

Draft Act amending the Gambling Act¹⁾

(Strengthened action against collusion, improved sanction options, legal basis for increased data processing, changed fees for gambling machines and various adjustments to the gambling sector)

We FREDERIK THE TENTH, by God's Grace King of Denmark,
hereby decree: The Parliament has adopted, and We by Our consent,
ratify the following Act:

Section 1

The Gambling Act, cf. Consolidation Act No 1303 of 4 September 2020, as amended through Section 4 of Act No 650 of 8 June 2016, Section 2 of Act No 533 of 27 March 2021, and Section 1 of Act No 375 of 28 March 2022, is amended as follows:

1. In *Section 5*, the following shall be inserted as *Nos 10 and 11*:

‘10) Licence holder: Person or company, etc. (legal person) who has a licence to offer games under this Act.

11) Game provider: Provider of games to a licence holder for the offering of bets, cf. Section 11, or for the operation of online casino, cf. Section 18.’

2. In *Section 11(2)*, the following shall be inserted after ‘at a time’: ‘, without prejudice to (3) and (4)’.

3. In *Section 11*, the following shall be inserted as new paragraphs after (2):

‘(3) Licences may be granted for up to 1 year at a time, where the taxable gambling revenue must not exceed DKK 1,000,000, and where the gambling turnover must not exceed DKK 10,000,000.

(4) Licences may be granted for up to 1 year at a time, where the gambling turnover must not exceed DKK 5,000,000, and where the payout ratio must not exceed 20 %.

(3) subsequently becomes (5).

4. In *Section 11*, the following shall be inserted after (3), which becomes (5), as a new paragraph:

‘(6) Licence holders may only offer bets if the game is provided by a game provider who has a licence from the Danish Gambling Authority, cf. Section 24a, or if the licence holder himself handles the processing and settlement of bets, cf. Section 24a(3).’

5. *Section 11(4)* and (5) shall be repealed.

6. After Section 11 the following shall be inserted before the heading before Section 13:

‘**Section 12.** The Danish Gambling Authority may impose licence holders to provide information about a player's behaviour and identity necessary for the detection or investigation of collusion.

(2) The Danish Gambling Authority may, across licence holders, investigate whether irregular or suspicious bets are made, or whether bets are used to support criminal activities.

(3) Articles 13–15 of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) shall not apply to the processing of personal data by the Danish

Gambling Authority and the licence holder where the data have been disclosed in accordance with (1) and (4) and are processed for the purposes of preventing and combating collusion.

(4) The Minister of Taxation may lay down rules on preventive measures against collusion and on notification obligations for licence holders towards the Danish Gambling Authority, including rules that the notification must be drawn up in Danish or English, and that the notification must be made in electronic form (digital communication).

(5) The Minister of Taxation may lay down rules requiring the licence holder to have a scheme in which employees can anonymously disclose knowledge or suspicion of collusion.

Section 12a. The Danish Gambling Authority may exchange necessary information about collusion with licence holders and other Danish and foreign authorities and entities. Articles 13–15 of the GDPR does not apply to the exchange of necessary information by the Danish Gambling Authority on collusion.

(2) Members of the National Platform for the coordination of the fight against the manipulation of sports competitions in Denmark may, notwithstanding professional secrecy, disclose information to authorities, companies and entities participating in a Danish or foreign National Platform to combat collusion, if the information is necessary to prevent or combat collusion.

(3) Authorities, companies or entities that receive confidential information about collusion pursuant to (1) or (2), shall be liable in accordance with Sections 152–152e of the Criminal Code to keep the received information secret, without prejudice to (5). Disclosure of information in accordance with (1) and (2) to foreign authorities or entities may only take place provided that the recipients are subject to professional secrecy that is at least equivalent to the professional secrecy pursuant to the first sentence.

(4) The professional secrecy under (3) shall also apply to the disclosure of information to the natural or legal person to which the information relates, notwithstanding any legal obligation to disclose the information to that person under other legislation, without prejudice to (5).

(5) Information covered by (3) may, with the consent of the providing party, be involved in the publication or disclosure of the information by the receiving authority or entity. In the case of consent, the rules generally applicable to the receiving authority or entity and which pursuant to (3) and (4) have been waived shall apply.'

7. In *Section 18(2)*, the following shall be inserted after 'at a time': ', without prejudice to (3)'

8. In *Section 18*, the following shall be inserted as a new paragraph after (2):

'(3) Licences may be granted for up to 1 year at a time, where the taxable gambling revenue must not exceed DKK 1,000,000, and where the gambling turnover must not exceed DKK 10,000,000.

(3) subsequently becomes (4).

9. In *Section 18*, the following shall be inserted as (5):

'(5) The licence holder may only offer games if the game is provided by a game provider who has a licence from the Danish Gambling Authority, cf. *Section 24a*, or if the licence holder offers his own online casino games.'

10. The following is inserted after *Section 18*:

'Guessing competitions through SMS

Section 18a. Licences may be granted for up to 1 year at a time for the offering of guessing competitions through SMS, where the taxable gambling revenue must not exceed DKK 1,000,000, and where the gambling turnover must not exceed DKK 10,000,000.’

11. The following shall be inserted after Chapter 3:

‘Chapter 3a

Game providers

Section 24a. A licence may be granted to providers of games, cf. Chapter 4a, that are the providers of online casino games to licence holders, cf. Section 18, or providers who provide bets, if they handle the processing and settlement of bets for licence holders, cf. Section 11.

(2) Licences may be granted for up to 5 years at a time.

(3) Licence holders who offer their own online casino games or handle the processing and settlement of bets themselves shall not be required to have a separate licence as a game provider.’

0. In *Section 28(1), first sentence*, the following shall be inserted after ‘Section 26(1)(3–5), and that’: ‘beneficial owners and’.

1. In *Section 28*, the following shall be inserted as a new paragraph after (1):

‘(2) Beneficial owners and members of the supervisory board or the board of directors of companies, etc. (legal persons) must immediately inform the Danish Gambling Authority if the beneficial owner or the member is convicted of a criminal offence that justifies an immediate risk of abusing the access to work in the gambling sector, or has overdue debts to the public exceeding DKK 100,000.

(2) and (3) subsequently become (3) and (4).

2. In *Section 29(2)*, the following shall be inserted after ‘if the applicant,’: ‘the beneficial owners,’.

3. In *Section 29*, the following shall be inserted as (3):

‘(3) The licence holder shall immediately inform the Danish Gambling Authority if there are significant changes to the conditions under which a licence to offer and organise games is granted.’

4. In *Section 30(1), first sentence*, the words ‘Section 26(2) and Section 27(2)’ shall be replaced by: ‘Section 26(2), Section 27(2) and Section 32a(2)’.

5. The following shall be inserted after Chapter 4:

‘Chapter 4a

Criteria for game providers

Section 32a. A licence as a game provider may be granted to companies, etc. (legal persons) established in Denmark or in another EU or EEA country, without prejudice to (2).

(2) A licence as a game provider may be granted to companies, etc. (legal persons) who are not established in Denmark or in another EU or EEA country, provided that the applicant has appointed an approved representative, cf. Section 30.

Section 32b. It is a condition for obtaining a licence that companies, etc. (legal persons) meet the conditions laid down in Section 26(1)(3–5), and that beneficial owners and members of the board of directors and the supervisory board meet the conditions laid down in Section 26(1)(1–5). If a new

person is considered to be the beneficial owner, a new member joins the board of directors or a new member is recruited by the supervisory board, this must within 14 days be notified to the Danish Gambling Authority.

(2) Beneficial owners and members of the board of directors or the supervisory board of companies, etc. (legal persons) must immediately inform the Danish Gambling Authority if the beneficial owner or the member is convicted of a criminal offence that justifies an immediate risk of abusing the access to work in the gambling sector, or has overdue debts to the public exceeding DKK 100,000.

(3) The Danish Gambling Authority may decide that a member of the board of directors or the supervisory board of companies, etc. (legal persons) must resign from the board of directors or the supervisory board if the member is convicted of a criminal offence that justifies an immediate risk of abusing the access to work in the gambling sector, or has overdue debts to the public exceeding DKK 100,000.

(4) Members of the board of directors or the supervisory board of companies, etc. (legal persons) shall resign from the board of directors or the supervisory board if the member no longer meets one of the conditions laid down in Section 26(1)(2) and (3).

Section 32c. A licence as a game provider can only be granted to applicants who are likely to engage in gambling activities in a professionally responsible manner.

(2) Licences shall not be granted if the applicant, beneficial owners, members of the board of directors or the supervisory board or others who can exercise a controlling influence on the company's operations, have exhibited such behaviour that there is reason to believe that the company will not be operated in a responsible manner.

(3) A game provider shall immediately inform the Danish Gambling Authority if there are significant changes to the conditions under which a licence as a game provider is granted.'

6. The following shall be inserted after Section 34:

'Section 34a. For the purpose of the Danish Gambling Authority's supervision of compliance with the age requirements laid down in Sections 22 and 34, the representatives of the Danish Gambling Authority may with identification and without a court order require to receive all necessary information from persons in a gambling hall and from buyers of games, that can establish the age of the person concerned.'

7. In Section 38, the following shall be inserted as a new paragraph after (3):

'(4) An approved manager shall immediately inform the Danish Gambling Authority if he is convicted of a criminal offence that justifies an immediate risk of abusing the access to work in the gambling sector.'

(4) and (5) subsequently become (5) and (6).

8. In Section 39, the following shall be inserted as a new paragraph after (3):

'(4) An approved employee shall immediately inform the Danish Gambling Authority if he is convicted of a criminal offence that justifies an immediate risk of abusing the access to work in the gambling sector.'

(4) and (5) subsequently become (5) and (6).

9. In Section 41(1), the words 'and the means of payment' shall be replaced by: 'the means of payment' and the following shall be inserted after 'illegal gambling operator': 'and on game

providers, including rules on technical aspects for the certification of games and rules on matters that support supervision’.

10. Sections 42 and 42a shall be repealed and replaced by the following:

‘Section 42. For the submission of an application for a licence for the offering of bets, cf. Section 11, or the operation of online casinos, cf. Section 18, the applicant must pay a fee of DKK 250,000 (2010 level) to the Danish Gambling Authority, without prejudice to (4–6). For the submission of an application for a licence for the offering of bets, cf. Section 11, or the operation of online casinos, cf. Section 18, applicants who at the time of the application have a licence from the Danish Gambling Authority, must pay a fee of DKK 100,000 (2010 level) to the Danish Gambling Authority, without prejudice to (4–6). The fee shall be paid at the latest at the same time as the application is submitted.

(2) For the submission of an application for a licence for the offering of both bets, cf. Section 11, and the operation of online casinos, cf. Section 18, the applicant must pay a total fee of DKK 350,000 (2010 level) to the Danish Gambling Authority, without prejudice to (4–6). For the submission of an application for a licence for the offering of both bets, cf. Section 11, and the operation of online casinos, cf. Section 18, applicants who at the time of the application have a licence from the Danish Gambling Authority, must pay a fee of DKK 125,000 (2010 level) to the Danish Gambling Authority, without prejudice to (4–6). The fee must be paid at the same time as the application is submitted.

(3) For licences issued for the offering of bets or the operation of online casinos, an annual fee depending on a calendar year’s taxable gambling revenue, cf. Sections 6 and 11 of the Gambling Tax Act, shall be paid to the Danish Gambling Authority, without prejudice to (4–6). The fee shall be paid no later than 1 month after the licence has taken effect, according to the following scale:

Amount of gambling revenue	Fee (2010 level)
Less than DKK 5,000,000	DKK 53,250
DKK 5,000,000 up to DKK 10,000,000	DKK 133,250
DKK 10,000,000 up to DKK 25,000,000	DKK 239,800
DKK 25,000,000 up to DKK 50,000,000	DKK 479,600
DKK 50,000,000 up to DKK 100,000,000	DKK 852,600
DKK 100,000,000 up to DKK 200,000,000	DKK 1,598,650
DKK 200,000,000 up to DKK 500,000,000	DKK 2,664,400
DKK 500,000,000 and above	DKK 4,695,900

(4) For licences of a maximum duration of 1 year issued for the offering of bets, cf. Section 11(3), or the operation of online casinos, cf. Section 18(3), where the gambling turnover must not exceed DKK 10,000,000 and the taxable gambling revenue must not exceed DKK 1,000,000, a fee of DKK 50,000 (2010 level) shall be paid to the Danish Gambling Authority to cover the total costs of processing the application, issuing a licence and supervising the licence holder. The fee shall be paid at the latest at the same time as the application is submitted. If the application is rejected or the application is refused, DKK 25,000 (2010 level) will be refunded to the applicant.

(5) For licences for the offering of bets of a maximum duration of 1 year, cf. Section 11(4), where the gambling turnover must not exceed DKK 5,000,000 and the payout ratio must not exceed 20 %, a fee of DKK 50,000 (2010 level) shall be paid to the Danish Gambling Authority in order to cover the total costs of processing the application, issuing a licence and supervising the licence holder. The fee shall be paid at the latest at the same time as the application is submitted. If the application is rejected or the application is refused, DKK 25,000 (2010 level) will be refunded to the applicant.

(6) For licences of a maximum duration of 1 year issued for the offering of guessing competitions through SMS, cf. Section 18a, where the gambling turnover must not exceed DKK 10,000,000, and the taxable gambling revenue must not exceed DKK 1,000,000, a fee of DKK 50,000 (2010 level) shall be paid to the Danish Gambling Authority to cover the total costs of processing the application, issuing a licence and supervising the licence holder. The fee shall be paid at the latest at the same time as the application is submitted. If the application is rejected or the application is refused, DKK 25,000 (2010 level) will be refunded to the applicant.

(7) Winnings in cash or in kinds covered by licences issued under Section 11(3) or (4), Section 18(3) or (4) or Section 18a shall be calculated to the actual expense of the winnings.

Section 42a. For the submission of an application for a licence as a game provider, cf. Section 24a, the applicant must pay a fee of DKK 49,200 (2010 level) to the Danish Gambling Authority. The fee must be paid at the same time as the application is submitted.

(2) For a licence issued to a game provider, cf. Section 24a, a fee of DKK 32,800 (2010 level) shall be paid for a calendar year.

Section 42b. For licences issued for the establishment and operation of land-based casinos, cf. Section 14(1), an annual fee shall be paid to the Danish Gambling Authority, depending on the calendar year's taxable gambling revenue, cf. Section 10 of the Gambling Tax Act. The fee shall be paid no later than 1 month after the licence has taken effect, according to the following scale:

Amount of gambling revenue	Fee (2010 level)
Less than DKK 10,000,000	DKK 143,200
DKK 10,000,000 up to DKK 20,000,000	DKK 286,500
DKK 20,000,000 up to DKK 50,000,000	DKK 429,750
DKK 50,000,000 up to DKK 100,000,000	DKK 716,300
DKK 100,000,000 and above	DKK 1,193,800

Section 42c. If the realised gambling revenue exceeds the basis for which the fee has been paid in accordance with Section 42(3) and Section 42b, an amount equal to the difference between the fee

paid and the actual fee to be paid shall be charged. The fee shall be paid no later than 1 month after being invoiced. If the realised gambling revenue for a calendar year is lower than the basis for the fee paid pursuant to Section 42(3) and Section 42b, an amount equal to the difference between the fee paid and the actual fee shall be refunded.

Section 42d. The Minister of Taxation may lay down rules on the payment of fees for processing applications and issuing licences and annual fees to cover the costs associated with the administration of licences, supervision of licence holders and game providers, supervision imposed on the Danish Gambling Authority pursuant to the Anti-Money Laundering Act, protection of players from developing gambling addiction, including information, prevention, self-exclusion, etc., and monitoring of the gambling market in order to prevent that participation in games are offered, organised or arranged in Denmark without a licence under this Act.

Section 42e. The fees in Sections 42–42b shall be governed by Section 20 of the Personal Tax Act.

Section 42f. In addition to the supervision, etc., which follows from the provisions of this Act, the fees charged also covers in accordance with Sections 42–42b and 42d

- 1) the Danish Gambling Authority’s supervision, which is imposed on the Danish Gambling Authority pursuant to the Anti-Money Laundering Act or other legislation;
- 2) the Danish Gambling Authority’s costs associated with protecting players from developing gambling addiction, including information, prevention, self-exclusion, etc.; and
- 3) the Danish Gambling Authority’s costs associated with the detection, investigation, prevention and combating of collusion.’

23. *Sections 42–42f* shall be repealed and replaced by the following:

‘Section 42. For the submission of an application for a licence for the offering of bets, cf. Section 11, or the operation of online casinos, cf. Section 18, the applicant must pay a fee of DKK 250,000 (2010 level) to the Danish Gambling Authority, without prejudice to (4–6). For the submission of an application for a licence for the offering of bets, cf. Section 11, or the operation of online casinos, cf. Section 18, applicants who at the time of the application have a licence from the Danish Gambling Authority, must pay a fee of DKK 100,000 (2010 level) to the Danish Gambling Authority, without prejudice to (4–6). The fee shall be paid at the latest at the same time as the application is submitted.

(2) For the submission of an application for a licence for the offering both bets, cf. Section 11, and the operation of online casinos, cf. Section 18, the applicant must pay a total fee of DKK 350,000 (2010 level) to the Danish Gambling Authority without prejudice to (4–6). For the submission of an application for a licence for the offering of both bets, cf. Section 11, and the operation of online casinos, cf. Section 18, applicants who at the time of the application have a licence from the Danish Gambling Authority, must pay a fee of DKK 125,000 (2010 level) to the Danish Gambling Authority, without prejudice to (4–6). The fee must be paid at the same time as the application is submitted.

(3) For licences issued for the offering of bets or the operation of online casinos, an annual fee depending on a calendar year’s taxable gambling revenue, cf. Sections 6 and 11 of the Gambling Tax Act, shall be paid to the Danish Gambling Authority, without prejudice to (4–6). The fee shall be paid no later than 1 month after the licence has taken effect, according to the following scale:

Amount of gambling revenue	Fee (2010 level)
Less than DKK 5,000,000	DKK 53,250
DKK 5,000,000 up to DKK 10,000,000	DKK 133,250
DKK 10,000,000 up to DKK 25,000,000	DKK 239,800
DKK 25,000,000 up to DKK 50,000,000	DKK 479,600
DKK 50,000,000 up to DKK 100,000,000	DKK 852,600
DKK 100,000,000 up to DKK 200,000,000	DKK 1,598,650
DKK 200,000,000 up to DKK 500,000,000	DKK 2,664,400
DKK 500,000,000 and above	DKK 4,695,900

(4) For licences of a maximum duration of 1 year issued for the offering of bets, cf. Section 11(3), or the operation of online casinos, cf. Section 18(3), where the gambling turnover must not exceed DKK 10,000,000 and the taxable gambling revenue must not exceed DKK 1,000,000, a fee of DKK 50,000 (2010 level) shall be paid to the Danish Gambling Authority to cover the total costs of processing the application, issuing a licence and supervising the licence holder. The fee shall be paid at the latest at the same time as the application is submitted. If the application is rejected or the application is refused, DKK 25,000 (2010 level) will be refunded to the applicant.

(5) For licences for the offering of bets of a maximum duration of 1 year, cf. Section 11(4), where the gambling turnover must not exceed DKK 5,000,000 and the payout ratio must not exceed 20 %, a fee of DKK 50,000 (2010 level) shall be paid to the Danish Gambling Authority in order to cover the total costs of processing the application, issuing a licence and supervising the licence holder. The fee shall be paid at the latest at the same time as the application is submitted. If the application is rejected or the application is refused, DKK 25,000 (2010 level) will be refunded to the applicant.

(6) For licences of a maximum duration of 1 year issued for the offering of guessing competitions through SMS, cf. Section 18a, where the gambling turnover must not exceed DKK 10,000,000, and the taxable gambling revenue must not exceed DKK 1,000,000, a fee of DKK 50,000 (2010 level) shall be paid to the Danish Gambling Authority to cover the total costs of processing the application, issuing a licence and supervising the licence holder. The fee shall be paid at the latest at the same time as the application is submitted. If the application is rejected or the application is refused, DKK 25,000 (2010 level) will be refunded to the applicant.

(7) Winnings in cash or in kinds covered by licences issued under Section 11(3) or (4), Section 18(3) or (4) or Section 18a shall be calculated to the actual expense of the winnings.

Section 42a. For the submission of an application for a licence as a game provider, cf. Section 24a, the applicant must pay a fee of DKK 49,200 (2010 level) to the Danish Gambling Authority. The fee must be paid at the same time as the application is submitted.

(2) For a licence issued to a game provider, cf. Section 24a, a fee of DKK 32,800 (2010 level) shall be paid for a calendar year.

Section 42b. For licences issued for the establishment and operation of land-based casinos, cf. Section 14(1), an annual fee shall be paid to the Danish Gambling Authority, depending on the calendar year's taxable gambling revenue, cf. Section 10 of the Gambling Tax Act. The fee shall be paid no later than 1 month after the licence has taken effect, according to the following scale:

Amount of gambling revenue	Fee (2010 level)
Less than DKK 10,000,000	DKK 143,200
DKK 10,000,000 up to DKK 20,000,000	DKK 286,500
DKK 20,000,000 up to DKK 50,000,000	DKK 429,750
DKK 50,000,000 up to DKK 100,000,000	DKK 716,300
DKK 100,000,000 and above	DKK 1,193,800

Section 42c. If the realised gambling revenue exceeds the basis for which the fee has been paid in accordance with Section 42(3), Section 42b and Section 42g, an amount equal to the difference between the fee paid and the actual fee to be paid shall be charged. The fee shall be paid no later than 1 month after being invoiced. If the realised gambling revenue for a calendar year is lower than the basis for the fee paid pursuant to Section 42(3), Section 42b and Section 42g, an amount equal to the difference between the fee paid and the actual fee shall be refunded.

Section 42d. The Minister of Taxation may lay down rules on the payment of fees for processing applications and issuing licences and annual fees to cover the costs associated with the administration of licences, supervision of licence holders and game providers, supervision imposed on the Danish Gambling Authority pursuant to the Anti-Money Laundering Act, protection of players from developing gambling addiction, including information, prevention, self-exclusion, etc., and monitoring of the gambling market in order to prevent that participation in games are offered, organised or arranged in Denmark without a licence under this Act.

Section 42e. The fees in Sections 42–42b and 42g shall be governed by Section 20 of the Personal Tax Act.

Section 42f. In addition to the supervision, etc., which follows from the provisions of this Act, the fees charged also covers in accordance with Sections 42–42b, 42d and 42g

- 1) the Danish Gambling Authority's supervision, which is imposed on the Danish Gambling Authority pursuant to the Anti-Money Laundering Act or other legislation;
- 2) the Danish Gambling Authority's costs associated with protecting players from developing gambling addiction, including information, prevention, self-exclusion, etc.; and
- 3) the Danish Gambling Authority's costs associated with the detection, investigation, prevention and combating of collusion.

Section 42g. For licences for the installation and operation of gambling machines with winnings, cf. Section 19(1), an annual fee shall be paid to the Danish Gambling Authority, depending on the licence holder's annual taxable gambling revenue, cf. Section 12 of the Gambling Tax Act. The fee shall be paid no later than 1 month after the licence has taken effect, and thereafter annually before the end of January following the following scale:

Amount of gambling revenue	Fee (2010 level)
Less than DKK 100,000	DKK 1,300
DKK 100,000 up to DKK 250,000	DKK 2,100
DKK 250,000 up to DKK 500,000	DKK 5,200
DKK 500,000 up to DKK 1,000,000	DKK 10,400
DKK 1,000,000 up to DKK 2,500,000	DKK 24,800
DKK 2,500,000 up to DKK 5,000,000	DKK 44,900
DKK 5,000,000 up to DKK 10,000,000	DKK 88,900
DKK 10,000,000 up to DKK 15,000,000	DKK 123,000
DKK 15,000,000 up to DKK 20,000,000	DKK 158,700
DKK 20,000,000 up to DKK 25,000,000	DKK 241,900
DKK 25,000,000 up to DKK 35,000,000	DKK 325,200
DKK 35,000,000 up to DKK 50,000,000	DKK 499,700
DKK 50,000,000 up to DKK 75,000,000	DKK 674,100
DKK 75,000,000 up to DKK 100,000,000	DKK 880,300
DKK 100,000,000 up to DKK 125,000,000	DKK 1,100,300
DKK 125,000,000 up to DKK 250,000,000	DKK 2,220,500
DKK 250,000,000 up to DKK 375,000,000	DKK 3,330,700
DKK 375,000,000 and above	DKK 4,361,700

24. In *Section 43(1), first sentence*, the following shall be inserted after ‘conditions of the licence’: ‘and the legislation for which the Danish Gambling Authority is the supervisory authority, as specified by the Danish Gambling Authority’.

25. In *Section 43(1), second sentence*, the following shall be inserted after ‘approved company’: ‘, without prejudice to (2)’.

26. In *Section 43*, the following shall be inserted as a new paragraph after (1):

‘(2) For licences of a maximum duration of 1 year, cf. Section 11(3) or (4), Section 18(3) or (4) or Section 18a, there is no requirement that the report in accordance with (1) shall be prepared by a company approved by the Danish Gambling Authority.’ (2) subsequently becomes (3).

27. In *Section 43(2)*, that becomes (3), the words ‘the requirements of the Act’ shall be replaced by: ‘the legislation in the area of supervision of the Danish Gambling Authority in accordance with more detailed instructions from the Danish Gambling Authority’.

28. *Article 44(1)(5)* shall be worded as follows:

‘5) does not pay due fees under Section 42g’.

29. In *Section 44(1)(7)*, the words ‘Section 42’ shall be replaced by: ‘Sections 42–42b and 42d’.

30. In *Section 44(1)(8)*, the words ‘DKK 100,000, or’ shall be replaced by: "DKK 100,000,"

31. In *Section 44(1)(9)*, the word ‘games’ shall be replaced by: ‘games or’.

32. In *Section 44(1)*, the following shall be inserted as *No 10*:

‘10) does not comply with decisions under Section 49a.’

33. The following shall be inserted in *Chapter 8* after Section 45:

‘Section 45a The Danish Gambling Authority may revoke a licence as a game provider if the game provider or his representative

- 1) grossly or repeatedly has infringed this Act, provisions laid down in accordance with this Act or the conditions of the licence;
- 2) is convicted of a criminal offence that justifies an immediate risk of abusing the access to work in the gambling sector;
- 3) no longer meets the condition laid down in Section 32c;
- 4) does not pay due fees in accordance with the rules laid down pursuant to Sections 42 or 42a;
- 5) has overdue debts to the public exceeding DKK 100,000; or
- 6) does not comply with decisions under Section 49a.’

34. In *Section 46(1)*, the following shall be inserted after ‘licence holders’’: ‘and game providers’.

35. The following shall be inserted after Section 46:

‘Section 46a. The Danish Gambling Authority has access to process collected data, including for profiling, combining and disclosing data, for the purpose of fulfilling the aims laid down in Section 1. Access also applies to compliance with other legislation where the Danish Gambling Authority is subject to a supervision obligation.

(2) The Danish Gambling Authority may require licence holders to submit information for the Danish Gambling Authority’s unique identification of the player.’

36. In *Section 47(1)*, the words ‘in connection with offering and organising’ shall be replaced by: ‘and the responsible game provider in connection with the offering, organisation and provision’.

37. In *Section 47(2)*, the words ‘The licence holder and his employees’ shall be replaced by: ‘The licence holder and the game provider and their employees’.

38. In *Section 47(3)*, the words ‘the licence holders to provide information about the gambling company’ shall be replaced by: ‘the licence holders and game providers to provide information about the company’.

39. The following shall be inserted in *Chapter 9* after *Section 49*:

‘**Section 49a.** The Danish Gambling Authority may decide on injunctions concerning matters contrary to the provisions of this Act or provisions laid down pursuant to this Act, and may order that the conditions be brought in order or cease immediately or within a specified period.

(2) Decisions in accordance with (1) may be notified orally, if there is an imminent or significant risk that the aim of the decision is jeopardised. An oral decision shall also be communicated in writing as soon as possible.’

40. In *Section 51(1)*, the following shall be inserted after ‘*Section 44(1)(1–3)*’: ‘and decisions on the revocation of licences for game providers, cf. *Section 45a*, Nos 1–3’.

41. In *Section 51(2)*, *first sentence*, the words ‘Nos 4–9’ shall be replaced by: ‘Nos 4–10’ and the following shall be inserted after ‘*Section 44(2)*’: ‘and decisions on the revocation of licences for game providers, cf. *Section 45a*, Nos 4–6’.

42. In *Section 52*, the words ‘*Section 38(4)* or *Section 39(4)*’ shall be replaced by: ‘*Section 38(5)* or *Section 39(5)*’.

43. In *Section 54(1)*, the words ‘*Section 28(2)*’ shall be replaced by: ‘*Section 28(3)*’.

44. The following shall be inserted in *Chapter 10* after *Section 54*:

‘**Section 54a.** Appeals against the Danish Gambling Authority’s decisions on injunctions under *Section 49a(1)* have suspensory effect unless the National Tax Tribunal or the Tax Appeals Administration decides otherwise, without prejudice to (2).

(2) Appeals against the Danish Gambling Authority’s decisions on injunctions under *Section 49a(1)* concerning matters which must be brought in order immediately, shall not have suspensory effect. The National Tax Tribunal or the Tax Appeals Administration may, however, grant suspensory effect to an appeal, if special circumstances so warrant. The decision of the National Tax Tribunal may be taken by a presiding judge or a head of department in the Tax Appeals Administration following authorisation from the National Tax Tribunal’s chief presiding judge.

(3) Appeals against the Danish Gambling Authority’s decisions taken under *Section 49a(2)* shall not have suspensory effect. The National Tax Tribunal or the Tax Appeals Administration may, however, grant suspensory effect to an appeal, if special circumstances so warrant. The decision of the National Tax Tribunal may be taken by a presiding judge or a head of department in the Tax Appeals Administration following authorisation from the National Tax Tribunal’s chief presiding judge.’

45. In *Section 56*, the following shall be inserted after ‘the offering of games’: ‘, licences as a game provider’.

46. In *Section 58*, *first sentence*, the following shall be inserted after ‘Section 44(1)(1–3)’: ‘or decision to revoke a licence as a game provider, cf. Section 45a, Nos 1–3’.

47. The *heading* of Chapter 12 shall be worded as follows:

‘Penalty’.

48. In *Section 59(1)*, the words ‘offers or organises games in Denmark’ shall be replaced by: ‘offers, organises or provides games in Denmark’.

49. In *Section 59(5)(1)*, the following shall be inserted after ‘infringes’: ‘Section 12(1)’, and the words ‘Section 28(1), second sentence, and (3)’ shall be replaced by: ‘Section 28(1), second sentence, and (2) and (4), Section 29(3)’, and ‘Section 38(1) and (3), Section 39(1) and (3)’ shall be replaced by ‘Section 38(1), (3) and (4), Section 39(1), (3) and (4)’

50. In *Section 59(5)(1)*, the following shall be inserted after ‘infringes’: ‘Section 11(6),’, the following shall be inserted after ‘Section 16,’: ‘Section 18(5),’ and the following shall be inserted after ‘Section 30,’: ‘Section 32b(1), second sentence, and (2) and (4), Section 32c(3)’.

51. In *Section 59(5)(7)*, the words ‘the Danish Gambling Authority or’ shall be replaced by: ‘the Danish Gambling Authority,’.

52. In *Section 59(5)(8)*, the words ‘Section 43a’ shall be replaced by: ‘Section 43a or’.

53. In *Section 59(5)*, the following shall be inserted as *No 9*:
‘9) fails to comply with decisions under Section 49a.’

54. The following shall be inserted after Section 63:

‘Section 63a. Fine acceptances, sentences and partial sentences for infringements of this Act and regulations issued pursuant to this Act to companies, etc. (legal persons) and sole proprietorships or a summary thereof shall be published by the Danish Gambling Authority on the Danish Gambling Authority’s website. The publication shall include the name of the company or the sole proprietorship.

(2) Published fine acceptances, sentences and partial sentences in accordance with (1) must remain on the Danish Gambling Authority’s website for 5 years after publication.

(3) If the judgment is not final, or if it is appealed or revised, this must be stated in the publication. If the Danish Gambling Authority receives evidence that the case is closed when the acquittal judgement is delivered, the Danish Gambling Authority must remove all information about the case from the Danish Gambling Authority’s website no later than 7 working days after receipt.

Section 2

In Act No 650 of 8 June 2016 amending the Registration Tax Act, the Fuel Consumption Tax Act, the Vehicle Registration Acts and the Gambling Act (Amendment of the rules on proportionate registration tax for leasing vehicles, amendment of the rules on payment of export refunds,

determination of fuel consumption for particularly large cars, reduction of the price supplement for personalised registration plates, etc.) is amended as follows:

1. *Section 4, No 7*, shall be repealed.
2. In *Section 6(1)*, the words ‘without prejudice to paragraph 2’ shall be deleted.
3. *Section 6(2)* shall be repealed.
(3) subsequently becomes (2).

Section 3

- (1) The Act shall enter into force on 1 July 2024, without prejudice to (2).
- (2) Section 1, Nos 4, 9, 23, 28, 48 and 50 shall enter into force on 1 January 2025.
- (3) The Act does not apply to gambling machines with winnings that are inspected as a result of changes made to the gambling machine from 1 July 2024 to 31 December 2024 inclusive, or which are installed and put into operation from 1 July 2024 to 31 December 2024 inclusive. For such gambling machines, the rules currently in force in Section 42(8), (9) and (11) of the Gambling Act shall apply until 31 December 2024 and a fee of DKK 573 (2010 level) per gambling machine shall be paid no later than at the end of the following month.
- (4) Licences granted in accordance with Section 24a of the Gambling Act, as inserted by Section 1, No 11, of this Act, may take effect at the earliest from 1 January 2025.
- (5) Section 42f of the Gambling Act, as amended by Section 1, No 22, of this Act, shall also apply to fees charged from 1 January 2024 to 30 June 2024 inclusive, pursuant to Sections 42 and 42a of the Gambling Act, cf. Consolidation Act No 1303 of 4 September 2020.
- (6) Rules laid down pursuant to Section 11(5) of the Gambling Act, cf. Consolidated Act No 1303 of 4 September 2020, shall remain in force until they are repealed or replaced by regulations issued pursuant to Section 12(4) of the Gambling Act, as amended by Section 1, No 6, of this Act.

- (7) Rules laid down pursuant to Section 42(10) of the Gambling Act, cf. Consolidated Act No 1303 of 4 September 2020, shall remain in force until they are repealed or replaced by regulations issued pursuant to Section 42d of the Gambling Act, as amended by Section 1, No 22 or 23, of this Act.

Amalienborg, 8 May 2024

Under Our Royal Hand and Seal

FREDERIK R.

/ Jeppe Bruus

1) The Act has been notified as a draft in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (codification).