

SWEDISH AML CHECK LIST FOR ONLINE GAMBLING OPERATORS

Applicable regulation

- Spellag (2018:1138)
- Spelförordning (2018:1475)
- Lag (2017:630) om åtgärder mot penningtvätt och finansiering av terrorism
- SIFS 2019:2 Spelinspektionens föreskrifter och allmänna råd om åtgärder mot penningtvätt och finansiering av terrorism
- Information for gambling companies offering gambling and betting services online – Money Laundering and terrorism financing (Swedish Police Authority, 2023)
- Guidance on Money Laundering – Dec 2021
- Risk of money laundering on the Swedish gambling market, 2020
- Swedish National Risk Assessment 2020/21
- EGBA Guidelines on fighting ML and TF for the European online gambling sector, 2023

Soon to come

- EU's new package of AML laws incl. AML Regulation and regulation on EMLA (EU Anti Money laundering and terrorist financing Authority) all provisions set out in the 6th AML Directive.

AML Checklist

✓ **General Risk Assessment**, risk assess your business and customers, decide on a desirable risk appetite through a BRA and CRA document. While doing the risk assessment, it needs to cover the offered gambling products as well as other products and services used in the gambling operations.

✓ **Internal Controls and Procedures**, develop and maintain internal policies, procedures and controls to prevent ML and TF, which should be included in an AML policy that is kept up to date with internal procedures and regulatory updates.

✓ **KYC**, make sure to collect basic identification information upon customer registration, where customers are to provide a minimum set of identification details. Assess minimum information to be allowed to register as otherwise customers will be denied onboarding. Do your sanction list checks.

o When applying risk-based approach, licensed operators need to collect sufficient information and documentation to establish customers' source of wealth as well as understand their expected level of activity. Not to be forgotten is the importance of collecting information on purpose and intended nature of the initiated business relationship.

✓ **CDD process**, outline your CDD process and what documentation needs to be collected throughout customer's lifetime based on customer's risk rating during onboarding. Establish thresholds/triggers that will require further CDD and follow up on information received related to the purpose and intended nature of the business relationship.

o **SOF/SOW**, checks should be applied and updated in relation to any changes on the purpose and intended nature of the business relation.

✓ **EDD**, to be applied in any situation posing a high risk of ML/TF either mandated by law or when triggered internally through a monitoring process. Obligation to enhance monitoring of customer activity, collection of SOF/SOW, increase frequency of CDD and impose threshold checks.

✓ **Document procedures and guidelines** describing measures taken for CDD and ongoing monitoring, reporting and detecting and assessing activities and transactions that can lead to an adjustment of a customer's risk profile.

✓ **Keep record of internal collected customer documentation**, as required in the regulation for 5 years and 10 years in case of ML suspicion.

✓ **SAR/STR**, implement procedures for filing SAR/STR with FIPO.

✓ **Training**, make sure your staff attends regular relevant training on AML regulation updates and internal policies.

✓ **Whistleblowing channel**, create a safe and anonyms reporting channel for employees and others involved in AML activities, who wish to report breaches of AML regulations and procedures.

✓ **Outsourcing**, operator may delegate parts of their obligatory AML work to a third party, if the responsibility for the outsourced activities remains with the licensed operator.

The above checklist will be reviewed within the BOS AML working group when and if needed, with the aim of clarifying certain aspects of the regulation or on certain focused updates such as the following:

- Focused updates:

- o *Controls*
- o *Customer Due Diligence (including ID&V)*
- o *Customer Risk Rating*
- o *Watchlist Screening (Sanctions, PEPs & Adverse Media)*
- o *Enhanced Due Diligence (including Source of Funds & Source of Wealth)*
- o *Transaction Monitoring;*
- o *Key issues, discussion points and decisions, including:*
 - o *Technology*
 - o *Third Party Due Diligence*
 - o *Payment Methods*
 - o *Policies & Procedures*
 - o *Money Laundering Risk Assessment (Business)*
 - o *Suspicious Activity Reporting & Requests for Information*
 - o *Training*
 - o *Anti Bribery & Corruption*
- o *Regulation & Legislation*