

Applying for operating permit for organising gambling

Brief description

Business operators who wish to organise gambling and already hold an activity licence for organising gambling, need to apply for an operating permit for organising gambling. The operating permit grants the right to open a gambling location or organise gambling as a remote gambling, it is issued for up to 20 years by the Estonian Tax and Customs Board.

Legal basis

The activity of a gambling operator is regulated by the following legal acts:

- General Part of the Economic Activities Code Act ([MsüS](#))
- Gambling Act ([HasMS](#))
- Gambling Tax Act ([HasMMS](#))
- Money Laundering and Terrorist Financing Prevention Act ([RahaPTS](#))
- List and procedure for entry of data registered in the electronic recordkeeping and control system of gambling operators and procedure for connecting an electronic recordkeeping and control system to the information system of the Estonian Tax and Customs Board ([link](#))
- Establishing the List of Persons with Restrictions on Gambling and Certification of the Statute of the List ([link](#))

Requirements for applicants

An operating permit can only be granted to the holders of an activity licence for organising gambling, except in the cases referred to in subsection 22 (2) of the Gambling Act.

Cross-border activity

There are no standardised requirements in the European Union for organising gambling. This means that an activity licence acquired from another state within the European Economic Area does not grant the right to offer gambling or apply for an operating permit in Estonia, and vice versa.

Completing and submitting an application

If you wish to obtain an operating permit for opening a gaming location for a game of chance, or organising toto, lottery or additional games of chance, you need to submit an application and enclose the additional documents indicated in the list overleaf of the corresponding application form.

If you wish to obtain an operating permit for organising remote gambling, you need to submit an application and enclose the additional documents indicated in the list overleaf of the corresponding application form.

The application forms can be found [here](#)

NB! Before submitting the application you have to pay the state fee.

The application can be lodged:

- *online* through the information portal [eesti.ee](#) or the Register of Economic Activities (using e-services requires authentication with ID-card or Mobile-ID, or via internet bank)
- digitally signed by e-mail to: emta@emta.ee or hasart@emta.ee
- by post to the Estonian Tax and Customs Board at Lõõtsa 8a, 15176 Tallinn.

Payment of the state fee

The state fee for the review of the application for operating permit for gambling can be transferred to the bank accounts of the Ministry of Finance, which can be found [here](#).

The state fee for the review of the application for an operating permit for gambling (except for lotteries) is 3200 euros.

The state fee for the review of the application for an operating permit for lotteries is 640 euros (State Fees Act, § 261).

Processing the application

The Tax and Customs Board sends a preliminary response containing the information provided for in subsection 19 (5) of the General Part of the Economic Activities Code Act no later than on the third working day following the submission of the application.

The Tax and Customs Board makes a decision to issue an operating permit or refuse to issue an operating permit within two months after the receipt of all the necessary documents and information but no later than within four months after the receipt of an application for the operating permit (subsection 22 (4) of the Gambling Act).

You are notified of the issue of operating permit by e-mail. The operating permit is issued electronically. The operating permit is granted for up to 20 years.

The operating permit for organising games of chance, remote gambling and toto is granted only to a gambling operator whose electronic record-keeping and control system is duly linked to the information system of the Tax and Customs Board.

Changes to the conditions of operating permit

In the case of changes to the information indicated in the application for an operating permit it is necessary to notify the Tax and Customs Board thereof promptly, but no later than within five working days (subsection 30 (5) of the General Part of the Economic Activities Code Act).

An application for amendments can be submitted:

- online through the information portal eesti.ee or the Register of Economic Activities (using e-services requires authentication with ID-card or Mobile-ID, or via internet bank);
- digitally signed by e-mail to: emta@emta.ee or hasart@emta.ee or
- by post to the Estonian Tax and Customs Board at Lõõtsa 8a, 15176 Tallinn.

Revocation of operating permit

Bases for revocation of operating permit are provided for in section 30 of the Gambling Act.

An operating permit is revoked if you have intentionally submitted incorrect information upon application for an operating permit which affected the grant of a permit, provided that if such information had not been submitted, the grant of an operating permit would have been denied (clause 37 (1) 1) of the General Part of the Economic Activities Code Act), or if you renounce your economic activity (clause 37 (1) 2) of the General Part of the Economic Activities Code Act).

An undertaking which has failed to submit the annual confirmation that it has performed the notification obligations concerning changes to circumstances of the operating permit is also deemed to have fully renounced economic activities (subsections 30 (6) - (8) of

the General Part of the Economic Activities Code Act).

Supervision

The [Estonian Tax and Customs Board](#) exercises state supervision over the organisation of gambling.

The [Consumer Protection Board](#) exercises state supervision over the area of consumer laws and advertising.

The [Financial Intelligence Unit](#) exercises state supervision over the area of preventing money laundering and terrorist financing.

Contact details

Further information on organising gambling:

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General information of the Register of Economic Activities and technical questions:

register@mkm.ee