

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

Current regulatory provisions:

Section 1. Purpose

The purpose of these regulations is to regulate and control the supply of gambling activities by restricting access to gambling activities that 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 banks, finance companies, payment institutions, electronic money institutions, Norwegian branches of foreign credit institutions and payment institutions, as well as other undertakings that provide payment services in Norway.

Section 4. Prohibition against the provision of payment services

Undertakings specified in section 3 are prohibited from arranging payments of stakes and wins linked to gambling activities that are not licensed in Norway.

The prohibition against the payment of stakes applies to payment orders for which a charge card is used and where the authorisation request is identified by reference to a merchant coding system.

The Norwegian Gaming Authority may by regulation or individual decision order undertakings specified in section 3 to reject electronic payment transactions to and from unambiguously specified account numbers.

Proposed new regulatory provisions:

Section 3. Area of application

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

Section 4. Prohibition against the provision of payment services

It is prohibited to provide payment services in connection with gambling activities that are not licensed in Norway.

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

Undertakings that provide payment services in Norway shall stop payment transactions connected to gambling activities that 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 that provide payment services in connection with gambling activities that are not licensed in Norway to reject payment transactions identified by means of:

1. The account numbers of a gambling company that implements payment transactions or other undertakings that implement payment transactions on behalf of the gambling company.
2. The name of a gambling company that implements payment transactions or other undertakings that implement 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 same undertaking that owns the account number sends payment transactions connected 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 card transactions but nevertheless implements payment transactions connected to gambling activities.

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

Based on these regulations, undertakings that provide payment services in Norway shall notify the Norwegian Gaming Authority if undertakings that implement payment services on behalf of gambling companies in relation to which the Norwegian Gaming Authority has made a decision pursuant to section 4, fourth paragraph, send payment transactions connected to gambling merchant category from different account numbers than specified in the decision. Undertakings that provide payment services in Norway shall also notify the Norwegian Gaming Authority if they have stopped payment transactions to and from other undertakings that implement payment transactions on behalf of gambling companies.