

Administrative Sanctions in The Field of Gambling

Abstract

The dissertation “Administrative Sanctions in the Field of Gambling” focuses on the description and analysis of the extent to which the specificity of the regulation of gambling is reflected in the interpretation and application of the administrative criminal law in this sector. In this regard, the main attention is paid to how the principles of administrative punishment are applied in dealing with gambling offences, and this analysis is based mainly on specific administrative rulings of relevant administrative authorities, i.e., the Ministry of Finance and customs authorities. The basic aim of this thesis is to assess how the administrative sanctions are applied in the operation of gambling games from the point of view of fulfilling the basic principles and institutes of the administrative criminal law as well as to evaluate the extent to which the administrative punishment contributes to the fulfilment of the point and purpose of this public-law regulation, that is always with specific cases and situations in which the facts of the case of individual gambling offences are presented. Another goal is to assess, inter alia, how the social perception of gambling is reflected in the decision-making activities of administrative bodies responsible for the application of the administrative punishment in the field of gambling. This dissertation consists of a total of eight parts. The first chapter elaborates the objectives and basic principles of this dissertation as well as its structure and research methods used. The second chapter deals with the basic definition of gambling games from the perspective of public regulation and with the general description of the legislation that applies to the operation of gambling. The third chapter addresses the categorization of gambling games in terms of their type and gambling environments in which they are operated, i.e., namely in the physical environment and the Internet environment. The subject of the fourth chapter are then issues related to the performance of administrative supervision over the operation of gambling, both to its inspection part and to possible remedies. The fifth chapter contains a detailed analysis of the main outcomes concerning the substantive aspects of the administrative sanctions in relation to the operation of gambling and its application in the decision-making practice of the relevant administrative authorities. The sixth chapter contains an analysis of procedural aspects associated with the administrative sanctions in the operation of gambling. The seventh chapter deals with aspects related to the administrative punishment applied in relation to the cross-border operation of gambling via the Internet. The final eighth chapter then summarizes the findings contained in the

previous parts, which are divided into the administrative sanction of illegal gambling and the administrative sanction applied in duly authorized gambling, including drawing specific conclusions from the legal analysis conducted. A part of this chapter is also an outline of possible solutions to eliminate the identified shortcomings of the current legislation.

Key words: administrative sanctions, gambling, cross-border regulation