



National Basketball Association

STATEMENT OF THE NATIONAL BASKETBALL ASSOCIATION

Submitted to:

Senate Committee on Legal and Constitutional Affairs

Regarding:

Bill C-290 – An Act to Amend the Criminal Code (Sports Betting)

The National Basketball Association (NBA) respectfully submits this statement concerning Bill C-290, which would eliminate the provision in Canada's criminal code that prohibits provincial governments from conducting and managing bets on a single sporting event.

In November 2012, the NBA submitted a statement to the Senate Committee on Legal and Constitutional Affairs in opposition to Bill C-290. Since that time, the NBA's views regarding legalized sports betting have continued to evolve, and the NBA's current views on the issue are expressed in a November 13, 2014 Op-Ed by Commissioner Adam Silver in the *New York Times* titled "Legalize and Regulate Sports Betting." As explained more fully in Commissioner Silver's Op-Ed (a copy of which is attached), the NBA no longer opposes betting on professional sporting events in the United States provided that a national legislative framework is adopted that protects the integrity of the game under strict regulatory requirements and technological safeguards.

Consistent with the NBA's current position regarding legalized sports betting in the United States, the NBA is no longer opposed to legalized sports betting in Canada so long as there is an appropriate legislative framework that protects the integrity of the game under strict regulatory requirements and technological safeguards. These would include, at a minimum, mandatory monitoring and reporting of unusual betting-line movements; a licensing protocol for betting operators; minimum-age verification measures; geo-blocking technology to ensure betting is available only where it is legal; mechanisms to identify and exclude people with gambling problems; and education about responsible gaming.

We appreciate the opportunity to provide our views on this matter.

Legalize and Regulate Sports Betting

N.B.A. Commissioner Adam Silver: Allow Gambling on Pro Games

By ADAM SILVER

The New York Times, November 13, 2014

BETTING on professional sports is currently illegal in most of the United States outside of Nevada. I believe we need a different approach.

For more than two decades, the National Basketball Association has opposed the expansion of legal sports betting, as have the other major professional sports leagues in the United States. In 1992, the leagues supported the passage by Congress of the Professional and Amateur Sports Protection Act, or Pasma, which generally prohibits states from authorizing sports betting.

But despite legal restrictions, sports betting is widespread. It is a thriving underground business that operates free from regulation or oversight. Because there are few legal options available, those who wish to bet resort to illicit bookmaking operations and shady offshore websites. There is no solid data on the volume of illegal sports betting activity in the United States, but some estimate that nearly \$400 billion is illegally wagered on sports each year.

Times have changed since Pasma was enacted. Gambling has increasingly become a popular and accepted form of entertainment in the United States. Most states offer lotteries. Over half of them have legal casinos. Three have approved some form of Internet gambling, with others poised to follow.

There is an obvious appetite among sports fans for a safe and legal way to wager on professional sporting events. Mainstream media outlets regularly publish sports betting lines and point spreads. Voters in New Jersey overwhelmingly voiced their support for legal sports betting in a 2011 referendum. Gov. Chris Christie of New Jersey recently signed a bill authorizing sports betting at local casinos and horse racetracks, a law the N.B.A. and other leagues have opposed — and a federal court has blocked — because it violates Pasma.

Outside of the United States, sports betting and other forms of gambling are popular, widely legal and subject to regulation. In England, for example, a sports bet can be placed on a smartphone, at a stadium kiosk or even using a television remote control.

In light of these domestic and global trends, the laws on sports betting should be changed. Congress should adopt a federal framework that allows states to authorize betting on professional sports, subject to strict regulatory requirements and technological safeguards.

These requirements would include: mandatory monitoring and reporting of unusual betting-line movements; a licensing protocol to ensure betting operators are legitimate; minimum-age verification measures; geo-blocking technology to ensure betting is available only where it is legal; mechanisms to identify and exclude people with gambling problems; and education about responsible gaming.

Without a comprehensive federal solution, state measures such as New Jersey's recent initiative will be both unlawful and bad public policy.

Let me be clear: Any new approach must ensure the integrity of the game. One of my most important responsibilities as commissioner of the N.B.A. is to protect the integrity of professional basketball and preserve public confidence in the league and our sport. I oppose any course of action that would compromise these objectives.

But I believe that sports betting should be brought out of the underground and into the sunlight where it can be appropriately monitored and regulated.

Adam Silver is the commissioner of the National Basketball Association.