

Elena Schjern Andersen

Fra: Angeliki Koumoutsou <angeliki.koumoutsou@betssongroup.com>
Sendt: 29. november 2024 15:29
Til: Lovgivning og Økonomi
Cc: Elena Schjern Andersen; Ivana Pejic
Emne: Consultation on draft executive order on the prevention and combating of matchfixing
Vedhæftede filer: Høringsbrev bekendtgørelse en.pdf

Du får ikke ofte mails fra angeliki.koumoutsou@betssongroup.com. [Få mere at vide om, hvorfor dette er vigtigt](#)

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Dear all,

Following the Consultation on draft executive order on the prevention and combating of matchfixing, as amended by Act No. 467 of 8 May 2024 please find below the comments/questions raised by BML Group:

- The order is set to become effective on **January 1, 2025** which as a deadline we believe is too short to implement all changes.
- **Reporting Obligations:** Is it for events in which DGA customers are involved in? Or are there some other conditions? Like location of event
- **Confidentiality and Penalties:** We need some clarification on this, what are the obligations, which violations can result in fines, how much would a fine be, etc
- **Know Your Customer (KYC) Requirements:**
 - The Gambling Authority maintains a list of individuals in Denmark who could influence the outcome of sports events (§7).
 - Licence holders must check if a player appears on this list when establishing or during a customer relationship (§8). – is there going to be an API like Rofus for self-excluded customers?
- **Whistleblower Scheme:** Is the tool we have enough or they want something specific only for Match – Fixing
- **Risk Assessment and Management:** Restrictions on betting by owners, directors, and employees involved in setting odds or who are closely associated with them (§5). Is this related to our employees here? And restricted on/from what?

Looking forward to your comments.

Thank you.

Kind regards,

ANGELIKI KOUMOUTSOU

Compliance Manager



E-mail: angeliki.koumoutsou@betssongroup.com

Mobile: 00356 7977 5354

Ta'Xbiex Seafront, Ta'Xbiex XBX 1027, Malta

betssongroup.com

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Skatteministeriet

lovgivningoekonomi@skm.dk

Nicolai Eigtveds Gade 28

DK 1402 – København K

28. november 2024

Svar på høring om bekendtgørelse om forebyggelse og bekæmpelse af aftalt spil

Cashpoint Denmark ApS takker for muligheden for at afgive høringssvar.

Generelt finder vi det positivt at matchfixing får en mere prominent plads i den danske regulering og vi vil fortsætte med at bidrage til bekæmpelsen af den skade matchfixing har på idrætten.

Det bemærkes dog at vi finder ikrafttrædelsen af bekendtgørelsen særlig problematisk i forhold til offentlighedsloven af høringen. En tilladelsesindehaver vil tidligst have fuldt overblik over bekendtgørelsens krav efter høringens udløb og den endelig offentliggørelse af reguleringen.

Dette vil optimistisk give en implementeringstid på en måned. Det skal i den forbindelse tilføjes at da Skatteministeriet har valgt at ligge høring og ikrafttrædelse i sammenhæng med årets afslutning, vil der være endnu kortere implementeringstid.

Udkastet til bekendtgørelse indeholder en lang række konkrete krav, som ikke har været til stede før. Det kan i den forbindelse undrer at man fra Skatteministeriets side ikke har valgt at notificere bekendtgørelsen til EU-Kommissionen. Normalt bliver al spilregulering notificeret.

Generelt bærer bekendtgørelsen præg af at drage meget inspiration fra hvidvasklovens struktur. Det er dog på nuværende tidspunkt uklart om sådan en sammenligning er brugbar, da reguleringen adskiller sig fx i forhold til forpligtelsen til at tjekke Spillemyndighedens liste.

Cashpoint noterer sig i øvrigt at Skatteministeriet ikke har valgt at ophæve de bestemmelser som regulerer området i bekendtgørelse om online væddemål (kapitel 10) og bekendtgørelse om landbaserede væddemål (kapitel 12), hvilket er uhensigtsmæssigt.

Bemærkninger til specifikke bestemmelser

§ 4.

Det bemærkes, at henset til bekendtgørelsens ikrafttræden vil det ikke være muligt at lave fyldestgørende forretningsgange for fx kundekendskabsprocedurer eller underretningspligt, da Spillemyndigheden ikke har offentliggjort, hvordan det er muligt at tilgå listen efter § 7 eller hvordan en eventuel underretning skal foretages.

§ 7.

Det må antages, at listen tager sit udgangspunkt i Finanstilsynets PEP-liste, som er udarbejdet i henhold til hvidvaskloven.

Det bemærkes, at reguleringen af denne liste indeholder bestemmelser om de offentlige myndigheder som skal levere indhold til listen, herunder straffesanktionering hvis dette indhold ikke leveres rettidigt. Det medfører fx at Skatteministeriet og Spillemyndigheden kan ifalde ansvar, hvis dette ansvar ikke løftes.

Dette synes ikke at være tilfældet med Spillemyndighedens liste over udøvere.

Det er uklart, hvem der skal levere oplysninger om udøvere og om de er forpligtet til at gøre det. Det vil således være svært at afgøre i hvilket omfang at listen indeholder valide data.

§ 8.

stk. 3.

Det er uklart, hvad der ligger i skærpede kundekendingsprocedurer. Henset til formuleringen antages, at det er hvidvasklovens begreber som finder anvendelse.

Stk. 3, nr. 3

Det er uklart hvad der menes ..."er bekendt med".... Umiddelbart antages at der ikke er tale om en aktiv undersøgelse, men såfremt tilladelsesindehaver af anden årsag bliver bekendt med en kundes erhverv og relation til en udøver.

Stk. 3, nr. 5

"kriminell aktivitet" er en meget bred betegnelse, som kan dække aktiviteter som ikke nødvendigvis vedrører spil eller matchfixing i øvrigt. Det foreslås at aktiviteten konkretiseres fx som i spillelovens § 26, stk. 1, nr. 4.

§ 9.

Det antages, at de eksisterende certifikationskrav, som knytter sig til dette krav, fx inspektionsstandarder for online væddemål punkt 7.1.1.3 ikke ændres.

§ 13

Hvis et væddemål er indgået, dvs. at en indsats er betalt (formuleringen "har haft"), kan det ikke undersøges, hvorvidt en tilladelsesindehaver skal nægte at tage mod indsats.

§ 14.

En lang række tilladelsesindehavere er tilknyttet forskellige overvågningsorganisationer, som hjælper den konkrete tilladelsesindehaver med at overvåge for matchfixing risici. Langt hen ad vejen vil Spillemyndigheden kunne opnå deres informationsbehov ved at modtage underretninger direkte fra organisationen. Det foreslås derfor at der indføres en ordning, hvor tilladelsesindehaverens pligt kan delegeres til en sådan organisation under

CASHPOINT DENMARK APS

Korsdalsvej 125

2610 Rødovre

www.cashpoint.com

CVR: 37247618

visse vilkår. Der tænkes fx på bekendtgørelse om online væddemåls § 29, stk. 2 og den ordning, som er mulig herefter.

Med venlig hilsen



CASHPOINT Denmark ApS

Nicolai Lodberg

Legal and Compliance Officer

Mail: n.lodberg@cashpoint.com

Telefon: 31 37 70 78

Skatteministeriet

Sendt til: lovgivningoekonomi@skm.dk

cc: ea@spillemyndigheden.dk



Vedrørende høring om bekendtgørelse om forebyggelse og bekæmpelse af aftalt spil (matchfixing)

Danmarks Idrætsforbund (DIF) takker for muligheden for at afgive høringssvar til bekendtgørelsen om forebyggelse og bekæmpelse af aftalt spil.

DIF støtter forslaget og ser positivt på de foreslåede indsatser og krav til spiludbydere, som vi vurderer markant, vil styrke forebyggelsen af matchfixing.

DIF støtter særligt bestemmelsen om, at spiludbydere skal indrette deres spilsystemer, så de kan identificere mistænkelig spiladfærd forbundet med aftalt spil (§ 9). Dette krav er helt afgørende for at kunne opdage og forebygge matchfixing, og vil kun bidrage til, at politiet eller idrætten kan få afgørende oplysninger i forhold til en evt. matchfixingefterforskning.

Tilsvarende finder DIF det meget positivt, at spiludbydere forpligtiges til straks at underrette Spillemyndigheden ved mistanke om aftalt spil (§ 14). Denne korte frist giver aktørerne i Den Nationale Platform mod Matchfixing mulighed for at agere proaktivt i relation til en konkurrence, som måtte være mistænkt for at være manipuleret.

DIF anbefaler dog, at det præciseres i bekendtgørelsen eller en tilhørende vejledning, at personer, som er på udøverlisten (§ 7, stk. 1), skal indberettes til Spillemyndigheden, hvis de placerer væddemål på konkurrencer eller turneringer, hvor de selv deltager. Dette vil tydeliggøre overfor navnlig disse udøvere, hvilken type af væddemål de ikke må foretage.

DIF vil som en central aktør på matchfixingområdet selvsagt bidrage til, at reglerne vil blive kommunikeret til de relevante idrætsudøvere og specialforbund.

Per Nylykke
Souschef

Elena Schjern Andersen

Fra: Gunnar Sørensen <gus@d-a-b.dk>
Sendt: 4. november 2024 12:51
Til: Lovgivning og Økonomi
Cc: Elena Schjern Andersen
Emne: journal nr. 2024-7203

Denne e-mail kommer fra internettet. Den er således ikke nødvendigvis fra en intern kilde, selvom afsenderadressen kan indikere det.

Tak for muligheden for at afgive hørings svar til udkast til bekendtgørelse om forebyggelse og bekæmpelse af aftalt spil.

Dansk Automat Brancheforening har ingen kommentarer til den foreslåede ændring.

Med venlig hilsen

Gunnar Sørensen
Formand



Dansk Automat Brancheforening

Tlf.: +45 40 35 55 33

E mail.: gus@d-a-b.dk



Danske Spil
til glæde og til gavn

Skatteministeriet
Nicolai Eigtveds Gade 28
1402 København K

Sendt med e-mail til:
lovgivningogeokonomi@skm.dk
kopi til: ea@spillemyndigheden.dk

Danske Spil A/S
Korsdalsvej 135
DK 2605 Brøndby

T+ 45 36720011
www.danskespil.dk

CVR NR 6401 1715

Høringsvar vedrørende udkast til bekendtgørelse om forebyggelse og bekæmpelse af aftalt spil – Skatteministeriets journalnummer 2024-7203

Under henvisning til Skatteministeriets høringsbrev af 30. oktober 2024 vedrørende udkast til bekendtgørelse om forebyggelse og bekæmpelse af aftalt spil følger hermed på vegne af Danske Licens Spil A/S' ("Danske Spil") bemærkninger til udkastet.

Indledningsvis bemærkes, at Danske Spil generelt hilser den styrkede indsats mod matchfixing velkommen.

Mere konkret skal Danske Spil bemærke følgende:

Ad § 8

Tilladelsesindehaveren bliver i udkastets § 8 underlagt en forpligtelse til i forbindelse med oprettelse af et kundeforhold samt løbende i løbet af et kundeforhold at kontrollere, hvorvidt en spiller er registreret på Spillemyndighedens liste over udøvere i Danmark, som kan have indflydelse på udfaldet af en sportsbegivenhed, hvor der udbydes væddemål ("udøverlisten"), jf. udkastets § 7, stk. 1.

Det forudsætter en teknisk integration mellem den enkelte tilladelsesindehaver og Spillemyndigheden, for at tilladelsesindehaveren kan leve op til denne forpligtelse i forbindelse med løbende drift med udbud af væddemålstjenester.

Idet det ifølge udkastets § 20 er planen, at bekendtgørelsen træder i kraft den 1. januar 2025, skal Danske Spil henlede opmærksomheden på, at de tekniske krav til en sådan løsning stadig afventes fra Spillemyndigheden og derfor ikke kendes på nuværende tidspunkt.


I forhold til den tekniske integration gør Danske Spil endvidere opmærksom på, at det er en forudsætning for, at tilladelsesindehaverne kan leve op til kravene i bekendtgørelsen, at Spillemyndighedens udøverliste gøres tilgængelig i et format, der muliggør en datakonvertering, der således kan indlæses i et system. Dermed sikres det, at alle personer på listen kan identificeres efter indlæsning. I den forbindelse bemærkes, at upload fra et Excel-format kan medføre importfejl i visse systemer.

Danske Spil foreslår, at der til den tekniske løsning eksempelvis søges inspiration fra den løsning, som tilladelsesindehavere benytter i forbindelse med tjek af listen med politisk eksponerede personer ("PEP-listen"). Danske Spil står til rådighed for en nærmere uddybning heraf.



Henset til at de tekniske krav til løsningen endnu ikke foreligger, bør der tages højde herfor i forbindelse med fastlæggelse af den endelige bekendtgørelses ikrafttrædelsesbestemmelser.

Med venlig hilsen
Danske Spil A/S


Kate Jacquerot
juridisk direktør

Skatteministeriet
Nicolai Eigtveds Gade 28
DK 1402 – København K

Sendt til lovgivningoekonomi@skm.dk med angivelse af j.nr. 2024 - 7203 og med ea@spillemyndigheden.dk på i kopi.

Høring over udkast til bekendtgørelse om forebyggelse og bekæmpelse af aftalt Spil

Dataetisk Råd takker for den fremsendte høring. Rådet har i dette tilfælde valgt ikke at udarbejde et egentligt høringssvar.

Der kan være flere årsager til, at Dataetisk Råd ikke vælger at udarbejde høringssvar, herunder at rådet har valgt at prioritere andre opgaver, at det ikke efter rådets opfattelse er muligt på forsvarlig vis at analysere og behandle høringen i den enkeltheder og detaljer inden for høringsfristen, eller at høringen ikke ses at indebære dataetiske spørgsmål, som faldet inden for rådets kommissorium.

Det bemærkes dog, at rådet generelt anbefaler, at ministerier redegør for de dataetiske konsekvenser af lovforslag. Dataetiske konsekvensanalyser sætter fokus på værdier og principper som blandt andet velfærd og demokrati, værdighed, selvbestemmelse, lighed, gennemsigtighed, sikkerhed og privatliv. Dataetiske konsekvensanalyser vil således hjælpe med at bringe fordele, ulemper og utilsigtede konsekvenser ved lovforslag frem i lyset og dermed bidrage til, at Folketingets beslutninger tages på et mere kvalificeret grundlag. Dette gælder naturligvis i særlig grad lovforslag, som angår persondata.

Dataetisk Råd kan i den forbindelse henvise til rådets værktøj '[Dataetik – Sådan gør du](#)', der operationaliserer identificeringen og stillingtagen til dataetiske dilemmaer.

Dataetisk Råd står til rådighed for uddybning og yderligere rådgivning.

På vegne af Dataetisk Råd og med venlig hilsen

Johan Busse

Formand

Elena Schjern Andersen

Fra: Lene Nielsen <LNI@DI.DK>
Sendt: 27. november 2024 12:11
Til: Lovgivning og Økonomi
Cc: Elena Schjern Andersen
Emne: RE: Høring af bekendtgørelse om forebyggelse og bekæmpelse af aftalt spil

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Til Skatteministeriet

Skatteministeriet har 30. oktober 2024 (j.nr. 2024 – 7203) udbedt sig Dansk Industris bemærkninger til et udkast til bekendtgørelse om forebyggelse og bekæmpelse af aftalt spil.

I den anledning bemærkes, at bekendtgørelsesudkastet ikke giver DI anledning til bemærkninger.

Med venlig hilsen

Lene Nielsen
Skattepolitik
Chefkonsulent

(+45) 3377 3563
(+45) 2949 4402 (Mobil)
lni@di.dk
di.dk



Dansk Industri

Læs, hvordan DI behandler og beskytter
persondata i **DI's Privatlivspolitik**

From: Elena Schjern Andersen <EA@spillemyndigheden.dk>
Sent: 30. oktober 2024 14:56
To: Elena Schjern Andersen <EA@spillemyndigheden.dk>
Subject: Høring af bekendtgørelse om forebyggelse og bekæmpelse af aftalt spil

Til høringsparter

Der vedlægges udkast til bekendtgørelse om forebyggelse og bekæmpelse af aftalt spil.

Vedlagt er også høringsbrev og høringsliste.

Skatteministeriet skal anmode om eventuelle bemærkninger til høringen senest **torsdag den 28. november 2024**.

Med venlig hilsen

Elena Schjern Andersen

Chefkonsulent

Moms, Afgifter og Told

Tel. +45 72 37 35 25

Mail EA@spillemyndigheden.dk



Skatteministeriet

Skatteministeriet/Ministry of Taxation

Nicolai Eigtveds Gade 28

DK 1402 - København K

Mail skm@skm.dk

Web www.skm.dk

[Sådan behandler vi persondata](#)

Skatteministeriet
Nicolai Eigtveds Gade 28
DK 1402 - København K

Sendt digitalt til: ea@spillemyndigheden.dk og lovgivningoekonomi@skm.dk

28.11. 2024

Høringssvar til udkast til bekendtgørelse om forebyggelse og bekæmpelse af aftalt spil

FSR – danske revisorer ("FSR") takker for modtagelse af nærværende udkast til bekendtgørelse om forebyggelse og bekæmpelse af aftalt spil (2024-7203), som Skatteministeriet har sendt i høring den 30. oktober 2024 med høringsfrist den 28. november 2024.

FSR har for nuværende ingen bemærkninger.

Med venlig hilsen

Jon Reinhold Jensen
Chefkonsulent, Moms & Afgifter

FSR – danske revisorer
Slotsholmsgade 1, 4. sal
DK - 1216 København K

Telefon +45 7225 5703
fsr@fsr.dk
www.fsr.dk

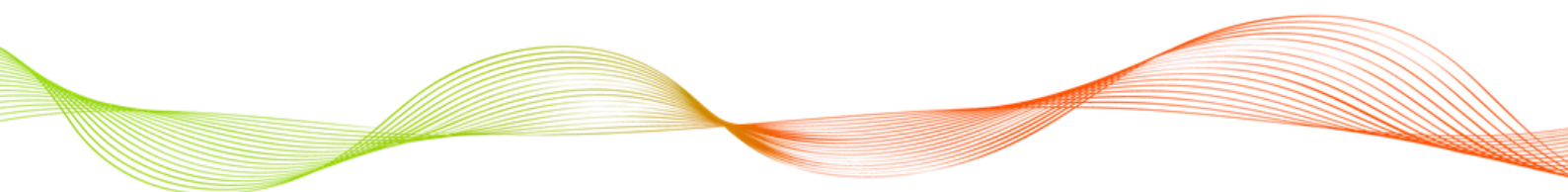
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IBIA response:
Denmark Draft Executive Order on
the Prevention and Combat of
Match-fixing

November 2024



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Chapter 1: Introduction

1. The International Betting Integrity Association (IBIA)¹ is a not-for-profit trade body representing the betting integrity interests of many of the largest licensed retail and online betting operators in the world. The association welcomes the opportunity to provide comments on the Ministry for Taxation's Draft Executive Order on the Prevention and Combat of Match-Fixing.²
2. IBIA members are licensed and operate within various regulatory frameworks for gambling around the world; their business operations and focus are truly international. IBIA's membership is made up of over 50 companies and 125 retail and remote betting brands, including many globally recognised household names, operating across six continents. Those operators manage over US\$300bn of global sports betting turnover per annum through their regulated businesses.
3. IBIA's principal goal is to protect its members, consumers and partners, such as sports bodies, from fraud caused by the unfair manipulation of sporting events and associated betting. The organisation combats this fraud with evidence-based intelligence, principally obtained from its global monitoring and alert network which identifies suspicious activity on its members' markets.
4. The association has longstanding information sharing partnerships with leading sports bodies and gambling regulators around the world to utilise that data to investigate and prosecute corruption. That approach has been successful in helping to drive criminals away from regulated markets, creating a safe and secure environment for our members' customers and sports.
5. The association, which was established in 2005 and formerly known as ESSA, is the leading global voice on integrity for the licensed betting industry. It represents the sector at high-level policy discussion forums and maintains a policy of transparency and open debate, publishing quarterly integrity reports analysing activity reported on the IBIA monitoring and alert network.³
6. In particular, IBIA holds seats on betting integrity policy groups run by the International Olympic Committee (IOC), Council of Europe (CoE) and the United Nations (UN), amongst others. The association also engages in mitigating actions with a range of partners, such as player betting education programmes and academic studies on the causes of, and solutions to, match-fixing.
7. IBIA welcomes the general focus of the Ministry of Taxation's provisions and understands that the fight against match-fixing requires a constant re-assessment and implementation of appropriate measures to protect the market, consumers and sporting events. However, after consultation with our members, we have identified some concerns, as set out in the following sections.
8. We have also included additional proposals that would significantly strengthen the integrity of the betting and sporting sectors in Denmark, and which are based on best practice models currently being implemented around the world. If Denmark is to benefit from the most effective integrity protocols, then it would be prudent to consider the implementation of these additional provisions.

¹ <https://ibia.bet/>

² <https://www.spillemyndigheden.dk/nyheder/hoering-udkast-til-bekendtgørelse-om-forebyggelse-og-bekaempelse-af-aftalt-spil>

³ <https://ibia.bet/study/>

Chapter 2: Draft Match-Fixing Provisions

Sections 1 - 19

9. The general principles of the risk assessment and risk management, list of prohibited persons, 'know your customer' and notification provisions, are potentially positive market integrity additions. These appear to be predominantly beneficial actions which operators are, in many cases, already well-versed in enacting as part of their general day-to-day operational activities.
10. The centrally held list of prohibited persons that all operators will access to is likely to prove a particularly advantageous approach that other jurisdictions may be advised to follow. There remain, however, many unknowns regarding the operation of this proposal – how will operators access the data, in what format, how often will it be updated and communicated, for example.
11. Similar comments can be made for other proposals, which highlights a general lack of detailed guidance necessary for operators to accurately ascertain the business impact and practicalities of those measures. Indeed, IBIA members would be concerned if this involved over-burdensome administrative or technical processes not currently evident in the Draft Executive Order.
12. IBIA hopes that the Danish authorities therefore understand that without that operational clarity and the related technical compliance measures, operators cannot conduct a proper impact assessment or formulate a clear implementation policy. The provision of further detailed guidance is therefore essential and may, in itself, necessitate further discussion with the sector.

Section 20

13. Even if additional guidance is provided immediately after the deadline for comments to this consultation, it is highly unlikely that it will allow sufficient time for operators to fully understand and implement these procedures by the currently proposed start date of 1 January 2025.
14. There remains the possibility that further guidance could in fact highlight clear anomalies or actions that are practically and operationally difficult to implement. The smooth introduction of these measures is important and may prove to be an indicator of their future success.
15. As such, IBIA supports the view of our colleagues at Spillebranchen that it would therefore be prudent to postpone the implementation of the Draft Executive Order to allow a full assessment of its operational impact and the practicalities of introducing these measures.

Additional Provisions

Operator Engagement

16. IBIA and its members support engagement with the Danish authorities regarding the monitoring and identification of suspicious betting, and the enactment of suitable provisions to address this matter, noting that it is a global issue that requires a multi-jurisdictional solution. It is therefore important that structures are put in place to facilitate effective engagement with national level stakeholders, notably all licensed operators, but which also drives international level dialogue.

Monitoring Network

17. We note that the current approach in Denmark remains focused on individual operator monitoring activity. Legislation enacted elsewhere in the world increasingly recognises that there is clear value from betting operators being part of a wider international betting integrity monitoring and alert network, which also feeds data into the appropriate authorities.
18. This approach adds an additional layer of protection both for operators' own businesses and also the licensed framework and its operational integrity capacity and associated reputation. This approach – requiring operators to be part of a betting integrity monitoring body in addition to reporting requirements – has, in recent years, been implemented in the following jurisdictions:
- Czech Republic Gambling Law (operational since January 2017);⁴
 - Around a dozen U.S. states, to date, permitting betting since PASPA was repealed in 2018 e.g. New Jersey (and in operation at various stages since August 2018);⁵
 - Amended German Interstate Treaty on Gambling (in operation since July 2021);⁶
 - The Netherlands Remote Gambling Law (in operation since October 2021);⁷
 - The Canadian province of Ontario gaming regulations (in operation since April 2022);⁸ and
 - The Brazilian sports betting regulations (expected to be in force from the start of 2025).⁹
19. The Review of Australia's Sports Integrity Arrangements, which reported in 2018, similarly recognised this integrity approach and promotes that betting operators licensed in Australia “participate in a ‘detect and disrupt’ real-time monitoring and analysis of suspicious wagering activity”, anticipating a model similar to IBIA's monitoring system.¹⁰
20. In addition, a Swedish government established inquiry into match-fixing and unlicensed gambling reported in October 2021 recommending that being part of a betting integrity monitoring body, such as IBIA, should be a licensing requirement for all of its operators to provide “an international exchange of information and warnings of suspected manipulation of sports events”.¹¹
21. In doing so, the inquiry commented that: “Given the international nature of the betting market where betting objects are often found on another market than the gambling companies home market, the investigation considers it to be reasonable that the licenced companies in Sweden contribute to, as well as benefit from, these international monitoring and warning systems.”¹²
22. The Swedish government has subsequently supported the proposal that licensed betting operators should be part of a betting integrity monitor system.¹³
23. These approaches support the European Commission funded Betmonitalert report, which strongly recommends that public authorities should oblige all of their licensed sports betting operators to

⁴ <https://www.zakonyprolidi.cz/cs/2016-186> and in English <https://www.iprh.cz/en/documentation/act-no-186-2016-on-gambling/> Section 88 (5)

⁵ <https://www.dlapiper.com/en/us/insights/publications/2018/05/paspa-unconstitutional/> & <https://www.wsn.com/sports-betting-usa/paspa/> & New Jersey § 13:69N-1.6 Sports pool and online sports pool integrity; confidential information <https://www.nj.gov/lps/ge/docs/SportsBetting/PublishedproposalJan7th2019.pdf>

⁶ <https://mi.sachsen-anhalt.de/themen/gluecksspiel/gluecksspielstaatsvertrag-2021/> Section 21 (3)

⁷ <https://kansspelautoriteit.nl/nieuws/nieuwsberichten/2020/maart/voortgang-wet/> Decree laying down provisions for the implementation of the Remote Gambling Act (Remote Gambling Decree) – Article 4.7 and related sections in the Explanatory Memorandum (Translated from Dutch to English)

⁸ <https://www.agco.ca/sport-and-event-betting-integrity> AGCO Gaming Standards - Sport and Event Betting Integrity

⁹ Article 13 Paragraph 2 <https://www.gamesbras.com/english-version/2022/5/4/gmb-offers-english-version-of-presidential-decree-draft-for-fixed-odds-sports-betting-in-brazil-30395.html> & Law No. 14,790, of December 30, 2023 Article 19 https://www.planalto.gov.br/ccivil_03/_ato2023-2026/2023/lei/l14790.htm?ref=nucleo.ior.br & Article 29 of SPA/MF No. 1.231, of 31 July 2024 <https://www.in.gov.br/en/web/dou/-/portaria-spa/mf-n-1.231-de-31-de-julho-de-2024-575670297>

¹⁰ [https://www1.health.gov.au/internet/main/publishing.nsf/Content/63F0A5D7BDA5A0B5CA2582CF0005E6F9/\\$File/HEALTH-RASIA-Report-Acc.pdf](https://www1.health.gov.au/internet/main/publishing.nsf/Content/63F0A5D7BDA5A0B5CA2582CF0005E6F9/$File/HEALTH-RASIA-Report-Acc.pdf) page 91 and footnote 160. The Australian report refers to IBIA under its previous identity of ESSA

¹¹ <https://www.regeringen.se/rattsliga-dokument/departementsserien-och-promemorior/2021/10/ds-202129/> Section 7.4 translated from Swedish to English

¹² Ibid.

¹³ <https://www.regeringen.se/rattsliga-dokument/proposition/2022/12/prop.-20222333/> Section 7.3

be “part of a betting monitoring system”.¹⁴ That report, and the Netherlands legislation, specifically refer to the International Betting Integrity Association as a best practice example.¹⁵

24. This important best practice model for betting integrity monitoring does not appear to have been assessed as part of the deliberations for the Draft Executive Order. IBIA contends that Denmark would benefit greatly from the adoption of this enhanced integrity protection model.
25. It recognises the value from operators being part of a wider international integrity monitoring system which feeds data into the appropriate authorities. In particular, the benefits this additional layer of protection, shared data and a common threshold for identifying and reporting suspicious betting provides for operators’ businesses, consumers and the regulatory framework.
26. IBIA members share data because they are aware that corrupters may seek to try and circumvent integrity protocols of individual operators by placing bets with multiple operators licensed in different jurisdictions. Betting related match-fixing is transnational and monitoring systems are therefore most effective when they are also transnational and multi-operator.
27. Indeed, IBIA’s data shows that the majority of its alerts involve customer accounts outside of the market where the potentially corrupted sporting event takes place. For example, 90% of IBIA’s football alerts during 2017-23 involved suspicious betting by customers placing bets outside of the country and regulatory framework where the potentially corrupted sporting event took place.¹⁶
28. In basketball, 97% of suspicious betting alerts were similarly generated by customers in a different country to where the match was taking place.¹⁷ Any national approach would therefore be best served by also seeking to address this international dimension. From an integrity perspective, that is best achieved through monitoring international betting markets and customer activity.
29. Detailed customer account data, which is only available from regulated operators (unregulated or poorly regulated operators will not or cannot provide such data), is critical for investigations. It allows investigators to “obtain information from betting operators on those who have placed suspicious bets”¹⁸, which is far more valuable than simple odds movement data (Figure 1).

Figure 1: IBIA’s customer transaction monitoring approach v odds monitoring

	Account monitoring	Odds monitoring
Identity and location of the customer	✓	×
Disproportionate volumes of bets placed	✓	×
Customer bet type outside normal behaviour	✓	×
An unusual number of new accounts opened	✓	×
Geographical location/clustering of accounts	✓	×
Accounts showing previous suspicious behaviour	✓	×
Ability to link account activity across operators	✓	×
Covers every bet and betting market of operators involved	✓	×

30. The UNODC rightly notes that operators are a “principal source of information/intelligence about a fixed sporting event, both past and future”.¹⁹ When combined across multiple operators operating across different jurisdictions, such customer account data becomes an immensely valuable resource in detecting suspicious betting and identifying potential corruption globally.

¹⁴ http://ethisport.com/wp-content/uploads/2017/06/Betmonialert_Design-NB-DEF-2-06-2017.pdf Page 7

¹⁵ The Betmonialert report refers to IBIA under its previous identity of ESSA

¹⁶ <https://ibia.bet/study/> Availability of Sports Betting Products report page 29

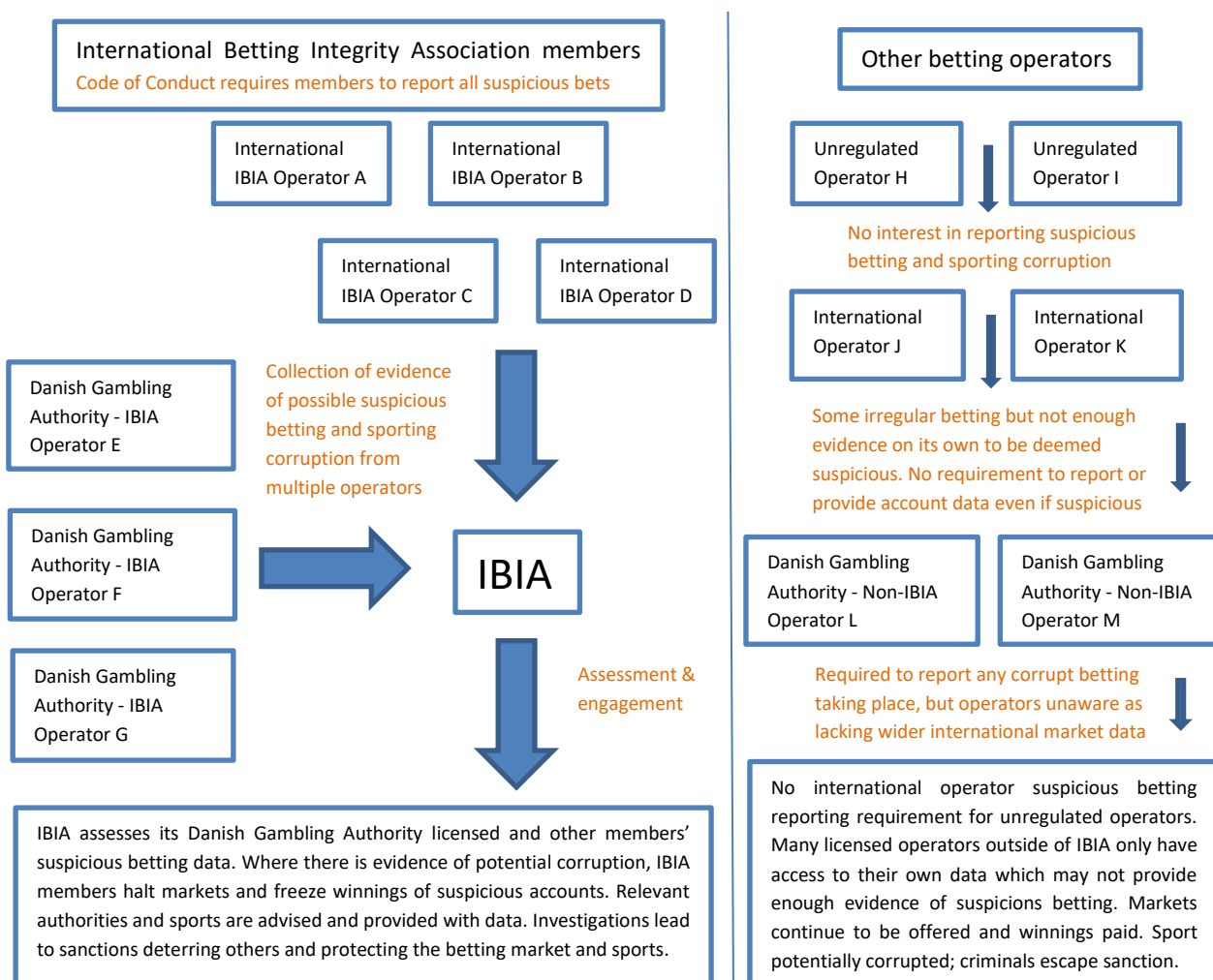
¹⁷ Ibid. page 48

¹⁸ https://www.unodc.org/documents/corruption/Publications/2016/V1602591-RESOURCE_GUIDE_ON_GOOD_PRACTICES_IN_THE_INVESTIGATION_OF_MATCH-FIXING.pdf Page 19

¹⁹ Page 30 Ibid.

31. Its value is not just in uncovering potential corruption across operators and markets, but also being able to discount 'false positives' other systems may raise (e.g. just odds movements), but where customer account data provides a justifiable reason for such betting which is not related to corruption. This prevents valuable investigatory resources from being wasted.
32. To utilise this data to best effect, IBIA has information sharing agreements with major sports and regulatory and law enforcement authorities around the world, allowing both parties to engage on integrity matters both in relation to our international alert system and with regard to any national actions. IBIA welcomes the agreement it has established with the regulatory authority in Denmark.
33. Betting operators outside of IBIA may have their own internal control systems to detect suspicious betting or their betting operation may be managed by a third-party provider, along with other operators. In either instance, those operators will not have access to the level of international betting integrity coverage and market protection that IBIA members have access to.
34. The scope of their betting operation may therefore be relatively small and their national and international market data capture likewise small. As such, this may increase the possibility of corruption taking place through those non-IBIA operators and where they may simply not have the level of data to identify suspicious trends across the wider international market (Figure 2).

Figure 2: Operation and benefits of IBIA’s transaction-based international alert system



35. As stated above, the integrity model of requiring licensed operators to engage with an international integrity monitor is increasingly being promoted around the world as part of a modern regulatory approach. It is a licensing requirement in Germany, the Netherlands, many US states, and Ontario, with the expectation that it will be introduced in Brazil at the start of 2025.
36. The Netherlands and Ontario models are two leading examples (see Annexes). Ontario represents the most recent and, in many respects, is the most advanced model. In addition to requiring operators to be part of an integrity monitoring system, the Ontario authorities have also: a) established a register of approved monitors (of which there are currently three, including IBIA); and b) moved to remove any commercial conflicts from those parties offering integrity services.
37. On the latter, the Alcohol and Gaming Commission of Ontario's (AGCO) gaming standards include a specific requirement that: "Independent integrity monitors shall not have any perceived or real conflicts of interests in performing the independent integrity monitor role, including such as acting as an operator or as an oddsmaker."²⁰ This covers remote and land-based betting.²¹
38. On the latter, there is a general presumption that fraudulent betting activity only, or primarily, takes place online. However, 22% of IBIA's football alerts during 2017-2020 were flagged involving suspicious retail betting transactions. As such, any regulatory framework or market monitoring that relies predominantly or solely on online activity could therefore be deemed to be somewhat incomplete in its ability to detect and report potential corruption, if excluding retail betting.²²
39. For the reasons set out above, IBIA would like to see every licensed betting operator be part of an integrity monitoring system. IBIA therefore hopes that Denmark will give further consideration to adopting the best practice international betting integrity monitoring approach set out in this response and to requiring its licensed betting operators to be part of a monitoring body.
40. Indeed, the majority of the Danish betting market is already covered by IBIA and ULIS members. IBIA therefore proposes that the Draft Executive Order be amended to bring it into line with the most effective regulatory and integrity models currently in operation around the world, as follows:

New Article 14. A licensed betting operator shall be required to be a member of, or have a contractual relationship with, an international betting integrity monitoring body.

New Article 15. An international betting integrity monitoring shall as soon as practically possible advise the regulator, and any other parties the regulator directs and in a format that it determines, of any suspicious betting activity relating to Danish sporting events or licensed operators.

New Article 16. An international betting integrity monitoring body shall not have any potential or real commercial conflicts of interest in performing the international betting integrity monitoring role, and in particular shall not also:

- I - provide betting market trading services to betting operators;
- II - provide sporting event data to betting operators to create betting markets.

New Article 17. An international betting integrity monitoring body shall be required to be approved by the regulatory authority and a list of those approved bodies shall be published.

²⁰ <https://www.agco.ca/sport-and-event-betting-integrity>

²¹ <https://www.agco.ca/blog/lottery-and-gaming/feb-2022/agco-updates-land-based-gaming-standards-include-sport-and-event>

²² <https://ibia.bet/an-optimum-betting-market/> page 62

Annex A: Netherlands Integrity Provisions

Translated from Dutch to English

Decree laying down provisions for the implementation of the Remote Gambling Act (Remote Gambling Decree)

Article 4.7

1. Without prejudice to Articles 4.5 and 4.6, a licence holder that organises bets must make sure that an effective policy is developed, applied and maintained within its organization that is focussed on maintaining the integrity of the contests associated with these bets.
2. The licence holder must at any rate take appropriate measures aimed at cooperation and the exchange of data, in the interest of preventing and identifying match fixing, with relevant organizations operating in the area of the integrity of sport, including at any rate the contest organisers and sports organizations involved in the contests, the Dutch National Match-Fixing Platform and an international collaborative association of contest organisers and operators of games of chance.
3. The licence holder must also take appropriate measures to prevent conflict of interests or the misuse of inside information relating to contests. These measures must at any rate cover the prevention of:
 - a. misuse of its financial and commercial relationship with the sports organization, sportspersons and organisers of contests for which it arranges bets;
 - b. involvement by individuals involved in a contest in determining the odds for bets on that contest; and
 - c. taking part in a bet that it has organised on a contest by individuals involved in that contest or in the organization of that bet.
4. Further rules may be set by order of the Minister concerning the paragraphs 1 to 3.

Explanatory Memorandum

Article 4.7

Paragraph 2

It is extremely important that the various parties involved have all the information required if manipulation of contests and the associated risks are to be prevented and tackled. The licence holder must therefore cooperate with (among others) the organisers of the contests, the sports organizations concerned and the umbrella organizations that work to prevent and combat manipulation. Depending on signals given by the licence holder and any matters that are brought to light, they may take the necessary action using the tools they have available to prevent possible match fixing or to apply sanctions against those involved. Conversely, signals from other parties that indicate possible match fixing may be a reason for the licence holder to take additional measures, such as placing a maximum on the stake for certain bets or for cancelling a specific bet. The licence holder must take appropriate measures in its organization to make such cooperation and exchanges of information possible.

The licence holder must in any event cooperate with the contest organisers and sports organizations concerned. An example of this is the joint drafting of a code of conduct with a number of common standards. The NOC*NSF, the *KNVB* [Royal Dutch Football Association] the *Eredivisie CV* [Premier League CV] and the *Coöperatie Eerste Divisie* [Cooperative First Division] have drawn up the 'Code

Betrouwbaar Spel&Sponsoring' [Reliable Game & Sponsoring Code]. Based on Article 4.8, paragraph 2 the licence holder must also give the contest organisers and sports organizations concerned notification in advance about the nature of the bets it wishes to organise.

In addition, it must cooperate with the Dutch National Platform on Match Fixing, which was set up after a recommendation in the report entitled "*Matchfixing in Nederland*" (Match Fixing in the Netherlands). That platform is a forum within which there are structural consultations between the investigative partners involved, supervisory authorities (including the Gambling Authority), the sports sector and the games-of-chance sector in order to improve the availability of information for all those involved, so that more signals that point towards match fixing are detected, more signals are picked up in good time through the appropriate channels by the right people and the most appropriate interventions can be used to combat match fixing.

In addition to the cooperation with the National Platform on Match Fixing, the licence holder must also cooperate with an internationally operating collaborative venture in which the organisers of sports betting analyse and exchange data with the sports organizations concerned relating to such betting, in the interests of the integrity of the sport and of sports betting. Through its affiliation with such a collaborative venture, the licence holder can also receive signals from games-of chance operators who are not active on the Dutch market. The collaborative venture with which the licence holder must be affiliated is not prescribed. It is however important that this is an organization that has a formal status in the country in which it is established and that it is an organization within which signals about match fixing are shared with its members. Because of the social responsibility they bear and with a view to the quality of the products they offer, socially responsible operators of sports betting have already set up a number of international collaborative ventures as a form of self-regulation in order to limit the risks of match fixing as much as possible. Example of this are the International Betting Integrity Association (IBIA) and Global Lottery Monitoring System (GLMS). In the Government's response to the report that was issued in September 2013 entitled "*Matchfixing in Nederland, de aard en reikwijdte van het probleem, de risico's en de aanpak*" (Match fixing in the Netherlands: the nature and scope of the problem, the risks and the approach) (Parliamentary Papers II 2012/13, 33 296, nos. 9 and 10), it is stated that the licence holder must be affiliated to such a collaborative venture.

Annex B: Ontario Integrity Provisions

Sport and Event Betting Integrity

4.32 Sport and event betting operators shall have risk management measures in place to mitigate the betting integrity risk associated with sport and event betting, including insider betting and event manipulation. (Also applicable to Gaming-Related Suppliers)

Requirements – At a minimum:

1. Operators shall establish controls to identify unusual or suspicious betting activity and report such activity to an independent integrity monitor.

Unusual betting activity is a betting pattern that deviates, including statistically, from the activity otherwise exhibited by patrons and reasonably expected by an operator or independent integrity monitor, which may indicate potential suspicious activity in the betting or the underlying sport or other event. Unusual betting activity may include the size of a patron's wager or increased wagering volume on a particular event or wager type.

Suspicious betting activity is unusual betting activity that cannot be explained and is indicative of match fixing, the manipulation of an event, misuse of inside information, or other illicit activity.

2. Independent integrity monitors shall not have any perceived or real conflicts of interests in performing the independent integrity monitor role, including such as acting as an operator or as an oddsmaker.
3. Independent integrity monitors shall promptly disseminate reports of unusual betting activity to all member sport betting operators.
4. All sport and event betting operators shall review such reports and notify their independent integrity monitor of whether they have experienced similar activity.
5. If an independent integrity monitor finds that previously reported unusual betting activity rises to the level of suspicious activity, they shall immediately notify any entity with which they have an information sharing relationship, including independent integrity monitors, sport betting operators, the appropriate governing authority for the sport or event, and any other organizations or individuals identified by the Registrar.
6. All independent integrity monitors receiving such a report shall share such report with their member sport betting operators.
7. Independent integrity monitors shall facilitate collaboration and information sharing to enable the investigation of and response to prohibited activity associated with the suspicious betting activity as directed by the Registrar.
8. Independent integrity monitors shall provide, in accordance with the notification matrix, the Registrar with:
 1. All reports of unusual betting activity;
 2. If the activity was determined to be suspicious; and
 3. The actions taken by the independent integrity monitor.

Guidance: The Registrar will publish a list of registered independent integrity monitors.

4.33 An operator receiving a report of suspicious activity under Standard 4.32 may suspend or cancel sport and event betting on events related to the report or withhold associated customer funds. To this end, an Operator must ensure that it has reserved itself the authority to suspend betting, void bets, and withhold associated customer funds. The Operator's decision to suspend or cancel sport and event betting, or withhold associated customer funds, on events related to the report must be fair, reasonable, and made in good faith.



Sportsbook Members



Associate Members



Strategic Partners



Elena Schjern Andersen

Fra: Erik Jensen <Erik.Jensen@casinos.dk>
Sendt: 28. november 2024 15:51
Til: Lovgivning og Økonomi
Cc: Elena Schjern Andersen
Emne: VS: Høring af bekendtgørelse om forebyggelse og bekæmpelse af aftalt spil
Vedhæftede filer: Høringsbrev bekendtgørelse.pdf; Høringsliste bekendtgørelse.pdf; Bekendtgørelse om forebyggelse og bekæmpelse af aftalt spil (matchfixing).pdf

Denne e-mail kommer fra internettet. Den er således ikke nødvendigvis fra en intern kilde, selvom afsenderadressen kan indikere det.

Dansk Kasinoforening har ingen bemærkninger til det fremsendte udkast til bekendtgørelse om forebyggelse og bekæmpelse af aftalt spil

Med venlig hilsen

Erik Jensen
COO

Amager Boulevard 70
2300 København S

: (+45) 33 965 965

: erik.jensen@casinos.dk

: <https://casinocopenhagen.dk>

: [Facebook - Casino Copenhagen](#)

Fra: Elena Schjern Andersen <EA@spillemyndigheden.dk>
Sendt: 30. oktober 2024 14:56
Til: Elena Schjern Andersen <EA@spillemyndigheden.dk>
Emne: Høring af bekendtgørelse om forebyggelse og bekæmpelse af aftalt spil

Til høringsparter

Der vedlægges udkast til bekendtgørelse om forebyggelse og bekæmpelse af aftalt spil.

Vedlagt er også høringsbrev og høringsliste.

Skatteministeriet skal anmode om eventuelle bemærkninger til høringen senest **torsdag den 28. november 2024**.

Med venlig hilsen

Elena Schjern Andersen

Chefkonsulent
Moms, Afgifter og Told

Tel. +45 72 37 35 25

Mail EA@spillemyndigheden.dk



Skatteministeriet

Skatteministeriet/Ministry of Taxation
Nicolai Eigtvæds Gade 28
DK 1402 - København K

Mail skm@skm.dk

Web www.skm.dk

[Sådan behandler vi persondata](#)

Elena Schjern Andersen

Fra: Jesper Kiholm Andersen
Sendt: 1. november 2024 07:36
Til: Lovgivning og Økonomi
Cc: Elena Schjern Andersen
Emne: Høringssvar til udkast til bekendtgørelse om forebyggelse og bekæmpelse af aftalt spil

Til Skatteministeriet

Høringssvar til udkast til bekendtgørelse om forebyggelse og bekæmpelse af aftalt spil, j.nr. 2024-7203

Skatterevisorforeningen takker for det modtagne materiale og kan i den forbindelse meddele, at vi ikke har bemærkninger til det modtagne forslag.



Med venlig hilsen

Jesper Kiholm
Funktionsleder
Skatterevisor / Master i skat

Skatterevisorforeningen

Formand for Skatterevisorforeningens Skatteudvalg
Telefon: 72389468
Mail: jesper.kiholm@sktst.dk
Mobiltelefon: 20487375

Skatteministeriet

København, 28. november 2024

Høringssvar over udkast til bekendtgørelse om forebyggelse og bekæmpelse af aftalt spil – Skatteministeriets journalnummer 2024

Med henvisning til Skatteministeriets høringsbrev af 30. oktober 2024 om udkastet til bekendtgørelse om forebyggelse og bekæmpelse af aftalt spil fremsætter Spillebranchen følgende bemærkninger:

Indledningsvis vil Spillebranchen gerne udtrykke en generelt positiv holdning til de foreslåede regler. Der er dog enkelte bestemmelser, som giver anledning til bekymring, ligesom vi finder det foreslåede ikrafttrædelsestidspunkt særdeles problematisk.

Endeligt, som en overordnet kommentar, ser Spillebranchen gerne, at branchen bliver inddraget i den udarbejdelse af vejledning til implementering af reglerne.

KOMMENTARER TIL DE ENKELTE BESTEMMELSER

Vedr. § 3

Bestemmelsen vedrører en risikovurdering, som spiludbyderen skal foretage for at vurdere risikoen for, at udbyderen kan blive udnyttet til aftalt spil. Hverken bestemmelsen eller lovbemærkningerne angiver dog klart, hvordan risikovurderingen skal udarbejdes, eller hvilket detaljeringniveau der kræves. Spillebranchen formoder, at risikovurderingen bør svare til den generelle risikovurdering, som udbydere allerede foretager af deres forretningsmodel i forbindelse med hvidvaskbekæmpelse. Dette indebærer, at vurderingen, selvom den tager udgangspunkt i udbyderens forretningsmodel, stadig skal være en overordnet risikovurdering. Spillebranchen advarer samtidig imod, at væddemålsudbydere bliver pålagt at udarbejde individuelle risikovurderinger for hver enkelt væddemålsbegivenhed.

Vedr. § 6

Det fremgår af bestemmelsen, at tilladelsesindehaver ikke må involvere personer, som deltager i en begivenhed, i fastsættelse af væddemål på begivenheden. I den forbindelse skal Spillebranchen pege på, at de fleste væddemålsudbydere i dag ikke sætter sine egne odds, men modtager såkaldte odds-feeds fra odds-udbydere (som f.eks. SportRadar, Betgenius m.fl.). Spiludbyderen er derfor som oftest ikke i kontrol med, hvordan oddset bliver sat.

Vedr. § 8

Spillebranchen forholder sig afventende i forhold til de krav, der kun overordnet er beskrevet i bestemmelsen. Der mangler nemlig tekniske oplysninger om, hvordan spiludbyderen skal indhente oplysninger om en spillers status i udøverregistret, samt hvor ofte denne information skal indhentes. Da Spillemyndigheden endnu ikke har beskrevet processen, er det vanskeligt at vurdere, hvilke udfordringer kravene vil medføre for spiludbyderne.

Se desuden kommentarerne til § 20.

Vedr. §§ 9 og 10

En spiludbyder har sjældent mulighed for alene at identificere aftalt spil, da sådanne forsøg ofte involverer flere forskellige spiludbydere. Det er standard praksis først at opdage mistænkelig aktivitet efter, at en indsats er placeret, eller en begivenhed har fundet sted. Spiludbydere har procedurer til at suspendere konti og fryse mistænkelige indsatser, og det er almindeligt at suspendere eller lukke en konto, når mistænkelig aktivitet er blevet identificeret. Herefter nægtes yderligere indsatser. Af denne grund er bestemmelsen ikke særligt praktisk anvendelig.

De fleste spiludbydere samarbejder gennem sportsintegritetsorganisationer som International Betting Integrity Association eller ELMS. Alle medlemmer af Spillebranchen med væddemålstilladelse er tilknyttet disse organisationer. Spillebranchen anbefaler derfor, at det bliver et krav for alle væddemålsudbydere i Danmark at tilslutte sig en af disse organisationer eller en tilsvarende.

§ 17

Denne bestemmelse kræver, at spiludbydernes ansættelseskontrakter indeholder en henvisning til bestemmelserne i denne bekendtgørelse. Spillebranchen finder det meget problematisk, at Skatteministeriet ønsker at regulere indholdet af ansættelseskontrakter mellem private udbydere og deres medarbejdere. Derfor foreslår Spillebranchen, at bestemmelsen enten fjernes eller at formålet sikres på en alternativ måde.

Det er almindeligt, at ansættelseskontrakter indeholder bestemmelser om medarbejderens tavshedspligt i forhold til erhvervshemmeligheder opnået under ansættelsen. Det betyder, at et stort antal ansættelsesaftaler potentielt vil skulle ændres som følge af denne regulering. Hvis alle myndigheder i de lande, hvor spiludbyderne har licenser, skulle regulere medarbejdernes ansættelsesvilkår, ville det resultere i kontrakter fyldt med "lokale" og muligvis modstridende bestemmelser.

§ 20

Denne bestemmelse foreslår, at reglerne i bekendtgørelsesudkastet træder i kraft den 1. januar 2025. Spillebranchen finder det højst bemærkelsesværdigt, at Skatteministeriet tilsyneladende ikke vurderer, at implementeringen af de nye regler og byrder kræver tid. Den vurdering er Spillebranchen uenig i.

Flere af bestemmelserne indebærer, at spiludbydere skal tilpasse deres forretningsgange, og kravet i § 8 medfører behov for tekniske ændringer i deres spilsystemer. Sådanne ændringer tager typisk 3-6 måneder at gennemføre. Samtidig skal det understreges, at de tekniske specifikationer fortsat ikke er offentliggjort, hvilket betyder, at spiludbydere endnu ikke har mulighed for at påbegynde den tekniske implementering.

På den baggrund foreslår Spillebranchen, at ikrafttrædelsen af bekendtgørelsen udskydes, og at § 8 først træder i kraft den 1. juli 2025.

Med venlig hilsen

Morten Rønde

Direktør, Spillebranchen



Sendt på e-mail til: lovgivningoekonomi@skm.dk, ea@spillemyndigheden.dk, 1 side i alt.

Skatteministeriet
Nicolai Eigtveds Gade 28
DK 1402 – København K

København, den 27. november 2024

Vedr.: Høring af bekendtgørelse om forebyggelse og bekæmpelse af aftalt spil

Indledningsvis gør vi opmærksom på, at høringsbrevet er sendt til Spillerforeningen for fodboldspillere, men ikke til Håndbold Spiller Foreningen og Danske Elitesportsudøveres Forening, der er fagforening for henholdsvis håndboldspillere samt øvrige sportsudøvere i Danmark. Vi beder venligst om, at fremtidige høringsbreve ligeledes sendes separat til Håndbold Spiller Foreningen og Danske Elitesportsudøveres Forening. I relation til dette hørings svar har Spillerforeningen aftalt med de nævnte foreninger at dette hørings svar sendes på vegne af alle tre foreninger.

Spillerforeningen støtter op om hovedparten af de foreslåede bestemmelser. Vi er dog ikke enige i, at det er sagligt og proportionelt at der oprettes lister over alle sportsudøvere i Danmark, som kan have indflydelse på udfaldet af en sportsbegivenhed. Det er ikke alene sportsudøvere som kan yde indflydelse på en sportsbegivenhed. Det kan også trænere og andre ansatte i en klub. Af den grund giver det efter vores opfattelse ikke mening – hvis man ønsker at tage et sådant greb i brug – alene at fokusere på udøverne. I stedet bør fokuseres på alle de relevante persongrupper.

På vegne af Spillerforeningen, Håndbold Spiller Foreningen og Danske Elitesportsudøveres Forening.

Venlig hilsen
Spillerforeningen

Michael Døi
Chefjurist