Impact assessment of the Swedish Gambling Authority’s regulations on the national self-exclusion register

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1 Description of the problem and what the Swedish Gambling Authority wants to achieve

1.1 Checking in the national self-exclusion register

One of the aims of the Gambling Act (2018:1138) is to limit the negative consequences of gambling, which means, among other things, counteracting economic, social and health-related harm.[1] As part of the consumer protection, there are provisions stating that players must be able to register with the gambling authority and exclude themselves from all games that require registration. A register of these players shall be maintained by the Swedish Gambling Authority.[2] As a result of these provisions, since 1 January 2019, players have been able to register with the Swedish Gambling Authority's[3] register (Spelpaus.se), which is available via the website www.spelpaus.se, in order to exclude themselves from games that require registration.

Licensees offering games that require registration[4] in accordance with Chapter 12, Section 1 of the Gambling Act are obliged under the gambling regulation to check whether a person is suspended from gambling on Spelpaus.se on the following occasions:

- Registration of players
- Each time the player logs into the gambling system
- Ahead of direct marketing

[1] Chapter 3, Section 1(3) of the Gambling Act and Government Bill 2017/18: 220, including p. 91.
[2] Chapter 14, Section 12 of the Gambling Act.
[3] Section 2(1) of the Ordinance (2018:1476) containing instructions for the Swedish Gambling Authority states that the Swedish Gambling Authority is the authority that performs the duties assigned to the gambling authority under the Gambling Act.
[4] Exemptions from the registration requirement are laid down in the Swedish Gambling Authority's regulations (SIFS 2022:2) on exemptions from the registration requirement.

If the check shows that the player is suspended on Spelpaus.se, the licensee shall deny the player registration and access to gambling.[5] Nor may the licensee target marketing directly at a person who has excluded themselves on Spelpaus.se.[6]

When a licensee needs to do a check on Spelpaus.se, there are three different Application Programming Interfaces (APIs) to choose from. The APIs function as communication between the license's gambling system and Spelpaus.se. In connection with the decision to grant a licence, the licensee has been assigned unique connection details, in the form of an identification number (Actor ID) and a password (API Key). The licensee uses the information to submit a query regarding one or more personal identification numbers to one of the APIs and then receives a response indicating whether the person or persons are excluded from gambling. Once the licensee has received a response on whether the person or persons are excluded from gambling, the check is complete.

The APIs are intended to be used for different purposes: One of the APIs is intended to be used for checking when a player wants to register or log in to the gambling system (API login), and the other two are for checking prior to direct marketing. The latter two APIs, which are intended for use prior to direct marketing, are designed so that one can be used for requests for individual personal identification numbers (API marketing single) and the other can handle requests for up to 10 000 personal identification numbers at a time (API marketing bulk). The Swedish Gambling Authority has the ability to retrieve data and statistics from Spelpaus.se, for example, on how many checks each licensee has carried out on Spelpaus.se and which API the licensee has used to carry out those checks.

At present, there are no binding requirements stipulating that a specific API must be used when carrying out checks on Spelpaus.se; there are only regulations stipulating *that* checks are to be carried

[5] Chapter 12, Section 4 of the Gambling Act and Chapter 11, Section 9 of the Gambling Ordinance (2018:1475).
[6] Chapter 15, Section 2 of the Gambling Act.

out. However, in connection with decisions on granting licences, and through information on the Swedish Gambling Authority's website, licensees are encouraged by the Swedish Gambling Authority to use the API login for checks for registration and login, and the APIs for marketing for checks prior to direct marketing. The Swedish Gambling Authority has therefore required licensees to have systems in place that enable them to carry out checks in accordance with the Authority's requests.

1.2 The importance of accurate information in Spelpaus.se

As mentioned above, licensees are encouraged, including in connection with the licence decision, to use the API login to carry out checks during registration and login, and the two other APIs prior to direct marketing. Based on information from Spelpaus.se, the Swedish Gambling Authority assesses that the APIs are not being used in accordance with the requests, but rather that certain licensees are carrying out all checks in Spelpaus.se against one and the same API.

It has also emerged that the connection details assigned to the licensees are not used in the intended manner. An inspection completed in May 2025 revealed that licensees belonging to a group consisting of several licensees only use one of the licensees' connection details when checking Spelpaus.se. Based on the information from Spelpaus.se, it therefore appears as if several of the licensees in the group have not carried out any checks on Spelpaus.se.[7]

Chapter 18, Section 1 of the Gambling Act states that the Swedish Gambling Authority is responsible for supervising compliance with the Gambling Act and the regulations and conditions issued pursuant to that Act. If a licensee chooses to carry out all of its checks using the same API, it is difficult for the Swedish Gambling Authority to follow

[7] See, for example, decisions in cases with reference numbers 24Si2693, 24Si2694 and 24Si2695.

up and assess whether the necessary checks have been carried out, i.e. upon registration, login and prior to direct marketing. Even in the event that a different licensee's connection details are used, it will be difficult to follow up on whether a specific licensee has carried out the necessary checks.

Through the proposed regulation, the Swedish Gambling Authority wants to ensure that the licensees use the API intended for the check and that each licensee uses their unique connection details when carrying out checks on Spelpaus.se. The Swedish Gambling Authority considers that the proposed regulation is needed to contribute to accurate information in Spelpaus.se. This leads to an improved possibility for the Swedish Gambling Authority to check whether the licensee has fulfilled its obligations under the gambling regulation and thereby maintain a high level of consumer protection.

In order to avoid any uncertainty regarding when a check has been carried out, the Swedish Gambling Authority also wishes to clarify this in the regulation.

2 Alternative solutions for achieving the objective and the impact if no regulation is implemented

As mentioned in the sections above, the Swedish Gambling Authority considers that the Gambling Act and the Gambling Ordinance need to be supplemented by a binding regulation regarding the licensees' checks on Spelpaus.se.

An alternative to laying down the proposed regulations is to not lay down any regulation regarding Spelpaus.se. This would mean that the situation would remain unchanged and that the existing problems would continue. This would mean that the data in Spelpaus.se is not accurate, making it difficult for the Swedish Gambling Authority to verify whether the licensee has complied with its obligations under the gambling regulation.

Another alternative to laying down a regulation is to instead develop advice to help the licensees. However, the Swedish Gambling Authority has on several occasions advised licensees on how it considers that checks should be carried out. Despite the information and advice provided, some licensees' practices remain unchanged. The Swedish Gambling Authority considers that non-binding advice is not sufficient to address these problems.

3 Information on those affected by the regulation

In accordance with Chapter 14, Section 12 of the Gambling Act, players must be able to exclude themselves from games which require registration in accordance with Chapter 12, Section 1 of the Gambling Act. The proposed regulation shall thus apply to all licensees who provide games in Sweden and who are required to register their players in accordance with Chapter 12, Section 1 of the Gambling Act. Exemptions from the registration requirement are laid down in the Swedish Gambling Authority's Regulations (SIFS 2022:2) on exemptions from the registration requirement.

This means that there are currently 80[8] licensees who will be affected by the proposed regulation. These licensees have licences for token machines and online lotteries under Chapter 5 of the Gambling Act, licences for online lotteries under Chapter 6 of the Gambling Act, licences for commercial online gambling and betting under Chapters 7 and 8 of the Gambling Act, and licences for card games in tournament form under Chapter 9 of the Gambling Act. Some of the licenses have both a licence for commercial online gambling and for betting, which has been taken into account in the calculation of the number of licensees concerned.

Among the licensees concerned there is great variety, as they consist of foreign legal entities, Swedish limited companies and non-profit associations. These operators vary considerably in size. The largest operators, in terms of both turnover and number of customers,

[8] According to information retrieved from Spelpaus.se on 13 May 2025.

include those with licences for commercial online gambling and for betting (Chapters 7 and 8 of the Gambling Act) and licences for slot machines and online lotteries (Chapter 5 of the Gambling Act). There are 75 such operators. The majority of these licensees are foreign legal entities, many of which are part of larger international groups. They often have a licence in several countries, a large number of customers and a high turnover. Among those who have licences for commercial online gambling and for betting, there are also operators who are part of a smaller or no international group, have lower turnover and fewer customers.

The remaining operators amount to five and have a licence for online lotteries under Chapter 6 of the Gambling Act and for card games in tournament form under Chapter 9 of the Gambling Act. All are non-profit associations. Even these operators vary considerably in size, in terms of their turnover and number of customers.

Based on statistics from Spelpaus.se, the Swedish Gambling Authority assesses that the majority of the licensees concerned are complying with the Swedish Gambling Authority's requests to use their unique login details and the intended API when carrying out checks on Spelpaus.se. However, there are strong indications that ten[9] of the licensees are not carrying out the checks in accordance with the Swedish Gambling Authority's requests. These ten licensees are operators of different types, with a large variation in, for example, turnover and number of customers.

4 Information about the authorisations on which the Swedish Gambling Authority's decision-making power is based

Chapter 16, Section 10(6) of the Gambling Ordinance states that the Swedish Gambling Authority may issue regulations concerning the national self-exclusion register in accordance with Chapter 14, Section 12 of the Gambling Act.

[9] According to information retrieved from Spelpaus.se on 13 May 2025.

5 Costs, revenues and other consequences of the proposal

The Swedish Gambling Authority considers that the proposal may have consequences for some of the licensees concerned. The consequences are assessed to depend on how each licensee carries out their checks in Spelpaus.se. Licensees who carry out checks in a manner other than that specified by the Swedish Gambling Authority, and thus in a manner that will be in conflict with the proposed regulation, will need to change their procedures and approaches. For example, licensees who carry out automated checks may need to make changes to their IT systems. Licensees who are part of a group and who only use one of the licensees' connection details during checks will also need to change their procedures. The Swedish Gambling Authority considers that the changes that will need to be implemented are of a non-recurring nature.

As stated above in Section 3 '*Information on those affected by the regulation',* there are strong indications that ten of the licensees do not carry out the checks on Spelpaus.se in accordance with the proposed regulation. This means that only a small proportion of all licensees will need to change their routines and procedures. From this perspective, the consequences of the proposal are limited.

The Swedish Gambling Authority considers that the costs and time needed to implement the changes may depend on a number of different circumstances, since, as mentioned above, the licensees may have different procedures and IT systems to carry out the checks on Spelpaus.se. It may be a minor change, for example a configuration in the system (change of setting). However, more extensive changes may also be required if the system has hard-coded values, which may mean that the system must be rebuilt. However, the Swedish Gambling Authority considers the latter scenario to be less likely, as systems with hard-coded values are not an industry practice. Some systems, which are used by several licensees within

the same group, may also not have configuration options for the respective licensees and must then be rebuilt for that reason.

As mentioned above in Section 1.2 '*The importance of accurate information on Spelpaus.se*', in May 2025, the Swedish Gambling Authority concluded an inspection concerning a number of licensees' checks on Spelpaus.se. During the inspection, seven out of eight licensees adjusted their procedures regarding the use of their unique connection details. None of these licensees stated that the adjustment involved significant financial costs or was time-consuming. Nor have the consultation bodies representing the gambling industry had any comments on the current proposal for a regulation or objections concerning the proposal being financially burdensome for licensees. Against this background, the costs incurred by the licensees to comply with the requirements of the proposed regulation are considered to be limited.

The Swedish Gambling Authority would also like to emphasise that the proposed regulation establishes what the Authority has requested the licensees to do from the time they were granted their licence. Licensees who have procedures and approaches in place in accordance with the Swedish Gambling Authority's requests have already incurred costs to implement these. The Swedish Gambling Authority does not consider it an unacceptable cost or consequence that certain licensees, who previously disregarded the Authority's requests, may now need to adapt their procedures and systems.

The Swedish Gambling Authority considers that the proposal does not affect competition between smaller and larger operators, as the licensees who have not complied with the Swedish Gambling Authority's requests are of different types and sizes. As mentioned earlier, the Swedish Gambling Authority considers that the proposal will entail limited costs and resources. For this reason, it is not considered necessary to take any special account of smaller operators. When determining the time of entry into force, account has also been taken of the fact that changes in procedures and systems

may vary in scope and that different operators may have varying access to resources to handle these changes.

The Swedish Gambling Authority has considered whether there are any measures that can be taken to ensure that the proposal does not entail more far-reaching costs or restrictions that go beyond what is deemed necessary to achieve the aim of the proposal. In view of the fact that the consequences are deemed to be limited for licensees, no such measures have been considered necessary.

The Swedish Gambling Authority assesses that the proposed regulations will not have a negative impact on consumer protection. The regulations will only regulate how the licensees' checks on Spelpaus.se are to be carried out in practical terms and not limit when or how often a check is to be carried out. The same amount of checks, at the same times as currently, will therefore be able to be carried out.

The proposed regulations will not generate any revenue for the State or other operators, as the proposal does not involve any fee increases or result in other operators increasing their revenue. Since the regulations will only govern *how* the checks are to be carried out and not when a check is to be carried out, the Swedish Gambling Authority assesses that the proposal will not have any impact on the licensees' revenues either. For example, licensees will be able to send out marketing material for their services to the same extent as they do today.

The proposal is considered to improve the possibilities for the Swedish Gambling Authority to follow up if licensees have complied with their obligations under the gambling regulation. The Swedish Gambling Authority also believes that the proposal will lead to more efficient supervision, which will mean that less time and resources will need to be used at the Swedish Gambling Authority.

6 Assessment of whether the regulations comply with or exceed the obligations arising from Sweden's accession to the European Union

The regulatory framework for lotteries and other gambling is not harmonised within the EU. Gambling constitutes a service within the meaning of the Treaty on the
Functioning of the European Union (TFEU). This means that Member States are free to legislate in this area, provided that, inter alia, the general rules of the TFEU on the four freedoms and secondary legislation are respected. National measures restricting the exercise of the fundamental freedoms guaranteed by the Treaty can only be justified if they are applied in a non-discriminatory manner, are motivated by overriding reasons relating to the public interest, are suitable to ensure the objective pursued by them, and do not go beyond what is necessary to achieve this objective. In drawing up the regulations, the Swedish Gambling Authority has taken into account the TFEU's requirements for legality, predictability and proportionality. The Swedish Gambling Authority's assessment is that the regulation complies with the obligations arising from Sweden's accession to the EU.

The Swedish Gambling Authority has assessed that these regulations are to be notified to the National Board of Trade Sweden in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.

7 Assessment as to whether special consideration must be given to the date of entry into force and whether special information initiatives are required

It is proposed that the regulations in question shall enter into force on 1 August 2026. The regulations may mean that licensees need to

change their procedures and approaches for carrying out checks on Spelpaus.se, for example by adjusting their IT systems to meet the new requirements. As the regulations are expected to be published in early May 2026, licensees will have almost three months to implement any changes.

It is deemed necessary to provide information to licensees affected by the regulations in order to alert them that new rules will apply to the checks on Spelpaus.se.

8 Evaluation

The Swedish Gambling Authority intends to continuously evaluate the impact of the proposed regulations by, on the one hand, following statistics from Spelpaus.se and, on the other hand, through the Authority’s supervision. Where necessary, changes will be implemented, for example by adjusting the regulations or issuing non-binding advice.