

Guidelines for operators of betting and online casino



Description of licence requirements for betting
and online casino operators

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Version history

Version 2.0 of February 2017

- General update of guidelines

Version 3.0 of January 2018

- Updated application fee and annual fee

Version 4.0 of May 2018

- Simplification of how to send an application – Bluewhale

Version 5.0 of February 2019

- General review

Version 6.0 of March 2021

- Change of approval of white label
- References to additional guides
 - Guide on sales promotion
 - Guide on responsible gambling
 - Guide on duty of disclosure when marketing and advertising gambling
 - Guide on preventive measures against money laundering of criminal proceeds and financing of terrorism

Version 7.0 of July 2022

- Update of text regarding responsible gambling and ROFUS. Changes of the rules on NemID to MitID and that address from 1 July 2022 must no longer be verified.

Version 8.0 of September 2023

- Update of layout

Version 9.0 of June 2025

- General update of the guidance
- References to other guidances – Guidelines for supplier licences

Foreword

1

The Danish Gambling Authority is part of the Ministry of Taxation.

The Danish Gambling Authority is responsible for ensuring that the Gambling market in Denmark is well-run and properly regulated.

These guidelines are intended for individuals and companies who wish to provide betting and online casinos in Denmark in compliance with Gambling legislation (Act on Gambling, executive order no. 1303 of 4 September 2020 about gambling, and executive order nr. 336 of 16 April 2016 for Greenland on certain types of gambling) and associated ministerial orders.

The guidelines give an overview of what licence holders need to consider when applying for a licence to provide betting and/or online casinos.

The Danish Gambling Authority has the responsibility for issuing licences for the provision of gambling in Denmark.

There are three basic conditions that the gambling activity needs to meet before a licence is required from the Danish Gambling Authority:

- Participants pay a stake to take part in the game (money or any items of value)
- Participants must have a chance of receiving winnings, and
- There must be a random element involved.

All three conditions need to be met before a license is required. If, for example, there is no need for a stake to take part in the game, then a licence from the Danish Gambling Authority is not necessary.

The full application fee must always be paid before the Danish Gambling Authority can begin the application process.

Practical information

2

These guidelines describe the most important rules for individuals and companies that wish to provide betting and online casino.

The legislation is described in Gambling legislation (Act on Gambling, executive order nr. 1494 of 6 December 2016 about gambling, and executive order nr. 336 of 16 April 2016 for Greenland on certain types of gambling) and the following executive orders:

- Executive order on online casinos
- Executive order on online betting
- Executive order on land-based betting

In addition, the Danish Gambling Authority can attach conditions to a licence such as the regulation of games offered.

The Danish Gambling Authority is responsible for issuing licences, charging fees and supervising the industry. The Danish Tax Agency is responsible for the registration of licence holders, invoicing, control and collection of fees.

Gambling is exempted from VAT. Gambling operators offering gambling activities have to pay payroll tax in accordance with section 1(1) of the Danish Act on Payroll Tax (lønsumsafgiftslovens § 1, stk. 1). Contact the Danish Tax Agency for any further questions regarding VAT and payroll tax. See www.skat.dk for more information.

You can find further information at www.spillemyndigheden.dk. Here you can also find forms and other documents for use in applications. Please feel free to contact the Danish Gambling Authority via our online contact form at www.spillemyndigheden.dk/en/kontakt. You can select a subject and the message is digitally encrypted. You can also contact us by phone on +45 72 38 79 13.

**What is the scope of the
guidelines?**

3

The guidelines include the most important conditions for the provision of gambling. Some games do not require a licence, while for other games it is impossible to have a licence; for example, gambling activities that fall under the responsibility of the state monopoly in Denmark.

As mentioned in the foreword, there are three conditions that all need to be met before a licence is required:

- There must be a stake involved
- There must be a chance of winnings, and
- There must be a random element involved.

The following section gives an overview of the rules.

What is a stake?

A stake is typically an amount of money paid by a player to take part in a game. Membership fees and similar can also constitute a stake if the membership fee primarily goes to participation in a game or there is an extra payment for taking part.

What are winnings?

Winnings can be cash, goods, or services that have a financial value. There does need to be a connection between the size of the stake and the winnings. In this respect, a sponsored prize also counts as winnings.

What is an element of chance?

There has to be an element of chance involved in finding the winner. An element of chance could, for example be, if the game involves a roll of the dice or use of playing cards. If the winner is found by means of pure skill, then the activity does not fall under the Act on Gambling, and a licence is not required.

3.1 Games for which a licence may be issued

3.1.1 Betting

Betting is an activity where the participant has a chance of receiving winnings, with bets placed on the result or outcome of a future event. This could, for example, include bets on the name of a new member of the royal family.

Provision of betting only requires a licence if the participants:

- Pay a stake (money or similar), and
- Have the chance of receiving winnings as a result of the stake (all types of winnings).

Betting can be divided into two categories:

- Fixed odds betting – where the player bets directly against the gambling provider and knows the potential winnings beforehand. This definition also includes betting exchanges, where players compete against each other.
- Pool betting – where all or part of the winnings are decided by the accumulated pool of stakes or is shared between the winners.

A licence for betting includes both online and land-based sales of betting. Online betting is defined as when the player and the operator are not physically in the same location, for example internet, telephone and TV sales.

It is not allowed to provide betting on events limited to children under the age of 18.

Land-based provision of betting also includes betting on the results of virtual sports events.

3.1.2 Online casinos

Online casinos require a licence from the Danish Gambling Authority.

A licence for online casinos in Denmark includes the following games:

- Roulette, blackjack, baccarat, punto banco, poker, online bingo and gaming machines games
- Combination games - all other games with a combination of skill and chance; see definition below.

3.1.3 Combination games

A combination game is defined as a game where the participant has a chance of receiving winnings, and where this chance depends on a combination of skill and chance. Combination games are decided by a combination of chance elements, such as using playing cards, rolls of the dice, draws, and the players' skill/intelligence. The share of chance or skill involved does not define whether the game is a combination game or not.

If an element of chance is added to a game which is purely based on skill – for example a draw between the best players, then the game will be classified as a combination game because the opportunity for winnings now depends on a combination of skill and chance. However, the combination of skill and chance must be a demonstrably natural part of the game.

Examples of combination games include:

- Whist
- Hearts
- Yahtzee
- Ludo
- Rubber-bridge
- Backgammon

3.2 Games for which a licence may not be issued

It is not possible to apply for a licence for lotteries or class lotteries.

A lottery is a game where the winner is chosen completely at random.

Lotteries include games such as:

- scratchcards
- prize-winning draws

These games can only be offered by companies with a special licence. Licenses have been issued, for example, to Danske Lotteri Spil A/S and Det Danske Klasselotteri A/S.

Danske Lotteri Spil A/S has a monopoly on providing lotteries such as lotto and scratchcards.

Danske Lotteri Spil A/S is a state-owned public limited company with the licence to provide gambling in Denmark and Greenland. The licence has been issued by the Danish Gambling Authority, and the Danish Gambling Authority supervises its activities.

It is, however, possible to apply for a licence for land-based provision of charitable lotteries, i.e., lotteries for the benefit of a charity or other non-profit organisations. Read more about this at www.spillemyndigheden.dk/en under the Gambling category "Lottery".

3.3 Games that may be provided without a licence

Examples of games that can be provided without a licence:

- Games without stake, but with the opportunity of winnings
- Games with a stake, but without the opportunity of winnings
- Games with a stake and winnings, where there is no element of chance such as chess, quizzes, bridge with duplicate cards, sports events, certain types of computer games, etc.

Even though there is a stake, winnings and an element of chance, some games can still be provided without a licence from the Danish Gambling Authority. A license is not required for:

- Land-based tournament backgammon
- Bank premium bond accounts
- Premium bonds
- Betting on future value of financial assets
- Gambling for small amounts of money in private homes.

The reason that there is no requirement for a licence for these types of gambling activity is that they are specifically exempted in the Danish Act on Gambling.

If betting on the future value of financial assets does not fall under current financial regulations, you should be aware that it may instead fall under gambling legislation and, as a result, require a licence.

Who can apply?

4

The Act on Gambling lists the requirements that a person or company needs to meet in order to obtain a licence for the provision of gambling.

4.1 Obligations, responsibilities and rights

In principle, all individuals and companies that provide gambling and/or online casinos must have a licence. If a licence holder has decided to offer a number of games under a single brand through different individual companies, then all of these companies will need their own licence.

Licence holders are responsible for ensuring that gambling activities are in full compliance with Danish legislation. The licence holder's rights and obligations include the following:

1. Responsibility, risk and managerial authority for the operation of games.
2. Registration of players.
3. Ownership of gambling data, including registration of players.
4. Player support.
5. Ownership of intellectual property rights relating to games.
6. Ownership of website/game client.
7. Compliance with technical requirements for the control system and gambling infrastructure in place.
8. Majority ownership or leasing agreement of the gambling infrastructure in place.
9. Attention from the management's and employees' side to any suspicious activity from players that may be associated with money laundering or financing of terrorism.
10. A payment transfer system and support of various payment methods.
11. Attention to good marketing practices.

4.2 Suppliers

A licence holder is allowed to use suppliers for the tasks mentioned in section 4.1.

There is a distinction between internal and external suppliers. An internal supplier is another company providing services that is part of the same business group. An external company is a separate supplier supplying services and is not part of the same business group.

The use of suppliers is not in breach of the prohibition against the delegation of rights as mentioned in section 9.2. The licence holder, however, must be aware that the use of suppliers does not entitle the licence holder to disclaim liability in relation to the obligations of a licence holder. As a result of this, it is the licence holder's responsibility to ensure that any supplier always complies with licence requirements.

A supplier may not be a white label buyer from a gambling operator it provides services to.

For further information on white label, see section 4.3.

4.2.1 Network platforms

Network platforms are defined as platforms used exclusively for games where players play against each other (peer-to-peer games). Customers are redirected via the licence holder to a network platform where the player can take part in games against or with players from other gambling operators and other countries.

Network platforms do not need, in principle, a licence to provide gambling in Denmark if the provider using the platform is a Danish licence holder. It is not a requirement that all gambling

providers connected to the network are licence holders in Denmark. Players from Denmark must, however, always access the network via Danish licence holders.

Network platforms will be considered as subcontractors to the extent that the network platform does not have or carry out the majority of the tasks listed in the section; Obligations, responsibilities and rights. The nature of the interaction with the licence holder may lead to the overlapping of tasks.

The network platform must have a licence if, in addition to operating the platform, it is a white labeller or acts as a gambling operator offering games directly to players.

As the network platform is not required to have a licence, it means that the licence holder redirecting players to the platform is directly responsible for the game provided via the platform.

4.2.2 Game suppliers

Game suppliers must have a licence if they supply games to gambling operators licenced to offer betting or online casino. Supply of games covers supply of casino games, for example gaming machines or roulette, and supply of services that executes and settles bets.

Requirements for game suppliers are detailed in the guidance "Guidelines for supplier licences".

4.3 White label

The prohibition against delegation of the licence does not hinder that the licence holder can enter into marketing agreements via white label contracts. The prohibition against delegation is specified in section 9.2.

Thus, the Danish Gambling Authority accept that the white labelling licence holder can sell the right to offer gambling in Denmark via white-label contracts. This does not make the white label buyer the licence holder since the licence is still granted to the licence holder. The white label contract can only be a marketing measure and in this way, the white label buyer cannot influence the operation, access to accounts etc. In addition, the white label buyer cannot have a relation to the registered players exceeding the relation needed for marketing.

However, it will be accepted that the white label buyer takes over the ownership of the database of registered players or the gambling system, when the cooperation with the white labeller is terminated.

As the white labeller, the licence holder is responsible for the provision of gambling offered via white label domains, and thereby also responsible for any offences of the gambling legislation committed by the white label buyer.

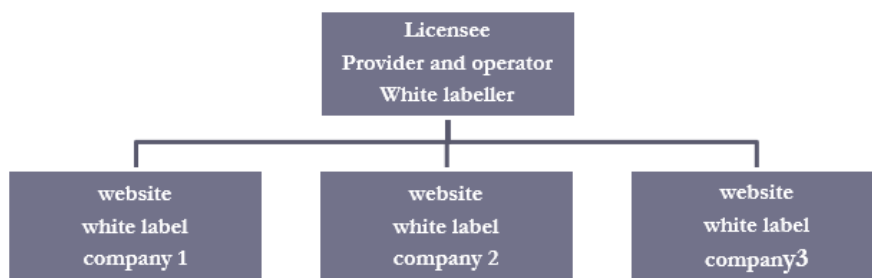
Provision of gambling via white label requires a preceding approval from the Danish Gambling Authority in the form of an annex to the licence. In connection with the request of such an annex to the licence, a copy of the signed white label contract as well as form no. 2-07 must be submitted to the Danish Gambling Authority. If the contractual terms appear from the annex to a previous contract, both the annex and the contract must be submitted.

The licence holder must appear explicitly as a contracting party in the white label contract and must specifically agree to the individual white label contract. Requests for approval of white label domains will be declined if this term is not met.

Only domains stated in the white label contract or annexes to the contract are covered by the Danish Gambling Authority's approval. A domain covers both domain names and endings. This means that if the white label contract solely states the .com domain, a .dk domain cannot be added unless a new white label contract or an annex to the approved contract is submitted.

4.3.1 White labeller

The white labeller must have a licence issued by the Danish Gambling Authority. No matter the construction, the licence holder is responsible for ensuring that games are provided in compliance with current legislation and the terms set down in the licence.



White labellers can make use of a suppliers, as described above in section 4.2. A supplier may not be a white label buyer from the white labeller or its affiliates.

4.3.2 White label buyer

White label buyers are only allowed to market the website and associated games (companies 1, 2 and 3 in the diagram). The white label buyer must not have access to player accounts or operational activities in general.

The white label buyer:

- Must not have any relations to registered players, other than is necessary for marketing purposes. If the white label buyer has relations to registered players due to the operations of a separate business area (other than online gambling), this will not constitute circumvention of the regulations.
- Must only have access to information in the customer database that is necessary for marketing purposes.
- Must not have ownership of the registered player database or gambling infrastructure. The white label buyer may take over the database when the partnership with the white labeller has been terminated.

If the white labeller acquires any influence on operations or player accounts, the construction will no longer be regarded as white label and an independent license will be required.

If the white label buyer owns the brand used to market the website, this will not be in breach of the regulations.

The licence holder is responsible for ensuring that games are carried out in accordance with the current legislation and the terms of the licence. For this reason, a situation in which a white label buyer is responsible for the operation of games cannot normally arise. The licence holder cannot disclaim liability.

A white label buyer (company 1, 2 and 3) may also be held responsible in cases where it acts contrary to general marketing practices or consumer protection rules and the relevant

provisions of the Gambling Act. Even though the white label buyer will typically be responsible for the majority of marketing of the gambling site, there is also nothing to prevent marketing by use of affiliates.

A licence for white labelling is an administrative decision and a revocation of the white label approval can be made according to section 44(1)(3) of the Gambling Act cf. section 29(1).

4.3.3 The Danish Gambling Authority's approval

The Danish Gambling Authority must approve the contractual terms between the white labeller and the white label buyer before gambling services can be offered on white label websites. The Danish Gambling Authority will assess the contract between the parties, among other things. Without the approval, the white label buyer would offer gambling services without a licence.

If the contractual terms appear from an appendix to a previously made contract, both the appendix and the contract must be submitted.

The licence holder must explicitly appear from the white label contract as a contracting party and must specifically agree to the individual white label contract. Requests for approval of white label domains will be declined if the requirement is not met.

Only domains that appear from the white label contract or appendices to the contract are covered by the Danish Gambling Authority's approval. A domain covers both domain name and ending. It means that if the white label contract only states the .com domain, then the .dk domain cannot be added without submitting a new white label contract or an appendix to the already approved white label contract.

4.4 Affiliates

An 'affiliate' is defined as an individual or company that markets another company's products or services.

Licence holders often use this type of affiliate marketing to market their sites and the games they offer, for example by means of links or banner advertising, and also articles and similar which do not have the nature of editorial cover.

Even though affiliates are typically used for online communication, their use is not restricted to this activity. Hotels, cafés, and other "offline" channels can also be used in connection with marketing.

Affiliates do not need to have a licence from the Danish Gambling Authority if they are only involved in marketing the licence holder. In such cases, this means that they:

- Do not have any relations to the players
- Do not own gambling data
- Do not own any rights associated with the brands and websites they are marketing
- Do not own any parts of the gambling infrastructure used for the site they are marketing

The general consumer protection rights and marketing rules, as well as the provisions of the Act on Gambling concerning marketing and promotion also apply to affiliates. Affiliates may be held liable for breaches of these regulations.

Application

5

It is now possible to apply for 5 types of licence:

1. A five-year betting licence
2. A five-year online casino licence
3. A one-year betting licence for operators with a maximum gross gambling revenue (GGR) of DKK 1 million (income-restricted licence)
4. A one-year online casino licence for operators with a maximum gross gambling revenue (GGR) of DKK 1 million (income-restricted licence)
5. A one-year licence for manager games for operators with a turnover of maximum DKK 5 million and where the return to player rate (RTP) does not exceed 20% (turnover-restricted licence)

The revenue and turnover-restricted licences are not covered any further in this guide but are described in the “Guide on revenue and turnover-restricted licences”.

Please be aware that the processing time for applications is three months if documentation has been sent in correctly.

5.1.1 Forms

Applicants need to use form 2-01 to apply for a licence for betting and/or online casino. The form can be found at spillemyndigheden.dk/en, select “online casino” or “betting” and find the form 2-01 (PDF). It is possible to complete and save the form online.

The form also contains detailed explanations on the final pages on how to fill in each point.

The following individuals must fill out a personal declaration (Annex A - form 2-02):

- Individuals (sole-proprietor companies)
- All the stakeholders of a participating joint venture company
- All the executive board members and board members in the applicant's company
- An appointed representative in Denmark
- Beneficial owners
- Any other individuals that are requested by the Danish Gambling Authority to do so.

Information about the gambling activities must also be provided in Annex B – form 2-03.

In connection with the application, the Danish Gambling Authority may ask for further information and perhaps request a meeting. This depends on the nature of the game, and the measures that the Danish Gambling Authority consider necessary to protect the players.

All forms must be signed manually or with one's own electronic signature.

5.1.2 Application fees

When you send in the application you need to pay a fee. The account number to which the fee must be paid is shown on the application form.

The fee is regulated on an annual basis and appears from the individual application form on spillemyndigheden.dk/en.

The fee must have been paid when you send the application to the Danish Gambling Authority and proof of the payment must be enclosed.

The fee will not, in principle, be returned – even in the cases where you are not granted a licence. An exception to this rule is the application for an income-restricted licence where up to half of the amount may be refunded.

To read more about fees and the current rates, see spillemyndigheden.dk.

5.1.3 Submitting the application

Applications must be sent using the Danish Gambling Authority's digital forms.

If you are an applicant without CVR number, the application must be sent to the Danish Gambling Authority using Bluewhale. In case you are a Danish applicant with a CVR number, you must forward the application using the Danish Gambling Authority's digital forms, but forward attached documents using Bluewhale, if these are too large for attachment.

The communication using Bluewhale is described in: "Guidance – how to receive and send messages using Bluewhale and at the back of the application forms. The application must be organised into files, with each file having a logical title and number referring to the relevant point on the application.

It is not possible to send a hard copy version of the application or using USB.

Requirements for applicants

6

Both individuals and companies can apply for a licence to provide gambling. It is not necessary for the individual or company applying for the licence to be resident or established in Denmark. See, however, section 6.4.

6.1 Requirements for individuals

There are four objective requirements and three subjective requirements that need to be fulfilled before a licence can be granted. The objective requirements can be defined as those easily verified.

The objective requirements are:

- The applicant must be at least 21 years old.
- The applicant must not be under guardianship or requested guardianship
- The applicant must not have filed a petition for restructuring, bankruptcy or debt relief or be subject to restructuring, bankruptcy, or debt relief proceedings.
- The applicant must not have any debts outstanding to public authorities.
 - Outstanding debts are defined as debts which have passed the deadline for payment and have been passed on to the national debt recovery authority at SKAT.
 - Debts will not affect your licence application if:
 1. The applicant has entered into a repayment agreement,
 2. Full security for the debt has been provided, or
 3. There is disagreement between the applicant and SKAT as to the existence of the debt or its size, and SKAT has informed the applicant that the debt will not be recovered until such disagreement has been settled.

Subjective requirements are defined as situations where the Danish Gambling Authority makes an individual assessment of whether the applicant meets the requirements.

The subjective requirements are:

- The applicant must not have been convicted of a crime in Denmark or abroad that implies a risk that the applicant will misuse the access to working in the area of gambling.
- The applicant must be able to provide gambling in an appropriate financial manner.
- The applicant must be able to provide gambling in an appropriate, professional way.

6.1.1 The subjective requirements explained

Requirement:

The applicant must not have been convicted of a crime in Denmark or abroad that implies a risk that the applicant will misuse the access to working in the area of gambling.

The requirements means that the Danish Gambling Authority must assess whether contravention of legislation involves a significant probability that the applicant will misuse the access to working with gambling activities.

All infractions may be relevant, but the Danish Gambling Authority will always consider the type of crime you have committed, when it happened in relation to the time of application, and if it involved repetition or systematic contravention.

Requirement:

The applicant must meet the requirements for appropriate financial operations.

The requirements means that the Danish Gambling Authority takes into account factors such as whether:

- The operator is in a position to pay out all potential winnings.
- Budgets are consistent with the targets defined in the business plan.

- There are sufficient funds allocated to the operation of the business.

Refer to section 8.1 for more details.

Requirement:

The applicant must meet the requirements for appropriate professional operations.

The requirement means that the Danish Gambling Authority takes into account in its assessment factors such as your previous experience in the areas of business operation and gambling activities.

If you have no previous experience, the Authority will assess your educational background and other experience.

In addition, an assessment will be made of how far the proposed gambling activities meet the requirements of the gambling legislation.

Refer to section 7.2 for more details.

6.2 Requirements for companies

The requirements for companies are the same as those for individuals. See section 6.1.

However, the age requirement and the requirement that a person may not be under any type of guardianship do not apply.

6.3 Requirements for executive board members and board members

The requirements for executive board members and board members are the same as those for individuals. See section 6.1.

6.4 Licence holders who are resident or based outside EU or EEA countries

If the licence holder is resident or the company is established outside the EU or EEA, it is a requirement that the licence holder has a representative in Denmark. The representative, who must be approved by the Gambling Authority, may be either an individual or a company.

At www.skat.dk you can find an overview of EU and EEA countries.

The representative must be able to represent the licence holders in areas of administrative law and in procedural and criminal law, as the representative will be responsible for the day-to-day communication with the Danish Gambling Authority.

If the representative is an individual, the representative must meet the same requirements as the licence holder; see requirements for individuals in section 6.1. In addition, the representative must be resident in Denmark.

If the representative is a company the representative must meet the same requirements as the licence holder, see requirements for companies in section 6.2. In addition, the company must be established in Denmark.

Requirements for appropriate financial and professional operations

7

To obtain a licence for provision of gambling activities in Denmark, you must demonstrate that the operation of the gambling activity will take place in an appropriate professional and financial manner. The two concepts are described separately below.

7.1 Appropriate financial operations

A gambling business must be operated in an appropriate financial manner. When applying for a licence, you must enclose documentation that will enable the Gambling Authority to assess your company's financial situation.

The documentation appears from the list in "Part 2" of the application form 2-01.

To do this, the Danish Gambling Authority will look at the following:

- Is the company in a position to pay out all potential winnings?
- Are the budgets consistent with the targets defined in the business plan?
- Are there sufficient funds allocated to the operation of the business?

The Danish Gambling Authority will send a considerable part of the financial information provided to an auditor, who will assist the Danish Gambling Authority in its assessment. The auditor is under a duty of confidentiality. The auditor will not make the final decision as to whether an applicant is assessed as able to carry out gambling operations in an appropriate financial manner. The Danish Gambling Authority will make the final assessment based on assessments from the auditing firm.

7.1.1 The setoff-free account

To protect player funds, the applicant must have a setoff-free account at a financial institution, which is kept separate from other funds. The funds in the account may only be used for payouts to players and they must be protected should the licence holder become insolvent.

The amount held in the account must at the minimum be equal to the total amount deposited in the players' gambling accounts. The setoff-free account must be updated once every 24 hours to ensure that the two amounts will match.

7.2 Appropriate professional operation

The Danish Gambling Authority's evaluation of applicants includes the requirements set out below as well as the relevant Acts and Executive Orders. The evaluation will also be based on the information you submit with the application.

7.2.1 Persons responsible

The application must state who has the responsibility for:

- Contact person for the company for contact to the Danish Gambling Authority
- Monitoring of anti-money laundering measures and financing of terrorism

These persons must be able to provide and account for any information and documentation which the Danish Gambling Authority may need.

A description of the experience level for each individual responsible for a particular area must be attached to the application. An individual is allowed to be responsible for more than one area.

The CVs of the individuals responsible must demonstrate to the Danish Gambling Authority that they are qualified for their jobs. The CVs must give an accurate view of the individual's professional track record and a description of the professional competencies they possess to take on the responsibility.

7.2.2 Annex A

A personal declaration, annex A, must be filled out by the following individuals:

- Individuals (self-employed individuals),
- All stakeholders in a joint venture company,
- All board members and executive board members of the applicant's company,
- The representative of the applicant in Denmark,
- Beneficial owners,
- Anybody that the Danish Gambling Authority requests to do so.

7.2.2.1 Beneficial owners

Applicant companies must identify the business's beneficial owners. Publicly available registers in many jurisdictions will include information about the beneficial owners.

The term "beneficial owners" is defined in the Anti-Money Laundering Act, which is administered by the Danish Financial Supervisory Authority. The Danish Gambling Authority rely on this definition and thus refer to the Danish Financial Supervisory Authority's AML guide for additional guidance and interpretation of the term "beneficial owners". Furthermore, we refer to the Danish Business Authority's guide on registration of beneficial owners for further interpretation.

The beneficial owners of an applicant company are the natural person(s), who own or control the applicant company.

When the applicant company shall identify its beneficial owners, the company must assess which persons, who have a sufficient share of the equity interests or the control. An indicator of what constitutes a sufficient share would be, in principle, that the person has more than 25 percent of the equity interests and/or the control (indirect ownership). However, it is important to stress that the percentage limit is only an indicator of real ownership or control.

Annex A should include criminal record, and declaration of debts.

Documentation regarding criminal records and declarations of debt from the relevant authorities in the current country of residence must not be more than 6 months old at the time of application. For previous countries of residence, it is sufficient with a certificate of any time during the stay.

7.2.3 Control of gambling data

Annex 1 to the Executive Orders requires the establishment of SAFE and use of the TamperToken. In addition, operators who provide games online or land-based must be linked up to the Danish Gambling Authority's register of self-excluded players (ROFUS).

7.2.3.1 SAFE

SAFE is the licence holder's own data storage system (a file server) where licence holders are required to store data for all the games played by the licence holder's customers from Denmark. All licence holders are required to establish a SAFE system. It must be possible for the Danish Gambling Authority to get online access to the licence holder's data storage.

7.2.3.2 TamperToken

TamperToken is a security system which ensures that the data saved by the licence holder in the SAFE system remains unchanged in storage.

TamperToken is implemented in the Danish Gambling Authority's system and deals with:

- Creation of keys (tokens) used for the creation of identification codes.
- Storage of identification codes for later control.
- Ongoing control to check that the fixed time period for terminating tokens is observed.
- Verification that a retrieved series of data has not been changed in relation to the identification code received.

7.2.3.3 ROFUS

The Register of Self-Excluded Persons (ROFUS) is a register of all players in Denmark who have voluntarily requested exclusion - temporarily or permanently - from online casinos, online betting, land-based betting as well as exclusion from access to land-based casinos in Denmark. The Danish Gambling Authority is responsible for keeping the register. If a player wants to be registered in ROFUS, the licence holder must provide access to the Gambling Authority's website, from where self-exclusion can take place.

For a further description of ROFUS, please refer to section 7.2.11.3.

For a more detailed technical description of the systems above and the requirements that an applicant must meet, please see the document "Technical requirements – online casino and betting", which is available under each gambling sector under "General technical requirements" on spillemyndigheden.dk.

7.2.4 Link-up to SAFE and ROFUS

Before a licence can be granted, the applicant must go through a number of system tests. The link-up process consists of the following:

7.2.4.1 Test of access to SAFE

The Danish Gambling Authority must be able to access SAFE to retrieve data. Information on the applicant's must be submitted to the Gambling Authority in the application form (Annex B).

7.2.4.2 Approval of data reporting

In connection with the application process the applicant must deliver the following material:

1. Test data in accordance with the requirements described in Annex 1 in the document "Requirements for the reporting of game data", which is available on the Danish Gambling Authority's website.
2. A description of the applicant's understanding of each data element in the data reporting. The applicant must describe their understanding of the field, including any decisions made in regard to implementation. The Danish Gambling Authority sends the document to be filled on by the applicant, when the application is received.

7.2.4.3 TamperToken and ROFUS

The licence holder must demonstrate correct use of the TamperToken and show that it is possible to communicate with the ROFUS register.

In connection with the processing of an application for a licence, the applicant receives access to the TamperToken and ROFUS test environment. In addition, the Danish Gambling Authority sends test cases that must be completed by the applicant to demonstrate and document that they use TamperToken and ROFUS correctly.

The Danish Gambling Authority does not give access to the TamperToken and ROFUS test environment unless an application for a licence is received. To provide access to the

TamperToken test environment, the Danish Gambling Authority must also have received information about the applicant's SAFE in Annex B.

7.2.4.4 Final evaluation

When the required testing has been completed, the results and associated documentation are sent to the Danish Gambling Authority. An overall assessment of the process will be carried out and the results forwarded to the applicant.

A licence cannot be issued before all test cases are completed correctly and test data is reported to and approved by the Danish Gambling Authority.

Simultaneously with the issuance of the licence, the applicant is provided access to the TamperToken and ROFUS production environment.

For a more detailed description of the link-up process, refer to the guidelines: 'Description of the connection process', which is available in Danish under the item 'Technical requirements and service descriptions' in the Gambling Authority's website.

7.2.5 Requirements for the gambling system

The "gambling system" which consists of "base platform" and "game platform" is defined in the General requirements (SCP.00) in the Danish Gambling Authority's certification programme for betting and online casino. The definitions of the three terms are:

Base platform is a system used to manage gambling accounts: account creation and sign in, customer self-limitation functions and handling of the players money, among other things. The system is also used to store customer information and customers' participation in gambling, including historical data and result information.

Game platform is games and systems or other equipment that is used to offer or execute games, including systems and equipment that generates or presents games to players, settles and stores the result of a game or determines whether a player has won or lost a game.

The gambling system is the base platform and game platform combined.

7.2.5.1 Certification of the gambling system

The Danish Gambling Authority requires that gambling systems, business procedures and business systems are certified by an accredited test agency before the gambling system is used to offer games to players.

The Danish Gambling Authority's certification programme for betting and online casino is available on the Danish Gambling Authority's website.

SCP	Name of document	Responsible	Frequency	Deadline	Reporting method
00	General requirements	-	-	-	-
01	Requirements for RNG	Game suppliers and licence holders with own games	12 months	1 month	Game register
02	Requirements for base platform	Licence holder	12 months	2 months	Contact form
03	Information Security Management System	Game suppliers and licence holders	12 months	2 months	Contact form
04	Requirements for penetration testing	Game suppliers and licence holders	12 months	2 months	Contact form

05	Requirements for vulnerability scanning	Game suppliers and licence holders	3 months	1 month	Contact form
06	Change management programme	Game suppliers and licence holders	12 months	2 months	Contact form
07	Requirements for games	Game suppliers and licence holders with own games	12 months	1 month	Game register

There are the following three versions of “SCP.07 Game Requirements”:

- 01 Game Requirements – Online Betting
- 02 Wagering Requirements – Land-based Betting
- 03 Game Requirements – Online Casino

The licence holder is responsible for certification of their base platform. If the licence holder develops and offers its own games, the licence holder is also responsible for ensuring that their RNG and gaming platform are certified.

The accredited testing companies must test and inspect based on the requirements stated in the above documents. The results of tests and inspections must be documented using standard reports, which are available on the Danish Gambling Authority's website.

7.2.5.2 Certification frequencies

Licence holders are responsible for ensuring that certification occurs with frequencies listed in the table above. A maximum of 3 or 12 months may elapse between each certification, depending on the certification category.

7.2.5.3 Renewed certification of SCP. 01, SCP.02 and SCP. 07

If it can be documented that no changes have been made to the RNG, game (including game platform) or base platform in the previous 12 months, the testing company may, upon renewed testing and inspection, sign the standard report without conducting further testing or inspection. Documentation that no changes have occurred can, for example, be a comparison of hash values generated by the testing company or by using validation software.

If changes have been made to the RNG, game or base platform in the previous 12 months, recertification of SCP.01, SCP.02 and SCP.07 may be based on random sampling and compliance with the requirements in the document “SCP.06 - System Change Management Program”.

7.2.5.4 Deadlines and reporting method

Licence holders are responsible for ensuring that documentation for certification performed is delivered to the Danish Gambling Authority within the deadlines and using the reporting method stated in the table above. The deadline is calculated from the date the certification is completed.

7.2.5.5 Use of accredited testing companies

The requirements for the accredited testing companies and their employees are stated in the individual documents. The requirements include accreditation according to ISO 17020, ISO 17025 and/or ISO 17065, depending on which document in the certification programme is in question.

ISO accreditation must be carried out by DANAK (The Danish Accreditation Foundation) or a similar accreditation body that is a signatory to the EA's (European co-operation for Accreditation) multilateral agreement on mutual recognition for testing and inspection or, for laboratories outside the EA area, by an accreditation body that is a signatory to the ILAC's (the International Laboratory Accreditation Co-operation) multilateral agreement on mutual recognition for testing and inspection.

To conduct penetration testing in accordance with SCP.04, the testing company can, instead of an ISO accreditation, be CREST accredited for penetration testing or be approved as an Approved Scanning Vendor (ASV). CREST accreditation is carried out by CREST. ASV approval is carried out by the Payment Card Industry (PCI) Security Standards Council (SSC).

To conduct vulnerability scanning in accordance with SCP.05, the Danish Gambling Authority recognizes testing companies that have a CREST accreditation for vulnerability scanning or are approved as an Approved Scanning Vendor (ASV). CREST accreditation is carried out by CREST. ASV approval is carried out by the Payment Card Industry (PCI) Security Standards Council (SSC).

Once a testing company has been accredited or approved, it can conduct tests, inspections and scans of gaming systems without further approval from the Danish Gambling Authority.

The Danish Gambling Authority does not maintain a list of testing companies. It is the licence holder's responsibility to use a testing company that has obtained the appropriate accreditation/approval. Documentation that a testing company has the appropriate accreditation, or approval is reported together with the standard report. This can either be via link if the accreditation/approval is online or attached as an appendix to the standard report.

7.2.5.6 Physical location of gaming system

There is no geographical requirement as to where the licence holder's gaming system must be located. The licence holder must state the location of the gaming system in Appendix B to the application.

7.2.5.7 On-premises or Private cloud

If the gaming system is located in an on-premises environment or in a private cloud environment managed by the licence holder themselves, the physical location (address) is stated in Appendix B.

7.2.5.8 Public cloud

If the gaming system is located in a public cloud environment and thereby located at a third party, the information about the third party is provided in Appendix B. In this case, the Danish Gambling Authority accepts that precise information about the physical location of the cloud environment cannot be provided.

7.2.5.9 Control using remote access

The licence holder must be able to give the Danish Gambling Authority access to conduct a satisfactory inspection of the gaming system using remote access or similar at short notice (normally five days). Control using remote access takes place either by representatives from the licence holder appearing physically at the Danish Gambling Authority or by holding an online meeting. At both types of meetings, representatives from the licence holder must be able to give the Danish Gambling Authority visual access to the gaming system and show/demonstrate the functions etc. that the Danish Gambling Authority wishes to supervise. The Danish Gambling Authority assesses and decides which meeting format is used in relation to the specific supervision.

Gambling providers applying for a licence may, in connection with the application, request a waiver of the requirement for remote access control. The request is made by completing the section in Appendix B.

Approval of the request for a derogation requires that the licence holder has a licence to offer games in another jurisdiction where a public authority supervises the licence holder's gambling services, and that this supervisory authority has entered into a cooperation agreement with the Danish Gambling Authority regarding the supervision of the licence holder's gambling services in this country.

Approval of the request for derogation also requires that the licence holder's entire gaming system is covered by supervision by another authority, even if the gambling system is geographically located in multiple jurisdictions, for example by using multiple suppliers.

7.2.5.10 Game register

Licence holders must register in the game register which games they offer from their game suppliers.

Licence holders who develop and offer their own games also have the same obligations as game suppliers to provide information and upload certificates about their own games and RNG in the game register. For further information about this obligation, please refer to section 8 of the Guidelines for supplier licences, which can be found on the Danish Gambling Authority's website.

Offering your own developed games may require a game supplier licence – see section 7.2.6.2.

If the licence holder develops and offers its own games and at the same time offers games from game suppliers, information about games in the game register will be a combination of information provided by both the licence holder and the game suppliers.

If RNG and games are provided exclusively by game suppliers, the information in the game register will be provided by the game supplier, but the licence holder must register which games they are applying for licence to offer. This registration is based on unique IDs that the licence holder must have been provided with by their game supplier(s).

The game register contains a separate user guide regarding functionalities and use of the game register.

7.2.5.11 Login to the game register

The Danish Gambling Authority issues login information to gambling operators in connection with applications for a licence. Access is only granted to gambling operators who have applied for a licence.

If a gambling operator applies for a licence to offer its own developed games and is not required to apply for a supplier licence, the gambling operator must also have a login as a game supplier in connection with the application for a licence.

7.2.5.12 Offering your own games may require a licence as a game supplier

Licence holders who offer their own developed games should be aware that this may also require an application for a licence as a game supplier.

If the licence holder's own developed games are delivered from a different legal entity within the same group than the legal entity that holds the licence to offer games, then a game supplier licence is required.

If the delivery and offering of own developed games is done from the same legal entity, it does not require a licence as a game supplier.

7.2.5.13 Licence holders' update of the game register in connection with application for a licence

As a general rule, registration of games in the game register must be made for the first time in connection with the application for a licence. It is thus a mandatory part of the application process for the gambling operator to register the games that it wishes to offer, and a licence cannot generally be issued before the games have been registered.

An exception to this is, for example, if a gambling operator has games that, at the time of application, or during the processing of the application, are not ready for offering on the Danish market, for example because certification has not yet been carried out. In this situation, the gambling operator cannot provide information to the game register in connection with the application. Provided that a licence is obtained, the licence holder must register their games in the game register before the games are offered on the Danish market.

7.2.6 Registration of players

It is a fundamental requirement that the licence holder has comprehensive knowledge of the players. The licence holder must be convinced that the customer has provided details of their true identity. There must be no circumstances which give rise to doubts about the player's identity.

The extent of the identification procedure must be determined on the basis of an individual risk assessment. However, the risk assessment must never result in no form of identification measures being taken.

Below is a description of the guidelines in the area, but the licence holder is obliged to introduce stricter procedures where it is assessed that there is a greater level of risk. For each player relationship, the licence holder must be able to prove to the Danish Gambling Authority that the extent of the checks has been sufficient.

To participate in gambling, the player must be registered in the licence holder's system. Only physical individuals may be registered as players, which this means that companies, clubs, etc., are not allowed to have a gambling account. Moreover, licence holders are required to make the registration conditional on the players acting solely on their own behalf.

7.2.6.1 Player registration

In connection with the registration, the player must provide the following information:

- Name
- Civil registration number

If the customer does not have a civil registration number, you must obtain other similar identification documentation. This may be in the form of a personal registration number valid for the public authorities of the individual's home country or, if the country in question does not have such identification numbers, information about date and place of birth.

Players without civil registration numbers include tourists staying in Denmark.

Players without civil registration numbers only include players who actually do not have a civil registration number. If the players do not wish to state their civil registration number or provide similar information, they cannot be registered as a player.

7.2.6.2 Proof of identity of players

The name and civil registration number of the player must be verified by means of a reliable and independent source, such as the civil registration Register. Both factors must be verified. This means that it is not sufficient to only verify the civil registration number, but both factors do not have to be verified through the same source.

When a player creates an account, the player must also use an eID (for example MitID). The information provided by the player must be compared with the verified name and civil registration number. Access to the gambling account must only be granted if the sets of data match.

For customers without civil registration numbers, a check of the name and identification similar to the civil registration number is necessary.

The requirement for an eID does not apply to customers without a civil registration number. When such a player creates an account, the player's identity must be verified by collecting more information.

If there is still doubt about the player's identity after a verification of name and civil registration number and use of eID, more information must also be collected on players with a civil registration number.

Further information for verification of the player's identity may include:

- Submission of photo identification. Photo identification must come from a reliable and independent source and will typically be issued by public authorities. The information appearing from the photo identification must be up to date.
- Requirement that the first payment is made by means of a money transfer from a bank account where the player has undergone a verification process.
- Submission of a contract or similar to the player with a request to sign and return the document.

Licence holders must not set up a gambling account if they discover that the player has provided incorrect information. Individual pieces of information may be adjusted in cases where it the licence holder assesses that the player did not intend to provide incorrect information; for example, if the player has made a typing error.

7.2.7 Prevention of money laundering

The prevention of money laundering is specified in the guide "The Danish Gambling Authority's guidance on preventive measures against money laundering of criminal proceeds and financing of terrorism".

7.2.8 Safekeeping of identity information etc.

The licence holder must keep records of identity information for a period of at least 5 years after the customer relationship has been terminated. "Identity information" means the actual information about an individual.

The requirement for safekeeping of identity information includes the licence holder keeping records of which identification documents were used to set up the account.

If the player has shown a passport, the passport number must be noted down and kept. If the passport shown is of foreign origin, birth data information (date and place of birth) must also be noted down and kept. If a driver's licence has been shown, the licence number must be noted down and kept.

7.2.8.1 Safekeeping of information after the closure of a company

If a company closes down, the last known functioning management group must ensure that records of identity information continue to be kept in accordance with the Executive Order on online casinos, online betting and land-based betting.

7.2.8.2 Updating of information while the customer relationship is still in force

Documents, data and other information about the player must be updated on an ongoing basis. The licence holder must ask for new identification if there is doubt as to whether the documentation already obtained about the player's identity is correct or sufficient.

If there are significant changes in the player's gambling patterns, the information regarding the intended extent of gambling must be renewed by the player.

7.2.9 Gambling accounts

When the licence holder has obtained information about the customer's identity and verified this information with the required documentation, a gambling account can be set up for the player. A player may have more than one gambling account, but the customer identification process must be carried out each time a gambling account is set up.

A gambling account must provide the player with information about:

- Account balance
- Gambling history (including stakes, winnings and losses)
- Deposits and withdrawals
- Details of all associated transactions

The gambling history must provide the player with access to view all stakes, winnings and losses resulting from a gambling session and must be recorded minute-by-minute at a minimum.

The information available to the player in the gambling account must date back at least 90 days. The player must also be able to access to information on request for a minimum of twelve months.

7.2.9.1 Temporary gambling accounts

When a player creates a temporary account, the player must use an eID. Until the player's identity has been confirmed correctly as referred to in section 7.2.6 (proof of the player's identity), the licence holder is only permitted to set up a temporary gambling account. The temporary gambling account must be shut down within 30 days if the player has not been properly identified with the correct documentation.

A temporary gambling account may not be set up for players who are registered with ROFUS.

The player may deposit a maximum amount of DKK 10,000 into a temporary gambling account, and no withdrawals may be made from the gambling account. This means that any winnings won must not be paid out until the gambling account has the status of a normal gambling account, and the player's identity verified. However, any winnings must be immediately credited to the gambling account.

When a temporary gambling account is shut down, the player will only be able to withdraw the remainder of the total deposited amount. Any winnings won by the player will accrue to the licence holder.

7.2.9.2 The players' deposits to the gambling account

It must only be possible for gambling accounts to accept payments from payment service providers that meet the requirements of the Payment Services Act. Players must not be granted a credit and cash deposits are not allowed.

When an amount has been deposited into the gambling account by the player, it must be shown immediately after the amount has been received. In the case of bank transfers, the amount must be credited to the account immediately after it has been received.

In connection with deposits to the account, either an eID or a strong customer authentication method must be used. This also applies to withdrawals and changes of payment instruments such as changes of debit cards, banking details etc.

You can find further information about the use of eIDs or strong customer authentication methods for deposits to the account under section 10.1 Use of eID (MitID).

7.2.9.3 Closing a gambling account

When a gambling account is closed, the licence holder must pay out the balance of the gambling account to the player no later than five working days after the account has been closed.

7.2.10 Information to players

All necessary and relevant information to the player must be in Danish, including playing rules and standard terms and conditions.

It must be possible for the player to find information about:

- All costs associated with participation
- The value of all winnings (market value)
- Where and when the winners are announced
- Theoretical payout percentages used
- Start and end dates for participation
- How winnings are paid out to the winners
- Deadline for submission of valid winnings claims
- The name of the licence holder and the physical address where the licence holder is established, e-mail address, postal address (if applicable) and any other information about the licence holder necessary for contacting and communicating with the licence holder
- The central business registration number (CVR No.), if the licence holder is registered in the Central Business Register
- How the player can file a complaint with the licence holder
- The approved licence period for providing gambling services.

The items of information defined as relevant depend on the form of the game and the gambling services provided.

It must be stated on the homepage of the website that the gambling licence has been issued by the Danish Gambling Authority and that the Danish Gambling Authority supervises the operation of gambling services. The Danish Gambling Authority's label must appear from the licence holder's website and the front page of the website must also include a link to the Danish Gambling Authority's website.

It is also a requirement for the provision of gambling via websites that:

- It must be stated that persons below the age of 18 are not allowed to take part
- Information about responsible gambling and the potential harmful effects of gambling must be provided. The information must be prepared in cooperation with a treatment centre
- The player must be able to access a gambling addiction self-test
- The player must be able to find information about and addresses of Danish treatment centres.

This information must be in a prominent place on the website, for example on the homepage, and it must always be possible for players to find and access the required information from all pages of the site.

During online casino games, a clock must be visible to players so they can see how much time has been spent on the site. The clock does not necessarily have to be a traditional clock or set to a specific time zone. It may instead be a timer function that starts when the player logs in.

7.2.11 Player options for setting a limit to gambling

Below is a list of measures enabling players to set limits to their own gambling. As these are minimum requirements, it is also possible to implement further measures.

See further to this at the Danish Gambling Authority's guide on responsible gambling.

7.2.11.1 Deposit limits

Before a player can begin gambling, they must set a daily, weekly or monthly deposit limit. All three options must be offered to the players, and it must be possible for individual players to set a nominal amount of their own choice.

In principle, the deposit limits must be activated as soon as they are set. However, in cases where a previous deposit limit has been increased, 24 hours must pass before activation of the new limit.

7.2.11.2 Self-exclusion from individual gambling operators

Players must be able to exclude themselves from playing, the following options must be possible:

- A brief break from playing (cooling-off period)
- Temporary self-exclusion (minimum 30 days)
- Permanent self-exclusion.

In connection with permanent exclusion, the player's gambling account must be closed down and the player relationship terminated. The player can only set up a new account again one year after the gambling account was shut down at the earliest.

7.2.11.3 Self-exclusion from gambling via the Danish Gambling Authority

ROFUS is The Danish Gambling Authority's register of voluntarily self-excluded players. ROFUS allows players to voluntarily register using MitID if they want to exclude themselves temporarily or permanently from gambling in Denmark.

Players have the option of taking a 24-hour break or excluding themselves for a temporary period of 1, 3 or 6 months. Permanent self-exclusion is also an option.

The Danish Gambling Authority has the responsibility for operating ROFUS.

A licence holder may not carry out exclusion on behalf of the player, but the licence holder must inform the player about self-exclusion and refer them to the Danish Gambling Authority's homepage.

When registering a new player, the licence holder must check the ROFUS register. If the player is listed in ROFUS, the licence holder is not permitted to set up a gambling account - not even a temporary one.

Each time a player logs in to the gambling system, you must consult the ROFUS register and check that the player has not been entered into the register. When a player is listed in the register, the player must be denied access to log in and the player relationship must be terminated in cases of permanent exclusion. In cases of temporary exclusion, the customer relationship shall not be terminated, but the player must be denied access to log in.

Before marketing material is sent to players registered with the licence holder, ROFUS must be checked to make sure that the players are not registered with ROFUS. If a player is registered with ROFUS, the gambling operator must not send marketing material to the player in question. A check with ROFUS prior to sending marketing material must not be made more than 24 hours before the marketing material is sent.

A player who has requested permanent exclusion may request the Gambling Authority to be removed from the register one year after the date of entry in the register. The request must be confirmed by the player after minimum 7 days and maximum 30 days.

Temporary exclusions will be terminated automatically at the end of the exclusion period

ROFUS contains information about:

civil registration number of the players in the register.

- Date and time of self-exclusion.
- Date when temporary self-exclusion ends.

7.2.11.4 The Danish Gambling Authority's helpline

The Danish Gambling Authority operates the helpline "StopSpillet".

StopSpillet can help players with:

- Professional, impartial and confidential advice about responsible gambling
- Clarification of problematic gambling behaviour
- Guidance about treatment options

The helpline can be contacted on +45 70 22 28 25.

Licence holders are required to inform players about ROFUS and "StopSpillet" in their marketing, which includes the licence holder's own website. For more information about the duty of disclosure, please see the Danish Gambling Authority's guide on duty of disclosure when marketing and advertising gambling. The guide is available on spillemyndigheden.dk/en.

Issuance of licences

8

8.1 Licence period

A licence to provide betting or online casino games is granted for a period of up to five years.

8.2 Geographical scope of the licence

A licence for betting or online casinos can only be used to provide gambling in Denmark. This means that the provision of gambling in other countries cannot take place with a Danish licence even though the player already has an account with the Danish version of the homepage. Similarly, games can only be provided in Denmark with a Danish licence. This applies no matter who the gambling provider is.

With a licence to provide betting or online casinos, the licence holder may provide gambling to persons:

- who are resident in Denmark and have a civil registration number
- without a civil registration number, if they are staying in Denmark for a short period of time, for example, on holiday.

It is possible to apply for a licence to cover the provision of gambling in Greenland but not for the provision of gambling services in the Faroe Islands.

It is not possible with a Danish licence to provide gambling to persons who are resident in other countries, irrespective of whether they are Danish or have another nationality.

When players leave Danish territory, they are no longer bound by Danish legislation and will be subject to the regulations in the country where they currently are.

A Danish licence cannot be used for the provision of gambling outside Danish territory.

8.3 Terms of the licence

The licence contains a number of specific terms and conditions, so licence holders must always pay special attention to the terms stated in the licence.

Examples of terms include:

- Requirements for setting up a setoff-free account.
- Requirements for the responsible operation of gambling activities with the aim of avoiding social, health or public order problems.

Violation of the terms of the licence may result in withdrawal of the licence.

8.4 Publication of licence holder list

The Danish Gambling Authority regularly publishes a list of the licence holders with approval to provide betting or online casinos in Denmark. This list is available on the Gambling Authority's website at www.spillemyndigheden.dk.

8.5 Renewal of licences

Before a licence expires, it is possible to apply for a new one.

The fees and current rates on renewal of licences can be found on spillemyndigheden.dk/en.

Changes to a licence

9

You may need to make changes to the basis on which your licence was issued. This could be in connection with changing key persons, providing new games or restructuring of your enterprise following a merger, a change of beneficial owners or changes to the ownership structure etc.

For changes to the licence, use form 2-07 - Modifications.

9.1 Application for additional games not mentioned in licence

9.1.1 Online casinos

With a licence for online casino services, you can provide the games roulette, baccarat, punto banco, blackjack, poker and games on gaming machines with cash winnings - unless your licence is limited to individual types of games.

In addition, you may - without a special licence - provide games that meet the criteria for being a combination game.

Before the provision of a new game, the Danish Gambling Authority must always be informed – especially see section 7.2.5. on the Danish Gambling Authority's change management programme, and where this may lead to a requirement for recertification of parts of the gambling system.

9.1.2 Betting

With a licence for betting, all types of betting may be provided except those mentioned in section 3.2.

9.2 Transfer of a licence

A licence cannot be transferred without approval from the Danish Gambling Authority.

9.2.1 Delegation of a licence

It is not possible to transfer (delegate) a licence or the rights and obligations that follow with the licence. This means that another company cannot provide gambling services based on a licence issued to another licence holder.

Despite the ban against delegation of a licence, it is permitted to use external subcontractors. However, the licence holder is always responsible for the games and cannot disclaim responsibility in relation to the Danish Gambling Authority or the players.

The ban against delegating does not prevent you from providing gambling services via white label constructions or selling games through employees, etc. Please refer to section 4.2 for more information.

9.3 Other changes

9.3.1 Members of the board of directors or the executive board

The Danish Gambling Authority must be notified within fourteen days if a new member joins the board of directors, or a new executive officer is employed in the executive board of the licenced company. This is done by the person in question filling in and submitting form no. 2-07 as well as Annex A of the application.

Beneficial owners and members of the board of directors or members of the executive board in companies (legal persons) must immediately notify the Danish Gambling Authority if the beneficial owner or the member is convicted of a punishable crime that justifies imminent danger of misusing the access to working with gambling or has debt due to the public that exceeds DKK 100,000.

The Danish Gambling Authority may decide that members of the board of directors or members of the executive board must resign from their post if they have been convicted of a criminal offence that involves a risk that they will misuse their access to working with gambling activities. The same applies if the member has unpaid, outstanding debt to public authorities exceeding DKK 100,000.

If a member of the board of directors or the executive board is placed under guardianship in accordance with section 5 of the Guardianship Act (personal and financial guardianship) or section 7 (requested guardianship), the member must resign from their post. This also applies if the member has petitioned for a reorganisation, bankruptcy proceedings or debt relief, or is in the course of reorganisation, bankruptcy or debt relief proceedings.

9.3.2 Changes in named employees responsible for specific areas

Changes to the named employees responsible for:

- Day-to-day operations
 - IT security
 - Finance
 - System changes
 - Combating money laundering and financing of terrorism
- must be reported to the Danish Gambling Authority together with the name of the employee responsible for the task in the future. The Gambling Authority must approve the employee responsible for the area, and a CV must be submitted for this person. The licence holder is responsible for ensuring that the Danish Gambling Authority is at all times in possession of the most recent information about the persons responsible. Read more about CVs in section 7.2.

9.3.3 Changes to the ownership structure

The Danish Gambling Authority must be notified if the ownership structure is changed. In this connection, it is assessed whether the new owner is able to operate in an appropriate, financial manner. For the preliminary assessment, the following must be sent:

- Timetable for the procedure
- Description of the future changes to the organisational level as well as gambling and business concept
- Organisation chart of the group before and after the changes
- New Annex A if there has been changes in this group of persons (see form 2-02 for a description of this group of persons)

- Most recent annual accounts of the licence holder
- Expenditure budget for the coming 12 months with comments or completed budget template of the licenced business
- Sales contract between the parties
- Information about guarantee for the licence holder
- Annual accounts of the collateral provider
- Budget of the collateral provider

In addition to the above, it is assessed whether additional information is required.

Based on the material submitted, the Danish Gambling Authority assess whether the licence holder may continue to operate a gambling business in an appropriately financial and professional manner in relation to section 29 of the Act on Gambling. The Danish Gambling Authority may involve external consultancy in the process, after which it may be assessed that additional information is required.

A guarantee may be, for example, a statement of support from a parent company. The Danish Gambling Authority has a template for a statement of support.

Additional requirements for gambling operators

10

There are a number of requirements for the provision of gambling activities which must be met in the day-to-day operation of a gaming enterprise.

10.1 Use of eID (MitID)

It is a requirement that an eID must be used in the following situations:

1. When a player creates an account
2. When a player logs into an account for the first time from a new device
3. When a customer changes data on their identity, including name and civil registration number

Login to an account from a new device is a situation in which a player logs into from, for example, a smartphone, a computer or a tablet, which the player has not used before. Whether the licence holders use a web-based user interface adapted across devices or an app for smartphones is used is not a determining factor. This means that it is the physical device that determines when an eID is required and not the user interface.

The eID must be an eID from a Danish National identification scheme or an eID approved by the Danish Gambling Authority. By eID is meant, for example, MitID. If a licence holder wants to use another eID than MitID, the licence holder must contact the Danish Gambling Authority.

If MitID is used, the assurance level must be “substantial” or higher. The assurance level “substantial” is the level that not accurately matches the access with the former NemID. The assurance level “substantial” is further described in the NSIS standard which forms the basis for MitID.

10.1.1 Deposits and withdrawals and changes of payment instrument

An eID or a strong customer authentication method must be used for deposits and withdrawals from an account and when changes are made to payment instruments.

By payment instruments is meant data on debit cards, banking details, e-wallets and similar.

Use of a strong customer authentication method must be made in accordance with the Act on payments. It is an option that the customer authentication is made by the licence holder's payment service provider (PSP) when managing deposits and withdrawals.

The licence holder is responsible for ensuring that either an eID or a strong customer authentication is used.

It should be noted that there are exceptions to the use of a strong customer authentication for deposits and withdrawals. Exceptions appear from the Commission's delegated Regulation 2018/389. If you have questions about the exceptions, please contact the Danish Financial Supervisory Authority (the Danish FSA).

10.1.2 Login to an account with eID

If MitID or another eID is used for login to an account, the licence holder is not obligated to require that the player uses MitID or another eID in the situations mentioned in sections 7(1) and (3) of Executive Orders on online casino and online betting, since the player is already verified when they log in.

10.1.3 Login to an account without eID

If an eID is not used as login to an account, another type of sufficient identification of the player must be made instead. This can for example be done by using a strong password or two factor authentication, e.g., by using the device's option of using biometric data such as face recognition or fingerprint.

The Danish Gambling Authority does not define a "strong password". We refer you to the Danish Agency for Digital Government's applicable recommendations.

10.1.4 Players without a civil registration number

For players without a civil registration number, the requirement for an eID not does apply. These players must in some other way be sufficiently identified upon creation of an account. As for login to an account, a strong password or use of two factor authentication should be used, for example, by using the device's option of using biometric data such as face recognition or fingerprint.

10.1.5 Duration of a session and inactivity when using eIDs

It appears from the Agency for Digital Government's technical requirements for the service providers' use of NemLogin3 that the duration of a session for using eIDs cannot last more than 8 hours. The duration of a session is measured from the time of using the eID and no more than 8 hours after.

For example, if a player uses MitID to log in to the account at 8 pm and is active until 8.50 pm when the player wants to withdraw the credit balance from the account, the player does not need to use MitID again upon withdrawal because MitID has already been used 50 minutes before and the withdrawal takes place within the duration of a session of 8 hours.

By recommendation from the Agency for Digital Government, an eID must be used again after an inactive period of 30 minutes within the duration of a session.

This means that during the period from the eID is used until the period of inactivity or the maximum duration of a session is completed, it is not necessary to use an eID again in the situations mentioned in section 7(1) and (3).

If the player has been inactive in a period of 30 minutes during the duration of a session, the player must use an eID again in the situations mentioned in section 7(1) and (3).

For example, if a player uses MitID to log in to the account at 8 pm, sees his credit balance and is then inactive in the period from 8.05 pm to 21.45 pm, becomes active again and wants to withdraw the credit balance from the account, then the player must use MitID or a strong customer authentication, because the player has been inactive for more than 30 minutes.

We also refer you to the Agency for Digital Government's technical requirements for service providers' use of NemLogin3.

10.1.6 End of dispensation for eIDs for logins via mobile devices

From 1 January 2023, dispensations for using eIDs for gambling via mobile devices such as smartphones and tablets can no longer be granted.

From this date, dispensations previously granted will expire and eIDs must be used in the situations mentioned above.

From 1 January 2023, the rules will thereby be identical regardless of the type of device used by the player.

10.1.7 End of dispensation for eIDs for logins from players in Greenland

From 1 July 2022, dispensations for using eIDs for players logins from in Greenland can no longer be granted.

From this date, dispensations previously granted will expire and eIDs must be used in the situations stated in section 7(1) and (3).

10.2 Marketing of gambling activities and sales promotion

In addition to the general marketing rules, there are special rules for the marketing of gambling activities. A more detailed description is available in the guide "Guide on duty of disclosure when marketing and advertising gambling" and specifically about sales promotion in "The Danish Gambling Authority's guide on sales promotion".

10.3 Responsible gambling

Various provisions of the gambling legislation state that licence holders must observe the requirements of responsible gambling. The requirements are specified in the guide "The Danish Gambling Authority's guide on responsible gambling".

10.4 Complaints from players

Players must be able to file a complaint with the licence holder about its gambling services. As a result, the licence holder must always deal with an inquiry from a player who disagrees about the size of winnings or about the way the game is played. However, this rule does not mean complaints about issues such as advertising or the cleanliness of a gaming shop must be dealt with.

It is not possible for the player to file a complaint about your decisions to the Danish Gambling Authority, but the licence holder must instead refer the player to the authority where they can file an appeal.

A complaint must be dealt with within 14 days. If the licence holder does not manage to complete the case within 14 days, the player must receive notification and notice of the expected date of completion.

The licence holder must keep records of the complaints and the decisions made for a period of two years. Part of the Gambling Authority's supervision of activities may be to review any such complaints.

10.5 Suspension of player accounts

A gambling account may be suspended if the player is suspected of having unlawfully obtained winnings or violated conditions set out in the Danish Gambling Act, the Executive Order or in the terms and conditions of the gambling account.

Players must receive a decision concerning the suspension within reasonable period of time. During the suspension period, it must not be possible for players to terminate their gambling account. When a decision in the matter has been taken, players must receive this in writing by letter or e-mail. If the suspension leads to the confiscation of winnings, etc., the decision must be substantiated, and the matter must be documented.

10.6 Land-based betting activities

Land-based betting can be offered via a store, betting shop or a land-based casino. The provision must take place at the premises and cannot take place outside the premises.

According to the Danish Gambling Authority's practice, stores cover kiosks, supermarkets, and petrol stations. The Danish Gambling Authority assess that restaurants, cafes, bars, bowling alleys or pizzerias do not fall under a natural understanding of what is considered a store and therefore, it is not allowed to offer betting at such premises.

The individual stores must by function, design and signposting etc. appear and operate as independent, functionally and physically separate units that can be closed from the common area. This means that the area used by customers for payment etc. must be placed within the demarcation of the individual store. There cannot be direct, free access from one store's sales area to another store's sales area, and the goods sold in one store cannot be brought to and paid in another store.

Annual fee

11

The licence holder is required to pay an annual fee to the Danish Gambling Authority for each licence to provide betting or online casino services.

11.1 Calculation and payment of annual fee

The annual fee is calculated on the basis of the gross gambling revenue of a calendar year (gambling revenue less winnings). The fee is regulated on an annual basis and appears from spillemyndigheden.dk/en.

You must pay the fee no later than one month after the licence enters into force. This date is stated in the licence.

The size of the fee will be adjusted on an annual basis.

For the first year of the licence, the Danish Gambling Authority will set the annual fee. The fee will be set based on the gross gambling revenue stated by the licence holder in the budget that was enclosed with the application.

In the following years, the fee will be calculated on the basis of the preceding year's actual gross gambling revenue. If you have not provided gambling services for an entire calendar year but only for, say, six months, the gross gambling revenue will be multiplied by two to make up the annual fee.

11.2 Regulation of the annual fee

The Danish Gambling Authority will regulate the annual fee in the following situations:

- If the realised/actual gross gambling revenue exceeds the basis on which the fee was calculated, an amount corresponding to the difference between the fee paid and the actual fee due will be charged. This amount must be paid no later than one month after this fee has been charged.
- If the realised/actual gross gambling revenue for a calendar year is lower than the basis on which the fee was calculated, an amount corresponding to the difference between the fee paid and the actual fee due will be refunded. Any such refunds cannot be paid out until after the end of the calendar year.

Regulation of the fee is not possible in cases where the licence holder ceases the provision of gambling before the expiry of the licence.

The Danish Gambling Authority is responsible for the calculation, charging, regulation and refund of the fee using information on the gross gambling revenue and tax returns reported by the licence holder to SKAT (the Danish Tax and Customs Administration).

Lapse of licence

12

A licence to provide games will lapse when any of the following conditions are met:

- The licence holder advises the Danish Gambling Authority that the licence holder no longer wishes to provide gambling services.
- The licence holder does not commence the provision of gambling services after 12 months at the latest.
- The licence holder does not provide gambling services for a period of 6 consecutive months, except in cases where the provision of gambling services is seasonal.
- The licence holder passes away.
- The licence holder or licence holder's representative no longer meets one the conditions set out in section 6.1.
- The Bankruptcy Court, upon request from the Commerce and Companies Agency (Erhvervsstyrelsen), has ordered that the licence holder be compulsorily dissolved.

Irrespective of whether the Bankruptcy Court has ordered that the licence holder be compulsorily dissolved,

- the estate of the deceased licence holder;
- a spouse retaining undivided possession of the estate;
- a licence holder that has filed for a suspension of payments;
- a licence holder's estate in bankruptcy; or
- a guardian of a licence holder

may continue to provide gambling services with a view to winding-up and realisation, if it is notified to the Danish Gambling Authority within 14 days after:

- the event of death;
- filing for suspension of payments;
- the issue of a bankruptcy order; or
- the establishment of the guardianship.

The access to continue providing gambling services only applies for six months after the event which caused the lapse of the licence.

Withdrawal of licence

13

The Danish Gambling Authority may withdraw the licence if the licence holder or the licence holder's representative:

- Is in gross or repeated violation of the Gambling Act, its associated Executive Orders or the terms of the licence,
- Has been convicted of a criminal offence that may involve a risk that access to working with gambling activities will be misused,
- Can no longer show that it is likely that the gambling activities will be operated in an appropriate financial and professional manner,
- Is in gross or repeated violation of the duty to pay outstanding taxes or have/has not provided security for such taxes, see the Gaming Duties Act and the Act on the Collection of Taxes and Duties etc.
- Has failed to pay outstanding fees as set out in section 42 of the Gambling Act;
- Has unpaid, outstanding debt to public authorities in excess of DKK 100;
- Has not applied for registration of the company with the customs and tax administration within four weeks after the licence was granted;
- Provides or organises games that cause significant disturbance of public order.

Appeals on decisions made by the Danish Gambling Authority

14

The licence holder can file an appeal about decisions made by the Danish Gambling Authority with the Danish National Tax Tribunal or the courts.

14.1 Appeals about decisions made by the Danish Gambling Authority

The licence holder can appeal any decision made by the Gambling Authority.

14.2 Requirements for the appeal

In order to handle the appeal, the following requirements must be met:

- The appeal must be in writing.
- The reasons for the appeal must be stated.
- All the points where the licence holder disagrees with the decision must be specified.
- The licence holder must attach a copy of the decision in question.
- Copies of all relevant documents supporting the case must be attached.

If these requirements have not been met, the licence holder will be contacted and asked to correct the omissions within a specific deadline.

If the requirements are still not met after the expiry of the deadline, your appeal may be rejected.

The appeal must reach the National Tax Tribunal no later than three months after the licence holder has received the decision from the Danish Gambling Authority.

14.3 Appeals to be sent to the Tax Appeals Agency (Skatteankestyrelsen)

Appeals can be filed online via the Tax Appeals Agency's appeals portal.

Appeals may also be sent by post to:

Skatteankestyrelsen
Ved Vesterport 6, 6. sal
1612 København V

On receipt of the appeal, the Tax Appeals Agency will decide whether the appeal will be handled, at the National Tax Tribunal or the Tax Appeals Agency.

14.4 What does the appeal cost?

On filing an appeal, the licence holder must pay an appeal fee of DKK 1100 to the Tax Appeals Agency bank account: Registration number 0216, account number 4069029361.

On payment, the name and reference number from the decision receipt must be stated.

It is not possible to pay the fee via the Tax Appeal Agency appeals portal.

There is no charge for decisions concerning freedom of information.

14.5 When the appeal decision has been made

Decisions of the National Tax Tribunal and Tax Appeals Agency are final and cannot be appealed to other bodies within the administrative system.

The matter may still be brought before the courts of law.

14.6 Appeals to court

Any appeal must be received by the court three months at the latest after the decision has been made by the Gambling Authority. The three-month time limit is reckoned from the day the decision is issued and not from the day the decision is received.

If the case is not brought before the courts before the three-month time limit, the decision will be final and it will not be possible for the court to handle an appeal. In exceptional circumstances, a court may however decide to handle the case even though the three-month limit has passed.

The licence holder may complain about decisions made by the Danish Gambling Authority directly to the courts. It is not a requirement that an appeal must first be filed to the National Tax Tribunal.

The licence holder may also appeal decisions made by the National Tax Tribunal (Landsskatteretten) or Tax Appeals Agency (Skatteankestyrelsen).

14.7 Suspensive effects of the appeal

When filing an appeal against a decision made by the Danish Gambling Authority to the National Tax Tribunal or bringing the case before the courts, the licence holder must be aware that the appeal does not always have a suspensive effect.

If the complaint does have a suspensive effect, the licence holder does not have to comply with the decision until the appeal case has been decided by the National Tax Tribunal or the courts.

If the appeal does not have a suspensive effect, the licence holder has to comply with the decision even though there is disagreement, and an appeal has been filed about the decision.

Filing an appeal with the National Tax Tribunal or bringing a case before the courts has a suspensive effect if the decision concerns:

Decision	Reason for the decision
Withdrawal of a licence	The licence holder or the representative: • Is guilty of gross or repeated violation of the Gambling Act, of provisions set down in the Act, or of the terms of the licence, • Has been convicted of a criminal offence that leads to the potential risk that access to working with gambling activities may be abused, or • No longer fulfils the conditions about being able to operate gambling activities in an appropriate financial and professional manner.

Withdrawal of the approval of a representative	• The representative has been convicted of a criminal offence that leads to the potential risk that access to working with gambling activities may be misused • The representative is no longer established or resident in Denmark
Decision about members of the board or executive board being required to resign	The member has been convicted of a criminal offence that leads to the potential risk that access to working with gambling activities may be abused.
The National Tax Tribunal or the courts may decide not to allow the appeal to have a suspensive effect on the decisions referred to above	

In other situations, an appeal does not have a suspensive effect. In some situations, however, the National Tax Tribunal or the courts may allow the appeal to have a suspensive effect in special circumstances.

