



Guidelines to the application for renewal of a licence to provide betting and/or online casino

Unofficial translation of the Danish guidelines to the application form 2-06

Version

Publication date	Version	Description
September 2017	2.0	General update of guidelines
May 2018	3.0	Regarding simplification forwarding an application - Bluewhale

PLEASE NOTE

This is a translated document. The Danish version of the document is the only applicable and authentic version.

Instruction

Applications for renewal of a licence to provide betting and/or online casino must be submitted to the Danish Gambling Authority that is the authority, which issues the licence. This is according to Act on Gambling No. 1494 of December 6 2016 and Act on certain games in Greenland No. 336 of April 16 2016.

If the application includes an application to provide betting or online casino, which is not a part of the existing licence, please apply for this through the regular application form 2-01.

Submission of the application material

Applications must be sent using the Danish Gambling Authority's application forms.

Forms, digital forms and Bluewhale

If you are a Danish applicant with a central business registration number (CVR number), you must forward the application using the Danish Gambling Authority's digital forms. If the attachments are too large for the digital form, you can send these to the Danish Gambling Authority by using the Bluewhale-system.

If you are an applicant without a CVR number, the application and the attachment must be sent together to the Danish Gambling Authority using the Bluewhale-system.

Please find further instructions on how to use Bluewhale in our guidelines: "Guidance – how to receive and send messages using Bluewhale" on the Danish Gambling Authority's website: www.spillemyndigheden.dk/en/guidelines.

Organising the application material

In order for the Danish Gambling Authority to process the application material as efficiently as possible the material must be submitted in a specific manner.

The application material must be packed into two or three folders (depending on whether an annex C is required) in a ZIP-file. The titles of the folders must be:

- Application (Ansøgning)
- Annex A (Tillæg A)
- Annex C (Tillæg C) if necessary

All folders, subfolders and documents must be named in accordance to the names of the item on the application form.

The folder named "Application for renewal of licence" must contain the application form and all relevant attachments. If you wish to add several documents to one of the attachment items on the

application form, you must create a folder and name it in accordance with the attachment item. The names of the documents in the subfolder are secondary.

If you do not enclose all the attachments to item 28 (attachment that must be submitted when applying for renewal of a licence to provide betting and/or online casino), you must add a list of the attachments that are not enclosed. You must state why the attachment is not enclosed and inform us whether the attachment will be submitted at a later stage in the application process.

Attachments to item 29 (attachments that must be submitted if relevant) must be enclosed by naming the documents in accordance to the item on the application form and by creating subfolders if there are more than one document.

The folder Annex A must contain all the Annex A, which should be named: “Annex A - followed by the name of the person who has completed the annex A”. All attachments connected with the Annex A must be named in accordance to the item in the application form followed by the name of the person whom it concerns, e.g.: “Item 16. Debt certificate – John Johnson”

If there is not enough space in the application form or in the Annex A form, e.g. if the person in question has had more than two countries of residence within the last five years, then please enclose the rest of the information separately. The document should be named e.g. “Item 5 - additional information - followed by name of the person in question”. The procedure for completing the folder Annex C is equal to the procedure for completing the application form.

Please submit Annex A for all relevant persons in the company and for owners who own or control 10% or more of the company, directly or indirectly.

If the submission differs significantly from the above guidelines, the Danish Gambling Authority may return the material and the applicant will be asked to resubmit the application in accordance with the above guidelines in order to secure a correct processing of the case.

Requirements

An application for renewal of a licence must meet the following requirements:

A number of sections need only to be filled in in case they have been changed since the last application. This will be apparent from the relevant sections.

Individuals who are 21 years or older may receive a licence to provide and organise gambling if they:

1. Are not under guardianship or curatorship
2. Have not filed an application for reconstruction, insolvency or debt restructuring
3. Are not under a process of reconstruction, insolvency or debt restructuring
4. Have not received a criminal conviction that would give reason to believe that they would misuse their access to work with gambling

5. Do not have outstanding debt to public authorities

The Danish Gambling Authority is authorised to issue licences to provide gambling to companies, which fulfil the requirements in item 2-5, and where the members of the management board / board of directors fulfil the requirements in item 1-5.

The company must be established in Denmark or in another EU- or EEA-country. If this is not the case, the Danish Gambling Authority may however issue a licence if the applicant has appointed a representative who can be approved by the Danish Gambling Authority.

The applicant, members of the management, members of the board or others who have controlling interest in the company operations may not have displayed a conduct, which would give reason to believe that the company will not be managed properly.

Licences to provide and organise gambling will only be issued to applicants considered able to perform gambling activities in a financially and professionally responsible manner.

Application fee

The applicant must pay a fee to the Danish Gambling Authority for the consideration of applicants for licences to gambling. Applicants who receive a renewal of their licence must also pay an annual fee.

Fee for processing of the application

The fee must be paid when you submit the application, at the latest. Please enclose documentation of the payment.

The fee must be paid to the Danish Gambling Authority:

Danske Bank, account No.: 0216 4069174310

If you pay from abroad:

IBAN No. DK4102164069174310 – Danske Bank

Girostrøget 1, 0800 Høje Tåstrup

SWIFT code: DABADKDK

In "Notice for the beneficiary" you must write the name of the applicant from item 1 of the application. You must also state what the fee is intended to cover.

Application for renewal of licence	Fee (2018 level)
Licence to provide betting or online casino	109,400 DKK
Licence to provide betting and online casino	136.800 DKK

As a rule, the fee is not refunded if the application does not result in a licence.

You may read more about the fees on the Danish Gambling Authority's homepage www.spillemyndigheden.dk

Annual fee

You must also pay an annual fee, depending on the gambling revenue that you expect to receive during a calendar year. The fee must be paid one month after the licence have become effective, at the latest. The fee must be paid according to the following scale:

The amount of the gambling revenue	Annual fee (2018 level)
Less than 5,000,000 DKK	54,700 DKK
5,000,000 - 10,000,000 DKK	136,800 DKK
10,000,000 - 25,000,000 DKK	246,200 DKK
25,000,000 - 50,000,000 DKK	492,300 DKK
50,000,000 – 100,000,000 DKK	875,200 DKK
100,000,000 – 200,000,000 DKK	1,641,000 DKK
200,000,000 – 500,000,000 DKK	2,735,000 DKK
More than 500,000,000 DKK	4,923,000 DKK

The fee is determined according to the budget enclosed.

If the gambling revenue has exceeded the limit for which you have paid a fee, the Danish Gambling Authority will collect the difference between the fee paid and the actual fee. The fee must be paid one month after you have received the notice at the latest.

If the gambling revenue is less than the limit for which you have paid a fee, the Danish Gambling Authority will refund the difference between the fee paid and the actual fee. The Danish Gambling Authority will refund the fee after the calendar year.

The fees are regulated according to section 20 in Act on Income tax for individuals.

Item 1 – Applicant

The name of the applicant must be stated in the form. If the applicant is a partnership, all the names of the partners must be stated here. The central business registration number (CVR-number) must be stated if a number has been issued to you. The applicant must also state the e-mail address and webpage.

Electronic communication

The Danish Gambling Authority would like to communicate quickly and effectively with the applicants. If you do not want the communication to be carried out electronically, please tick the box.

According to the Personal Data Protection Act, documents containing personal information cannot be sent in an unencrypted e-mail. Therefore, some documents will be sent by mail.

Members of the board of management and the board of directors

The members of the board of management and the board of directors must be listed and it must be indicated whether they are a member of the board of management or a member of the board of directors.

Item 2 – Method of management

Please tick the box, which states the method of management under which the applying company is managed.

If the correct method of management is not mentioned in the form, you must state which other method is used. If your company type is foreign, please tick the box “Andet” (“Other”) and state the type of company in the relevant country.

All members of the management board and board of directors must sign the application.

Attachments:

You must submit an Annex A for the relevant person, the history of the company and documentation for the registration of the company.

Item 3 – Head office

If the applicant’s head office has another address than stated in item 1, please complete this item.

Item 4 – Previous names

If the applicant has changed the company’s name one or several times since the last application, please complete this item.

Item 5 – Secondary names

If the applicant is known by one or more secondary names in Denmark or abroad, please complete this item. The item must only be completed if the applicant has changed the name since the last application.

Item 6 – Application

If you apply for a renewal of your licence to provide betting, online casino or a renewal of your licence to provide both types of games, you must state whether the licence will also include Greenland.

A licence to provide betting may cover both land-based and online betting.

Land-based betting is a game where the player and a game provider, or the shop manager of the game provider, meet physically.

You must expect a case administration process of approximately three months.

Item 7 – Fee paid

Please tick the box stating the amount, which you have paid.

You must attach documentation of payment of the fee.

Item 8 – Rejection of a licence

If you have been denied a gambling licence from a public authority since the last application, please state the details in that connection.

You must attach a copy of the rejection.

Item 9 – Revocation of a licence

If you have had a licence revoked since the last application, please state the details in that connection.

You must attach a copy of the revocation.

Item 10 – Debt

Please state if the applicant is indebted to the public authorities in Denmark and / or abroad. Please inform us of the amount of the total outstanding debt to the public authorities. If you do not have any debts, please write the amount 0 in the item.

It is mandatory to enclose a debt certificate from the public authorities in the country, where the applicant is established. This applies whether if the applicant is indebted or not.

A debt is not outstanding if you have concluded a payment agreement with the relevant Recovery Authority or if the debt is fully secured.

You must attach a statement about debt from public tax authorities.

Item 11 – Reconstruction – insolvency

If a request for reconstruction or insolvency has been filed in Denmark or abroad, please state the date and the particular circumstances hereof.

You must also state if you are under reconstructions or insolvency proceedings and the date and particular circumstances hereof.

Item 12 – Criminal offences

If the applicant has been convicted of a criminal offence or has made an out-of-court settlement in Denmark or abroad, you must state it here. Please state the reason for the conviction or the settlement and attach a copy of the ruling.

If the material is very extensive, a summary is sufficient if it is satisfactory. The Danish Gambling Authority might, if necessary during the processing of the application, request that you submit an authorised translation of the complete ruling.

If the applicant has been charged or is being investigated by the police in Denmark or abroad, please state this. You must state the reason for the charge or the investigation.

You must attach a copy of rulings or out-of-court settlements.

Item 13 – Investigation by another public authority

If, within the last five years, the applicant has been the object of an investigation by another public authority in Denmark or abroad, in connection with a gambling licence, please state it here.

Please state the investigating authority, the type of licence and the details of the investigation.

Item 14 – Civil actions

If, within the last five years, the applicant has been sued in a civil action, please state this and please state the type of civil action.

Item 15 – Contact person

Please state the name of the person with whom the Danish Gambling Authority must communicate when processing this application. The contact person may be one the applicant's employees or another representative e.g. a lawyer. Decisions will be sent to both the contact person and the applicant.

There are no formal requirements regarding the contact person, but it is an advantage if the person is authorised to make decisions on behalf of the applicant.

Item 16 – Assigned representative

If the company is domiciled outside of the EU and EEA, it is mandatory to assign a representative. The representative must be a resident of or established in Denmark. An assigned representative must be approved by the Danish Gambling Authority.

The representative may be one of the applicant's employees or another representative e.g. a lawyer. The person must have the authority to represent the licence holder (as a subject) in administrative, procedural and criminal matters.

The assigned representative must fulfil the requirements, which apply to the licence holder. Furthermore, if the assigned representative is a company, please state a contact person.

An Annex A – Personal declaration (Personlig erklæring - tillæg A), must be attached if the representative is a person.

An Annex C – Representative approval (Erklæring fra repræsentant - tillæg C) must be attached if the assigned representative is a company.

Item 17 – Responsible manager for the daily operations

The licence holder must be appropriately organised and sufficiently manned in order to provide the gambling products. As a minimum, the licence holder must establish the following organisational roles. All roles must always be filled by named persons who are employed in the applicant's company:

- A person responsible for gambling software and the operation of the games.
This person must assure that all games are constructed and play reliably without errors and cheating, including possible collaborators of the licence holder.
- A person responsible for IT security.
This person must assure that all types of IT hardware, software and network used by the licence holder and the licence holder's possible collaborators, operate in a sufficiently secure way.
- A person responsible for finances.
The financial controller must assure that SKAT (The Danish Customs and Tax Administration) always receives the correct share of the Gross Gaming Revenue.
- A person responsible for change management
This person must assure that all system changes comply with "The Danish Gambling Authority's technical standards". He must assure that the consequences of the modifications are acceptable, that the modifications are well documented and that the implementation of the modifications are satisfactory.

The persons must all possess the necessary qualifications and the necessary experience in order to assume the role and the responsibility. The licence holder must assure that the persons have the authority to establish arrangements and make the necessary modifications in order to assure that the licence holder observes the requirements.

These persons are the direct contact persons when an inspection is conducted. Therefore, they must always be able to provide and explain to the Danish Gambling Authority any information and documentation within the respective areas.

A resume of the persons responsible, stating their level of experience, must be attached to the application. One person may be responsible for more than one role.

The resumes must show the Danish Gambling Authority that the said person is qualified for the job. Therefore, the resume does not need personal information about family etc.

The resume must give a true and fair picture of the former employments of the person and a description of his or her professional competences connected to the job description.

You must attach:

- resume for the person responsible for gambling software and the operation of the games.
- resume for the A person responsible for IT security
- resume for the person responsible for finances
- resume for the person responsible for change management

Item 18 – Fight against money laundering and financing of terrorism

You must fill in the item and attach a resume of the person responsible for supervising possible money laundering of the profit. The resume must state the level of experience of the person and show the Danish Gambling Authority that the said person is qualified for the job. Therefore, the resumes does not need personal information about family etc. However, the resume must give a true and fair picture of the former employments of the person and a description of his or her professional competences connected to the job description.

The following information must be given, regarding money laundering:

- An organisational chart with a highlighting of the section in which the fight against money laundering is based.
- The number of employees dedicated to the fight against money laundering. If the task is divided between several persons who also have other job functions, please state this.
- If the section for the fight against money laundering is not physically located with the applicant, please state how it is organised.
- The connection between the person responsible for the fight against money laundering and the management, i.e. level of employment; manager, expert, employee in a staff function etc.

Item 19 – Is the applicant owned by other companies?

If the applicant is owned by one or several other companies, please attach documentation showing the ownership structure of the ownership and identifying the company.

Item 20 – Is the applicant part of a group of companies?

If the applicant forms part of a group of companies, please state the names and addresses of the companies in the group. The information must be listed in an organisation chart of the group. Moreover, please enclose the organisational structure for the entire group of companies.

Please make an overview of the ownership structure must show which companies own more than 10% of the applicant. This can be clarified by indicating in the organisation chart of the group which companies own more than 10%.

You must attach:

- An overview of the organisation chart of the group and the organisational structure, including information about the procedures, administrative matters and organisation.
- An overview of the applicants company- and group affiliates with a description of the individual companies main activity and how the companies' activities directly or indirectly relates to the applicant-company.
- A description of the applicant's or associated companies' present gambling activities with an indication of in which countries the gambling activity is provided.

Item 21 – Ultimate owner

An ultimate owner is defined as the last owner in the ownership chain, who owns 50% or more of the applicant company through directly or indirectly ownership.

You must attach documentation that ensures a clear identification of the ultimate owner:

- For individuals, e.g. by using CPR-number (the Civil Registration System)
- For companies, e.g. by using CVR-number (the Central Business Register)

If the ultimate owner does not have a CPR-number or a CVR-number:

- An individual without CPR-number, must attach a copy of his/her passport or national identifications card, that can be used on entry in a Schengen country.
- A company without a CVR-number, must attach an official proof of the company's legal establishment in the home country. The proof must be no more than 3 three months old.

You must also attach an operating budget for the ultimate owner for the next 12 months.

Item 22 – Owners of qualified shares (10% or more)

The Danish Gambling Authority must receive information about the names of physical and legal persons who, directly or indirectly:

- Own a qualified share of 10% or more of the company
- Command 10% or more of the voting rights

- Are the actual owner of a share of 10% or more of the company.

The same group of people must fill in and sign an Annex A – Personal declaration (“Personlig erklæring - tillæg A”). The Danish Gambling Authority may at any time decide to require an Annex A for additional persons connected to the applying company.

Item 23 - Set-off free account

The funds which a player has on a gaming account are entrusted funds which must be deposited on a set-off free account in a financial institution, which is separate from the licence holders own funds and which only the licence holders commands. The funds in the account may only be paid out to the player and consequently it may not be used to cover claims against the licence holder. The funds must be secured in the event of insolvency etc. for the licence holder.

Item 24 – Domain names

Please state all domain names owned by the applicant to operate or provide online games.

If the form lacks space to fill out all domain names, please enclose an attachment with the remaining information.

Please complete the list with domain names, which are white labels. “White label” means that the applicant hosts other companies’ websites. If the form lacks space to fill out all white labels, please enclose an annex with the remaining information.

Item 25 – Overview of subcontractors

Please complete the annex to item 25 with the names of subcontractors, their type of function and please indicate whether the subcontractor is internal or external.

Item 26 – Provision of games

Please state which types of gambling, you wish to provide. The games must be divided between type of game and category of game.

The annex to item 26 must be filled out with information about type of game, name of game and the supplier.

Item 27 – The applicant’s declaration and signature

With his or her signature, the applicant consents that the Danish Gambling Authority may obtain the necessary information and that the relevant authority in Denmark or abroad may pass on this information to the Danish Gambling Authority.

The validity of the information is checked by the Danish Gambling Authority when the application is processed.

With his or her signature, the applicant declares that the information stated in the declaration is correct and complete.

If the application concerns a company, all members of the management board or board of directors and other persons with a controlling interest in the company operations, must sign that the information submitted is correct and complete.

The same group of people must also fill in and sign an Annex A – Personal declaration” (“Personlig erklæring - tillæg A”), and attach it to the application. If one the signers has not completed annex A in connection with item 2 or item 22, he or she must fill in a separate annex A.

Item 28 – Documents that must be attached when applying for a renewal of a licence to provide betting and/or online casino

Annex A and Annex B must be completed in the original Danish forms. All other attachments must be in Danish or in English. If documents from public authorities are not in Danish or in English, an authorized translation must be attached. A copy of the original document must also be attached.

The following annexes must always be attached:

- Annex A – personal declaration (the number of Annex As must be stated)
- Documentation of payment of the fee
- Declaration about debts from public authorities
- An overview of the vertical owner structure with more than 10 %.
- Declaration from the applicant’s bank about the setoff-free bank account and a description of how compliance with the executive order is ensured.
- The applicant’s operating budget for the 12 months ahead, including comments from the board of directors.

A copy of the written procedures for:

1. General policies for the applicant’s internal control.
2. Framework for internal controls such as COSO
3. Implementation of risk assessments in the following areas
 - a. setoff-free account
 - b. IT
 - c. book keeping
 - d. reconciliation of costumers’ funds

- e. financing procedures
 - f. mathematical models
4. Assessment of all major risk underpinned by the associated risk handling policies.
- Documentation on how the setoff-free bank account is managed, cf. item 10 in the company's first annual report. (To which extent does the licensee secure the daily update of the setoff-free bank account).
 - Documentation providing an overview of the applicant's largest accounts at the time of application. A list of debtors broken down by age, with the particular accounts broken down by the following maturity categories:
 - o not due
 - o more than one month overdue
 - o more than six months overdue
 - o more than nine months overdue

The list must show the names of debtor and the amount of each outstanding account.

- A copy of the past 12 months' risk management reports to the executive and the board of directors.
- Documentation of the software or a description of the manual process, which continuously monitors and reconciles all customer accounts to a setoff-free bank account held in the applicant's name.
- The company's history and documentation of its company registration. For instance a transcript from the Danish Business Authority or similar.

Attachments relating to internal procedures

- An account of the procedures for compliance with the gambling legislation on the subject of marketing, including the sharing of information with external parties, e.g. affiliates.

Item 29 - Documentation that must be attached to the application if relevant

All attachments must be in Danish or English. If documents from public authorities are not in Danish or in English, an authorized translation, together with a copy of the original document, must be attached.

- "Annex C – Declaration from representative" must be attached if the representative appointed is a company.

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- Resume of the person responsible for gambling software and the operation of gambling
 - Resume of the person responsible for IT security
 - Resume of the person responsible for finances
 - Resume of the person responsible for change management
 - Resume for the person responsible for the fight against money laundering
 - Chart of the group if the company forms part of a group.
 - Flowchart of the company's organisational structure.
 - Flowchart which shows the structure of the ownership if the company is owned by other companies.
 - A description of the applicant's or associated companies' present gambling activities with indication of in which countries the gambling activities are provided.
 - Documentation that ensures a clear identification of the ultimate owner:
 - For individuals, e.g. by using CPR-number (the Civil Registration System)
 - For companies, e.g. by using CVR-number (the Central Business Register)

If the ultimate owner does not have a CPR-number or a CVR-number.

- An individual without CPR-number, must attach a copy of his/her passport or national identifications card, that can be used on entry in a Schengen country.
 - A company without a CVR-number, must attach an official proof of the company's legal establishment in the home country. The proof must be no more than 3 three months old.
- The ultimate parent's operation budget for the 12 months ahead. The operation budget for 12 months ahead of the top group company/companies, showing expected revenues, costs, net interest expenses and corporate income taxes accompanied by management comments, including significant budget assumptions.
 - A copy of guarantees issued to third parties. In case the applicant has provided guarantees to a third party, the applicant should submit documentation of such guarantees.
 - The ultimate parent's operation budget for the 12 months ahead. The operation budget for 12 months ahead of the top group company/companies, showing expected revenues,
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costs, net interest expenses and corporate income taxes accompanied by management comments, including significant budget assumptions.

- Denial of a licence
- Revocation of a licence
- Conviction or out-of-court settlement
- Other

Further information

If you have any questions regarding the application, please contact the Danish Gambling Association via e-mail: mail@spillemyndigheden.dk

You may also send an encrypted e-mail via www.spillemyndigheden.dk/en/contact
