

Draft regulation

Reporting obligation under the Gambling Act

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1 Regulatory background, scope and definitions

1.1 The supervisory authority's power to issue regulations

The right of the supervisory authority to issue binding regulations is based on section 68(2) of the Gambling Act. According to the subsection, the authority may issue further regulations on the deadlines for the submission of reports and on the content of reports.

According to section 57 of the Gambling Act, the supervisory authority is the Finnish Supervisory Agency. According to section 106 of the Act, the National Police Board of Finland will act as the competent authority pursuant to section 57 until 31 December 2026.

1.2 Legislation

The subject matter of this regulation is related to the following statutes

- Gambling Act (xxx/2025)
- Administrative Procedure Act (434/2003)
- Language Act (423/2003)
- Act on the Openness of Government Activities (621/1999)
- Act on Electronic Services and Communication in the Public Sector (13/2003)
- Accounting Act (1336/1997)
- Act on Conditional Fines (1113/1990).

1.3 Scope

This regulation applies to the exclusive licence holder pursuant to section 5 of the Gambling Act (xxx/2025) and to licence holders for gambling pursuant to section 6 of the Act.

1.4 Definitions

The following definitions shall apply hereinafter in this regulation. For the purposes of this regulation:

- *an exclusive licence* means a permit to operate gambling services within the meaning of section 5 of the Gambling Act
- *a gambling licence* means a permit to operate gambling services within the meaning of section 6 of the Gambling Act
- *marketing*, within the meaning of point 7 of section 4(1) of the Gambling Act, means advertising, indirect advertising, and other promotional activities

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2 Annual reporting obligation

2.1 Submission of reports and deadlines

All annual reports should be submitted to the supervisory authority in writing. According to section 9 of the Act on Electronic Services and Communication in the Public Sector (13/2003), in the lodging and consideration of a matter, the required written format is also met by an electronic document submitted to an authority.

This regulation specifies the deadlines for submitting annual reports separately for each report. The deadlines are tied to the fiscal year of the licence holder as follows: the activities of the preceding fiscal year are generally reported within six months of the end of the fiscal year, and activities planned for the following fiscal year are reported by the beginning of that fiscal year.

Under section 68(3) of the Gambling Act, the annual reports referred to in this regulation must also be submitted to the Ministry of the Interior and the Ministry of Social Affairs and Health.

2.2 Language of the administrative procedure

According to section 1 of the Language Act (423/2003), the national languages of Finland are Finnish and Swedish. Section 2 of the Act guarantees the right of everyone to use their own language, either Finnish or Swedish, with a public authority. The authority may provide a more satisfactory linguistic service than what is required under the Language Act. According to section 12 of the Language Act, the language of proceedings in administrative matters in a bilingual authority is the language of the party concerned.

Under the provisions of the Language Act, annual reports are processed by the supervisory authority in Finnish or Swedish. The documents must be submitted in Finnish or Swedish, according to the choice of the licence holder.

If documents or copies thereof in a language other than Finnish or Swedish are submitted with the annual reports, the supervisory authority may, if necessary, request Finnish or Swedish translations of these. In such a case, the licence holder is responsible for providing the translations, the translation costs, and the submission of the translated copies to the supervisory authority.

2.3 Public access to information

The Act on the Openness of Government Activities (621/1999) shall apply to the processing of annual reports. If the reports are accompanied by information that the licence applicant considers to be confidential, the confidential information must be identified and marked in the documents submitted. The reason for the confidentiality of the information must also be stated.

The authority that the documents are submitted to shall assess the scope of public access to the information. This is based on the notion that public authorities operate

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openly. Documents held by a public authority are available to the public, unless their publication has for compelling reasons been specifically restricted by law. In addition to the supervisory authority, the annual reports under section 68 of the Gambling Act must be submitted to the Ministry of the Interior and the Ministry of Social Affairs and Health. Each of these authorities carries out its own assessment of the scope of public access to these documents.

3 Content of annual reports and deadlines

3.1 Action plan for the following year

Under section 68(1)(1) of the Gambling Act, a licence holder is required to submit annually to the supervisory authority an action plan for the following year. The action plan describes the licence holder's intended operations in the following year. If the licence holder is a legal person operating in a fiscal year other than the calendar year, the action plan should be produced for the following fiscal year. The action plan must be submitted annually by the beginning of the following fiscal year.

It should describe the licence holder's operation in its entirety. Consequently, the content and scope of action plans may vary, depending on the operator and their activities in their entirety. However, given the annual reporting obligation under the Gambling Act, the action plan must always contain the main plans relating to the gambling activities and the licence granted. These include at least planned restructuring, changes to the range of gambling games and agency changes. The action plan must also describe the following year's marketing activities, such as the priorities and planned channels.

As the planned activities may change over time, it is possible that the measures described in the action plan will not necessarily be implemented. The measures included in the plan may also differ slightly from the implemented measures stated in the following year's reports. However, in order to target future control measures, the plan must aim to describe the changes that impact gambling and the licence as accurately as possible when the plans are being drawn up.

With regard to the implemented plans, it should be noted that the licence holder, under section 18(1) and (2) of the Gambling Act, needs to notify the supervisory authority of any material changes concerning the licence holder, its activities, ownership, management, or financial viability, or in the case of a legal person, the transfer of the legal person's control as a result of ownership, an agreement or some other arrangement. Material changes to be notified to the authority include changes to the applicant's owners and management, fines and criminal convictions, bankruptcy, disqualification from business activities, or any other material change to its solvency. In addition, material changes include changes to the information provided in the licence application, such as a change of the game software supplier or representative, a change of brand names used for marketing, a change to agents, or a change to the applicant's organisation type. A notification of a change must be made in writing within two weeks of the change taking place.

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3.2 Budget for the following year

Under section 68(1)(2) of the Gambling Act, a licence holder is required to submit annually to the supervisory authority a budget for the following year. If the licence holder is a legal person operating in a fiscal year other than the calendar year, the budget should be drawn up for the following fiscal year. The budget must include an estimate of the following fiscal year's revenue and expenditure. For example, the budget must indicate planned investments and how they are financed. In addition, the budget must indicate in particular how much is allocated to the various operations.

The budget must also contain at least a preliminary marketing budget estimate. The budget must be submitted annually by the beginning of the following fiscal year.

3.3 Financial statements for the previous year

Under section 68(1)(3) of the Gambling Act, a licence holder is required to submit annually to the supervisory authority the financial statements for the previous year. Where the fiscal year of the licence holder is different from the calendar year, the documents for the fiscal year should be submitted. The content of the financial statements is provided for in Chapter 3, section 1 of the Accounting Act (1336/1997) (1620/2015).

The obligation to submit annual reports means that the licence holder must submit the signed and approved financial statements for the previous fiscal year, including the profit and loss account, the balance sheet and notes. In addition, the licence holder should submit a cashflow statement and an annual report, if these are required. The financial statements must show a comparison with the previous fiscal year as regards the profit and loss account, balance sheet and, if applicable, the cashflow statement. The auditor's report on the financial statements should be included with the financial statements. If the licence holder uses a performance auditor instead of a regular auditor, the performance audit report is to be included with the financial statements. The financial statements must also be accompanied by the accounting records and document lists as well as balance sheet specifications breaking down the content of the accounts.

Signed financial statements must be submitted each year no later than six months after the end of the fiscal year.

3.4 Report on the marketing of gambling games in the previous year

According to section 68(1)(4) of the Gambling Act, the licence holder must submit an annual report on the previous year's gambling marketing activities to the supervisory authority. If the licence holder is a legal person operating in a fiscal year other than the calendar year, the report should be submitted for the previous fiscal year. The marketing report must be submitted each year no later than six months after the end of the fiscal year.

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The licence holder's marketing report must include at least the following:

- a description of the marketing priorities and the marketing methods used
- information on how marketed gambling activities are carried out
- information on the total number and monetary value of sponsorship agreements and a list of agreements and their duration (parties to the sponsorship agreements and how long they are in effect)
- a description of direct marketing and customer communications (what is communicated through direct marketing and customer communications)
- a description of how marketing is targeted
- a description of how social media is used in marketing and of the target audience
- a description of display marketing and search engine marketing targeted at Finland and a list of search terms used in search engine marketing (intentionally targeted search terms; no misspelled search terms)
- a report on the use of lotteries for marketing and the prizes offered
- a report on the total for bonuses and other benefits offered
- a general description of the volume of outdoor marketing, the locations used and methods involved, and principles associated with outdoor marketing
- information on the number of media channels and advertisements on television, printed media, electronic media and the radio
- information on cooperation agreements with the entertainment industry, including those with public figures or similar agreements
- information on the volume of event marketing and how it is conducted
- a description of the methods used by the licence holder to gauge the effectiveness of marketing
- a report on the measures taken to aim to ensure that minors and especially vulnerable persons are not exposed to marketing

In addition, the marketing report should include information on the costs incurred in marketing. The costs should be reported both as a total and by separately identified cost type. Costs to be notified in the report should at the very least include the production costs of the licence holder's marketing activities, the details of purchases of media space, the costs of event marketing, the costs of props in the display and presentation of game vouchers, and the costs of sponsorship agreements.

Marketing production costs means the costs incurred in the planning of marketing. These costs include, for example, design costs paid to advertising agencies, the printing costs of marketing materials and the like. In addition, the salaries paid to the licence holder's own staff, where it specifically concerns to working hours related to marketing, are included in the production costs. The costs should be reported as a total. Purchases of media space means, for example, the costs incurred in buying advertising space visible to the public. Costs must be shown separately as actual costs incurred by

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game group, corporate image advertising and customer relations marketing. The report must include the costs of sponsorship agreements for the year of the agreement.

The marketing report must specify the costs incurred in the marketing of gambling sites referred to in section 3(1)(18) of the Gambling Act and the services offered there. Additionally, the holder of an exclusive licence must specify the costs incurred in the marketing of casinos and arcades referred to in section 3(1)(16) and (17) of the Gambling Act and the services offered there. The marketing report must describe the sort of marketing activities there have been at casinos, arcades and gambling sites and the services provided there.

The costs indicated in the marketing report and its annexes must be inclusive of VAT.

3.5 Report on the trend in gambling operations in the previous year

According to section 68(1)(5) of the Gambling Act, the licence holder must submit an annual report on the trend in gambling operations in the previous year to the supervisory authority. The report must describe the licence holder's gambling operations and any changes to it. If the licence holder is a legal person operating in a fiscal year other than the calendar year, the report must be submitted for the previous fiscal year.

It should be possible to compare the report on the trend in gambling operations with the action plan drawn up previously. The report must describe which of the key plans for the gambling activities and the licence granted have or have not been implemented. These include, for example, restructuring, changes to the range of gambling games and agency changes. In addition, the report on the trend in gambling operations should describe the development of the business, such the trend in revenue from gambling operations and the number of customers for each gambling activity.

This report must be submitted each year no later than six months after the end of the fiscal year.

3.6 Self-monitoring plan and report on measures to prevent and reduce the harm caused by gambling

According to section 68(1)(6) of the Gambling Act, the licence holder is required to submit an annual self-monitoring plan to the supervisory authority in accordance with section 35 of the Act, together with an account of the measures taken by the licence holder to prevent and reduce the harm caused by gambling in the previous year. If the licence holder is a legal person operating in a fiscal year other than the calendar year, the plan must be drawn up for the following fiscal year and the report must cover the previous fiscal year. The self-monitoring plan and the report on the prevention and reduction of gambling harm must be submitted annually to the supervisory authority by the beginning of the following fiscal year.

Under section 35 of the Gambling Act, the holder of a gambling licence and their agents must draw up a written self-monitoring plan to ensure compliance with the law, adhere to it, and keep the relevant records. The plan must be kept up to date and the licence

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holder must ensure that staff involved in self-monitoring are aware of their obligations as laid down in this Act and specified in the plan. The self-monitoring plan must also include a report on duty of care compliance.

Self-monitoring and the self-monitoring plan helps the licence holder to monitor the legality of its activities and the adequacy of its sustainable practices. Besides licence holders, the self-monitoring obligation also extends to the licence holder's agents and their staff involved in self-monitoring. Under section 35(2) of the Gambling Act, the agents' self-monitoring plans must be submitted to the supervisory authority on request.

The licence holder's self-monitoring plan must include at least the following:

- a risk assessment that identifies and evaluates the risks associated with the licence holder's activities and each gambling environment
- a description of the licence holder's internal processes and procedures employed to monitor the fulfilment of statutory obligations
- a description of the licence holder's sustainable practices and their own assessment of their adequacy
- a description of the measures taken to ensure that minors or especially vulnerable persons are not exposed to the marketing of gambling
- a summary of the key findings from self-monitoring and the measures taken by the licence holder in response to them
- a description of the self-monitoring guidelines given to agents
- a description of the procedures by which the licence applicant ensures that its personnel and agents have sufficient competence to fulfil the obligations of the Gambling Act

In carrying out self-monitoring, there are good grounds for focusing particular attention to the provisions of Chapter 3 of the Gambling Act on the provision of gambling services and to the provisions of Chapter 4 of the Act on the marketing of gambling. In the case of gambling services at physical locations, the self-monitoring model emphasises, in particular, age control, ensuring authentication in gambling and the personal use of a gambling account, and consideration for the regulations on the placement of slot machines. In the case of online gambling, it should be possible to pay particular attention in the self-monitoring model to the identification of obligations arising from gambling legislation prior to a game being put into production. In such a case, the self-monitoring plan might describe, for example, the testing and approval processes for games and the licence holder's verification procedures to ensure that the licence holder is able to produce and submit the data content required for monitoring in the prescribed manner.

The self-monitoring plan must also include a report on duty of care compliance as laid down in section 34 of the Gambling Act. According to section 34 of the Gambling Act, the holder of an exclusive licence and a regular gambling licence must ensure that social and health-related issues are taken into consideration in gambling, to protect players from excessive gambling and to help them reduce their gambling activities where appropriate.

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Duty of care as laid down in the Gambling Act extends to the prevention of excessive gambling by means of a continuous process of monitoring and assessing gambling behaviour. Licence holders must monitor the risk of gambling-related harm caused to the player by means of the automated processing of personal data referred to in section 36(1)(3-7) of the Act, and, if necessary, take steps to prevent and reduce the risks identified on the basis of the assessment. According to sections 31 and 32 of the Act, licence holders need, for example, to impose quantitative and temporal restrictions on gambling specifically relating to each form of gambling, game and player, where necessary, and give players the opportunity to impose such restrictions themselves. However, according to section 36(2) of the Gambling Act, the automated processing of personal data alone may not be used to justify a decision to prevent or a player from gambling or impose restrictions on that person.

Under the provisions on duty of care, the licence holder must state the procedures for communicating with players in situations where the licence holder finds or suspects that the player's gambling behaviour constitutes harmful gambling. In addition, the licence holder must document communications with players in connection with their duty of care.

Under the duty of care model, the licence holder has an obligation to act, for example, if a risk assessment of harm done shows that the player's gambling behaviour has become obviously more injurious. When assessing harm, it should be possible to pay attention to the stability, regularity, and systematic nature of customer behaviour, etc. It might be possible to consider the time and money spent on gambling as quantitative variables, for example.

Information obtained by means of the automated processing of personal data can be used, for example, in the automation of the content of an online gambling service. The evaluation would make it possible, for example, to select the product information made available, restrict digital marketing and have an impact on the presentation of various gambling management tools in the gambling service. In addition, the results of automated data processing may be used to select customers to contact based on the level of risk indicated by the assessment. In cases where harmful gambling is identified or suspected with an individual player, the licence holder's staff may contact the player concerned. As well as contacting the player, the licence holder may carry out an assessment of the harmfulness of the player's gambling, propose measures to restrict their gambling and, if necessary, make one-off decisions to restrict gambling on behalf of the player.

The report on duty of care must include at least the following:

- a description of the situations where harmful gambling is suspected and how especially vulnerable groups have been taken into account in the duty of care model (e.g. young adults)
- a description of how the licence holder has used game and player data to realise the care model

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- a description of any measures taken to address harmful gambling (e.g. automated measures regarding the content of the gambling service, care telephone calls and other possible forms of contact, suggestions to the player regarding how to restrict gambling, imposing gambling restrictions on the player's behalf)
- a description of the licence holder's intervention threshold for the use of different care measures (thresholds set by the licence holder for when and on the basis of what signs to take various steps)
- the communication procedures with players in situations where harmful gambling has been identified or suspected (who initiates the contact, in what situations, and through which channel)
- a summary of care measures taken by the licence holder for players (statistics on the number of care contacts and less stringent communication measures and the communication channels used)
- a compilation of the number of decisions to restrict gambling, both made on behalf of the player and by the player (statistics on gambling blocking, account closures, quantitative and temporal restrictions on gambling pertaining to individual games and players)
- an impact assessment of the various care measures taken (content analysis of the care measures taken and their impact and a statistical compilation of e.g. responses to contacts, the number of gambling blocks received, observed changes in gambling behaviour)

It should also be possible to provide other reports on self-monitoring and duty of care.

The supervisory authority oversees duty of care compliance and the adequacy of sustainable practices as well as compliance with other obligations as laid down in the Gambling Act. The supervisory authority also oversees the licence holder's self-monitoring exercise.

3.7 Report on irregular or suspicious betting, match-fixing and measures to counter match-fixing

Under section 68(1)(7) of the Gambling Act, the licence holder must submit an annual report to the supervisory authority on irregular or suspicious betting at the licence holder's gambling markets, suspected and established cases of match-fixing and measures to counter match-fixing. The report must be submitted to the supervisory authority annually no later than six months after the end of the fiscal year.

According to section 27 of the Gambling Act, betting may not extend to markets where, for example, there could be a significant risk of abuse. These could include, for example, sites related to small-scale voting or other competitions where the outcome is not decided on the basis of a sports result. Nor may betting games be based on a penalty for breaking the rules of a competition, tournament, or sport, such as a red or yellow card, game misconduct, or a warning, for example. According to section 48 of the Gambling Act, the licence holder must have procedures in place to detect and prevent

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match-fixing. In addition, the licence holder must have procedures in place to enable players to report any violations immediately to the licence holder.

The annual report should provide an account of any irregular or suspicious betting activity identified the licence holder's betting markets and state the number of suspected and detected cases of match-fixing. In addition, the report must describe the measures taken by the licence holder to counter match-fixing. Measures to counter match-fixing could, for example, relate to the choice of betting market, risk management procedures and national and international cooperation in the fight against manipulation.

4 Failure to comply with reporting obligations

Under section 68(4) of the Gambling Act, the supervisory authority may impose a fine to enforce the reporting obligation. Provisions on the imposition of fines are laid down in the Act on Conditional Fines (1113/1990).

Under section 80(1)(13) of the Gambling Act, the supervisory authority may impose a penalty payment on the licence holder for breaching or failing to comply with the reporting obligation. According to section 80(3) of the Act, the amount payable in such a case would be based on an overall assessment. It would depend on the nature, extent, and duration of such misconduct. The penalty payment would be no less than EUR 1 000 and no more than EUR 100 000.

5 Entry into force

This regulation enters into force on 1 January 2027.

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