

Uppsala, 3rd of May 2021

The logo for BOS.nu, featuring the letters 'BOS' in a large, bold, white sans-serif font, followed by '.nu' in a smaller, white sans-serif font. The logo is set against a dark grey rectangular background.

Consultation response "Continued need for gambling liability measures due to the spread of covid-19 disease", Fi2021 / 01546

The Industry Association for Online Games (BOS) hereby submits its views on the above-mentioned memorandum.

BOS rejects the proposal to extend the restrictions for primarily online casinos until November 14, 2021. We refer to our three previous statements in the case regarding our basic reasoning and our reasons for the rejection.¹ Nothing has changed in substance to why it was unfortunate to introduce the restrictions from the beginning and nothing has changed in substance to why (yet) an extension leads to error and will not contribute to the goal expressed by the Ministry of Finance.

The main reason for this is that the restrictions make it more difficult for the work they claim to be to support: strong consumer protection for gambling for money in Sweden. This is due to the fact that the restrictions raise the thresholds for licensed gaming and, in other words, lower the thresholds for Swedish consumers to choose unlicensed gaming in Sweden. In this way the paradox arises; the more restrictions that are added in this situation in addition to those decided by the Riksdag in the Gaming Act, the worse the consumer protection will be.

¹ <https://www.bos.nu/2020/05/08/remissvar-till-finansdepartementet-angaende-shekarabis-atgarder-mot-spelmarknaden/>
<https://www.bos.nu/wp-content/uploads/2020/06/0605-Remissvar-Fi202002404OU.pdf>
<https://www.bos.nu/wp-content/uploads/2020/11/BOS-remissvar-Fi202004385.pdf>

We also find it remarkable that the Ministry of Finance, as a reason why online casinos should be specifically tightened, bases its argument on the general channeling of the gaming market, and not the channeling of online casinos. It is a conclusion with obvious logical shortcomings. There is a broad consensus, i.a. from the State Treasury, the Swedish Gaming Inspectorate and BOS / Copenhagen Economics, that the general channeling is slightly declining and in 2020 was about 85 percent - an in itself unsatisfactory level that should be thoughtful. There is an equally broad consensus that the channel for online casinos is about 10 percentage points below the level for the general channel. At least every fourth gaming crown thus leaks out of the licensing system. With the same leakage of money follows a leakage of Swedish consumer protection.

It is difficult to understand the underlying reasons why the channeling of online casinos, which is at a critically low level, is not addressed by the Ministry of Finance when it is the gaming product and not gaming in general that is the subject of the proposed measure.

In other respects, as previously mentioned, we refer to previously submitted consultation responses, where, among other things, can take part in reasoning that shows that consumer protection is not only damaged by a reduced degree of channeling, but also by the fact that the deposit limit creates incentives for the gaming customer to create several business relationships with different companies, including licensed companies. Instead of collecting their gambling from one company, the customer opens accounts with many companies, in order to avoid the deposit limit. As a result, the opportunity to monitor and analyze the customer's behavior is largely lost, as each individual gaming company then accounts for such a small part of the total gaming. This lost part of the Swedish gambling regulation is the completely central and statutory duty of care for consumer protection.

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