

# Regulations concerning a prohibition against the provision of payment services in connection with gambling activities which are not licensed in Norway

**Legal authority:** Adopted by Royal Decree dated 19 February 2010 based on the legal authority of section 3, first paragraph, of Act No. 3 of 1 July 1927 relating to totalisator betting, section 2, fourth paragraph, of Act No. 103 of 28 August 1992 relating to gambling activities, etc. (the Gaming Act) and section 11 of Act No. 11 of 24 February 1995 relating to lotteries, etc. (the Lottery Act). Proposed by the Ministry of Culture.

**Amendments:** Amended by Regulation No. 593 of 10 May 2019.

## Section 1. *Purpose*

The purpose of these regulations is to regulate and control the supply of gambling activities by restricting access to gambling activities which are not licensed in Norway.

## Section 2. *Definition*

In these regulations, “gambling activities” means activities subject to the Totalisator Act, the Gaming Act and the Lottery Act.

## Section 3. *Area of application*

These regulations apply to undertakings which provide payment services in Norway.

## Section 4. *Prohibition against the provision of payment services*

Undertakings which provide payment services in Norway are prohibited from providing payment services in connection with deposits and receipts linked to gambling activities which are not licensed in Norway.

The prohibition applies to both payment transactions to and from gambling companies which are not licensed in Norway and payment transactions to and from other undertakings which arrange payment transactions on behalf of gambling companies which are not licensed in Norway.

Undertakings which provide payment services in Norway shall investigate all payment transactions to and from gambling companies and undertakings which implement payment transactions on behalf of gambling companies where the Norwegian Gaming Authority has issued a decision pursuant to section 4, fourth paragraph, of these regulations establishing that such companies or undertakings are arranging gambling activities which are not licensed in Norway. The Norwegian Gaming Authority shall maintain an updated list on its website. The

undertakings shall stop payment transactions in connection with deposits and receipts linked to gambling activities which are not licensed in Norway, including charge card transactions identified by means of the merchant category code for gambling activities.

The Norwegian Gaming Authority may by individual decision order undertakings which provide payment services in connection with deposits and receipts linked to gambling activities which are not licensed in Norway to reject payment transactions identified by means of:

1. the account number of a gambling company which implements payment transactions or any other undertaking which implements payment transactions on behalf of the gambling company, or
2. the name of a gambling company which implements payment transactions or any other undertaking which implements payment transactions on behalf of the gambling company.

The Norwegian Gaming Authority may by individual decision issue an order pursuant to the fourth paragraph, 2, if:

- a) the Norwegian Gaming Authority has made a decision to reject payment transactions identified by means of an account number, and the undertaking which owns the account number sends payment transactions in connection with deposits and receipts linked to gambling activities from different account numbers than specified in the decision, or
- b) the undertaking uses a different merchant category code than the one for gambling activities in connection with charge card transactions but nevertheless implements payment transactions in connection with deposits and receipts linked to gambling activities

The Norwegian Gaming Authority shall ensure unambiguous identification of undertakings pursuant to the fourth paragraph.

#### *Section 5. Disclosure duty in response to enquiries from the Norwegian Gaming Authority*

The Norwegian Gaming Authority may require undertakings which provide payment services in Norway to provide information about gambling companies and undertakings which implement payment transactions on behalf of gambling companies. The disclosure duty applies when the Norwegian Gaming Authority has sent a specific request using an approved form which identifies the undertakings. The disclosure duty encompasses information such as account numbers, merchant category codes, merchant IDs, acquirer IDs, organisation numbers, transaction volume and transaction periods. The Norwegian Gaming Authority may not demand personal data linked to individual transactions.

#### *Section 6. Entry into force*

These regulations enter into force on 1 June 2010.