SOUTH EU GOOGLE
DATA GOVERNANCE CHAIR

SEVILLE 26 JUNE 2025

ai, profiling and scoring for good purpose

- *AI & biometrics for age verification*
- *AI for the identification of problematic gambling behavior*
- *Gambler's profiling for "good" purposes and the GDPR*

Georgios N. Yannopoulos

Professor, School of Law,
National & Kapodistrian University of Athens
Director, Laboratory of Law & Informatics

gyannop@law.uoa.gr

I. Minors as a vulenarble group protected by law

One of the most important rules for weak / vulnerable groups:

- EU→ No common age (18 or 21?)
  - Harmful behavior → worse in minors
  - More risky / “masculine” activities
  - Increased depression & suicide rates

EU Rec 2014/478 art. 9: *No minor should be able to play on a gambling website or hold a player account*

Art. 9: Member States should ensure that the operator has procedures in place designed to prevent minors from gambling, including age verification checks during the registration procedure

GDPR AGE OF CONSENT:
*controllers will be expected **to make reasonable efforts** to verify that the user is over the age of digital consent, and these measures should be proportionate to the nature and risks of the processing activities - **appropriate checks***
(EDPB Guidelines 05/2020, §§ 138-142 – Example No. 23 (gaming))

gyannop@law.uoa.gr

Restrictions for minors

ADVERTISEMENT

- Links to parental control programmes (art. 10)
- NOT to show / view gambling as a natural element of their leisure time (art. 11).
- “***no underage gambling***” clear message indicating the minimum age (art. 12)
- **No broadcasting** (art. 13)
  - a) when minors are the main audience;
  - b) on websites with minors as the audience profile;
  - c) in close proximity of places (schools).

CONTENT (art. 14):

i) NO exploitation of the inexperience or lack of knowledge,

ii) NO use of images of minors or young persons,

iii) NO association of gambling with youth culture activities,

iv) NO suggestion that to gamble marks the transition from adolescence to adulthood

gyannop@law.uoa.gr

Not reliable methods

- Providers liable to verify (see DSA)

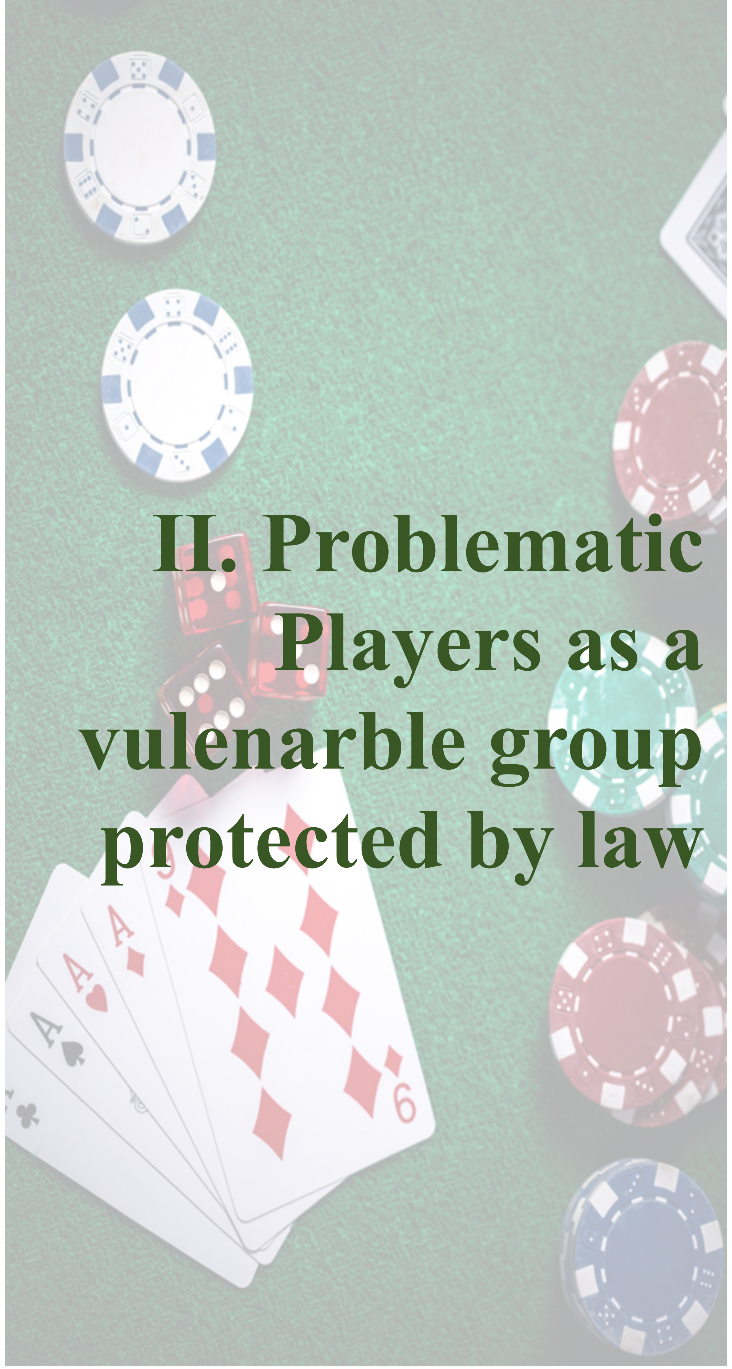
  “know your audience” / “your platform – your responsibility”
- Use of credit / debit cards
- Comparison with consumers’ database / credit agencies
- Mystery shoppers
- Reliable methods can have faults (e.g. case of Dutch surnames)

PROPOSALS:
Two step? Official ID?
Out–of-the-wallet practice (OOW – questions)
Credit card ? Small transaction? (COPPA, FTC)
Electronic signatures?
Biometric?
In-app-button (tik-tok)

gyannop@law.uoa.gr

AI for good purpose

- **For control of advertisement / content**
- **For age verification schemes:**
  - subject to data trustworthiness
  - facial recognition / biometric
  - mass collection of
- **For self-control** (HGC: Gamalyze, Mindway AI)



II. Problematic Players as a vulenarble group protected by law

- Addictive Behaviour related to advertisement
- Preventive measures required
- Self- exclusion
- Ban from third parties (14 countries)
- Centralised registries?
- Self-regulation of providers?
- Self-discipline of gamblers?

gyannop@law.uoa.gr

Profiling for good purpose

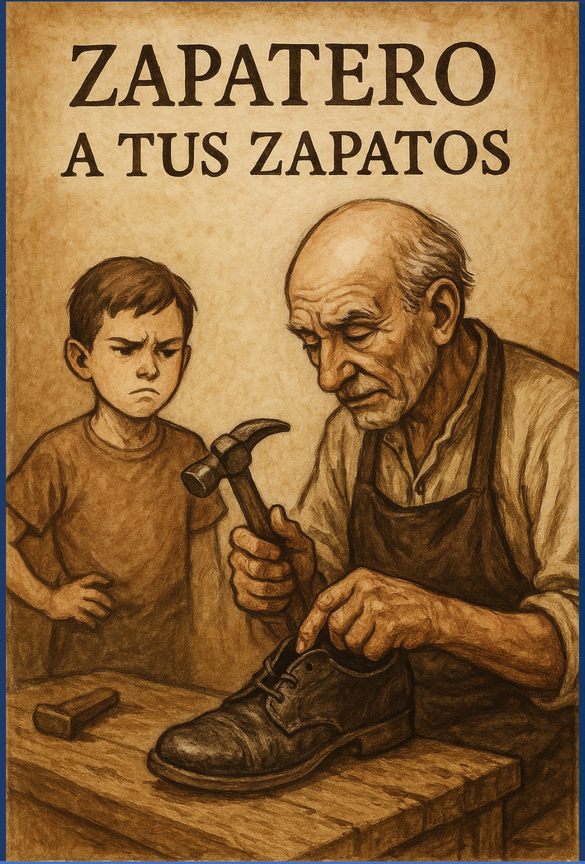
***Profiling:** means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements*

Profiling:

- *Nationality*
- *Games*
- *Currency*
- *Location*
- *Response to advertisement*
- *Response to offers*
- *Recommendation by another player*
- *Financial situation*
- *Amounts played / won / spent*

- Profiling not necessarily negative or illegal
- Categorisation of players
- Identifying addictive patterns
- Pop-up windows to inform

gyannop@law.uoa.gr



Implementing restrictions→
No magic solution