



# 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 or licensing bets on a single sporting event. Passage of this bill would cause significant injury to the NBA, and we therefore oppose its adoption.

The NBA is the most popular and widely-recognized professional basketball league in the world. The tremendous success and popularity of the NBA and its teams is dependent on the loyalty of its fans, with whom the NBA enjoys a unique relationship. This relationship is based on the passion, intensity, teamwork, and charisma of NBA players, the communal bonds that fans form in rooting for their favorite NBA teams, and the excitement generated by a structured season of competitive basketball played at its highest level. Maintaining this special relationship is critical for the continued success of the NBA.

The elimination of Canada's existing prohibition on single-game sports betting threatens to alter this relationship. If single-game sports betting is permitted in Canada,

the allegiance of certain fans will be turned from teams, players, and high-level competition, toward an interest first and foremost in winning a bet. Players' missed baskets, coaches' strategic decisions, and referees' calls all will come to be viewed through the prism of the impact on the betting line, rather than whether the team won the game or its players performed well. Fans' interest – once unified toward the common goal of winning the game – will become fragmented, with spectators rooting for varied outcomes such as merely “covering the spread” or scoring enough points to beat an “over/under” bet. As a result, the essential nature and character of the NBA as an athletic event that fosters communal bonds through the championing of competition and team accomplishments will be harmed.

Eliminating the prohibition on single-game sports betting threatens to injure not only the unique relationship that the NBA enjoys with its existing fans, but also the league's potential relationship with future fans, who may never form allegiances to a particular team because they are drawn instead to the competing interests of the betting line and the money that can be made from it.

We recognize that the provinces currently are permitted to offer lottery products involving parlay-style wagers on sporting events. However, the addition of single-game sports betting would (and presumably is intended to) increase the amount of gambling on sporting events. Single-game sports betting also magnifies the significance of an individual event in relation to a wager's outcome, which disrupts the relationship between fans and the game to a greater degree than parlay-style wagers.

The NBA has similarly opposed the expansion of sports betting in the United States in an effort to preserve the unique relationship that the league enjoys with its

fans. In the early 1990s, in an effort to prevent the harm that would be created by widespread legalized sports betting, the NBA – along with the other professional sports leagues and other interested parties – urged the United States Congress to enact the Professional and Amateur Sports Protection Act (“PASPA”). Those efforts were successful when PASPA was passed into law in 1992. Most recently, the NBA, along with the other major professional sports leagues and the National Collegiate Athletic Association, brought a lawsuit against officials of the State of New Jersey asserting that the state’s plan to implement sports betting on professional and college games is in violation of PASPA.

We note that the NBA has an agreement with the Province of Ontario and the Ontario Lottery and Gaming Corporation (“OLG”) that, generally speaking, prohibits the inclusion of NBA games in any betting or lottery scheme that is operated, licensed, or authorized by Ontario or OLG. Thus, notwithstanding Bill C-290, Ontario and OLG will not be able to offer single-game wagers (or any other types of wagers or lottery offerings) involving NBA games. Nevertheless, we oppose Bill C-290, as there is no agreement that would prohibit the other provinces – which are home to many NBA fans – from authorizing single-game wagers on NBA games if the bill were to be adopted.

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

**Submitted by:**

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