

Consultation on the draft RTS on the methodology for assessing and classifying the inherent and residual risk profile of obliged entities in the non-financial sector, and the frequency at which such risk profiles are to be reviewed under Article 40(2) Directive (EU) 2024/1640

Fields marked with * are mandatory.

Consultation on the draft RTS on the methodology for assessing and classifying the inherent and residual risk profile of obliged entities in the non-financial sector under Art. 40(2) AMLD

Objective of the consultation

AMLA would like to receive feedback on provisions of the draft RTS under Article 40(2) of Directive (EU) 2024/1640 ('AMLD') and in particular on the specific questions set out below.

Comments are most helpful if they:

respond to the question stated; indicate the specific point to which a comment relates; contain a clear rationale; provide evidence to support the views expressed/ rationale proposed; and describe any alternative regulatory choices AMLA should consider.

Such comments should be sent by **27 September 2026, 23:59 (CET)**.

Personal data protection:

The protection of individuals with regard to the processing of personal data by the AMLA is based on Regulation (EU) 2018/1725. Further information on the processing of the personal data is available in the Data Protection Notice.

All legal details can be found in our Specific Privacy Statement (SPS).

How to provide feedback

All the fields marked with an asterisk (*) are mandatory.

Where applicable, the reference year for this questionnaire is 2025.

We are using a survey format to help us analyse feedback effectively and efficiently. For this reason, document uploads are not enabled for this exercise, and we kindly invite you to share your comments directly within the survey.

Please do not provide any sensitive or personal information in your responses, as all answers will be published.

Please note that by submitting your contribution, you acknowledge that it will be published on AMLA's website. All contributions will be published after the consultation closes, unless you request otherwise. If you wish your comments to be treated as confidential, please clearly indicate this in the consultation form. The name of organisations submitting their contribution will also always be published. The name of the natural person providing a contribution will be published unless they object to said publication. Please refrain from inserting further personal information beyond what we ask from you. In particular, please refrain from providing confidential information or special categories of personal data (that is "personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation"). Your email address will never be published.

Before publication, AMLA staff will perform a limited screening of all contributions provided for the sole purpose of filtering any inappropriate submissions. After this, the replies are made available to the public directly on AMLA's public consultations page.

Please note that your contribution may be subject to a request for access to documents under Regulation 2018 /1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

A confidential response may be requested from us in accordance with Regulation 1049/2021 regarding public access to European Parliament, Council and Commission documents. We may consult you if we receive such a request. Any decision not to disclose a response is subject to review by the European Ombudsman.

Language disclaimer

AMLA welcomes submissions in all official EU languages. You can change the displayed language of this public consultation using the language selector in the top right corner of the EU Survey platform. Please note that all language versions other than English have been produced using machine translation and may contain inaccuracies. When in doubt, please refer to the English version. Should you encounter issues with submitting your responses, please contact us by email at public.consultations@amla.europa.eu no later than 48 hours before the deadline of the consultation period.

In case you need more rows to add your feedback for question 6, please submit an additional consultation form.

Respondent profile

* This contribution is made by:

An organisation

* First name of individual (individual respondent or representative of organisation)

100 character(s) maximum

Spelbranschens Riksorganisation/Swedish Gambling Association

* Surname of individual (individual respondent or representative of organisation)

100 character(s) maximum

Eva

* Email (note that your email address will not be published)

100 character(s) maximum

Sjöberg

* Publication of your name and surname

- ☐ I agree to the publication of my name and surname (note that your email address will never be published).
- ☒ Contribution to be published without my name and surname (note that your email address will never be published).

* Would you like the comments you provide in this questionnaire to be treated as confidential?

- ☐ Yes
- ☒ No

* Which of the following best describes your activity or organisation?

Maximum 1 selection(s)

- ☐ Obligated entity (OE) (in the sense of [Article 3 of Regulation \(EU\) 2024/1624 Regulation - EU - 2024/1624 - EN - EUR-Lex](#))
- ☐ Competent Authority (in the sense of [Article 2 \(1\) \(44\) of Regulation \(EU\) 2024/1624 Regulation - EU - 2024/1624 - EN - EUR-Lex](#))
- ☐ Self-Regulatory Body (in the sense of [Article 2 \(1\) \(47\) of Regulation \(EU\) 2024/1624 Regulation - EU - 2024/1624 - EN - EUR-Lex](#))
- ☒ Industry Association
- ☐ Civil Society Organisation / NGO

☐ Other (please specify below)

Financial Sector

- ☐ Credit institutions
- ☐ Cross-border branches of credit institutions when located in EU
- ☐ Undertakings other than a credit institution or an investment firm
- ☐ Insurance undertakings
- ☐ Insurance intermediaries
- ☐ Investment firms
- ☐ Collective investment undertakings
- ☐ Central securities depositories
- ☐ Creditors
- ☐ Credit intermediaries
- ☐ Crypto-asset service providers
- ☐ Cross-border branches of financial institutions when located in EU

Non-financial sector

- ☐ Auditors, external accountants, tax advisors, other independent professionals that provide assistance or advice on tax matters
- ☐ Notaries
- ☐ Lawyers, other independent legal professionals
- ☐ Trust or company service providers
- ☐ Estate agents, other real estate professionals
- ☐ Traders in precious metals and stones
- ☐ Traders in high-value goods
- ☒ Gambling service providers
- ☐ Crowdfunding service providers and crowdfunding intermediaries
- ☐ Traders or intermediaries in the trade or storage of cultural goods
- ☐ Credit intermediaries for mortgage and consumer credits (other than credit and financial institutions)
- ☐ Investment migration operators
- ☐ Non-financial mixed activity holding companies
- ☐ Football agents
- ☐ Football clubs

* How long has your entity been active in this sector (in years)?

More than 20 years

* Please select the country from which you or your organisation carry out your main activities:

SE - Sweden

General consultation questions

Section A: Overall Assessment of the Draft RTS

1. How would you rate the proposals set out in the draft RTS overall?

- ☐ Inadequate
- ☐ Neutral
- ☐ Adequate

* 2. Would the implementation of the draft RTS generate any additional **one-off implementation costs** beyond the adjustments required based on the legal text provided in chapter III of AMLR 2024/1624 ([Regulation - EU - 2024/1624 - EN - EUR-Lex](#))?

This question is aimed at understanding the additional costs stemming from the implementation of these specific draft RTS, rather than the additional costs stemming from the provisions of Regulation (EU) 2024/1624 to conduct customer due diligence. We are interested in understanding the additional costs arising from the implementation of the draft RTS for your obliged entity. Please provide your responses with this context in mind.

For this survey, “costs” refer to the financial and resource implications your entity may face in implementing the draft RTS, including both initial setup efforts and ongoing operational commitments. Examples of one-off costs include amendment of policies and procedures, system upgrades, staff training, or consultancy fees, while recurrent costs may include additional reporting, monitoring, software subscriptions, or allocation of additional full-time equivalent (FTE) resources, etc. Please describe and substantiate in your answers which specific costs you would be incurring when implementing the provisions of these draft RTS.

- ☒ Moderate impact
- ☐ Disruptive impact
- ☐ No significant additional costs

* 2b. Please describe and substantiate the specific one-off implementation costs you foresee when implementing the provisions of these draft RTS. Examples of one-off implementation costs include amending policies and procedures, system upgrades, staff training or consultancy fees.

1000 character(s) maximum

The overall cost impact is reflected in the responses provided throughout this questionnaire. These responses collectively capture the various types of one-off and ongoing costs that may arise from the implementation of the draft RTS.

* 3. Would the implementation of the draft RTS generate any additional **recurrent costs** beyond the adjustments required based on the legal text provided in chapter III of AMLR 2024/1624 ([Regulation - EU - 2024/1624 - EN - EUR-Lex](#))?

- ☒ Moderate impact
- ☐ Disruptive impact
- ☐ No significant additional costs

- * 3b. Please describe and substantiate the specific recurrent costs you foresee when implementing the provisions of these draft RTS. Examples of recurring costs may include additional reporting, monitoring, software subscriptions, or allocation of additional full-time equivalent resources, etc.

1000 character(s) maximum

The responses provided elsewhere in this survey collectively capture the recurrent costs associated with the implementation of the draft RTS. These responses should be considered together when assessing the overall ongoing cost impact.

4. With reference to the list of data points included in Annex 1 applicable to your category(ies), kindly indicate the time **(in working hours)** needed to comply with the reporting obligations if your entity had to supply the full set of data points.

50 character(s) maximum

- * 5. Can you provide specific examples of the operational challenges faced by supervisors or entities in implementing the risk assessment methodology for small entities?

1000 character(s) maximum

SPER does not have specific input or evidence regarding the operational challenges that supervisors or entities may face in implementing the proposed methodology. However, this should not be interpreted as indicating that no operational challenges exist. Rather,

6. What alternative methods could supervisors use to assess the risk profile of small obliged entities at individual entity level to reduce the reporting and supervisory burden while still allowing supervisors to identify higher-risk entities? Please describe any such alternatives that would support a harmonised approach to risk assessment and ensure consistent supervisory outcomes across Member States.

3000 character(s) maximum

Section B: Topical comments of the Draft RTS

Recitals

- * 7. Does the approach adequately consider the characteristics of the non-financial sector in terms of size and heterogeneity of population of obliged entities, as well as AML/CFT maturity?

- ☐ Yes
☒ Neutral
☐ No

Article 1 - Definitions

* 8. Do you agree with the proposed criteria for the identification of small entities ?

- ☐ Agree
☒ Disagree

* 8b. If you disagree, which criteria should AMLA use instead?

500 character(s) maximum

SPER has no specific observations or examples to provide in relation to this question.

Article 2 – Assessment and classification of the inherent risk profile of obliged entities operating in the non-financial sector

* 9. Do you agree with the proposed approach to assess and classify the inherent risk of obliged entities?

- ☐ Agree
☒ Disagree

* 9b. If you disagree, please provide justification.

500 character(s) maximum

Further clarification is needed to ensure that the methodology distinguishes between the scale of an exposure, the concentration of ML/TF risk, business model characteristics, and supervisory resource requirements. Several gambling-sector data points are based on customer numbers, transaction volumes or amounts wagered. While these indicators may reflect the materiality and scale of an operator's activities, they do not necessarily indicate a higher intensity or concentration of ML/TF risk.

Article 3 - Assessment and classification of the quality of AML/CFT controls put in place by obliged entities operating in the non-financial sector

10. Do you agree that small entities benefitting from the small firms regime should not be required to provide data points on the quality of AML/CFT controls?

- ☐ Agree
☐ Disagree

Article 4 - Assessment and classification of the residual risk profile of obliged entities operating in the non-financial sector

11. Do you agree with the proposed approach to assess and classify the residual risk of obliged entities?

- ☐ Agree
☒ Disagree

* 11b. If you disagree, please provide justification.

500 character(s) maximum

AMLA should distinguish more clearly between:

- control existence and structure;
- control maturity;
- evidence of actual control effectiveness and risk reduction.

This distinction is important because several proposed controls data points primarily establish whether a control exists, how frequently an activity is carried out or how a process is organised, whereas fewer data points directly measure whether identified risks are effectively detected, mitigated and followed up.

Article 5 and 6 - Frequency of the assessment and classification of inherent and residual risk profiles of obliged entities operating in the non-financial sector and Entry into force and application

12. Do you agree with the proposed approach to frequency and timeline of application?

- ☐ Agree
- ☒ Disagree

* 12b. If you disagree, please provide justification.

500 character(s) maximum

A clear implementation plan from the supervisory authority will be important to support consistent application across the sector. To facilitate a smooth and consistent implementation, it will be important that supervisory authorities provide a clear roadmap, timely guidance and ongoing engagement with obliged entities throughout the implementation period. This would support legal certainty, consistent interpretation and effective compliance across the sector.

13. Among the data points listed in the Annex I and II 7. to this consultation paper, are there data points that you consider not significant for the purposes of assessing the ML/TF risk exposure or the quality of AML/CFT controls?

3000 character(s) maximum

We have not identified specific data points that should be considered insignificant as such. Our main concerns relate instead to the need for clearer definitions, classification rules and aggregation principles to ensure consistent and comparable reporting across gambling operators.

1. Entity-level assessment versus separate online and land-based data collections

The RTS provides for entity-level assessments, while Annex I contains separate online and land-based datasets. For operators active in both channels, AMLA should clarify how data should be aggregated. Guidance on customers, transactions and wagers is needed to avoid double counting and inconsistent outcomes.

2. Clear definitions of transaction-related data points

Several transaction-related data points require clarification. In particular, “highest/largest transaction” should specify whether it refers to wagers, deposits, withdrawals, payouts or other fund transfers. Further clarity is needed on these categories, especially for land-based gambling.

3. Clear definitions of cash-related data points

The meaning of “cash deposits” and “cash withdrawals” should be clarified, particularly for land-based and

retail models. It should be clear whether direct cash payments for gambling or winnings paid in cash are included, or whether the data points are limited to account-based fund movements.

4. Clarification of payment methods

Further guidance is needed on payment methods. In particular, AMLA should clarify whether instant account-to-account and mobile payment solutions, such as Swish and similar products in other Member States, fall within the category of fund transfers.

5. Allocation between physical and digital distribution channels

Clarification would be useful where gambling takes place physically but customer identification is performed digitally. It should be specified whether such customers are considered verified on a non-face-to-face basis.

6. Recognition of effective AML/CFT controls in the residual-risk methodology

While the rationale for assigning a lower weight to controls is understood, controls validated through supervisory assessments or independent audits should be capable of influencing residual-risk outcomes.

7. Annual assessment and reuse of previously reported information

AMLA should clarify whether annual assessments require resubmission of all information or whether unchanged information may be carried forward with only updates reported.

8. Clarification of reliance on CDD performed by other obliged entities

Further clarification is needed regarding reliance on customer due diligence performed by other obliged entities, including whether reporting should distinguish between intra-group reliance and reliance on external entities.

Section C: Additional comments on further proportionality arrangements

The draft RTS could possibly include a time limited transitional arrangement whereby supervisors may delay applying the risk assessment methodology to small entities.

- * 14. In your view, would this transitional arrangement be effective in overcoming the operational challenges associated with implementing the risk assessment methodology for small entities in time for the first data collection?

☐ Yes
☒ Neutral
☐ No

- * 15. Are there any small entities or categories of small entities that should be excluded from any transitional arrangement where their business model, customer base or geographic exposure presents increased ML/TF risk?

☐ Yes
☒ Neutral
☐

No

16. What impact, if any, would a delay in data collection have on the ability of supervisors to identify emerging risks, ensure effective AML/CFT controls and allocate supervisory resources effectively?

- ☐ Positive impact
- ☒ No impact
- ☐ Negative impact

* 17. What measures should be implemented by supervisors during the transitional period to ensure that eligible entities are capable of complying with the full data collection requirements at the end of the transition period?

1000 character(s) maximum

Sper has no detailed comments on the proposed transitional arrangements for small entities. Any such arrangements should, however, be time-limited and risk-based and should preserve consistent supervisory outcomes across Member States.

For land-based gambling distributed through retail agents or intermediaries, we suggest that a time-limited transitional period is considered for cash-related data points. While cash purchases are relevant from an ML/TF risk perspective, operators may currently lack the technical capability to reliably identify whether individual gambling purchases at retail points have been paid in cash. Additional implementation time would allow operators to establish reliable data collection and reporting capabilities.”

Contact

[Contact Form](#)