

Belgium Gaming Commission Loot Box Report – Extends Beyond Game Companies to Licensors and Game Platform’s

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We previously reported, that the Belgian Gaming Commission has recommended criminal prosecution against certain game companies due to the allegedly illegal use of loot boxes. This report follows previous reports on findings by the [Netherlands](#).

The Belgian Gaming Commission includes recommendations that extend to certain companies doing business with game companies, including Licensors (e.g., FIFA) and platform providers.

In its Loot Box [Report](#), the Belgian Gaming Commission stated: “A wager (bet) of any type is sufficient to qualify as betting for these games. Use of money is not necessary. Just because virtual currency is used in a game does not mean that there is no wager. It must be possible to attribute a value to this wager, however. Value can be defined as the degree of usability. Specifically, items that the player finds useful or nice and for which he pays money.”

In its Recommendations, the Commission stated:

Distributors and game developers:

- Provide a clear indication of the chances of winning for the various item values
- Permit complete control of the random number generators used for the loot boxes by the Gaming Commission’s Technical Assessments team
- Provide to the regulators player data and payment amounts
- Introduce of a financial ceiling for the monetary amount that can be spent on loot boxes
- Ensure loot boxes do not impede or disadvantage a normal game without paid loot boxes
- Use a game symbol indicating ‘gambling’ (e.g.: “contains gambling”)

The Commission also recommended that:

- **Licensors** of game companies (e.g., FIFA) take into consideration quality standards if the license is granted to a game developer (e.g., to ensure there is no illegal gambling, no promotion of match fixing, etc.).
- **Game platforms** that facilitate payments that can be used in video games ensure that the age requirements of the platform and the video game use must be the same, i.e. if a game is

not approved for minors, they must also not be able to make any payments.

- **Regulators** should:
 - Update the Gaming Commission so that parents and children can be better informed about and protected against gambling addiction and so that more research can take place on the presence of gambling elements in (free) video games. It must be possible to inspect video games for the presence of problematic gambling elements in the event of a complaint against them or as a matter of course. This will serve both to put into perspective the gambling element (video games where elements of chance are not problematic) and protect players (making clear to players and parents which video games are not suitable for minors).
 - Specific permits must be developed for games of chance in video games.
 - Principal ban on minors purchasing games with paid loot boxes.
 - Age verification in supermarkets when purchasing codes or gift cards for video games. Minors may not make payments associated with video games that are not suitable for minors.

This is the most comprehensive set of recommendations to date regarding loot boxes.

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