European Commission: Greece Faces Court Action for Imposing Ban on Games

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On 14 October 2004, the European Commission announced its decision to take Greece to the European Court of Justice for imposing a ban on the installation and operation of electrical, electromechanical and electronic games, including computer games, in all public and private places (including cyber cafés).

According to the Commission, the Greek law of 29 July 2002 is incompatible with the provisions of the EC Treaty on the free movement of goods and services and the freedom of establishment. On the one hand, it breaches the free movement of goods included in Article 28 of the EC Treaty by denying the games themselves access to the Greek market. On the other hand, it infringes the freedom to provide services and the freedom of establishment, included in Article 49 and 43 of the EC Treaty respectively, by prohibiting the provision of services relating to electronic games in Greece.

Given the fact that the Greek law contains rules on electronic and mechanical devices and governs the activities of Internet service providers, the Commission also considers that Greece has infringed the provisions of Directive 98/34/EC, which require prior notification of national regulations laying down technical rules for on-line goods and services.

"Free Movement of Goods and Services: Greece referred to Court over obstacles to importing and marketing games", Press Release of the European Commission IP/04/1227 of 14 October 2004

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