harbour where it has entered a commercial revenue-sharing partnership with the channel operator and reviews the channel's content, theme or metadata. EEA incorporation of the DSA is not confirmed as at 5 October 2026.

AML / CFT Regime

Status: Amber

The European Economic Area has no bloc-wide gambling-specific AML statute of its own, but gambling operators across the bloc are AML-obliged entities under the EU's horizontal AML architecture and must screen against the EU's sanctions lists as a standing obligation. The Council of the European Union adopted its twenty-second Russia sanctions package on 12 October 2026, via Council Implementing Regulation (EU) 2026/2281, adding approximately 1,569 new listings (826 entities and 743 individuals) connected to Russia's military-industrial complex. The Council states this is the largest single round of listings

since the war began. For gambling operators, the practical effect is a materially widened designated-persons screening universe effective from the regulation's adoption date; this is an addition to the existing sanctions-screening population rather than a new category of obligation. Separately, the Council agreed a 9 October 2026 negotiating position to bring the most significant cross-border crypto-asset service providers under direct supervision adjacent to the European Securities and Markets Authority, which bears on the crypto-funded wagering payments nexus but remains at the proposal stage, reported through a single press account, and still requires European Parliament agreement before it can take effect.

CONTEXT & EVIDENCE

Cost to Operate

Status: Red

Gambling-sector tax rates rose across several EEA Member States through 2025 and 2026. Malta's Legal Notice 84 of 2026 consolidates the gaming tax and gaming-device levy into bands of 15 percent of aggregate gaming revenue for Type 1 services, 10 percent for Types 2 to 4, and 5 percent for controlled gaming premises and junkets, effective 1 October 2026, with a new EUR 3,000 annual Studio Broadcasting Levy for critical gaming supply studios. The Netherlands raised its kansspelbelasting to 37.8 percent from 1 January 2026, up from 34.2 percent in 2025 and 30.5 percent in 2024. France's LFSS 2025 (Article 32), in force from 1 July 2025, raised the CSG levy on casino slot-machine gross gaming revenue from 11.2 percent to 11.9 percent, on lottery winnings from 6.2 percent to 7.2 percent, and the sports-betting social levy from 6.6 percent to 7.6 percent and 10.6 percent to 15 percent, replaced the online poker levy with a flat 10 percent of gross gaming revenue, and introduced a new 15 percent contribution on advertising and promotion spend. Germany's 5.3 percent virtual-slot-machine tax and 5.3 percent online-poker tax under the Rennwett- und Lotteriegesetz were confirmed compliant with constitutional and EU law by the Bundesfinanzhof in a November 2025 ruling. The pattern across these four markets points to a coordinated fiscal-tightening trend rather than isolated national adjustments.

Payments & Money Flow

Status: Amber

The Court of Justice's judgment in C-198/24 (21 May 2026) sets the governing test for European Account Preservation Orders against gambling-operator-linked accounts: the applicant must demonstrate a specific and current real risk arising from the debtor's own conduct, and the court may take into account conduct occurring a number of years before the application together with the existence, in the debtor's Member State, of a law capable of impeding enforcement of the claim. The judgment specifically identifies Malta's Article 56A, which blocks recognition of foreign civil judgments against Maltese-licensed gaming operators, as a factor that may be weighed in this assessment, but confirms that Article 56A alone is not sufficient to establish the required risk, particularly where the account being frozen is held with a bank in a different Member State. This makes account-holding banks anywhere in the EEA potential points of attachment once the broader conduct-based risk test is satisfied, while preserving that an EAPO only freezes funds and does not itself effect payment to the creditor.

Gaps Register

Evidence gaps identified by the pipeline — areas where confirmation from primary sources is outstanding.

- **[adv-int-20261101-EEA-G001]** No fresh CJEU gambling free-movement ruling or Commission infringement activity was searched this cycle beyond re-confirming the structural exclusion.

Sources & Provenance

12 sources. T1 = primary instrument/regulator; lower tiers = secondary. Inline [SRC-XX] markers link to this table.

ID	Tier	Source / instrument	URL
SRC-EEA-001	T2	IMGL-EUR-GAMBLING-OVERVIEW	https://www.imgl.org/international-gaming-law/european-gambling-regulation/
SRC-EEA-002	T2	EU-AMLR-2024-1624-COMMENTARY	https://europeangaming.eu/portal/latest-news/2026/07/16/209359/eu-regulation-gambling-operators-unified-aml-rules/
SRC-EEA-003	T1	CJEU-C-338-359-360-04-PLACANICA	https://cms.law/en/gbr/legal-updates/placanica-what-does-it-mean-for-eu-gambling
SRC-EEA-004	T1	CJEU-C-530-24-OPINION	https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX%3A62024CC0530
SRC-EEA-005	T1	EC-SWD-2012-345	https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52012SC0345
SRC-EEA-006	T3	VOLUUM-EU-IGAMING-2026	https://voluum.com/blog/igaming-eu-regulations/
SRC-EEA-007	T3	RUE-EU-GAMBLING-2026	https://rue.ee/gambling-regulations-in-europe/
SRC-EEA-008	T2	SEQLEGAL-ONLINE-GAMBLING-2026	https://seqlegal.com/gambling-laws/online-gambling-laws/
SRC-EEA-009	T2	LEGALEXPERTSCY-EU-GAMBLING-OVERVIEW	https://legalexpertscy.com/blog/an-overview-of-the-regulatory-framework-on-gambling-services-in-the-european-union
SRC-EEA-010	T3	EGBA-WIKIPEDIA	https://en.wikipedia.org/wiki/European_Gaming_and_Betting_Association
SRC-EEA-011	T3	SCALEO-IGAMING-EU-2026	https://www.scaleo.io/blog/a-complete-guide-to-igaming-regulations-across-the-eu/
SRC-EEA-012	T2	IREV-IGAMING-EU-2026-AMLR	https://irev.com/blog/igaming-regulations-across-the-eu-a-complete-guide-in-2025/

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