

## NOTICES FROM MEMBER STATES

**NATIONAL EXEMPTIONS FOR GAMBLING SERVICE PROVIDERS FROM NATIONAL PROVISIONS TRANSPOSING DIRECTIVE (EU) 2015/849 (AMLD)**

**List of Member States who have decided to exempt providers of certain gambling services from national provisions transposing Directive (EU) 2015/849 of the European Parliament and of the Council on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing**

*(This text annuls and replaces the text published in OJ C 170, 18.5.2020, p. 23)*

(2020/C 251/13)

If a Member State decides to exempt, in full or in part, providers of certain gambling services from national provisions transposing this Directive, it shall notify the Commission of this decision, together with a justification based on a specific risk assessment. A Member State may give or revoke such a notification at any time. The Commission shall communicate such decisions to the other Member States

The Member States that have notified the Commission of such decisions, by July 2020, are:

Member State	Exempted gambling services provider[s]
Austria	<p>In accordance with Section 31c paragraph 3 items 1 and 2 of the Federal Gambling Act of 28 November 1989 (Glücksspielgesetz – GSpG, Federal Law Gazette No 620/1989, in its amended version as in Federal Law Gazette No 118/2016) the following lottery games are partially exempted:</p> <ul style="list-style-type: none"> <li>— Lotto (Section 6 Gambling Act)</li> <li>— Football pools (Section 7 Gambling Act)</li> <li>— Add-on game (Section 8 Gambling Act)</li> <li>— Instant lotteries (Section 9 Gambling Act)</li> <li>— Class lotteries (Section 10 Gambling Act)</li> <li>— Number lotto (Section 11 Gambling Act)</li> <li>— Number lotteries (Section 12 Gambling Act)</li> <li>— online gambling (Section 12a paragraph 1 Gambling Act)</li> <li>— Bingo and Keno (Section 12b Gambling Act)</li> </ul> <p>These partial exemptions rely on current assessment that these gambling services present lower risk and shall cease to apply if this level of risk is considered as increasing in future assessments.</p>
Belgium	<p>In accordance with Article 5.1 of Law on prevention of money laundering and terrorism financing of 18 September 2017:</p> <ul style="list-style-type: none"> <li>— the National Lottery</li> </ul> <p>In accordance with Article 25, paragraph 1, 9, of the law of 7 May 1999 on games of chance, betting, gaming establishments and the protection of players, and Royal decree of 30 January 2019 published on 8 February 2019:</p> <ul style="list-style-type: none"> <li>— Holders of a (Class C) licence, which, for renewable periods of five years, on the conditions it determines, allows the operation of a (Class III) gaming establishment or a drinking establishment,</li> <li>— Holders of a (class G1) licence, which, for renewable periods of five years, on the conditions it determines, allows the exploitation of games of chance in television programmes by means of series of numbers from the Belgian numbering plan and which form a complete game programme,</li> <li>— Holders of a (class G2) licence, which, for a period of one year, on the conditions it determines, allows the exploitation of games of chance via a medium other than those presented in television programmes by means of series numbers of the Belgian numbering plan and which form a complete game programme.</li> </ul>

Czechia	<p>In accordance with Act. No 253/2008 of 5 June 2008 on selected measures against legitimisation of the proceeds of crime and the financing of terrorism:</p> <ul style="list-style-type: none"> <li>— Bingo games</li> <li>— Tombola</li> <li>— Monetary lotteries</li> <li>— Material lotteries</li> <li>— Instant and/or numerical lotteries</li> </ul>
Denmark	<p>Pursuant to Article 1(5) of Act No 651, 8 June 2017 on the prevention of Money Laundering and Terrorist Financing and Notice of partial exemption of certain games from money laundering laws of 26 June 2017:</p> <ul style="list-style-type: none"> <li>— Local pool betting</li> <li>— Gaming machines outside casinos offering cash winnings with stake/payout limits</li> <li>— Lotteries, Klasselotteriet ('class lotteries') and non-profit lotteries (including Bingo games and Tombola when qualifying as non-profit lotteries)</li> <li>— Land based poker when played in a tournament format, in unions and when it is without profit for the licence holder</li> <li>— Online Bingo broadcast on television</li> <li>— Manager games (seasonal fantasy sports, not daily)</li> <li>— Competitions where participation is through SMS or similar</li> <li>— Games offered in accordance with Section 9-15 of the executive order on public amusements.</li> </ul>
Estonia	<p>In accordance with § 6 Estonian Gambling Act of 15 October 2008, in accordance with the Money Laundering and Terrorist Financing Prevention Act of 26 October 2017:</p> <ul style="list-style-type: none"> <li>— Commercial lotteries</li> </ul>
Finland	<p>In accordance with Chapter 1 Section 3(4) of the Law on the prevention of money laundering and terrorist financing of 28 June 2017 (444/2017):</p> <ul style="list-style-type: none"> <li>— Slot machines kept outside of casinos</li> </ul>
Germany	<p>In accordance with Section 2 para. 1 No 15 of the Money Laundering Act (Geldwäschegesetz) of 23 June 2017:</p> <ul style="list-style-type: none"> <li>— operators of gambling machines/slot machines as defined by Section 33c of the Gewerbeordnung,</li> <li>— associations conducting business of a totalizator pursuant to Section 1 of the Race Betting and Lottery Act (Rennwett- und Lotteriegeseztz),</li> <li>— lotteries, except online lotteries, whose operators or brokers have a public licence of the competent authority in Germany,</li> <li>— social lotteries</li> </ul>
Hungary	<p>In accordance with the Law on the prevention of money laundering and terrorist financing (entered into force on 26 June 2017):</p> <ul style="list-style-type: none"> <li>— drawing games, as defined and regulated under Articles 15-24 of the Law 34 of 1991 on Gambling Operations (Drawing games include drawing lot games, tombola, scratch cards and the so-called other drawing games, like offline bingo).</li> </ul>
Ireland	<p>In accordance with Section 25(8) of the Criminal Justice (Money Laundering and Terrorist Financing) Act of 2010, as amended, and Regulation 3 of Statutory instrument 487/2018:</p> <ul style="list-style-type: none"> <li>— Gaming machines or amusement machines provided in accordance with Section 14 of the Gaming and Lotteries Act 1956,</li> <li>— Lotteries within the meaning of the Gaming and Lotteries Act 1956 including Bingo,</li> <li>— Poker provided at a physical location other than a casino or private members' club</li> </ul>
Netherlands	<p>In accordance with Article 2 of the Regulation of the Minister of Finance and the Minister of Justice and Security of 13 July 2018, No 2018-0000113969 (Implementation regulation of the fourth anti-money laundering directive)</p> <ul style="list-style-type: none"> <li>— charity lotteries (Article 3 of the Games of Chance Act),</li> <li>— providers of weekly shopping promotions and small games of chance (Article 7a of the Games of Chance Act),</li> <li>— the state lottery (Article 8 of the Games of Chance Act),</li> <li>— the Instant Lottery (Article 14a of the Games of Chance Act),</li> <li>— providers of sports competitions (Article 15 of the Games of Chance Act),</li> </ul>

	<ul style="list-style-type: none"> <li>— totalizers (Article 23 of the Games of Chance Act),</li> <li>— the Lotto (Article 27a of the Games of Chance Act),</li> <li>— anyone who has slot machines (Article 30b of the Games of Chance Act),</li> <li>— operators of slot machines (Section 30h of the Games of Chance Act).</li> </ul>
Slovenia	<p>In accordance with the Decree on the exemption of organisers of classic games of chance from the implementation of measures for detecting and preventing money laundering and terrorist financing (Official Gazette of the Republic of Slovenia, No 66/18 of 12 October 2018):</p> <ul style="list-style-type: none"> <li>— societies and non-profit humanitarian organisations established in the Republic of Slovenia which provide classical gambling services on an occasional basis are fully exempted from the implementation of measures in accordance with the Prevention of Money Laundering and Terrorist Financing Act (Official Gazette of the Republic of Slovenia, No 68/16 of 4 November 2016),</li> <li>— operators permanently providing classical gambling services based on a concession by the Government of the Republic of Slovenia are in part exempted from the implementation of measures relating to customer due diligence, which are to be implemented in accordance with this Decree.</li> </ul>
Sweden	<p>In accordance with Chapter 8 Article 1 of the Measures Against Money Laundering and Financing of Terrorism Act (SFS 2017:630), Article 20 of the ordinance on Measures Against Money Laundering and Financing of Terrorism (SFS 2009:92) and Chapter 1 Article 2 of the Swedish Gambling Authority's Regulations and General Advice on Measures Against Money Laundering and Financing of Terrorism (SIFS 2019:2):</p> <ol style="list-style-type: none"> <li>1. Lotteries carried out in accordance with a licence under Chapter 5 of the Gambling Act (SFS 2018:1138) and that are not online gambling or casino games at a casino;</li> <li>2. Lotteries carried out in accordance with a licence or registration under Chapter 6 of the Gambling Act and that are not online gambling;</li> <li>3. Casino games and gambling on goods gaming machines with a licence under Chapter 9 of the Gambling Act;</li> <li>4. Games at cash gaming machines and token machines, with the exception of tournament card games, with licence under Chapter 10 of the Gambling Act.</li> </ol> <p>Exemptions 1 and 2 do not apply if the customer is allowed to add funds to a player's account, i.e. funds that are not direct payment for participation in the lottery.</p>