

## **Translation from Finnish**

**Legally binding only in Finnish and Swedish**

**Ministry of the Interior, Finland**

### **Lotteries Act**

(1047/2001, amendments up to 617/2019 included)

By decision of Parliament, the following is enacted:

#### **Chapter 1 (661/2010)**

##### **General provisions**

##### **Section 1 (1286/2016)**

###### **Objectives and scope of the Act**

This Act lays down provisions on running lotteries and monitoring the running of lotteries, rendering accounts of the proceeds from lotteries, the purposes of use of the proceeds, and supervising the use of the proceeds.

The objectives of this Act are to ensure the legal protection of those participating in non-profit lotteries, to prevent misuse and crime related to lotteries, as well as to prevent and reduce the economic, social and health-related harm resulting from participation in lotteries.

This Act does not apply to random benefits offered in marketing if the only requirement for receiving the benefit is the purchase of goods or making a purchase offer.

##### **Section 2**

###### **Definition of a lottery**

In this Act, a lottery means an activity in which participants may win a prize of monetary value based in full or in part on chance and in which there is a charge for participation. Postal or local or long-distance telephone costs or similar costs incurred by participants in registering their participation in a lottery which do not benefit the lottery operator are not considered to be a charge.

The provisions of this Act concerning lotteries also apply to running casino activities and making casino games, slot machines, non-money prize machines and other game machines and game equipment available for public use against a charge where players can win a prize of monetary value.

The provisions of this Act concerning lotteries also apply to

1) lotteries which are run abroad, to the extent that their tickets are sold or supplied in Finland and

2) lotteries which are run in the province of Åland, to the extent that their tickets are also sold or supplied elsewhere in Finland.

### **Section 3 (1286/2016)**

#### **Definitions of gambling and the different forms of providing gambling services**

In this Act, gambling means a lottery in which players can win money.

In this Act:

1) *money lottery* means gambling in which money can be won in a draw;

2) *betting* means gambling in which players have the opportunity to receive a share of the winnings determined according to the product of the stake placed by the player and the odds indicating the probability of an outcome on the basis of a guess made about the events in or results of a sporting or other competition, including a horse race, or gambling;

3) *pools* means gambling other than that referred to in paragraph 2 in which players have the opportunity to receive a share of the winnings determined on the basis of a guess made about the events in or results of a sporting or other competition, including a horse race, or on the basis of a draw of numbers, symbols or other markings;

4) *slot machine* means a game machine or game equipment which persons can play to win money;

5) *specialty gaming machine* means a game machine or game equipment which after identification persons can play to win money;

6) *casino game* means roulette, card and dice or other comparable games;

7) *totalisator betting* means gambling in which players have the opportunity to receive a share of the winnings determined on the basis of a guess about the results of a horse race;

8) *combination game* means gambling in which features of gambling referred to in paragraphs 1–7 are combined.

The different forms of gambling services referred to in subsection 2 can also be provided virtually, in which case winnings are determined by a draw.

### **Section 3a (1286/2016)**

#### **Definitions of the forms of running other lotteries**

In this Act:

1) *non-money lottery* means a lottery in which items, or vouchers or coupons exchangeable for items or services, can be won in a draw or in a comparable manner based on chance;

2) *guessing game* means a non-money lottery in which participants have the opportunity to win items, or vouchers or coupons exchangeable for items or services, on the basis of a guess concerning the subject of the game, but excluding sporting or other competitions;

3) *bingo game* means a lottery in which the winners are those whose bingo card or other corresponding receipt in electronic form has the drawn numbers in the arrangement assumed under the rules of play and in which players can win items, or vouchers or coupons exchangeable for items or services, and

4) *non-money prize machine* means a game machine or game equipment where players can win items.

### **Section 4 (1286/2016)**

## Other definitions

In this Act:

- 1) *ticket* means a printed slip or a receipt in an equivalent electronic or other comparable form, which gives the right to take part in a lottery;
- 2) *gambling services* means the running of gambling operations;
- 3) *online gambling* means gambling services which are provided remotely, by electronic means or by any other technology for facilitating communication;
- 4) *player account* means an account kept by a gambling company for a player for gambling in which money transfers between the gambling company and the player as well as gambling transactions are recorded;
- 5) *casino* means approved and supervised premises where slot machines, specialty gaming machines and casino games are kept and made available for use by players where the potential loss may be apparently disproportionate to certain players' ability to pay, as well as other gambling;
- 6) *specific game room* means a space reserved exclusively or mainly for gambling or an online gambling site for which a player must register;
- 7) *gambling location* means a gambling sales location other than a specific game room or casino;
- 8) *marketing* means advertising, indirect advertising, and other sales promotion activities; indirect advertising in particular is the promotion of a product in combination with the advertising for another product, where the distinctive mark of another product or its seller is used as such or recognisably adapted to the product, or where the advertising of another product conveys an image of a certain product or its seller; regardless of the language the website is in, a foreign or Åland lottery website that is accessible online in a digital information network where the lottery website is not linked to other material promoting lotteries in Finland or mainland Finland, is not considered marketing of lotteries within the scope of this Act; marketing of lotteries in foreign or Åland publications distributed in Finland or mainland Finland, where the main purpose of the

publication is not the marketing of gambling and the marketing of lotteries is not aimed at Finland or mainland Finland in particular, is not considered marketing of lotteries within the scope of this Act;

9) *amusement park* means a place of amusement in a fixed location where most of the revenue is generated from operating carousels, various rides or roller coasters or other similar amusement park equipment available for public use against a charge;

10) *funfair* means a mobile place of amusement that is moved from one location to another.

## **Chapter 2**

### **General provisions on lotteries**

#### **Section 5 (1286/2016)**

##### **Right to run a lottery**

A lottery may be run by a registered association, an independent foundation or other such organisation that has a non-profit purpose and whose registered office is in Finland.

Provisions on the exclusive right to provide gambling services are laid down in section 11.

#### **Section 6 (1286/2016)**

##### **Authorisation to run a lottery**

Unless otherwise provided in this Act, a lottery may be run only with a licence granted by the licensing authority.

The licence may include conditions concerning the tickets, the ticket price, the sale of tickets, the draw, claiming of prizes and other aspects of the running of a lottery. The licence may also include conditions on the purpose of use of the proceeds and on monitoring the running of a lottery.

#### **Section 7**

##### **General conditions for granting a licence**

A licence to run a lottery may be granted to an organisation or foundation referred to in section 5 if

- 1) the lottery is run to collect funds to promote a non-profit activity,
- 2) the running of the lottery is not manifestly inappropriate in respect of the public interest, and
- 3) the licensing authority has no reasonable grounds to suspect that the applicant will act in violation of the provisions on running lotteries.

If the applicant has not paid the lottery tax within the given time limit or has not rendered the accounts, a new licence shall not be granted until the tax arrears are paid and the accounts deposited with the authorities.

## **Section 8**

### **Revoking a licence**

A licence granted for running a lottery may be revoked if the licence holder has seriously violated a legally significant law for the running of lotteries or the licence conditions, or if the licence holder no longer meets the conditions for obtaining a licence.

## **Section 9 (1286/2016)**

### **Purpose limitation concerning the use of proceeds from certain lotteries**

The proceeds from lotteries referred to in section 3a shall be used for the purpose specified in the licence.

If the proceeds from lotteries referred to in subsection 1 or a part of them cannot be used for the purpose specified in the licence, or it is not appropriate because the circumstances have changed or for some other reason, the licence holder shall apply to the licensing authority for permission to change the purpose of use of the proceeds.

Permission to change the purpose of use of the proceeds shall be granted provided that the new or amended purpose of use accords with section 7, subsections 1 and 2.

## **Section 10**

### **Prohibition on giving credit**

A lottery may not be run in such a way that players can participate on credit or against security.

## **Chapter 3**

### **Gambling services**

## **Section 11 (1286/2016)**

### **Exclusive right to provide gambling services**

Veikkaus Oy has the exclusive right to provide gambling services.

## **Section 12 (1286/2016)**

### **Veikkaus Oy**

Veikkaus Oy is a wholly state-owned limited liability company.

The company shall provide gambling services so as to ensure the legal protection of gambling participants, prevent misuse and crime, and prevent and reduce the economic, social and health-related harm resulting from gambling.

The company has a supervisory board. The supervisory board shall monitor and oversee that the company provides gambling services as laid down in subsection 2, and support collaboration between the company and its stakeholders.

Unless otherwise provided in this or any other act, the provisions on limited liability companies and the State Shareholdings and Ownership Steering Act (1368/2007) apply to the company.

## **Sections 13–13a**

*Sections 13–13a were repealed by Act 1286/2016.*

## **Section 13b (1286/2016)**

### **Restrictions on Veikkaus Oy's activities**

Veikkaus Oy may not run any other lotteries than gambling as defined in this Act.

Veikkaus Oy may not establish or acquire ownership of any companies other than those necessary for its gambling services or shares in such companies, and it may not transfer shares in these companies to a new owner without the permission of the Prime Minister's Office.

Without the permission of the Prime Minister's Office, Veikkaus Oy or its subsidiary may not:

- 1) establish funds or create unallocated reserves or alter the nature of the bookkeeping for these;
- 2) alter its share capital;
- 3) grant loans;
- 4) make investments other than in fixed assets necessary for its activities.

Veikkaus Oy may neither distribute dividends on its profits or on its untied equity to its shareholders, nor distribute gratuitous benefits from its profits or surplus to its personnel.

### **Section 13c (1286/2016)**

#### **Providing gambling services**

Gambling services shall be provided so as to ensure the legal protection of gambling participants, prevent misuse and crime, and prevent and reduce the economic, social and health-related harm resulting from gambling.

Provisions on the following are laid down by government decree:

- 1) when providing gambling services, how large a proportion of the accumulated participation fees shall be paid to the players as winnings, how the winnings shall be rounded up and how the unclaimed winnings shall be distributed;



2) the types and maximum number of slot machines, specialty gaming machines and casino games in gambling locations, specific game rooms and casinos, and the maximum number of specific game rooms, as well as the number, location and hours of business of casinos.

In addition, provisions on the permitted sales periods of gambling may be given by government decree.

Provisions on the rules of play for gambling are laid down by decree of the Ministry of the Interior. The rules of play shall include provisions on the distribution of winnings and the return of stakes, and the maximum permitted stakes and winnings for slot machines, specialty gaming machines and casino games. Rules on money lotteries, pools, betting and totalisator betting shall also include provisions concerning the draw. The rules of play can also include other provisions concerning the pace of the games depending on the game genre, game type or a specific game, and other such characteristics which are necessary for reducing gambling-related harm.

## **Section 14 (1286/2016)**

### **Online gambling**

When providing online gambling services, Veikkaus Oy shall open a player account specific to a player. Each player can have only one account. When opening a player account, the identity and place of residence of the player shall be verified to ascertain that the player is an adult and that the territorial scope of the legislation of another state or region is honoured.

Further provisions on player accounts and the verification of the identity and place of residence of the player may be given by government decree.

The company shall, if necessary, set game-specific, player-specific, game genre and game type quantitative and temporal restrictions to online gambling, in order to reduce gambling-related harm.

Further provisions on the game-specific, player-specific, game genre and game type quantitative and temporal restrictions to gambling may be given by decree of the Ministry of the Interior.

## **Section 14a (1286/2016)**

### **Age limit and customer due diligence**

Veikkaus Oy or a trader or organisation that supplies participation tickets or fees related to gambling or provides space for making slot machines or specialty gaming machines available for use shall not allow persons under 18 to gamble.

Further provisions on the methods for verifying that a player is an adult may be given by government decree.

Provisions on customer due diligence related to detecting and preventing money laundering and terrorist financing are laid down in the Act on Preventing Money Laundering and Terrorist Financing (444/2017). (460/2017)

## **Section 14b (1286/2016)**

### **Marketing of gambling**

Veikkaus Oy may promote gambling and the company through marketing provided that the marketing does not promote gambling that causes economic, social and health-related harm and provided that, as a result of the marketing, the demand for gambling is directed towards gambling services that are provided under this Act. Marketing shall not be targeted at minors. Marketing shall not present heavy gambling in a favourable light or non-participation in gambling or moderate gambling in a negative light. The marketing of gambling is prohibited in such television and radio broadcasting, public presentation of audiovisual programmes in cinemas and publication activities that are targeted at minors.

The marketing of gambling is prohibited in places other than specific game rooms, casinos and trotting tracks where the games or their sales points are located, if during the establishment of the rules of play it is considered that the games bear a particular gambling risk. Players may nevertheless be given information about betting events, locations, terms and fees, the probability of winning, and the winnings relating to such games.

It is the duty of the National Police Board to monitor the marketing of gambling to ensure compliance with this Act and the Consumer Protection Act (38/1978). Veikkaus Oy shall submit an annual report on the marketing of gambling to the Ministry of the Interior and the National Police Board.

Further provisions on the report referred to in subsection 3 may be given by government decree.

## **Section 15**

### **Restricting and prohibiting gambling at a casino**

A casino operator shall not allow into the casino, and shall remove from the casino, any person who is under the age of 18 or who is evidently under the influence of alcohol or other intoxicating or narcotic substance.

A casino operator has the right to prohibit a person from entering the casino or to restrict a person's gambling there if

- 1) there is probable cause to suspect the person of gambling fraud;
- 2) the person's behaviour is creating or there is probable cause to suspect that it will create a disturbance in the good order at the casino;
- 3) gambling has caused or is likely to cause the person harm of a social nature for financial or health reasons; or
- 4) the person has requested the casino operator to prevent his or her entry to the casino or restrict his or her gambling.

A prohibition or restriction remains in force for a minimum of three months and a maximum of one year.

## **Section 16 (1286/2016)**

### **Specific provisions concerning slot machines, specialty gaming machines and casino games**

Slot machines, specialty gaming machines and casino games shall be placed in a supervised space. They shall not be placed in a space where their use could endanger safety or cause a public disturbance.

## **Chapter 4 (1286/2016)**

## **Proceeds from gambling services**

### **Section 17 (1286/2016)**

#### **Purposes of use of the proceeds**

Veikkaus Oy's proceeds are used as follows:

- 1) 53 per cent for the promotion of sports and physical education, science, art and youth work;
- 2) 43 per cent for the promotion of health and social wellbeing;
- 3) 4 per cent for the promotion of horse breeding and equestrian sports.

### **Section 17a (1286/2016)**

#### **Proceeds for the promotion of sports and physical education, science, art and youth work**

Veikkaus Oy's proceeds for the promotion of sports and physical education, science, art and youth work shall be used as follows:

- 1) 25 per cent for the promotion of sports and physical education;
- 2) 17.5 per cent for the promotion of science;
- 3) 38.5 per cent for the promotion of art;
- 4) 9 per cent for the promotion of youth work;
- 5) 10 per cent for the purposes laid down in paragraphs 1–4 to be specified in detail annually in the Government Budget.

### **Section 17b (1286/2016)**

#### **Proceeds for the promotion of health and social wellbeing**

Proceeds for the promotion of health and social wellbeing shall be used in the form of grants to non-profit organisations and foundations with legal capacity.

Within the limits of the appropriation entered in the Budget, the proceeds for the promotion of health and social wellbeing can also be used for payment of compensation and reimbursement of costs referred to in section 5 of the Veterans Rehabilitation Act (1184/1988), section 8 of the Act on Rehabilitation for Persons Who Served in Specified Duties in Wartime (1039/1997) and in section 6d of the Military Injuries Act (404/1948).

Notwithstanding the provisions of section 6, subsection 1 of the Act on Discretionary Government Transfers (688/2001), the grant may cover the full amount of the total costs incurred from the activity or project for which the grant was awarded. Further provisions on the amount of the grant are issued by government decree.

### **Section 17c (1286/2016)**

#### **Proceeds for the promotion of horse breeding and equestrian sports**

At least 95 per cent of the proceeds for the promotion of horse breeding and equestrian sports, are allocated to the Finnish trotting and breeding association as well as its member organisations.

The Finnish trotting and breeding association shall present a proposal to the Ministry of Agriculture and Forestry for an annual plan on how the share referred to in subsection 1 is to be distributed to various recipients and different purposes.

It is not necessary to conclude an agreement referred to in section 7, subsection 2 of the Act on Discretionary Government Transfers if the grant for horse breeding is awarded to a horse owner under the supervision of the Finnish trotting and breeding association.

### **Section 18 (1286/2016)**

#### **Entering the proceeds in the Government Budget**

Entries are made in the Budget each year for appropriations approximating to Veikkaus Oy's profits for the financial year in question and funds returned for redistribution.

The appropriations are entered in the Budget according to the proportions laid down in section 17 for the items of the Ministry of Education and Culture, the Ministry of Social Affairs and Health, and the Ministry of Agriculture and Forestry.

### **Section 19 (1286/2016)**

#### **Rendering accounts of the proceeds**

Veikkaus Oy shall render accounts of its proceeds from gambling services to the ministry that shall deal with the distribution of proceeds for each purpose of use according to the proportions under section 17.

Further provisions on the rendering of accounts are issued by government decree.

### **Section 20 (1286/2016)**

#### **Deciding on distribution of proceeds**

The Ministry of Education and Culture decides on the distribution of the grants and central government transfers awarded for the promotion of sports and physical education, science, art and youth work out of the proceeds.

The Ministry of Social Affairs and Health decides on the distribution of the grants awarded for the promotion of health and social wellbeing out of the proceeds and on recovery of the grants. The Funding Centre for Social Welfare and Health Organisations, which operates under the Ministry of Social Affairs and Health, is tasked with preparing, paying, monitoring and overseeing the grants. The Funding Centre for Social Welfare and Health Organisations may on application by the grant recipient, for a specific reason, make minor technical changes to the grant decision, extend the period of use of the grant and transfer the grant to another non-profit organisation or foundation with legal capacity. The Funding Centre for Social Welfare and Health Organisations may decide to suspend payments. The Funding Centre for Social Welfare and Health Organisations is responsible for implementing decisions on the awarding and recovery of grants of the Ministry of Social Affairs and Health. Further provisions on the duties of the Funding Centre for Social Welfare and Health Organisations are issued by government decree.

The Ministry of Agriculture and Forestry decides on the distribution of the grants awarded for the promotion of horse breeding and equestrian sports out of the proceeds.

## **Section 20a (1286/2016)**

### **Advisory board for social welfare and health organisations' grant-related matters**

The advisory board for social welfare and health organisations' grant-related matters and its assessment and grant division act as the expert body for the Ministry of Social Affairs and Health in the preparation of the grants referred to in section 20, subsection 2. The Government appoints the advisory board and the division for a four-year term.

The duty of the advisory board is to provide statements to the Ministry of Social Affairs and Health on policies and strategic guidelines regarding funding operations for the promotion of health and social wellbeing, and to develop and assess grant policies and organisational activities. The duty of the advisory board's assessment and grant division is to provide statements to the Ministry of Social Affairs and Health on the division of grants awarded for the promotion of health and social wellbeing and to assess the activities of the organisations that receive grants. The statements of the advisory board and the division are not binding on the Ministry of Social Affairs and Health.

Further provisions on the duties, composition and appointment of the advisory board and the division are issued by government decree.

## **Section 21 (1286/2016)**

### **Leaving proceeds undistributed**

A maximum of 20 per cent of the proceeds for each purpose of use laid down in section 17 may be left undistributed every year. The amount left undistributed shall be distributed within five years.

The Government decides on the undistributed proceeds on the presentation of the ministry that shall deal with the distribution of the proceeds for each purpose of use.

## **Section 22 (1286/2016)**

### **Costs incurred by funding operations**

Besides the provisions of section 17b, proceeds for the promotion of health and social wellbeing may also be used for personnel and other expenses incurred due to the activities of the Funding Centre for Social Welfare and Health Organisations. Entries are made in the Budget each year for

an appropriation estimated to be half of the expenses of the Funding Centre for Social Welfare and Health Organisations.

Veikkaus Oy shall reimburse the Ministry of Social Affairs and Health for the difference between the actual costs incurred in the activities of the Funding Centre for Social Welfare and Health Organisations and the appropriation entered in the Budget.

The proceeds for the promotion of horse breeding and equestrian sports may be used for costs incurred by the Ministry of Agriculture and Forestry in the awarding of grants.

### **Section 23 (1286/2016)**

#### **Legislation applicable to grants distributed from the proceeds**

Unless otherwise laid down elsewhere by law, the provisions of the Act on Discretionary Government Transfers apply to grants distributed from Veikkaus Oy's proceeds.

In addition, the Act on the Financing of Education and Culture (1705/2009) applies to central government grants and transfers awarded by the Ministry of Education and Culture.

## **Chapter 5**

### **Non-money lotteries**

#### **Section 24**

##### **Provision on the scope of application concerning guessing games**

With the exception of section 25, the provisions of this chapter also apply to guessing games.

#### **Section 25**

##### **Non-money lottery licence**

Licences for non-money lotteries (*non-money lottery licence*) are granted and revoked by the police department within whose jurisdiction the lottery is run. (506/2009)



Non-money lottery licences for non-money lotteries run in an area extending beyond the jurisdiction of a single police department are granted and revoked by the National Police Board. (506/2009)

An application for a licence is submitted in writing. Licences may be granted for a maximum of six months.

## **Section 26**

### **Conditions for granting a non-money lottery licence**

A non-money lottery licence is granted to an organisation or foundation referred to in section 5 if

- 1) the general licence conditions laid down in section 7 are met;
- 2) the method of running the lottery, the combined sales price of the tickets, the value of the prizes and the likely proceeds from the lottery are not manifestly disproportionate to the intended objectives; and
- 3) the combined value of the prizes corresponds to at least 35 per cent of the combined sales price of the tickets and the smallest prize corresponds to at least the price of the ticket, and the value of tickets given as prizes is not included in the minimum value of the prizes laid down above.

A new non-money lottery licence may not be granted without a special reason if the licence applicant's proceeds from the two preceding non-money lotteries in the last three years have been manifestly disproportionate to the total revenue obtained from the sale of tickets.

## **Section 27**

### **Exemptions concerning the right to run and to participate**

An organisation or foundation referred to in section 5 may run a non-money lottery without the licence laid down in section 25, subsection 1 under the conditions laid down in section 7 where the combined sales price of the tickets does not exceed EUR 2,000 and where the sale of tickets and distribution of prizes occurs at the same event (*small lotteries*).

A school class or equivalent study group may run a small lottery referred to in subsection 1 for the purpose of promoting studies or leisure-time activities that support its studies, provided that a person with legal capacity is responsible for the work associated with running the lottery.

Holders of a non-money lottery licence may not purchase tickets and take part in the non-money lottery that they are running.

A workplace community or an established leisure-time interest group may run a non-money lottery among its members for the purpose of promoting its recreational or leisure-time activities or non-profit activities without the licence laid down in section 25, subsection 1 and without the accounting obligation laid down in section 30, where the combined value of the tickets does not exceed EUR 500 and where the sale of tickets and distribution of prizes occurs at the same event (*mini lotteries*).

## **Section 28**

### **Practical arrangements of a non-money lottery**

Practical arrangements of a non-money lottery means performance of the tasks for gain that are directly connected with a non-money lottery run on the basis of a non-money lottery licence.

The tasks connected with the practical arrangements of a non-money lottery may be performed only by the non-money lottery licence holder or by a natural person, organisation or foundation referred to in section 1, subsection 1 of the Freedom of Enterprise Act (122/1919) and specified in the non-money lottery licence upon application (*party responsible for the practical arrangements of a non-money lottery*).

The party responsible for the practical arrangements of a non-money lottery may not be:

- 1) a person without legal capacity;
- 2) a person, organisation or foundation with insufficient resources to perform the task reliably on account of financial status; or
- 3) a person, organisation or foundation declared bankrupt or a person who is subject to a business prohibition or who with probable cause is suspected of or has been convicted of the type of

offence which compromises the reliability of the person as a party responsible for the practical arrangements of a non-money lottery.

## **Section 29**

### **Supervising a draw and providing information about the result of the draw**

The draw and mixing of tickets in a non-money lottery shall be performed under the supervision of a representative of the local police department in the area of which the non-money lottery is run or a notary public, with the exception of small and mini lotteries referred to in section 27.

Holders of a non-money lottery licence, lottery operators referred to in section 27, subsection 1 and persons with legal capacity who are referred to in section 27, subsection 2 and are responsible for the running of non-money lotteries have a duty to notify the lottery participants of the lottery result. Further provisions on the method, time and content of the notification and its attachments are issued by government decree.

## **Section 30**

### **Rendering and correcting accounts**

The holder of a non-money lottery licence shall render accounts on the non-money lottery. The accounting period is the licence period. The accounts shall be rendered to the licensing authority within five months of the end of the validity of the non-money lottery licence, and the licensing authority shall inspect the accounts.

The licensing authority may order the accounts to be corrected if they contain typographical or arithmetical errors or other minor defects.

The accounts for a non-money lottery referred to in section 27 shall be rendered without delay after the end of the event. Accounts are not, however, needed if the tickets have been sold only among persons belonging to the organisation running the lottery.

## **Section 31**

### **Miscellaneous provisions concerning guessing games**

The organiser of a guessing game shall prepare a written notification of the game at least five days before it is organised.

Notification of a guessing game organised within jurisdiction of a local police department shall be submitted to the police department in the area of which the game is run. Notification of a guessing game organised in an area extending beyond the jurisdiction of a single police department shall be submitted to the National Police Board. (506/2009)

The guessing game may be run for a maximum of six months.

Only a phenomenon or state of affairs that can be defined precisely and within exact limits in advance may be used as the subject of a guessing game. The outcome of a draw may not be used as the subject of a guessing game. The correct answer in a guessing game must not be known to anyone during the period in which the tickets are sold.

The licensing authority may prohibit a guessing game from taking place if there are reasonable grounds to suspect that the organiser of the game is violating the provisions issued on the organisation of guessing games.

## **Chapter 6**

### **Bingo game**

#### **Section 32**

##### **Bingo licence**

Licences to run bingo games (*bingo licence*) are granted and revoked by the National Police Board. (506/2009)

An application for a bingo licence is submitted in writing. Bingo licences may be granted for a maximum of two years.

#### **Section 33**

##### **Conditions for granting a bingo licence**

A bingo licence is granted to an organisation or foundation referred to in section 5 if

- 1) the general conditions for granting a licence laid down in section 7 are met;
- 2) the licence applicant presents proof that the draw arrangements used in the running of the game are reliable; and
- 3) the premises reserved for the purpose are appropriate for running bingo games.

A new bingo licence may not be granted without a special reason if the proceeds obtained from the running of the bingo game have been manifestly disproportionate to the revenue accumulated from the participation fees or if the operation has made a loss in two successive financial years.

### **Section 34 (506/2009)**

#### **Approval of rules of play and the maximum permitted stake**

Bingo rules of play and the maximum permitted stake are approved by the National Police Board upon application. The rules of play shall include provisions concerning the draw. The approved rules of play shall be publicly available at no charge in the place where the bingo game is run.

### **Section 35 (1286/2016)**

#### **Bingo prizes**

In addition to the provisions laid down in section 3a, paragraph 3, the right to one or more new games may be given as a prize in a bingo game.

The maximum value of the prizes given to players may not exceed 75 per cent of the total sales value for six calendar months, and neither may the maximum value of the prizes given to players exceed 95 per cent during one calendar month.

### **Section 36**

#### **Rendering and correcting accounts**

The licence holder shall render accounts on the bingo games for the accounting period specified by the licensing authority. The accounting period may be a maximum of six months. The accounts

shall be rendered to the licensing authority within one month of the end of the accounting period, and the licensing authority shall inspect the accounts.

The licensing authority may order the accounts to be corrected if they contain typographical or arithmetical errors or other minor defects.

### **Section 37 (1156/2015)**

#### **Statement on the accounts**

The statement of an auditor referred to in the Auditing Act (1141/2015) concerning the profitability of the bingo games shall be attached to the accounts.

A bingo licence may allow a statement to be submitted by a natural person who complies with the provisions on independence and disqualification as referred to in chapter 4, sections 6 and 7 of the Auditing Act, if the bingo proceeds can be assumed to be low on account of the infrequency of the bingo sessions or for some other reason.

## **Chapter 7**

### **Non-money prize machines**

#### **Section 38**

##### **Non-money prize machine licence**

Licences for making non-money prize machines available for use (*non-money prize machine licence*) are granted and revoked by the local police department in whose jurisdiction the machine is located.

An application for a non-money prize machine licence is submitted in writing. Licences are granted for a maximum of one year.

A licence is granted to an organisation or foundation referred to in section 5 subject to the conditions laid down in section 7.

#### **Section 39**

##### **Non-money prizes**

A non-money prize shall be an individual article of low financial value.

Prizes may not include alcohol or tobacco products, gift vouchers or any counters or slips exchangeable for money, articles or services or other monetary benefit.

Provisions on the maximum value of a non-money prize are laid down by government decree.

## **Section 40**

### **Location of non-money prize machines**

A non-money prize machine shall be placed in a supervised space. It may not be placed in a space where its use could endanger safety or cause a public disturbance.

## **Section 41**

### **Rendering and amending accounts**

The licence holder shall render accounts on the non-money prize machine which is made available for use. The accounting period is the licence period. The accounts shall be rendered to the licensing authority within one month of the end of the licence period, and the licensing authority shall inspect the accounts.

The licensing authority may order the accounts to be amended if they contain typographical or arithmetical errors or other minor defects.

## **Chapter 8**

### **Monitoring the running of lotteries**

## **Section 42**

### **Monitoring lotteries**

The running of lotteries is monitored in order to ensure the legal protection of the lottery participants, to prevent misuse and crime and to reduce the social and health-related harm resulting from lotteries. (575/2011)

The National Police Board is responsible for national monitoring of the running of lotteries and for compilation of statistics on lotteries. The National Police Board can issue statements and instructions on the running and monitoring of lotteries. (506/2009)

Police departments monitor the lotteries run in their own particular areas. (506/2009)

If necessary, electronic monitoring systems shall be used in the monitoring of the provision of gambling services. Further provisions on electronic monitoring systems for gambling may be given by government decree. (575/2011)

### **Section 42a (1286/2016)** **Advisory Board on Gambling**

The Advisory Board on Gambling, appointed by the Government, operates under the Ministry of the Interior in monitoring the achievement of gambling policy goals and development needs.

Provisions on the more detailed duties and the composition of the Advisory Board are laid down by government decree.

### **Section 42b (1184/2013)** **Register for monitoring of lotteries**

To carry out the licensing and monitoring duties laid down in this Act, the police shall maintain a register for notifications, licence applications, licences, revocation of licences, rendering of accounts, those making notifications, licence applicants and holders, those running lotteries, control measures, and measures related to prohibitions and conditional fines.

Provisions on the processing of personal data in the registers maintained by the police are laid down in the Act on the Processing of Personal Data by the Police (616/2019). (617/2019)

### **Section 43 (1286/2016)** **Official supervisors**

The National Police Board may appoint official supervisors to supervise gambling services. Provisions on criminal liability as a public official apply to official supervisors when they are



performing the duties referred to in this Act. Provisions on liability for damages are laid down in the Tort Liability Act (412/1974).

Official supervisors shall supervise the compliance of the provision of gambling services with the rules of play approved under section 13 and confirm the pools, betting and totalisator betting results and amount of winnings in each round. Official supervisors shall also supervise the draw and mixing of tickets for money lotteries and confirm the result of the draw, unless a notary public performs these tasks with the consent of the National Police Board.

The Ministry of the Interior approves the monitoring arrangements for gambling referred to in section 62, subsection 5.

#### **Section 44 (1286/2016)**

##### **Right to obtain information**

Notwithstanding secrecy provisions, supervisory authorities have the right to obtain information and documents necessary to perform their supervisory duty from Veikkaus Oy, any organisation or foundation authorised to run lotteries and from any party responsible for the practical arrangements of a non-money lottery.

#### **Section 45 (1286/2016)**

##### **Right to inspect and prohibit**

A police department, the National Police Board and the inspection body referred to in section 58 have the right to inspect that an approved payment-monitoring device is used in slot machines and non-money prize machines, and in game machines and game equipment referred to in section 56.

A police department and the National Police Board have the right to prohibit the making available for use of a machine or game equipment referred to in subsection 1 if it is not fitted with an approved payment-monitoring device or it is placed in violation of the provisions on the location of machines or game equipment. If the observed defect or error is minor, the police may order it to be rectified instead of imposing a prohibition.

#### **Section 46 (1286/2016)**

##### **Reimbursement for the costs of monitoring and supervising gambling services**

Veikkaus Oy shall reimburse the State for the costs incurred in the monitoring and supervision of gambling services.

Provisions on the reimbursement for the costs are laid down by decree of the Ministry of the Interior.

## **Chapter 9**

### **Miscellaneous provisions**

#### **Section 47 (1286/2016)**

##### **Collection of winnings and prizes**

Winnings from money lotteries shall be collected within one year of the confirmation of the result of the draw or the end of the sales period notified on the tickets. Winnings from pools and betting shall be collected within one year and winnings in totalisator betting within three months of the confirmation of the final result under the rules of play for these games. Winnings from slot machines, specialty gaming machines and casino games shall be collected within one year of obtaining the result giving entitlement to the winnings. Winnings from combination games shall be collected within one year of obtaining the result giving entitlement to the winnings under the rules of play for these games.

Bingo prizes shall be collected within one year of obtaining the result giving entitlement to the prize.

Prizes in non-money lotteries and guessing games, excluding non-money lotteries permitted without the licence laid down in this Act, shall be collected within two months of the end of the validity period of the non-money lottery licence.

#### **Section 48**

##### **Recommended decision**

A player may submit a request in writing to the National Police Board for a recommended decision on a dispute with a gambling operator concerning the payment of winnings. (575/2011)

Official supervisors referred to in section 43 may not participate in the issue of a recommended decision. No charge is made for the issue of a recommended decision. No request may be made for a review of a recommended decision. A recommended decision or an application for such a decision does not prevent the matter from being submitted to a court for decision.

Further provisions on the application for a recommended decision and the documentation that must be attached to it, the application deadline for recommended decisions and the content of recommended decisions may be given by government decree.

## **Section 49**

### **Restriction on gambling in a casino**

Persons in the service of a casino and official supervisors referred to in section 43 may not take part in gambling in a casino.

## **Section 50**

### **Technical monitoring of casinos**

Provided advance notification is given, casino operators have the right to monitor gambling operations by using technical devices to observe and film the casino entrance and customer areas and the casino employee work areas. This technical monitoring right does not apply to recreational and social facilities for employees.

## **Section 51 (1286/2016)**

### **Casino customer and monitoring register**

Casino operators have the right to keep a filing system (*casino customer and monitoring register*) for the purpose of monitoring gambling operations. The following information on casino customers and their gambling may be gathered and stored in the casino customer and monitoring register:

- 1) first name and last name;
- 2) date of birth;
- 3) nationality;

- 4) address;
- 5) for foreign customers, the passport number and the date and place of issue of the passport;
- 6) photograph of the customer;
- 7) time of arrival at the casino;
- 8) prohibition of admission or gambling;
- 9) information on gambling at the casino;
- 10) suspected or proven gambling fraud; and
- 11) information on any disorderly conduct.

The information is gathered based on the details provided by the customer and by observing or filming with a technical device. Information on casino employees collected by observing or filming with a technical device may also be gathered and stored in the register.

Information stored in the register may be handled only by those persons employed by Veikkaus Oy who need the information to carry out their work duties and only to the extent required to carry out those work duties.

The data controller may disclose register information to official supervisors referred to in section 43 for the purpose of carrying out a supervisory duty.

Information stored in the register shall be removed as soon as the information is no longer needed for the monitoring of casino activities, and no later than three years after it was entered in the register.

In addition to what is provided in this Act, the Personal Data Act (523/1999) applies to the casino customer and monitoring register.

## **Section 52 (1286/2016)**

### **Monitoring and researching the harm resulting from the running of lotteries, and development of prevention and treatment**

The harm resulting from participation in lotteries shall be monitored and researched. Responsibility for monitoring and researching such harm, as well as for developing prevention and treatment, rests with the Ministry of Social Affairs and Health.

Veikkaus Oy shall reimburse the State for the costs incurred in monitoring, research and development. The Ministry of Social Affairs and Health charges the company a fee equal to the total costs incurred by the activities of the Ministry.

Provisions on collection of the fee are laid down by decree of the Ministry of Social Affairs and Health.

## **Section 53 (1286/2016)**

### **Veikkaus Oy's duty to disclose information**

Veikkaus Oy shall each year submit its action plan, its budget for the following year and its financial statements, immediately upon their completion, to the ministry dealing with the distribution of proceeds for each purpose of use, as well as to the Ministry of Finance, the Ministry of the Interior and the National Police Board.

The company shall each year submit to the ministry dealing with the distribution of proceeds for each purpose of use, as well as to the Ministry of the Interior and the National Police Board, a report on the development of its gambling services and on the measures that it has taken to prevent and reduce the economic, social and health-related harm resulting from gambling.

The company shall submit information to the National Police Board on the provision of gambling services referred to in section 3, subsection 2, paragraphs 1–8 for statistical purposes, and information to the Ministry of Social Affairs and Health that is necessary for monitoring and researching the harm resulting from participation in lotteries and for assessing gambling-related harm.

## **Sections 54–55**

*Sections 54–55 were repealed by Act 1286/2016.*

## **Section 56**

### **Exceptions concerning certain game machines and game equipment**

Notwithstanding the provisions of sections 5 and 7, the local police department in the area of which a game machine or game equipment is located grants a licence

1) to a natural person, organisation or foundation referred to in section 1 of the Freedom of Enterprise Act to make available for public use, against a charge, hand-operated wheels of fortune and game machines and game equipment acquired before 1 June 1970 with which the player can win an item or other monetary benefit or counters exchangeable for them; and

2) to an amusement park or funfair to make available for public use, against a charge, game machines and game equipment referred to in subsection 1, non-money prize machines and other game machines and game equipment with which the player can win an item.

The value of prizes obtained from the game machines or game equipment referred to in subsection 1 may not exceed EUR 35.

Licences are granted for a maximum of one year.

Section 6, subsection 1, sections 10, 40, 42, 44, 45 and 63; section 64, paragraphs 1 and 8; section 66 and section 67, paragraph 2 apply, as appropriate, to the game machines and game equipment referred to in subsection 1.

## **Section 57 (506/2009)**

### **Payment-monitoring device**

If the charge to be paid for using a slot machine or a non-money prize machine, or a game machine or game equipment referred to in section 56, is collected with the aid of a device that allows the machine or game equipment to be used (*slot*), the machine or game equipment shall include a payment-monitoring device inspected and approved by an inspection body authorised by the National Police Board. The device shall reliably record information on the payments

accumulated from use of the equipment. Documentation shall be compiled on the information recorded and the documentation stored as laid down on the storage of accounting records.

## **Section 58**

### **Authorisation of inspection body and the inspection body's obligation to disclose information**

The National Police Board authorises an inspection body upon application to undertake inspection and approval of payment-monitoring devices referred to in this Act. The authorisation is given to an inspection body which carries out technical inspections of devices and equipment. The authorisation is given for a maximum of five years. (506/2009)

The National Police Board may revoke an authorisation it has given if

- 1) the inspection body so requests;
  - 2) the inspection body, without a legitimate reason, fails to fulfil its inspection duties; or
  - 3) irregularities are apparent in the activities of the inspection body which compromise the reliability of the inspections and approvals.
- (506/2009)

The inspection body shall submit information on type-approved payment-monitoring devices to the National Police Board. (506/2009)

The provisions of the Administrative Procedure Act, the Language Act (423/2003), the Sámi Language Act (1086/2003), the Act on the Openness of Government Activities, the Personal Data Act and the Archives Act (831/1994) shall be observed in the inspection and approval procedure for payment-monitoring devices. (575/2011)

## **Section 59**

### **Documentation**

Documentation shall be prepared on the use of slot machines and non-money prize machines, and game machines and game equipment referred to in section 56, but not hand-operated wheels of fortune, which indicate:

- 1) the location of the machine or game equipment and the time when it was placed there;
- 2) the readout of the payment-monitoring device when the machine or game equipment is taken into use, when the payment-monitoring device is replaced, when the cash box is emptied and when the machine or game equipment is transferred to another party;
- 3) the time at which the cash box is emptied;
- 4) the time at which the payment-monitoring device was not in use on account of it being out of order or for some other reason;
- 5) the number of times the machine or game equipment is used during inspection of the suitability for use of the payment-monitoring device or the machine or game equipment; and
- 6) the number of coins used in the machine or game equipment which do not accord with the instructions for use of the machine or game equipment.

## **Section 60**

### **Information displayed on machines or game equipment and shown on tickets**

Information indicating the machine and game equipment operator and the operator's contact details and business identity code shall be displayed in a prominent position on slot machines and non-money prize machines, and on game machines and game equipment referred to in section 56.

Information on the running of the lottery, the operator, and the number, value and types of prizes shall be marked on the lottery tickets or on the notice given at no charge in connection with the sale of the tickets.

## **Section 61**

### **Appointment of an agent**



If the licence for a non-money lottery, bingo or non-money prize machine is revoked, the accounts have not been rendered within the given time limit or a correction order under section 30, subsection 2, section 36, subsection 2 or section 41, subsection 2 has not been complied with, the licensing authority may appoint an agent to take possession of the funds accrued in the lottery and to render the accounts, at the licence holder's expense.

## **Section 62 (1286/2016)**

### **Prohibitions on running a lottery**

Running a lottery in a manner other than that referred to in section 3, subsection 2 or 3, or section 3a or 56 is prohibited.

It is prohibited to

1) sell or supply tickets for a lottery run without a licence required under this Act, or any other gambling services than those provided by Veikkaus Oy, or market such a lottery;

2) sell or supply tickets or market lotteries abroad, unless permitted under the legislation of the state or region in which the tickets are sold or supplied or lotteries are marketed;

3) sell or supply tickets, receive stakes and distribute winnings connected with gambling services provided by Veikkaus Oy without the permission of the company.

It is prohibited to provide premises for the making of slot machines, specialty gaming machines, casino games, non-money prize machines, or game machines or game equipment referred to in section 56, available for use without a licence referred to in this Act.

A bonus based on a draw may not be paid on premium bonds in addition to interest.

Gambling services conducted abroad in which Veikkaus Oy participates are not considered overseas lotteries under this Act.

## **Section 62a (1286/2016)**

### **Prohibitions on providing gambling services**

The National Police Board may prohibit the provision of gambling services if:

- 1) gambling services are provided by a body other than Veikkaus Oy;
- 2) the provision of gambling services violates the prohibitions laid down in section 62, subsections 1–4; or
- 3) this Act, or a decree issued under this Act, is otherwise violated in the provision of gambling services in a manner other than that referred to in section 62b.

The prohibitions may be imposed on the gambling operator or a trader or organisation that supply participation tickets and fees, provide space for making slot machines or specialty gaming machines available for use, or market gambling.

A prohibition is in effect for a maximum of three months. The National Police Board may extend the prohibition period by no more than six months at a time if the way of providing the gambling services has not been corrected.

### **Section 62b (1286/2016)**

#### **Prohibition on marketing gambling**

The National Police Board may prohibit the marketing of gambling in violation of section 14b.

The prohibitions may be imposed on the gambling operator or a trader or organisation that supply participation tickets and fees, provide space for making slot machines or specialty gaming machines available for use, or market gambling.

A prohibition is in effect for a maximum of three months. The National Police Board may extend the prohibition period by no more than six months at a time if the way of marketing the gambling has not been corrected.

### **Section 62c (661/2010)**

#### **Conditional fine**

The National Police Board may impose a conditional fine to reinforce the prohibition referred to in section 62a or 62b.

The National Police Board orders the payment of conditional fines imposed to reinforce the prohibition referred to in section 62a. The Market Court orders the payment of conditional fines imposed to reinforce the prohibition referred to in section 62b upon application of the National Police Board. (134/2013)

Provisions on conditional fines are laid down in the Act on Conditional Fines (1113/1990).

### **Section 63 (661/2010)**

#### **References to the Criminal Code**

Provisions on the punishment for a gambling offence and a lottery offence are laid down in chapter 17, sections 16a and 16b of the Criminal Code (39/1889).

### **Section 64 (1286/2016)**

#### **Lottery violation**

Anyone who wilfully or through negligence

1) violates the prohibition laid down in section 10 on running lotteries allowing players to participate on credit;

2) does not comply with the duty to prohibit entry to a casino in cases referred to in section 15, subsection 1;

3) violates the restrictions concerning eligibility to gamble based on the age limit laid down in section 14a;

4) violates the prohibition of participation laid down in section 27, subsection 3;

5) acts contrary to section 28, subsection 2 as a party responsible for the practical arrangements of a non-money lottery;

6) performs the draw or mixes the tickets for a non-money lottery in a manner contrary to what is laid down in section 29, subsection 1 or does not comply with the notification duty laid down in section 29, subsection 2 concerning the result of the draw;

7) violates the provisions concerning the location of slot machines, specialty gaming machines or casino games referred to in section 16, subsection 2, non-money prize machines referred to in section 40 and game machines or game equipment referred to in section 56, subsection 1; or

8) violates the provisions of section 57 on payment-monitoring devices;

shall be ordered to pay a fine for a lottery violation.

*Subsection 2 was repealed by Act 460/2017.*

### **Section 65 (1286/2018)**

*Section 65 was repealed by Act 1286/2016.*

### **Section 66 (925/2015)**

#### **Request for review**

A decision concerning approval of a payment-monitoring device referred to in section 57 may be appealed against to an administrative court as provided in the Administrative Judicial Procedure Act (586/1996). Other administrative decisions made under this Act may be appealed against as provided in the Administrative Judicial Procedure Act.

The decision of an administrative court in a matter referred to in section 58, subsection 2 of this Act may be appealed against as laid down in the Administrative Judicial Procedure Act. Other decisions of an administrative court may be appealed against only if the Supreme Administrative Court grants leave to appeal.

Regardless of appeal, decisions made under this Act on the cancellation of licences or amendment of licence conditions, and a prohibition on providing gambling services referred to in section 62a shall be complied with, unless otherwise ordered by the appellate authority.

### **Section 66a (661/2010)**

## **Referring a prohibition on marketing to the Market Court**

No appeal may be made against prohibitions on marketing gambling referred to in section 62b and imposed by the National Police Board, or conditional fines it has imposed to reinforce such a prohibition.

The party to whom the National Police Board has imposed a prohibition on marketing gambling referred to in section 62b, or a conditional fine to reinforce such a prohibition, may refer the matter to the Market Court on application within 30 days from the receipt of the order or the decision. The prohibition shall be complied with unless otherwise ordered by the Market Court.

Provisions on the consideration of a case in the Market Court and on appeal against a decision of the Market Court are laid down in the Market Court Proceedings Act (100/2013). (134/2013)

## **Section 67**

### **Further provisions**

Provisions on the following are laid down by government decree:

- 1) the information to be marked on tickets for money lotteries and non-money lotteries and the information to be issued in connection with their sale;
- 2) the content of licence applications and of a notification referred to in section 31, and the content of licence decisions;
- 3) the procedures and deadlines for running a lottery;
- 4) the content of the accounts for lotteries referred to in section 3a, the availability of the accounts, deadlines concerning the availability of the accounts, and the storage of the accounts;
- 5) the payment-monitoring devices referred to in section 57, devices and documents submitted to the inspection body referred to in section 58, exceptions from the type-approval duty, and inspection and approval of the monitoring devices; and

6) the duty of the National Police Board and police departments to submit information for the purpose of monitoring and researching the harm resulting from the running of lotteries and for the purpose of assessing gambling-related harm.

(1286/2016)

*Subsection 2 was repealed by Act 1286/2016.*

## **Chapter 10**

### **Transitional provisions and entry into force**

#### **Section 68**

##### **Entry into force**

This Act enters into force on 1 January 2002.

This Act repeals the Lotteries Act of 1 September 1965 (491/1965), as amended, and the Act on Regulating Financial Activity Practised for Non-profit and Charitable Purposes of 17 December 1943 (1034/1943).

Measures necessary for the implementation of this Act may be undertaken before the Act's entry into force.

#### **Section 69**

##### **Transitional provisions**

Appropriations left undistributed in accordance with a decision of the Government taken before the entry into force of this Act under section 3 of the Decree on the Use of the Surplus from Money Lotteries and Pools (725/1982), section 29, subsection 3 of the Decree on Slot Machines (676/1967) and section 11, subsection 2 of the Decree on Totalisator Betting (236/1995) shall be distributed within five years from the date of the decision.

Slot machines and non-money prize machines, and game machines and game equipment referred to in section 56 available for public use at the time of the entry into force of this Act shall be equipped with a payment-monitoring device in the manner laid down in this Act no later than one year from the entry into force of this Act.

Licences issued before the entry into force of this Act for running non-money lotteries and bingo, and making game machines and game equipment referred to in section 56 available for use, will remain valid with their conditions until the end of their validity periods.